Interagency Council on Intermediate Sanctions









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State of Hawaii, FY 2015 Cohort 2018 Recidivism Update

This report provides a comparative update to the *2002 Hawaii Recidivism Baseline Study* and subsequent updates in 2006 through 2017. 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, reaching the 30% recidivism reduction benchmark remains an important long-term goal.

This study is comprised of **2,674** offenders from the Fiscal Year 2015 cohort, as compiled from the following State agencies:

- 1. Hawaii State Probation Services 1,839 Offenders Sentenced to Felony Probation.
- 2. Hawaii Paroling Authority (HPA) 549 Offenders Released to Parole.
- 3. Department of Public Safety (PSD) 286 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 eleven additional recidivism update studies, for the FY 2003 and FYs 2005-2014 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. The study dataset includes fields from the following information systems: the Hawaii Department of the Attorney General's Criminal Justice Information System (CJIS); the Community Corrections Adult Assessment information system created by Cyzap Inc.; the Hawaii State Judiciary's Caseload Explorer information system; and PSD's Offender Track system.

The recidivism data comes from a June 2019 CJIS download, which included the number of charges reported since the offenders' respective follow-up date within FY 2015 (July 1, 2014 through June 30, 2015). Probation, Parole, and PSD define their recidivism follow-up date, respectively, as the *Supervision Start Date* for probationers under community supervision; release to parole date; and maximum-term prison 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 data and methodologies employed for each agency:

1. Felony Probation

Included in this study are 1,839 felony probationers. The defined *Supervision Start Date* is from July 1, 2014 through June 30, 2015.

2. Hawaii Paroling Authority (HPA)

This study includes 549 offenders who were released from prison to parole from July 1, 2014 through June 30, 2015.

3. Department of Public Safety (PSD)

Also included in this study are 286 maximum-term released ("maxed-out") prisoners who completed their entire sentenced term of incarceration at a point between July 1, 2014 and June 30, 2015. ICIS has tracked the recidivism trends of maximum-term released prisoners since FY 2005.

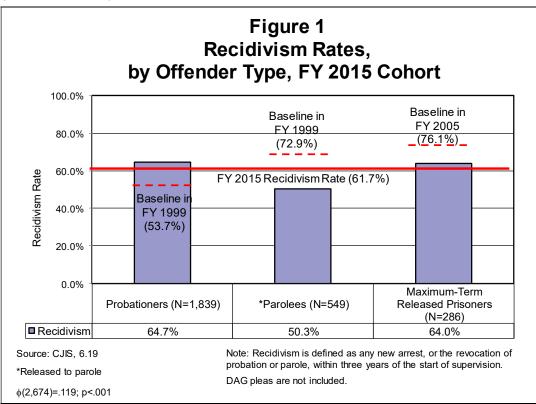


Figure 1 depicts probationer, parolee, and maximum-term released prisoner recidivism rates. Recidivism is defined as any new arrest, or the revocation of probation or parole, within three years of the start of supervision, released to parole, or prison release date. The data reveal a 64.7% recidivism rate for probationers; a 50.3% recidivism rate for parolees; and a 64.0% 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 2015 study cohort is 61.7%.

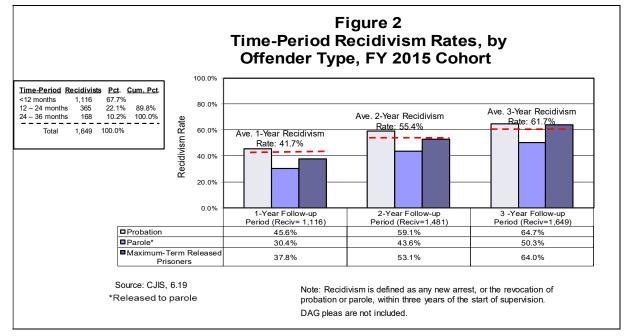
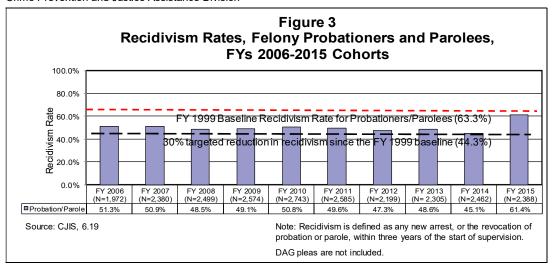


Figure 2 examines the time-period recidivism rates for probationers, parolees, and maximum-term released prisoners. From the supervision start date, 1,116 (68.0%) of the 1,641 recidivists reoffended within the first 12 months of supervision, 365 (22.2%) reoffended between 12 to 24 months, and 160 (9.8%) offenders recidivated between 24 to 36 months from the follow-up start date.



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 61.4% will need to fall an additional 17.1 percentage points to reach the 44.3% targeted recidivism rate.

