

THREE YEAR RECIDIVISM RATES: 2011 RELEASE COHORT

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INTRODUCTION

Data presented herein represents recidivism statistics and administrative data for 2,276 criminally sentenced inmates released to the community from the Massachusetts Department of Correction during calendar year 2011 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 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 information available at time of collection and is subject to change. 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 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 or a federal facility, technical violation of probation, or probation violation with a new offense.

OVERVIEW OF 2011 RELEASE TO THE COMMUNITY POPULATION

Demographics

- Of the 2,276 released inmates, 1,587 (70%) were male and 689 (30%) were female.
- Nineteen percent of the inmates were paroled to the street (n = 428), while 1,848 (81%) were released via expiration of sentence.
- The largest number of releases were Caucasian (n = 1,179) 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 initial commitment to the MA DOC for this cohort of inmates was 33.1 years.
- Female inmates were slightly older than males at time of commitment, 34 and 32.7 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, 36.6 years of age and 34.8 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 2011, there were 62 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 (32%), property offense (11%), ‘other’ offense (10%) 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; 54% of the male governing drug offenses and 16% of the female governing drug offenses had a sentence with a mandatory minimum.

Sentencing Data

- The average length of incarceration² for all releases was 32.6 months.
- The average length of incarceration for males was 43.1 months, compared to 8.6 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 released from a medium security facility (69%), while 31% 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 2011 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 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 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	319	60	19%	109	19	17%	428	79	18%
Expiration of Sentence	1,268	423	33%	580	186	32%	1,848	609	33%
Total Releases	1,587	483	30%	689	205	30%	2,276	688	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	319	146	46%	109	38	35%	428	184	43%
Expiration of Sentence	1,268	427	34%	580	195	34%	1,848	622	34%
Total Releases	1,587	573	36%	689	233	34%	2,276	806	35%

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 2,276 inmates released to the community during 2011, 428 (19%) were paroled to the street while 1,848 (81%) were released via expiration of sentence. Inmates paroled to the street had a significantly⁴ higher recidivism rate (43%) than the recidivism rate of inmates released expiration of sentence (34%). 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 806 inmates who were recidivists using the definition including technical violations, 153 were re-incarcerated for a technical parole or probation violation. One hundred and thirty-five were technical parole violations and 18 were technical violations of probation.
- Of the 153 inmates who returned for a technical violation, 35 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 5 percentage points, from 35% to 30% when excluding technical violations, with offenders paroled to the street experiencing the largest decrease from 43% to 18%. The recidivism rate for female inmates decreased from a rate of 34% to a rate of 30%. The male recidivism rate, decreased from 36% to 30% when excluding technical violations.

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

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	689	112	16%	47	7%	46	7%	205	30%
Male	1,587	222	14%	155	10%	106	7%	483	30%
Total	2,276	334	15%	202	9%	152	7%	688	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	689	135	20%	48	7%	50	7%	233	34%
Male	1,587	302	19%	162	10%	109	7%	573	36%
Total	2,276	437	19%	210	9%	159	7%	806	35%

- The majority of technical violations occurred within the first year of release. When excluding technical violators in the first year, the recidivism rate was 15% compared to when technical violations were included where the first year recidivism rate increased to 19%. For both the second and third years in the follow-up period, the recidivism rate remained the same when excluding technical violations at 9% and 7% respectively.

Release Statistics

Three-Year Recidivism Rates by Post Release Supervision

Table 3:

	Males		Females		Total	
Supervision Type	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Parole Only	194	45%	73	33%	267	42%
Probation Only	549	40%	215	38%	764	39%
Both Parole and Probation	125	46%	36	39%	161	45%
No Supervision	719	29%	365	31%	1,084	30%
Total Releases	1,587	36%	689	34%	2,276	35%

- Of the 2,276 inmates being released to the community, those being released with both parole and probation supervision had the highest recidivism rate (45%), followed by those released with parole only (42%) and those released with probation only (39%). Those being released with no supervision had the lowest recidivism rate (30%).
- When examining male releases, those under both parole and probation supervision had the highest recidivism rate (46%), followed by those under parole only (45%), mirroring the overall recidivism rates by post release supervision.
- For female releases, those being released with both parole and probation also had the highest recidivism rate (39%), however the second highest recidivism rate among female releases were those under probation supervision only (38%). This is a change from recent years reported where those released under probation supervision only had a 33% recidivism rate for the 2009 and 2010 release cohorts.

