

Summary

The execution of (intensive) supervision by the Probation and Parole Service among robbers and the correlation with recidivism

In the past decade, the Dutch government has made great efforts to combat robberies (defined as theft accomplished by violence or the threat of it inside a building, so excluding street robbery). The government, for example, set up a Robbery Task Force. The Robbery Task Force has suggested several measures to tackle robberies, among which several measures to intensify supervision of robbers by the Probation and Parole Service. During supervision, a robber must comply with certain conditions as part of a (conditional) criminal justice intervention or punishment for a certain period of time, whereby the Probation and Parole Service supervises. The measures of intensive supervision for robbers are: 1) prolonged supervision, 2) highest level of supervision (i.e. level 3, with the highest contact frequency between the offender and supervising officer), and 3) electronic monitoring.

Since 2012, the Dutch Ministry of Justice and Security gradually implemented the measures of intensive supervision for robbers. Prior research, however, suggests that these measures were not yet applied consistently on a national scale in 2015. In part, this may be caused by some (initial) practical barriers and difficulties, such as the limited availability of ankle-worn locked bands. The main cause, however, appears to be a difference of opinion to what extent these measures can and should be standardized. The Robbery Task Force and Ministry of Justice and Security consider this to be justified and necessary because of the high recidivism rate among robbers. On the contrary, organizations involved in advising, imposing and executing supervision (Public Prosecution Service, court, and Probation and Parole Service) emphasize the importance of customization, also for robbers.

The current study examined what the supervision of robbers by the Probation and Parole Service in practice entails, what the recidivism rate among robbers with supervision is, and to what extent the measures of intensive supervision are related to reoffending among robbers after the end of supervision. The research group consisted of all convicted robbers (excluding street-robbers) in the Netherlands, who were supervised by the Probation and Parole Service, and whose supervision period was completed in the period 2013 to 2016, yet was not started before 2012. This study is part of a five-year research program into recidivism among offenders of so-called high impact crimes (HIC; which consists of non-street robbery, street robbery and, domestic burglary). The following research questions were answered:

- 1 What are the characteristics of supervision of robbers who were supervised?

We examined both characteristics of intensive supervision (i.e. length of supervision, supervision level, electronic monitoring) and characteristics of supervision in general (e.g. degree of completion, special conditions) of robbers who were supervised. The supervision characteristics of supervised robbers were compared to the supervision characteristics of all offenders under supervision by the Probation and Parole Service in the Netherlands (reference group).

- 2 Which part of the supervised robbers committed a new offence which led to a new criminal case after completing supervision?

We studied the one, two and three year recidivism rate. Furthermore, three forms of recidivism were examined: general recidivism (new criminal case due to any offence), HIC recidivism (new criminal case due to a non-street robbery, street robbery or domestic burglary), and robbery recidivism (new criminal case due to a new non-street robbery).

- 3 To what extent do characteristics of intensive supervision (i.e. length of supervision, supervision level, electronic monitoring) relate to the occurrence of general recidivism:
 - a To what extent do characteristics of intensive supervision relate to the occurrence of general recidivism among robbers after completing supervision, while the analyses adjust for differences in offender characteristics, criminal career characteristics and characteristics of supervision in general?
 - b To what extent do characteristics of intensive supervision relate to the occurrence of general recidivism among robbers in court districts Amsterdam, Rotterdam, The Hague and Central Netherlands after completing supervision, while the analyses adjust for differences in offender characteristics, criminal career characteristics, characteristics of supervision in general, and participation in a local customised offender intervention in a security house in one of these four court districts.

Besides implementing measures to intensify supervision for robbers, another important development in the Netherlands aiming to reduce reoffending among robbers is the introduction of a local customised offender intervention in a security house. For that reason this last research question is addressed.