Figure 3 reveals the recidivism trend for felony probationers and parolees for FYs 2006-2015. The 61.4% recidivism rate for FY 2015 is the highest reported rate since FY 2006.

- The recidivism rate for FY 2015 is 61.4% (16.3 percentage points) higher than the FY 2014 rate.
- Since FY 1999, the recidivism rate has declined 3.0% (1.9 percentage points), far from the goal of reducing recidivism by 30%.

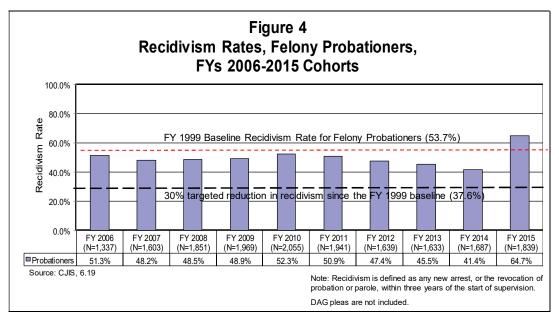


Figure 4 displays the recidivism rates for felony probationers in the FY 1999 baseline and subsequent years. The 64.7% recidivism rate for FY 2015 is the highest rate on record. See the Discussion section and Appendices A and B for further examination of FY 2015's very high recidivism rate.

- The 64.7% felony probationers' recidivism rate for the FY 2015 probation cohort is 23.3 percentage points higher than the FY 2014 rate.
- The FY 2015 recidivism rate for felony probationers is 11.0 percentage points higher than the FY 1999 baseline rate.

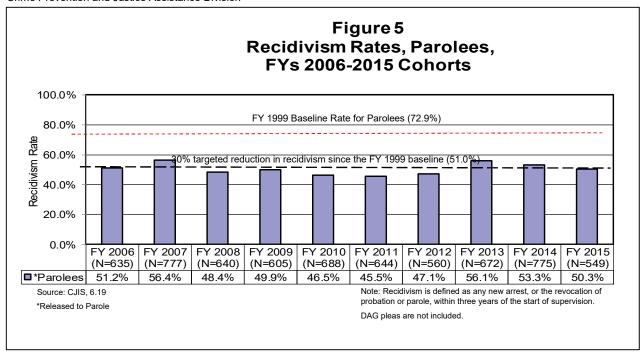


Figure 5 portrays the recidivism trend for parolees in the FY 1999 baseline year and subsequent years.

- The parolees' recidivism rate for FY 2015 is 50.3%, which is 3.0 percentage points lower than the FY 2014 rate.
- Since FY 1999, the recidivism rate for parolees has declined 31.0%, which has met the goal of reducing recidivism by 30%.

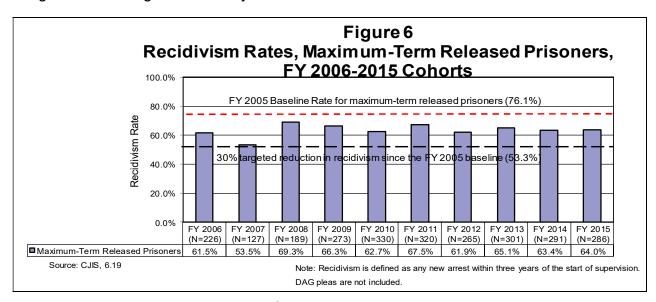


Figure 6 shows the recidivism trend for maximum-term released prisoners in FYs 2006-2015.

- The maximum-term released prisoners' recidivism rate for FY 2015 is 64.0%, which is 0.6 percentage points higher than the FY 2014 rate.
- Since FY 2005, the recidivism rate for maximum-term released prisoners has declined 15.9%, which is 10.7 percentage points short of meeting the goal of reducing recidivism by 30%.

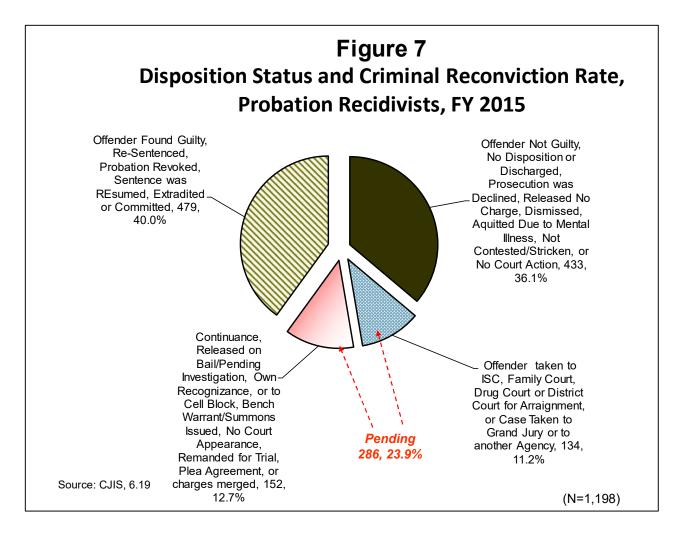


Figure 7 illustrates the disposition status and criminal reconviction rate for 1,198 offenders who were sentenced to felony probation in FY 2015, and who subsequently recidivated within a 36-month period.

