

Massachusetts Department of Correction
Three-Year Recidivism Rates: 2017 Release
Cohort

Calendar Year 2017



Executive Office of Public Safety and Security
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Maura T. Healey, Governor
Terrence M. Reidy, Secretary of Public Safety and Security



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Three-Year Recidivism Rates: 2017 Release Cohort

I. Introduction

Data presented herein represents recidivism statistics and administrative data for 1,989 criminally sentenced incarcerated individuals released to the community from the Massachusetts Department of Correction (MA DOC) during calendar year 2017 via expiration of sentence or parole to the community. Each release during the year is counted, making it possible for one incarcerated individual to be included multiple times.¹ The MA DOC defines a recidivist as any criminally sentenced incarcerated individual 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 presented² includes information on incarcerated individual 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 derived from information available at the time of collection and are subject to change. The criminal activity of incarcerated individuals released to the community during 2017 was tracked through the Massachusetts Criminal Justice Information System (CJIS) to determine any re-incarceration within three years of their release to the community.

An incarcerated individual 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 incarcerated individual 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

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

Incarcerated individuals released to the community with parole or probation conditions are supervised for a period of time while in the community. An incarcerated individual 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.

To calculate the recidivism rate *excluding* technical violations of parole or probation, the incarcerated individual's first non-technical re-incarceration within three years of their release was used.

¹ In 2017, there were 24 incarcerated individuals who had multiple releases on the same commitment number within the calendar year.

² Data presented reflects information at the time data was collected.

II. 2017 Release Cohort Overview

Below are key details describing the 1,989 MA DOC criminal releases in 2017. See page 13 for the full profile.

- Males (n = 1,533) made up 77% of the 1,989 releases, while females (n = 456) made up 23%.
- Just under half (49%) of all releases self-identified as White – over three-fourths of females, and 41% of males. Of the male releases, over half identified as either Black or African American (28%) or Hispanic (30%).
- Altogether, 45% of the release population had served a violent governing offense. Just under half of males and almost a third of females released had served a violent governing offense.
- While more incarcerated individuals 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 incarcerated individuals at time of release from the MA DOC ranged from 19 to 86 years old.
- Twenty-eight 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 37%, compared to age at time of commitment. 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 incarcerated individuals were released via expiration of sentence to their community (80%), while the remaining 20% were released via parole to their community.
- More than half (52%) of females and over one-third (39%) of males were released without parole or probation supervision.
- Nearly half of releases came from medium security facilities, and another 37% of releases came from lower security facilities. The remaining 13% of releases came from a maximum security facility.

III. Recidivism Statistics

Of 1,989 criminally sentenced released to the community in 2017, 577 (29%) recidivated within three years of release. There were 127 female recidivists and 450 male recidivists.

Table 1. Three-Year Recidivism Rates: 2017 Release Cohort

Overall	29%
Female	28%
Male	29%

- The three-year recidivism rate is down by one percentage point compared to the 30% overall rate of the 2016 release cohort.

- The female three-year recidivism rate decreased from 31% to 28% compared to the rate for calendar year 2016.

An incarcerated individual 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 an arraignment for a new crime.

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

Table 2: Three-Year Recidivism Rates Excluding and Including Re-incarcerations for Technical Violators: Re-incarceration Year by Assigned Sex

Three-Year Recidivism Rates by Assigned Sex and Year <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	456	55	12%	44	10%	14	3%	113	25%
Male	1,533	176	11%	139	9%	88	6%	403	26%
Total	1,989	231	12%	183	9%	102	5%	516	26%
Three-Year Recidivism Rate by Assigned Sex and Year <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	456	70	15%	43	9%	14	3%	127	28%
Male	1,533	223	15%	142	9%	85	6%	450	29%
Total	1,989	293	15%	185	9%	99	5%	577	29%

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. Incarcerated individuals who were returned for a technical violation were incarcerated for a period of time, diminishing the likelihood of a non-technical return.

Table 3: Three-Year Recidivism Rates Excluding and Including Re-incarcerations for Technical Violations: Type of Release by Assigned Sex

Three-Year Recidivism Rates <u>Excluding</u> Technical Violations of Parole or Probation									
Release Type	Males			Females			Total		
	Number Releases	Rec	Rate	Number Releases	Rec	Rate	Number Releases	Rec	Rate
Parole To Community	294	37	13%	94	19	20%	388	56	14%
Expiration of Sentence	1,239	366	30%	362	94	26%	1601	460	29%
Total Releases	1,533	403	26%	456	113	25%	1,989	516	26%
Three-Year Recidivism Rates <u>Including</u> Technical Violations of Parole or Probation									
Release Type	Males			Females			Total		
	Number Releases	Rec	Rate	Number Releases	Rec	Rate	Number Releases	Rec	Rate
Parole To Community	294	83	28%	94	32	34%	388	115	30%
Expiration of Sentence	1,239	367	30%	362	95	26%	1601	462	29%
Total Releases	1,533	450	29%	456	127	28%	1,989	577	29%