Method

In the current study, different data sources from various organizations were combined. First of all, data from the Research and Policy Database Judicial Documentation (OBJD) were used. The OBJD is a pseudonymous version of the Judicial Documentation System (JDS), the legal registration system for criminal cases. The use of the OBJD implies that only crime that comes to the Public Prosecution Service's attention is included in this research. Therefore, offences and offenders that are not detected by the police and are not prosecuted by the Public Prosecution Service are not taken into consideration. The current study used data from the OBJD through June 2019. Second, three types of data from the Dutch Probation and Parole Service (3RO) were used in the present study: 1) data on supervision assignments (including start and end date of supervision and degree of completion), 2) production files (in which the number of days a person spent under supervision level one, two or three was monitored per month), and 3) data about electronic monitoring. The data on electronic monitoring are available since 15 September 2014 (which means that this data is not available for the full research group). Third, registration files of the Dutch Custodial Agency were used to determine which persons were detained for a period. This allowed the duration of the supervision to be accurately determined and the observation period to be corrected for any detention periods. Finally, data from security houses in the court districts

Amsterdam, Rotterdam, The Hague and Central Netherlands were requested to determine which supervised robbers simultaneously participated in a local tailor-made offender intervention in a security house.

The research group consisted of all convicted robbers (excluding street-robbers) in the Netherlands, who were supervised by the Probation and Parole Service, and whose supervision period was completed in the period 2013 to 2016, yet was not started before 2012. In this study the definition of a convicted robber is an offender for whom the robbery has irrevocably ended in a court order or has been settled by the Public Prosecution Service (including discretionary dismissals, but excluding acquittals, dismissal from legal proceedings, technical dismissals and other technical decisions). Offender characteristics, characteristics of the current criminal case, and criminal career characteristics of the research group (convicted robbers under supervision) appear to be in line with the characteristics of the total group of robbers who were convicted in the Netherlands. For example, they are almost exclusively men, on average they are 25 years old in the current criminal case, more than 80% have received an unconditional prison sentence, they have an average of seven to eight previous criminal cases, and on average they are 18 years old at the time of the first criminal case. In order to better interpret how the supervision of robbers was carried out (first research question), it was also examined what the supervision entailed for the total group of persons under supervision (i.e. reference group).

In order to gain more insight into the execution of supervision for robbers (and the total group of supervised persons), frequency distributions of the general and intensive supervision characteristics have been carried out. To assess the significance and magnitude of the differences in supervision characteristics between the research and reference group, t-tests were performed and Cohen's *d* was calculated. A Sankey diagram has been made to represent the course of the supervision level over time. The Sankey diagram depicts which part of the research group has which level of supervision at the start of the supervision and 6, 12, 18, 24 and 30 months thereafter, and how this is related to the previous period.

In line with the standard method of the Dutch Recidivism Monitor, reconviction was operationalised as a new criminal case resulting from a crime committed following the end of the supervision period. A criminal case refers to a case that has irrevocably ended in a court order or has been settled by the Public Prosecution Service, as well as cases that have not yet been (irrevocably) ended or settled. The observation period for recidivism started after completing supervision. The one, two, and three year recidivism prevalence have been calculated using survival analysis. In this study three forms of recidivism were examined: general recidivism (new criminal case for any offence), HIC recidivism (new criminal case for a non-street robbery, street robbery or domestic burglary), and robbery recidivism (new criminal case for a robbery). The recidivism prevalence was adjusted for incapacitation time, in other words, for the time that offenders were in detention and had few opportunities for reoffending.

The relationship between characteristics of intensive supervision and recidivism was examined with bivariate and multivariate analyses. In the multivariate analysis, several background characteristics of the robbers were taken into account. The analyses were performed using survival analysis (i.e. multiple Cox regression analysis).

Results

The most important findings of the study are described below.

Characteristics of intensive supervision among robbers

With regard to the application of the intensive supervision characteristics in the research group, first, findings showed that the gross duration of the supervision was on average almost 21 months and the net duration was 18 months (the gross duration is the difference between the start and end date of supervision; for the net duration interim detentions and other periods in which no supervision has been declared have been deducted from the gross duration). Furthermore, the results showed that a large part of the robbers under supervision were confronted with supervision level 2 (85%) and / or 3 (59%), and that they spent a lot of time in these supervision levels. The course of the supervision levels over time shows that the majority of robbers (63%) start in supervision level 2, but a substantial part (33%) also starts in supervision level 3. After six months, the number of robbers in supervision level 3 has increased. In the first six months after supervision, the level of supervision therefore appears to have increased more often than it has been scaled down. In the subsequent period, the level of supervision is gradually scaled down and the group that is not supervised also increases. For a selection of the research group, it was known whether or not electronic monitoring was applied during the supervision period ($N=188$). The majority of this subgroup (63%) was found not to be under electronic monitoring. For 46% of the group under electronic monitoring this appeared to take up a substantial part of the supervision period (20 to 80% of the total duration) and for 37% electric monitoring was used during the largest part of the supervision period (more than 80% of the total duration).

