



NH Dept. of Corrections

Study of Recidivism

2010 Cohort

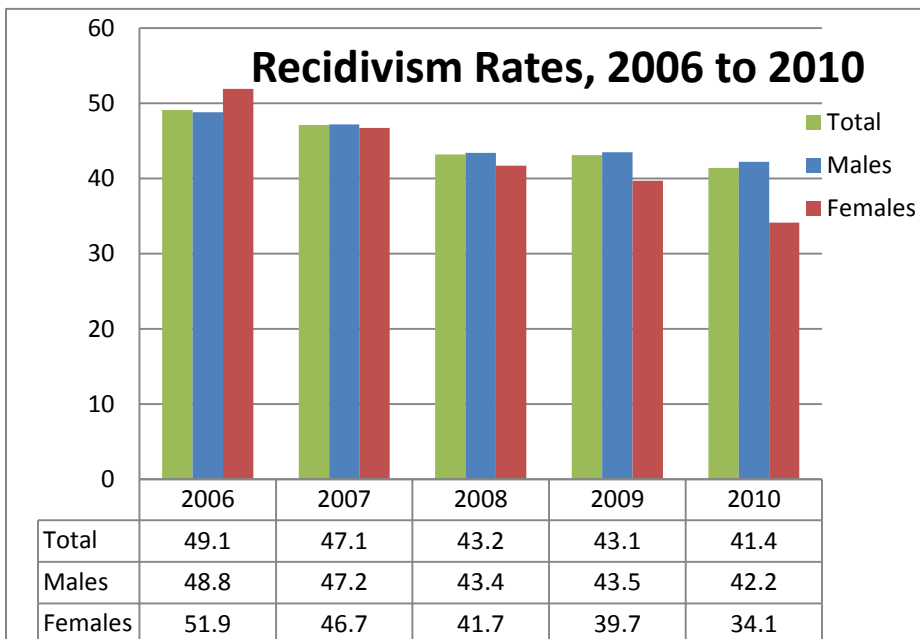
The NH Department of Corrections (NHDOC) conducts annual studies of recidivism to determine the number and percent of offenders who return to prison within three years of their release, and the reasons behind these returns. The most recent study of recidivism tracked offenders released in calendar year 2010, and is referred to here as the 2010 Cohort.

The NH DOC released a total of 1,267 offenders in 2010. Of these, 524 returned to prison within three years of their release, representing a recidivism rate of 41.4%. Of the 1,267 offenders released in 2010, 1,129 (89%) were male and 138 (11%) were females. Of the 1,129 males released, 477 returned to prison within three years of their release, representing a recidivism rate of 42.2%. Of the 138 females released in 2010, 47 returned to prison within three years of their release, representing a recidivism rate of 39.7%. These rates reflect a 3% decline for males over the prior cohort year (2009), and a 14% decline for women over the same cohort year.

Recidivism rates for the 2010 Cohort represent the fifth consecutive year in which recidivism rates have declined statewide. After reaching a high of 49.6% for offenders released in 2005, the statewide recidivism rate has declined 17%, at an average annual rate of four percent per year.

The decline in recidivism rates among male offenders has averaged three percent per year since the 2005 Cohort, resulting in a total decline of 14% between 2005 and 2010 releases. Declines in the rate at which women return to prison over the past five cohort years have been particularly dramatic. After reaching an unprecedented high of 56% among 2005 releases, the recidivism rate for women has declined an average of nine percent a year, with a total decline of 39% between the 2005 and 2010 Cohort years.

