

# Return to Custody Report Three Year Post Release 2010-2016



This document contains key adult correctional data points to assist management and staff in making evidence-based decisions.

Dr. Ryan Thornell, Deputy Commissioner  
Maine Department of Corrections  
25 Tyson Drive  
State House Station 111  
Augusta Maine 04333-0111

March 2020



## Table of Contents

Executive Summary .....	3
Return to Custody Introduction & Definition.....	4
Return to Custody Data Collection .....	4
Return to Custody Rate by Release Year .....	6
Return to Custody by Gender .....	7
Male Release .....	7
Female Release .....	8
Return to Custody by Type of Release.....	9
Probation Release.....	9
Straight Release .....	11
Return to Custody by Custody Level at Release .....	13
Close Custody Release .....	13
Medium Custody Release.....	15
Minimum & Community Custody Release.....	17
Return to Custody Rate Average Comparison by Custody Group .....	19
Return to Custody by Age at Release.....	20
Return to Custody by Risk Assessment.....	22
Return to Custody by Controlling Sentence .....	23
Report Summary .....	24



## Executive Summary

Recidivism is a standard criminal justice term used in various ways to explain the rate at which released offenders return to the prison system. The ability to effectively measure recidivism rates in each state allows state correctional departments to look for ways to keep repeat offenders out of the prison system thus decreasing overall state correctional budgets and increasing public safety. The inherent problem with analyzing recidivism on a national and state level is the fact that differences in definitions and survey methods exist.

Two well-known national reports on recidivism outline these differences; The Pew Charitable Trust (2011) and the U.S. Department of Justice's Bureau of Justice Statistics (BJS) (2002, 2014). The most recent study produced by BJS reported that 49.7% of the released offenders in their observed timeline returned to prison within three years. The Pew Charitable Trust report tracked more states than the BJS study and reported about 40% of released offenders returned to prison within three years.

In this report The Maine Department of Corrections (MDOC) establishes a methodology for calculating "recidivism," including using the phrase "Return to Custody" rather than recidivism. By establishing this methodology for measuring Return to Custody, MDOC can begin to report, analyze, discuss, and design policies to address this problem.

The following pages illustrate and explain the rate at which offenders released in 2010 through 2016 returned to an MDOC facility within three years of release. Overall, the three-year return to custody rate increased from 2010 to 2014 from 24.7% to 30.5%, then decreased to 27.9% in 2016. These changes, along with other key findings, are detailed in this report.



---

## Return to Custody Introduction & Definition

In January 2017, MDOC began designing a process to analyze the rate at which released offenders return to the Department's custody. Prior to 2017, the Department contracted with external providers to measure variations of recidivism on specific populations of offenders. While useful, the process of using an outside vendor to monitor this left the Department limited ability to analyze other factors leading to return to custody.

Establishing a process to monitor and analyze return to custody that is created by the Department is essential in making key policy and practice decisions.

The new process builds off improved data collection, data extraction, and data analysis that allows the Department to analyze baseline return to custody rates. In subsequent years, this process will allow the Department to begin measuring the success of its rehabilitative efforts as they relate to offenders' return to custody, including measurement of the effectiveness of specific programs, treatments, and initiatives. This information will be updated, analyzed and reported annually.

MDOC defines "Return to Custody" as the *release of an offender from an MDOC facility followed by a subsequent return of a released offender to an MDOC facility, with or without a new criminal conviction.*

## Return to Custody Data Collection

The data for this study was developed by the Department using our client management database, known as CORIS. The data sample was a collection of client releases from January 1, 2010 – December 31, 2016. The sample also included a return to custody from January 1, 2010 to December 31, 2019. Clients released from 2010-2016 were tracked for a return to custody three year post-release, through the end of 2019.

The dataset captures two different release scenarios: Probation Release = Facility to Probation, and Straight Release = Facility to Society.



The dataset was configured and audited for integrity and deemed trustworthy. The data points collected and analyzed include:

<b>Data Point</b>	<b>Definition</b>
Type of Release	Probation or Straight Release
MDOC#	Maine’s unique identification number for clients
Gender	Male or Female
Release Date	Date of Release
Return Date	Date of Return to MDOC Facility
Location Released From	MDOC Facility client released from
Location Released To	Identifies a probation office, or state released to
Custody Level Prior to Release	MDOC has four client levels of custody assignments; Close, Medium, Minimum and Community
LSI Score Prior to Release	LSI Score (upon release) is a rating of a client’s criminogenic risk while under MDOC supervision
Release Controlling Offense	Most severe (greatest sentence length) offense the client was serving when released
Return to Custody Controlling Offense	Most severe (greatest sentence length) offense the client was sentenced for upon their return to MDOC custody
Return Month(s)	Number of Months elapsed from when a client was released from an MDOC facility and when they returned to an MDOC facility
Return to Custody Rate (RCR)	Rate at which released clients return to an MDOC facility

The bullets below explain what elements are not included in the Return to Custody dataset:

- Clients on probation who entered an MDOC facility during the 2010-2016 time frame who were never previously incarcerated in an MDOC facility
- DOC releases to probation, who were released to society and then convicted of a new crime but served their sentence in a county jail
- MDOC Releases to Supervised Community Confinement Program (SCCP)
- MDOC Releases to Interstate Active Detainer (IAD), Federal Prison



## Return to Custody Rate by Release Year

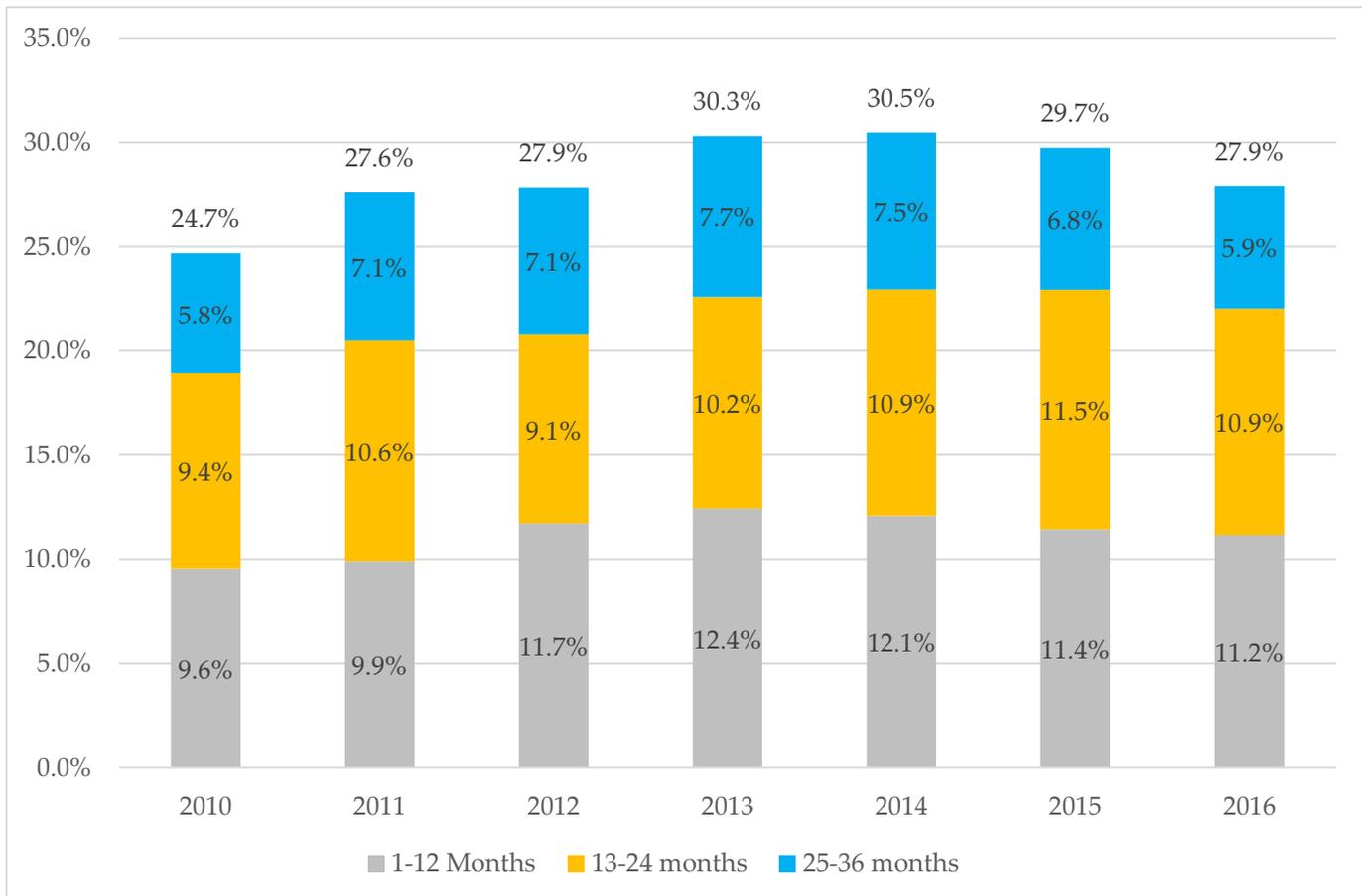
The chart below represents all releases from an MDOC facility between 2010 and 2016, grouped by release year and months until return.

MDOC Three Year Post Release RCR:

- 2010 Release Year – 24.7%
- 2011 Release Year – 27.6%
- 2012 Release Year – 27.9%
- 2013 Release Year – 30.3%
- 2014 Release Year – 30.5%
- 2015 Release Year – 29.7%
- 2016 Release Year – 27.9%

On average 28.4% of the clients released from 2010-2016 returned to an MDOC facility within three years post release.

The highest RCR in the 7 year timeframe occurred with the 2014 releases showing 30.5% returning within three years post release. The MDOC three year post release return to custody has seen a steady decline during the years that followed, bringing 2016 down to 27.9%, the lowest it is has been since 2012.





