

Massachusetts Executive Office of Public Safety and Security Department of Correction

MA DOC Three-Year Recidivism Rates: 2016 Release Cohort

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I. Introduction

Data presented herein represents recidivism statistics and administrative data for 2,145 criminally sentenced inmates released to the community¹ 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 times.² 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 or county facility or to a federal facility for a criminal sentence within three years of their release to the community. The data presented include 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 are derived from information available at the time of collection and are subject to change. 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 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. The recidivism rate is calculated by dividing the number of re-incarcerations by the number of releases.

It is important to note that a released inmate may be dropped from the study for 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.

Technical Violations

MADOC publishes recidivism rates both including and excluding technical violations of parole and probation.

Inmates released to the community with parole or probation conditions are supervised for a period of time while in the community. An inmate can be re-incarcerated for violating the conditions of their parole or probation supervision. A revocation can result from a technical violation of the terms of release or can result from an arraignment for a new crime.

² In 2016, there were 74 inmates who had multiple releases on the same commitment number within the calendar year.

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.

II. 2016 Release Cohort Overview

Below are key details describing the 2,145 MADOC criminal releases in 2016. See page 13 for the full profile.

- Males (n = 1,640) made up 76% of the 2,145 releases, while females (n = 505) made up 24%.
- Just under half (49%) of all releases self-identified as White over three-fourths of females, and 40% of males. Of the male releases, over half identified as either Black (28%) or Hispanic (30%).
- Altogether, 46% of the release population had served a violent governing offense. Over half of males and over one-fourth of females (28%) released had served a violent governing offense.
- While more inmates were serving non-violent offenses, the most common offense type for releases was Person Offense (40%), which is considered a violent offense.
- The age of inmates at time of release from the MA DOC ranged from 17 to 77 years old.
- Twenty-seven percent of the releases in the cohort were aged 40 or older at time of commitment. The percentage of the cohort aged 40 or older at time of release grew to 36%. Overall, males were younger than females at time of commitment, but were older than females at time of release. This indicates males serving longer sentences than their female counterparts.
- The majority of the inmates were released via expiration of sentence to their community (78%), while the remaining 22% were released via parole to their community.
- Almost half (49%) of females and over one-third (37%) of males were released without supervision.
- Half of releases came from medium security facilities, and another 38% of releases came from lower security facilities. The remaining 12% of releases came from a maximum security facility.

III. Recidivism Statistics

Of 2,145 criminally sentenced released to the community in 2016, 638 (30%) recidivated within three years of release. There were 156 female recidivists and 482 male recidivists.

Table 1. Three-Year Recidivism Rates: 2016 Release Cohort

Overall	30%
Female	31%
Male	29%

The three-year recidivism rate is down by three percentage points compared to the 33% overall rate of the 2015 release cohort.

An inmate on parole or probation who violates the terms of the conditions³ set forth regarding their release may be re-incarcerated; this return is called a technical violation⁴. A non-technical violation would involve a new arraignment for a crime.

Table 2, and figures 1 and 2, provide a comparison of recidivism rates including and excluding re-incarcerations for technical violations of parole.

	Excluding and Including Technical Violators								
	Three Year Re-incarceration Recidivism Rates Excluding Technical Violations								
		1st	1st Year 2nd Year 3rd Year		То	tal			
	Number of								
Gender	Releases	Rec	Rate	Rec	Rate	Rec	Rate	Rec	Rate
Female	505	57	11%	43	9%	28	6%	128	25%
Male	1,640	202	12%	129	8%	94	6%	425	26%
Total	2,145	259	12%	172	8%	122	6%	553	26%
	Three Year R	le-incarce	ration Rec	idivism R	ates <u>Includ</u>	ling Techr	nical Violat	tions	
		1st	Year	2nd	Year	3rd	Year	То	tal
	Number of								
Gender	Releases	Rec	Rate	Rec	Rate	Rec	Rate	Rec	Rate
Female	505	91	18%	40	8%	25	5%	156	31%
Male	1,640	263	16%	134	8%	85	5%	482	29%
Total	2,145	354	17%	174	8%	110	5%	638	30%