Graph 1. Recidivism Rates for the 2006 through 2010 Cohort Years



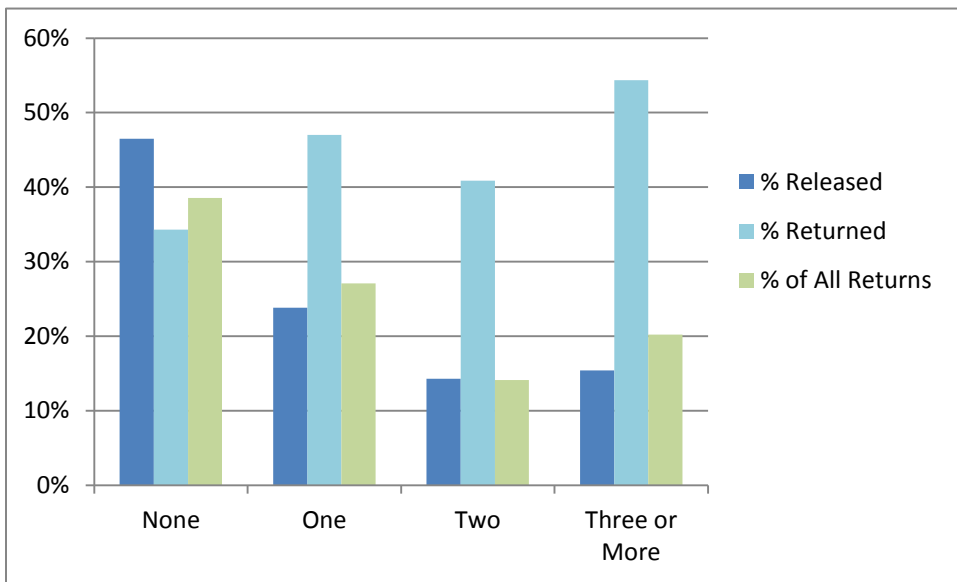
The significant decline in recidivism rates for women released from prison in New Hampshire can be attributed to a steady return to traditionally lower recidivism rates for females following two consecutive years in which the recidivism rate for female offenders experienced recidivism rates that exceeded 50%. Prior to the 2005 cohort year, female recidivism rates had not exceeded 40% since the state began tracking recidivism rates, starting with releases in 2001.

A. Recidivism Rates by Number of Previous Prison Incarcerations

One of the strongest predictors of recidivism is the number of prior incarcerations, with the likelihood that an offender will return to prison increasing with each incident of incarceration. The fewer the number of times an offender has been incarcerated, the less likely the offender is to return to prison.

Offenders with no previous prison incarcerations in New Hampshire had the lowest recidivism rate by number of previous incarcerations, at 34.3%. Males with no prior incarcerations had a recidivism rate of 35.3%, and females with no prior incarcerations had a recidivism rate of 27.8%. However, as the largest single group of offenders released in 2010 (46.5%), with a recidivism rate of 34.3% these recidivists accounted for almost forty percent of all returns. Offenders released in 2010 who had only one prior incarceration had a recidivism rate of 47%, representing 24% of all prison releases and 27% of all returns.

Graph 2. Releases and Returns by Number of Previous Incarcerations



Previous Incarcerations	Released		Returned		% of All Returns
	#	%	#	%	
None	589	46.5%	202	34.3%	38.5%
One	302	23.8%	142	47.0%	27.1%
Two	181	14.3%	74	40.9%	14.1%
Three or More	195	15.4%	106	54.4%	20.2%
Total	1267	100%	524	41.4%	100.0%

Recidivism rates were the second lowest for offenders with two previous incarcerations, at 40.9%. With a recidivism rate comparable to the overall recidivism rate, this group represented approximately 14% of all releases and 14% of all returns. The highest rate of recidivism by number of previous incarcerations was for offenders with three or more prior incarcerations. While this group represented only 15% of all releases, with a recidivism rate of 54.4%, these recidivists represented 20% of all returns.

