

# Return to Custody Report One Year Post Release 2010-2018



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

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March 2020



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## 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 2010 and 2018 returned to an MDOC facility within one year of release.



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## 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, 2010 – December 31, 2018. The sample also included a return to custody from January 1, 2010 to December 31, 2019. Clients released from 2010-2018 were tracked for a return to custody one 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:

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 2010-2018 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

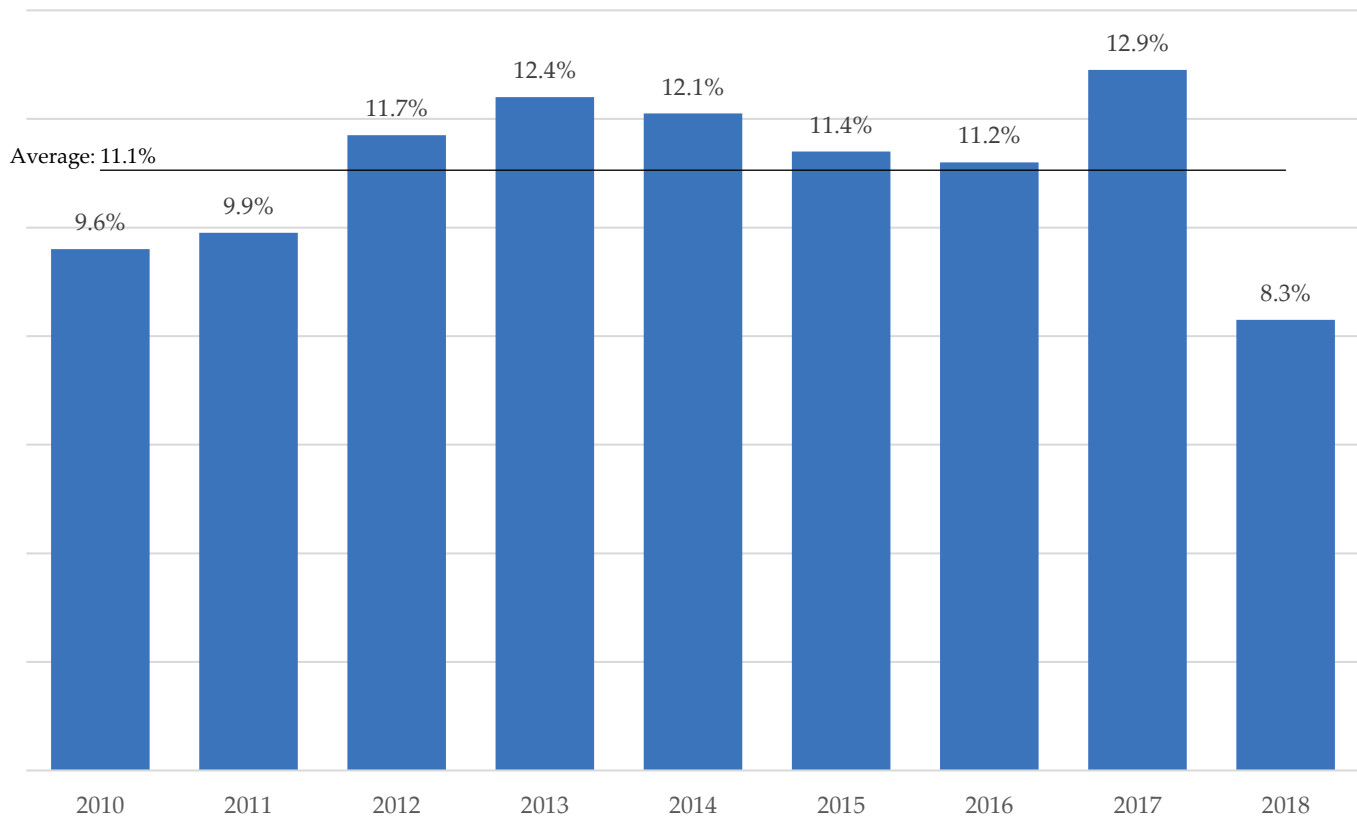
The chart below represents all releases from an MDOC facility between 2010 and 2018, grouped by Release Year.

MDOC Post Release RCR:

- 2010 Release Year – One year RCR – 9.6%
- 2011 Release Year – One year RCR – 9.9%
- 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%

On average 11.1% of the clients released from 2010-2018 returned to an MDOC facility within one-year post release.

The highest one-year RCR in the past 9 years occurred with the 2017 releases showing 12.9% returning within one year post release. 2018 showed the lowest RCR in the past 9 years, decreasing to 8.3%.





## Return to Custody by Gender

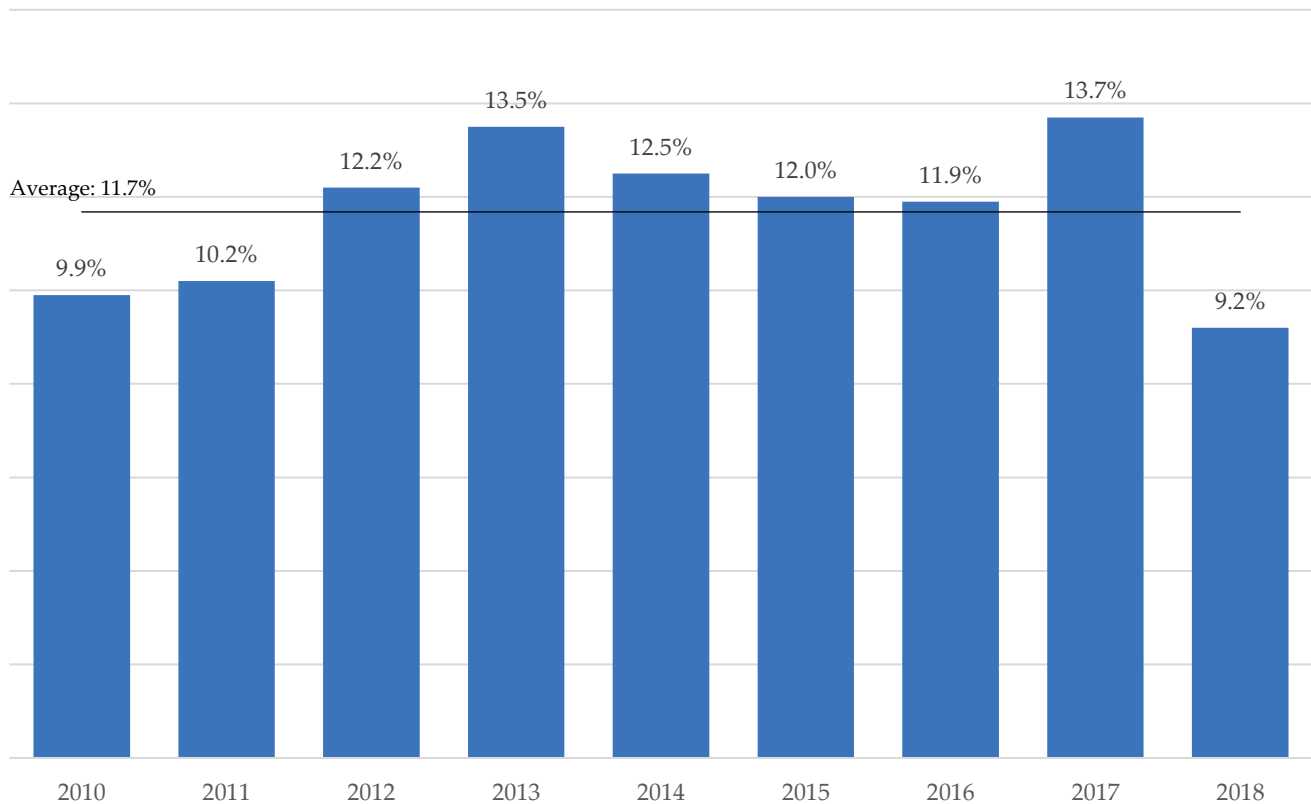
The next several charts represent all releases from an MDOC facility (Probation and Straight Release) between 2010 and 2018, grouped by Gender and Release Year.

