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A STUDY OF ADULT PROBATION VIOLATION RATES BY MEANS OF THE COHORT APPROACH

GEORGE F. DAVIS*

In recent years there has been considerable attention devoted to studying the differential rates of recidivism for those individuals released on parole from state correctional institutions. While it has been generally recognized that recidivism, as one measure of the effectiveness of a rehabilitation program, could be applied to probation as well as parole, its application to this field has been very limited. One reason for this is the decentralized nature of probation services. In most states, one agency handles all defendants released on parole from state penal institutions, while probation is usually administered by the individual counties. Many of these counties simply do not have the necessary funds or staff to set up the statistical controls that are needed to study the factors that contribute to success or failure on probation. While it is true that some of the larger counties in each state do have statistical controls that would permit a study of violation rates, the data are seldom used for these purposes. Also, because of the decentralization just mentioned, there has been little impetus for developing uniform criteria of what is a successful or unsuccessful case. The criteria used in parole recidivism studies are not uniformly applicable to the field of probation in that recidivism must be viewed in light of the program under study. The level of conduct expected of a misdemeanant, or a probationer with no extensive criminal record, may be quite different from the level of conduct expected of a felon released on parole from a state correctional institution.

The problem then is what methods can be employed to bring probation data together from many different jurisdictions so that uniform criteria can be adopted for measuring recidivism. It would seem that the task of gathering uniform data, making consistent interpretations, and establishing criteria for a study of recidivism should fall to a

central agency, preferably statewide, that would be in a position to analyze the data within the framework of the laws of the state and publish meaningful statistics that would be beneficial to the field as a whole. Unfortunately, not more than a handful of states is collecting probation statistics in any comprehensive form, and only a few of these have attempted recidivism studies.¹

PROBLEMS IN MEASURING RECIDIVISM

The first prerequisite to launching a study of probation violation rates is a comprehensive set of statistics that will cover the following points: (1) characteristics of the defendant, (2) reason for referral, (3) disposition of the referral, and (4) probation follow-up. This body of knowledge would present an excellent picture of how probation is locally administered as well as tell what proportion of cases could be expected to survive probation without committing additional offenses. In addition, the critical areas in rehabilitation could be identified and examined more closely, i.e., the period in which most violations occur, the offenses that have the highest failure rates, the ages that produce the most violations, the chances of success on probation for those belonging to minority groups, the effect of certain conditions of probation, etc. Much of this information could be put to immediate use by probation administrators in planning their programs, explaining these programs to the general public, and increasing the effectiveness of probation services. A long-range value would be in these data providing the basic material for studies that would delve into areas not immediately accessible to standardized reporting.

Generally, recidivism studies suffer from one or more of the following deficiencies: (1) they contain too few cases for reliable analysis, (2) they do not use a proper base for calculating the rate of violation, (3) accurate follow-up data on defendants released on probation are often implied, but rarely evidenced, and (4) court procedures and policies

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¹ A pioneering effort in the cohort approach to recidivism can be found in the research reports of the Wisconsin Department of Public Welfare, Bureau of Research and Statistics.

influence the results to a degree that is generally not realized. The criticism contained in number two above is common to many "studies" and is the result of a failure to realize that selecting the proper base is an important aspect of violation studies. In other words, a violation rate is not an absolute that will not change—rather it is entirely dependent on the method of computation and is only as valid as the theory on which this computation rests. A violation rate computed by dividing the number of violations by the total active caseload is not theoretically sound, as there is no rationale for a ratio of closed cases to active cases. Similarly, a violation rate computed by dividing the number revoked by the total of all cases closed, although more defensible than the previous example, still has a serious limitation in terms of the comparability of the base. The base in the latter instance is all defendants removed from probation during a year with no regard as to when they were placed on probation. In certain situations a study of this type may be perfectly acceptable, but in probation statistics (on a felony level) violations are most common during the first 18 months of the probation period, while relatively few cases will expire during this time interval. Thus, in California at least, the group violating probation will be largely composed of defendants placed on probation the previous year, while defendants terminating will have been on probation for approximately three years or more. The bias that this would introduce in recidivism rates might be negligible if all aspects of probation caseloads were stable over a period of years; however, this is seldom the case.

The proper method for measuring probation recidivism is to select the group to be studied, follow this group throughout their probationary period, and calculate the percent of success and failure at successive periods of time. The group or cohort that is selected can be composed of those granted probation during a specified period of time, and this period can be adjusted to the needs of the study in terms of the number of cases desired. The follow-up period should be long enough to assure that any additional time spent in observation would have no appreciable effect on the final rate of recidivism. Of course, of prime importance here is the depth of the follow-up. If no attempt is made to ascertain the degree of conformity to probation regulations, then the number of violations will be at a minimum—probably composed of only those who are arrested, tried, convicted, and sentenced

on a new charge in the same jurisdiction and therefore forcibly brought to the attention of the probation department.

If extremely close supervision is rendered and all violations are reported and recorded, then the violation rate could conceivably be quite high. Also, court procedures and policies affect violation rates in varying degrees among different jurisdictions. Even if supervision is strict, unless the court will act on violations that are uncovered, the resulting statistics will not show a true picture. Generally, statistical studies of probation recidivism are confined to accounting for official, court-recognized violations, and these studies do not, and often cannot, try to judge violations independently of court action. An ultimate refinement of recidivism statistics would be to judge behavior firsthand rather than through the medium of a court interpretation. This would mean that violations would have to be reported in detail to a central agency, and this agency would then make the determination of the seriousness of the violations for purposes of measuring recidivism. Thus, the court disposition of a violation would not be as important as the relative seriousness of the violation as measured by an agreed upon standard. The effectiveness of this approach would depend upon complete and detailed violation reports from the local agencies (which might not be practical to expect), as well as on the formulation of a meaningful standard of what constitutes success or failure on probation.

DEVELOPING THE COHORT APPROACH TO RECIDIVISM

The Bureau of Criminal Statistics in the California Department of Justice has for a number of years been compiling and publishing data on superior court adult probation as it is administered in California.² These annual publications from 1954 to the present are a compilation of individual record cards that are submitted to the Bureau by the local probation departments. These cards contain the name, identifying characteristics, reason for referral, and judgment of the court on each defendant referred for a probation report. One or more follow-up cards on each defendant granted probation show his violation record and eventual method of removal. The statistics thus accumulated provide the basic repository of in-

² CAL. DEPT OF JUSTICE, DELINQUENCY AND PROBATION IN CALIFORNIA (1954 and subsequent).

formation on probation on a statewide basis. A natural extension of this is the investigation into the differential rates of violation on a representative group of California probationers.

