

*Massachusetts Department of Correction*  
**Harold W. Clarke, Commissioner**

***RECIDIVISM RATES 2004 RELEASE COHORT***

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*prepared by*

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## **Introduction**

Data presented in this research brief represents recidivism statistics and administrative data for 2,344 criminally sentenced inmates released to the street from the Massachusetts Department of Correction during calendar year 2004. Each release during the year is counted, making it possible for one inmate to be included in the data file multiple times. The Massachusetts Department of Correction (MADOC) defines a recidivist as any inmate released to the street from the MADOC who is re-incarcerated in a Massachusetts state or county facility or to a federal facility for a criminal sentence within three years of their release to the street. The data presented includes information on offender demographics, governing offense, release type, and sentence information.

## **Methodology**

Information for this brief was gathered from the Massachusetts Department of Correction Inmate Management System (IMS), and the Criminal Activity Record Information (CARI) file. The criminal activity of inmates released to the street during 2004 was tracked electronically using the CARI file and any re-incarceration within three years of the inmates release to the street was captured. An inmate can be re-incarcerated in one of the following ways: technical violation of parole, violation of parole with a new offense, new court commitment to a Massachusetts county facility, new court commitment to Massachusetts state facility, new court commitment to a federal facility, technical violation of probation, or probation violation with new offense. Chi-Square tests were used to determine significance in the differences in recidivism rates for the variables reported in the brief.

## **Overview of 2004 Release to the Street Population**

### ***Demographics***

- Of the 2,344 released inmates, 1,587 (68%) were male and 757 (32%) were female.
- Thirty-nine percent of the inmates were paroled to the street (n = 903), while 1,441 (61%) were released via expiration of sentence.
- The majority of the inmates were Caucasian (n = 1,697) followed by African American/Black (n = 597). The remaining releases reported races of Asian, Native American/Alaskan Native, and Other (n=50).
- Twenty-one percent of the released inmates reported a Hispanic ethnicity (n= 489).
- The average age at time of incarceration for all inmates released from the Massachusetts Department of Correction was 31.6 years. Female inmates were slightly older than males at time of incarceration, 33.3 years and 30.8 years, respectively.
- The average age of inmates at time of release was 35.5 years.
- Male inmates were older than females at time of release, 36 years of age and 34 years of age, respectively, due to males generally having longer prison sentences.

**Offense Data**

- Forty-nine percent of the male inmates were serving a governing person offense, followed by drug offense (21%), property offense (14%), Sex offense (11%), and ‘other offense’ (5%).
- Thirty-one percent of the female releases were serving a governing ‘other’ offense, followed by property and drug offenses (25%), and person offense (19%). Less than one percent of the females were serving a governing sex offense.
- Forty-two percent of governing drug offenses carried a mandatory minimum term; 60% of the male governing drug offenses, and 11% of the female governing drug offenses had a mandatory minimum.

**Sentencing Data**

- The average length of incarceration for all releases was 39.3 months.
- The average length of incarceration for males was 53.7 months, compared to 9.1 months for females. This number differs significantly because of the amount of females that serve a county sentence within the Massachusetts Department of Corrections.
- The majority of the males (65%) were released from a secure facility; 54% from a medium security facility and 11% from a maximum security facility. The remaining 35% of the males were released from a lower security facility.
- Three quarters (75%) of the females were released from a medium security facility, while 25% were released from a lower security facility.

**Release Statistics**

**Recidivism Rates by Release Type and Gender**

Release Type	Males		Females		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Parole To Street	621	51%	282	45%	903	49%
Expiration of Sentence	966	40%	475	38%	1,441	39%
Total Releases	1,587	44%	757	40%	2,344	43%

Of the 2,344 inmates released to the street during 2004, 903 (39%) were paroled to the street, while 1,441 (61%) were released via Expiration of Sentence. Inmates paroled to the street had a significantly<sup>1</sup> higher recidivism rate (49%) than the recidivism rate of inmates released Expiration of Sentence (39%). This held true for male inmates, while female recidivism rates by type of release were approaching statistical significance<sup>2</sup>.