## Return to Custody by Gender

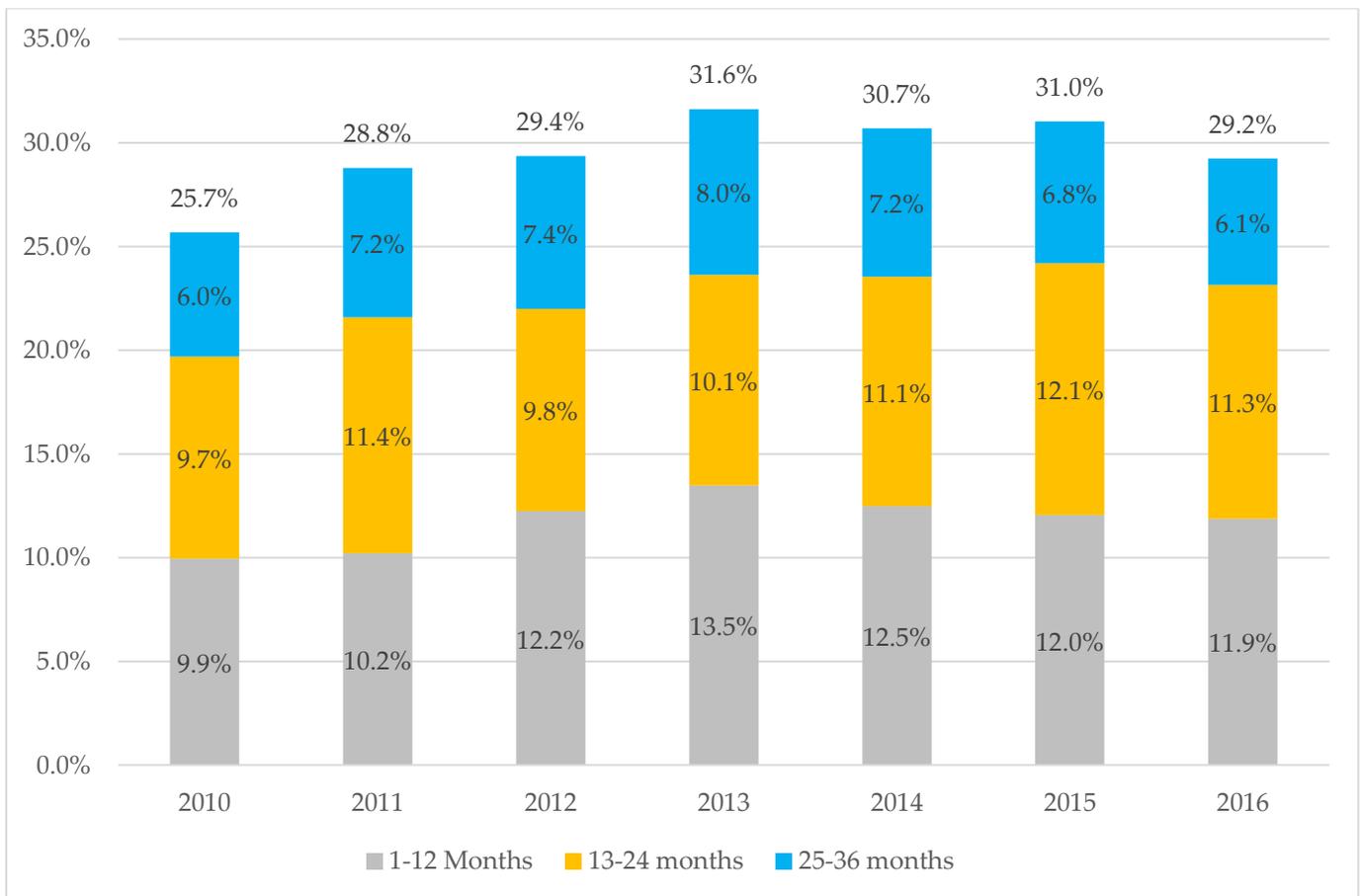
The next several charts represent all releases from an MDOC facility (Probation and Straight Release) between 2010 and 2016, grouped by gender and release year.

### Male Release

MDOC Three Year Post Release RCR:

- 2010 Release Year – 25.7%
- 2011 Release Year – 28.8%
- 2012 Release Year – 29.4%
- 2013 Release Year – 31.6%
- 2014 Release Year – 30.7%
- 2015 Release Year – 31.0%
- 2016 Release Year – 29.2%

On average 29.5% of the male clients released between 2010-2016 returned to an MDOC facility within three years post release. 2013 releases experienced the highest RCR with 31.6% returning within three years post release, and 2010 experienced the lowest RCR with 25.7% returning. The 2016 three year return to custody was 29.2% which is the lowest rate seen since 2011.



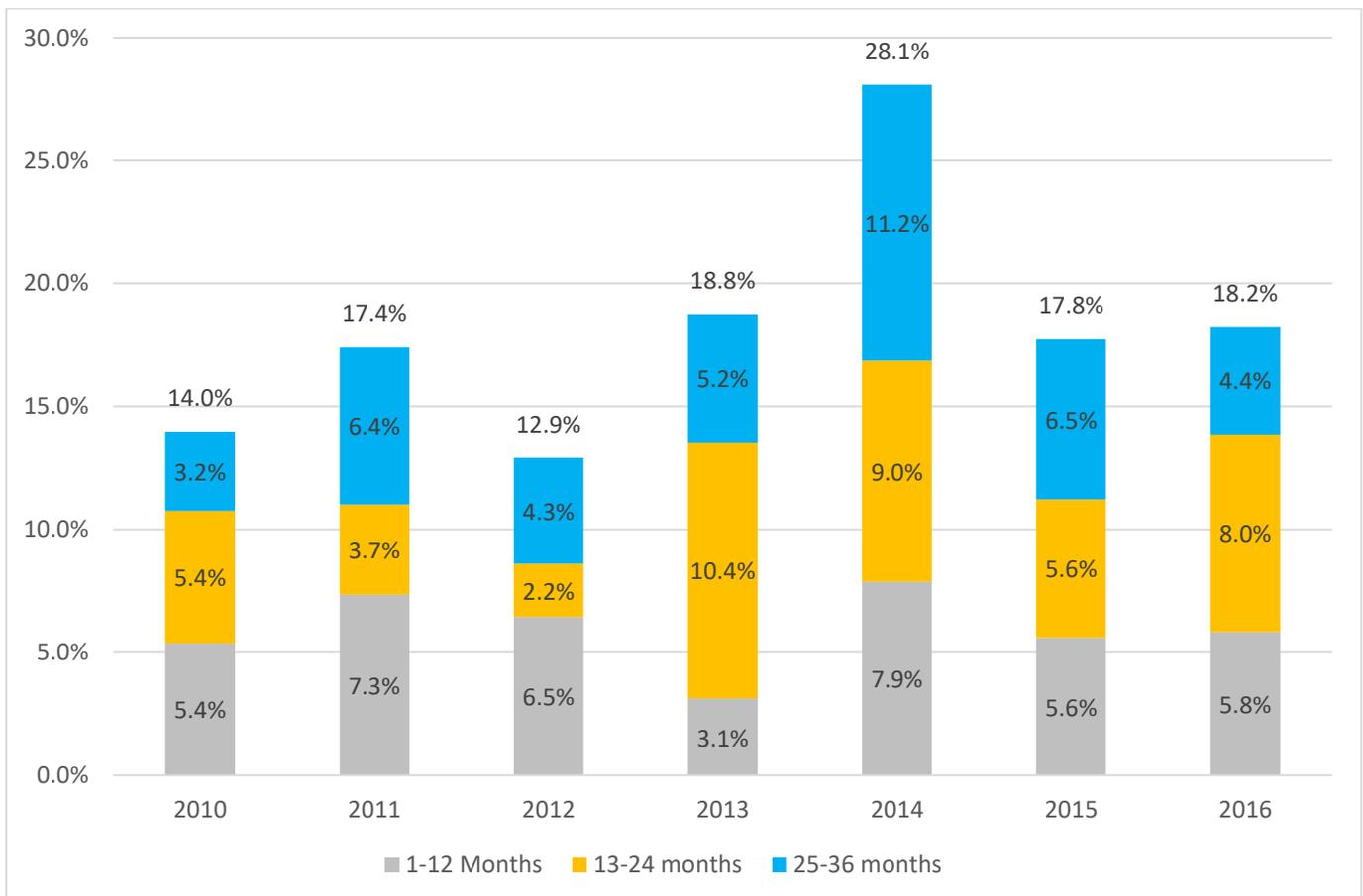


## Female Release

MDOC Three Year Post Release RCR:

- 2010 Release Year – 14.0%
- 2011 Release Year – 17.4%
- 2012 Release Year – 12.9%
- 2013 Release Year – 18.8%
- 2014 Release Year – 28.1%
- 2015 Release Year – 17.8%
- 2016 Release Year – 18.2%

On average 18.2% of the female clients released between 2010-2016 returned to an MDOC facility within three years post release. Female releases experienced a significant increase with 2014 releases showing a 28.1% RCR within three years post release. After a decrease in 2015, 2016 female releases experienced a slight increase with the three year RCR increasing to 18.2% from the 17.8% in 2015.





## Return to Custody by Type of Release

Depending on the Release Type (Probation or Straight Release), the RCR changes and the next several charts depict the RCR for different release types. Probation Releases had a higher RCR than Straight Releases. On average (2010-2016), the Probation Release three year RCR was 33.7%, 11.5% higher than the average Straight Release three year RCR (22.2%) in the same period.

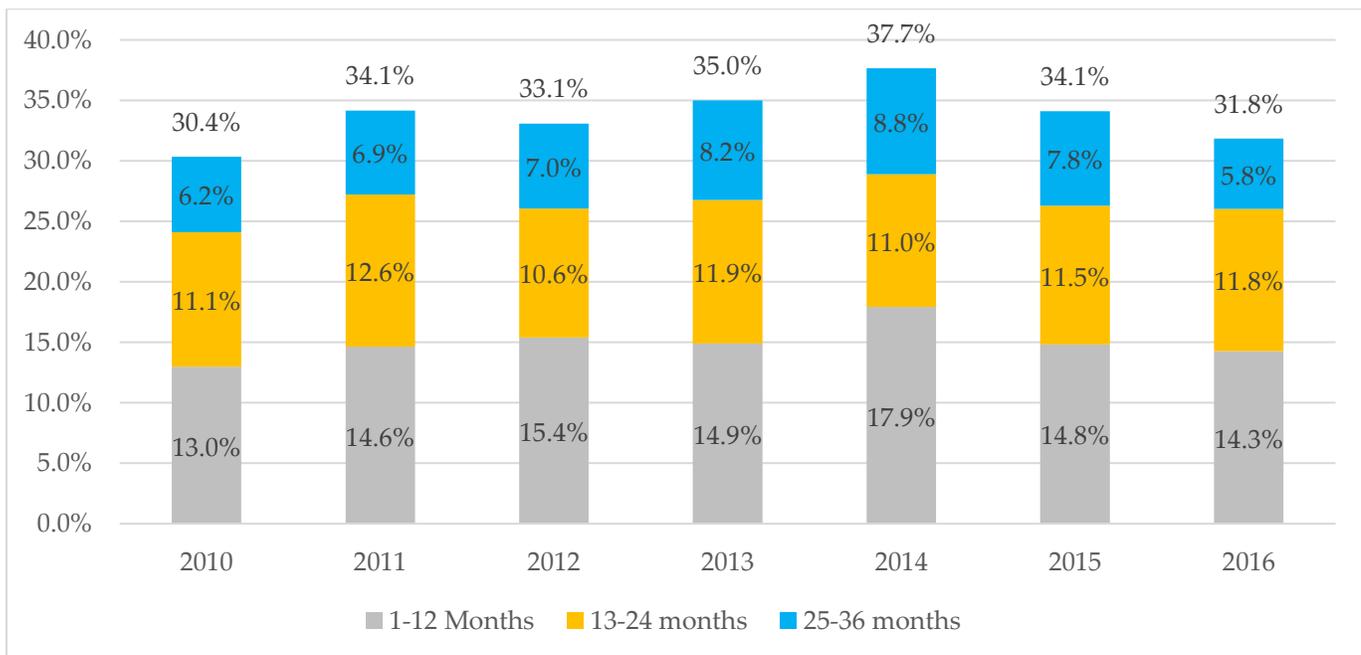
### Probation Release

The chart below represents all probation releases from an MDOC facility between 2010 and 2016, grouped by release year, showing the three year return to custody percentages.