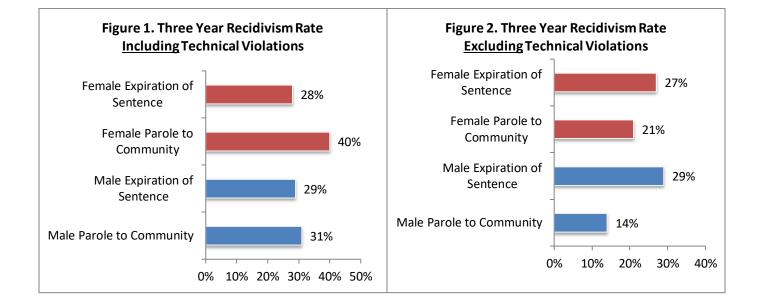
Table 2. Three-YearRecidivism Rates by Gender and Re-incarceration Year: 2016Release CohortExcluding and Including Technical Violators

³ Technical violations are not necessarily the result of administrative conditions, and could include uncharged criminal conduct, or conduct that is under criminal investigation.

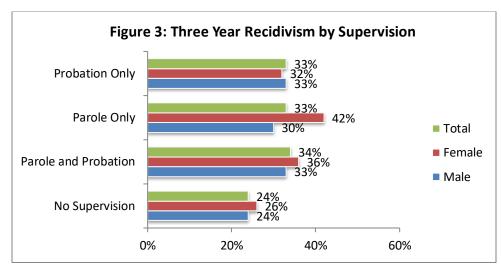
⁴ To calculate the recidivism rate excluding technical violations, the first non-technical re-incarceration within three years of release was used. Inmates who were returned for a technical violation were incarcerated for a period of time, diminishing the likelihood of a non-technical return.

Recidivism Rates by Release Type and Sex <u>Excluding</u> Technical Violations of Parole or Probation										
	Ν	Males			Females			Total		
Release Type	Number Releases			Number Releases	Rec	Rate	Number Releases	Rec	Rate	
Parole To Community	339	48	14%	124	26	21%	463	74	16%	
Expiration of Sentence	1,301	377	29%	381	102	27%	1,682	479	28%	
bentenee										
Total Releases	1,640	425	26%	505	128	25%	2,145	553	26%	
			and Gen				,			
Total Releases	by Release		and Gen	ider <u>Includi</u> obation			Violations o			
Total Releases	by Release	Туре а	and Gen	ider <u>Includi</u> obation	ing Tee		Violations o	of Paro		
Total Releases Recidivism Rates	by Release	Type a Iales	nd Gen Pr	nder <u>Includi</u> obation Fer Number	ing Teo males	chnical	Violations of Number	of Paro Fotal	le or	
Total Releases Recidivism Rates Release Type Parole To	by Release N Number Releases	Type a Iales Rec	nd Gen Pr Rate	nder <u>Includi</u> obation Fer Number Releases	ing Tee males Rec	chnical Rate	Violations of Number Releases	of Paro Fotal Rec	le or Rate	

Table 3. Three Year Recidivism Rates by Release Type: 2016 Release Cohort Excluding and Including Technical Violations



