

Return to Custody Report One Year Post Release 2010-2019



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

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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 2019 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, 2010 – December 31, 2019. The sample also included a return to custody from January 1, 2010 to December 31, 2020. Clients released from 2010-2019 were tracked for a return to custody one-year post-release, through the end of 2020.

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



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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 2010-2019 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) are only included in the data within the section Return to Custody Supervised Community Confinement Program on page 19.
- MDOC Releases to Interstate Active Detainer (IAD), Federal Prison



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Return to Custody Rate by Release Year

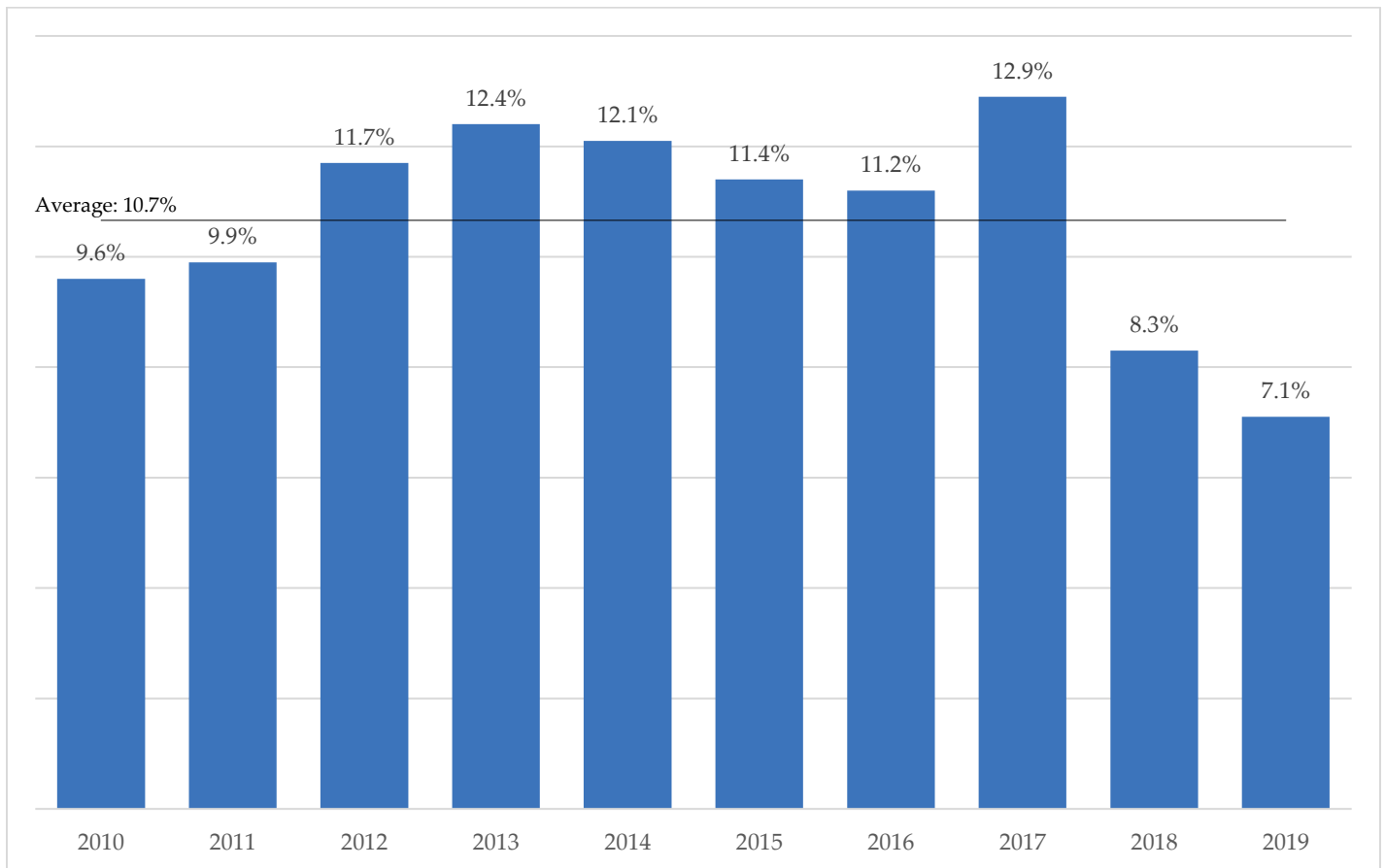
The chart below represents all releases from an MDOC facility between 2010 and 2019, grouped by Release Year.

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%
- 2019 Release Year – One Year RCR – 7.1%

On average 10.7% of the clients released from 2010-2019 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. 2019 showed the lowest RCR in the past 10 years, decreasing to 7.1%.





Return to Custody by Gender

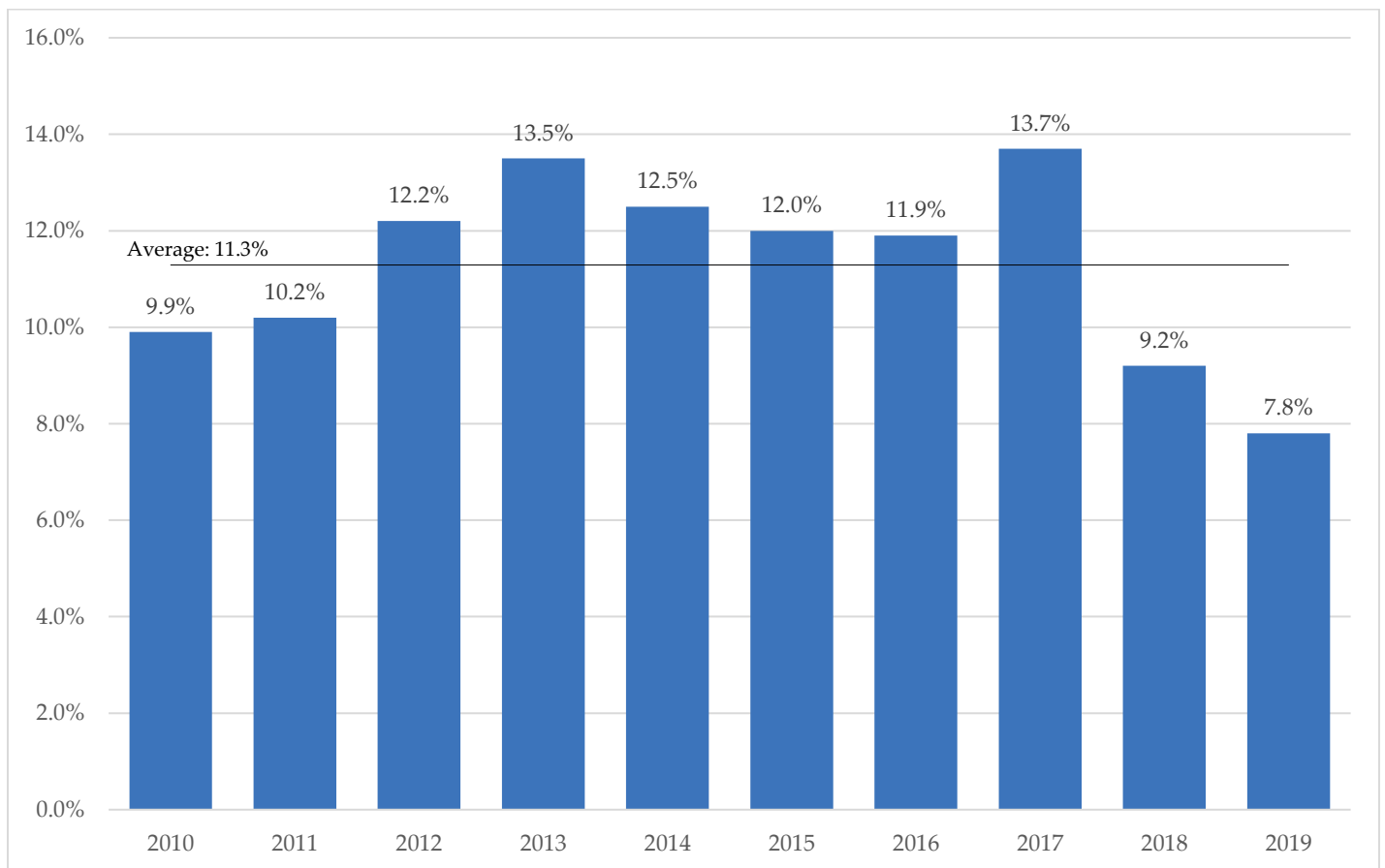
The next several charts represent all releases from an MDOC facility (Probation and Straight Release) between 2010 and 2019, grouped by Gender and Release Year.