### Male Release

MDOC Post Release RCR:

- 2010 Release Year – One year RCR – 9.9%
- 2011 Release Year – One year RCR – 10.2%
- 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%

On average 11.7% of the male clients released between 2010-2018 returned to an MDOC facility within one year post release. 2017 releases experienced the highest RCR with 13.7% of them returning within one year post release, and 2018 experienced the lowest RCR with 9.2% returning.



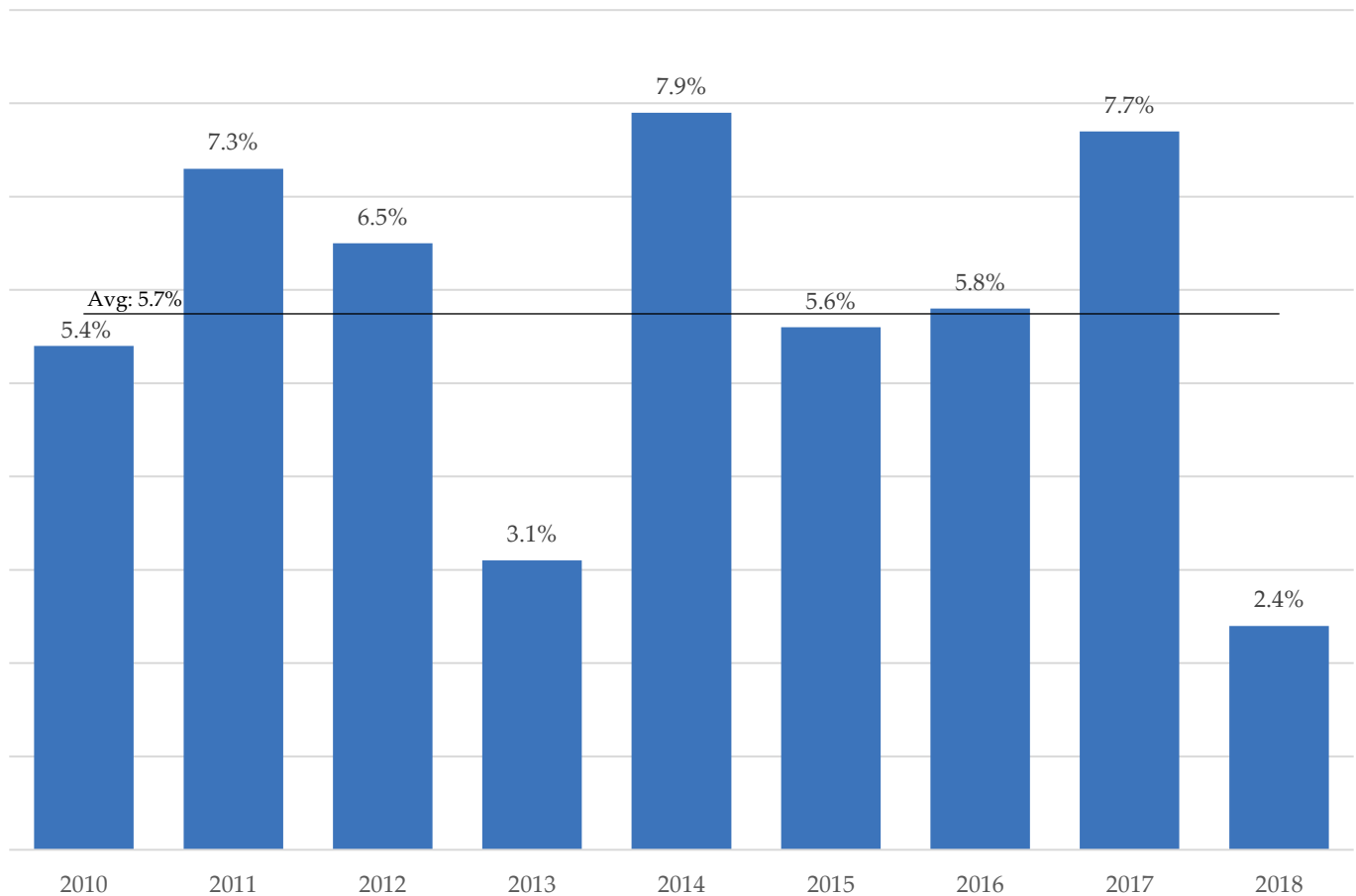


## Female Release

### MDOC Post Release RCR

- 2010 Release Year – One year RCR – 5.4%
- 2011 Release Year – One year RCR – 7.3%
- 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%

On average 5.7% of the female clients released between 2010-2018 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 2018, the RCR decreased to the lowest it's been in 9 years to 2.4%.







## 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 (2010-2018), the Probation Releases one year RCR was 14.9%, which is 8.2% higher when compared to the average Straight Release one year RCR in the same period of 6.7%.

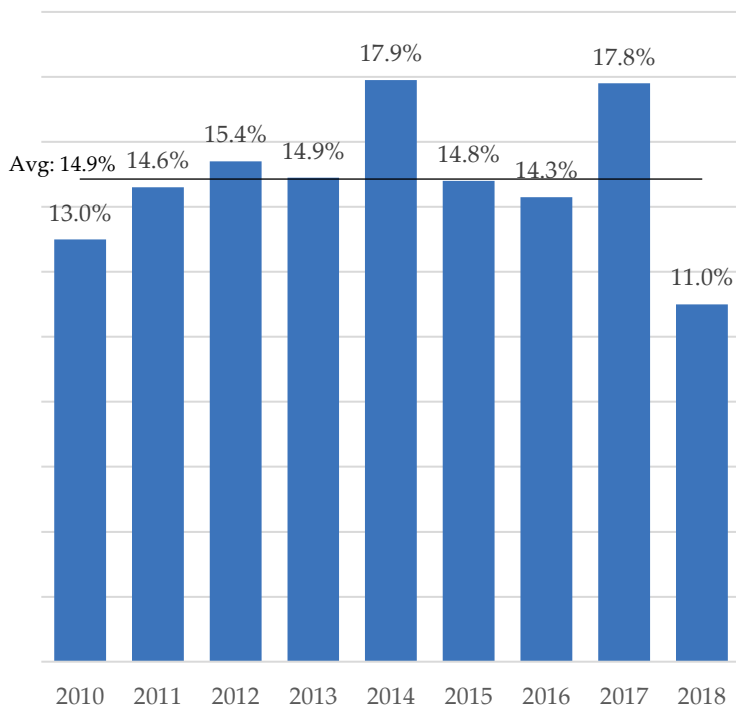
### Probation Release

The charts below represents all probation releases from a MDOC facility between 2010 and 2018, grouped by release year, then broken down by gender to the right.

