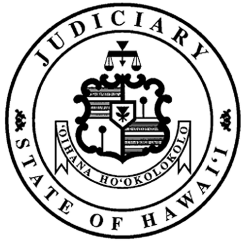


Interagency Council on Intermediate Sanctions



HAWAII STATE
DEPARTMENT
OF HEALTH

July 2015

Timothy Wong, ICIS Research Analyst

State of Hawaii, FY 2011 Cohort 2014 Recidivism Update

Final

This report provides a comparative update to the *2002 Hawaii Recidivism Baseline Study* and subsequent updates in 2006 through 2013. 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 ten-year period. Although this ten-year period ended in 2011, the 30% recidivism reduction benchmark remains an important long-term goal.

This study is comprised of **2,905** offenders from the Fiscal Year 2011 cohort, as compiled from the following State agencies:

1. Hawaii State Probation Services – 1,941 *Offenders Sentenced to Felony Probation*.
2. Hawaii Paroling Authority (HPA) - 644 *Offenders Released to Parole*.
3. Department of Public Safety (PSD) - 320 *Maximum-Term Released Prisoners*.

Background: ICIS conducted its first recidivism study in 2002. This baseline study monitored probationers and parolees for criminal rearrests and revocations/technical violations over a three-year follow-up period, and reported a 63.3% recidivism rate (72.9% for parolees and 53.7% for felony probationers). ICIS has since conducted seven additional recidivism update studies, for the FY 2003 and FYs 2005-2010 cohorts, all of which replicated the methodology and recidivism definition adopted in the 2002 baseline study. These update studies retain the methodological consistency required for year-to-year trend comparisons.

Methodology

This study examines felony probationers, prisoners released to parole, and maximum-term released ("maxed-out") prisoners. It tracks recidivism for each offender over a precise 36-month period. ICIS defines recidivism as criminal arrests (most recent charge after follow-up start date), revocations, technical violations, and/or criminal contempt of court. Additionally, excluded from this study (per past methodology) were probationers arrested within three months from their supervision start date, and who did not have a reported offense date. This is due to the reasoning that some probationers are in jail because of an offense committed prior to the follow-up start date.

The study dataset includes fields from the following Hawaii State information systems: the Community Corrections Adult Assessment information system created by Cyzap Inc.; the Hawaii State Judiciary's *Caseload Explorer* information system; and the Hawaii Paroling Authority's database.

A Criminal Justice Information System (CJIS) download included 11,912 total charges from July 1, 2010 through June 30, 2014. Probation, Parole, and PSD define, respectively, the *Follow-up Start Date* as the probation sentencing or supervision start date; release to parole date; or prison (maximum-term) release date. These dates help to determine the *Time to Recidivism* (length of time elapsed from the follow-up start date to the arrest date). In situations involving multiple charges filed on the same arrest date, the most severe charge (i.e., felony, misdemeanor, petty misdemeanor, or revocation) becomes the recorded recidivism event. Traffic and vehicular violations are not included as recidivism events.

The following paragraphs specify the methodologies employed for each agency:

1. Probation

Offenders from Probation included 1,941 felony probationers extracted from the *Caseload Explorer* information system. The defined *Supervision Start Date* is from July 1, 2010 through June 30, 2011.

Note: Per the 2002 baseline recidivism design, only felony probationers were included in this recidivism study. This necessitated the removal of 3,875 non-felony probationers, and 253 Deferred Acceptance of Guilty (DAG) cases from the FY 2011 recidivism study. These exclusions are consistent with the methodology employed in the previous recidivism studies, and are critical to this study's internal validity.

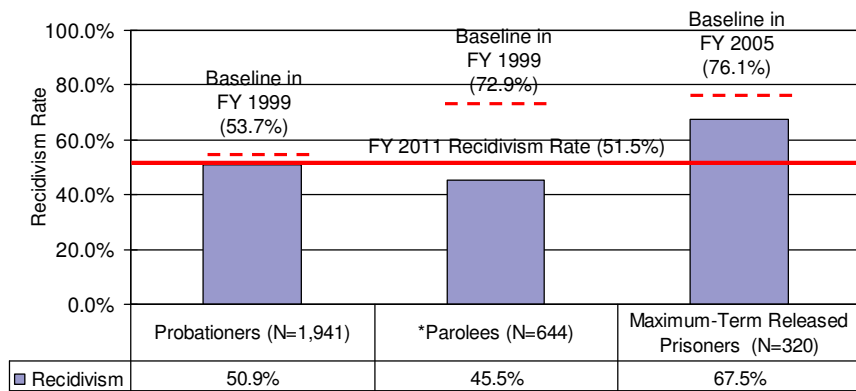
2. Hawaii Paroling Authority (HPA)

This study included 644 offenders who were released to parole in FY 2011. Excluded are 21 parolees who had a duplicate status as both a parolee and probationer, and who were subsequently reclassified as probationers.

3. Department of Public Safety (PSD)

Included in this study were 320 maximum-term released ("maxed-out") prisoners who completed their entire sentenced term of incarceration in FY 2011. Excluded from this study are ten prisoners with a duplicate status, who were subsequently reclassified as probationers. ICIS has tracked the recidivism trends of maximum-term released prisoners since FY 2005.

Figure 1
Recidivism Rates,
by Offender Type, FY 2011 Cohort

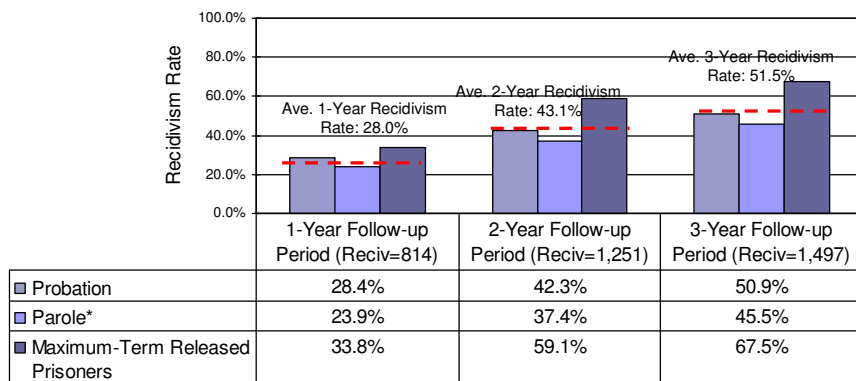


Source: CJIS, 7.14
 *Released to parole
 Note: Recidivism is defined as any new arrest, or the revocation of probation or parole, within three years of the start of supervision.
 DAG pleas are not included.
 $\phi(2,905) = .121; p < .001$

Figure 1 depicts probationer, parolee, and maximum-term released prisoner recidivism rates. Recidivism is defined as any new arrest, or the revocation of probation or parole, within three years of the start of supervision. The data reveal a **50.9%** recidivism rate for probationers; a **45.5%** recidivism rate for parolees; and a **67.5%** recidivism rate for maximum-term released prisoners. The differences in recidivism rates by offender type are statistically significant at the $p < .001$ level.

The overall recidivism rate for the entire FY 2011 study cohort is **51.5%**.

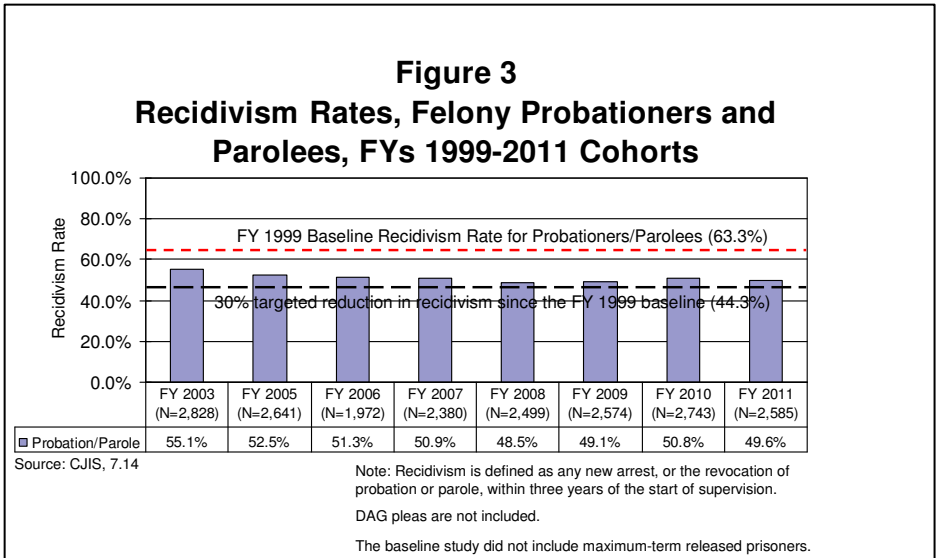
Figure 2
Time-Period Recidivism Rates, by
Offender Type, FY 2011 Cohort



Source: CJIS, 7.14
 $\phi(2,905) = .143; p < .001$
 Note: Recidivism is defined as any new arrest, or the revocation of probation or parole, within three years of the start of supervision.
 DAG pleas are not included.

