

Massachusetts Department of Correction

Luis S. Spencer, Commissioner

RECIDIVISM RATES 2006 RELEASE COHORT

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Introduction

Data presented in this research brief represents recidivism statistics and administrative data for 2,329 criminally sentenced inmates released to the street from a Massachusetts Department of Correction facility during calendar year 2006. Each release during the year is counted, making it possible for one inmate to be included multiple times. The Massachusetts Department of Correction (MADOC) defines a recidivist as any criminally sentenced inmate released to the street from the MADOC 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 2006 was tracked through Massachusetts Criminal Justice Information System (CJIS) to determine any re-incarceration within three years of the inmates 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 facility, new court commitment to a Massachusetts state facility, new court commitment to a federal facility, technical violation of probation, or probation violation with new offense. Chi-Square tests were used to determine significance in the differences in recidivism rates for the variables reported.

Overview of 2006 Release to the Street Population

Demographics

- Of the 2,329 released inmates, 1,474 (63%) were male and 855 (37%) were female.
- Thirty-four percent of the inmates were paroled to the street (n = 803), while 1,526 (66%) were released via expiration of sentence.
- The majority of the inmates were Caucasian (n = 1,260) followed by African American/Black (n = 542) and Hispanic (n= 512) respectively. The remaining releases reported races of Asian, Native American/Alaskan Native, and Other (n=15).
- The mean age *at time of incarceration* for this cohort of inmates was 32.2 years.
- Female inmates were slightly older than males *at time of incarceration*, 33.3 years and 31.6 years, respectively.
- The mean age of inmates *at time of release* was 35.6 years.
- Male inmates were older than females *at time of release*, 36.5 years of age and 34 years of age, respectively, due to males generally having longer prison sentences.

Offense Data

- Forty-six percent of the male inmates were serving a governing Person offense, followed by Drug offense (26%), Property offense (12%), Sex offense (9%), and 'Other offense' (7%).
- Twenty-nine percent of the female releases were serving a governing 'Other' offense, followed by Property offense (28%), Drug offenses (27%), and Person offense (15%). Less than one percent of the females were serving a governing sex offense.
- Forty-two percent of governing drug offenses carried a mandatory minimum term; 61% of the male governing drug offenses, and 11% of the female governing drug offenses had a mandatory minimum.

Sentencing Data

- The average length of incarceration¹ for all releases was 36.3 months.
- The average length of incarceration for males was 52.9 months, compared to 7.6 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 (63%) were released from a higher security facility; 55% from a medium security facility and 8% from a maximum security facility. The remaining 37% 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 (71%), while 29% were released from a lower security facility.

Release Statistics

Table 1: **Recidivism Rates by Release Type and Gender**

Release Type	Males		Females		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Parole To Street	503	48%	300	44%	803	46%
Expiration of Sentence	971	39%	555	39%	1,526	39%
Total Releases	1,474	42%	855	41%	2,329	41%

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 be violated and 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 offenders may have a higher likelihood of re-incarceration.

- Of the 2,329 inmates released to the street during 2006, 803 (34%) were paroled to the street, while 1,526 (66%) were released via Expiration of Sentence. Inmates paroled to the street had a significantly² higher recidivism rate (46%) than the recidivism rate of inmates released Expiration of Sentence (39%).

¹ Length of Incarceration is defined as 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, which may be different than their entire "time served."

² Pearson's Chi-Square test was used to determine statistical significance ($p \leq 0.05$).

Table 2:

Recidivism Rates by Post Release Supervision

	Males		Females		Total	
Supervision Type	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Parole Only	335	47%	185	46%	520	46%
Probation Only	404	47%	200	39%	604	44%
Both Parole and Probation	168	51%	115	41%	283	47%
No Supervision	567	33%	355	39%	922	35%
Total	1,474	42%	855	41%	2,329	41%

- Of the 2,329 inmates being released to the street, those being released with both parole and probation supervision had the highest recidivism rate (47%) and those being released with no supervision had the lowest recidivism rate (35%).
- Males released with both parole and probation supervision had the highest recidivism rate (51%), whereas males being released with no supervision had the lowest recidivism rate (33%).
- For female releases, those being released on parole supervision had the highest recidivism rate (46%) and those being released with no supervision had the lowest recidivism rate (39%).

Table 3:

Recidivism Rates by First Release and Gender

	Males		Females		Total	
First Release	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Multiple Release	247	47%	109	45%	356	47%
First Release	1,227	41%	746	40%	1,973	40%
Total Releases	1,474	42%	855	41%	2,329	41%

- A number of inmates who were released during 2006 had been committed to the MADOC for a violation of parole or probation, making the release from their current sentence not their first. The recidivism rates of inmates who had been released more than once on their current sentence were examined. There was a statistical difference between recidivists and non-recidivists in relation to whether or not it was the inmate's first release.
- For inmates who had been released previously on their current sentence the recidivism rate was 47%, compared to a recidivism rate of 40% for inmates being released off of their current sentence for the first time.