- Those convicted of a new criminal offense comprised 40.0% of the probationer recidivists.
- New criminal cases that led to acquittals, dismissals, or not guilty verdicts accounted for 36.1% of the probationer recidivists.
- Undetermined dispositions, due to pending investigations, arraignments, case continuance, or being remanded to other courts, accounted for 23.9% of the probationer recidivists.

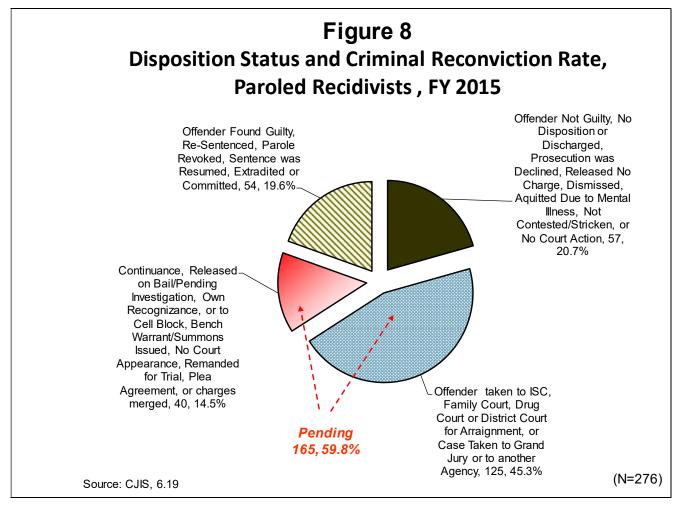


Figure 8 identifies the disposition status and criminal reconviction rate for 276 prisoners released to parole in FY 2015 and who subsequently recidivated within a 36-month period.

- Parolees convicted for a new criminal offense comprised 19.6% of the parolee recidivists.
- Cases that led to acquittals, dismissals, or not guilty verdicts accounted for 20.7% of the parolee recidivists.
- Undetermined dispositions, due to pending investigations, arraignment, case continuance, or offenders remanded to other courts, accounted for 59.8% of the parolee recidivists.

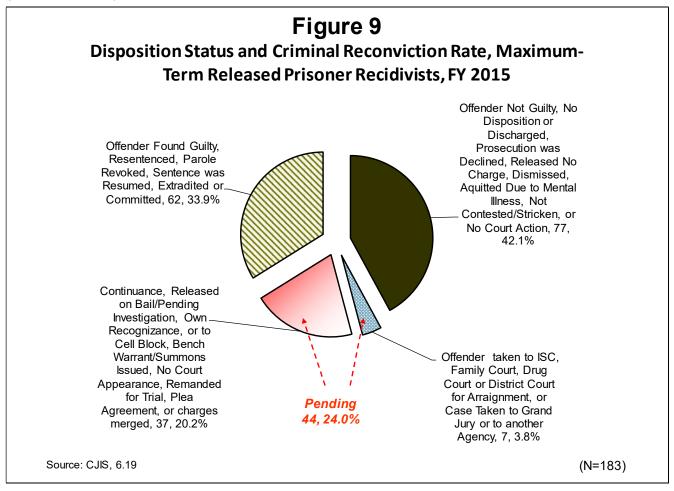
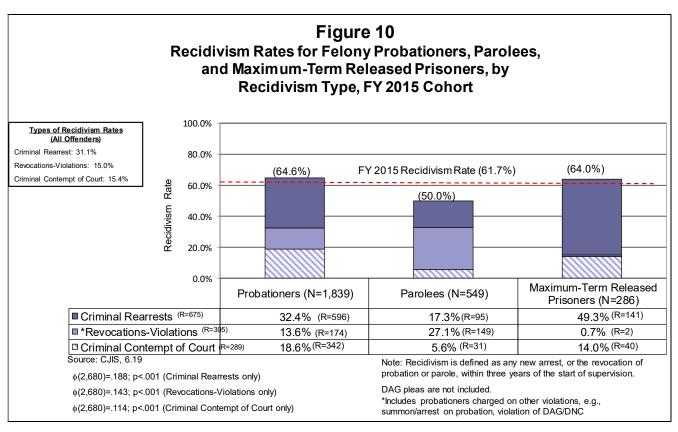


Figure 9 portrays the disposition status and criminal reconviction rate for 183 maximum-term prisoners who were released in FY 2015 and who subsequently recidivated within a 36-month period.