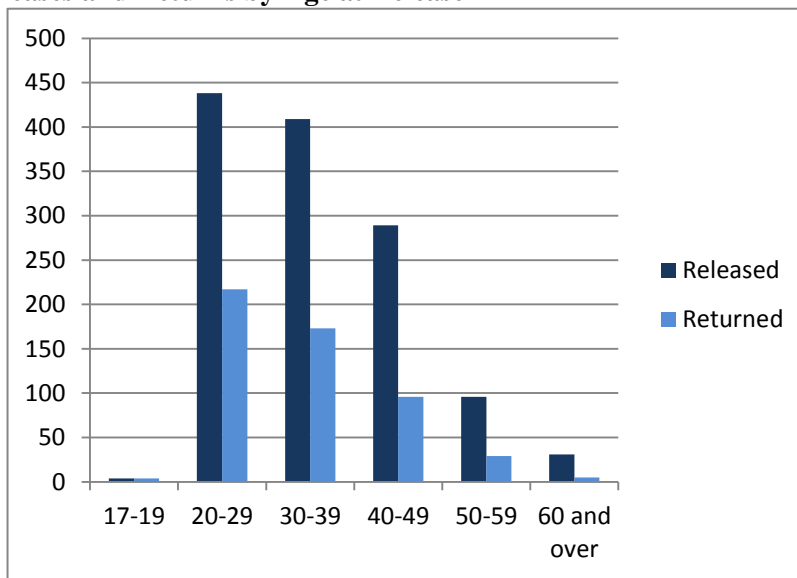
B. Recidivism Rates by Age at Release

The average age for offenders released in 2010 was 35½ years of age, with no significant difference between males and females. Releases from prison are heavily weighted toward being a younger population than the prison population in general. Seventy-five percent of offenders released in 2010 were 43 years of age or younger, and 90% were 49 years of age, or younger.

The age at which an offender is released from prison is one of the factors associated with the likelihood they will return to prison. Recidivism rates are predictably higher for younger offenders, with return rates declining steadily with each progressively older cohort group.

The group with the highest rate of recidivism by age at release was offenders age 17-19 at the time of their release, at 100%. However, this age group consisted of only 4 individuals, representing less than one percent of all releases. With a recidivism rate of 50%, offenders in their 20's at the time of their release had the second highest rate of recidivism by age cohort. These offenders represented 35% of all releases in 2010, but over 40% of all returns. The group with the next highest rate of recidivism, at 42%, was for offenders in their 30's at the time of their release.

Graph 3. Releases and Returns by Age at Release



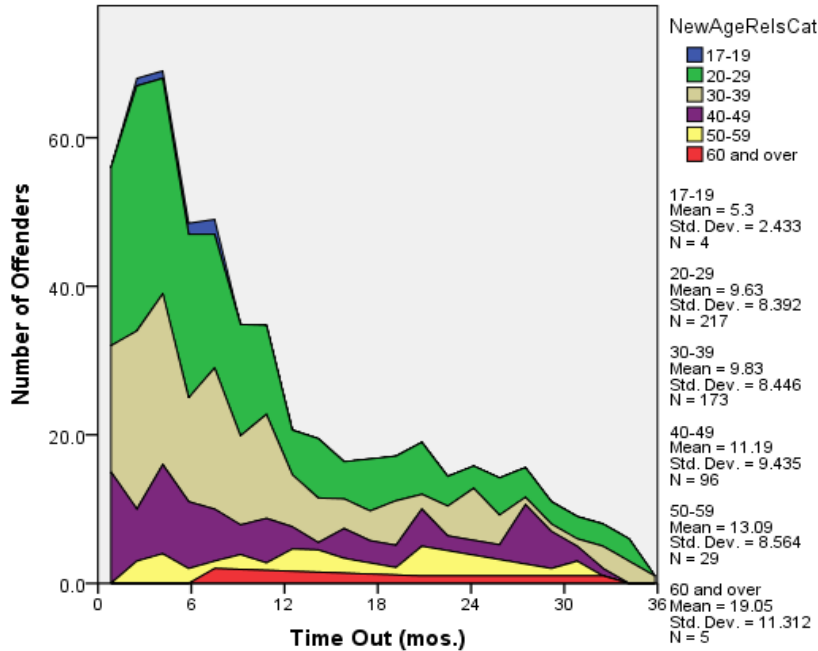
Age at Release	Released		Returned		% of All Returns
	#	%	#	%	
17-19	4	0.3%	4	100.0%	< 1 %
20-29	438	34.6%	217	49.5%	41.4%
30-39	409	32.3%	173	42.3%	33.0%
40-49	289	22.8%	96	33.2%	18.3%
50-59	96	7.6%	29	30.2%	5.5%
60 and over	31	2.4%	5	16.1%	1.0%
Total	1267	100%	524	41.4%	100%

Overall, recidivism rates declined an average of 8 points (23%) for every additional decade of age at the time of release, with the recidivism dropping to a low of 16% for offenders 60 years of age and older at the time of their release.

C. Time Out Before Return

An offender’s age at the time of their release is not only associated with the likelihood the offender will return to prison, but also with the amount of time they spend in the community before returning to prison. As the graph and table below illustrate, younger offenders that return to prison spend less time in the community before returning to prison than their older peers, with the average amount of time spent in the community increasing with each elder age cohort group.

