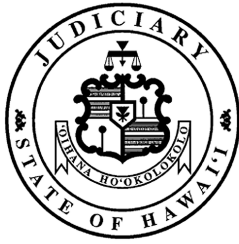


## Interagency Council on Intermediate Sanctions



HAWAII STATE  
DEPARTMENT  
OF HEALTH

May 2016

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### State of Hawaii, FY 2012 Cohort 2015 Recidivism Update

This report provides a comparative update to the *2002 Hawaii Recidivism Baseline Study* and subsequent updates in 2006 through 2014. 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 **2,464** offenders from the Fiscal Year 2012 cohort, as compiled from the following State agencies:

1. Hawaii State Probation Services – 1,639 *Offenders Sentenced to Felony Probation*.
2. Hawaii Paroling Authority (HPA) - 560 *Offenders Released to Parole*.
3. Department of Public Safety (PSD) - 265 *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 eight additional recidivism update studies, for the FY 2003 and FYs 2005-2011 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 supervision 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 following 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 supervision 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 11,410 total charges extracted from FY 2012 (July 1, 2011 through June 30, 2012). Probation, Parole, and PSD define, respectively, the *Supervision 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 supervision 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 data and methodologies employed for each agency:

### **1. Probation**

Offenders from Probation included 6,424 felony and non-felony probationers extracted from the *Caseload Explorer* information system. The defined *Supervision Start Date* is from July 1, 2011 through June 30, 2012.

Note: Per the 2002 baseline recidivism design, only felony probationers were included in this recidivism study. This necessitated the removal of 4,362 non-felony probationers, and 449 Deferred Acceptance of Guilty (DAG) cases from probationers with supervision start dates in FY 2012. 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 575 offenders who were released to parole from July 1, 2011 through June 30, 2012. Excluded are 15 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 278 maximum-term released ("maxed-out") prisoners who completed their entire sentenced term of incarceration at a point between July 1, 2011 and June 30, 2012. Excluded from this study are 13 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.

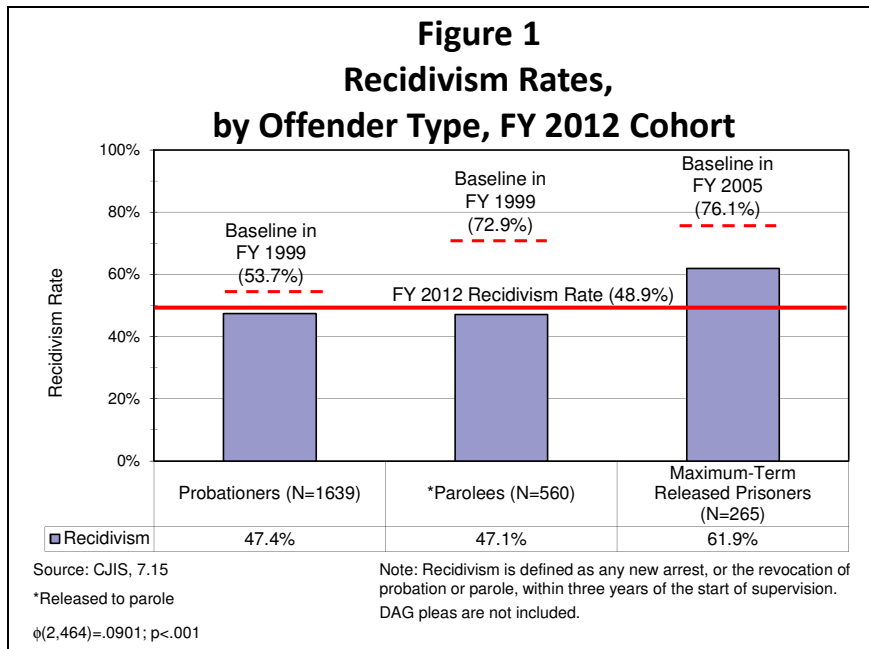


Figure 1 depicts probationer, parolee, and maximum-term released prisoner recidivism rates. Recidivism is defined as any new arrest, or the revocation of probation or parole, within three years of the start of supervision. The data reveal a **47.4%** recidivism rate for probationers; a **47.1%** recidivism rate for parolees; and a **61.9%** 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 2012 study cohort is **48.9%**.

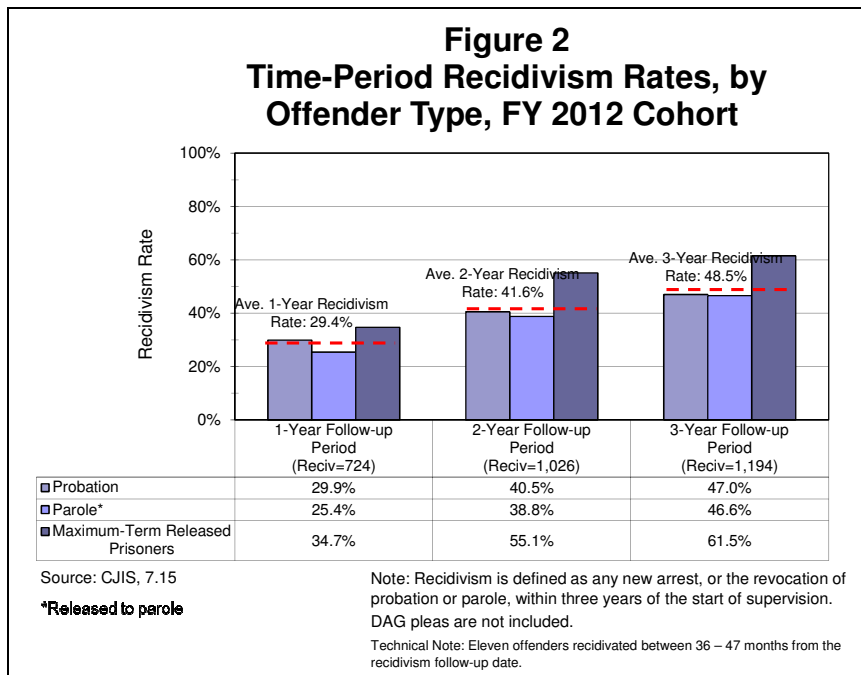
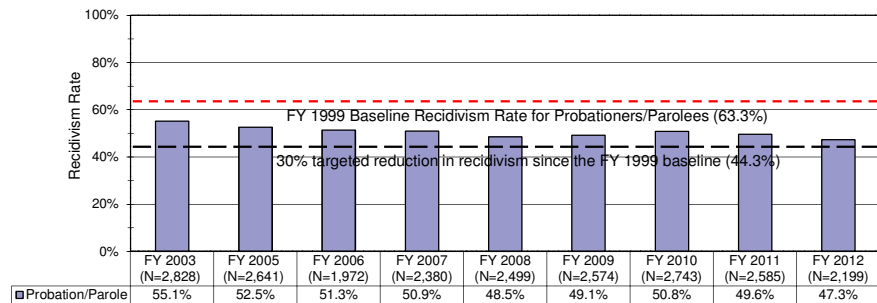


Figure 2 examines the time-period recidivism rates for probationers, parolees, and maximum-term released prisoners. At the supervision start date, 724 (60.6%) of the 1,194 total recidivists reoffended within the first 12 months of supervision, and 1,026 (85.9%) of the total recidivists reoffended within 24 months from the supervision start date. An additional 168 offenders recidivated between 24 to 36 months from the supervision start date, accounting for the last of the 1,194 total recidivists in the study group.