Table 4: Recidivism Rates by Security Level of Releasing Institution and Gender

Security Level	Males		Females		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Maximum	115	59%	n.a	n.a	115	59%
Medium	817	44%	605	44%	1,422	44%
Lower	542	35%	250	33%	792	34%
Total	1,474	42%	855	41%	2,329	41%

- Recidivism rates for inmates released during 2006 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 lower³ security had the lowest recidivism rate, with 35% of those inmates re-incarcerated within three-years of their release to the street.
- The recidivism rate for males released from medium security was 44%, while the rate for males released from maximum security was 59%, the highest of all security levels designations.
- The recidivism rate for female inmates released from a lower security facility was 33%, whereas females who were released from a medium security facility had a recidivism rate of 44%.
- For both male and female releases the difference in recidivism rates for security level was found to be statistically significant.

Table 5: Recidivism for Females by Sentencing Type⁴

Three Year Recidivism Rate Female 2006 Releases to the Street by Sentence Type		
Sentence Type	Number Releases	Recidivism Rate
State Sentence	82	18%
County Sentence	773	43%
Total	855	41%

Female inmates releasing from a county sentence have a significantly higher recidivism rate (43%) than those releasing from a state sentence (18%). Some of the difference in recidivism rates could be attributed to the significantly shorter sentences that female county inmates serve.

³ Lower security includes minimum, minimum pre-release, state pre-release, and contract pre-release facilities.

⁴ Due to the minimal number of county correctional facilities that house female offenders, many females released during 2006 who received a county sentence from the court served that sentence at the MADOC.

Demographic Statistics

Table 6: **Recidivism Rates by Race/Ethnicity and Gender⁵**

	Males		Females		Total	
Race/Ethnicity	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
African American/Black	448	48%	94	37%	542	46%
Hispanic	411	40%	101	42%	512	41%
Caucasian	606	39%	654	41%	1,260	40%
Native American/Alaskan Native	3	n.a.	1	n.a.	4	n.a.
Asian	6	n.a.	2	n.a.	8	n.a.
Other	0	n.a.	3	n.a.	3	n.a.
Total	1,474	42%	855	41%	2,329	41%

- Within three years of their release to the street, male inmates who reported a race of African American/Black had a recidivism rate of 48%, followed by Hispanic male inmates who recidivated at a rate of 40%.
- Of the 855 female releases, Hispanic inmates had a recidivism rate of 42 %. Caucasian and African American/Black female inmates' recidivated at, 41% and 37%, respectively.

Table 7: **Recidivism Rates by Age at Release and Gender⁶**

	Males		Females		Total	
Age	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
17 - 24	144	49%	179	48%	323	48%
25 - 29	300	44%	135	46%	435	45%
30 - 34	252	42%	129	41%	381	42%
35 - 39	260	47%	147	41%	407	45%
40 - 44	221	39%	145	37%	366	39%
45 - 49	119	46%	81	31%	200	40%
50 - 54	85	29%	26	23%	111	28%
55 - 59	47	26%	11	n.a.	58	21%
60 or older	46	15%	2	n.a.	48	15%
Total	1,474	42%	855	41%	2,329	41%

- The age of inmates at time of release from the MADOC ranged from 17 years to 82 years. Recidivism rates of the inmates released during 2006 by age at release were statistically significant.
- Female releases between 17-34 years of age had a recidivism rate of 45%, compared to a rate of 35% for females 35 years of age or older.
- Male inmates between 17-34 years at time of release had a recidivism rate of 44%, while 40% of males between 35-78 years of age at release recidivated within three years of their release to the street.
- These findings remain consistent with research that older inmates are less likely to recidivate.

⁵ For releases where the numeric value was less than 20, recidivism rates were not reported in the table.

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Offense Statistics

Table 8: **Recidivism Rates by Offense Category and Gender**

	Males		Females		Total	
Offense Category	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Property	172	60%	240	44%	412	51%
Person	678	45%	131	34%	809	44%
Other	103	46%	246	43%	349	44%
Drug	383	34%	230	37%	613	35%
Sex	138	22%	8	n.a.	146	24%
Total	1,474	42%	855	41%	2,329	41%

- Property offenders had the highest recidivism rate of all offense types for both male and female releases.
- The recidivism rate for male Property offenders was 60%, followed by ‘Other’ offenders who recidivated at a rate of 46%.
- The recidivism rate for female Property offenders was 44%, followed by females in the ‘Other’ offense category, with a recidivism rate of 43%.
- The difference in recidivists and non-recidivists groups was found to be significant when broken out by offense type for males and for the total release cohort.

