

# FELONY FIREARM OFFENSES AND RECIDIVISM: NATIONAL TRENDS AND BEST PRACTICES

## **Abstract**

In recent years, concern has developed over felons in possession of firearms in Durham and their high rate of rearrest and subsequent violent crime relative to other types of convictions. This trend - a high recidivism rate for individuals with firearm charges - has been observed nationwide. While many interventions exist, few had the data to evaluate the program's or policy's effectiveness in reducing reoffense rates amongst persons with a firearm conviction. The programs with the best support appeared to be diversion programs for juvenile offenders that included cognitive behavioral therapy, practical skills courses, and case management.

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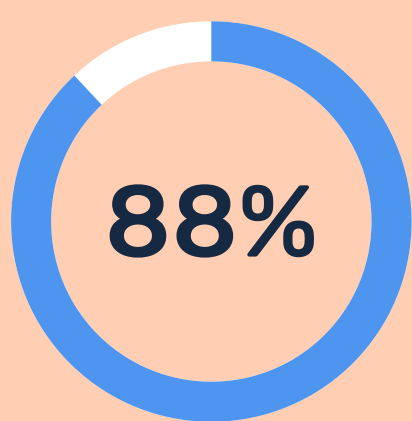


Criminal Justice  
Resource Center

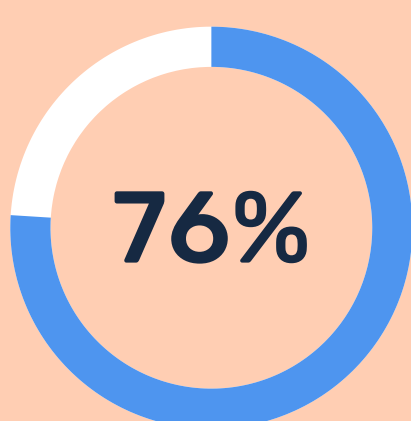
# 172 FIREARM BOOKINGS IN 2021

172 Firearm Bookings took place in Durham in 2021. At the time of booking, 64% of the 172 had been previously incarcerated, 76% had an additional gun charge, and 88% had an additional charge.

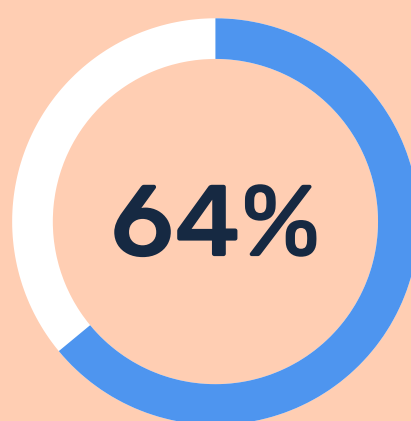
## At the time of booking...