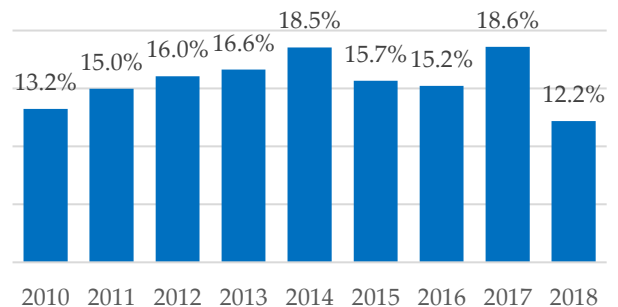
- 2010 Release Year – One year RCR – 13.0%
- 2011 Release Year – One year RCR – 14.6%
- 2012 Release Year – One year RCR – 15.4%
- 2013 Release Year – One year RCR – 14.9%
- 2014 Release Year – One year RCR – 17.9%
- 2015 Release Year – One year RCR – 14.8%
- 2016 Release Year – One year RCR – 14.3%
- 2017 Release Year – One year RCR – 17.8%
- 2018 Release Year – One year RCR – 11.0%

On average 14.9% of the clients released to probation from 2010-2018 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 then decreased to the lowest rate in 9 years to 11.0% for releases in 2018.

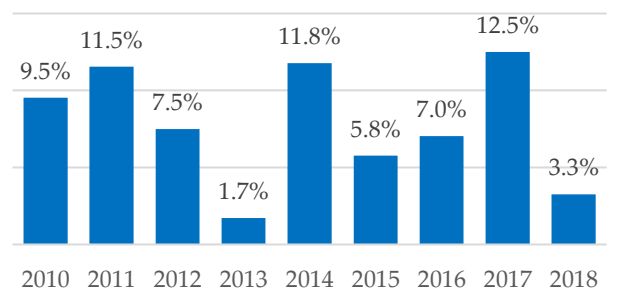
All Probation Releases



Probation Releases - Males



Probation Releases - Females





## Straight Release

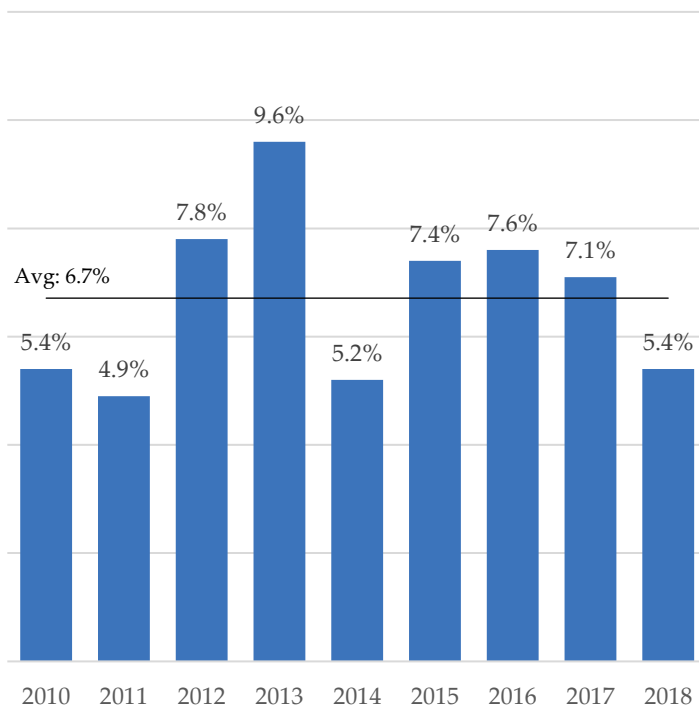
The charts below represents all straight releases from an MDOC facility between 2010 and 2018, grouped by Release Year, then broken down by gender to the right.

MDOC post release RCR:

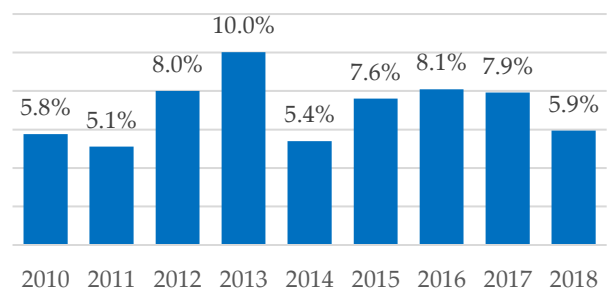
- 2010 Release Year – One year RCR – 5.4%
- 2011 Release Year – One year RCR – 4.9%
- 2012 Release Year – One year RCR – 7.8%
- 2013 Release Year – One year RCR – 9.6%
- 2014 Release Year – One year RCR – 5.2%
- 2015 Release Year – One year RCR – 7.4%
- 2016 Release Year – One year RCR – 7.6%
- 2017 Release Year – One year RCR – 7.1%
- 2018 Release Year – One year RCR – 5.4%

On average 6.7% of all straight releases from 2010-2018 returned to an MDOC facility within one year post release. All straight releases have shown a steady decline since 2016, and 2018 straight releases show the lowest one year RCR since 2014 with an RCR of 5.4%. Straight releases for females have had steady decline since 2015, with its lowest one year return to custody in the 9 year period at 1.3% for 2018.

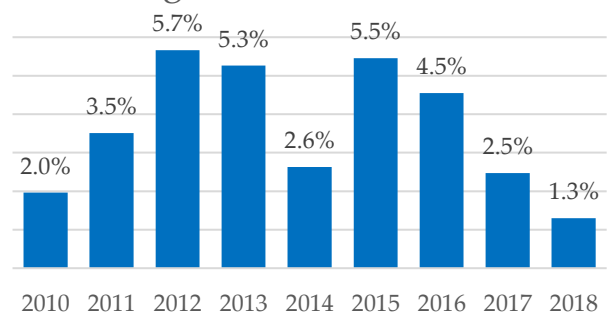
All Straight Releases



Straight Releases - Males



Straight Releases - Females





## Return to Custody by Release Custody Level

The following charts represent all releases from an MDOC facility (Probation and Straight Release) between 2010 and 2018, grouped by Custody Level at Release and Release Year.

