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**ARREST HISTORIES OF  
ADOLESCENT MALE  
DOMESTIC VIOLENCE OFFENDERS  
IN NEW YORK CITY**

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The methodology, findings, and conclusions of the study, as well as any errors, omissions and misinterpretations are the sole responsibility of the author.

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# ARREST HISTORIES OF ADOLESCENT MALE DOMESTIC VIOLENCE OFFENDERS IN NEW YORK CITY

## I. INTRODUCTION

A growing body of research indicates that criminal justice interventions are unable to deter domestic violence offenders from committing new acts of domestic violence (Peterson 2008a).<sup>1</sup> One reason may be that most of these interventions occur among adults (primarily males) who have established a stable pattern of expectations and behavior that support the use of violence in family and intimate relationships. Studies consistently demonstrate that one of the best predictors of domestic violence is a history of prior acts of domestic violence (see Peterson 2003 for a summary of this research). Intervening early, before young offenders establish a pattern of violent relationships, might be a promising way to prevent some from developing an adult history of domestic violence.

This report examines adolescent males in New York City to learn more about their history of arrests for domestic violence and to examine the potential for early intervention by the criminal justice system. It builds on a previous study which found that many young males (age 16-24) arrested for domestic violence already had a history of domestic violence—nearly 30% had been arrested for domestic violence in the prior two years (Peterson 2008b). To identify the first opportunity for criminal justice interventions with young males clearly requires an even narrower focus on the youngest arrestees—adolescents. The current study therefore examines domestic violence arrest histories of adolescent males, including those under age 16 (whose cases are generally processed as juveniles in family court) and those age 16 to 19 (whose cases are processed in adult criminal court). It examines the connection between juvenile and adult arrest histories and considers the possibilities for additional criminal justice interventions with adolescent males arrested for their first adult domestic violence offense.

### A. Review of the Literature

Studies of domestic violence (DV) among adolescent males (age 12 to 19) are relatively rare (Hickman et al. 2004) and most focus on teen dating violence, excluding violence against other family members. A nationally representative survey of high school students in the U.S. found that about 10% of adolescents (both boys and girls) were victims of physical violence by a dating partner in the previous year (Eaton et al. 2008). The Youth Risk Behavior Survey (YRBS) defined physical violence as being “hit, slapped, or physically hurt on purpose.” The survey was not designed to determine how much of this violence could be considered criminal behavior. The National Crime Victimization Survey (NCVS) reported much lower rates of criminal victimization by an

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<sup>1</sup> Criminal justice interventions, of course, have other goals as well: deterring other potential offenders and establishing community standards against domestic violence (Lerman 1992). Moreover, there are many other types of crime where criminal justice interventions have not been found to deter offenders.

intimate partner among adolescents age 12-19 —generally less than 1% in the previous year (Hickman et al. 2004).<sup>2</sup> Although reported victimization rates in the NCVS are the same for adolescent males and females, females were more likely to report that their violence was used in self-defense (Hickman et al. 2004). This suggests that boys were more likely to be the initiators of violence.

Reliable data on other types of adolescent domestic violence, notably violence against parents and siblings, are even more difficult to obtain. Yet these types of violence are important to a comprehensive understanding of adolescent domestic violence. Sibling violence may be the most common type of domestic violence (Straus, Gelles and Steinmetz 2006). Adolescent violence against parents may be a delayed response to earlier experiences of child abuse (Browne and Hamilton 1998). Furthermore, acts of violence against parents and siblings may be precursors of violence against intimate partners (Noland et al. 2004). Acceptance and use of violence in relationships with parents and siblings could carry over to relationships with intimate partners.

Studies of criminal justice interventions for adolescents charged with domestic violence are rare. We have located two studies of specialized courts that focus on adolescent DV offenders. One of these studies is an evaluation of the Brooklyn Youthful Offender Domestic Violence Court (Cissner 2005). This court was designed to handle cases of intimate partner violence committed by teenage offenders. The evaluation included information about 279 defendants with 360 cases during the period from January 2004 to March 2005. Defendants in the Youthful Offender DV Court were between the ages of 16 and 19, and the average age was 18. About 88% of the defendants were male, so most of the findings can be generalized to the population of adolescent male DV offenders.

In the Brooklyn Youthful Offender DV Court, about one-third of the offenders had a non-sealed prior arrest, and the average number of prior arrests was 1.8 (Cissner 2005). Almost half of the defendants were in school at the time of the arrest, and only one in seven defendants had completed high school. One quarter of the defendants reported drug use, and one third reported alcohol use. Almost half of the defendants had a child in common with the complaining witness.

About two thirds of the defendants were charged with assault, and one sixth of them were charged with criminal contempt (violating an order of protection). Data on the processing of cases in the Youthful Offender DV Court shows that 42% of the cases were adjourned in contemplation of dismissal, usually with the condition that the defendant successfully complete a teen-oriented batterer intervention program (Cissner 2005). About 28% of the cases were disposed with a guilty plea, including 11% that were sentenced to jail. The median jail time was 30 days. Bench warrants were issued

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<sup>2</sup> Differences between the NCVS and YRBS make it difficult to compare their results. The NCVS focuses on criminal violence, while the YRBS focuses on any physical violence. Adolescents answer the NCVS questions verbally in the presence of their parents whereas they provide anonymous written responses to the YRBS in a classroom.

in about 10% of the cases. Data on pretrial re-arrests or post-disposition re-arrests are not yet available.

A study of the Santa Clara Juvenile Domestic and Family Violence Court also provided some data on adolescent offenders (Sagatun-Edwards et al., 2003). Unlike the Brooklyn court, this court handles cases of family violence (e.g., violence against parents, siblings or other relatives) as well as partner violence, and it hears only cases of offenders under the age of 18 who are processed as juvenile (rather than adult) offenders. The evaluation provided information about 127 juveniles processed between April 1999 and June 2001. The median age of the offenders was 16 (all were between the ages of 15 and 17), and about three quarters of the offenders were male.

About 60% of the juveniles in the Santa Clara study had a record of prior juvenile delinquency. One fifth of the juveniles were diagnosed with a mental illness (most of those with this diagnosis were charged with family violence rather than partner violence). Over 60% had been abused as a child, and over half the juveniles had parents who had a DV history. About half of the parents had a criminal record and half had a substance abuse history.

About two thirds of the juveniles were charged with partner violence, and one third was charged with family violence. Most of the offenders were ordered to participate in a batterer intervention program and a substance abuse program. Recidivism data indicated that over one half had committed new offenses, including over one quarter who had committed new domestic violence or family violence offenses. A control group had a similar rate of new offenses, so these results indicate that the court had no impact on recidivism.

CJA's previous study of young male DV offenders in New York City (Peterson 2008b) provided additional background information that shaped the current study. That study compared young male DV offenders (age 16 to 24) both to older male DV offenders (25 and older) and to young male Non-DV offenders (also age 16 to 24). In New York State, all arrestees 16 and older are processed in the adult criminal court. Young male DV offenders had more extensive criminal histories than young male Non-DV offenders. They were also less likely than young male Non-DV offenders and older male DV offenders to be engaged in full-time activity (school, work and/or training). Not surprisingly, young male DV offenders were more likely to be charged with offenses against girlfriends, parents and siblings, and less likely to be charged with offenses against spouses, than older male DV offenders.

The New York City study found that the courts generally processed the cases of young male and older male DV offenders in a similar manner. There was a very slight tendency to treat young male DV offenders more leniently. For example, in the rare cases when DV offenders were convicted and sentenced to jail, young males tended to receive shorter sentences. Young male DV offenders were more likely to engage in pretrial misconduct (failure to appear, re-arrest, re-arrest for a new DV offense) than older male DV offenders or young male Non-DV offenders. An examination of

predictors of pretrial re-arrest for a new DV offense found that re-arrest rates were significantly lower for young male DV offenders who had no history of DV arrest in the prior two years and who were engaged in full time activity. This finding suggests that school or employment programs aimed at young male DV offenders who were unemployed and/or high school dropouts might reduce recidivism. Finally, the study noted that arrests for violence against parents and siblings were more common among the youngest DV offenders (age 16 to 20), while arrests for violence against girlfriends were more common among slightly older DV offenders (age 21 to 24). This suggests that violence against parents and siblings may be a precursor to intimate partner violence.

The studies of the Brooklyn Youthful Offender DV Court, the Santa Clara Juvenile Domestic and Family Violence Court, and New York City young male DV offenders provide valuable information about an understudied group. The Brooklyn study examines adolescents age 16 to 19 whose arrests were processed in adult criminal court. The Santa Clara study examines adolescents age 15 to 17 whose arrests were processed in juvenile court. The New York City study examines adolescents and young adults (age 16 to 24) whose arrests were processed in adult court. These studies provide valuable background for the current study, which examines adolescents processed in adult court, while incorporating information about their juvenile arrest histories. The current study focuses exclusively on adolescent males and, like the Santa Clara and New York studies, includes information about those charged with any type of family violence, including intimate partner violence, violence against parents and siblings, and violence against other family members.

## B. Research Plan

The current study is designed to address four research questions:

- 1) How frequently are adolescent males, including juveniles under age 16 as well as adults age 16 to 19, arrested for domestic violence offenses?
- 2) Is a history of juvenile arrests for domestic violence related to the likelihood of adult arrests for domestic violence among adolescent males?
- 3) Is a history of arrests for parent/sibling violence as a juvenile related to the likelihood of adult arrests for intimate partner violence among adolescent males?
- 4) What opportunities are there for criminal justice intervention in adult domestic violence cases of adolescent males?

These questions will be addressed through analyses of data on New York City arrestees drawn from the New York City Criminal Justice Agency, Inc. database. As described in Chapter 2, the Adolescent Arrest History data file includes those arrested between July 1, 2003 and December 31, 2007. Chapters 3 and 4 address the first three research questions by examining juvenile and adult arrest histories. Chapter 5

addresses the fourth research question by examining models that predict the likelihood of re-arrest after a first adult arrest for domestic violence or for intimate partner violence. The report concludes with a summary of findings and a discussion of their implications for criminal justice interventions with adolescent male DV offenders.

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## II. METHODOLOGY

### A. Overview of the CJA Database and the Analytical Datasets

The data for this study were drawn primarily from the CJA database. This database contains information about the arrest, case processing, and case outcomes of most adult New York City arrestees (age 16 and over). Limited information is also available about the arrests of juvenile arrestees (under age 16). The CJA database includes data from three sources: CJA's pre-arraignment interview,<sup>3</sup> the New York City Police Department's On-Line Booking System (OLBS) database, and the New York State Office of Court Administration (OCA).<sup>4</sup> Information concerning demographic characteristics and the community ties of the arrestees is taken from the CJA pre-arraignment interview. Information about the arrests is based on the OLBS data. Detailed Criminal Court and Supreme Court processing and outcome data on each of the arrests are drawn from the OCA data.

This report analyzes three datasets drawn from a large Adolescent Arrest History data file specially compiled to examine the New York City arrest histories of adolescents. The Adolescent Arrest History data file includes only arrestees whose 16<sup>th</sup> birthday occurred between July 1, 2004 and December 31, 2007. This data file includes arrests that occurred from July 1, 2003 to December 31, 2007 in New York City. This time period for arrests was chosen to allow a minimum of one year of arrests that occurred before the arrestee's 16<sup>th</sup> birthday. The data file includes arrests that were classified as adult arrests (for arrestees who were charged in adult criminal court with committing offenses on or after their 16<sup>th</sup> birthday), as well as JD arrests (for arrestees who were charged in family court as "juvenile delinquents" for committing offenses prior to their 16<sup>th</sup> birthday) and JO arrests (for arrestees who were charged in adult criminal court as "juvenile offenders" for committing specified offenses prior to their 16<sup>th</sup> birthday). The data file includes information on 123,420 arrests, including 77,655 adult arrests, 43,189 JD arrests and 2,576 JO arrests. The district attorney elected to bring charges and assigned a docket number for 71,155 of the adult arrests. The remaining 6,500 adult arrests were declined for prosecution by the district attorney, and were not docketed.

The Adolescent Arrest History data file was used to create three datasets for analysis in this report. Each of these datasets is an arrestee-based dataset, meaning that each arrestee is counted only once in the dataset, regardless of how many arrests he or she had in the Adolescent Arrest History data file.

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<sup>3</sup> CJA conducts pre-arraignment interviews to measure the defendant's community ties and to serve as the basis for making a recommendation as to whether or not the defendant should be released on recognizance at his or her first court appearance. Defendants who are arrested on a bench warrant, given a Desk Appearance Ticket (DAT), or who are held for arraignment on prostitution charges in the downtown Manhattan Criminal Court are not interviewed by CJA. CJA collects arrest and Criminal Court information for all arrestees, and arrestees were included in the Adolescent Arrest History data file whether or not they were interviewed by CJA.

<sup>4</sup> DCJS, OCA, and the NYPD are not responsible for the methods or conclusions of this report.

The first dataset is the Juvenile-Adult History Dataset, which includes information about the arrest history of anyone who had a juvenile or adult arrest between July 1, 2003 and December 31, 2007, and whose 16<sup>th</sup> birthday occurred between July 1, 2004 and December 31, 2006. This dataset aggregates information about all the arrestee's juvenile and adult arrests. Information is available about each arrestee's history of juvenile (JD and JO) arrests for a minimum of 1 year and a maximum of 3.5 years. Similarly, information is available about each arrestee's history of adult arrests for a minimum of 1 year and a maximum of 3.5 years. The dataset includes anyone who had a juvenile and/or adult arrest and had at least one year of juvenile arrest history and at least one year of adult arrest history.

The second dataset is the Juvenile-Adult Criminal Career Dataset, which includes information about the arrest history of anyone who had a juvenile or adult arrest between July 1, 2003 and December 31, 2007, and whose 16<sup>th</sup> birthday occurred between July 1, 2004 and December 31, 2007. This dataset differs from the Juvenile-Adult History Dataset because it includes adult arrest information for arrestees whose first adult arrest occurred between January 1, 2007 and December 31, 2007. Information is therefore available about each arrestee's history of adult arrests for a minimum of 1 day (in the case of an arrestee whose 16<sup>th</sup> birthday was December 31, 2007) and a maximum of 3.5 years. This dataset allows us the longest possible time period to identify the first adult arrest for each arrestee, while still providing a minimum of one year of information about juvenile arrests. This dataset includes anyone who had a juvenile and/or adult arrest and had at least one year of juvenile arrest history and *any* adult arrest history (regardless of length).

The third dataset is the Adult History Dataset, which includes information about the arrest history of anyone who had an adult arrest between July 1, 2004 and December 31, 2006, whose 16<sup>th</sup> birthday occurred between July 1, 2004 and December 31, 2006, and whose first adult arrest was disposed on or before December 31, 2006. The Adult History Dataset differs from the Juvenile-Adult Criminal Career Dataset in three important ways. First, arrestees who had only juvenile arrests but no adult arrests were excluded from the Adult History Dataset, whereas they were included in the Juvenile-Adult Criminal Career Dataset. Second, it excludes those whose 16<sup>th</sup> birthday occurred between January 1, 2007 and December 31, 2007. Third, it excludes those whose first adult arrest was disposed after December 31, 2006. The latter two exclusions allow us to examine at least one year of arrest history after the disposition of each arrestee's first adult arrest. This dataset includes anyone who had an adult arrest and had at least one year of juvenile arrest history and one year of adult arrest history *after the disposition of, or release from incarceration after, their first adult arrest.*

As mentioned above, each of the three datasets is an arrestee-based dataset—that is, each arrestee is counted only once in each dataset. Arrestees are eligible for inclusion in each of the datasets based on the date of occurrence of their 16<sup>th</sup> birthday, the date of occurrence of their arrests, and for one dataset, the date of disposition of their first adult arrest. However, each dataset draws on information in the Adolescent Arrest History data file to identify information about arrests that occurred before and

after the period of eligibility. Thus, each arrestee-based dataset incorporates arrest history information about arrests of each arrestee that may have occurred at any time from July 1, 2003 to December 31, 2007.

## B. Creating Arrest Histories

One of the most difficult and time-consuming tasks required to create the analytical datasets for this study was measuring the arrest history of each arrestee. There were two problems to address: 1) finding an accurate identifier for each arrestee that was consistent across multiple arrests, and 2) determining whether arrestees whose identifiers were similar but not identical were or were not the same person.

The most important identifier used in our study is the arrestee's fingerprint identification number, known as a New York State Identification, or NYSID, number. While an individual is often assigned the same NYSID number each time he or she is arrested, there are many circumstances under which that does not occur. Because of this inconsistency, we developed a variety of procedures to create accurate arrest histories. Before explaining those procedures, we first explain how adult and juvenile NYSID numbers are assigned.

### i. Adult NYSID Numbers

When an individual is arrested for the first time as an adult (16 years of age or older), a unique NYSID number is assigned to the arrestee's fingerprints by the New York State Department of Criminal Justice Services (DCJS). If a first-time adult arrestee is ultimately convicted of a misdemeanor or a felony offense, the NYSID number will be permanently assigned to the defendant. The next time the defendant is arrested and fingerprinted, the fingerprints are checked by computer against the database of existing fingerprints. If the new fingerprints are correctly matched to the old fingerprints, the same NYSID number will be assigned to the arrestee. If the new fingerprints are not correctly matched to the old fingerprints, a new NYSID number may be mistakenly assigned to the arrestee. If this error is subsequently discovered by DCJS, the full criminal history of the defendant is retained using one of the NYSID numbers as a consolidated NYSID number. Under these circumstances, a defendant may have two or more NYSID numbers in the CJA database, although DCJS records information for that defendant using only the consolidated NYSID number.

If a first-time adult arrestee is convicted of a violation or infraction, given an adjournment in contemplation of dismissal (ACD), or has his/her case dismissed, the NYSID number assigned at the time of the arrest may eventually be sealed. In these cases, the NYSID number will not be used again for that arrestee unless he/she is re-arrested after an ACD or a conviction for a violation or infraction within a certain period of time (usually 6 or 12 months) after the case is disposed. If the adult is re-arrested *after* the 6- or 12-month period has expired, the arrestee is treated as a first-time adult arrestee and a new NYSID number is assigned. Depending on the disposition of the case for the new arrest, the NYSID number will either become

permanent or will be sealed according to the rules described above. It is possible for an adult to be arrested several times and to have his/her record sealed each time. Under these circumstances, an arrestee would have multiple NYSID numbers, and each arrest would be linked to a different NYSID number.