<sup>1</sup> Pearson’s Chi-Square test was used to determine statistical significance (p ≤ 0.05).

<sup>2</sup> p = .058.

### Recidivism Rates by Post Release Supervision

Supervision Type	Males		Females		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Parole Only	416	48%	184	45%	600	47%
Probation Only	389	44%	168	35%	557	41%
Both Parole and Probation	205	59%	98	44%	303	54%
No Supervision	577	37%	307	39%	884	38%
Total	1,587	44%	757	40%	2,344	43%

Of the 2,344 inmates being released to the street, those being released with both parole and probation overall had the highest recidivism rate (54%) and those being released with no supervision had the lowest recidivism rate (38%). This also held true for male releases, those released on parole and probation had the highest recidivism rate (59%), whereas those being released with no supervision had the lowest recidivism rate (37%). For female releases, those being released on parole supervision had the highest recidivism rate (45%) and those being released on probation had the lowest recidivism rate (35%).

### Recidivism Rates by First Release and Gender

First Release	Males		Females		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Multiple Release	263	54%	84	55%	342	54%
First Release	1,324	42%	673	38%	2,002	41%
Total Releases	1,587	44%	757	40%	2,344	43%

A number of inmates who were released during 2004 had been committed to the MADOC for a violation of parole or probation, making the release from their current sentence not their first. The recidivism rates of inmates who had been released more than once on their current sentence were examined. There was a statistical difference between recidivists and non-recidivists in relation to whether or not it was the inmate's first release. For inmates who had been released previously on their current sentence the recidivism rate was 54%, compared to a recidivism rate of 41% for inmates being released off of their current sentence for the first time.

### Recidivism Rates by Security Level of Releasing Institution and Gender

Security Level	Males		Females		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Maximum	174	57%	n.a	n.a	174	57%
Medium	854	45%	569	42%	1,423	44%
Lower	559	38%	188	35%	747	37%
Total	1,587	44%	757	40%	2,344	43%

Recidivism rates for inmates released during 2004 were positively correlated with the security level of the inmates releasing facility. The recidivism rate for male inmates increased as the security level of the releasing institution increased. Male inmates release from lower<sup>3</sup> security had the lowest recidivism rate, with 38% of those inmates re-incarcerated within three-years of their release to the street. The recidivism rate for males released from medium security was 45%, while the rate for males released from maximum security was 57%, the highest of all security levels designations. The recidivism rate for female inmates released from a lower security facility was 35%, whereas females who were released from a medium security facility had a recidivism rate of 42%. For both male and female releases the difference in recidivism rates for security level was found to be significant.

### Recidivism for Females by Sentencing Type<sup>4</sup>

#### Three Year Recidivism Rate Female 2004 Releases to the Street by Sentence Type

Sentence Type	Number Releases	Recidivism Rate
State Sentence	84	25%
County Sentence	673	42%
Total	757	40%

Female inmates releasing from a county sentence have a much higher recidivism rate (42%) than those releasing from a state sentence (25%).

### *Demographic Statistics*

#### Recidivism Rates by Race/Ethnicity and Gender

Race/Ethnicity	Male		Female		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Asian	1	n.a.	2	n.a.	3	n.a.
African American/Black	451	47%	94	32%	545	44%
Hispanic	404	44%	85	33%	489	42%
Native American/Alaskan Native	10	n.a.	4	n.a.	14	n.a.
Caucasian	719	43%	571	43%	1,290	43%
Other	2	n.a.	1	n.a.	3	n.a.
Total	1,587	44%	757	40%	2,344	43%

<sup>3</sup> Lower security includes minimum, minimum pre-release, state pre-release, and contract pre-release facilities.

<sup>4</sup> Due to the minimal number of county correctional facilities that house female offenders, many females released during 2004 who receive a county sentence from the court serve that sentence at the MADOC.

- Within three years of their release to the street, male inmates who reported a race of African American/Black had a recidivism rate of 47%, followed by Hispanic male inmates who recidivated at a rate of 44%.
- Of the 757 female releases, Caucasian inmates had the highest recidivism rate, with 43% re-incarcerated within three years of their release to the street. Hispanic and African American/Black female inmates recidivated at nearly the same rate, 33% and 32%, respectively.

