



**HAMPDEN COUNTY SHERIFF'S DEPARTMENT
MICHAEL J. ASHE, JR.
SHERIFF**

**HOUSE OF CORRECTION
ONE-YEAR RECIDIVISM REPORT**

2008 Releases

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EXECUTIVE SUMMARY

Section 1: 2008 Releases One-Year Post Release

- Of the 2364 inmates released in 2008, 380 (16.1%) were re-incarcerated within one year for a new offense and 122 (5.2%) returned for a technical violation of parole or probation.
- *The total reincarceration rate was 21.3%.* This represents a decrease of 1.7 percentage points from the previous year. Re-incarceration rates are the lowest since 2004.
- In addition to recidivists, 2 women and 8 men were incarcerated during the year for existing charges that were awaiting disposition at the time of their release.
- There were 34 individuals (2 women, 32 men) who were incarcerated twice within the first year post release. Three men were incarcerated three times in the first year.
- These repeat offenders commit drug, property, motor vehicle or minor violent offenses, or violate probation or parole. Although they are not a serious threat to public safety, their constant movements in and out of the criminal justice system are costly. As noted in the last two recidivism reports, these "churners" should be considered a high-risk group and targeted for intensive programming and release planning.

- **Re-incarceration rates for new crimes by females decreased 7.5% while technical violations decreased by nearly 5%. New crimes by males decreased 5% and technical violations fell 18%.**
- **36% of new arraignments occurred within 90 days of release, and 65% occurred within 180 days of release. Mean time to recidivate was 136 days for women and 150 days for men.**
- **274 individuals had new cases awaiting disposition at the end of the first year post release, a decrease of 45 from the previous year. Disposition of these cases will be reflected in the three-year follow up.**
- **155 offenders received a new conviction that did not result in an incarceration (probation, suspended sentence, fined, filed).**
- **355 individuals (18 females, 337 males) had new restraining orders filed against them after their release.**
- **Many new arraignments lead to incarceration for violation of release conditions. This is particularly true for nonviolent offenses, which represented 63% of new arraignments, but only 46% of new incarcerations.**
- **36% of those serving time for a violent offense were arraigned for a new violent offense. Most scored as high-risk on the LSI. 66% had been released without supervision, over half from the Main Institution. Three were repeat sex offenders and 16 committed new acts of domestic violence. The majority of these violent offenders are young males under age 30.**

- **Mean sentence for a new offense was 180 days, for a probation violation, 238 days and for a parole violation, 111 days. Parole violators received credit for over 6600 days on the street before revocation. Probationers on a split sentence do not receive credit, and must serve the entire suspended portion of their sentence for a violation.**
- **Those released from lower security have a significantly better outcome than those released from "behind the wall". Those released from lower security committed 41% fewer new crimes despite the fact that over 50% scored 5 or higher on the LSI.**
- **The benefit of the Community Reentry Unit program is evidenced by a re-incarceration rate (22.5%) that is lower than the Main Institution (25.2%), despite the fact that most CRU releases spend the majority of their time at the MI.**
- **Minimum/PRC was the only classification that experienced an increase in re-incarceration rates from the previous year. Technical violations decreased, but new offense rates were up from 14% to 16.3%. It should be noted that Minimum/PRC experienced a change in population in 2008, with releases declining 34%.**
- **Hampden County releases from WMCAC demonstrated a decrease in recidivism of 7.2 percentage points. Their technical violation rate declined by 43%.**
- **Those released with probation supervision had the highest rate of re-incarceration for a new offense. Conversely, only 15 parolees committed a new offense while under parole supervision.**

- **Consistent with previous years, the majority of parole revocations were for reasons related to relapse. The most frequent reason for revocation for women was program failure, for men it was drug or alcohol use. Men were more likely than women to fail to report to their parole officer.**
- **There were 15 offenders returned for violation of Lifetime Parole supervision (up from 6 the previous year). Two were first offenders (30 days), 7 were second offenders (180 days) and 6 were third or subsequent offenders (365 days).**
- **The LSI screening continues to be highly predictive of re-offending. The re-incarceration rate for those who scored as High-Risk offenders was nearly twice that of who scored as Low-Risk.**
- **Substance abuse, criminal history, personal-emotional problems, unemployment and criminal associates were the predominant risk factors for re-offending.**

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One-Year Recidivism Rates - 2008 Releases

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INTRODUCTION

This is the eleventh year of the recidivism study at the Hampden County House of Correction. Release cohorts have grown from 1547 in 1998 to a peak of 2608 in 2006, an increase of 69%. The 2008 release cohort decreased 4.2% to 2364, continuing the downward trend from 2007. The study now includes nearly 25,000 individuals released over the eleven-year period.

Computing and analyzing recidivism for the highly mobile population of individuals that move through a county facility is a complex process, and largely explains the absence of interest or effort to track this statistic at most county facilities. To accurately assess the rate of re-offending, it is critical to carefully define that portion of the population that is released to the community and is “at risk” to recidivate. This study follows only those sentenced offenders released to the street via expiration of sentence, payment of fines or parole. Sentenced offenders transferred to other correctional facilities at the time of release (immigration, another local jurisdiction, state or federal system) and pretrial detainees are excluded.

The goal of this ongoing study of recidivism is to produce more than the “recidivism rate”. The broader purpose is to inform and support good correctional practices while managing scarce correctional resources. It is more critical than ever to gather and report valid data on factors that may have an effect on the perpetuation of criminal behavior and to present that information in such a way that it is useful to public safety professionals in making security, classification, programming and release decisions. It also aids in developing community collaborations to improve each offender’s potential for successful reintegration into society and ultimately enhance public safety.