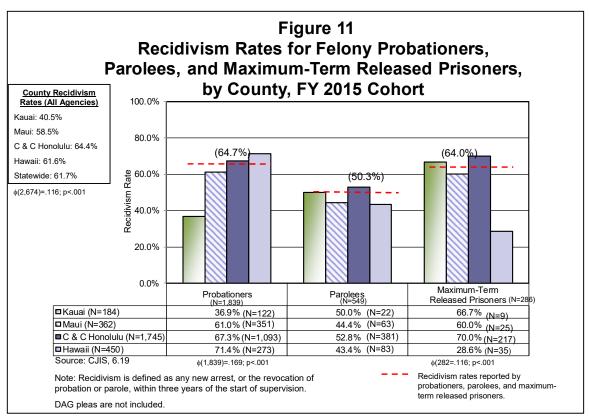
- Those convicted for a new criminal offense comprised 33.9% of the maximum-term released offender recidivists.
- Cases that led to acquittals, dismissals, or not guilty verdicts accounted for 42.1% of the maximum-term released offender recidivists.
- Undetermined dispositions due to pending investigations, arraignment, case continuance, or offenders remanded to other courts, accounted for 24.0% of the maximumterm released offender recidivists.



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 not for maximum-term released prisoners who have few revocation-violations.

Figure 10 reveals the FY 2015 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.

- Parolees had the highest Revocations-Violations rate (27.1%), the lowest Criminal Rearrest rate (17.3%), and the lowest Criminal Contempt of Court rate (5.6%). The high revocation-violation rate negatively correlates with the low criminal rearrest and criminal contempt of court rates. This correlation is consistent with parole's aggressive response to dealing with parolee violations, or infractions, which results in a lower potential for new criminal offenses.
- Probationers had the highest Criminal Contempt of Court rate (18.6%), as compared to 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.

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 11 examines the FY 2015 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 and maximum-term released prisoners, and for total offenders. The City and County of Honolulu had the overall highest recidivism rate (64.4%), by all offender type, while Hawaii County had the highest recidivism rate, for probationers (71.4%), but the lowest recidivism rate for maximum-term released prisoners (28.6%). Kauai County had the lowest overall recidivism rate (40.5%), by all offender type, and the lowest recidivism rate (36.9%), by probationers.

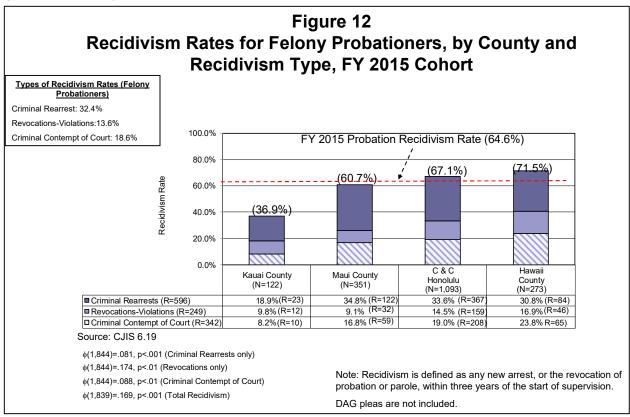
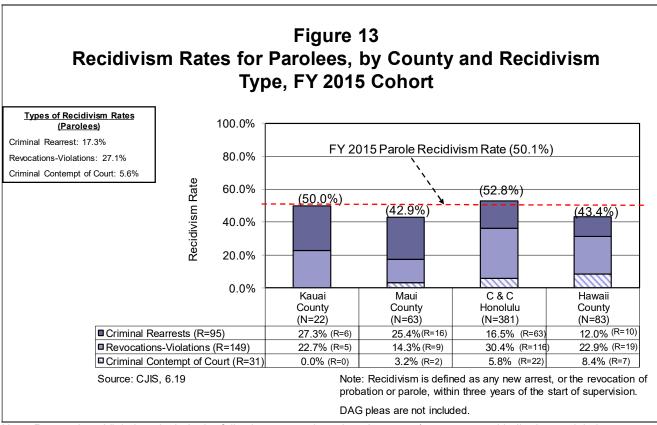


Figure 12 displays the FY 2015 recidivism rates for felony probationers, by county and recidivism type. The differences in recidivism rates for probationers between counties are statistically significant, for total recidivism (p<.001), criminal rearrests (p<.001), revocations-violations (p<.01), and criminal contempt of court (p<.01).

- Hawaii County probationers had the highest recidivism rates for revocation-violations (16.9%), criminal contempt of court (23.8%), and total recidivism (71.5%).
- Maui County probationers had the highest criminal rearrest rate (34.8%), as compared to other counties.
- Kauai County probationers had the lowest recidivism rate for total recidivism (36.9%), criminal rearrest (18.9%), and criminal contempt of court (8.2%), as compared to other counties.