### Recidivism Rates by Age at Release and Gender

Age	Male		Female		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
17 - 24	186	51%	154	42%	340	47%
25 - 29	280	48%	114	46%	394	47%
30 - 34	287	50%	128	50%	415	50%
35 - 39	294	51%	139	42%	433	48%
40 - 44	239	41%	121	31%	360	38%
45 - 49	159	36%	59	32%	218	35%
50 - 54	73	21%	33	27%	106	23%
55 - 59	28	14%	6	n.a.	34	12%
60 or older	41	10%	3	n.a.	44	9%
Total	1,587	44%	757	40%	2,344	43%

- The age of inmates at time of release from the MADOC ranged from 17 years to 78 years. Recidivism rates of the inmates released during 2004 by age at release were statistically significant.
- Female releases between 17-34 years of age had a recidivism rate of 46% compared to 34% of inmates released between the ages of 35-78 years.
- 49% of male inmates between 17-34 years of age and 39% between 35-78 years of age recidivated within three years of their release to the street.
- These findings remain consistent with research that older inmates are less likely to recidivate.

### Offense Statistics

#### Recidivism Rates by Offense Category and Gender

Offense Category	Males		Females		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Person	771	48%	143	34%	914	46%
Sex	179	21%	5	0%	184	20%
Property	224	62%	188	45%	412	54%
Drug	332	35%	187	42%	519	38%
Other	81	44%	234	39%	315	41%
Total	1,587	44%	757	40%	2,344	43%

- The recidivism rate for property offenders was higher than other offense types for both male and female releases.
- The recidivism rate for male property offenders was 62%, followed by person offenders who recidivated at a rate of 48%.
- The recidivism rate for female property offenders was 45%, followed by drug offenders with a recidivism rate of 42%.
- The difference in recidivists and non-recidivists groups was found to be significant when broken out by offense type for males and for the total release cohort.

#### **Recidivism Rates by Violent Offense and Gender**

Offense Type	Males		Females		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Violent	950	43%	148	33%	1,098	42%
Non-Violent	637	46%	609	42%	1,246	44%
Total	1,587	44%	757	40%	2,344	43%

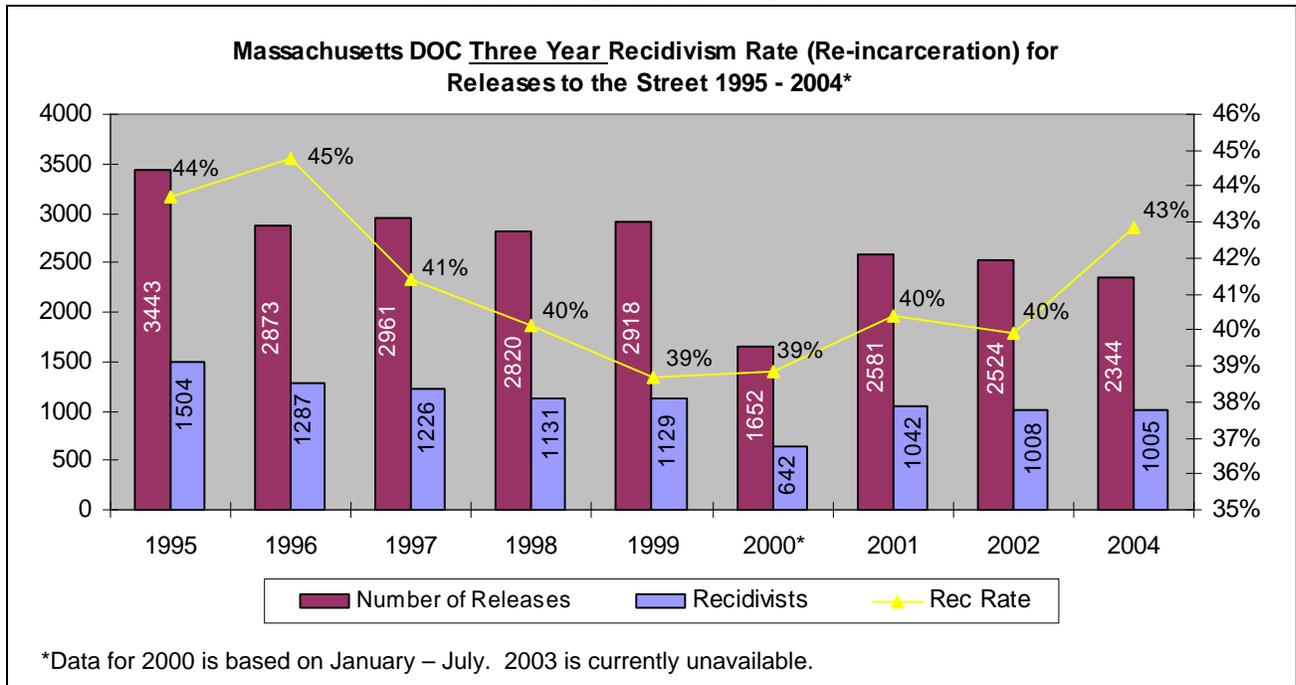
Non-violent offenders released during 2004 had a recidivism rate of 44% compared to a rate of 42% for violent offenders. This disparity is largely due to high recidivism rates among property offenders, and to a lesser degree, drug offenders.