METHODOLOGY

Lists of individuals released from the House of Correction are drawn monthly from the facility's Jail Management System. Offenders not released to the street (transferred to other institutions or returned to pretrial status for new charges) are deleted. Edited lists are produced from which official criminal records (BOPs) are run and processed. Any activity within the criminal court system in Massachusetts is recorded.

Recidivism is reported along four dimensions:

- **New Arraignment** – any court appearances following release for new offense.
- **New Conviction** – any guilty finding on a new case. Dispositions range from guilty-filed to commitment to a county, state or federal facility.
- **New Incarceration** – sentence of any length to a state or county correctional facility in Massachusetts for a new offense.
- **Technical Violation** - return to custody for violation of either parole or probation for any reason other than a new offense.

Several data sources are utilized in preparing the recidivism report. Information relative to gender, race, age, residence, current charges and sentence, release type and classification are obtained from JMS. LSI results are drawn from the TRAX Case Management program. Parole violations are tracked through JMS (date of permanent warrant and outdate adjustment) and the Notice of Preliminary Hearing (Form A) from the

Institutional Parole Office. Data for on and after probation and probation violations are recorded from the BOP.

OVERVIEW OF THE 2008 RELEASE COHORT

- **During 2008, 2364 sentenced offenders were released to the street. This represented a decrease of 104 (4.2 %) from the previous year.**
- **22% (515) were paroled and 78% (1847) were released via expiration of sentence or payment of fines ("wrapped"). Parolees served 51.9% of their sentence, those who wrapped served 81.2%.**
- **49% (163) of females and 62% (1255) of males were previous recidivists by virtue of having at least one prior incarceration. 248 males had more than five prior incarcerations in the last 10 years.**
- **Of those serving their first adult incarceration, 34% (324) had a previous juvenile record.**
- **64% (1518) of those released had a previous incarceration for violation of parole or probation.**
- **Of those released, 14% (333) were females and 86% (2030) were males. Six males were reported deceased during the first year post-release and have been removed from the cohort.**
- **Female releases ranged in age from 18 to 66 years of age. The most common age was 31. Males ranged from 17 to 85 years; the most common age was 26.**
- **13% of the females released were African American, 22% were Hispanic and 65% were Caucasian. Of the male releases, 19% were African American, 38% were Hispanic and 43% were Caucasian.**

- **The breakdown of security level at time of release was as follows: Medium/Maximum 38%, Minimum/PRC12%, CRU 19%, WMCAC 19% and Day Reporting 12%.**
- **28% of those released from Medium/Maximum security served a sentence of 30 days or less.**
- **The 2008 release cohort included 3 DOC reentry inmates (2 females, 1 male) and 22 Bureau of Prisons inmates (all males). All but 3 were released from lower security.**
- **52.7% (1246) of those released served time for a nonviolent offense (property, drugs, MV, prostitution, other), 17.8% (420) for a violent offense (crime against a person, domestic violence, sex offense, firearms), and 29.5% (698) for violation of parole or probation.**
- **27% (644) served a sentence of 90 days or less, 30% (711) between 90 and 180 days, 9% (217) between 180 and 364 days, and 34% (790) a year or more.**
- **399 individuals served sentences part or all of which were mandatory. These mandatory sentences accrued 121,585 bed-days, 51,100 were for school zone violations.**
- **45% of those released were from Springfield, 12% from Holyoke, 7% from Chicopee, 15% from other Hampden County towns, 15% from other counties and 3% from out of state. 86 individuals provided no address at booking.**
- **On the LSI screening, 11% scored as Low-Risk, 58% as Medium-Risk and 31% as High-Risk. Predominant criminogenic factors (in order of**

magnitude) were substance abuse, adult criminal history, unemployment, personal-emotional problems and criminal associates.

- **27% of those released from lower security scored as High-Risk, compared to 38% of those released from the Main Institution. Those who moved to lower security had higher rates of substance abuse, but had fewer personal-emotional issues, stronger family relationships and demonstrated more pro-social attitudes.**

