

Interagency Council on Intermediate Sanctions



HAWAII STATE
DEPARTMENT
OF HEALTH

June 2017

Timothy Wong, ICIS Research Analyst

State of Hawaii, FY 2013 Cohort **2016 Recidivism Update**

This report provides a comparative update to the *2002 Hawaii Recidivism Baseline Study* and subsequent updates in 2006 through 2015. Hawaii's statewide recidivism rate is the key indicator of the Interagency Council on Intermediate Sanctions' (ICIS) efforts to reduce recidivism by 30% over a 10-year period. Although this period ended in 2011, the 30% recidivism reduction benchmark remains an important long term goal.

This study is comprised of **2,606** offenders from the Fiscal Year 2013 cohort, as compiled from the following State agencies:

1. Hawaii State Probation Services – 1,633 *Offenders Sentenced to Felony Probation*.
2. Hawaii Paroling Authority (HPA) - 672 *Offenders Released to Parole*.
3. Department of Public Safety (PSD) - 301 *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 nine additional recidivism update studies, for the FY 2003 and FYs 2005-2012 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. Excluded from this study (per past methodology) were probationers who were arrested within three months following their supervision start date, and did not have a reported offense date. This is due to the reasoning that some of the offenses in question were committed prior to the supervision start date.

The study dataset includes fields from the following information systems: the Criminal Justice Information System (CJIS); Community Corrections Adult Assessment information system created by Cызap Inc.; the Hawaii State Judiciary's *Caseload Explorer* information system; and the Hawaii Paroling Authority's database.

The CJIS download included 11,789 total charges extracted from FY 2013 (July 1, 2012 through June 30, 2013). Probation, Parole, and PSD define, respectively, the *Supervision Start Date* as the probation sentencing or supervision start date; release to parole date; or maximum-term prison 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. Felony Probation

Included in this study are 1,633 felony probationers. The defined *Supervision Start Date* is from July 1, 2011 through June 30, 2012.

2. Hawaii Paroling Authority (HPA)

This study includes 672 offenders who were released from prison to parole from July 1, 2011 through June 30, 2012. Excluded are five parolees who had a duplicate status as both a parolee and probationer, and were subsequently reclassified as probationers.

3. Department of Public Safety (PSD)

Also included in this study are 301 maximum-term released ("maxed-out") prisoners who completed their entire sentenced term of incarceration at a point between July 1, 2012 and June 30, 2013. ICIS has tracked the recidivism trends of maximum-term released prisoners since FY 2005.

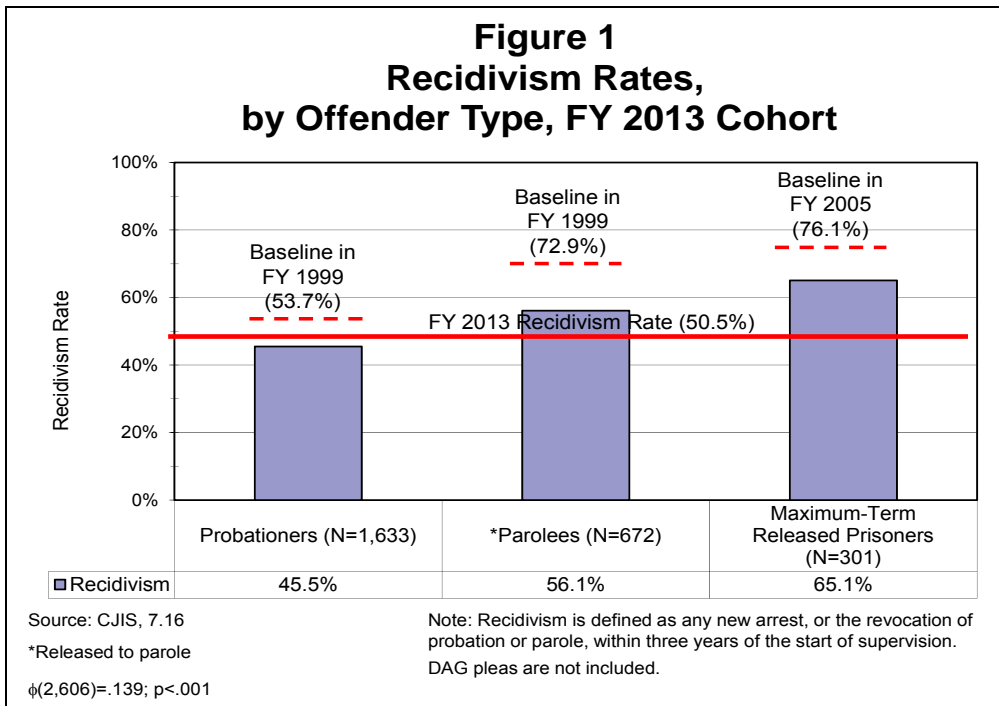


Figure 1 depicts probationer, parolee, and maximum-term released prisoner recidivism rates. Recidivism is defined as any new arrest, or the revocation of probation or parole, within three years of the start of supervision. The data reveal a **45.5%** recidivism rate for probationers; a **56.1%** recidivism rate for parolees; and a **65.1%** 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 2013 study cohort is **50.5%**.

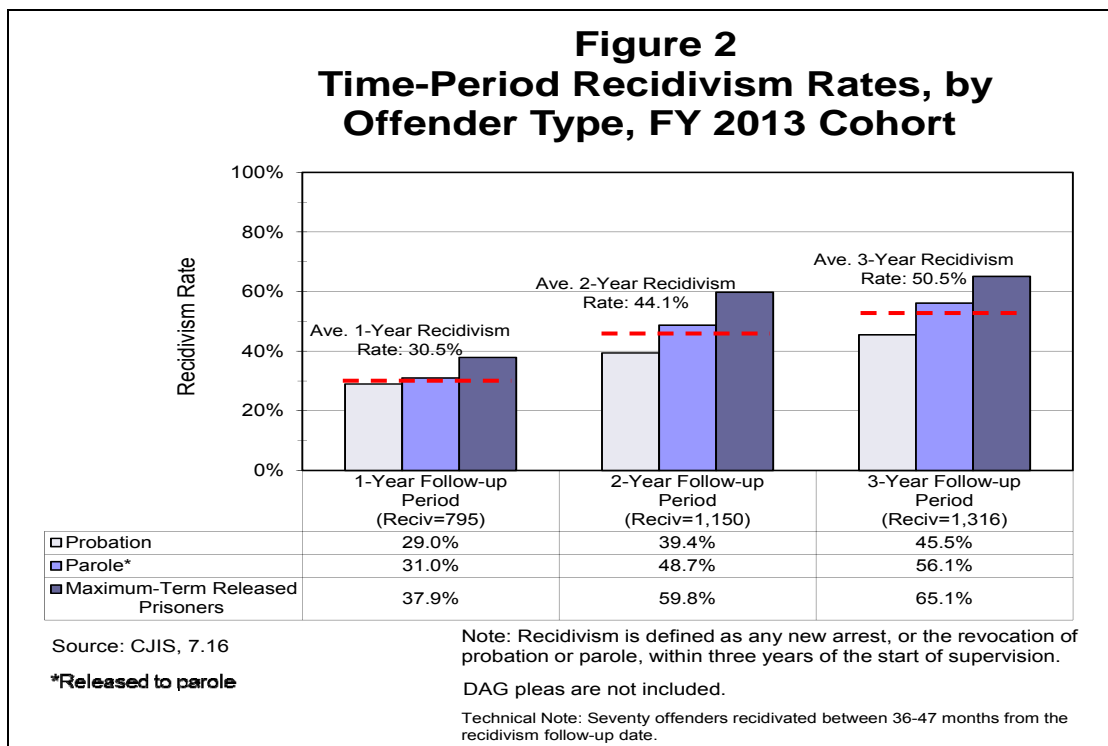
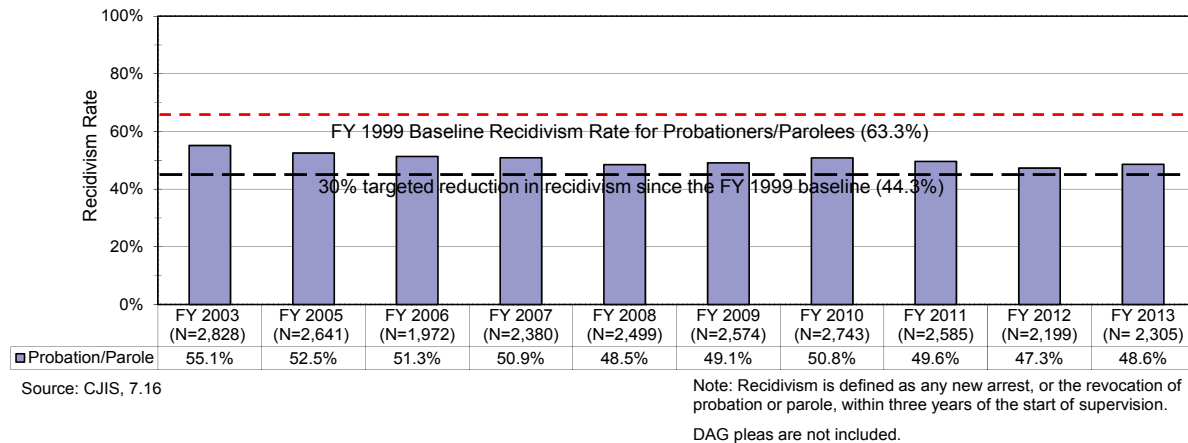


Figure 2 examines the time-period recidivism rates for probationers, parolees, and maximum-term released prisoners. From the supervision start date, 795 (60.4%) of the 1,316 total recidivists reoffended within the first 12 months of supervision, and 1,150 (87.4%) reoffended within 24 months. An additional 166 (12.6%) offenders recidivated between 24 to 36 months from the supervision start date, accounting for the last of the 1,316 total recidivists in the study group.

Figure 3
Recidivism Rates, Felony Probationers and Parolees,
FYs 2003-2013 Cohorts



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 2005-2013.

