

# *Recidivism in West Virginia*

## *2004-2005*



The West Virginia Division of Corrections



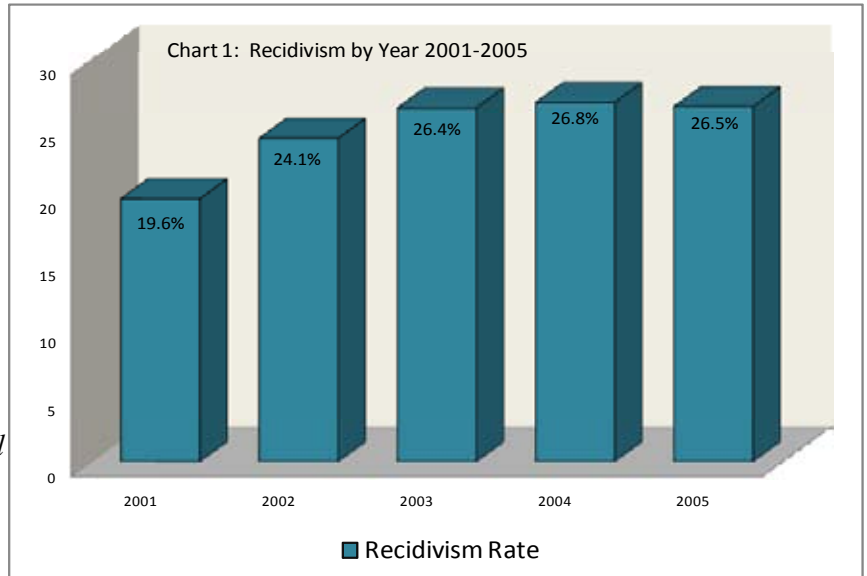
Office of Research and Planning

## Recidivism Rate

In 2004, there were 1346 offenders released from the custody of the WVDOC and of those, 361 returned within the measured three year time frame, for a recidivism rate of 26.8%. The following year in 2005, 1746 offenders were released and 464 returned for a recidivism rate of 26.5%.

Recidivism is one of the most closely examined factors used in measuring correctional success or failure. The WV Division of Corrections (WVDOC) recognizes the importance of closely monitoring recidivism and this report examines the recidivism rate in the WVDOC for the years 2004-2005. Also when applicable, the previous study of recidivism from 2001-2003 is referenced for comparison.

One issue for those trying to compare recidivism rates among states, is that the definition for recidivism varies. For the purpose of this report, *Recidivism Rate* refers to the percentage of offenders who upon release, return to the legal custody of the WVDOC within a three year time period.



## Methodology and Data Collection

To calculate the recidivism rate, a list was generated of all offenders released from the custody of the WVDOC from January 1, 2004, through December 31, 2005. During that time period, a total of 3092 offenders were released. A list of those offenders were examined manually and compared with each offender's movement, as reported using the Inmate Management Information System (IMIS).

A second list was generated to include all commitments to the custody of the WVDOC from January 1, 2004 through December 31, 2008. These lists were matched up against each other and when it was found that an offender had a release and a subsequent recommitment, IMIS was utilized to verify the two matched. Offenders who had a commitment within three years of release were identified as recidivists. Offenders were identified by their most serious crime.

The following formula was then used to calculate the recidivism rate for released inmates: (Recidivists/Total Offenders Released) x 100 = Percentage Rate.

*Example: Total Recidivists (825) / Total Offenders Released (3092) x 100 = Recidivism Rate for the 2004-2005 released offenders, 26.6%.*

**Chart 1** highlights WVDOC Recidivism by Year from 2001-2005. Overall, the percentage of offender's returning to WV prisons has increased from 19.6% in 2001 to almost 27% in 2005. The average recidivism rate for this 5 year timeframe was 24.1%.

## Gender of Recidivists

Shown in **Table 1** are the rates of recidivism broken down by gender. The rate of female recidivism increased by 2.3% from 2004 to 2005, while the male recidivism rates declined slightly.