Figure 1: Three-Year Recidivism Rate Including Technical Violations

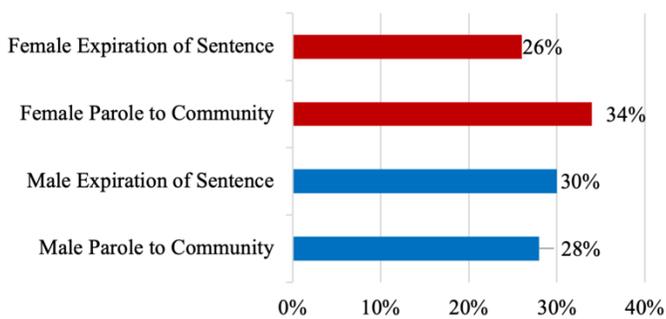
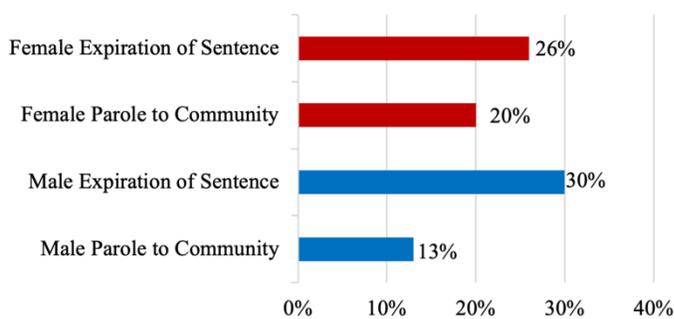


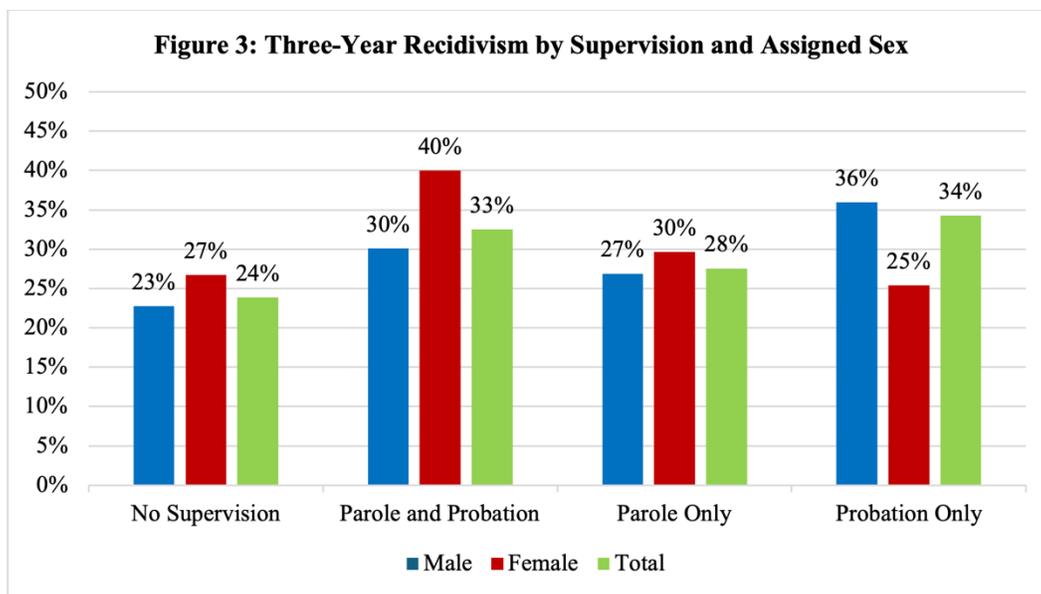
Figure 2: Three-Year Recidivism Rate Excluding Technical Violations