Graph 4. Timeout Before Return to Prison, by Age Category



Overall, 50% of recidivists return within 7.4 months of their release, 50% of recidivists in their 20s return in less than 7 months, and 50% of recidivists in their 50s return within a year. Seventy-five percent of all recidivists released in 2010 returned to prison within 15.2 months of their release, and a full 90% of recidivists returned within just over two years. These data suggest the likelihood an offender will return to prison decreases as the amount of time they spend in the community after their release increases.

Table 2. Length of Time Spent in the Community (in months), by Percentage of Returns

Age at Release	Number	Months Spent in the Community, by Percent of all Returns			
		25%	50%	75%	90%
17-19	4	3.0	5.3	7.6	
20-25	217	3.0	6.7	14.4	23.3
30-39	173	3.4	7.4	13.1	23.5
40-49	96	3.6	7.8	19.2	27.1
50-59	29	5.4	12.0	19.8	29.7
60 or Over	5	7.6	21.0	29.6	
All Recidivists	524	3.5	7.4	15.2	24.4

D. Releases and Returns by Crime Type

The crimes for which inmates are sentenced to prison fall into one of the four broad categories of violent crimes, property crimes, drug or alcohol related crimes, and crimes of public order¹. The majority of offenders released in 2010 (64%) had been convicted of crimes across two or more crime categories. Nineteen percent had convictions across three crime categories, and six percent had been convicted of crimes in all four crime categories.

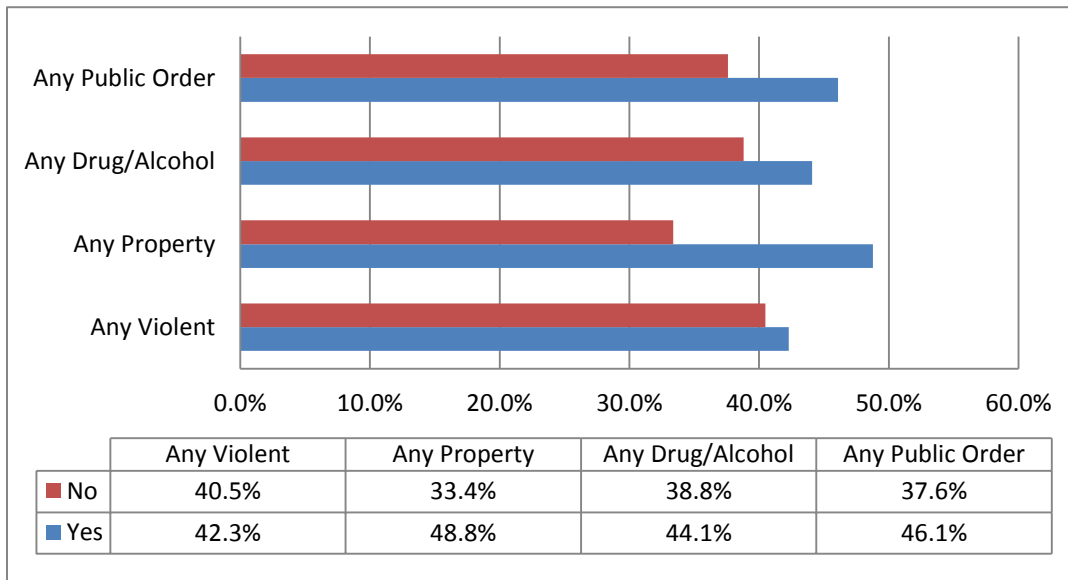
Tables 3 and 4. Distribution of Offenders by Crime Category, and Multiple Crime Type Convictions

Crime Type Convictions	Number of Offenders*	Percent of Population*	Recidivism Rate	Number of Different Crime Type Convictions			Recidivism Rate
Any Violent	610	48%	42.3%	One	454	35.8%	31.7%
Any Property	656	52%	48.8%	Two	494	39.0%	42.5%
Any Drug / Alcohol	610	48%	44.1%	Three	244	19.3%	51.6%
Any Public Order	564	45%	46.1%	Four	75	5.9%	58.7%
				Total	1,267	100%	41.4%

* Columns do not total 1,267 or 100%, due to duplicate counts.