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

Figure 13 displays the FY 2015 recidivism rates for parolees, by county and recidivism type. The differences in recidivism rates for parolees between counties are not statistically significant for total recidivism, criminal rearrests, revocations-violations, or criminal contempt of court.

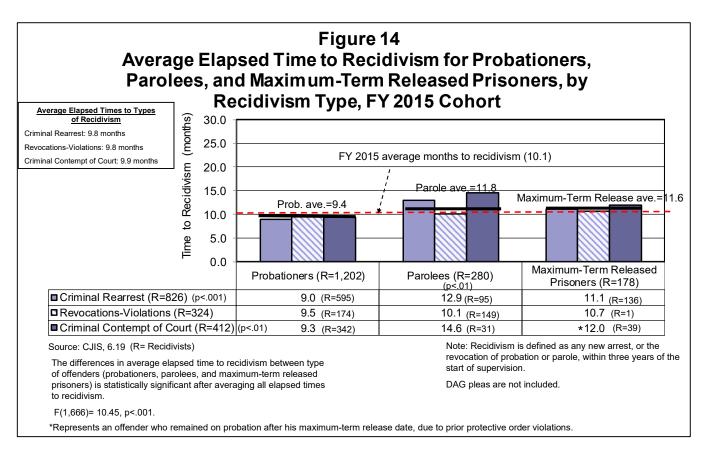
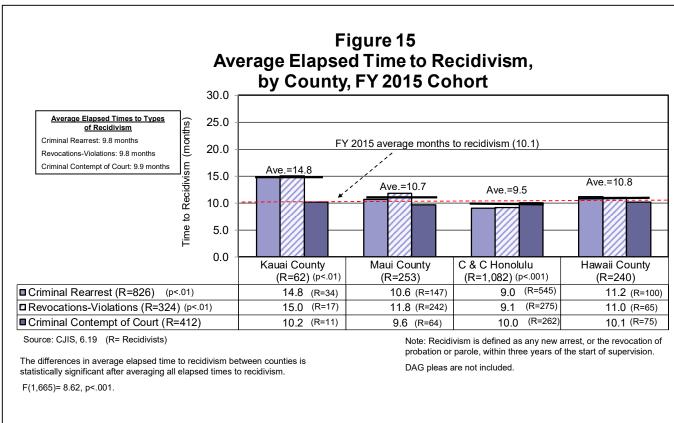


Figure 14 shows the average time in months elapsed from the *Follow-up Start Date* to the *Recidivism Event Date*, by recidivism type, for recidivists in the FY 2015 cohort of probationers, parolees, and maximum-term released prisoners. The average elapsed time to recidivism in FY 2015 is 10.1 months. There was statistically significant (p<.001) differences in elapsed time to recidivism between probationers (9.4 months), parolees (11.8 months), and maximum-term released prisoners (11.6 months) after averaging all elapsed times to recidivism, regardless of recidivism type.

With respect to individual recidivism types, the differences in the average elapsed time to recidivism between probationers, parolees, and maximum-term released prisoners are statistically significant for criminal rearrest (p<.001), with probationers having the shortest elapsed time to recidivism (9.0 months), as compared to parolees and maximum-term released prisoners. The differences in average elapsed time to recidivism between agencies for criminal contempt of court (p<.01) was also statistically significant, where probationers had the shortest elapsed time to recidivism (9.3 months).

With respect to individual agencies, only parolees had statistically significant differences in elapsed time to recidivism by type of offense (p<.01), with parolees who were charged with revocations having the shortest elapsed time to recidivism (10.1 months), as compared to parolees who were charged with criminal rearrests or criminal contempt of court.



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 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 2015 cohort, by counties. There was statistically significant (p<.001) differences in elapsed time to recidivism between Kauai County (14.8 months), Maui County (10.7 months), City and County of Honolulu (9.5 months), and Hawaii County(10.8 months) after averaging all elapsed times to recidivism, regardless of recidivism type.

With respect to individual recidivism types, the differences in the average elapsed time to recidivism, by counties are statistically significant for criminal rearrest (p<.01), with the City and County of Honolulu having the shortest elapsed time to recidivism (9.0 months), as compared to the other counties. The differences in average elapsed time to recidivism between counties for revocations (p<.01) was also statistically significant, where the City and County of Honolulu having the shortest elapsed time to recidivism (9.1 months).

With respect to individual counties, only the City and County of Honolulu had statistically significant differences in elapsed time to recidivism by type of offense (p<.001), with criminal contempt of court offenses having the longest elapsed time to recidivism (10.0 months), as compared to criminal rearrests or revocations.

