

Massachusetts Department of Correction
Carol Higgins O'Brien, Commissioner

THREE YEAR RECIDIVISM RATES: 2010 RELEASE COHORT

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INTRODUCTION

Data presented herein represents recidivism statistics and administrative data for 2,725 criminally sentenced inmates released to the street from the Massachusetts Department of Correction during calendar year 2010 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 street from MA DOC jurisdiction 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 Massachusetts Board of Probation (BOP). The criminal activity of inmates released to the street during 2010 was tracked through the Massachusetts Criminal Justice Information System (CJIS) to determine any re-incarceration within three years of the inmate's 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, state or a federal facility, technical violation of probation, or probation violation with a new offense.

OVERVIEW OF 2010 RELEASE TO THE STREET POPULATION

Demographics

- Of the 2,725 released inmates, 1,954 (72%) were male and 771 (28%) were female.
- Thirty-seven percent of the inmates were paroled to the street (n = 1,016), while 1,709 (63%) were released via expiration of sentence.
- The largest number of releases were Caucasian (n = 1,378) followed by African American/Black (n = 678) and Hispanic (n = 604). The remaining releases reported races of Asian, Native American/Alaskan Native, and Other (n = 65).
- The mean age at time of initial commitment to the MA DOC for this cohort of inmates was 32.8 years.
- Female inmates were slightly older than males at time of commitment, 34.2 and 32.2 years old, respectively.
- The mean age of inmates at time of release was 36 years old.
- Male inmates were slightly older than females at time of release, 36.4 years of age and 34.9 years of age, respectively, due to males generally having longer prison sentences.

¹ Starting in 2008, the cohort includes MA DOC inmates released from county, federal and out of state facilities. In 2010, there were 37 DOC inmates released to the street from non-DOC facilities.

Offense Data

- Forty-one percent of the male inmates were serving a governing person offense, followed by drug offense (34%), property offense (11%), ‘other’ offense (8%) and sex offense (5%).
- Thirty-two percent of the female releases were serving a governing property offense, followed by ‘other’ offense (29%), drug offense (22%), person offense (16%), and sex offense (1%).
- Fifty-one percent of governing drug offenses carried a mandatory minimum term; 60% of the male governing drug offenses and 17% of the female governing drug offenses had a sentence with a mandatory minimum.

Sentencing Data

- The average length of incarceration² for all releases was 36.2 months.
- The average length of incarceration for males was 46.9 months, compared to 8.9 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 (60%) were released from a higher security facility; 45% from a medium security facility and 15% from a maximum security facility. The remaining 40% of the males were released from a lower security facility (minimum or pre-release).
- The majority of the females were released from a medium security facility (75%), while 25% were released from a lower security facility.

Technical Violations³

A recidivist is defined as any criminally sentenced inmate released to the street from the MA DOC during 2010 who is re-incarcerated for a new sentence or violation of parole or probation to a Massachusetts state, county or federal facility within three years of his/her release. Types of re-incarceration include a 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 three-year period are no longer under parole supervision at the time they recidivate.

Tables 1 and 2 provide a comparison of the recidivism rates of inmates released during 2010, 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.*

² 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.

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.

Three-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	764	190	25%	252	62	25%	1,016	252	25%
Expiration of Sentence	1,190	404	34%	519	154	30%	1,709	558	33%
Total Releases	1,954	594	30%	771	216	28%	2,725	810	30%
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	764	409	54%	252	101	40%	1,016	510	50%
Expiration of Sentence	1,190	404	34%	519	162	31%	1,709	566	33%
Total Releases	1,954	813	42%	771	263	34%	2,725	1,076	39%

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.

- Of the 2,725 inmates released to the street during 2010, 1,016 (37%) were paroled to the street while 1,709 (63%) were released via expiration of sentence. Inmates paroled to the street had a significantly⁴ higher recidivism rate (50%) than the recidivism rate of inmates released expiration of sentence (33%). The role of supervision to prevent future criminality suggests a reason for higher rates for paroled offenders with a large portion of re-incarcerations occurring as a result of a technical violation of parole conditions.
- Of the 1,076 inmates who were recidivists using the definition including technical violations, 340 were re-incarcerated for a technical parole or probation violation. Three hundred and twenty-five were technical parole violations and 15 were technical violations of probation.
- Of the 340 inmates who returned for a technical violation, 74 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 9 percentage points, from 39% to 30% when excluding technical violations, with offenders paroled to the street experiencing the largest

⁴ Pearson's Chi-Square test was used to determine statistical significance ($p \leq 0.05$).

decrease from 50% to 25%. The recidivism rate for female inmates decreased from a rate of 34% to a rate of 28%. The male recidivism rate, decreased from 42% to 30% when excluding technical violations.