*Released to parole
 Note: There were 102 offenders who had an elapsed time to recidivism between 36 and 48 months from the onset of supervision. Per the methodology used for this research, which tracks recidivism for 36 months per offender, these 102 offenders were not included as recidivists.

Figure 2 examines the time-period recidivism rates for probationers, parolees, and maximum-term released prisoners. At the one-year follow-up mark, 814 of the 2,905 (28.0%) offenders had recidivated. However, this tally represents only 54% of the 1,497 total recidivists reported in this study. Thus, the number of additional recidivists (437 in year 2 and 246 in year 3) increases the recidivism rates at the 2-year (43.1%) and 3-year (51.5%) points.



Note: Figure 3 depicts yearly comparisons to the FY 1999 baseline recidivism rate (63.3%). ICIS targeted as a goal, a 30% decline in recidivism in comparison to this baseline. Included in the baseline and yearly updates are probationers and parolees only. (The 1999 baseline study did not include maximum-term released prisoners).

Figure 3 reveals the recidivism trend for felony probationers and parolees in the FY 1999 baseline year, FY 2003, and FYs 2005-2011.

- The **49.6%** recidivism rate for FY 2011 is 1.2 percentage points lower than the FY 2010 rate, and is 13.7 percentage points below the FY 1999 baseline rate (63.3%)
- Since FY 1999, the recidivism rate has declined 27.6%, which is **2.4 percentage points** short of the goal of reducing recidivism by 30%.

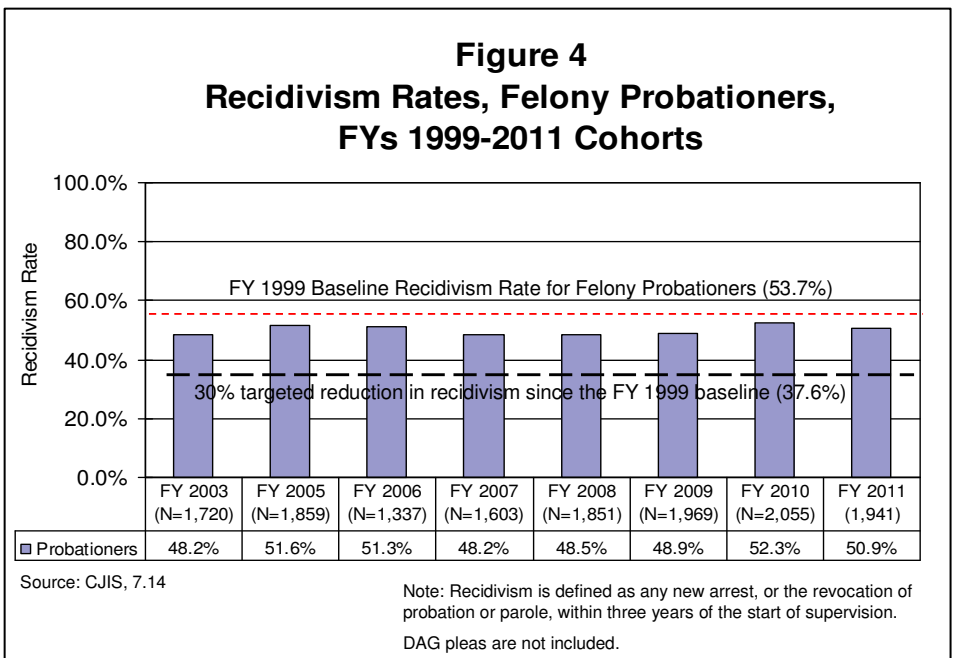


Figure 4 displays the recidivism rates for felony probationers in the FY 1999 baseline year and subsequent years.

- The **50.9%** recidivism rate for FY 2011 is 2.4 percentage points below the FY 2010 rate, and is 2.8 percentage points below the FY 1999 baseline rate (53.7%).
- Since FY 1999, the recidivism rate for felony probationers declined 5.2%, which is far from meeting the goal of reducing recidivism by 30%.

Figure 5
Recidivism Rates, Parolees,
FYs 1999-2011 Cohorts

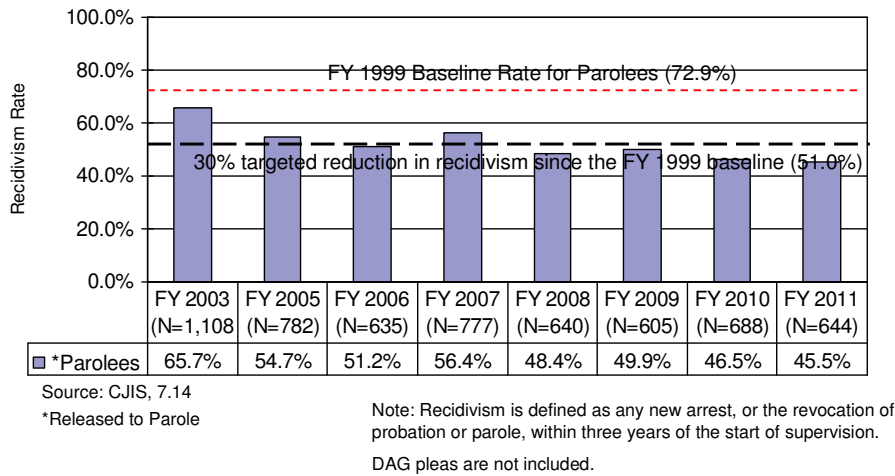


Figure 5 portrays the recidivism trend for parolees in the FY 1999 baseline year and subsequent years.

- The **45.5%** recidivism rate for FY 2011 is 1.0 percentage point lower than the rate reported in FY 2010, and 27.4 percentage points below the 72.9% recidivism rate reported for the FY 1999 baseline year.
- The recidivism rate has decreased **37.6%** for parolees, surpassing the ICIS goal of reducing recidivism by 30%.

Figure 6
Recidivism Rates,
Maximum-Term Released Prisoners,
FYs 2005-2011 Cohorts

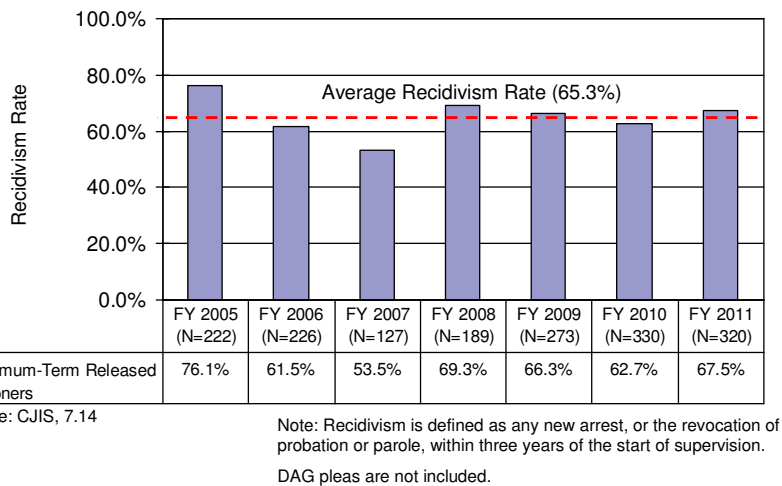


Figure 6 shows the recidivism trend for maximum-term released prisoners in FYs 2005-2011.

- The **67.5%** recidivism rate for FY 2011 is 4.8 percentage points higher than the rate reported in FY 2010. However, this rate is 8.6 percentage points lower than the FY 2005 recidivism rate.

