

Massachusetts Department of Correction

Luis S. Spencer, Commissioner

RECIDIVISM RATES 2005 RELEASE COHORT

Rhiana Kohl, PhD, Executive Director, Office of Strategic Planning and Research

Prepared by:

Ashley Montgomery, Research Analyst and Hollie Matthews, Senior Research Analyst

February 2011

Introduction

Data presented in this research brief represents recidivism statistics and administrative data for 2,298 criminally sentenced inmates released to the street from the Massachusetts Department of Correction during calendar year 2005. 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 2005 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 2005 Release to the Street Population

Demographics

- Of the 2,298 released inmates, 1,400 (61%) were male and 898 (39%) were female.
- Thirty-five percent of the inmates were paroled to the street (n = 795), while 1,503 (65%) were released via expiration of sentence.
- The majority of the inmates were Caucasian (n = 1,248) followed by African American/Black (n = 525) and Hispanic (n= 505) respectively. The remaining releases reported races of Asian, Native American/Alaskan Native, and Other (n=20).
- The average 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*, 33.2 years and 31.5 years, respectively.
- The average age of inmates *at time of release* was 35.1 years.

- Male inmates were older than females at time of release, 35.9 years of age and 34 years of age, respectively, due to males generally having longer prison sentences.

Offense Data

- Forty-five percent of the male inmates were serving a governing Person offense, followed by Drug offense (26%), Property offense (13%), Sex offense (9%), and ‘Other offense’ (7%).
- Thirty percent of the female releases were serving a governing ‘Other’ offense, followed by Property and Drug offenses (26%), and Person offense (18%). Less than one percent of the females were serving a governing sex offense.
- Thirty-seven percent of governing drug offenses carried a mandatory minimum term; 54% of the male governing drug offenses, and 10% of the female governing drug offenses had a mandatory minimum.

Sentencing Data

- The average length of incarceration¹ for all releases was 35.1 months.
- The average length of incarceration for males was 52.1 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 (64%) were released from a higher security facility; 55% from a medium security facility and 9% from a maximum security facility. The remaining 36% 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 (74%), while 26% 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	501	51%	294	49%	795	50%
Expiration of Sentence	899	40%	604	42%	1,503	41%
Total Releases	1,400	44%	898	45%	2,298	44%

Of the 2,298 inmates released to the street during 2005, 795 (35%) were paroled to the street, while 1,503 (65%) were released via Expiration of Sentence. Inmates paroled to the street had a significantly² higher recidivism rate (50%) than the recidivism rate of inmates released Expiration of Sentence (41%).

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	315	51%	196	51%	511	51%
Probation Only	373	45%	186	44%	559	44%
Both Parole and Probation	186	50%	98	46%	284	49%
No Supervision	526	37%	418	42%	944	39%
Total	1,400	44%	898	45%	2,298	44%

Of the 2,298 inmates being released to the street, those being released with parole supervision only had the highest recidivism rate (51%) and those being released with no supervision had the lowest recidivism rate (39%). This was also true for male and female releases. Those released with parole supervision only had the highest recidivism rate (51%), whereas those being released with no supervision had the lowest recidivism rate (37%). For female releases, those being released on parole supervision had the highest recidivism rate (51%) and those being released with no supervision had the lowest recidivism rate (42%).

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	249	51%	117	50%	366	51%
First Release	1,151	43%	781	44%	1,932	43%
Total Releases	1,400	44%	898	45%	2,298	44%

A number of inmates who were released during 2005 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 51%, compared to a recidivism rate of 43% 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	123	58%	n.a	n.a	123	58%
Medium	778	47%	661	48%	1,439	47%
Lower	499	37%	237	35%	736	36%
Total	1,400	44%	898	45%	2,298	44%

Recidivism rates for inmates released during 2005 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 37% of those inmates re-incarcerated within three-years of their release to the street. The recidivism rate for males released from medium security was 47%, while the rate for males released from maximum security was 58%, the highest of all security levels designations. The recidivism rate for female inmates released from a lower security facility was 35%, whereas females who were released from a medium security facility had a recidivism rate of 48%. 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 2005 Releases to the Street by Sentence Type

Sentence Type	Number Releases	Recidivism Rate
State Sentence	97	27%
County Sentence	801	47%
Total	898	45%

Female inmates releasing from a county sentence have a significantly higher recidivism rate (47%) than those releasing from a state sentence (27%).

