Justice Center provides practical, nonpartisan advice informed by the best available evidence.
A data-driven approach to reduce corrections spending and reinvest savings in strategies that can decrease recidivism and increase public safety

The Justice Reinvestment Initiative is supported by funding from the U.S. Department of Justice’s Bureau of Justice Assistance (BJA) and The Pew Charitable Trusts
Massachusetts Justice Reinvestment Timeline

Overview of project timelines, establishment of scope

SENTENCING ANALYSIS understanding how sentencing policies and practices affect diversion, incarceration, and supervision

RECIDIVISM ANALYSIS understanding pretrial decision making, incarcerated populations, programming within HOC institutions, and contributors to recidivism

CLASSIFICATION AND PAROLE understanding programming within DOC institutions, impact of classification on access and release, and the dynamics of parole releases and supervision

PROBATION AND COMMUNITY SERVICES understanding probation supervision, the revocation process, accountability structures, and assessing access to programming and treatment in the community
Recap of April Presentation

A small group of people are responsible for the majority of criminal justice activity in the commonwealth, and there are opportunities to better identify these people and prioritize the appropriate system responses, including supports, services, and treatment.

1. People with previous justice system involvement are responsible for three-quarters of new convictions.

2. Motor vehicle and property offenses generate a large volume of sentences to HOC, and over half of these are for short sentences where there is limited opportunity for programming or formal support for these people during incarceration or after release.

3. Sentencing practices impact whether people sentenced to incarceration receive post-release supervision.

CSG Justice Center analysis of 2013 CARI sentencing data.
Topics covered in today’s presentation

<table>
<thead>
<tr>
<th>PRETRIAL</th>
<th>INCLUDED IN RESEARCH ADDENDUM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Snapshot of jail and detainee populations</td>
<td>Trends in jail and detainee populations</td>
</tr>
<tr>
<td>Discussion of release decision making</td>
<td>Demographic analysis of jail and detainee populations</td>
</tr>
<tr>
<td>Analysis of no bail holds</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>INCARCERATED POPULATIONS &amp; RECIDIVISM</th>
<th>INCLUDED IN RESEARCH ADDENDUM</th>
</tr>
</thead>
<tbody>
<tr>
<td>HOC and DOC recidivism rates for re-arraignment, reconviction, and reincarceration</td>
<td>Snapshot and trend information for HOC and DOC populations</td>
</tr>
<tr>
<td>HOC recidivism rates by age and risk level</td>
<td>Mandatory incarceration sentences among DOC populations</td>
</tr>
<tr>
<td>Programming “best practices” and impacts on recidivism</td>
<td>Demographic analysis of incarcerated populations</td>
</tr>
<tr>
<td>Impact of post-release supervision on HOC and DOC recidivism</td>
<td>Follow-up analysis on CWOF outcomes</td>
</tr>
<tr>
<td>Impact of DOC classification on recidivism</td>
<td></td>
</tr>
</tbody>
</table>
Definitions used in this presentation

**County Jail Population**—Individuals held in county facilities who are either awaiting trial, awaiting a probation violation hearing, or are on a federal or ICE hold.

**DOC Detainees**—Individuals held apart from the sentenced DOC population, most often females who are awaiting trial or are being held for an alleged probation supervision violation when local HOCs do not have capacity to house female detainees. DOC detainee populations may also include 52As from some counties.

**Recidivism**—A return to criminal justice system involvement for either a new offense or a supervision revocation. This presentation uses three measures of recidivism—re-arraignment, reconviction, and reincarceration.

**HOC Cohort**—A set of individuals serving a county sentence and released to the community from an HOC facility within a given fiscal year.

**DOC Cohort**—A set of individuals serving a state prison sentence and released to the community from a DOC facility within a given fiscal year.

**Re-arraignment Rate**—The most sensitive measure of criminal justice system involvement, this is the percent of a cohort of individuals released from incarceration with a subsequent court arraignment occurring one, two, or three years following release. Includes dismissed cases, Continuing Without a Finding (CWOF) dispositions, or guilty convictions. Re-arraignment is used in this context as a proxy for re-arrest.

**Reconviction Rate**—Percent of a cohort of individuals released from incarceration with a subsequent guilty finding occurring one, two, or three years following release (does not include CWOF dispositions). Both the date of arraignment and date of conviction must occur after the date of release to be considered a reconviction.

**Reincarceration Rate**—Percent of a cohort of individuals released from incarceration subsequently returning to incarceration in a county (HOC) or state (DOC) facility on a new offense or violation of supervision within one, two, or three years of release.

**Supervision** is defined as a form of post-release community oversight of individuals under correctional control and includes probation, community corrections, or parole.
Risk of recidivism, or “risk,” refers to the likelihood that an individual will come into contact with the criminal justice system again.

An individual’s risk level is determined by risk assessment tools that help sort people into low-, medium-, and high-risk groups.

Objective risk assessments have been shown to be more consistently predictive of recidivism risk than professional judgment.

Individual assessors must be carefully trained, and the reliability of risk assessment tools must be routinely validated to ensure accuracy.

For an overview on how risk assessment is used at different criminal justice decision-making points, please see the Risk/Needs Assessment 101 issue brief from The Pew Center on the States: http://www.pewtrusts.org/~media/legacy/uploadedfiles/pcs_assets/2011/pewriskassessmentbriefpdf.pdf
While individuals detained pretrial are the largest portion of jail populations, there are a number of options considered before incarceration:

1. **Detained In Jail**
2. **Pretrial Probation**
3. **Pretrial Conditions of Release**
4. **Bail/Released on recognizance**
5. **Never booked**

The number of people released from custody and never booked in jail is unknown, but an estimate based on a sample of criminal court filings and jail bookings suggests that between 10 and 20 percent of cases are booked into jail.

**FOCUS OF DATA ANALYSIS**

- Decision point for law enforcement
- Decision point for the courts and/or bail personnel
- Decision point for the courts
- Decision point for the courts
In a sample of counties, 9 out of 10 people held in jail were pretrial or on a probation detainer

COUNTY JAIL POPULATION SNAPSHOT
June 30, 2015 Barnstable, Bristol, Hampden, Middlesex, Plymouth and Suffolk County Jails
N=3,455

- Pretrial Detainees 80%
- Federal Holds 10%
- Other <1%
- Dangerousness Holds 4%
- Parole Holds 2%

<table>
<thead>
<tr>
<th>County</th>
<th>Pretrial Detainees</th>
<th>Probation Detainers</th>
<th>Parole Holds</th>
<th>Federal Holds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barnstable</td>
<td>100%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>N = 169</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bristol</td>
<td>100%</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>N = 584</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hampden</td>
<td>89%</td>
<td>4%</td>
<td>1%</td>
<td>3%</td>
</tr>
<tr>
<td>N = 515</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Middlesex</td>
<td>91%</td>
<td>&lt;1%</td>
<td>8%</td>
<td>0%</td>
</tr>
<tr>
<td>N = 849</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Plymouth</td>
<td>67%</td>
<td>&lt;1%</td>
<td>&lt;1%</td>
<td>32%</td>
</tr>
<tr>
<td>N = 522</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Suffolk</td>
<td>69%</td>
<td>7%</td>
<td>1%</td>
<td>22%</td>
</tr>
<tr>
<td>N = 816</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Parole Holds and Federal Holds may be held in a House of Correction or county jail facility.
CSG Justice Center County Survey, June, 2016; CSG Justice Center analysis of Hampden county jail data.
In sample counties, jail releases stayed an average of nearly 60 days, with much longer stays for individuals eventually sentenced to an HOC.