**Figure 3**  
**Recidivism Rates, Felony Probationers and Parolees,**  
**FYs 2003-2012 Cohorts**



Source: CJIS, 7.15

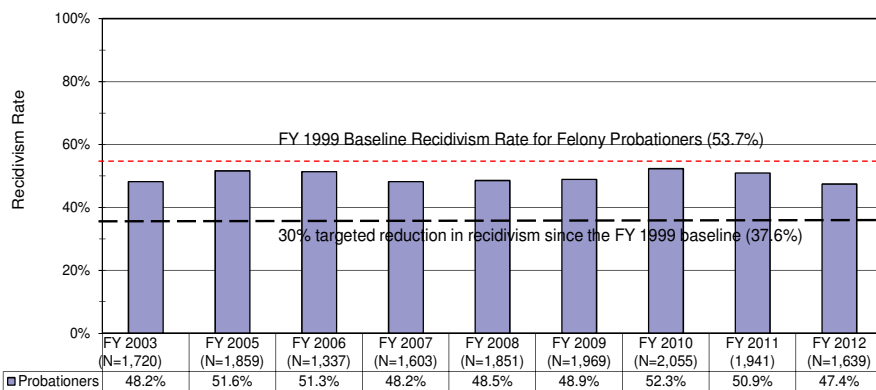
Note: Recidivism is defined as any new arrest, or the revocation of probation or parole, within three years of the start of supervision. DAG pleas are not included. The baseline study did not include maximum-term released prisoners.

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). In order for ICIS to reach the 30% decline in recidivism, the current recidivism rate of 47.3% will need to fall an additional three percentage points to reach the 44.3% targeted recidivism rate.

**Figure 3** reveals the recidivism trend for felony probationers and parolees in the FY 1999 baseline year, FY 2003, and FYs 2005-2012.

- The **47.3%** recidivism rate for FY 2012 is 2.3 percentage points lower than the FY 2011 rate, and is 16.0 percentage points below the FY 1999 baseline rate of 63.3%.
- Since FY 1999, the recidivism rate has declined 25.3%.

**Figure 4**  
**Recidivism Rates, Felony Probationers,**  
**FYs 2003-2012 Cohorts**

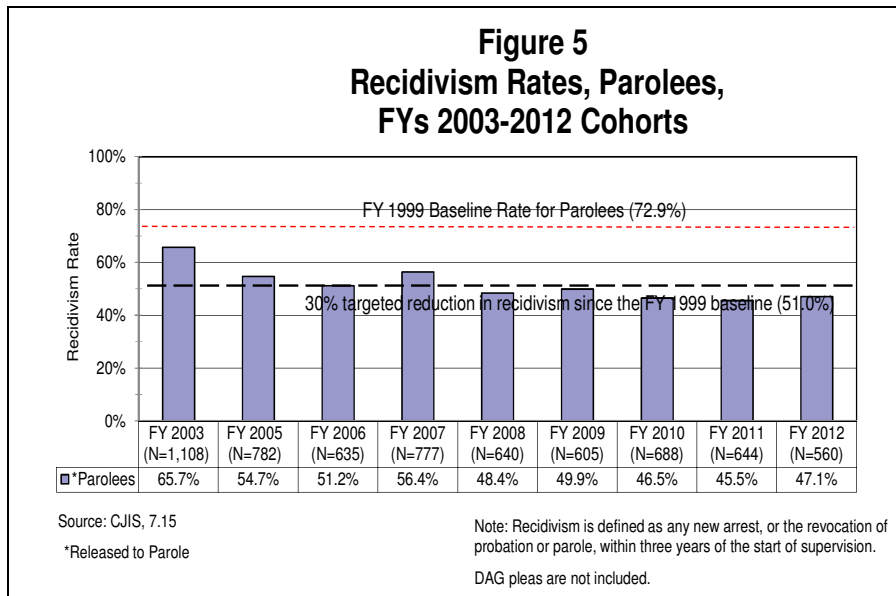


Source: CJIS, 7.15

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.

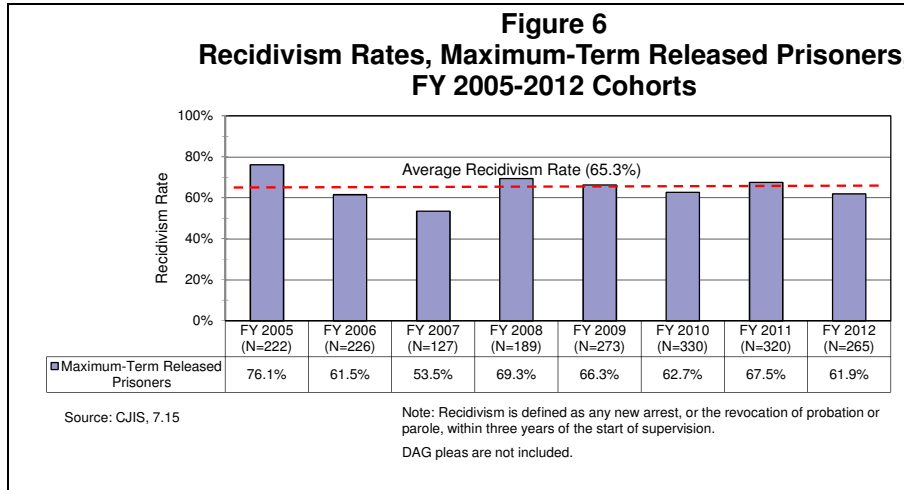
**Figure 4** displays the recidivism rates for felony probationers in the FY 1999 baseline year and subsequent years.

- The **47.4%** recidivism rate for FY 2012 is 3.5 percentage points below the FY 2011 rate, and is 6.3 percentage points below the FY 1999 baseline rate (53.7%).
- Since FY 1999, the recidivism rate for felony probationers declined 11.7%, which is far from meeting the goal of reducing recidivism by 30%.



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

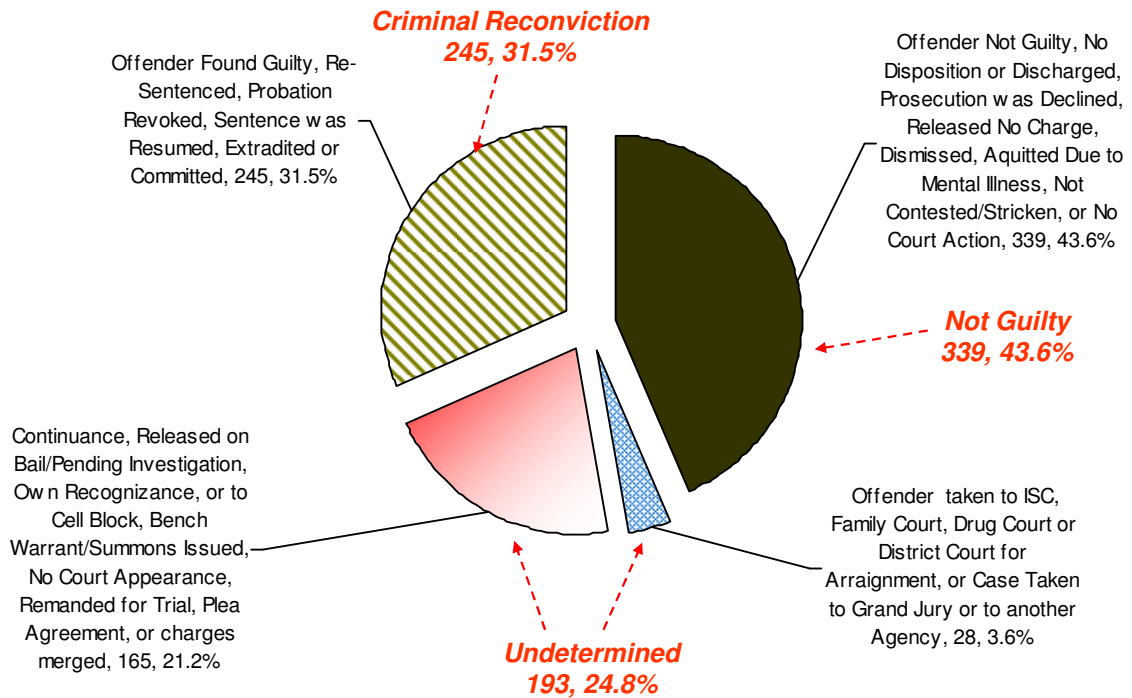
- The **47.1%** recidivism rate for FY 2012 is 1.6 percentage points higher than the rate reported in FY 2011, and 25.8 percentage points below the 72.9% recidivism rate reported for the FY 1999 baseline year.
- The recidivism rate has decreased **35.4%** for parolees, surpassing the ICIS goal of reducing recidivism by 30%.