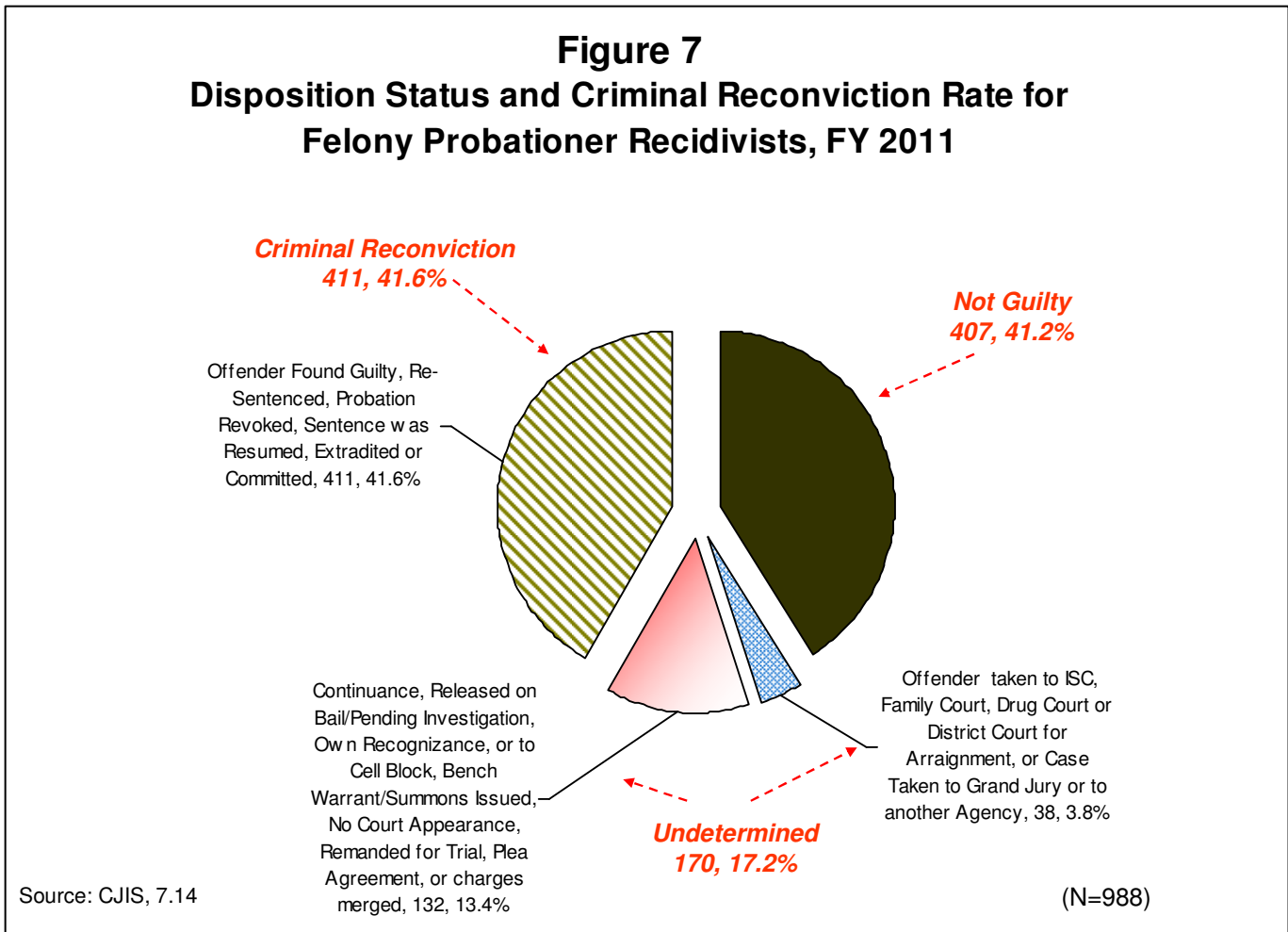
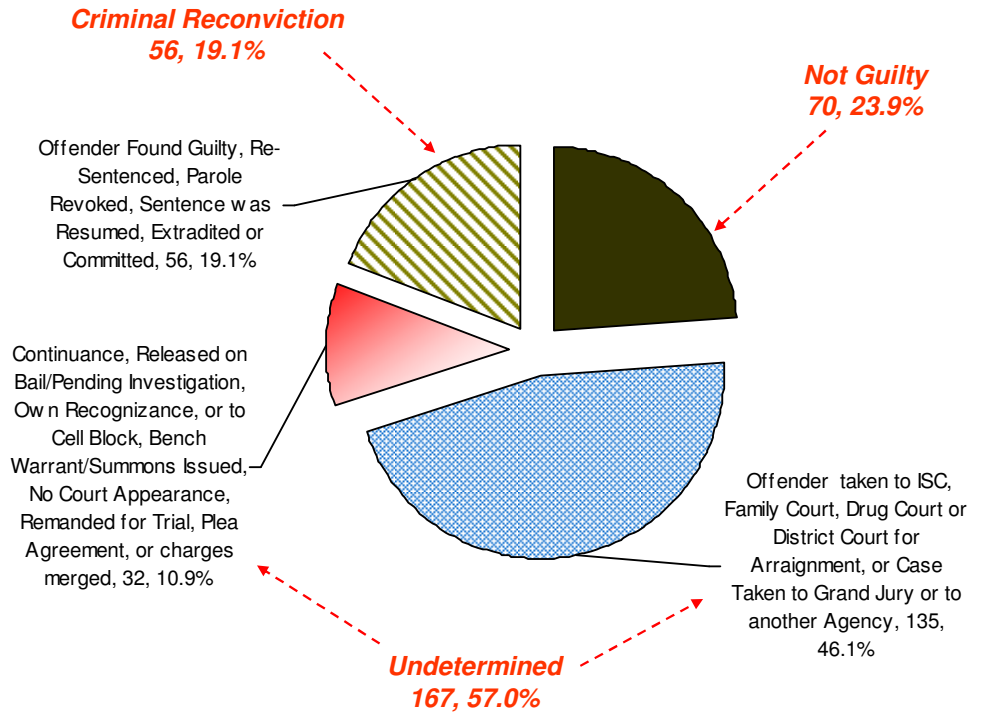


Figure 7 illustrates the disposition status and criminal reconviction rate for felony probationer recidivists in FY 2011 and were subsequently tracked over a 36-month period.

- Undetermined dispositions due to pending investigations, arraignment, case continuance, or offenders remanded to other courts accounted for **17.2%** of the probationer recidivists.
- Probationers reconvicted of a new criminal offense comprised of **41.6%** of the 988 recidivists.
- Cases that led to acquittals, dismissals, or not guilty findings accounted for **41.2%** of the total recidivists.

Figure 8
Disposition Status and Criminal Reconviction Rates,
Parolee Recidivists, FY 2011



Source: CJIS, 7.14

(N=293)

Figure 8 identifies the disposition status and criminal reconviction rate for prisoners released to parole in FY 2011 and subsequently tracked over a 36-month period.

- Undetermined dispositions, due to pending investigations, arraignment, case continuance, or offenders remanded to other courts accounted for **57.0%** of the paroled recidivists.
- Parolees reconvicted of a new criminal offense comprised of **19.1%** of the 293 recidivists.
- Cases that led to acquittals, dismissals, or not guilty findings accounted for **23.9%** of the total recidivists.