To develop the initial cohort, all defendants granted probation in 56 California counties during the years 1956, 1957, and 1958 were selected out of the files of the Bureau of Criminal Statistics, and duplicate IBM cards were reproduced on these cases.³ Then, the cards were matched with all subsequent modification, revocation, and termination cards, and the overall history of each defendant was punched into one card. As of this writing, each defendant's history has been accumulated through December 31, 1962, which provides a minimum of four years and a maximum of seven years exposure time to probation. The cohort file will subsequently be up-dated each year until all, or almost all, of the defendants have been either revoked or terminated.

In describing the status of a probationer as of December 31, 1962, the writer will frequently use the terms "success" or "failure." These may not be the proper terms to use, as no study yet devised has been able to ascertain rehabilitation to such an absolute degree. The best that can be done is to set up a criterion that defines success or failure in terms of the presence or absence, in varying degrees, of further criminal conduct, or of conduct inimical to probation rules and regulations. This is what has been attempted in the present study. The criterion of success or failure on probation, as measured by the records of the Bureau of Criminal Statistics, is complicated by the fact that there is only a limited amount of control over the statistical data submitted by the local probation departments and, as a result, some data that are essential to the criterion of success or failure are not always available. A central agency that has administrative control over a program, such as state parole, has a much better opportunity to obtain all pertinent data relating to a parolee's activity than does an agency such as the Bureau of Criminal Statistics which must depend upon a spirit of cooperation from the contributing agencies, even though this be of generally high quality.

PRESENTATION OF DATA

In deciding on how best to present the material gathered from this study, many different ap-

³Los Angeles and Alameda counties were not included in this study due to technical limitations in the data submitted.

proaches were considered and discarded for one reason or another. The approach that seemed most suited, and yet not too complicated, involved classifying each case as to the degree of violation that the defendant experienced up through December 31, 1962. A definite dichotomy of success or failure was not considered appropriate as far as tabular presentation was concerned, and yet a complete delineation of all degrees of violation would be too cumbersome to be effective. It was decided that a division into four degrees of violation would be sufficiently detailed and at the same time have the virtue of conciseness in presentation. The four divisions that describe the cohort as of December 31, 1962 are as follows: (1) no violations, (2) one violation, (3) two or more violations, and (4) probation revoked. The first three classifications do not identify active or inactive status; they merely tell whether there was any reported violation history up to the cut-off point of December 31, 1962. However, as of that date, a large proportion of the cases in the first three categories were closed cases. The "one violation" category describes defendants who had one violation but were not revoked, or had a revocation and a subsequent reinstatement; while the "two or more violations" category describes defendants with two or more violations without revocation, or two or more reinstatements. In every case, a revocation with subsequent reinstatement was treated the same as a violation without revocation. The reason for this treatment is that when violations occur, certain judges use the procedure of modification of probation, while other judges revoke and reinstate, and the difference is merely one of policy and not an indication of the seriousness of the violation.

The last category in the above four-fold division representing violation status contains only inactive cases, specifically, those that have been revoked. The term revoked is more descriptive than technically correct. Some of the defendants in this category were sentenced to state prison on new charges and probation was terminated rather than revoked. In other instances, probation was terminated because the defendants were in out-of-state prisons, or in jails, and the counties having probation jurisdiction did not wish to return the defendants to court. In some cases, defendants terminated with bench warrants outstanding, and these were counted the same as if probation had been revoked and a warrant issued. These dispositions were all grouped under a heading of

"loss of jurisdiction." Other major revocation dispositions were (1) not sentenced, (2) prison, (3) Youth Authority, and (4) jail.

The following tables and charts present, by numerous variables, the violation status of the 1956-1958 cohort as of December 31, 1962. The distribution for all tables but two is in the form just described—the total number granted distributed by the four types of violation status. Table 9 analyzes the length of time on probation for those removed by revocation, while Table 10 gives the disposition of those revoked.

For each of the tables in this report the reader may have occasion to question whether the percentages of revocation that are shown are significant in terms of indicating a true difference between categories. Large differences in proportions or percentages for various categories may prove to be insignificant when based on a limited number of cases, and vice versa small differences may prove significant when based on a large number of cases. It is often difficult to determine simply by inspection whether a difference between observed frequencies is large enough to prompt rejection of the hypothesis that such a difference could have arisen by chance. For this reason, the chi-square test has been used in this report to test the significance of the differences between revocation rates. In employing this test, the violation status in each table was converted to a dichotomy of revoked and not revoked. The number of cells that were used ranged from four in the 2 x 2 tables to 16 in the 2 x 8 tables. With one exception, the chi-square values that were obtained were all very significant, indicating either a probability of less than one chance in 100 (P less than .01) or less than one chance in 1,000 (P less than .001) that a chi-square as large could have arisen by chance. The one exception was the chi-square value for race, which was significant at the .02 level of confidence.

FINDINGS

During the three-year period, 1956-1958, the superior courts in 56 of the 58 California counties granted probation to 11,638 defendants. As of December 31, 1962, 7,269 of these defendants or 62.5 percent had no reported violations, 851 or 7.3 percent had one reported violation, 232 or 2.0 percent had two or more reported violations, and 3,286 or 28.2 percent were revoked. Before interpreting these violation rates, one must be aware of the following points: (1) There are many

unreported as well as undetected violations that, if reported, would increase the violation rate. (2) Counties vary in the quality and quantity of field supervision, the nature of which has a direct bearing on the violation rate. (3) Superior courts have different policies concerning revocation, modification, bench warrants, extradition, and other factors that affect the violation rates among counties. (4) A violation or a revocation of probation does not necessarily indicate a complete failure as far as rehabilitation is concerned. The defendant may have absconded but nevertheless be living a completely law-abiding life, or a period of incarceration following a revocation may be the turning point in a defendant's criminal career.

With these cautions in mind, the 62.5 percent of the defendants who had no violations up to December 31, 1962, could be considered as successes; the 28.2 percent of the defendants who were revoked could be considered as failures; and the 9.3 percent that had one or more violations could be considered as either successes or failures, depending on how strict a definition of success or failure one wanted to make. The middle group of 9.3 percent has two parts and, rather than put the whole group into either the success or failure category, it might be more meaningful to assign the group with one violation (7.3 percent) to the no violation or success group and assign the group with two or more violations (2.0 percent) to the revoked or failure group. The overall percentages would then be 69.8 percent success and 30.2 percent failure. The middle group could be divided into even smaller parts, with finer shades of meaning, but this would be subject to a statistical error of assigning a preciseness to the data that was not originally present in the raw material.