Over 55 percent of surveyed defense attorneys cited waiting for discovery or forensic results (e.g. drug lab results) as significant contributors to long lengths of time leading up to trial or disposition.¹

Nationally, median number of days from arrest to adjunction is 45 days for detained defendants charged with felonies.²

CSG Justice Center analysis of FY2014 Middlesex, Essex and Hampden county jail data.

1 CSG Justice Center survey of Massachusetts Defense Attorneys, June 2016.

2 BJA [http://www.bjs.gov/content/pub/pdf/prfdsc.pdf](http://www.bjs.gov/content/pub/pdf/prfdsc.pdf); Nationally, median number of days from arrest to adjunction is 45 days for detained defendants charged with felonies.

CSG Justice Center analysis of FY2014 Middlesex, Essex and Hampden county jail data.
In sample counties, nearly half of individuals have bail set, but also have other legal issues that preclude them from being released.

JAIL ADMISSIONS
FY2014 Middlesex, Essex, and Hampden County Jails
N=13,059

13,059 JAIL ADMISSIONS

Middlesex
Essex &
Hampden
Counties

6,258
48%
BAIL SET

6,801
52%
HELD WITHOUT BAIL OR NOT BAILABLE*

2,419
39%
RELEASED ON BAIL

3,839
61%
NOT RELEASED ON BAIL

Individuals may have bail set on one charge but simultaneously have an outstanding warrant or other charge that is not bail eligible.

*A person who is not bailable could have been revoked on bail, held on a probation detainer or have outstanding warrants.
CSG Justice Center analysis of FY 2014 Middlesex, Essex and Hampden county jail data.
In a sample county, jail admissions held without bail were primarily the result of bail revocations, probation violations, and outstanding warrants.

**Regulations around holding ICE and other federal holds changed in 2014. These numbers have likely declined in subsequent years.**

**The “Other” category represents instances in which court documents provided to Hampden County had incomplete information on the reason for being held without bail.**

Reasons why people were held without bail were not available in Middlesex and Essex County.

CSG Justice Center analysis of FY2014 Middlesex, Essex and Hampden county jail data.
Jail release decisions are made without the assistance of an objective, research-driven tool.

**DECISIONS TO RELEASE OR DETAIN** are based on an assessment of an individual’s risk of failing to appear, but that assessment is largely subjective and **not data driven**.

**PRETRIAL PROBATION AND CONDITIONS OF RELEASE** are established without the benefit of an objective assessment of the individual’s likelihood of pretrial misconduct, and as a result, supervision and any attached conditions **may not be appropriately targeted or be effective**.

**REASONS FOR DENYING BAIL** are initially **driven by broad categories within state statute** rather than by individual assessment of a person’s risk.

**DETERMINING WHO SHOULD BE CONSIDERED FOR A DANGEROUSNESS HEARING** is up to the discretion of the prosecutor and is **not informed by an individualized, data-driven assessment**.
There are a number of different types of tools that can assist the pretrial decision-making process.

Pretrial risk assessment tools provide guidance on how to weigh individual risk factors to construct a validated, predictive risk score to inform decisions to detain or release.

PRETRIAL RISK ASSESSMENT GOALS VARY BY STATE

Tools generally focus on predicting failure to appear, dangerousness, pretrial misconduct, or a combination of these factors. Common domains considered to construct a risk profile include: pending charges, criminal history, past failure to appear, employment and residence history, and past or current mental health issues and/or substance abuse.

Examples of pretrial risk assessment tools across the country include:


There is overlap in the domains considered in Massachusetts and in pretrial risk assessment tools. However, there is no guidance in statute on how these factors should be weighed or to what extent they are predictive of future behavior.
KEY FINDINGS FROM JAIL AND DOC DETAINEE ANALYSIS

- Decisions to release or detain, bail amounts, conditions of release, pretrial probation, and when to hold a dangerousness hearing are not informed by individualized, objective, research-driven assessments of risk of flight or pretrial misconduct.

- Nearly half of jail admissions in a sample of counties are not eligible for bail or release on recognizance, primarily as a result of bail revocations, outstanding warrants, or probation violations.

- Lengths of stay vary significantly across three sample counties.

- Probation detainers account for less than 10 percent of jail populations in sample counties.
Decisions to release or detain following arrest/arraignment are critical to not only ensure that people who are most at risk of failing to appear, engage in pretrial misconduct, or who pose a danger to the community are detained but also to avoid the expense and collateral consequences of incarcerating people who do not pose such risks.

Do you think an objective, research-driven tool would help or hinder the pretrial decision-making process in Massachusetts?

Aside from a pretrial assessment tool, are there additional resources you think would benefit system efficiency and the protection of public safety?
<table>
<thead>
<tr>
<th>1</th>
<th>JAIL and DOC DETAINEE RELEASE DECISION MAKING</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>RECIDIVISM OVERVIEW</td>
</tr>
<tr>
<td>3</td>
<td>HOC RECIDIVISM</td>
</tr>
<tr>
<td>4</td>
<td>RECIDIVISM and SUPERVISION</td>
</tr>
<tr>
<td>5</td>
<td>SYSTEM CHALLENGES IN REDUCING RECIDIVISM</td>
</tr>
<tr>
<td>6</td>
<td>CASE STUDIES</td>
</tr>
</tbody>
</table>
Overview of data used in recidivism analysis

Houses of Correction (HOC)

HOC data included in this analysis was obtained from the Parole Board’s SPIRIT database and includes information on commitments and commitment closures statewide. This data was combined with parole supervision data, also obtained from the Parole Board, to create a release date. Demographic information was available in the data set, as well as LSCMI risk assessment information for a portion of the population with sentences of at least 60 days.