Had an Additional Charge

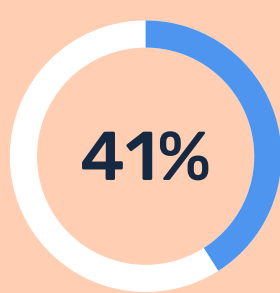


Had an Additional Gun Charge

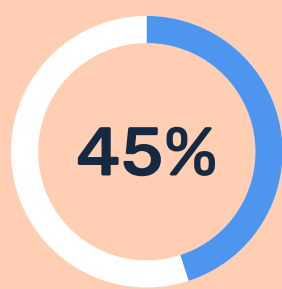


Had been Previously Incarcerated

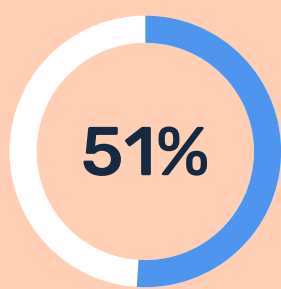
# 110 RECIDIVATED FROM A PREVIOUS FELONY OR FIREARM CONVICTION



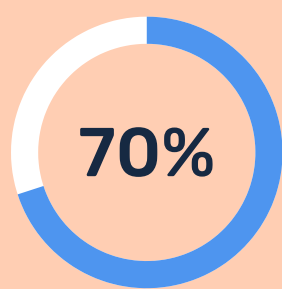
Prior Assault Conviction



Prior Drug Conviction



Prior Violent Conviction

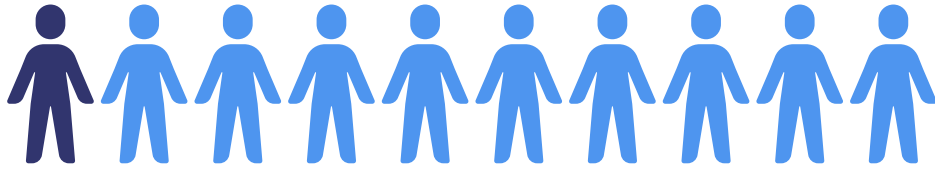


Prior Gun Conviction

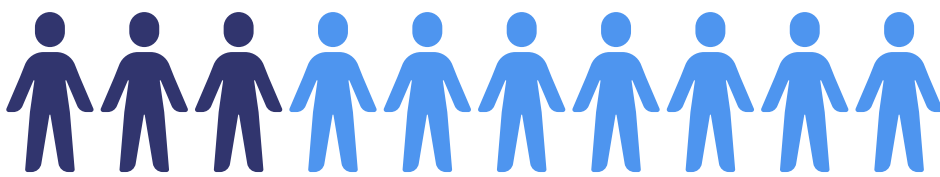
This means that of the total 172 bookings, 110 of them had recidivated from a previous felony or firearm charge. Of those 110 that recidivated, 70% had a prior gun charge, 51% had a prior violent charge, 45% had a prior drug charge, and 41% had a prior assault charge. Thus, growing concern exists in Durham around this high recidivism rate for those with felony firearm charges.

# NEARLY HALF OF RECIDIVISTS HAD A CO-OCCURRING CONVICTION

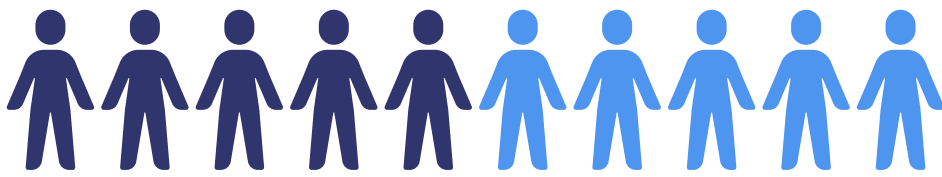
8% Had Convictions on All 4 Charges  
(Drug, Assault, Violent, and Gun)



30% Had Convictions on 3 Charges  
(Assault, Violent, and Gun)