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%
- 2019 Release Year – One Year RCR – 7.8%

On average 11.3% of the male clients released between 2010-2019 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 2019 experienced the lowest RCR with 7.8% returning.



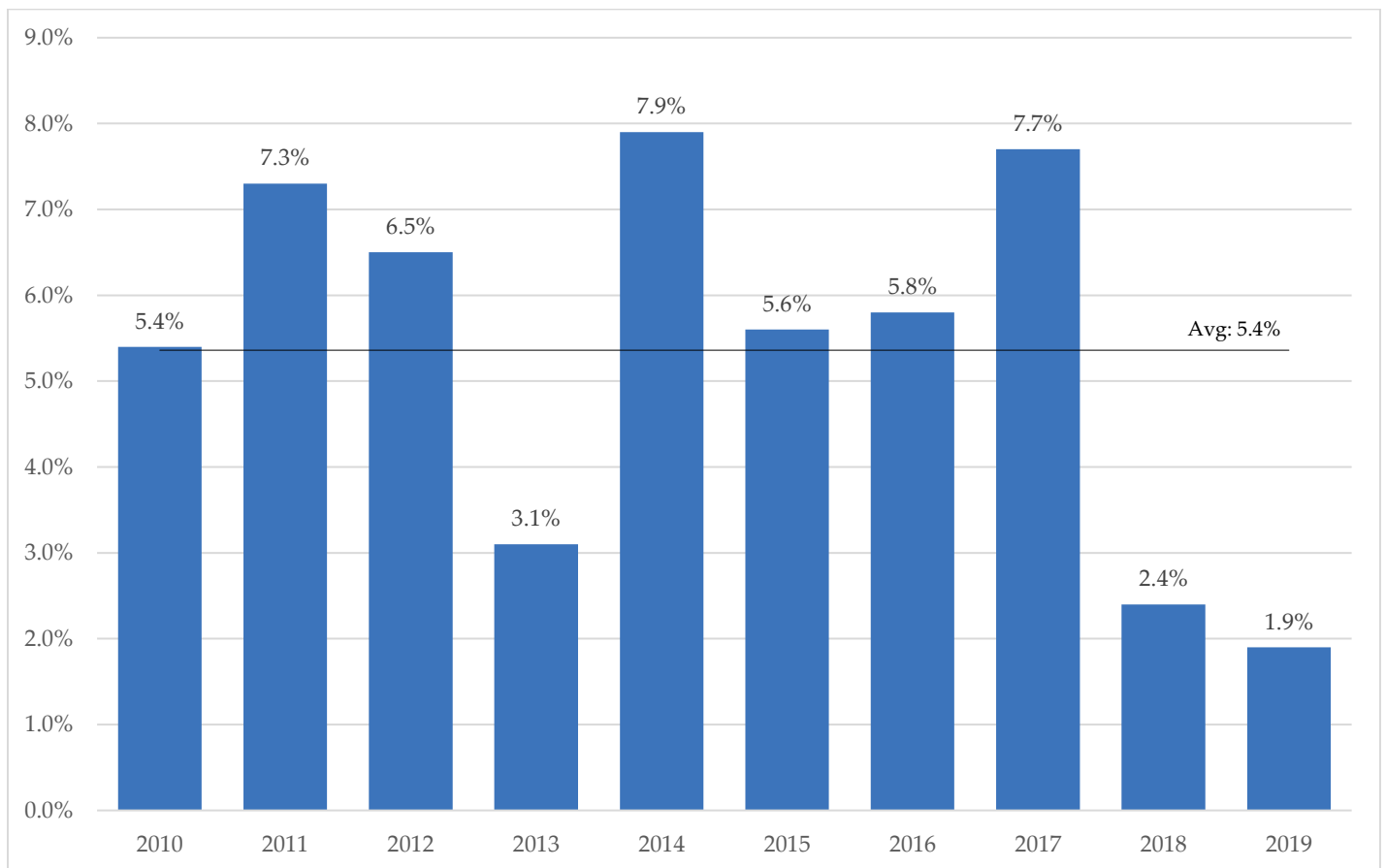


Female Release

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%
- 2019 Release Year – One Year RCR – 1.9%

On average 5.4% of the female clients released between 2010-2019 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 the lowest it's been in 10 years to 1.9%.





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Return to Custody by Type of Release

