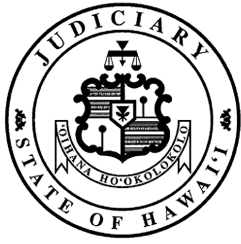


# Interagency Council on Intermediate Sanctions



HAWAII STATE  
DEPARTMENT  
OF HEALTH

January 2012

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## State of Hawaii, FY 2008 Cohort 2011 Recidivism Update

**FINAL**

This study report provides a comparative update to the 2002 Hawaii Recidivism Baseline Study and subsequent updates in 2006, 2008, 2009, and 2010. Hawaii's statewide recidivism rate is an important indicator of the Interagency Council on Intermediate Sanctions' (ICIS) efforts to reduce recidivism by 30% over a 10-year period (2002 to 2011). Although ICIS monitors several additional measures of success, recidivism reduction remains a critical and long-term goal.

This 2011 study is comprised of **2,688** offenders from the FY 2008 cohort group, and compiled from the following State agencies:

1. Hawaii State Probation Services - 1,859 *Offenders Sentenced to Felony Probation.*
2. Hawaii Paroling Authority - 640 *Offenders Released to Parole.*
3. Department of Public Safety - 189 *Maximum Term Prisoners Released.*

*Background:* ICIS conducted its first recidivism study in 2002. This baseline study monitored sentenced felons on probation, and paroled prisoners, for criminal rearrests and revocations over a three-year period (1999 through 2002). ICIS reported (based on a FY 1999 cohort group) a 63.3% baseline recidivism rate (53.7% for felony probationers and 72.9% for parolees). ICIS has since conducted four additional recidivism updates for the FY 2003 cohort, and FYs 2005-2007 cohorts – all of which replicated the methodology and recidivism definition adopted in the 2002 baseline study. These updated studies have retained the methodological consistency required for year-to-year trend comparisons.

## Methodology

The current recidivism study analyzed sentenced felon probationers, offenders released to parole, and maximum term prisoners released in FY 2008. All offenders were tracked for recidivism over a 36-month or longer period. ICIS defines recidivism as criminal arrests (most recent charge after follow-up date), revocations, technical violations, and criminal contempt of court. The recidivism dataset includes fields from the following Hawaii State information systems: the CYZAP database; Department of the Attorney General's Proxy database; Hawaii State Judiciary's PROBER information system; and the Hawaii Paroling Authority's (HPA) database.

A Criminal Justice Information System (CJIS) download included 7,775 total charges from July 2007 thru June 2011. Probation, Parole, and PSD define, respectively, the *Follow-up Start Date* as the probation sentencing or supervision start date; release to parole date; and prison (maximum term) release date. These dates help to determine the *Time to Recidivism* (length of time expired from the follow-up date to the arrest charge). In situations involving multiple charges filed on the same arrest date, the most severe charge (i.e., revocations, felony, misdemeanor, or petty misdemeanor) becomes the recorded recidivism event. The following paragraphs specify the methodologies employed for each agency:

### **1. Probation Services**

Offenders from Probation included 1,859 felony probationers extracted from the PROBER information system. The defined *Supervision Start Date* is from July 1, 2007 thru June 30, 2008. Excluded from the analysis were 429 probationers who had a Deferred Acceptance of Guilty/No Contest (DAG/DANC) Plea Agreement initiated within the FY 2008 period, or who served jail time (>90 days) during their probation period. These procedures are consistent with the methodology employed in the four previous recidivism studies, and are critical to this study's internal validity.

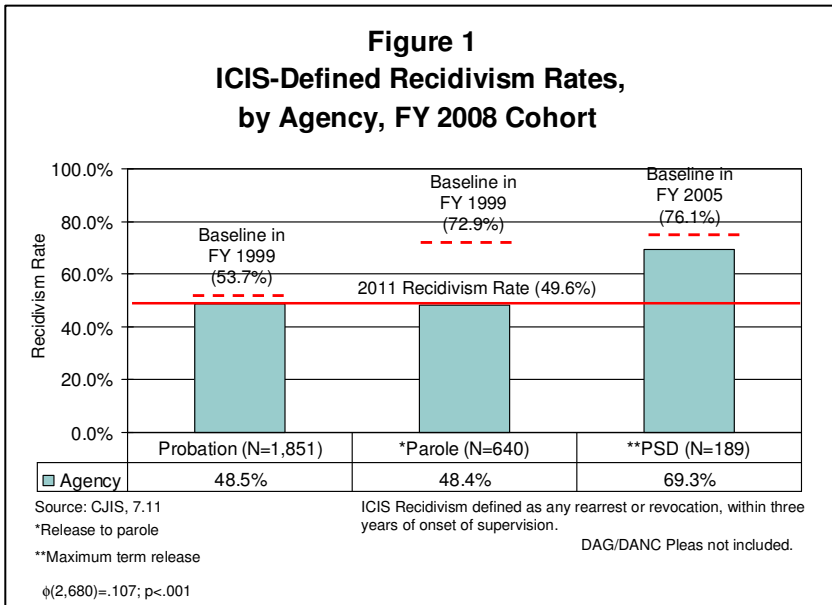
### **2. Hawaii Paroling Authority (HPA)**

HPA provided a listing of 640 offenders paroled in FY 2008. This listing included parolee identification numbers (SIDs) and release to parole dates (*Follow-up Start Date*). Excluded from the Parole count were eight parolees who served jail time (>90 days), or were re-classified as probationers for the purpose of this study.

### **3. Department of Public Safety (PSD)**

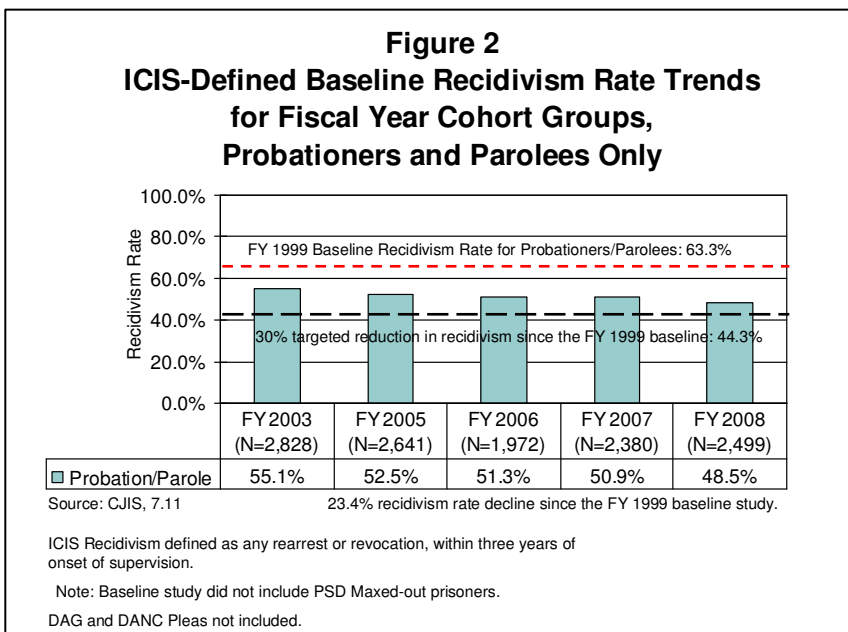
PSD provided a download of 189 maximum term incarcerated offenders released from prison in FY 2007. This download included the offenders' SIDs and maximum term release dates (*Follow-up Start Date*). Additionally, fourteen offenders were included in both the parole and PSD (maximum term) databases, and subsequently classified as parolees. This study helped to analyze the recidivism trends of maximum term offenders from FYs 2005-2007. Although PSD recidivism data were not included in the initial baseline study, future updates will track the recidivism trends for maximum term offenders.

