

Massachusetts Department of Correction
Luis S. Spencer, Commissioner
ONE YEAR RECIDIVISM RATE: 2011 RELEASE COHORT

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INTRODUCTION

Data presented in this research brief represents recidivism statistics and administrative data for 2,279 criminally sentenced inmates released to the street from the Massachusetts Department of Correction during calendar year 2011 via expiration of sentence or parole to the street. Each release during the year is counted, making it possible for one inmate to be included multiple times. The Massachusetts Department of Correction (MADOC) defines a recidivist as any criminally sentenced inmate released to the street from MADOC jurisdiction who is re-incarcerated in a Massachusetts state or county facility or to a federal facility for a criminal sentence within one year of their release to the street¹. 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 Massachusetts Board of Probation (BOP). The criminal activity of inmates released to the street during 2011 was tracked through the Massachusetts Criminal Justice Information System (CJIS) to determine any re-incarceration within three years of the inmates release to the street. 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 a Massachusetts state facility, new court commitment to a federal facility, technical violation of probation, or probation violation with new offense.

Technical Violations²

A recidivist is defined as any criminally sentenced inmate released to the street from the MADOC during 2011 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 one year 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 return would include a parole or probation violation with a new offense, or a new court commitment to a facility. When reporting on the recidivism rates for offenders released on parole, it is important to note that a portion of the paroled offenders

¹ Prior to the 2009 recidivism collection, data was collected specifically on inmates released to the street from DOC facilities (custody). Starting in 2008, the cohort will also include DOC inmates released from county, federal and out of state facilities. In 2011, there were 62 DOC inmates released to the street from non-DOC facilities.

² Inmates released on parole and/or probation are supervised in the community upon release and can be re-incarcerated for violating the terms of their supervision.

re-incarcerated within the three-year period are no longer under parole supervision at the time they recidivate.

OVERVIEW OF 2011 RELEASE TO THE STREET POPULATION

Demographics

- Of the 2,279 released inmates, 1,588 (70%) were male and 691 (30%) were female.
- Nineteen percent of the inmates were paroled to the street (n = 430), while 1,849 (81%) were released via expiration of sentence.
- The largest number of releases were Caucasian (n = 1,182) followed by Hispanic (n = 533) and African American/Black (n = 518). The remaining releases reported races of Asian, Native American/Alaskan Native, and Other (n = 46).
- The mean age at time of incarceration for this cohort of inmates was 33.3 years.
- Female inmates were slightly older than males at time of incarceration, 34.1 years and 33 years, respectively.
- The mean age of inmates at time of release was 36.1 years.
- Male inmates were older than females at time of release, 36.6 years of age and 34.9 years of age, respectively, due to males generally having longer prison sentences.

Offense Data

- Forty-one percent of the male inmates were serving a governing person offense, followed by drug offense (32%), property offense (11%), ‘other’ offense (9%) and sex offense (7%).
- Thirty-seven percent of the female releases were serving a governing property offense, followed by ‘other’ offense (26%), person offense (19%), drug offense (17%), and sex offense (1%).
- Forty-seven percent of governing drug offenses carried a mandatory minimum term, including 54% of the male governing drug offenses and 16% of the female governing drug offenses.

Sentencing Data

- The average length of incarceration³ for all releases was 33.1 months.
- The average length of incarceration for males was 43 months, compared to 8.8 months for females. This number differs significantly because of the amount of females that serve a county sentence within the Massachusetts Department of Correction.
- The majority of the males (65%) were released from a higher security facility; 51% from a medium security facility and 14% from a maximum security facility. The remaining 35% of the males were released from a lower security facility (minimum or pre-release).
- The majority of the females were released⁴ from a medium security facility (69%), while 31% were released from a lower security facility.

³ Length of incarceration is defined as the number of days between the inmate’s most recent incarceration and their release to the street. This includes new court commitments, county inmates sentenced from the court to serve a county sentence in a state facility, parole violations, and probation violations on their current incarceration. This may be different than their entire “time served.”

⁴ There is no maximum security facility for female offenders in the MADOC.

Table 1 provides a comparison of the recidivism rates of inmates released during 2011, 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 one year of their release was used. Please note inmates who were returned for a technical violation were incarcerated for a period of time during the one-year follow up period, diminishing the likelihood of a non-technical return.