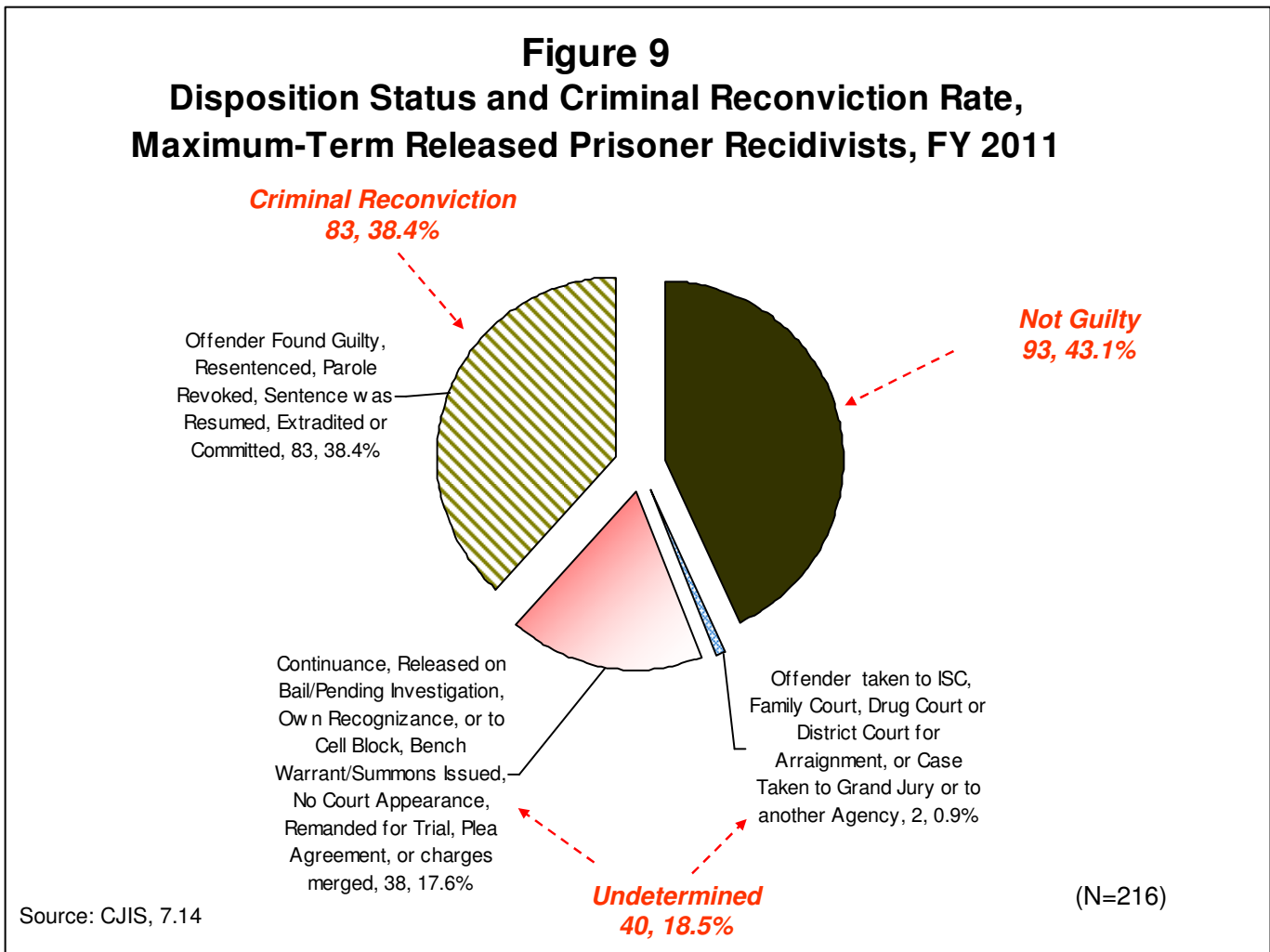
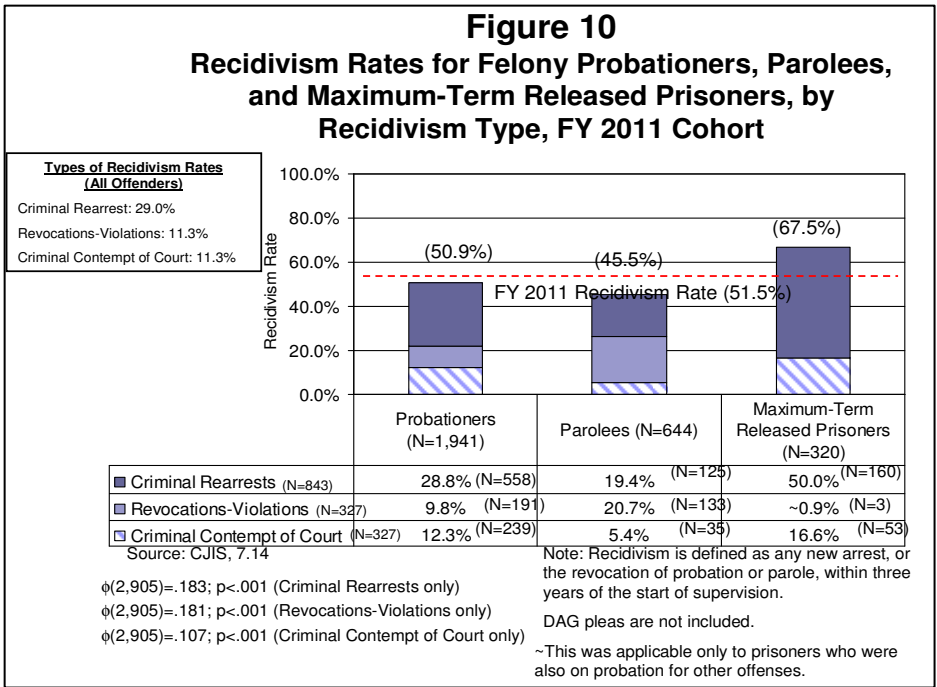


Figure 9 portrays the disposition status and criminal recidivism rate for maximum-term prisoners who were released in FY 2011 and subsequently tracked over a 36-month period.

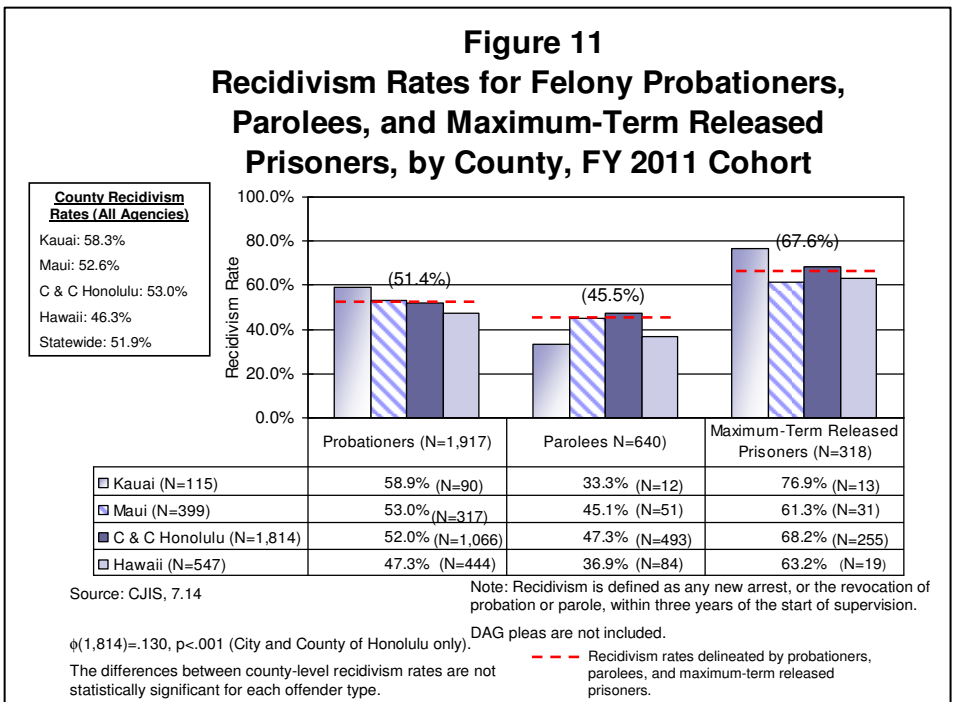
- Undetermined dispositions, due to pending investigations, arraignment, case continuance, or offenders remanded to other courts accounted for **18.5%** of the maximum-term released recidivists.
- Maximum-term released prisoners reconvicted of a new criminal offense comprised of **38.4%** of the 216 recidivists.
- Cases that led to acquittals, dismissals, or not guilty findings accounted for **43.1%** of the total recidivists.



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

Figure 10 reveals the FY 2011 recidivism rates for probationers, parolees, and maximum-term released prisoners, by recidivism type. The differences in recidivism rates between probationers, parolees, and maximum-term released prisoners, by recidivism type, are statistically significant at the $p<.001$ level.

- Maximum-term released prisoners had the highest Criminal Rearrest rate (50.0%) and Criminal Contempt of Court rate (16.6%).
- Parolees had the highest Revocation-Violation rate (20.7%), the lowest Criminal Rearrest rate (19.4%), and the lowest Criminal Contempt of Court rate (5.4%).
- Probationers had the lowest Revocation-Violation rate (9.8%).

