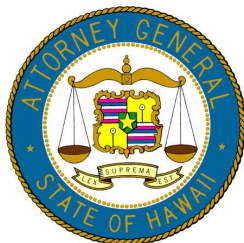


Interagency Council on Intermediate Sanctions



HAWAII STATE
DEPARTMENT
OF HEALTH

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State of Hawaii, FY 2007 Cohort 2010 Recidivism Update

This study report provides a comparative update to the 2002 Hawaii Recidivism Baseline Study. 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 study is comprised of **2,528** offenders from the following State agencies:

1. Hawaii State Probation Services - 1,622 *Offenders Sentenced to Felony Probation.*
2. Hawaii Paroling Authority - 779 *Offenders Released to Parole.*
3. Department of Public Safety - 127 *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, revocations, and technical violations 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 maintained 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 2007. All offenders were tracked for recidivism over a 36-month or longer period. ICIS defines recidivism as criminal arrest (initial charge), criminal contempt of court, revocations, and technical violations. The recidivism dataset includes data 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.

The CJIS download included 9,498 total charges from July 2006 thru August 2010. Probation, Parole, and PSD respectively define the *Follow-up Start Date* as the probation sentencing date, parole start date, and maximum term prison release date. These dates help to calculate 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 respective charge (i.e., revocations/violation, 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 1,603 felony probationers extracted from the PROBER information system and PROXY database. The defined *Follow-up Start Date* is the supervision start date or sentencing/disposition date. Excluded from the analysis were 19 probationers who had a current plea agreement initiated within the FY 2007 period, or who served time in jail (>90 days) during their probation period¹. 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 777 offenders paroled in FY 2007. This listing included parolee SIDs and release to parole dates (*Follow-up Start Date*). Excluded from the analysis were two parolees who served jail time (>90 days).

3. Department of Public Safety (PSD)

PSD provided a July 2010 download of 127 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*). This study helped to analyze the recidivism trends of maximum term offenders from FYs 2005-2007. Although PSD recidivism data are not included in the initial baseline study, future updates will track the recidivism trends for maximum term offenders. Note that some maximum term prisoners had remaining non-concurrent sentences to serve under probation.

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 2007. The figures and analyses provided throughout this study reveal important ICIS defined recidivism trends.

¹ The DAG/DANCP cases eliminated from this study totaled 8, or 0.9% of the total records, while probationers in jail (>90 days) included 11 cases, or 0.8% of the total records in the dataset.

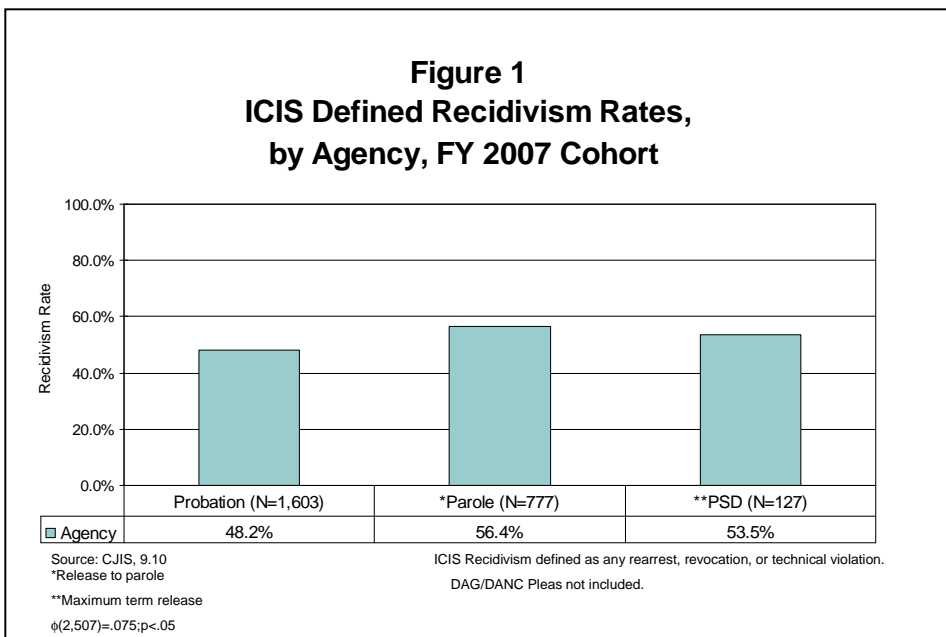


Figure 1 depicts the ICIS-defined recidivism rates of offenders with Criminal Rearrests, Revocation/Technical violations, or Criminal Contempt of Court proceedings over a 36-month or longer period (from 2007 thru 2010). The data reveal a **48.2%** recidivism rate for probationers; **56.4%** recidivism rate for offenders released to parole; and **53.5%** recidivism rate for offenders released from prison (maximum term release). The differences in recidivism rates between agencies are statistically significant at the $p < .05$ level.

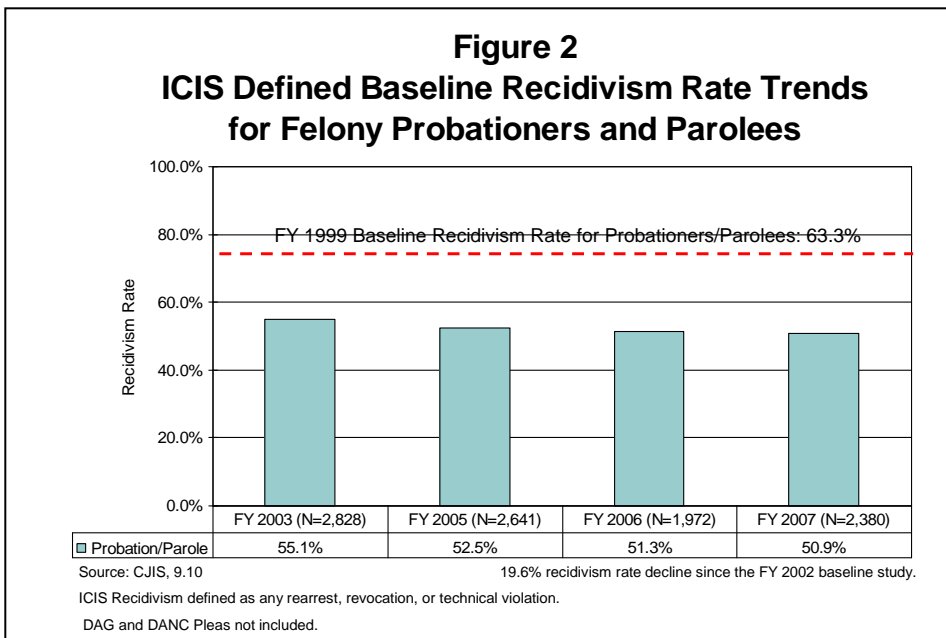


Figure 2 reveals the recidivism trends for felony probationers and parolees in the FY 1999 baseline year, and subsequent recidivism rate updates in FY 2003, and FYs 2005-2007.