**Figure 6** shows the recidivism trend for maximum-term released prisoners in FYs 2005-2012.

- The **61.9%** recidivism rate for FY 2012 is 5.6 percentage points below the rate reported in FY 2011, and 14.2 percentage points lower than the FY 2005 recidivism rate.
- The recidivism rate has decreased **18.7%** for maximum-term released prisoners, since FY 2005.

**Figure 7**  
**Disposition Status and Criminal Reconviction Rates for**  
**Felony Probationer Recidivists, FY 2012**



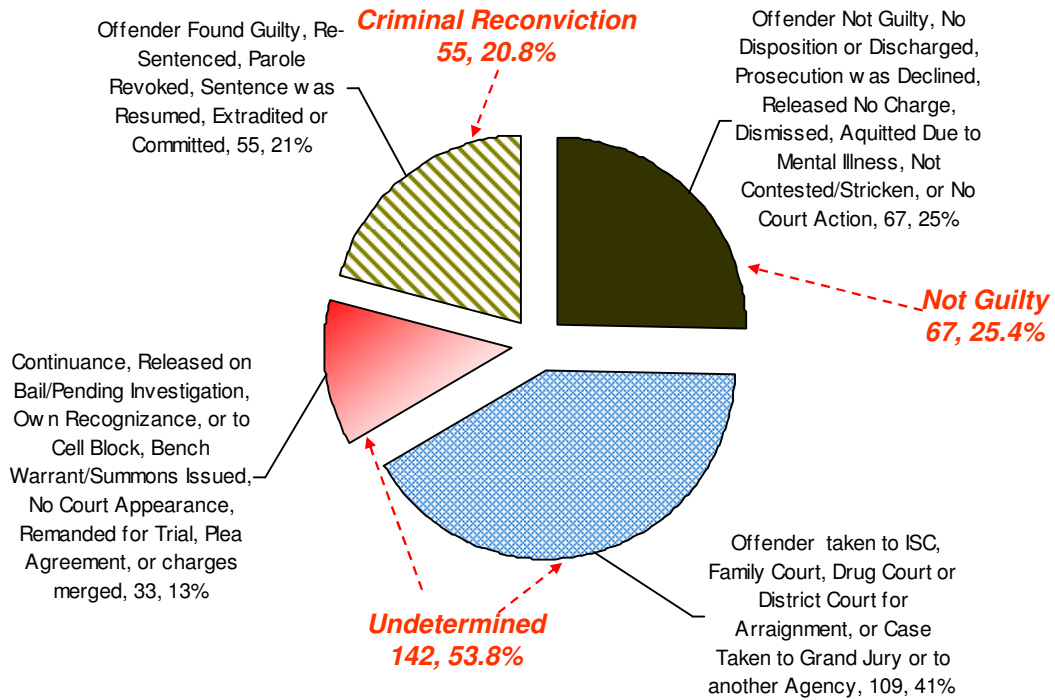
Source: CJIS, 7.15

(N=777)

**Figure 7** illustrates the disposition status and criminal reconviction rate for 777 felony probationer recidivists in FY 2012 who 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 **24.8%** of the probation recidivists.
- Probationers reconvicted of a new criminal offense comprised **31.5%** of the probation recidivists.
- Cases that led to acquittals, dismissals, or not guilty findings accounted for **43.6%** of the probation recidivists.

**Figure 8**  
**Disposition Status and Criminal Reconviction Rates,**  
**Parolee Recidivists, FY 2012**



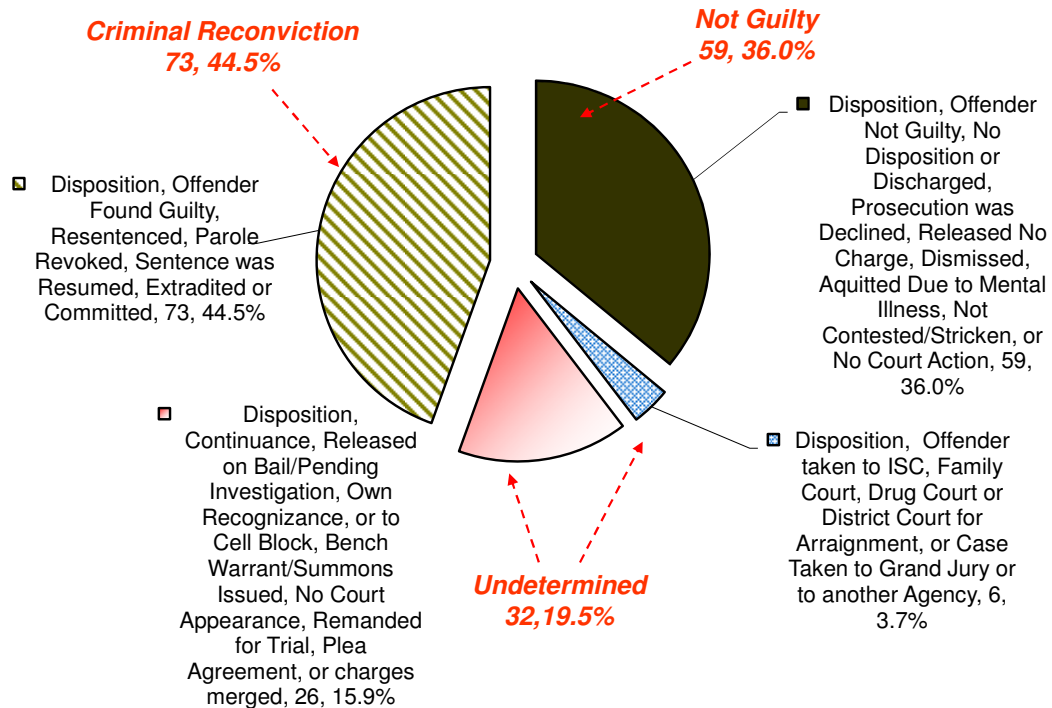
Source: CJIS, 7.15

(N=264)

**Figure 8** identifies the disposition status and criminal reconviction rate for 264 prisoners released to parole in FY 2012 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 **53.8%** of the paroled recidivists.
- Parolees reconvicted of a new criminal offense comprised **20.8%** of the paroled recidivists.
- Cases that led to acquittals, dismissals, or not guilty findings accounted for **25.4%** of the paroled recidivists.