Violation Rates by Year of Grant

Table 1 presents data as to the overall violation status of the 1956-1958 cohort as of December 31, 1962. In addition, the violation status for each year is also presented. Thus, for the group granted probation in 1956, the percent revoked as of December 31, 1962, was 26.6 percent. The revocation rate for the 1957 cohort was 28.6 percent, and for the 1958 cohort, 29.1 percent. At first glance, it would appear odd that the revocation rate would decrease with increasing length of follow-up. One reason for this is that as the follow-up period increases, many revoked cases are subsequently reinstated and thus move out of the revoked category. A more important reason, however, is

TABLE 1
VIOLATION STATUS OF ADULT DEFENDANTS GRANTED PROBATION IN CALIFORNIA
SUPERIOR COURTS DURING 1956-1958
By Year of Grant
(Los Angeles and Alameda counties excluded)

Year of Grant	Total Granted Probation During 1956-1958		Violation Status as of December 31, 1962							
			No Violations ^a		Violated but Not Revoked ^a				Revoked	
					One Violation		Two or More Violations			
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total	11,638	100.0	7,269	62.5	851	7.3	232	2.0	3,286	28.2
1956	3,199	100.0	2,056	64.3	235	7.3	57	1.8	851	26.6
1957	3,970	100.0	2,464	62.1	291	7.3	81	2.0	1,134	28.6
1958	4,469	100.0	2,749	61.5	325	7.3	94	2.1	1,301	29.1

^a Composed of defendants currently active or terminated without revocation.

that the cohorts for each individual year are different from one another in certain major aspects, and this in turn influences the revocation rates. Anyone familiar with crime and arrest statistics and felony prosecution rates will realize that trends in crimes, arrests, and prosecutions by offense groups vary considerably from year to year. Offense groups that are high one year in the rate of arrests and prosecutions may be low the next year, and this phenomenon of continuous fluctuation is one thing that can be depended upon. Table 3 points out how the revocation rate varies by offense group, so if the composition of the cohort by offense changes from one year to the other, then the revocation rate by year will vary accordingly. A previous study by the author on a 1955 cohort revealed a revocation rate of 26.6 percent as of December 31, 1962. This would indicate that the 1955 and 1956 cohorts were similar to one another, but differed in certain aspects from the 1957 and 1958 cohorts. This being the case, an overall revocation or "failure" rate is probably more meaningful if it covers a number of years so that the variations in the composition of the cohorts by year have a tendency to average out.

Violation Rates by County Class

Table 2 presents, by county class, the violation status of the 1956-1958 cohort as of December 31, 1962. The 56 counties that are included in the study are grouped into seven divisions according to population size. The overall revocation rate for all 56 counties was 28.2 percent. The highest

revocation rate of 30.8 percent was in the six counties of 500,000 population and over. The lowest rate was 19.3 percent in the group of six counties of 50,000 to 75,000 population. As a general rule, the revocation rates decreased with decreasing population size—the heavily populated county groups having higher rates of revocation than the more sparsely settled areas.

A chi-square test of significance was computed to determine if the differences in the revocation rates by county class were true differences, or only the result of chance variations. The resulting chi-square of 60.9 was significant beyond the .001 level, which result indicated that factors other than chance were responsible for the variation in revocation rates. The question now arises as to what some of these factors might be.

In research into probation recidivism rates, the question always arises as to the degree of relationship between the amount of probation granted and the level of recidivism. The general expectation is that as the percentage of probation increases, the percentage of revocation also increases. This is a logical supposition in that with a higher rate of grants there should be a higher rate of poor risks included in the caseload. In order to test this statistically, the percentage of grants was computed for each county class, and these percentages were ranked alongside similar rankings for the percentage of revocations. A Spearman rank-difference correlation of +.04 was obtained between the rate of probation grants and the rate of probation revocations. This correlation was not

TABLE 2
 VIOLATION STATUS OF ADULT DEFENDANTS GRANTED PROBATION IN CALIFORNIA
 SUPERIOR COURTS DURING 1956-1958
 By County Class
 (Los Angeles and Alameda counties excluded)

County Class ^a	Total Granted Probation During 1956-1958		Violation Status as of December 31, 1962							
			No Violations ^b		Violated but Not Revoked ^b				Revoked ^c	
					One Violation		Two or More Violations			
Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	
Total.....	11,638	100.0	7,269	62.5	851	7.3	232	2.0	3,286	28.2
Six counties of 500,000 population and over.....	5,024	100.0	2,945	58.6	399	8.0	133	2.6	1,547	30.8
Six counties of 250,000 to under 500,000 population.....	2,632	100.0	1,612	61.2	199	7.6	53	2.0	768	29.2
Nine counties of 100,000 to under 250,000 population.....	1,935	100.0	1,264	65.4	132	6.8	26	1.3	513	26.5
Five counties of 75,000 to under 100,000 population.....	802	100.0	550	68.6	46	5.7	7	0.9	199	24.8
Six counties of 50,000 to under 75,000 population.....	513	100.0	364	70.9	44	8.6	6	1.2	99	19.3
Six counties of 25,000 to under 50,000 population.....	272	100.0	192	70.6	13	4.8	3	1.1	64	23.5
Eighteen counties of under 25,000 population.....	460	100.0	342	74.3	18	3.9	4	0.9	96	20.9

^a Based on county populations as of July 1, 1962.

^b Composed of defendants currently active or terminated without revocation.

^c $\chi^2 = 60.9$ (based on a revoked—not revoked dichotomy), $P < .001$, 6-df.

significant. A further test was made using individual counties rather than county groupings. Thirty-five counties having at least 50 cases granted probation over a three-year period (1956-1958) were ranked according to their percentage of grants. Similar rankings were obtained on these same counties for the percentage of revocations as of December 31, 1962. The resulting Spearman rank-difference correlation was $+.19$, which also was not statistically significant.

The above statistics indicate that the amount of probation that is given in a county is not correlated with the revocation rate. It is possible that if the percentage of probation grants were normally distributed over a range of from 1 to 100 percent, the resulting revocation rates would show a correlation with the percentage of grants. As it is, the total range of the percentage of grants by county is not large enough, nor is there enough dispersion, to introduce the element of variation in risk in the cases granted. Thus, counties grant-

ing probation to 50 percent of their eligible defendants would not necessarily have a significantly higher number of high risk cases to influence the revocation rates than counties granting probation to 40 percent of their eligible defendants.