- The 50.9% recidivism rate for FY 2007 signifies a 15.4 percentage point decline from the FY 1999 baseline rate (63.3%).
- Since the initial baseline study, the rate of recidivism declined 19.6%, ten percentage points under the targeted 30% recidivism reduction.

Figure 3
**ICIS Defined Recidivism Rate Trends,
 Parolees**

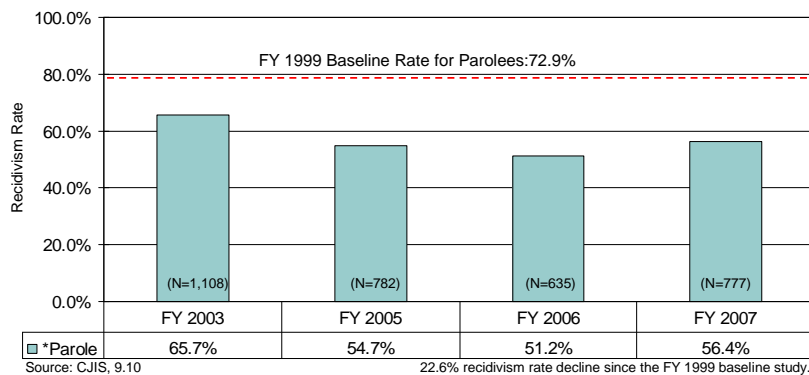


Figure 3 examines the recidivism trends for parolees in the FY 1999 baseline year, and subsequent recidivism rate updates.

- The current 56.4% recidivism rate in FY 2007 is 5.2 percentage points higher than the 51.2% recidivism rate reported in FY 2006; but remains 16.5 percentage points below the FY 1999 baseline rate (72.9%).
- The rate of recidivism decline is at 22.6%, which remains below the targeted 30% recidivism reduction.

Figure 4
**ICIS Defined Recidivism Rate Trends,
 Felony Probationers**

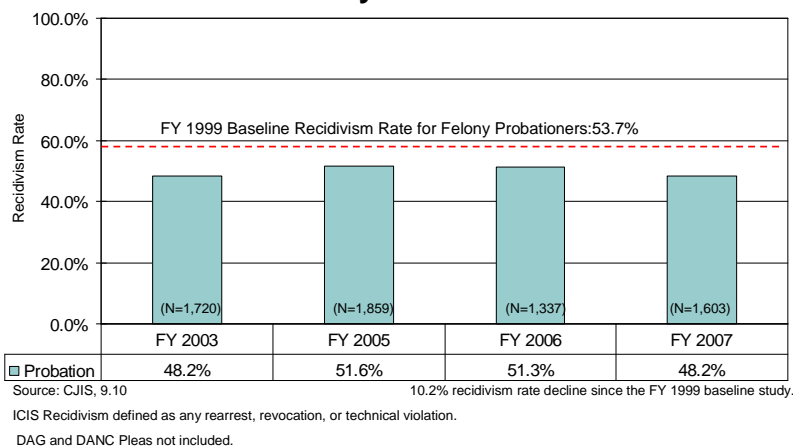


Figure 4 displays the recidivism trends for felon probationers in the FY 1999 baseline year, and subsequent recidivism rate updates.

- The current 48.2% recidivism rate for FY 2007 is 3.1 percentage points lower than the 51.3% recidivism rate in FY 2006. This is 5.5 percentage points below the FY 1999 baseline rate (53.7%).
- The current rate of recidivism decline is at 10.2%, one-third the way from meeting the targeted 30% recidivism reduction.

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

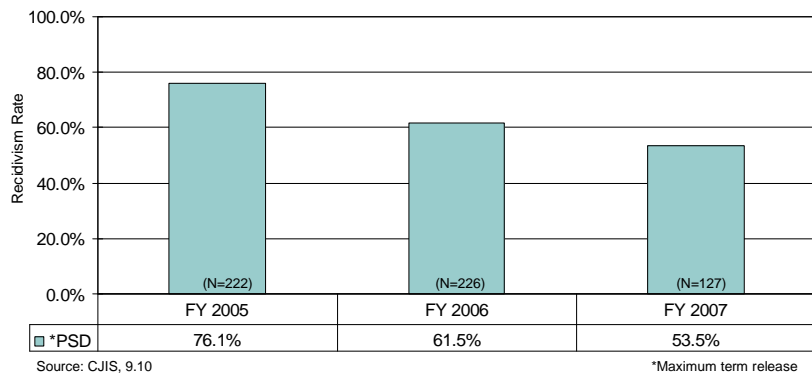
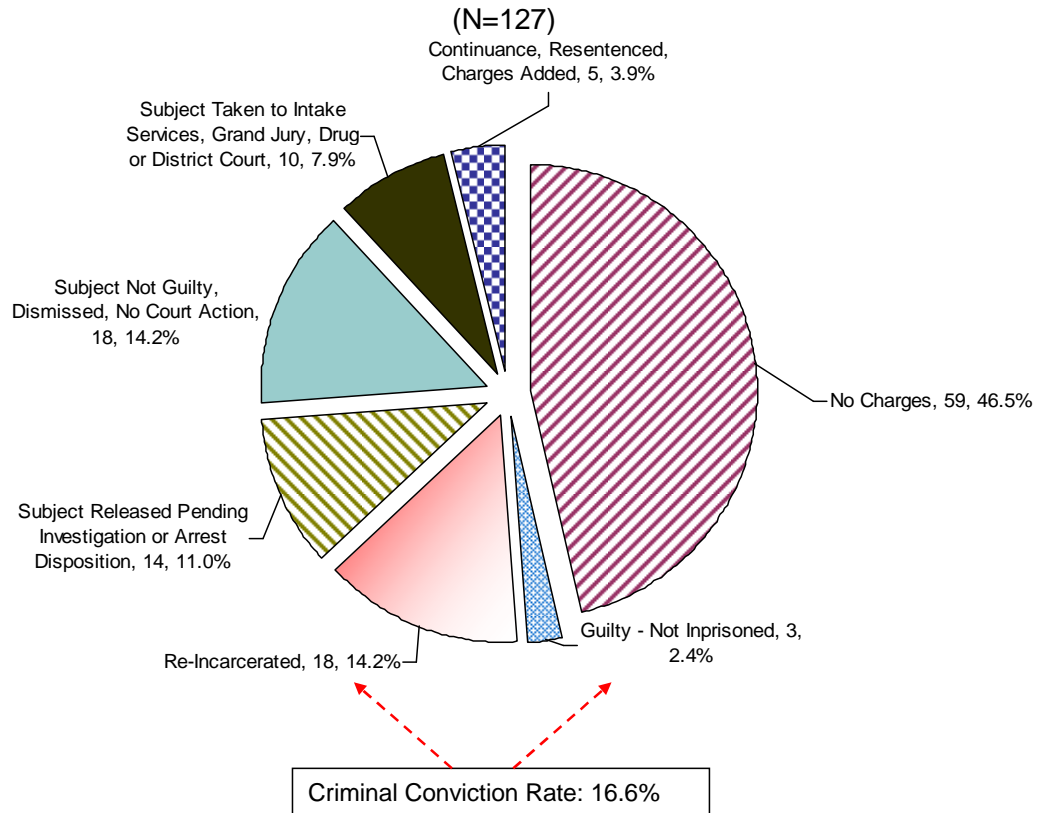