Department of Correction (DOC)

DOC data included in this analysis was obtained from the DOC database and includes information on admissions, releases, and snapshot populations for criminal, pretrial, and civil commitment cases. The data files were built and extracted by DOC research staff to include sentence and offense information (criminal cases only), admission and release types, length of stay, demographic information, and the court from which the sentence came. COMPAS risk scores for FY2014 releases were also provided by the DOC Reentry and Programs Division.

Criminal Offender Record Information (CORI)

Also known as a Board of Probation record (BOP), this data includes criminal history information. The data includes information on all arraignments, resulting in conviction or otherwise, and included the type of disposition on the case (i.e. dismissal, CWOF, guilty with no incarceration, not guilty, guilty with incarceration). CORI data was obtained from EOPSS using a batch file-matching process. Using an individual’s unique state identifier PCF number, CORI information was obtained on the HOC and DOC releases to be tracked.
Additional background on the parole SPIRIT data used for HOC recidivism analysis

- The parole board’s SPIRIT data is the only statewide data source available for HOC admissions and releases and was therefore used for analysis of HOCs. Without the parole board’s capture of this information in a single, unified data source, analysis of statewide HOC populations would not be possible.

- The parole board’s SPIRIT data should be considered a “proxy” for HOC populations. The data captured in SPIRIT is not entered or maintained by sheriffs’ offices. The database primarily functions through the lens of parole and parole eligibility, not as a case management system for HOC facilities.

- A comparison of single day snapshot population figures using Middlesex, Essex, and Hampden county HOC data sets and the parole board’s SPIRIT data for these counties show that approximately 90% of the population is captured in SPIRIT. A comparison of the number of releases was slightly lower—approximately 85% capture rate.

- Based on information available in SPIRIT, sentences of fewer than 60 days are excluded from length of stay analysis.

- In addition to the Justice Reinvestment project, the parole board’s SPIRIT HOC data, in combination with BOP records from the CORI database, is also used by the DOC in calculating county incarceration for recidivism purposes, which is done on an annual basis.
Three measures of recidivism were analyzed for HOC and DOC populations to provide a system perspective from the minimum threshold of criminal justice involvement to the most serious.

Individuals can fall in multiple categories of recidivism:

- **Re-arraignment only**
  - Arraignment

- **Re-arraignment & Reconviction**
  - Arraignment
  - Conviction

- **Re-arraignment, reconviction, and reincarceration**
  - Arraignment
  - Conviction
  - Incarceration

- **Reincarceration only** (supervision revocation)
  - Incarceration

**EXAMPLES OF RECIDIVISM**

Arraignment includes dismissed cases, Continued Without a Finding (CWOF) dispositions, or guilty convictions. Re-arraignment is used in this context as a proxy for re-arrest, as arrest data is not available in a format that can be analyzed for this type of analysis at this time. The first re-arraignment, reconviction, and reincarceration during the tracking period was selected.
At the beginning of the project, the Justice Center found that few measures of recidivism were regularly tracked or reported.

<table>
<thead>
<tr>
<th>TYPE OF NEW SYSTEM INTERACTION</th>
<th>Pretrial</th>
<th>Probation</th>
<th>Houses of Correction</th>
<th>Department of Correction</th>
<th>Parole</th>
</tr>
</thead>
<tbody>
<tr>
<td>Re-arrest/Arraignment</td>
<td>Information not reported</td>
<td>Tracked internally</td>
<td>Some individual counties tracking and reporting, but no regular statewide tracking or reporting</td>
<td>Information not reported</td>
<td>Re-arrest only reported if it results in a return to incarceration</td>
</tr>
<tr>
<td>Supervision Violation</td>
<td>Information not reported</td>
<td>Tracked internally</td>
<td>Some individual counties tracking and reporting, but no regular statewide tracking or reporting</td>
<td>Reported annually in a published report</td>
<td>Reported annually in a published report</td>
</tr>
<tr>
<td>Re-incarcerated</td>
<td>Information not reported</td>
<td>Tracked internally</td>
<td>Some individual counties tracking and reporting, but no regular statewide tracking or reporting</td>
<td>Previously reported, not as of 2008</td>
<td>Reconviction only reported if it results in a return to incarceration</td>
</tr>
<tr>
<td>Reconviction</td>
<td>Information not reported</td>
<td>Tracked internally</td>
<td>Some individual counties tracking and reporting, but no regular statewide tracking or reporting</td>
<td>Reported annually in a published report</td>
<td>Reported annually in a published report</td>
</tr>
</tbody>
</table>

*Does not include MA’s recent involvement in the Results First Initiative, which produced reconviction rates for HOC, DOC, probation, and parole populations.*
Within three years of release, two-thirds of individuals leaving HOCs and over half of those leaving DOCs had new criminal justice system involvement.

### RECONVICTION OR RE-ARRAIGNMENT IN THREE YEARS

FY2011 DOC and HOC Releases to the Community

N=11,832

<table>
<thead>
<tr>
<th></th>
<th>HOC</th>
<th>DOC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Re-conviction One Year</td>
<td>20%</td>
<td>11%</td>
</tr>
<tr>
<td>Re-conviction Two Year</td>
<td>37%</td>
<td>26%</td>
</tr>
<tr>
<td>Re-conviction Three Year</td>
<td>48%</td>
<td>38%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>HOC</th>
<th>DOC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Re-arraignment One Year</td>
<td>42%</td>
<td>31%</td>
</tr>
<tr>
<td>Re-arraignment Two Year</td>
<td>58%</td>
<td>48%</td>
</tr>
<tr>
<td>Re-arraignment Three Year</td>
<td>66%</td>
<td>57%</td>
</tr>
</tbody>
</table>

*Arraigned cases may be completed or dismissed cases or those not yet disposed.
CSG Justice Center analysis of FY2011-2014 Parole SPIRIT HOC and parole data, as well as CORI data.
People who were reincarcerated tended to return to the type of facility from which they were released.

<table>
<thead>
<tr>
<th>Reincarceration</th>
<th>HOC</th>
<th>DOC</th>
</tr>
</thead>
<tbody>
<tr>
<td>One Year</td>
<td>22%</td>
<td>17%</td>
</tr>
<tr>
<td>Two Year</td>
<td>35%</td>
<td>29%</td>
</tr>
<tr>
<td>Three Year</td>
<td>44%</td>
<td>37%</td>
</tr>
</tbody>
</table>

Of **HOC** releases that were reincarcerated, **92% returned to HOC** while 8% were incarcerated at DOC.

Of **DOC** releases that were reincarcerated, **60% returned to DOC** while 40% were incarcerated at HOC.

CSG Justice Center analysis of FY2011-2014 Parole SPIRIT, DOC, and CORI data.
Reducing recidivism in the HOC population can lead to much larger declines in new convictions than reducing recidivism in the DOC population.