**Summary Findings:** The following data are a compilation of re-offenses committed by offenders from three criminal justice agencies over a follow-up period of three or more years beginning in FY 2008. The figures and analyses included in this study reveal important recidivism trends.



**Figure 1** depicts Agency (Probation, Parole, and PSD) recidivism rates, which ICIS defines as Criminal Rearrests, Criminal Contempt of Court, and Revocations. The data reveal a **48.5%** recidivism rate for probationers; **48.4%** recidivism rate for offenders released to parole; and **69.3%** recidivism rate for offenders released from prison (maximum term release). The differences in recidivism rates between agencies are statistically significant at the  $p < .001$  level.

The average 2011 statewide recidivism rate is 49.6%, which includes Probation, Parole, and PSD Maxed-out prisoners.

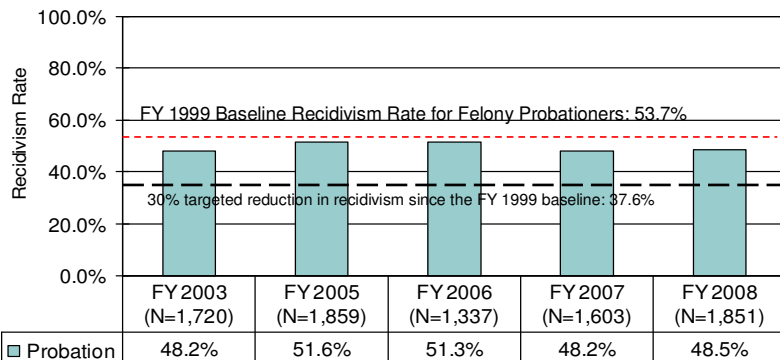


**Figure 2** reveals the recidivism trends for felony probationers and parolees in the FY 1999 baseline year, and subsequent recidivism rate updates in FY 2003, and FYs 2005-2008.

- The **48.5%** recidivism rate for FY 2008 signifies a 23.4% (14.8 percentage points) decrease from the 63.3% baseline rate for FY 1999, which is short of the 30% targeted decline.

Note: Figure 2 depicts yearly updates to the FY 1999 baseline recidivism rate (63.3%). ICIS has targeted as a goal, a 30% decline in recidivism beginning with this baseline. Included in the baseline and yearly updates are probationers and parolees only. PSD Maxed-out prisoners are excluded, as they were not included in the 1999 baseline study or the 2003 update study.

**Figure 3**  
**ICIS-Defined Recidivism Rate Trends,  
 Felony Probationers**



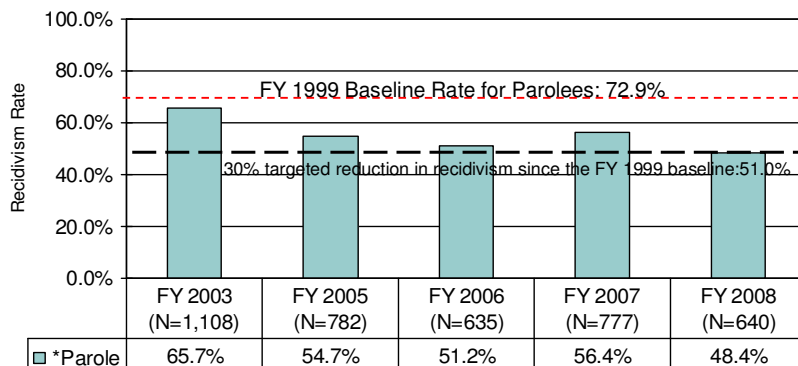
Source: CJIS, 7.11 9.7% recidivism rate decline since the FY 1999 baseline study.

ICIS Recidivism defined as any rearrest or revocation, within three years of onset of supervision.  
 DAG and DANC Pleas not included.

**Figure 3** displays the recidivism trends for felony probationers in the FY 1999 baseline year, and subsequent recidivism rate changes.

- The current **48.5%** recidivism rate for FY 2008 is 0.3 percentage points higher than the FY 2007 recidivism rate (48.2%). This is 5.2 percentage points below the FY 1999 baseline rate (53.7%).
- The current rate of recidivism decline is **9.7%**, almost one-third the way towards meeting the 30% targeted decline in recidivism.

**Figure 4**  
**ICIS-Defined Recidivism Rate Trends,  
 Parolees**



Source: CJIS, 7.11 33.6% recidivism rate decline since the FY 1999 baseline study.

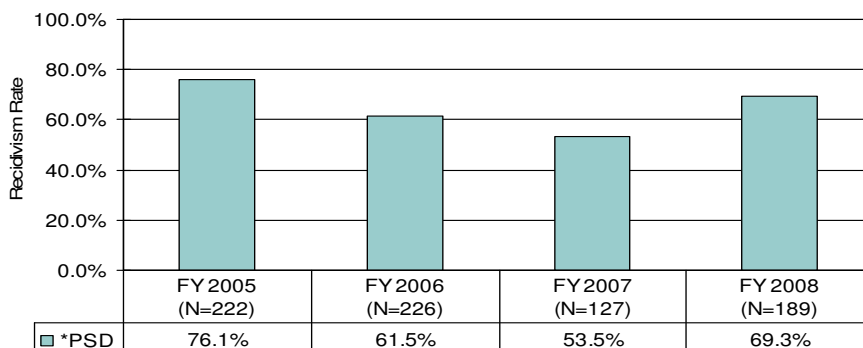
\*Released to Parole

ICIS Recidivism defined as any rearrest or revocation, within three years of onset of supervision.

**Figure 4** examines the recidivism trends for parolees in the FY 1999 baseline year, and subsequent recidivism rate updates.

- The current **48.4%** recidivism rate for FY 2008 is 8.0 percentage points lower than the 56.4% recidivism rate reported in FY 2007; and is 24.5 percentage points below the FY 1999 baseline rate (72.9%).
- Recidivism has declined **33.6%**, surpassing the 30% targeted decline in recidivism.