Figure 5 depicts the recidivism trends for maximum term prisoners released in FYs 2005-2007.

- The 53.5% recidivism rate for FY 2007 indicates a 22.6 percentage point decline from the previous FY 2005 recidivism rate (76.1%).
- The recidivism rate has declined by 29.7%.

Figure 6
Disposition Status and Re-Incarceration Rate for
Maximum Term Prisoners Released in FY 2007

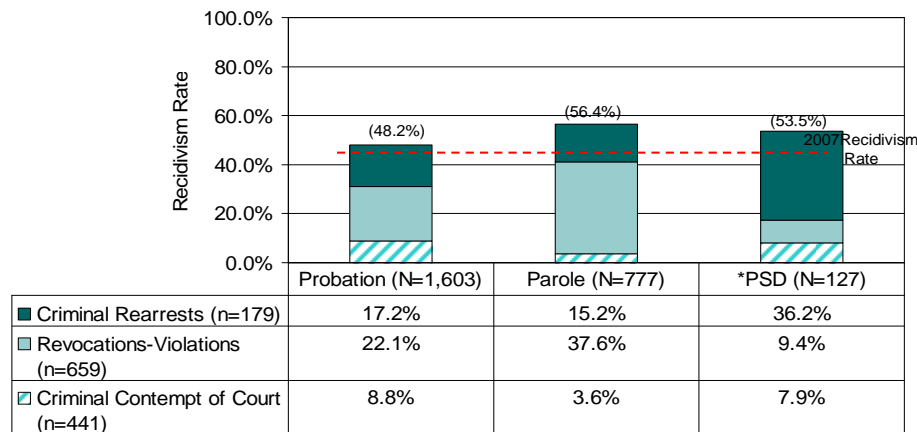


Note: There is an underestimation in the criminal conviction rate, due to a large proportion of cases (22.8%) that remain in the docket pending court investigation, indictment, arraignment, or continuance.

Figure 6 reveals the disposition status and re-incarceration rate of maximum term prisoners released in FY 2007.

- The proportion of prisoners not charged with an offense over the 36-month follow-up period represents only 46.5% of the 127 maximum term prisoners.
- The disposition status of 22.8% of the cases has not been determined due to pending arrest investigations or cases at the pretrial or disposition level.
- 14.2% of the arrest charges resulted in dismissals with no further court action, or the defendant was not guilty.
- 16.6% of the maximum term prisoners released were found guilty of a criminal offense (criminal conviction rate), which included 18 (14.2%), who were guilty and re-incarcerated and three (2.4%) guilty cases who were not imprisoned.

Figure 7
ICIS Defined Recidivism Rates, by Agency and Recidivism Type, FY 2007 Cohort



Source: CJIS, 9.10
 *Maximum term release
 $\phi(2,507) = .566; p < .001$

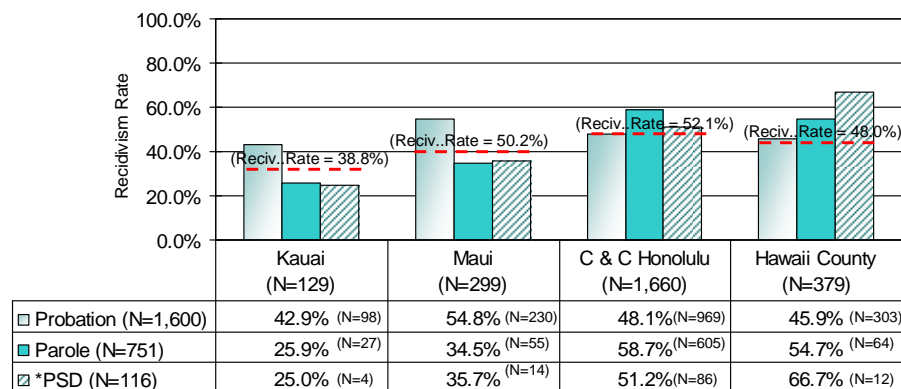
ICIS Recidivism defined as any rearrest, revocation, or technical violation.
 DAG/DANC Pleas not included.

Figure 7 examines the FY 2007 recidivism rates, by agency and recidivism type. The differences in recidivism rates between agencies with respect to recidivism type are statistically significant at the $p < .001$ level.

- PSD has the highest Criminal Rearrest rate (36.2%), as compared to Parole with the lowest rate (15.2%).
- Parole has the highest Revocation-Violation rate (37.6%).
- PSD offenders with Revocations-Violations remained on probation due to previous, non-concurrent sentences.

