

Return to Custody Report One Year Post Release 2012-2021



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

Randall Liberty
Commissioner

Anthony Cantillo
Acting Deputy Commissioner

Maine Department of Corrections
25 Tyson Drive
State House Station 111
Augusta Maine 04333-0111
207-287-2711

March 31, 2023



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	10
Return to Custody by Release Custody Level	11
Close Custody Release	11
Medium Custody Release.....	12
Minimum & Community Custody Release.....	13
Return to Custody Rate Average Comparison by Custody Group	14
Return to Custody by Age at Release.....	15
Return to Custody by Risk Assessment and Program Completion.....	16
Releases by Risk Assessment.....	16
Effects of Program Completion.....	17
Return to Custody by Controlling Sentence	19
Return to Custody from Supervised Community Confinement Program	20
Report Summary	21



Executive Summary

Recidivism is a standard criminal justice term used in various ways to explain the rate at which released clients 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 clients 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 (2018) and the U.S. Department of Justice's Bureau of Justice Statistics (BJS) (2002, 2014, 2018). The most recent study produced by BJS reported that 68% of the released clients in their observed timeline returned to prison within three years. The Pew Charitable Trust report which tracked more states than the BJS study reported 37% of released clients 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 clients released between 2012 and 2021 returned to an MDOC facility within one year of release.



Return to Custody Introduction & Definition

In January 2017, MDOC began designing a process to analyze the rate at which released clients return to the Department's custody. Prior to 2017, the Department contracted with external providers to measure variations of recidivism on specific populations of clients. 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.

Information reported in the annual Return to Custody report is essential in making key policy and practice decisions. The data analysis process allows the Department to measure the success of its rehabilitative efforts, specifically the effectiveness of programs, treatments, and initiatives.

MDOC defines "Return to Custody" as the *release of a client from an MDOC facility followed by a subsequent return of the released client 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, 2012 – December 31, 2021. The sample also included a return to custody from January 1, 2012 to December 31, 2022. Clients released from 2012-2021 were tracked for a return to custody one-year post-release, through the end of 2022.

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



Maine Department of Corrections 2012-2021 One Year Post Release

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

Data Point	Definition
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 2012-2021 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 Interstate Active Detainer (IAD), Federal Prison
- MDOC Releases to Supervised Community Confinement Program (SCCP) are only included in the data within the section Return to Custody from Supervised Community Confinement Program.



Maine Department of Corrections 2012-2021 One Year Post Release

Return to Custody Rate by Release Year

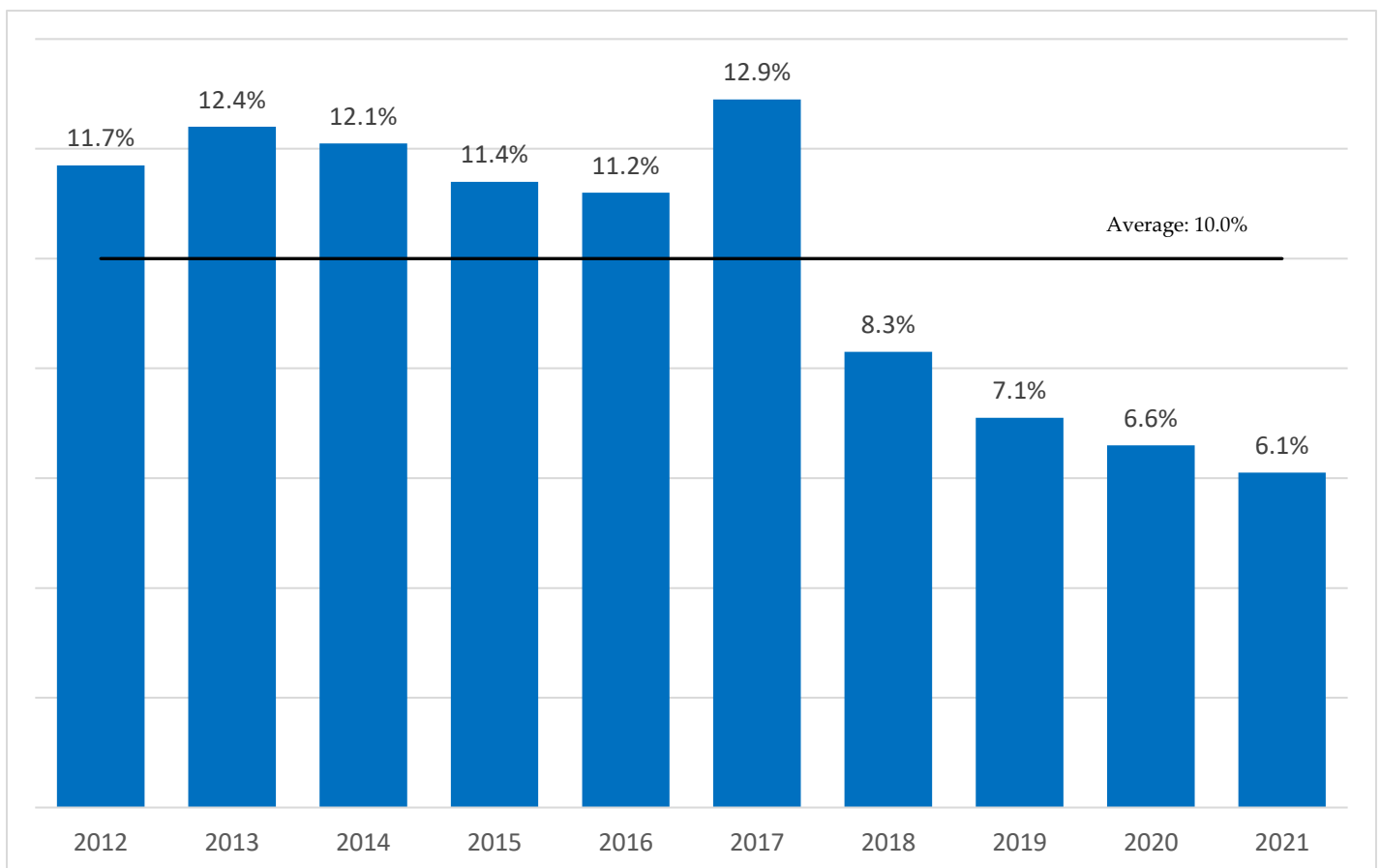
The chart below represents all releases from an MDOC facility between 2012 and 2021, grouped by Release Year.

MDOC Post Release RCR:

- 2012 Release Year – One Year RCR – 11.7%
- 2013 Release Year – One Year RCR – 12.4%
- 2014 Release Year – One Year RCR – 12.1%
- 2015 Release Year – One Year RCR – 11.4%
- 2016 Release Year – One Year RCR – 11.2%
- 2017 Release Year – One Year RCR – 12.9%
- 2018 Release Year – One Year RCR – 8.3%
- 2019 Release Year – One Year RCR – 7.1%
- 2020 Release Year – One Year RCR – 6.6%
- 2021 Release Year – One Year RCR – 6.1%

On average 10.0% of the clients released from 2012-2021 returned to an MDOC facility within one-year post release.

The highest one-year RCR in the past 10 years occurred with the 2017 releases showing 12.9% returning within one year post release. 2021 showed the lowest RCR in the past 10 years, decreasing to 6.1%.