- The **48.6%** recidivism rate for FY 2013 is 1.3 percentage points higher than the FY 2012 rate, and is 14.7 percentage points below the FY 1999 baseline rate of 63.3%.
- Since FY 1999, the recidivism rate has declined 23.2%.

Figure 4
Recidivism Rates, Felony Probationers,
FYs 2003-2013 Cohorts

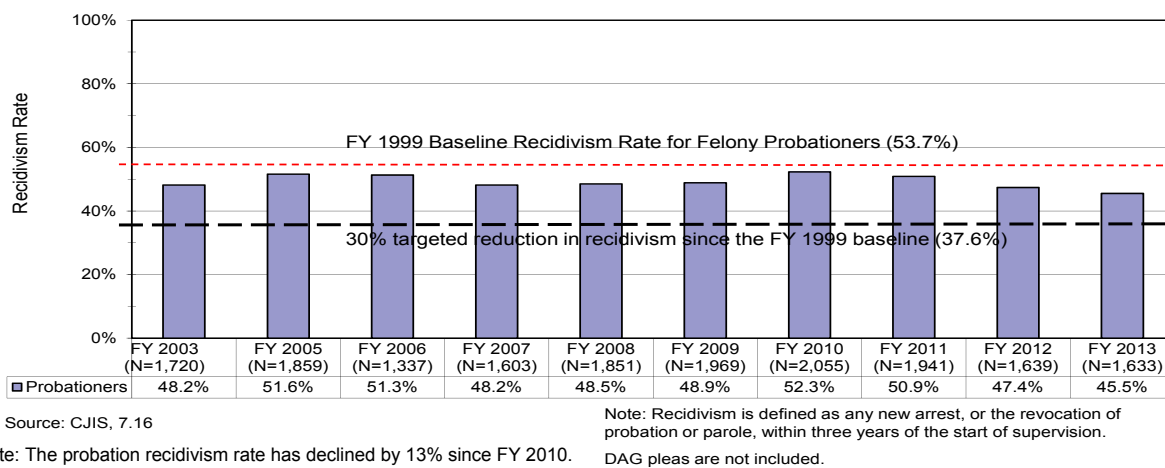
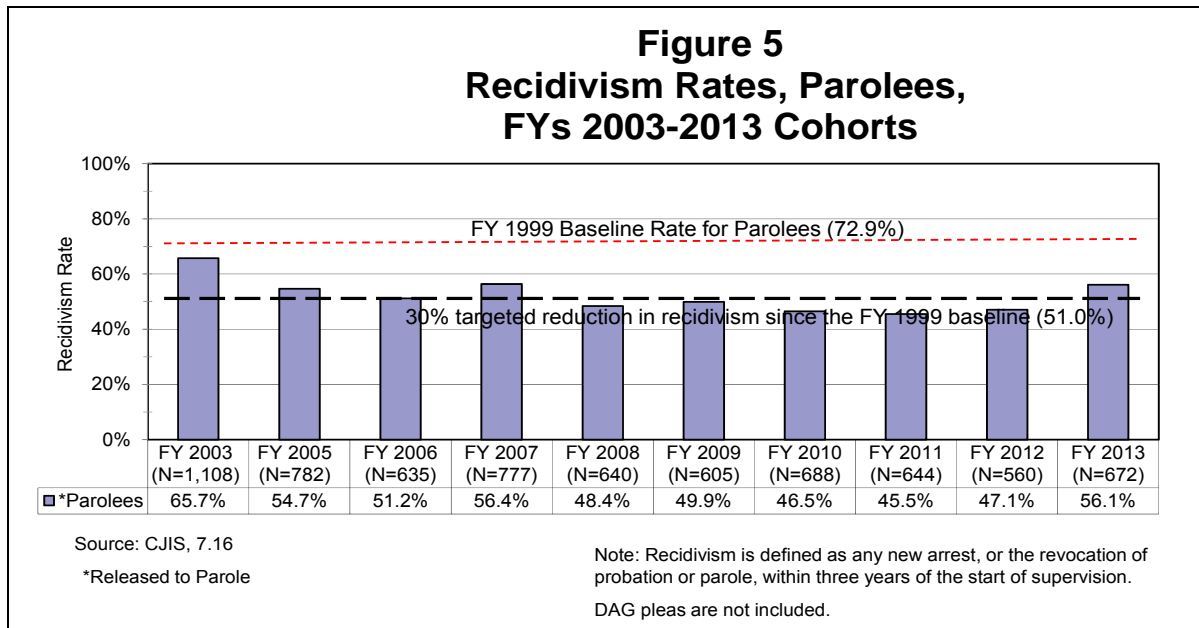


Figure 4 displays the recidivism rates for felony probationers in the FY 1999 baseline year and subsequent years.

- The **45.5%** recidivism rate for FY 2013 is 1.9 percentage points below the FY 2012 rate, and is 8.2 percentage points below the FY 1999 baseline rate (53.7%).
- Since FY 1999, the recidivism rate for felony probationers declined 15.3%, which is far from meeting the goal of reducing recidivism by 30%.



Note: The parole recidivism rate has increased by 23% since FY 2011.

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

- The **56.1%** recidivism rate for FY 2013 is 9.0 percentage points higher than the rate reported in FY 2012, and 16.8 percentage points below the 72.9% recidivism rate reported for the FY 1999 baseline year.
- The recidivism rate has decreased **23.0%** for parolees, and is seven percentage points from meeting the goal of reducing recidivism by 30%.

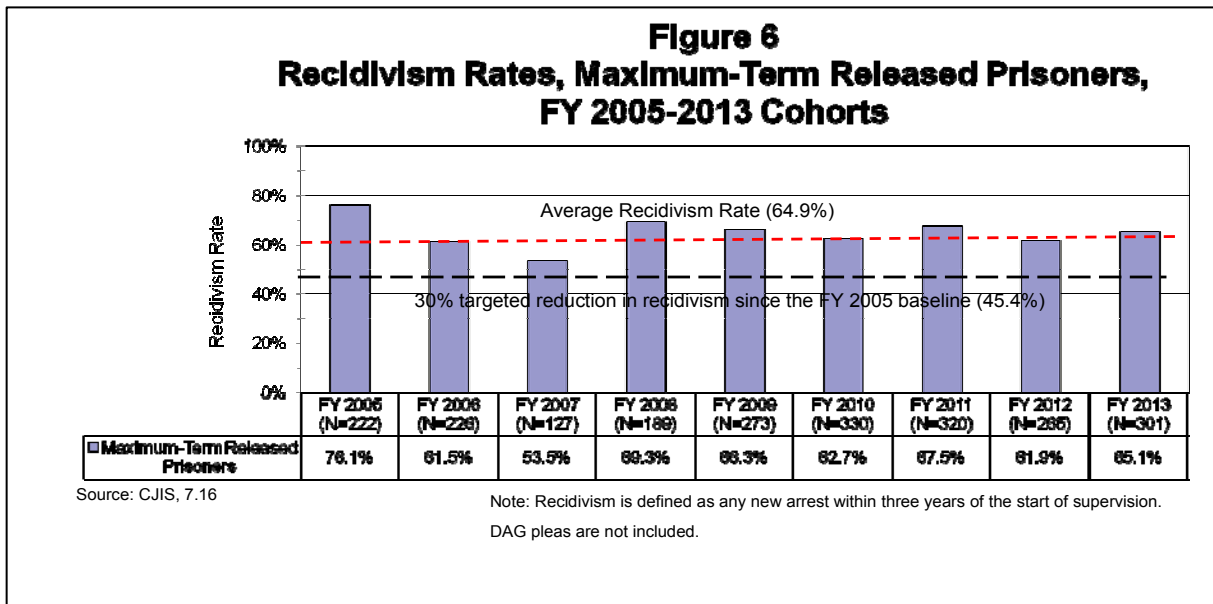


Figure 6 shows the recidivism trend for maximum-term released prisoners in FYs 2005-2013.

- The **65.1%** recidivism rate for FY 2013 is 3.2 percentage points higher than the rate reported for FY 2012, but 11.0 percentage points lower than the FY 2005 recidivism rate.
- The recidivism rate has decreased **14.5%** for maximum-term released prisoners, since FY 2005.

