

Massachusetts Department of Correction
Thomas A. Turco III, Commissioner
ONE YEAR RECIDIVISM RATES: 2016 RELEASE COHORT

Rhiana Kohl, PhD, Executive Director, Office of Strategic Planning and Research

Prepared by:

Gina Papagiorgakis, Senior Research Analyst

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INTRODUCTION

Data presented herein represents recidivism statistics and administrative data for 2,252 criminally sentenced inmates released to the community from the Massachusetts Department of Correction (MA DOC) during calendar year 2016 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 2016 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. Recidivism rates reflect data as of the date it was collected and may change as court information is updated.

OVERVIEW OF 2016 RELEASE TO THE COMMUNITY POPULATION

Demographics

- Of the 2,252 releases, 1,747 (78%) were male and 505 (22%) were female.
- Twenty-five percent of the inmates were paroled to the community (n=570), while 1,682 (75%) were released via expiration of sentence.
- The largest number of releases were Caucasian/White (n=1,094) followed by Hispanic (n=564) and African American/Black (n=542). The remaining releases reported races of Asian, Native American/Alaskan Native, and Other (n=52).
- The average age at time of commitment to the MA DOC for this cohort of inmates was 34 years old.
- Female inmates were slightly older than males at time of commitment, 35 years old and 33 years old, respectively.
- The average age of inmates at time of release was 37 years old.

¹ In 2016, there were 52 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 36 years of age, respectively, due to males generally having longer prison sentences.

Offense/Sentencing Data

- Forty-six percent of the male inmates were serving a governing person offense, followed by drug offense (23%), ‘other’ offense (13%), property offense (12%) and sex offense (7%).
- Thirty-one percent of the female releases were serving a governing property offense, followed by person offense (26%), ‘other’ offense (23%), drug offense (18%) and sex offense (2%).
- Forty-nine percent of governing drug offenses among releasing inmates carried a mandatory minimum term, including 57% of the male governing drug offenses and 14% of the female governing drug offenses.
- The majority of the males (64%) were released from a higher security facility; 48% from a medium security facility and 16% from a maximum security facility. The remaining 36% 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 (56%), while 44% 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 2016 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 2016, 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	446	29	7%	124	6	5%	570	35	6%
Expiration of Sentence	1,301	168	13%	381	41	11%	1,682	209	12%
Total Releases	1,747	197	11%	505	47	9%	2,252	244	11%
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	446	133	30%	124	34	27%	570	167	29%
Expiration of Sentence	1,301	168	13%	381	47	12%	1,682	215	13%
Total Releases	1,747	301	17%	505	81	16%	2,252	382	17%

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 (29%) than the recidivism rate of inmates released via expiration of sentence (13%). 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 382 inmates who were recidivists using the definition including technical violations, 145 were re-incarcerated for a technical parole or probation violation. One hundred and thirty-eight were technical parole violations and seven were technical violations of probation.
- Of the 145 inmates who returned for a technical violation, seven 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 six percentage points, from 17% to 11% when excluding technical violations. Inmates paroled to the community decreased from 29% to 6% while releases via expiration of sentence decreased by one percentage point, from 13% to 12%.

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	272	29%	77	30%	349	29%
Probation Only	702	18%	133	17%	835	18%
Parole and Probation	174	31%	47	23%	221	29%
No Supervision	599	7%	248	10%	847	8%
Total Releases	1,747	17%	505	16%	2,252	17%

- Of the 2,252 inmates being released to the community, those being released with parole only or both parole and probation supervision had the highest recidivism rates (29% each), followed by those released with probation only (18%). Those being released with no supervision had the lowest recidivism rate (8%).
- Males released on parole and probation had the highest recidivism rate (31%), whereas males being released with no supervision had the lowest recidivism rate (7%).
- Females released with parole supervision only had the highest recidivism rate (30%), followed by both parole and probation (23%), and probation only (17%). Those released with no supervision had the lowest recidivism rate (10%).