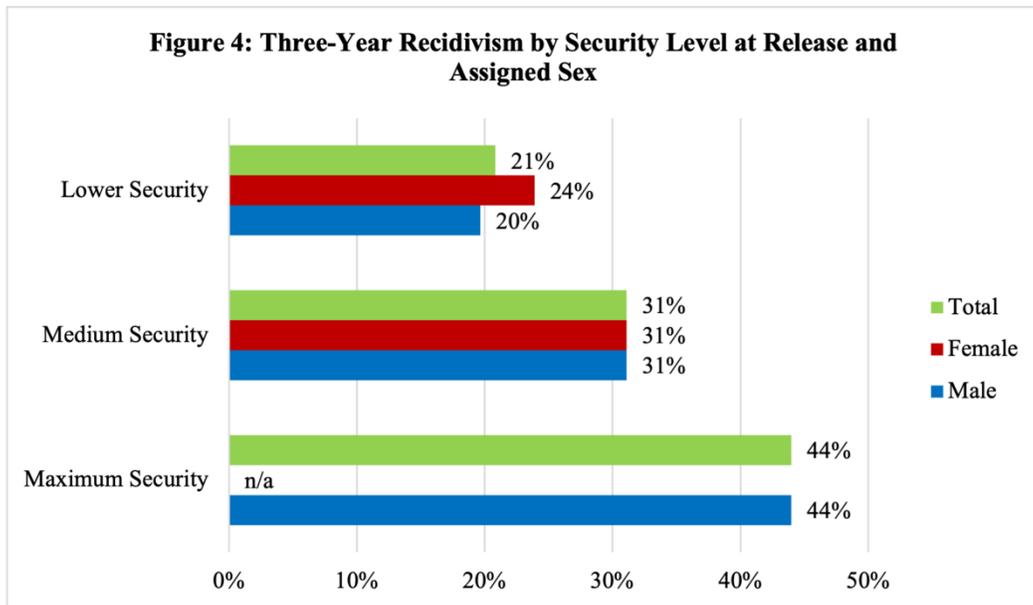
- Generally, incarcerated individuals paroled to the community recidivate at higher rates as they are under supervision, but only when considering technical violations (Figure 1). When excluding technical violations⁵, both males and females paroled to the community recidivated at a lower rate than those who were released upon expiration of their sentence (Figures 1 and 2).
- Of the 577 incarcerated individuals who recidivated using the definition including technical violations, 69 were re-incarcerated for a technical parole violation. The majority (93%) of technical violations occurred within the first year of release.

⁵ Note: incarcerated individuals 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 incarcerated individuals when excluding technical violations.

- Eleven incarcerated individuals had both a technical and a non-technical return within the three-year study period. These 11 represent about 16% of the 69 technical violators within the study period.
- Overall, the recidivism rate decreased by three percentage points, from 29% 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 15% when technical violations were included.
- For the second and third years in the follow-up period, recidivism rates including and excluding technical violations remained the same, 9 % and 5%, respectively.



- Overall, incarcerated individuals released with probation supervision only had the highest recidivism rate of 34%, followed closely by those with both parole and probation supervision (33%) (Figure 3). Again, incarcerated individuals under supervision consistently recidivate at a higher rate and most parolees returned for technical violations.
- Female incarcerated individuals with both parole and probation supervision (n=40) were more likely to recidivate.



- Recidivism rates for incarcerated individuals released during 2017 were positively correlated with the security level of the releasing facility (see Figure 4). The recidivism rate for both male and female incarcerated individuals increased as the security level of the releasing institution increased.
- Males released from maximum security had the highest recidivism rate (44%), followed by 31% for medium security releases and 20% for releases from lower security. Female releases from medium security had a recidivism rate of 31%, compared to a rate of 24% for those released from a lower security level.

Table 4. Three-Year Recidivism Rate: 2017 Release Cohort

State Sentenced Females	19%
County Sentenced Females ⁶	30%

- State sentenced females had a recidivism rate of 19%, eleven percentage points lower than that of county sentenced females (30%).

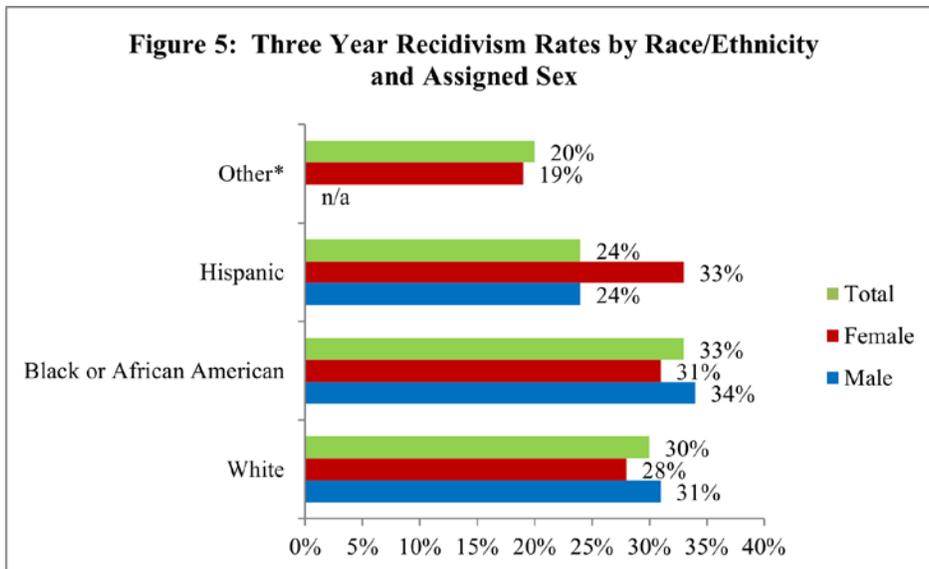
⁶ Females sentenced from the court to serve a county sentence often serve that sentence in a state correctional facility due to limited female bed space at the county level. County sentenced females comprised 78% of the criminally sentenced female releases from the MA DOC included in the 2017 recidivism cohort.