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

Table 5:

Security Level	Males		Females		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Maximum	220	51%	n.a ⁵	n.a	220	51%
Medium	813	38%	478	37%	1,291	38%
Lower	554	28%	211	26%	765	27%
Total Releases	1,587	36%	689	34%	2,276	35%

- Recidivism rates for inmates released during 2011 were positively correlated with the security level of the inmates releasing facility. The recidivism rate for inmates increased as the security level of the releasing institution increased.
- Male inmates release from lower⁶ security had the lowest recidivism rate, with 28% of those inmates re-incarcerated within three-years of their release to the street.
- The recidivism rate for males released from medium security was 38%, while the rate for males released from maximum security was 51%, the highest of all security level designations.
- The recidivism rate for female inmates released from a lower security facility was 26%, whereas females who were released from a medium security facility had a recidivism rate of 37%.
- 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 2011 Releases to the Street by Sentence Type		
Sentence Type	Number Releases	Recidivism Rate
State Sentence	73	16%
County Sentence	616	36%
Total Releases	689	34%

Female offenders sentenced from the court to serve a county sentence often serve that sentence in a state correctional facility due to limited female bed space at the county level. County sentenced females comprised 89% of the criminally sentenced female releases from the MA DOC included in the 2011 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 28% of county sentenced females and 49% of state

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.

⁷ Due to the minimal number of county correctional facilities that house female offenders, many females released during 2011 who received a county sentence from the court served that sentence at the MA DOC.

sentenced females released from a minimum or pre-release facility, likely due to their shorter stay. The governing offense category for these two groups also differs, with 39% of the county sentenced female offenders incarcerated for a governing property offense, compared to 16% 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 5.8 months, compared to 32.4 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 (36%) than those releasing from a state sentence (16%).

Three-Year Recidivism Rates by Release Address: Massachusetts Counties⁸

Table 7:

Releasing County	Male		Female		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Berkshire County	33	42%	0	n.a.	33	42%
Worcester County	181	44%	125	40%	306	42%
Essex County	146	42%	116	37%	262	40%
Bristol County	122	38%	34	35%	156	37%
Suffolk County	375	38%	81	30%	456	37%
Hampden County	271	35%	14	n.a.	285	35%
Middlesex County	161	34%	166	36%	327	35%
Plymouth County	97	31%	67	33%	164	32%
Norfolk County	77	34%	51	24%	128	30%
Barnstable County	27	26%	9	n.a.	36	28%
Franklin County	10	n.a.	2	n.a.	12	n.a.
Hampshire County	9	n.a.	3	n.a.	12	n.a.
Dukes County	1	n.a.	1	n.a.	2	n.a.
Out of State	77	14%	19	n.a.	96	14%
Unknown	0	0%	1	n.a.	1	n.a.
Total Releases	1,587	36%	689	34%	2,276	35%

- Of the 2,276 releases in 2011, 96% (n = 2,179) 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 and Worcester Counties (42% each), Essex County (40%) and Bristol and Suffolk Counties (37% each).
- The highest recidivism rates for males based on the county the offender was released to were Worcester County (44%), followed by Berkshire and Essex Counties (42%) and Bristol and Suffolk Counties (38%). The male recidivism rate by county of release follows closely to the overall recidivism rates due to the higher proportion of male releases within each county.

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

- The highest recidivism rates for female releases were released to Worcester County (40%), followed by Essex County (37%) and Middlesex County (36%). These figures are impacted by the high number of female county sentenced inmates released from DOC facilities (89%), particularly those sentenced out of those counties.
- The lower recidivism rate for those reporting a release address outside of Massachusetts is likely attributable to the fact that we are limited to obtaining re-incarceration data for courts within Massachusetts only.

Demographic Statistics

Three-Year Recidivism Rates by Race/Ethnicity and Gender

Table 8:

	Males		Females		Total	
Race/Ethnicity	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
African American/Black	438	40%	80	28%	518	38%
Caucasian	630	35%	549	35%	1,179	35%
Hispanic	498	35%	35	26%	533	35%
Other	4	n.a.	24	33%	28	29%
Asian	8	n.a.	1	n.a.	9	n.a.
Native American/Alaskan Native	9	n.a.	0	n.a.	9	n.a.
Total Releases	1,587	36%	689	34%	2,276	35%

- Within three years of their release to the community, male inmates who reported a race of African American/Black had the highest recidivism rate (40%), followed by Caucasian and Hispanic (35% each).
- Of the 689 female releases, inmates who reported a race of Caucasian had the highest recidivism rate (35%), followed by those reporting a race of “Other” (33%).