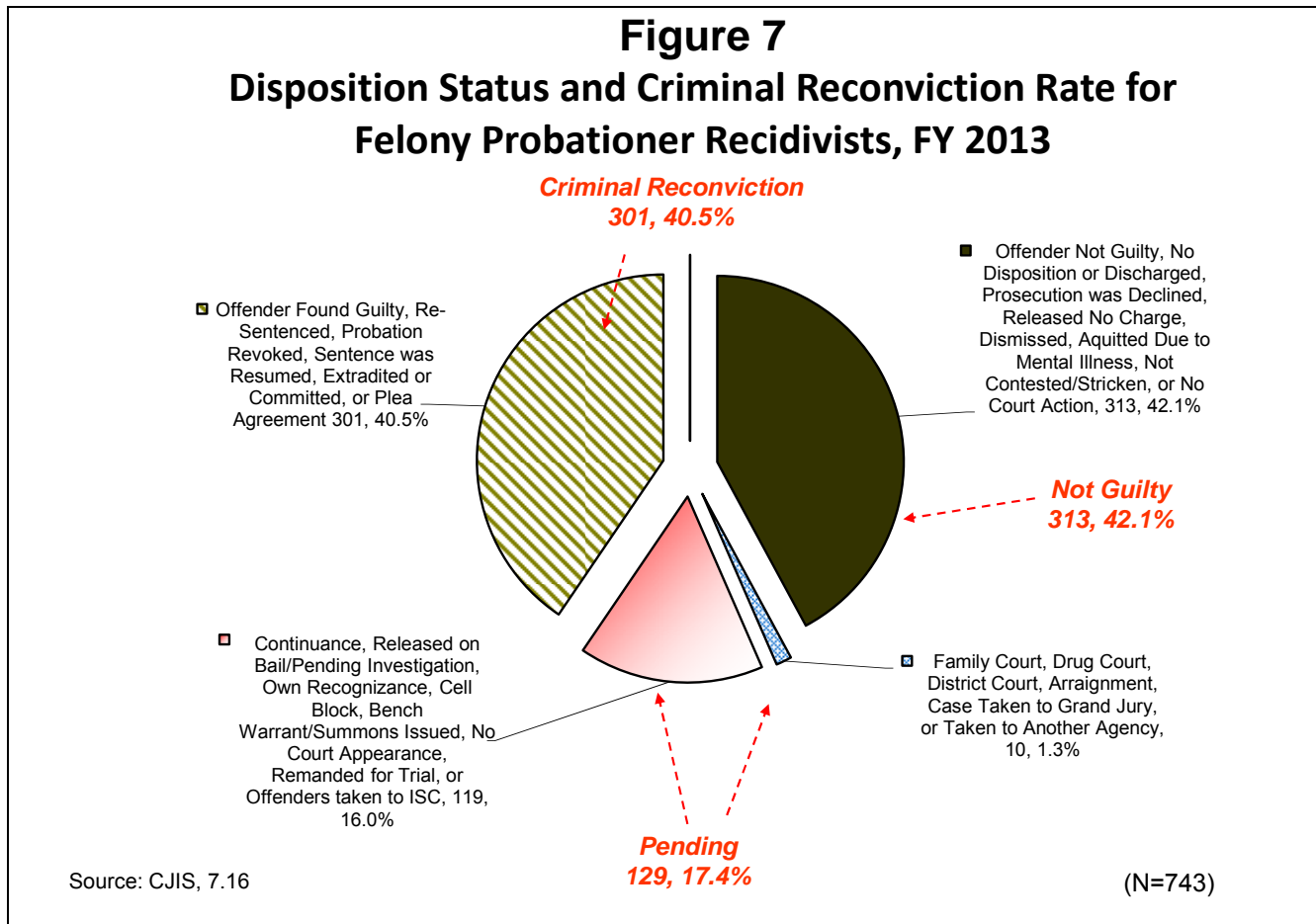
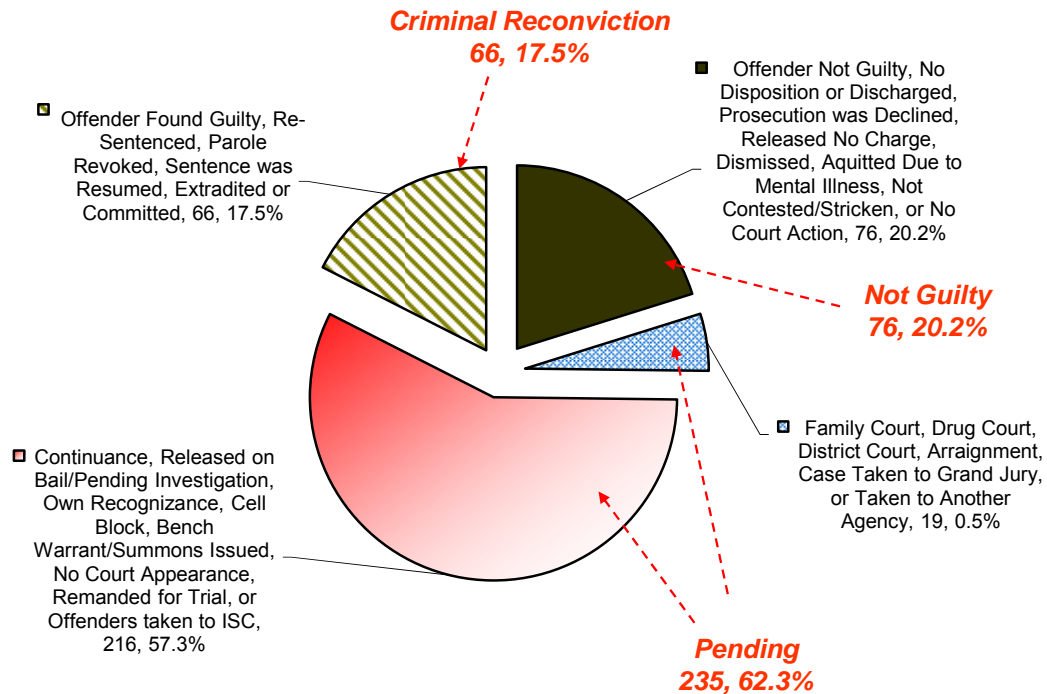


Figure 7 illustrates the disposition status and criminal reconviction rate for 743 offenders who were sentenced to felony probation in FY 2013, and who subsequently recidivated within a 36-month period.

- Those reconvicted of a new criminal offense comprised **40.5%** of the probationer recidivists.
- Cases that led to acquittals, dismissals, or not guilty findings accounted for **42.1%** of the probationer recidivists.
- Undetermined dispositions due to pending investigations, arraignment, case continuance, or offenders remanded to other courts accounted for **17.4%** of the probationer recidivists.

Figure 8
Disposition Status and Criminal Reconviction Rate,
Paroled Recidivists , FY 2013



Source: CJIS, 7.16

(N=377)

Figure 8 identifies the disposition status and criminal reconviction rate for 377 prisoners released to parole in FY 2013 and who subsequently recidivated within a 36-month period.

- Parolees reconvicted for a new criminal offense comprised **17.5%** of the parolee recidivists.
- Cases that led to acquittals, dismissals, or not guilty findings accounted for **20.2%** of the parolee recidivists.
- Undetermined dispositions, due to pending investigations, arraignment, case continuance, or offenders remanded to other courts accounted for **62.3%** of the parolee recidivists.

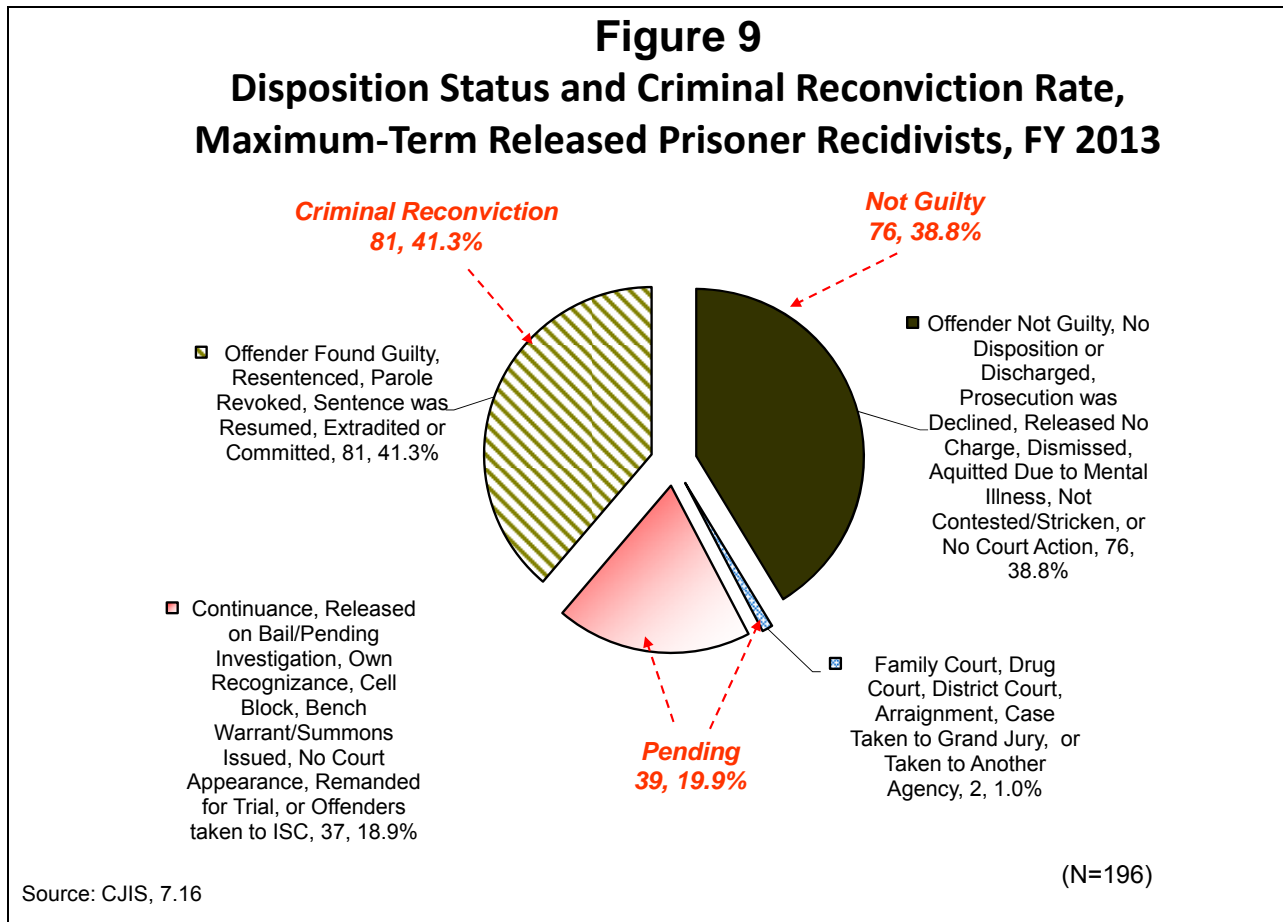
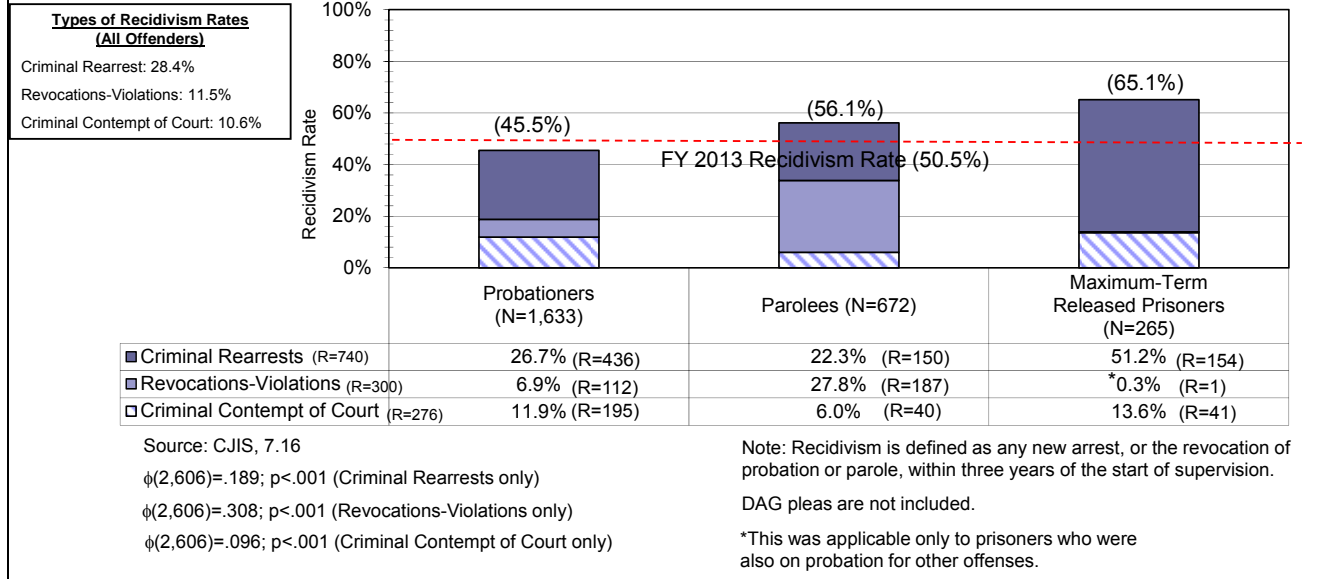