### ACTUAL RECIDIVISM

<table>
<thead>
<tr>
<th>Release Cohort</th>
<th>Individuals Released in FY2011</th>
<th>Three Year Reconviction Rate</th>
<th>Number Reconvicted</th>
</tr>
</thead>
<tbody>
<tr>
<td>HOC</td>
<td>9,409</td>
<td>48%</td>
<td>4,510</td>
</tr>
<tr>
<td>DOC</td>
<td>2,423</td>
<td>38%</td>
<td>915</td>
</tr>
</tbody>
</table>

### SCENARIO WITH A 10% REDUCTION IN RECIDIVISM

<table>
<thead>
<tr>
<th>Release Cohort</th>
<th>Individuals Released in FY2011</th>
<th>Three Year Reconviction Rate</th>
<th>Number Reconvicted</th>
<th>Reduction in Convictions</th>
</tr>
</thead>
<tbody>
<tr>
<td>HOC</td>
<td>9,409</td>
<td>43%</td>
<td>4,045</td>
<td>465</td>
</tr>
<tr>
<td>DOC</td>
<td>2,423</td>
<td>34%</td>
<td>823</td>
<td>92</td>
</tr>
</tbody>
</table>

CSG Justice Center analysis of FY2011-2014 Parole SPIRIT, DOC, and CORI data.

POTENTIAL RECIDIVISM REDUCTION OF HOC VS DOC
People released from HOC recidivate at high rates and are a driver of each year’s admissions back to HOC

<table>
<thead>
<tr>
<th>Category</th>
<th>Percentage</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Return to HOC</td>
<td>39%</td>
<td>3,693</td>
</tr>
<tr>
<td>Reconvicted, reincarcerated</td>
<td>48%</td>
<td>4,510</td>
</tr>
<tr>
<td>Reincarcerated</td>
<td>44%</td>
<td>4,095</td>
</tr>
<tr>
<td>Admitted to DOC</td>
<td>5%</td>
<td>402</td>
</tr>
<tr>
<td>Did not return</td>
<td>56%</td>
<td></td>
</tr>
</tbody>
</table>

HOC INCARCERATION

< 3 YEARS

CSG Justice Center analysis of FY2011-2014 Parole SPIRIT HOC, DOC, and CORI data.
60 percent of HOC releases had 5 or more prior convictions; people with more extensive criminal history were more likely to recidivate.

<table>
<thead>
<tr>
<th>Prior Convictions</th>
<th>FY2011 Releases</th>
<th>N=9,409</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 or 1</td>
<td>29%</td>
<td>1,522</td>
</tr>
<tr>
<td>2 to 4</td>
<td>31%</td>
<td>2,227</td>
</tr>
<tr>
<td>5 to 10</td>
<td>24%</td>
<td>2,928</td>
</tr>
<tr>
<td>11 or more</td>
<td>16%</td>
<td>2,732</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Recidivism Rate</th>
<th>FY2011 Releases</th>
<th>N=9,409</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 or 1</td>
<td>27%</td>
<td>416</td>
</tr>
<tr>
<td>2 to 4</td>
<td>42%</td>
<td>924</td>
</tr>
<tr>
<td>5 to 10</td>
<td>51%</td>
<td>1,485</td>
</tr>
<tr>
<td>11 or more</td>
<td>62%</td>
<td>1,686</td>
</tr>
</tbody>
</table>

In this context, "conviction" refers to a charge or set of charges disposed on a single day. CSG Justice Center analysis of FY2011-2014 Parole SPIRIT HOC data and CORI data.
Recidivism rates for 18- to 24-year-olds released from HOC are higher than all other age groups

18- to 24-year-olds had the highest recidivism rates of releases from DOC, but still recidivated less than the same age group released from HOC.

<table>
<thead>
<tr>
<th>Three-Year Re-incarceration</th>
<th>HOC</th>
<th>DOC</th>
</tr>
</thead>
<tbody>
<tr>
<td>18–24 year old</td>
<td>52%</td>
<td>56%</td>
</tr>
<tr>
<td>25–34 year old</td>
<td>47%</td>
<td>40%</td>
</tr>
<tr>
<td>35–44 year old</td>
<td>39%</td>
<td>40%</td>
</tr>
<tr>
<td>45 and older</td>
<td>29%</td>
<td>27%</td>
</tr>
<tr>
<td>Total</td>
<td>44%</td>
<td>38%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Three-Year Reconviction</th>
<th>HOC</th>
<th>DOC</th>
</tr>
</thead>
<tbody>
<tr>
<td>18–24 year old</td>
<td>55%</td>
<td>51%</td>
</tr>
<tr>
<td>25–34 year old</td>
<td>52%</td>
<td>41%</td>
</tr>
<tr>
<td>35–44 year old</td>
<td>45%</td>
<td>36%</td>
</tr>
<tr>
<td>45 and older</td>
<td>34%</td>
<td>26%</td>
</tr>
<tr>
<td>Total</td>
<td>48%</td>
<td>37%</td>
</tr>
</tbody>
</table>

THREE-YEAR RECIDIVISM RATES
FY2011 HOC Releases to the Community
N = 9,409

<table>
<thead>
<tr>
<th>Age Group</th>
<th>HOC</th>
<th>DOC</th>
</tr>
</thead>
<tbody>
<tr>
<td>18-24</td>
<td>76%</td>
<td>70%</td>
</tr>
<tr>
<td>25-34</td>
<td>63%</td>
<td>55%</td>
</tr>
<tr>
<td>35-44</td>
<td>48%</td>
<td>45%</td>
</tr>
<tr>
<td>45+</td>
<td>39%</td>
<td>34%</td>
</tr>
</tbody>
</table>

CSG Justice Center analysis of FY2011-2014 Parole SPIRIT HOC, DOC and CORI data.
Younger people also have longer lengths of stay than other groups, making them the most costly group of recidivists.

**AVERAGE LENGTH OF STAY FOR PAROLE ELIGIBLE HOC RELEASES***

**FY2014 HOC Releases**

**N = 9,087**

<table>
<thead>
<tr>
<th>Age at Commitment</th>
<th>Months</th>
<th>Jail Credit</th>
<th>Time served at HOC</th>
</tr>
</thead>
<tbody>
<tr>
<td>18-24</td>
<td>7.2</td>
<td>9.7 months</td>
<td></td>
</tr>
<tr>
<td>25-34</td>
<td>6.2</td>
<td>8.2 months</td>
<td></td>
</tr>
<tr>
<td>35-44</td>
<td>6.6</td>
<td>8.6 months</td>
<td></td>
</tr>
<tr>
<td>45+</td>
<td>6.8</td>
<td>8.8 months</td>
<td></td>
</tr>
</tbody>
</table>

Overall the average time served in HOC was 6.8 months.