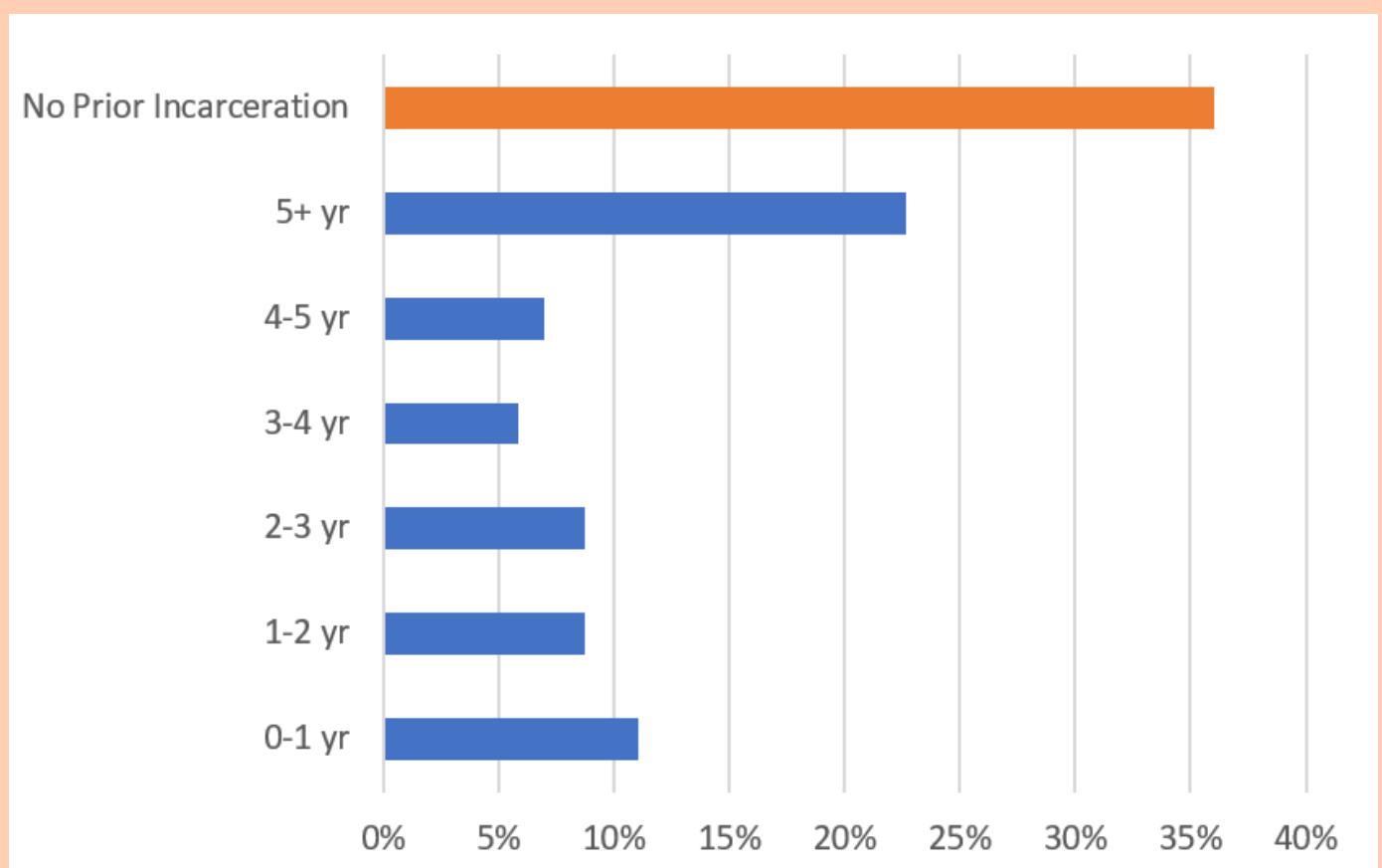


49% Had Convictions on 2 Charges  
(Violent and Gun)



## 11% OF RECIDIVISTS RETURNED WITHIN ONE YEAR OF RELEASE

Number of years post-release until jail booking for felon or firearm charge



11.05% of recidivists returned within one year of release of the convictions previously described. The percentage that recidivated remained constant at 8.72% between one and three years of release. Eventually dropping to below 7% recidivating between three and five years of release. The remaining recidivists all did so more than five years after their previous incarceration.

# THE HIGH RATE OF RECIDIVISM FOR FELONY FIREARM CONVICTIONS IS A NATIONWIDE TREND

The trend noticed in Durham – that people charged with a felony related to a firearm are much more likely to reoffend than those with other charges – has been observed across the country.

At the federal level, **68.1%** of firearm offenders were rearrested for a new crime during the eight-year follow-up period compared to just **46.3%** of non-firearm offenders.

Studies have found that these individuals tended to reoffend sooner compared to people convicted of other charges and had higher recidivism rates than people without firearm charges in every Criminal History Category and at every age group.

At the national level, the median time from release to the first recidivism event for non-firearm offenders was **22 months** compared with just **17 months** for firearm offenders.

One study also found that firearm-involved arrestees were **killed twice as often** as non-firearm involved arrestees, most often from guns. This, and other similar data, suggests that high rates of recidivism amongst firearm offenders is not a Durham specific problem, but a nationwide pattern.

## INTERVENTIONS VARY - MANY LACK EVIDENCE

A variety of program and policy recommendations exist, though few have data that is specific enough or longitudinal enough to be considered a true best practice.

Recommendations:

- Closely supervising gun offenders after release from custody with frequent contact and searches to detect and deter firearm access
- Consider first-time firearm-related arrests as important predictors of recidivism and mortality risk of those arrested
- Learn from the persistently non-firearm-involved individuals to identify what may be risk factors and possible modes of deterrence for owning firearms
- Participation in Cognitive Behavioral Programs to help change thinking patterns and improve decision making
- Services such as employment training and substance abuse treatment
- Track gun ownership more closely and try to limit supply (work with ATF and increase investigation of illegal firearm transfers)
- Gun Courts
- A variety of policing strategies including hot spot policing, directed patrols following the Koper Curve



# GUN DIVERSION PROGRAMS FOR JUSTICE INVOLVED YOUTH HAD MOST EMPIRICAL EVIDENCE

The recommendation that had the most empirical support were gun diversion programs for justice involved youth. Examples of this include the Youth and Community in Partnership (YCP) in Brooklyn, New York, Pathways to New Beginnings in Minneapolis, Minnesota, and juvenile Weapons Offenders Program (JWOP) in Miami-Dade County, Florida.

All share similar components:

1. Cognitive Behavioral Therapy or trauma informed practices,
2. Teaching life and career skills such as financial management, resume and interview classes, anger management, courses on consent, bullying, risk taking behaviors, CPR training, etc.,
3. Case management and individualized attention

In some cases, the program also included substance abuse treatment, violence education, social mentoring, police home visits, random drug testing, and other components that could be added to an individual's plan. The program usually takes the better part of a year (lasting 6-9 months depending on the case and program).

Each program reported optimistic data to recommend its potential. Compared to their justice-involved peers:

- YCP graduates had a **22%** lower rearrest rate within three years
- Pathways participants had a **40%** lower recidivism rate within three years
- JWOP clients had a **16%** lower recidivism rate within 12-months

## SOURCES:

1. [Recidivism Among Federal Firearms Offenders | United States Sentencing Commission \(ussc.gov\)](#)
2. [Gun offenders more likely to commit crime again, says study – Chicago Tribune](#)
3. [ICJIA | Illinois Criminal Justice Information Authority](#)
4. [Law Enforcement Approaches for Reducing Gun Violence | RAND](#)
5. [A Second Chance: The Case for Gun Diversion Programs | Giffords](#)
6. [Miami-Dade County Juvenile Weapons Offenders Program \(JWOP\): a potential model to reduce firearm crime recidivism nationwide - PMC \(nih.gov\)](#)