Compared to the reference group (the total group of persons under supervision), it turned out that the research group has on average a more intensive supervision. On average, the research group was supervised for a longer period than the reference group (gross duration: 21 versus 18 months), experienced supervision level 3 (59% versus 14%) considerably more often and stayed longer in supervision level 3 than the reference group. For the reference group it was unknown if electronic monitoring was applied during supervision.

Recidivism among robbers under supervision

The recidivism analysis shows that over 28% of robbers under supervision have had a new criminal case for any offence within one year after completing supervision. Within two years after completing supervision the recidivism rate is increased to 43% and within three years after completing supervision to 51%. HIC and robbery recidivism rates appear low, two years after completing supervision 5% of the research group have had a new criminal case for a HIC offence and 2% have had a new criminal case for a robbery.

Correlation between characteristics of intensive supervision and general recidivism

The bivariate analyses showed that the duration of the supervision is related to recidivism. A greater proportion of the robbers who were supervised for less than one year reoffended than those who were supervised for more than one year. Furthermore, it appeared that the application of supervision level 3 is not related to recidivism. Finally, the bivariate analyses showed that robbers with electronic

monitoring have a slightly lower recidivism rate than robbers without electronic monitoring (for example the recidivism rate within two years: 37% versus 42%), however, these differences were not statistically significant.

Electronic monitoring data was known for only 188 robbers in the research group. For that reason, the multivariate analysis included a proxy for electronic monitoring, namely whether or not a person had a home (detention) curfew or a geographical restriction, since electronic monitoring is often imposed as part of these two special conditions. The multivariate analyses, which adjust for differences in several offenders, criminal case, criminal career, and general supervision characteristics, showed that none of the three intensive supervision characteristics is related to the risk of recidivism after supervision among robbers. So, after adjusting for differences, robbers with a longer-term supervision, who spent a lot of time in supervision level 3 and who had been imposed a home (detention) curfew or geographical restriction, do not have a lower or higher risk of recidivism than robbers with a shorter-term supervision, who spent less or no time in supervision level 3 and had not been imposed a home (detention) curfew or geographical restriction.

Correlation between characteristics of intensive supervision in combination with a local customised offender intervention in a security house and general recidivism

Security houses in two of the four court districts (Amsterdam and Rotterdam) were able to provide the requested data. Only 9% of the robbers who were supervised by the Probation and Parole Service in court district Amsterdam simultaneously participated in a local tailor-made offender intervention in a security house. For robbers who were supervised by the Probation and Parole Service in court district Rotterdam, this percentage was much higher, at 45%. Inquiries at the security houses revealed that the approach and process differs per security house. The security house in court district Amsterdam focuses on specific groups of offenders including strict intake criteria, and therefore focuses (intensively) on a smaller group of offenders. On the contrary, security houses in court district Rotterdam target a larger group of offenders.

Bivariate analyses using data of robbers under supervision in court district Rotterdam ($N=166$) shows that the recidivism rate among supervised robbers who simultaneously participated in a local customised offender intervention in a security house, is much higher than the recidivism rate among supervised robbers who did not participate in such an intervention (within two years: 55% versus 28%). Due to the small research group (only court district Rotterdam was included in the bivariate analyses) it was not possible to perform a multivariate analysis. Several explanations can be given for the bivariate difference in recidivism. First, there could for example be a selection effect: the background and supervision characteristics seem to indicate that in court district Rotterdam more serious and crime-prone robbers under supervision simultaneously participate in a local customised offender intervention in a security house. Second, the bivariate difference in recidivism could for example be the result of an 'enforcement paradox'. In 92% of the cases, the local customised offender intervention in a security house in court district Rotterdam continued after completing supervision. If one is more closely monitored during the observation period as a result of the local customised offender intervention, the chance of being caught committing an offence may also be greater.

Limitations and future research

The current study has some limitations, some of which result in recommendations for future research. A first limitation is that the present study uses data from the judicial documentation system. This means that only offences and offenders that are detected by the police and are prosecuted by the Public Prosecution Service are included in this study. As such, there is an underestimation of recidivism.