MDOC Three Year Post Release RCR for all Probation Releases:

- 2010 Release Year – 30.4%
- 2011 Release Year – 34.1%
- 2012 Release Year – 33.1%
- 2013 Release Year – 35.0%
- 2014 Release Year – 37.7%
- 2015 Release Year – 34.1%
- 2016 Release Year – 31.8%

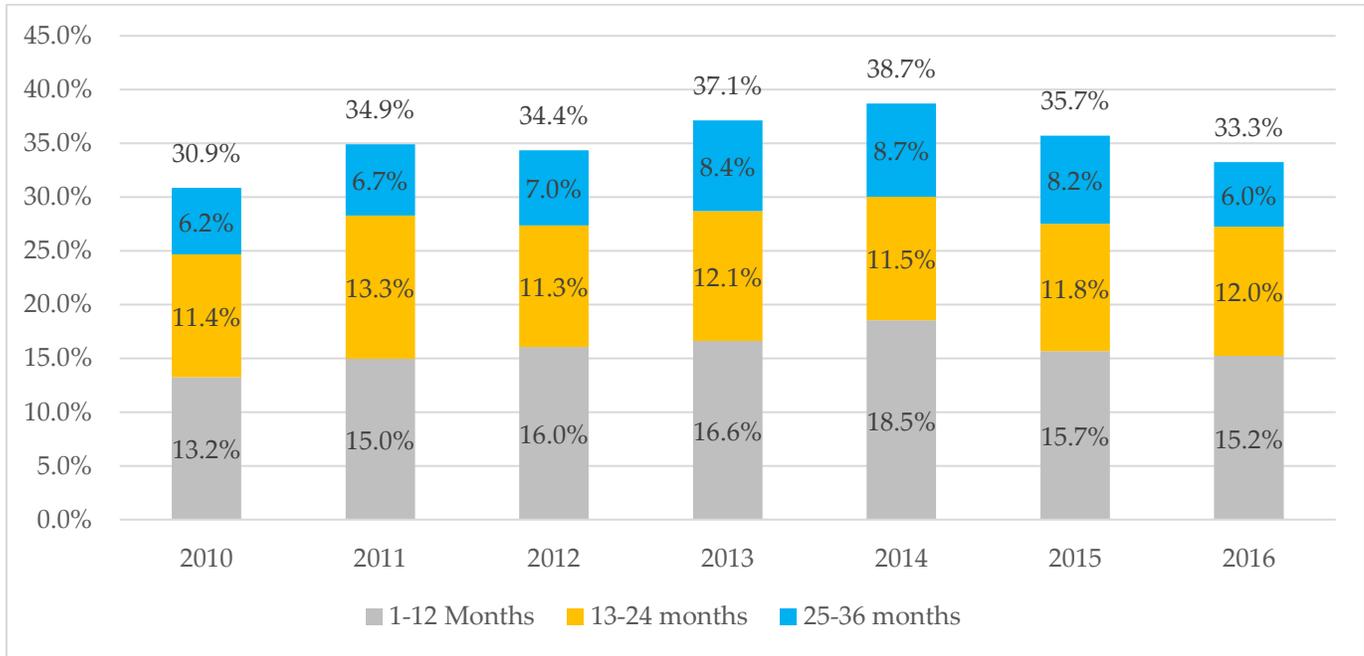
On average, 33.7% of the clients released to probation from 2010-2016 returned to an MDOC facility within three years post release. 2014 releases experienced the highest RCR with 37.7% returning to an MDOC facility within three years post release. The three year return to custody rate for probation releases decreased in 2015 and 2016, with 2016 showing the lowest rate since 2010.





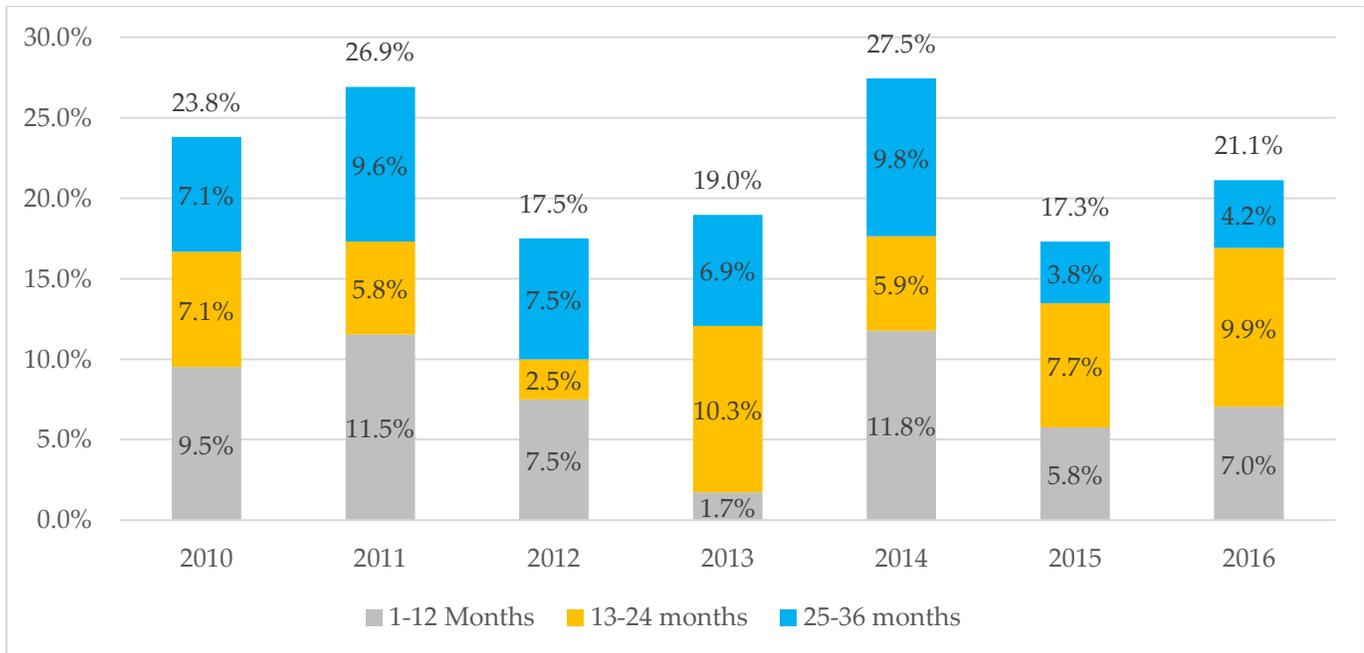
Male Probation Release

The chart below represents all male probation releases from an MDOC facility between 2010 and 2016, grouped by release year, showing the three year return to custody percentages.



Female Probation Release

The chart below represents all female probation releases from an MDOC facility between 2010 and 2016, grouped by release year, showing the three year return to custody percentages.





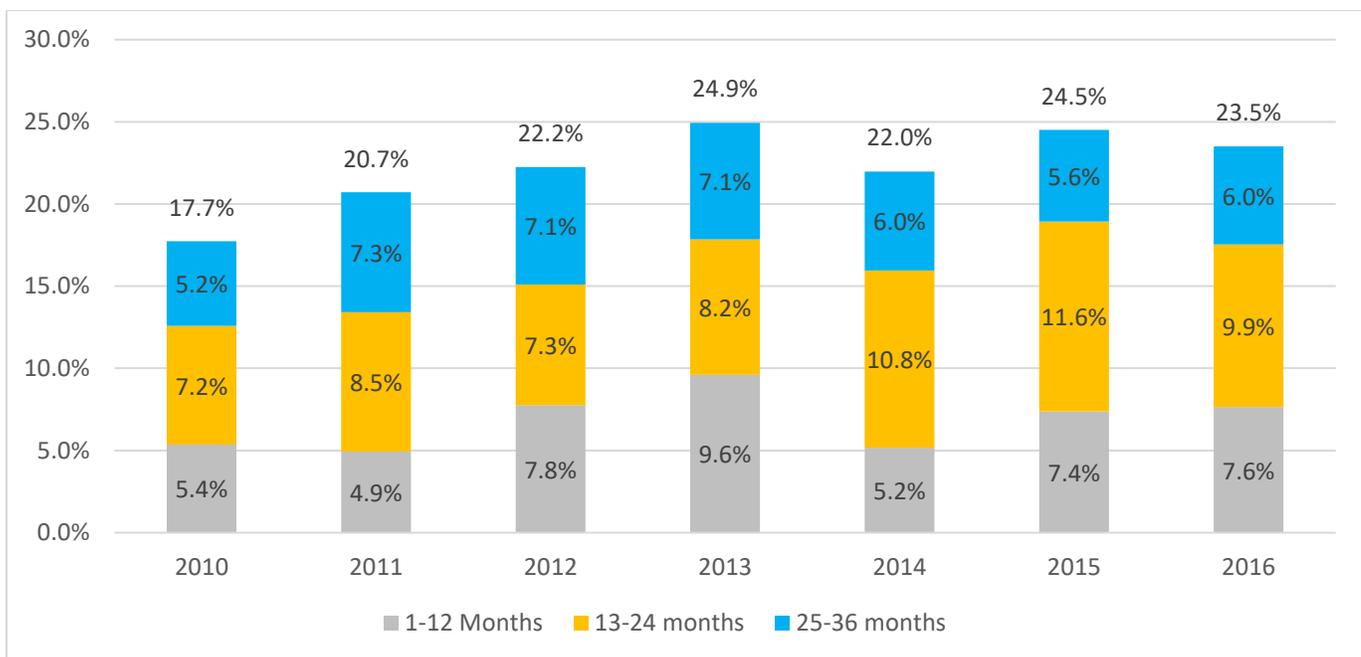
### Straight Release

The chart below represents all straight releases from an MDOC facility between 2010 and 2016, grouped by release year, showing the three year return to custody percentages.