Return to Custody by Gender

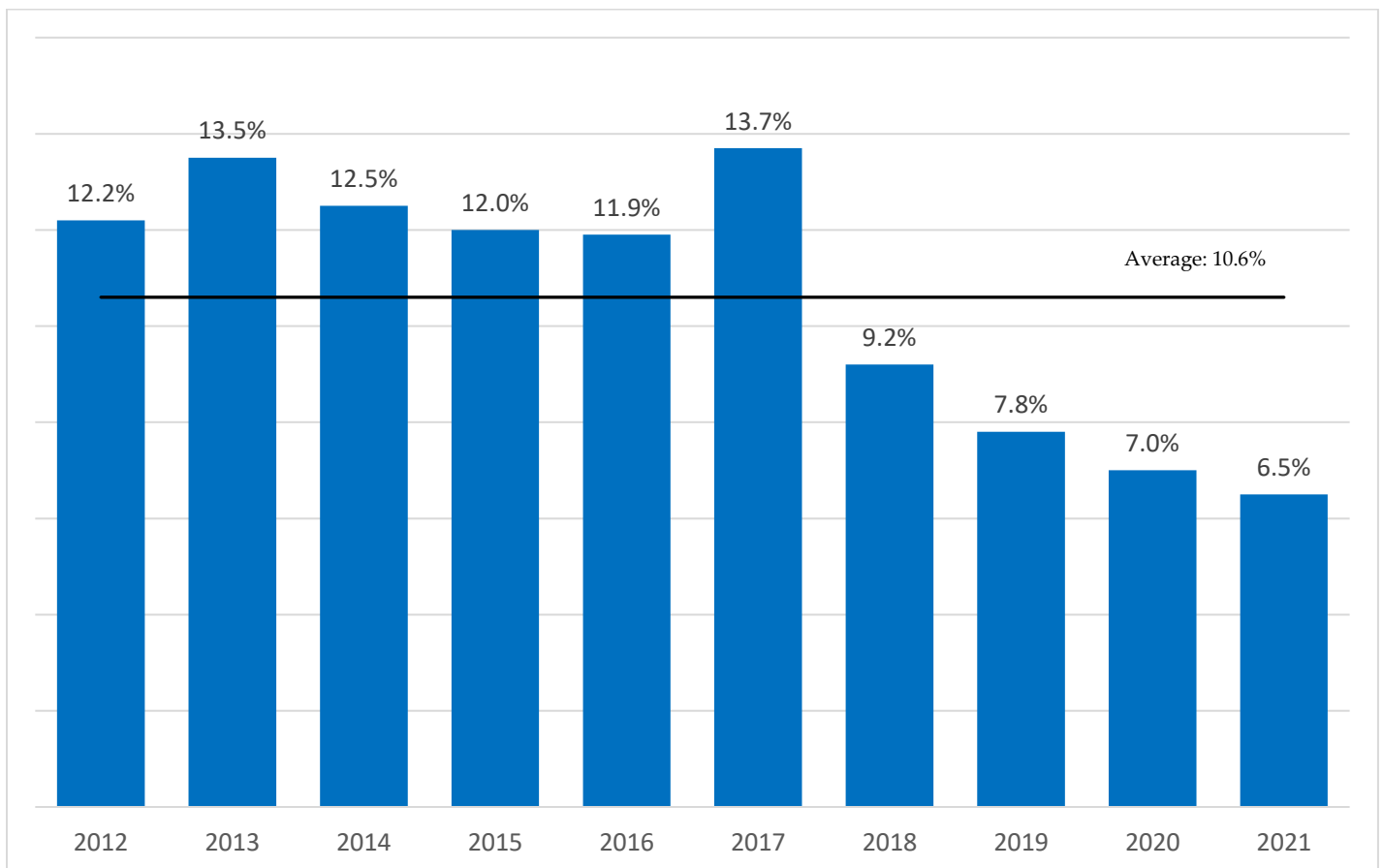
The next several charts represent all releases from an MDOC facility (Probation and Straight Release) between 2012 and 2021, grouped by Gender and Release Year.

Male Release

MDOC Post Release RCR:

- 2012 Release Year – One Year RCR – 12.2%
- 2013 Release Year – One Year RCR – 13.5%
- 2014 Release Year – One Year RCR – 12.5%
- 2015 Release Year – One Year RCR – 12.0%
- 2016 Release Year – One Year RCR – 11.9%
- 2017 Release Year – One Year RCR – 13.7%
- 2018 Release Year – One Year RCR – 9.2%
- 2019 Release Year – One Year RCR – 7.8%
- 2020 Release Year – One Year RCR – 7.0%
- 2021 Release Year – One Year RCR – 6.5%

On average 10.6% of the male clients released between 2012-2021 returned to an MDOC facility within one year post release. 2017 releases experienced the highest RCR with 13.7% returning within one year post release, and 2021 experienced the lowest RCR with 6.5% returning.





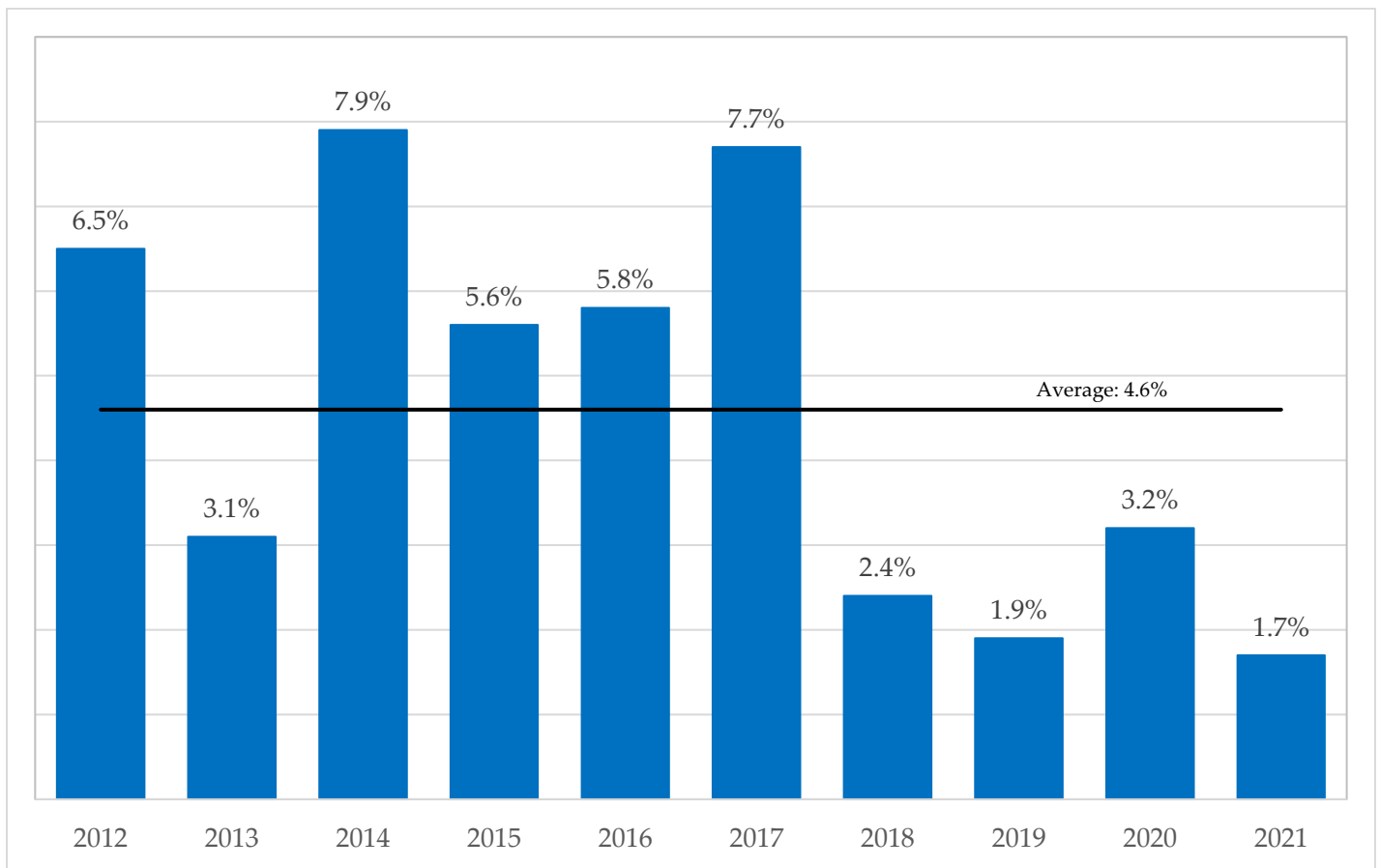
Maine Department of Corrections 2012-2021 One Year Post Release

Female Release

MDOC Post Release RCR

- 2012 Release Year – One Year RCR – 6.5%
- 2013 Release Year – One Year RCR – 3.1%
- 2014 Release Year – One Year RCR – 7.9%
- 2015 Release Year – One Year RCR – 5.6%
- 2016 Release Year – One Year RCR – 5.8%
- 2017 Release Year – One Year RCR – 7.7%
- 2018 Release Year – One Year RCR – 2.4%
- 2019 Release Year – One Year RCR – 1.9%
- 2020 Release Year – One Year RCR – 3.2%
- 2021 Release Year – One Year RCR – 1.7%

On average 4.6% of the female clients released between 2012-2021 returned to an MDOC facility within one year post release. Female releases experienced a significant increase with 2014 releases showing a 7.9% RCR within one year post release. After a decrease in 2015, 2017 female releases experienced a significant increase again with the one year RCR increasing to 7.7% from 5.8% in 2016. In 2019, the RCR decreased to 1.9%, increasing to 3.2% for 2020 releases, and decreasing in 2021 to its lowest rate in a decade of 1.7%.