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 2005 who receive a county sentence from the court serve that sentence at the MADOC.

Demographic Statistics

Table 6: Recidivism Rates by Race/Ethnicity and Gender⁵

Race/Ethnicity	Male		Female		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
African American/Black	422	50%	103	38%	525	47%
Hispanic	393	45%	112	43%	505	45%
Caucasian	575	40%	673	45%	1,248	43%
Native American/Alaskan Native	7	n.a.	3	n.a.	10	n.a.
Asian	3	n.a.	3	n.a.	6	n.a.
Other	0	n.a.	4	n.a.	4	n.a.
Total	1,400	44%	898	45%	2,298	44%

- Within three years of their release to the street, male inmates who reported a race of African American/Black had a recidivism rate of 50%, followed by Hispanic male inmates who recidivated at a rate of 45%.
- Of the 898 female releases, Caucasian inmates had a recidivism rate of 45%. Hispanic and African American/Black female inmates' recidivated at, 43% and 38%, respectively.

Table 7: Recidivism Rates by Age at Release and Gender⁶

Age	Male		Female		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
17 - 24	186	55%	178	53%	364	54%
25 - 29	248	51%	140	52%	388	52%
30 - 34	253	46%	130	41%	383	44%
35 - 39	244	47%	191	48%	435	47%
40 - 44	203	41%	141	36%	344	39%
45 - 49	122	36%	83	34%	205	35%
50 - 54	78	28%	21	38%	99	30%
55 - 59	35	11%	10	n.a.	45	9%
60 or older	31	10%	4	n.a.	35	14%
Total	1,400	44%	898	45%	2,298	44%

- The age of inmates at time of release from the MADOC ranged from 17 years to 72 years. Recidivism rates of the inmates released during 2005 by age at release were statistically significant.
- Female releases between 17-34 years of age had a recidivism rate of 49%.
- A rate of 40% of female releases recidivated between the ages of 35-78 years.
- 50% of male inmates between 17-34 years of age and 38% between 35-78 years of age 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.

⁶ For releases where the numeric value was less than 20, recidivism rates were not reported in the table.

Offense Statistics

Table 8: Recidivism Rates by Offense Category and Gender

Offense Category	Males		Females		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Property	185	54%	238	50%	423	52%
Person	635	52%	158	40%	793	50%
Other	93	43%	267	46%	360	45%
Drug	365	33%	233	41%	598	36%
Sex	122	19%	2	n.a.	124	19%
Total	1,400	44%	898	45%	2,298	44%

- The recidivism rate for property offenders was higher than other offense types for both male and female releases.
- The recidivism rate for male property offenders was 54%, followed by person offenders who recidivated at a rate of 52%.
- The recidivism rate for female property offenders was 50%, followed by females in the other offense category, with a recidivism rate of 46%.
- 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

Offense Type	Males		Females		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Violent	757	47%	160	39%	917	46%
Non-Violent	643	41%	738	46%	1,381	43%
Total	1,400	44%	898	45%	2,298	44%

- Non-violent offenders released during 2005 had a recidivism rate of 43% compared to a rate of 46% for violent offenders.
- Unlike males and the overall population, non-violent females recidivated at a higher rate than those with governing violent offenses.