Three-Year Recidivism Rates by Age at Release and Gender

Table 9:

	Male		Female		Total	
Age	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
18 - 24	161	48%	108	34%	269	42%
25 - 29	311	41%	143	39%	454	40%
30 - 34	295	35%	127	30%	422	34%
35 - 39	235	37%	97	38%	332	38%
40 - 44	227	33%	77	36%	304	34%
45 - 49	176	33%	81	31%	257	32%
50 - 54	97	30%	34	29%	131	30%
55 - 59	42	26%	13	n.a.	55	24%
60 or older	43	9%	9	n.a.	52	8%
Total Releases	1,587	36%	689	34%	2,276	35%

- The age of inmates at time of release from the MA DOC ranged from 18 to 78 years old.

- Male inmates between 18-34 years at time of release had a recidivism rate of 40%, while 32% 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 48%, while the recidivism rate for male offenders age 50 or older was half the rate for the youngest offenders (24%).
- Female releases between 18-34 years of age had a recidivism rate of 35%, compared to a rate of 33% for females 35 years of age or older. There was a considerably smaller disparity compared to their male counterparts for the same age group comparisons.
- These findings remain consistent with research that older inmates are less likely to recidivate.
- Recidivism rates of the inmates released during 2011 by age at release were statistically significant.

Offense Statistics

Three-Year Recidivism Rates by Offense Category and Gender

Table 10:

Offense Category	Males		Females		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Property	175	48%	253	37%	428	41%
Person	646	43%	131	34%	777	41%
Other	150	38%	182	38%	332	38%
Drug	511	28%	116	22%	627	27%
Sex	105	11%	7	n.a.	112	11%
Total Releases	1,587	36%	689	34%	2,276	35%

- Property offenders had the highest recidivism rate of all offense types for male releases, 48%. For female releases, the offenders with the highest recidivism rate were serving a governing offense of ‘other’.
- The second highest recidivism rate for male releases was person offenders who recidivated at a rate of 43%.
- The second highest recidivism rate for female releases was those who committed a property offense with a recidivism rate of 37%.
- 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

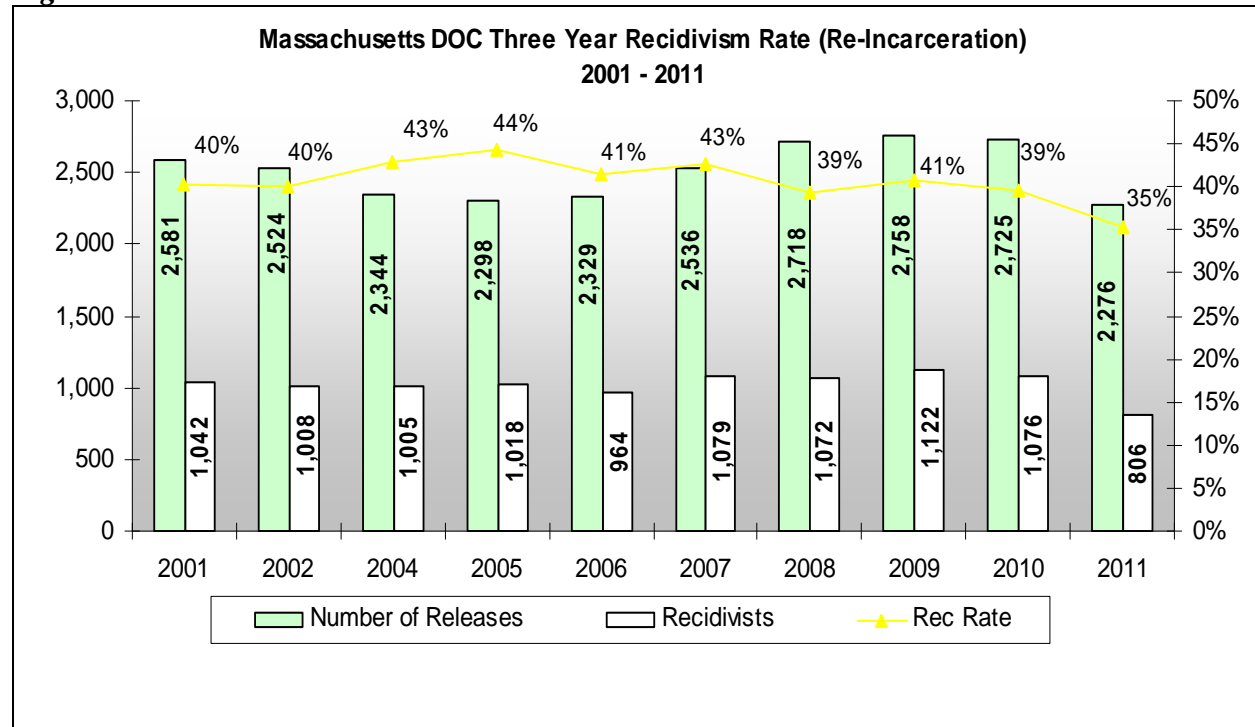
Table 11:

	Males		Females		Total	
Offense Type	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Violent	751	38%	138	33%	889	37%
Non-Violent	836	34%	551	34%	1,387	34%
Total Releases	1,587	36%	689	34%	2,276	35%

- Non-violent offenders released during 2011 had a recidivism rate of 34% compared to a rate of 37% for violent offenders. This difference in recidivism rates was likely a result of the number of male releases who nearly mirrored the overall rates. For female releases, the recidivism rate was nearly identical when comparing violent to non-violent offenders.

Recidivism Trends 2001-2011

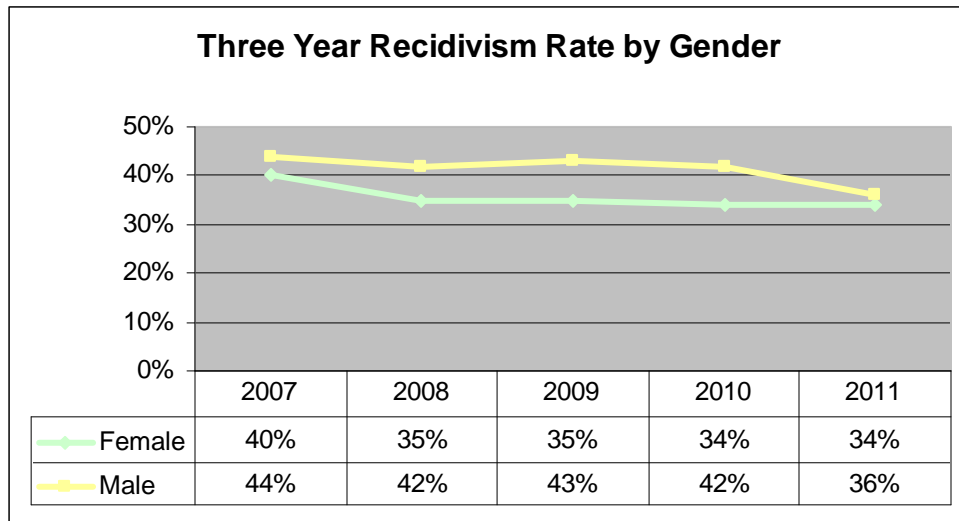
Figure 1:



Note: 2003 data is not available.

- The recidivism rate experienced an upward trend between 2001 and 2007, with a low of 40% and high of 44%. After this period of increase, the recidivism rate for the 2008 release cohort decreased by 4 percentage points compared to the previous year, resulting in a 39% recidivism rate. This rate then increased by 2 percentage points to 41% in 2009 before decreasing again to 39% in 2010 and ultimately 35% in 2011. The notable decrease is likely due to the lower number of parole releases that year as well as reentry efforts, including enhancements and improvement to inmate case planning and a variety of programs offered in MA DOC facilities.

Figure 2:



- The male recidivism rate hovered between 42% and 44% between 2007 and 2010 before dipping 6 percentage points to 36% in 2011. This was largely due to a decrease in number of male parole releases. The female recidivism rate peaked at 40% in 2007 before decreasing 5 percentage points in 2008 and 2009 (35%). The female recidivism rate reached a low of 34% in 2010 and 2011.

CONCLUSION

This brief provides detailed statistical data for the 2011 release cohort, a glance at the ongoing recidivism project. After a spike in 2007, the 3 year recidivism rate had stabilized over the past 3 years reported (2008-2010) ranging between 39% and 41% prior to dropping to 35% for the 2011 release cohort. This notable decrease is due in large part to drop in parole rates for that year. After examining other common factors that predict lower recidivism rates (including age at release, offense type, gender, etc.), there did not appear to be any notable differences when comparing other release years. Change in the Massachusetts Parole Board in 2011, as well as change in culture and media, accounted for the large decrease in parolees starting in this release year. As mentioned, increased reentry efforts and focus on case management for inmates also could have impacted those released in 2011. The move towards more evidence-based practices and cost-benefit analyses for programs will be reflected in future release cohorts as the strive for lower recidivism rates continues to be a major objective at the MA DOC.

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 (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 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. Offense categories represent the inmate’s 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 this race category.
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 is charged 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	<p>Person and Sex offenses are combined into the category ‘Violent Offenses’.</p> <p>Property, Drug, and ‘Other’ offenses are categorized into ‘Non-Violent’ offenses.</p>

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