Table 9: **Recidivism Rates by Violent Offense and Gender**

	Males		Females		Total	
Offense Type	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Violent	816	41%	139	36%	955	41%
Non-Violent	658	43%	716	41%	1,374	42%
Total	1,474	42%	855	41%	2,329	41%

- Non-violent offenders released during 2006 had a recidivism rate of 42% compared to a rate of 41% for violent offenders. This disparity may be due to high recidivism rates among property offenders, and to a lesser degree, drug offenders.

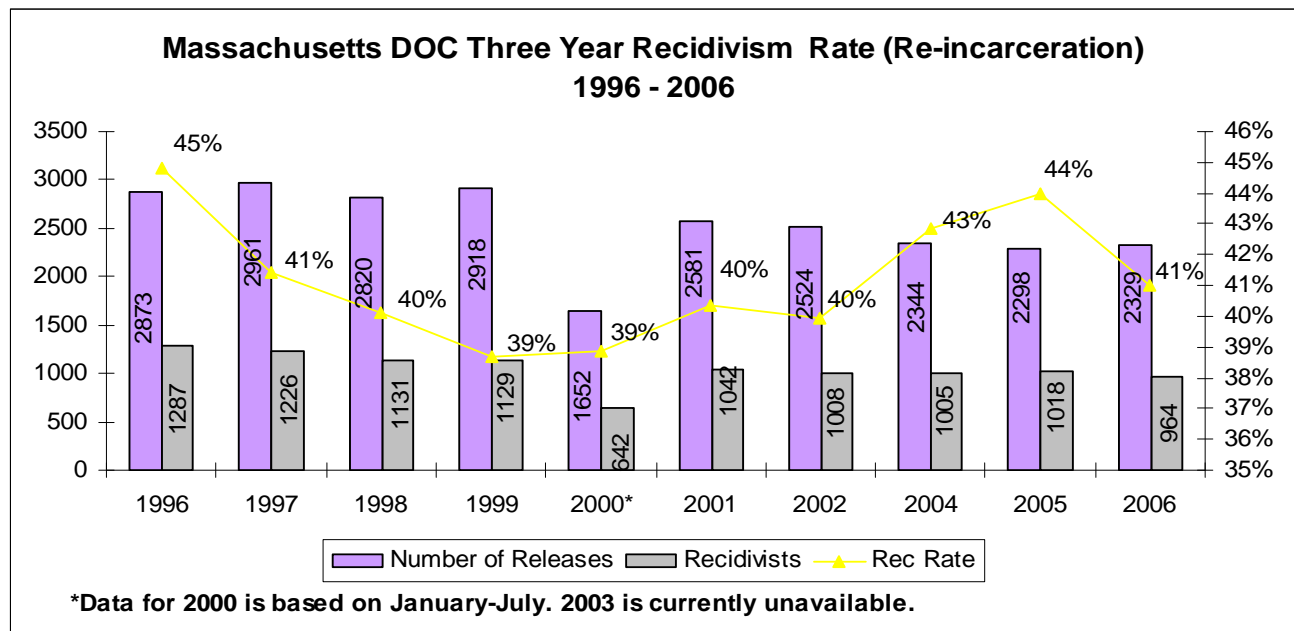
Table 10: **Recidivism Rates for Mandatory Drug Offenders and Gender**

Drug Offense Type	Males		Females		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Non-Mandatory Drug Offense	149	44%	205	41%	354	42%
Mandatory Drug Offense	234	28%	25	0%	259	25%
Total	383	34%	230	37%	613	35%

- Of the 613 inmates who were serving a governing drug offense at the time of their release, 42% were serving a mandatory drug sentence (n = 259).
- Mandatory drug offenders had a recidivism rate that was significantly lower than the rate of non-mandatory drug offenders, recidivating at a rate of 25%, compared to a recidivism rate of 42% for non-mandatory drug offenders.
- The average time served on their current incarceration for drug offenders was 31.1 months. The non-mandatory drug offenders on average were incarcerated for 15.2 months, compared to mandatory drug offenders who were incarcerated on average for 52.7 months.

Figure 1:

Recidivism Trends 1996-2006



After a decline between 1996 and 1997, the rate of recidivism remained fairly consistent, hovering around 40% between 1997 and 2002 until a slight increase to 43% in 2004 and again in 2005 to 44%, it then dropped slightly in 2006 to 41%.