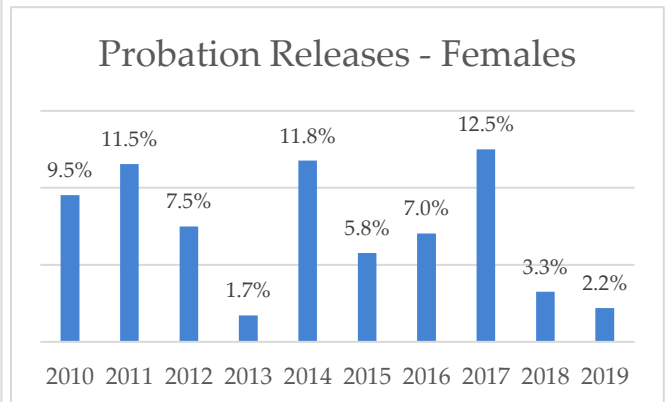
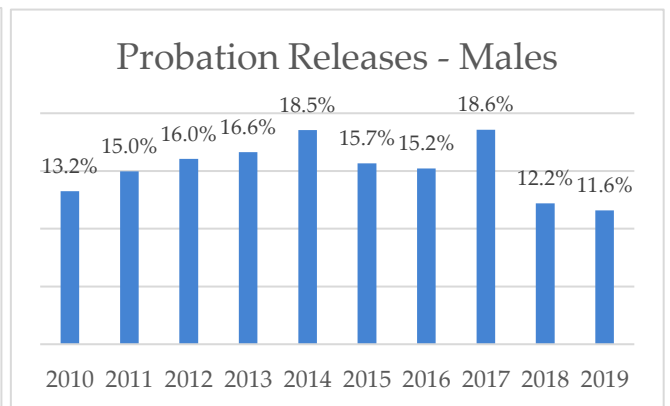
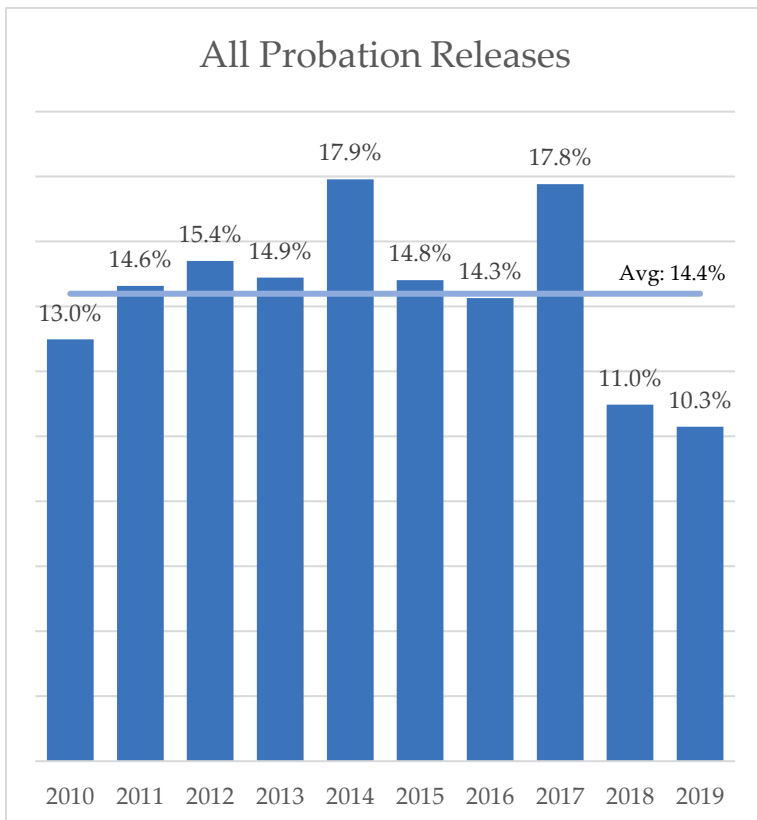
The next several charts depict the RCR for different release types. Probation Releases had a higher RCR than Straight Releases. On average (2010-2019), the Probation Releases one year RCR was 14.4%, which is 8.0% higher when compared to the average Straight Release one year RCR in the same period of 6.4%.

Probation Release

The charts below represent all probation releases from an MDOC facility between 2010 and 2019, 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%
- 2019 Release Year – One Year RCR – 10.3%

On average 14.4% of the clients released to probation from 2010-2019 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 10 years to 10.3% for releases in 2019.





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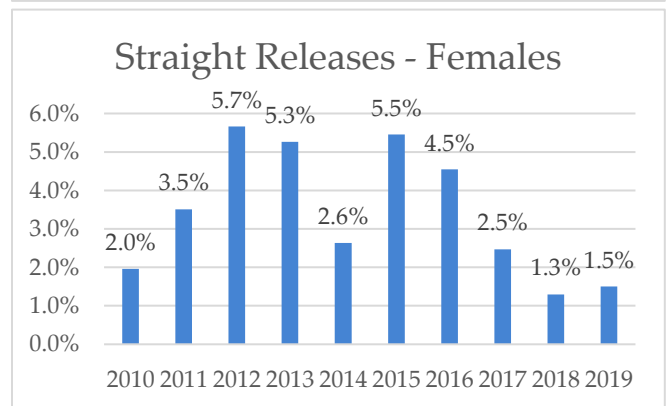
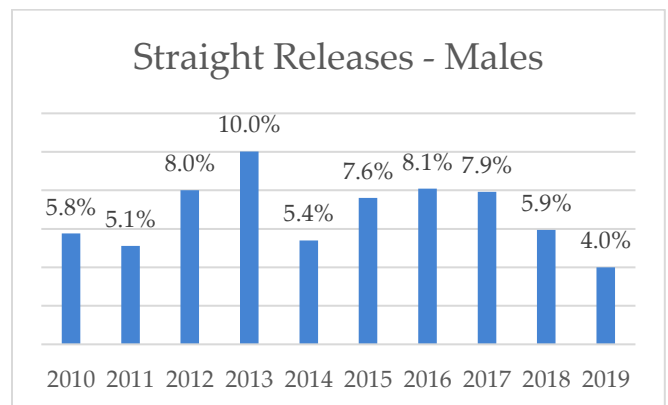
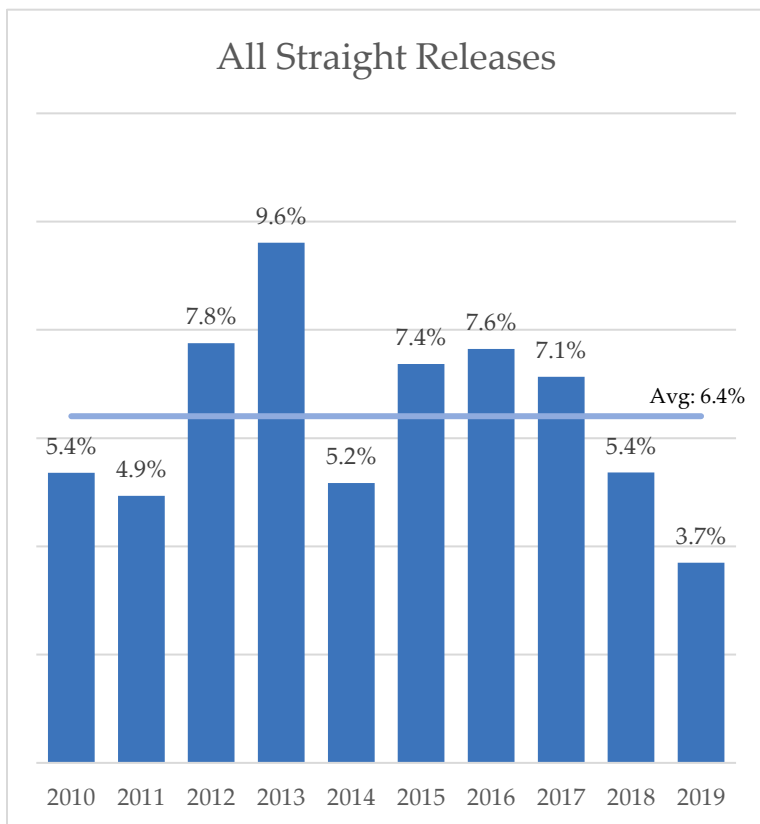
Straight Release

The charts below represent all straight releases from an MDOC facility between 2010 and 2019, 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%
- 2019 Release Year – One Year RCR – 3.7%

On average 6.4% of all straight releases from 2010-2019 returned to an MDOC facility within one year post release. All straight releases have shown a steady decline since 2016, and 2019 straight releases show the lowest one year RCR in the past ten years with an RCR of 3.7%.





