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ARKANSAS
DEPARTMENT OF COMMUNITY CORRECTION
RECIDIVISM OF OFFENDERS ENTERING PAROLE
IN FY 2009 AND FY 2010

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I. Introduction

Arkansas Act 1030 of April of 2013, mandates that the Department of Community Correction submit a report to the state legislature by October 1, 2013 concerning recidivism in the state's parole system over the past 5 years. Act 1030 defines recidivism as a criminal act that results in the re-arrest, re-conviction, or return to incarceration of a person with or without a new sentence during a three-year period following the person's release from custody. This report was produced for the Arkansas Department of Community Correction to serve as a response to this mandate and uses the Act 1030 definition of recidivism.

A comprehensive recidivism study may be comprised of (but not limited to) various components. Primarily the study will seek to determine a rate of return of persons released from prison over a preset time frame (usually three years post release). Identification of factors that predict and/or contribute to recidivism may also be sought during a comprehensive recidivism study. These factors can include demographic traits such as gender, race, marital status, education and age. Other measurable factors that influence recidivism can include prior criminal history, disciplinary history in prison, the severity of an offender's current offense and the time under a new criminal act occurs. Both recidivism rate determination and identification of factors impacting the rate are conducted via statistical analysis.

Non-statistical based components of a comprehensive recidivism study include interviews with parole officers and prison administrative staff, assessment of the performance of any prison diversion initiatives and a survey and assessment of case specific supervision or reentry programming that is available to offenders.

The recidivism study in this report makes no effort to determine if incarceration in Arkansas is effective in preventing offenders from committing new crimes or if the parole system itself is successful in its attempt at reintegration. This study serves only to report recidivism rates for the most recent parole populations allowed by the definition of recidivism in Act 1030. As this definition (and indeed most recidivism studies) requires a three year follow up of persons exiting prison to determine re-offense, the most recent cohorts to be studied for this report are all intakes onto parole in FY 2009* and FY 2010. Results for these two years may serve as a baseline for further research into recidivism.

**Note: The FY 2009 cohort is comprised of intakes between October 1, 2008 and June 30, 2009 and does not represent a full 12 months.*

II. Methodology

This study used data provided by the Department of Community Correction on all parole intakes to supervision in Arkansas from October 1, 2008 through June 30, 2010. Intakes are event based and not “person” based, meaning that one individual may enter parole supervision and recidivate multiple times during the study period. In such cases, each recidivating event contributes to the overall rate.

It should be noted that this study differs from previously released national recidivism studies because it measures only parole supervision cases. Comprehensive recidivism studies include other types of prison releases such as discharges. This study only focuses on parolees as mandated by Act 1030. It should be noted that on average approximately 85 percent of offenders in Arkansas are released via parole supervision.

The complete data universe for the study comprised 17,583 parole intakes spanning October 1, 2008 and June 30, 2010. These parole intakes were then separated into a modified FY 2009 (October 2008-June 2009) and a full FY 2010 cohort. A comparison of the modified FY 2009 data shows it is representative of the full FY 2009.

Data obtained was separated into annual intake cohorts so that a comparison of recidivism rates in Arkansas over time could be provided. Standardized annual cohorts also allow for comparison between Arkansas’ rates and those observed nationally.

Three measures of recidivism were mandated in Act 1030. This study measures each separately and cannot be combined. The three measures are described below.

Re-arrest is defined as any arrest occurring after the parole intake date and before the end of three year follow-up period. A re-arrest charge is defined as any felony or misdemeanor captured by the Arkansas Crime Information Center. Within the data provided, a re-arrest event is triggered by the first arrest date within the follow-up period.

Re-conviction is defined as a court conviction where the offender is convicted of a new felony after the parole intake date and before the end of three year follow-up period. Within the data provided, a re-conviction event is triggered by the first sentence date for a new conviction within the follow-up period.

It is important to note that two groups have been excluded in our analysis of reconviction, both of which are traditionally included in calculating a re-conviction rate. Misdemeanor re-convictions on the county municipal level are not available on the state level data and are subsequently not reflected in the rate provided. Also, federal crime re-convictions are not available on the state level data and are subsequently not reflected in the rate provided. Both of these specific re-conviction categories are not available due to jurisdictional processing of the reconviction. Overall, the exclusion of these data will produce a lower reconviction rate than actually exists.