### Close Custody Release

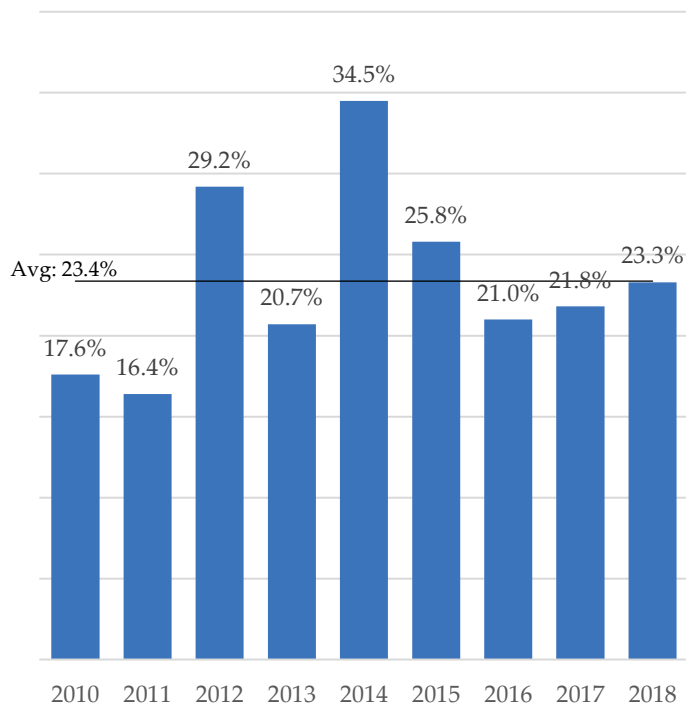
Close Custody Post Release RCR:

- 2010 Release Year – One year RCR – 17.6%
- 2011 Release Year – One year RCR – 16.4%
- 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%

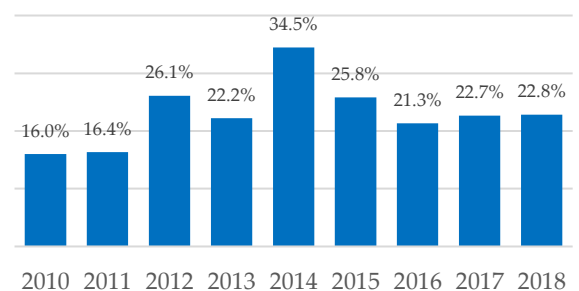
On average 23.4% of all clients released from close custody between 2010-2018 returned to an MDOC facility within one year post release. The one year RCR for close custody releases in 2018 experienced an increase from the year before going from 21.8% to 23.3%, staying just under the average for the 9 year period.

\*2010 and 2012 close female releases included only one release per year. 2011, 2014 and 2015 there were no close custody females released. The only close custody release in 2013 did not return within 1 year post release. 1 of the 3 close custody female releases in 2018 returned within 1 year of release.

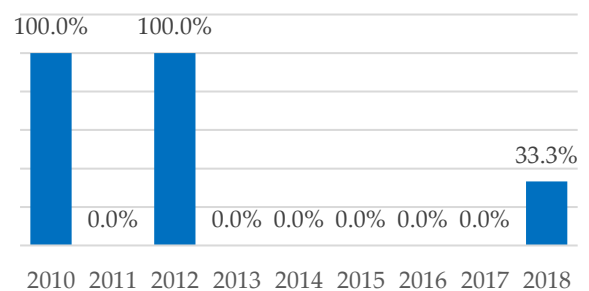
All Close Custody Releases



Close Releases - Males



Close Releases - Females\*





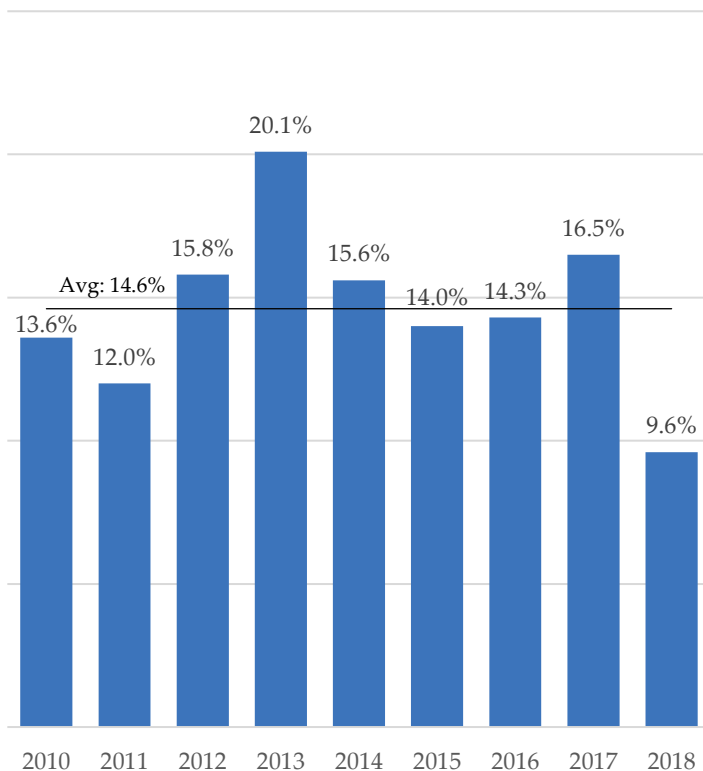
## Medium Custody Release

### Medium Custody Post Release RCR

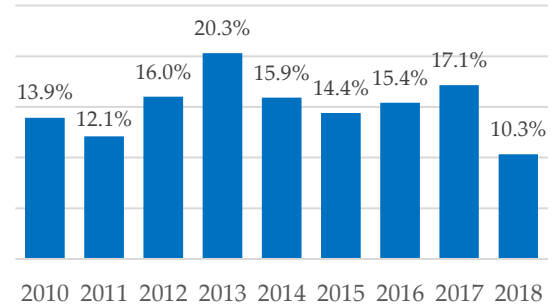
- 2010 Release Year – One year RCR – 13.6%
- 2011 Release Year – One year RCR – 12.0%
- 2012 Release Year – One year RCR – 15.8%
- 2013 Release Year – One year RCR – 20.1%
- 2014 Release Year – One year RCR – 15.6%
- 2015 Release Year – One year RCR – 14.0%
- 2016 Release Year – One year RCR – 14.3%
- 2017 Release Year – One year RCR – 16.5%
- 2018 Release Year – One year RCR – 9.6%

On average 14.6% of all clients released from medium custody between 2010 and 2018 returned to an MDOC facility within one year post release. All 2018 releases experienced a significant decrease in the one year RCR with 9.6% of the releases returning one year post release. Both male and female medium custody releases followed suit, with each of their lowest one year return to custody rates for the 9 years being in 2018, with males at 10.3% and females at 4.1%.