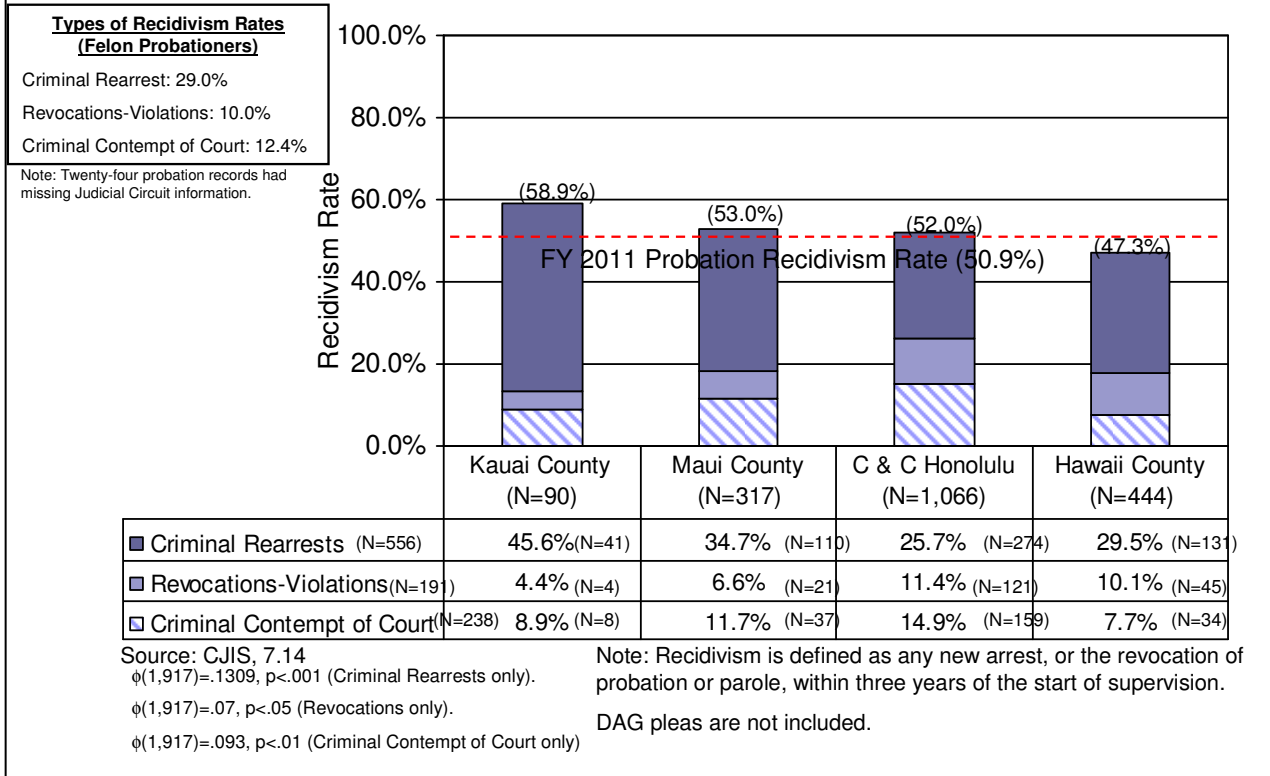


Note: The offender's resident address, place of supervision, or location of the arresting agency helped to determine the offender's county.

Note: Policy analysts need to be cautious when comparing the recidivism rates between agencies. There are many complex and interacting factors that affect recidivism rates. For instance, revocations-violations for probationers and parolees contribute to the overall recidivism rate, but do not apply to most of the maximum-term released prisoners, unless they remained on probation due to other, or unrelated convictions.

Figure 11 examines the FY 2011 recidivism rates for felony probationers, parolees, and maximum-term released prisoners, by county. The differences in recidivism rates between these three types of offenders are statistically significant within the City and County of Honolulu, specifically because of the high recidivism rates for maximum-term released prisoners (68.2%). The differences in recidivism rates between counties, however, are not statistically significant, regardless of the types of offenders.

Figure 12
Recidivism Rates for Felony Probationers, by County and Recidivism Type, FY 2011 Cohort

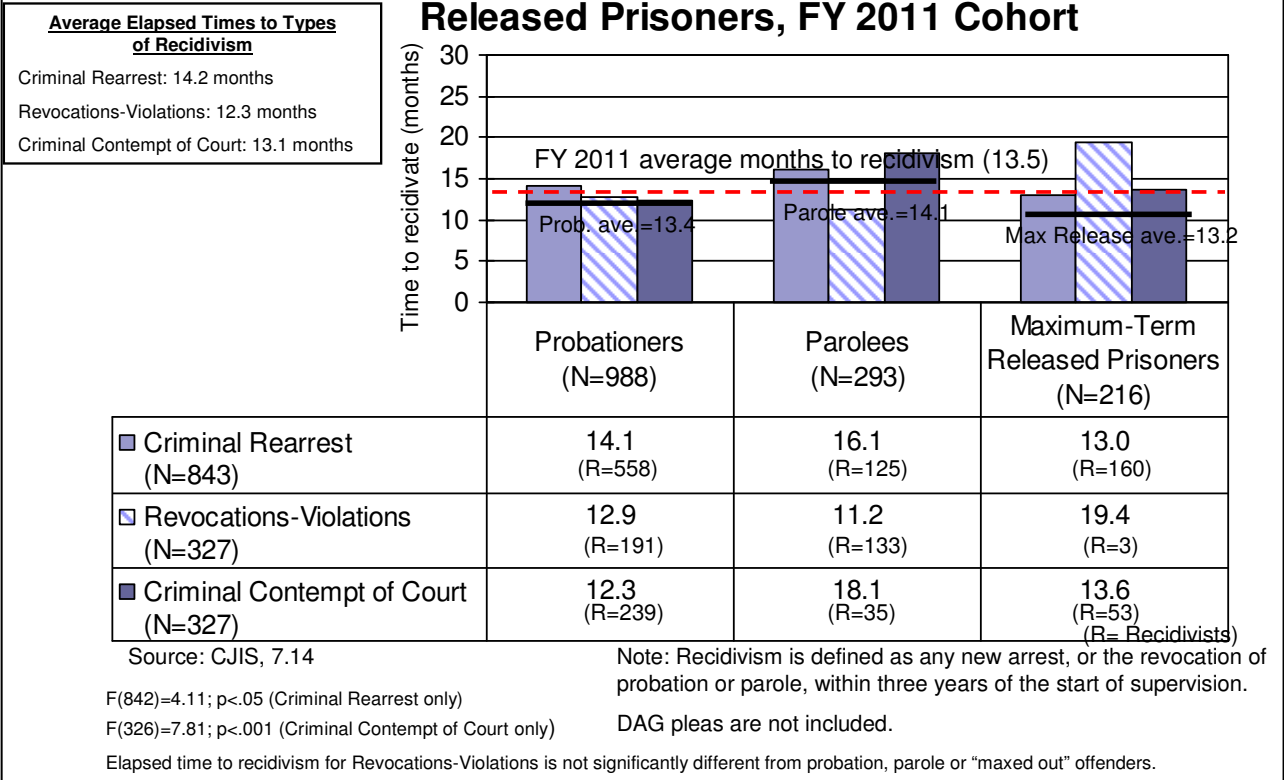


Note: Revocations-Violations include the following: revocations, bench warrant/summons, and bail release violations. Additionally, the offender's resident address, place of supervision, or location of the arresting agency helped to determine the offender's county. This analysis of county-level recidivism was conducted at the request of the Hawaii State Judiciary.

Figure 12 displays the FY 2011 recidivism rates for felony probationers, by county and recidivism type. The differences in recidivism rates for probationers between counties are statistically significant for all recidivism types.

- Hawaii County had the lowest total recidivism rate (47.3%), and the lowest criminal contempt of court rate (7.7%).
- Kauai County had the highest total recidivism rate (58.9%), and the highest criminal rearrest rate (45.6%), but the lowest revocations-violations rate (4.4%).
- The City and County of Honolulu had the highest revocation-violations rate (11.4%) and criminal contempt of court rate (14.9%), and the lowest criminal rearrest rate (25.7%).