**Figure 9**  
**Disposition Status and Criminal Recidivism Rate,**  
**Maximum-Term Released Prisoner Recidivists, FY 2012**



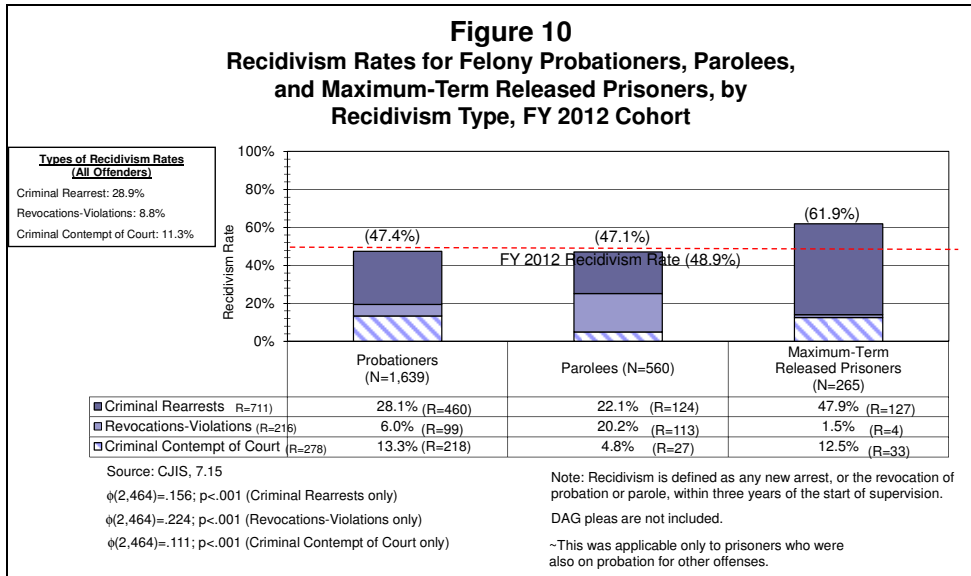
Source: CJIS, 7.15

(N=164)

**Figure 9** portrays the disposition status and criminal recidivism rate for 164 maximum-term prisoners who were released in FY 2012 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 **19.5%** of the maximum-term released recidivists.
- Maximum-term released prisoners reconvicted of a new criminal offense comprised **44.5%** of the 164 maximum-term released recidivists.
- Cases that led to acquittals, dismissals, or not guilty findings accounted for **36.0%** of the maximum-term released recidivists.

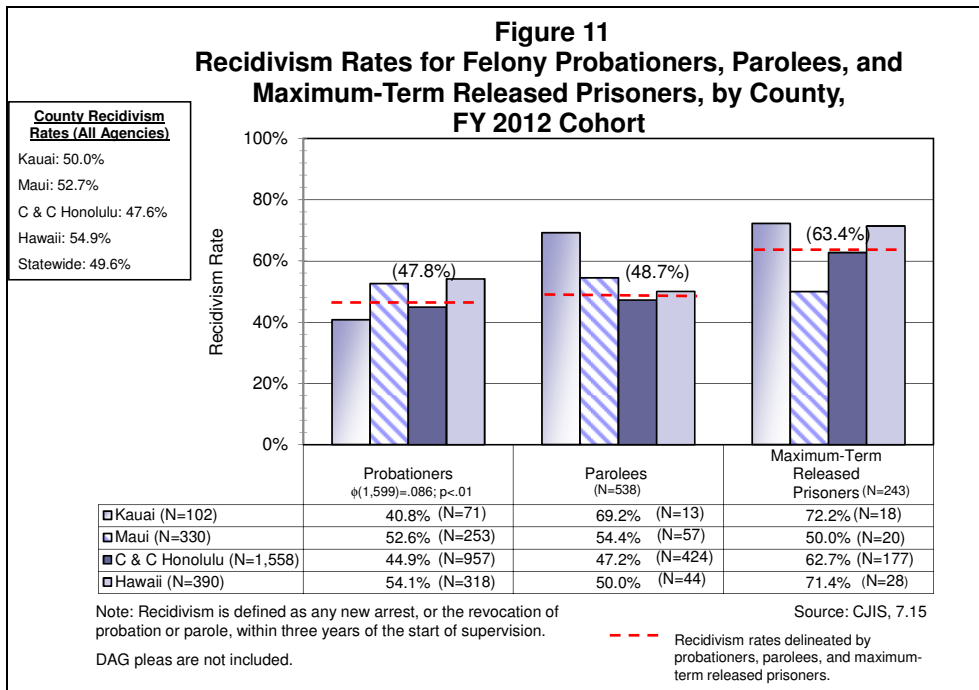




Note: Revocations-Violations represent the following: parole and probation revocations, summons arrest in probation, and bail release violations.

**Figure 10** reveals the FY 2012 recidivism rates for probationers, parolees, and maximum-term released prisoners, by recidivism type. The differences in recidivism rates between offender type (probationers, parolees, and maximum-term released prisoners), are statistically significant for criminal rearrests, revocation-violations and, criminal contempt of court at the  $p<.001$  level.

- Maximum-term released prisoners had the highest Criminal Rearrest rate (47.9%).
- Parolees had the highest Revocations-Violations rate (20.2%), the lowest Criminal Rearrest rate (22.1%), and the lowest Criminal Contempt of Court rate (4.8%).
- Probationers had the highest Criminal Contempt of Court rate (13.3%).