#### **Recidivism Rates for Mandatory Drug Offenders and Gender**

Drug Offense Type	Male		Female		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Non-Mandatory Drug Offense	134	40%	166	43%	300	42%
Mandatory Drug Offense	198	31%	21	33%	219	32%
Total	332	35%	187	42%	519	38%

Of the 519 inmates who were serving a governing drug offense at the time of their release, forty-two percent were serving a mandatory drug sentence (n = 219). Mandatory drug offenders had a recidivism rate that was significantly lower than the rate of non-mandatory drug offenders, recidivating at a rate of 32%, compared to a recidivism rate of 42% for non-mandatory drug offenders. The average time served for drug offenders was 27 months. The non-mandatory drug offenders on average were incarcerated for 16.8 months, compared to mandatory drug offenders who were incarcerated on average for 41.2 months.

## Recidivism Trends 1995-2004



After a decline between 1995 and 1997, the rate of recidivism remained fairly consistent, hovering around 40% between 1997 and 2002 until a slight increase to 43% in 2004.

### ***Technical Violations Discussion***

A recidivist is defined as any criminally sentenced inmate released to the street from a DOC facility during 2004 who is re-incarcerated for a new sentence or violation of parole or probation to a Massachusetts State or County facility or to a Federal facility within three years of his/her release. Types of re-incarceration include technical violation of parole, parole violation with a new offense, return to county custody, return to state or federal custody, technical violation of probation, and probation violation with a new offense. An inmate, who is re-incarcerated due to a technical violation of parole or probation, is re-incarcerated for violating the terms of the conditions set forth regarding their release in the community, not for committing a new offense. A non-technical violation would be a parole or probation violation with a new offense, or a new court commitment to a facility.

The table below provides a comparison of the recidivism rates of inmates released during 2004, including and excluding re-incarcerations for technical violations. In order to calculate the recidivism rate excluding technical violations of parole or probation, the inmate's first non-technical re-incarceration within three years of their release was used. Please note, inmates who were returned for a technical violation were incarcerated for a period of time during the three-year follow up period, diminishing the likelihood of a non-technical return.

### Recidivism Rates Including and Excluding Re-incarcerations for Technical Violations

Three Year Re-incarceration Recidivism Rates <u>Excluding</u> Technical Violations									
Gender	Number of Releases	1st Year		2nd Year		3rd Year		Total	
		Rec	Rate	Rec	Rate	Rec	Rate	Rec	Rate
Female	757	113	15%	100	13%	53	7%	266	35%
Male	1587	244	15%	231	15%	116	7%	591	37%
<b>Total</b>	<b>2,344</b>	<b>357</b>	<b>15%</b>	<b>331</b>	<b>14%</b>	<b>169</b>	<b>7%</b>	<b>857</b>	<b>37%</b>

