

Massachusetts Department of Correction
Thomas A. Turco III, Commissioner
ONE YEAR RECIDIVISM RATES: 2015 RELEASE COHORT

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INTRODUCTION

Data presented herein represents recidivism statistics and administrative data for 2,494 criminally sentenced inmates released to the community from the Massachusetts Department of Correction (MA DOC) during calendar year 2015 via expiration of sentence or parole to the community. Each release during the year is counted, making it possible for one inmate to be included multiple times¹. For the purposes of this report, the 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 inmate demographics, governing offense, release type, and sentence information.

METHODOLOGY

Information for this brief was gathered from the MA DOC Inmate Management System (IMS) and the Massachusetts Board of Probation (BOP). Data is derived from information available at the 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 2015 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. It is important to note that an inmate may be dropped from the study for one of various reasons, including not having been released directly to the community upon further examination or death prior to the close of the follow-up period.

OVERVIEW OF 2015 RELEASE TO THE COMMUNITY POPULATION

Demographics

- Of the 2,494 releases, 1,976 (79%) were male and 518 (21%) were female.
- Twenty-nine percent of the inmates were paroled to the community (n=720), while 1,774 (71%) were released via expiration of sentence.
- The largest number of releases were Caucasian/White (n=1,213) followed by African American/Black (n=625) and Hispanic (n=596). The remaining releases reported races of Asian, Native American/Alaskan Native, and Other (n=60).
- The average age at time of commitment to the MA DOC for this cohort of inmates was 33 years old.
- Female inmates were slightly older than males at time of commitment, 34 years old and 33 years old, respectively.
- The average age of inmates at time of release was 37 years old.

¹ In 2015, there were 58 inmates who had multiple releases on the same commitment number within the calendar year.

- Male inmates were older than females at time of release, 38 years of age and 35 years of age, respectively, due to males generally having longer prison sentences.

Offense/Sentencing Data

- Forty-three percent of the male inmates were serving a governing person offense, followed by drug offense (25%), property offense (14%), ‘other’ offense (12%) and sex offense (7%).
- Thirty-three percent of the female releases were serving a governing property offense, followed by person offense (25%), ‘other’ offense (21%), drug offense (20%) and sex offense (1%).
- Forty-seven percent of governing drug offenses among releasing inmates carried a mandatory minimum term, including 54% of the male governing drug offenses and 15% of the female governing drug offenses.
- The majority of the males (58%) were released from a higher security facility; 46% from a medium security facility and 12% from a maximum security facility. The remaining 42% of the males were released from a lower security facility (minimum or pre-release).
- The majority of the females were released² from a medium security facility (60%), while 40% were released from a lower security facility.

TECHNICAL VIOLATIONS³

A recidivist is defined as any criminally sentenced inmate released to the community from the MA DOC during 2015 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 a new arraignment. A non-technical return would include a parole or probation violation resulting from a new arraignment. When reporting on the recidivism rates for inmates released on probation, it is important to note that an inmate is only deemed a probation violator if they are released from a split sentence; probation violators are mainly county sentenced, thus there are a small number of inmates who can recidivate as a probation violator using that definition. Those who release with a probation term (not a split sentence) and are re-incarcerated are considered new commitments.

Table 1, on the following page, provides a comparison of the recidivism rates of inmates released during 2015, 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.*

² There is no maximum security facility for female inmates in the MA DOC.

³ 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.

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 Community	601	38	6%	119	5	4%	720	43	6%
Expiration of Sentence	1,375	139	10%	399	53	13%	1,774	192	11%
Total Releases	1,976	177	9%	518	58	11%	2,494	235	9%
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 Community	601	171	29%	119	31	26%	720	202	28%
Expiration of Sentence	1,375	139	10%	399	56	14%	1,774	195	11%
Total Releases	1,976	310	16%	518	87	17%	2,494	397	16%

Inmates released to the community with parole conditions are supervised for a period of time while in the community. Paroled inmates 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 arraignment of a new crime. By virtue of being under supervision in the community an inmate may have a higher likelihood of re-incarceration.