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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.

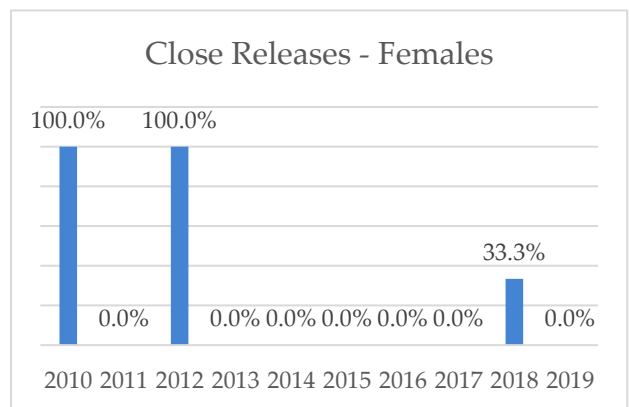
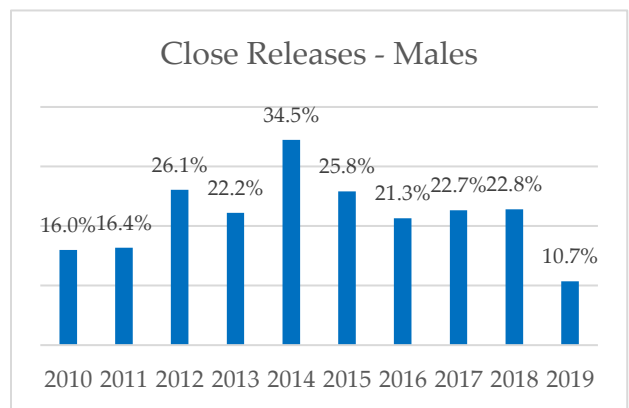
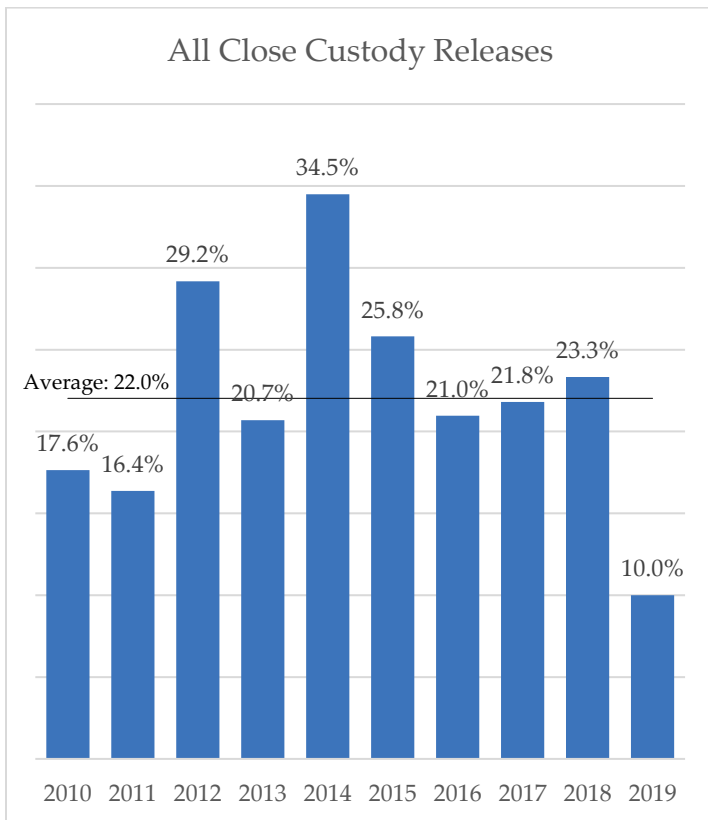
Close Custody Release

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%
- 2019 Release Year – One Year RCR – 10.0%

On average 22.0% of all clients released from close custody between 2010-2019 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%, however it decreases to the lowest percent in 2019 to 10.0%

*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. There were 5 females close custody releases in 2019, and none returned within 1 year of release.





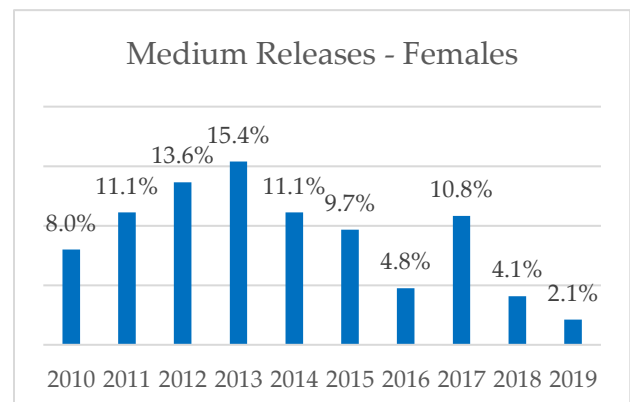
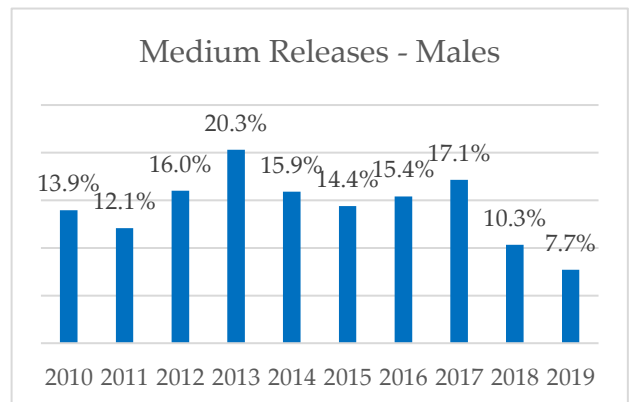
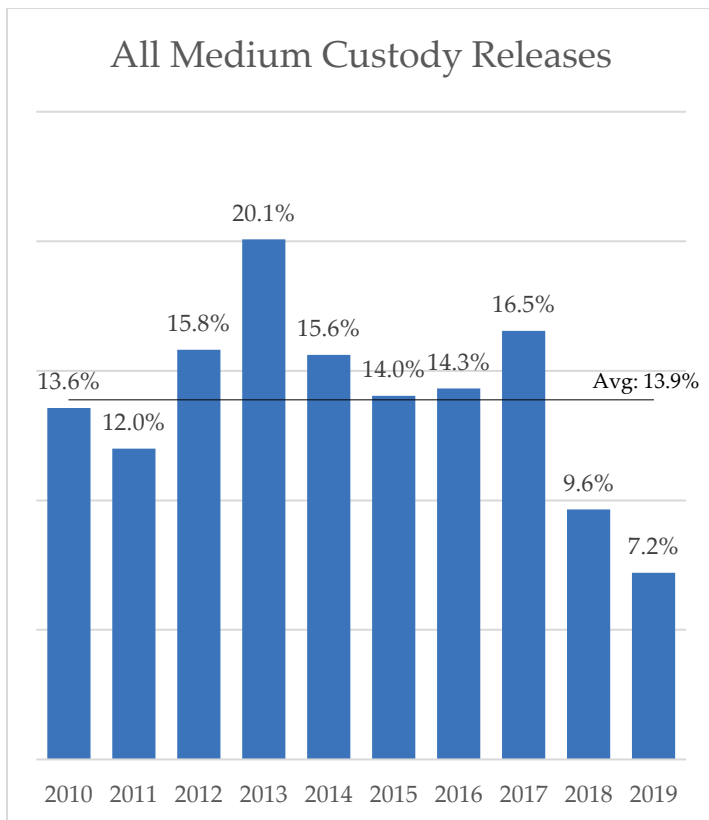
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Medium Custody Release