MDOC Three Year Post Release RCR for all Straight Releases:

- 2010 Release Year – 17.7%
- 2011 Release Year – 20.7%
- 2012 Release Year – 22.2%
- 2013 Release Year – 24.9%
- 2014 Release Year – 22.0%
- 2015 Release Year – 24.5%
- 2016 Release Year – 23.5%

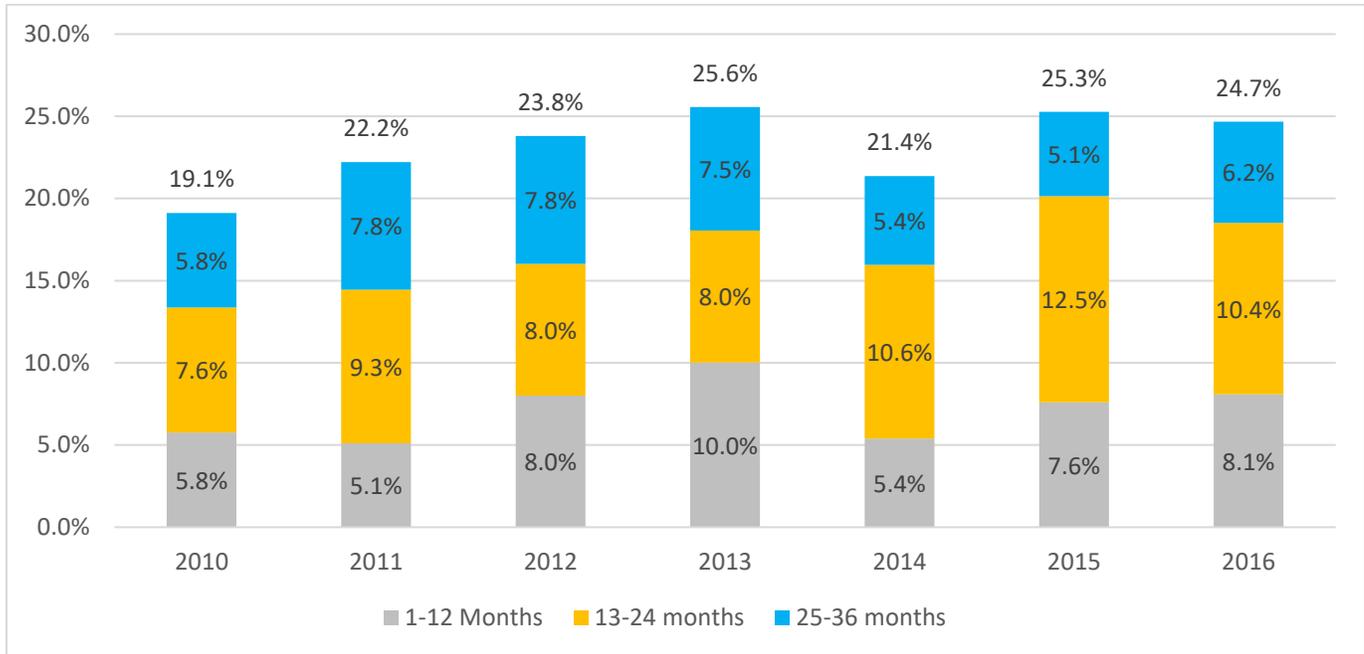
On average 22.2% of the clients released to society without probation from 2010-2016 returned to an MDOC facility within three years post release. 2013 releases experienced the highest RCR with 24.9% returning to an MDOC facility within three years post straight release. After decreasing in 2014 and increasing in 2015, the rate again decreased slightly in 2016 to 23.5%.





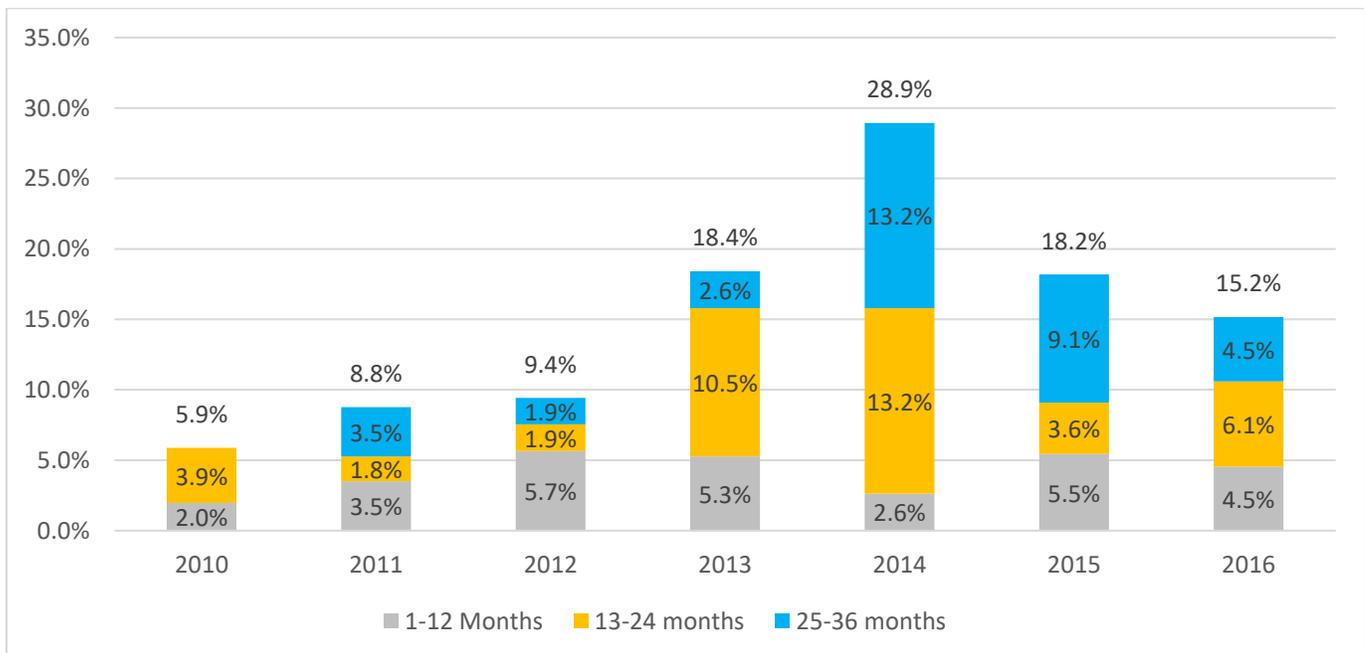
Male Straight Releases

The chart below represents all male straight releases from an MDOC facility between 2010 and 2016, grouped by release year, showing the three year return to custody percentages.



Female Straight Releases

The chart below represents all female straight releases from an MDOC facility between 2010 and 2016, grouped by release year, showing the three year return to custody percentages.





## Return to Custody by Custody Level at Release

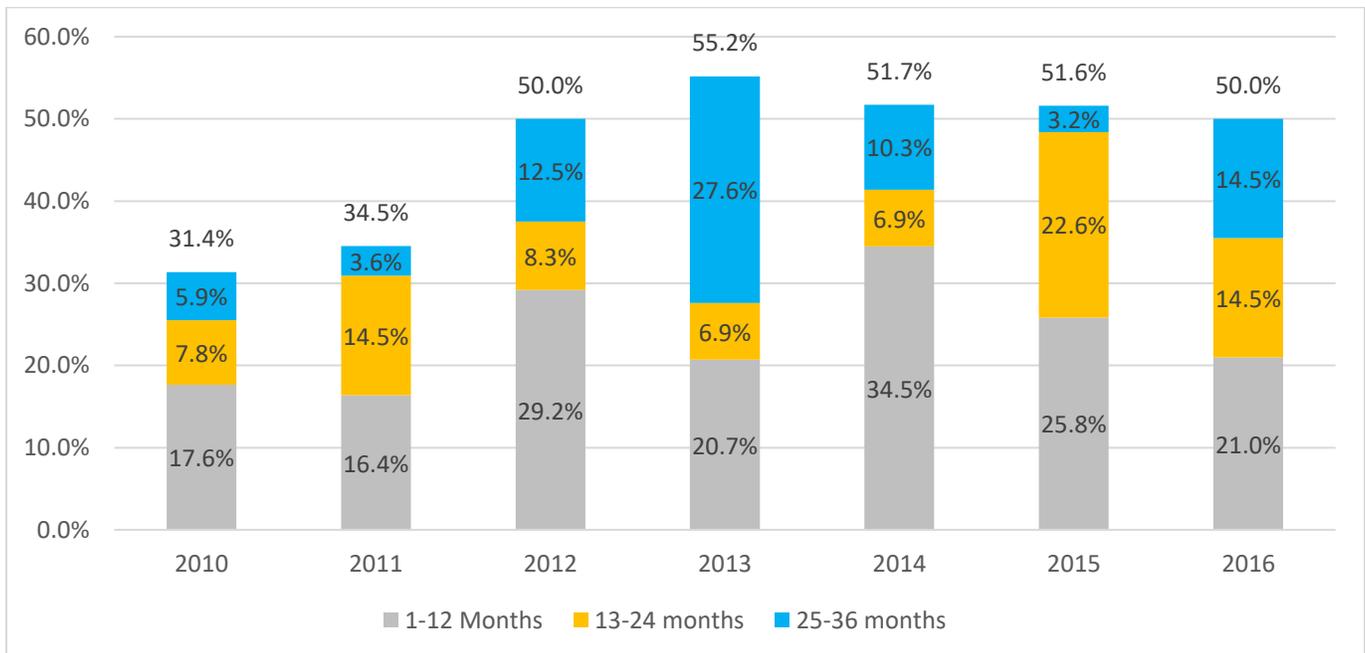
The following charts represent all releases from an MDOC facility (Probation and Straight Release) between 2010 and 2016, grouped by custody level at release and release year.

### Close Custody Release

Close Custody Three Year Post Release RCR:

- 2010 Release Year – 31.4%
- 2011 Release Year – 34.5%
- 2012 Release Year – 50.0%
- 2013 Release Year – 55.2%
- 2014 Release Year – 51.7%
- 2015 Release Year – 51.6%
- 2016 Release Year – 50.0%

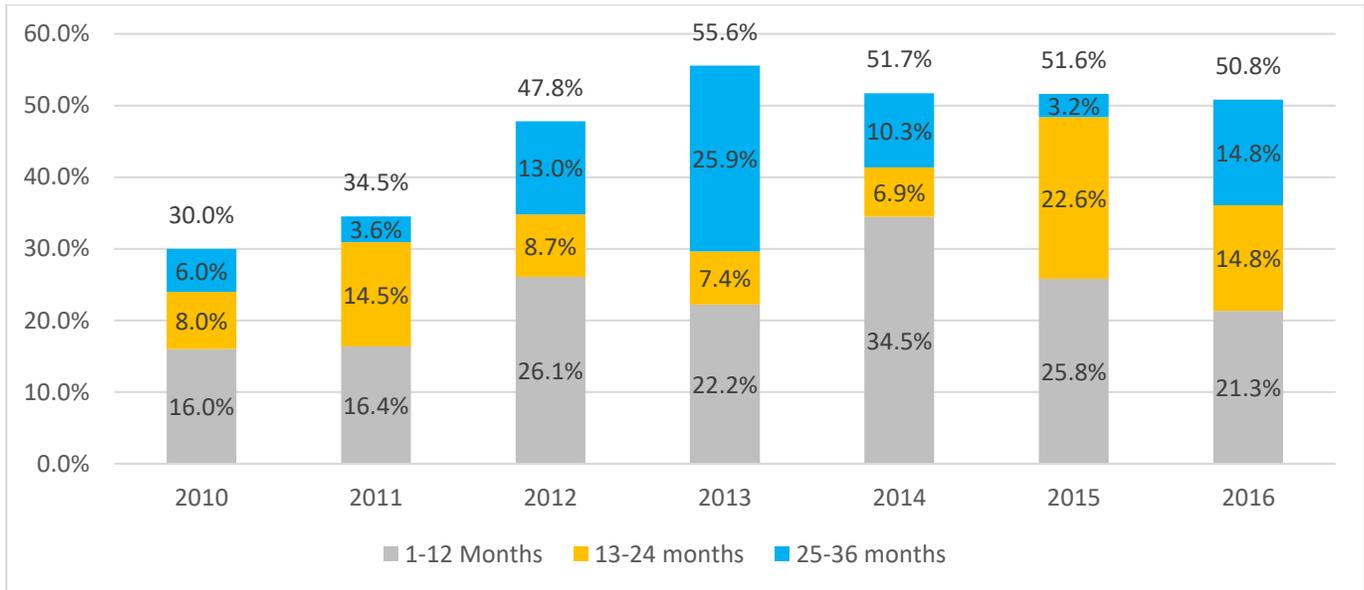
On average 46.3% of all clients released from close custody between 2010-2016 returned to an MDOC facility within three years post release. The three year RCR for close custody releases in 2013 experienced the highest three year return to custody rate of 55.2%. While the first year post release most often holds the majority of the three year returns, in 2013 it is noted that half of the returning clients did not return until their third year post release. 2016 showed the lowest three year return to custody for close custody clients since 2012, with 50.0%