Overall, out of the 373 female releases in the referenced two years, 68 (18.2%) returned, while nearly 10% more males returned to prison during that same time period, 757 (27.8%) of the 2719 releases.

|                    | 2004  | 2005  | Total |
|--------------------|-------|-------|-------|
| Female Releases    | 154   | 219   | 373   |
| Female Recidivists | 26    | 42    | 68    |
| Rate of Recidivism | 16.9% | 19.2% | 18.2% |
| Male Releases      | 1192  | 1527  | 2719  |
| Male Recidivists   | 335   | 422   | 757   |
| Rate of Recidivism | 28.1% | 27.6% | 27.8% |

## Recidivists by Return Type

When an offender returns to prison, they are either returning because they have committed a “new crime”, or due to a technical revocation of their parole. Technical Parole Revocations are commonly returned to the legal custody of the WVDOC after an average of six to seven violations.<sup>1</sup> Common technical rule violations include possession/use of drugs, violations for not maintaining safe behavior, and for leaving their area of supervision, or violations of law that have yet to be adjudicated.

parole revocation, while 10.4% returned because of a new felony conviction. In 2005, 18.6% of offenders returned into the prison system because of a technical parole revocation and 7.9% returned with a new crime. In the five year study, 73% or almost 3/4 of those who returned to prison, did so, due to a revocation of their parole.

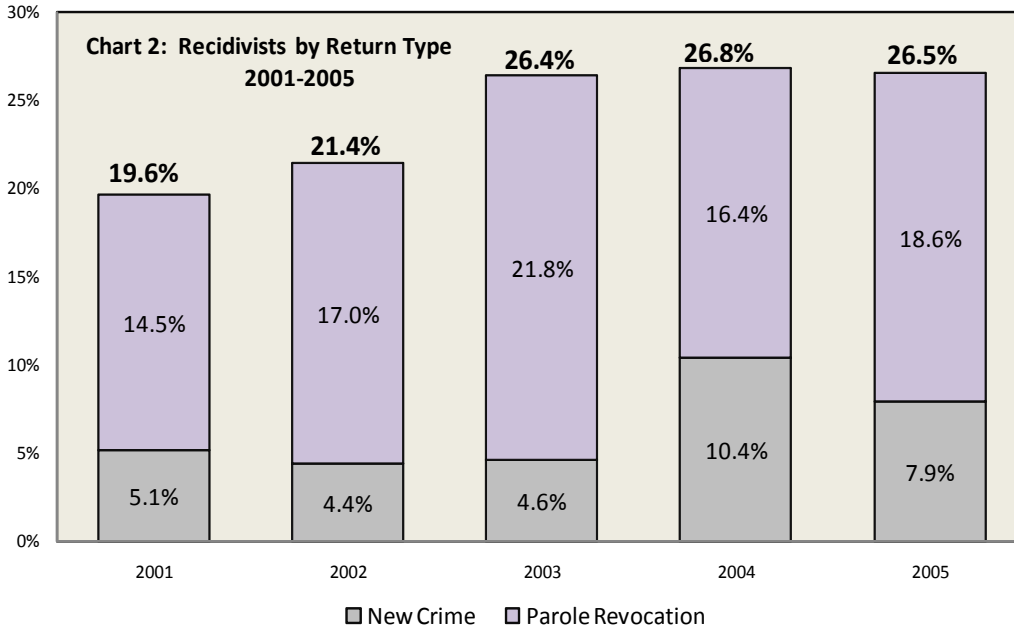
## Recidivists by Release Type

The three most common methods for an offender to be released from the custody of the WVDOC are: Court Order Release, Discharge, and Release to Parole. Release types not included in this study were: Escape, Diagnostic Release, Death, and those being released from the Anthony Correctional Center.

**Table 2** shows releases and recidivists by release type from 2001-2005. Offenders released by court order averaged a return rate of 22.4% over the five year period, while those discharging their sentence had the lowest overall average recidivism (return) rate with 11.4%. Offenders released to parole during this timeframe, had the highest

average recidivism rate with nearly 33%. The reason for the higher rate among those released to parole is that they include offenders returning to the WVDOC due to technical revocations.

Of the 769 offenders who were released to parole in 2004, 256 (33.2%) returned to WVDOC custody, and of those 217, (85%) returned due to parole revocations. That figure continued to rise slightly in 2005, with 319 (87%) of the 365 recidivists returning because of a parole revocation.