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

Release Address County	Female		Male		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Barnstable	15	n/a	35	31%	50	30%
Berkshire	3	n/a	30	30%	33	33%
Bristol	33	24%	168	34%	201	32%
Dukes	0	n/a	0	n/a	0	n/a
Essex	86	35%	149	32%	235	33%
Franklin	0	n/a	12	n/a	12	n/a
Hampden	9	n/a	210	27%	219	27%
Hampshire	2	n/a	16	n/a	18	n/a
Middlesex	101	26%	136	30%	237	28%
Nantucket	0	n/a	1	n/a	1	n/a
Norfolk	42	26%	59	25%	101	26%
Plymouth	51	31%	97	29%	148	30%
Suffolk	59	32%	336	34%	395	33%
Worcester	36	22%	194	32%	230	30%
Out of State	19	n/a	89	10%	108	10%
Unknown	0	n/a	1	n/a	1	n/a
Total	456	28%	1,533	29%	1,989	29%

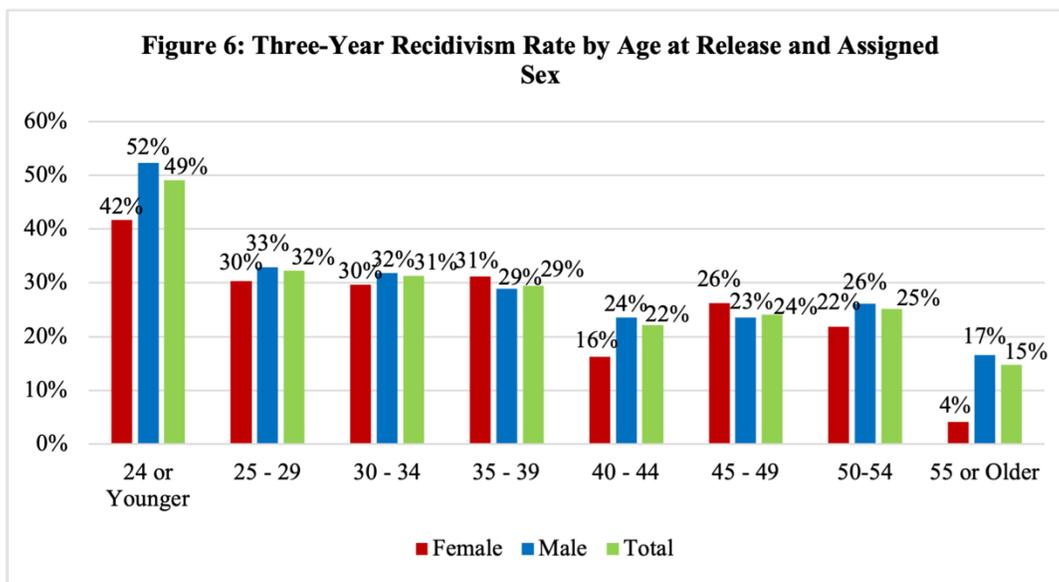
- Of the 1,989 releases in 2017, the vast majority (94%) released somewhere in Massachusetts. Table 5 ranks recidivism rates of counties to which incarcerated individuals were released.
- The counties where incarcerated individuals had the highest recidivism rates overall were Berkshire, Essex, and Suffolk Counties (33%).
- Females saw the highest number of releases to Essex, Middlesex and Suffolk Counties, and highest recidivism from, Essex (35%) and Suffolk (32%) Counties.
- Males saw the highest releases to Suffolk County, followed by Hampden and Worcester Counties, while the highest recidivism rate was for Bristol and Suffolk Counties. 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.



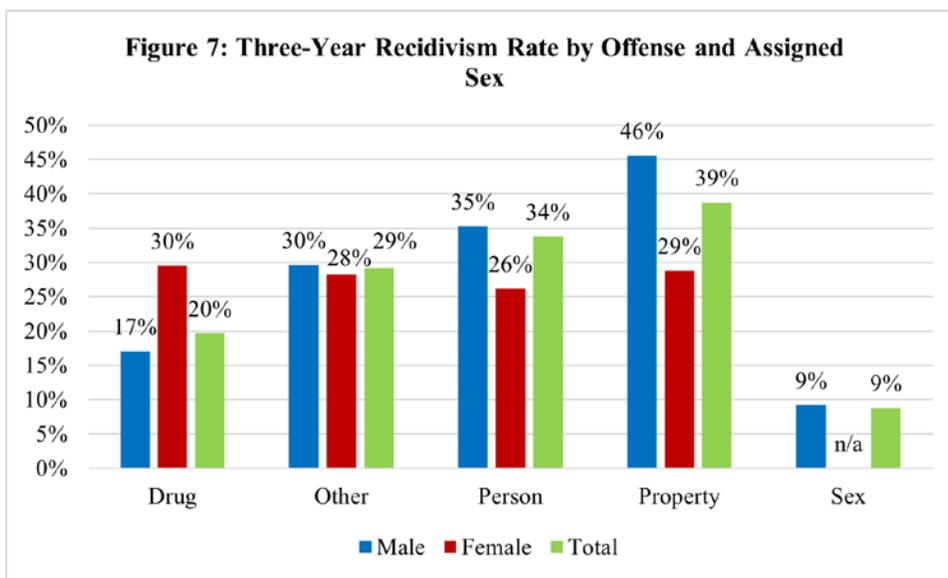
*Other includes American Indian or Alaska Native, Asian or Pacific Islander, and Unknown