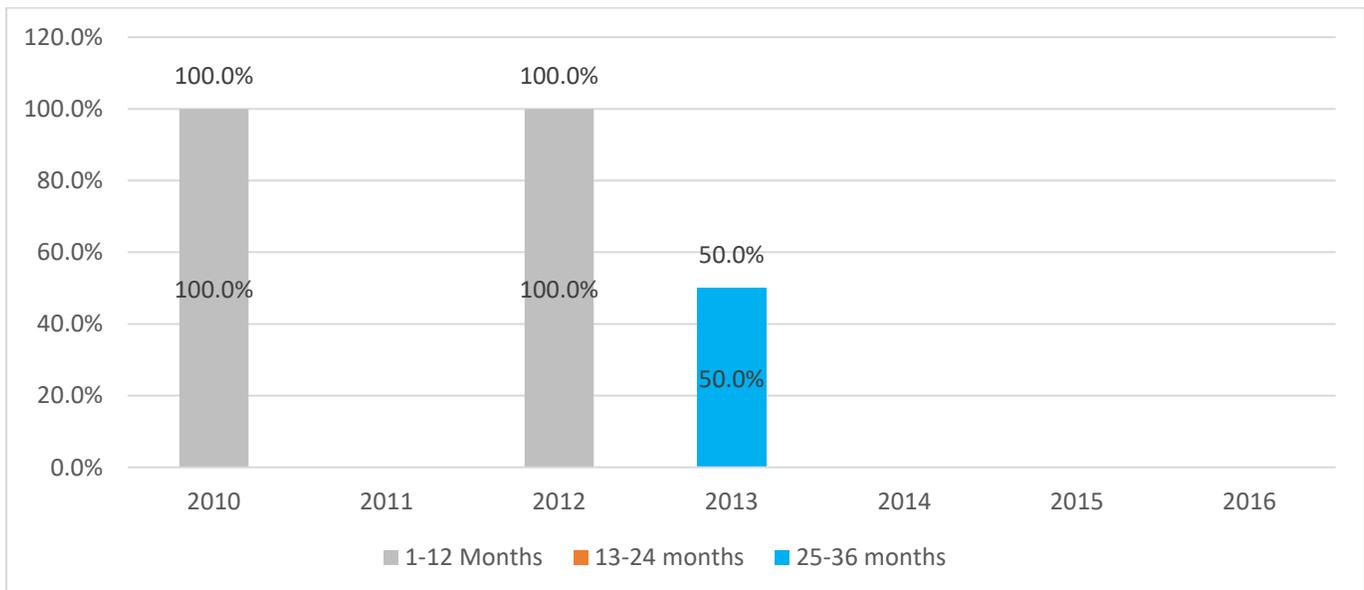
### Male Close Custody Releases

The chart below represents all male close custody releases from an MDOC facility between 2010 and 2016, grouped by release year, showing the three year return to custody percentages.



### Female Close Custody Releases

The chart below represents all female close custody releases from an MDOC facility between 2010 and 2016, grouped by release year, showing the three year return to custody percentages. Female Close Custody Releases included only 1 in 2010, 1 in 2012, 2 in 2013 and 1 in 2016, with no female close custody releases in 2011, 2014 or 2015.



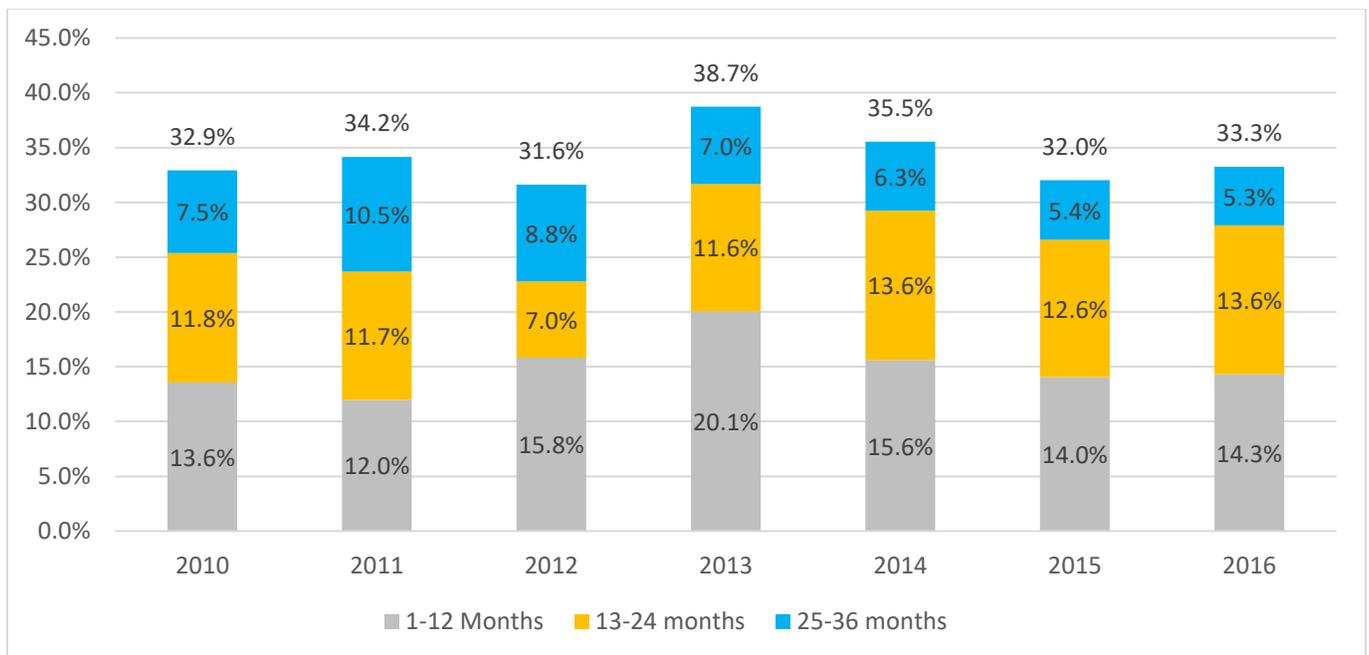


## Medium Custody Release

Medium Custody Three Year Post Release RCR:

- 2010 Release Year – 32.9%
- 2011 Release Year – 34.2%
- 2012 Release Year – 31.6%
- 2013 Release Year – 38.7%
- 2014 Release Year – 35.5%
- 2015 Release Year – 32.0%
- 2016 Release Year – 33.3%

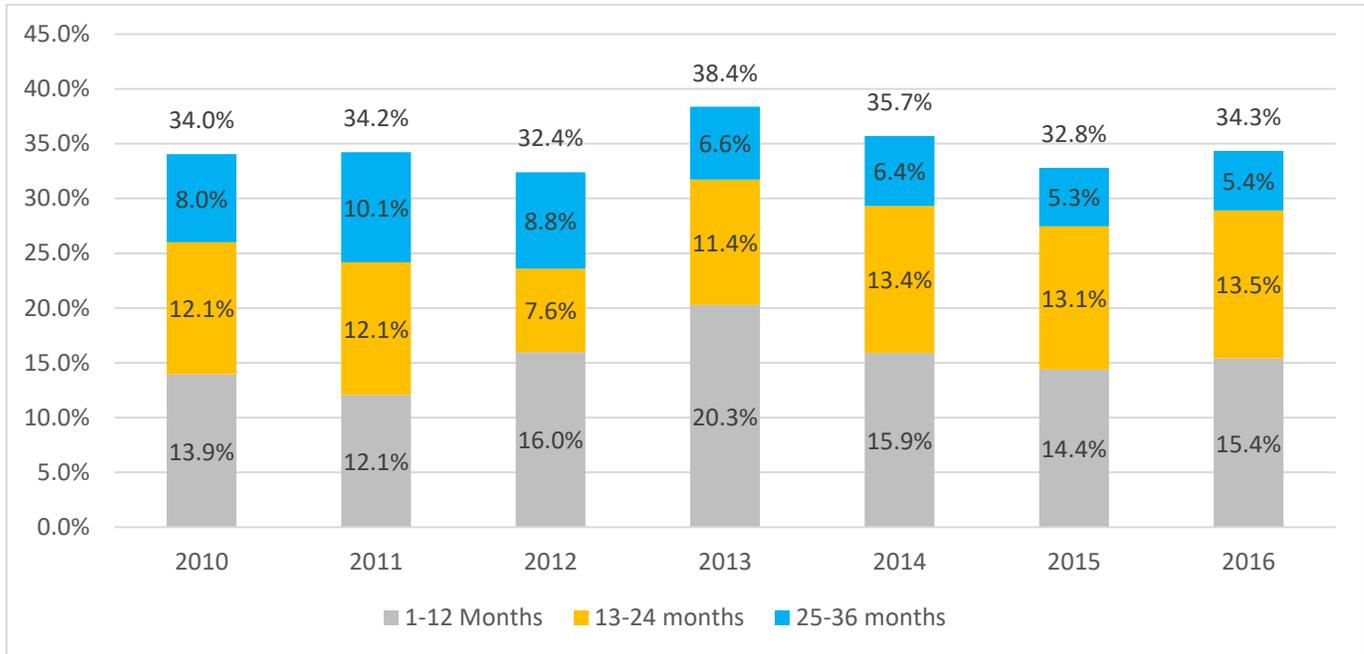
On average 34.0% of all clients released from medium custody between 2010-2016 returned to an MDOC facility within three years post release. The three year RCR for medium custody releases had been steadily decreasing since 2013 until 2016 when it increased slightly to 33.3%.