**Chart 2**, shows a comparison of recidivists by return type, for the last five years in which recidivism was measured. The number inside the boxes show the percentage of recidivists in the listed year who have returned due to the type of return (new crime/parole revocations). The percent listed on top of the individual boxes represent the total recidivism rate for the corresponding year.

For example, in cohort year 2004, the recidivism rate was 26.8% and of those, 16.4% returned due to a technical

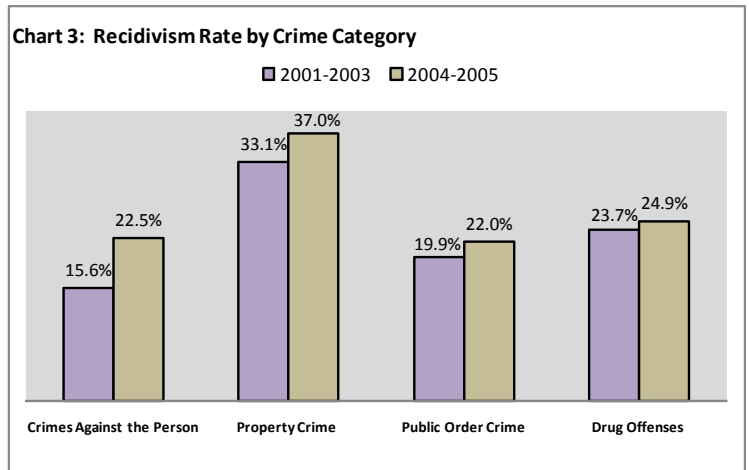
| Release Type           | 2001         |             | 2002         |             | 2003         |            | 2004         |             | 2005         |             |
|------------------------|--------------|-------------|--------------|-------------|--------------|------------|--------------|-------------|--------------|-------------|
|                        | Released     | Recidivist  | Released     | Recidivist  | Released     | Recidivist | Released     | Recidivist  | Released     | Recidivist  |
| Court Ordered Release  | 79           | 10 (12.7%)  | 76           | 10 (13.1%)  | 88           | 23 (26.1%) | 94           | 31 (32.9%)  | 80           | 22 (27.5%)  |
| Discharged             | 417          | 41 (9.8%)   | 452          | 46 (10.2%)  | 444          | 42 (9.5%)  | 483          | 74 (15.3%)  | 617          | 77 (12.4%)  |
| Released to Parole     | 472          | 139 (29.4%) | 650          | 196 (30.2%) | 722          | 267 (37%)  | 769          | 256 (33.2%) | 1049         | 365 (34.7%) |
| <b>Total</b>           | <b>968</b>   | <b>190</b>  | <b>1178</b>  | <b>252</b>  | <b>1254</b>  | <b>332</b> | <b>1346</b>  | <b>361</b>  | <b>1746</b>  | <b>464</b>  |
| <b>Recidivism Rate</b> | <b>19.6%</b> |             | <b>21.4%</b> |             | <b>26.4%</b> |            | <b>26.8%</b> |             | <b>26.5%</b> |             |

## Recidivism by Original Crime

Recidivism rates also differ by the type of crime originally committed. In this study, crimes were broken down into four basic crime categories: *Crimes Against the Person*, *Crimes Against Property*, *Crimes Against Public Order*, and *Drug Offense Crimes*.

**Chart 3** shows a comparison of the rate of recidivism by crime category for the last recidivism study (2001-2003) and the current study (2004-2005). Recidivism increased in all of the crime categories from the 2001-2003 study. Those with Property Crimes had the largest recidivism rate with 33.1% in 2001-2003, which rose to 37% in 2004-2005. Crimes Against the Person had the lowest recidivism rate, with 15.6% in 2001-2003 and 22.5% in 2004-2005. This group also had the largest increase in recidivists with nearly a 7% increase over the 5 years.