- When including technical violations of parole and probation, inmates paroled to the community had a notably higher recidivism rate (28%) than the recidivism rate of inmates released via expiration of sentence (11%). The role of supervision to prevent future criminality suggests a reason for higher rates for paroled inmates with the vast majority of re-incarcerations occurring as a result of a technical violation of parole conditions.
- Of the 397 inmates who were recidivists using the definition including technical violations, 165 were re-incarcerated for a technical parole or probation violation. One hundred and sixty-one were technical parole violations and four were technical violations of probation.
- Of the 165 inmates who returned for a technical violation, three of them had another return within the one year period that was used when determining the recidivism rate excluding technical violations. This small number is likely due to the fact that most inmates 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 seven percentage points, from 16% to 9% when excluding technical violations, with inmates paroled to the community decreasing the from 28% to 6% while releases via expiration of sentence remained the same at 11%.

One Year Recidivism Rates by Post Release Supervision

Table 2:

	Males		Females		Total	
Supervision Type	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Parole Only	380	27%	67	31%	447	28%
Probation Only	722	12%	156	18%	878	13%
Parole and Probation	221	31%	52	19%	273	29%
No Supervision	653	9%	243	12%	896	9%
Total Releases	1,976	16%	518	17%	2,494	16%

- Of the 2,494 inmates being released to the community, those being released with both parole and probation supervision had the highest recidivism rate (29%), followed by those released with parole only (28%) and probation only (13%). Those being released with no supervision had the lowest recidivism rate (9%).
- When examining male releases, those released on parole and probation had the highest recidivism rate (31%), whereas males being released with no supervision had the lowest recidivism rate (9%). The male rates mirrored the overall numbers more closely than female releases as they made up the larger number of releases.
- For females, those being released with parole supervision only had the highest recidivism rate (31%), followed by both parole and probation (19%), and probation only (18%). Those released with no supervision had the lowest recidivism rate (12%).

One Year Recidivism Rates by Offense Category and Gender⁴

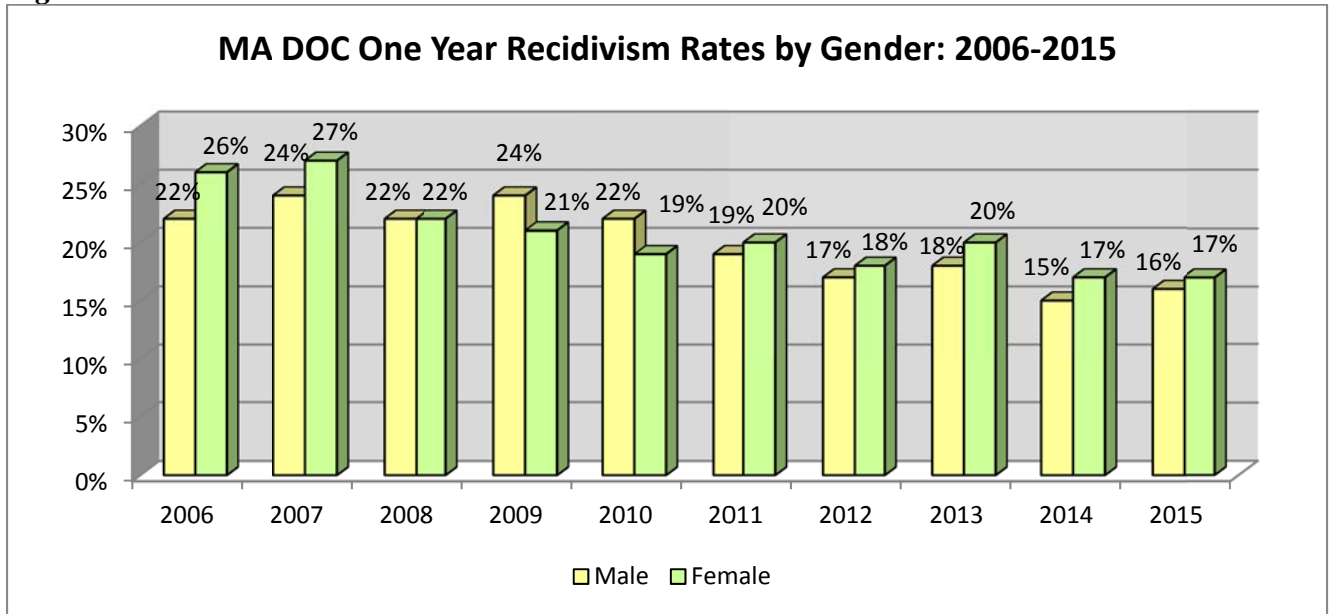
Table 3:

	Males		Females		Total	
Offense Category	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Property	270	23%	171	22%	441	22%
Person	845	17%	128	20%	973	18%
Drug	496	14%	103	10%	599	13%
Other	230	13%	109	12%	339	13%
Sex	135	2%	7	n.a.	142	3%
Total Releases	1,976	16%	518	17%	2,494	16%

- The offense category with the highest recidivism rate for male releases was property offenders who recidivated at a rate of 23%, followed by person offenders (17%), drug offenders (14%) and ‘other’ offenders (13%). This is fairly consistent with previous years reported.
- Female releases with the highest recidivism rate were also property offenders with a recidivism rate of 22%, followed by person offenders (20%) and ‘other’ offenders (12%).