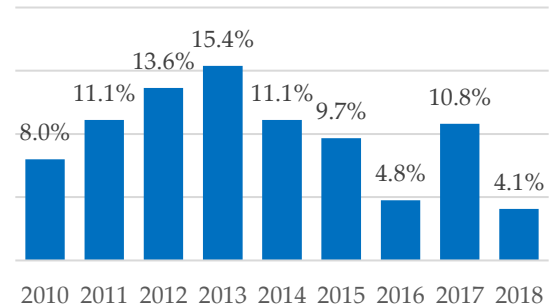
All Medium Custody Releases



Medium Releases - Males



Medium Releases - Females





## Minimum & Community Custody Release

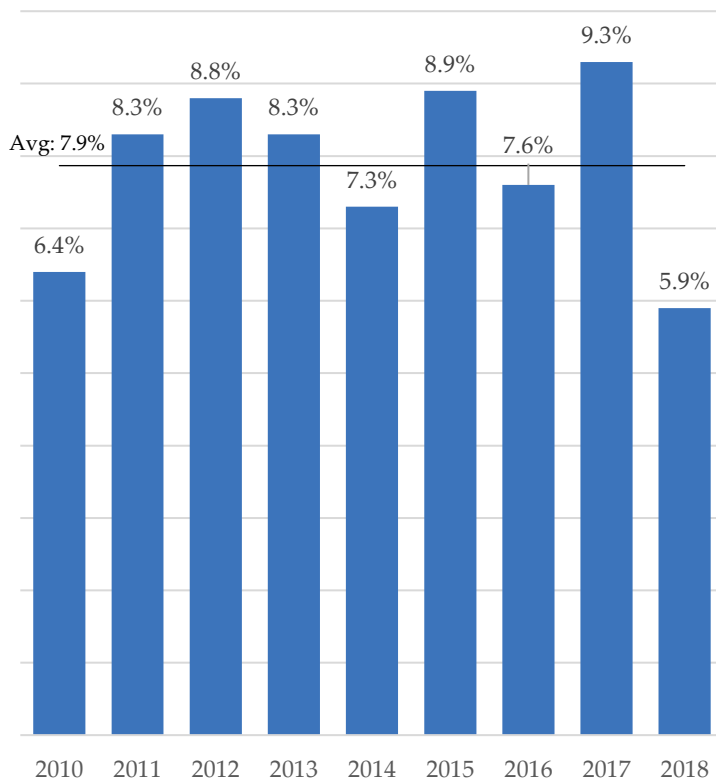
### Minimum & Community Custody Post Release RCR

- 2010 Release Year – One year RCR – 6.4%
- 2011 Release Year – One year RCR – 8.3%
- 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%

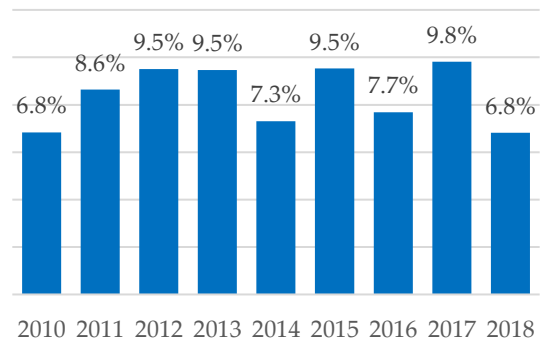
On average 7.9% of all clients released from Minimum & Community custody between 2010 and 2018 returned to an MDOC facility within one year post release. This average is 6.7% below the average for medium custody releases (14.6%) and 15.5% below that of the close custody releases (23.4%).

The 2018 one year RCR for all clients decreased to the lowest percent in the nine year period to 5.9%. Female minimum and community custody releases in 2018 were also at their lowest for the nine year period at 0.9% returning within one year. Male minimum and community custody clients released in 2018 tied for the lowest one year return rate with 2010 releases, both showing 6.8% returned within one year.