*Sentences of less than 60 days were excluded from the analysis and therefore could be skewing the data towards longer lengths of stay. Based on data obtained from three counties, it is estimated that approximately 5-15% of HOC admissions have a sentence of less than 60 days. Length of stay is measured by the initial period of incarceration from admission to release. Additional time incarcerated following a parole violation is not included.

CSG Justice Center analysis of FY2014 Parole SPIRIT HOC data.
When HOC releases recidivated, their most serious offense was most often a similar offense to their original conviction.

MOST SERIOUS OFFENSE OF CONVICTION IN THREE YEARS FOLLOWING RELEASE
HOC FY2011 Recidivists
N=4,510

- Person: 45%
- Property: 24%
- Drug: 20%
- Other: 11%
- MV: 8%

*6% of HOC records could not be matched to obtain information on offense - Total N = 5,099

Severity of offense was based on offense category and ranked as follows: Person, Property, Drug, MV, Other.

Other includes weapon offenses, trespassing, disorderly conduct and non-violent sex offenses. Non-violent sex offenses are reported under Other and include prostitution, indecent exposure, and sex offender registration violation. Violent sex offenses were included in Person and include sexual assault, indecent assault, rape, and possession of child pornography.

CSG Justice Center analysis of FY2011-2014 Parole SPIRIT HOC data and CORI data.
People convicted of a property offense and released from HOC have the highest recidivism rate

WHAT WE KNOW ABOUT PEOPLE CONVICTED OF PROPERTY OFFENSES

- Property crimes represent a large share of sentences, consuming law enforcement and court resources, and a large volume of HOC admissions.

- They are more likely to have a new arraignment or be reincarcerated, particularly in the first year of release from HOC.

- Property offenders have an average length of stay of 6.8 months at HOC and an additional 2 months of jail time.

- They may have significant criminogenic needs, including substance use and criminal attitudes, that must be addressed to prevent future criminal behavior. For example, among property releases from HOC in 2014 who were assessed, 85% had a history of drug problem indicator,* compared to 73% for all releases.

*LSCMI drug problem indicator includes all illegal drugs and excludes alcohol.

Other includes weapon offenses, trespassing, disorderly conduct and non-violent sex offenses.. Non-violent sex offenses are reported under Other and include prostitution, indecent exposure, and sex offender registration violation. Violent sex offenses were included in Person and include sexual assault, indecent assault, rape, and possession of child pornography.

CSG Justice Center analysis of FY2011-2014 Parole SPIRIT HOC data, CORI data, and DOC data.
There are eight central risk factors for criminal behavior*

<table>
<thead>
<tr>
<th>Risk Factor</th>
<th>Need</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. History of criminal behavior</td>
<td>Build alternative behaviors</td>
</tr>
<tr>
<td>2. Antisocial personality pattern(^1)</td>
<td>Problem-solving skills, anger management</td>
</tr>
<tr>
<td>3. Antisocial cognition(^2)</td>
<td>Develop less risky thinking</td>
</tr>
<tr>
<td>4. Antisocial peers</td>
<td>Reduce association with criminal others</td>
</tr>
<tr>
<td>5. Family and/or marital discord(^3)</td>
<td>Reduce conflict, build positive relationships</td>
</tr>
<tr>
<td>6. Poor school and/or work performance(^4)</td>
<td>Enhance performance, rewards</td>
</tr>
<tr>
<td>7. Few leisure or recreation activities</td>
<td>Enhance outside environment</td>
</tr>
<tr>
<td>8. Substance abuse</td>
<td>Reduce use</td>
</tr>
</tbody>
</table>

\(^1\) p < .001; \(^2\) p < .05; \(^3\) p < .01; \(^4\) p < .05

Most individuals in the criminal justice system have the co-occurrence of multiple risk factors that must be addressed to change behavior

To reduce recidivism, programs must address the multiple need areas that drive criminal behavior.

### Addressing just one need is insufficient to change behavior

Addressing only one criminogenic factor has significantly less of an impact than addressing multiple factors.

### Programs must be based on proven curricula or principles of effective intervention

Evidenced-based practices significantly reduce recidivism, while outdated punitive approaches can increase negative results.

### Programs must have high integrity

Program integrity is how closely a program aligns with best practice standards (fidelity to the model).

HOCs should evaluate existing programming offerings to ensure they adhere to the most current research on recidivism reduction.

HOCs offer 389 recidivism reducing programs that target a variety of needs*

The extent of programming varies by location. Some HOCs offer as few as 10 programs; others offer as many as 70.

DISTRIBUTION OF PROGRAMMING**
March 2016 Massachusetts’ Comprehensive Program Inventory Summary Brief

*Recent programming inventories looked specifically at state-funded programming. Additional programs may be funded at the local level.

**Program inventory includes DOC, parole, and county-based programming. However, HOCs represent over 80 percent of all programming.

In addition to reviewing the HOC program inventory, CSG Justice Center staff also visited several HOCs, observed programming and held conversations with HOC classification staff.
However, only 9 percent of state-funded programs target the four most predictive domains of criminal behavior. 

**PREDICTORS OF CRIMINAL BEHAVIOR**

**Domains**

- Most predictive
  - History of Criminal Behavior
  - Antisocial Attitudes, Values, and Beliefs
  - Antisocial Personality Characteristics
  - Lack of Employment Stability and Educational Achievement
  - Family and/or Marital Stressors
  - Substance Use

- Least predictive
  - Lack of Prosocial Leisure Activities

**PORTION OF PROGRAMMING ADDRESSING PREDICTIVE DOMAINS**

- 9% Cognitive behavioral interventions
- 43% Education, Vocational, Employment
- 16% Substance use

The remaining 32 percent of programs are classified as reentry and miscellaneous.

Changing behavior of those most likely to recidivate is most effective through interventions after release.

**EFFECTIVENESS OF PROGRAMMING OFFERED DURING INCARCERATION**

1. **ASSESSMENT OF RISK & NEEDS**
2. **HIGH-QUALITY, EVIDENCE-BASED PROGRAMS**
3. **ENGAGEMENT**

**POTENTIAL RECIDIVISM REDUCTION**

5–10%

**EFFECTIVENESS OF PROGRAMMING FOLLOWING RELEASE**

1. **ASSESSMENT OF RISK & NEEDS**
2. **HIGH-QUALITY, EVIDENCE-BASED PROGRAMS**
3. **SUPERVISION, INCENTIVES/SANCTIONS, AND ENGAGEMENT**

**POTENTIAL RECIDIVISM REDUCTION**

20–30%

KEY FINDINGS FROM HOC RECIDIVISM ANALYSIS

• HOC releases have a high risk of recidivating and are likely to return to an HOC if reincarcerated.