In some cases, individuals are arrested for “non-printable” offenses, i.e., offenses for which New York State law does not require the taking of fingerprints. These are usually minor offenses in the New York State Penal Law or Vehicle and Traffic Law, or local offenses in the New York City Administrative Code. In our Adolescent Arrest History data file, most adult offenses were printable offenses. Some major exceptions were disorderly conduct (PL §240.20), Unlawful Possession of Marijuana (PL §221.05) and Aggravated Unlicensed Operation of a Motor Vehicle (VTL §511). Arrestees charged with these offenses often were not fingerprinted, and the CJA database did not have a NYSID number associated with these arrests.

## ii. Juvenile NYSID Numbers

Juvenile arrestees are also sometimes fingerprinted and assigned a NYSID number. New York State law requires that arrestees aged 13, 14 and 15 be fingerprinted if they are arrested on a felony charge. Arrestees aged 11 and 12 must be fingerprinted when the charge is for an A or B felony. On occasion, the police fingerprint juveniles who are not required to be fingerprinted (e.g., facing a misdemeanor charge), though this practice appears to be uncommon in New York City.

Juvenile arrestees are assigned special juvenile NYSID numbers. If a first-time juvenile arrestee is ultimately convicted as an adult or is adjudicated in family court for a felony offense (only A or B felonies for 11 or 12 year olds), the NYSID number will be assigned to the arrestee until she or he reaches the age of 16. If the arrestee is arrested and fingerprinted again prior to the age of 16, the fingerprints are checked by computer against the database of existing fingerprints. If the new fingerprints are correctly matched to the old fingerprints, the same NYSID number will be assigned to the arrestee. If the new fingerprints are not correctly matched to the old fingerprints, a new NYSID number may be mistakenly assigned to the arrestee. If this error is subsequently discovered by DCJS, the full criminal history of the arrestee is retained using one of the NYSID numbers as a consolidated NYSID number until the arrestee reaches age 16. Under these circumstances, a juvenile arrestee may have two or more NYSID numbers in the CJA database, although DCJS records information for that arrestee using only the consolidated NYSID number.

If a first-time juvenile arrestee is tried and convicted as an adult, the NYSID is active until the juvenile reaches 16 years old. However, if a first-time juvenile arrestee is tried as an adult and has his/her case dismissed, the NYSID number assigned at the time of the arrest is sealed. If the juvenile is re-arrested and is still a juvenile, the arrestee is treated as a first-time juvenile arrestee and a new juvenile NYSID number is assigned. Depending on the disposition of the case for the new arrest, the NYSID number will either become active until the arrestee reaches age 16 or will be sealed

according to the rules described above. It is possible for a juvenile to be arrested several times and to have his/her record sealed each time. Under these circumstances, an arrestee may have multiple juvenile NYSID numbers, and each arrest is linked to a different NYSID number.

If a first-time juvenile arrestee has his or her case referred to Family Court, the juvenile NYSID assigned at arrest is retained for the duration of the case. The NYSID number will not be used again for that arrestee unless he or she is re-arrested during the pendency of the case or unless the respondent is found to be a delinquent for an A or B felony (if aged 11 or 12 for the incident) or for any felony if aged 13 to 15 for the incident (New York State Division of Criminal Justice Services, 1996). If the juvenile is arrested *after* the case is resolved and is still a juvenile, the arrestee is treated as a first-time juvenile arrestee and a new juvenile NYSID number is assigned. Depending on the disposition of the case for the new arrest, the NYSID number will either become active until the arrestee reaches age 16 or will be sealed according to the rules described above. It is possible for a juvenile to be arrested several times, have the case referred to Family Court, and to have his/her record sealed each time. Under these circumstances, an arrestee may have multiple juvenile NYSID numbers, and each arrest is linked to a different NYSID number.

### iii. Procedures for Creating Arrest Histories

The analyses planned for this study required that we have an accurate identifier for each arrestee that was consistent across all of his or her arrests. To create the arrest histories, we started with the Adolescent Arrest History data file described above. Because NYSID numbers can change from one arrest to the next, because NYSID numbers are not available for non-printable offenses, and because NYSID numbers can be erroneously assigned, we developed a variety of procedures to create an identifier that would be accurate and consistent across multiple arrests for the same individual.

**1. Creating Arrest Histories using NYSID-matching.** We began creating arrest histories by using the standard method—identifying all arrests associated with each NYSID number in the data file.

**2. Creating Arrest Histories using name and date-of-birth matching.** We next searched the Adolescent Arrest History data file and matched arrestees based on their name and date of birth. We looked for matches among all those who had no NYSID number, and then looked for matches between those without a NYSID number and those with a NYSID number. To address the problem of arrestees whose NYSID number may have changed over time, we also used name and date-of-birth matching to search for matches among arrestees with different NYSID numbers. Because of the complexity of the matching process and the large size of this data file, this work took several months to complete.

**3. Checking Arrest Histories.** Once the arrest histories were created, we checked them for possible errors to determine if the same NYSID number had been assigned to

two different arrestees. This can occur as a result of incorrect fingerprint matching or paperwork mistakes.

### C. Case Processing Information

For cases that had multiple dockets, case processing information in this study is based on the docket that had the most severe arraignment charge (based on Penal Law severity) in Criminal Court.<sup>5</sup> When the most severe arraignment charges on two or more dockets are of equal Penal Law severity, the top charge is determined according to guidelines developed by OCA. These guidelines provide a consistent set of rules for determining which of two arraignment charges of equal severity will be identified as the top arraignment charge.

Brooklyn, Manhattan, Queens and Staten Island have a two-tiered court system for handling criminal cases. In these four counties, the Criminal Courts only have trial jurisdiction over cases having a most serious charge of misdemeanor or lesser severity. Most defendants charged with felonies are first arraigned in Criminal Court. Cases sustained at the felony level must be brought for prosecution in Supreme Court. In felony cases where the DA decides not to prosecute the case in Supreme Court (or the Grand Jury fails to return an indictment), the case may be disposed in Criminal Court by dismissal or by a plea to a reduced charge less severe than a felony, or by a transfer to another court's jurisdiction (e.g., Family Court).<sup>6</sup>

In the Bronx, as in the other boroughs, all criminal cases are first arraigned in Criminal Court. Prior to November 4, 2004, cases were processed as described above for the other boroughs. However, since that date all criminal cases that are not disposed at arraignment, whether they are felony or misdemeanor cases, are transferred to Supreme Court in the Bronx for subsequent appearances. As a result, Supreme Court cases in the Bronx after that date include not only cases sustained as felonies, but also all other criminal cases that were not disposed at arraignment. In other counties, the cases not sustained as felonies would have remained in Criminal Court. To compare cases from the Bronx to cases from other counties, we attempted to determine whether cases processed in Bronx Supreme Court would have been processed in Criminal Court had they been processed in another county. We classified

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<sup>5</sup> New York State Penal Law categorizes most offenses according to their severity. The most serious crimes are A felonies, followed by felonies classified as being of severity B through E. Misdemeanors are less severe than felonies, and are classified as A or B misdemeanors or Unclassified misdemeanors (A misdemeanors are more severe than B misdemeanors, and Unclassified misdemeanors are less severe than B misdemeanors). Violations are less severe than misdemeanors, and are not considered crimes, although they can result in jail sentences. No distinctions of severity are made within the category of violations.

<sup>6</sup> The Family Courts have concurrent jurisdiction over certain domestic violence cases (Aldrich and Domonkos 2000). Some DV cases are heard only in Criminal Court, some are heard in both Criminal Court and Family Court, and others are heard only in Family Court. We do not have access to data on DV cases that are heard only in Family Court, and our report draws no conclusions about these cases.

certain cases that were transferred to Bronx Supreme Court as “criminal-court equivalents.” Bronx Supreme Court cases that were not sustained as felonies were considered “criminal-court equivalents,” while those that were sustained as felonies were considered to be “true” Supreme Court cases.

In this report we refer to cases as Criminal Court cases if they reached a final disposition in Criminal Court, or if they were classified as “criminal-court equivalents” in the Bronx. We refer to cases as Supreme Court cases if they were classified as “true” Supreme Court cases in the Bronx, or if they were disposed in Supreme Court in any of the other boroughs.

The three datasets include case processing information in Criminal Court through final disposition (and sentencing, if there was a conviction), or until the cutoff date for Criminal Court appearances (see Table 2-1 below). Case processing information in Supreme Court is included through final disposition (and sentencing, if there was a conviction), or until the cutoff date for Supreme Court appearances. Information about any final dispositions in Criminal Court or Supreme Court beyond these cutoff dates was added to the dataset only for the cases included in Table 5-1 and Table 5-2.

**TABLE 2-1  
CUTOFF DATES FOR APPEARANCE HISTORIES BY YEAR**

<b>YEAR</b>	<b>Criminal Court Cutoff Date</b>	<b>Supreme Court Cutoff Date</b>
2003 (last half)	November 29, 2004	December 22, 2005
2004	November 21, 2005	June 30, 2006
2005	June 30, 2007	June 30, 2007
2006	June 30, 2008	June 30, 2008
2007	June 30, 2008	June 30, 2008

#### D. Identifying Domestic Violence Cases

Social scientific and legal definitions of domestic violence have changed over the last 30 years (Peterson 2001). In New York State, the statutory definition of domestic violence approximates what has come to be known in the social scientific literature as “family violence.” During the time period covered in the current study (2003-2007) New York State’s Criminal Procedure Law (CPL) §530.11, defined family offenses as offenses committed against a member of the same family or household, where “family or household” was defined as: (1) persons related by consanguinity or affinity; (2) persons legally married to each other; (3) persons who were formerly married, and; (4) persons who have a child in common, whether or not they have ever been married or lived together.

During the time period covered in the current study (2003-2007), New York State’s statutory definition of domestic violence excluded unmarried partners, unless they had a child in common. However, the New York City Police Department (NYPD)

operated with an expanded definition of domestic violence that included individuals who were not married, but who were cohabiting or had previously lived together. This NYPD definition of “family” expanded on New York State law by including “common-law” marriages, same-sex couples, and registered New York City domestic partners (NYPD 2000). The DA’s offices and the Criminal Courts in all five boroughs also used this expanded definition to identify DV cases, whether or not the relationship between the victim and defendant met the New York State statutory requirements contained in CPL §530.11. New state legislation expanded the definition of “family or household” in 2008.<sup>7</sup>

To identify domestic violence arrests among juvenile arrestees, we used the information collected by the police about the relationship between the offender and the victim. Arrests where the offender-victim relationship involved a married couple, common-law spouses, same-sex partners or boyfriends and girlfriends were classified as intimate partner violence arrests. Arrests where the offender-victim relationship involved violence against a mother, father, brother or sister were classified as parent/sibling violence arrests. Arrests where the offender-victim relationship involved children, aunts, uncles, grandparents and others related by blood or marriage were classified as other family violence. Together, these three categories of juvenile arrests constituted “domestic violence” arrests for the purposes of the study.

To identify domestic violence arrests among adult arrestees whose cases were docketed, we relied on the court’s identification of these as DV arrests. Assistant district attorneys (ADAs) use information collected by the police about the relationship between the victim and the defendant, if any, as a starting point. The ADAs also often ask victims about their relationship with the defendant. When this information indicates that the offender-victim relationship meets the NYPD expanded definition of domestic violence, the case is identified as a DV case. In all five boroughs DV case files are then given beige “backs” (special color-coded back sheets) to distinguish them from other case files. At Criminal Court arraignment, court clerks assign an arraignment hearing type of “DV” to domestic violence cases, and this designation is entered in OCA’s computerized court records.

At the time the defendants in the Adolescent Arrest History data file were arrested, cases identified at arraignment as DV cases were processed in different ways depending on the borough. In all boroughs, most cases with a DV hearing type were sent to a specialized domestic violence part for post-arraignment appearances. However, there were exceptions. In Brooklyn and the Bronx, cases with a DV hearing type that involved physical or sexual abuse of children or other types of non-intimate partner violence (e.g., violence between siblings) were not sent to the specialized

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<sup>7</sup> In 2008, New York State amended the statutory definition of “family or household” to include current and former intimate partners, whether or not they had ever lived together. This statutory change incorporates all the relationships formerly included in NYPD’s expanded definition of family or household. It also includes other relationships, such as couples who are dating or have dated and have never lived together. The new legislation became effective on July 21, 2008.

domestic violence parts. Finally, some cases that did *not* have a DV hearing type at arraignment were also sent to the specialized DV parts, presumably because information that these cases involved domestic violence became available only after arraignment.

We used information about both the hearing type and court part of docketed cases, since not all DV cases were assigned a DV hearing type. We identified cases as domestic violence cases if the Office of Court Administration reported that: (1) the case had a domestic violence hearing type at Criminal Court arraignment, *and/or*, (2) the case had one or more appearances in a specialized domestic violence part.<sup>8</sup> To determine whether these DV cases were intimate partner violence cases, parent/sibling violence cases, or other domestic violence cases, we used the information collected by NYPD about the offender-victim relationship, as described above.

To identify domestic violence arrests among adult arrestees whose cases were not docketed, we used the same methods described previously for juveniles. That is, we relied on information collected by the police about the relationship between the offender and the victim. We could not rely on arraignment hearing type or court part to classify these cases, since they were never docketed for court appearances. As with juvenile arrests and docketed adult arrests, we classified each domestic violence case as intimate partner violence, parent/sibling violence, or other family violence.

As noted in a previous report (Peterson 2003), the measure identifying DV cases does have some limitations. First, there may be instances where a docketed DV case was not identified as such in court records (i.e., it did not receive a DV hearing type at Criminal Court arraignment and did not appear in a specialized domestic violence part) or where a juvenile arrest or a DV case declined for prosecution did not have information indicating that the offender-victim relationship was a relationship included in the expanded definition of domestic violence. The measure did not identify these as DV cases but instead categorized them as Non-DV cases. In the current study, this limitation affected our analyses in two ways. First, it reduced by a small percentage the sample size of DV cases on which we report. Nevertheless, we were able to draw valid conclusions about DV cases from our sample. Second, we slightly overestimated the number of Non-DV cases in the sample. However, the number of DV cases misidentified as Non-DV cases is likely to be a very small proportion of the total number of Non-DV cases.

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<sup>8</sup> The specialized domestic violence Criminal Court parts were DV1 and DV2 in Brooklyn, AP-4, Q-IDV, and T-DV in Queens, D and JURY13 (for DV jury trials) in Manhattan and AP2-DV in Staten Island. (Although AP2-DV in Staten Island was identified as a separate court part in our data, it was actually a specialized DV calendar. DV cases on this calendar were heard in an all-purpose part two days a week. We identified cases as DV cases if they had one or more appearances on this calendar.) The specialized domestic violence Supreme Court parts were DV, 4, IDV and IDV2 in Brooklyn, K4 and Q-IDV in Queens, R-IDV in Staten Island, and 26, DV, YODV and IDV-SC in the Bronx. There was no specialized domestic violence Supreme Court part in Manhattan.

## E. Identifying Re-arrests for Domestic Violence Offenses

We measured recidivism in this study by examining re-arrests for new offenses during a one-year period following case disposition. We classified each re-arrest as a DV re-arrest or a Non-DV re-arrest. Our analyses use three measures of post-disposition re-arrest. One measure indicates whether the arrestee had at least one re-arrest during the post-disposition period for *any new* offense. Another measure indicates whether the arrestee had at least one re-arrest during the post-disposition period for a *new DV* offense. A third measure indicates whether the arrestee had at least one re-arrest during the post-disposition period for a *new Non-DV* offense.

Unfortunately, re-arrest rates are likely to underestimate recidivism. New DV offenses may not lead to re-arrest, since many victims do not call the police when a new offense occurs, and police may not make an arrest even when they are called. To overcome the limitations of re-arrest, some studies measure recidivism using interviews with the victim. Interviewers can learn about incidents that did not result in calls to the police and the re-arrest of the defendant. Rates of recidivism based on victim interviews are generally higher than rates based on re-arrest. Victim interviews also have weaknesses, however. It is often very difficult to reach victims and to complete interviews with them. Furthermore, victim interviews ignore the possibility that the arrestee has re-offended with a new victim.

Because both types of data have strengths and weaknesses, we would have preferred to measure recidivism using both victim interviews and re-arrest data. *We used re-arrest data for practical reasons—it was the only measure available to us.* Although re-arrest may underestimate recidivism, it has two advantages over victim interviews. Data are potentially available for all arrestees, not just those for whom victim interviews were completed. In addition, it measures recidivism against new victims as well as against the same victim. One study of domestic violence incidents in New York State found that limiting a measure of recidivism to new incidents with the same victim reduced estimates of recidivism by 15% to 20% (Frisch et al. 2001). This suggests that a significant number of domestic violence arrestees move on to new victims.

Our measures of re-arrest also are affected by the problems described previously regarding the identification of DV arrests. To the extent that the courts fail to identify DV arrests as such, our measures of re-arrest underestimated the actual number of DV re-arrests and overestimated the actual number of Non-DV re-arrests. To create our re-arrest measures, we collected data on all re-arrests and then determined whether each re-arrest was for a DV case or a Non-DV case. This determination was made using the criteria described previously. That is, we counted a re-arrest as a domestic violence case if either: (1) the case had a DV hearing type at arraignment, or (2) the case had any appearances in a specialized DV part. For re-arrests that were declined for prosecution, we used NYPD's information about the nature of the offender-victim relationship to identify DV cases.

## F. Plan of Analysis

Chapter 3 uses the Juvenile-Adult History Dataset to describe the juvenile and adult arrest histories of adolescent male arrestees, with a focus on arrests for domestic violence. Chapter 4 uses the Juvenile-Adult Criminal Career Dataset to examine how a history of juvenile arrests affects the beginning of an adolescent male's adult arrest history. Chapter 5 uses the Adult History Dataset to examine recidivism among adolescent male DV arrestees. Chapter 6 summarizes the results of the study.

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### III. A PORTRAIT OF ADOLESCENT MALE ARRESTEES

This chapter examines the arrest histories of adolescent males in the Juvenile-Adult History Dataset. It describes juvenile and adult arrest histories separately, focusing on types of DV arrests. It then examines how different types of juvenile DV arrest histories are related to adult DV arrest histories.

