NYU Marron Institute
Research for Impact

Updated findings on PLGDP
May 31, 2023
Overview

● Preliminary – Do not cite
● Background on firearm mortality and gun crimes in NY and NYC
● Introduction to KCDA gun-diversion programs
● Preliminary findings
● General observations
Homicides rates involving guns lower in NYC compared with rest of US.
<table>
<thead>
<tr>
<th>Crime Complaints</th>
<th>Week to Date</th>
<th>28 Day</th>
<th>Year to Date*</th>
<th>2 Year</th>
<th>13 Year</th>
<th>30 Year</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2023</td>
<td>2022 % Chg</td>
<td>2023</td>
<td>2022 % Chg</td>
<td>2023</td>
<td>2022 % Chg</td>
</tr>
<tr>
<td>Murder</td>
<td>7</td>
<td>13 -46.2</td>
<td>24</td>
<td>43 -44.2</td>
<td>146</td>
<td>168 -13.1</td>
</tr>
<tr>
<td>Rape</td>
<td>32</td>
<td>37 -13.5</td>
<td>115</td>
<td>115 0.0</td>
<td>573</td>
<td>608 -5.8</td>
</tr>
<tr>
<td>Robbery</td>
<td>305</td>
<td>327 -6.7</td>
<td>1,213</td>
<td>1,256 -3.4</td>
<td>5,928</td>
<td>6,075 -2.4</td>
</tr>
<tr>
<td>Fel. Assault</td>
<td>514</td>
<td>554 -7.2</td>
<td>2,043</td>
<td>2,059 -0.8</td>
<td>9,977</td>
<td>9,261 7.7</td>
</tr>
<tr>
<td>Burglary</td>
<td>271</td>
<td>274 -1.1</td>
<td>1,026</td>
<td>1,174 -12.6</td>
<td>5,466</td>
<td>5,917 -7.6</td>
</tr>
<tr>
<td>Gr. Larceny</td>
<td>997</td>
<td>980 1.7</td>
<td>3,780</td>
<td>3,833 -1.4</td>
<td>18,581</td>
<td>18,804 -1.2</td>
</tr>
<tr>
<td>G.L.A.</td>
<td>292</td>
<td>247 18.2</td>
<td>1,237</td>
<td>953 29.8</td>
<td>5,723</td>
<td>4,919 16.3</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>2,418</strong></td>
<td><strong>2,432</strong> -0.58</td>
<td><strong>9,438</strong></td>
<td><strong>9,433</strong> 0.05</td>
<td><strong>46,394</strong></td>
<td><strong>45,752</strong> 1.40</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>2 Year</th>
<th>13 Year</th>
<th>30 Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shooting Vic.</td>
<td>-28.2</td>
<td>-26.2</td>
<td>-80.5</td>
</tr>
<tr>
<td>Shooting Inc.</td>
<td>-31.1</td>
<td>-24.1</td>
<td>-81.8</td>
</tr>
</tbody>
</table>
Gun possession in New York

- New York State has among the most punitive gun laws in the United States
- Many young people (mostly of color) in New York City face lengthy mandatory-minimum sentences for Criminal Possession of a Weapon in the Second Degree
- Concern that young people, with no histories of violence, would return from prison with fewer opportunities and be more prone to violent crime
KCDA gun-diversion programs

- The Kings Co. (Brooklyn, NY) District Attorney’s Office implemented two diversion programs for certain gun-possession cases.
- These give prosecutors and courts an opportunity to provide defendants with an alternative that avoids the potential harms of prison sentences.

THE GOAL: deter future crime through rehabilitative responses and close monitoring, improving outcomes for the defendant and the public.
KCDA gun-diversion eligibility

- **Project Re-Direct (PRD):** males up to 22*, gang-involved, with a first-time felony charge

- **Youth & Communities in Partnership (YCP):**
  - males and females, up to 22*, with a first-time felony charge

- No history of violent or sex offenses, and no serious MHDs

- Referred by a judge or ADA and assessed by a team of ADAs and a social worker

*Initially intended for defendants up to 22, but older participants (mid-20s) have been accepted

IF ACCEPTED: Plead guilty to the top charge. Sentencing deferred during program participation.
Program summary

● Duration: 18–24M for PRD; 12M for YCP
● Led by a social worker and overseen by a judge
  ○ Adherence to a detailed schedule
  ○ Regular communication with staff
  ○ Attendance at counseling sessions
  ○ Drug testing
  ○ Education or employment
  ○ Rewards and sanctions to motivate compliance and achievement
  ○ Enrichment opportunities
● Serious noncompliance can result in a brief remand to custody; removal from the program can result in a prison sentence

SUCCESSFUL COMPLETION: Charges are dismissed (a major incentive for participation)
Preliminary observations

- The Joyce Foundation has supported an evaluation to assess whether the diversion programs meet their intended goals.

- Preliminary findings
  - 939 defendants have been referred to the programs since inception.
  - We reviewed 848 of these (sufficiently complete records). Two new cases are currently under review.

- About two-thirds of the cases referred are accepted.

Ref: Referred (n=848)

- Not accepted (n=262); 31%
- Accepted (n=586); 69%

DO NOT CITE
Participant Race/Ethnicity and Participant Age

Average age is 21 for PRD and YCP.
Youngest participants are 14.
KCDA acceptance, by program

Acceptance rate is higher for YCP (77%) than for PRD (57%)
Acceptance rate differences are statistically significant (p<0.01)
Completion rate is significantly higher for YCP compared with PRD (p<0.001)

YCP has more than twice as many participants as PRD
Overall, 87% completed
Overall, 14% were removed (of these: 20% withdrew and 80% violated).
Recidivism measures

- Any arrest
  - Any follow-up arrest within 12 months
  - Any follow-up arrest within 24 months

- Arrests involving a gun
  - Any follow-up arrest involving a gun within 12 months
  - Any follow-up arrest involving a gun within 14 months
12-month follow-up (any new arrest), by program

Differences are statistically significant (p<0.01)
24-month follow-up (any new arrest), by program

Differences are statistically significant (p<0.01)
12-month follow-up (new **gun arrest**), by program

Differences are statistically significant (p<0.01)
24-month follow-up (new **gun arrest**), by program

Differences are statistically significant (p<0.01)
24-month follow-up (any new **gun** arrest), by status

Only 13% overall don’t complete
Sentencing

- An initial quandary
  - Our “a priori” expectation was that short-term arrest rates would be higher for program participants (arrest risk exposure from “days on street”)
  - We found the opposite

- How so?
  - Sentencing data show that not all defendants were not accepted to the program or were removed for violating program terms served a prison sentence. We are exploring the gun charges and sentencing data further.
  - This mirrors our finding from diversion programs in other states
General observations
Speed
(ave: 142 days for accept; 121 for not accept)
Participant safety
Purposeful conditions & programming mandates
Plans for tough cases
Need for **good** real-time data