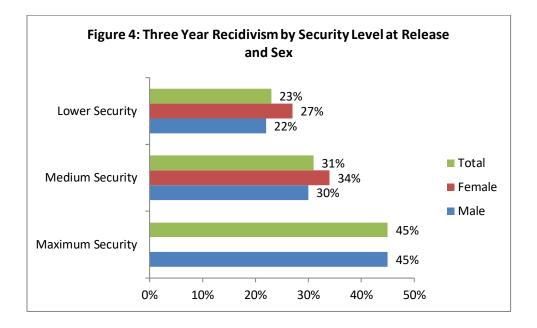
- Generally, inmates paroled to the community recidivate at higher rates as they are under supervision, but only when considering technical violations (Figure 1). When excluding technical violations⁵, males paroled to the community recidivated at a lower rate than males who released upon expiration of their sentence, while the recidivism rate for females remained the same regardless of release type (Figure 2).
- Of the 638 inmates who recidivated using the definition including technical violations, 104 were reincarcerated for a technical parole violation and 6 were re-incarcerated for a technical probation violation. The majority (90%) of technical violations occurred within the first year of release.
- Twenty-five inmates had both a technical and a non-technical return within the three-year study period. These 25 represent about 23% of the 110 technical violators within the study period.
- Overall, the recidivism rate decreased by four percentage points, from 30% to 26% when excluding technical violations (Table 2).
- When excluding technical violators, the recidivism rate was 12% during the first year of the follow-up period, compared to a rate of 17% when technical violations were included.



• For the second and third years in the follow-up period, recidivism excluding technical violations for both males and females fell between 5 and 8 percent.

- Inmates released with both probation and parole supervision showed the highest recidivism rate of 34% (Figure 3). Those with parole only or probation only, followed close behind, with a recidivism rate of 33%. Again, inmates under supervision consistently recidivate at a higher rate and most parolees return for technical violations.
- A female on parole only (n=77) was more likely to recidivate than a female on both parole and probation (n=47).

⁵ Note: inmates who were returned for a technical violation were incarcerated for a period of time, diminishing the likelihood of a non-technical return. This is highlighted by the lower recidivism rate for paroled inmates when excluding technical violations.



- Recidivism rates for inmates released during 2016 were positively correlated with the security level of the releasing facility (see Figure 4). The recidivism rate for both male and female inmates increased as the security level of the releasing institution increased.
- Males released from maximum security had the highest recidivism rate (45%). This rate was 3 percentage points lower than the 2015 rate for male releases from maximum security. The rate for males released from medium and minimum security were also lower compared to the 2015 release cohort, a decrease of 4 percentage points and 6 percentage points, respectively.
- Medium security-released female recidivism rates decreased slightly from the 2014 release cohort, while female releases from lower remained the same.

Table 4. Three-Year Recidivism Rate: 2016 Release Cohort				
State Sentenced Females	25%			
County Sentenced Females ⁶	32%			

 With respect to post-release supervision, 37 of the 110 state sentenced females (34%) were paroled to the community, and 41% of those paroled recidivated within three years. In comparison, only 22% of the county sentenced females were paroled to the community, with 39% recidivating within three years.

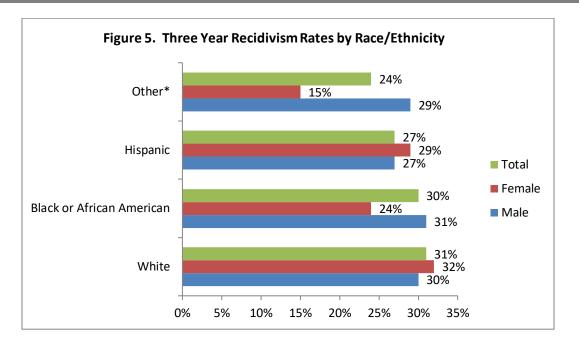
⁶ Females sentenced from the court to serve a county sentence often serve that sentence in a state correctional facility due to limited female bed space at the county level. County sentenced females comprised 78% of the criminally sentenced female releases from the MA DOC included in the 2016 recidivism cohort.