Figure 9 portrays the disposition status and criminal recidivism rate for 196 maximum-term prisoners who were released in FY 2013 and who subsequently recidivated within a 36-month period.

- Those reconvicted for a new criminal offense comprised **41.3%** of the maximum-term released offender recidivists.
- Cases that led to acquittals, dismissals, or not guilty findings accounted for **38.8%** of the maximum-term released offender recidivists.
- Undetermined dispositions, due to pending investigations, arraignment, case continuance, or offenders remanded to other courts accounted for **19.9%** of the maximum-term released offender recidivists.

Figure 10
Recidivism Rates for Felony Probationers, Parolees,
and Maximum-Term Released Prisoners, by
Recidivism Type, FY 2013 Cohort



Note: Revocations-Violations include the following: parole and probation revocations, summons arrest in probation, and bail release violations. Also, policy analysts need to be cautious when comparing the recidivism rates between agencies, as there are many complex and interacting factors that 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.

Figure 10 reveals the FY 2013 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 at the $p<.001$ level for criminal rearrests, revocation-violations and, criminal contempt of court.

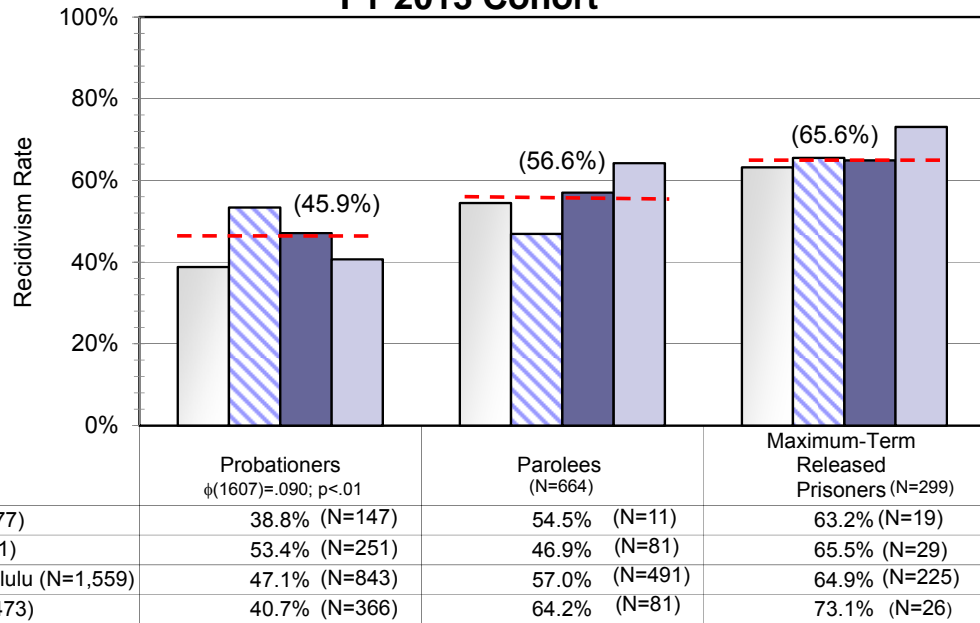
- Maximum-term released prisoners had the highest Criminal Rearrest rate (51.2%) and Criminal Contempt of Court rate (13.6%).
- Parolees had the highest Revocations-Violations rate (27.8%), the lowest Criminal Rearrest rate (22.3%), and the lowest Criminal Contempt of Court rate (6.0%).

Figure 11
Recidivism Rates for Felony Probationers, Parolees, and
Maximum-Term Released Prisoners, by County,
FY 2013 Cohort

County Recidivism Rates (All Agencies)

Kauai: 42.4%
 Maui: 52.9%
 C & C Honolulu: 52.8%
 Hawaii: 46.5%
 Statewide: 50.9%

$\phi(2.570)=.067; p<.01$



Source: CJIS, 7.16

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.

--- Recidivism rates reported by probationers, parolees, and maximum-term released prisoners.

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

Figure 11 examines the FY 2013 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, due particularly to the high recidivism rate for Maui County probationers (53.4%). The differences in recidivism rates appear higher for Maximum-Term Released Prisoners, in comparison to Parolees, however, the differences in recidivism rates are not statistically significant, regardless of their county of residence.

Figure 12
Recidivism Rates for Felony Probationers, by County and Recidivism Type, FY 2013 Cohort

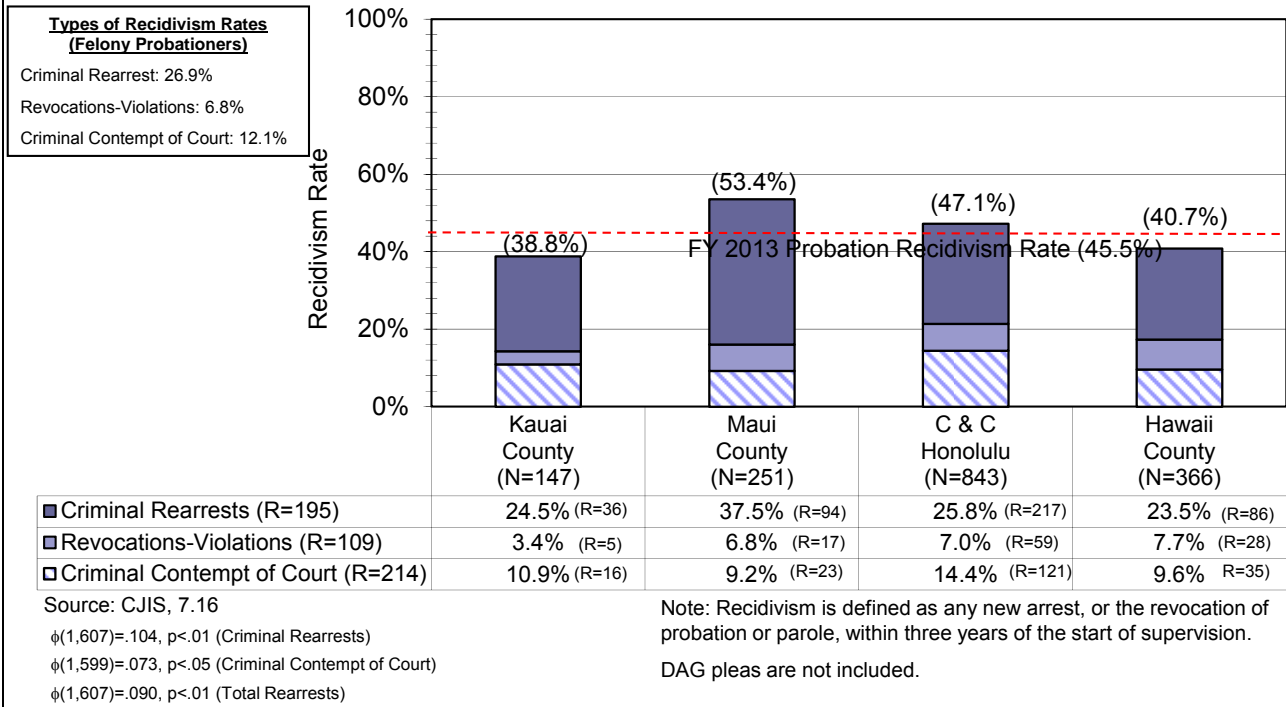
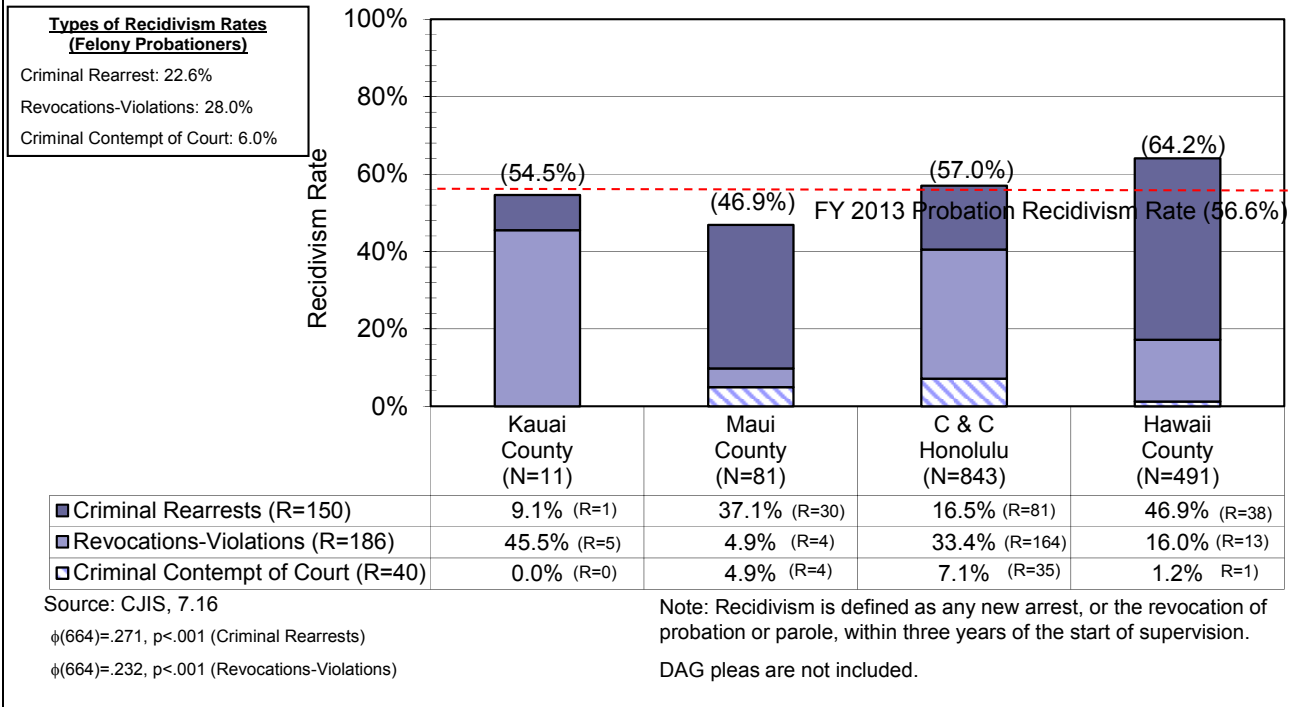