**Table 3** shows a breakdown of crimes within the four major crime categories and their respective recidivism rate in 2004-2005, along with the combined rate for the two years. In 2004, offenders whose most serious original offense was a property crime, specifically those with burglary offenses (37.4%) were more likely to return to prison, followed by those stolen property offenses (31.3%) and arson (18.8%). In analyzing the 2005 property offenders, those with stolen property offenses (43.9%) returned to prison at a higher



rate than those with burglary offenses (37.2%), and arson (22.2%) also had the lowest recidivism rate in this group. Offenders with the original crime of Drug Offenses held the second highest recidivism rate over the 2 year period, averaging 24.9%. Crimes Against the Person, was the category containing the third highest combined recidivism rate with 22.5% returning to prison. Within that category, robbery, followed by assault crimes had the largest amount of recidivists with 38.4% and 23.6% respectively.

The crime category with the lowest percentage of recidivists during the 2004-2005 study, were those crimes committed against the public order, and more specifically, traffic offenses (15.4%).

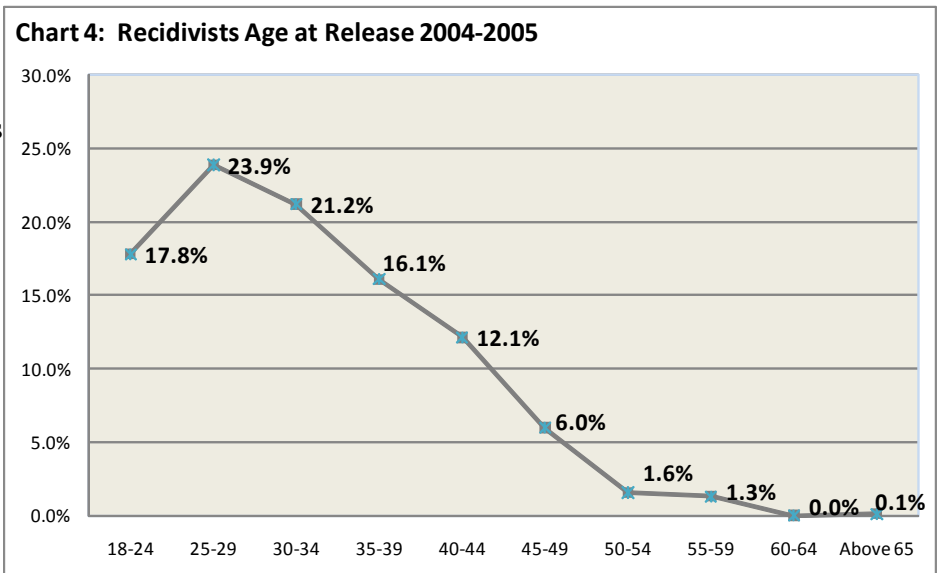
**Table 3: Rate of Recidivism based on Original Crime Category/Subcategory**