	Female		Ma	le	Total		
Release Address County	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	
Barnstable	25	12%	34	44%	59	31%	
Berkshire	1	n/a.	26	31%	27	30%	
Bristol	43	35%	168	31%	211	32%	
Essex	122	35%	189	30%	311	32%	
Franklin	1	n/a	10	n/a	11	n/a	
Hampden	10	n/a	180	29%	190	29%	
Hampshire	3	n/a	11	n/a	14	n/a	
Middlesex	87	35%	173	25%	260	29%	
Nantucket	0	n/a	2	n/a	2	n/a	
Norfolk	55	36%	71	29%	126	32%	
Plymouth	56	29%	98	28%	154	28%	
Suffolk	56	21%	394	31%	450	30%	
Worcester	28	36%	172	36%	200	36%	
Out of State	16	n/a	109	11%	125	11%	
Unknown	2	n/a	3	n/a	5	n/a	
Total	505	31%	1,640	30%	2,145	30%	

Table 5. Three Year Recidivism Rates by Release Address: Massachusetts Counties⁷

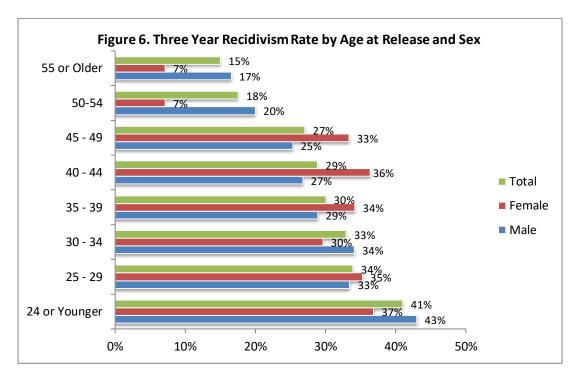
- Of the 2,145 releases in 2016, the vast majority (94%) released somewhere in Massachusetts. Table 4 ranks recidivism rates of counties to which inmates were released.
- The county where inmates had the highest recidivism <u>rates</u> overall was Worcester County (36.
- Females saw the highest number of releases to Essex, Middlesex and Suffolk counties, and highest recidivism from, Norfolk and Worcester Counties.
- Males saw the highest releases to Suffolk County, followed by Essex and Hampden Counties, while the highest recidivism rate was for Barnstable County. Rates may be skewed due to the smaller number of releases to some counties.

⁷ For releases where the numeric value was less than 20, recidivism rates were not reported in the table.



*Other includes American Indian or Alaska Native, Asian or Pacific Islander, and Unknown

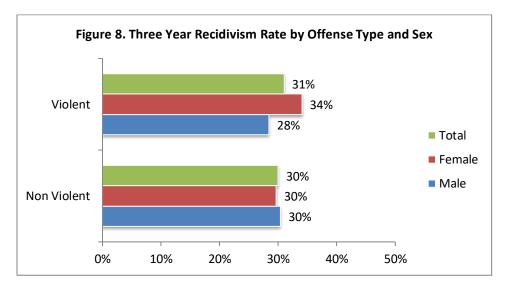
- Male inmates reporting a race/ethnicity of Hispanic had the lowest recidivism rate at 27%, while those
 reporting a race of Black or African American recidivated at the highest rate (31%).
- Female inmates reporting a race of White recidivated at 32%, followed Hispanic at 29%.



Male and females younger than 25 years old at release, held the highest recidivism rates of 43% and 37%, respectively.

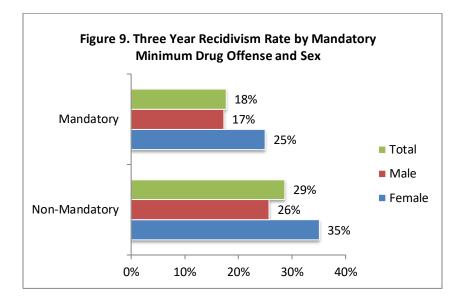
- Figure 7. Three Year Recidivism Rate by Offense and Sex 16% Sex 15% 40% Property 32% 47% Total Person 35% Female Male 29% Other 24% 32% 23% Drug 34% 21% 0% 10% 20% 50% 30% 40%
- Male and female inmates aged 55 or older recidivated at the lowest rates, consistent with research on age and recidivism.

Overall, property offenders had the highest recidivism rate of all offense types⁸ (40%), followed by Person offenses, with a 31% recidivism rate. Male property offenders had the highest recidivism rate of 47%, while male sex offenders had the lowest recidivism rate (15%).