The data presented here were drawn from the Juvenile-Adult History Dataset described in Chapter 2. The analyses are restricted to male arrestees (N = 34,939) in the dataset. Juvenile arrests, for offenses committed prior to the 16<sup>th</sup> birthday, are classified as either: 1) JD arrests, for juvenile arrestees charged in family court as “juvenile delinquents,” or 2) JO arrests, for juvenile arrestees charged in adult criminal court as “juvenile offenders.” Most juvenile arrests are processed as JD arrests in family court. However, individuals who are arrested for one of 17 serious offenses and who were age 14 or 15 at the time of the offense (or age 13, if charged with homicide or attempted homicide) can be charged in adult criminal court as juvenile offenders (JO’s). The decision to charge an eligible juvenile as a JO in adult criminal court is made by the District Attorney in each county. Eligible juveniles who are not charged in adult criminal court have their cases referred to family court.<sup>9</sup>

#### A. Description of Juvenile and Adult Arrest Histories

Two-thirds of the arrestees in the Juvenile-Adult History Dataset had neither JD nor JO arrests during the study period (see Table 3-1). These arrestees experienced their first arrest after reaching the age of 16. (Depending on when he turned 16, each arrestee had a minimum of 1 year and a maximum of 3.5 years during which he could have had JD and/or JO arrests.) About 29% of the arrestees had a history of JD arrests, but no JO arrests, whereas only 2% of the arrestees had a history of JO arrests without JD arrests. About 2% had both JO and JD arrests.

**TABLE 3-1: JUVENILE ARREST HISTORIES OF ADOLESCENT MALE ARRESTEES**

Juvenile-Adult History Dataset (N = 34,939)

<b>Category</b>	<b>Number of Arrestees</b>	<b>Percent of Arrestees</b>
Neither JD nor JO arrests (adult arrests only)	23,496	67%
JD arrests but no JO arrests*	10,110	29%
JO arrests but no JD arrests*	675	2%
Both JD and JO arrests*	658	2%
<b>Total, all arrestees</b>	<b>34,939</b>	<b>100%</b>

\* Arrestees in this category may also have had adult arrests.

<sup>9</sup> See Gewirtz (2007) for further information about the processing of JO arrests.

Because of our interest in the early history of domestic violence arrests, we further subdivided JD and JO arrests as arrests for DV and Non-DV offenses. As shown in Table 3-2, only 2% of all arrestees had a history of JD DV offenses, whereas 29% had a history of JD Non-DV offenses (note that there is some overlap between these 2 categories). JO arrests involving DV offenses were extremely rare, occurring for only 0.1% of all arrestees, while 4% of all arrestees had been arrested for JO Non-DV offenses.

**TABLE 3-2: JUVENILE DOMESTIC VIOLENCE ARREST HISTORIES OF ADOLESCENT MALE ARRESTEES**  
Juvenile-Adult History Dataset (N = 34,939)

<b>Category</b> *	<b>Number of Arrestees</b>	<b>Percent of Arrestees</b> (N = 34,939)
Any JD arrests	10,768	31%
--Any JD DV arrests	706	2%
--Any JD Non-DV arrests	10,282	29%
Any JO arrests	1,333	4%
--Any JO DV arrests	33	0.1%
--Any JO Non-DV arrests	1,300	4%

\* Categories overlap; arrestees may be counted in more than one category.

The JD DV arrests can be further subdivided by type of domestic violence (see Table 3-3). The most common type of domestic violence among JD arrestees was violence against parents or siblings (68%). Intimate partner violence (IPV, which includes offenses against a boyfriend, girlfriend, common-law spouse or spouse) was relatively rare—only 9% of JD DV arrestees were arrested for violence against an intimate partner. (Data on “other” family violence, including violence against children, aunts, uncles, grandparents and other relatives, are not presented here because our focus is on parent/sibling violence and intimate partner violence.)

**TABLE 3-3: ARREST HISTORIES OF ADOLESCENT MALE JD DOMESTIC VIOLENCE ARRESTEES**  
Juvenile-Adult History Dataset (N = 706)

<b>Category</b>	<b>Number of Arrestees</b>	<b>Percent of JD DV Arrestees</b> (N = 706)
Any JD Parent/Sibling Violence Arrests*	483	68%
Any JD Intimate Partner Violence Arrests*	61	9%
Other JD DV Arrests Only	162	23%

\* Categories overlap; 2 arrestees (0.3%) were counted in both categories.

Next, we consider the adult arrest histories of these adolescent male arrestees. As shown in Table 3-4, 85% of the adolescent male arrestees in our sample had an adult arrest. Only a relatively small proportion of the arrestees had any adult DV arrests (7%).

**TABLE 3-4: ADULT DOMESTIC VIOLENCE ARREST HISTORIES OF ADOLESCENT MALE ARRESTEES**  
Juvenile-Adult History Dataset (N = 34,939)

Category	Number of Arrestees	Percent of Arrestees (N = 34,939)
Any Adult arrests	29,624	85%
--Any Adult DV arrests*	2,344	7%
--Any Adult Non-DV arrests*	28,801	82%

\* Categories overlap; 1,521 arrestees (4%) were counted in both categories.

As shown in Table 3-5, most adult DV arrests (51%) were arrests for violence against parents and siblings, though this proportion was lower than it was for JD arrests (68%, as reported in Table 3-3 above). Adolescent male arrestees charged as adults were more likely than those charged as juveniles to be involved in intimate partner violence. About one quarter of adult arrestees with a DV arrest had an arrest for intimate partner violence, compared to only 9% of JD arrestees with a DV arrest (compare Table 3-5 to Table 3-3).<sup>10</sup>

**TABLE 3-5: ARREST HISTORIES OF ADOLESCENT MALE ADULT DOMESTIC VIOLENCE ARRESTEES**  
Juvenile-Adult History Dataset (N = 2,344)

Category	Number of Arrestees	Percent of Adult DV Arrestees (N = 2,344)
Any Adult Parent/Sibling Violence Arrests*	1,192	51%
Any Adult Intimate Partner Violence Arrests*	583	25%
Other Adult DV Arrests Only	569	24%

\* Categories overlap; 57 arrestees (2%) were counted in both categories.

<sup>10</sup> The data in Table 3-5 do not report results separately for “other” family violence. See the explanation of this decision in the discussion of Table 3-3.

## B. Relationship Between Juvenile and Adult Arrest Histories

We now consider how juvenile arrest histories are related to adult arrest histories. We begin by examining the impact of prior JD and JO arrests. To determine whether differences among adolescent male arrestees with different types of juvenile arrest histories are real differences, or are due to chance alone, we use tests of statistical significance [see inset box, below].

Among male arrestees who had JD arrests, but no JO arrests, just over half (53%, as shown in Table 3-6) were arrested as adults. Those who had JO arrests, but no JD arrests, were somewhat more likely to be arrested as adults (57%), and those who had both JD and JO arrests were even more likely to be arrested as adults (62%). The differences among these juvenile arrest history categories were statistically significant.

About 5-6% of male arrestees who had a juvenile arrest history were arrested for DV offenses as adults (Table 3-6). About 2-3% were arrested for parent/sibling violence as adults, and about 1-2% were arrested for intimate partner violence as adults. The type of juvenile arrest history (whether JD, JO, or both) did not affect the rates of adult arrests for DV offenses, parent/sibling violence or intimate partner violence.

**TABLE 3-6: ADULT ARREST HISTORIES OF JUVENILE MALE ARRESTEES**  
Juvenile-Adult History Dataset (N = 11,443)

Adult Arrest History	Juvenile Arrest History		
	JD Arrests Only (N = 10,110)	JO Arrests Only (N = 675)	Both JD and JO Arrests (N = 658)
Any Adult Arrests***	53%	57%	62%
Any Adult DV Arrests	5%	5%	6%
Any Adult Parent/Sibling Violence Arrests	3%	2%	2%
Any Adult Intimate Partner Violence Arrests	1%	2%	1%

\*\*\* Differences among the Juvenile Arrest History categories were statistically significant for this Adult Arrest History outcome at  $p < .001$ .

### TESTS OF STATISTICAL SIGNIFICANCE

Statistical significance tests assess the likelihood that the percentage differences that were observed in the sample could have occurred by chance alone. The tests take into account the size of the sample and the magnitude of the differences observed. Larger percentage differences and percentage differences based on larger samples are more likely to be statistically significant. In this report, following standard convention, significance levels less than .05 were considered statistically significant. This means that the statistically significant differences found in this study had less than a 5% chance of being due to chance alone.

Although the JD and JO arrestees did not differ in their rates or types of domestic violence arrests as adults, we expected that those who were arrested for DV offenses as juveniles would be more likely to be arrested for DV offenses as adults. Since there were so few JO arrestees with a DV arrest history, we focused on JD arrestees. We grouped JD arrestees into three categories: 1) those who had only been arrested for DV offenses, 2) those who had only been arrested for Non-DV offenses, and 3) those who had been arrested for both DV and Non-DV offenses.

As shown in Table 3-7, the JD DV history was significantly related to the likelihood of an adult arrest. Arrestees whose only JD arrests were for DV offenses were less likely to have an adult arrest than those whose only JD arrests were for Non-DV offenses (43% vs. 53%). Those who had a history of both DV and Non-DV JD arrests had the highest rates of arrests as adults—70%.

The adult DV arrest history was also significantly related to the JD DV arrest history, but the pattern of results is different. Arrestees whose only JD arrests had been for DV offenses were twice as likely (10% vs. 5%) to have been arrested for DV offenses as an adult as those whose only JD arrests had been for Non-DV offenses. The likelihood of an adult DV arrest was even greater (16%) for those who had been arrested for both DV and Non-DV JD offenses. This pattern of results primarily appears to reflect the likelihood of an adult arrest for parent/sibling violence rather than for intimate partner violence. The JD DV arrest history was significantly related to adult parent/sibling violence but not to adult intimate partner violence. About 8% of those who had only JD DV arrests were arrested for parent/sibling violence as adults, compared to only 2% of those who had only JD Non-DV arrests. About 11% of those who had both DV and Non-DV JD arrests were arrested for parent/sibling violence as adults.

**TABLE 3-7: ADULT ARREST HISTORIES OF MALE JD ARRESTEES**  
Juvenile-Adult History Dataset (N = 10,768)

Adult Arrest History	JD DV Arrest History		
	JD DV Arrests Only (N = 486)	JD Non-DV Arrests Only (N = 10,062)	Both DV & Non-DV JD Arrests (N = 220)
Any Adult Arrests***	43%	53%	70%
Any Adult DV Arrests***	10%	5%	16%
Any Adult Parent/Sibling Violence Arrests***	8%	2%	11%
Any Adult Intimate Partner Violence Arrests	1%	1%	3%

\*\*\* Differences among the JD DV Arrest History categories were statistically significant for this Adult Arrest History outcome at  $p < .001$ .

To further explore the relationship between JD DV arrest histories and adult arrest histories, we next examined JD DV arrest histories for parent/sibling violence. Adolescent male arrestees who had ever been arrested for JD parent/sibling violence were significantly more likely to be arrested as adults (54% vs. 46%), to have adult DV arrests (14% vs. 7%) and to have adult DV parent/sibling violence arrests (12% vs. 4%) than those whose JD DV arrests never involved parent/sibling violence (see Table 3-8). However, there was no statistically significant relationship between a history of JD DV arrests for parent/sibling violence and the likelihood of an adult arrest for intimate partner violence.

**TABLE 3-8: ADULT ARREST HISTORIES OF MALE  
JD PARENT/SIBLING VIOLENCE ARRESTEES**  
Juvenile-Adult History Dataset (N = 706)

Adult Arrest History	JD DV Parent/Sibling Violence History	
	Any JD DV Parent/Sibling Arrests (N = 485)	JD DV Non-Parent/Sibling Arrests Only (N = 221)
Any Adult Arrests*	54%	46%
Any Adult DV Arrests*	14%	7%
Any Adult Parent/Sibling Violence Arrests**	12%	4%
Any Adult Intimate Partner Violence Arrests	2%	1%

\* Differences among the Juvenile Arrest History categories were statistically significant for this Adult Arrest History outcome at  $p < .05$ .

\*\* Differences among the Juvenile Arrest History categories were statistically significant for this Adult Arrest History outcome at  $p < .01$ .

Finally, we consider whether a history of JD intimate partner violence was related to different types of adult arrests. As shown in Table 3-9, there were no statistically significant differences in adult arrest histories between those who had JD IPV arrests and those whose JD DV arrests were only for Non-IPV offenses. In particular, although the adult arrest rate for IPV was somewhat higher for those with a history of JD IPV offenses than for those with other types of DV offenses (5% vs. 2%), this difference was not statistically significant. The failure to find a statistically significant difference was probably due to the relatively small magnitude of the difference, and even more importantly, to the relatively small sample size (N = 61) of arrestees who had a history of JD IPV offenses. Although there were nearly 11,000 JD arrestees in our sample, JD arrests for IPV offenses were extremely rare. This made it difficult to detect statistically significant differences.

**TABLE 3-9: ADULT ARREST HISTORIES OF MALE  
JD INTIMATE PARTNER VIOLENCE ARRESTEES**  
Juvenile-Adult History Dataset (N = 706)

<b>Adult Arrest History</b>	<b>JD Intimate Partner Violence History</b>	
	<b>Any JD IPV Arrests (N = 61)</b>	<b>JD DV Non-IPV Arrests Only (N = 645)</b>
Any Adult Arrests	56%	52%
Any Adult DV Arrests	8%	12%
Any Adult Parent/Sibling Violence Arrests	5%	10%
Any Adult Intimate Partner Violence Arrests	5%	2%

### C. Summary and Discussion of Findings

This chapter has provided an overview of the prevalence and types of DV arrests among juveniles and adults. It has also examined the relationship between types of juvenile arrests and adult arrests.

Very few juveniles under the age of 16 are arrested for domestic violence. Among the adolescent male arrestees in our sample, only 2% had ever been arrested for a domestic violence offense prior to the age of 16. Most of these DV arrests involved charges of committing offenses against parents or siblings. Only a small proportion of juveniles arrested for DV offenses were charged with committing offenses against intimate partners.

Adult adolescent males, aged 16 to 19 ½, are more likely than juvenile adolescent males, under age 16, to be arrested for domestic violence offenses. Among the adult adolescent male arrestees in our sample, about 7% had ever been arrested for a domestic violence offense. Both parent/sibling violence and intimate partner violence were more common among adult adolescent males than among juveniles. However, the balance between these two types of domestic violence shifted among adolescent males 16 or older. Adult adolescent male DV arrestees were more likely than juveniles to be charged with committing offenses against intimate partners, and less likely than juveniles to be charged with committing offenses against parents and siblings.

To understand the connections between juvenile and adult arrest histories, we examined how the likelihood of various types of adult arrests depends on the type of juvenile arrests. We began by considering the effect of JO vs. JD arrests. We found that adolescent males who had been arrested and charged with JO offenses in adult court were more likely to be arrested as adults than those who had been arrested and charged with JD offenses in family court. Those who had been arrested for both JO and JD offenses were especially likely to be arrested for adult offenses. However, we also

found that adolescent males with a history of JO arrests were no more likely than those with a history of JD arrests to have adult DV arrests, adult parent/sibling violence arrests or adult intimate partner violence arrests.

Although the distinction between JO and JD arrest histories was not related to adult DV histories, a history of JD DV arrests was. Specifically, we found that adolescent males whose only JD arrests were for DV offenses were more likely to be arrested as adults for DV offenses than those whose only JD arrests were for Non-DV offenses. When we examined the type of adult DV offenses these adolescent males were arrested for, we found that adult parent/sibling violence arrests were more common among those whose only JD arrests were for DV offenses. However, there was no difference in their likelihood of being arrested for adult intimate partner violence. Adolescent males who had a JD history of both DV and Non-DV arrests were most likely to have any adult arrests, adult DV arrests and adult parent/sibling violence arrests.

Next we explored whether adolescent males who were charged with committing parent/sibling violence as juveniles were more likely to be charged with committing intimate partner violence as adults. The separate findings reported above for juveniles and adults show that there is a shift from parent/sibling violence to intimate partner violence as males reach late adolescence. However those findings do not indicate whether these two types of violence are related.

We found that adolescent males who had been arrested for JD DV parent/sibling violence were more likely than those who had other types of JD DV arrests to be arrested as adults, to be arrested for adult DV offenses, and to be arrested for adult parent/sibling violence. However, they were not more likely to be arrested for adult intimate partner violence.<sup>11</sup> This suggests that parent/sibling violence prior to age 16 is not related to intimate partner violence between the ages of 16 and 19.

Finally, we considered whether adolescent males charged with committing intimate partner violence as juveniles were more likely to be charged with committing domestic violence, especially intimate partner violence, as adults. We found that adolescent males who had been arrested for JD DV intimate partner violence were no more likely than those who had other types of JD DV arrests to be arrested as adults, to be arrested for adult DV offenses, to be arrested for adult parent/sibling violence, or to be arrested for adult intimate partner violence. The lack of any relationship may be due primarily to the small sample size of JD IPV arrestees, which made it difficult to detect any statistically significant differences.

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<sup>11</sup> Although there was a difference between the two groups, it was not statistically significant.

#### IV. ARREST HISTORIES OF ADULT ADOLESCENT MALES

This chapter examines the early criminal careers of adolescent male arrestees by examining the Juvenile-Adult Criminal Career Dataset. Specifically, we focus on how a history of juvenile arrests affects the beginning of an adolescent male's adult arrest history. The Juvenile-Adult Criminal Career Dataset includes information about 37,961 young men who reached their 16<sup>th</sup> birthday between July 1, 2004 and December 31, 2007. It includes information about their juvenile arrest history (if any) for at least one year preceding their 16<sup>th</sup> birthday and information about their adult arrest history (if any) between their 16<sup>th</sup> birthday and December 31, 2007.

Throughout this chapter, the outcome we examine is the age at which an adolescent male experiences his first adult arrest (if any) of a given type. We examine a) age at first adult arrest of any type, b) age at first adult DV arrest, and c) age at first adult IPV arrest. To display our results, we use arrest history curves, which show the percentage of adolescent males who had been arrested by a given age between age 16 and age 19 ½. The percentage arrested increases with age as more young men are arrested for the first time.