Maine Department of Corrections 2012-2021 One Year Post Release

Return to Custody by Type of Release

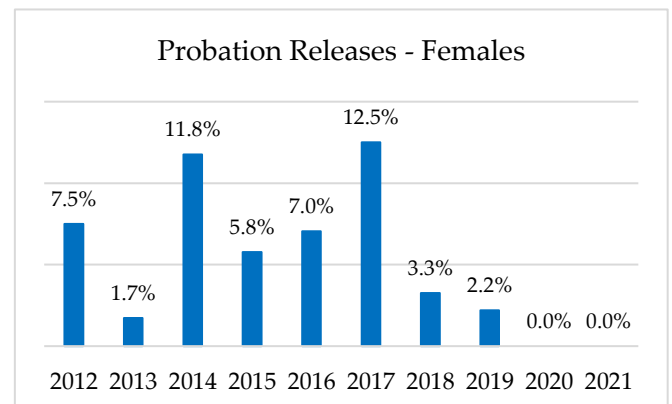
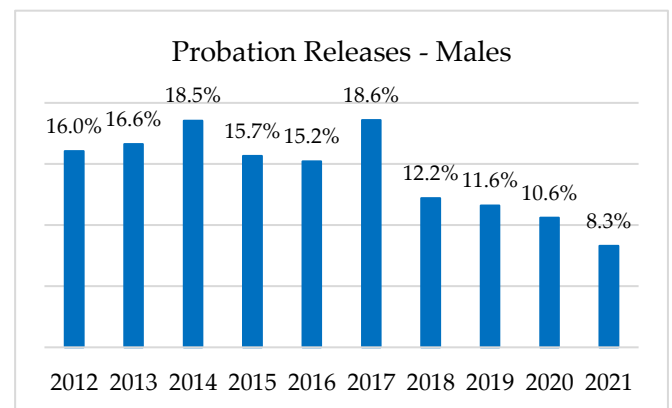
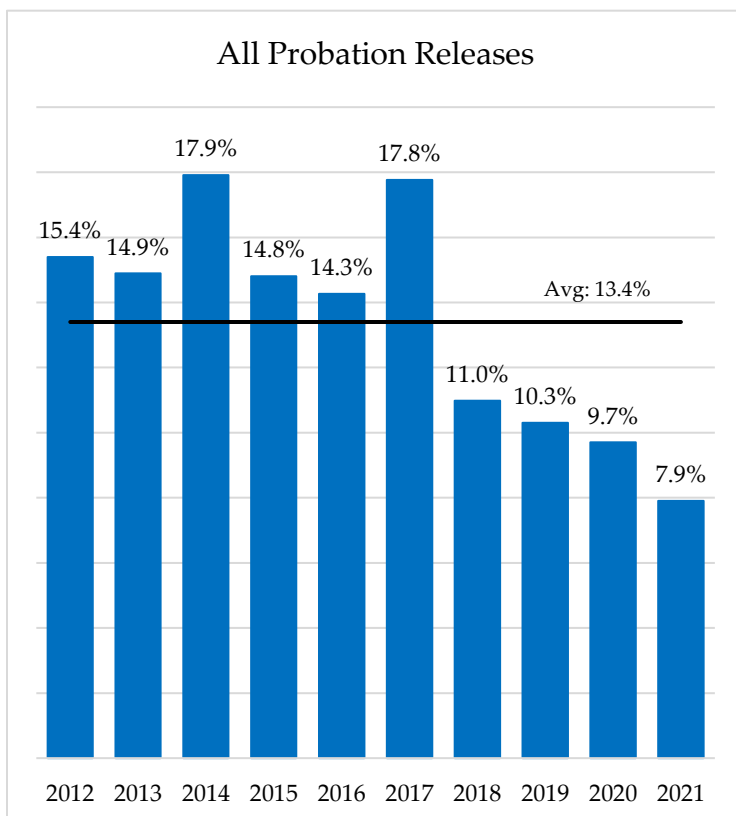
The next several charts depict the RCR for different release types. Probation Releases had a higher RCR than Straight Releases. On average (2012-2021), the Probation Releases one year RCR was 13.4%, which is 7.3% higher when compared to the average Straight Release one year RCR in the same period of 6.1%.

Probation Release

The charts below represent all probation releases from an MDOC facility between 2012 and 2021, grouped by release year, then broken down by gender to the right.

- 2012 Release Year – One Year RCR – 15.4%
- 2013 Release Year – One Year RCR – 14.9%
- 2014 Release Year – One Year RCR – 17.9%
- 2015 Release Year – One Year RCR – 14.8%
- 2016 Release Year – One Year RCR – 14.3%
- 2017 Release Year – One Year RCR – 17.8%
- 2018 Release Year – One Year RCR – 11.0%
- 2019 Release Year – One Year RCR – 10.3%
- 2020 Release Year – One Year RCR – 9.7%
- 2021 Release Year – One Year RCR – 7.9%

On average 13.4% of the clients released to probation from 2012-2021 returned to an MDOC facility within one year post release. 2014 releases experienced the highest RCR with 17.9% returning to an MDOC facility within one year post release. After decreasing in 2015 and 2016, probation one year post release RCR increased in 2017 to 17.8%, and has since decreased to the lowest rate of 7.9% for releases in 2021.





Maine Department of Corrections 2012-2021 One Year Post Release

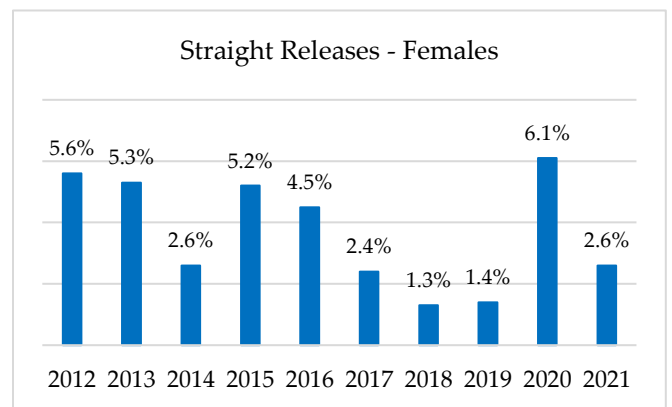
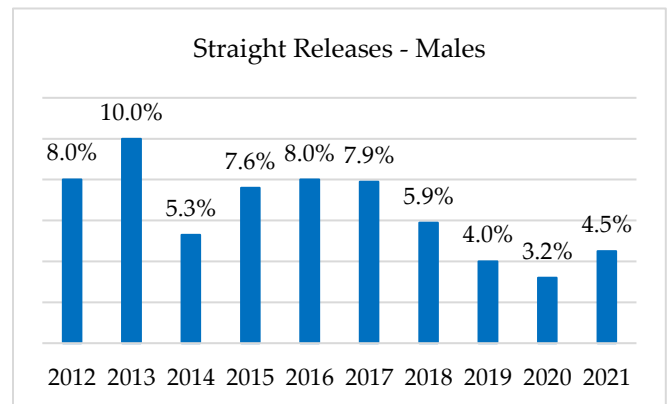
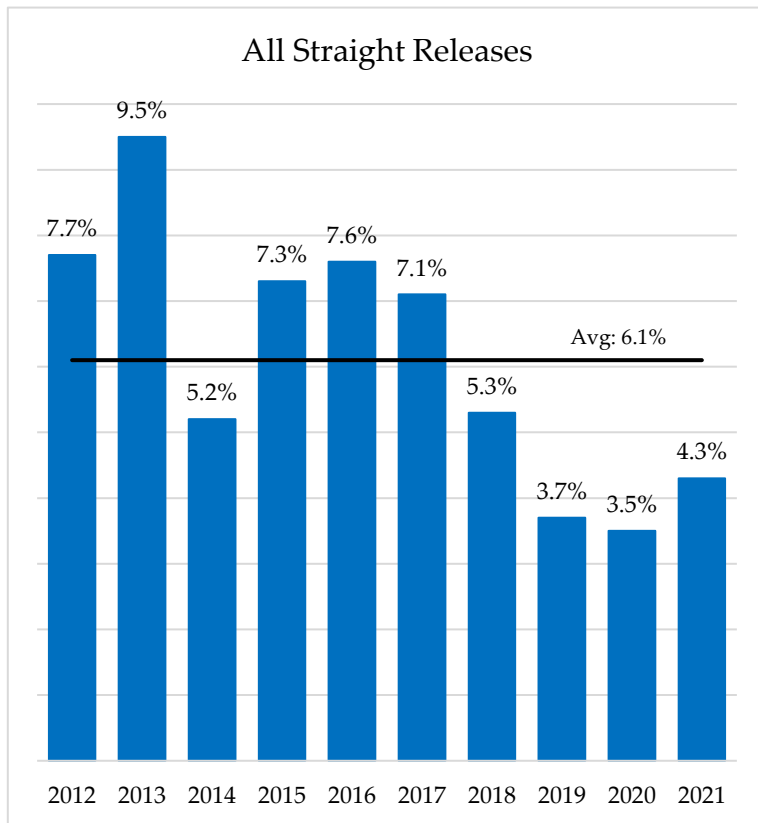
Straight Release