The type of crime and number of different crime types for which offenders are convicted influences the likelihood an offender will return to prison. Offenders with one or more property crime convictions had the highest overall recidivism rate, at 48.8%, followed by those with one or more crimes of public order, at 45.3%.

Graph 5. Recidivism Rates by Crime Type Categories



Having one or more property crime convictions has the highest predictive value among all crime categories. Offenders with one or more property crime convictions were 46% more likely to return to prison than offenders with no property crime convictions (48.8% vs. 33.4%). The crime category with the least predictive value is violent crimes. The recidivism rate for those with violent crime convictions had a recidivism rate of 42.3%, while those with no violent

¹ Public order crimes include crimes such as resisting arrest, providing false information to police, witness tampering, being a habitual offender, felon in possession of a weapon, and failure to register as a sex offender.

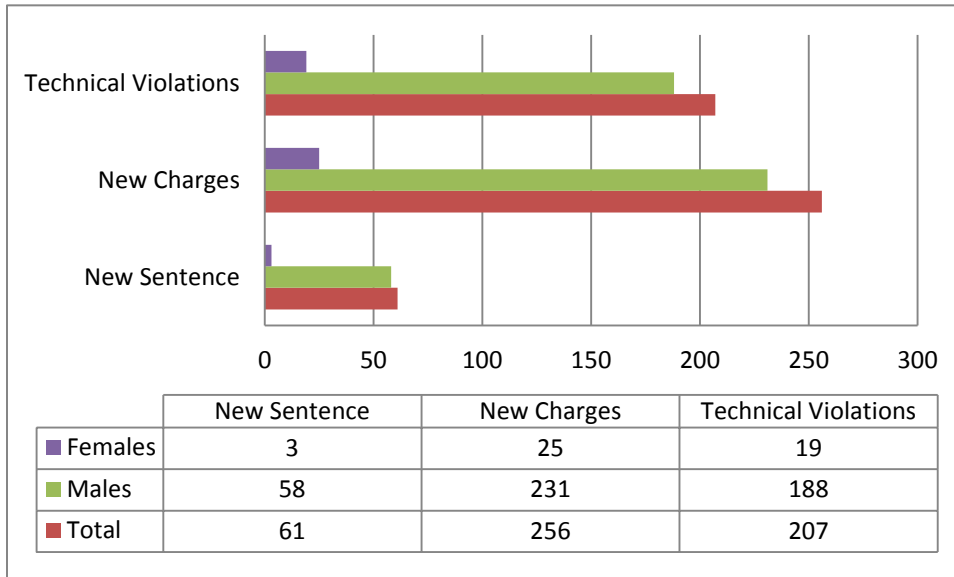
crime convictions had a recidivism rate of 40.5%, a difference of only 4.5%. The second most influential crime category was having one or more convictions for a crime of public order. Offenders with one or more convictions of a crime of public order were 20% more likely to return to prison than offenders with no public order crime convictions (45.3% vs. 37.8%). Whether or not an offender had one or more convictions for a drug or alcohol (DA) related crime had the third most predictive value. Offenders with one or more DA related crime had a recidivism rate of 44.1% compared to 38.8% for those with no convictions for a DA related ~ a difference of 14%.

With regard to the number of different types of crime, recidivism rates were the lowest for offenders with convictions in only one crime type category, at 31.7%, and the highest for offenders with convictions in all four crime type categories, at 58.7%. Recidivism rates for offenders with crimes in two crime categories had a recidivism rate 34% greater than those with convictions in only one crime category (31.7% vs. 42.5%). On average, each additional category of crime type for which an offender is convicted increased an offender’s chance of returning to prison by 23%.

E. Reasons for Return to Prison

There are three reasons an offender is returned to prison. The first is for a new sentence, the second is for a parole revocation due to an arrest on new charges, and the third is a probation or parole revocation for violating the terms of community supervision (referred to as ‘technical violations’). Of the 1,267 offenders released in 2010, 61 (4.8%) returned to prison on a new sentence, 256 (20.2%) returned as the result of an arrest on a new charges, and 207 (16.3%) returned due to technical violations.

Graph 4. Distribution of Returns to Prison, by Reason for Return



1. Returns to Prison for New Sentences or an Arrest on New Charges

Of the 61 offenders returned to prison on a new sentence, 40 (34%) were convicted on more than one crime. Twenty-one percent were convicted of a violent crime, 46% were convicted of property crime, 33% were convicted of a drug or alcohol related crime, and 21% were convicted of a crime of public order.