**Figure 5**  
**ICIS-Defined Recidivism Rate Trends,  
 Maximum Term Prisoners Released**

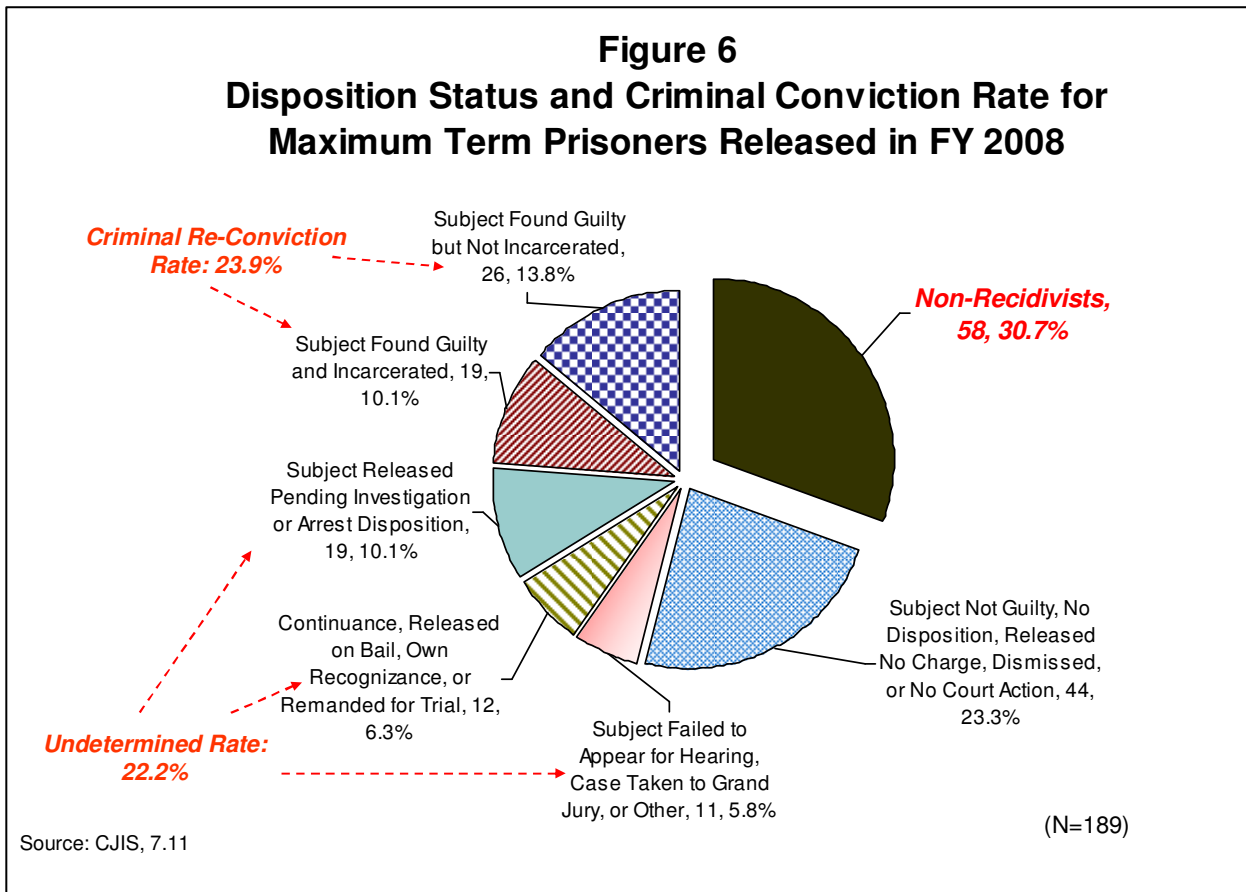


Source: CJIS, 7.11

\*Maximum term release

**Figure 5** depicts the recidivism trends for maximum term prisoners released in FYs 2005-2008.

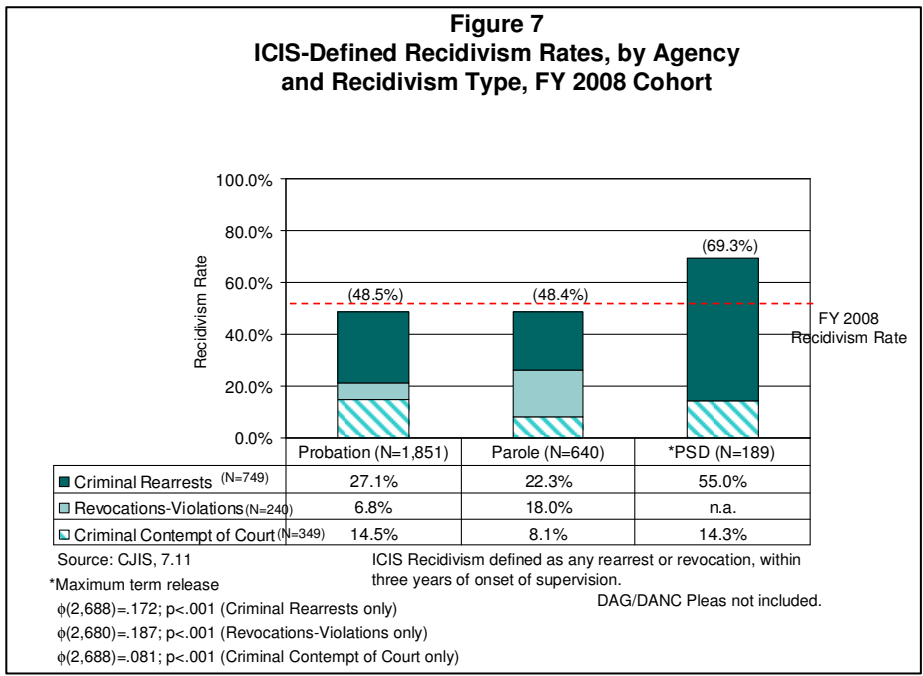
- The **69.3%** recidivism rate for FY 2008 is 15.8 percentage points higher than the FY 2007 rate (53.5%).
- Recidivism has declined 8.9% since FY 2005.



Note: The criminal conviction rate is under-stated because a large proportion of the cases (32.1%) have remained in the docket due to pending court investigation, indictment, arraignment, or case continuance.