##### A. First Adult Arrest

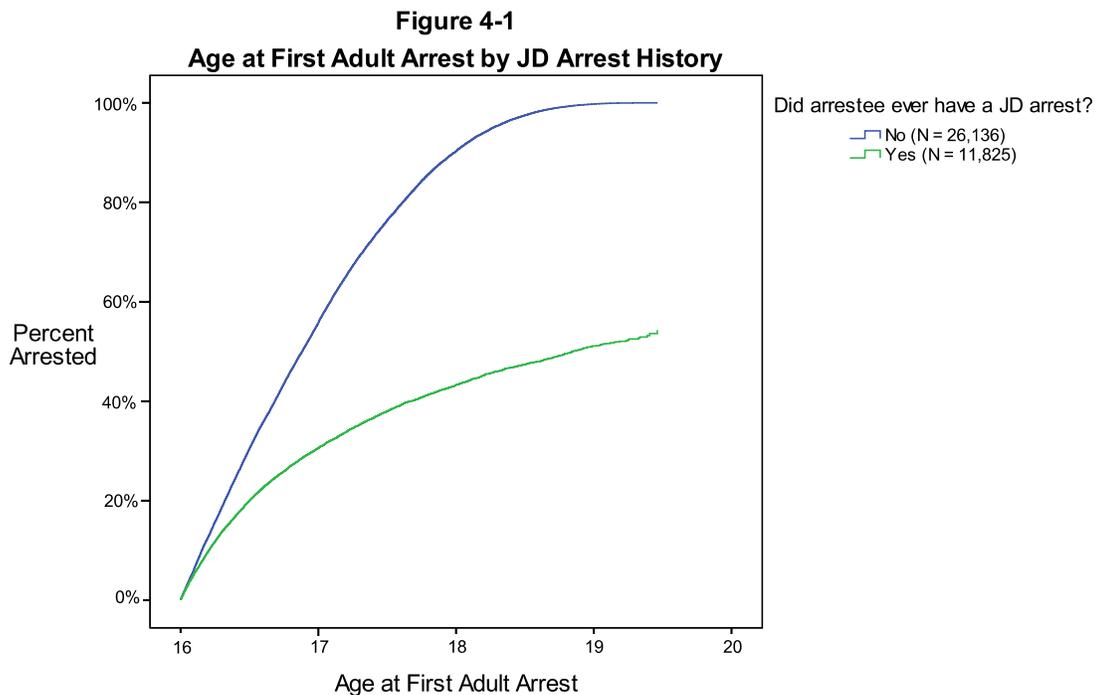
We begin by examining age at first adult arrest. To understand the limitations of this analysis, it is important to remember how the data were generated. First, the analysis is not able to compare young men who were arrested to young men who were never arrested. Everyone included in the analysis was arrested at some point, either as a juvenile, an adult, or both. Second, the analysis follows the criminal careers of young men only for a limited period of time. Young men were excluded from the analysis if they turned 16 after July 1, 2004 and their only arrests occurred prior to July 1, 2003 and/or after December 31, 2007. Third, the amount of time at risk for an adult arrest experienced by each young man varies from 1 day to 3.5 years. Our statistical methods compensate for this by treating arrest histories shorter than 3.5 years as "censored." This means that as the observation period ends for each arrestee, he no longer contributes data to the results of the analysis.

The arrest history curves in Figure 4-1 show data on adult arrests of adolescent males in the Juvenile-Adult Criminal Career Dataset by whether or not they ever had a JD arrest. The arrest history curve for adolescent males who ever had a JD arrest shows that just over half of them had an adult arrest by age 19 ½. The curve increases sharply at the beginning, showing that nearly 30% of those who ever had a JD arrest had at least one adult arrest by the age of 17. The curve for those who had no JD arrests requires careful interpretation, since by definition, as mentioned above, the curve shows that every adolescent male in the sample who did not have a JD arrest had an adult arrest by age 19 ½. The curve does provide valuable information about the timing of the first adult arrest. Specifically, the curve shows that among adolescent males arrested for the first time between the ages of 16 and 19 ½, a majority (over 55%) were arrested by age 17, and almost all (nearly 90%) were arrested by age 18.

Comparisons between the two curves are not useful, because we have no data on adolescent males who were never arrested as juveniles or as adults.

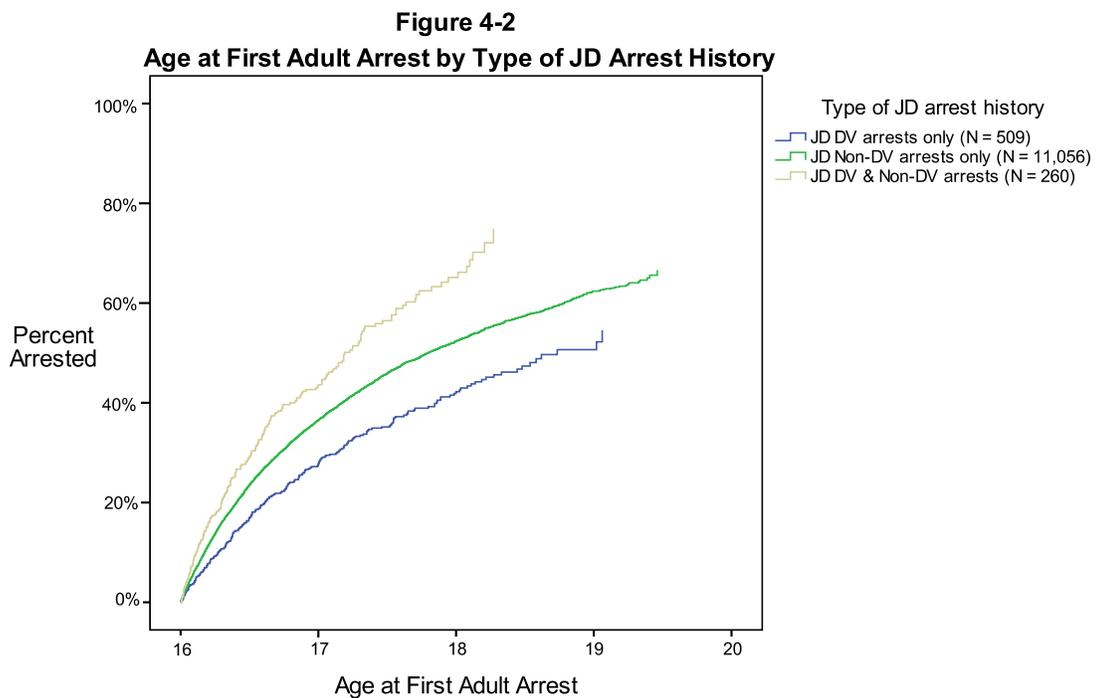
### ARREST HISTORY CURVES

The arrest history curves indicate the proportion of adolescent males who had ever been arrested at a given age. Arrest history is measured from the 16<sup>th</sup> birthday, the first day a person can be arrested as an adult, until either he is arrested or his observation period ends. The maximum observation period is 3 ½ years, so we track adult arrests only up to age 19 ½. Males whose observation period ends prior to age 19 ½ are treated as “censored” cases, and contribute data to the curve only until the end of their observation period. All the arrest history curves shown here were adjusted for differences in the likelihood of an adult arrest related to age at first arrest (whether JD or adult), borough of first arrest (whether JD or adult) and ethnicity. Cox regression models were used to make these adjustments.



Next we consider how having a JD DV arrest affects the likelihood of an adult arrest (see Figure 4-2). For this analysis, we divided adolescent males who had ever had a JD arrest into three groups: 1) those whose JD arrests were only for DV offenses, 2) those whose JD arrests were only for Non-DV offenses, and 3) those whose JD arrests were for both DV and Non-DV offenses. Adolescent males who only

had JD DV arrests were least likely to be arrested as adults. About 54% of them had been arrested at least once as an adult by age 19. (The arrest history curve ends before age 19 ½ because none of those with a JD DV arrest were observed for the full 3 ½ year observation period). Those who only had JD Non-DV arrests were somewhat more likely to be arrested as an adult than those who only had JD DV arrests. By the age of 19 ½, about two thirds had been arrested as an adult. Those who had JD arrests for both DV and Non-DV offenses were the most likely to be arrested as adults; about 60% were arrested as adults by their 18<sup>th</sup> birthday. (Note that beyond the 18<sup>th</sup> birthday, estimates for this group become unstable because of small sample sizes.) The differences between the three curves were all statistically significant (data not shown).



Thus far, the findings show that adolescent males who had a history of JD arrests are very likely to have an adult arrest within 3 ½ years of reaching age 16. They also show that those who only had a history of JD DV arrests were less likely to be arrested as adults than those who had a history of JD Non-DV arrests. This suggests that JD DV arrests are more weakly related to an adult arrest history than JD Non-DV arrests. However, these results do not address the connection between JD DV arrests and adult DV arrests—a relationship that we consider next.

## B. First Adult Domestic Violence Arrest

Figure 4-3 shows the arrest history curve for the first adult DV arrest for all the adolescent males in the Juvenile-Adult Criminal Career Dataset. After 3 ½ years, over 8% of the adolescent males in this study had been arrested as an adult for domestic violence. This figure tells us nothing about the prevalence of domestic violence arrests among adolescent males in the general population. However it does provide a baseline for examining arrest history curves of subgroups of adolescent male arrestees in subsequent Figures.

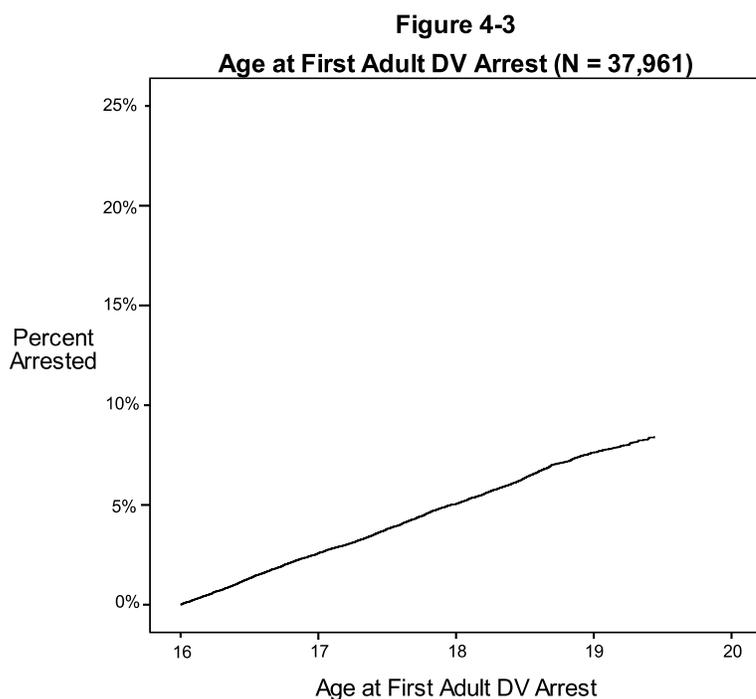
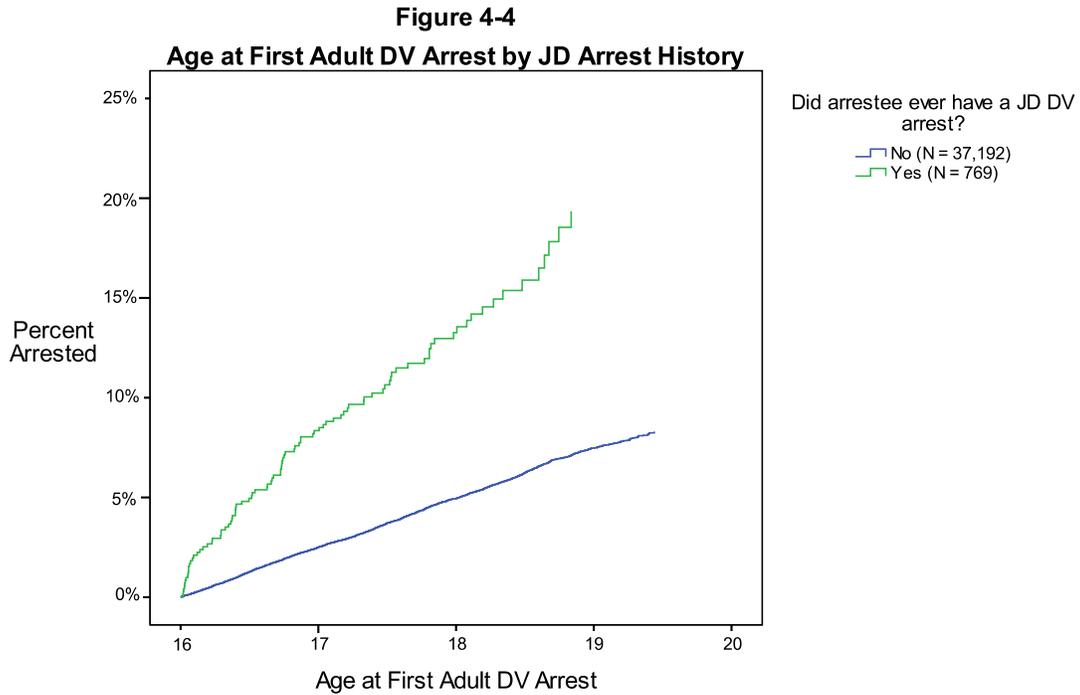
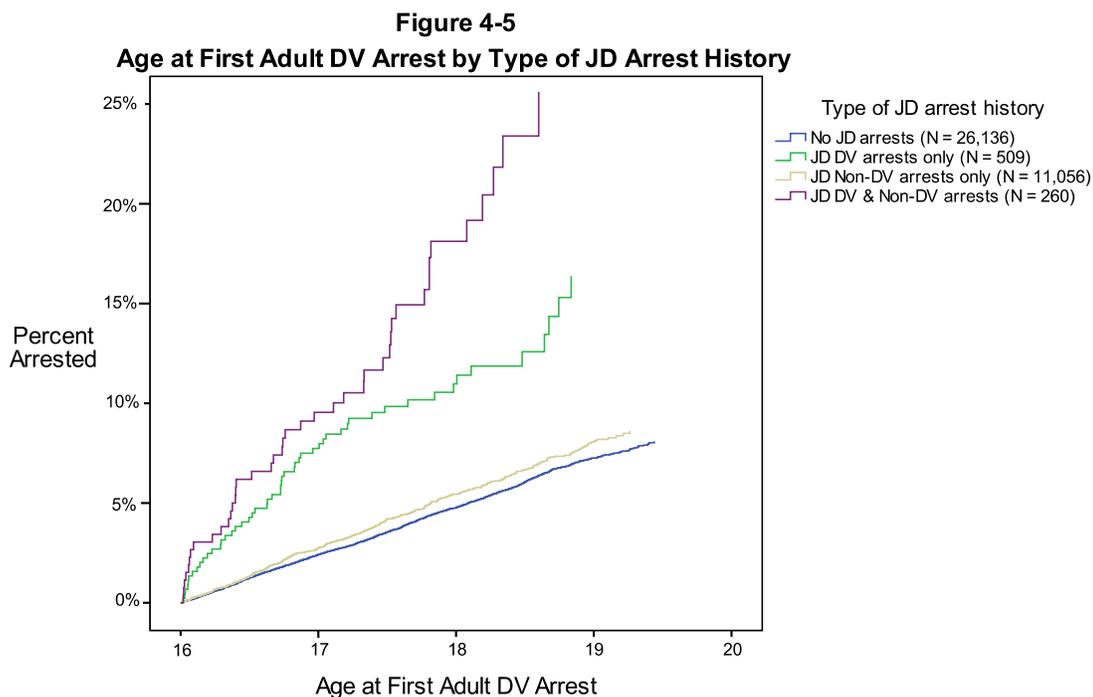


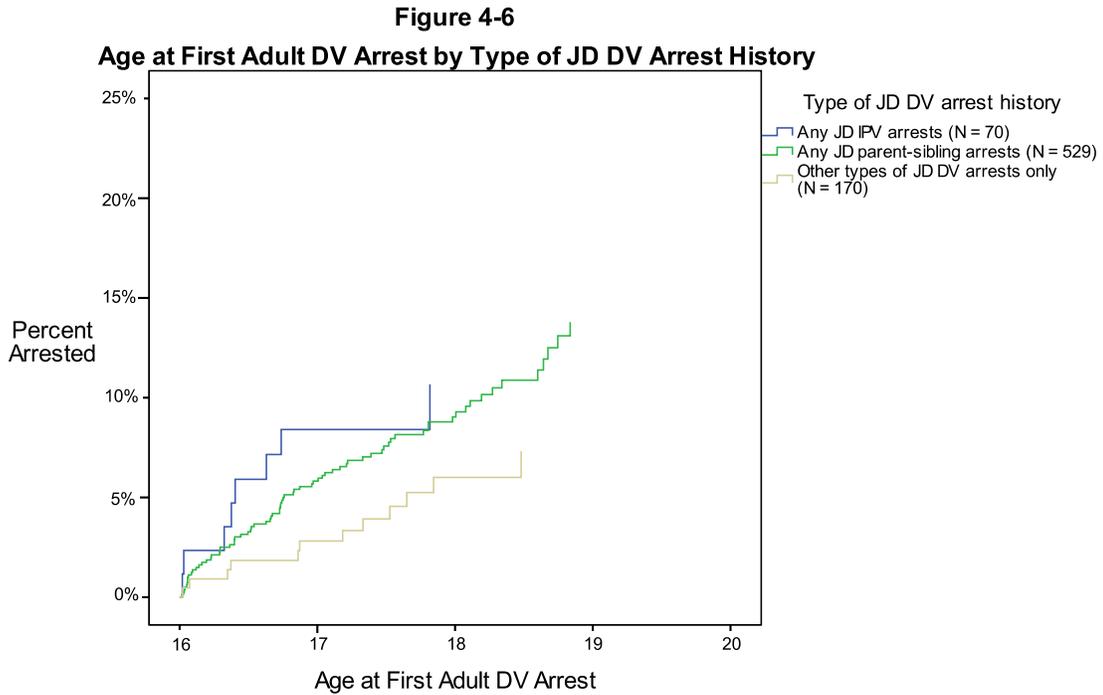
Figure 4-4 shows arrest history curves for the first adult domestic violence arrest for two groups of adolescent males: those who had a JD domestic violence arrest, and those who did not. As one would expect, those who had a JD DV arrest were more likely to have an adult DV arrest. Prior to reaching age 19, about 18% of adolescent males who had a JD DV arrest had been arrested for an adult DV offense. The rate for adolescent males who had not had a JD DV arrest at that age was less than half that. Even at the end of the longer observation period for those who had not had a JD DV arrest (age 19 ½) only 8% had an adult DV arrest. A close look at the arrest history curves indicates that they diverge over time. This divergence shows that those who had a JD DV arrest were more likely to have an adult DV arrest than those who did not have a JD DV arrest.