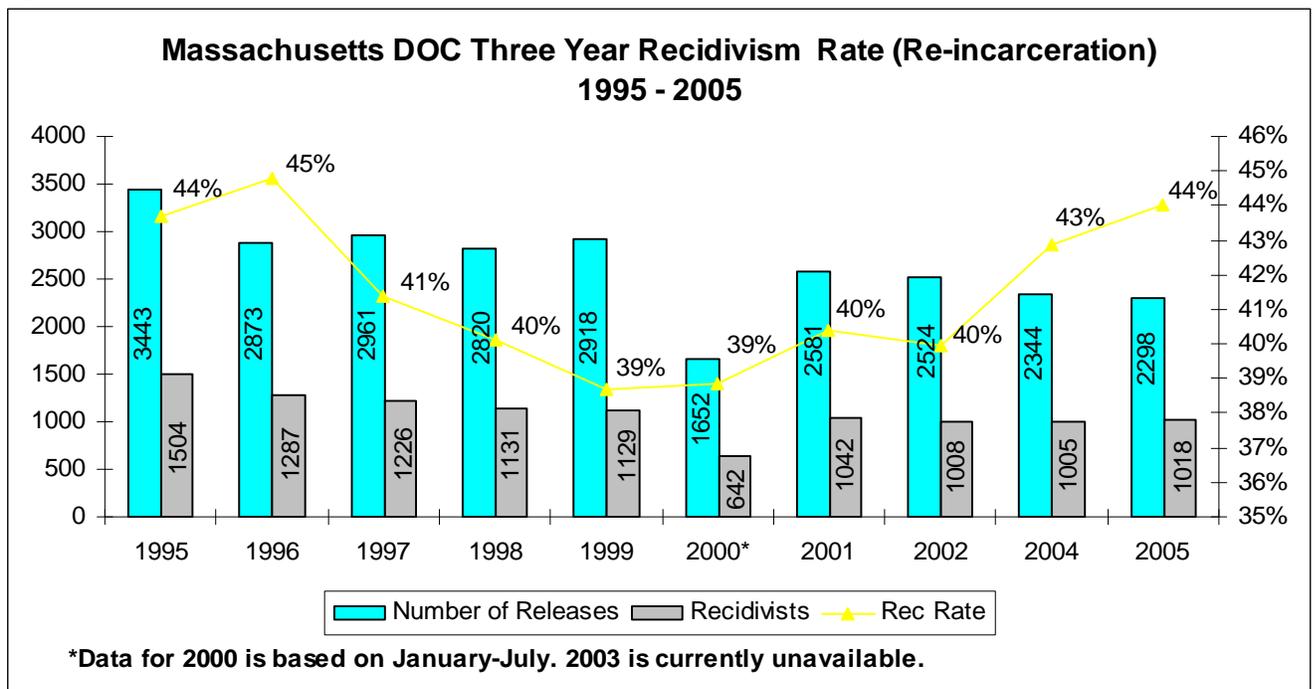
Table 10: Recidivism Rates for Mandatory Drug Offenders and Gender

Drug Offense Type	Male		Female		Total	
	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate	Number Releases	Recidivism Rate
Non-Mandatory Drug Offense	168	46%	209	43%	377	44%
Mandatory Drug Offense	197	23%	24	21%	221	23%
Total	365	33%	233	41%	598	36%

Of the 598 inmates who were serving a governing drug offense at the time of their release, 37% were serving a mandatory drug sentence (n = 221). Mandatory drug offenders had a recidivism rate that was significantly lower than the rate of non-mandatory drug offenders, recidivating at a rate of 23%, compared to a recidivism rate of 44% for non-mandatory drug offenders. The average time served on their current incarceration for drug offenders was 29 months. The non-mandatory drug offenders on average were incarcerated for 18 months, compared to mandatory drug offenders who were incarcerated on average for 47.4 months.

Figure 1:

Recidivism Trends 1995-2005



After a decline between 1995 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%.

Technical Violations Discussion⁷

A recidivist is defined as any criminally sentenced inmate released to the street from a DOC facility during 2005 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 2005, 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	898	194	22%	109	12%	49	6%	352	39%
Male	1,400	213	15%	202	14%	125	9%	540	39%
Total	2,298	411	18%	311	14%	174	8%	892	39%

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	898	246	27%	109	12%	45	5%	400	45%
Male	1,400	313	22%	193	14%	112	8%	618	44%
Total	2,298	559	24%	302	13%	157	7%	1,018	44%

- Of the 1,018 inmates who were a recidivist using the definition including technical violations, 202 were re-incarcerated for a technical parole or probation violation. One hundred and eighty-two (n=182) were technical parole violations and 20 were technical violations of probation.
- Of the 202 inmates who returned for a technical violation, 76 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%, from 44% to 39% when excluding technical violations. The recidivism rate for female inmates decreased from a rate of 45% to a rate of 39%. Male inmates recidivism rates, decreased from 44% to 39% 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 18%, when they were included, the recidivism rate increased to 24%. For the second and third year there was no significant difference in the total recidivism rate when including technical violators.

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	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, 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.

This Research Brief was written by Ashley Montgomery, Research Analyst. Any comments or questions can be addressed by e-mail: Research@doc.state.ma.us. The contributions by Hollie Matthews, Senior Research Analyst were significant and greatly appreciated. Copies of publications from the Research and Planning Division can be found on www.mass.gov/doc.

Publication No. 12-228-DOC-01 9pgs. - August, 2011
 Authorized by: Ellen Bickelman, State Purchasing Agent