Technical Violations Discussion⁷

A recidivist is defined as any criminally sentenced inmate released to the street from a DOC facility during 2006 who is re-incarcerated for a new sentence or violation of parole or probation to a Massachusetts State or County facility or to a Federal facility within three years of his/her release. Types of re-incarceration include technical violation of parole, parole violation with a new offense, return to county custody, return to state or federal custody, technical violation of probation, and probation violation with a new offense. An inmate, who is re-incarcerated due to a technical violation of parole or probation, is re-incarcerated for violating the terms of the conditions set forth regarding their release in the community, not for committing a new offense. A non-technical violation would be a parole or probation violation with a new offense, or a new court commitment to a facility.

Table 11 provides a comparison of the recidivism rates of inmates released during 2006, 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.

⁷ Inmates released on parole are supervised in the community upon release and can be re-incarcerated for violating the terms of their supervision while still on parole.

Table 11:

Recidivism Rates Including and Excluding Re-incarcerations for Technical Violations

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	855	166	19%	96	11%	39	5%	301	35%
Male	1,474	226	15%	207	14%	102	7%	535	36%
Total	2,329	392	17%	303	13%	141	6%	836	36%
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	855	219	26%	93	11%	35	4%	347	41%
Male	1,474	326	22%	204	14%	87	6%	617	42%
Total	2,329	545	23%	297	13%	122	5%	964	41%

- Of the 964 inmates who were a recidivist using the definition including technical violations, 207 were re-incarcerated for a technical parole or probation violation. One hundred and eighty-seven (n=187) were technical parole violations and 20 were technical violations of probation.
- Of the 207 inmates who returned for a technical violation, 79 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 41% to 36% when excluding technical violations. The recidivism rate for female inmates decreased from a rate of 41% to a rate of 35%. The male recidivism rate, decreased from 42% to 36% when excluding technical violations.
- The majority of technical violations occurred within the first year of release. When excluding technical violators in the first year, the recidivism rate was 17%, when technical violations were included, the first year recidivism rate increased to 23%. For the second year in the follow-up period, there was no difference in the recidivism rate, and only a slight difference in the third year when excluding technical violations of parole and probation.

Table 12:

Recidivism Rates (Re-incarceration), Excluding and Including Technical by Release Type

Three Year Re-incarceration Recidivism Rates <u>Excluding</u> Technical Violations									
Release Type	Number of Releases	1st Year		2nd Year		3rd Year		Total	
		Rec	Rate	Rec	Rate	Rec	Rate	Rec	Rate
Paroled to Street	803	120	15%	86	11%	47	6%	253	32%
Expiration of Sentence	1,526	272	18%	217	14%	94	6%	583	38%
Total	2,329	392	17%	303	13%	141	6%	836	36%
Three Year Re-incarceration Recidivism Rates <u>Including</u> Technical Violations									
Release Type	Number of Releases	1st Year		2nd Year		3rd Year		Total	
		Rec	Rate	Rec	Rate	Rec	Rate	Rec	Rate
Paroled to Street	803	264	33%	82	10%	27	3%	373	46%
Expiration of Sentence	1,526	281	18%	215	14%	95	6%	591	39%
Total	2,329	545	23%	297	13%	122	5%	964	41%

- The most notable change in the recidivism rate in the above table was found when comparing the rates for inmates paroled to the street. During the first year post-release, the recidivism rate for paroled inmates was 33% when including those returned for a technical violation of parole.
- When technical violators are excluded, that rate dropped to 15%. The recidivism rate for inmates paroled to the street by the end of the three year follow up period dropped from 46% when including technical violators to 32% when excluding technical violators.
- By the end of the three year period, the recidivism rate was higher for inmates released to the street via Expiration of Sentence (38%), than it was for inmates paroled to the street (32%), when excluding technical violations.
- While the bulk of recidivists were re-incarcerated within the first year post-release, this is particularly the case for parolees returned for technical violations, which is consistent with the nature of parole and being under supervision in the community in order to prevent further criminal activity.

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/time served	For the purposes of this report, a length of incarceration was calculated for each release to determine the time the offender spent in prison prior to their release to the street from their current commitment (release to street date – commitment date). Offenders can be committed to the DOC in a number of ways including being committed directly from the court (new court commitment), being received for another authority, or being committed for a violation of parole or probation. Offenders committed to the DOC from court to serve a sentence could have been awaiting trial prior to their commitment. The time an offender earns while awaiting trial is applied to the time an offender has served on their sentence in the form of jail credits. For those offenders, jail credit earned while awaiting trial are included in their length of incarceration calculation. For offenders received from other authorities or who were returned due to a violation of parole or probation, the date they were received to the MADOC for their current DOC commitment is used in their length of incarceration calculation.
Lower Security	Lower security includes minimum, minimum pre-release, state 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.

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