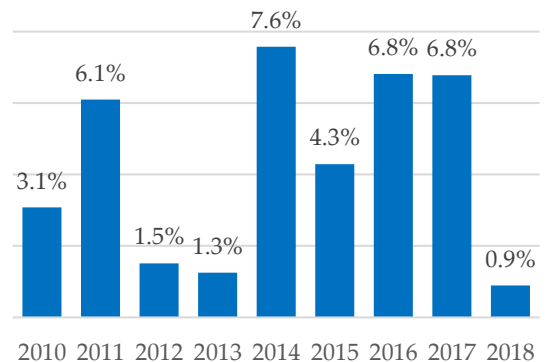
All Minimum & Community Releases



Min. & Comm. Releases - Males



Min. & Comm. Releases - Females





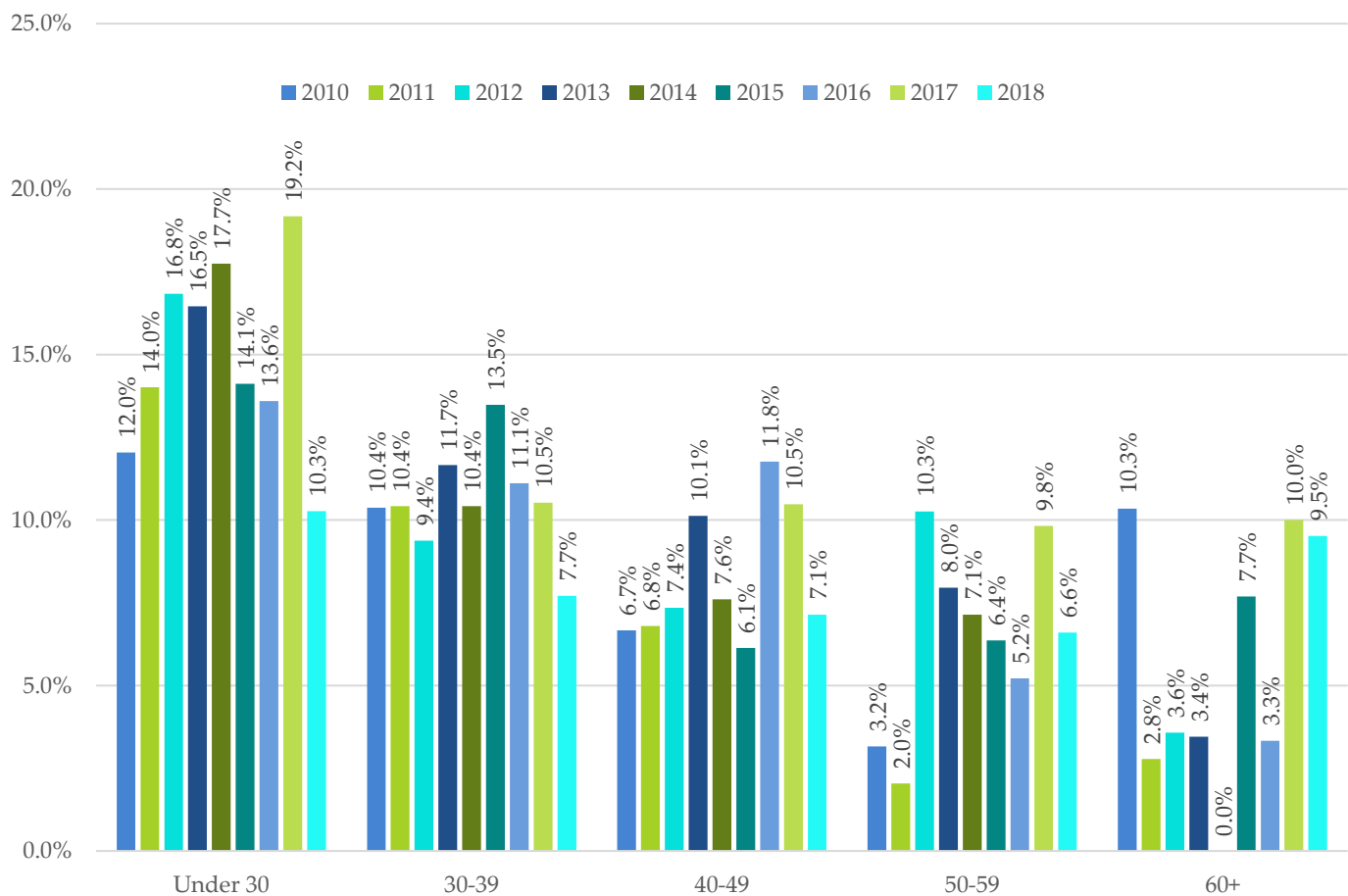
## Return to Custody by Age at Release

The chart below represents all releases from an MDOC facility (Probation and Straight Release) between 2010 and 2018, grouped by Release Year & Age at Release.

Clients released under the age of 30 have the highest RCR within the one year post release. This population of clients makes up 31% of the clients released during this period, representing the second largest population group. This age group experienced a significant decrease in the one year RCR going from 19.2% in 2017 to 10.3% in 2018.

The next highest return to custody age group is 30-39 years. This population of clients represents 37% of the of the clients released during this period, making it the largest population group. This age group also experienced a decrease in one year RCR going from 10.5% in 2017 to 7.7% in 2018.

All age groups experienced some decrease in their one year RCR from 2017 to 2018.





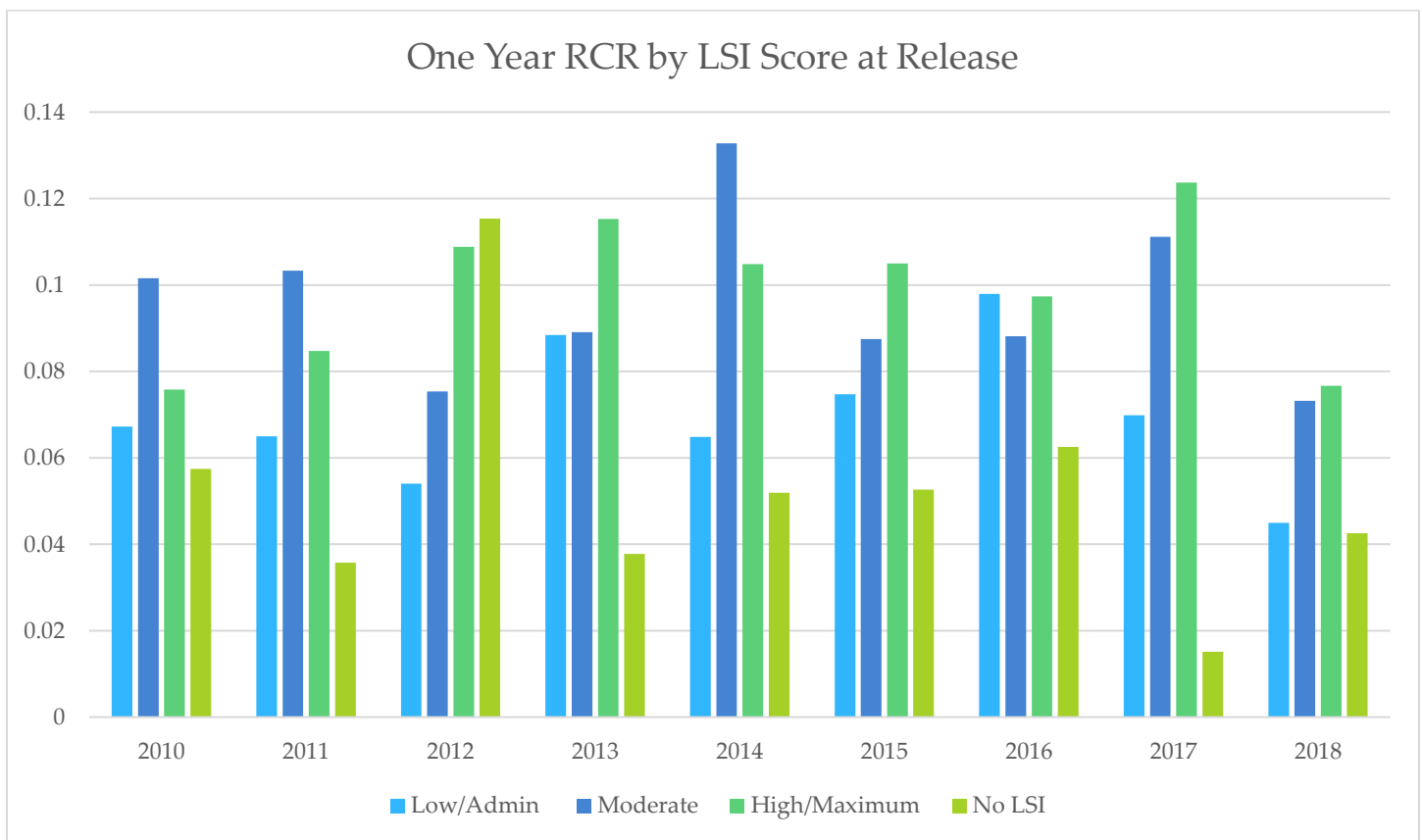
## Return to Custody by Risk Assessment and Program Completion

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 2018, 4.5% returned within 1 year post release. Clients with a moderate risk level had a 7.3% one year return rate in 2018. Both of those rates are the lowest seen in the past nine years for their risk types. The one year return to custody rate for moderate risk level clients released in 2018 is 7.7% which is a 4.7% decrease from 2017.