Re-incarceration is defined as any parole supervision event where the offender is returned to custody in either state prison, a community corrections center, the state technical violator program center or entering the county jail back-up system after the parole intake date and before the end of the three year follow-up period. Within the data provided a re-incarceration event is triggered by the first county jail back-up admission date within the follow-up period.

Data on arrests was provided by the Arkansas Crime Information Center criminal history database. Data on reconviction and re-incarceration was provided by the Arkansas Department of Community Correction.

In order to simplify reporting on arrest, re-conviction and re-incarceration offenses, general categories have been created and applied to all three measures of recidivism. Most are self-explanatory; however, three of them have more amorphous titles that warrant further description: other violent, other property, and other non-violent. These three groups are collections of similar offenses that are not independently large enough to produce reliable statistics.

Offenses included in “other violent” are: kidnapping, escape, domestic violence, fleeing the police, manslaughter, stalking, terroristic threats, violation of protective orders, rioting and mayhem.

Offenses included in “other property” are: arson, criminal mischief, damaging property, criminal trespassing, criminal non-support, and unauthorized use of property.

Offenses included in “other non-violent” are numerous. The following represent the most common offense groups: filing a false report, furnishing prohibited articles, tampering with physical evidence, unlawful use of a communication device, disorderly conduct, gambling, prostitution and perjury.

As stated previously, this study does not seek to use recidivism as a performance indicator of the Arkansas’ rehabilitative efforts, nor does this study seek to identify factors that influence recidivism. Although demographic characteristics presented such as age, gender and race have different recidivism rates, they are presented for informational purposes only. The limited scope of this research effort does not allow identification of any group more likely to fail when they enter parole supervision in Arkansas.

III. Overall Recidivism Rates & Comparison to Previous Studies

Table 1 below provides the overall recidivism rates of Arkansas parole intake events for the FY 2009* and FY 2010 cohorts.

TABLE 1
RECIDIVISM RATES FOR FY 2009* & FY2010 COHORTS

Recidivism Measure	FY 2009*	FY 2010
Re-arrest	56.8%	57.5%
Re-conviction	26.5%	30.1%
Re-incarceration	44.0%	42.2%

**See Note*

Other studies have been conducted of recidivism in Arkansas and the US. They are briefly discussed below.

The Pew Center for the States reported that the three year return to prison rate of persons released from prison in Arkansas during 2004 was 44.0 percent and that the national recidivism rate for persons released from prison in 2004 was 43.3 percent¹. As can be seen, there exists a similarity between the Pew 2004 rate and the re-incarceration rates generated for this study. It should be noted that a direct comparison cannot be made as there are several methodological differences between the two studies. For example, the Pew study comprised a cohort of all prison releases while this study used parole intakes only.

The Bureau of Justice Statistics (BJS) released a national recidivism study in June of 2002. This study used a cohort of prison releases in 1994 to generate a three-year recidivism follow-up. The BJS study reported a national re-arrest rate of 67.5 percent, a national reconviction rate of 46.9 percent and a return to prison rate (with or without a new sentence) of 51.8 percent².

While direct comparisons to either study are not valid, their results are presented to provide a minimum baseline for expected/historical recidivism rates.

¹ "State of Recidivism, The Revolving Door of America's Prisons", The Pew Center for the States, April 2011.

² "Recidivism of Prisoners Released in 1994", US Department of Justice, Bureau of Justice Statistics, June 2002.

**Note: The FY 2009 cohort is comprised of intakes between October 1, 2008 and June 30, 2009 and does not represent a full 12 months.*

IV. Additional Recidivism Analysis

Table 2 provides basic demographic information about each cohort.

- Male intakes had a re-incarceration rate of 46.9 percent in FY 2009* and a re-incarceration rate of 44.4 percent in FY 2010.
- Female intakes had a re-incarceration rate of 26.4 percent in FY 2009* and a re-incarceration rate of 28.4 percent in FY 2010.
- Persons age twenty-five or younger had the highest re-incarceration rates compared to all other age groups in both cohorts.