A second limitation is that the current research design does not imply causality, but rather investigates the correlation between intensive supervision characteristics and recidivism. Although the multivariate analysis adjusted for various background characteristics, it is possible that robbers with and without certain intensive supervision characteristics differ on background characteristics not included in this study. In order to measure causality and to make statements about the effect of an intervention, the best method remains a randomized experiment (RCT), in which persons are randomly assigned to the research or control group.

A third limitation is that the current study only examined recidivism after supervision; recidivism during supervision was not investigated. As a result, it remains unknown whether or not the intensive supervision characteristics influence recidivism during supervision. An effect could be expected especially with regard to electronic monitoring, because robbers are restricted in their freedom of movement due to a home (detention) curfew or a geographical restriction and, therefore, have fewer opportunities for criminal behaviour. It is recommended that future studies also examine recidivism during supervision among robbers.

A fourth limitation is that for only a small part of the research group it was known whether or not electronic monitoring was applied, because these data were only available from September 2014 onwards. In order to say something about the possible relationship between electronic monitoring and recidivism for the entire research group, it was examined whether a home (detention) curfew or a geographical restriction, the two special conditions under which electronic monitoring can be imposed, are related to recidivism. Nevertheless, the analysis of the relationship between electronic monitoring and recidivism remains limited in the current study. Future research investigating the influence of electronic monitoring on recidivism among robbers (and the total group of supervised persons) is needed.

A fifth limitation is that other interventions and measures that supervised robbers had to deal with before, during or immediately after supervision and that could influence recidivism were not taken into account. The current study attempted to control for the local customised offender intervention in a security house, but the group of robbers for whom the security house data was available turned out to be too small for a thorough analysis. At the same time, it became clear that the approach and process differs per security house and that the robbers placed under supervision are not an important target group in every security house.

Finally, the current study is a fully quantitative study. The quantitative methods fit the research questions posed, but qualitative research could provide a solution for some follow-up questions. For example, future qualitative research could provide more insight into the considerations that probation/parole officers make in how they shape the supervision for each individual robber, such as what level of supervision they apply and whether or not they apply electronic monitoring.

To conclude

The current study is the first study that, after the introduction of the measures of intensive supervision for robbers, examined what the supervision of robbers by the Probation and Parole Service in practice entails, what the recidivism rate among robbers is after the supervision has ended, and to what extent the measures of intensive supervision are related to reoffending among robbers after the end of supervision.

The findings of the current study lead to two main conclusions. First, measures of intensive supervision do not appear to be standard practice for all robbers. Although the Dutch Ministry of Justice and Security expects all supervised robbers to be placed in supervision level 3 and under electronic control and to have a supervision period of at least one year, this is not the case for all robbers with supervision in the period 2012 until 2016. The Dutch Probation and Parole Service attaches importance to customization, whereby the probation/parole officers consider how supervision should be configured for each individual robber. At the same time, findings did reveal that the measures of intensive supervision are applied to a substantial part of the robbers, and that they are also applied considerably more often for robbers compared with the total group of supervised persons. On average, robbers do indeed have to deal with a more intensive form of supervision compared to the total group of supervised persons.

Second, the current study has not been able to determine that characteristics of intensive supervision among robbers are associated with a lower or higher risk of recidivism. The results of this first Dutch study into intensive supervision and recidivism among robbers do not seem promising for the measures of intensive supervision. Findings seem to indicate that intensive supervision does not prevent recidivism more than supervision in the usual form. This is consistent with findings from international research into the effectiveness of intensive supervision programs (somewhat similar to our intensive supervision measures for robbers). However, there could be an alternative explanation for the findings. Since there is customization by the Probation and Parole Service, it is possible that robbers with a (more) intensive form of supervision differ from robbers whereby intensive supervision was not or less applied, on other characteristics than the ones taken into account in the analyses. It is possible that robbers with a (more) intensive form of supervision have a higher risk of recidivism beforehand, and that recidivism would have been higher for this group of robbers if the measures of intensive supervision had not been applied. However, this does not alter the fact that the findings from the current study seem to suggest that not applying intensive supervision does not necessarily appear to have negative consequences for the recidivism rate of robbers, since the recidivism rate of robbers without or with less intensive supervision is no higher than the recidivism rate of robbers with (more) intensive supervision.