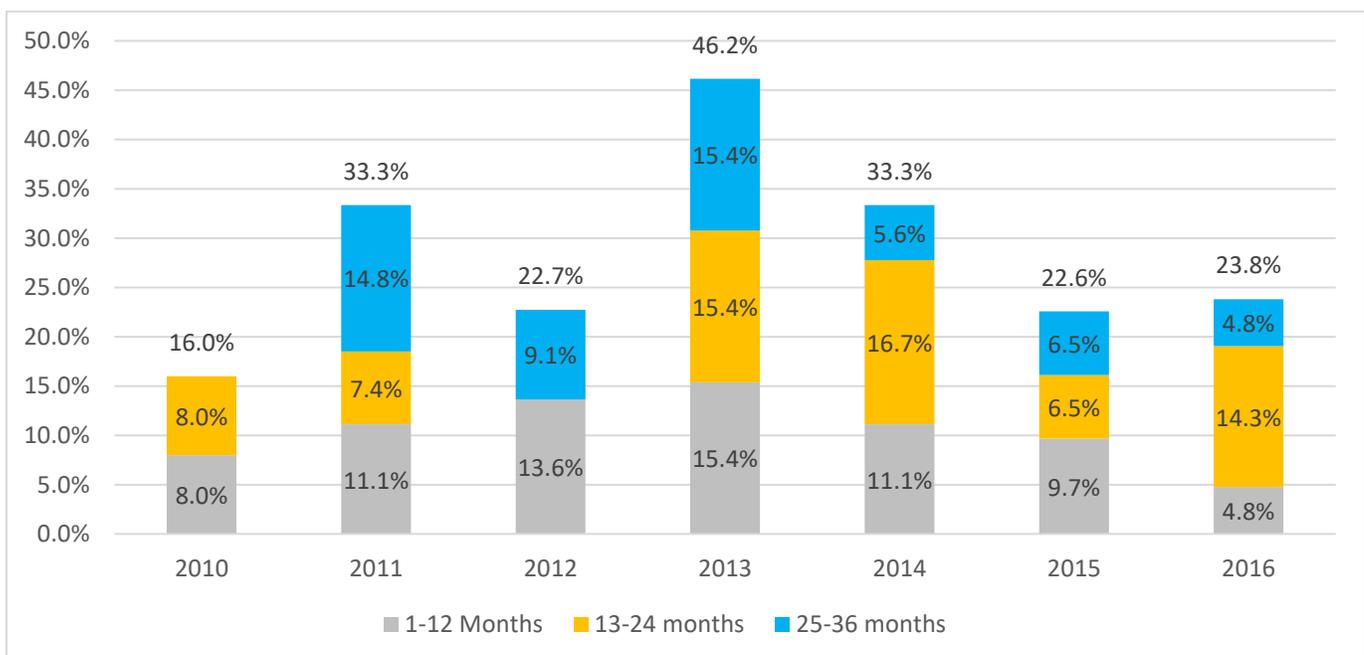
Male Medium Custody Releases

The chart below represents all male medium custody releases from an MDOC facility between 2010 and 2016, grouped by release year, showing the three year return to custody percentages.



Female Medium Custody Releases

The chart below represents all female medium custody releases from an MDOC facility between 2010 and 2016, grouped by release year, showing the three year return to custody percentages.



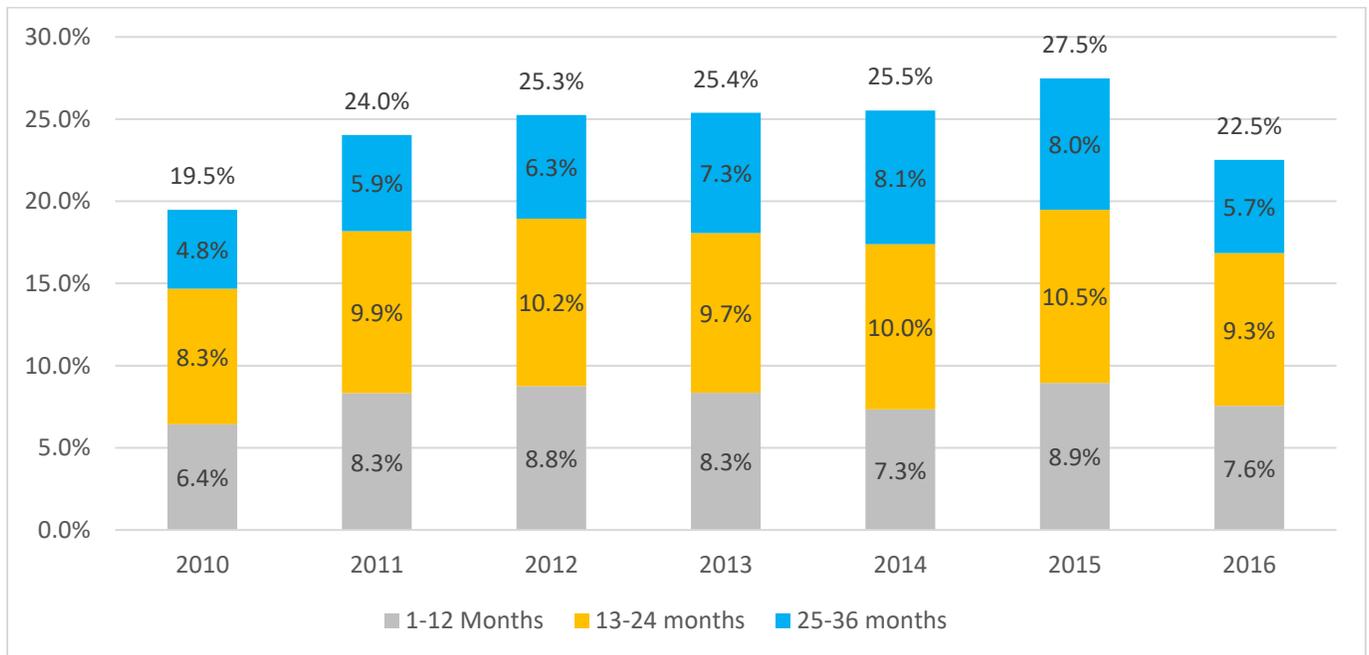


### Minimum & Community Custody Release

Minimum and Community Custody Three Year Post Release RCR:

- 2010 Release Year – 19.5%
- 2011 Release Year – 24.0%
- 2012 Release Year – 25.3%
- 2013 Release Year – 25.4%
- 2014 Release Year – 25.5%
- 2015 Release Year – 27.5%
- 2016 Release Year – 22.5%

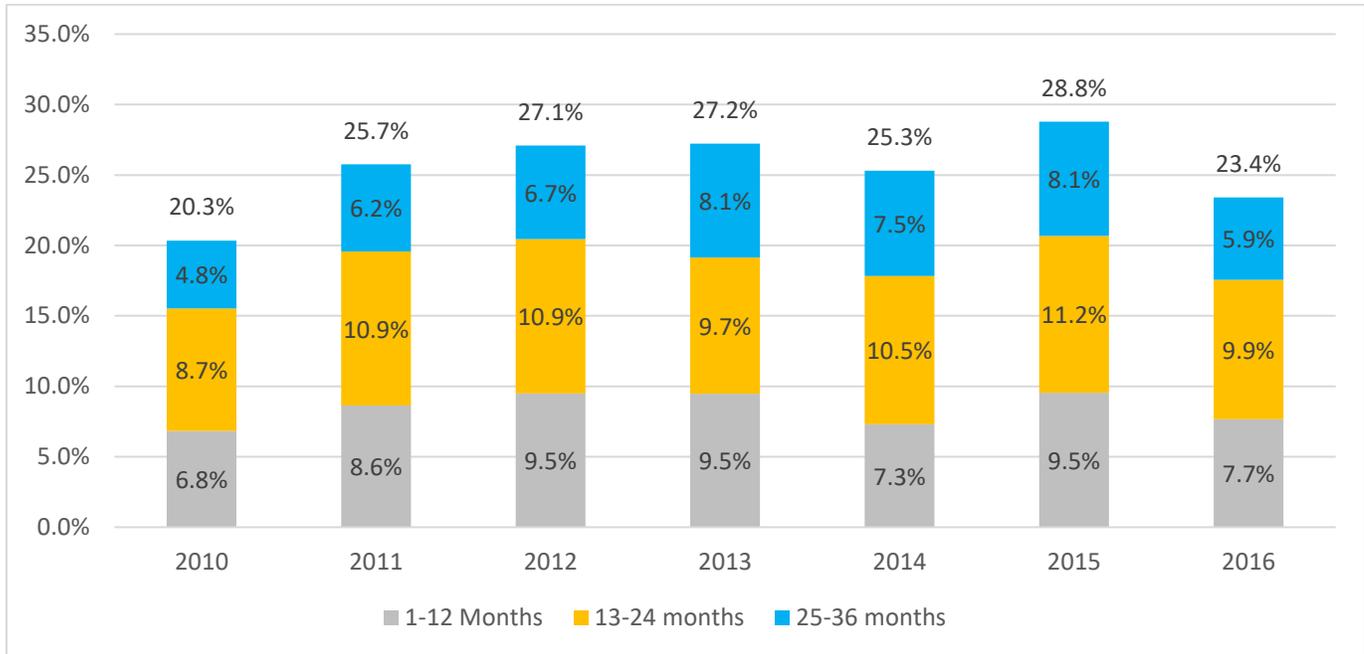
On average 24.2% of all clients released from minimum and community custody between 2010-2016 returned to an MDOC facility within three years post release. The three year RCR for minimum and community custody releases in 2016 was 22.5%, which is the lowest rate since 2010.





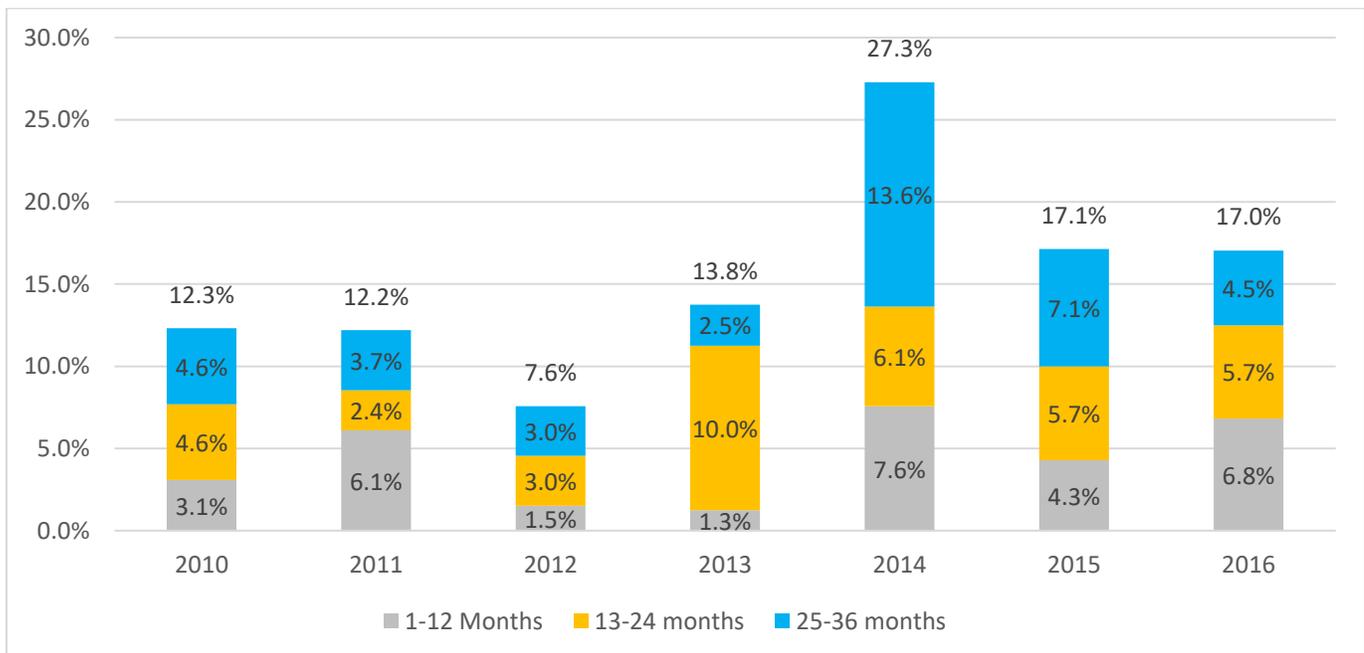
Male Minimum and Community Custody Releases

The chart below represents all male minimum and community custody releases from an MDOC facility between 2010 and 2016, grouped by release year, showing the three year return to custody percentages.



