Disposition and Criminal Conviction Analysis of Probationers, Parolees, and Released Maximum-Term Prisoners, Fiscal Years 2008-2012

Department of the Attorney General
Research and Statistics Branch, CPJAD
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Methodology

1. This analysis is based on offender data from the following agencies: the Hawaii State Judiciary (Adult Probation Services), Hawaii Paroling Authority, and Hawaii State Department of Public Safety. The disposition counts were taken from recidivism studies conducted in FYs 2010-2012. The disposition for each recidivism event was established by the earliest rearrest/charge from the time of the offender’s probation start of services date, released to parole date, or released from prison date. The disposition falls along a continuum of court-related outcomes that include release/dismissed charges or no court action taken; convictions where the offender was found guilty and incarcerated, or guilty but not incarcerated (e.g., community supervision, fined, or placed on probation); and undetermined status due to cases not yet being resolved.

2. Traffic violations are not counted as recidivism events, but revocations and parole violations are counted.

3. The data for this study were obtained from the Hawaii Criminal Justice Data Center, Department of the Attorney General, July 2012 extract. The analysis was conducted by the Research and Statistics Branch, Crime Prevention and Justice Assistance Division, Department of the Attorney General.
Disposition Status and Criminal Conviction Rate for Felon Probationers
(FYs 2010-2012 Reporting Periods)

- **Criminal Conviction**: 20.4%
  - Subject Found Guilty but Not Incarcerated, Resentenced or Referred, or given DAG/DANC, 743, 13.7%
  - Subject Found Guilty and Incarcerated, 366, 6.7%

- **Undetermined**: 13.3%
  - Continuance, Released on Bail/Pending Investigation, Own Recognizance, or to Cell Block, Bench Warrant/Summons Issued, No Court Appearance, Turned over to another agency, or Remanded for Trial, 198, 3.6%

- **Not Guilty**: 15.7%
  - Subject Not Guilty, No Disposition or Discharged, Prosecution was Declined, Released No Charge, Dismissed, Aquitted Due to Mental Illness, Not Contested/Stricken, or No Court Action, 527, 9.7%

- **Did Not Recidivate**: 50.6%
  - (n=2,753)

Note: Aggregations are based on disposition counts taken from recidivism studies conducted in FYs 2010-2012.

Source: CJIS, 7.12
Compiled by the Dept. of the Attorney General, Research and Statistics Branch
Disposition Trends for Felony Probationers, FYs 2010-2012

Table 1: Disposition Types for Probationers who Recidivated but were not Incarcerated

<table>
<thead>
<tr>
<th>Disposition Type</th>
<th>FY 2010</th>
<th>FY 2011</th>
<th>FY 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject was Resentenced</td>
<td>75.8%</td>
<td>14.6%</td>
<td>43.3%</td>
</tr>
<tr>
<td>Community Supervision</td>
<td>2.1%</td>
<td>1.6%</td>
<td>9.5%</td>
</tr>
<tr>
<td>Suspended Sentence</td>
<td>1.0%</td>
<td>0.4%</td>
<td>2.0%</td>
</tr>
<tr>
<td>Fined</td>
<td>14.5%</td>
<td>17.8%</td>
<td>34.8%</td>
</tr>
<tr>
<td>Probation</td>
<td>5.2%</td>
<td>1.6%</td>
<td>6.5%</td>
</tr>
<tr>
<td>Undetermined</td>
<td>1.4%</td>
<td>64.0%</td>
<td>4.0%</td>
</tr>
<tr>
<td>Total</td>
<td>100.0%</td>
<td>100.0%</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

Note: Compiled data based on probationers with supervision start dates aggregated by fiscal year.
Disposition Status and Criminal Conviction Rate for Prisoners Released to Parole (FYs 2010-2012 Reporting Periods)

Criminal Conviction 17.3%
- Subject Found Guilty and Incarcerated, 127, 6.3%
- Subject Found Guilty but Not Incarcerated, Resentenced or Referred, or given DAG/DANC, 223, 11.0%

Undetermined 26.7%
- Continuance, Released on Bail/Pending Investigation, Own Recognizance, or to Cell Block, Bench Warrant/Summons Issued, No Court Appearance, Turned over to another agency, or Remanded for Trial, 357, 17.6%
- Subject taken to ISC, Family Court, Drug Court or District Court for Arraignment, or Case Taken to Grand Jury or to Another Agency, 194, 9.1%

Not Guilty 9.5%
- Subject Not Guilty, No Disposition or Discharged, Prosecution was Declined, Released No Charge, Dismissed, Acquitted Due to Mental Illness, Not Contested/Stricken, or No Court Action, 193, 9.5%

Did Not Recidivate: 46.5% (n=943)

(N=2,027)

Note: Aggregations are based on disposition counts taken from recidivism studies conducted in FYs 2010-2012.