Recidivism Rates Including and Excluding Re-Incarcerations for Technical Violations by Year of Re-Incarceration and Gender

Table 2:

Three Year Re-Incarceration Recidivism Rates <u>Excluding</u> Technical Violations									
		1st Year		2nd Year		3rd Year		Total	
Gender	Number of Releases	Rec	Rate	Rec	Rate	Rec	Rate	Rec	Rate
Female	771	104	13%	61	8%	51	7%	216	28%
Male	1,954	268	14%	204	10%	122	6%	594	30%
Total	2,725	372	14%	265	10%	173	6%	810	30%
Three Year Re-Incarceration Recidivism Rates <u>Including</u> Technical Violations									
		1st Year		2nd Year		3rd Year		Total	
Gender	Number of Releases	Rec	Rate	Rec	Rate	Rec	Rate	Rec	Rate
Female	771	146	19%	65	8%	52	7%	263	34%
Male	1,954	435	22%	246	13%	132	7%	813	42%
Total	2,725	581	21%	311	11%	184	7%	1,076	39%

- The majority of technical violations occurred within the first two years of release. When excluding technical violators in the first year, the recidivism rate was 14% compared to when technical violations were included where the first year recidivism rate increased to 21%. For the second year in the follow-up period, the recidivism rate was 10% when excluding technical violations compared to 11% when including technical violations. In the third year, the recidivism rate was 6% when technical violations were excluded compared to 7% when including technical violations.

Release Statistics

Three-Year Recidivism Rates by Post Release Supervision

Table 3:

Supervision Type	Males		Females		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Parole Only	481	54%	162	46%	643	52%
Probation Only	506	40%	180	33%	686	38%
Both Parole and Probation	283	53%	90	30%	373	47%
No Supervision	684	29%	339	30%	1,023	30%
Total Releases	1,954	42%	771	34%	2,725	39%

- Of the 2,725 inmates being released to the street, those being released with parole only had the highest recidivism rate (52%), followed by those released with both parole and probation (47%) and those released with probation only (38%). Those being released with no supervision had the lowest recidivism rate (30%).

- When examining male releases, those under parole supervision only had the highest recidivism rate (54%), whereas males being released with no supervision had the lowest recidivism rate (29%).
- For female releases, those being released with parole only also had the highest recidivism rate (46%) and those being released with both parole and probation or no supervision had the lowest recidivism rates (30%).

Three-Year Recidivism Rates by First Release and Gender

Table 4:

	Males		Females		Total	
First Release	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Multiple Release	319	52%	78	35%	397	48%
First Release	1,635	40%	693	34%	2,328	38%
Total Releases	1,954	42%	771	34%	2,725	39%

- A number of inmates who were released during 2010 had been committed to the MADOC for a violation of parole or probation, making the release from their current sentence not their first release.
- There was a notable difference in the recidivism rate for offenders with a prior release on their current sentence (48%) compared to offender whose current release was their first on that sentence (38%), indicating offenders with a prior violation on their current sentence were more likely to be re-incarcerated.

Three-Year Recidivism Rates by Security Level of Releasing Institution and Gender

Table 5:

	Males		Females		Total	
Security Level	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Maximum	301	58%	n.a ⁵	n.a	301	58%
Medium	879	43%	578	36%	1,457	40%
Lower	774	33%	193	28%	967	32%
Total Releases	1,954	42%	771	34%	2,725	39%

- Recidivism rates for inmates released during 2010 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 lower⁶ security had the lowest recidivism rate, with 33% of those inmates re-incarcerated within three-years of their release to the street.
- The recidivism rate for males released from medium security was 43%, while the rate for males released from maximum security was 58%, the highest of all security level designations.

⁵ There is no maximum security facility for female offenders in the MA DOC.

⁶ Lower security includes minimum, pre-release, and contract pre-release facilities.

- The recidivism rate for female inmates released from a lower security facility was 28%, whereas females who were released from a medium security facility had a recidivism rate of 36%.
- For both male and female releases the difference in recidivism rates for security level was found to be statistically significant.