- Male incarcerated individuals reporting a race/ethnicity⁸ of Hispanic had the lowest recidivism rate at 24%, while those reporting a race of Black or African American recidivated at the highest rate (34%). Female incarcerated individuals reporting a race/ethnicity of Hispanic recidivated at 33%, followed by Black or African American at 31%.

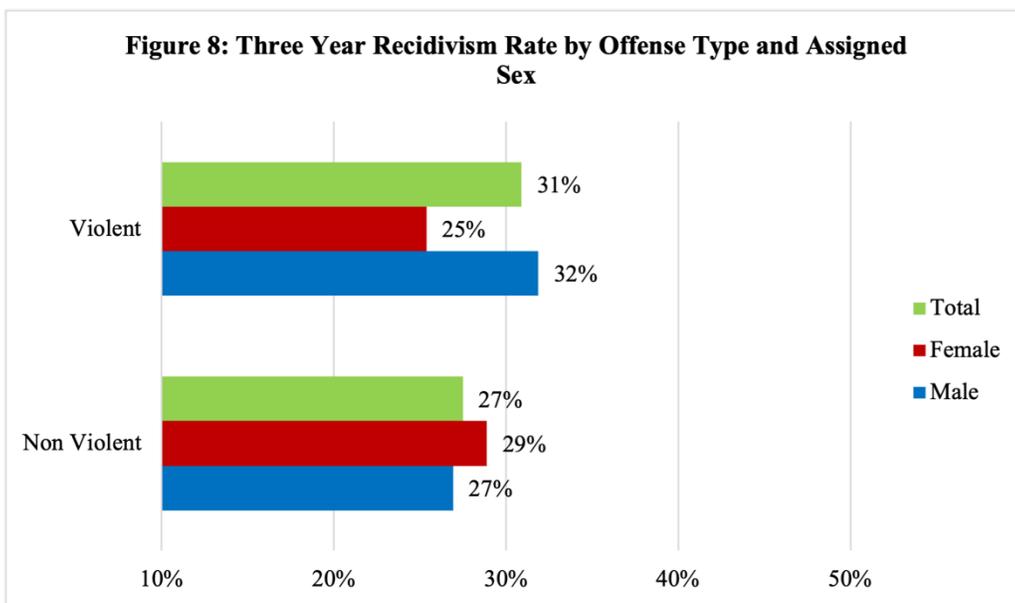


- Male and females younger than 24 years old at release had the highest recidivism rates of 52% and 42%, respectively.
- Male and female incarcerated individuals aged 55 or older recidivated at the lowest rates, 17% and 4%, respectively. The lower recidivism rates for the oldest age groups are consistent with research on age and recidivism.

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

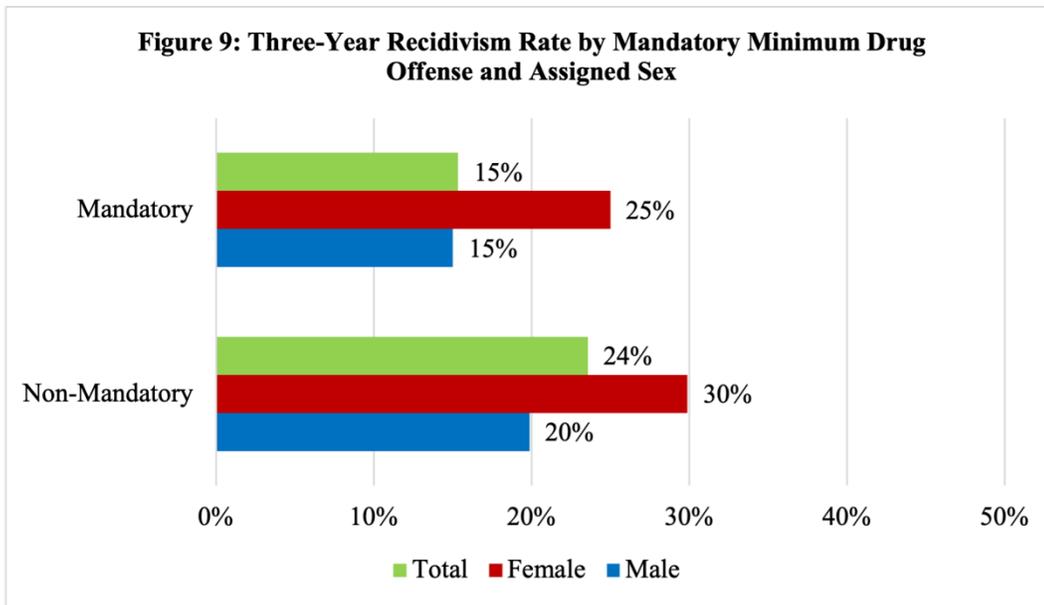


- Overall, property offenders had the highest recidivism rate of all offense types⁹ (39%), followed by Person offenses, with a 34% recidivism rate. Male property offenders had the highest recidivism rate of 46%, while male sex offenders had the lowest recidivism rate (9%).