Figure 13
Average Elapsed Time to Recidivism in Months
for Probationers, Parolees, and Maximum-Term
Released Prisoners, FY 2011 Cohort



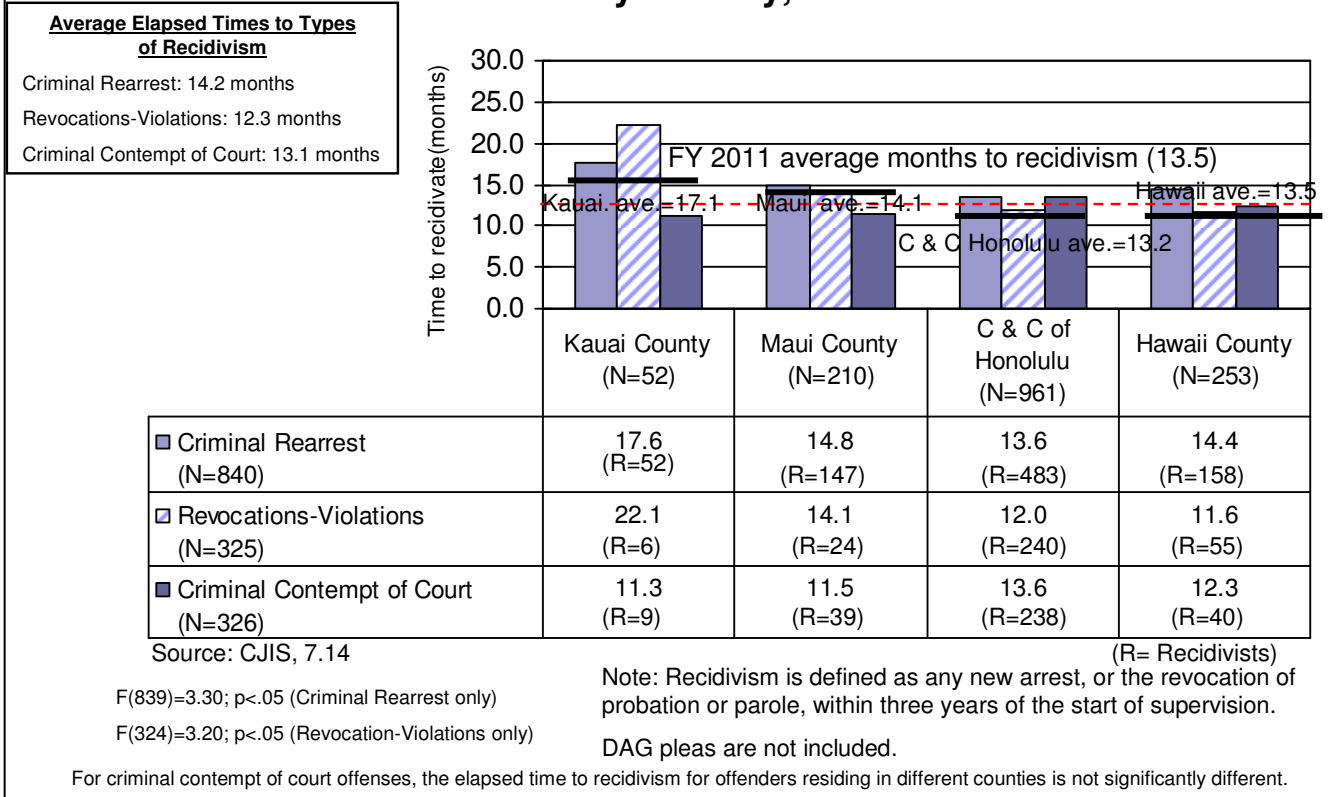
Note: Revocations-Violations include the following: revocations, bench warrant/summons, and bail release violations.

Figure 13 shows the average time in months elapsed from the *Follow-up Start Date* to the *Recidivism Event Date*, by recidivism type, for recidivists in the FY 2011 cohort of probationers, parolees, and maximum-term released prisoners. The average elapsed time to recidivism in FY 2011 is **13.5** months, where the average time to criminal rearrest is **14.2** months. The differences in the average elapsed time to recidivism between probationers, parolees, and maximum-term released prisoners are statistically significant for criminal rearrest and criminal contempt of court.

Parolees had the longest average elapsed time to a recidivism event for criminal rearrest (16.1 months), and criminal contempt of court (18.1 months).

- Maximum-term released prisoners had the shortest average elapsed time to a recidivism event for criminal rearrest (13.0 months).
- Probationers had the shortest average elapsed time to a recidivism event for criminal contempt of court (12.3 months).

Figure 14
Average Elapsed Time to Recidivism in Months,
by County, FY 2011 Cohort

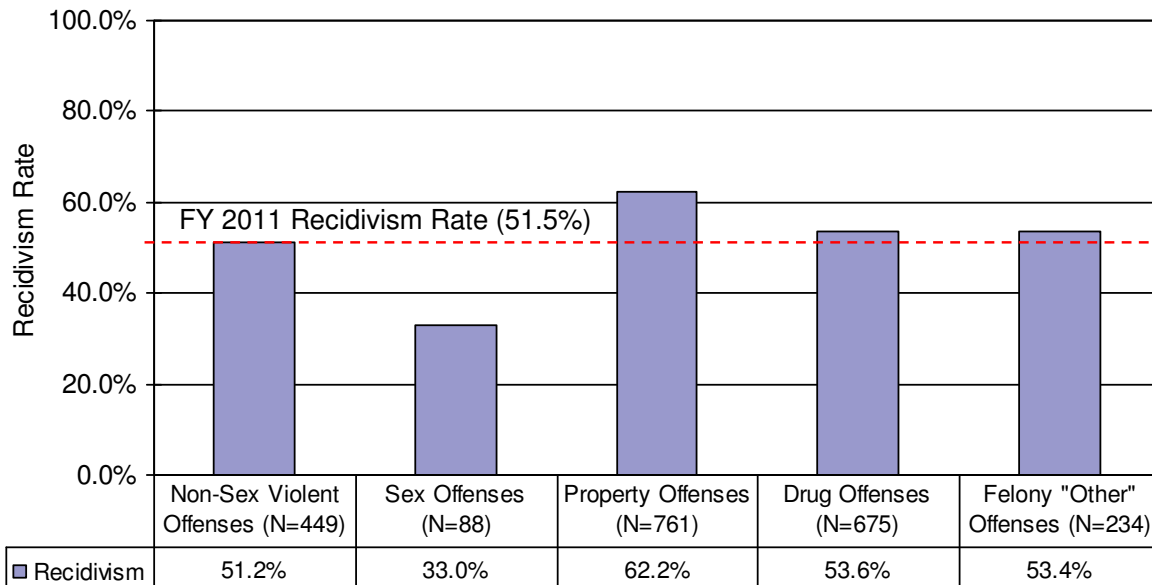


Note: Revocations-Violations include the following: revocations, bench warrant/summons, and bail release violations. The offender's resident address, place of supervision, or location of the arresting agency helped to determine the offender's county.

Figure 14 presents the average elapsed time from the *Follow-up Start Date* to the *Recidivism Event Date*, by recidivism type, for recidivists in the FY 2011 cohort of probationers, parolees, and maximum-term released prisoners. The average elapsed time to recidivism is **13.5** months, where the average time for criminal rearrests is **14.2** months. The differences in the average time to recidivism between counties are statistically significant for criminal rearrest and criminal contempt of court.

- Kauai County recidivists had the longest average elapsed time to a recidivism event for criminal rearrest (22.1 months), and revocations and violations (22.1 months).
- The City and County of Honolulu had the shortest average elapsed time to a recidivism event for criminal rearrest (13.0 months).
- Probationers had the highest average elapsed time to a recidivism event for a criminal contempt of court (13.6 months).