Figure 12 displays the FY 2013 recidivism rates for felony probationers, by county and recidivism type. The differences in recidivism rates for probationers between counties are statistically significant, for total rearrests ($p<.01$), criminal rearrests ($p<.01$), and criminal contempt of court ($p<.05$).

- Maui County, as compared to the other counties, had the highest total recidivism rate (53.4%), the highest criminal rearrest rate (37.5%), and the lowest criminal contempt of court rate (9.2%).
- Hawaii County had the lowest criminal rearrest rate (23.5%).
- Kauai County had the lowest total rearrest rate (38.8%).

Figure 13
Recidivism Rates for Parolees, by County and Recidivism Type,
FY 2013 Cohort



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

Figure 13 displays the FY 2013 recidivism rates for parolees, by county and recidivism type. The differences in recidivism rates for parolees between counties are statistically significant for criminal rearrests ($p<.001$), and for revocations-violations ($p<.001$).

- Hawaii County, as compared to the other counties, had the highest recidivism rate for criminal rearrests (46.9%).
- The City and County of Honolulu had the lowest recidivism rate for criminal rearrests (16.5%).
- Maui County had the lowest revocations-violations rate (4.9%)

Figure 14
Average Elapsed Time to Recidivism for Probationers, Parolees, and Maximum-Term Released Prisoners, by Recidivism Type, FY 2013 Cohort

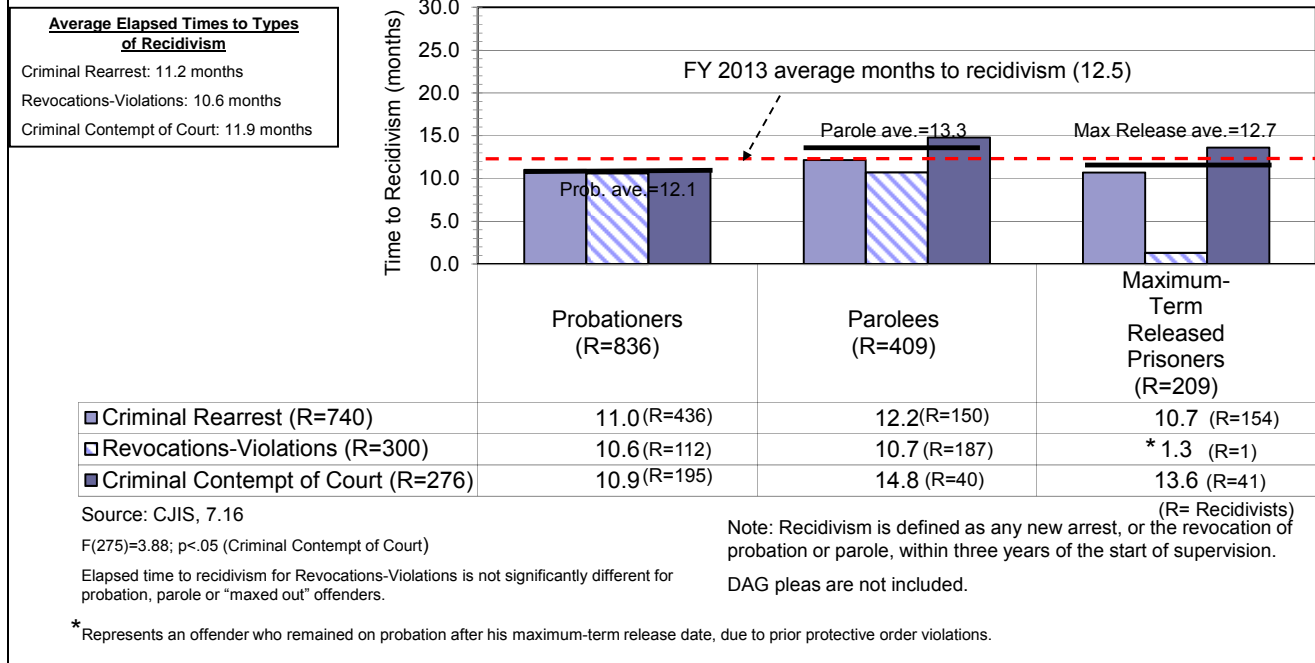
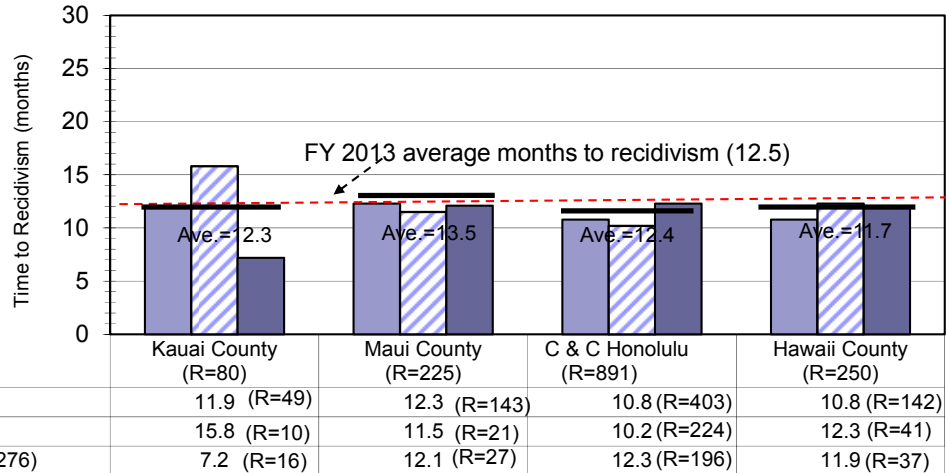


Figure 14 shows the average time in months elapsed from the *Follow-up Start Date* to the *Recidivism Event Date*, by recidivism type, for recidivists in the FY 2013 cohort of probationers, parolees, and maximum-term released prisoners. The average elapsed time to recidivism for FY 2013 was **11.2** months for offenders with criminal rearrests, **10.6** months for those with revocations-violations, and **11.9** months for those with criminal contempt of court charges, although these differences in average elapsed time to recidivism are not statistically significant. The differences in the average elapsed time to recidivism between probationers, parolees, and maximum-term released prisoners are statistically significant for criminal contempt of court only.

Figure 15
Average Elapsed Time to Recidivism,
by County, FY 2013 Cohort

Average Elapsed Times to Types of Recidivism

Criminal Rearrest: 11.2 months
 Revocations-Violations: 10.8 months
 Criminal Contempt of Court: 11.9 months



Source: CJIS, 7.16

(R= Recidivists)

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

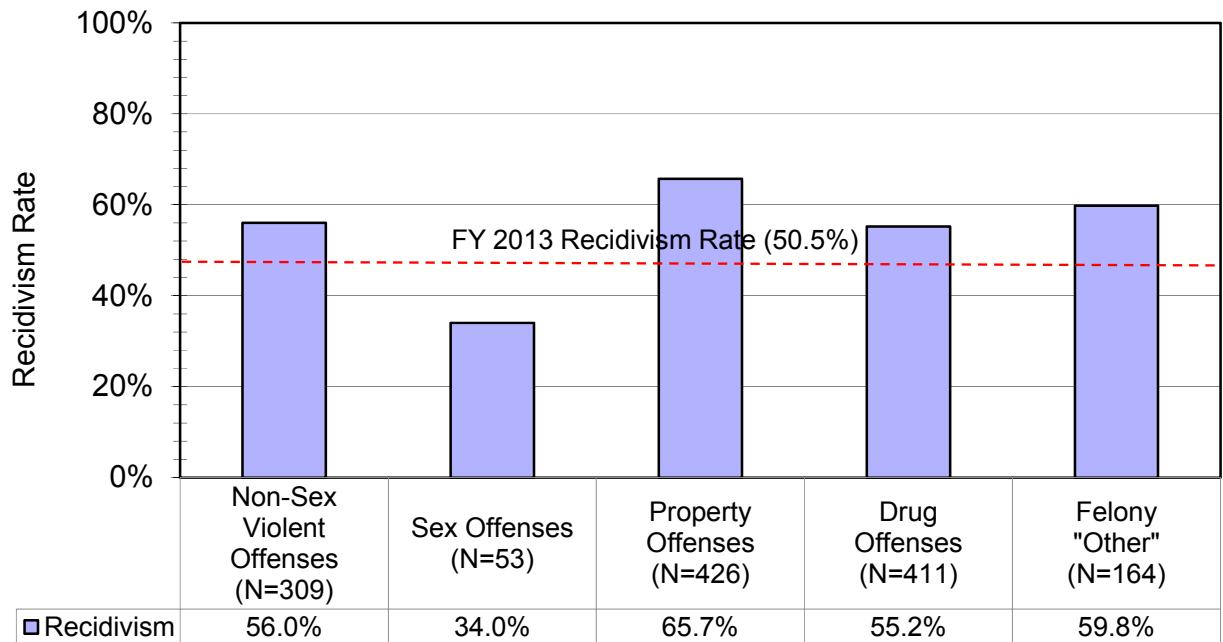
DAG pleas are not included.