2008 RELEASES

ONE-YEAR RECIDIVISM RATES

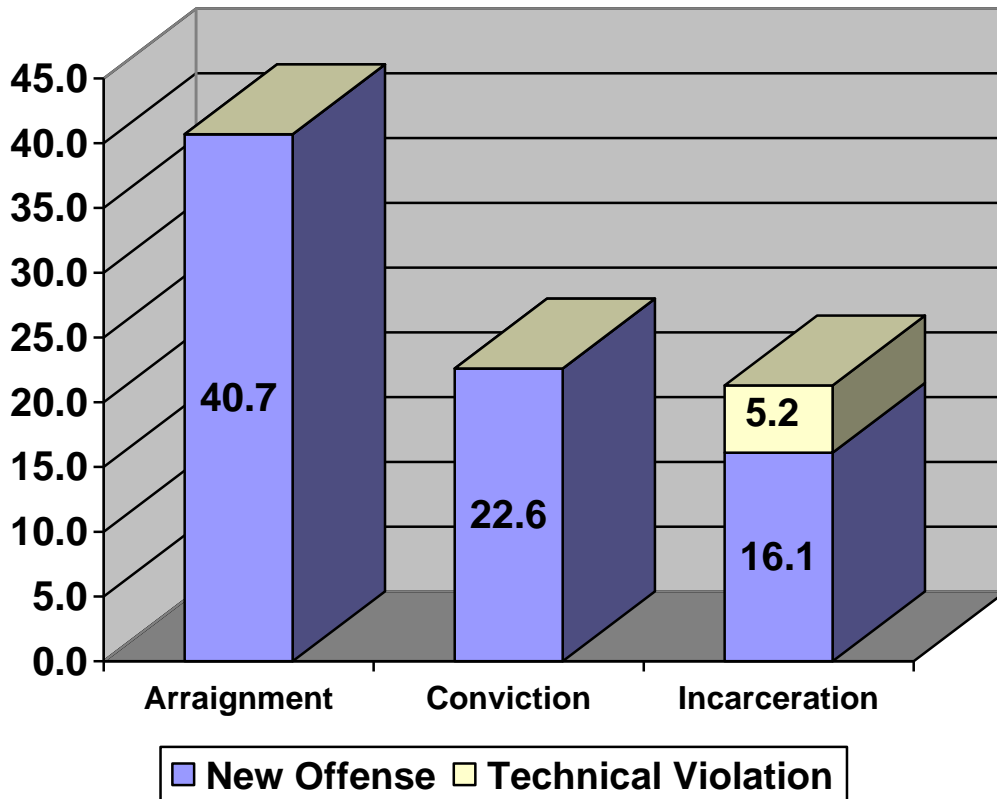
ONE-YEAR RECIDIVISM RATES 2008 RELEASES

Recidivism Type (% of Total Releases)

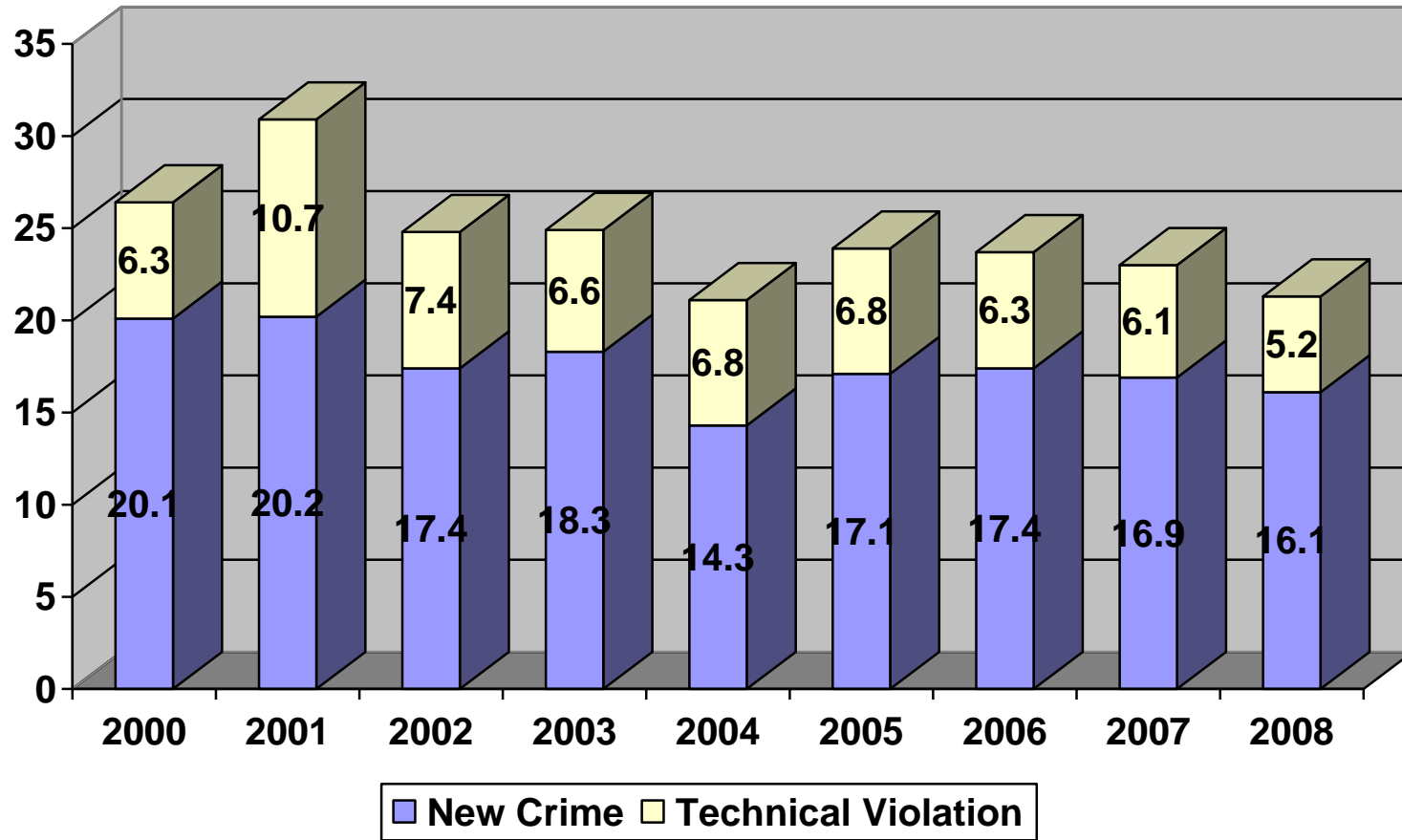
| | Females | | Males | | Total | |
|----------------------------|---------|------|-------|------|-------|------|
| | N | % | N | % | N | % |
| New Offense | | | | | | |
| Arraignment | 129 | 38.7 | 833 | 41.0 | 962 | 40.7 |
| Conviction | 73 | 21.9 | 460 | 22.6 | 533 | 22.5 |
| Incarceration | 45 | 13.5 | 335 | 16.5 | 380 | 16.1 |
| Technical Violation | 20 | 6.0 | 102 | 5.0 | 122 | 5.2 |

16.1% of those released were sentenced for a new offense within one year of release, a decrease of more than 5% from the previous year. An additional 5.2% returned for a technical violation of parole or probation, a decrease of 15%. The total reincarceration rate of 21.3% was down more than 7% from the previous year. Reincarceration rates are at their lowest level since 2004.