**Figure 6** reveals the disposition status and criminal conviction rate for maximum term prisoners released in FY 2008.

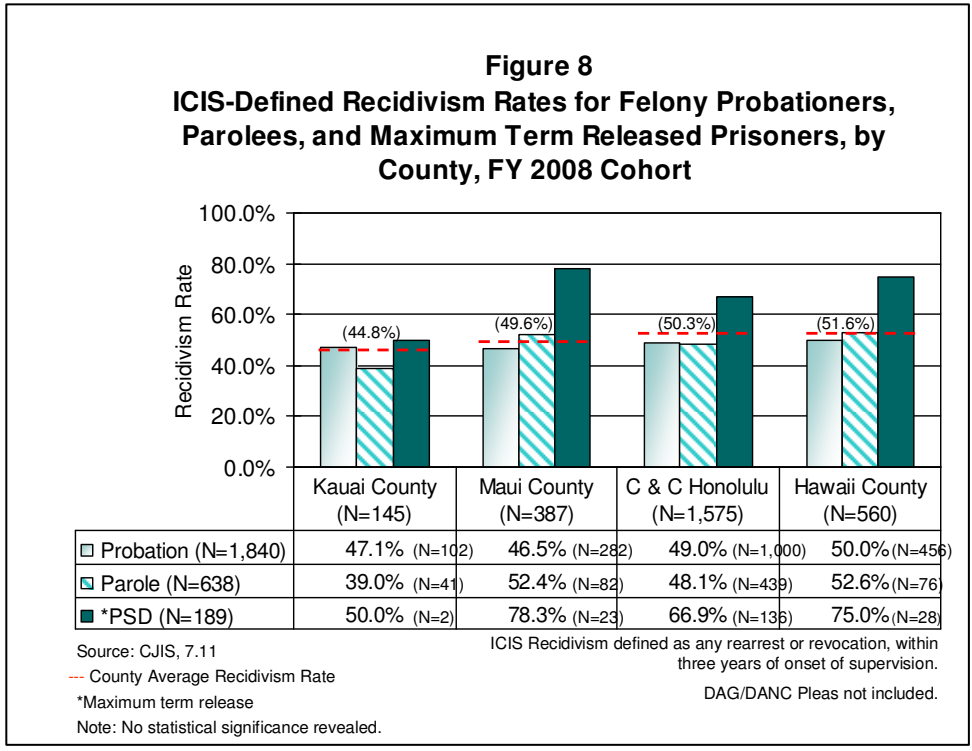
- The proportion of maximum term prisoners not charged with an offense (Non-Recidivists) is 30.7%, or 58 out of 189 maxed out prisoners.
- 22.2% of the cases are undetermined due to pending arrest investigations, offenders released on their own recognizance, offenders remanded to trial or indicted by a grand jury.
- 23.9% of the maximum term prisoners released were guilty of a criminal offense (criminal conviction rate), including 10.1% who were re-incarcerated, and 13.8% who were convicted but not incarcerated.



Note: Revocations-Violations are defined as parole and probation revocations, summons arrest in probation, and bail release violations.

**Figure 7** displays the FY 2008 recidivism rates, by agency and recidivism type. The differences in recidivism rates between agencies with respect to recidivism type (Criminal Rearrests, Revocations-Violations, and Criminal Contempt of Court) are statistically significant at the p<.001 level.

- PSD has the highest Criminal Rearrest rate (55.0%), while Parole, has the lowest rate (22.3%).
- Parole has the highest Revocation-Violation recidivism rate (18.0%).
- Probation has the highest Criminal Contempt of Court recidivism rate (14.5%), while Parole has the lowest rate (8.1%).

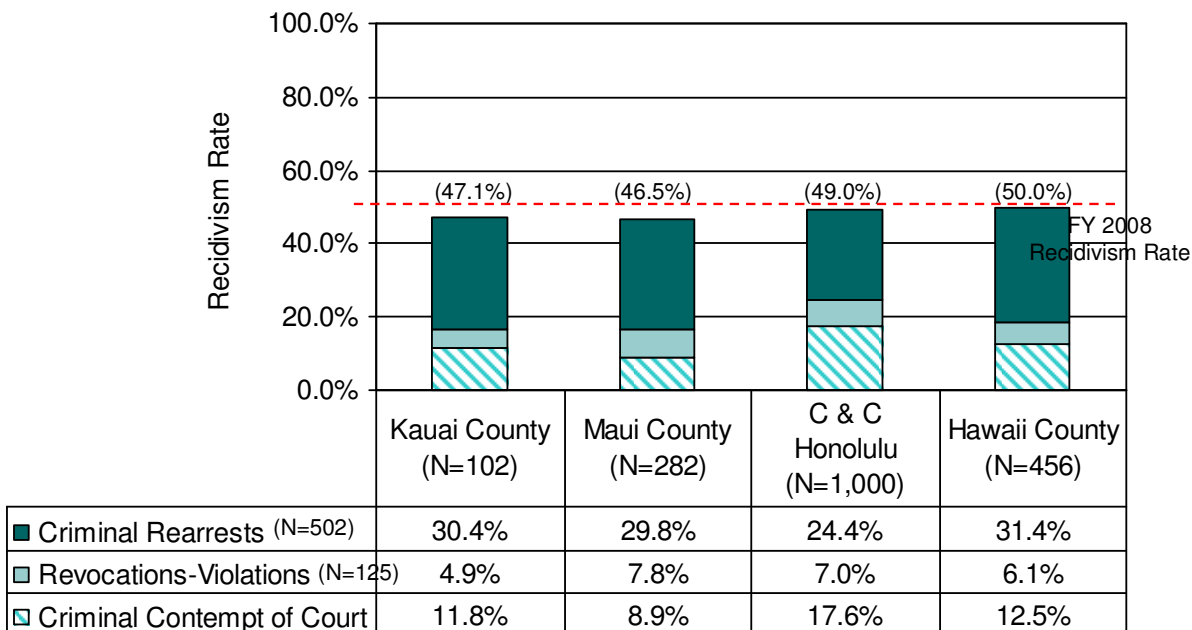


Note: The reported findings reflect statistically insignificant differences in recidivism rates between counties, with respect to individual agencies. The offender's resident address, place of supervision, or location of the arresting agency helped to determine the offender's county.

Note: Caution is needed when comparing recidivism rates between agencies. Revocations-Violations for parole and probation substantially contribute to the recidivism rate, while revocations-Violations do not apply to maxed-out prisoners in PSD.

**Figure 8** examines the FY 2008 recidivism rates for felony probationers, parolees, and recently released prisoners, by county. Although the differences in recidivism rates between counties are statistically insignificant, Hawaii County has the highest overall recidivism rate (51.6%), which is 6.8 percentage points higher than Kauai County's (44.8%) recidivism rate.

**Figure 9**  
**ICIS-Defined Recidivism Rates for Felony Probationers, by County and Recidivism Type, FY 2008 Cohort**



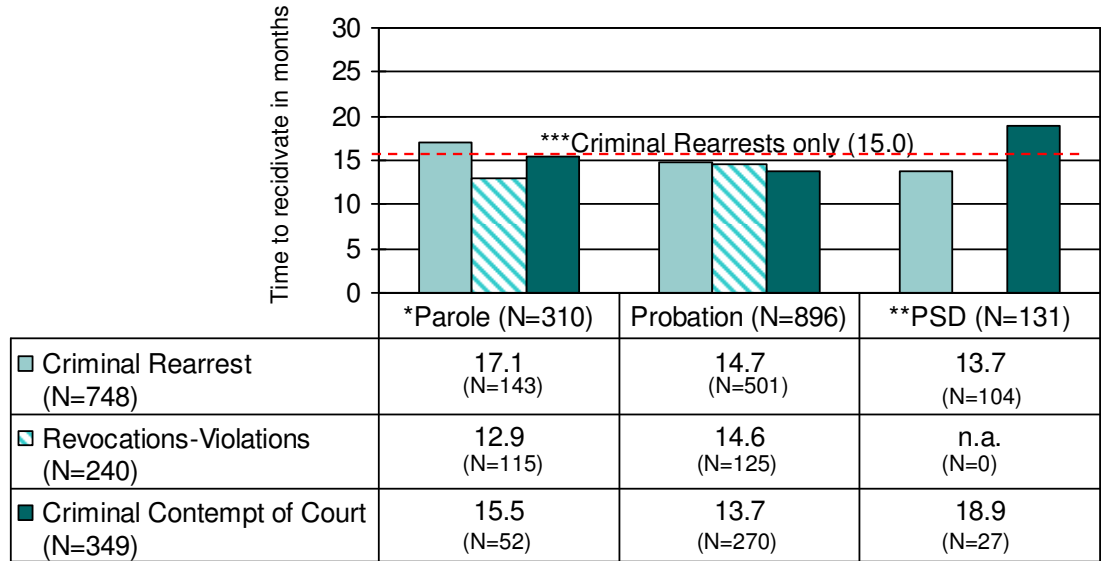
Source: CJIS, 7.11 (N=270) ICIS Recidivism defined as any rearrest or revocation, within three years of onset of supervision.  
 $\phi(1,845)=.072$ ;  $p<.05$  (Criminal Rearrests only)  
 $\phi(1,845)=.095$ ;  $p<.01$  (Criminal Contempt of Court only) DAG/DANC Pleas not included.