One Year Recidivism Rates by Governing Offense Category and Gender⁴

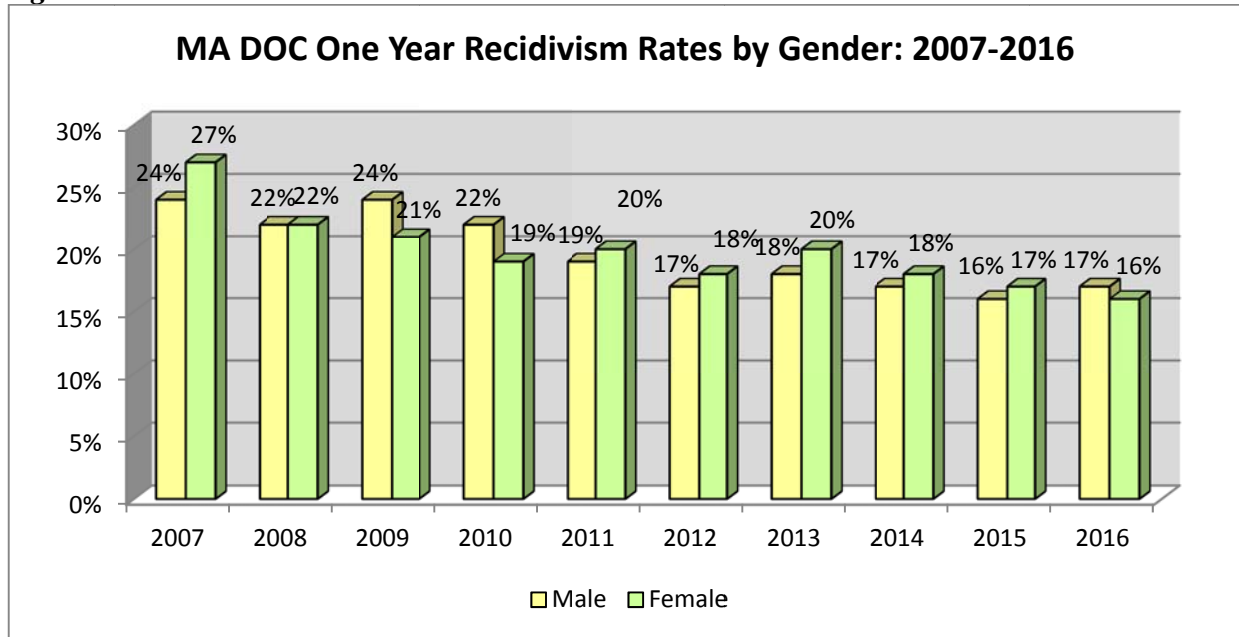
Table 3:

Offense Category	Males		Females		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Property	206	29%	157	15%	363	23%
Person	795	19%	132	20%	927	19%
Other	231	16%	118	10%	349	14%
Drug	402	11%	89	20%	491	13%
Sex	113	5%	9	n.a.	122	7%
Total Releases	1,747	17%	505	16%	2,252	17%

- Male releases with a governing property offense recidivated at a rate of 29%, followed by person offenders (19%), ‘other’ offenders (16%) and drug offenders (11%).
- Releases with a governing person or drug offense had the highest recidivism rates for females (20%), followed by property offenders (15%) and ‘other’ offenders (10%). The 2016 female release cohort saw the lowest recidivism rate for property offenders in recent years.

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

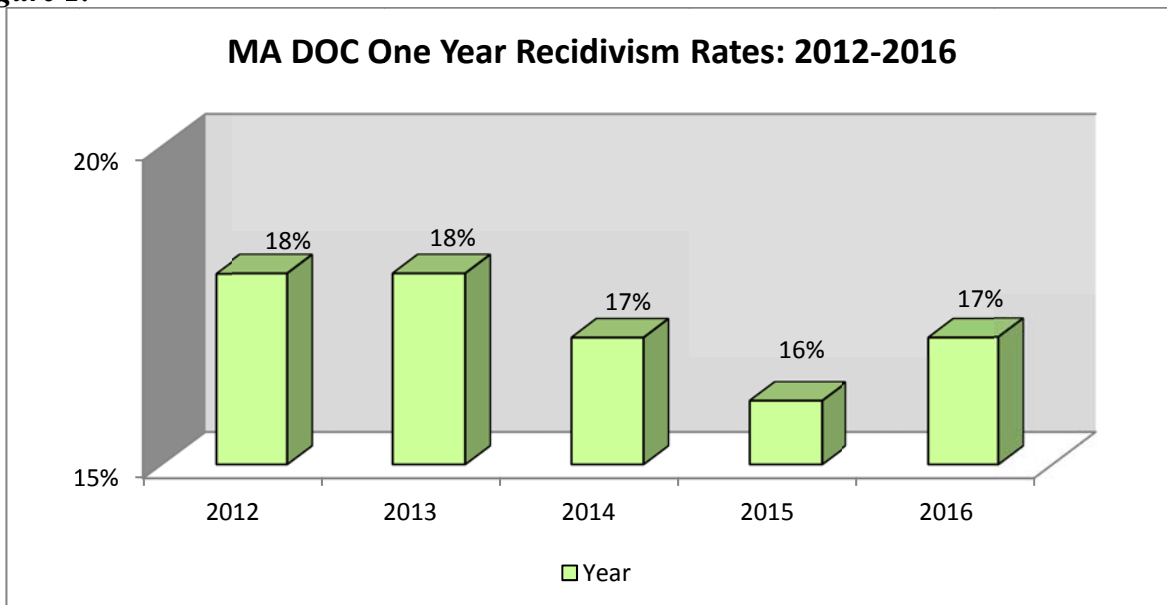
Figure 1:



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- The male recidivism rate remained fairly consistent from 2007 through 2010, ranging from 22% to 24%. There was a notable decline from 2010 to 2011, followed by a continued decrease to a low of 16% in 2015
- The female recidivism rate saw a steep decline between 2007 and 2008, dropping from 27% to 22%. Female releases had an experience similar to males, seeing a decline in the recidivism rate over the ten year trend period, and reaching a low of 16% in 2016.

Figure 2:



- Looking at the last five years, the recidivism rate saw little change, ranging from 16% to 18%.

⁵ One year recidivism rates may change as court information is updated and becomes 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.
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.