One-Year Recidivism Rates

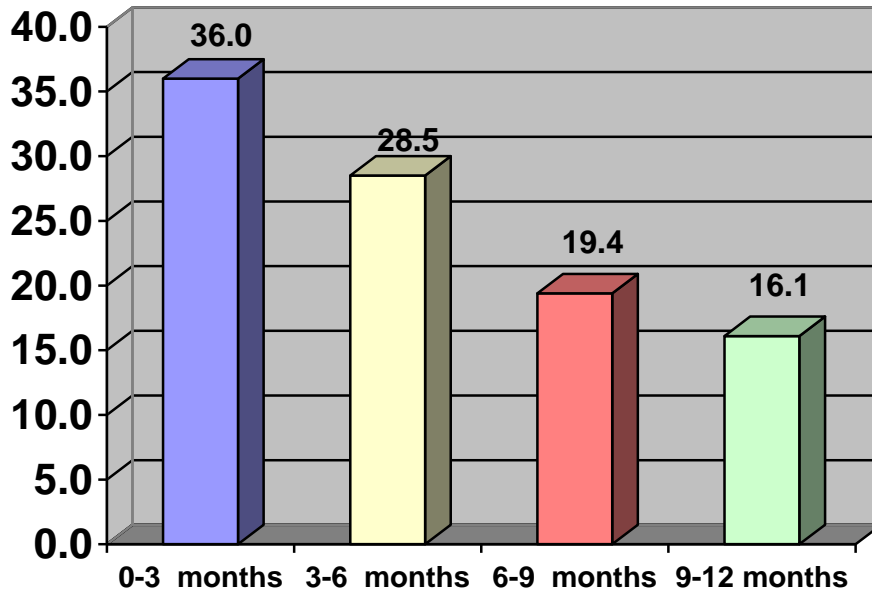


One-Year Re-incarceration Rates 2000-2007



| <u>Number of New Arraignments</u> | <u>Females</u> | <u>Males</u> |
|-----------------------------------|----------------|--------------|
| 1 | 60 | 317 |
| 2-5 | 71 | 463 |
| 6-10 | 14 | 130 |
| 11-15 | 3 | 20 |
| More than 15 | 1 | 6 |

**Time to New Arraignment
(% of New Arraignments)**



36% of new arraignments occur within 90 days of release, and 65% within 180 days of release. Mean time to recidivate was 136 days for women and 150 days for men.

| <u>Other Activity</u> | <u>Females</u> | | <u>Males</u> | |
|-----------------------|----------------|----------|--------------|----------|
| | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> |
| Open Cases-New | 33 | 7.4 | 241 | 13.9 |
| Open Cases-Existing | 110 | 25.8 | 630 | 30.3 |
| Open Warrants | 18 | 5.8 | 131 | 7.3 |
| New Restraining Order | 18 | 5.5 | 337 | 14.8 |

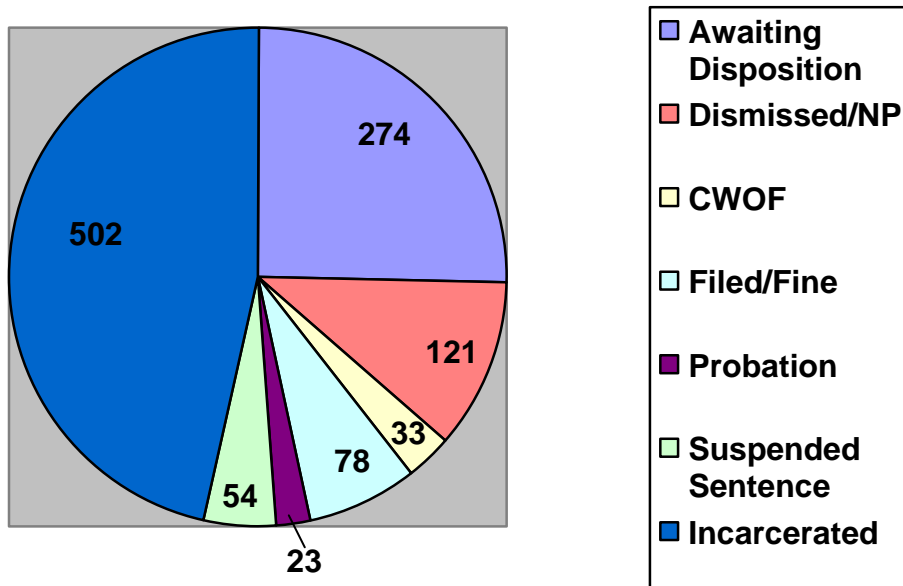
355 individuals had new restraining orders filed against them after their release.