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%
- 2019 Release Year – One Year RCR – 7.2%

On average 13.9% of all clients released from medium custody between 2010 and 2019 returned to an MDOC facility within one year post release. All 2018 and 2019 releases experienced a decrease in the one year RCR with 9.6% and then 7.2% 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 10 years being in 2019, with males at 7.7% and females at 2.1%.





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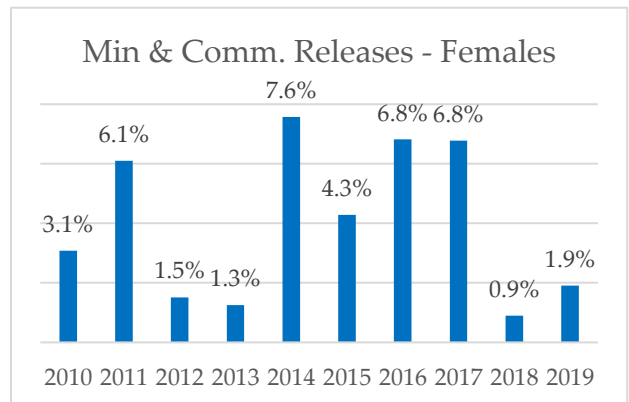
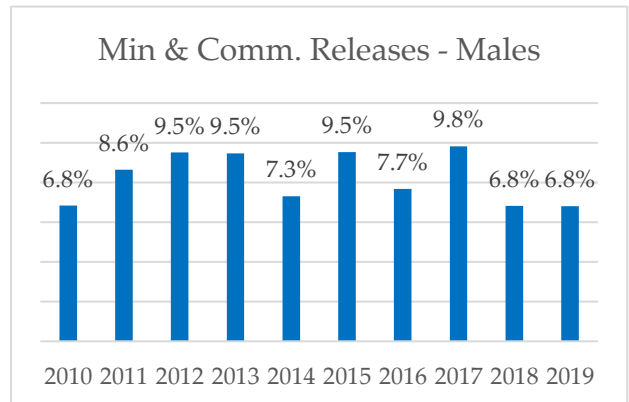
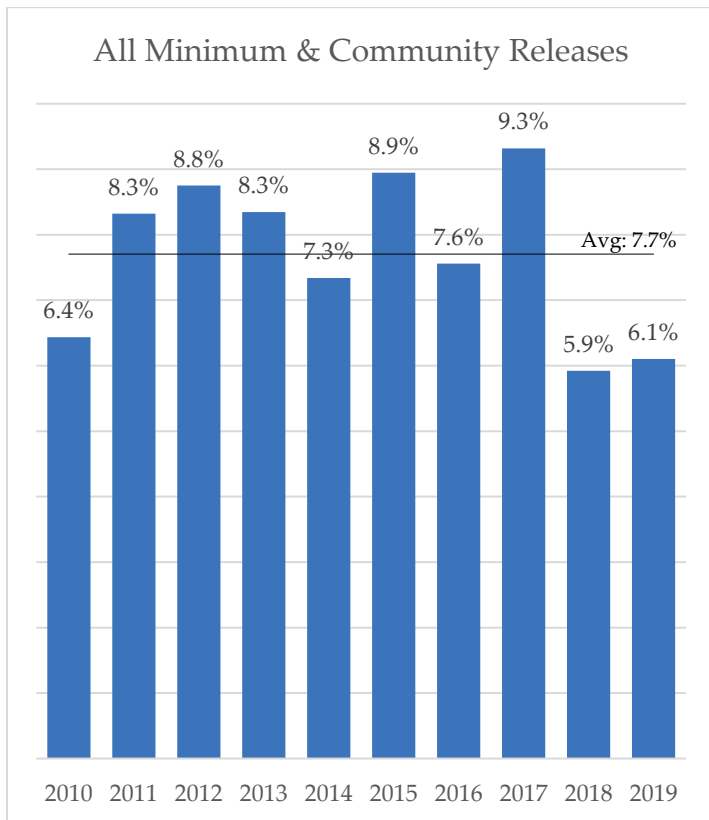
Minimum & Community Custody Release

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%
- 2019 Release Year – One Year RCR – 6.1%

On average 7.7% of all clients released from Minimum & Community custody between 2010 and 2019 returned to an MDOC facility within one year post release. This average is 6.2% below the average for medium custody releases (13.9%) and 14.3% below that of the close custody releases (22.0%).

The 2019 one year RCR for all clients increased slightly from 2018 which was the lowest percent in the ten year period, from 5.9% to 6.1%. Female minimum and community custody releases in 2018 were also at their lowest for the ten year period at 0.9% returning within one year, while the RCR for 2019 was 1.9%. Male minimum and community custody clients released in 2019 tied for the lowest one year return rate with and 2010 releases, all showing 6.8% returned within one year.