 Recidivism rates for male inmates released after serving a sentence for violent (Person, Sex) offenses were slightly lower compared to non-violent (Property, Drug, Other) offenses, while violent offense recidivism was higher for females.

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



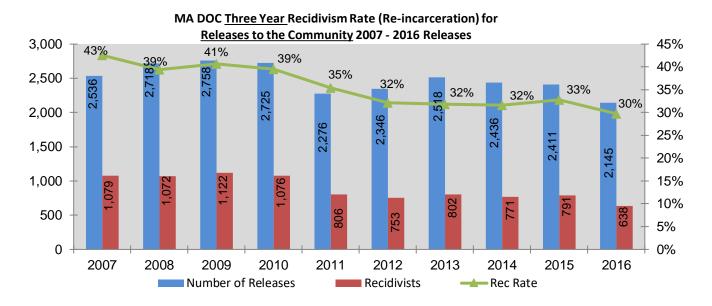
 Eighteen percent of mandatory minimum drug offense releases recidivated within three years. One quarter of the females with a mandatory minimum drug offense recidivated, compared to 35% of females with a non-mandatory drug sentence. Males with a mandatory drug offense had the lowest recidivism rate, 17% (figure 9).

Table 6. Three Year Recidivism Rates by Recidivism Risk Level ⁹									
	Male		[Female			Total		
	Number of			Number of			Number of		
Risk Level	Releases	Rec	Rate	Releases	Rec	Rate	Releases	Rec	Rate
High	1,010	474	37%	144	48	33%	1,154	425	37%
Moderate	288	62	22%	67	14	21%	355	76	21%
Low	315	35	11%	98	14	14%	413	49	12%
Total Releases	1,613	474	29%	309	76	25%	1,922	550	29%

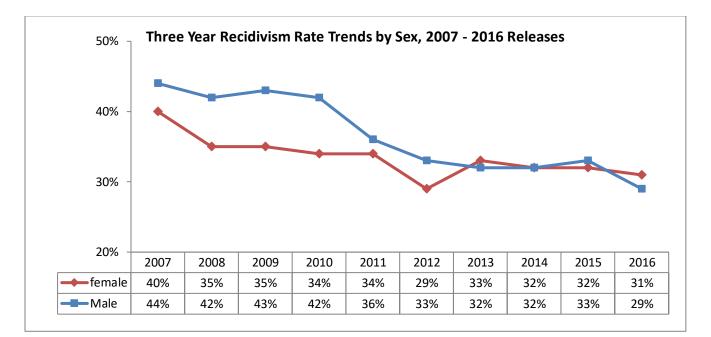
- Three-year recidivism rates were positively correlated with the increase in risk level.
- Males with a low risk level had an 11% recidivism rate, compared to a rate of 37% for those with a high risk.
- Female releases with a low risk level had a 14% recidivism rate, compared to a rate of 33% for those with a high-risk level.

⁹Of the 2,145 releases in the 2016 recidivism cohort, 223 did not have a risk score and were not included in analysis.

Yearly Trends



Over the ten-year trend period the recidivism rate for releases to the community via parole or expiration of sentence reached a high of 43% with the 2007 release cohort. The rate began to decline steadily beginning with the 2010 releases, reaching a low 30% for the most recent release cohort.



The downward trend over the past 10 years has occurred for both males and females. While the female recidivism rate dropped earlier, male and female rates leveled off in the low-30s range. The year 2013 was the first time since 2005 that females had a higher three-year recidivism rate compared to their male counterparts, rates were equal in 2014, and female recidivism rates surpassed the male rate again in 2016. Females ended

the ten-year trend period with a recidivism rate of 31%, while males ended lower, falling below 30% for the first time in the trend period.

The goal of lowering recidivism rates through evidence-based programming and improved reentry efforts remains central at the MA DOC. In late 2018, MADOC was recognized as a leader in reducing recidivism, as the best of 11 states ranked by the Council for State Governments Justice Center in a ten-year study¹⁰.