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

⁹ For releases where the numeric value was less than 20, recidivism rates were not reported in the figure.



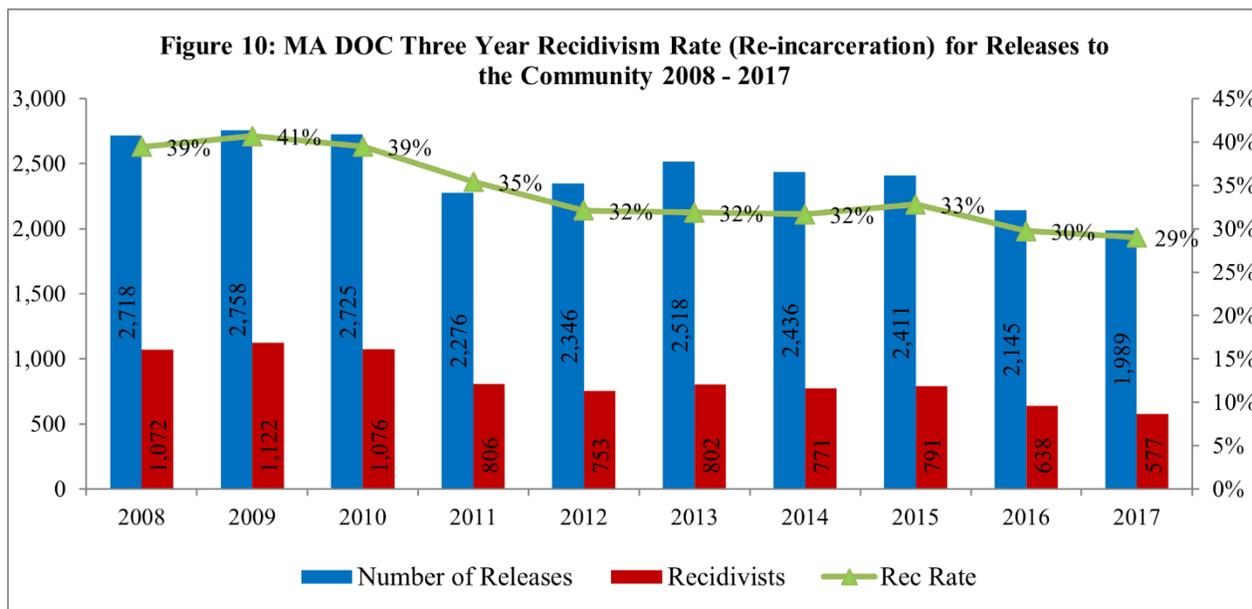
- In total, fifteen percent of mandatory minimum drug offense releases recidivated within three years. For those serving a governing non-mandatory drug offense, males had the lowest recidivism rate (20%), while females recidivated at a rate of 30% (Figure 9).

Risk Level	Male			Female			Total		
	Number of Releases	Rec	Rate	Number of Releases	Rec	Rate	Number of Releases	Rec	Rate
High	738	296	40%	110	36	33%	848	332	39%
Moderate	360	96	27%	74	12	16%	434	108	25%
Low	419	53	13%	99	14	14%	518	67	13%
Total Releases	1,517	445	29%	283	62	22%	1,800	507	28%