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

Figure 8
ICIS Defined Recidivism Rates for Felony Probationers, Parolees, and Maximum Term Released Prisoners, by County, FY 2007 Cohort



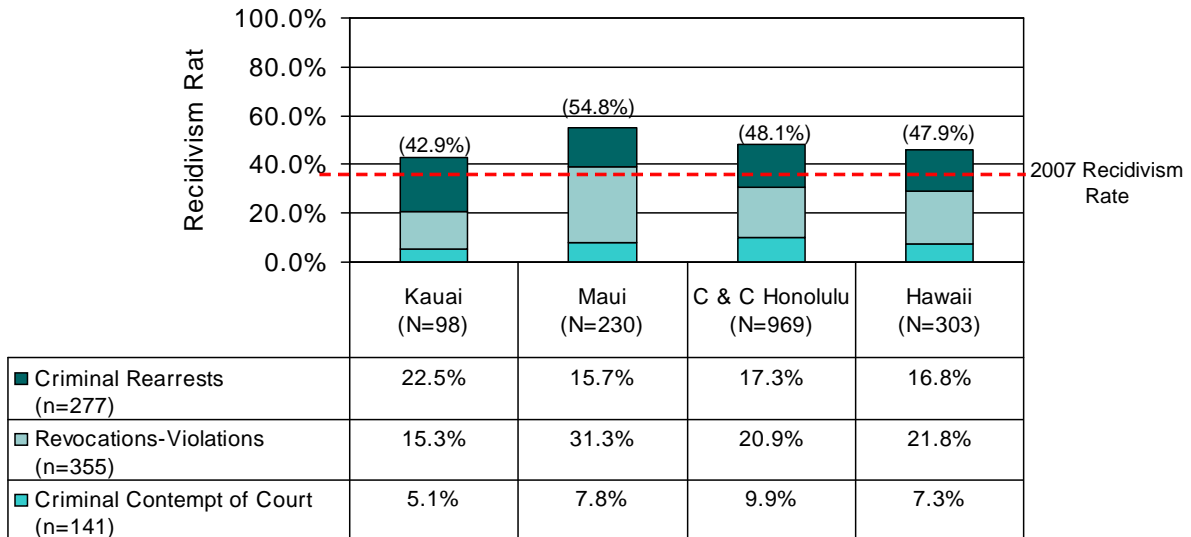
*Source: CJIS, 9.10
 --- County Average Recidivism Rate
 *Maximum term release

ICIS Recidivism defined as any rearrest, revocation, or technical violation.
 DAG/DANC Pleas not included.

Figure 8 displays the FY 2007 recidivism rates for felony probationers, parolees, and recently released prisoners, by county (place of adjudication). The City and County of Honolulu has the highest overall recidivism rate (52.1%), which is 13 percentage points greater than the rate for Kauai County (38.8%). The differences in recidivism rates between counties are not statistically significant ($p > .05$).

- Hawaii County PSD (66.7%); City & County of Honolulu Parole (58.7%); and Maui County Probation (54.8%) have the highest recidivism rates, by respective agencies.
- Kauai County has the lowest recidivism rate for all three agency types (Probation, Parole, and PSD).

Figure 9
ICIS Defined Recidivism Rates for Felony Probationers,
by County and Recidivism Type, FY 2007 Cohort



Source: CJIS, 9.10

ICIS Recidivism defined as any rearrest, revocation, or technical violation.

$\phi(1,600)=-.456; p<.001$

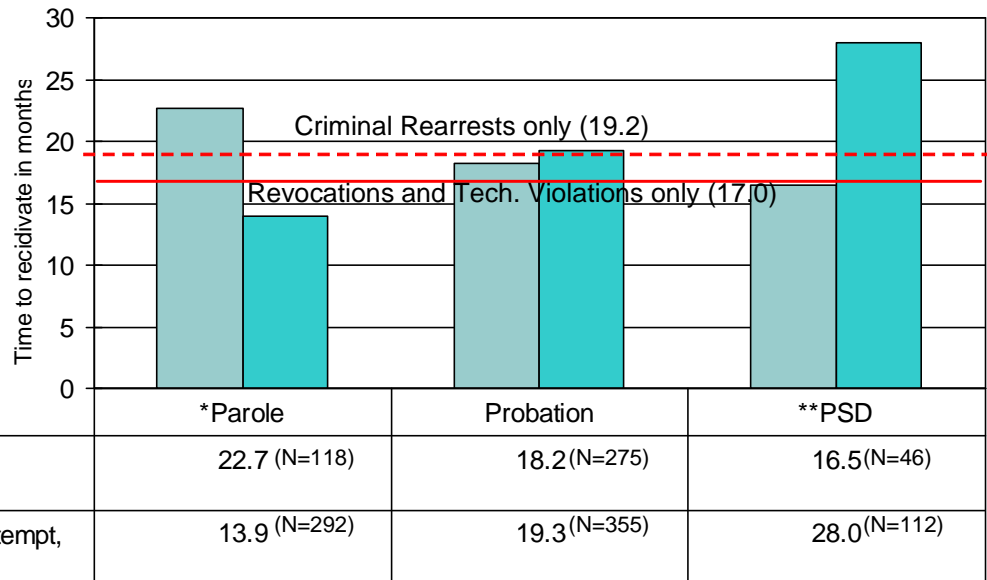
DAG/DANC Pleas not included.

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

Figure 9 depicts the FY 2007 recidivism rates for felony probationers, by county and recidivism type. The differences in recidivism rates between counties with respect to recidivism type are statistically significant at the $p<.001$ level.

- Maui County has the highest Revocations-Violations rate (31.3%), but the lowest Criminal Rearrest rate (15.7%) for probationers, as compared to the other counties.
- Kauai County has the highest Criminal Rearrest rate (22.5%), but the lowest Criminal Contempt of Court rate (5.1%).
- The City and County of Honolulu has the highest Criminal Contempt of Court rate (9.9%).

Figure 10
Average Time to Recidivism,
by Agency, FY 2007 Cohort



*Release to parole

Source: CJIS, 9.010

**Maximum term release

Recidivism defined as any rearrest, revocation, or technical violation.

F(439)=4.01;p<.01 (Criminal Rearrest only)

F(659)=23.93;p<.001 (Revoc. & Criminal Rearrest only)