Other variables that affect the rate of revocation among counties, and that are probably much more important than the proportion of grants, are the amount of supervision that is extended by the probation departments, and the policy of the courts in acting on requests for revocation. Generally, the more populous counties having a budgetary advantage, can obtain sufficient officers to conduct some case supervision. If the counties were grouped dichotomously into those that exert some supervision and those that exert no supervision, the counties that exert some supervision would probably have higher revocation rates. This is because the type of supervision offered at this level will generally be of the basic variety, i.e., detecting and dealing with violations of probation.

Also, in metropolitan areas, procedures for revocation, issuance of bench warrants, etc., are rather precisely defined, and as a result caseload control is generally more efficient. Then too, the judges in the rural communities are, on occasion, reluctant to revoke probation on absconders because of the costs involved in returning the defendants to court. This feeling is not so evident in the courts of the metropolitan communities.

There are additional influences affecting the revocation rates, one of which is the type of offender population within the county. Certain counties have higher per capita crime rates than other counties due to differing socio-economic environments. Counties that are susceptible to a high degree of population movement and that have fluctuating economies have generally higher crime rates than counties that may be primarily suburban

in character and that have populations and economies that are relatively stable. Thus, it would not be unusual to find that recidivism rates would also show the effect of this variation in the type of population among counties.

Violation Rates by Offense

Table 3 presents statewide data as to the revocation rates of the cohort group by offense. Of the offenses listed in Table 3, the highest rate of revocation was in the forgery and check offense group, 45.4 percent; while the lowest rate was in the manslaughter offense group, 3.9 percent. The revocation rate for the manslaughter and manslaughter vehicle groups as a whole was 9.3 percent, and the revocation rate for lewd and lascivious conduct and other miscellaneous sex offenses was 14.8 percent.

TABLE 3
VIOLATION STATUS OF ADULT DEFENDANTS GRANTED PROBATION IN CALIFORNIA
SUPERIOR COURTS DURING 1956-1958
By Convicted Offense
(Los Angeles and Alameda counties excluded)

Convicted Offense	Total Granted Probation During 1956-1958		Violation Status as of December 31, 1962							
			No Violations ^a		Violated but Not Revoked ^a				Revoked	
					One Violation		Two or More Violations			
Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	
Total	11,638	100.0	7,269	62.5	851	7.3	232	2.0	3,286	28.2
Manslaughter.....	77	100.0	71	92.2	2	2.6	1	1.3	3	3.9
Manslaughter, vehicle.....	170	100.0	141	82.9	8	4.7	1	0.6	20	11.8
Robbery.....	464	100.0	287	61.9	41	8.8	10	2.2	126	27.1
Assault.....	497	100.0	375	75.5	34	6.8	9	1.8	79	15.9
Burglary.....	2,237	100.0	1,350	58.3	155	6.9	49	2.2	728	32.6
Theft, except auto.....	899	100.0	578	64.3	76	8.5	28	3.1	217	24.1
Auto theft.....	570	100.0	283	49.6	40	7.0	9	1.6	238	41.8
Receiving stolen property.....	168	100.0	129	76.8	6	3.6	3	1.8	30	17.8
Forgery and checks.....	2,366	100.0	1,011	42.7	207	8.8	74	3.1	1,074	45.4
Rape.....	449	100.0	322	71.7	35	7.8	5	1.1	87	19.4
Lewd and lascivious conduct....	405	100.0	318	78.5	22	5.5	5	1.2	60	14.8
Other sex offenses	237	100.0	196	82.7	4	1.7	2	0.8	35	14.8
Narcotics.....	694	100.0	423	61.0	57	8.2	12	1.7	202	29.1
Deadly weapons	139	100.0	107	77.0	5	3.6	2	1.4	25	18.0
Drunk driving.....	372	100.0	289	77.7	28	7.5	3	0.8	52	14.0
Failure to render aid.....	130	100.0	98	75.4	10	7.7	5	3.8	17	13.1
Escape.....	75	100.0	49	65.4	4	5.3	—	—	22	29.3
Bookmaking.....	159	100.0	135	84.9	11	6.9	1	0.6	12	7.6
Contributing.....	1,074	100.0	815	75.9	79	7.3	7	0.7	173	16.1
All other.....	456	100.0	337	73.9	27	5.9	6	1.3	86	18.9

^a Composed of defendants currently active or terminated without revocation.

In most studies of recidivism, either in parole or probation, forgery and check offenders are invariably among those with the highest recidivism rates, while homicide and sex offenders are among those with the lowest. This appears to be the case in the present study. Defendants placed on probation for forgery and checks, auto theft, and burglary offenses had high rates of revocation; those convicted of manslaughter, sex offenses other than rape, vehicular offenses, and bookmaking had low revocation rates. Actually, only 42.7 percent of the forgery and check cohort had no violations as of December 31, 1962, as opposed to 85.8 percent of the total manslaughter group and 80.1 percent of the total sex offense group who had no violations as of that date.

A Spearman rank-difference correlation was computed between the rate of probation grants and the rate of probation revocations by offense group. The resulting correlation of $-.59$ indicated that a high percentage of grants was correlated with a low percentage of revocations. The strength of the relationship was statistically significant at the .01 level of confidence, and the direction of the relationship was what one would expect. The reason for this high correlation is that probation is generally granted in higher proportions in offense groups that characteristically contain good probation risks. Thus, the percent of probation granted for defendants convicted of sex offenses, vehicular offenses, bookmaking, and contributing is normally high, because, among other reasons, the failure rate is low for these same groups. In

simpler terms, the method of probation selection dictated the resulting correlation coefficient.

Violation Rates by Sex

As presented in Table 4, of the total of 11,638 defendants in the 1956-1958 cohort, 10,497 or 90.2 percent were male and 1,141 or 9.8 percent were female. Of the males, 61.7 percent had no violations as of December 31, 1962, 9.0 percent had one or more violations but were not revoked, and 29.3 percent were revoked. The female contingent had 69.6 percent with no violations, 11.7 percent with violations, and 18.7 percent revoked. A chi-square test, based on the figures in Table 4, revealed that the higher success rate for women was very significant—beyond the .001 level. As a general rule, women are granted probation more often than men and are in turn revoked less often, due probably to the more lenient attitude towards the female offender. Sex differentiations by offense reveal that in 12 major offense groups female defendants had a lower revocation rate in each offense group than did men. Only in the narcotic and contributing offense groups was there any close comparability between the revocation rates of men and women.