**TABLE 2
DEMOGRAPHICS OF FY 2009* & FY 2010 PAROLE INTAKES**

Demographic	FY 2009*					FY 2010				
	Number of Intakes	Percent of Intakes	Percent Re-arrest	Percent Re-conviction	Percent Re-incarceration	Number of Intakes	Percent of Intakes	Percent Re-arrest	Percent Re-conviction	Percent Re-incarceration
Base	7,511	100.0%	56.8%	26.5%	44.0%	10,072	100.0%	57.5%	30.1%	42.2%
Gender										
Female	1,067	14.2%	45.7%	17.0%	26.4%	1,393	13.8%	47.7%	21.1%	28.4%
Male	6,444	85.8%	58.7%	28.1%	46.9%	8,679	86.2%	59.1%	31.5%	44.4%
Race										
Black	2,787	37.1%	62.1%	28.7%	47.0%	3,571	35.5%	61.2%	30.8%	43.4%
White	4,256	56.7%	56.5%	26.6%	44.9%	5,863	58.2%	58.6%	31.5%	44.4%
Other	37	0.5%	56.8%	35.1%	59.5%	46	0.5%	54.3%	30.4%	39.1%
Unknown	431	5.7%	25.8%	10.4%	14.4%	592	5.9%	25.2%	12.0%	13.0%
Age at Parole Intake										
25 or younger	1,284	17.1%	66.2%	33.3%	49.3%	1,695	16.8%	67.4%	38.1%	52.8%
26-35	2,894	38.5%	60.6%	29.3%	46.0%	3,880	38.5%	62.0%	32.7%	47.7%
36-50	2,736	36.4%	52.7%	23.0%	39.2%	3,638	36.1%	52.6%	26.6%	39.7%
Over 50	597	7.9%	37.2%	13.6%	23.2%	859	8.5%	38.6%	17.5%	27.3%

*See Note

*Note: The FY 2009 cohort is comprised of intakes between October 1, 2008 and June 30, 2009 and does not represent a full 12 months.

Table 3 provides information concerning the criminal history score for each parole intake. "Crime Score" is generated by the Criminal History Worksheet. This analysis is included because the criminal history score is indicative of an offender's prior record. A higher score indicates a more severe prior offense history. As seen in Table 3, intakes with a more severe criminal history score had a higher rate of recidivism.

**TABLE 3
ANALYSIS OF CRIMINAL HISTORY SCORE**

Score	FY 2009*					FY 2010				
	Number of Intakes	Percent of Intakes	Percent Re-arrest	Percent Re-conviction	Percent Re-incarceration	Number of Intakes	Percent of Intakes	Percent Re-arrest	Percent Re-conviction	Percent Re-incarceration
Base	7,511	100.0%	56.8%	26.5%	44.0%	10,072	100.0%	57.5%	30.1%	42.2%
0	2,224	29.6%	49.1%	20.6%	34.8%	2,972	29.5%	49.9%	23.7%	33.7%
1	1,499	20.0%	58.5%	27.3%	46.4%	1,945	19.3%	60.6%	30.1%	44.0%
2	1,175	15.6%	66.0%	33.4%	53.2%	1,574	15.6%	64.9%	37.2%	51.8%
3	586	7.8%	69.6%	33.6%	58.7%	775	7.7%	70.8%	42.3%	58.8%
4	258	3.4%	79.8%	42.6%	69.8%	352	3.5%	75.3%	52.0%	66.5%
5	218	2.9%	76.6%	42.2%	67.0%	311	3.1%	74.6%	51.1%	65.6%
6	26	0.3%	61.5%	42.3%	57.7%	29	0.3%	79.3%	48.3%	62.1%
Unknown	1,525	20.3%	47.7%	21.1%	34.5%	2,114	21.0%	49.2%	22.4%	33.7%

*See Note

*Note: The FY 2009 cohort is comprised of intakes between October 1, 2008 and June 30, 2009 and does not represent a full 12 months.

Table 4 provides information concerning the original offense for each parole intake. Not all parole intakes have an associated prison offense.

- Intakes with a robbery and burglary offense had higher rates of recidivism in both cohorts.
- Intakes coming from the Technical Violator Center (TVC) had a significantly higher rate of recidivism in both cohorts.