Figure 15
Recidivism Rates, by Initial Offense Type,
FY 2011 Cohort



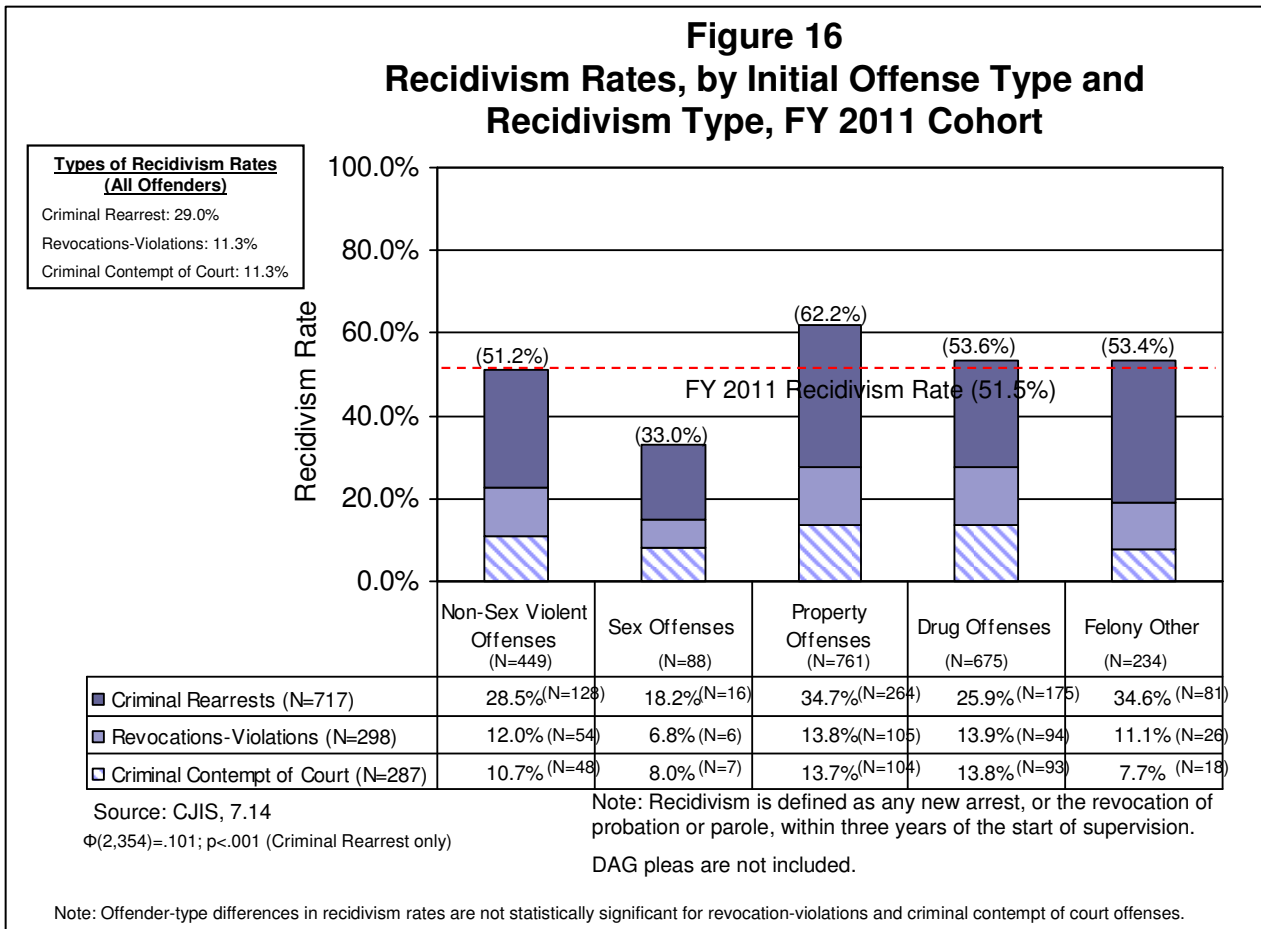
Source: CJIS, 7.14

$\Phi(2,354) = .124; p < .001$

Note: Recidivism is defined as any new arrest, or the revocation of probation or parole, within three years of the start of supervision.

DAG pleas are not included.

Figure 15 identifies the FY 2011 recidivism rates, by initial offense type. The data show that the differences in recidivism rates, by initial offense type, are statistically significant at the $p < .001$ level. Offenders initially convicted for property offenses had the highest recidivism rate (62.2%), while sex offenders had the lowest recidivism rate (33.0%).



Note: Revocations-Violations represent the following: revocations, bench warrant/summons, and bail release violations.

Figure 16 portrays the FY 2011 recidivism rates, by initial offense type and recidivism type. Only the differences in criminal rearrest rates across the offense types are statistically significant.

- Property crime offenders had the highest criminal rearrest rate (34.7%) and total recidivism rate (62.2%).
- Sex offenders had the lowest criminal rearrest rate (18.2%) and total recidivism rate (33.0%)

Figure 17
Recidivism Rates, by Offender Type and Gender, FY 2011 Cohort

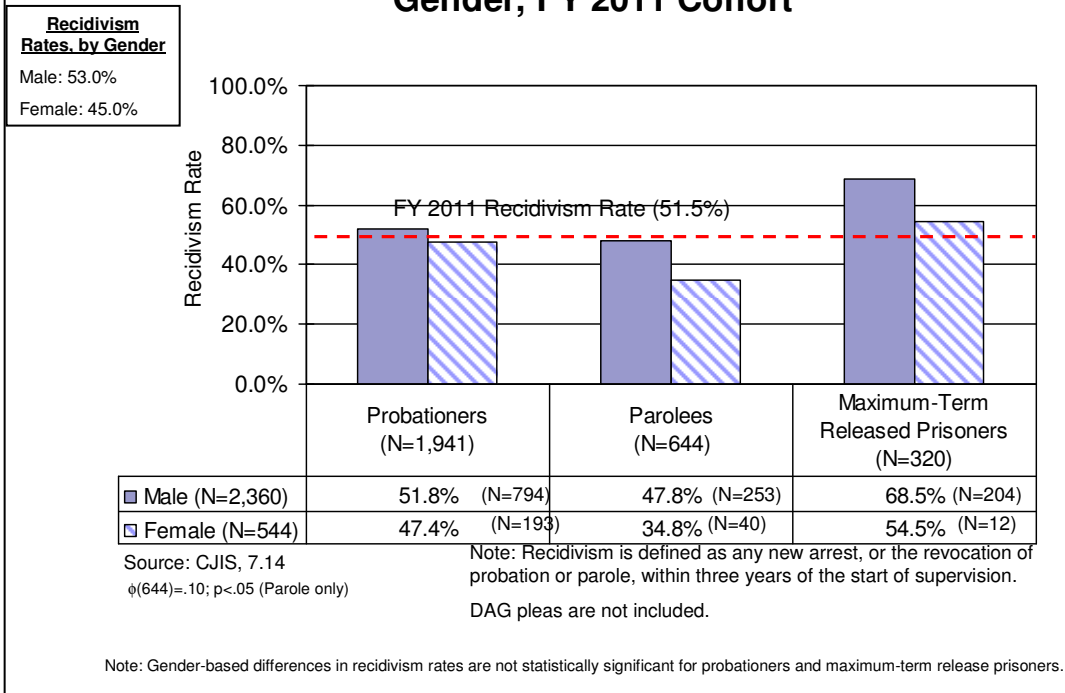


Figure 17 examines the FY 2011 recidivism rates for probationers, parolees, and maximum-term released prisoners, by gender. The differences in recidivism rates between males and females are statistically significant for parolees ($p < .05$), but not for probationers and maximum-term released prisoners. Male and Female parolees have respectively, the lowest recidivism rates of 47.8% and 34.8%.

Figure 18
Recidivism Rates, by Offender Type and Ethnicity, FY 2011 Cohort

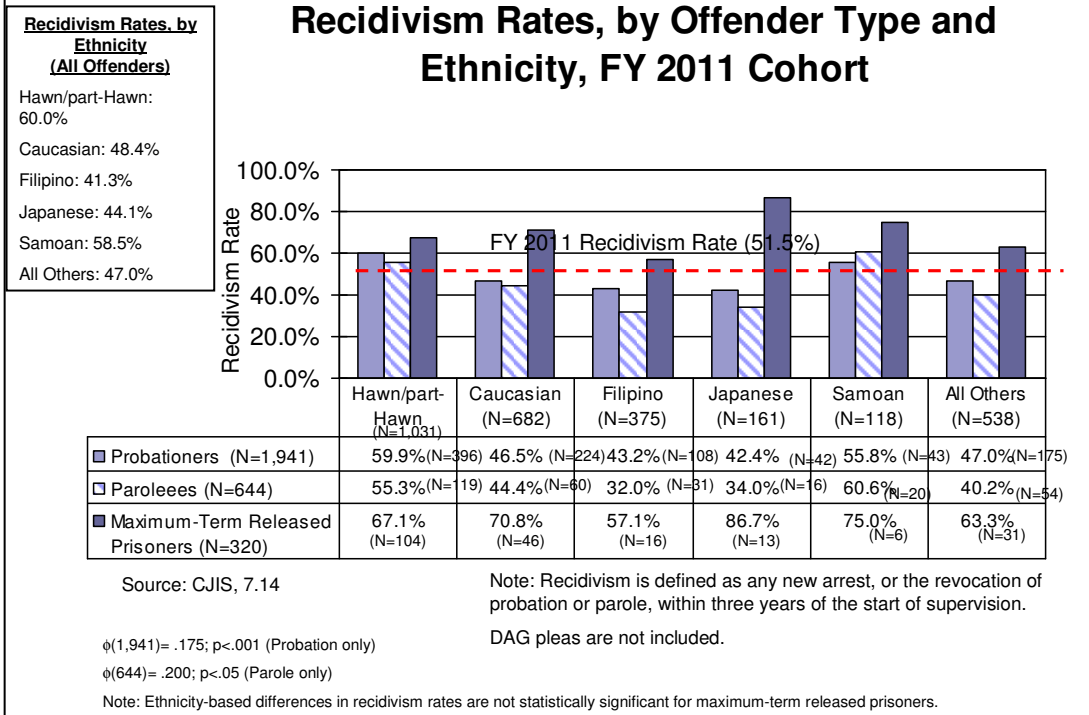


Figure 18 shows the FY 2011 recidivism rates for probationers, parolees, and maximum-term released prisoners, by ethnicity. The differences in recidivism rates between ethnic groups are statistically significant for all offender types, except for maximum-term released prisoners. Hawaiian/part-Hawaiian probationers (59.9%), and Samoan parolees (60.6%), have the highest recidivism rates.