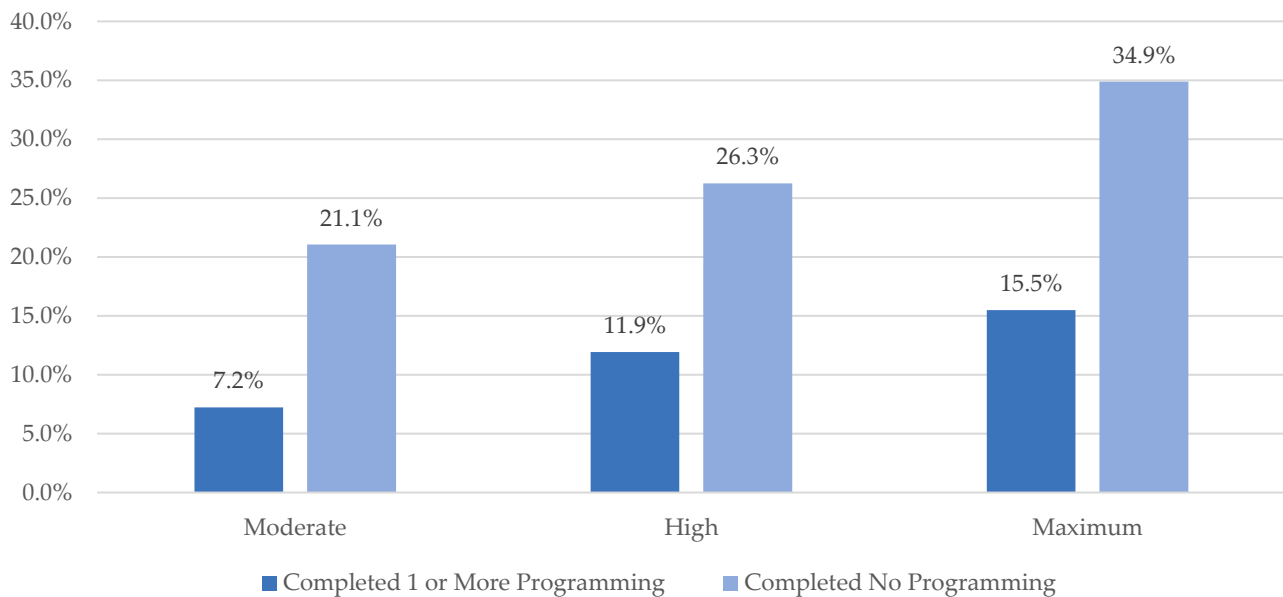




## Effects of Program Completion

The chart below represents clients released from an MDOC facility from 2017-2018, assessed at a moderate, high, or maximum risk level and their correlating 1 year RCR. The chart compares the 1 year RCR for the same risk level clients who completed at least one program successfully, to those who did not complete any program successfully. The program completers demonstrate a significant reduction in the RCR.

1 Year RCR for 2017-2018 Releases with Moderate, High or Maximum LSI at Release





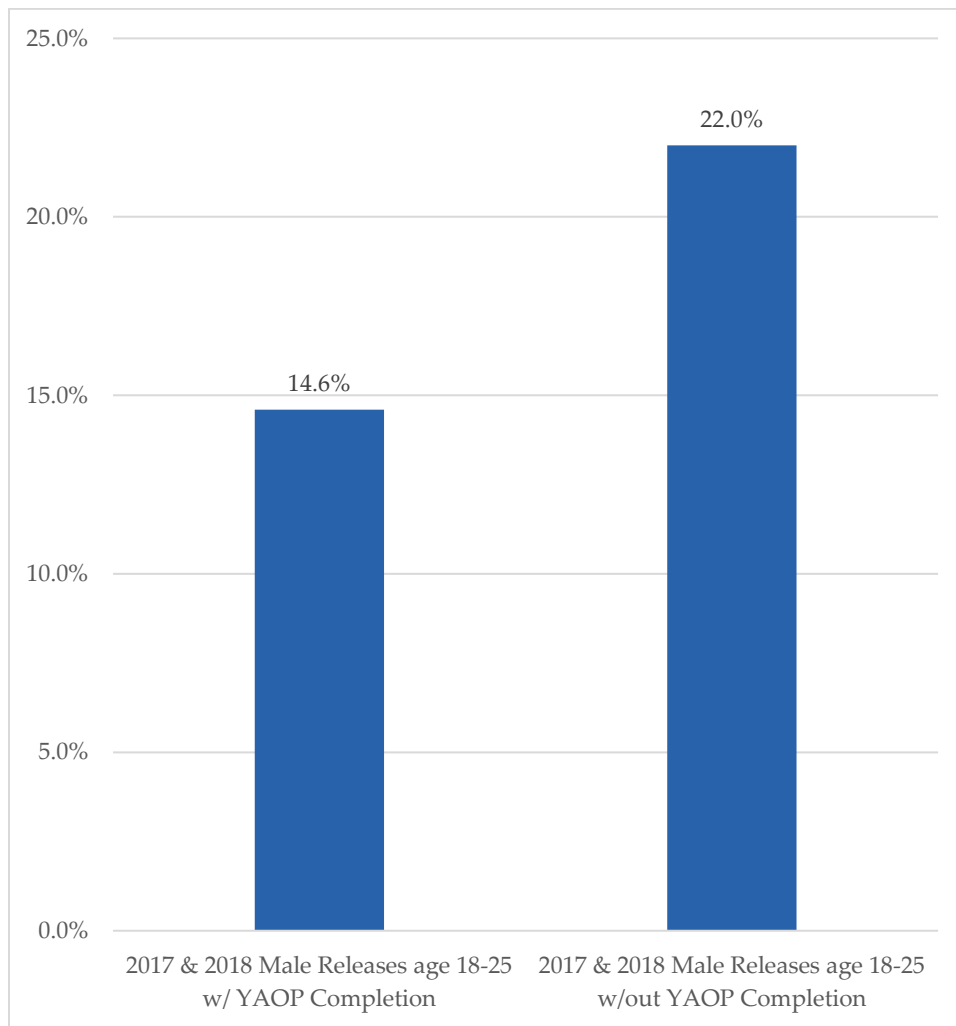


### Young Adult Offender Program (YAOP) Core Program Completion

The YAOP Program exists to serve first time incarcerated young adult male clients between the ages of 18-25, who are medium, minimum or community custody and have a risk level of medium, high or maximum. The program is evidenced-based and provides services that are designed to meet individual risks and needs. The program is designed to promote life-long skills that are focused on reducing the likelihood of reoffending while encouraging pro-social thinking and behaviors, in a safe and secure environment.

### Effects of YAOP Program Completion

The chart below represents male releases between the ages of 18-25 on the day of their release, without a YAOP completion compared to males of the same age group with a YAOP completion. The group without a YAOP completion had a one year RCR of 21.1% for 2017 and 2018 combined. When compared to the one year RCR rate for male releases between the ages of 18-25 who completed YAOP the decrease in the 1 year RCR is evident. Combined 2017 and 2018 releases who had a YAOP completion experienced a 1 year RCR of 14.6%.