The charts below represent all straight releases from an MDOC facility between 2012 and 2021, grouped by Release Year, then broken down by gender to the right.

MDOC post release RCR:

- 2012 Release Year – One Year RCR – 7.7%
- 2013 Release Year – One Year RCR – 9.5%
- 2014 Release Year – One Year RCR – 5.2%
- 2015 Release Year – One Year RCR – 7.3%
- 2016 Release Year – One Year RCR – 7.6%
- 2017 Release Year – One Year RCR – 7.1%
- 2018 Release Year – One Year RCR – 5.3%
- 2019 Release Year – One Year RCR – 3.7%
- 2020 Release Year – One Year RCR – 3.5%
- 2021 Release Year – One Year RCR – 4.3%

On average 6.1% of all straight releases from 2012-2021 returned to an MDOC facility within one year post release. 2020 straight releases show the lowest one year RCR of 3.5%, with an increase to 4.3% in 2021.





Maine Department of Corrections 2012-2021 One Year Post Release

Return to Custody by Release Custody Level

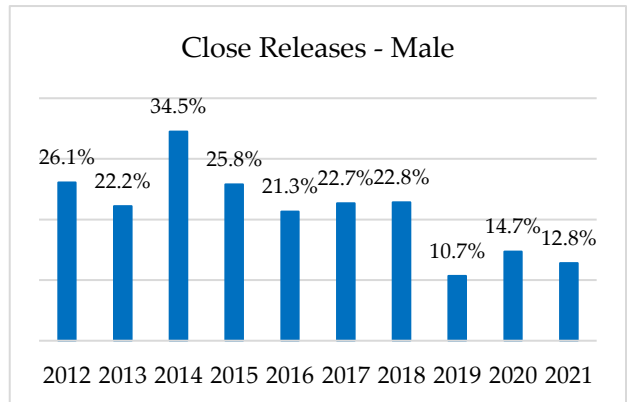
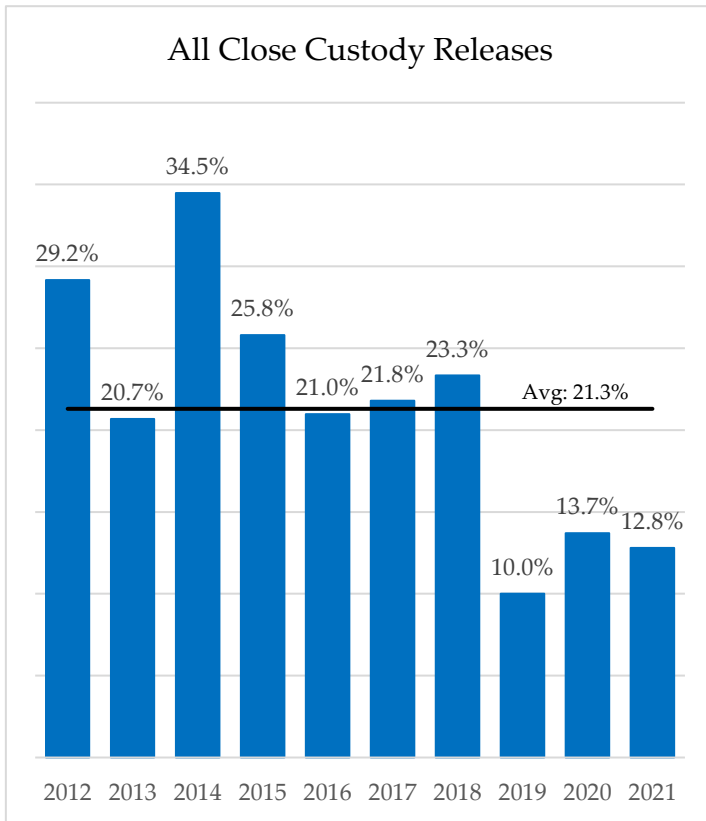
The following charts represent all releases from an MDOC facility (Probation and Straight Release) between 2012 and 2021, grouped by Custody Level at Release and Release Year.

Close Custody Release

Close Custody Post Release RCR:

- 2012 Release Year – One Year RCR – 29.2%
- 2013 Release Year – One Year RCR – 20.7%
- 2014 Release Year – One Year RCR – 34.5%
- 2015 Release Year – One Year RCR – 25.8%
- 2016 Release Year – One Year RCR – 21.0%
- 2017 Release Year – One Year RCR – 21.8%
- 2018 Release Year – One Year RCR – 23.3%
- 2019 Release Year – One Year RCR – 10.0%
- 2020 Release Year – One Year RCR – 13.7%
- 2021 Release Year – One Year RCR – 12.8%

On average 21.3% of all clients released from close custody between 2012-2021 returned to an MDOC facility within one year post release. The one year RCR for close custody releases in 2019 experienced the lowest rate at 10.0%, with an increase up to 13.7% for 2020, and decrease to 12.8% for 2021.



The MDOC had only 20 female Close Custody releases during the ten year timeframe. 2012 and 2018 releases each included one return to custody within one year post release.



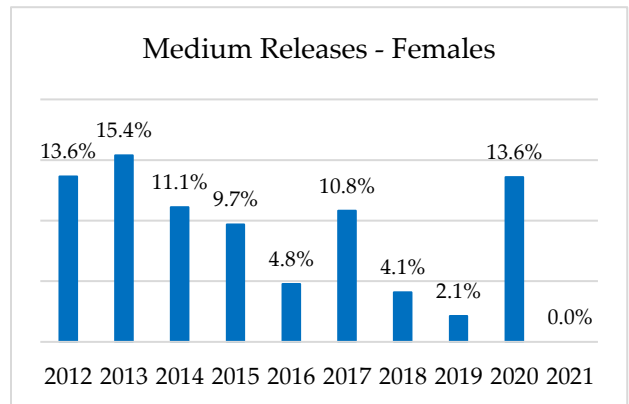
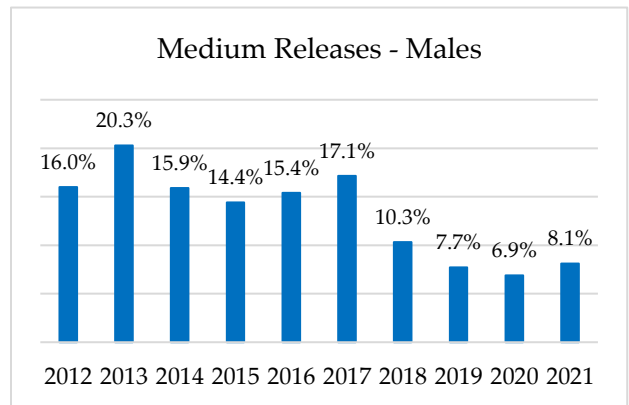
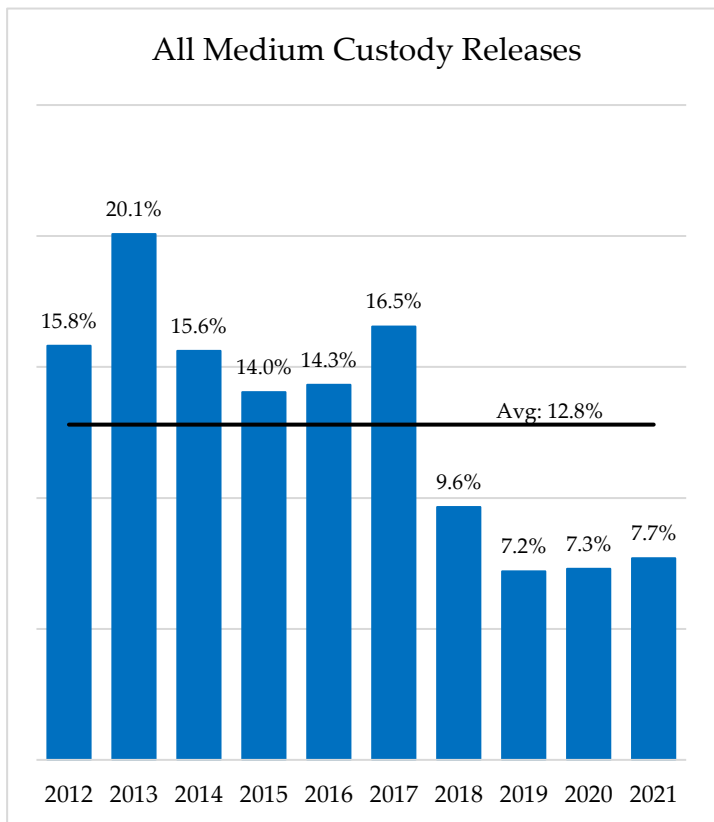
Maine Department of Corrections 2012-2021 One Year Post Release