Female Minimum and Community Custody Releases

The chart below represents all female minimum and community custody releases from an MDOC facility between 2010 and 2016, grouped by release year, showing the three year return to custody percentages.

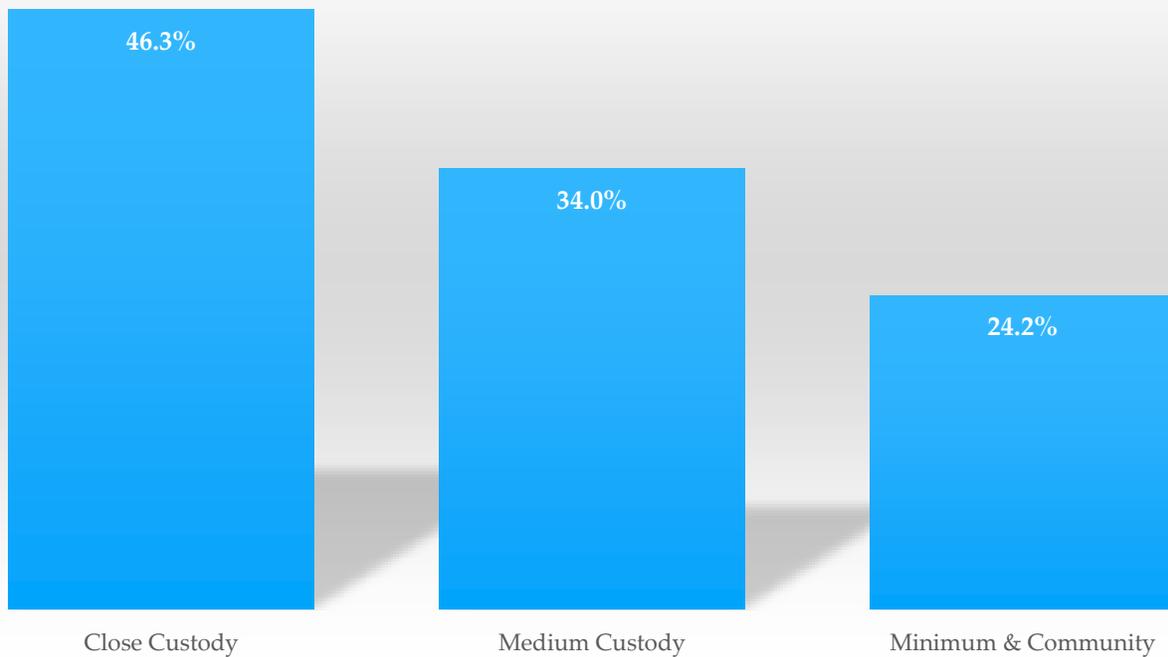




## Return to Custody Rate Average Comparison by Custody Group

The chart below depicts the three year RCR average for all releases between 2010-2016 grouped by the client's custody level upon release. The chart is sorted from greatest custody risk level to least going from close custody to minimum & community custody. As custody level at release decreases, so does the three year RCR average.

Average Three Year RCR 2010-2016





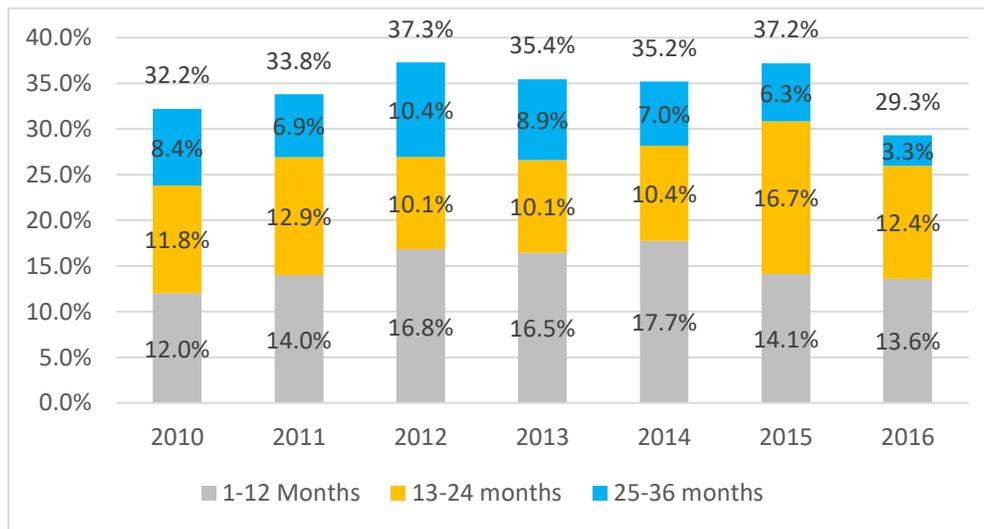
## Return to Custody by Age at Release

The charts below represent all releases from an MDOC facility (Probation and Straight Release) between 2010 and 2016, grouped by release year & age at release.

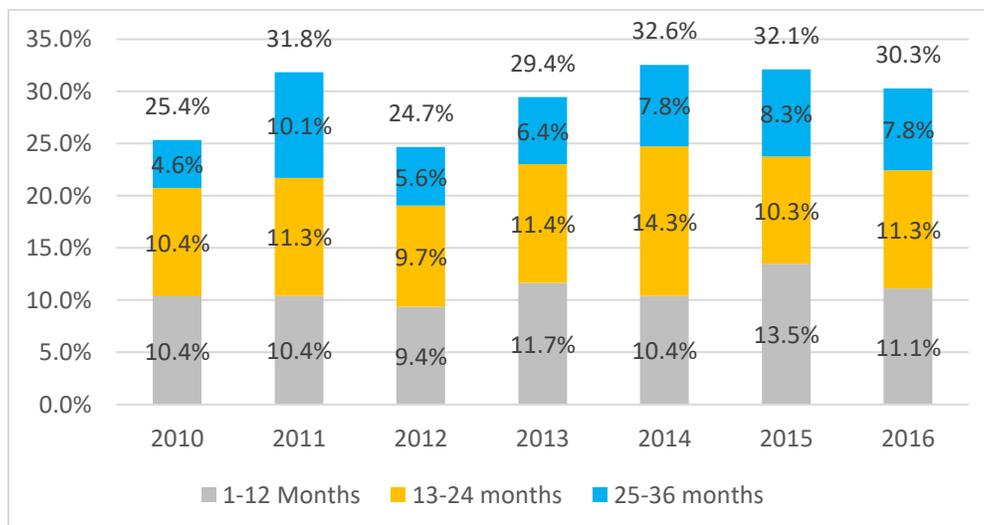
Clients age 30-39 at release showed the highest three year return to custody rate in 2016 at 30.3%, with under 30 years old coming in second with a rate of 29.3%. Clients 60 or older at release have lowest three year return to custody rate of 10% for 2016.

With the exception of clients 40-49 years old at release, all age groups experienced some decrease in the three year RCR from 2015-2016.

Return to Custody three year post release for clients under the age of 30 at release, broken down by release year.

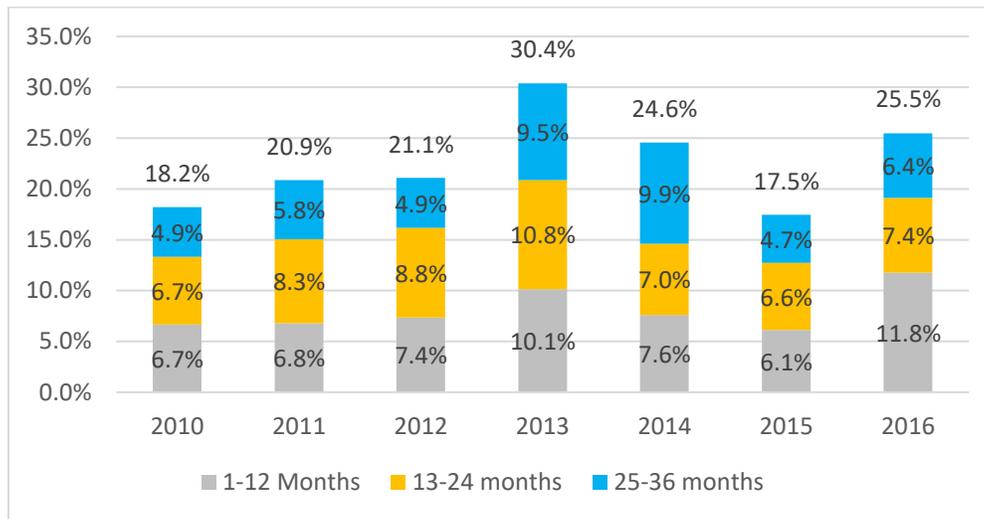


Return to Custody three year post release for clients age 30-39 at release, broken down by release year.

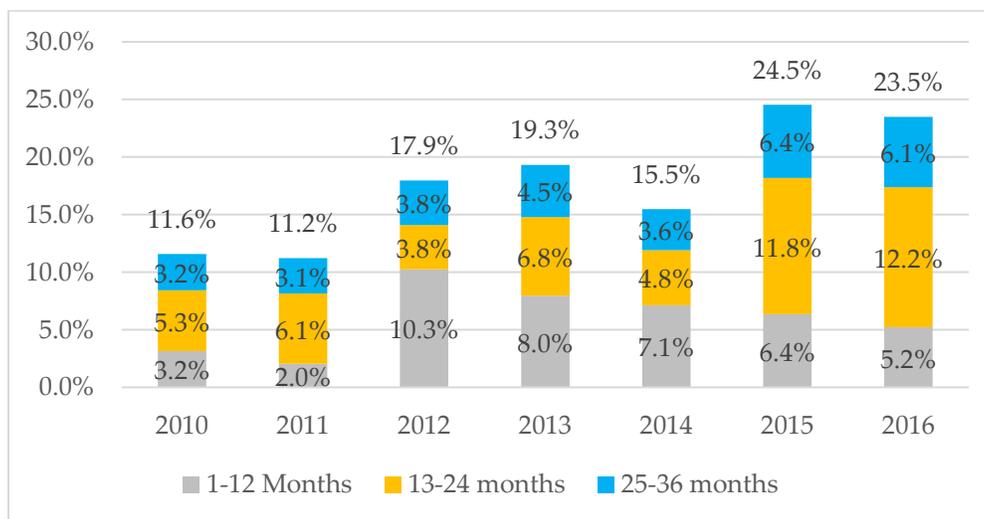




Return to Custody three year post release for clients age 40-49 at release, broken down by release year.



Return to Custody three year post release for clients age 50-59 at release, broken down by release year.



Return to Custody three year post release for clients age 60 or older at release, broken down by release year.