We next consider the influence of the type of JD arrest history (see Figure 4-5). Adolescent males who had only had JD arrests for Non-DV offenses were very similar to those who had no JD arrests at all. Their probabilities of an adult arrest for a DV offense were relatively low. Adolescent males who had a history of JD DV arrests, especially those who had a JD history of both DV and Non-DV arrests, were more likely to be arrested for DV offenses as adults. Differences among the four curves were statistically significant, except for the difference between those with only a JD DV arrest and those with both JD DV and Non-DV arrests.



We now consider how the type of JD DV arrest influences the likelihood of an adult DV arrest. Specifically, we compare adolescent males who had a JD arrest for parent/sibling violence to those who had a JD arrest for intimate partner violence and to those who had other types of JD DV arrests. Figure 4-6 shows the arrest history curves for the first adult domestic violence arrest for adolescent males in these three groups. Because the sample sizes for each group are relatively small, these curves are not as smooth as some of the curves in previous figures. Nevertheless, some basic patterns are clear. Those whose JD DV arrests were for offenses against “other” relatives (i.e., other than intimate partners, parents or siblings), were least likely to be arrested for an adult DV offense. Among adolescent males who had a JD arrest for parent/sibling violence, about 14% had an adult DV arrest as they approached their 19<sup>th</sup> birthday. The arrest history curve for those who had a JD arrest for intimate partner violence generally overlaps the curve for those who had a JD arrest for parent/sibling violence. However, it is censored at an earlier age (prior to age 18) and is more erratic because the sample size is smaller. None of the differences between the curves was statistically significant (data not shown), suggesting that the type of JD DV arrest history did not influence the likelihood of an adult DV arrest.



### C. First Adult Intimate Partner Violence Arrest

We next examine the influence of an adolescent male's JD arrest history on the likelihood of being arrested for an adult intimate partner violence offense. As shown in Figure 4-7, only a small proportion of the arrestees in our sample (less than 2%, N = 586) were ever arrested for an adult intimate partner violence arrest between the ages of 16 and 19 ½. Because this sample size is so small, it is difficult to detect differences among subgroups, such as those with different kinds of JD arrest histories. Nevertheless, we have examined subgroups defined in two ways.

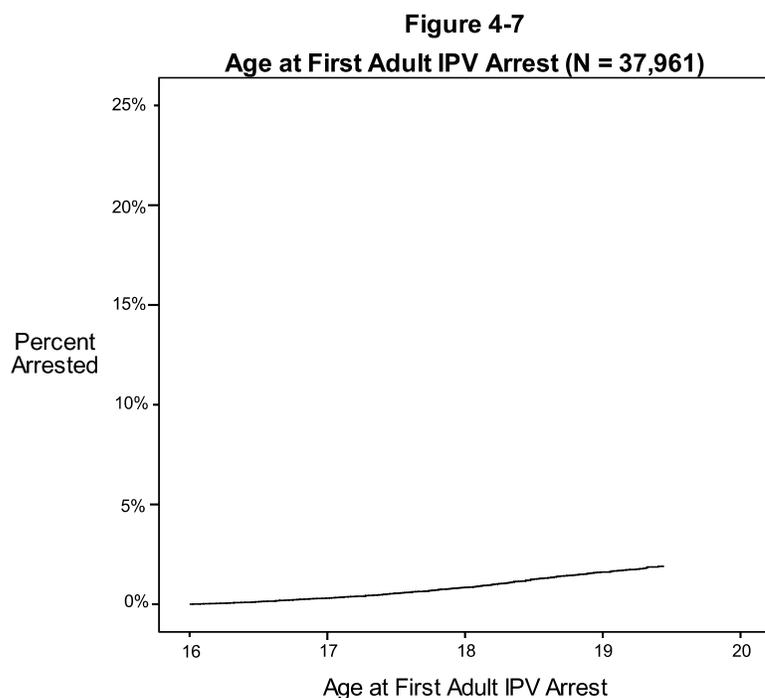


Figure 4-8 shows the arrest history curves for the first adult intimate partner violence arrest by the type of JD arrest history. Adolescent males who were only arrested for a JD DV offense were as likely to be arrested for an adult IPV offense as those who were only arrested for JD Non-DV offenses—the difference was not statistically significant (data not shown). However, those with a history of both JD DV and JD Non-DV offenses had higher rates of arrest for adult IPV offenses (over 5% prior to age 19) than those who were only arrested for JD Non-DV offenses, and that difference was statistically significant (data not shown).

Finally, we considered whether the type of JD DV arrest history influences the likelihood of an adult intimate partner violence arrest. Those who were arrested for JD intimate partner violence offenses were only slightly more likely to have an adult arrest for intimate partner violence than those whose JD DV arrests were for parent-sibling violence (see Figure 4-9). The difference was not statistically significant (data not shown), which is not surprising, since the sample size of those who were arrested for JD intimate partner violence offenses was very small. No arrest history curve is presented for those with “other types of JD DV arrests only,” since none of them were arrested for IPV during the observation period.

Figure 4-8

Age at First Adult IPV Arrest by Type of JD Arrest History

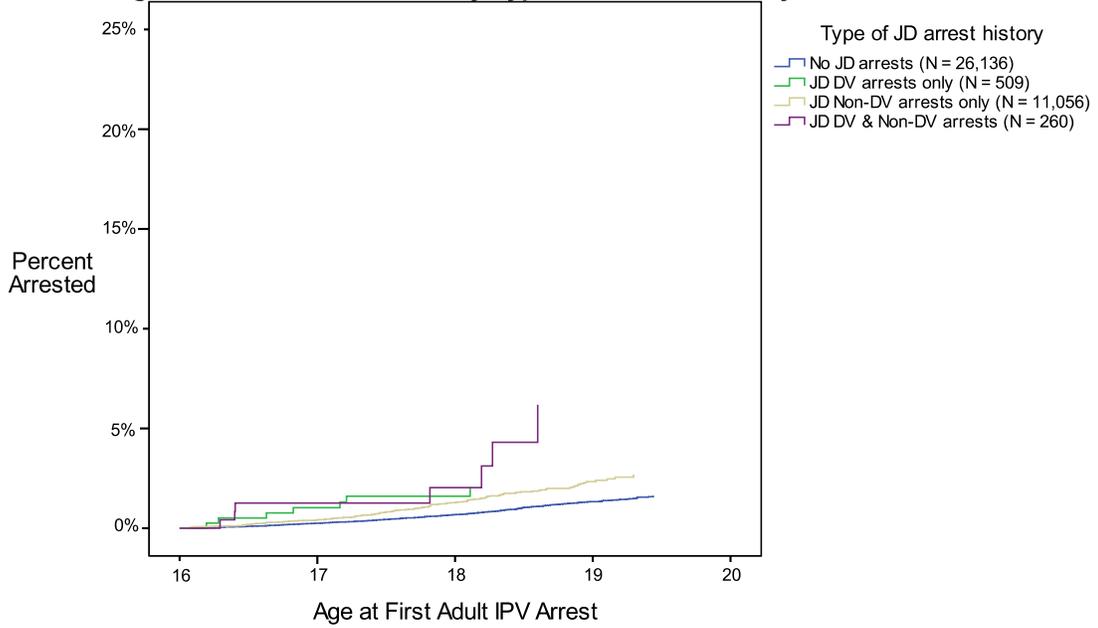
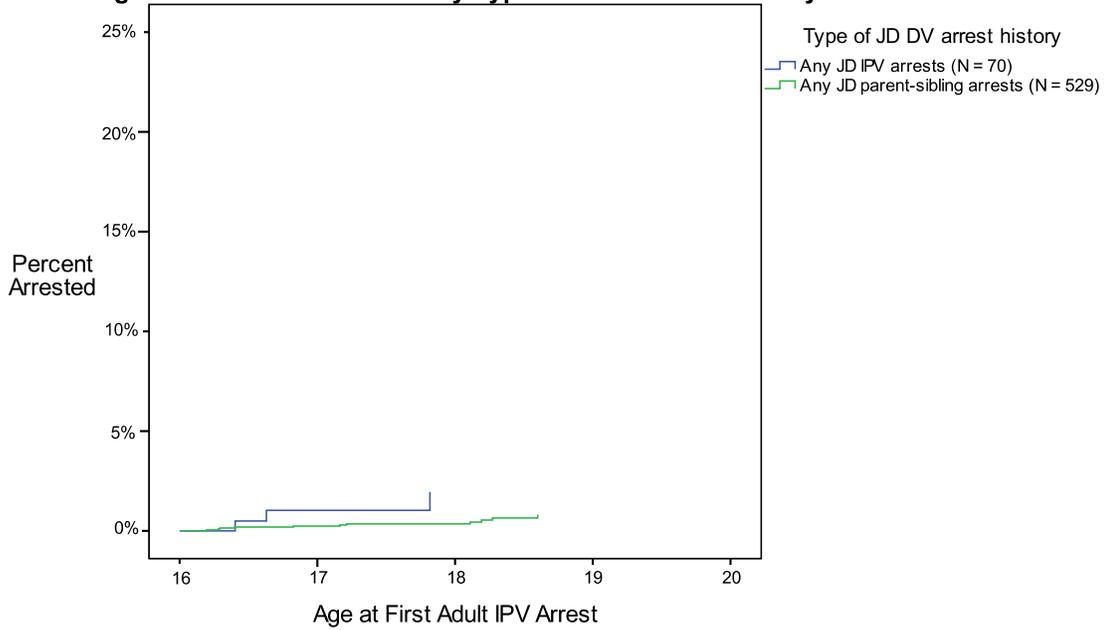


Figure 4-9

Age at First Adult IPV Arrest by Type of JD DV Arrest History



#### D. Summary and Discussion of Findings

In this chapter, we have examined how various types of JD arrest histories influence the likelihood and timing of adult arrests. We have presented arrest history curves to display the age at which adolescent males age 16 to 19 ½ were arrested for their first adult arrests. Unlike the results presented in Chapter 3, the analyses presented in this Chapter enable us to estimate the likelihood that an adolescent male arrestee will have an adult arrest by a given age. They are more precise than our earlier results, because they do not average the likelihood of an adult arrest across all the years from 16 to 19 ½.

Just over half of adult adolescent males who had a history of JD arrests were arrested as adults by the age of 19 ½. Nearly one third of them were arrested between their 16<sup>th</sup> and 17<sup>th</sup> birthdays. However, the likelihood of an adult arrest depends on the type of JD arrest history. Adolescent males whose only JD arrests were for DV offenses were least likely to be arrested as adults, while those whose JD arrests were for both DV and Non-DV offenses were most likely to be arrested as adults. Those whose only JD arrests were for Non-DV offenses (about 93% of all those with a JD arrest history) fell between the other two groups.

Overall, we found that about 8% of adolescent male arrestees had an adult DV arrest by age 19 ½. However, adolescent male arrestees who had been arrested for a JD DV arrest were much more likely to have an adult DV arrest. About 20% of adolescent males with a JD DV arrest history had been arrested for an adult DV offense by age 19. Those with a history of both JD DV and JD Non-DV arrests were most likely to have an adult DV arrest. About 25% of adolescent males who had been arrested for both JD DV and JD Non-DV offenses had been arrested for an adult DV offense by age 19.

We also considered whether the type of JD DV arrest history was related to the likelihood of an adult DV arrest. We found that those arrested for committing JD DV offenses against parents and siblings had a high probability of being arrested for an adult DV offense by age 19—about 14%. However, differences between this group and those arrested for JD IPV offenses or for other types of JD DV offenses were not statistically significant. These findings suggest that the type of JD DV offense is not related to the likelihood of an adult DV arrest.

Finally, we examined the likelihood of an adult arrest for intimate partner violence. We found that about 2% of adolescent male arrestees were arrested for an intimate partner violence offense by the age of 19 ½. Those who had a history of JD arrests for DV and Non-DV offenses were more likely to have an arrest for adult IPV than those with a history of JD arrests for Non-DV offenses only. However, we found no difference in the likelihood of an adult IPV arrest between those whose JD DV history was for intimate partner violence, when compared to those whose JD DV history was for parent/sibling violence. However, the sample size of those with a JD DV history for IPV was very small, so it is hard to draw conclusions from this finding.

## V. RECIDIVISM AMONG ADOLESCENT MALE DV ARRESTEES

In this chapter, we examine factors that predict recidivism among adolescent male arrestees. We focus on recidivism after the first adult arrest in order to identify factors that increase or decrease the likelihood that an adolescent male will be arrested again. We use the Adult History Dataset, which includes information about the arrest history of anyone who had an adult arrest in New York City between July 1, 2004 and December 31, 2006, whose 16<sup>th</sup> birthday occurred during that time period, and whose first adult arrest was disposed on or before December 31, 2006. This dataset allows us to examine at least one year of arrest history after each arrestee's first adult arrest. The dataset includes 15,072 adolescent male arrestees.

The analyses in this chapter examine recidivism after the first adult arrest. To maximize the sample size of DV arrestees, we began by selecting the first adult arrest for a DV offense for every arrestee in the dataset, even if the arrest for a DV offense was not the first adult arrest. Then, for arrestees who were never arrested for a DV offense as an adult, we selected their first adult arrest. This procedure insured that we identified every adolescent male who was arrested for at least one DV offense during the sample period. About 31% of the 945 adolescent males with a first adult DV arrest had a prior Non-DV adult arrest. For these adolescent males, the first adult DV arrest was not necessarily their first adult arrest.

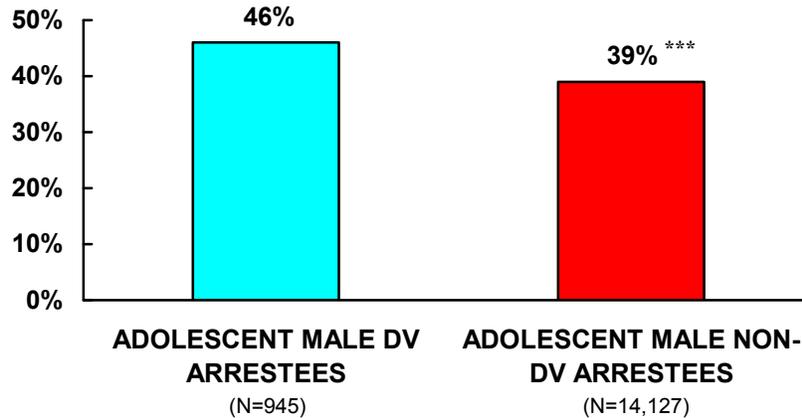
Similarly, to examine adolescent males arrested for intimate partner violence (IPV) offenses, we selected the first adult arrest for an IPV offense for every arrestee in the dataset, even if the arrest for an IPV offense was not the first adult arrest or the first adult DV arrest. Only after identifying these first-time adult IPV arrestees did we identify the first adult arrest for the remaining arrestees who had never been arrested for an adult IPV offense. About 32% of the 165 adolescent males with a first adult IPV arrest had a prior Non-DV arrest, and an additional 9% had a prior adult DV arrest that was not for intimate-partner violence. For these adolescent males, the first adult IPV arrest was not necessarily their first adult arrest, nor was it necessarily their first adult DV arrest. Some of the first-time adult IPV arrestees had previously had an adult DV arrest for an offense against a victim who was not an intimate partner.

### A. Post-Disposition Re-arrest Rates

We begin by examining post-disposition re-arrest rates for the first adult arrests of adolescent male arrestees. Re-arrests were measured during a one-year at-risk period following the disposition of the first adult arrest (or following the completion of a jail or prison sentence associated with that arrest, if any).

We consider re-arrest rates separately for those with a first adult DV arrest and those with a first adult Non-DV arrest (see Figure 5-1). Those with a first adult DV arrest were more likely to be re-arrested for any new offense within 1 year of case disposition than those with a first adult Non-DV arrest (46% vs. 39%). This difference was statistically significant.

**FIGURE 5-1**  
**RE-ARREST RATES FOR ANY NEW OFFENSES**  
**FOR DV AND NON-DV ARRESTEES**  
 Adolescent Male Arrestees, Adult History Dataset



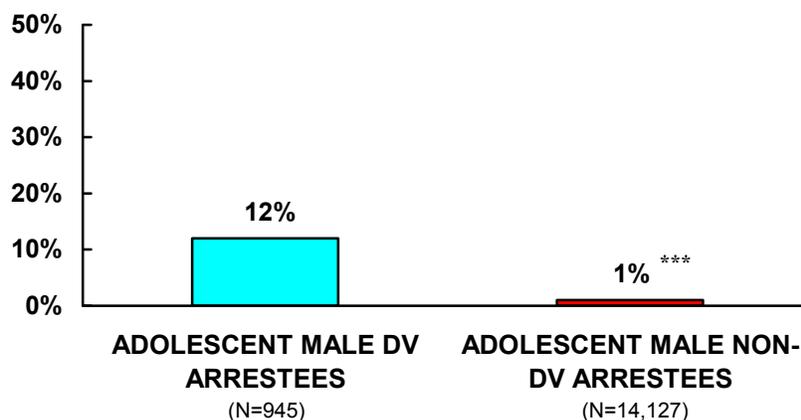
To further understand the difference in re-arrest rates, we examined re-arrests for DV offenses, and examined patterns of re-arrest for each type of offense (see Figure 5-2). Those with a first adult DV arrest were much more likely to be re-arrested for a new DV offense within one year of case disposition or release from incarceration than those with a first adult Non-DV offense. Among those with a first adult DV offense, about 12% were re-arrested for a new DV offense. Only 1% of those with a first adult Non-DV offense were re-arrested for a new DV offense. This difference was statistically significant.

The data on re-arrests for a new DV offense help to explain why first-time DV arrestees had a higher overall rate of re-arrest for any new offense (46% vs. 39%, as shown in Figure 5-1). The re-arrest rate of first-time DV arrestees was higher, in part, because they were much more likely to be re-arrested for new DV offenses than first-time Non-DV arrestees (12% vs. 1%, as shown in Figure 5-2).