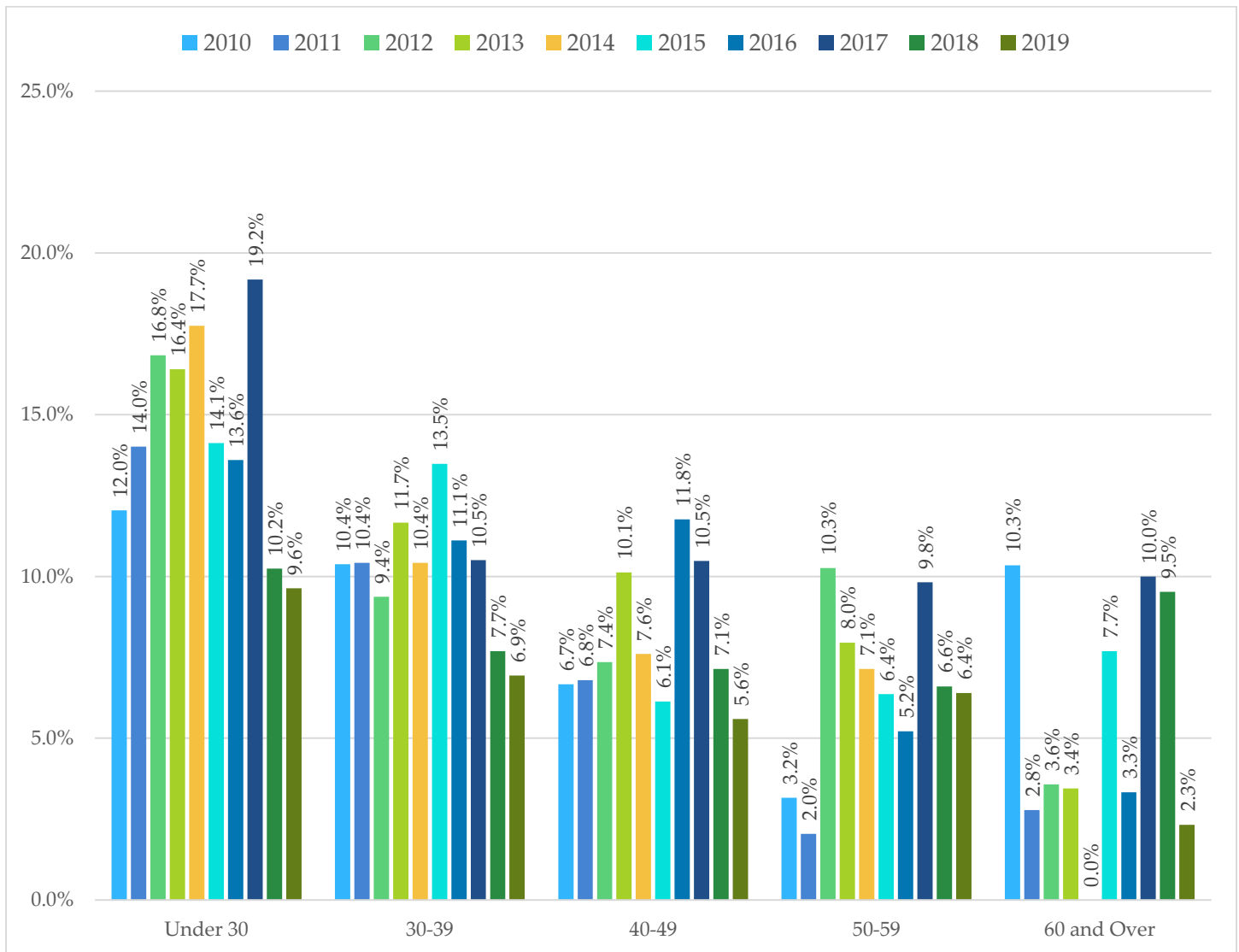


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Return to Custody by Age at Release

The chart below represents all releases from an MDOC facility (Probation and Straight Release) between 2010 and 2019, grouped by Release Year & Age at Release.

All age groups experienced continued decline in their one year RCR since 2017. The 60 and older releases experienced the largest decrease from 2018 to 2019 with a 7.2% change. The under 30 releases however experienced the greatest decrease from 2017 to 2019, showing a 9.6% decrease between those years.





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Return to Custody by Risk Assessment and Program Completion

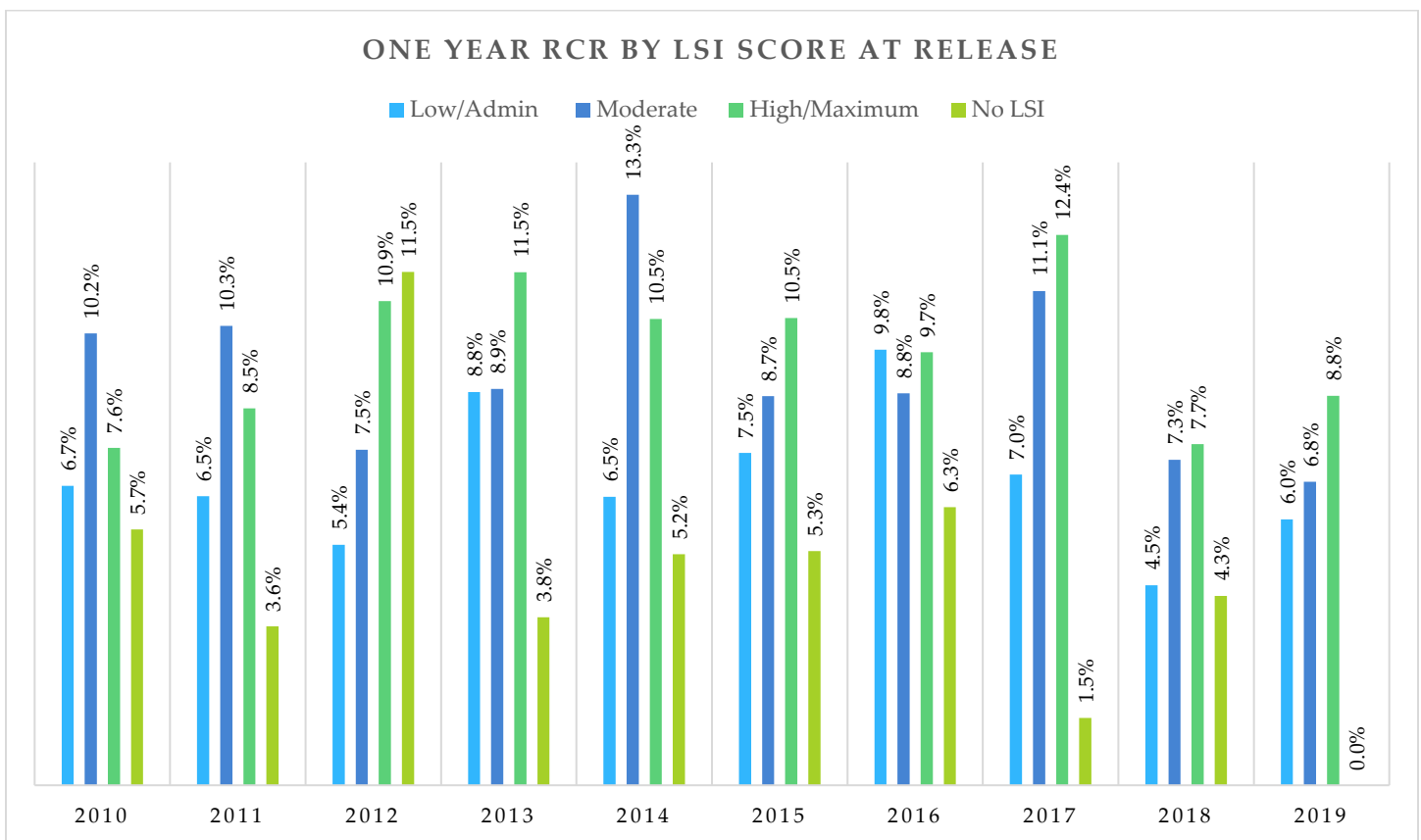
Core correctional programs are completed by clients while incarcerated depending on each client’s criminogenic needs and case plan. Core programs are evidence based programs the Maine DOC has determined appropriate to have the most positive impact on assessed criminogenic needs. Criminogenic needs are 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 2019, 6.0% returned within 1 year post release. While this is 1.5% higher than 2018, it is still 1.0% lower than 2017 and 3.8% lower than 2017.

Clients with a moderate risk level had a 6.8% one year return rate in 2019 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 2019 is 8.8%, which as expected is higher than both the low/admin and moderate releases for the same year.