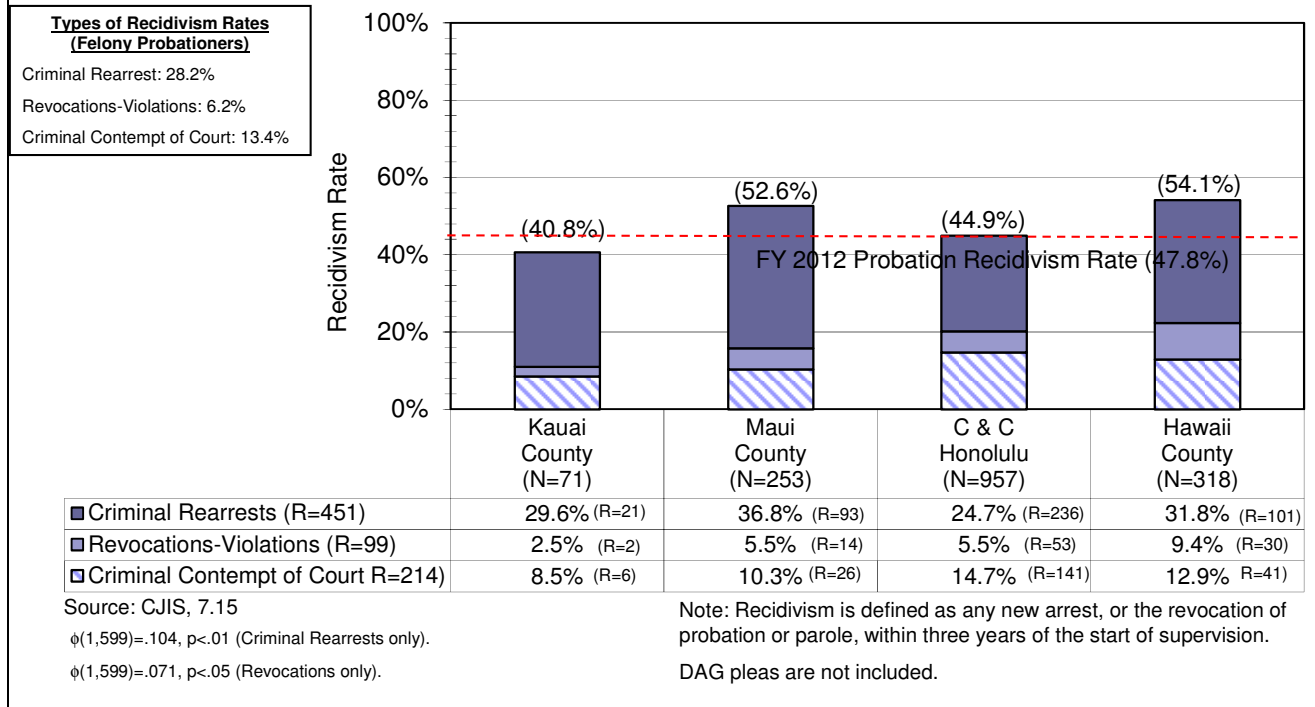


Note: The offender's resident address, place of supervision, or location of the arresting agency helped to determine the offender's county.

Note: Policy analysts need to be cautious when comparing the recidivism rates between agencies. There are many complex and interacting factors, which can 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, unrelated convictions.

**Figure 11** examines the FY 2012 recidivism rates for felony probationers, parolees, and maximum-term released prisoners, by county. The differences in recidivism rates between these four counties are statistically significant for probationers only, specifically because of the high recidivism rate for Hawaii County (54.1%) and Maui County (52.6%). The differences in recidivism rates between Parolees and Maximum-Term Released Prisoners, however, are not statistically significant, regardless of their county of residence.

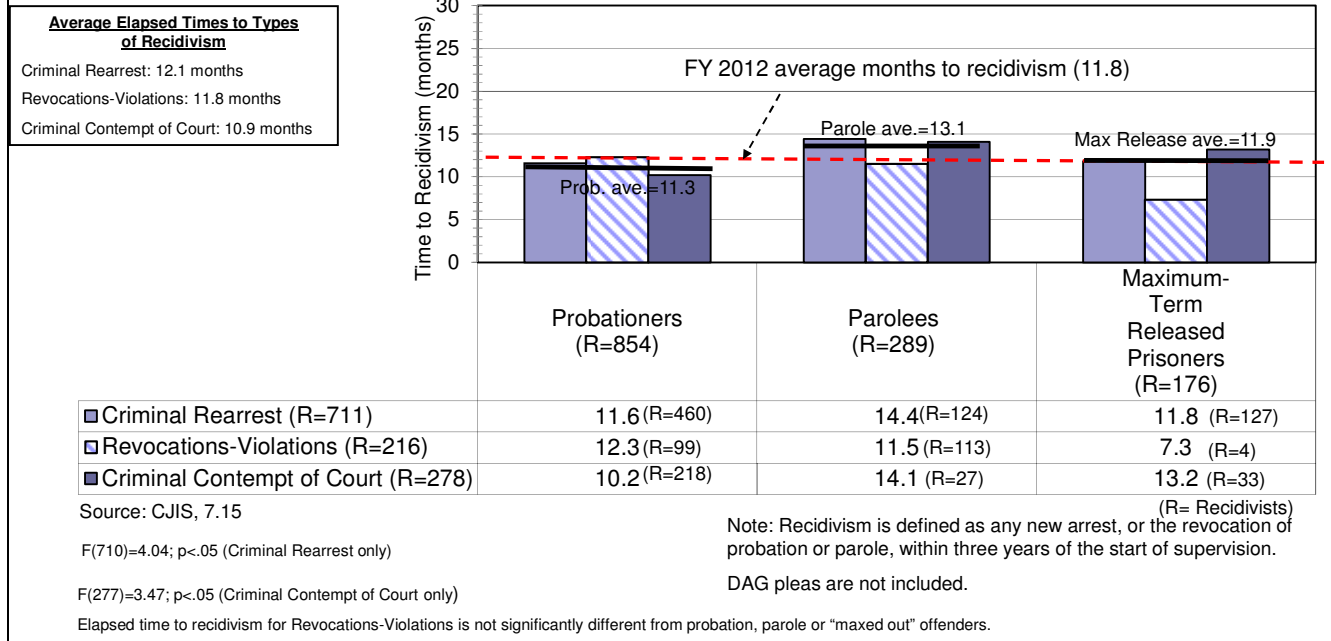
**Figure 12**  
**Recidivism Rates for Felony Probationers, by County and Recidivism Type, FY 2012 Cohort**



**Figure 12** displays the FY 2012 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, except for criminal contempt of court charges.

- Hawaii County as compared to the other counties, had the highest total recidivism rate (54.1%), and the highest revocations-violations rate (9.4%).
- Kauai County had the lowest total recidivism rate (40.8%), the lowest revocations-violations rate (2.5%), and the lowest criminal contempt of court rate (8.5%).
- Maui County had the highest criminal rearrest rate (36.8%)
- The City and County of Honolulu had the lowest criminal rearrest rate (24.7%), and the highest criminal contempt of court rate (14.7%).

**Figure 13**  
**Average Elapsed Time to Recidivism for Probationers, Parolees,**  
**and Maximum-Term Released Prisoners,**  
**FY 2012 Cohort**