One-Year Recidivism Rates Including and Excluding Re-Incarcerations for Technical Violations by Type of Release and Gender

Table 1:

Recidivism Rates by Release Type and Gender - <u>Excluding</u> Technical Violations of Parole or Probation									
	Males			Females			Total		
Release Type	Number Releases	Rec	Rate	Number Releases	Rec	Rate	Number Releases	Rec	Rate
Parole To Street	320	14	4%	110	5	5%	430	19	4%
Expiration of Sentence	1,268	118	9%	581	88	15%	1,849	206	11%
Total Releases	1,588	132	8%	691	93	13%	2,279	225	10%
Recidivism Rates by Release Type and Gender - <u>Including</u> Technical Violations of Parole or Probation									
	Males			Females			Total		
Release Type	Number Releases	Rec	Rate	Number Releases	Rec	Rate	Number Releases	Rec	Rate
Parole To Street	320	112	35%	110	30	27%	430	142	33%
Expiration of Sentence	1,268	118	9%	581	95	16%	1,849	213	12%
Total Releases	1,588	230	14%	691	125	18%	2,279	355	16%

Offenders released to the street with parole conditions are supervised for a period of time while in the community. Paroled offenders who do not adhere to the conditions of their release can have their parole revoked and can be re-incarcerated. A parole revocation can result from technical violation of the terms of release, or can result from the commission of a crime. By virtue of being under supervision in the community an offender may have a higher likelihood of re-incarceration.

- Inmates paroled to the street had a notably higher recidivism rate (33%) than the recidivism rate of inmates released expiration of sentence (12%). The role of supervision to prevent future criminality suggests a reason for higher rates for paroled offenders with the vast majority of re-incarcerations occurring as a result of a technical violation of parole conditions.
- Of the 355 inmates who were recidivists using the definition including technical violations, 135 were re-incarcerated for a technical parole or probation violation. One hundred and twenty-eight were technical parole violations and 7 were technical violations of probation.
- Of the 135 inmates who returned for a technical violation, 5 of them had another return within the one-year period that was used when determining the recidivism rate excluding technical violations. The small number is likely due to the fact that most offenders re-

incarcerated for a technical violation will remain incarcerated for the one-year follow up, thus decreasing the opportunity to re-offend.

- Overall, the recidivism rate decreased by 6 percentage points, from 16% to 10% when excluding technical violations, with offenders paroled to the street experiencing the largest decrease from 33% to 4%.

One-Year Recidivism Rates by Post Release Supervision

Table 2:

Supervision Type	Males		Females		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Parole Only	194	36%	73	27%	267	33%
Probation Only	549	14%	216	23%	765	16%
Both Parole and Probation	126	34%	37	27%	163	33%
No Supervision	719	6%	365	12%	1,084	8%
Total Releases	1,588	14%	691	18%	2,279	16%

- Of the 2,279 inmates being released to the street, those being released with both parole and probation or parole only had the highest recidivism rate (33%), followed by those released with probation only (16%). Those being released with no supervision had the lowest recidivism rate (8%). This suggests that those under parole supervision have a higher likelihood of recidivating due to increased supervision.
- When examining male releases, those released on parole only had the highest recidivism rate (36%), whereas males being released with no supervision had the lowest recidivism rate (6%).
- For female releases, those being released with both parole and probation or parole only had the highest recidivism rates (27%) and those being released with no supervision had the lowest recidivism rates (12%).

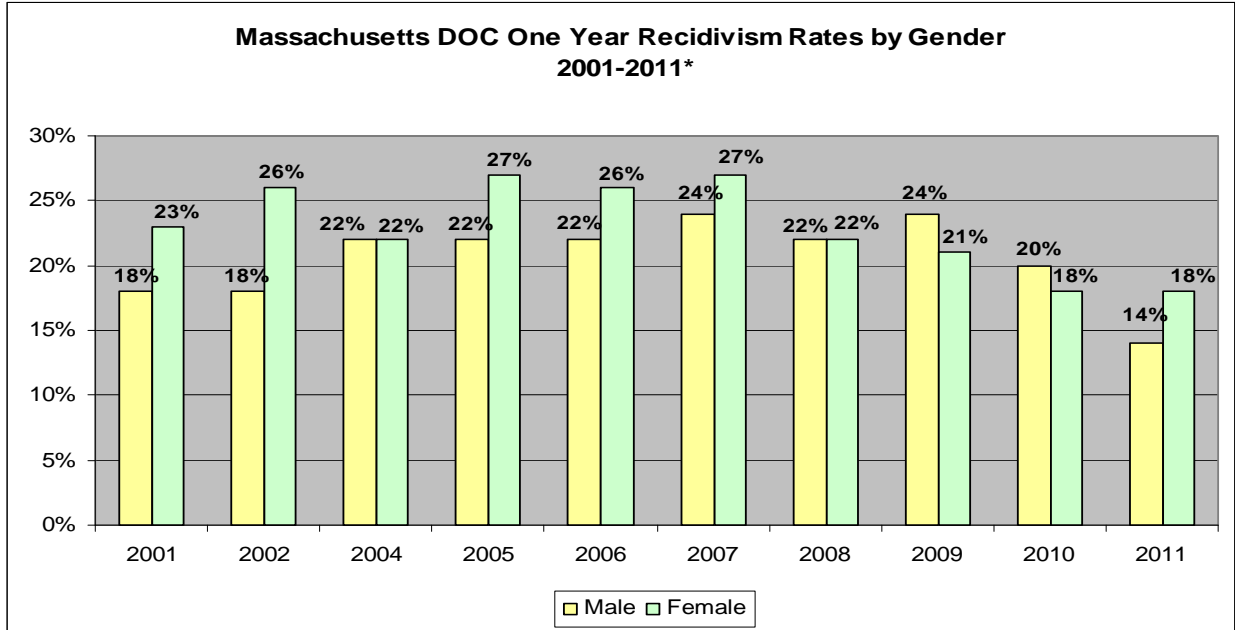
One-Year Recidivism Rates by Offense Category and Gender