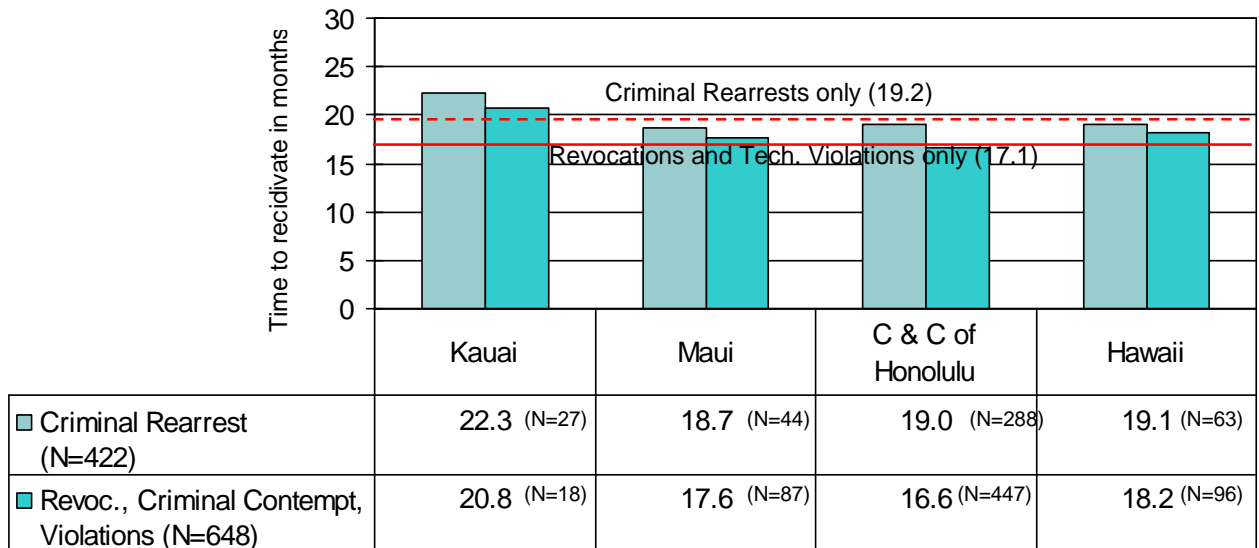
DAG/DANC Pleas not included.

Note: In Figure 10, revocations and violations are defined as the following: parole and probation revocations, summons arrest in probation, and bail release violations.

Figure 10 reveals the FY 2007 average time in months for recidivists between the *Follow-up Start Date* and the *Recidivism Event Date*, by agency. The differences in the average time to recidivism between agencies are statistically significant for both Criminal Rearrest ($p<.01$) and Revocation-Violations-Criminal Contempt of Court ($p<.001$).

- The average time to recidivism for Probation, Parole, and PSD is 19.2 months for Criminal Rearrests, and 17.0 months for Revocations-Violations-Criminal Contempt of Court.
- Parole has the longest average time to recidivism for Criminal Rearrest (22.7 months), 3.5 months longer than the average time to recidivism.
- Probation has the longest average time to recidivism for Revocations-Violations (19.3 months), 2.3 months longer than the average recidivism period.

Figure 11
Average Time to Recidivism,
by County, FY 2007 Cohort



Source: CJIS, 9.010

ICIS Recidivism defined as any rearrest, revocation, or technical violation.

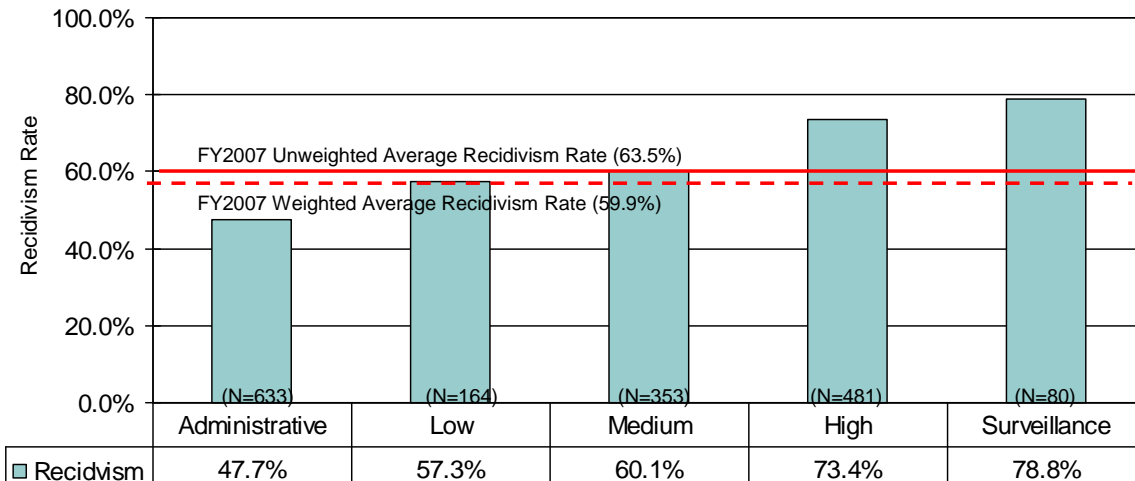
DAG/DANC Pleas not included.

Note: In Figure 11, revocations and violations are defined as the following: parole and probation revocations, summons arrest in probation, and bail release violations.

Figure 11 examines the FY 2007 average time in months between the *Follow-up Start Date* and the *Recidivism Event Date* for felony probationers, parolees, and released prisoners, by county. The differences in the average time to recidivism between counties are not statistically significant.

- Kauai County has the longest average time to recidivism for Criminal Rearrest (22.3 months), 3.1 months longer than the average recidivism period.
- Kauai County also has the longest average time to recidivism for Revocations-Violations (20.8 months), 3.7 months longer than the average recidivism period.

Figure 12
ICIS Defined Recidivism Rates,
by LSI-R Risk Levels, FY 2007 Cohort



Source: CJIS, 9.10
 Chi Sq. (1,711)=87.9; p<.001
 ϕ (1,711)=.227; p<.001

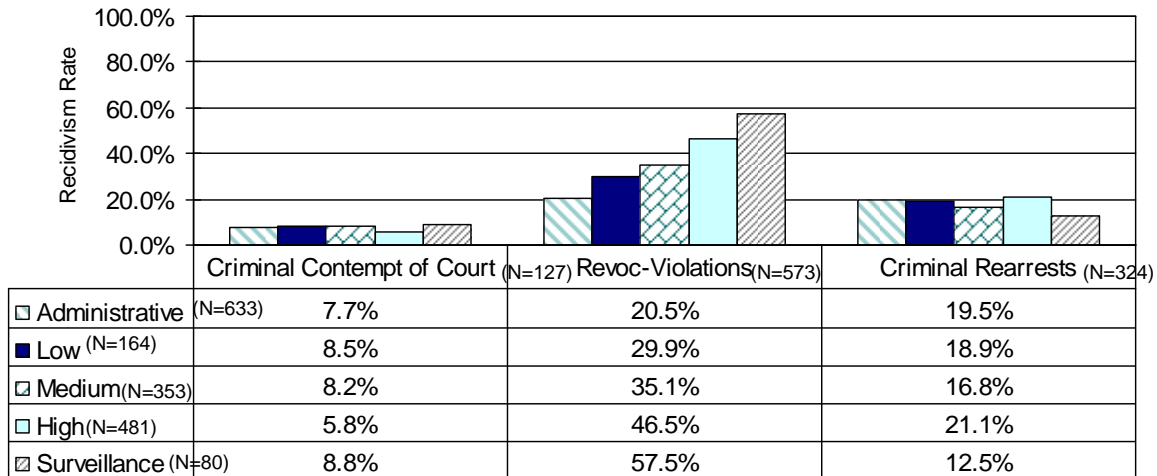
ICIS Recidivism defined as any rearrest, revocation, or technical violation.
 DAG/DANC Pleas not included.