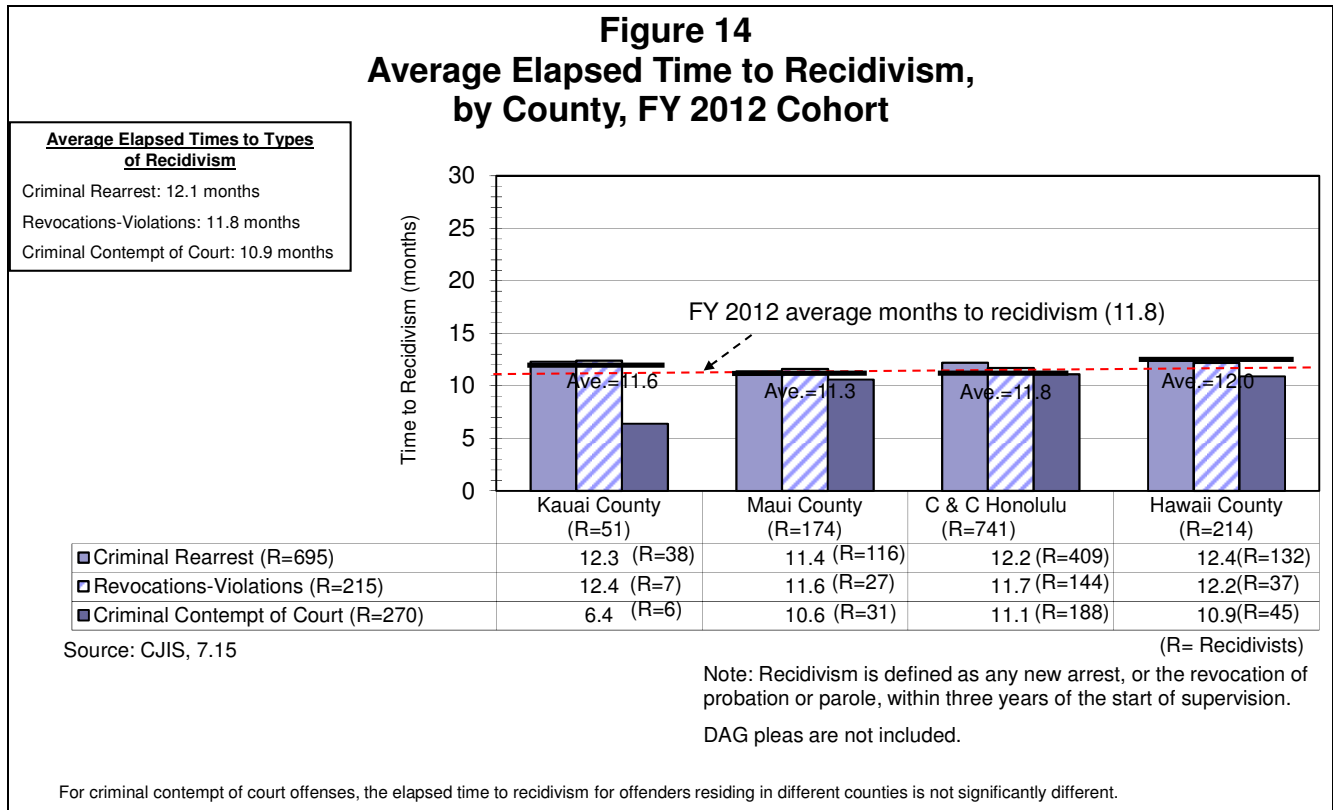


Note: Revocations-Violations include the following: revocations, bench warrant/summons, and bail release violations.

**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 2012 cohort of probationers, parolees, and maximum-term released prisoners. The average elapsed time to recidivism for FY 2012 was **12.1** months for offenders with criminal rearrests, **11.8** months for those with revocations-violations, and **10.9** months for those with criminal contempt of court charges. 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 (14.4 months) and criminal contempt of court (14.1 months). Probationers had the shortest average elapsed time to a recidivism event for criminal rearrest (11.6 months) and criminal contempt of court (10.2 months), and the longest average elapsed time to recidivism for revocations-violations (12.3 months).

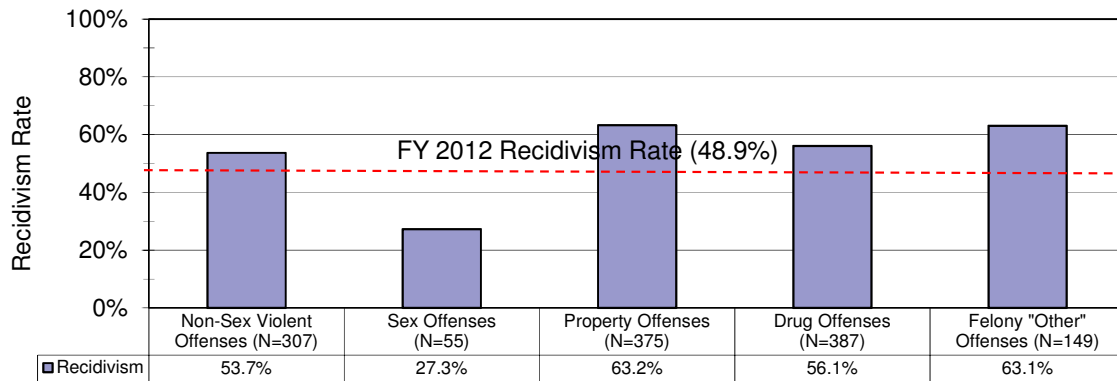
Note: Revocations-Violations include the following: revocations, bench warrant/summons, and bail release violations. The offender's resident address, place of supervision, or location of the arresting agency helped to determine the offender's county.



**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 2012 cohort of probationers, parolees, and maximum-term released prisoners. The average elapsed time to recidivism was **11.8 months**, where the average time for criminal rearrests was **12.1 months**, followed by revocations-violations (**11.8 months**), and criminal contempt of court (**10.9 months**). The differences in the average time to recidivism between counties are not statistically significant.

- Kauai County recidivists had the shortest average elapsed time to a recidivism event for criminal contempt of court (6.4 months) and the longest average elapsed time to recidivism for revocations-violations (12.4 months).
- Maui County had the shortest average elapsed time to recidivism for criminal rearrest (11.4 months) and revocations-violations (11.6 months).
- The City and County of Honolulu had the longest average elapsed time to recidivism for criminal contempt of court (11.1 months).
- Hawaii County had the longest average elapsed time to recidivism for criminal rearrest (12.4 months).

**Figure 15**  
**Recidivism Rates, by Initial Offense Type, FY 2012 Cohort**



Source: CJIS, 7.15  
 $\Phi(1,529)=.141$ ;  $p<.001$

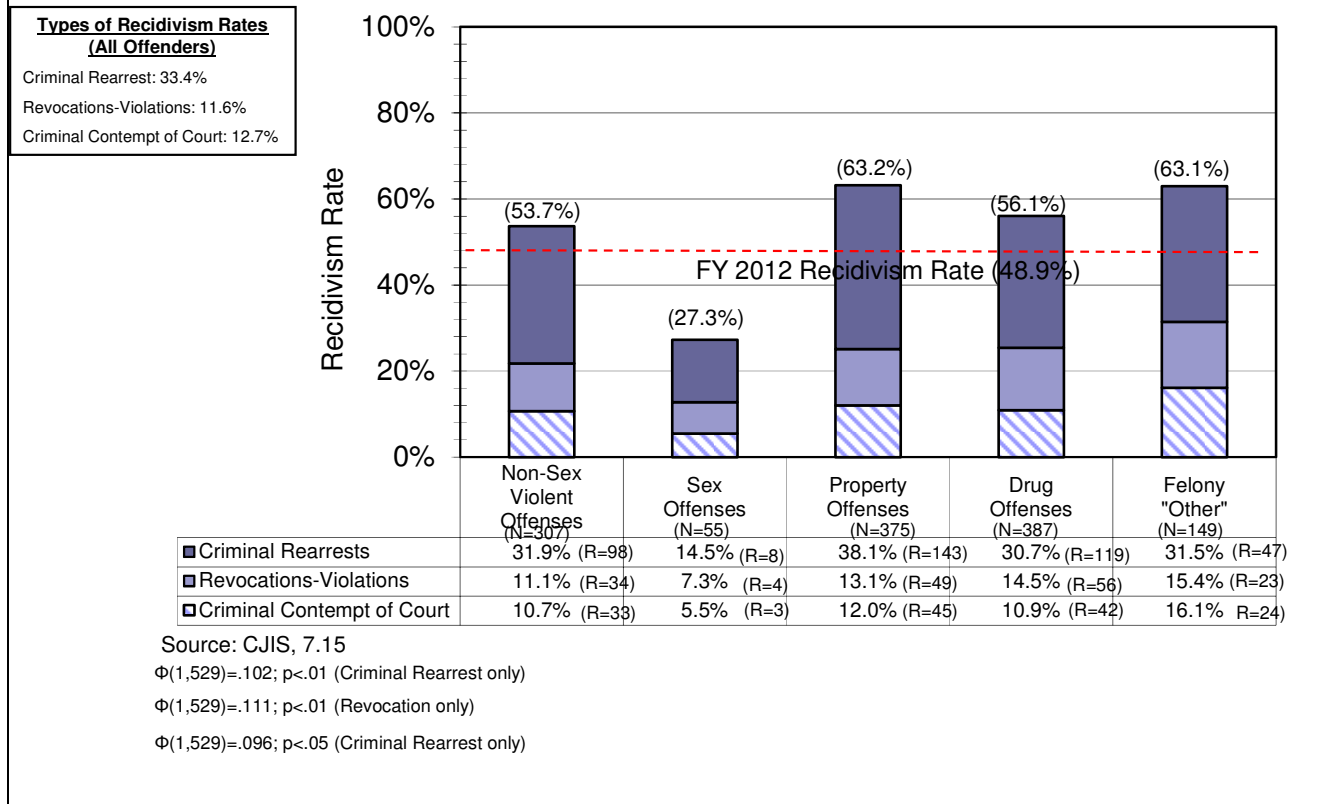
Note: Recidivism is defined as any new arrest, or the revocation of probation or parole, within three years of the start of supervision.