For criminal contempt of court offenses, the differences in elapsed time to recidivism for offenders residing in different counties are not statistically significant.

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 15 shows that the differences between individual counties in terms of the average elapsed time from the *Follow-up Start Date* to the *Recidivism Event Date*, by recidivism type, are not statistically significant.

Figure 16
Recidivism Rates, by Initial Offense Type,
FY 2013 Cohort



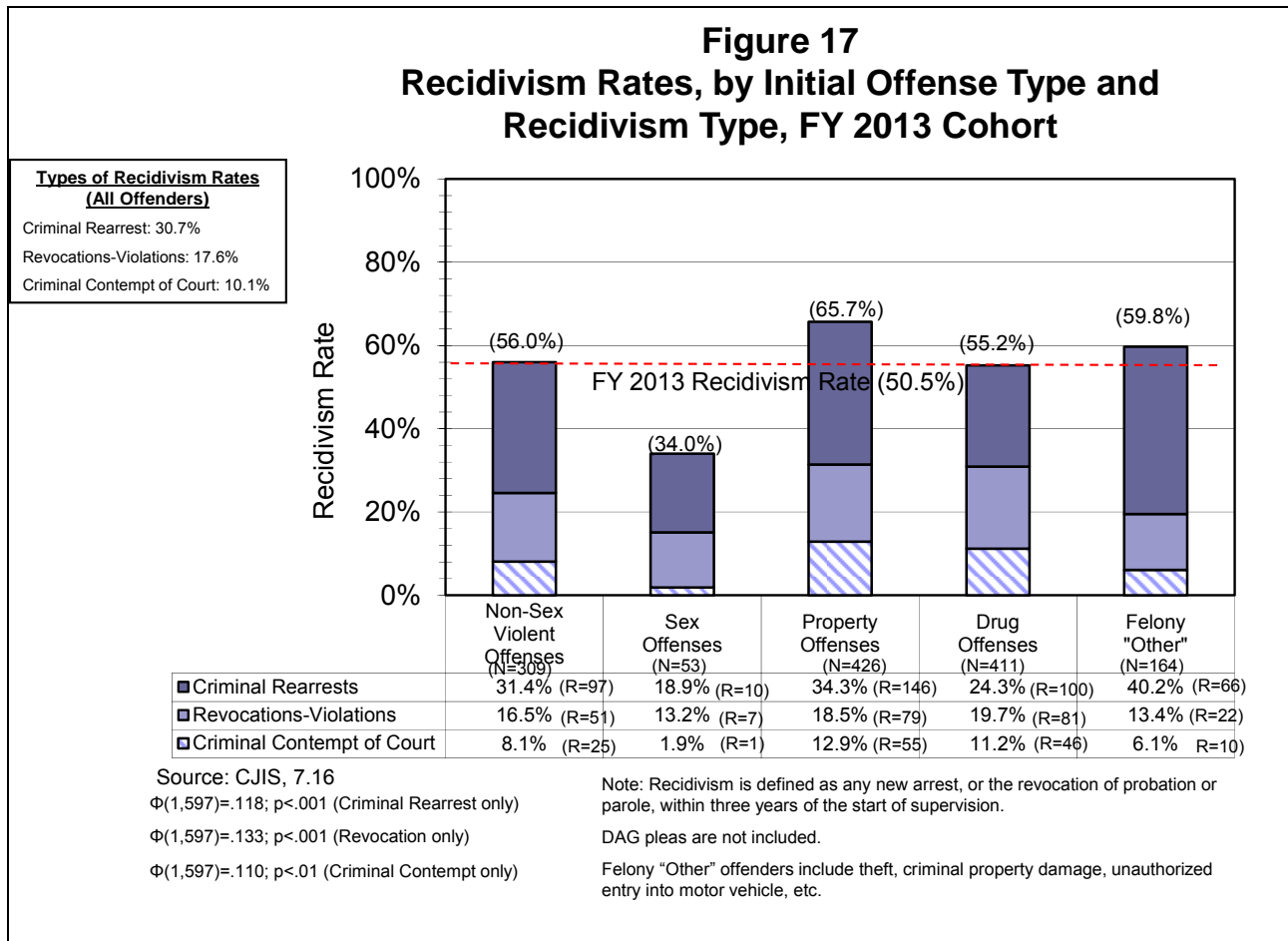
Source: CJIS, 7.16
 $\Phi(1,597) = .126; p < .001$

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 16 identifies the FY 2013 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 (65.7%), while sex offenders had the lowest recidivism rate (34.0%).



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

Figure 17 portrays the FY 2013 recidivism rates, by initial offense type and recidivism type. The recidivism rates for offenders charged with criminal rearrests, revocations-violations, and criminal contempt of court differed significantly between initial offense types.

- Property crime offenders had the highest total recidivism rate (65.7%).
- Felony "Other" offenders had the highest criminal rearrest rate (40.2%).
- Drug offenders had the highest revocations-violations rate (19.7%).
- Sex offenders had the lowest total recidivism rate (34.0%), including the lowest criminal rearrest rate (18.9%), revocations-violations rate (13.2%), and criminal contempt of court rate (1.9%).

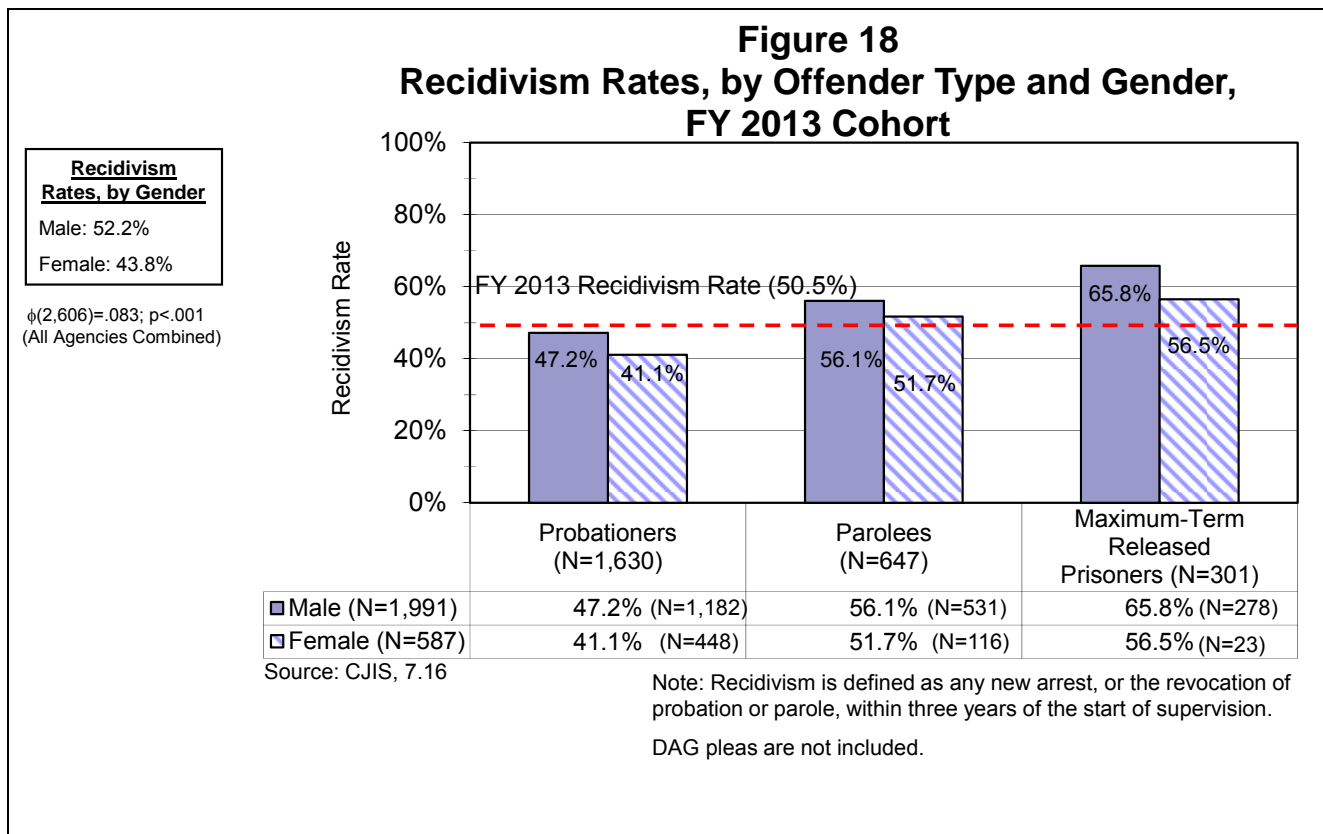


Figure 18 examines the FY 2013 recidivism rates for probationers, parolees, and maximum-term released prisoners, by gender. The overall differences in recidivism rates between males and females (52.2% versus 43.8%, respectively) are statistically significant; however, within each offender type (probationers, parolees, and maximum-term released prisoners), the differences in recidivism rates between genders are not statistically significant.