Note: Revocations-Violations represent the following: parole and probation revocations, summons arrest in probation, and bail release violations. The offender’s resident address, place of supervision, or location of the arresting agency helped to determine the offender’s county. Additionally, the analysis of county recidivism came as a special request by probation. The small number of parolees or maxed-out prisoners did not require a county-by-county recidivism analysis.

**Figure 9** depicts the FY 2008 recidivism rates for felony probationers, by county and recidivism type. The differences in recidivism rates for probationers between counties with respect to recidivism type are statistically significant for Criminal Rearrests ( $p<.05$  level) and Criminal Contempt of Court ( $p<.01$ ). The differences in recidivism rates for Revocations between counties are statistically insignificant.



**Figure 10**  
**Average Time to Recidivism in Months,**  
**by Agency, FY 2008 Recidivists**



Source: CJIS, 7.11

ICIS Recidivism defined as any rearrest or revocation, within three years of onset of supervision.

\*Release to parole; \*\*Maximum term release

DAG/DANC Pleas not included.

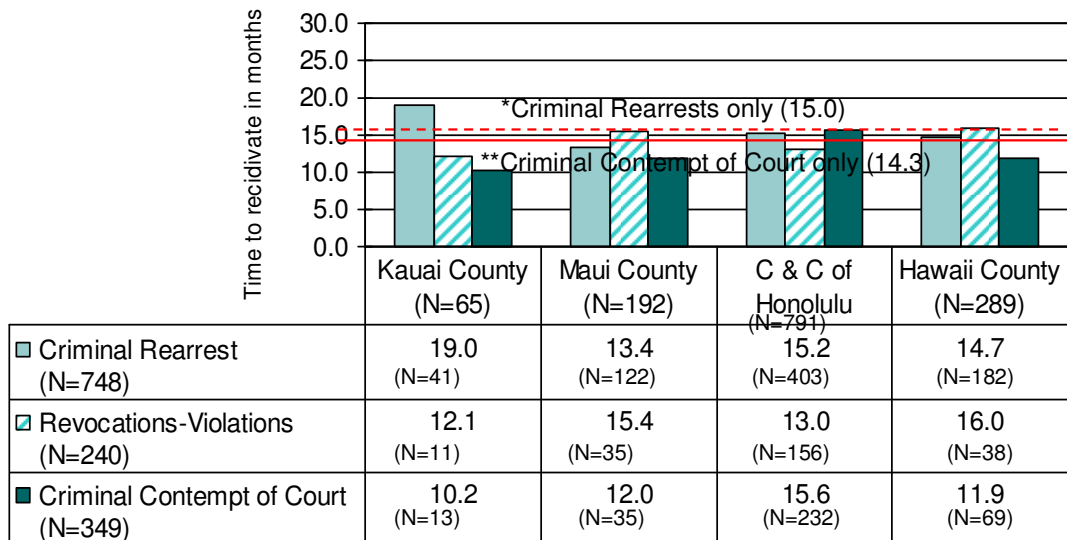
\*\*\*F(747)=3.49; p<.05 (Criminal Rearrest only), all other differences in recidivism rates for Revocations-Violations or Criminal Contempt of Court are not significant.

Note: Revocations-Violations are defined as the following: parole and probation revocations, summons arrest in probation, and bail release violations.

**Figure 10** reveals the FY 2008 average time in months for recidivists between the *Follow-up Start Date* and the *Recidivism Event Date*, by recidivism type and agency. The differences in the average time to recidivism between agencies are statistically significant for only Criminal Rearrest (p<.05). The agency differences in average time to recidivism for Revocations-Violations and Criminal Contempt of Court are not statistically significant.



**Figure 11**  
**Average Time to Recidivism in Months,**  
**by County, FY 2008 Recidivists**



Source: CJIS, 7.11

ICIS Recidivism defined as any rearrest or revocation, within three years of onset of supervision.

\*F(747)=2.70; p<.05 (Criminal Rearrest only)

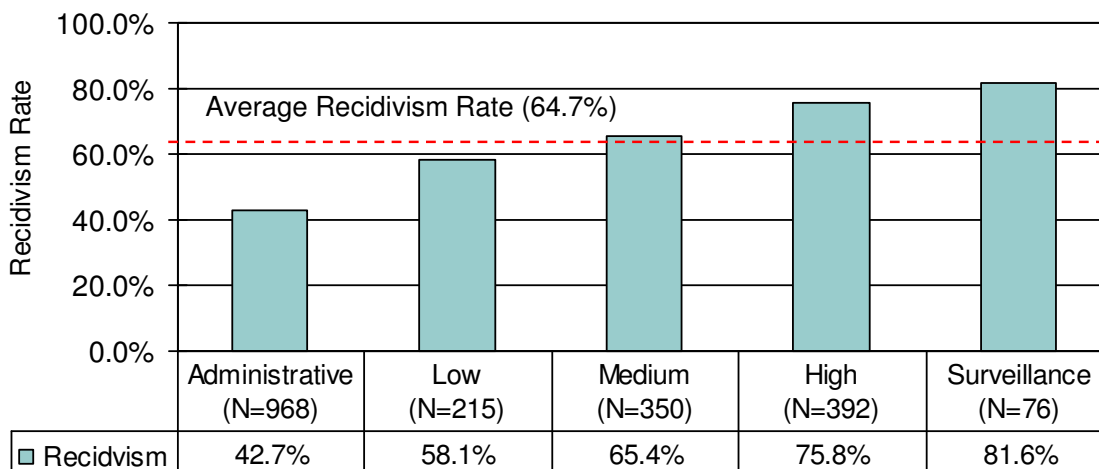
DAG/DANC Pleas not included.

\*\*F(348)=3.08; p<.05 (Criminal Contempt of Court only)

Note: Revocations-Violations are defined as parole and probation revocations, summons arrest in probation, and bail release violations. The offender's resident address, place of supervision, or location of the arresting agency helped to determine the offender's county.