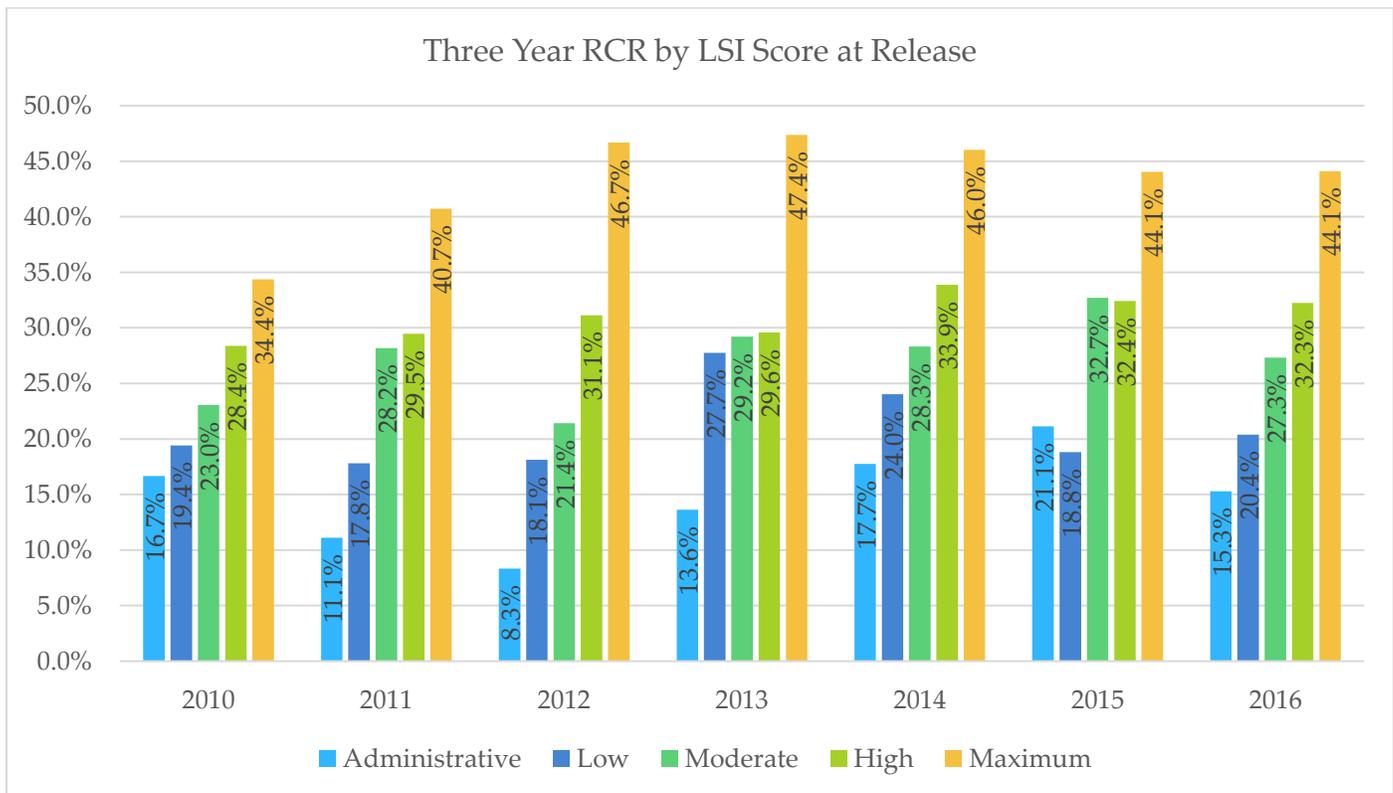
## Return to Custody by Risk Assessment

Core correctional programs are completed by clients while incarcerated depending on each client’s criminogenic needs and case plan. Core programs are evidence based programs the Maine DOC has determined appropriate to have the most positive impact on assessed criminogenic needs. Criminogenic needs are identified by administering risk assessments to the client upon intake. The risk assessment tools outline high risk areas to be addressed and guide MDOC case managers in determining the appropriate core programs to be completed.

## Releases by Risk Assessment

The chart below shows the percent of all clients who return to state custody within three years post release by release year, broken down by their risk assessment score at the time of their release.

In 2016 the LSI scores coincide with the three year return to custody rate as expected, increasing the RCR for each increase in risk level. The most significant changes between 2015 and 2016 are the decreases in the three year return to custody for both the administrative and moderate level risks at the time of release.



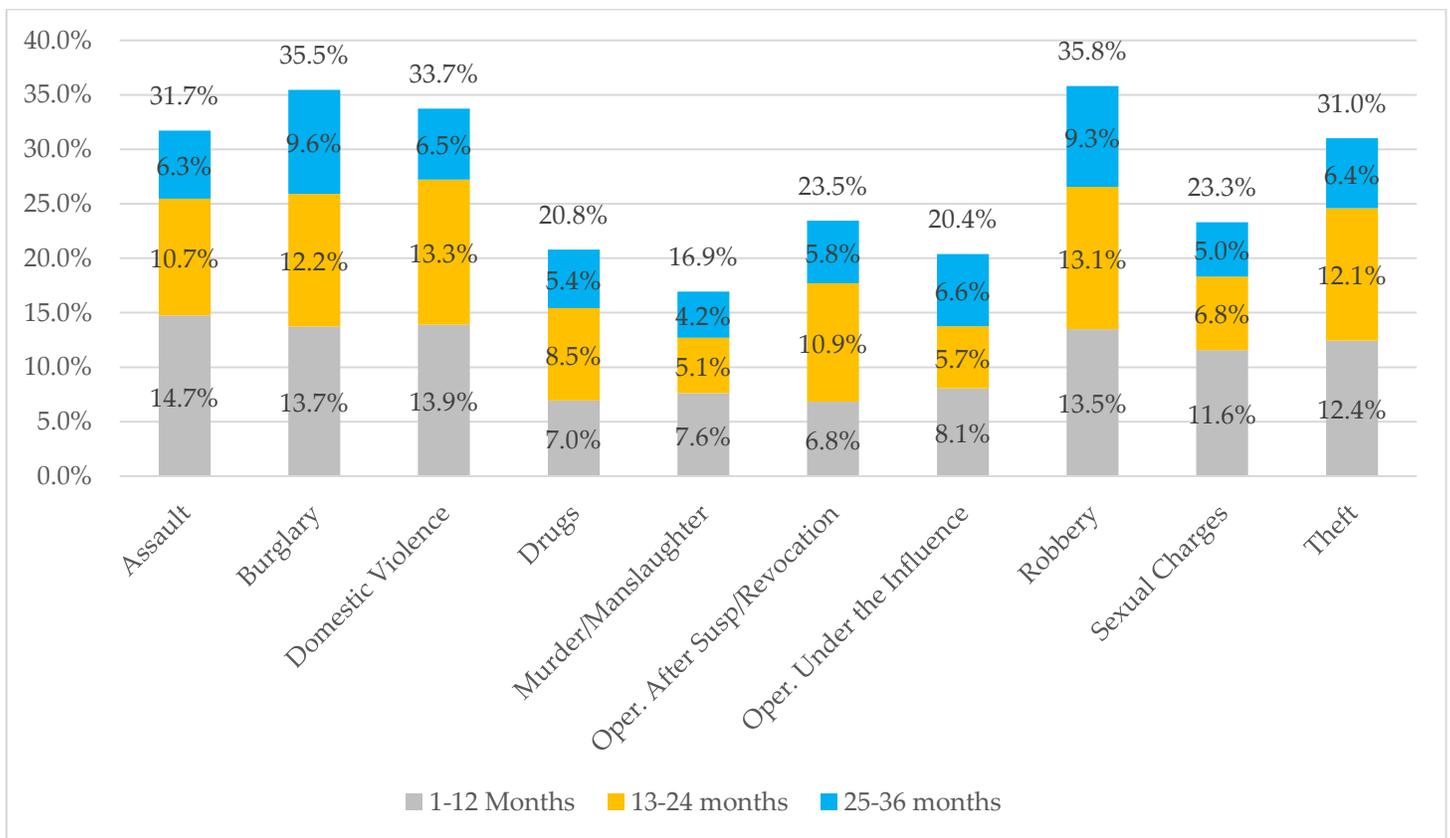


## Return to Custody by Controlling Sentence

The chart below represents all releases from an MDOC facility (Probation and Straight Release) between 2010 and 2016, grouped by controlling sentence at release.

Burglary, Domestic Violence and Robbery releases experienced the highest three year return to custody rates for the seven year period.

The controlling sentence categories shown are not a full representation of all releases from 2010-2016. The chart only highlights the controlling sentence release categories with the greatest number of releases for the period, which for these top ten categories was greater than 150 releases during the seven years.





---

## Report Summary

Overall, the three-year return to custody rate increased from 2010 to 2014, going from 24.7% to 30.5%, then decreased to 27.9% in 2016.

Below are some of the key findings when comparing the most recent year of 2016 to the previous year of 2015.

### Male Releases

- Three year RCR decreased from 31.0% for 2015 releases to 29.2% for 2016.

### Female Releases

- Three year RCR increased from 17.8% for 2015 releases to 18.2% for 2016.

### Probation Release

- Three year RCR decreased from 34.1% for 2015 releases to 31.8% for 2016.

### Straight Releases

- Three year RCR decreased from 24.5% for 2015 releases to 23.5% for 2016.

### Close Custody Releases

- Three year RCR decreased from 51.6% for 2015 releases to 50.0% for 2016.

### Medium Custody Releases

- Three year RCR increased from 32.0% for 2015 releases to 33.3% for 2016.

### Minimum & Community Releases

- Three year RCR for Minimum & Community Custody releases decreased from 27.5% for 2015 to 22.5% for 2016

### Releases by Age Range

- Three year RCR for releases under age 30 decreased from 37.2% for 2015 to 29.3% for 2016
- Three year RCR for 30-39 year old releases decreased from 32.1% for 2015 to 30.3% for 2016
- Three year RCR for 40-49 year old releases increased from 17.5% for 2015 to 25.5% for 2016
- Three year RCR for 50-59 year old releases decreased from 24.5% for 2015 to 23.5% for 2016
- Three year RCR for releases 60 years or older decreased from 15.4% for 2015 to 10.0% for 2016

### Releases by LSI Score

- Three year RCR decreased from 21.1% for 2015 releases to 15.3% for 2016 releases with an Administrative LSI score.
- Three year RCR increased from 18.8% for 2015 releases to 20.4% for 2016 releases with a Low LSI score.
- Three year RCR decreased from 32.7% for 2015 releases to 27.3% for 2016 releases with a Moderate LSI score.
- Three year RCR decreased from 32.4% for 2015 releases to 32.3% for 2016 releases with a High LSI score.
- Three year RCR remained the same, at 44.1% for 2015 releases and 2016 releases with a Maximum LSI score.



**Maine Department of Corrections**  
**2010-2016 Three Year Post Release**

**The Correctional Programming Division**

---

Maine Department of Corrections  
25 Tyson Drive  
Augusta, ME 04330  
Phone (207) 287-2711  
Fax (207) 287-4370  
<http://www.maine.gov/corrections>



The mission of the Department of Corrections is to reduce the likelihood that juvenile and adult offenders will re-offend, by providing practices, programs and services which are evidence-based and which hold the offenders accountable.