Disposition of New Cases

| | Females N | Males N |
|-----------------------|----------------------|--------------------|
| Awaiting Disposition | 33 | 241 |
| Dismissed | 14 | 80 |
| Nol Pros | 4 | 23 |
| Continued W/O Finding | 5 | 28 |
| Fined/Filed | 10 | 68 |
| Probation | 6 | 17 |
| Suspended Sentence | 12 | 42 |
| Split Sentence | 8 | 30 |
| Committed | 57 | 407 |

274 individuals had new cases awaiting disposition at the end of their first year post-release, a decrease of 45 from the previous year. Disposition of these cases will be reflected in the three-year follow up. 155 offenders received convictions that did not result in incarceration (fine, filed, probation or suspended sentence).

Disposition of New Cases



New Offense (% of New Arraignments)

| | Females | | Males | |
|---------------------------------|------------|-------------|------------|-------------|
| | N | % | N | % |
| Person | 16 | 10.7 | 201 | 21.5 |
| Domestic | 2 | 1.3 | 27 | 2.9 |
| Sex Offense | 0 | 0.0 | 15 | 1.6 |
| Firearms | 1 | 0.6 | 21 | 2.2 |
| Total Violent Offenses | 19 | 12.7 | 264 | 28.2 |
| Property | 29 | 19.5 | 204 | 21.8 |
| Drugs | 25 | 16.8 | 157 | 16.8 |
| MV | 21 | 14.1 | 176 | 18.8 |
| Prostitution | 28 | 18.8 | 1 | 0.1 |
| Other | 7 | 4.7 | 32 | 3.4 |
| Total Nonviolent Offense | 110 | 73.9 | 570 | 60.9 |
| Parole Violation | 15 | 10.1 | 67 | 7.2 |
| Probation Violation | 5 | 3.3 | 20 | 2.1 |
| Lifetime Parole Violation | 0 | 0.0 | 15 | 1.6 |
| Total Tech. Violations | 20 | 13.4 | 102 | 10.9 |

| <u>Original Offense Type</u> | <u>New Offense Type</u> | | | |
|------------------------------|-------------------------|-------------|------------|-------------|
| | Violent | | Nonviolent | |
| | N | % | N | % |
| Violent | 111 | 35.9 | 198 | 64.1 |
| Nonviolent | 172 | 22.1 | 605 | 77.9 |

111 violent offenders were arraigned for a new violent offense. This group continues to be overwhelmingly male, young (61% are under 30) and score as high risk on the LSI, with substance abuse, unemployment, mental health, criminal associates and poor family relationships being the leading risk factors. Over 50% lack a high school diploma or GED.

Fifty-eight were released from the Main Institution and 30 from the Community Re-entry Unit. 66% had no post release supervision, 24% were under probation supervision and 10% were paroled. Sixteen committed acts of domestic violence, and three were repeat sex offenders.

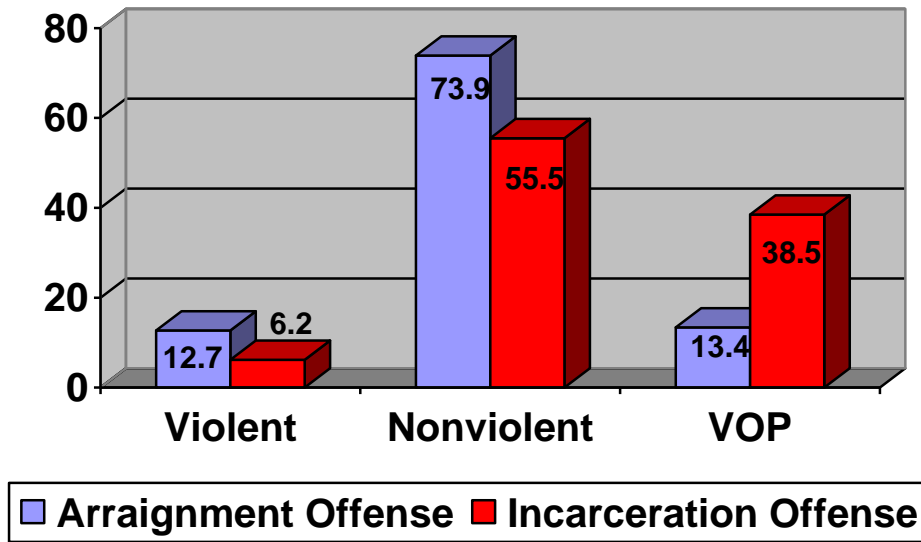
New Incarceration Offense (% of New Incarcerations)

| | Females | | Males | |
|---------------------------------|-----------|-------------|------------|-------------|
| | N | % | N | % |
| Person | 4 | 6.2 | 62 | 14.2 |
| Domestic | 0 | 0.0 | 14 | 3.2 |
| Sex Offense | 0 | 0.0 | 2 | 0.5 |
| Firearms | 0 | 0.0 | 6 | 1.4 |
| Total Violent Offenses | 4 | 6.2 | 84 | 19.3 |
| Property | 7 | 10.8 | 85 | 19.5 |
| Drugs | 5 | 7.7 | 69 | 15.8 |
| MV | 5 | 7.7 | 34 | 7.8 |
| Prostitution | 17 | 26.2 | 0 | 0.0 |
| Other | 2 | 3.1 | 8 | 1.8 |
| Total Nonviolent Offense | 36 | 55.5 | 196 | 44.9 |
| Parole Violation | 17 | 26.2 | 78 | 17.8 |
| Probation Violation | 8 | 12.3 | 64 | 14.6 |
| Lifetime Parole Violation | 0 | 0.0 | 15 | 3.4 |
| Total Violations | 25 | 38.5 | 157 | 35.8 |