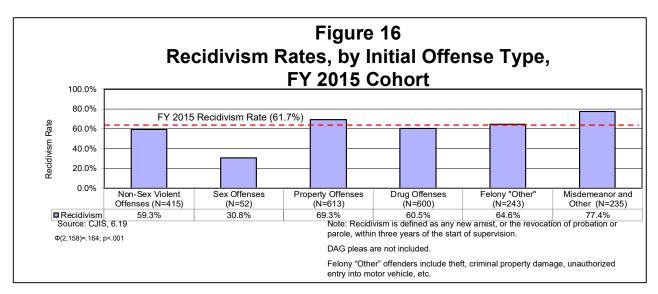
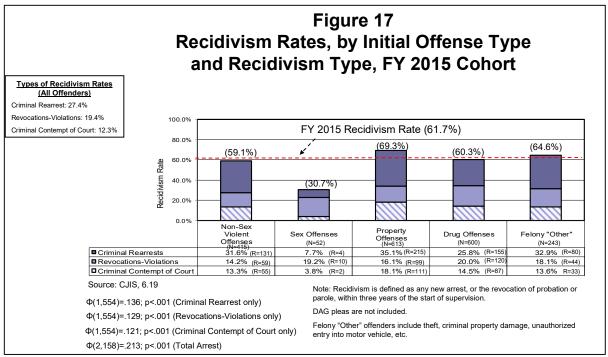


Figure 16 identifies the FY 2015 recidivism rates, by initial offense type. The data show that the differences in recidivism rates, by initial offense type, are statistically significant at the p<.001 level. Offenders initially convicted for misdemeanor and other crimes had the highest recidivism rate (77.4%), while convicted sex offenders had the lowest recidivism rate (30.8%).



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

Figure 17 portrays the FY 2015 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 (69.3%), criminal rearrest rate (35.1%), and criminal contempt of court rate (18.1%).
- Sex offenders had the lowest total recidivism rate (30.7%), criminal rearrest rate (7.7%), and criminal contempt of court rate (3.8%).
- Drug offenders had the highest revocation/violation rate (20.0%).

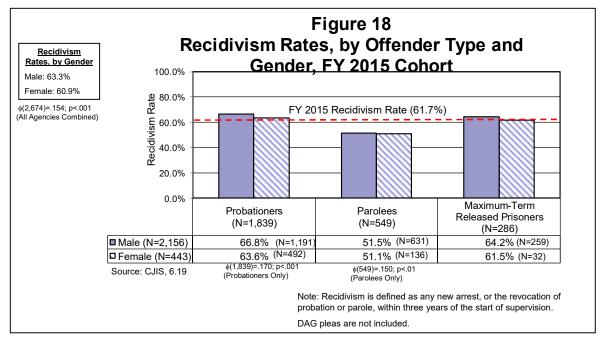


Figure 18 examines the FY 2015 recidivism rates for probationers, parolees, and maximum-term released prisoners, by gender. The overall differences in recidivism rates between males and females (63.3% versus 60.9%, respectively) are statistically significant. This includes statistically significant differences in recidivism rates by gender for probationers, and parolees.

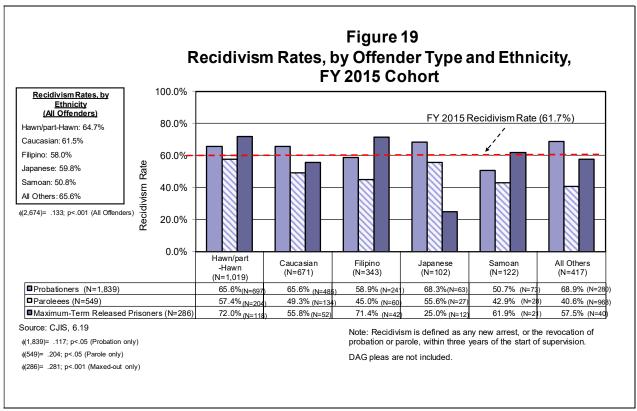


Figure 19 shows the FY 2015 recidivism rates for probationers, parolees, and maximum-term released prisoners, by ethnicity. The differences in recidivism rates between ethnic groups are statistically significant, for total offenders, and all offender types. For probationers, All Others had the highest recidivism rate (68.9%), by ethnicities. Hawaiian/part-Hawaiians had the highest parolee recidivism rate (57.4%), and the highest maximum-term released prisoner recidivism rate (72.0%), across all identified ethnic groups.