Of the 256 offenders that returned for an arrest on new charges, 63% were arrested on more than one charge. A total of 74 (29%) were arrested for a Violent crime, 75 (29%) were arrested for a Property crime, 69 (27%) were arrested for a Drug or Alcohol Related crime, and 123 (48%) were arrested for one or more crimes of Public Order. Ninety-six (38%) of these offenders were eventually convicted of one or more of the charges for which they were arrested, resulting in a total of 119 new sentences.

Over half of the Violent crimes for which offenders were arrested were for assault, 27% of which were domestic violence related. Charges for other violent crimes included kidnapping, sexual assault, robbery and criminal threatening. Of the 74 offenders arrested on new charges for violent crimes, 11 (15%) received a new sentence.

A total of 75 offenders were returned to prison on one or more new charges associated with property crimes. Almost 90% of these charges were confined to burglary, theft or receiving stolen property. Of the 75 offenders arrested on new property crime charges, over half (53%) received a new sentence.

Arrests for drug or alcohol related crimes represented 20% of all crimes for which offenders returning on new charges were arrested. Of the 70 offenders returned to prison on new drug and/or alcohol related charges, 31% were convicted and received a new sentence as a result of new charges. The majority (85%) of these new sentences were for drug possession.

A total of 122 offenders (48%) returned to prison on new charges had been arrested for one or more crimes of public order. These crimes ranged from disobeying a police officer, criminal mischief, driving after suspension, and resisting arrest to felon in possession of a firearm or failure to register as a sex offender. Almost 30% of these new charges for public order crimes were motor vehicle related, while approximately 25% were related to failure to cooperate with law enforcement. A total of 44 offenders (36%) of the 122 offenders arrested for a crime of public order received a new sentence.

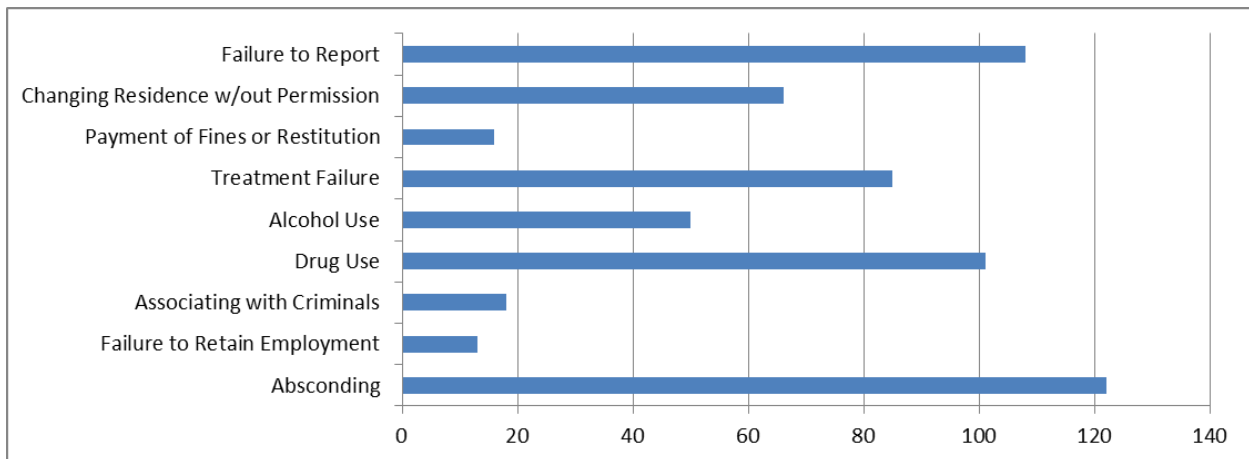
Of the 256 offenders returned to prison due to an arrest on new charges, 184 (72%) offenders were also cited for technical violations related to the terms of community supervision. Of those cited with one or more technical violations, 56% were cited for failing to report, moving without permission, or absconding from supervision. Illegal drug use, prohibited use of alcohol or treatment failure were cited in 75% of all cases of offenders returning to prison on a technical violations in addition to an arrest on new charges. A total of 43% were cited for illegal drug use, 22% were cited for alcohol use, and another 14% were cited for failure to complete drug and alcohol treatment. A total of 14% were cited for associating with criminals, 15% were cited for failing to notify their Probation or Parole Officer (PPO) of contact with another law enforcement authority, and an additional 7% percent were cited for failure to pay restitution or other fees. Six percent were cited for failure to obtain employment, or remain employed.