**Figure 11** examines the FY 2008 average time in months for recidivists between the *Follow-up Start Date* and the *Recidivism Event Date*, by recidivism type and county. The differences in the average time to recidivism between counties are statistically significant for Criminal Rearrests ( $p < .05$ ) and Criminal Contempt of Court ( $p < .05$ ). The differences in average time to recidivism for Revocation-Violations are not statistically significant between counties.

**Figure 12**  
**ICIS-Defined Recidivism Rates,**  
**by Risk Levels, LSI-R Administered**  
**Offenders Only**



Source: CJIS, 7.11

Tau-b(2,001)=.265; p<.001

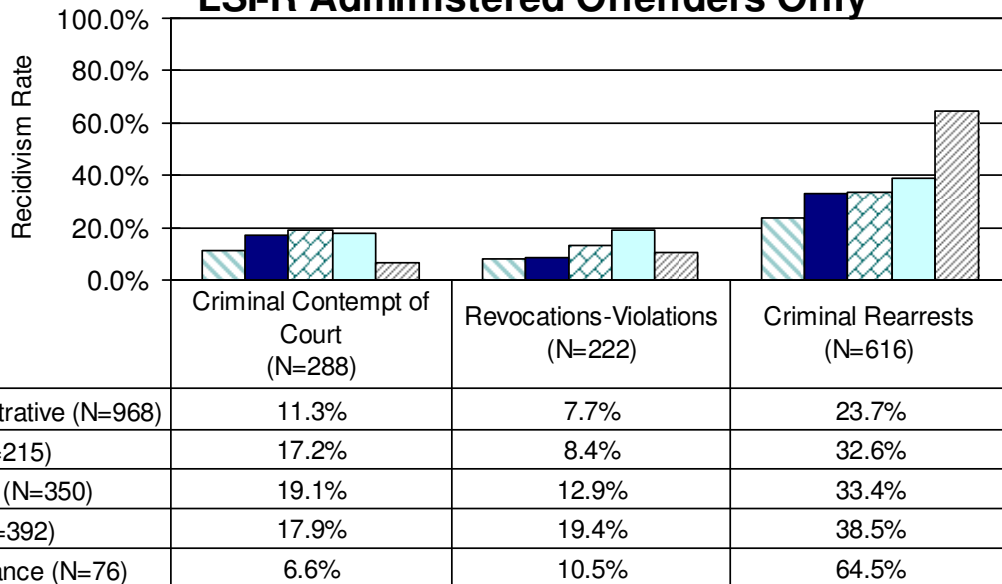
ICIS Recidivism defined as any rearrest or revocation, within three years of onset of supervision.

DAG/DANC Pleas not included.

Note: Compiled from the most recent LSI-R assessments. Offenders who proxied out (<5 score) were eliminated from this analysis, resulting only in offenders who scored 5+ on the Proxy, and was subsequently administered the LSI-R.

**Figure 12** displays the FY 2008 recidivism rates, by LSI-R risk classification categories. Only offenders with LSI-R assessments were included in this analysis (proxied-out offenders were excluded). As a result, the offenders included in this analysis have proxy scores of five and above, and thus were subsequently administered the LSI-R. The data reveal that as risk levels advance from Administrative to Surveillance levels, recidivism rates incrementally increase at the p<.001 level of statistical significance. This finding suggests that the LSI-R risk categories are predictive of recidivism.

**Figure 13**  
**ICIS-Defined Recidivism Rates,**  
**by Risk Levels and Recidivism Type,**  
**LSI-R Administered Offenders Only**



Source: CJIS, 7.11

ICIS Recidivism defined as any rearrest or revocation, within three years of onset of supervision.

Tau-b(2,004)=.159; p<.001 (Criminal Rearrest only)

Tau-b(2,004)=.144; p<.001 (Revocations-Violations only)

Tau-b(2,004)=.108; p<.001 (Criminal Contempt of Court only)

DAG/DANC Pleas not included.

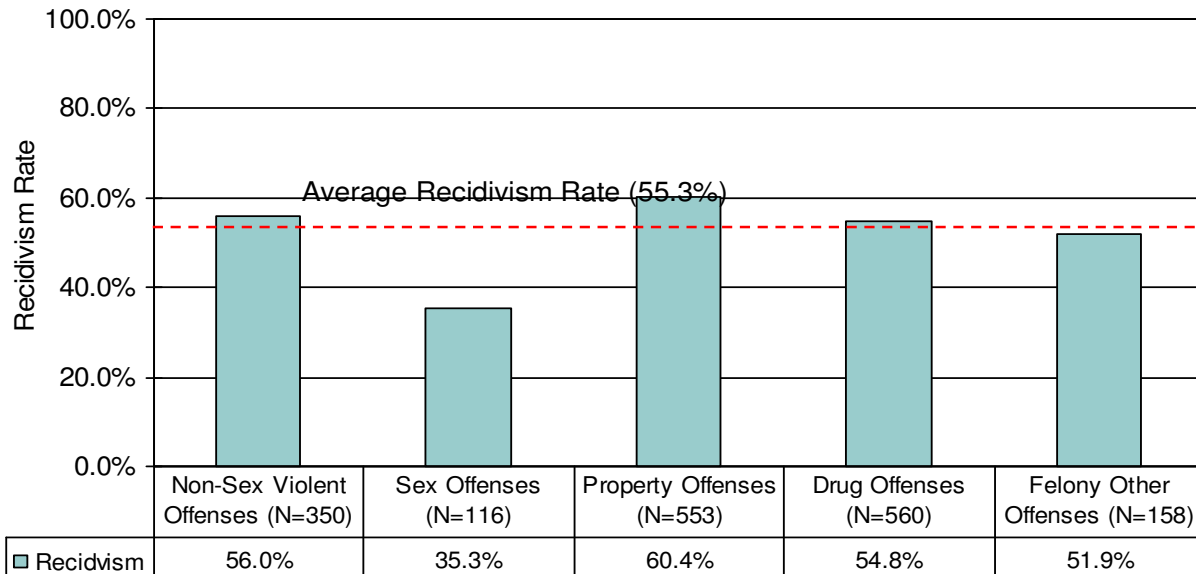
Note: Compiled from most recent LSI-R assessments.

Note: Revocations-Violations are defined as parole and probation revocations, summons arrest in probation, and bail release violations.

**Figure 13** depicts the FY 2008 recidivism rates, by LSI-R risk classification levels and recidivism type. The data reveal that the differences in recidivism rates between the Administrative, Low, Medium, High, and Surveillance level offenders are statistically significant, individually, for Criminal Contempt of Court, Revocations-Violations, and Criminal Rearrests at the p<.001 level.

- There is a consistent and positive (upward) relationship between Criminal Rearrests rates and risk levels.
- Surveillance Risk level offenders have the highest recidivism rates for Criminal Rearrests (64.5%), but the lowest rate for Criminal Contempt of Court (6.6%).
- The Administrative level offenders have the lowest recidivism rates for Criminal Rearrests (23.7%) and Revocations-Violations (7.7%).