Three-Year Recidivism for Females by Sentencing Type⁷

Table 6:

Three Year Recidivism Rate Female 2010 Releases to the Street by Sentence Type		
Sentence Type	Number Releases	Recidivism Rate
State Sentence	86	27%
County Sentence	685	35%
Total Releases	771	34%

Female offenders sentenced from the court to serve a county sentence often serve that sentence in a state correctional facility due to limited bed space at the county level. County sentenced females comprised 89% of the criminally sentenced female releases included in the 2010 recidivism cohort. County sentenced females differ from state sentenced females in a number of ways that could attribute to a higher recidivism rate for these offenders (i.e. less opportunity for programming due to shorter sentences). Despite the higher number of releases, the county female offenders in this cohort were less likely than state sentenced females to transition to a lower security facility prior to release, with 21% of county sentenced females and 55% of state sentenced females released from a minimum or pre-release facility. The governing offense category for these two groups also differs, with 34% of the county sentenced female offenders incarcerated for a governing property offense, compared to 14% of the state sentenced female offenders. Property offenders are often found to have higher recidivism rates than offenders sentenced for other offense categories. County sentenced offenders also had a smaller difference in average age at commitment versus at release compared to state sentenced offenders. This is due to the disparity in sentence lengths between state sentenced and county sentenced offenders, with state sentenced offenders receiving more severe sentencing for more serious offenses. The average length of incarceration for county sentenced female offenders in this cohort was 5.4 months, compared to 36.6 months for state sentenced female offenders. Age of offenders is also associated with recidivism rates with younger offenders often recidivating at a higher rate than older offenders.

- Female inmates releasing from a county sentence have a significantly higher recidivism rate (35%) than those releasing from a state sentence (27%).

⁷ Due to the minimal number of county correctional facilities that house female offenders, many females released during 2010 who received a county sentence from the court served that sentence at the MA DOC.

Three-Year Recidivism Rates by Releasing Massachusetts County⁸

Table 7:

Releasing County	Male		Female		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Berkshire County	39	56%	3	n.a.	42	57%
Barnstable County	27	59%	14	n.a.	41	46%
Franklin County	18	n.a.	2	n.a.	20	45%
Bristol County	169	47%	34	24%	203	43%
Suffolk County	493	42%	96	40%	589	42%
Middlesex County	229	51%	157	29%	386	42%
Worcester County	209	43%	118	39%	327	42%
Essex County	172	42%	128	41%	300	42%
Norfolk County	88	44%	73	34%	161	40%
Plymouth County	99	37%	89	34%	188	36%
Hampden County	310	32%	20	25%	330	31%
Hampshire County	22	32%	3	n.a.	25	28%
Nantucket County	2	n.a.	0	n.a.	2	n.a.
Dukes County	0	n.a.	1	n.a.	1	n.a.
Total Releases	1,877	42%	738	35%	2,615	40%

- Of the 2,725 releases in 2010, 96% (n = 2,615) had a self-reported release address in Massachusetts.
- Though they did not have the highest number of recidivists, the counties with the highest recidivism rates overall were Berkshire County (57%), Barnstable County (46%), and Franklin County (45%).
- The highest recidivism rates for male releases based on release county were released to Barnstable County (59%), followed by Berkshire County (56%) and Middlesex County (51%).
- The highest recidivism rates for female releases were released to Essex County (41%), followed by Suffolk County (40%) and Worcester County (39%).

⁸ For releases where the numeric value was less than 20, recidivism rates were not reported in the table.

Demographic Statistics

Three-Year Recidivism Rates by Race/Ethnicity and Gender

Table 8:

Race/Ethnicity	Males		Females		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Caucasian	781	44%	597	35%	1,378	40%
Hispanic	557	40%	47	36%	604	40%
African American/Black	591	41%	87	26%	678	39%
Other	5	n.a.	37	41%	42	38%
Asian	16	n.a.	2	n.a.	18	n.a.
Native American/Alaskan Native	4	n.a.	1	n.a.	5	n.a.
Total Releases	1,954	42%	771	34%	2,725	39%

- Within three years of their release to the street, male inmates who reported a race of Caucasian had the highest recidivism rate (44%), followed by African American/Black (41%) and Hispanic (40%).
- Of the 771 female releases, inmates who reported a race of “Other” had the highest recidivism rate (41%), followed by Hispanic inmates (36%), Caucasian (35%) and African American/Black (26%).