2. Returns to Prison for Technical Violations

The majority of offenders released from prison each year are released to probation or parole supervision². Offenders who violate the rules/conditions associated with probation or parole supervision may have their probation or parole status revoked, resulting in their return to prison.

Of the 1,267 offenders released in 2010, 207 (16.3%) returned to prison on technical violations. Forty-four percent of offenders returned to prison on technical violations had three or more rule violations cited as reason for their return.

Graph 5. Returns to Prison, by Technical Violation



The reason most frequently cited for revoking an offender's probation or parole is failure to report for supervision, moving without permission, or absconding from supervision. This reason was cited in 59% of all cases in which an offender was returned for technical violations. The second most commonly cited violation is illegal drug use, which

² Of the 1,267 released from prison in 2010, 1,091 (86%) were released to probation or parole supervision in the community.

was cited in 49% of all cases. In 11% of these cases, the offender was cited for repeated drug use, including testing positive for illegal drugs use on multiple occasions.

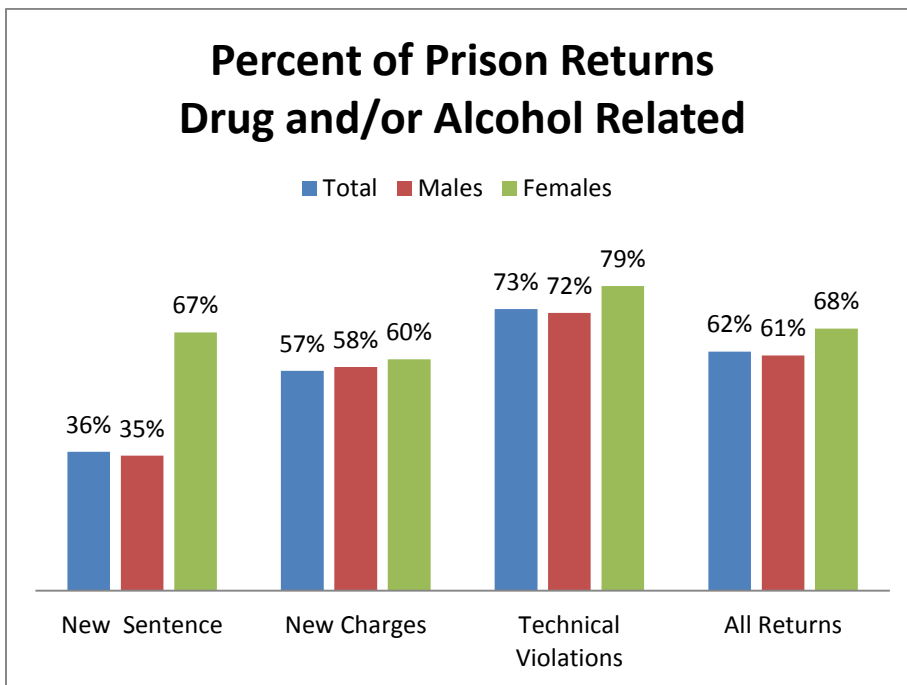
A total of 65% of offenders returned on technical violations were cited for violating one or more “special conditions” attached to conditions for remaining in the community. Of the 135 offenders cited with violating one or more of these special conditions, 37% were cited for prohibited alcohol use, 46% were cited for drug and alcohol (DA) treatment failure, 6% were cited for failure to participate in mental health treatment, and 13% were cited failure to participate successfully in sex offender treatment in the community. Taken together, violations associated with failure to successfully participate in drug and alcohol treatment in the community and prohibited use of alcohol accounted for 75% of all special conditions violations.

3. Prevalence of Returns to Prison that are Drug and/or Alcohol Related

Illegal drug and alcohol abuse was associated with 62% of all returns to prison for the 2010 cohort of prison releases. Of those returning to prison on a new sentence, 34% returned on new convictions for a drug or alcohol related crime ~ primarily drug sale and possession.