Figure 12 displays the FY 2007 recidivism rates, by LSI-R risk classification categories. The data reveal that as risk levels escalate from Administrative through 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.

- The unweighted average (63.5%) is 3.6 percentage points higher than the weighted average (59.9%) because of the combined effects of the Surveillance level's high recidivism rate (78.8%) and low offender count (n=80).
- The High (73.4%) and Surveillance (78.8%) level offenders have the highest recidivism rates, which are, respectively, 13.5 and 18.9 percentage points above the weighted average.
- The Administrative level offenders have the lowest recidivism rate (47.7%), which is 12.2 percentage points below the weighted average.

Technical Note: The weighted average is an additional option, and at times, has greater validity than the unweighted average. This is true when there is great disparity between offender counts (n), and/or wide variations (extreme ranges) in summarized scores within multiple categories.

Figure 13
ICIS Defined Recidivism Rates,
by LSI-R Risk Levels and Recidivism Type,
FY 2007 Cohort



Source: CJIS, 9.10

ICIS Recidivism defined as any rearrest, revocation, or technical violation.

$\phi(1,711)=-.331; p<.001$

DAG/DANC Pleas not included.

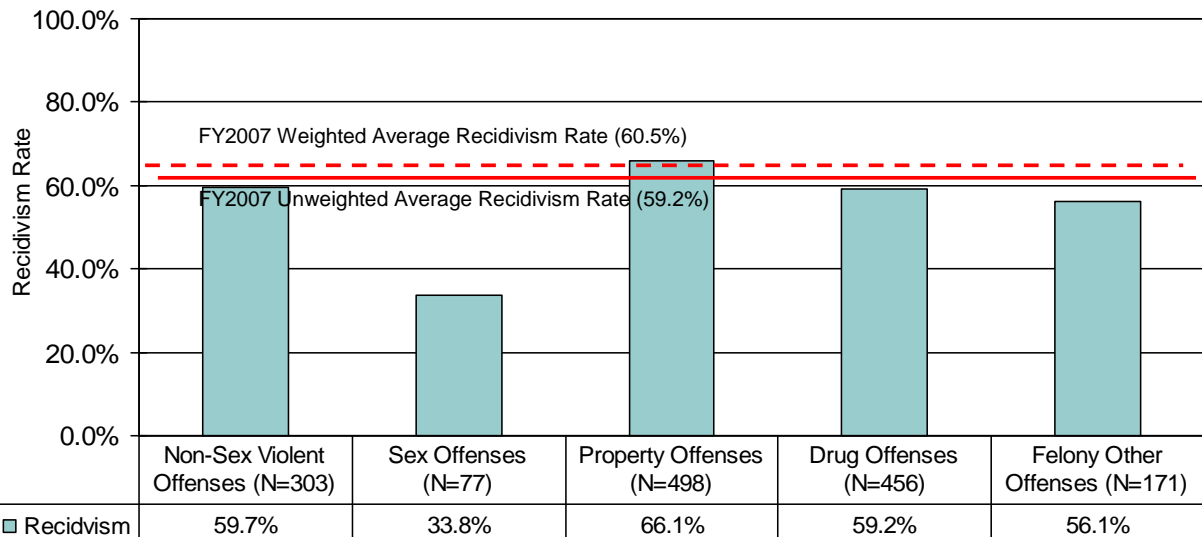
Note: The high rate of Revocations-Violations (57.5%) and Criminal Contempt of Court (8.8%) for Surveillance level offenders helped to reduce the number of Criminal Rearrests (lowest rearrest rate or 12.5%).

Additional Note: In Figure 13, Revocations and Violations represent the following: parole and probation revocations, summons arrest in probation, and bail release violations.

Figure 13 depicts the FY 2007 recidivism rates, by LSI-R risk classification levels and recidivism type. The data indicate that the LSI-R risk classification system is predictive for the type of recidivism. In other words, the differences in recidivism rates between the Administrative, Low, Medium, High, and Surveillance level offenders are statistically significant for Criminal Contempt of Court, Revocations, and Criminal Rearrests at the $p<.001$ level.

- There is a direct positive (upward) relationship between increasing Revocation-Violation rates and increasing risk levels.
- The Surveillance level offenders have the highest recidivism rates for both Revocations-Violations (57.5%) and Criminal Contempt of Court (8.8%), but the lowest rate for Criminal Rearrest (12.5%).
- High Risk level offenders have the highest recidivism rates for Criminal Rearrests (21.1%), but the lowest rate for Criminal Contempt of Court (5.8%).
- The Administrative level offenders have the lowest recidivism rates for Revocations-Violations (20.5%).

Figure 14
ICIS Defined Recidivism Rates, by Initial
Offense Type, FY 2007 Cohort



Source: CJIS, 9.10

Chi Sq. (1,546)=38.1; p<.001

ϕ (1,546)=.157; p<.001

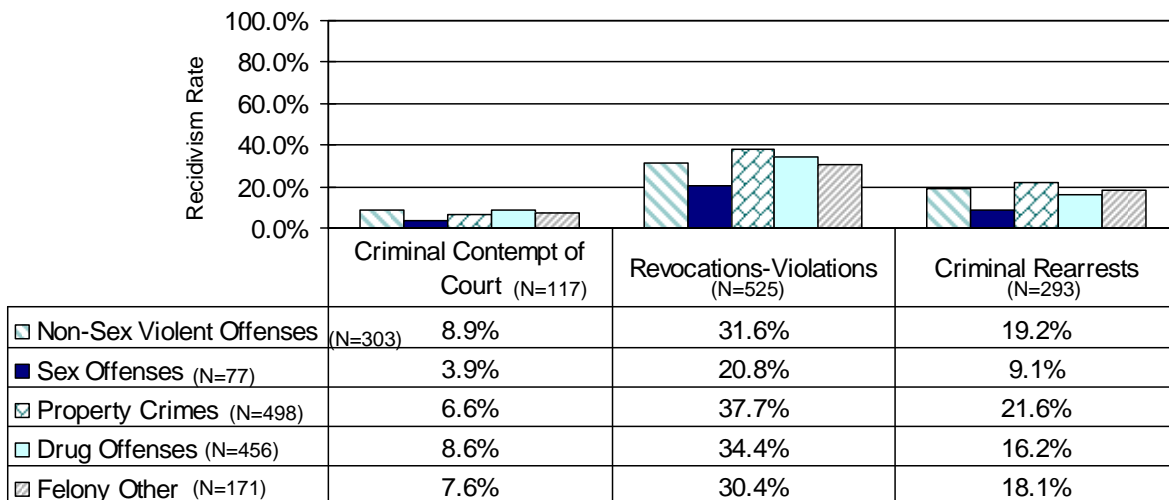
ICIS Recidivism defined as any rearrest, revocation, or technical violation.