It is of some interest to note that although the percent revoked was quite a bit higher for men than women, 29 percent to 19 percent, the percent with one or more violations but not revoked was higher for women than for men, 11.7 percent to 9.0 percent. Apparently, when violations occur the probation officers and the courts are more apt to

TABLE 4
VIOLATION STATUS OF ADULT DEFENDANTS GRANTED PROBATION IN CALIFORNIA
SUPERIOR COURTS DURING 1956-1958

By Sex
(Los Angeles and Alameda counties excluded)

Sex	Total Granted Probation During 1956-1958		Violation Status as of December 31, 1962							
			No Violations ^a		Violated but Not Revoked ^a				Revoked ^b	
					One Violation		Two or More Violations			
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total.....	11,638	100.0	7,269	62.5	851	7.3	232	2.0	3,286	28.2
Male.....	10,497	100.0	6,475	61.7	748	7.1	201	1.9	3,073	29.3
Female.....	1,141	100.0	794	69.6	103	9.0	31	2.7	213	18.7

^a Composed of defendants currently active or terminated without revocation.

^b $\chi^2 = 57.0$ (based on a revoked—not revoked dichotomy), $P < .001$, 1-df.

modify probation in cases involving female defendants and revoke probation for male defendants.

Violation Rates by Race

Table 5 presents the violation status of the 1956-1958 cohort group by race. Of the four racial groups shown, the whites of Mexican descent had the lowest revocation rate, 27.3 percent, followed by the white race, 28.0 percent, the "other" racial group (mainly Oriental and American Indian), 28.0 percent, and last the Negroes with 32.8 percent revoked.

The small differences among the revocation rates of the white, white-Mexican, and "other" racial groups were not statistically significant, according to the chi-square test; however, there was a significant difference in the revocation rate of the Negro group as compared with the rates for whites, white-Mexicans, and "other" racial groups. The chi-square test revealed that this difference did not arise by chance and was in fact a true difference, significant beyond the .02 level. In other words, such a distribution could have arisen by chance less than twice in 100 times.

Revocation rates by race by offense reveal that of the white, white-Mexican, and Negro groups, the Negroes had higher rates of revocation in all offense classifications except homicide, rape,

narcotics, and contributing. In these offense categories, white-Mexicans had higher revocation rates than did whites or Negroes.

The significant difference that exists between the revocation rates of the Negro group and the white, white-Mexican groups raises the question whether Negroes are revoked in greater proportion because they are Negroes (racial bias), or because Negroes, due to a variety of social, cultural, and environmental influences, are generally poorer probation risks and thus fail in greater proportion. The type of statistical material available to the Bureau does not give us an answer to this question.

Violation Rates by Age

Table 6 shows the violation status of the cohort group by selected age groupings. Defendants 19 years of age or younger at the time of sentencing had the highest revocation rate, 33.2 percent, while those 50 years of age or older had the lowest revocation rate, 13.8 percent. With one exception, the revocation rate decreased with the increase in the chronological age of the defendants. Broader age groupings than those shown in Table 6 reveal that defendants 29 years of age or younger had an average revocation rate of 31.5 percent, while those aged 30 to 44 had an average rate of 26.6 percent, and those 45 years of age and older had an average rate of 15.4 percent. According to the

TABLE 5
VIOLATION STATUS OF ADULT DEFENDANTS GRANTED PROBATION IN CALIFORNIA
SUPERIOR COURTS DURING 1956-1958
By Race
(Los Angeles and Alameda counties excluded)

Race	Total Granted Probation During 1956-1958		Violation Status as of December 31, 1962							
			No Violations ^a		Violated but Not Revoked ^a				Revoked ^b	
					One Violation		Two or More Violations			
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total.....	11,638	100.0	7,269	62.5	851	7.3	232	2.0	3,286	28.2
Unknown.....	147	—	108	—	8	—	1	—	30	—
Total, known race.....	11,491	100.0	7,161	62.4	843	7.3	231	2.0	3,256	28.3
White.....	9,050	100.0	5,671	62.7	657	7.2	188	2.1	2,534	28.0
White (Mexican descent).....	1,204	100.0	771	64.0	85	7.1	19	1.6	329	27.3
Negro.....	969	100.0	550	56.7	80	8.3	21	2.2	318	32.8
Other.....	268	100.0	169	63.1	21	7.8	3	1.1	75	28.0

^a Composed of defendants currently active or terminated without revocation.

^b $\chi^2 = 10.49$ (based on a revoked-not revoked dichotomy), $P < .02$, 3-df.

TABLE 6
VIOLATION STATUS OF ADULT DEFENDANTS GRANTED PROBATION IN CALIFORNIA
SUPERIOR COURTS DURING 1956-1958
By Age
(Los Angeles and Alameda counties excluded)

Age	Total Granted Probation During 1956-1958		Violation Status as of December 31, 1962							
			No Violations ^a		Violated but Not Revoked ^a				Revoked ^b	
					One Violation		Two or More Violations			
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total	11,638	100.0	7,269	62.5	851	7.3	232	2.0	3,286	28.2
Unknown.....	525	—	357	—	37	—	5	—	126	—
Total, known age.....	11,113	100.0	6,912	62.2	814	7.3	227	2.0	3,160	28.5
16-19.....	1,251	100.0	719	57.5	95	7.6	21	1.7	416	33.2
20-24.....	3,667	100.0	2,169	59.2	286	7.8	78	2.1	1,134	30.9
25-29.....	1,881	100.0	1,093	58.1	158	8.4	36	1.9	594	31.6
30-34.....	1,392	100.0	872	62.7	97	7.0	34	2.4	389	27.9
35-39.....	1,055	100.0	681	64.6	68	6.4	22	2.1	284	26.9
40-44.....	696	100.0	464	66.7	51	7.3	18	2.6	163	23.4
45-49.....	445	100.0	330	74.2	22	4.9	13	2.9	80	18.0
50 and over.....	726	100.0	584	80.4	37	5.1	5	0.7	100	13.8

^a Composed of defendants currently active or terminated without revocation.

^b $\chi^2 = 143.9$ (based on a revoked—not revoked dichotomy), $P < .001$, 7-df.

chi-square test, the differences in rates of revocation, by age, were very significant and could not have occurred by chance. These data reaffirm what most individuals familiar with correctional work have noted, that with increasing chronological age, criminal conduct seems to diminish.

Violation Rates by Recommendation of Probation Officer

In Table 7 the violation status of the 1956-1958 cohort is shown by the recommendation of the probation officer. Of the 9,610 defendants in the cohort group who were recommended for probation, 2,603 or 27.1 percent were subsequently revoked. Of the 1,503 defendants who were not recommended for probation, 36.7 percent were revoked. This difference in revocation rates was very significant and indicates that the two groups were not alike in terms of their tendency to recidivism. However, for those defendants granted probation there is no predictive value to the recommendation of the probation officer. The best prediction for either type of recommendation would be success in that 72.9 percent of the favorable recommendations were not revoked and

63.3 percent of the unfavorable recommendations were not revoked. Thus, to have denied probation to the 1,503 defendants who had unfavorable recommendations would have meant that 951 of the defendants who were denied could have completed their terms successfully (without revocation) if they had been granted probation.