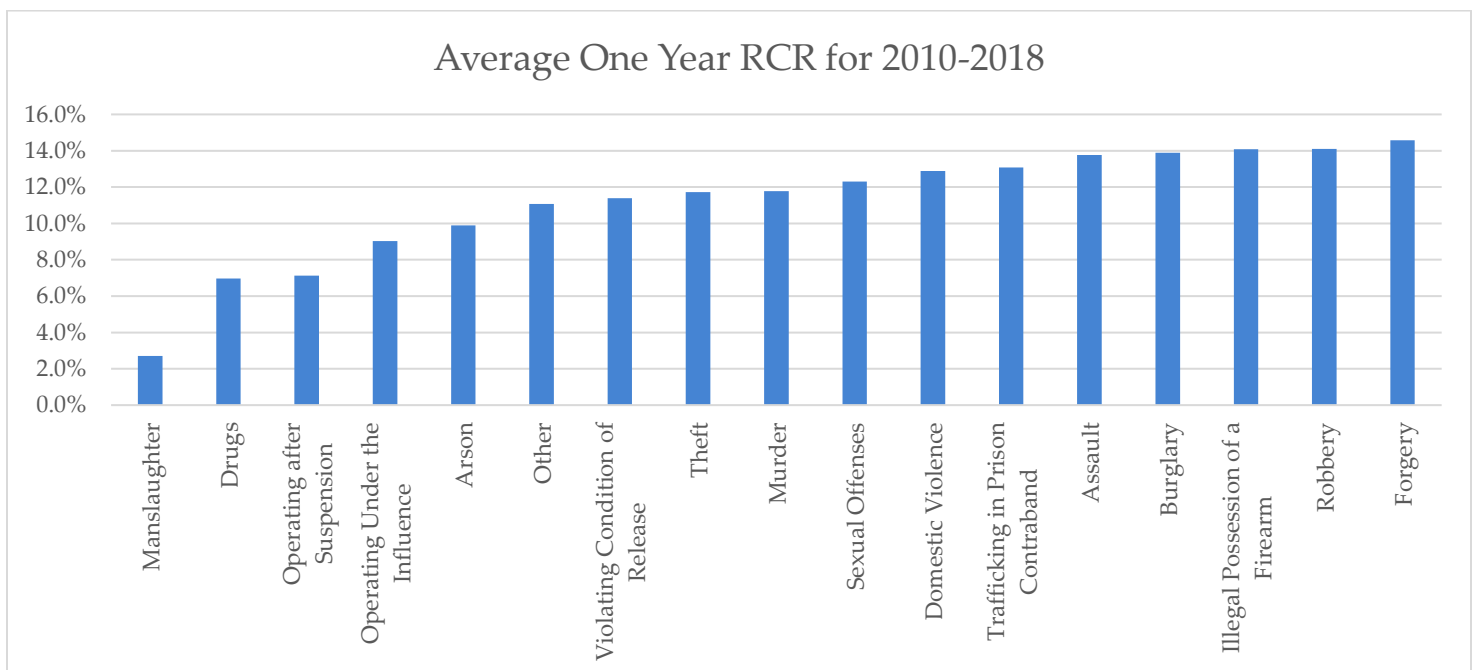


## Return to Custody by Controlling Sentence

The charts below represent all releases from an MDOC facility (Probation and Straight Release) between 2010 and 2018, grouped by Release Year & Release Controlling Sentence.

Forgery, Robbery and Illegal Possession of a Firearm releases experienced the highest one year RCR on average for the 9 year period all above 14%. Forgery, Operating Under the Influence and Burglary experienced the highest one year RCR for 2018, all above 12%.

Controlling Offense Type At Release	2010	2011	2012	2013	2014	2015	2016	2017	2018	Average
Forgery	17.9%	6.7%	9.5%	20.0%	15.4%	19.0%	10.0%	15.0%	17.6%	14.6%
Operating Under the Influence	13.3%	2.9%	2.9%	7.4%	7.1%	20.0%	4.5%	10.5%	12.5%	9.0%
Burglary	18.3%	13.0%	13.8%	9.2%	16.0%	12.1%	13.4%	17.0%	12.3%	13.9%
Other	6.6%	9.9%	11.5%	9.3%	11.6%	14.3%	12.0%	12.4%	12.0%	11.1%
Domestic Violence	10.0%	7.1%	12.8%	17.1%	10.2%	14.3%	17.9%	15.6%	11.1%	12.9%
Trafficking in Prison Contraband	0.0%	0.0%	25.0%	25.0%	0.0%	0.0%	16.7%	40.0%	11.1%	13.1%
Robbery	12.1%	14.0%	18.2%	16.2%	16.7%	10.0%	6.7%	22.0%	11.1%	14.1%
Theft	4.3%	11.1%	13.7%	16.5%	16.4%	12.3%	11.7%	10.5%	9.0%	11.7%
Sexual Offenses	10.5%	13.3%	9.0%	11.6%	7.9%	10.1%	18.4%	21.5%	8.6%	12.3%
Assault	9.5%	10.1%	17.8%	16.7%	18.1%	14.4%	17.2%	13.0%	7.1%	13.8%
Drugs	5.8%	6.5%	9.1%	7.1%	9.2%	7.1%	4.9%	7.2%	5.7%	7.0%
Violating Condition of Release	28.6%	0.0%	0.0%	30.0%	12.5%	0.0%	15.4%	11.1%	5.0%	11.4%
Operating after Suspension	5.0%	8.8%	1.8%	19.2%	0.0%	9.2%	5.5%	11.5%	3.1%	7.1%
Manslaughter	8.3%	0.0%	0.0%	0.0%	0.0%	8.3%	7.7%	0.0%	0.0%	2.7%
Arson	10.5%	10.5%	20.0%	0.0%	6.3%	6.3%	25.0%	10.5%	0.0%	9.9%
Murder	0.0%	0.0%	0.0%	33.3%	25.0%	33.3%	14.3%	0.0%	0.0%	11.8%
Illegal Possession of a Firearm	0.0%	66.7%	0.0%	12.5%	0.0%	33.3%	0.0%	14.3%	0.0%	14.1%





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## 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 throughout 2019, which may have a direct relationship to our current decline in the one-year return to custody rates for releases in 2018.

Throughout this report the return to custody data goes back to 2010, to include nine years. After review of the findings, 2018 releases showed the lowest one year return to custody rate for the entire nine year period in almost every area analyzed. This includes the one year RCR for all clients released in 2018 which was 8.3%, for all males released in 2018 which was 9.2% and for all females released in 2018 which was 2.4%.

Releases to Probation in 2018 also had the lowest one year RCR of 11.0%. While female releases to probation rates did not go as low as their lowest in 2013 (1.7%), they were the second lowest for the nine year period at 3.3% for 2018. Males reached their lowest release to probation for the nine year period with a 2018 one year RCR of 12.2%.

While all straight releases did not reach the lowest one year RCR in 2018 with 5.4%, it stayed below the nine year average. Female straight releases however did reach a nine year low of 1.3% for the one year RCR in 2018.

2018 Medium Custody, and Minimum & Community Custody releases both decreased to the lowest one year RCR for the nine year period for releases in 2018 with 9.6% and 5.9%. Close Custody releases in 2018 did not fare as well, as the RCR continued to increase since 2016 to 23.3% for 2018. The Close Custody one year RCR did stay below the nine year average however.

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**  
**2010-2018 One Year Post Release**

**The Correctional Programming Division**

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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.