TABLE 4
ANALYSIS OF ORIGINAL OFFENSE

Offense	FY 2009*					FY 2010				
	Number of Intakes	Percent of Intakes	Percent Re-arrest	Percent Re-conviction	Percent Re-incarceration	Number of Intakes	Percent of Intakes	Percent Re-arrest	Percent Re-conviction	Percent Re-incarceration
Base	7,511	100.0%	56.8%	26.5%	44.0%	10,072	100.0%	57.5%	30.1%	42.2%
Murder	66	0.9%	45.5%	18.2%	34.8%	75	0.7%	37.3%	21.3%	25.3%
Sex crime	318	4.2%	39.3%	17.9%	46.2%	345	3.4%	30.7%	18.8%	41.2%
Assault	315	4.2%	56.8%	23.8%	45.1%	454	4.5%	60.8%	28.4%	44.9%
Robbery	435	5.8%	65.3%	31.5%	52.2%	484	4.8%	64.0%	36.6%	52.5%
Other violent	346	4.6%	52.0%	23.4%	39.6%	375	3.7%	54.4%	27.5%	41.6%
Drug sale	2,291	30.5%	54.3%	23.8%	39.5%	2,805	27.8%	53.0%	26.6%	35.6%
Burglary	1,034	13.8%	70.9%	40.1%	59.1%	1,246	12.4%	70.1%	38.6%	52.5%
Theft	820	10.9%	59.8%	25.6%	45.2%	1,056	10.5%	59.4%	29.2%	39.8%
Fraud/forgery	321	4.3%	57.6%	24.6%	39.6%	412	4.1%	60.0%	30.6%	36.4%
Weapons	256	3.4%	59.0%	29.7%	45.3%	318	3.2%	52.5%	31.4%	39.6%
DUI	121	1.6%	48.8%	19.0%	27.3%	160	1.6%	51.2%	18.1%	24.4%
Other property	312	4.2%	51.6%	25.6%	44.9%	349	3.5%	55.3%	28.9%	41.0%
Drug possession	222	3.0%	51.8%	22.1%	38.7%	301	3.0%	57.1%	27.9%	38.2%
Other non-violent	379	5.0%	63.6%	29.6%	49.1%	463	4.6%	60.7%	33.7%	45.8%
Violator from TVC	75	1.0%	76.0%	38.7%	69.3%	835	8.3%	75.6%	47.4%	68.9%
Unknown	200	2.7%	17.0%	5.5%	1.0%	394	3.9%	27.4%	4.1%	9.6%

*See Note

*Note: The FY 2009 cohort is comprised of intakes between October 1, 2008 and June 30, 2009 and does not represent a full 12 months.

Table 5 provides information concerning the length of parole supervision and for each parole intake. As seen in Table 5, intakes with a longer parole supervision terms had a higher rate of recidivism.

**TABLE 5
ANALYSIS OF PAROLE TERM OF SUPERVISION**

Category	FY 2009*					FY 2010				
	Number of Intakes	Percent of Intakes	Percent Re-arrest	Percent Re-conviction	Percent Re-incarceration	Number of Intakes	Percent of Intakes	Percent Re-arrest	Percent Re-conviction	Percent Re-incarceration
Base	7,511	100.0%	56.8%	26.5%	44.0%	10,072	100.0%	57.5%	30.1%	42.2%
12 months or less	1,285	17.1%	61.1%	30.5%	35.3%	1,605	15.9%	62.5%	34.5%	37.1%
1-5 years	3,160	42.1%	50.6%	16.5%	36.7%	4,323	42.9%	52.9%	19.1%	33.6%
5-10 years	1,800	24.0%	60.4%	30.1%	53.1%	2,475	24.6%	61.1%	34.8%	51.1%
Over 10 years	1,068	14.2%	71.3%	49.3%	68.5%	1,365	13.6%	68.9%	56.6%	67.8%
Unknown	198	2.6%	n/a	n/a	n/a	304	3.0%	n/a	n/a	n/a

*See Note

*Note: The FY 2009 cohort is comprised of intakes between October 1, 2008 and June 30, 2009 and does not represent a full 12 months.