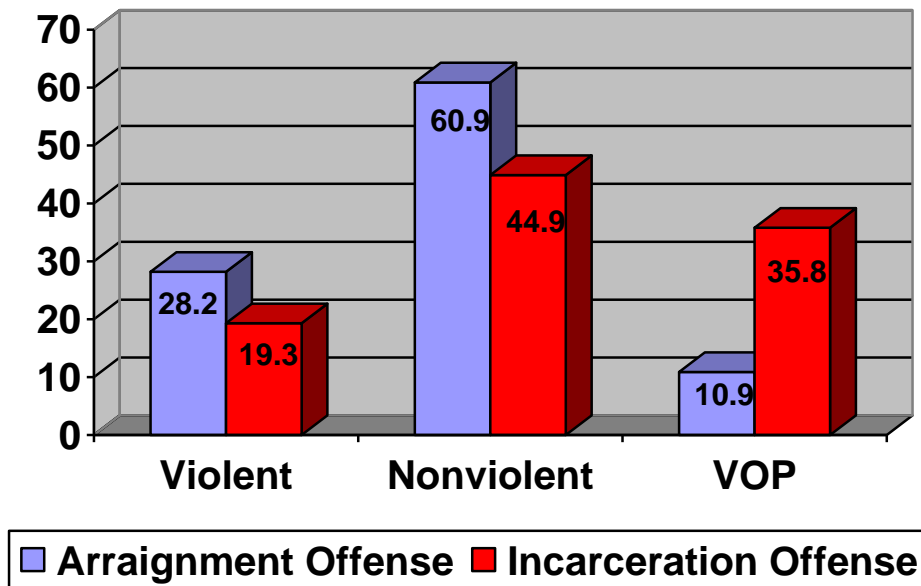
The first offense for which an individual is arraigned is often not what leads to a new incarceration, instead, a new arraignment often leads to violation of probation or parole. This is particularly true of nonviolent offenses, which account for 63% of new arraignments, but only 45% of incarcerations.

36% are re-incarcerated for violating parole or probation.

Arrestment & Incarceration Offenses Females



Arrestment & Incarceration Offenses Males



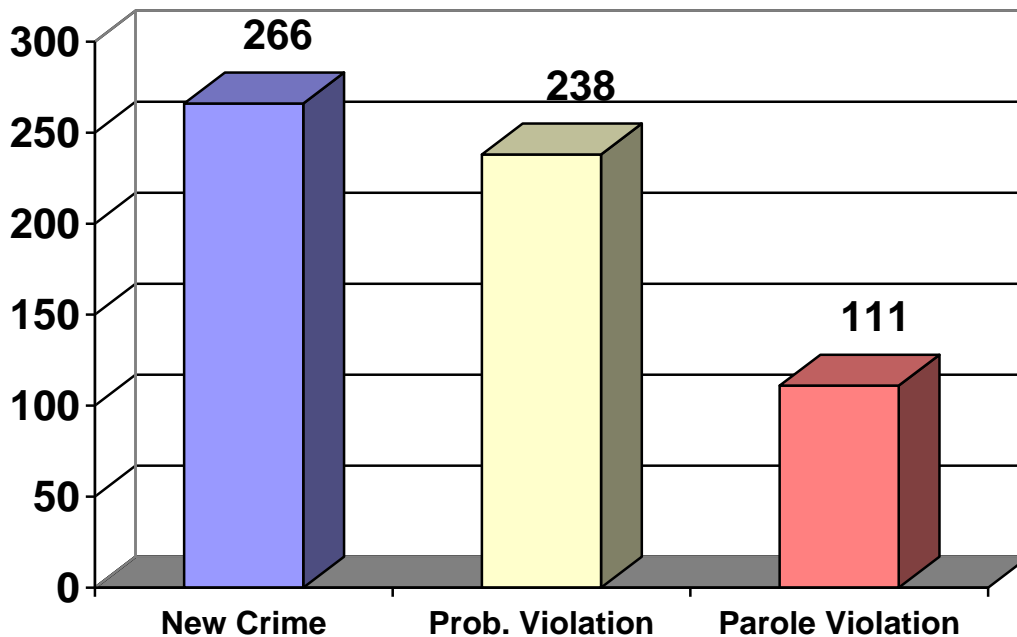
New Sentence (Days)

| | <u>New Offense</u> | <u>Probation Technical</u> | <u>Parole Technical</u> | <u>All</u> |
|---------|--------------------|--------------------------------|-----------------------------|------------|
| Mean | 266 | 238 | 111 | 240 |
| Median | 180 | 180 | 93 | 180 |
| Minimum | 2 | 30 | 8 | 2 |
| Maximum | 3650 | 1095 | 730 | 3650 |

Mean sentence length can be skewed by one extreme value therefore it is more accurate to use the *median* when making comparisons to the previous year. Median sentence for a new offense remained at 180 days. Median sentence for technical violation of probation decreased from 333 to 180 days, parole violation from 96 to 93 days.

Because parolees receive credit for time on the street, the amount of time they must serve after revocation is much shorter than for probationers. The 82 technical parole violators had 9,105 to serve after revocation, while only 26 technical probation violators tallied 5,961 days. Parole violators received credit for approximately 6613 days on the street prior to revocation.

Mean New Sentence in Days



Incarceration Rates by Security Level at Release & Type of Return

| | Technical | | New Offense | | Total | |
|------------------------|-----------|-----|-------------|------|-------|------|
| | N | % | N | % | N | % |
| Lower Security | 62 | 6.0 | 115 | 11.2 | 177 | 17.2 |
| Medium/Maximum | 55 | 6.1 | 170 | 19.1 | 225 | 25.2 |
| Community Reentry Unit | 6 | 1.3 | 95 | 21.2 | 101 | 22.5 |

The benefit of the Community Reentry Unit program is evidenced by the fact that its re-incarceration rate that is lower than the Main Institution, despite the fact that CRU releases are ineligible for lower security until the last weeks of their sentence.