**Figure 14**  
**ICIS-Defined Recidivism Rates, by Initial**  
**Offense Type, FY 2008 Cohort**



Source: CJIS, 7.11

$\Phi(1,843) = .136; p < .001$

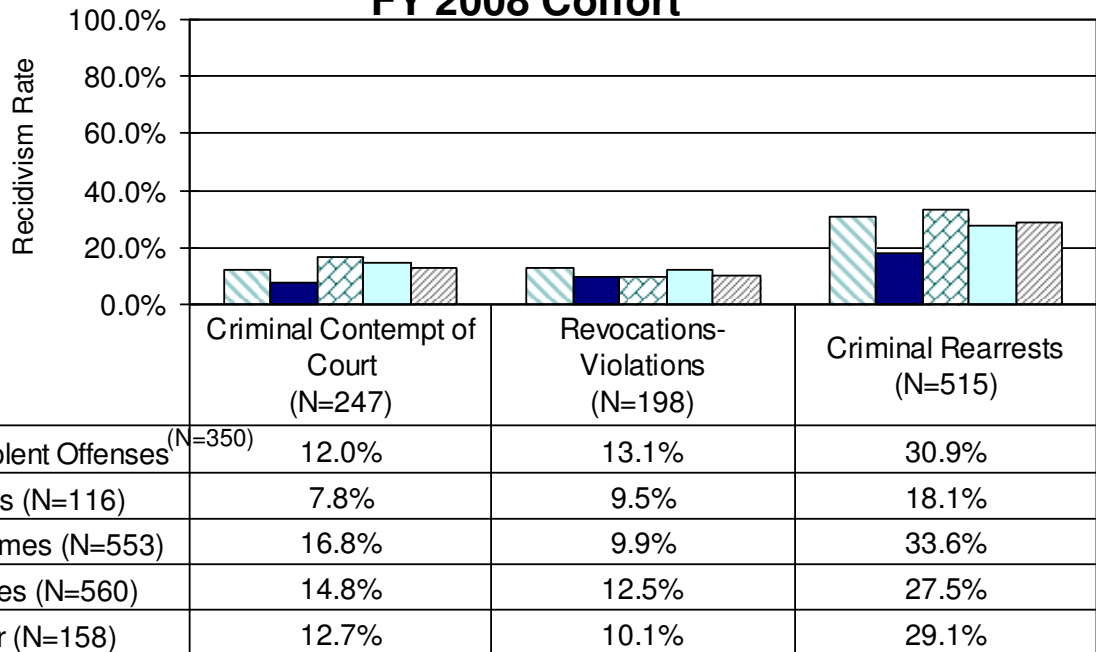
ICIS Recidivism defined as any rearrest or revocation, within three years of onset of supervision.

DAG/DANC Pleas not included.

Note: The following Offense Types are specified accordingly: Non-Sex Violent Offenses (Murder, Violent Class), Sex Offenses (Sex Class A-C); Property Offenses (Property Class A-C); Drug Offenses (Drug Class A-C); and Felony Other Offenses (Felony Other Class A-C).

**Figure 14** examines the FY 2008 recidivism rates, by initial offense type. The data show that the differences in recidivism rates, by initial offense type, are predictive of recidivism at the  $p < .001$  level of statistical significance.

**Figure 15**  
**ICIS-Defined Recidivism Rates, by Initial Offense**  
**Type and Recidivism Type,**  
**FY 2008 Cohort**



Source: CJIS, 7.11

ICIS Recidivism defined as any rearrest or revocation, within three years of onset of supervision.

Tau-b(1,845)=.122; p<.001 (Criminal Rearrest only)

DAG/DANC pleas not included.

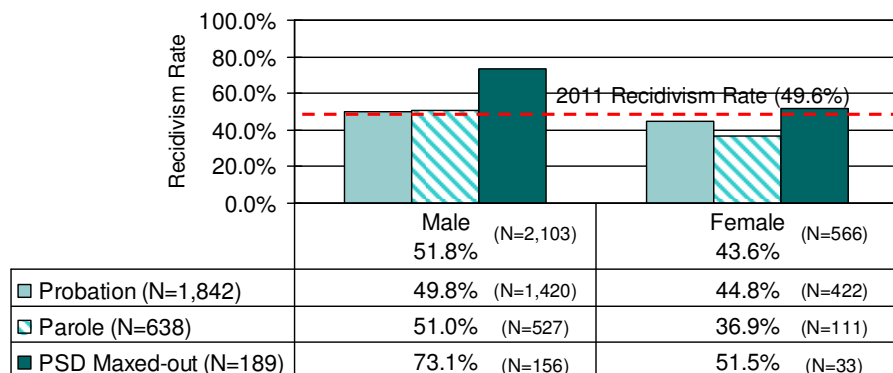
Note: The ICIS-defined recidivism rates include Criminal Contempt of Court, Revocations-Violations, and Criminal Rearrests rates for each offense type (see recidivism rates by type of offense in Figure 14).

Additional Note: Revocations and violations are defined as Parole and Probation Revocations, Summons Arrest in probation, and Bail Release violations.

**Figure 15** displays the FY 2008 recidivism rates, by initial offense type and recidivism type. Only the differences in Criminal Rearrest recidivism rates are statistically significant (p<.001).

- Property Crimes have the highest Criminal Rearrest recidivism rate (33.6%).
- Sex Offenses have the lowest Criminal Rearrest recidivism rate (18.1%).

**Figure 16**  
**ICIS-Defined Recidivism Rates, by Agency and Offender Gender, FY 2008 Cohort**



Source: CJIS, 7.11

Parole:  $X^2(638)=7.30$ ;  $p<.01$

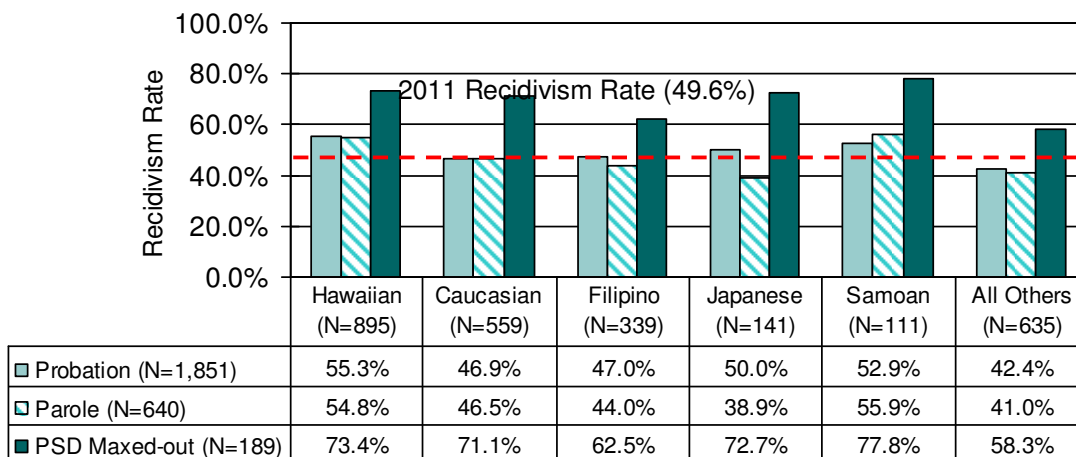
PSD Maxed-out:  $X^2(189)=5.95$ ;  $p<.05$

ICIS Recidivism defined as any rearrest or revocation, within three years of onset of supervision.