DAG/DANC Pleas not included.

Figure 14 examines the FY 2007 recidivism rates, by initial offense type. The data reveal that the differences in recidivism rates, by initial offense type, are predictive of recidivism at the p<.001 level of statistical significance.

- The unweighted average (59.2%) is 1.3 percentage points lower than the weighted average (60.5%) because of the combined effects of Sex Offenses' low recidivism rate (33.8%) and low offender count (n=77).
- Property offenders have the highest recidivism rate (66.1%), which is 5.6 percentage points above the weighted average.
- Sex offenders have the fewest number of offenders (n=77), and the lowest recidivism rate (33.8%), which is 26.7 percentage points below the weighted average.

Figure 15
ICIS Defined Recidivism Rates, by Initial
Offense Type and Recidivism Type,
FY 2007 Cohort



Source: CJIS, 9.10
 Chi Sq. (1,546)=139.03; p<.001

RICIS recidivism defined as any rearrest, revocation, or technical violation.
 DAG/DANC Pleas not included.

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

Additional Note: In Figures 10 and 11, Revocations and Violations represent the following: Parole and Probation Revocations, Summons Arrest in probation, and Bail Release violations.

Figure 15 examines the FY 2007 recidivism rates, by initial offense type and type of recidivism. The differences in recidivism rates, by the type of offense and recidivism type, are statistically significant at the p<.001 level.

- Property Crimes have the highest recidivism rate for Criminal Rearrests (21.6%) and Revocations-Violations (37.7%).
- Sex Offenses have the lowest recidivism rate for Criminal Contempt of Court (3.9%), Revocations-Violations (20.8%), and Criminal Rearrests (9.1%).
- Non-Sex Violent Offenses have the highest recidivism rate for Criminal Contempt of Court (8.9%).

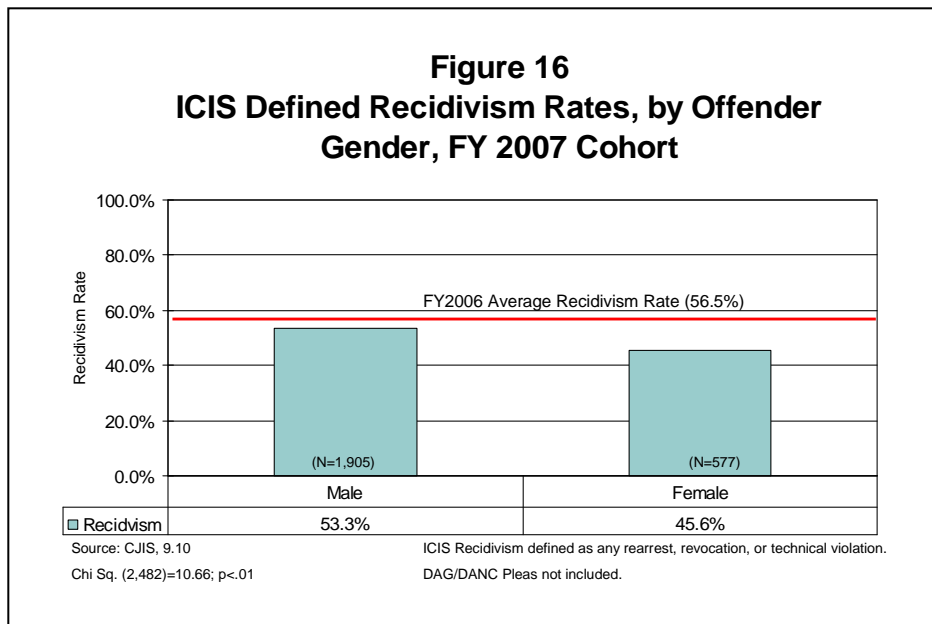


Figure 16 displays the FY 2007 recidivism rates, by gender. The difference in recidivism rates between males and females are statistically significant at the p<.01 level.

- The Male recidivism rate is 16.9% (or 7.7 percentage points) greater than the Female recidivism rate.
- The ratio of Male to Female offenders is 3.3 to 1.

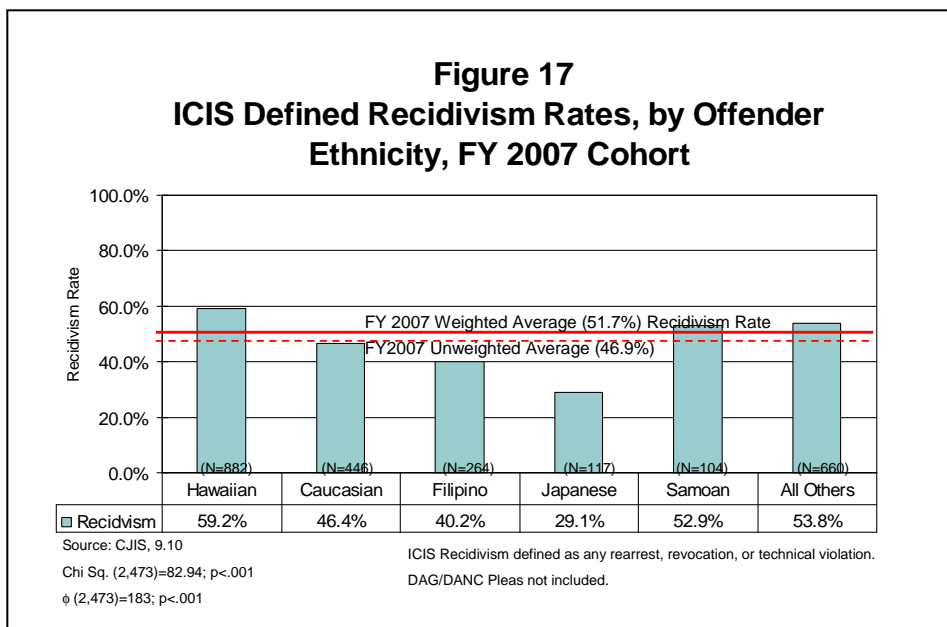


Figure 17 depicts the FY 2007 recidivism rates of selected ethnic groups. The differences in recidivism rates between ethnic groups are statistically significant at the p<.001 level.