Table 6 provides information concerning the charges for which intakes were re-arrested and the time between parole intake and re-arrest.

- The average time to re-arrest for FY 2009* intakes was 12.6 months. The average time to re-arrest for FY 2010 intakes was 12.3 months.
- The majority of re-arrests in both cohorts were for a failure to appear or a misdemeanor charge.
- The highest incidents of felony charge arrests in both cohorts were for drug possession, drug sale, burglary and theft.

TABLE 6
ANALYSIS OF RE-ARREST CHARGES

Charge	FY 2009*			FY 2010		
	Number of Re-arrests	Percent of Re-arrests	Average Time To Re-arrest (mos.)	Number of Re-arrests	Percent of Re-arrests	Average Time To Re-arrest (mos.)
Base	4,268		12.6	5,794		12.3
Felony	1,513	35.4%	12.5	2,014	34.8%	12.2
Murder	13	0.3%	13.2	16	0.3%	7.9
Sex crime	75	1.8%	14.1	81	1.4%	12.2
Assault	91	2.1%	12.1	123	2.1%	12.7
Robbery	58	1.4%	8.5	66	1.1%	12.8
Other violent	93	2.2%	12.6	149	2.6%	12.1
Drug sale	333	7.8%	12.7	458	7.9%	11.7
Burglary	193	4.5%	12.2	237	4.1%	10.7
Theft	186	4.4%	12.8	245	4.2%	11.9
Fraud/forgery	78	1.8%	13.1	90	1.6%	13.5
Weapons	81	1.9%	13.3	122	2.1%	14.5
DUI	19	0.4%	11.9	22	0.4%	11.2
Other property	31	0.7%	10.0	60	1.0%	12.3
Drug possession	211	4.9%	13.3	274	4.7%	12.9
Other non-violent	51	1.2%	12.2	71	1.2%	15.5
Misdemeanor	1,865	43.7%	12.8	2,553	44.1%	12.8
Violent	516	12.1%	12.6	709	12.2%	13.3
Drug	198	4.6%	15.1	335	5.8%	16.3
Property	430	10.1%	12.9	640	11.0%	11.9
Other	721	16.9%	12.5	869	15.0%	12.0
Failure to appear/pay fine	475	11.1%	12.3	683	11.8%	12.0
Other/Unknown charge level	415	9.7%	11.9	544	9.4%	9.4

*See Note

*Note: The FY 2009 cohort is comprised of intakes between October 1, 2008 and June 30, 2009 and does not represent a full 12 months.

Table 7 provides information concerning the charges for which intakes were re-convicted for and the time between intake and re-conviction.

- The majority of re-convictions in both cohorts were for drug sale, theft and burglary offenses.
- The average time to re-conviction for FY 2009* was 16.3 months and for FY 2010 was 17.6 months.

TABLE 7
ANALYSIS OF RE-CONVICTION CHARGES

Offense	FY 2009*			FY 2010		
	Number of Re-convictions	Percent of Re-convictions	Average Time To Reconvict (mos.)	Number of Re-convictions	Percent of Re-convictions	Average Time To Reconvict (mos.)
Base	1,992		16.3	3,032		17.6
Murder	7	0.4%	17.1	13	0.4%	18.4
Sex crime	77	3.9%	15.5	98	3.2%	16.4
Assault	98	4.9%	17.7	143	4.7%	19.7
Robbery	46	2.3%	14.9	68	2.2%	18.5
Other violent	124	6.2%	15.8	209	6.9%	18.8
Drug sale	622	31.2%	17.2	790	26.1%	17.4
Burglary	262	13.2%	14.8	388	12.8%	17.0
Theft	244	12.2%	16.4	442	14.6%	16.8
Fraud/forgery	112	5.6%	16.3	174	5.7%	17.9
Weapons	76	3.8%	16.6	139	4.6%	18.7
DUI	32	1.6%	15.3	43	1.4%	16.8
Other property	87	4.4%	16.2	110	3.6%	14.5
Drug possession	96	4.8%	13.7	209	6.9%	18.9
Other non-violent	109	5.5%	16.9	206	6.8%	17.6

*See Note

*Note: The FY 2009 cohort is comprised of intakes between October 1, 2008 and June 30, 2009 and does not represent a full 12 months.