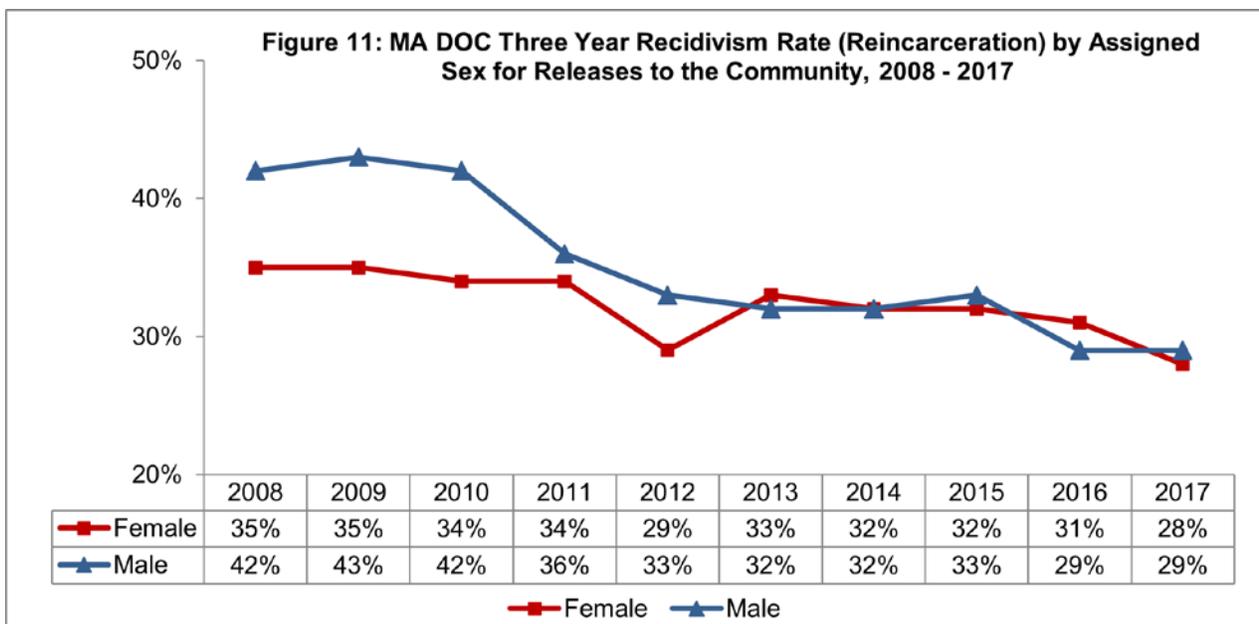
- Three-year recidivism rates were positively correlated with the increase in risk level.
- Males with a low-risk level had a 13% recidivism rate, compared to a rate of 40% for those with a high-risk.
- Female releases with a low-risk level had a 14% recidivism rate, compared to a rate of 33% for those with a high-risk level.

¹⁰ Of the 1,989 releases in the 2017 cohort, 189 did not have a risk score and are not included in the table.

IV. 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 41% with the 2009 release cohort. The rate began to decline steadily beginning with the 2010 releases, reaching a low 29% for the most recent release cohort.



- The downward trend over the past 10 years has occurred for both males and females. Male and female rates declined between 2008 and 2012, with males experiencing a more notable decrease. Females experience a slight uptick in 2013, surpassing the male recidivism rate for the first time since 2005, 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 28%, while males ended at 29% for the second consecutive year.

V. Conclusion

The goal of lowering recidivism rates through evidence-based programming and improved reentry efforts remains central at the MA DOC. In late 2018, MA DOC 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 study¹¹.

The rate of recidivism declined from 2008 to 2017. The decline took place among nearly all categories of demographics tested, though more sharply among males than females. Because the declines occurred across board, it is difficult for us to pinpoint the drivers of the downward trend observed. However, there are still categories where the rate of recidivism remained high despite of the fact the overall rate went down from 2008 to 2017. Focusing on the incarcerated individuals in these categories will help lower the rate of recidivism further. These categories include individuals at the maximum security level, less than 30 years of age and in the crime type of property and person.

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.

¹¹ Details about the CSG study can be found at <https://csgjusticecenter.org/nrc/publications/reducing-recidivism-states-deliver-results-2018/>

Appendix I: 2017 Release Cohort Overview: Release Variables by Assigned Sex							
		Female		Male		Total	
		Total	456	Total	1,533	Total	
						1,989	
Variable	Category	Number of Releases	% of Female Releases	Number of Releases	% of Male Releases	Number of Releases	% of Releases
Age at Commitment	24 or Younger	59	13%	318	21%	377	19%
	25 - 29	102	22%	311	20%	413	21%
	30 - 34	98	22%	266	17%	364	18%
	35 - 39	67	15%	207	14%	274	14%
	40 - 44	45	10%	186	12%	231	12%
	45 - 49	38	8%	114	7%	152	8%
	50 - 54	29	6%	72	5%	101	5%
	55 or Older	18	4%	59	4%	77	4%
Age at Release	24 or Younger	48	11%	111	7%	159	8%
	25 - 29	89	20%	286	19%	375	19%
	30 - 34	101	22%	283	19%	384	19%
	35 - 39	77	17%	259	17%	336	17%
	40 - 44	43	9%	178	12%	221	11%
	45 - 49	42	9%	166	11%	208	11%
	50 - 54	32	7%	111	7%	143	7%
	55 or Older	24	5%	139	9%	163	8%
Release Type	Expiration to the Community	362	79%	1,239	81%	1601	81%
	Parole to the Community	94	21%	294	19%	388	20%
Post Release Supervision	No Supervision	236	52%	594	39%	830	42%
	Parole and Probation	40	9%	123	8%	163	8%
	Parole Only	54	12%	171	11%	225	11%
	Probation Only	126	28%	645	42%	771	39%
Race/Ethnicity	White	346	76%	626	41%	972	49%
	Black or African American	49	11%	430	28%	479	24%
	Hispanic	30	7%	459	30%	489	25%
	Other	31	7%	18	1%	49	2%
Governing Offense Type	Person	130	29%	655	43%	785	40%
	Property	125	27%	182	12%	307	15%
	Drug	105	23%	399	26%	504	25%
	Other	92	20%	199	13%	291	15%
	Sex	4	n/a	98	6%	102	5%
Governing Offense	Violent	134	29%	753	49%	887	45%
	Non-violent	322	71%	780	51%	1102	55%
Security Level at Release	Maximum	n/a	n/a	266	17%	266	13%
	Medium	251	55%	733	48%	984	49%
	Lower	205	45%	534	35%	739	37%