- The unweighted average (46.9%) is 4.8 percentage points lower than the weighted average (51.7%) because of the combined effects of the Japanese's low recidivism rate (29.1%) and low offender count (n=117).
- Hawaiians have the highest recidivism rate (59.2%), followed by All Others (53.8%), and Samoans (52.9%); while the Japanese have the lowest recidivism rate (29.1%).

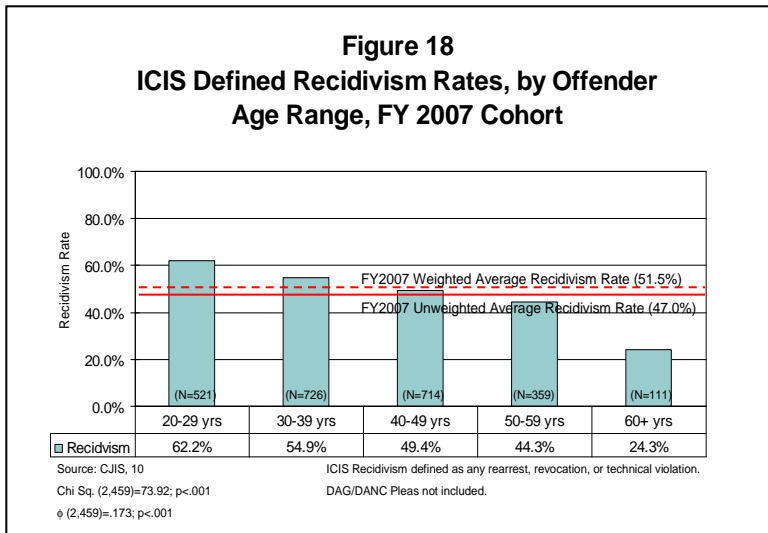


Figure 18 reveals the FY 2007 recidivism rates, by age range. The differences in recidivism rates between offender age ranges are statistically significant at the $p<.001$ level.

- The unweighted average (47.0%) is 4.5 percentage points lower than the weighted average (51.5%) because of the combined effects of the 60+ age group's low recidivism rate (24.3%) and low offender count (n=111).
- The 20-29 years old age group has the highest recidivism rate (62.2%).
- The 60+ age group has the lowest recidivism rate (24.3%).

Summary and Discussion

Hawaii's statewide recidivism rate has declined substantially since 2002. The 2010 (FY 2007) recidivism rate of 50.9% is 12.4 percentage points lower than the 2002 baseline recidivism rate (63.3%), which translates to a 19.6% decline in recidivism (Figure 2). Probation has a 48.2% recidivism rate in 2010. This corresponds to a 3.1 percentage point decline in recidivism from the previous year (Figure 4). On the other hand, the Hawaii Paroling Authority (HPA) has a 56.4% recidivism rate in 2010 (FY 2007 cohort). This is a 5.2 percentage point increase in recidivism from the year before (Figure 3), despite previous year (FYs 2005-2006) declines. Additionally, Parole has the highest percentage of Revocations and Technical Violations (37.6%), as compared to the other two agencies (Figure 7). This reflects Parole's case management efforts in monitoring for rule violations and infractions of the terms and conditions of parole, which may have influenced its low Criminal Rearrest rate (15.2%).

With respect to county-level data (Figure 8), PSD in Hawaii County has the highest recidivism rate (66.7%), followed by parolees in the City and County of Honolulu (58.7% recidivism rate), and probationers in Maui County (54.8% recidivism rate). These county-level trends differ slightly when analyzing Criminal Contempt of Court, Revocations-Violations, or Criminal Rearrests recidivism rates (Figure 9). Although Maui County probationers have the highest recidivism rate (54.8%), this county also has the highest Revocations and Technical Violations rate (31.3%), but the lowest Criminal Rearrest rate (15.7%). The revocations and technical violations in Maui County include a high number of summons arrest and bail release violations. Like the HPA recidivism data, Maui County's special efforts to revoke probation for violations of the terms and conditions of probation may have influenced Maui's low Criminal Rearrest rate.

Figures 12 and 13 reveal statistically significant ($p < .001$) relationships between increasing LSI-R risk levels, and higher recidivism rates for Revocations-Violations and Criminal Contempt of Court (except for High risk offenders). Surveillance level offenders have the lowest recidivism rate for Criminal Rearrests (12.5%), but the highest recidivism rates for Revocations-Violations (57.5%) and Criminal Contempt of Court (8.8%). The statewide findings show the impact made on Surveillance level offenders who violate the terms and conditions of probation or parole, which resulted in high Revocations-Violations rate, and likely contributed to a low Criminal Rearrest rate.

Figures 14 and 15, reveal statistically significant ($p < .001$) relationships between the type of convicted offense and recidivism rates for Criminal Contempt of Court, Revocations-Violations, and Criminal Rearrest. Property Offenders have the highest recidivism rates for Revocations-Violations (37.7%) and Criminal Rearrest (21.6%). On the other hand, Sex Offenders have the lowest recidivism rate for Criminal Contempt of Court (3.9%), Revocations-Violations (20.8%), and Criminal Rearrests (9.1%). The data show that sex offenders are at low risk for reoffending or violating the terms and conditions of their probation or parole sentences.

Based on the reported recidivism trends in the State of Hawaii, ICIS must be careful in making premature recidivism predictions. There are unknown (or at least currently undocumented) factors that introduce 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 contribute to recidivism risk. The policies and procedures that ICIS agencies have in place are conducive to, and supportive of, evidence-based practices. This includes adherence to the risk and needs principles critical to supervised services. ICIS should continue to validate assessment instruments (PROXY, DVSI, STATIC-99, and LSI-R, etc) used in risk classification. ICIS should also strive to improve the offender classification system by minimizing classification errors, and by employing a classification system that is both predictive of recidivism and useful for offender management. ICIS additionally needs to evaluate the specific evidence-based practices (e.g., motivational interviewing, cognitive restructuring, and case plans) employed by community correctional officers in the Judiciary, Hawaii Paroling Authority, and the Department of Public Safety. This includes monitoring treatment provider effectiveness, such as tracking provider outcomes (e.g., program completion rates) and the delivery of risk-based offender and follow-up services. ICIS also needs to support specialty courts' efforts and special programs that focus on intermediate sanctioning, all of which may have an effect on recidivism reduction over the long term.

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