DAG/DANC pleas not included.

**Figure 16** examines the FY 2008 recidivism rates, by agency and gender. The difference in recidivism rates between males and females are statistically significant for Parole ( $p<.01$ ) and PSD Maxed-out ( $p<.05$ ).

**Figure 17**  
**ICIS-Defined Recidivism Rates, by Agency and Offender Ethnicity, FY 2008 Cohort**



Source: CJIS, 7.11

Probation:  $\phi(1,851)=143$ ;  $p<.001$

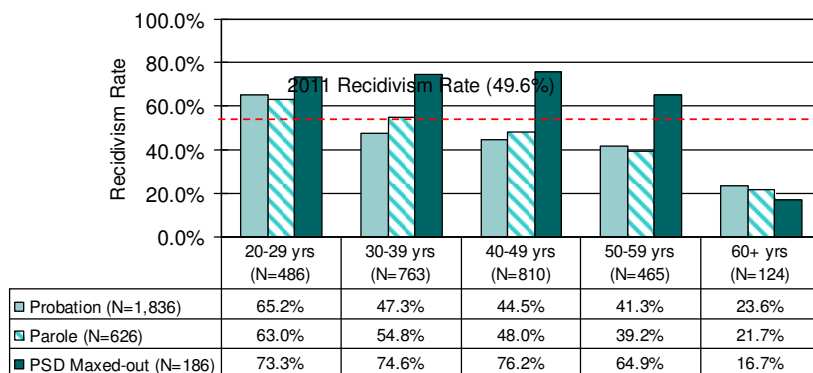
Parole:  $\phi(640)=143$ ;  $p<.01$

ICIS Recidivism defined as any rearrest or revocation, within three years of onset of supervision.

DAG/DANC pleas not included.

**Figure 17** depicts the FY 2008 recidivism rates, by agency and ethnic groups. The differences in recidivism rates between ethnic groups are statistically significant for Probation ( $p<.001$ ) and Parole ( $p<.01$ ).

**Figure 18**  
**ICIS-Defined Recidivism Rates, by Agency and Offender Age Range, FY 2008 Cohort**



Source: CJIS, 7.11

Probation:  $\phi(1,836)=.208$ ;  $p<.001$

Parole:  $\phi(626)=.169$ ;  $p<.01$

PSD:  $\phi(186)=.313$ ;  $p<.01$

ICIS Recidivism defined as any rearrest or revocation, within three years of onset of supervision.

DAG/DANC pleas not included.

**Figure 18** reveals the FY 2008 recidivism rates, by agency and age range. The differences in recidivism rates between offender age ranges are statistically significant for Probation ( $p<.001$ ), Parole ( $p<.01$ ), and PSD-Maxed out ( $p<.01$ ).

## Summary and Discussion

The 2011 recidivism rate (49.6%) includes agencies from Probation, Parole, and PSD (Figure 1).<sup>1</sup> With respect to year-to-year recidivism trends (Figure 2), the 48.5% recidivism rate update for probationers and parolees has declined substantially, which is 14.8 percentage points lower than the 2002 baseline rate (63.3%). This translates into a 23.4% decrease in recidivism, which approaches ICIS's primary goal of reducing recidivism in Hawaii by 30% over a 10-year period.<sup>2</sup> With respect to individual agencies, Probation has a 48.5% recidivism rate in 2011 (FY 2008), which is a 0.3 percentage point increase in recidivism from the previous year (Figure 3). Parole has a 48.4% recidivism rate in 2011 (FY 2008 cohort), marking an 8.0 percentage point decline in recidivism from the year before (Figure 4). Additionally, Parole has the highest percentage of Revocations and Technical Violations (18.0%), as compared to the other two agencies (Figure 7). This reflects Parole's case management efforts in targeting rule violations and infractions, which may have, in-turn, reduced the Criminal Rearrest rate (22.3%). Comparatively, maxed-out prisoners from PSD had a 69.3% recidivism rate in 2011 (FY 2008), which denotes a 15.8 percentage point increase over the recidivism rate from the previous year (Figure 5).

The differences in recidivism rates between counties are statistically insignificant (Figure 8). This is also true when analyzing county-level differences by recidivism type (Criminal Rearrests, Revocations-Violations, and Criminal Contempt of Court). In analyzing county-level recidivism rates by agencies (Figure 9), however, there are statistically significant differences: probationers in Hawaii County had the highest recidivism rate for Criminal Rearrests (31.4%), and probationers in the City and County of Honolulu had the highest recidivism rate for Criminal Contempt of Court (17.6%). Parolees and maxed-out prisoners did not have statistically significant differences in county-level recidivism rates.

<sup>1</sup> The 2011 statewide recidivism rate (49.6%) includes a compilation of offenders from all agencies (Probation, Parole, and PSD). The recidivism rate calculated for PSD Maxed-out prisoners started in 2008, with continued updates provided in the 2009 thru 2011 recidivism reports.

<sup>2</sup> Year-to-year trend analysis started with the 2002 baseline year, and only included probationers and parolees. Subsequent recidivism updates have continued over a nine-year period, with 2011 being the most recent recidivism rate (48.5%) established.



Figure 12 reveals statistically significant differences between increasing LSI-R risk levels, and higher recidivism rates for Criminal Rearrests, Revocations-Violations, and Criminal Contempt of Court (except for Surveillance level risk offenders).

As seen in Figure 13, Surveillance level offenders have the highest recidivism rate for Criminal Rearrests (64.5%), but the lowest recidivism rates for Criminal Contempt of Court (6.6%). There is also an interesting relationship between a high Criminal Rearrest rate and a corresponding low Criminal Contempt of Court recidivism rate for surveillance-level offenders.

Figure 14 demonstrates statistically significant relationships between the type of offense committed and Criminal Rearrest recidivism rates. In Figure 15, there are statistically significant differences in criminal arrest recidivism rates, where property offenders have the highest recidivism rate (33.6%), while sex offenders have the lowest rate (18.1%).

Based on the recidivism trends in the State of Hawaii, ICIS must be careful to avoid making premature recidivism predictions. There are unknown, or at least, currently undocumented factors that contribute to upward or downward pressures in the recidivism rate. Probationers and parolees also need regular monitoring and supervision because of the considerable external (environmental) and internal (individual) factors that may contribute to recidivism risk. Furthermore, ICIS agencies must have in place congruent policies and procedures that are conducive to, and supportive of, evidence-based practices. This includes continued adherence to the risk, needs, and responsivity principles. ICIS should also strive to improve the offender classification system by minimizing classification errors, and employing a classification system that is both predictive of recidivism, and useful for offender management. Finally, ICIS agencies must be vigilant in employing quality assurance methods, which include accuracy and consistency in adhering to prescribed data collection routines, and commitment to ongoing officer training and recertification efforts.

*Hawaii Recidivism Update*  
is available electronically at the ICIS web site:  
<[hawaii.gov/icis](http://hawaii.gov/icis)>.