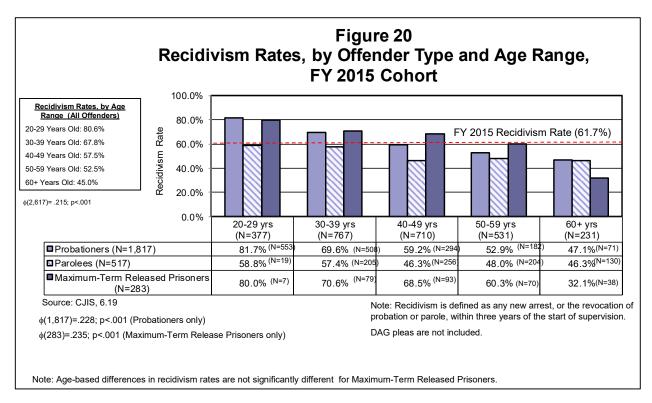


Figure 20 illustrates the FY 2015 recidivism rates for probationers, parolees, and maximum-term released prisoners, by offender age range. The differences in recidivism rates between offender age ranges are statistically significant for total offenders, and for all offender types, except for parolees. With respect to total offenders, regardless of offender type, offenders in the 60+ age group had the lowest recidivism rate (29.3%).

- Probationers in the 60+ years-old age group had the lowest recidivism rate (47.1%)
- Maximum-term released prisoners in the 60+ years-old had the lowest recidivism rate (32.1%).

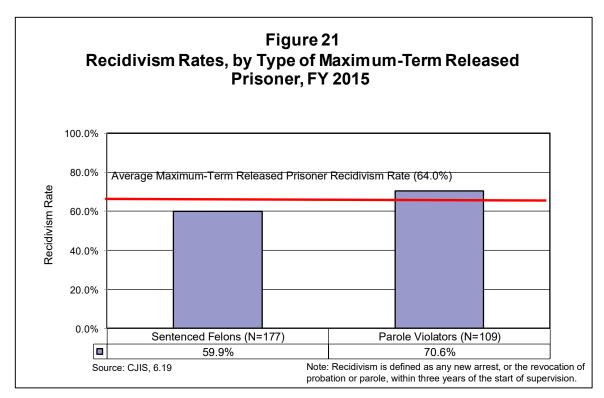


Figure 21 depicts the FY 2015 recidivism rates between the two types of maximum-term released prisoners. Parole Violators (70.6%) recidivated at a higher rate, than Sentenced Felons (59.9%), but the difference is not statistically significant.

Summary

The FY 2015 cohort of probationers and parolees recorded the highest recidivism rate (61.4%) since FY 2006 (Figure 3). This reflects an increase of sixteen-percentage points from the previous (FY 2014) cohort year. The sharp increase in the recidivism rate, as compared to the prior cohort years, is due to both the high probationer recidivism rate (64.7%) and the large number and percentage of probationers (1,839/68.8%) for the current study cohort. The large increase in probationer recidivism is discussed in greater detail below.

Agency Recidivism Rates: The 64.7% recidivism rate for probationers in the FY 2015 cohort is 23.3 percentage points higher than the 41.4% recidivism rate reported for the FY 2014 probationers (Figure 4). The FY 2015 rate reflects a high number of criminal rearrests (596), which accounts for over half of the total recidivism for probationers (Figure 10). The FY 2015 parolee recidivism rate (50.3%) is three percentage points lower than the FY 2014 parolee rate (Figure 5), and includes a large number of revocations-violations (149), which translates to over half of the total recidivism for parolees (Figure 10). The large number of parolee revocations is consistent with the Hawaii Paroling Authority's aggressive response to dealing with technical violations. The recidivism rate (64.0%) for FY 2015 maximum-term released prisoners remained relatively unchanged, with only a 0.6 percentage point decrease from the previous year's rate (Figure 6). As shown in Figure 10, maximum-term released prisoners had the highest criminal rearrest recidivism rate (49.3%) in the entire FY 2015 offender cohort.

The average elapsed time to recidivism for FY 2015 offenders from all agencies was 10.1 months (Figure 14), and roughly half of all offenders recidivated within one year from the date of probation supervision, release to parole, or prison release. Figure 16 shows statistically significant differences in recidivism rates within the various initial offense types, whereby property crime offenders had the highest total recidivism rate (69.3%), while sex offenders had the lowest rate (30.8%). The analysis of offender demographics reveals significantly higher recidivism rates for male offenders as compared to females; for Hawaiian and part-Hawaiian offenders as compared to other racial/ethnic groups; and for 30-39-year-old offenders as compared to other age groups (Figures 18-20). In the analysis of offender disposition status among recidivists from multiple agencies (Figures 7-9), probationers had the highest conviction rates (40%), as compared parolees (19.6%) and maximum-term released prisoners (33.9%).