Because of our interest in intimate partner violence among adolescent males, we also examined re-arrest rates for those who had a first adult arrest for intimate partner violence during the study period. We compare their re-arrest rates to those who had a first adult arrest for non-intimate partner violence.<sup>12</sup>

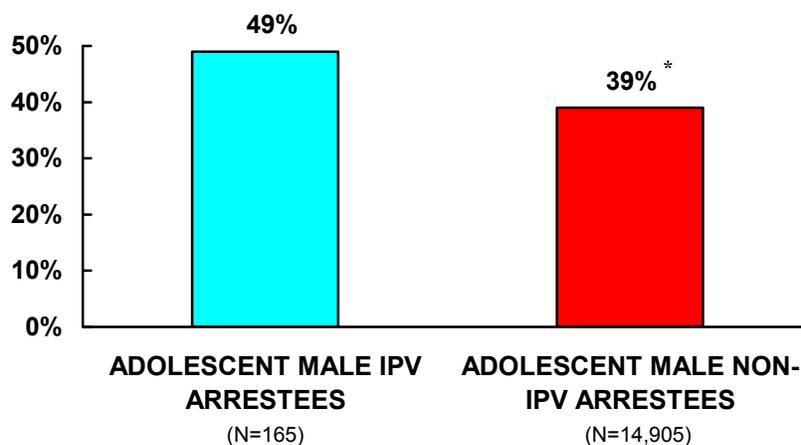
<sup>12</sup> Those who had a first adult DV arrest that was not an IPV arrest and who did not have a subsequent IPV arrest during the study period are classified in the “non-intimate partner violence” group.

**FIGURE 5-2**  
**RE-ARREST RATES FOR NEW DV OFFENSES**  
**FOR DV AND NON-DV ARRESTEES**  
 Adolescent Male Arrestees, Adult History Dataset



The re-arrest rate for any new offense among those who had a first adult IPV arrest was higher than for those who had a first adult Non-IPV arrest.<sup>13</sup> Almost half (49%) of those who had a first adult IPV arrest were re-arrested for a new offense in the year after their case disposition, compared to 39% of those who had a first adult Non-IPV arrest (see Figure 5-3; difference was statistically significant).

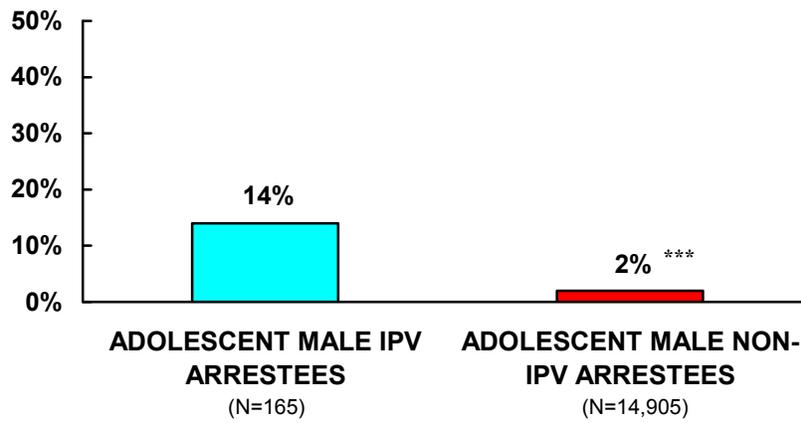
**FIGURE 5-3**  
**RE-ARREST RATES FOR ANY NEW OFFENSES**  
**FOR IPV AND NON-IPV ARRESTEES**  
 Adolescent Male Arrestees, Adult History Dataset



<sup>13</sup> The total number of arrestees in Figure 5-3 (N = 15,070) is lower than for the previous two figures (N = 15,072) because of missing data on case outcomes for 2 cases. These two arrestees were classified as DV arrestees in Figures 1 and 2, but neither their first adult DV arrest nor any subsequent adult DV arrest during the observation period was an IPV arrest. Therefore these two arrestees would have been classified as Non-IPV arrestees in Figures 5-3 through 5-5. However, because data on the case outcomes in their first adult Non-DV arrests were missing, they were excluded from analysis.

The re-arrest rate for new DV offenses was also higher for those who had a first adult arrest for intimate partner violence. About 14% were re-arrested for a new DV offense, compared to only 2% for those who had a first adult Non-IPV arrest (see Figure 5-4; difference was statistically significant).

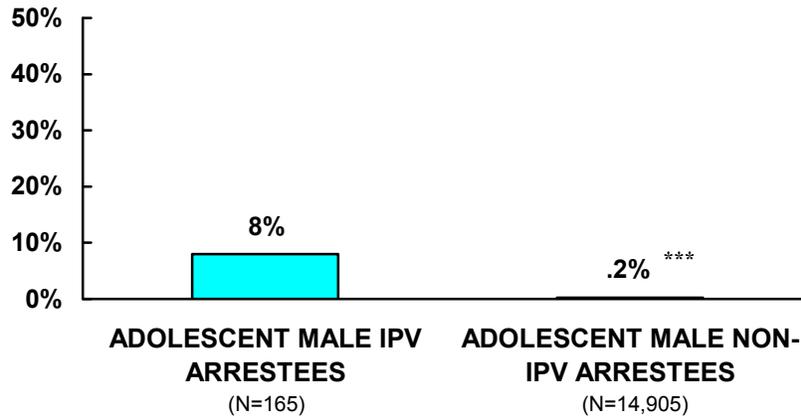
**FIGURE 5-4**  
**RE-ARREST RATES FOR NEW DV OFFENSES**  
**FOR IPV AND NON-IPV ARRESTEES**  
 Adolescent Male Arrestees, Adult History Dataset



As was the case in our comparison of first-time DV and Non-DV arrestees, the data on re-arrests for a new DV offense help to explain why first-time IPV arrestees had a higher overall rate of re-arrest for any new offense (49% vs. 39%, as shown in Figure 5-3). The re-arrest rate of first-time IPV arrestees was higher, in part, because they were much more likely to be re-arrested for new DV offenses than first-time Non-IPV arrestees (14% vs. 2%, as shown in Figure 5-4).

Finally, to determine the extent to which IPV arrestees are likely to be arrested for new IPV offenses, rather than other types of DV offenses, we examined the re-arrest rate for new IPV offenses within one year of case disposition or release from incarceration. Those who had a first adult IPV arrest were much more likely to commit a new IPV offense than those who had a first adult Non-IPV. About 8% of those who had a first adult IPV arrest were re-arrested for a new IPV offense within 1 year of case disposition, compared to less than 1% for those who had a first adult Non-IPV arrest (see Figure 5-5; difference was statistically significant). Comparing these results to those for DV re-arrest rates (reported in Figure 5-4) shows that although the majority of IPV arrestees who were re-arrested for a new DV offense were re-arrested for a new IPV offense (8% of the 14%), a substantial proportion were re-arrested only for a Non-IPV DV offense (6% of the 14%).

**FIGURE 5-5**  
**RE-ARREST RATES FOR NEW IPV OFFENSES**  
**FOR IPV AND NON-IPV ARRESTEES**  
 Adolescent Male Arrestees, Adult History Dataset



#### B. Re-arrest for a New DV Offense Among First-Time Adult DV Arrestees

Having established the rates of post-disposition re-arrest for new DV and IPV offenses, we now turn to identifying the predictors of post-disposition re-arrest. We begin by predicting the likelihood of a new DV offense among first-time adult DV arrestees. We use logistic regression analysis to predict the likelihood of re-arrest for a new DV offense within one year of case disposition or release from incarceration. See Appendix A for an explanation of logistic regression analysis.

Our model predicting post-disposition re-arrest for a new DV offense used a standard set of variables considered in previous research (Peterson 2003). Specifically, we developed the model by testing the effects of demographic factors (ethnicity, age at first adult DV arrest), criminal history measures (presence and type of JD arrest record, and adult arrest history for those for whom the first adult DV arrest was not the first arrest), charge characteristics (type of arrest charge, whether the top arrest charge was of felony severity, number of arrest charges), type of DV relationship for the first adult DV arrest (intimate partner violence, parent-sibling violence, other violence), community ties (full-time activity, residential stability, living with someone, having a telephone), and case processing information (pretrial re-arrests, case outcome, and YO status). Appendix B presents descriptive data for each of these variables for first-time adult DV arrestees, and Appendix C describes the coding scheme used for each variable.

While most of these variables were discussed above, or are self-explanatory, one merits some additional explanation. YO status is a finding, at the time of sentencing, that a Youthful Offender merits lenient treatment. When YO status is granted at sentencing, the conviction is vacated, and the defendant receives a reduced sentence.

To be eligible for YO status, the defendant must have been 18 or younger at the time of the incident, must not have any prior felony convictions or prior felony juvenile delinquent adjudications, and must not be charged with an A-I felony, A-II felony, armed felony, rape in the first degree, sodomy in the first degree or aggravated sexual abuse. Essentially, YO status is designed to provide leniency for some young defendants who have been convicted of a serious offense for the first time. If the defendant is eligible for YO status and the conviction is in Criminal Court, the court is required to grant YO status. In Supreme Court, the judge has discretion to determine if YO status should be granted, based on his or her assessment of whether it would be in the interest of justice to relieve “the eligible youth from the onus of a criminal record” (New York State Criminal Procedure Law §720.20(1a)). Case law emphasizes that YO status should be granted to those defendants who have good prospects for rehabilitation and a constructive life in the future (Correiro 2006). The conditions under which YO status is granted suggest that defendants who are given YO status would be likely to have a lower probability of re-arrest.

Only six of the variables that were considered for inclusion in our model were statistically significant predictors of post-disposition re-arrest for a new DV offense for adolescent males who had a first adult DV arrest (see Table 5-1). A history of JD arrests increased the likelihood of post-disposition re-arrest for a new DV offense following the first adult DV arrest. The size of the effect of a JD arrest history varied by the type of history. The odds of a post-disposition re-arrest for a new DV offense were over 3 ½ times greater for those who had a history of only JD Non-DV arrests than for those who had no JD arrest history. Among those whose JD history included only DV arrests, the odds of post-disposition re-arrest were over 2 times greater than for those who had no JD arrest history. The odds of post-disposition re-arrest were over 10 times greater for those who had a history of both JD DV and JD Non-DV arrests.

Those not engaged in full-time activity (employed, in school, or in a training program) were more likely to be re-arrested for a new DV offense during the post-disposition period. This suggests that those who had either finished or dropped out of school and were not employed or in training full-time were at greater risk of re-arrest. The odds of re-arrest were about 1 ½ times greater for these young men than for those who were engaged in full-time activity. The likelihood of post-disposition re-arrest for a new DV offense was also greater for adolescent males arrested for their first adult DV offense in the Bronx than in Brooklyn. There were no statistically significant differences among the other boroughs in the likelihood of post-disposition re-arrest for a new DV offense.

Three case processing variables had statistically significant effects on the likelihood of post-disposition re-arrest for a new DV offense. One, not surprisingly, was whether the young man was arrested during the pre-disposition period for a new DV offense. As prior research has shown (Peterson 2003), being arrested for a new DV offense during the pre-disposition period is a good predictor of post-disposition re-arrest for a new DV offense. Case outcome was also a statistically significant predictor of re-arrest. Specifically, when the first adult DV arrest was declined for prosecution by

**TABLE 5-1**  
**LOGISTIC REGRESSION MODEL PREDICTING**  
**LIKELIHOOD OF RE-ARREST FOR A NEW DV OFFENSE**  
**AMONG FIRST-TIME ADULT DV ARRESTEES**  
 ADOLESCENT MALE DV ARRESTEES, ADULT HISTORY DATASET<sup>1</sup>

INDEPENDENT VARIABLES <sup>2</sup>	Standardized $\beta$	Odds Ratio
<b>HISTORY OF JD ARRESTS</b>		
<i>Reference Category: No JD Arrests</i>		
JD Non-DV Arrests Only	0.22 **	3.62
JD DV Arrests Only	0.35 ***	2.21
JD DV and Non-DV Arrests	0.33 ***	10.32
<b>FULL-TIME ACTIVITY</b>		
NOT EMPLOYED, IN SCHOOL OR IN A TRAINING PROGRAM FULL-TIME	0.20 *	1.56
<b>BOROUGH</b>		
<i>Reference Category: Brooklyn</i>		
Manhattan	-0.05	0.88
Queens	-0.07	0.83
Staten Island	-0.36	0.22
Bronx	0.45 ***	2.40
<b>PROCESSING OF FIRST ADULT DV ARREST</b>		
ANY ARRESTS FOR A DV OFFENSE PRIOR TO CASE DISPOSITION	0.23 *	2.29
CASE OUTCOME OF FIRST ADULT DV ARREST		
<i>Reference Category: Dismissed</i>		
Declined for Prosecution	-0.34 *	0.42
Adjourned in Contemplation of Dismissal	0.17	1.54
Convicted, No Jail Sentence	0.12	1.27
Convicted, with Jail Sentence	-0.03	0.88
YO STATUS ON FIRST ADULT DV ARREST	-0.32 *	0.29

Nagelkerke R<sup>2</sup>  
 (N of cases)

0.13 \*\*\*  
 (945)

**NOTES**

<sup>1</sup> See text for a description of the dataset.

<sup>2</sup> See Appendix C for information about the measurement and coding of the variables.

\* Statistically significant at p < .05

\*\* Statistically significant at p < .01

\*\*\* Statistically significant at p < .001

the District Attorney's office, the likelihood of re-arrest for a new DV offense was lower. The odds of re-arrest for a DP case were less than half of those for a case that was prosecuted and dismissed. Finally, defendants who received YO status as a condition of sentencing on their first adult DV arrest were less likely to be re-arrested for a new DV offense during the post-disposition period.

Overall, the model explained only 13% of the variation in post-disposition re-arrest (see Nagelkerke  $R^2$ ). This indicates that most of the variation in post-disposition re-arrest for a new DV offense is unexplained, and reflects to some degree the limited number of variables that entered the model. Although many additional variables were considered for inclusion, none of them had a statistically significant effect on the likelihood of re-arrest.

### C. Re-arrest for a New DV Offense Among First-Time Adult Intimate Partner Violence Arrestees

We now focus on a smaller group of adolescent male arrestees—those who were arrested for the first time for intimate partner violence offenses. The variables considered for our model were the same as those considered for first-time adult DV arrestees above. Appendix B presents descriptive data for each of these variables for first-time adult IPV arrestees. The number of cases is considerably smaller in this analysis ( $N = 165$ ), and as a result it is more difficult to find statistically significant variables to enter the model. Nevertheless, we found four variables that had a statistically significant effect on the likelihood of re-arrest (see Table 5-2).

First, as in the previous model for first-time adult DV arrestees, we found that the re-arrest rate for new DV offenses was higher in the Bronx than in the other boroughs among first-time adult IPV arrestees.<sup>14</sup> The odds of re-arrest were over 3 times higher in the Bronx than in the other boroughs.

In this model, a history of JD arrests did not have a statistically significant effect on the likelihood of re-arrest for a new DV offense. However, a history of prior adult arrests did have a statistically significant effect. In fact, this variable had the strongest effect of any variable in the model. The odds of re-arrest for a new DV offense were nearly 8 times higher for those who had a prior adult arrest than for those who did not. Moreover, the standardized beta for this variable, .69, indicates that it explained more variation in the likelihood of re-arrest than any other variable.

First-time adult IPV arrestees who were charged with felonies were more likely to be re-arrested for a new DV offense than those who were charged with misdemeanors or lesser offenses. The odds of re-arrest were about 3 times higher for those charged with felonies.

Finally, one measure of community ties had a statistically significant effect on the likelihood of re-arrest for a new DV offense among first-time adult IPV arrestees. Residential instability increased the likelihood of re-arrest. The odds of re-arrest for a new DV offense were 3 ½ times greater for first-time adult IPV arrestees who were

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<sup>14</sup> Small sample sizes precluded presenting results separately for Queens, Manhattan and Staten Island, as was done in Table 5-1. Since there were no statistically significant differences between these boroughs and Brooklyn, arrests in these four boroughs were classified in a single reference category.

**TABLE 5-2**  
**LOGISTIC REGRESSION MODEL PREDICTING**  
**LIKELIHOOD OF RE-ARREST FOR A NEW DV OFFENSE**  
**AMONG FIRST-TIME ADULT IPV ARRESTEES**  
 ADOLESCENT MALE IPV ARRESTEES, ADULT HISTORY DATASET<sup>1</sup>

INDEPENDENT VARIABLES <sup>2</sup>	Standardized $\beta$	Odds Ratio
<b>BOROUGH</b> <i>Reference Category: Brooklyn, Manhattan, Queens and Staten Island</i> Bronx	0.39 *	3.25
<b>CRIMINAL HISTORY</b> ANY PRIOR ADULT ARRESTS	0.69 ***	7.74
<b>CHARGE CHARACTERISTIC</b> ARRAIGNMENT CHARGE IS A FELONY	0.30 *	2.98
<b>RESIDENTIAL INSTABILITY</b> AT CURRENT ADDRESS 1 YEAR OR LESS	0.36 *	3.58

Nagelkerke R<sup>2</sup>  
(N of cases)

0.26 \*\*\*  
(165)

**NOTES**

<sup>1</sup> See text for a description of the dataset.

<sup>2</sup> See Appendix C for information about the measurement and coding of the variables.

- \* Statistically significant at  $p < .05$
- \*\* Statistically significant at  $p < .01$
- \*\*\* Statistically significant at  $p < .001$

living at their current address for 1 year or less than for those who were living at their current address for over 1 year.

The model accounted for about 26% of the variation in post-disposition re-arrest for a new DV offense among first-time adult IPV arrestees (see Nagelkerke R<sup>2</sup>). This model explains twice as much variation as the model predicting post-disposition re-arrest for a new DV offense among first-time adult DV arrestees. This is particularly surprising since the sample size for this model is considerably smaller, and fewer statistically significant variables were found in this model. The main reason for this difference appears to be the influence of the variable “any prior adult arrests.” About 43% of the first-time adult IPV arrestees had a prior adult arrest, compared to only 31% of first-time adult DV arrestees. Since the first adult IPV arrest may have occurred after one or more adult DV and Non-DV arrests, it appears that first-time adult IPV arrestees may have a longer history of prior adult arrests, which enables this model to more accurately predict the likelihood of re-arrest. While the model predicting re-arrest for a new DV offense is stronger for first-time adult IPV arrestees, this strength is based

heavily on the influence of one variable—history of prior adult arrests. Only three additional variables had statistically significant effects, although many more were considered for inclusion in the model. As a result, it is difficult to draw strong conclusions from this model, or to identify factors that could be used to intervene in preventing future re-arrests.