Medium Custody Release

Medium Custody Post Release RCR

- 2012 Release Year – One Year RCR – 15.8%
- 2013 Release Year – One Year RCR – 20.1%
- 2014 Release Year – One Year RCR – 15.6%
- 2015 Release Year – One Year RCR – 14.0%
- 2016 Release Year – One Year RCR – 14.3%
- 2017 Release Year – One Year RCR – 16.5%
- 2018 Release Year – One Year RCR – 9.6%
- 2019 Release Year – One Year RCR – 7.2%
- 2020 Release Year – One Year RCR – 7.3%
- 2021 Release Year – One Year RCR – 7.7%

On average 12.8% of all clients released from medium custody between 2012 and 2021 returned to an MDOC facility within one year post release. 2018 and 2019 medium custody releases experienced a decrease in the one year RCR with 9.6% and then 7.2% of the releases returning one year post release. The RCR for releases in 2020 increased slightly to 7.3%, and further increased to 7.7% in 2021.





Maine Department of Corrections 2012-2021 One Year Post Release

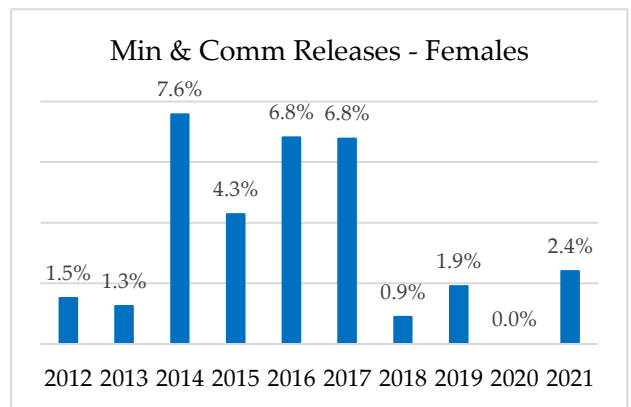
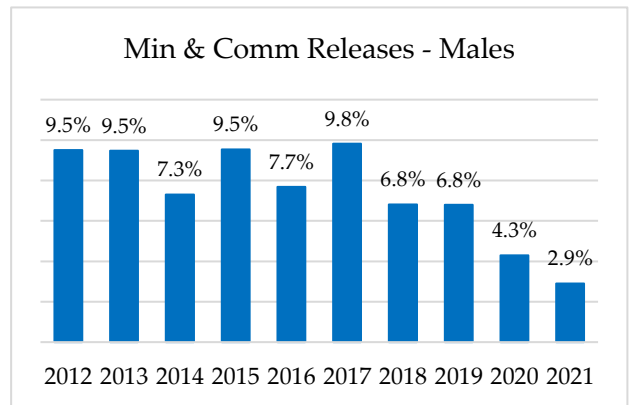
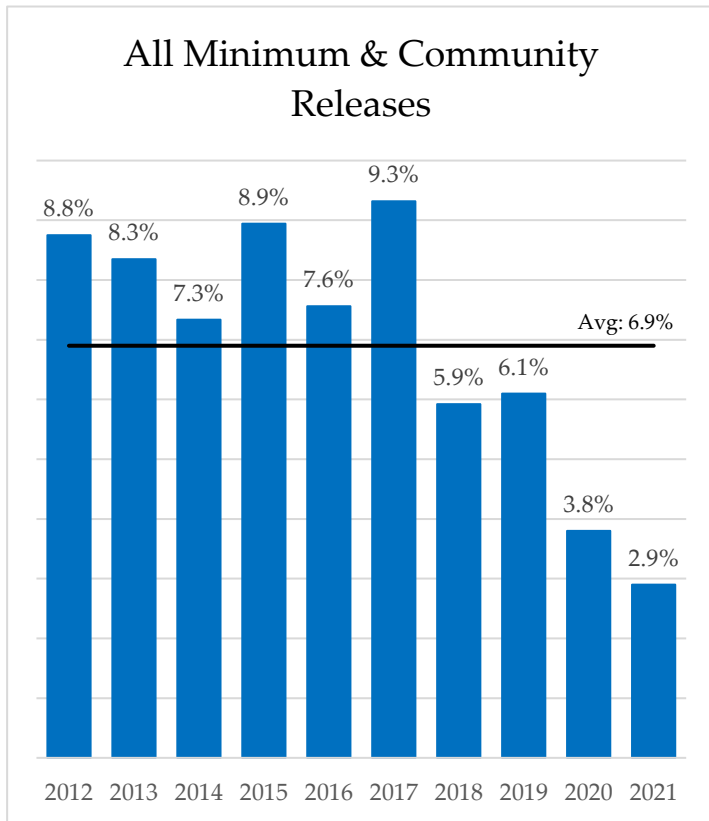
Minimum & Community Custody Release

Minimum & Community Custody Post Release RCR

- 2012 Release Year – One Year RCR – 8.8%
- 2013 Release Year – One Year RCR – 8.3%
- 2014 Release Year – One Year RCR – 7.3%
- 2015 Release Year – One Year RCR – 8.9%
- 2016 Release Year – One Year RCR – 7.6%
- 2017 Release Year – One Year RCR – 9.3%
- 2018 Release Year – One Year RCR – 5.9%
- 2019 Release Year – One Year RCR – 6.1%
- 2020 Release Year – One Year RCR – 3.8%
- 2021 Release Year – One Year RCR – 2.9%

On average 6.9% of all clients released from Minimum & Community custody between 2012 and 2021 returned to an MDOC facility within one year post release. This average is 5.9% below the average for medium custody releases (12.8%) and 14.4% below that of the close custody releases (21.3%).

The 2021 one year RCR for all clients decreased from 2020 and was the lowest percent in the ten year period, at 2.9%. Female minimum and community custody releases in 2021 saw an increase at 2.4% returning within one year. Male minimum and community custody clients released in 2021 was the lowest one year return rate showing 2.9% returned within one year.