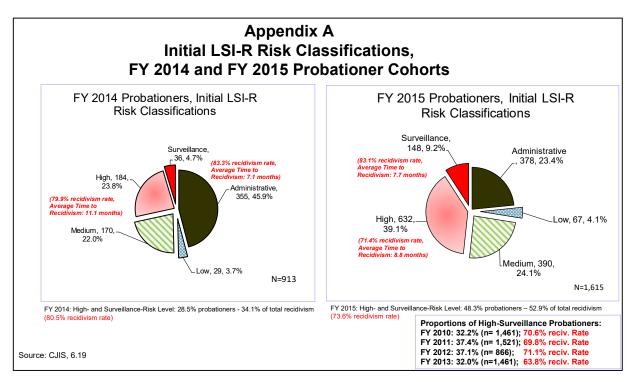
Discussion

The 61.4% recidivism rate for FY 2015 probationers and parolees is only 1.9 percentage points lower than the FY 1999 baseline rate, reflecting a sharp one-year increase and only a 3.0% cumulative reduction in recidivism, as compared to the 1999 baseline, which is far from the overarching goal of reducing recidivism by 30%. Further investigation of the data reveals a large increase (13.4 percentage points) in probation recidivism for the FY 2015 cohort, as compared to the FY 2014 cohort, while parolee recidivism rates declined and remained relatively unchanged for maximum-term released prisoners. While there are no significant sociodemographic differences between the FY 2015 and the FY 2014 cohort groups, the data show a large number and proportion (780, 48.3%) of high- and surveillance-risk level probationers for FY 2015, as compared to previous cohort years. For example, in the FY 2014 pro-

bationer cohort, high- and surveillance-risk level probationers (at the time of their initial LSI-R assessment) accounted for a smaller number and proportion (220, 28.5%) of the total probationers (see Appendix A). By definition, recidivism rates are expected to be higher for offenders who are assessed to be at higher risk for recidivating. Appendix B shows a similar pattern when the data from probationers' most recent (as opposed to initial) LSI-R assessments are examined.

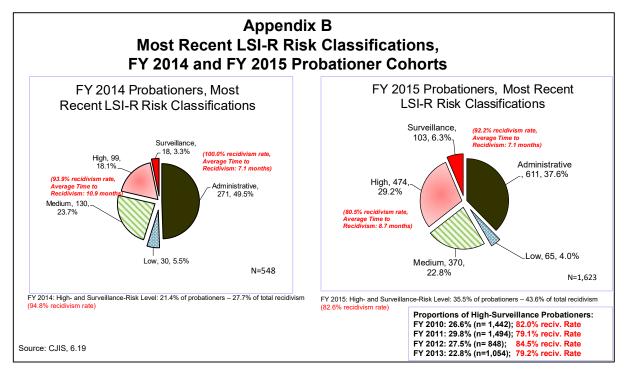
There are considerable extenuating factors that can influence offender-related behaviors that trigger recidivism. Probationers and parolees need regular monitoring, assessment, and supervision due to the considerable external (environmental) and criminogenic factors that contribute to recidivism. ICIS agencies need congruent policies and procedures that are conducive to, and supportive of evidence-based practice (EBP). This includes continued adherence to the Risk, Needs, and Responsivity (RNR) Principles, and ensuring that officers are fully trained and skilled in EBP, such as motivational interviewing, cognitive behavioral treatment, and collaborative case planning. ICIS should also continue in its efforts to assess, monitor, and evaluate contracted offender treatment programs. ICIS should remain confident that adherence to the EBP model adopted over the past fifteen years will result in more effective supervision and treatment services, and eventual reductions in recidivism rates.

2018 Recidivism Update
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In FY 2015, the proportions of probationers at high and surveillance risk levels were at their highest levels, as compared to probationer cohorts from prior years. Based on initial LSI-R assessments, 39.1% and 9.2% of probationers were at the high- and surveillance-risk levels, respectively. Combined, high- and surveillance-risk level probationers represented 48.3% of the total probationers in the FY 2015 cohort, as compared to only 28.5% of the FY 2014 cohort.

- High- and surveillance-risk level probationers in the FY 2015 cohort had a 73.6% average recidivism rate, as compared to an 80.5% recidivism rate for the FY 2014 cohort.
- High- and surveillance-risk level probationers in FY 2015 accounted for over half (52.9%) of the total recidivism for the entire FY 2015 cohort, as compared to roughly one-third (34.1%) of the total recidivism among the FY 2014 cohort.
- High- and surveillance-risk level probationers in FYs 2010-2013 accounted for well under 40% of each cohort's total probationers, as compared to the FY 2015 cohort.



The FY 2015 probationer cohort had the largest number and proportion of probationers at high- and surveillance-risk levels, as compared to previous cohorts. Based on the most recent LSI-R assessments, 29.2% and 6.3% of probationers, respectively, were at high- and surveillance-risk levels. Probationers at these combined risk levels represented 35.5% of the total probationers, as compared to only 21.4% in FY 2014.

- High- and surveillance-risk level probationers in FY 2015 had an 82.6% average recidivism rate, as compared to a 94.8% recidivism rate in FY 2014.
- High- and surveillance-risk level probationers in FY 2015 accounted for 43.6% of the total recidivism, while probationers at these risk levels in FY 2014 accounted for only 27.7% of the total recidivism.