This suggests the question of what proportion of defendants who were actually denied probation on unfavorable recommendations could have succeeded on probation if given the opportunity. In all probability, the percent succeeding on probation for this group, where both the probation officer and the judge agreed that probation should be denied, would be less than the percent succeeding where there were differences of opinion as to the defendants' suitability for probation. However, the only real means of testing the validity of the probation officers' recommendations would be to take a representative sample of defendants convicted of criminal offenses, record the recommendations of the probation officers, and release all of these defendants to probation. Then, after a period of adequate follow-up, one could assess the differential rate of success-failure and

TABLE 7
 VIOLATION STATUS OF ADULT DEFENDANTS GRANTED PROBATION IN CALIFORNIA
 SUPERIOR COURTS DURING 1956-1958
 By Recommendation of Probation Officer
 (Los Angeles and Alameda counties excluded)

Recommendation of Probation Officer	Total Granted Probation During 1956-1958		Violation Status as of December 31, 1962							
			No Violations ^a	Violated but Not Revoked ^a				Revoked ^b		
				One Violation		Two or More Violations				
	Number	Percent		Number	Percent	Number	Percent	Number	Percent	Number
Total	11,638	100.0	7,269	62.5	851	7.3	232	2.0	3,286	28.2
Unknown or no recommendation.	525	—	353	—	33	—	8	—	131	—
Total with recommendation	11,113	100.0	6,916	62.2	818	7.4	224	2.0	3,155	28.4
Recommendation for probation . .	9,610	100.0	6,092	63.4	715	7.4	200	2.1	2,603	27.1
Recommendation against proba- tion	1,503	100.0	824	54.8	103	6.9	24	1.6	552	36.7

^a Composed of defendants currently active or terminated without revocation.

^b $\chi^2 = 59.1$ (based on a revoked—not revoked dichotomy), $P < .001$, 1-df.

relate this back to the original recommendations. There would undoubtedly be a significant difference between the revocation rates of those recommended and not recommended for probation; however, it is doubtful that the number of "correct" predictions would be high enough to justify the use of the recommendation as a predictive measure. This is because many defendants are denied probation for reasons other than the degree of "risk" involved in the case. Such things as community attitudes towards certain offenses, penal code restrictions, lack of adequate probation staff, etc., influence the recommendation of the probation officer and ultimately the sentence imposed. Thus, an unfavorable recommendation cannot necessarily be construed as a probation officer's prediction of failure.

Unfortunately, at the present stage of development in probation research, there are no adequate means for truly differentiating between those who will succeed and those who will fail on probation. In the future, some sort of predictive indices must be developed to determine, especially in marginal cases, which defendants would be more likely to succeed than fail. Given enough background history of the defendants, this could probably be done. Probation officers and judges, with their extensive knowledge of criminal offenders, are using rudimentary predictive indices whenever they make or pass on a recommendation. How-

ever, this more or less intuitive experience is not precise enough to be applicable to the large group of defendants who do not possess the more obvious characteristics of success or failure. This criticism is also true, although to a lesser degree, of present day parole prediction tables. Even the most refined statistical prediction tables are at their weakest when they try to predict human behavior in the large "middle" group of more or less average offenders. They are simply not "fine" enough to distinguish the subtleties of character, temperament, and environmental influences that determine success or failure on probation or parole. It remains to be seen whether this problem can be substantially solved in the future.

Violation Rates by Conditions of Probation

Table 8 presents data on the violation rates of 1956-1958 cohort distributed by the conditions imposed at the time probation was granted. The revocation rate for those given straight probation or probation and fine was approximately 18.6 percent, as opposed to a 47.0 percent revocation rate for those given probation, jail, fine, and restitution. The various other conditions of probation had revocation rates that were somewhere in between the two extremes just mentioned. By employing the chi-square test it was determined that the difference in revocation rates by conditions of probation was very significant, and there was

TABLE 8
 VIOLATION STATUS OF ADULT DEFENDANTS GRANTED PROBATION IN CALIFORNIA
 SUPERIOR COURTS DURING 1956-1958
 By Conditions of Probation
 (Los Angeles and Alameda counties excluded)

Conditions of Probation	Total Granted Probation During 1956-1958		Violation Status as of December 31, 1962							
			No Violations ^a	Violated but Not Revoked ^a				Revoked ^b		
				One Violation		Two or More Violations				
	Number	Percent		Number	Percent	Number	Percent	Number	Percent	Number
Total	11,638	100.0	7,269	62.5	851	7.3	232	2.0	3,286	28.2
Probation	2,249	100.0	1,701	75.6	105	4.7	16	0.7	427	19.0
Probation and jail	2,558	100.0	1,738	68.0	151	5.9	31	1.2	638	24.9
Probation, jail and fine	788	100.0	439	55.7	63	8.0	15	1.9	271	34.4
Probation, jail and restitution . . .	1,658	100.0	748	45.1	148	8.9	66	4.0	696	42.0
Probation, jail, fine and restitu- tion	366	100.0	137	37.4	45	12.3	12	3.3	172	47.0
Probation and fine	1,915	100.0	1,387	72.4	147	7.7	32	1.7	349	18.2
Probation and restitution	1,457	100.0	792	54.3	135	9.3	41	2.8	489	33.6
Probation, fine and restitution . . .	647	100.0	327	50.6	57	8.8	19	2.9	244	37.7

^a Composed of defendants currently active or terminated without revocation.

^b $\chi^2 = 486.0$ (based on a revoked—not revoked dichotomy), $P < .001$, 7-df.

less than one chance in 1,000 that such a distribution could have arisen by chance.

In viewing these data, certain combinations of conditions of probation reveal some aspects worth noting. For instance, probation with no special conditions had a revocation rate of 19.0 percent, probation with one condition had a revocation rate of 24.9 percent, probation with two conditions had a revocation rate of 39.2 percent, and probation with three conditions had a revocation rate of 47.0 percent. Still another combination of conditions produced the following rates: jail only as a condition of probation had a revocation rate of 24.9 percent, fine or restitution only as a condition had a revocation rate of 26.9 percent, and jail with fine or restitution as a condition had a revocation rate of 40.5 percent. What is immediately apparent is that the revocation rate increases as more conditions are applied, and that either fine or restitution, or both, increase the revocation rate. However, it must be remembered that many factors influence the conditions that are initially imposed—one of which is the convicted offense. As was apparent in Table 3, there were large differences in the percent revoked by offense group, and if certain clusters of offenses

were associated with certain conditions of probation, then the resulting revocation rates by conditions of probation would be influenced by the convicted offense. In order to investigate the effect of the convicted offense on the revocation rate by conditions of probation, each of the 12 major offense groups was distributed by the conditions imposed and the percent revoked was calculated for each cell.