Incarceration Rates by Classification at Release*

| | Females | | Males | |
|----------------|---------|------|-------|------|
| | N | % | N | % |
| Day Reporting | 7 | 14.0 | 48 | 20.0 |
| Minimum/PRC | 21 | 23.6 | 47 | 23.5 |
| WMCAC-Hampden | 4 | 16.0 | 37 | 17.0 |
| CRU | N/A | | 101 | 22.5 |
| Medium/Maximum | 28 | 20.1 | 196 | 26.1 |

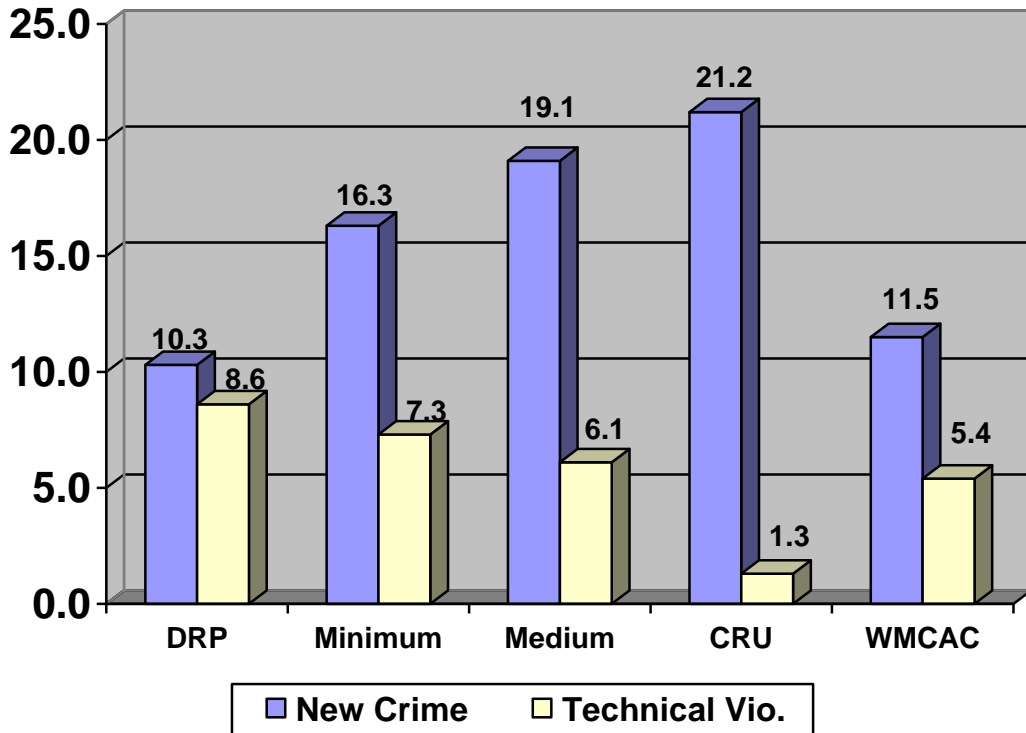
*DOCR, BOP & Probates are included in security level at time of release.

Incarceration Rates by Class & Type of Return

| | Technical | | New Offense | | Total | | Chg. |
|----------------------|-----------|-----|-------------|------|-------|------|------|
| | N | % | N | % | N | % | |
| Day Reporting (290) | 25 | 8.6 | 30 | 10.3 | 55 | 18.9 | -1.7 |
| Minimum/PRC (289) | 21 | 7.3 | 47 | 16.3 | 68 | 23.6 | +1.7 |
| Medium/Maximum (890) | 55 | 6.1 | 170 | 19.1 | 225 | 25.2 | -1.8 |
| CRU (447) | 6 | 1.3 | 95 | 21.2 | 101 | 22.5 | -0.5 |
| WMCAC-Hampden (243) | 13 | 5.4 | 28 | 11.5 | 41 | 16.9 | -7.2 |

Hampden County releases from WMCAC demonstrated the most significant reduction in rates of re-incarceration. Technical violations dropped by nearly one half from the previous year. Minimum/PRC was the only classification to show an increase in re-incarceration.

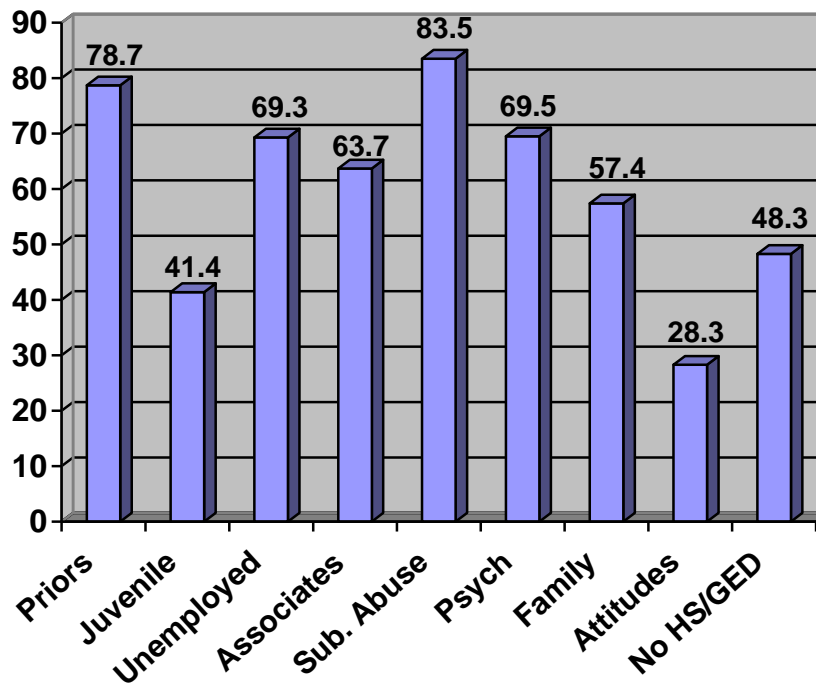
Incarceration Rates by Class & Type of Return