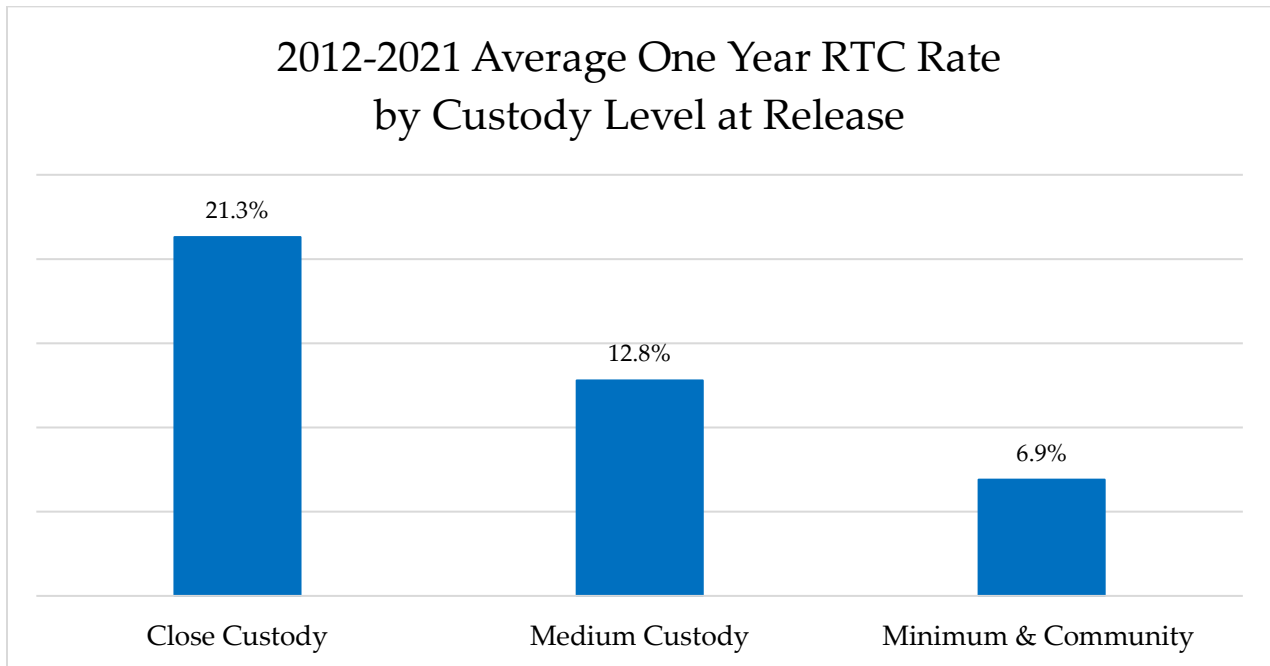




Maine Department of Corrections 2012-2021 One Year Post Release

Return to Custody Rate Average Comparison by Custody Group

The chart below depicts the one year RCR average for all releases between 2012-2021 grouped by the client's custody level upon release. The chart is sorted from highest custody level to least, going from close custody to minimum & community custody. As custody level at release decreases, so does the average one year return to custody rate.



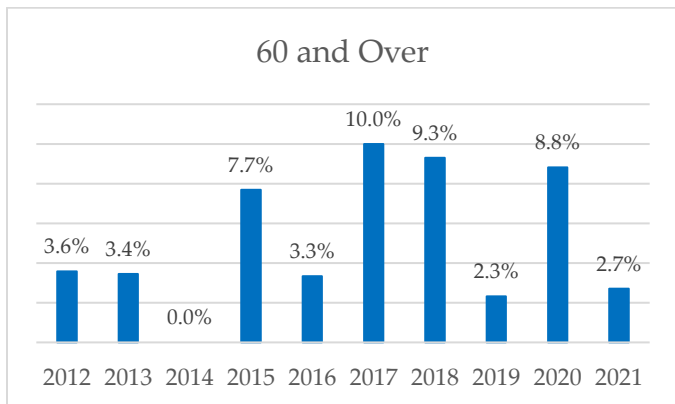
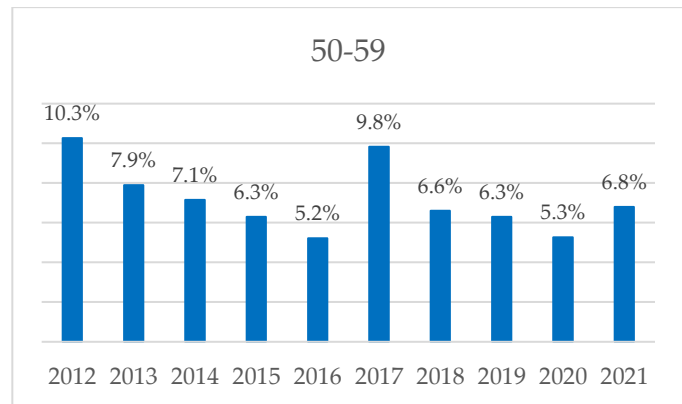
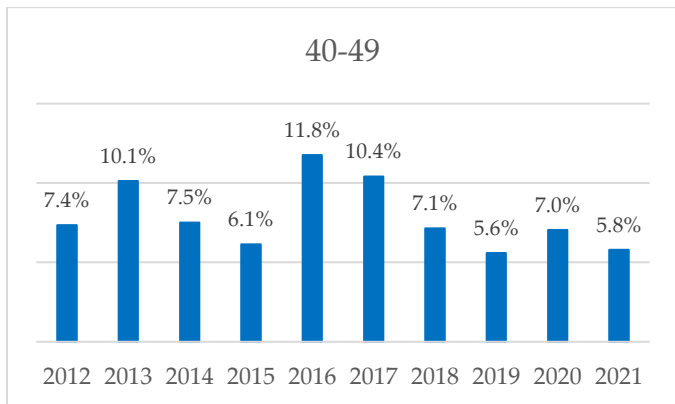
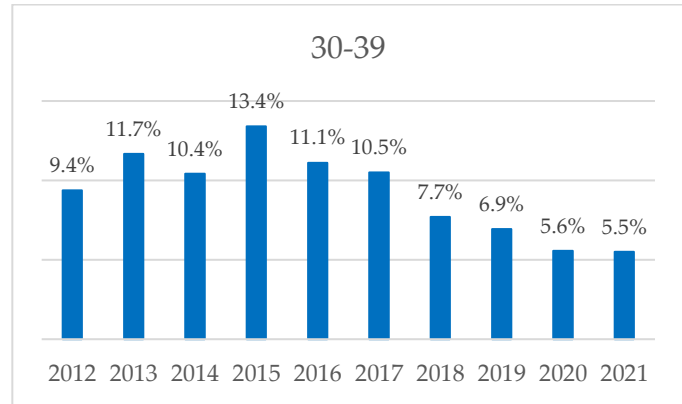
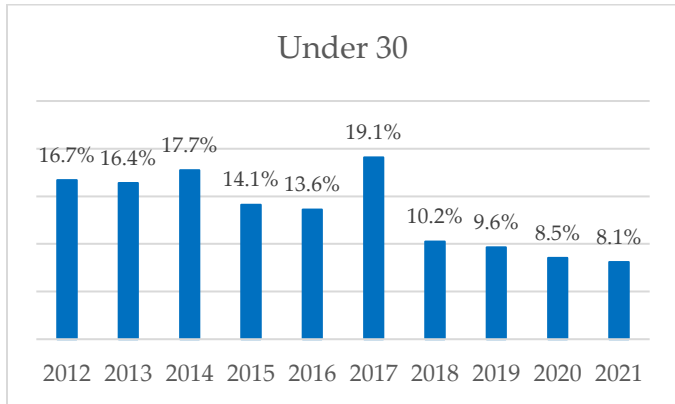


Maine Department of Corrections 2012-2021 One Year Post Release

Return to Custody by Age at Release

The charts below represent all releases from an MDOC facility (Probation and Straight Release) between 2012 and 2021, grouped by Release Year & Age at Release.

The under 30 and 30-39 age groups experienced continued decline in their one year RCR since 2017. The under 30 releases experienced the greatest decrease from 2017 to 2021, showing an 11.0% decrease between those years.





