

Massachusetts Department of Correction
Carol Higgins O'Brien, Commissioner
ONE YEAR RECIDIVISM RATES: 2013 RELEASE COHORT

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November 2015

INTRODUCTION

Data presented herein represents recidivism statistics and administrative data for 2,530 criminally sentenced inmates released to the community from the Massachusetts Department of Correction during calendar year 2013 via expiration of sentence or parole to the street¹. Each release during the year is counted, making it possible for one inmate to be included multiple times. The Massachusetts Department of Correction (MA DOC) defines a recidivist as any criminally sentenced inmate released to the community from MA DOC jurisdiction who is re-incarcerated in a Massachusetts state, county or a federal facility for a criminal sentence within one year of their release to the community. 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). Data is based off of information available at time of data collection. Data is subject to change in future reports as information is updated. The criminal activity of inmates released to the community during 2013 was tracked through the Massachusetts Criminal Justice Information System (CJIS) to determine any re-incarceration within one year of the inmate's release to the community. 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, state facility or 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 community from the MA DOC during 2013 who is re-incarcerated for a new sentence or violation of parole or probation to a Massachusetts state, county facility or 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 re-incarcerated within the one-year period are no longer under parole supervision at the time they recidivate.

¹ Starting in 2008, the cohort includes MA DOC inmates released from county, federal and out of state facilities. In 2013, there were 105 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.

OVERVIEW OF 2013 RELEASE TO THE STREET POPULATION

Demographics

- Of the 2,530 releases, 1,968 (78%) were male and 562 (22%) were female.
- Twenty-eight percent of the inmates were paroled to the street (n = 711), while 1,819 (72%) were released via expiration of sentence.
- The largest number of releases were Caucasian (n = 1,288) followed by African American/Black (n = 598) and Hispanic (n = 587). The remaining releases reported races of Asian, Native American/Alaskan Native, and Other (n = 57).
- The mean age at time of commitment to the MA DOC for this cohort of inmates was 33.0 years old.
- Female inmates were slightly older than males at time of commitment, 34.4 years old and 32.6 years old, respectively.
- The mean age of inmates at time of release was 36.6 years old.
- Male inmates were older than females at time of release, 36.9 years of age and 35.3 years of age, respectively, due to males generally having longer prison sentences.

Offense Data

- Forty-two percent of the male inmates were serving a governing person offense, followed by drug offense (28%), 'other' offense (12%), property offense (11%) and sex offense (8%).
- Thirty-four percent of the female releases were serving a governing property offense, followed by 'other' offense (24%), person offense (23%), drug offense (18%), and sex offense (1%).
- Fifty-five percent of governing drug offenses carried a mandatory minimum term, including 60% of the male governing drug offenses and 23% of the female governing drug offenses.

Sentencing Data

- The average length of incarceration³ for all releases was 41.1 months.
- The average length of incarceration for males was 49.6 months, compared to 11.4 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 (61%) were released from a higher security facility; 47% from a medium security facility and 14% from a maximum security facility. The remaining 39% 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 (63%), while 37% 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 community. 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 MA DOC.

Table 1 provides a comparison of the recidivism rates of inmates released during 2013, 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	554	35	6%	157	10	6%	711	45	6%
Expiration of Sentence	1,414	158	11%	405	57	14%	1,819	215	12%
Total Releases	1,968	193	10%	562	67	12%	2,530	260	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	554	146	26%	157	48	31%	711	194	27%
Expiration of Sentence	1,414	160	11%	405	58	14%	1,819	218	12%
Total Releases	1,968	306	16%	562	106	19%	2,530	412	16%

Offenders released to the community 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 (27%) than the recidivism rate of inmates released expiration of sentence (12%), including those with technical violations. 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 412 inmates who were recidivists using the definition including technical violations, 159 were re-incarcerated for a technical parole or probation violation. One hundred and fifty-four were technical parole violations and 5 were technical violations of probation.
- Of the 159 inmates who returned for a technical violation, 7 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 27% to 6%.

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	350	27%	90	30%	440	27%
Probation Only	725	15%	152	17%	877	16%
Both Parole and Probation	204	26%	67	31%	271	27%
No Supervision	689	7%	253	13%	942	8%
Total Releases	1,968	16%	562	19%	2,530	16%

- Of the 2,530 inmates being released to the community, those being released on parole only or both parole and probation had the highest recidivism rate (both 27%), 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 (27%), whereas males being released with no supervision had the lowest recidivism rate (7%).
- For female releases, those being released with both parole and probation supervision had the highest recidivism rates (31%) and those being released with no supervision had the lowest recidivism rate (13%).