DAG pleas are not included.

Felony "Other" offenders include theft, criminal property damage, unauthorized entry into motor vehicle, etc.

**Figure 15** identifies the FY 2012 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 (63.2%), while sex offenders had the lowest recidivism rate (27.3%).

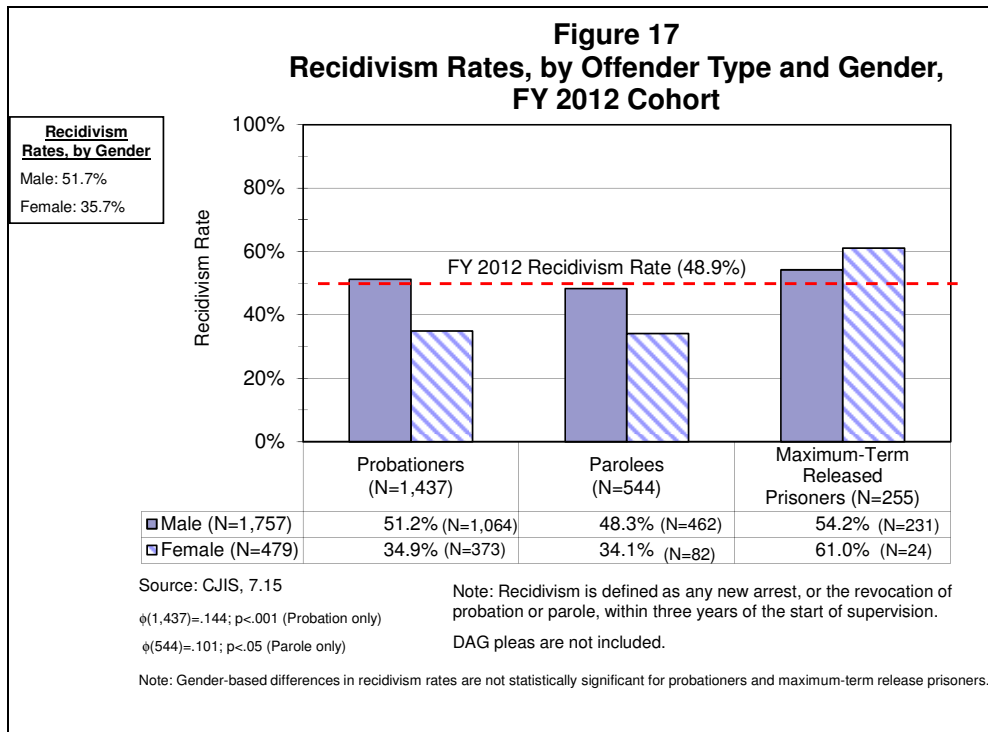
**Figure 16**  
**Recidivism Rates, by Initial Offense Type and**  
**Recidivism Type, FY 2012 Cohort**



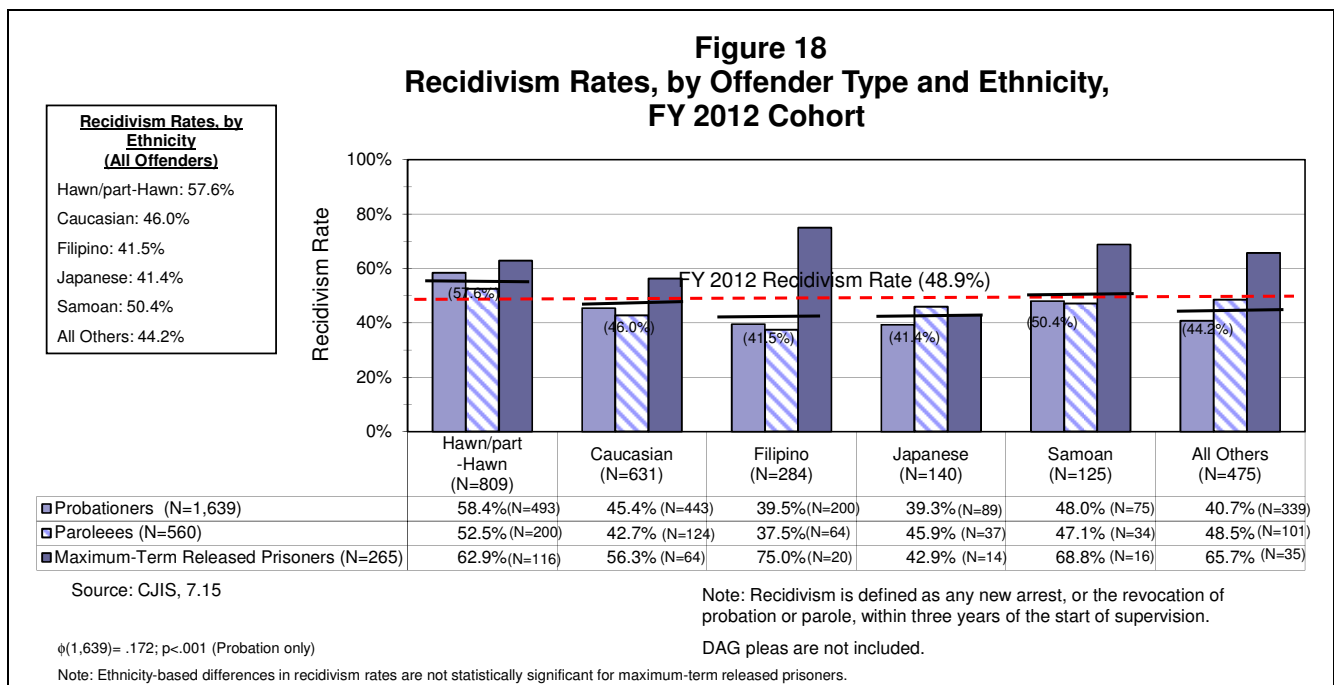
Note: Revocations-Violations represent the following: revocations, bench warrant/summons, and bail release violations.

**Figure 16** portrays the FY 2012 recidivism rates, by initial offense type and recidivism type. The differences in recidivism rates for offenders charged with criminal rearrests, revocations-violations, and criminal contempt of court were statistically significant by initial offense types.

- Property crime offenders had the highest criminal rearrest rate (38.1%) and total recidivism rate (63.2%).
- Felony "Other" offenders had the highest revocations-violations rate (15.4%) and criminal contempt of court rate (16.1%).
- Sex offenders had the lowest criminal rearrest rate (14.5%), revocations-violations rate (7.3%), and criminal contempt of court rate (5.3%).