Incarceration Rates by LSI

| | Technical | | New Offense | | Total | |
|-------------------|-----------|-----|-------------|------|-------|------|
| | N | % | N | % | N | % |
| Low-Risk (0-2) | 17 | 4.5 | 40 | 10.5 | 57 | 15.0 |
| Medium-Risk (3-5) | 62 | 5.3 | 192 | 16.2 | 254 | 21.5 |
| High-Risk (6-8) | 36 | 5.7 | 135 | 21.3 | 171 | 27.0 |

Risks/Needs of Recidivists



Incarceration Rates by LSI & Security Level

| LSI Score | Lower Security | | Main Institution | | CRU | |
|--------------------------|-----------------------|-------------|-------------------------|-------------|------------|-------------|
| | N | % | N | % | N | % |
| Low-Risk (0-2) | 27 | 12.0 | 23 | 21.9 | 7 | 13.7 |
| Medium-Risk (3-5) | 93 | 18.0 | 106 | 25.5 | 55 | 22.1 |
| High-Risk (6-8) | 53* | 25.5 | 79 | 27.8 | 39 | 27.7 |

***22 of the 53 high-risk offenders released from lower security who recidivated committed a technical violation of parole or probation.**

Incarceration Rates by Post Release Supervision

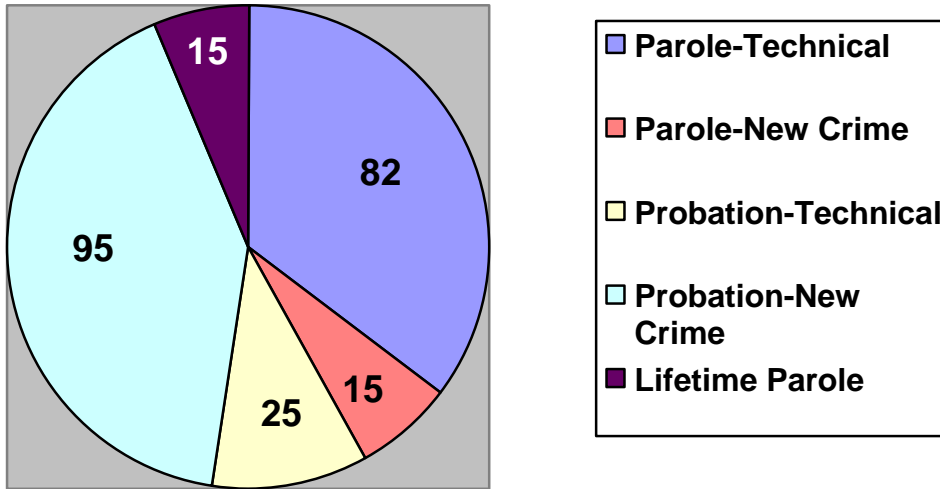
| | Technical Violation | | New Offense | | Total | |
|------------------------|----------------------------|----------|--------------------|----------|--------------|----------|
| | N | % | N | % | N | % |
| Probation Only (588) | 21 | 3.6 | 116 | 19.7 | 136 | 23.3 |
| Parole Only (376) | 76 | 20.2 | 41* | 10.9 | 117 | 31.1 |
| Dual Supervision (151) | 25 | 16.6 | 15* | 9.9 | 40 | 26.5 |
| No Supervision (1249) | N/A | | 208 | 16.7 | 208 | 16.7 |

***Only 15 parolees committed new offenses while under parole supervision. The majority of new offenses committed by probationers occurred during probation supervision.**

Violations of Release Conditions

| | Females | Males | Total |
|---------------------------------|----------------|--------------|--------------|
| Parole Violation-Technical | 15 | 67 | 82 |
| Parole Violation-New Offense | 3 | 12 | 15 |
| Lifetime Parole-Technical | 0 | 15 | 15 |
| Probation Violation-Technical | 5 | 20 | 25 |
| Probation Violation-New Offense | 11 | 84 | 95 |

Violations of Release Conditions



Reasons for Parole Violation

| | <u>Females</u> | <u>Males</u> |
|--|----------------|--------------|
| Crime on Parole | 3 | 12 |
| Drug or Alcohol Use | 8 | 53 |
| Program Failure | 11 | 14 |
| Failure to Report | 2 | 17 |
| Whereabouts Unknown* | 3 | 23 |
| Associate with Known Felons | 3 | 8 |
| Failure to Find or Maintain Employment | 1 | 7 |
| Change Residence | 1 | 6 |
| New Restraining Order Issued (209A) | 0 | 6 |
| Other | 1 | 7 |

Most revocation forms list more than one reason.

***Note: Parolees do not receive credit for time they were "whereabouts unknown".**

Reasons for Parole Revocation