Three Year Re-incarceration Recidivism Rates <u>Including</u> Technical Violations									
Gender	Number of Releases	1st Year		2nd Year		3rd Year		Total	
		Rec	Rate	Rec	Rate	Rec	Rate	Rec	Rate
Female	757	165	22%	90	12%	50	7%	305	40%
Male	1587	351	22%	241	15%	108	7%	700	44%
<b>Total</b>	<b>2,344</b>	<b>516</b>	<b>22%</b>	<b>331</b>	<b>14%</b>	<b>158</b>	<b>7%</b>	<b>1,005</b>	<b>43%</b>

- Of the 1,005 inmates who were a recidivist using the definition including technical violations, 214 were re-incarcerated for a technical parole or probation violation. One hundred and ninety-four were technical parole violations and 20 were technical violations of probation.
- Of the 214 inmates who returned for a technical violation, 66 of them had another return within the three-year period that was used when determining the recidivism rate excluding technical violations.
- Overall, the recidivism rate decreased by 6%, from 43% to 37% when excluding technical violations. The recidivism rate for female inmates decreased from a rate of 40% to a rate of 35%. Male inmates experienced a more pronounced decline in recidivism rates, decreasing from 44% to 37% when excluding technical violations.
- Majority of technical violations occurs within the first year of release. When excluding technical violators in the first year, the recidivism rate was 15%, when they were included, the recidivism rate increased to 22%. For the second and third year there was no difference in the total recidivism rate when including technical violators.

## Definitions

County Sentence	<p>Prior to the “Truth in Sentencing” law, if an offender is sentenced to the House of Correction, the term shall be two and a half years or less. Parole eligibility and discharge are based on the maximum term of a sentence.</p> <p>Under the “new” law, discharge on this sentence will change because of the elimination of statutory good time. There is no change in the parole eligibility date.</p>
First Release	Inmates who have not been previously released to the street from their current commitment number.
Governing Offense	The governing offense is the offense associated with the longest maximum release date.
Length of Incarceration/time served	Length of incarceration represents the number of days between the inmate’s most recent commitment on their current incarceration and their release to the street.
Lower Security	Lower security includes minimum, minimum pre-release, state pre-release, and contract pre-release facilities.
Mandatory Drug Offenders	Inmates serving a governing drug sentence that carries a mandatory minimum term.
Offense category	Offense categories include person, property, sex, drug, and other and Offense category represents the inmates governing offense.
Race	The race categories self reported and used in this report include: Caucasian, African American/Black, Asian, Hawaiian-Pacific Islander, and American Indian-Alaska Native. Inmates who report a Hispanic ethnicity are reported as Hispanic in the race categories.
Recidivism Rate	Number of inmates re-incarcerated within three years of their release to the street divided by the number of inmates released.
State Prison Sentence	<p>Prior to the “Truth in Sentencing” law, if an offender is sentenced to the State Prison, except for life or as a habitual criminal, the court shall not fix the term of imprisonment, but shall fix a maximum and minimum term for which he/she may be imprisoned. The minimum term shall not be less than two and a half years. All sentences that have a finite maximum term are eligible to have the term reduced by statutory good time, except for most sex offenses, crimes committed while confined and certain “mandatory” sentences.</p> <p>In the “new law”, all state sentences have a minimum and a maximum term, unless an inmate is sentenced for life or as a habitual criminal. The minimum term is used to determine parole eligibility, and the maximum term is used to determine discharge.</p> <p>Under both the “old” and “new” sentencing systems, an inmate is discharged from his/her sentence at the expiration of his term, less any statutory or earned good time. Under the “new” system none of the reduction will be attributable to statutory good time.</p>
Violent/Non-violent Offense	Person and sex offenses are combined into the category ‘Violent Offenses’. Property, drug, and ‘other’ offenses are categorized into ‘Non-violent’ offenses.

This Research Brief was written by Ashley Montgomery, Research Analyst. Any comments or questions can be addressed by e-mail: [Research@doc.state.ma.us](mailto:Research@doc.state.ma.us). The contributions of Hollie Matthews, Senior Research Analyst were significant and greatly appreciated. Copies of publications from the Office of Strategic Planning & Research can be found on [www.mass.gov/doc](http://www.mass.gov/doc).