We also developed a model to predict the likelihood of an IPV re-arrest for first-time IPV arrestees (model not shown), but it did not provide additional useful information. Because the IPV re-arrest rate was lower (8% vs. 14%, as reported in Figures 5-5 and 5-4), it was more difficult to find predictors of IPV re-arrests. Only 2 variables entered the model predicting the likelihood of an IPV re-arrest. Both were variables that entered the model reported in Table 5-2 predicting the likelihood of a DV re-arrest for first-time IPV arrestees. The variables that entered the model were borough (Bronx vs. other boroughs) and criminal history (any prior adult arrests), and their effects were in the same direction reported in Table 5-2.

#### D. Summary and Discussion of Findings

In this chapter, we began by examining the likelihood of re-arrest within one year of the disposition (or end of the jail or prison sentence, if any) after the first adult arrest for each arrestee in our dataset. We then developed models predicting the likelihood of a post-disposition re-arrest for new DV offenses for a) those arrestees who experienced a first adult DV arrest, and b) those arrestees who experienced a first adult IPV offense.

Our examination of post-disposition arrests began with a comparison of those who had a first adult DV arrest to those who had a first adult Non-DV arrest. We found that those with a first adult DV arrest were more likely to be re-arrested for any new offense. About 46% were re-arrested within one year of case disposition, compared to 39% of those who had a first adult Non-DV arrest. A closer examination of the type of post-disposition re-arrest revealed that this difference was due to a difference in the likelihood of re-arrest for a new DV offense. About 12% of those with a first adult DV arrest were re-arrested for a new DV offense within one year of case disposition, compared to only 1% of those who had a first adult Non-DV arrest.

Similarly, we found that those who had a first adult IPV arrest were more likely to be re-arrested for any new offense. About 49% were re-arrested within one year of case disposition, compared to 39% of those who had a first adult Non-IPV arrest. This difference appears to be attributable to their higher rates of re-arrest for DV offenses, particularly for IPV offenses, during the one-year post-disposition period. About 14% of those with a first adult IPV arrest were re-arrested for a new DV offense within one year of case disposition, compared to only 2% of those who had a first adult Non-IPV arrest. Furthermore, about 8% of those with a first adult IPV arrest were re-arrested for a new IPV offense within one year of case disposition, compared to only 0.2% of those who had a first adult Non-IPV arrest.

Our model predicting the likelihood of a DV arrest within one year of case disposition, or release after incarceration, following the first adult DV arrest found only a few statistically significant predictors. Given the results presented in Chapters 3 and 4, it is not surprising to find that a history of JD arrests, and particularly a history of JD DV arrests (either alone, or in combination with JD Non-DV arrests) is a strong predictor of the likelihood of re-arrest for a new DV offense after the first adult DV arrest. Similarly, we found that those who were arrested for a DV offense prior to the disposition of the first adult DV arrest were more likely to be re-arrested for a new DV offense after case disposition. These two findings suggest that those who have previously been arrested, especially those previously arrested for DV offenses, are the most likely to be re-arrested. Adolescent male arrestees with a history of arrests for DV offenses are at greater risk of new arrests for DV offenses.

We also found that the borough of arrest affected the likelihood of re-arrest for a new DV offense. Specifically, those arrested in the Bronx were more likely to have a post-disposition re-arrest for a new DV offense within one year of the disposition of their first adult DV arrest. The explanation for this finding lies in an understanding of prosecutorial practices for DV cases in the Bronx. Unlike the other four counties, the Bronx District Attorney's office does not usually prosecute DV cases unless the victim signs a complaint within 24 hours of the arrest (see Peterson and Dixon 2005 for a detailed discussion of this practice). If the victim does not sign the complaint, the case is usually declined for prosecution. The cases that are prosecuted in the Bronx are much more likely than those in other boroughs to have a victim who participates in the prosecution throughout the case. These victims are also, presumably, more likely to call the police if the adolescent male arrestee commits a new DV offense after his first adult DV case is disposed. In the other four boroughs, many of the prosecuted cases proceed without the participation of the victim. These victims are presumably less likely to call the police if a new DV incident occurred, since they did not participate in the prosecution of the adolescent male arrestee's first adult DV case.

The explanation of the higher re-arrest rate in the Bronx also helps us to understand the effect of the case outcome variable. As we reported, cases declined for prosecution were associated with a lower re-arrest rate after the disposition of the adolescent male arrestee's first adult DV arrest. Over half of the cases declined for prosecution were in the Bronx. Since the victims in these cases did not sign a complaint within 24 hours of the arrest, it is likely that in the event the adolescent male committed a new DV offense, they would be less likely than other victims to report the incident to the police. Cases declined for prosecution in other boroughs would also be likely to have victims who were not participating in the prosecution of the case and would be less likely to call the police if a new DV incident occurred. If so, we would expect to see, as we did in Table 5-1, that cases that were declined for prosecution had a lower re-arrest rate.

The higher re-arrest rate in the Bronx and the lower re-arrest rate for cases declined for prosecution suggest that whether a case was declined for prosecution is an indirect measure of the victim's willingness to use the criminal justice system in

incidents of domestic violence. Victims who sign a complaint after an adolescent male is arrested for domestic violence are probably more likely to call the police again in the event of future incidents. Victims who do not sign a complaint after an adolescent male is arrested for domestic violence are probably less likely to call the police in the event of another incident.

Our model also showed that the likelihood of re-arrest for a new DV offense was higher for adolescent males who were not engaged in full-time activity. Full-time activity refers to attendance at school, employment, or a training program, or some combination of two or three of these activities full time. Because most of the adolescent males in this sample were 16 or 17 years old at the time of their first DV arrest, it seems likely that those who were not engaged in full-time activity had dropped out of school prior to graduating from high school and were not employed full-time. Our findings show that these young men were most at risk of re-arrest for a new DV offense. This finding is consistent with earlier research on the impact of community ties on re-arrests for new DV offenses (Peterson 2003, 2008c). Full-time activity is generally found to be associated with lower re-arrest rates for DV offenses, perhaps because it provides a means of informal social control from peers as well as structured activities (Peterson 2003).

Finally, we found that YO status was associated with a lower likelihood of re-arrest for new DV offenses.<sup>15</sup> As explained above, YO status is designed to give some adult adolescent defendants who are convicted for their first offense a chance to have their conviction vacated and to receive a lenient sentence. It is hoped that this treatment will promote the rehabilitation of the defendant. Our findings for DV defendants who received YO status suggest that YO status is associated with lower recidivism, at least with respect to re-arrest for a new DV offense within one year of case disposition. Although our analyses are unable to determine the reasons for this effect, the findings suggest that this legislation designed to help youthful offenders may be having the desired impact on DV defendants.

Our model predicting re-arrest for a new DV offense among first-time IPV arrestees was quite similar to the model for first-time DV arrestees. Because the sample size was smaller, fewer variables entered the model. Borough had the same effect for IPV arrestees as for DV arrestees. Criminal history and weak community ties

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<sup>15</sup> Because YO status cannot be given to defendants who have previously been given YO status, we considered an alternative interpretation of our findings. Specifically, arrestees who were not granted YO status might consist primarily of those who had previously been arrested. If so, our measure of YO status on the current arrest might be comparing those who were arrested for the first time (and received YO status on the current arrest) to those who had been arrested previously (and who may have received YO status in the past). However, we examined data on prior adult arrest history, and found that those who did not receive YO status were only slightly more likely to have had a prior adult arrest than those who did not receive YO status (37% vs. 30%, data not shown). Moreover, including a measure of prior adult arrests in the model did not change the findings for YO status—its effect remained negative and statistically significant (data not shown).

increased the likelihood of recidivism in both models, although the specific measures of these variables were different (any prior adult arrest vs. history of JD arrests, and residential instability vs. lack of full-time activity). Only one new type of variable entered the model for first-time IPV arrestees: those charged with a felony at arraignment were more likely to be re-arrested during the post-disposition period. This suggests that those charged with more serious acts of intimate partner violence are more likely to be charged with domestic violence in the future.

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## VI. CONCLUSION

### A. Major Findings

This study addressed four questions:

- 1) How frequently are adolescent males, including juveniles under age 16 as well as adults age 16 to 19, arrested for domestic violence offenses?
- 2) Is a history of juvenile arrests for domestic violence related to the likelihood of adult arrests for domestic violence among adolescent males?
- 3) Is a history of arrests for parent/sibling violence as a juvenile related to the likelihood of adult arrests for intimate partner violence among adolescent males?
- 4) What opportunities are there for criminal justice intervention in adult domestic violence cases of adolescent males?

The answers to these questions can be summarized as follows.

First, arrests for domestic violence offenses are relatively rare among male juveniles (under age 16) in New York City. When juveniles are arrested for domestic violence, over two thirds of these arrests are for violence against parents or siblings, and only about 10% are for violence against intimate partners. Arrests for domestic violence offenses are more common among adult adolescent males age 16 to 19. Over half of DV arrests of adult adolescent males are for violence against parents or siblings. Arrests for intimate partner violence are more common in this age group than among those under 16, accounting for about one quarter of the total. By age 19 ½, 8% of all adult male arrestees have been arrested for domestic violence, including 2% who have been arrested for intimate partner violence.

Second, a history of juvenile arrests for domestic violence increases the likelihood of adult arrests for domestic violence. Adolescent males who had been arrested for DV offenses as juveniles are more likely to be arrested for DV offenses as adults than adolescent males who had no juvenile arrests, or whose juvenile arrests were only for Non-DV offenses. Over 18% of adolescent males who had a JD DV arrest were arrested for an adult DV offense by age 19 ½. By comparison, only about 8% of adolescent males who had no juvenile arrests, or only juvenile Non-DV arrests, had been arrested for an adult DV offense by age 19 ½.

Third, adolescent males who had been arrested for parent/sibling violence as juveniles were no more likely to be arrested for intimate partner violence as adults than juveniles who had been arrested for other types of domestic violence. At least for adolescent males under 20 years old, it does not appear that a history of juvenile arrests for parent/sibling violence is associated with a history of adult arrests for intimate partner violence. We also found no evidence that a history of juvenile arrests for

intimate partner violence was related to an adult history of arrests for intimate partner violence. However, this conclusion is tentative, since our sample size was very small and the result may be unreliable. We did find some evidence that juveniles arrested for parent-sibling violence are more likely than those arrested for other types of domestic violence to be arrested for adult DV offenses.<sup>16</sup> Most of these adult DV offenses are for parent/sibling violence.

Finally, our research suggests some opportunities for criminal justice intervention in domestic violence cases of adult adolescent males. The model predicting the likelihood of re-arrest for a new DV offense among first-time adult DV arrestees identified four predictors that suggest possible targets for intervention: those who had a history of juvenile DV arrests, those who were arrested for a new DV offense during the pendency of the case, those who were not engaged in full-time activity at the time of the arrest, and those who did not receive YO status. Among those adult adolescent males arrested for their first intimate partner violence offense, our findings suggest that criminal justice interventions could target those with a prior adult arrest, those who have lived at their current address less than one year, and those arraigned on felony charges.

## B. Discussion

This study examined arrests of young adolescent males for domestic violence offenses in New York City. We focused on identifying arrests at very young ages in order to describe the types of domestic violence adolescent males are charged with, and to determine how arrests for domestic violence at very young ages influence patterns of arrest for domestic violence during later adolescence. An understanding of these patterns may shed some light on the possibilities for criminal justice interventions to prevent subsequent arrests for domestic violence as these adolescent males enter their 20s and 30s.

Several of our findings suggest that intervening with adolescent male arrestees to reduce domestic violence, especially intimate partner violence, may be difficult.

Among male juveniles (under age 16), arrests for domestic violence offenses are relatively rare. From 2004 to 2007, the average number of JD DV arrests in New York City was under 700 per year (data not shown). About two fifths of these cases involved parent/sibling violence, and about 10% involved intimate partner violence (data not shown). Although some research indicates that teen dating violence is common, it appears that such violence is either not criminal in nature or is not often reported to the police.<sup>17</sup> This limits the opportunities for contact between the criminal justice system (including the family courts) and male juveniles who commit domestic violence.

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<sup>16</sup> Note that this finding is based on analyses presented in Chapter 3 (Table 3-8). However, results in Chapter 4 (Figure 4-6) did not support this conclusion.

<sup>17</sup> Another possibility is that a large number of arrests for parent/sibling, dating, and other family violence by juveniles are not properly classified as domestic violence and/or intimate partner violence. As explained in Chapter 2, we identified arrests for domestic violence and intimate partner violence using information that was collected by NYPD about the offender-victim

This report examined whether there is a relationship between juvenile arrests for parent/sibling violence and adult arrests for intimate partner violence. We had hypothesized that juveniles arrested for parent-sibling violence might be more likely to use violence against intimate partners when they become involved in these relationships in late adolescence. However, we did not find a statistically significant relationship between the two types of violence. This suggests that early intervention with JD DV cases, particularly cases of parent-sibling violence, does not seem likely to reduce the likelihood of arrest for adult intimate partner violence. It is worth cautioning, however, that our dataset only allowed us to examine the effect of juvenile parent-sibling violence on the likelihood of adult intimate partner violence before age 19 ½. If juvenile parent-sibling violence is a strong predictor of intimate partner violence later in adulthood, we would not have been able to detect this effect. Addressing this question would require additional research.

Among adult adolescent males, we examined factors that affected the likelihood of re-arrest for DV offenses among first-time DV arrestees. Our model explained only 13% of the variance in re-arrest, and we found only a small number of predictors of re-arrest. Among first-time adult IPV arrestees, we were able to explain more variance (26%), but there were fewer predictors of re-arrest for a new DV offense. These results indicate that any factors that could be influenced by criminal justice interventions are likely to have relatively small effects on recidivism.

While there clearly are limits on the impact of any new interventions to prevent future arrests for domestic violence among adolescent males, a few findings suggest some possibilities.

First, arrests of adult adolescent males (16 to 19 ½) for domestic violence offenses are more common than arrests of juvenile males (under 16). From 2004 to 2007, the average number of DV arrests in New York City of adolescent males age 16 to 19 ½ was about 2,000 per year (data not shown). About 30% of these cases involved parent/sibling violence, and about 28% involved intimate partner violence (data not shown). These data suggest that there may be sufficient numbers of adult adolescent male DV arrestees to sustain an intervention program.

Second, juveniles arrested for DV offenses are much more likely than those who were never arrested or were arrested only for Non-DV offenses to be arrested for DV offenses as adults. This relationship appears to be primarily due to the greater likelihood of juveniles arrested for parent-sibling violence to be arrested as adults for parent/sibling violence. Although most adolescent males age out of violence against parents and siblings by the time they reach their early 20s, there is a several-year period during which risk of re-arrest for parent-sibling violence remains high. Prevention efforts aimed at this type of violence should begin in family court if possible.

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relationship. Although information about the offender-victim relationship is sometimes missing even when the arrest involves domestic violence, we do not believe that this occurred in large numbers of cases during the time period of this study.

Third, our model predicting the likelihood of re-arrest among first-time adult DV arrestees identified several groups that could be targeted for intervention. Each of the following types of arrestees had a higher-than-average risk of re-arrest for a new DV offense after case disposition: those who were not engaged in full-time activity, those who had a JD history of DV arrests, those who were arrested for a new DV offense during the pendency of the case, and those who did not receive YO status. This finding suggests that additional interventions may be warranted for these arrestees. For example, adolescents not engaged in full-time activity might be offered services to enable them to return to school and/or work. Those arrested for a new DV offense during the pendency of the case might be placed in a supervised release program. Those whose cases end in conviction and who have a history of JD arrests for domestic violence could be sentenced to intensive probation supervision or to special batterer programs. Our findings for first-time IPV arrestees suggest different groups that could be targeted for interventions: those with a prior adult arrest, those who have lived at their current address less than one year, and those arraigned on felony charges.

Pursuing these opportunities for intervention would require the development of new programs or expansion of current programs to address the problems and needs of adolescent male DV arrestees. While this report cannot cover the full range of possibilities, it is worth highlighting a few.

Our research suggests that full-time activity may inhibit adolescent male DV arrestees from committing new DV offenses. Returning adolescent males to school and/or finding them employment may affect recidivism not only in the short run, but also through adulthood. Such programs would need to provide remedial education, schooling, job training, and referral services. A previous CJA report outlines how to target adolescent males for an employment program, as well as the possible impact of such a program on recidivism (Peterson 2008b).

While we believe that school and employment programs are worth trying, there are several reasons to proceed with caution. First, full-time activity may not be the reason for the lower rate of re-arrest for a new DV offense. It might instead reflect other characteristics, such as social class background, that affect recidivism. Second, our models predicting the likelihood of re-arrest for a new DV offense among adolescent male DV arrestees left much of the variance unexplained, and recommendations based on these models may have only modest effects. Finally, it may be difficult to establish an effective school or employment program. In spite of these concerns, we believe that establishing school and employment programs for adolescent male DV arrestees would be worth considering.

To address concerns about risk of pretrial re-arrest in DV cases, a program of supervised release should be considered. The use of supervised release programs for both the general population of defendants, and for DV defendants in particular, has grown more common over the past decade (Clark and Henry 2003). While it is beyond the scope of the current study to develop a plan for a supervised release program for

DV defendants in New York City, we proposed some general guidelines for such a program in previous reports (Peterson 2006, 2008c).

Finally, targeting specific subgroups of adolescent male DV arrestees (e.g., IPV offenders who had a previous adult arrest, or who were charged with a felony, DV offenders with a history of JD DV arrests) could be accomplished through specialized courts. New York City already has two such courts operating—one in Brooklyn (established in 2003) and one in the Bronx (established in 2006). These courts handle cases of intimate partner violence among defendants age 16-19. Some adolescent male defendants are referred to a special batterer's intervention program tailored to adolescents. Services and referrals are also provided to victims. These courts handle relatively small numbers of cases. CJA data indicate that there were 109 cases processed in the YO DV court in the Bronx in 2007 (data not shown). The Brooklyn YO DV court processed about 300 cases in 2004, which was its first full year of operation (Cissner 2005).<sup>18</sup> These courts could be expanded to other boroughs, and could identify high-risk defendants and develop special programs for them. Given the high rates of violence against parents and siblings in this age group, they could also consider expanding their eligibility criteria to include such cases.

### C. Conclusion

This study evaluated whether there is potential for early intervention with first-time adult male DV arrestees that might deter them from committing future acts of domestic violence. Previous research on the general population of domestic violence arrestees suggests that few interventions or criminal justice sanctions have a deterrent effect. The current study focused on first-time adult male DV arrestees to determine whether there are opportunities for the criminal justice system to intervene before these young men become repeat offenders.