Maine Department of Corrections 2012-2021 One Year Post Release

Return to Custody by Risk Assessment and Program Completion

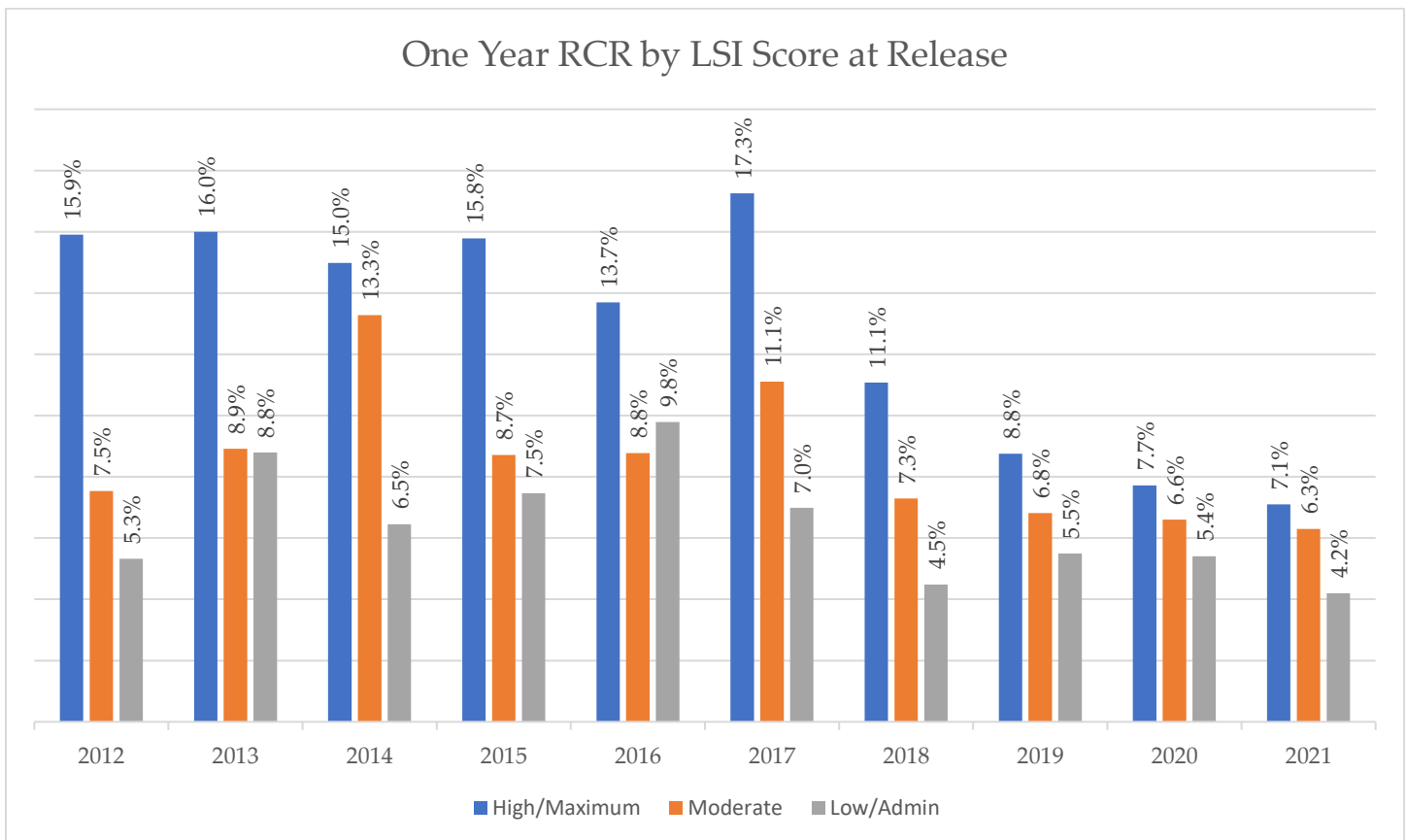
Core correctional programs are completed by clients while incarcerated depending on each client’s criminogenic needs and case plan. Core programs are evidence based programs the Maine DOC has determined appropriate to have the most positive impact on assessed criminogenic needs. Criminogenic needs are 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 one year post release by release year, broken down by their risk assessment score at the time of their release.

For clients released with a low or administrative score in 2021, 4.2% returned within 1 year post release which is a slight decrease from 2020.

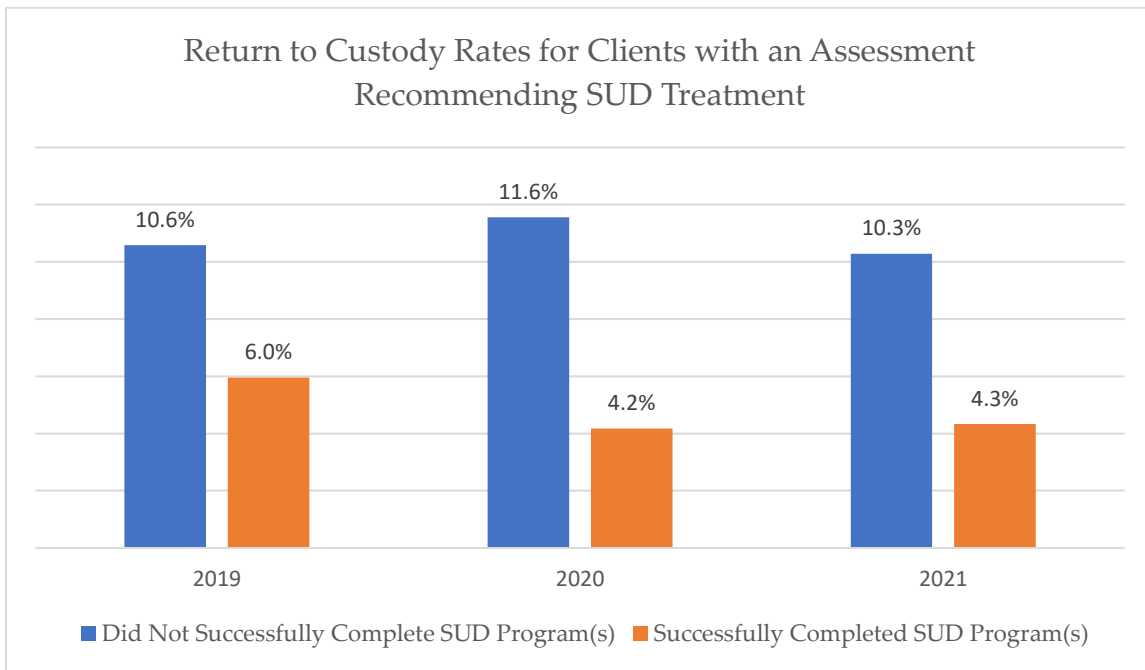
Clients with a moderate risk level had a 6.3% one year return rate in 2021 which is the lowest seen in the past ten years for this risk type. The one year return to custody rate for high/maximum risk level clients released in 2021 is 7.1%, which as expected is higher than both the low/admin and moderate releases for the same year, but also the lowest this risk level has seen in the past 10 years.





Effects of Program Completion Substance Use Disorder

The chart below represents all clients released from an MDOC facility from 2019 to 2021 who had a TCUD substance use assessment that resulted in a recommendation of being appropriate for substance use treatment. 10.3% of the clients with that recommendation who released in 2021 and did not successfully complete substance use programming while in a facility, returned to custody within one year. 2021 releases with that recommendation who did complete substance use programming in a facility had a 4.3% return to custody rate.



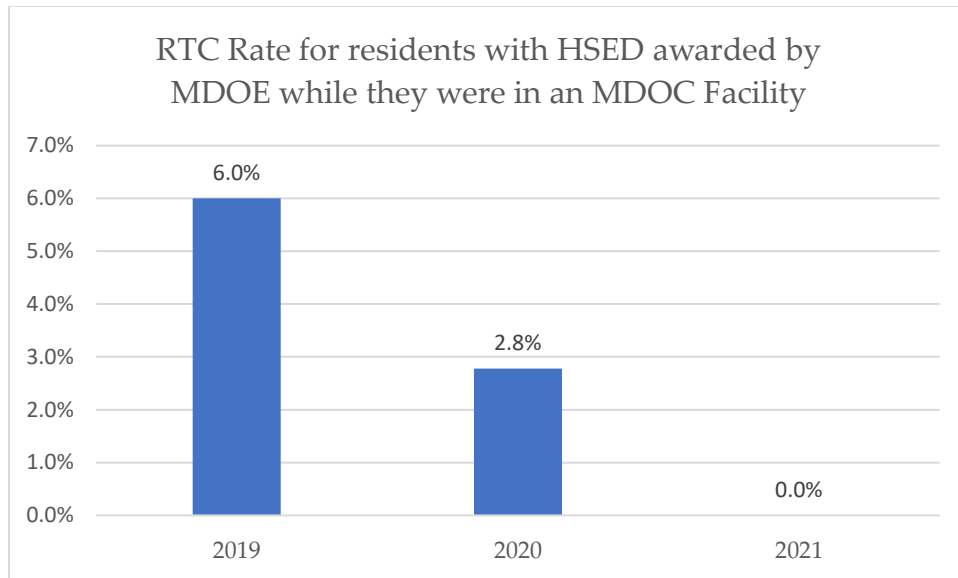


Maine Department of Corrections 2012-2021 One Year Post Release

High School Equivalency Programming

Residents in MDOC facilities have the opportunity to take HSED courses and tests and be awarded their HSED by the MDOE. The return to custody rates for those residents by release year are in the chart below.