Since the passage of the 2018 Criminal Justice Reform Act, increased program availability, opportunities for parole, and improved treatment of subpopulations within the MA DOC, among other sweeping changes, will affect the recidivism rate over the next several years. Additionally, the steady decline of the MA DOC population may push recidivism rates one way or another.

¹⁰ Details about the CSG study can be found at <u>https://csgjusticecenter.org/nrrc/publications/reducing-recidivism-states-deliver-results-2018/</u>

	Appendix I: 2016 Releas	e Cohort Ove	erview: Releas	e Variable:	s by Sex			
		Fe	male	M	ale	Total		
		Total	505	Total	1,640	Total	2,145	
Variable	Category	N Releases	% Female Releases	N Releases	% Male Releases	N Releases	% of Releases	
	24 or Younger	73	14%	337	21%	410	19%	
	25 - 29	108	21%	365	22%	473	22%	
	30 - 34	106	21%	275	17%	381	18%	
Age at	35 - 39	79	16%	222	14%	301	14%	
Commitment	40 - 44	49	10%	172	10%	221	10%	
	45 - 49	40	8%	120	7%	160	7%	
	50 - 54	26	5%	88	5%	114	5%	
	55 or Older	24	5%	61	4%	85	4%	
	24 or Younger	57	12%	121	7%	178	8%	
	25 - 29	105	21%	302	18%	407	19%	
	30 - 34	108	21%	308	19%	416	19%	
	35 - 39	79	16%	284	17%	363	17%	
Age at Release	40 - 44	55	11%	198	12%	253	12%	
	45 - 49	45	9%	162	10%	207	10%	
	50 - 54	28	6%	120	7%	148	7%	
	55 or Older	28	6%	145	9%	173	8%	
	Expiration to the Community	381	75%	1301	79%	1682	78%	
Release Type	Parole to the Community	124	25%	339	21%	463	22%	
	No Supervision	248	49%	599	37%	847	39%	
Post Release	Parole and Probation	47	9%	131	8%	178	8%	
Supervision	Parole Only	77	15%	208	13%	285	13%	
	Probation Only	133	26%	702	43%	835	39%	
	White	393	78%	658	40%	1051	49%	
- /	Black or African American	46	9%	466	28%	512	24%	
Race/Ethnicity	Hispanic	35	7%	496	30%	531	25%	
	Other	31	6%	20	1%	51	2%	
	Person	132	26%	734	45%	866	40%	
	Property	157	31%	193	12%	350	16%	
Governing Offense	Drug	89	18%	381	23%	470	22%	
Туре	Other	118	23%	219	13%	337	16%	
	Sex	9	2%	113	7%	122	6%	
.	Violent	141	28%	847	52%	988	46%	
Governing Offense	Non-violent	364	72%	793	48%	1157	54%	
	Maximum	n/a		264	16%	264	12%	
Security Level at	Medium	284	56%	780	48%	1064	50%	
Release	Lower	221	44%	596	36%	817	38%	