The two offense groups contributing the largest proportion of cases to the total cohort were burglary and forgery and checks. Together they made up 39.6 percent of the 1956-1958 cohort and 54.8 percent of the total number of cases revoked. These two offense groups had higher than average proportions of cases in certain conditions of probation, specifically: restitution; fine and restitution; jail and restitution; and jail, fine, and restitution. These four groups of conditions were among those with the highest revocation rates. The burglary and forgery and check categories were then extracted from the total cohort to see if the resulting revocation rates by conditions of probation would be more nearly similar. The result was that the revocation rates for the above four categories of conditions of probation de-

creased substantially; however, the revocation rates for the remaining conditions also decreased, although not nearly as much. Thus, burglary and forgery and check offenses were responsible for some portion of the variation that existed in revocation rates by conditions of probation. This was so because these two offense groups had higher than average overall revocation rates and had higher than average representation in the conditions of probation encompassing restitution.

This approach was continued by extracting various groups of offenses to see if at any point the revocation rates would even out and become fairly similar for all conditions of probation. Generally, the following pattern emerged: straight probation and probation and fine had the lowest revocation rates, probation and jail was next, and probation with varying combinations of jail, fine, and restitution was next. The highest revocation rate was attained invariably by probation with all three conditions—jail, fine, and restitution. In summarizing the above, it may be said that conditions of probation apparently have an effect upon the revocation rate that is independent of the convicted

offense. Although large offense groups in the high-risk category influence the magnitude of the difference in revocation rates among conditions of probation, the relative difference still remains.

Time on Probation Prior to Revocation

Table 9 presents data on the length of time defendants remain on probation prior to revocation. Of the total of 3,286 defendants in the 1956–1958 cohort who were revoked as of December 31, 1962, 50 percent were revoked within 17 months of the date of judgment. The six-month interval with the largest number of revocations was 7 to 12 months, when 696 defendants or 21.2 percent were revoked. At the end of 24 months, 68.1 percent of all revocations had occurred, and at the end of 36 months, 90.6 percent had occurred.

Table 9 also shows the breakdown of time on probation by type of violation. Of those defendants revoked for committing new felony offenses, the median time on probation was 15 months; for those revoked for committing new misdemeanor offenses, the median time on probation was 16 months. Defendants revoked because of absconding

TABLE 9

TIME ON PROBATION PRIOR TO REMOVAL BY REVOCATION: SHOWING NUMBER OF 1956–1958 SUPERIOR COURT GRANTS REVOKED AS OF DECEMBER 31, 1962

By Reason for Revocation
(Los Angeles and Alameda counties excluded)

Months from Judgment to Removal	Total Revoked as of December 31, 1962		Felony Offense		Misdemeanor Offense		Absconded		Violated Conditions	
	Number	Cumulative Percent	Number	Cumulative Percent	Number	Cumulative Percent	Number	Cumulative Percent	Number	Cumulative Percent
Total.....	3,286	—	1,194	—	387	—	882	—	823	—
0–6.....	524	15.9	225	18.8	71	18.3	57	6.5	171	20.8
7–12.....	696	37.1	295	43.6	86	40.6	136	21.9	179	42.5
13–18.....	502	52.4	209	61.1	59	55.8	89	32.0	145	60.1
19–24.....	515	68.1	153	73.9	62	71.8	180	52.4	120	74.7
25–30.....	307	77.4	115	83.5	47	84.0	68	60.1	77	84.1
31–36.....	433	90.6	102	92.0	26	90.7	219	84.9	86	94.5
37–42.....	91	93.4	35	95.0	17	95.1	26	87.9	13	96.1
43–48.....	87	96.0	24	97.0	10	97.7	34	91.7	19	98.4
49–54.....	45	97.4	15	98.2	5	99.0	19	93.9	6	99.1
55–60.....	75	99.7	14	99.4	4	100.0	52	99.8	5	99.8
61–66.....	6	99.8	4	99.7	—	—	1	99.9	1	99.9
67–72.....	3	99.9	3	100.0	—	—	—	—	—	—
73–78.....	—	—	—	—	—	—	—	—	—	—
79–84.....	2	100.0	—	—	—	—	1	100.0	1	100.0
Median month.....	17		15		16		24		15	

TABLE 10
 REVOCATION DISPOSITION OF ADULT DEFENDANTS GRANTED PROBATION IN
 CALIFORNIA SUPERIOR COURTS DURING 1956-1958
 By Reason for Revocation
 (Los Angeles and Alameda counties excluded)

Reason for Revocation	Total Revoked as of December 31, 1962		Loss of Jurisdiction ^a		Not Sentenced		Sentenced					
							Prison		Youth Authority		Jail	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total.....	3,286	100.0	412	12.5	912	27.8	1,145	34.8	89	2.7	728	22.2
Felony offense.....	1,194	100.0	240	20.1	180	15.1	581	48.6	38	3.2	155	13.0
Misdemeanor offense.....	387	100.0	1	0.3	40	10.3	159	41.1	25	6.4	162	41.9
Absconded.....	882	100.0	169	19.2	617	70.0	41	4.6	3	0.3	52	5.9
Violated conditions.	823	100.0	2	0.2	75	9.1	364	44.2	23	2.8	359	43.7

^a Composed of: (1) Commitment to California State prison or Youth Authority on a new offense, probation case closed; (2) commitment to an out-of-state prison or federal institution on a new offense, probation case closed; (3) probation terminated, bench warrant outstanding.

had the highest median, 24 months, while those revoked for violating other conditions of probation had a 15 month median. There is relatively no difference between the median month of revocation for defendants committing new offenses or violating conditions of probation—the average for all three being 15 months. The much longer median time for revocation for defendants absconding is due to the fact that such violations are often not uncovered until close to the time the defendants are due to terminate. Note that in Table 9 there is a buildup in revocations for absconders at the periods of 12, 24 and 36 months, which correspond with the more common periods of probation.

Revocation Disposition

Table 10 shows the disposition of that portion of adult probationers who were revoked as of December 31, 1962. As has been explained previously, the term "revocation" covers a small segment (12.5 percent) of probationers who were not actually revoked, but whose cases were nevertheless closed as a result of violations. This category is known as "loss of jurisdiction," and the footnote to Table 10 describes the types of cases included therein. It is apparent that the dispositions of the loss of jurisdiction cases were very similar to the dispositions of the revoked cases—the only major difference being the policy of the courts in regard to revocation.