None of the 42 clients released in 2021 who had received their HSED while in a facility returned to custody within one year of release.



College Education Programming

MDOC tracked all residents released from 2010 – 2020 who completed either an Associate’s Degree or Bachelor’s Degree while in MDOC custody. Since 2010, there have been 37 male and 16 female releases who received their degree while in a facility. None of the clients returned to custody within one year of their release date.

- 2010-2021 Release Year – One Year RCR – 0%



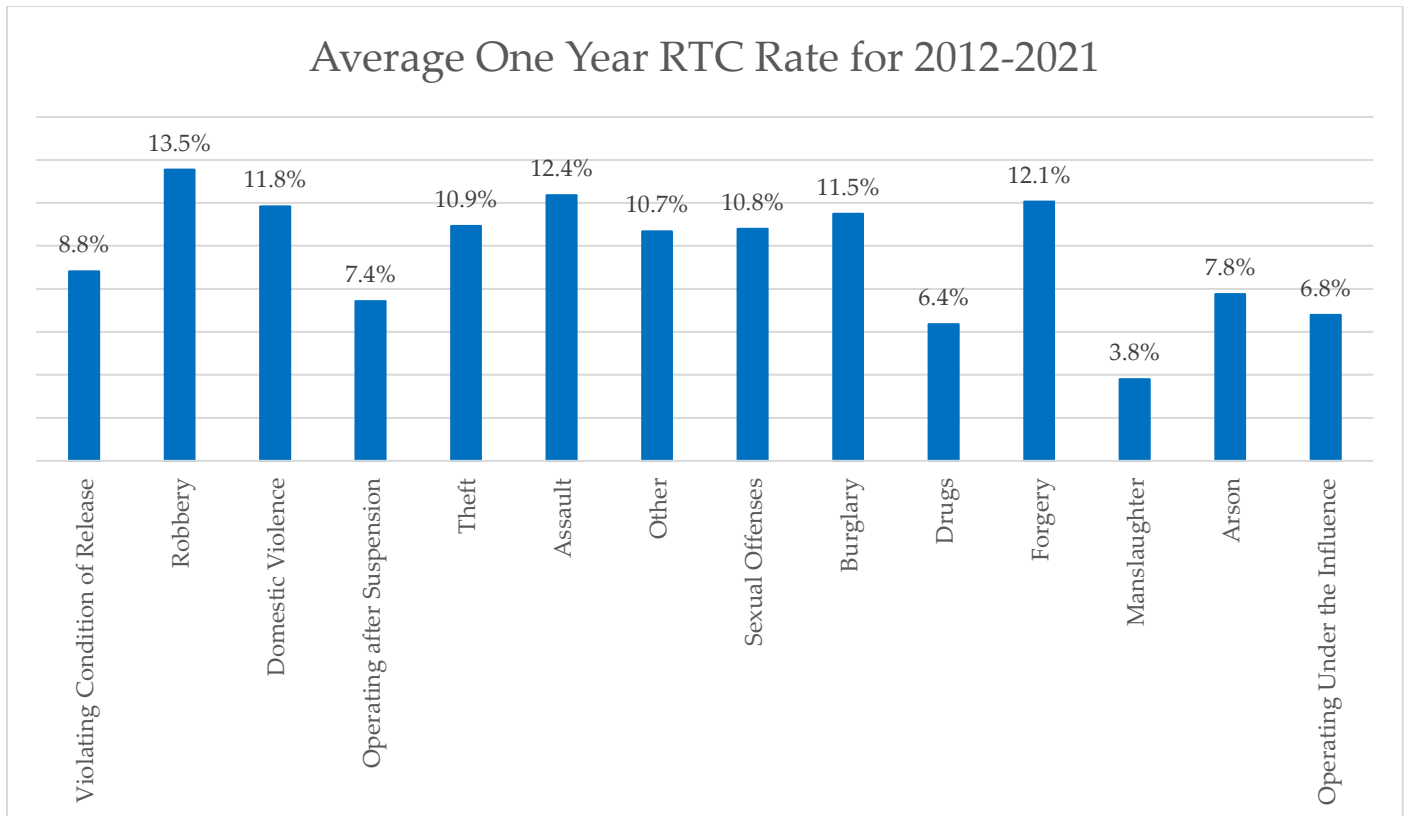
Maine Department of Corrections 2012-2021 One Year Post Release

Return to Custody by Controlling Sentence

The chart below represents all releases from an MDOC facility (Probation and Straight Release) between 2012 and 2021, grouped by Release Year & Controlling Sentence at Release.

Robbery, Assault, and Forgery releases experienced the highest one year RCR on average for the period, all above 12%. Burglary and Domestic Violence experienced the next highest one year return to custody rates for the period, all above 11%.

The controlling sentence categories shown are not a full representation of all releases from 2012-2021. The chart only highlights the controlling sentence release categories with greater than 100 releases for the period.





**Maine Department of Corrections
2012-2021 One Year Post Release**

Return to Custody from Supervised Community Confinement Program

The purpose of the Supervised Community Confinement Program is to provide a means of successful reentry of residents into the community. Residents transferred to the SCCP are still considered residents while in the program. The place of confinement is in the community, rather than in a correctional facility and supervised by the Community Corrections Division. Participation in this program is a privilege that may be afforded to residents who meet the established criteria.

For the table “Return to Custody Rate of Clients Due to Violation While on SCCP”, return to custody is defined as a resident placed on SCCP in the community, and returning to a Maine Department of Corrections facility due to violating the conditions of the SCCP program.

Return to Custody Rate of Clients Due to Violation While on SCCP

	2017	2018	2019	2020	2021
Violated SCCP	15%	21%	12%	12%	9%
Successfully Completed SCCP	85%	79%	88%	88%	91%

For the table “One Year Return to Custody Rate of Clients who Successfully Completed their SCCP”, return to custody is defined as a client placed on SCCP in the community, successfully completing that program to the end of their sentence, and then later returning to a Maine Department of Corrections facility due to new charges or violating conditions of probation.

One Year Return to Custody Rate of Clients who Successfully Completed their SCCP

	2017	2018	2019	2020	2021
Returned to MDOC facility within 1 year of SCCP Placement	7%	2%	0%	2%	0%
Didn't return to MDOC facility within 1 year of SCCP Placement	93%	98%	100%	98%	100%



Report Summary

Each individual section of the report describes key findings MDOC discovered during the data analysis process. As more data becomes available pertaining to Return to Custody, MDOC will report out on those individual sections.

It should be noted that the Maine Department of Corrections average daily population steadily decreased for both males and females from 2019 through 2022, which may have a direct relationship to our current decline in the one-year return to custody rates for releases in 2018 through 2021.

After review of the findings, 2021 releases showed the lowest one year return to custody rate for the ten year period in the majority of areas analyzed. This includes the one year RCR for all clients released in 2021 which was 6.1%.

2021 releases also showed the lowest one year return to custody rate for the ten year period for all males released which was 6.5%, and all females released which was 1.7%.

Releases to Probation in 2021 also had the lowest one year RCR of 7.9%. Female releases to probation had their lowest for 2021 releases as well, with a 0.0% one year RCR. Males reached their lowest rate for release to probation for the ten year period with a 2021 one year RCR of 8.3%.

All straight releases increased from the previous one year RCR in 2021 to 4.3%. Male straight releases also increased to 4.5% for the one year RCR in 2021. Female straight releases saw the highest of the ten year period with an RCR of 6.1% in 2020 but has since decreased to 2.6% in 2021.

The RCR for close custody releases in 2021 was 12.8%, which is 2.8% higher than the groups lowest rate in 2019. The RCR for medium custody releases in 2021 was 7.7%, which is 0.5% higher than the groups lowest rate of 2019. Minimum and community custody releases showed a ten year low for 2021 releases with a RCR of 2.9%, which is significantly lower than all custody levels.

There is no complete and accurate way to confirm which program(s) results in a decrease in return to custody, or if a combination of programs, or a proper correlation between risk, needs and programs are to be given credit. That does not negate the fact that reviewing the return to custody numbers for those who complete certain programs can give some valuable insight to all corrections stake holders.

The data included in this report cannot define what causes an increase or decrease in return to custody rates but provides data points to assist management and staff in making evidence-based decisions.



Maine Department of Corrections 2012-2021 One Year Post Release



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

Making our communities safer by reducing harm through supportive intervention, empowering change, and restoring lives is the mission of the Maine Department of Corrections.