Effects of Program Completion

Substance Use Disorder Programming

The chart below represents clients released from an MDOC facility from 2017-2019 who successfully completed Substance Use Disorder programming prior to release. Over the three year span 1,115 clients were released after completing one or more of these programs successfully, and only 25 (2.2%) returned to custody within 1 year of their release date.

One Year RCR for 2017-2019 Releases Who Successfully Completed SUD Programming in an MDOC Facility	
2017	1.7%
2018	2.0%
2019	2.9%
All 3 Years	2.2%

High School Equivalency Programming

There were 82 clients released from 2017 to 2019 who had received their high school equivalency diploma while residing at an MDOC facility. Only 3 of those clients returned within one year post release, showing a 3.7% return to custody rate over three years for this group.

One Year RCR for 2017-2019 Releases Who Received their HSED in an MDOC Facility	
2017	0.0%
2018	6.9%
2019	2.3%
All 3 Years	3.7%

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 29 male and 10 female releases who received their degree while in a facility. None of the clients returned to custody within one year of their release date.

- 2010-2019 Release Year – One Year RCR – 0%



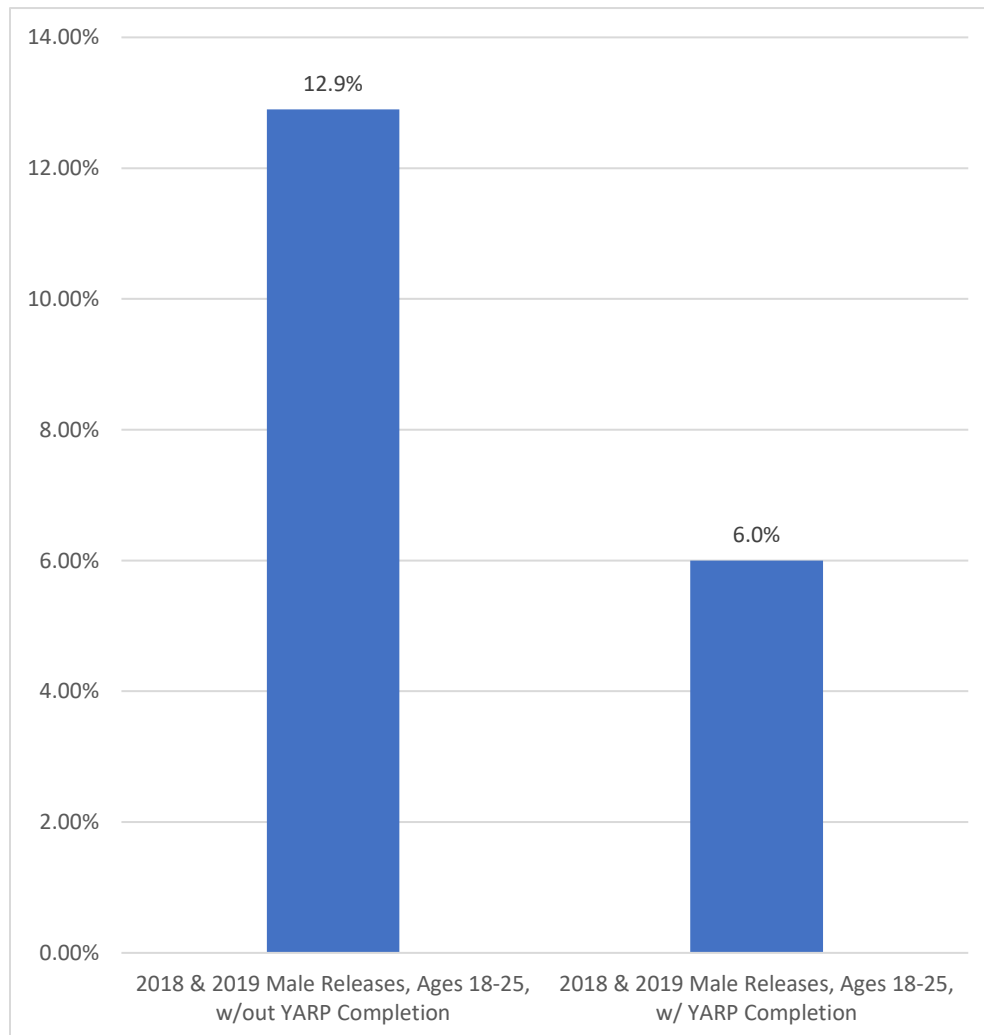
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Young Adult Resident Program (YARP) Core Program Completion

The YARP 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 YARP Program Completion

The chart below represents male releases between the ages of 18-25 on the day of their release, without a YARP completion compared to males of the same age group with a YARP completion. The group without a YARP completion had a one year RCR of 12.9% for 2018 and 2019 combined. When compared to the one year RCR rate for male releases between the ages of 18-25 who completed YARP the decrease in the 1 year RCR is evident. Combined 2018 and 2019 releases who had a YARP completion experienced a 1 year RCR of 6.0%.





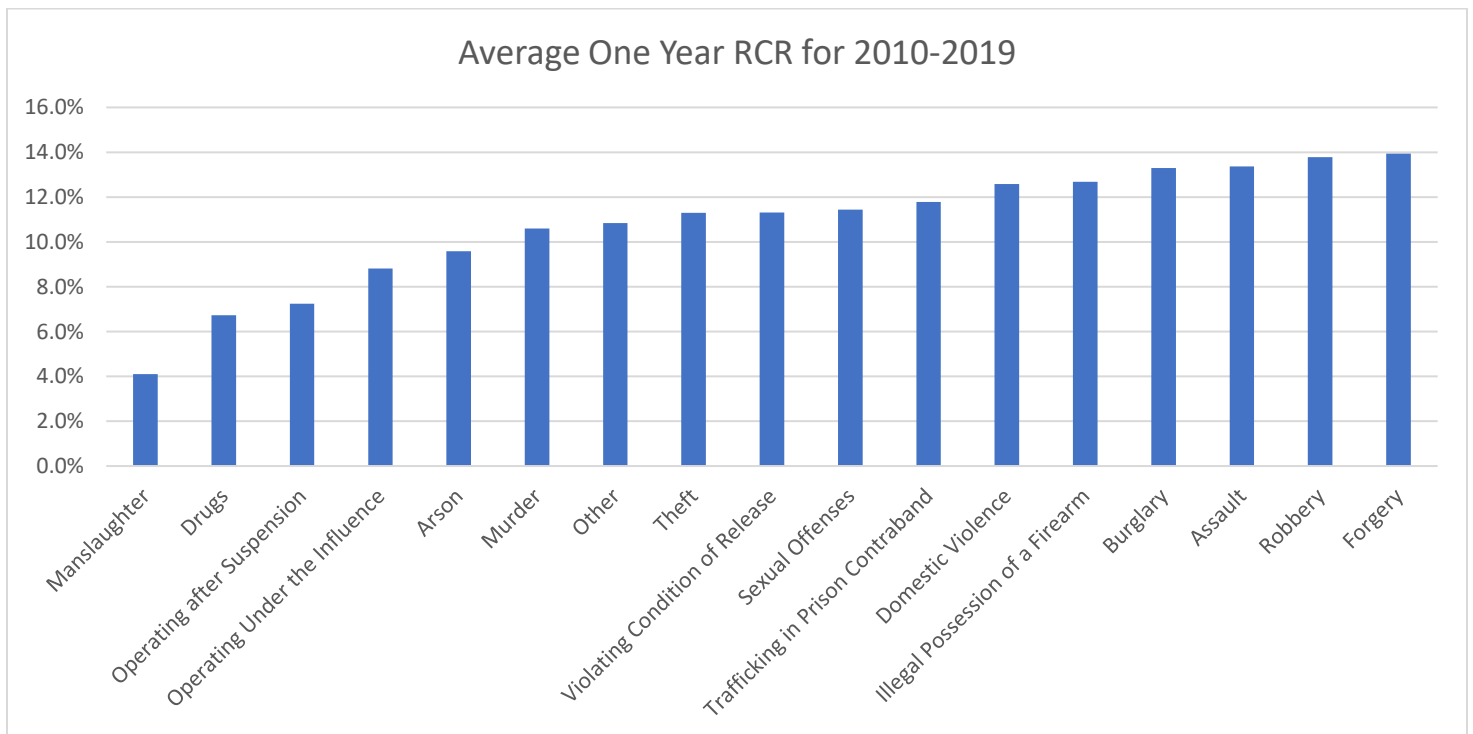
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Return to Custody by Controlling Sentence