Source: CJIS, 7.12
Compiled by the Dept. of the Attorney General, Research and Statistics Branch
Disposition Trends for Prisoners Released to Parole, FYs 2010-2012

Table 2: Disposition Types for Parolees who Recidivated but were not Re-incarcerated

<table>
<thead>
<tr>
<th>Disposition Type</th>
<th>FY 2010</th>
<th>FY 2011</th>
<th>FY 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject was Resentenced</td>
<td>6.8%</td>
<td>0.0%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Parole was Continued/Revoked</td>
<td>75.0%</td>
<td>49.1%</td>
<td>22.7%</td>
</tr>
<tr>
<td>Community Supervision</td>
<td>1.4%</td>
<td>5.7%</td>
<td>9.1%</td>
</tr>
<tr>
<td>Suspended Sentence</td>
<td>0.7%</td>
<td>0.0%</td>
<td>4.5%</td>
</tr>
<tr>
<td>Fined</td>
<td>8.1%</td>
<td>39.6%</td>
<td>59.1%</td>
</tr>
<tr>
<td>Probation</td>
<td>1.4%</td>
<td>3.8%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Undetermined/Other</td>
<td>6.8%</td>
<td>1.9%</td>
<td>4.5%</td>
</tr>
<tr>
<td>Total</td>
<td>100.0%</td>
<td>100.0%</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

N=148 N=53 N=22

Note: Compiled data based on release to parole dates aggregated by fiscal year.

Source: CJIS, 7.12
Compiled by the Dept. of the Attorney General, Research and Statistics Branch
Disposition Status and Criminal Conviction Rate for Released Maximum-Term Prisoners (FYs 2010-2012 Reporting Periods)

- **Criminal Conviction 21.3%**
  - Subject Found Guilty and Incarcerated, 103, 17.3%
  - Subject Found Guilty but Not Incarcerated, Resentenced or Referred, or given DAG/DANC, 24, 4.0%
- **Undetermined 21.3%**
  - Continuance, Released on Bail/Pending Investigation, Own Recognizance, or to Cell Block, Bench Warrant/Summons Issued, No Court Appearance, Turned over to another agency, or Remanded for Trial, 19, 3.2%
  - Subject taken to ISC, Family Court, Drug Court or District Court for Arraignment, or Case Taken to Grand Jury or to Another Agency, 108, 18.1%
- **Not Guilty 23.8%**
  - Subject Not Guilty, No Disposition or Discharged, Prosecution was Declined, Released No Charge, Dismissed, Aquitted Due to Mental Illness, Not Contested/Stricken, or No Court Action, 142, 23.8%

**Did Not Recidivate: 33.6%** (n=200)

**Note:** Aggregations are based on disposition counts taken from recidivism studies conducted in FYs 2010-2012.

Source: CJIS, 7.12
Compiled by the Dept. of the Attorney General, Research and Statistics Branch

(N=596)
Disposition Trends for Released Maximum-Term Prisoners, FYs 2010-2012

Disposition and Incarceration Trends

Table 3: Disposition Types for “Maxed-Out” Prisoners who Recidivated but were not Re-incarcerated

<table>
<thead>
<tr>
<th>Disposition Type</th>
<th>FY 2010</th>
<th>FY 2011</th>
<th>FY 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>No Sentence</td>
<td>25.0%</td>
<td>11.1%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Community Supervision</td>
<td>25.0%</td>
<td>11.1%</td>
<td>36.4%</td>
</tr>
<tr>
<td>Suspended Sentence</td>
<td>0.0%</td>
<td>11.1%</td>
<td>9.1%</td>
</tr>
<tr>
<td>Fined</td>
<td>0.0%</td>
<td>55.6%</td>
<td>45.5%</td>
</tr>
<tr>
<td>Probation</td>
<td>50.0%</td>
<td>0.0%</td>
<td>9.1%</td>
</tr>
<tr>
<td>Undetermined</td>
<td>0.0%</td>
<td>11.1%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Total</td>
<td>100.0%</td>
<td>100.0%</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

N=4 N=9 N=11

Note: Compiled data based “maxed-out” prisoner release dates aggregated by fiscal year.

Source: CJIS, 7.12
Compiled by the Dept. of the Attorney General, Research and Statistics Branch

Chart 6