Our findings suggest that there are opportunities for intervention with first-time adolescent male DV arrestees in New York City. Early intervention with this group has the potential for a large return on investment. If effective programs can be found, it may be possible to significantly reduce the incidence of domestic violence over the lifetimes of these adolescent males. Prevention of domestic violence is a relatively new field. Early intervention to address domestic violence has only recently become a focus of attention (Carter 2005, Edleson 2000, Kahn and Paluzzi 2006, Rosewater 2003). Moreover, there is little research available on the long-term success of these programs (Cissner 2005). New programs for adolescent male DV offenders would have to be established without clear evidence about what types of interventions are appropriate and effective. These programs should be accompanied by rigorous outcome evaluations, so that programs can be refined, re-designed, or even ended, depending on the evaluation results. The establishment of programs and evaluations will require a leap of faith, since there is only limited guidance on how to proceed. It is hoped that the

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<sup>18</sup> Cases in the Brooklyn YO DV court cannot be accurately identified in CJA data, since the court's calendar is included as part of one of the adult DV courts.

current study has provided information both about the need for such programs and about some likely opportunities for intervention.

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## APPENDIX A: LOGISTIC REGRESSION ANALYSIS

This report used logistic regression analyses to predict the likelihood of re-arrest for a new DV offense in the year following case disposition. Logistic regression analysis is a statistical technique that is used when the outcome to be explained (i.e., the *dependent variable*) has two categories. In our analyses in Chapter 5, all cases were coded on our dependent variable in one of two categories. Cases were coded as not re-arrested for a new DV offense within one year of case disposition (coded 0) or re-arrested for a new DV offense within one year of case disposition (coded 1).

The models' predictions were made on the basis of information we have about a variety of defendant and case characteristics (i.e., the *independent variables*). Logistic regression techniques provide several ways of evaluating the effect of these independent variables.

The current study examined three statistical measures to evaluate the effect of the independent variables on a dependent variable. First, we report the *statistical significance* of each independent variable. Statistical significance takes into account the size of the sample as well as the magnitude of the effect of the independent variable. Taking this information into account, statistical significance assesses the probability that the effect observed in the sample could have occurred by chance alone. In this report, following standard convention, significance levels of .05 or less were treated as statistically significant. In other words, when an effect has a 5% or less probability of having occurred by chance, we conclude that the independent variable is a statistically significant predictor of the likelihood of the outcome being considered. One weakness of using statistical significance to measure the effect of an independent variable is that when sample sizes are large (e.g., more than several thousand cases), many independent variables have statistically significant effects even when the magnitude of their effects is small. For example, in a very large sample, we may find that having an open case has a statistically significant effect on the likelihood of re-arrest, even though the odds of re-arrest for those with open cases are only 1.01 times larger than for those without an open case. In this hypothetical example, we can say that the effect of having an open case is unlikely to be due to chance. However, it is also clear that knowing whether or not a defendant had an open case does not explain much of the variation in likelihood of re-arrest.

Our second statistical measure used to evaluate the effect of the independent variables is the *odds ratio*. The odds ratio supplements information about statistical significance by evaluating the magnitude of the effect of the independent variable. Specifically, it tells us how much the odds of an outcome (e.g., re-arrest) change, for each one-unit increase in the independent variable. If an independent variable is coded in two categories (e.g., 0 and 1), then the odds ratio tells us how the odds of the outcome change when cases are coded 1 on the independent variable (vs. cases coded 0). An odds ratio greater than one indicates an increase in the likelihood of the outcome occurring, while an odds ratio less than one indicates a decrease in the likelihood of the

outcome occurring. An odds ratio of 1 indicates that the odds of an outcome occurring are not affected by the independent variable.

To return to our previous example, if the odds ratio for the effect of having an open case on the likelihood of re-arrest was 1.12, this would mean that in cases where the defendant had an open case, the odds of re-arrest are 1.12 times greater than in cases where the defendant did not have an open case. In contrast, if we examined the impact of whether the defendant received YO status, we might find an odds ratio less than 1. For example, if the odds ratio was .83, this would mean that in cases where the defendant received YO status, the odds of re-arrest are only .83 times as large as the odds when the defendant did not receive YO status. To simplify interpretation of odds ratios less than 1, it is common to examine the inverse of the odds ratio (1 divided by the odds ratio). When this is done, the interpretation of the effect of the independent variable is reversed. For example, if the odds ratio for receiving YO status is .83, we can take the inverse of the odds ratio, 1.20 (1 divided by .83), and say that in cases where the defendant did not receive YO status, the odds of re-arrest were 1.20 times greater than in cases where the defendant received YO status. Finally, if the odds ratio was 1.00, this would mean that whether the defendant received YO status or not had no impact on the odds of re-arrest. (These examples are hypothetical and do not necessarily reflect our expectations about the findings.)

In the analyses presented in this report, results are presented for independent variables coded in three different ways—categorical variables that have two categories, categorical variables that have more than two categories, and continuous variables that measure the quantity of a defendant or case characteristic (e.g., the number of prior felony convictions for the defendant). When a categorical independent variable has two categories, the odds ratio measures the change in the odds when cases are in one category vs. the other (e.g., defendant had an open case vs. did not have an open case). When a categorical independent variable has more than two categories, one of the categories is chosen as a **reference** category, and the odds ratios measure the effect of being in each of the other categories vs. being in the reference category (e.g., defendants in Manhattan are compared to defendants in Brooklyn, which is used as the reference category). Finally, when the independent variable is continuous, the odds ratio measures the change in the odds associated with an increase of one unit on the scale of the independent variable (e.g., for number of arrest charges, the odds ratio measures the effect of having one additional arrest charge).

Our third statistical measure used to assess the effect of the independent variables is the *beta* coefficient (Menard 1995). The *beta* (*B*) coefficient takes into account not only the change in the likelihood of the outcome associated with a change in the independent variable, but also the distribution of the cases among the categories of the independent variable. Being in one category of an independent variable may have a large effect on the likelihood of an outcome (and therefore the variable may have a large odds ratio), but if there are relatively few cases in that category, the variable will not help to explain much of the variation in the likelihood of the outcome. For example, a defendant who had an open case might have a high probability of re-arrest, and this

variable would have a high odds ratio. However, if only a small number of defendants in the sample had an open case, this variable would not be able to explain much of the variation in likelihood of re-arrest. Standardized *betas* measure this overall effect of the independent variable on the dependent variable. Standardized *betas* vary from -1 to +1; values closer to zero indicate that the effect of the independent variable is relatively small, while values closer to +1 or -1 indicate that the effect of the independent variable is relatively strong. There are no commonly accepted absolute standards to determine whether a standardized *beta* is strong or weak. Consequently, we discuss the relative strength of variables, describing them as being stronger or weaker than other variables.

In the current study, we used all three of the measures discussed above. We used the statistical significance level to distinguish those independent variables that had a detectable<sup>19</sup> effect on the dependent variable from those that did not. We used the odds ratio to evaluate the size of the effect of the independent variable and we used the standardized *beta* to evaluate the ability of the independent variable to account for variation in the dependent variable.

The models we discuss include a large number of predictors of the dependent variable. In these models, the measures of the effect of each independent variable (statistical significance, odds ratio, and standardized *beta*) evaluate the effect of that independent variable *after controlling for the effects of all the other independent variables in the model*. These effects represent the *net effect* of a given independent variable after the effect of all the other independent variables have been taken into account. This net effect differs from the *total effect* of the independent variable, which is the effect of the independent variable when it is used as the only predictor of the dependent variable.

To evaluate the overall ability of *all* the independent variables in the logistic regression model to predict the dependent variable, we use a statistical measure called Nagelkerke  $R^2$  (SPSS, Inc. 1999). This measure varies from 0 to +1. It can be roughly interpreted as indicating what proportion of the variation in the dependent variable is explained by all the independent variables in the model (see Menard 1995 for a full discussion of the  $R^2$  statistic in logistic regression models). Low values of  $R^2$  (closer to 0) indicate that the model as a whole is relatively weak in accounting for variation in the dependent variable. High values (closer to +1) indicate that the model as a whole is very successful in accounting for variation in the dependent variable.

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<sup>19</sup> Due to sampling error, and limitations of logistic regression techniques, it is possible that some independent variables that do affect the dependent variable are found to be statistically insignificant in our particular sample of cases. See Mohr (1990) for a further discussion of these issues.

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**APPENDIX B: DISTRIBUTION OF VARIABLES FOR REGRESSION MODELS**

(Young Male DV Arrestees, Adult History Dataset)

VARIABLES AND DISTRIBUTION	First-Time Adult DV Arrestees (N = 945)	First-Time Adult IPV Arrestees (N = 165)
<b>DEPENDENT VARIABLE</b>		
ARRESTEE EVER RE-ARRESTED FOR A NEW DV OFFENSE WITHIN ONE YEAR AFTER CASE DISPOSITION		
Arrestee not re-arrested for a new DV offense	88%	86%
Arrestee was re-arrested for a new DV offense	12	14
Total	100%	100%
<b>ARRESTEE'S CRIMINAL HISTORY</b>		
FIRST ADULT ARREST		
No	31%	43%
Yes	69	57
Total	100%	100%
ANY OPEN CASES		
No	86%	84%
Yes	14	16
Total	100%	100%
JD ARREST HISTORY		
None	76%	72%
JD DV Arrests Only	2	3
JD Non-DV Arrests Only	20	24
JD DV and Non-DV Arrests	2	1
Total	100%	100%
ANY JD ARRESTS FOR PARENT/SIBLING VIOLENCE		
No	97%	97%
Yes	3	3
Total	100%	100%
ARRESTEE EVER RE-ARRESTED FOR A NEW DV OFFENSE DURING THE PRETRIAL PERIOD		
Arrestee not re-arrested for a new DV offense	94%	93%
Arrestee was re-arrested for a new DV offense	6	7
Total	100%	100%
ARRESTEE EVER RE-ARRESTED FOR A NEW NON-DV OFFENSE DURING THE PRETRIAL PERIOD		
Arrestee not re-arrested for a new Non-DV offense	89%	93%
Arrestee was re-arrested for a new Non-DV offense	11	7
Total	100%	100%

*Table Continues on Next Page*

**APPENDIX B: DISTRIBUTION OF VARIABLES FOR REGRESSION MODELS**  
(continued)

VARIABLES AND DISTRIBUTION	First-Time Adult DV Arrestees (N = 945)	First-Time Adult IPV Arrestees (N = 165)
<b>PROCESSING OF FIRST ADULT DV ARREST</b>		
CASE OUTCOME OF FIRST ADULT DV OR IPV ARREST		
Declined for Prosecution	14%	15%
Dismissed	40	36
Adjourned in Contemplation of Dismissal	15	12
Convicted, No Jail Sentence	27	33
Convicted, Sentenced to Jail	4	4
Total	100%	100%
YOUTHFUL OFFENDER (YO) STATUS		
No	94%	94%
Yes	6	6
Total	100%	100%
<b>ARRESTEE'S COMMUNITY TIES</b>		
ENGAGED IN FULL-TIME ACTIVITY		
Employed, in school, or in a training program full time	80%	74%
Not employed in school or in a training program full time	20	26
Total	100%	100%
AT CURRENT ADDRESS 1 YEAR OR LESS		
Arrestee at current address more than 1 year	81%	78%
Arrestee at current address 1 year or less	19	22
Total	100%	100%
LIVES WITH SOMEONE		
No	15%	25%
Yes	85	75
Total	100%	100%
HAS NO TELEPHONE OR CELL PHONE		
Has a telephone or cell phone	77%	71%
Has no telephone or cell phone	23	29
Total	100%	100%

*Table Continues on Next Page*

**APPENDIX B: DISTRIBUTION OF VARIABLES FOR REGRESSION MODELS**  
(continued)

VARIABLES AND DISTRIBUTION	First-Time Adult DV Arrestees (N = 945)	First-Time Adult IPV Arrestees (N = 165)
<b>CHARGE CHARACTERISTICS</b>		
MEAN NUMBER OF ARREST CHARGES	1.84	1.67
ARRAIGNMENT CHARGE TYPE		
Assault (PL 120)	58%	64%
Criminal contempt (PL 215)	3	3
Harassment (PL 240)	2	8
Crimes Against Children (PL 260)	2	3
Other	35	22
Total	100%	100%
ARRAIGNMENT CHARGE SEVERITY		
Felony	23%	20%
Non-felony	77	80
Total	100%	100%
<b>ARRESTEE'S DEMOGRAPHIC CHARACTERISTICS</b>		
BOROUGH		
Brooklyn	37%	24%
Manhattan	12	15
Queens	15	17
Staten Island	5	5
Bronx	31	39
Total	100%	100%
ETHNICITY		
Non-Hispanic Black	50%	43%
Non-Hispanic White	8	10
Hispanic	38	45
Other	3	2
Total	100% <sup>1</sup>	100%
MEAN AGE AT TIME OF FIRST ADULT DV OR IPV ARREST	16.83	17.09
<b>OFFENDER-VICTIM RELATIONSHIP</b>		
Intimate Partner Violence	16%	100%
Parent/Sibling Violence	58	0
Other relationship	15	0
Missing	11	0
Total	100%	100%

**NOTE**

<sup>1</sup> Percentages do not sum to 100% due to rounding.

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## APPENDIX C: CODING OF VARIABLES FOR REGRESSION MODELS

VARIABLES AND DISTRIBUTION <sup>1</sup>	CODING SCHEME
<b>DEPENDENT VARIABLE</b>	
ARRESTEE EVER RE-ARRESTED FOR A NEW DV OFFENSE WITHIN ONE YEAR AFTER CASE DISPOSITION	Ever re-arrested = 1, Never re-arrested = 0
<b>ARRESTEE'S CRIMINAL HISTORY</b>	
FIRST ADULT ARREST	First adult arrest = 1, Not first adult arrest = 0
ANY OPEN CASES	Any open cases = 1, None = 0
JD ARREST HISTORY	None = 0, JD DV Arrests Only = 1, JD Non-DV arrests only = 2, JD DV and Non-DV arrests = 3
ANY JD ARRESTS FOR PARENT/SIBLING VIOLENCE	Any JD arrests for parent/sibling violence = 1, None = 0
ARRESTEE EVER RE-ARRESTED FOR A NEW DV OFFENSE DURING THE PRETRIAL PERIOD	Ever re-arrested = 1, Never re-arrested = 0
ARRESTEE EVER RE-ARRESTED FOR A NEW NON-DV OFFENSE DURING THE PRETRIAL PERIOD	Ever re-arrested = 1, Never re-arrested = 0
<b>PROCESSING OF FIRST ADULT DV ARREST</b>	
CASE OUTCOME OF FIRST ADULT DV OR IPV ARREST	Declined for Prosecution = 0, Dismissed = 1, ACD = 2 Convicted, No Jail = 3, Convicted, Jail = 4
YOUTHFUL OFFENDER (YO) STATUS	Defendant given youthful offender status at sentencing = 1 Defendant not given YO status at sentencing = 0
<b>ARRESTEE'S COMMUNITY TIES</b>	
ENGAGED IN FULL-TIME ACTIVITY	Employed, in school and/or in training program full time = 1 Not employed, in school and/or in training program full time = 0
AT CURRENT ADDRESS 1 YEAR OR LESS	At current address 1 year or less = 1 At current address more than 1 year = 0
LIVES WITH SOMEONE	Lives with someone = 1, Does not live with someone = 0
HAS NO TELEPHONE OR CELL PHONE	Has no telephone or cell phone = 1, Has tel. or cell phone = 0

Table Continues on Next Page

**APPENDIX C: CODING OF VARIABLES FOR REGRESSION MODELS**  
(continued)

VARIABLES AND DISTRIBUTION <sup>1</sup>	CODING SCHEME
<p><b>CHARGE CHARACTERISTICS</b></p> <p>MEAN NUMBER OF ARREST CHARGES</p> <p>ARRAIGNMENT CHARGE TYPE</p> <p>    Assault (PL 120)</p> <p>    Criminal Contempt (PL 215)</p> <p>    Harassment (PL 240)</p> <p>    Crimes Against Children (PL 260)</p> <p>    Other</p> <p>ARRAIGNMENT CHARGE SEVERITY</p> <p><b>ARRESTEE'S DEMOGRAPHIC CHARACTERISTICS</b></p> <p><b>BOROUGH</b></p> <p>    Brooklyn</p> <p>    Manhattan</p> <p>    Queens</p> <p>    Staten Island</p> <p>    Bronx</p> <p><b>ETHNICITY:</b></p> <p>    Non-Hispanic Black</p> <p>    Non-Hispanic White</p> <p>    Hispanic</p> <p>    Other</p> <p>MEAN AGE AT TIME OF FIRST DV OR IPV ARREST</p> <p><b>OFFENDER-VICTIM RELATIONSHIP</b></p> <p>    Intimate Partner Violence</p> <p>    Parent/Sibling Violence</p> <p>    Other relationship</p> <p>    Missing</p>	<p>Number of charges, ranges from 1 to 4</p> <p>Assault = 1, All other categories = 0</p> <p>Criminal Contempt = 1, All other categories = 0</p> <p>Harassment = 1, All other categories = 0</p> <p>Crimes Against Children = 1, All other categories = 0</p> <p>Other = 1, All other categories = 0</p> <p>A Felony = 1, B Felony = 2, C Felony = 3, D Felony = 4, E Felony = 5, A Misdemeanor = 6, B Misdemeanor = 7, Unclassified Misdemeanor = 8, Violation = 9</p> <p>Brooklyn = 1, All other categories = 0</p> <p>Manhattan = 1, All other categories = 0</p> <p>Queens = 1, All other categories = 0</p> <p>Staten Island = 1, All other categories = 0</p> <p>Bronx = 1, All other categories = 0</p> <p>Non-Hispanic Black = 1, All other categories = 0</p> <p>Non-Hispanic White = 1, All other categories = 0</p> <p>Hispanic = 1, All other categories = 0</p> <p>Other = 1, All other categories = 0</p> <p>Mean Age, ranges from 16 to 18</p> <p>Intimate Partner Violence = 1, All other categories = 0</p> <p>Parent/Sibling Violence = 1, All other categories = 0</p> <p>Other relationship = 1, All other categories = 0</p> <p>Missing = 1, All other categories = 0</p>

**NOTE**

<sup>1</sup> See text for a description of the variables in the models.