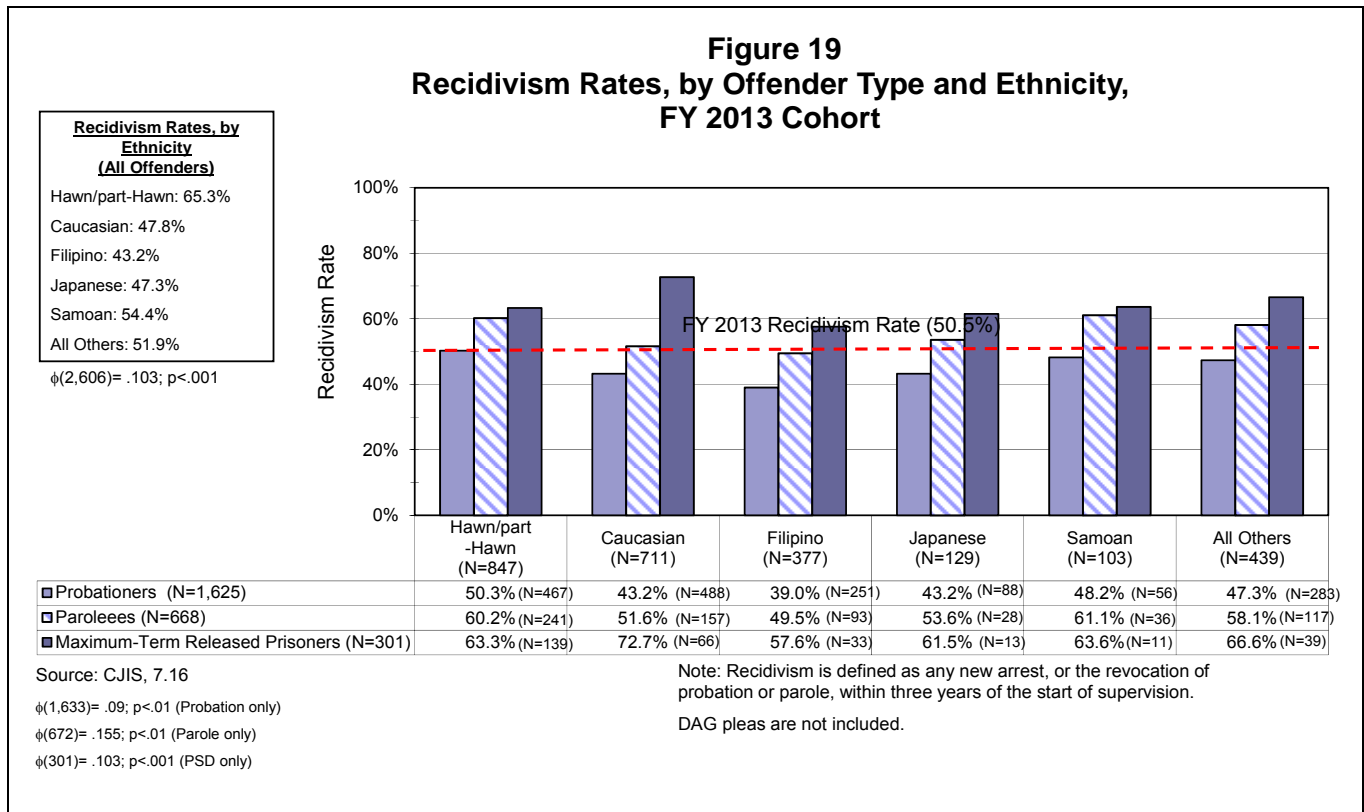


Figure 19 shows the FY 2013 recidivism rates for probationers, parolees, and maximum-term released prisoners, by ethnicity. The differences in recidivism rates between ethnic groups are statistically significant, within each offender type. Hawaiian/part-Hawaiians had the highest recidivism rate among probationers (50.3%), while Samoans had the highest recidivism rates among parolees (61.1%), and Caucasians had the highest recidivism rates among maximum-term released prisoners.

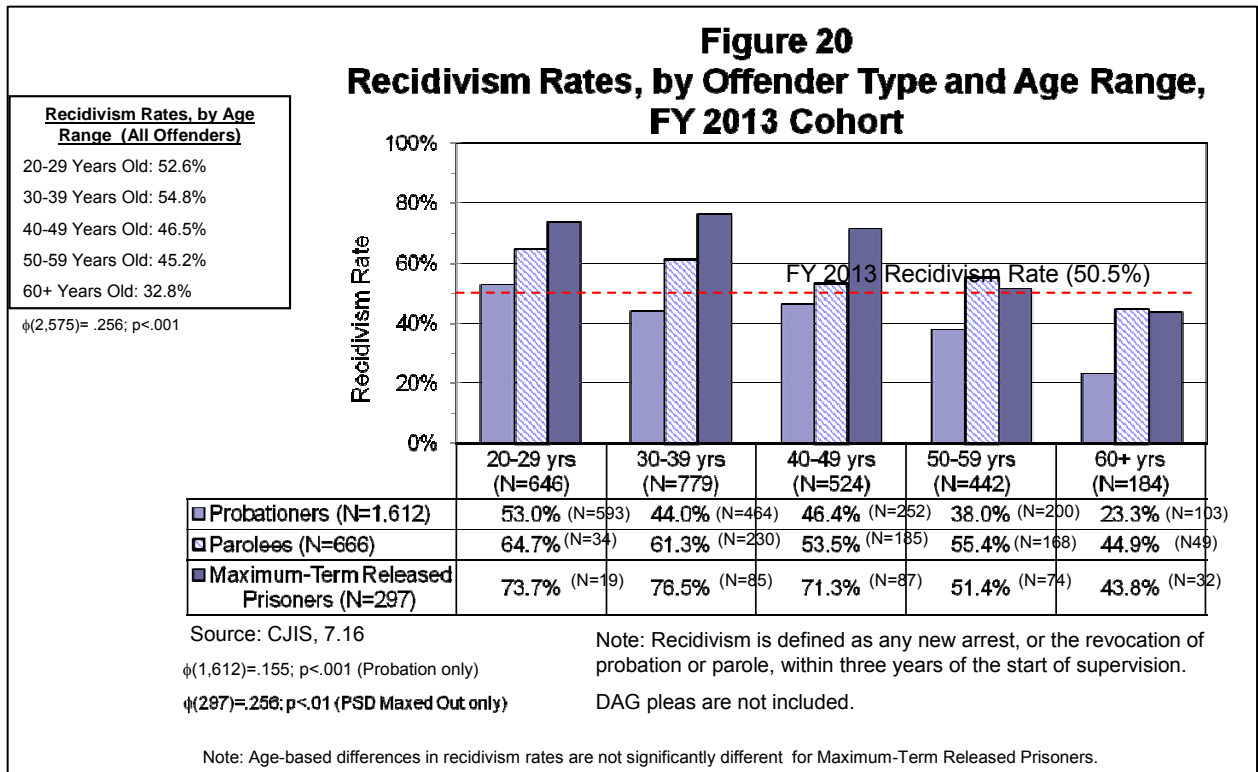
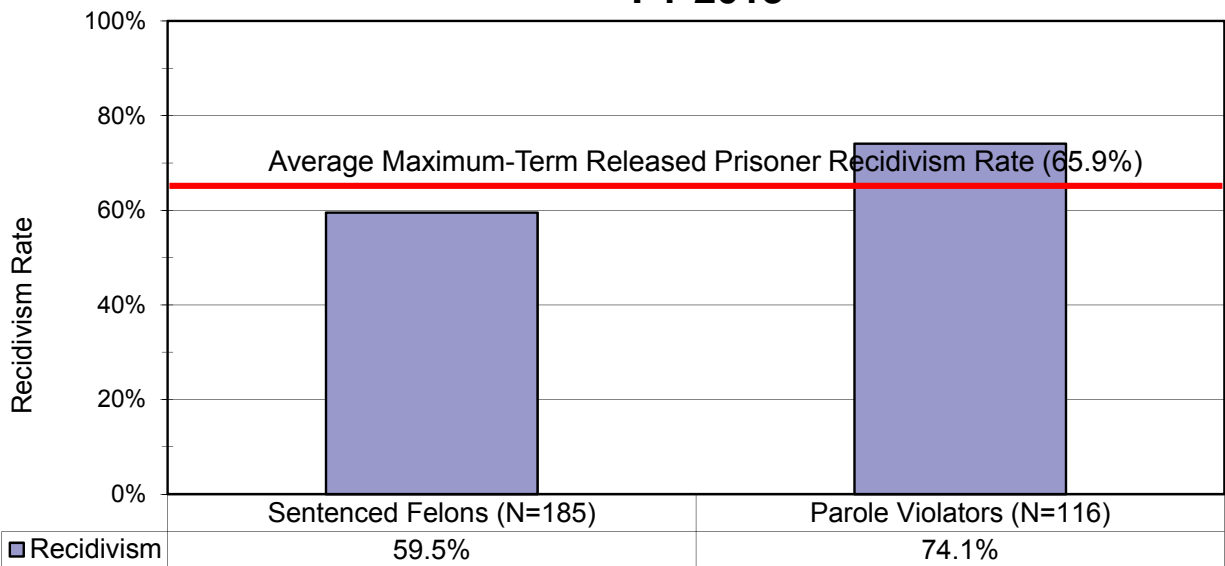


Figure 20 illustrates the FY 2013 recidivism rates for probationers, parolees, and maximum-term released prisoners, by offender age range. The differences in recidivism rates between offender age ranges are statistically significant within both the probationer and maximum-term released prisoner offender types. The 20-29-years-old age group had the highest reported recidivism rates among all age groups for probationers (53.0%) and maximum-term released prisoners (73.7%). The 60+ years-old age group had the lowest recidivism rates for all offender types.