• Individuals with more prior convictions are more likely to recidivate.

• Over half of 18- to 24-year-olds released from HOCs were both reconvicted and reincarcerated within 3 years.

• HOCs provide a large number of recidivism-reducing programs, but only a small portion of state-funded programs target the most predictive domains of criminal behavior.
HOC populations include high percentages of people with prior criminal justice involvement and half of those released from HOCs return within three years. Short lengths of stay and inconsistent requirements for community supervision complicate delivery of recidivism-reducing supports and services both during and after incarceration.

How do you think HOCs could be better supported to provide more evidence-based programming to inmates?

How could connections to community services be improved to help support successful reentry?
OVERVIEW

1. JAIL and DOC DETAINEE RELEASE DECISION MAKING

2. RECIDIVISM OVERVIEW

3. HOC RECIDIVISM

4. RECIDIVISM and SUPERVISION

5. SYSTEM CHALLENGES IN REDUCING RECIDIVISM

6. CASE STUDIES
Evidence show that focusing resources and effort on higher-risk populations has the largest impact on reducing recidivism.

Assess Population for Risk

Determine Appropriate Supervision Levels

Focus Resources on Higher-risk Populations

<table>
<thead>
<tr>
<th>Risk of Recidivism</th>
<th>Low 10% re-arrested</th>
<th>Moderate 35% re-arrested</th>
<th>High 70% re-arrested</th>
</tr>
</thead>
</table>

Jordan M. Hyatt, JD PhD and Geoffrey C. Barnes, PhD, Evidence Based Practices (EBP) & Workload Analysis: Survey Results, April 2015
Properly identifying the risk and needs of people leaving HOC or DOC incarceration helps appropriately match them to programming.

Risk, need, and responsivity principles work by matching each individual’s risk of recidivism and criminogenic need factors to programs and treatment.

When tailored programs and treatment are combined with community supervision, they can effectively reduce recidivism.

Jordan M. Hyatt, JD PhD and Geoffrey C. Barnes, PhD, Evidence Based Practices (EBP) & Workload Analysis: Survey Results, April 2015
HOC releases on supervision had lower reconviction rates and an overall lower recidivism rate than those not on supervision.

Three-Year Reconviction & Reincarceration Rates
FY2011 HOC Releases to the Community
N = 9,409

<table>
<thead>
<tr>
<th>Supervision status</th>
<th>No Reconviction or Reincarceration</th>
<th>Reconvicted but not incarcerated</th>
<th>Reconvicted and incarcerated</th>
<th>Reincarcerated but not convicted</th>
</tr>
</thead>
<tbody>
<tr>
<td>No Supervision</td>
<td>44%</td>
<td>14%</td>
<td>42%</td>
<td></td>
</tr>
<tr>
<td>Supervision</td>
<td>46%</td>
<td>9%</td>
<td>34%</td>
<td>10%</td>
</tr>
</tbody>
</table>

No Supervision
N = 4,560

Supervision
N = 4,849

Total Reconviction Rate
No Supervision 56%
Supervision 43%

Total Reconviction and/or Reincarceration Rate
No Supervision 56%
Supervision 54%

Supervision includes probation or parole.

CSG Justice Center analysis of FY2011-2014 Parole SPIRIT HOC, CORI, and DOC data.
DOC releases on supervision had lower reconviction rates but an overall higher recidivism rate due to returns to incarceration related to noncriminal supervision violations.

**THREE-YEAR RECONVICTION & REINCARCERATION RATES**
FY2011 DOC Releases to the Community
N = 1,829
*County sentences not included*

- **No Supervision**
  - N = 782
  - NO RECONVICTION OR REINCARCERATION: 55%
  - RECONVICTED BUT NOT INCARCERATED: 15%
  - RECONVICTED AND INCARCERATED: 30%

- **Supervision**
  - N = 1,047
  - NO RECONVICTION OR REINCARCERATION: 50%
  - RECONVICTED BUT NOT INCARCERATED: 5%
  - RECONVICTED AND INCARCERATED: 28%
  - REINCARCERATED BUT NOT CONVICTED: 17%

**TOTAL RECONVICTION RATE**
- No Supervision: 45%
- Supervision: 33%

**TOTAL RECONVICTION AND/OR REINCARCERATION RATE**
- No Supervision: 45%
- Supervision: 50%
High-risk individuals released to supervision from HOCs had lower recidivism rates than high-risk individuals released without supervision.

**ONE-YEAR RECIDIVISM FOR INDIVIDUALS ASSESSED AS HIGH RISK**

FY2014 HOC Releases to the Community

N = 2,001*

<table>
<thead>
<tr>
<th>Supervision</th>
<th>Supervision</th>
<th>No Supervision</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>One-Year Re-arraignment</strong></td>
<td>50%</td>
<td><strong>63%</strong></td>
</tr>
<tr>
<td><strong>One-Year Reconviction</strong></td>
<td>28%</td>
<td>41%</td>
</tr>
<tr>
<td><strong>One-Year Reincarceration</strong></td>
<td>24%</td>
<td>34%</td>
</tr>
</tbody>
</table>

*Includes only individuals with a LSCMI risk level.

Supervision includes probation or parole.

CSG Justice Center analysis of FY2014 Parole SPIRIT HOC and CORI data.
A larger portion of higher-risk individuals are released without supervision* than lower-risk individuals.

### RELEASES BY RISK LEVEL AND SUPERVISION STATUS*

**FY2014 DOC Releases to the Community**  
N = 1,845**

95% of DOC releases had risk information available for analysis.

<table>
<thead>
<tr>
<th>Risk Level</th>
<th>SUPERVISION</th>
<th>NO SUPERVISION</th>
</tr>
</thead>
<tbody>
<tr>
<td>All releases</td>
<td>N = 1,845</td>
<td>34%</td>
</tr>
<tr>
<td>High risk</td>
<td>N = 1,106</td>
<td>37%</td>
</tr>
<tr>
<td>Medium risk</td>
<td>N = 261</td>
<td>31%</td>
</tr>
<tr>
<td>Low risk</td>
<td>N = 478</td>
<td>29%</td>
</tr>
</tbody>
</table>

**Nearly 40% of high-risk individuals leave DOC without supervision**

*Supervision includes probation or parole.  **County sentences not included.

The reason for a high number of HOC records missing risk information is due to the fact that the policy for the Parole Board to conduct risk assessments was implemented starting in October 2013, four months into FY2014.

CSG Justice Center analysis of FY2014 DOC data.

---

### RELEASES BY RISK LEVEL AND SUPERVISION STATUS*

**FY2014 HOC Releases to the Community**  
N = 3,095

47% of HOC releases had risk information available for analysis.