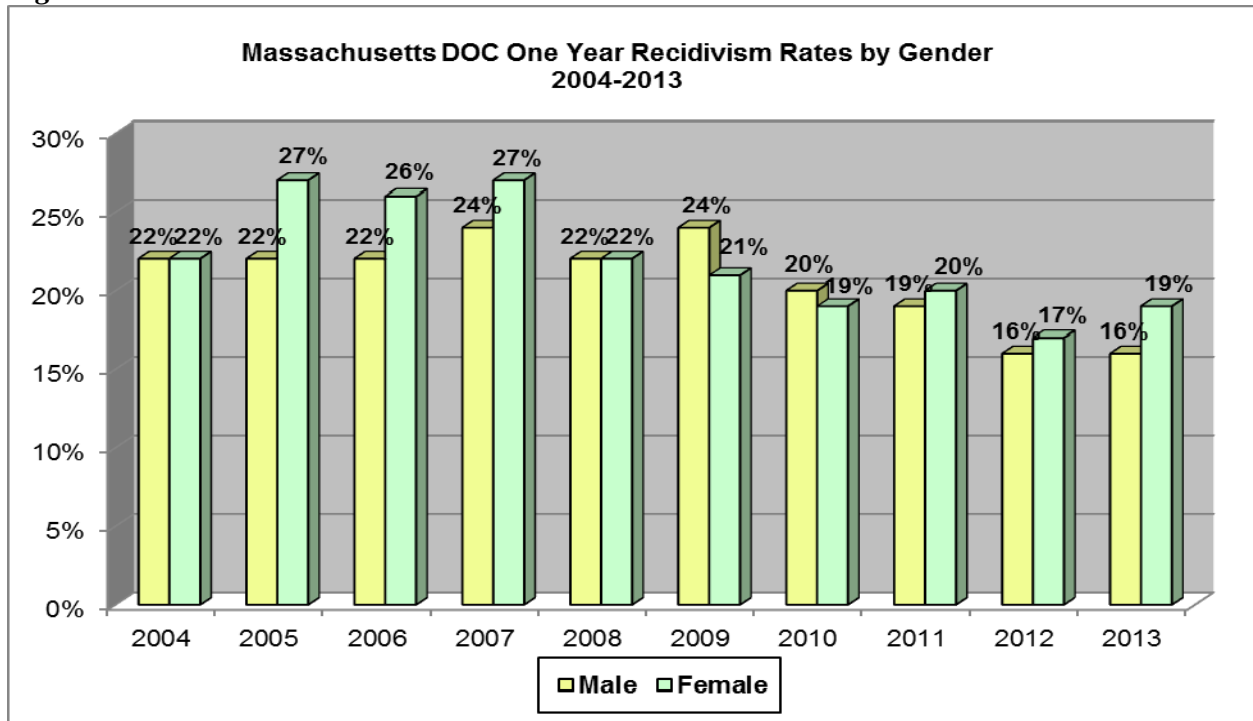
One-Year Recidivism Rates by Offense Category and Gender

Table 3:

Offense Category	Males		Females		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Property	219	23%	191	23%	410	23%
Person	821	19%	128	20%	949	19%
Other	232	16%	136	15%	368	15%
Drug	541	11%	101	15%	642	11%
Sex	155	5%	6	n.a.	161	6%
Total Releases	1,968	16%	562	19%	2,530	16%

- The highest recidivism rate for male releases was property offenders who recidivated at a rate of 23%, followed by person offenders (19%) and those who committed an ‘other’ offense (16%).
- The highest recidivism rate for female releases was also property offenders with a recidivism rate of 23%, followed by person offenders (20%). Both drug and ‘other’ female releases had a recidivism rate of 15%.

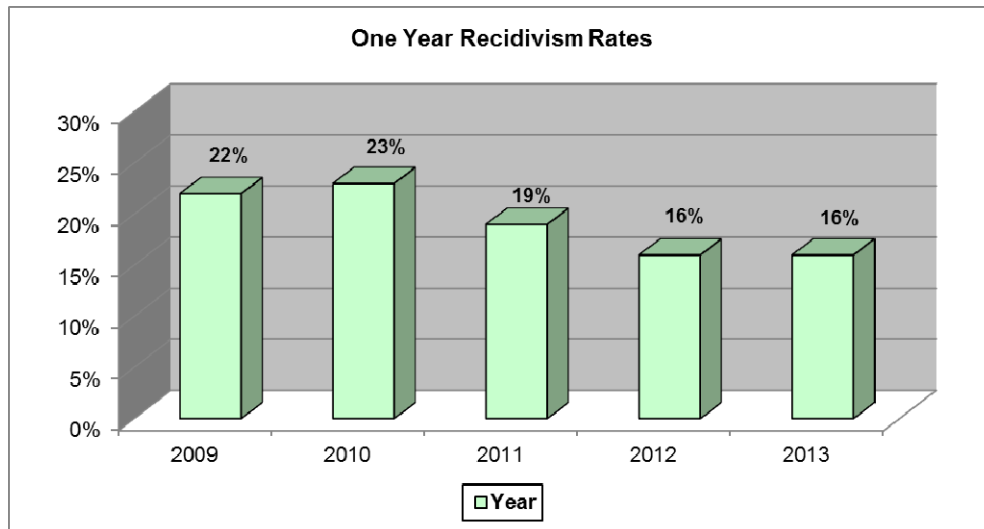
Figure 1:



The male recidivism rate ranged between 22% and 24% from 2004 through 2009. There was a notable decline for the 2010 release cohort (20%) as well as 2011 (19%) before dramatically decreasing again by 3 percentage points in 2012 and 2013 (16%). These rates may change as court information continues to update.

The female recidivism rate showed less consistency than their male counterparts with a larger range of 22% to 27% between 2004 and 2008. The female recidivism rate then steadily declined beginning in 2009 through 2011. The rate then showed a stark decrease in 2012 (17%) before spiking 2 percentage points to 19% to end the trend period in 2013.

Figure 2:



The overall recidivism rates for 2009 and 2010 remained nearly stagnant before decreasing by 3 percentage points in 2011 (19%). This rate continued to decrease in 2012 and 2013, likely due to fewer parole releases and various reentry efforts including case management and initiatives to promote releases from lower security.

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 (enacted 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	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 community.
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/Ethnicity	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 category.
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 Amanda Zaniewski, Northeastern Co-op, and the Classification Division are greatly appreciated. Copies of publications from the Research and Planning Division can be found on www.mass.gov/doc.