Figure 21
Recidivism Rates,
by Type of Maximum-Term Released Prisoner,
FY 2013



Source: CJIS, 7.16

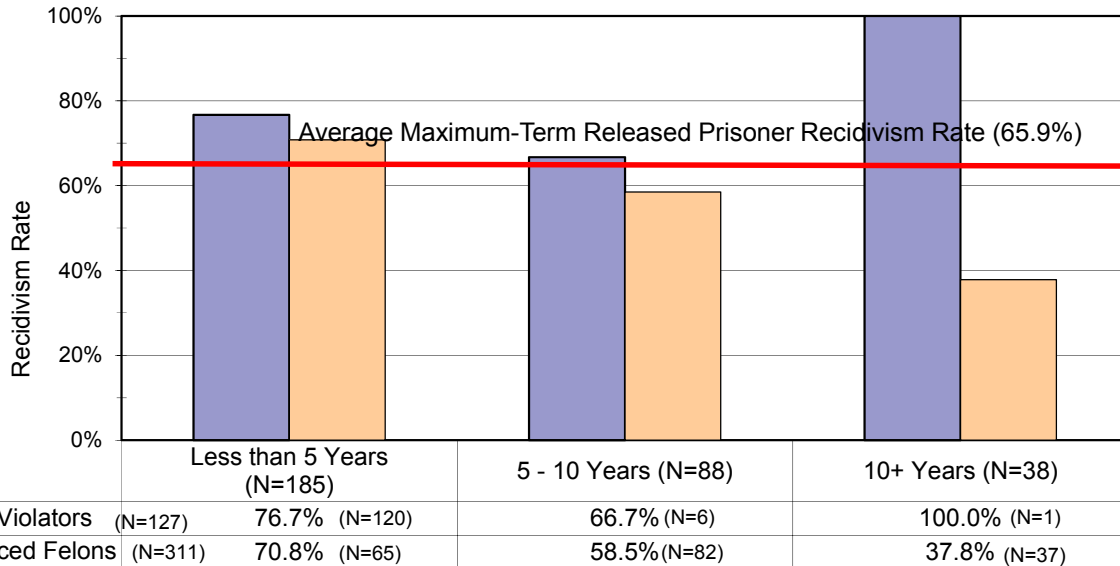
$\phi(301)=.150$; $p<.01$

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

Additional Note: Per Department of Public Safety definitions, "Sentenced Felons" were released from prison after serving the maximum term of imprisonment on their original charges (i.e., they were never paroled), and "Parole Violators" were paroled and then returned to prison due to violations, and subsequently served the remainder of their original imprisonment sentences.

Figure 21 depicts the FY 2013 recidivism rates between the two types of Maximum-Term Released prisoners. Parole Violators (74.1%) recidivated at a statistically higher rate, as compared to Sentenced Felons (59.5%). The differences in recidivism rates between Sentenced Felons and Parole Violators are statistically significant.

Figure 22
Recidivism Rates, by Type of Maximum-Term Released Prisoner, and the *Length of Time Incarcerated, FY 2013



Source: CJIS, 7.16

Sentenced Felons: $\phi(311)=.239$; $p<.01$

*Length of time incarcerated determined by subtracting the Maximum-Term Released Date from the Start of Incarceration Date.

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

Additional Note: Per Department of Public Safety definitions, "Sentenced Felons" were released from prison after serving the maximum term of imprisonment on their original charges (i.e., they were never paroled), and "Parole Violators" were paroled and then returned to prison due to violations, and subsequently served the remainder of their original imprisonment sentences.

Figure 22 examines the FY 2013 recidivism rates for the two types of Maximum-Term Released prisoners, and by the number of years incarcerated. Parole Violators incarcerated for less than 5 years had the highest recidivism rate (76.7%), as compared to Sentenced Felons incarcerated over 10 years (37.8%). The differences in recidivism rates between the two types of Maximum-Term Released prisoners incarcerated over multiple time periods are statistically significant.

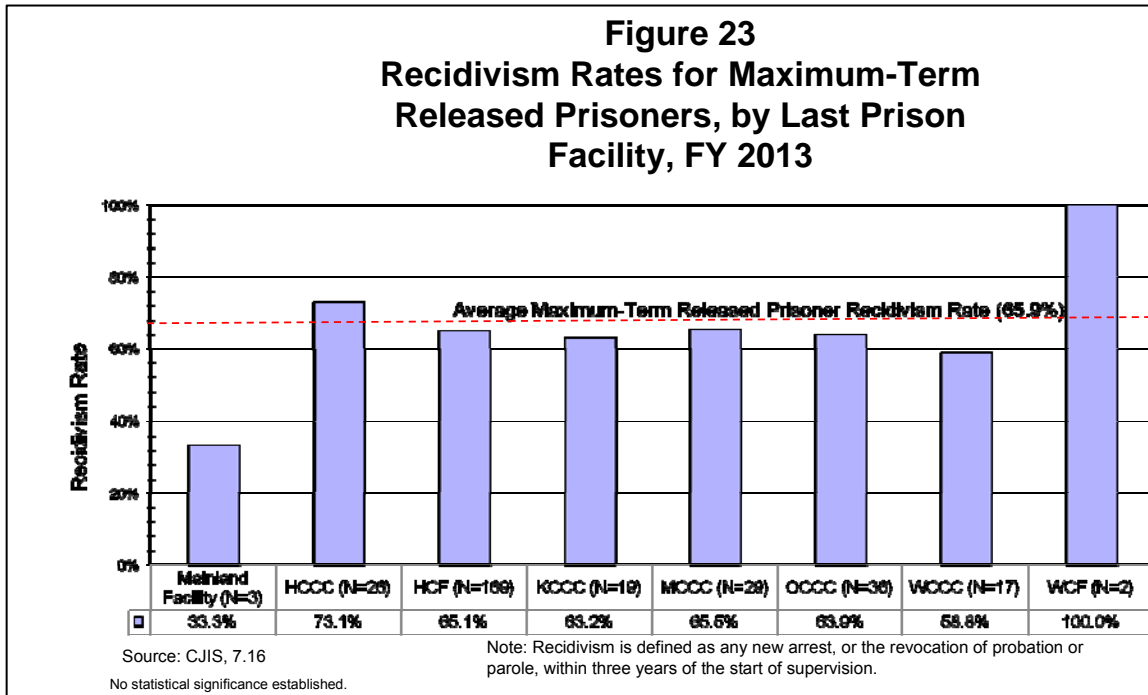


Figure 23 examines the FY 2013 recidivism rates for maximum-term released prisoners, by the correctional facility in which they were incarcerated in at the time of their release. The differences in recidivism rates between prison facilities are not statistically significant.

Summary and Discussion

The 48.6% recidivism rate for FY 2013 probationers and parolees was slightly higher than the previous year's rate of 47.3%. Figure 3 shows that the FY 2013 recidivism rate is 23.2% 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 2013 cohort had a 45.5% recidivism rate, which is 1.9 percentage points lower than the recidivism rate for the previous year's cohort, but indicates only a 15.3% decline in recidivism since the baseline year. As shown in Figure 5, parolees in the FY 2013 cohort had a 56.1% recidivism rate, which is 9.0 percentage points higher than the previous year's rate, but signifies a 23.0% decline in recidivism from the baseline year. The increase in Parole's recidivism rate is mostly due to the large number of reported revocations-violations (n=187), which represented half of the total recidivism recorded in FY 2013. Although Parole's FY 2013 recidivism rate increased from the previous year, parolees had the lowest criminal rearrest rate (22.3%), as compared to probationers and maximum-term released prisoners.

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.

In FY 2005, ICIS began tracking the recidivism rate for maximum-term released prisoners. The recidivism rate for these offenders declined from 76.1% for the FY 2005 cohort to 65.1% for the FY 2013 cohort. The FY 2013 recidivism rate was 3.2 percentage points higher than the previous year's rate (Figure 6). As shown in Figure 10, maximum-term released prisoners had the highest recidivism rates in the entire FY 2013 offender cohort for criminal rearrests (51.2%), and criminal reconvictions (41.8%), as shown in Figure 9. In Figure 21, recidivism rates for maximum-term released prisoners classified as Parole Violators (parolees who returned to prison and served their full remaining original sentence in prison) had significantly higher recidivism rates (74.1%) than did Sentenced Felons (59.5%) who completed their maximum term of imprisonment, and were released to the community without further supervision.

As shown in Figures 14-15, the average elapsed time to recidivism for offenders from all agencies was 12.5 months, with criminal contempt of court (11.9 months) having the longest average elapsed to recidivism, followed by criminal arrest (11.2 months), and revocations-violations (10.6 months). Parolees who reoffended had the longest elapsed time to recidivism (13.3 months), which also includes criminal contempt of court (14.8 months), and criminal rearrests (12.2 months). By county, offenders from Maui County had the longest elapsed time to recidivism (13.5 months), while offenders from Hawaii County had the shortest (11.7 months).

Figures 16-17 reveal statistically significant differences in recidivism rates within the various initial offense types, whereby property offenders had the highest total recidivism rate (65.7%), while sex offenders had the lowest rate (34.0%). In fact, sex offenders had the lowest recidivism rate for all recidivism types.

The demographic analyses of offenders reveal significantly higher recidivism rates for male offenders (52.2%) as compared to females (43.8%); for Hawaiian and part-Hawaiian offenders (65.3%) as compared to all other racial/ethnic groups; and for 30-39-years old offenders (54.8%) as compared to other age group ranges (see Figures 18-20).

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 practices (EBPs), such as in motivational interviewing, cognitive behavioral treatment, and collaborative 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. ICIS agencies must also 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.

ICIS needs to assess, monitor, and evaluate contracted offender treatment programs, including court-based programs. 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 EBPs in all of the criminal justice agencies, however, ICIS remains confident that this EBPs model adopted over the past eleven years will continue to earn dividends and a high return of investment for the State of Hawaii.

2016 Recidivism Update
is available electronically at the ICIS web site:
<ICIS.hawaii.gov>