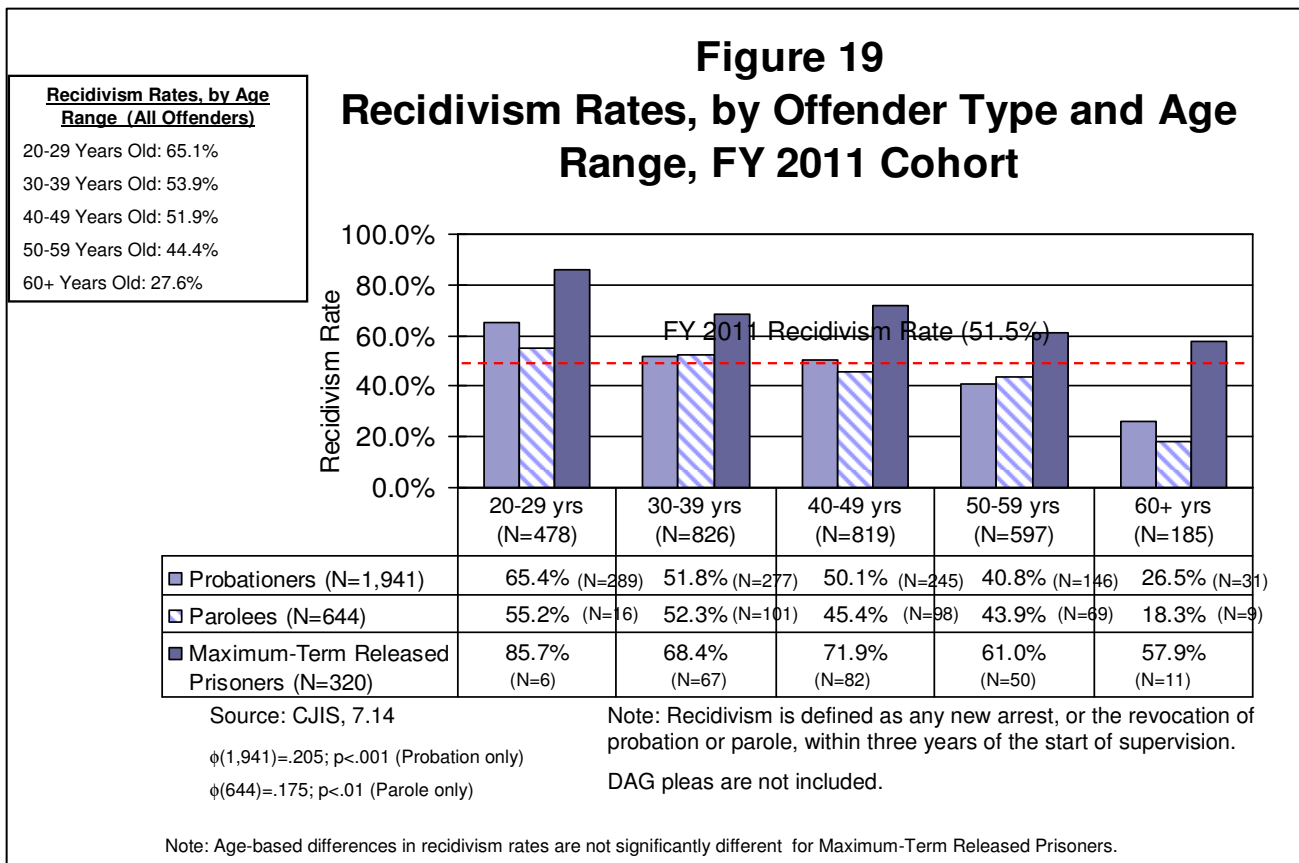


Figure 19 illustrates the FY 2011 recidivism rates for probationers, parolees, and maximum-term released prisoners, by offender age range. The differences in recidivism rates between offender age ranges are statistically significant for probationers and for parolees, but not for maximum-term released prisoners. The 20-29 years-old age group had the highest reported recidivism rates among all age groups for probationers (65.4%) and parolees (55.2%). The 60+ years-old age group had the lowest recidivism rates for both probationers (26.5%) and parolees (18.3%).

Summary and Discussion

The 49.6% recidivism rate for FY 2011 probationers and parolees was slightly lower than the previous year's rate of 50.8%, but was higher than the lowest recidivism rate on record (48.5% for the FY 2008 cohort). Figure 3 shows that the FY 2011 recidivism rate is 21.6% lower than the recidivism rate reported in the FY 1999 baseline year, but remains short of the primary goal of reducing recidivism in Hawaii by 30%.¹ Figure 4 shows that felony probationers in the FY 2011 cohort had a 50.9% recidivism rate, which is 1.4 percentage points lower than the recidivism rate for the previous year's cohort, but indicates only a 5.2% decline in recidivism since the baseline year. As shown in Figure 5, parolees in the FY 2011 cohort had a 45.5% recidivism rate, which is 1.0 percentage point lower than the previous year's cohort, and signifies a 37.6% decline in recidivism from the baseline year.

¹ Year-to-year trend analysis started with the 1999 cohort, as the baseline year, and only included probationers and parolees. Subsequent recidivism updates have continued over a ten-year period, with the FY 2011 cohort being the most recent year studied (49.6% recidivism rate).

In FY 2005, ICIS started to track the recidivism rate for maximum-term released prisoners. The recidivism rate for these offenders declined from 76.1% for the FY 2005 cohort to 67.5% for the FY 2011 cohort, although the FY 2011 recidivism rate was 4.8 percentage points higher than the FY 2010 rate (Figure 6). Additionally, maximum-term released prisoners had the highest recidivism rates in the entire FY 2011 offender cohort for criminal reconviction (25.9%), criminal rearrests (50.0%), and criminal contempt of court (16.6%) (Figures 9-10).

As shown in Figures 13-14, the average elapsed time to recidivism for offenders with criminal rearrests (14.2 months) was longer than the average elapsed time for revocations-violations (12.3 months) and criminal contempt of court (13.1 months). Parolees had the longest elapsed time to recidivism for criminal rearrests (16.1 months) and criminal contempt of court (18.1 months), but the shortest elapsed time to recidivism (11.2 months) for revocations-violations. By county, offenders from Kauai County had the longest elapsed time to recidivism (17.6 months), while offenders from the City and County of Honolulu had the shortest (13.6 months).

Figure 15 reveals statistically significant differences in recidivism rates between the various initial offense types, whereby property offenders initially had the highest total recidivism rate (62.2%), while sex offenders had the lowest rate (33.0%). Likewise, as shown in Figure 16, there are statistically significant differences in criminal rearrest recidivism rates, particularly for property offenders (34.7% recidivism rate), as compared to sex offenders (18.2% recidivism rate).

It is not clear if the State of Hawaii's recidivism rate will increase or decline in the future. There are unknown, or at least, currently undocumented factors that contribute to upward or downward pressures in the recidivism rate. Probationers and parolees need regular monitoring and supervision because of the considerable external (environmental) and internal (individual) factors that may contribute to recidivism risk. 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 includes consistently adhering to prescribed data collection routines, and commitment to ongoing officer training and recertification efforts.

2014 Recidivism Update
is available electronically at the ICIS web site:
<hawaii.gov/icis>