Appendix II: Male 2017 Release Cohort with Recidivism Rates				
Variable	Category	Number of Releases	Number of Recidivists	Recidivism Rate
Age at Commitment	24 or Younger	318	111	35%
	25 - 29	311	99	32%
	30 - 34	266	93	35%
	35 - 39	207	54	26%
	40 - 44	186	41	22%
	45 - 49	114	29	25%
	50 - 54	72	15	21%
	55 or Older	59	8	14%
Age at Release	24 or Younger	111	58	52%
	25 - 29	286	94	33%
	30 - 34	283	90	32%
	35 - 39	259	75	29%
	40 - 44	178	42	24%
	45 - 49	166	39	23%
	50 - 54	111	29	26%
	55 or Older	139	23	17%
Release Type	Expiration to the Community	1239	367	30%
	Parole to the Community	294	83	28%
Post Release Supervision	No Supervision	594	135	23%
	Parole and Probation	123	37	30%
	Parole Only	171	46	27%
	Probation Only	645	232	36%
Race/Ethnicity	White	626	192	31%
	Black or African American	430	145	34%
	Hispanic	459	109	24%
	Other	18	4	22%
Governing Offense Type	Person	655	231	35%
	Property	182	83	46%
	Drug	399	68	17%
	Other	199	59	30%
	Sex	98	9	9%
Governing Offense	Violent	753	240	32%
	Non-violent	780	210	27%
Security Level at Release	Maximum	266	117	44%
	Medium	733	228	31%
	Lower	534	105	20%

Appendix III: Female 2017 Release Cohort with Recidivism Rates				
Variable	Category	Number of Releases	Number of Recidivists	Recidivism Rate
Age at Commitment	24 or Younger	59	21	36%
	25 - 29	102	31	30%
	30 - 34	98	32	33%
	35 - 39	67	18	27%
	40 - 44	45	8	18%
	45 - 49	38	9	24%
	50 - 54	29	8	28%
	55 or Older	18	0	0%
Age at Release	24 or Younger	48	20	42%
	25 - 29	89	27	30%
	30 - 34	101	30	30%
	35 - 39	77	24	31%
	40 - 44	43	7	16%
	45 - 49	42	11	26%
	50 - 54	32	7	22%
	55 or Older	24	1	4%
Release Type	Expiration to the Community	362	95	26%
	Parole to the Community	94	32	34%
Post Release Supervision	No Supervision	236	63	27%
	Parole and Probation	40	16	40%
	Parole Only	54	16	30%
	Probation Only	126	32	25%
Race/Ethnicity	White	346	96	28%
	Black or African American	49	15	31%
	Hispanic	30	10	33%
	Other	28	6	21%
Governing Offense Type	Person	130	34	26%
	Property	125	36	29%
	Drug	105	31	30%
	Other	92	26	28%
	Sex	4	0	0%
Governing Offense	Violent	134	34	25%
	Non-violent	322	93	29%
Security Level at Release	Maximum	n/a		n/a
	Medium	251	78	31%
	Lower	205	49	24%

Definitions	
County Sentence	Prior to the “Truth in Sentencing” law, if an incarcerated individual 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	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 incarcerated individuals.
Crime Bill of 2018	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	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	Incarcerated individuals 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 incarcerated individual’s governing offense.
Parole	The discharge of an incarcerated individual from a Massachusetts DOC jurisdiction to the community while under the supervision of the Parole Board. Such discharged incarcerated individuals 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 in the tables includes American Indian or Alaska Native, Asian or Pacific Islander, and Unknown. Incarcerated individuals who report a Hispanic ethnicity are reported as Hispanic in this race category.
Recidivism Rate	Number of incarcerated individuals re-incarcerated within three years of their release to the community divided by the number of incarcerated individuals released.
Recidivism Risk Score	On intake to the prison system, each incarcerated individual 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 incarcerated individual is established based on a simplified scale of Low, Moderate or High recidivism risk incarcerated individuals. The incarcerated individual’s most recent general risk assessment data was used prior to his/her release to the community.
Release Address	Release address is self-reported by the incarcerated individual prior to release. When a release address is not provided, the last known address reported by the incarcerated individual is used.
State Prison Sentence	Prior to the “Truth in Sentencing” law, if an incarcerated individual 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 incarcerated individual 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 incarcerated individual 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.