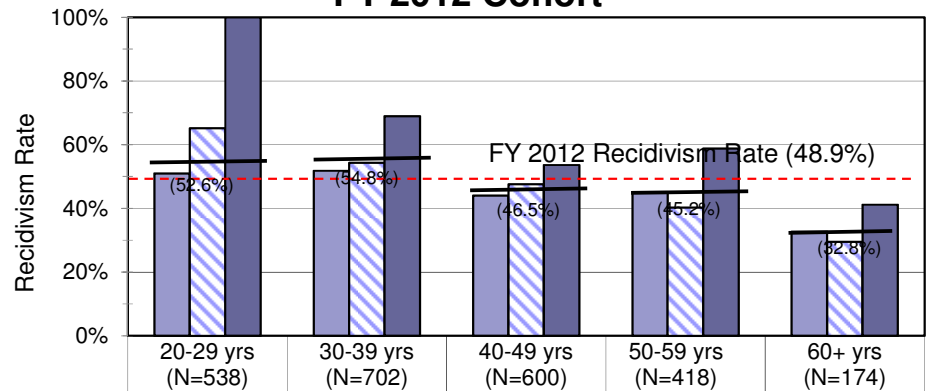
**Figure 17** examines the FY 2012 recidivism rates for probationers, parolees, and maximum-term released prisoners, by gender. The differences in recidivism rates between males and females are statistically significant for probationers ( $p < .001$ ) and parolees ( $p < .05$ ), but not for maximum-term released prisoners.



**Figure 18** shows the FY 2012 recidivism rates for probationers, parolees, and maximum-term released prisoners, by ethnicity. The differences in recidivism rates between ethnic groups are statistically significant for probationers only. Hawaiian/part-Hawaiians had the highest recidivism rate among probationers (58.4%), while the Japanese had the lowest (39.3%).

**Figure 19**  
**Recidivism Rates, by Offender Type and Age Range, FY 2012 Cohort**

**Recidivism Rates, by Age Range (All Offenders)**  
 20-29 Years Old: 52.6%  
 30-39 Years Old: 54.8%  
 40-49 Years Old: 46.5%  
 50-59 Years Old: 45.2%  
 60+ Years Old: 32.8%



Offender Type	20-29 yrs (N=538)	30-39 yrs (N=702)	40-49 yrs (N=600)	50-59 yrs (N=418)	60+ yrs (N=174)
Probationers (N=1,615)	51.0% (N=504)	51.8% (N=440)	44.0% (N=325)	45.1% (N=233)	32.7% (N=113)
Parolees (N=554)	65.2% (N=23)	54.3% (N=162)	47.6% (N=191)	40.3% (N=134)	29.5% (N=44)
Maximum-Term Released Prisoners (N=263)	100.0% (N=11)	69.0% (N=100)	53.6% (N=84)	58.8% (N=51)	41.2% (N=17)

Source: CJIS, 7.15

$\phi(1,615) = .132$ ;  $p < .001$  (Probation only)

$\phi(554) = .168$ ;  $p < .05$  (Parole only)

$\phi(263) = .249$ ;  $p < .01$  (PSD Maxed Out only)

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.

Note: Age-based differences in recidivism rates are not significantly different for Maximum-Term Released Prisoners.

**Figure 19** illustrates the FY 2012 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, parolees, and maximum-term released prisoners. The 20-29 years-old age group had the highest reported recidivism rates among all age groups for parolees (65.2%) and maximum-term released prisoners (100.0%). The 60+ years-old age group had the lowest recidivism rates for all offender types.



## Summary and Discussion

The 47.3% recidivism rate for FY 2012 probationers and parolees was slightly lower than the previous year's rate of 49.6%. Figure 3 shows that the FY 2012 recidivism rate is 25.3% 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%.<sup>1</sup> Figure 4 shows that felony probationers in the FY 2012 cohort had a 47.4% recidivism rate, which is 3.5 percentage points lower than the recidivism rate for the previous year's cohort, but indicates only a 6.3% decline in recidivism since the baseline year. As shown in Figure 5, parolees in the FY 2012 cohort had a 47.1% recidivism rate, which is 1.6 percentage points higher than the previous year's rate, and signifies a 35.4% decline in recidivism from the baseline year.

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 61.9% for the FY 2012 cohort. The FY 2012 recidivism rate was 5.6 percentage points lower than the previous year's (FY 2011) recidivism rate (Figure 6). Additionally, as shown in Figure 10, maximum-term released prisoners had the highest recidivism rates in the entire FY 2012 offender cohort for criminal reconvictions (44.5%), and criminal rearrests (47.9%).

As shown in Figures 13-14, the average elapsed time to recidivism for offenders with criminal rearrests (12.1 months) was longer than the average elapsed time for revocations-violations (11.8 months) and criminal contempt of court (10.9 months). Parolees had the longest elapsed time to recidivism for criminal rearrests (14.4 months) and criminal contempt of court (14.1 months), but the shortest elapsed time to recidivism (11.5 months) for revocations-violations, (as compared to probationers). By county, offenders from Hawaii County had the longest elapsed time to recidivism (12.0 months), while offenders from Maui County had the shortest (11.3 months).

Figure 15 reveals statistically significant differences in recidivism rates between the various initial offense types, whereby property offenders had the highest total recidivism rate (63.2%), while sex offenders had the lowest rate (27.3%). In fact, sex offenders had the lowest recidivism rate for all recidivism types: criminal rearrests (4.5%), revocations-violations (7.3%), and criminal contempt of court charges (5.5%).

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. However, research clearly reveals that criminogenic risk levels, as determined by validated actuarial risk instruments, such as the LSI-R, are critical predictors of future recidivism. As a result, probationers and parolees need regular monitoring, assessment, and supervision because of the considerable external (environmental) and criminogenic factors that contribute to changing offender recidivism-risk patterns. 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, and having officers skilled in evidence-based practice (EBP), such as in motivational interviewing, cognitive behavioral treatment, and collaborative

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<sup>1</sup> 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.

case planning. ICIS should also strive to improve the offender classification system by minimizing classification errors, and employing a system that is accurate and responsive to offender management and change, via ongoing reassessment of offender criminogenic risks, and the matching of offender needs to targeted services. Also, ICIS agencies must be vigilant in employing quality assurance methods, by enhancing offender assessment collection and officer-based management systems, and consistently adhering to prescribed data collection models and routines. Furthermore, ICIS should remain committed to ongoing and progressive officer training, recertification, and opportunities to demonstrate their proficiencies in motivational interviewing, cognitive behavioral treatment, and casework/case planning. Finally, ICIS needs to assess, monitor, and evaluate contracted offender treatment programs, including court-based programs for intermediate sanctions. These programs need strengthening if ICIS hopes to reinforce policies and procedures that are consistent with the Risk-Need-Responsivity Principles, and that skillfully demonstrate the value of EBP in community corrections.

Although there are no assurances that recidivism rates will decline if ICIS continues to strengthen EBP in all of the criminal justice agencies, however, ICIS remains confident that this EBP model adopted over the past eleven years will continue to earn dividends and a wise return of investment for the State of Hawaii.

*2015 Recidivism Update*  
is available electronically at the ICIS web site:  
<[hawaii.gov/icis](http://hawaii.gov/icis)>