The charts below represent all releases from an MDOC facility (Probation and Straight Release) between 2010 and 2019, grouped by Release Year & Release Controlling Sentence.

Forgery, Robbery, Assault and Burglary releases experienced the highest one year RCR on average for the 10 year period, all above 13%. Manslaughter, Robbery and Violating Condition of Release experienced the highest one year RCR for 2019, all above 10%.

Controlling Offense Type at Release	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	Average
Manslaughter	8.3%	0.0%	0.0%	0.0%	0.0%	8.3%	7.7%	0.0%	0.0%	16.7%	4.1%
Robbery	12.1%	14.0%	18.2%	16.2%	16.7%	10.0%	6.7%	22.0%	11.1%	10.9%	13.8%
Violating Condition of Release	28.6%	0.0%	0.0%	30.0%	12.5%	0.0%	15.4%	11.1%	5.0%	10.5%	11.3%
Domestic Violence	10.0%	7.1%	12.8%	17.1%	10.2%	14.3%	17.9%	15.6%	11.1%	9.8%	12.6%
Assault	9.5%	10.1%	17.8%	16.7%	18.1%	14.4%	17.2%	13.0%	7.1%	9.7%	13.4%
Other	6.6%	9.9%	11.5%	9.3%	11.6%	14.3%	12.0%	12.4%	12.0%	8.8%	10.8%
Operating after Suspension	5.0%	8.8%	1.8%	19.2%	0.0%	9.2%	5.5%	11.5%	3.1%	8.3%	7.2%
Forgery	17.9%	6.7%	9.5%	20.0%	15.4%	19.0%	10.0%	15.0%	17.6%	8.3%	13.9%
Burglary	18.3%	13.0%	13.8%	9.2%	16.0%	12.1%	13.4%	17.0%	12.3%	7.9%	13.3%
Theft	4.3%	11.1%	13.7%	16.5%	16.4%	12.3%	11.7%	10.5%	9.0%	7.4%	11.3%
Operating Under the Influence	13.3%	2.9%	2.9%	7.4%	7.1%	20.0%	4.5%	10.5%	12.5%	6.9%	8.8%
Arson	10.5%	10.5%	20.0%	0.0%	6.3%	6.3%	25.0%	10.5%	0.0%	6.7%	9.6%
Drugs	5.8%	6.5%	9.1%	7.1%	9.2%	7.1%	4.9%	7.2%	5.7%	4.6%	6.7%
Sexual Offenses	10.5%	13.3%	9.0%	11.6%	7.9%	10.1%	18.4%	21.5%	8.6%	3.6%	11.4%
Murder	0.0%	0.0%	0.0%	33.3%	25.0%	33.3%	14.3%	0.0%	0.0%	0.0%	10.6%
Trafficking in Prison Contraband	0.0%	0.0%	25.0%	25.0%	0.0%	0.0%	16.7%	40.0%	11.1%	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%	0.0%	12.7%





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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. 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.

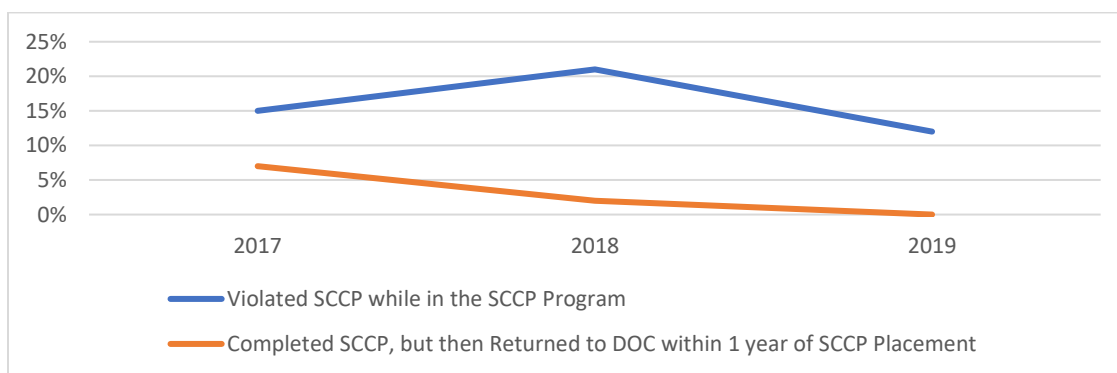
Return to Custody Rate of Clients Due to Violation While on SCCP

	2017	2018	2019
Violated SCCP	15%	21%	12%
Successfully Completed SCCP	85%	79%	88%

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





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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 and 2020, which may have a direct relationship to our current decline in the one-year return to custody rates for releases in 2018 and 2019.

Throughout this report the return to custody data goes back to 2010, to include ten years. After review of the findings, 2019 releases showed the lowest one year return to custody rate for the entire ten year period in almost every area analyzed. This includes the one year RCR for all clients released in 2019 which was 7.1%, for all males released in 2019 which was 7.8% and for all females released in 2019 which was 1.9%.

Releases to Probation in 2019 also had the lowest one year RCR of 10.3%. 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 ten year period at 2.2% for 2019. Males reached their lowest release to probation for the ten year period with a 2019 one year RCR of 11.6%.

All straight releases reached the lowest one year RCR in 2019 with 3.7%. Male straight releases also reached a ten year low of 4.0% for the one year RCR in 2019. While the female straight releases for 2019 was not the lowest of the ten year period, it was only 0.2% higher than the low of 2018 with an RCR of 1.5%.

Close and Medium Custody releases both decreased to the lowest one year RCR for the ten year period for releases in 2019 with 10.0% and 7.2% one year return to custody rates. While the 6.1% RCR for Minimum and Community Custody releases in 2019 was not the lowest in the ten year period, it was only 0.2% higher than the lowest rate that occurred in 2018.

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.



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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.