Α	ppendix II: Male 2016 Relea	se Cohort wit	th Recidivism	n Rates	
Variable	Category	N of Releases	% of Releases	N Recidivists	Recidivism Rate
Overall					
	24 or Younger	337	21%	119	35%
	25 - 29	365	22%	123	34%
	30 - 34	275	17%	86	31%
	35 - 39	222	14%	56	25%
Age at Commitment	40 - 44	172	10%	49	28%
	45 - 49	120	7%	21	18%
	50 - 54	88	5%	21	24%
	55 or Older	61	4%	7	11%
	24 or Younger	121	7%	52	43%
	25 - 29	302	18%	101	33%
	30 - 34	308	19%	105	34%
	35 - 39	284	17%	82	29%
Age at Release	40 - 44	198	12%	53	27%
	45 - 49	162	10%	41	25%
	50 - 54	120	7%	24	20%
	55 or Older	145	9%	24	17%
Deleges Trues	Expiration to the Community	1301	79%	377	29%
Release Type	Parole to the Community	339	21%	105	31%
	No Supervision	599	37%	142	24%
Post Release	Parole and Probation	131	8%	43	33%
Supervision	Parole Only	208	13%	62	30%
	Probation Only	702	43%	235	33%
	White	658	40%	200	30%
Race/Ethnicity	Black	466	28%	145	31%
Race/Ethnicity	Hispanic	496	30%	134	27%
	Other	20	1%	3	15%
	Person	734	45%	224	31%
- · · · ·	Property	193	12%	90	47%
Governing Offense Type	Drug	381	23%	80	21%
1 ypc	Other	219	13%	71	32%
	Sex	113	7%	17	15%
Coverning Offeres	Violent	847	52%	241	28%
Governing Offense	Non-violent	793	48%	241	30%
	Maximum	264	16%	120	45%
Security Level at Release	Medium	780	48%	233	30%
Nelease	Lower	596	36%	129	22%

Variable	Category	N of	% of	N	Recidivism
		Releases	Releases	Recidivists	Rate
Overall					
	24 or Younger	73	14%	23	329
	25 - 29	108	21%	38	35
	30 - 34	106	21%	38	36
Age at Commitment	35 - 39	79	16%	23	299
	40 - 44	49	10%	16	33
	45 - 49	40	8%	15	38
	50 - 54	26	5%	2	8
	55 or Older	24	5%	1	4
	24 or Younger	57	11%	21	37
	25 - 29	105	21%	37	35
	30 - 34	108	21%	32	30
	35 - 39	79	16%	27	34
Age at Release	40 - 44	55	11%	20	36
	45 - 49	45	9%	15	33
	50 - 54	28	6%	2	7
	55 or Older	28	6%	2	7
	Expiration to the Community	381	75%	107	28
Release Type	Parole to the Community	124	25%	49	40
	No Supervision	248	49%	65	26
Post Release	Parole and Probation	47	9%	17	36
Supervision	Parole Only	77	15%	32	42
	Probation Only	133	26%	42	32
	White	393	78%	126	32
	Black	46	9%	11	24
Race/Ethnicity	Hispanic	35	7%	10	29
	Other	31	6%	9	29
	Person	132	26%	46	35
	Property	152	31%	50	32
Governing Offense	Drug	89	18%	30	34
Гуре	Other	118	23%	28	24
	Sex	9	23%	28	24
	Violent	141	2%	48	34
Governing Offense	Non-violent	364	72%	108	30
			1270		
Security Level at	Maximum	n/a	F.C.)/	n/a	n,
Release	Medium	284	56%	96	34

	Definitions
County Sentence	Prior to the "Truth in Sentencing" law, if an inmate 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. 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.
Crime Bill of 2012 Crime Bill of 2018	The common term for Chapter 192 of the Acts of 2012. Effective August 2, 2012, which resulted in an immediate change to the sentence structure for numerous inmates. The common term for Chapter 192 of the Acts of 2018, effective April 13, 2018, which resulted in changes to Restrictive Housing, Earned Good Time and Medical Releases.
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, 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. Offense categories represent the inmate's governing offense.
Parole	The discharge of an inmate from a Massachusetts DOC jurisdiction to the community while under the supervision of the Parole Board. Such discharged inmates may be re- incarcerated for violating the terms of their supervision imposed by the Parole Board.
Race/Ethnicity	The race categories self-reported and used in this report include: African American/Black, American Indian or Alaska Native, Asian or Pacific Islander, White, and Unknown. The 'Other' race category reported it the tables includes American Indian or Alaska Native, Asian or Pacific Islander, and Unknown. 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 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.
Release Address	Release address is self-reported by the inmate prior to release. When a release address is not provided, the last known address reported by the inmate is used.
State Prison Sentence	Prior to the "Truth in Sentencing" law, if an inmate 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. 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. 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.
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.