<table>
<thead>
<tr>
<th>Risk Level</th>
<th>SUPERVISION</th>
<th>NO SUPERVISION</th>
</tr>
</thead>
<tbody>
<tr>
<td>All releases</td>
<td>N = 3,095</td>
<td>36%</td>
</tr>
<tr>
<td>High risk</td>
<td>N = 2,001</td>
<td>43%</td>
</tr>
<tr>
<td>Medium risk</td>
<td>N = 889</td>
<td>25%</td>
</tr>
<tr>
<td>Low risk</td>
<td>N = 205</td>
<td>11%</td>
</tr>
</tbody>
</table>
Across all risk levels, those released to supervision from DOCs had lower rates of reconviction than those released without supervision.

**ONE-YEAR RECONVICTION RATE**
FY2014 DOC Releases to the Community
N = 1,801*
County sentences not included

<table>
<thead>
<tr>
<th>Risk Level</th>
<th>Supervision</th>
<th>No Supervision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low Risk</td>
<td>3%</td>
<td>4%</td>
</tr>
<tr>
<td>Medium Risk</td>
<td>5%</td>
<td>10%</td>
</tr>
<tr>
<td>High Risk</td>
<td>12%</td>
<td>18%</td>
</tr>
</tbody>
</table>

2014 was the only year for which risk assessment information was requested and provided.
*First release of the year selected. Approximately 5% of releases did not have risk information.
CSG Justice Center analysis of FY2014-2015 DOC and CORI data.
DOC reconviction rates were substantially higher for releases from maximum security facilities than prerelease facilities

THREE-YEAR RE-ARRAIGNMENT AND RECONVICTION
FY2011 DOC Releases to the Community
N = 1,829
County sentences not included

- Maximum: 70% re-arraignment, 52% reconviction
- Medium: 57% re-arraignment, 39% reconviction
- Minimum: 51% re-arraignment, 31% reconviction
- Pre-Release: 46% re-arraignment, 24% reconviction

CSG Justice Center analysis of FY2011-2014 DOC and CORI data.
The difference in DOC recidivism rates between supervision and no supervision was largest for those released from maximum security.

Three-Year Reconviction Rate
FY2011 DOC Releases to the Community
N = 1,829
County sentences not included

- Supervision
- No Supervision

<table>
<thead>
<tr>
<th>Security Level</th>
<th>N</th>
<th>Supervised</th>
<th>No Supervision</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Security</td>
<td>238</td>
<td>47%</td>
<td>59%</td>
</tr>
<tr>
<td>Medium Security</td>
<td>905</td>
<td>35%</td>
<td>44%</td>
</tr>
<tr>
<td>Minimum Security</td>
<td>379</td>
<td>32%</td>
<td>31%</td>
</tr>
<tr>
<td>Pre-Release</td>
<td>307</td>
<td>21%</td>
<td>31%</td>
</tr>
</tbody>
</table>

CSG Justice Center analysis of FY2011-2014 DOC and CORI data.
A larger portion of recidivists released from maximum or medium security were convicted of person offenses than those released from minimum security or prerelease facility.

**MOST SERIOUS OFFENSE OF RECONVICTION IN 3 YEARS**
FY2011 DOC Recidivists
N = 672

<table>
<thead>
<tr>
<th></th>
<th>Person</th>
<th>Property</th>
<th>Drug</th>
<th>MV</th>
<th>Other</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Security</td>
<td>36%</td>
<td>13%</td>
<td>13%</td>
<td>12%</td>
<td>12%</td>
<td>11%</td>
</tr>
<tr>
<td>Medium Security</td>
<td>33%</td>
<td>26%</td>
<td>19%</td>
<td>13%</td>
<td>10%</td>
<td>11%</td>
</tr>
<tr>
<td>Minimum Security</td>
<td>25%</td>
<td>24%</td>
<td>19%</td>
<td>19%</td>
<td>6%</td>
<td>16%</td>
</tr>
<tr>
<td>Pre-Release</td>
<td>23%</td>
<td>25%</td>
<td>25%</td>
<td>16%</td>
<td>11%</td>
<td>11%</td>
</tr>
</tbody>
</table>

Violent sex offense included in person, weapon included in other.
CSG Justice Center analysis of FY2011-2014 DOC and CORI data.
KEY FINDINGS FROM RECIDIVISM & SUPERVISION ANALYSIS

• Individuals released to supervision after incarceration in a DOC or HOC facility had lower reconviction rates but higher reincarceration rates than individuals without supervision.

• 45 percent of people released from maximum security DOC facilities returned directly to the community without supervision. A larger portion of recidivists released from maximum or medium security were convicted of person offenses than those released from minimum or prerelease security.

• Approximately 40 percent of people leaving both DOC and HOC facilities do not have post-release supervision.
High-risk people are too often released from DOC and HOC facilities without the support of proven recidivism-reduction strategies involving individualized interventions and effective supervision.

How do you think the effectiveness of supervision should be measured?

How can the state better support reentry and reduce recidivism for “frequent fliers” (those most likely to return)?

What barriers are there to consistently providing supervision, supports, and services to high-risk individuals after release?
OVERVIEW

1. JAIL and DOC DETAINEE RELEASE DECISION MAKING
2. RECIDIVISM OVERVIEW
3. HOC RECIDIVISM
4. RECIDIVISM and SUPERVISION
5. SYSTEM CHALLENGES IN REDUCING RECIDIVISM
6. CASE STUDIES
Nearly 20 percent of state prison sentences were ineligible for parole and had no post-release probation.

### 2013 STATE PRISON SENTENCES

<table>
<thead>
<tr>
<th>Category</th>
<th>Total</th>
<th>No And a Day or From &amp; After</th>
<th>From &amp; After</th>
<th>From &amp; After + And a Day</th>
<th>And a Day</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mandatory Sentences N = 603</td>
<td>233</td>
<td>110</td>
<td>89</td>
<td>171</td>
<td>39%</td>
</tr>
<tr>
<td>Non-Mandatory Sentences N = 1,251</td>
<td>387</td>
<td>245</td>
<td>447</td>
<td>172</td>
<td>18% 15% 28%</td>
</tr>
<tr>
<td>Total State Prison Sentences N = 1,854*</td>
<td>620</td>
<td>355</td>
<td>536</td>
<td>343</td>
<td>33% 19% 29% 19%</td>
</tr>
</tbody>
</table>

42% have a sentence range of one year or less

#### Notes

- And a Day: A sentence with the minimum and maximum sentence one day apart.
- From & After: A sentence of post-release probation.
- From & After + And a Day: A sentence of post-release probation as well as min and max one day apart.
- No And a Day or From & After: No sentence of post-release probation and the period between min and max longer than one day.