Table 8 provides information concerning the charges for which intakes were re-incarcerated and the time between parole intake and re-incarceration.

- Returns to the TVC comprised a large percentage of re-incarcerations for both cohorts.
- Drug sale, burglary and theft offenses made up the largest portion of new crime re-incarcerations.
- The average time to re-incarceration for the FY 2009* cohort was 13.2 months and the average time to re-incarceration for the FY 2010 cohort was 13.1 months.
- In both cohorts over 10 percent of re-incarcerations did not have a new charge. There are three possible explanations for this:
 - A person was arrested for a new charge and revoked to incarceration via a parole violation but prosecution of the new charge has not yet been completed.
 - The new offense occurred out of state and is not being prosecuted in Arkansas.
 - The offender was revoked to the ADC technical violator program based on a technical violation with no new charge.

**TABLE 8
ANALYSIS OF RE-INCARCERATION CHARGES**

Offense	FY 2009*				FY 2010			
	Number of Returns	Percent of Returns	Average Time To Return (mos.)	Average Max. Prison Sentence (mos.)	Number of Returns	Percent of Returns	Average Time To Return (mos.)	Average Max. Prison Sentence (mos.)
Base	3,306		13.2	99.3	4,246		13.1	98.1
Murder	9	0.3%	12.6	1,783.0	13	0.3%	12.1	1,418.5
Sex crime	64	1.9%	13.4	83.0	87	2.0%	11.9	212.6
Assault	86	2.6%	13.0	79.9	113	2.7%	13.9	84.4
Robbery	54	1.6%	12.8	174.0	59	1.4%	14.3	174.7
Other violent	102	3.1%	13.2	65.5	154	3.6%	13.3	142.8
Drug sale	534	16.2%	15.2	85.1	587	13.8%	13.8	84.0
Burglary	256	7.7%	13.6	137.7	310	7.3%	13.0	87.7
Theft	216	6.5%	13.7	68.0	329	7.7%	12.6	72.7
Fraud/forgery	87	2.6%	14.9	53.1	125	2.9%	15.6	61.6
Weapons	74	2.2%	13.3	101.9	116	2.7%	14.5	85.7
DUI	29	0.9%	15.3	30.6	37	0.9%	16.5	39.7
Other property	80	2.4%	14.9	115.7	95	2.2%	10.9	76.9
Drug possession	86	2.6%	12.5	66.3	156	3.7%	14.3	54.5
Other non-violent	91	2.8%	15.2	86.0	141	3.3%	13.3	92.5
TVC Incarceration	1,199	36.3%	11.9	n/a	1,493	35.2%	13.3	n/a
Unknown	339	10.3%	12.3	n/a	431	10.2%	9.9	n/a

*See Note

*Note: The FY 2009 cohort is comprised of intakes between October 1, 2008 and June 30, 2009 and does not represent a full 12 months.

Table 9 provides information concerning the Technical Violator Center (TVC) re-incarcerations. All supervision re-incarcerations to the TVC are for a technical violation. However, some technical violations are returned to ADC with a new charge. These violators are in the ADC/CCC/CJB column of this table.

TABLE 9
ANALYSIS OF TVC RE-INCARCERATIONS

FY 2009*						
Group	All Intakes	Returned to ADC/CCC/CJB		Returned to TVC		Total Percent Re-incarceration
	Number	Number	%	Number	%	%
Female	1,067	175	16.4%	107	10.0%	26.4%
Male	6,444	1,932	30.0%	1,092	16.9%	46.9%
Total	7,511	2,107	28.1%	1,199	16.0%	44.0%
FY 2010						
Group	All Intakes	Returned to ADC/CCC/CJB		Returned to TVC		Total Percent Re-incarceration
	Number	Number	%	Number	%	%
Female	1,393	237	17.0%	158	11.3%	28.4%
Male	8,679	2,516	29.0%	1,335	15.4%	44.4%
Total	10,072	2,753	27.3%	1,493	14.8%	42.2%

*See Note

*Note: The FY 2009 cohort is comprised of intakes between October 1, 2008 and June 30, 2009 and does not represent a full 12 months.