⁴ For releases where the numeric value was less than 20, recidivism rates were not reported in the table.

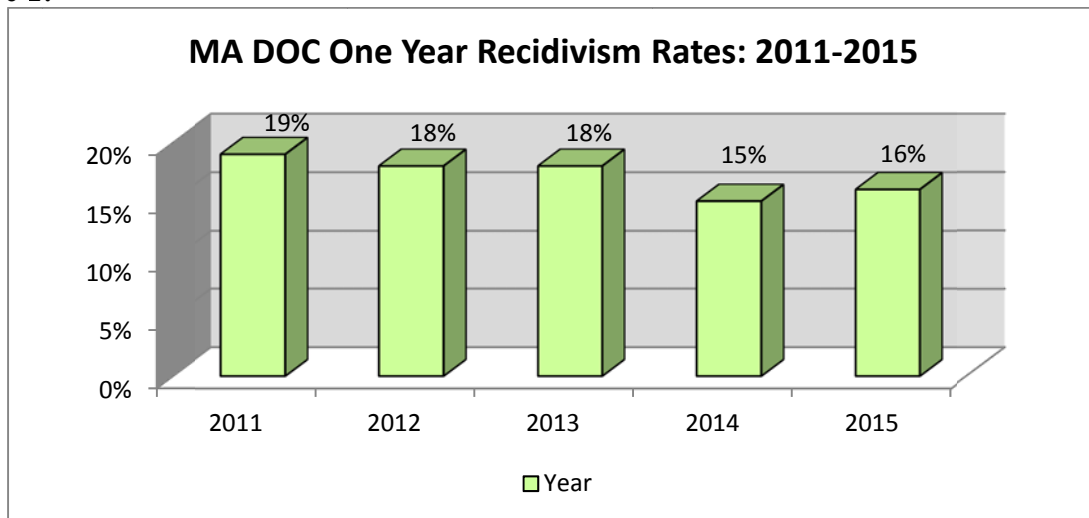
Figure 1:



The male recidivism rate remained fairly consistent from 2006 through 2010, ranging between 22% and 24%. There was a notable decline for the 2011 release cohort with a decrease to 19%. The decline in recidivism rates continued steadily through 2015, ending the trend with a male one year recidivism rate of 16%, a substantial decrease from the rates seen in the first half of the trend period. These rates may change as court information continues to update.

During the first two years of the trend period, females had a higher recidivism rate than their male counterparts. In 2008, the female rate experienced a steep decline to 22%, equaling the male rate for that year. Despite some fluctuation, the female recidivism rate has been experiencing a downward trend, ending the trend period with a rate of 17% for the 2015 release cohort.

Figure 2:



The overall recidivism rate peaked at the beginning of the trend period at 19% in 2011 before slightly decreasing to a steady 18% in both 2012 and 2013. There was a three percentage point decrease in 2014 prior to ending the trend period in 2015 with a rate of 16%. It is important to note that the one year rates will likely change upon the publication of the corresponding three year rates due to updated court data available.

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	With respect to an individual who is incarcerated for multiple offenses, the governing offense is the offense that carries the longest maximum sentence.
Lower Security	Lower security includes minimum, pre-release, contract pre-release facilities, and electronic monitoring (ELMO).
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 community divided by the number of inmates released.
Recidivism Risk Score	On intake to the prison system, each inmate is given assessments to establish his/her Intake/Criminal History/Risk Scale Set. Components of the scale set are the General and Violent Recidivism Risk Scores which may be used to predict recidivism risk. The risk scores are based on a COMPAS Core scale (an automated risk need assessment tool). The amount of programming required for a given inmate is established based on a simplified scale of Low, Moderate or High recidivism risk inmates. The inmate’s most recent risk assessment data was used prior to his/her release to the community.
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, Senior Research Analyst. Any comments or questions can be addressed by e-mail: Research@doc.state.ma.us. Copies of publications from the Research and Planning Division can be found on www.mass.gov/doc.