Table 3:

Offense Category	Males		Females		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Property	176	20%	254	19%	430	20%
Person	646	18%	132	17%	778	18%
Other	150	11%	182	21%	332	16%
Drug	511	11%	116	14%	627	12%
Sex	105	3%	7	n.a.	112	3%
Total Releases	1,588	14%	691	18%	2,279	16%

- The highest recidivism rate for male releases was property offenders who recidivated at a rate of 20%, followed by person offenders (18%).
- The highest recidivism rate for female releases was those who committed an 'other' offense with a recidivism rate of 21%, followed by property offenders (19%).

Figure 1:

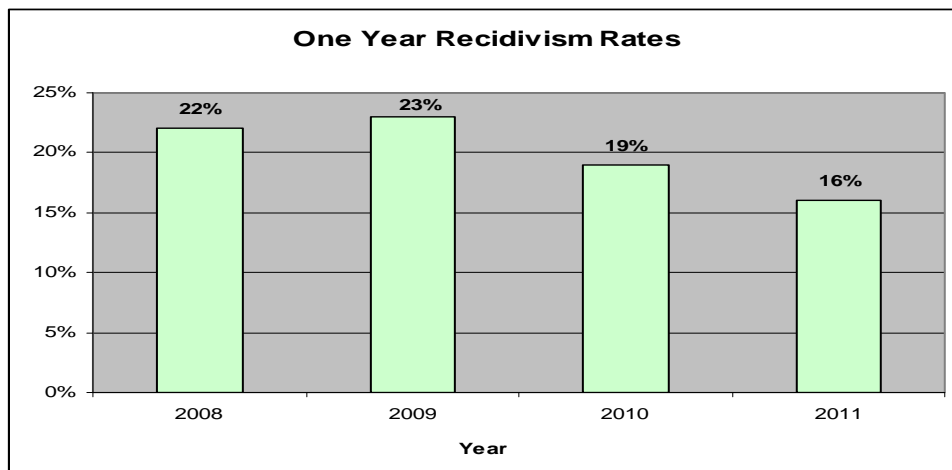


*Note: 2003 data is currently unavailable. 2011 is based on preliminary results.

The male recidivism rate remained consistent at 18% for the 2001 and 2002 release cohort before increasing by 4 percentage points in 2004 (22%). The male recidivism rate ranged between 22% and 24% from 2004 through 2009. There was a notable decline for the 2010 release cohort (20%) before dramatically decreasing again by 6 percentage points in 2011 (14%).

The female recidivism rate showed less consistency than their male counterparts with a larger range of 22% to 26% between 2001 and 2004. There was a sharp increase between 2005 and 2007 where the rate hovered between 26% and 27%. The female recidivism rate would then steadily decline beginning in 2008 through 2011, starting the trend period at 22% and ending at 18%, a decrease of 4 percentage points.

Figure 2:



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 (passed in 1994), discharge on this sentence will change because of the elimination of statutory good time. There is no change in the parole eligibility date.</p>
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 incarceration which represents a new court commitment including county inmates sentenced from the court to serve a county sentence, parole violation, and probation violation on their current incarceration and their release to the street.
Lower Security	Lower security includes minimum, 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 one year 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>

This Research Brief was written by Gina Papagiorgakis, Research Analyst. Any comments or questions can be addressed by e-mail: Research@doc.state.ma.us. The contributions by Melanie Arenson, Northeastern Co-op Research Intern were significant and greatly appreciated. Copies of publications from the Research and Planning Division can be found on www.mass.gov/doc.