*45 sentences were for Murder I, representing 2% of all state prison sentences and 7% of mandatory sentences.

CSG Justice Center analysis of 2013 CARI sentencing data.
Few individuals at higher-security facilities were paroled; 45 percent of releases from a maximum security facility were not supervised after release.

SUPERVISION STATUS BY SECURITY LEVEL AT RELEASE
FY2014 DOC Releases to the Community
N = 1,947
County sentences not included

- **Maximum Security**
  - No supervision: 41%
  - Parole supervision: 14%
  - Probation supervision: 45%
  - N = 279

- **Medium Security**
  - No supervision: 43%
  - Parole supervision: 19%
  - Probation supervision: 38%
  - N = 948

- **Minimum Security**
  - No supervision: 25%
  - Parole supervision: 26%
  - Probation supervision: 49%
  - N = 379

- **Prerelease**
  - No supervision: 26%
  - Parole supervision: 25%
  - Probation supervision: 49%
  - N = 341

Over 60% of parole releases are from minimum security or prerelease.

Sentences where the person has both parole and post-release probation are included in the parole category.
CSG Justice Center analysis of FY2014 DOC data.
KEY FINDINGS FROM REVIEWING SYSTEM CHALLENGES

• Sentencing has a significant impact on who does and does not receive post-release supervision, and decisions to require supervision are not based on an individual’s recidivism risk or needs.

• Individuals leaving medium and maximum security facilities account for the lowest proportion of individuals who are paroled and the highest proportion of individuals released without any community supervision.
DISCUSSION

Challenges at both ends of the system prevent risk from being appropriately managed through community supports and supervision.

How do you think plea deals impact who receives supervision and who does not at sentencing?

What do you think could be done at sentencing to improve the targeting of supervision resources? What can be done at the time of release?
Analysis completed by the CSG Justice Center reveals opportunities to **better manage risk** of recidivism for people involved in the criminal justice system. Clearly understanding a person’s recidivism risk (and the factors contributing to that risk) provides the state with the **best opportunity to focus resources** on strategies that effectively reduce future justice system involvement, incarceration, collateral consequences, and the social impacts of additional criminal conduct.

Developing a **statewide strategy** to focus on risk reduction can maximize the state’s use of its criminal justice resources and **improve outcomes** both for people involved in the criminal justice system and for public safety.
OVERVIEW

1. JAIL and DOC DETAINEE RELEASE DECISION MAKING
2. RECIDIVISM OVERVIEW
3. HOC RECIDIVISM
4. RECIDIVISM and SUPERVISION
5. SYSTEM CHALLENGES IN REDUCING RECIDIVISM
6. CASE STUDIES
Hawaii required timely risk assessments of pretrial defendants to inform pretrial detention and release decisions.

West Virginia required that jails conduct a pretrial risk screen within three days of a person’s admission to jail.

Delaware required that results of a pretrial risk assessment to gauge a defendant’s risk of flight and re-arrest be provided to magistrates to inform release decisions and conditions of pretrial release.

For additional information on the justice reinvestment initiatives in Hawaii and West Virginia, please refer to the CSG Justice Center’s website: https://csgjusticecenter.org/jr. For information on the justice reinvestment initiative in Delaware, please refer to the Vera Institute of Justice’s website: http://www.vera.org/project/justice-reinvestment-initiative.
Virginia Case Study

USING A RISK ASSESSMENT TOOL TO INFORM PRETRIAL DECISION MAKING

"The “Virginia Model” was the first research-based statewide pretrial risk assessment in the country. Previously in the state, there was no guidance for making pretrial release recommendations to the court or determining appropriate levels of pretrial supervision”

ADOPTED ASSESSMENT PERFORMS WELL IN PREDICTING OUTCOMES

Of 14,383 cases, 15% experienced failure pending trial

RELEASED DEFENDANTS LESS LIKELY TO EXPERIENCE PRETRIAL FAILURE

1.2 times less likely to experience failure

1.3 times less likely to fail to appear or to experience a new arrest pending trial
Justice Reinvestment States That Have HELPED PROGRAMS FOCUS ON RESEARCH-BASED INTERVENTIONS AND REINVEST IN BEHAVIORAL HEALTH RESOURCES

Pennsylvania required performance-based contracts for providers delivering programs and clinical services.

Idaho created statutory requirements for ongoing program evaluation (CPC), development and adoption of minimum treatment standards, and mandatory risk assessment (ID).

Kansas and West Virginia invested in treatment slots for high-risk, high-need individuals in facilities and in the community.

For additional information on the justice reinvestment initiatives in Pennsylvania, Idaho, Kansas and West Virginia, please refer to the CSG Justice Center’s website: https://csgjusticecenter.org/jr.
Idaho’s Department of Corrections spent millions on programming to reduce recidivism. After state leaders set goals to reduce recidivism, they undertook a six-month review of who got programming, what curricula were being used, and how well the programs were running through on-site observations.

**ANTICIPATED IMPACT OF SYSTEM OVERHAUL**

Redesign an overly complex and ineffective set of program curricula to a more streamlined approach that uses program models based on proven practices to reduce recidivism.

For additional information on the justice reinvestment initiatives in Idaho, please refer to the CSG Justice Center’s website: [https://csgjusticecenter.org/jr](https://csgjusticecenter.org/jr).
Justice Reinvestment States That Have
SHIFTED SUPERVISION RESOURCES TO FOCUS ON
PEOPLE MOST LIKELY TO REOFFEND

Nebraska ensures post-release supervision for most people upon release from prison and supports victims through improved restitution collection.

Alabama provides supervision to every person released from prison and improves notification to victims regarding releases from prison.

North Carolina requires mandatory supervision for everyone convicted of felonies upon release from prison.

For additional information on the justice reinvestment initiatives in Nebraska, Alabama, and North Carolina, please refer to the CSG Justice Center’s website: https://csgjusticecenter.org/jr.
In 2009, Kentucky began requiring **SUPERVISION OF ALL INMATES** upon release from incarceration, with two mandatory reentry supervision groups based on offense and security level.

Inmates released to mandatory reentry supervision were **30 percent** less likely to return to prison for a new crime within one year of release than a comparable cohort before enactment of mandatory supervision policies.

“Mandatory reentry supervision is working in Kentucky. It has been a fiscal success, saving the commonwealth over $1 million per month. But more importantly, it’s been good for public safety by cutting recidivism.”

*Kentucky Representative John Tilley*

Thank You

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To receive monthly updates about all states engaged with justice reinvestment initiatives as well as other CSG Justice Center programs, sign up at: csgjusticecenter.org/subscribe

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