Three-Year Recidivism Rates by Age at Release and Gender

Table 9:

Age	Male		Female		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
18 - 24	199	58%	136	36%	335	49%
25 - 29	382	47%	130	37%	512	44%
30 - 34	402	44%	136	39%	538	43%
35 - 39	276	37%	125	42%	401	38%
40 - 44	262	41%	90	32%	352	39%
45 - 49	202	36%	87	26%	289	33%
50 - 54	131	31%	45	18%	176	27%
55 - 59	52	27%	15	n.a.	67	22%
60 or older	48	15%	7	n.a.	55	13%
Total Releases	1,954	42%	771	34%	2,725	39%

- The age of inmates at time of release from the MADOC ranged from 18 to 87 years old. Recidivism rates of the inmates released during 2010 by age at release were statistically significant.
- Male inmates between 18-34 years at time of release had a recidivism rate of 48%, while 35% of males 35 years of age or older at release recidivated within three years of their release to the street.
- The disparity in recidivism rates for male offenders by age is most apparent when comparing the youngest and oldest offenders. Male offenders younger than 25 years of age

at release had a recidivism rate of 58%, while the recidivism rate for male offenders age 50 or older was almost half the rate for the youngest offenders (26%).

- Female releases between 18-34 years of age had a recidivism rate of 37%, compared to a rate of 31% for females 35 years of age or older.
- These findings remain consistent with research that older inmates are less likely to recidivate.

Offense Statistics

Three-Year Recidivism Rates by Offense Category and Gender

Table 10:

	Males		Females		Total	
Offense Category	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Property	217	56%	244	48%	461	52%
Person	803	50%	125	27%	928	47%
Other	163	40%	223	29%	386	34%
Drug	669	31%	170	26%	839	30%
Sex	102	18%	9	n.a.	111	19%
Total Releases	1,954	42%	771	34%	2,725	39%

- Property offenders had the highest recidivism rate of all offense types for both male and female releases, 56% and 48% respectively.
- The second highest recidivism rate for male releases was person offenders who recidivated at a rate of 50%.
- The second highest recidivism rate for female releases was those who committed an ‘other’ offense with a recidivism rate of 29%.
- The difference in recidivists and non-recidivists groups was found to be significant when broken out by offense type for the total release cohort.

Three-Year Recidivism Rates by Violent Offense and Gender

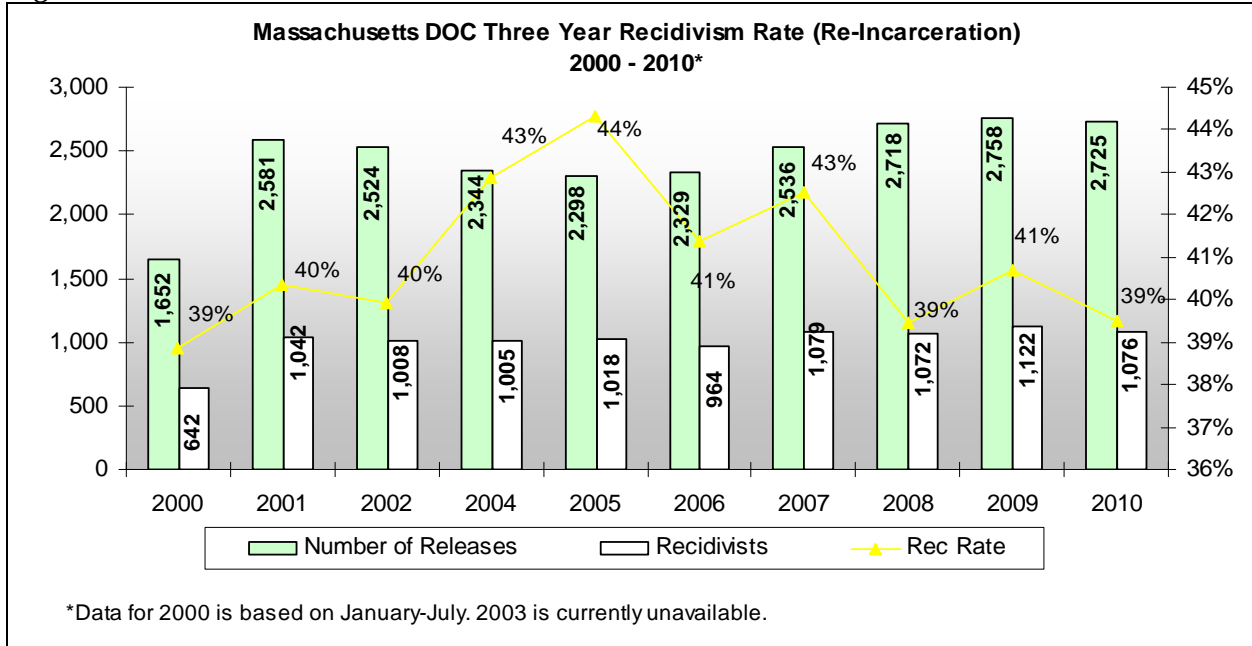
Table 11:

	Males		Females		Total	
Offense Type	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Violent	905	46%	134	28%	1,039	44%
Non-Violent	1,049	38%	637	35%	1,686	37%
Total Releases	1,954	42%	771	34%	2,725	39%

- Non-violent offenders released during 2010 had a recidivism rate of 37% compared to a rate of 44% for violent offenders.

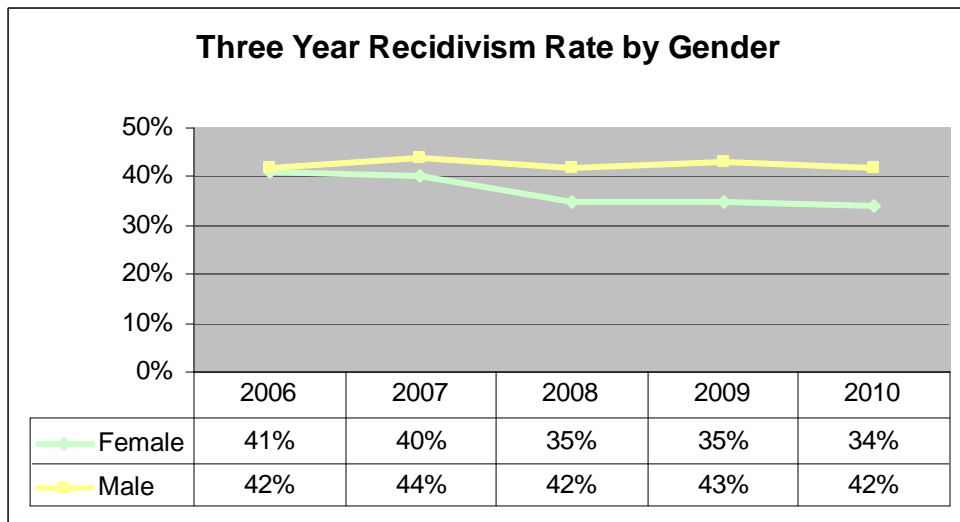
Recidivism Trends 2000-2010

Figure 1:



- The trend in recidivism rates experienced a consistency between 2000 and 2002, ranging from 39% to 40% before increasing in 2004 to 43% and again in 2005 to 44%. For the 2006 release cohort, the recidivism rate decreased to 41%, mirroring more closely the rates experienced prior to the increase beginning with the 2004 releases. The recidivism rate for the 2007 release cohort again experienced an increase similar to 2005 with a recidivism rate of 43%. The rate decreased by 4 percentage points for the 2008 release cohort to 39% compared to 2007, before increasing to 41% in 2009. The recidivism rate for the 2010 release cohort decreased to 39%.

Figure 2:



- While the male recidivism rate hovered between 42% and 44% over the last 5 years reported, the female recidivism rate spiked to 41% in 2006 before decreasing 6 percentage points in 2008 and 2009 (35%). The 2010 female recidivism rate decreased by 1 percentage point compared to the previous 2 years' releases.

CONCLUSION

This brief provides detailed statistical data for the 2010 release cohort, a glance at the ongoing recidivism project. After a spike in 2007, the 3 year recidivism rate has stabilized over the past 3 years reported (2008-2010) ranging between 39% and 41%. Though the information gathered can be used to supplement policies and procedures in place in the criminal justice field, it is important to note that additional research would be useful in implementing evidence-based practices. Recidivism data collection based on programming, education, work release and the like would further examine the continued efforts in the corrections field and would allow for best practices to be utilized.

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>
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	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 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 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 Research Assistant, and Amanda Longton, Research and Planning Clerk, were greatly appreciated. Copies of publications from the Research and Planning Division can be found on www.mass.gov/doc.