In addition to the 412 cases, or 12.5 percent, that were closed through loss of jurisdiction, there were 912 cases, or 27.8 percent, that were revoked but not sentenced; 1,145 cases, or 34.8 percent, that were sentenced to prison; 89 cases, or 2.7 percent, that were committed to the Youth Authority; and 728 cases, or 22.2 percent, that were sentenced to jail. Altogether, 59.7 percent of the probationers were revoked and sentenced on their original offenses. These probationers will not be subject to any further action. The same is true of the probationers in the loss of jurisdiction category. The revoked-not sentenced group, however, contains cases that will, in time, either be sentenced or reinstated to probation.

A final word about the distribution of the reason for revocation. Of the 3,286 probationers revoked as of December 31, 1962, 1,194 or 36.3 percent committed new felony offenses; 387 or 11.8 percent committed new misdemeanor offenses; 882 or 26.8 percent absconded; and 823 or 25.1 percent violated other conditions of probation. Thus, 48.1 percent of the probationers committed new offenses, while 51.9 percent were charged with technical violations.

CONCLUSION

The cohort study just presented will be continued by the Bureau of Criminal Statistics, and periodic progress reports will be issued in the Bureau's annual reports, *Delinquency and Proba-*

tion in California. Also, new cohort groups will be assembled on a yearly basis so that that data will always be available on probation recidivism in California. In assembling, tabulating, and analyzing the data for this report many ideas for future studies came to mind. The writer would like to present some of these ideas with the hope that they will prompt further research in the probation field.

1. *Would an increase in the percentage of defendants receiving probation measurably affect the recidivism rate?*

The foregoing study has shown what the probation recidivism rate is in California under existing practices. By altering these practices systematically in certain counties it would be possible to assess the results in terms of an increase or decrease in the rate of recidivism for these counties. There is, at present, no statistical evidence to suggest that a reasonable increase in the rate of probation will produce a compensating increase in the rate of recidivism. There is probably an upper area where this phenomenon occurs, but it is problematical whether many counties are approaching this "saturation" point at this time.

A three-year experiment in Saginaw County, Michigan, demonstrated that the rate of prison commitments could be reduced without a corresponding increase in the rate of probation recidivism.⁴ The object of the study was "to establish the practical limit to which law-violators can be rehabilitated—with due regard for public safety—OUTSIDE prison walls." A criticism of the "Saginaw Project," however, is that the substantial reduction in prison commitments did not result in a correspondingly substantial increase in probation sentences. The largest portion of the reduction in prison commitments were channeled to sentences other than probation. So, in reality the probation recidivism rate was not given as stringent a test as it might have been.

2. *Since defendants in certain offense groups have significantly higher recidivism rates than defendants in other offense groups, would it be fruitful to expand probation services in the low-risk group and institute basic research into alternate methods of handling the high-risk element?*

⁴MICH. CRIME & DELINQUENCY COUNCIL, THE SAGINAW PROBATION PROJECT (1963).

Most studies of recidivism have shown that a high proportion of forgery and check offenders fail on probation or parole. However, these offenders are not generally considered as "threats" to the community and therefore are seldom singled out for specialized treatment. This is an area that needs intensive study as to what better methods could be used in handling this type of offender, short of state prison commitment. Also, since some offense groups are historically low in the rate of recidivism, an expansion of probation in these areas might be advisable. The fact that some offenses in the low-risk group are of such a nature that society must be fully protected against their repetition, might require a different approach than that usually employed—possibly an adaptation of the "halfway house" concept.

3. *Do excessive monetary penalties in the form of fine and restitution payments serve to defeat the purposes of probation by involving higher recidivism rates?*

Realizing that restitution is a right that society is entitled to, it is nevertheless uneven in its application. Defendants committed to prison or to straight jail are not required to make restitution to the victim (except as a result of a separate civil action), and there are many restitution orders that are, as a practical matter, impossible to fulfill. Similarly, fine payments, which are simply a means of producing revenue for the county, are usually assessed only to those given probation and are not ordinarily a part of other types of sentences. Thus, defendants who are selected for probation are often penalized economically to a point that is inconsistent with the original motivation of a probation order.

4. *Can recidivism studies be made more meaningful by extending the follow-up to include the post-probation or the post-parole period?*

The major problem in any post-probation follow-up is to have some method of maintaining contact with the probationers after the expiration of the probationary period. This can be done in states that have well-developed central bureaus of criminal identification where all arrest and disposition information is channeled from all local law enforcement agencies. In California, the Bureau of Criminal Identification and Investigation is the agency that serves this function. In

order partially to answer the question posed above, the Bureau of Criminal Statistics has been collecting California criminal identification numbers on defendants granted probation in certain counties since 1960. Through the use of these numbers, the arrest records of the defendants can be pulled at stated intervals and summarized into the IBM cards that have been set up on all defendants granted probation. The ensuing data will indicate what proportion of probationers have had arrests that were not reported as violations by the local probation departments, as well as what proportion of terminated cases have had subsequent arrest records.

In conclusion, it might be well to reiterate an observation that was made at the beginning of this article concerning the need for more statewide compilations of statistics on adult probation dispositions, and on criminal statistics in general. This need was apparent as early as 1931 when the Wickersham Commission recommended the formulation and adoption of a uniform act which would promote the statewide collection of statistics on the administration of criminal justice.⁵

⁵ U.S. NAT'L COM'N ON LAW OBSERVANCE AND ENFORCEMENT, REPORT ON CRIMINAL STATISTICS (No. 3, 1931).

In 1946, such an act, entitled the Uniform Criminal Statistics Act, was approved by the National Conference of Commissioners on Uniform State Laws.⁶ This act, if adopted by the individual states⁷ and put into actual practice, would provide the foundation for a comprehensive collection of criminal statistics, one item of which would be adult probation statistics. These statistics would, according to the model act, flow from local jurisdictions to statewide agencies where the data would be tabulated, analyzed, and published. The state agencies would then forward the tables and analytical material to a central nationwide agency, either governmental or quasi-governmental, where the data would be assembled, interpreted, and published on a national level. There are admittedly many problems connected with such a plan, but it has the overriding value of placing the responsibility for collecting criminal statistics on the states, which, in the final analysis, are in the best position to interpret and evaluate their material in terms of their own laws and practices.

⁶ Sellin, *The Uniform Criminal Statistics Act*, 40 J. CRIM. L., C. & P.S. 679 (1950).

⁷ As of this writing, California is the only state that has adopted the Uniform Criminal Statistics Act.