Among those returned to prison for an arrest on new charges, 55% had at least one prior conviction for a drug or alcohol related crime, and 27% were arrested on at least one drug or alcohol related charge. Among new charges that were accompanied by technical violations, 60% of these returns were drug or alcohol related. Among returns to prison for technical violations, drug or alcohol use or treatment failure in the community were cited in 73% of all returns.

Graph 6. Percent of Prison Returns that were Drug or Alcohol Related



The preponderance of drug and alcohol related issues among offenders released from and returning to prison is even greater for females than it is for males. While female offenders were half as likely to return to prison on a new sentence (2.2% vs. 5.1%), females were twice as likely to return to prison on a new sentence that was drug or alcohol related than were males returning on a new sentence (60% vs. 31%).

Females were only slightly less likely to return to prison on new charges (18% vs. 21%), but were 3% more likely to be cited for drug or alcohol crimes or DA related technical violations than were males returning on new charges. Similarly, female offenders were less likely than males to return to prison on technical violations (14% vs. 17%), but were almost 10% more likely to return for violations related to drugs and alcohol (71% vs. 69%) than were male offenders.

SUMMARY FINDINGS

In summary, the 2010 prison release cohort represents the fifth consecutive year for which prison recidivism rates declined in New Hampshire. Overall, the prison recidivism rate has fallen 14% between releases in 2005 and releases in 2010, from 49.6% to 41.4%. Male offenders comprise approximately 90% of offenders released each year, so statewide recidivism rates largely driven by recidivism rates for males.

The recidivism rate for female offenders declined an average of nine percent per year between releases in 2005 and 2010, for a total decline of 39%, falling to 34.1% ~ the lowest recidivism rate on record since the first study was conducted on prison releases in 2001. Female offenders experienced a 14% decline over the previous cohort year, from a recidivism rate of 39.7% to a recidivism rate of 34.1%. The recidivism rate for male offenders declined three percent from 2009 to 2010, from 43.5% to 42.2%.

Younger offenders return more quickly and at higher rates than older offenders. Offenders in their 20s at the time of their release continue to be the single largest group of offenders released from prison each year. With a recidivism rate of almost 50%, these offenders also represent the largest number and percentage of offenders returning to prison each year. Young offenders that recidivate also spend, on average, less time in the community prior to their return than older offenders that recidivate. Among recidivists in their 20s at the time of their release, 50% have returned to prison less than seven months after their release, compared to 9 months for offenders 40 years of age or older.

Offenders convicted of property crimes have higher recidivism rates than offenders convicted of other crimes, with an overall recidivism rate of 49%. The second highest rate of recidivism is for offenders convicted of a crime of public order, at 45%. Offenders convicted of a violent crime had the lowest recidivism rate, by crime types, at 42.3%. Having convictions for crimes in more than one crime category type increases the likelihood an offender will recidivate. Offenders with convictions in only one crime type category had a recidivism rate of 32%, whereas offenders with convictions across all four types of crime had a recidivism rate of 59%.

Approximately five percent of offenders released in 2010 returned to prison on a new sentence, while 20% returned for an arrest on new charges and 16% returned on technical violations. The majority of offenders (46%) returning to prison on a new sentence were returning on new property crime convictions, and about one third were returning for new drug or alcohol (DA) related crimes. About half (48%) of offenders returning to prison for an arrest on new charges had been charged with one or more crimes of public order. Remaining new charges were about equally split between violent, property and drug or alcohol related crimes. Technical violations in addition to new charges resulted in approximately 55% of returns that were DA related. Drug or alcohol use or failure to participate in DA treatment in the community was cited in over 70% of all returns to prison for technical violations. The second largest set of technical violations, which was attributed to 59% of returns for technical violations, was for failure to report for supervision, changing residence without permission, or absconding from supervision.

In total, drug and alcohol (DA) crimes, or DA related behaviors were cited in 61.5% of all prison returns. While female offenders were 20% less likely to return to prison than males, they were 12% more likely than males to return to prison on a new sentence, new charges or technical violations that were DA related. When combined as a single factor, having had one or more prior DA crime convictions, having a DA related new sentence or a DA related new charge, or having returned to prison on one or more DA related technical violations, a total of 90.5% of all offenders released in 2010 could be identified as being incarcerated for one or more DA related issue regardless of their recidivism status.