|                             | 2004 Releases | 2004 Recidivists | 2004 Rate | 2005 Releases | 2005 Recidivists | 2005 Rate | Combined 2004-2005 Releases | Combined 2004-2005 Recidivists | Combined 2004-2005 Rate |
|-----------------------------|---------------|------------------|-----------|---------------|------------------|-----------|-----------------------------|--------------------------------|-------------------------|
| <b>Against the Person</b>   | 373           | 85               | 22.8%     | 430           | 96               | 22.3%     | 803                         | 181                            | 22.5%                   |
| <b>Against Property</b>     | 366           | 127              | 34.7%     | 489           | 189              | 38.7%     | 855                         | 316                            | 37.0%                   |
| <b>Against Public Order</b> | 423           | 104              | 24.6%     | 561           | 112              | 20.0%     | 984                         | 216                            | 22.0%                   |
| <b>Drug</b>                 | 184           | 45               | 24.5%     | 266           | 67               | 25.2%     | 450                         | 112                            | 24.9%                   |
| <b>Total</b>                | 1346          | 361              | 26.8%     | 1746          | 464              | 26.5%     | 3092                        | 825                            | 26.7%                   |
| <b>Against the Person</b>   |               |                  |           |               |                  |           |                             |                                |                         |
| Assault                     | 112           | 25               | 22.3%     | 125           | 31               | 24.8%     | 237                         | 56                             | 23.6%                   |
| Child Abuse                 | 26            | 4                | 15.4%     | 19            | 2                | 10.5%     | 45                          | 6                              | 13.3%                   |
| Homicide                    | 47            | 8                | 17.0%     | 57            | 9                | 15.8%     | 104                         | 17                             | 16.3%                   |
| Kidnapping                  | 8             | 1                | 12.5%     | 15            | 4                | 26.7%     | 23                          | 5                              | 21.7%                   |
| Robbery                     | 78            | 30               | 38.5%     | 99            | 38               | 38.4%     | 177                         | 68                             | 38.4%                   |
| Sexual Offense              | 102           | 17               | 16.7%     | 115           | 12               | 10.4%     | 217                         | 29                             | 13.4%                   |
| <b>Against Property</b>     |               |                  |           |               |                  |           |                             |                                |                         |
| Arson                       | 16            | 3                | 18.8%     | 18            | 4                | 22.2%     | 34                          | 7                              | 20.6%                   |
| Burglary                    | 238           | 89               | 37.4%     | 323           | 120              | 37.2%     | 561                         | 209                            | 37.3%                   |
| Stolen Property             | 112           | 35               | 31.3%     | 148           | 65               | 43.9%     | 260                         | 100                            | 38.5%                   |
| <b>Against Public Order</b> |               |                  |           |               |                  |           |                             |                                |                         |
| Fraudulent Activities       | 138           | 42               | 30.4%     | 194           | 61               | 31.4%     | 332                         | 103                            | 31.0%                   |
| Miscellaneous               | 120           | 34               | 28.3%     | 190           | 25               | 13.2%     | 310                         | 59                             | 19.0%                   |
| Traffic Offenses            | 156           | 27               | 17.3%     | 168           | 23               | 13.7%     | 324                         | 50                             | 15.4%                   |
| Weapons Offenses            | 9             | 1                | 11.1%     | 9             | 3                | 33.3%     | 18                          | 4                              | 22.2%                   |
| <b>Drug Offenses</b>        |               |                  |           |               |                  |           |                             |                                |                         |
| Drug Offenses               | 184           | 45               | 24.5%     | 266           | 67               | 25.2%     | 450                         | 112                            | 24.9%                   |

## Recidivists Age at Release

**Chart 4** shows the percent of recidivists who fall within the defined age categories at the time of their release in the 2004-2005 study.

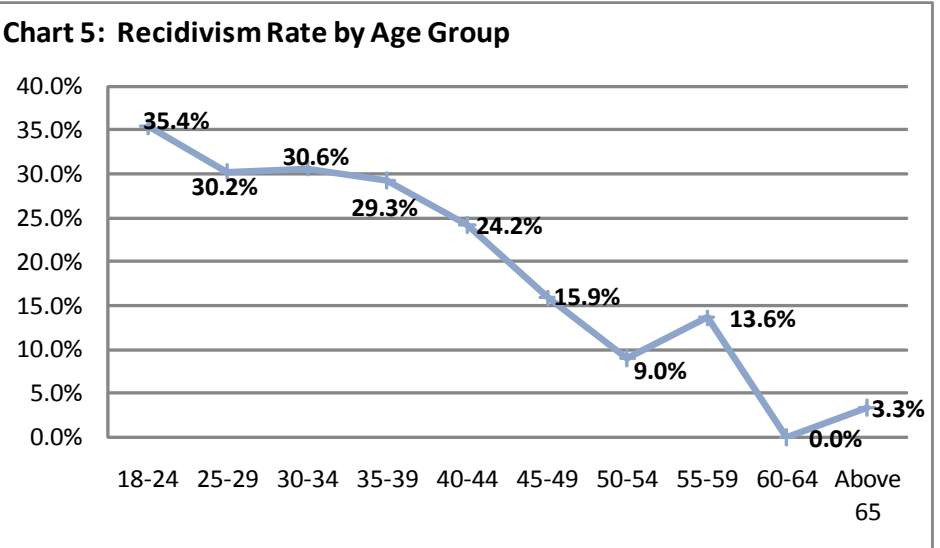
Nearly 42% of recidivists were younger than 30 years old at the time of their release. The age category with the highest number of recidivists at 23.9%, is the 25-29 year old category, followed closely by recidivists in the 30-34 age group with 21.2% .



## Recidivism Rate by Age Group

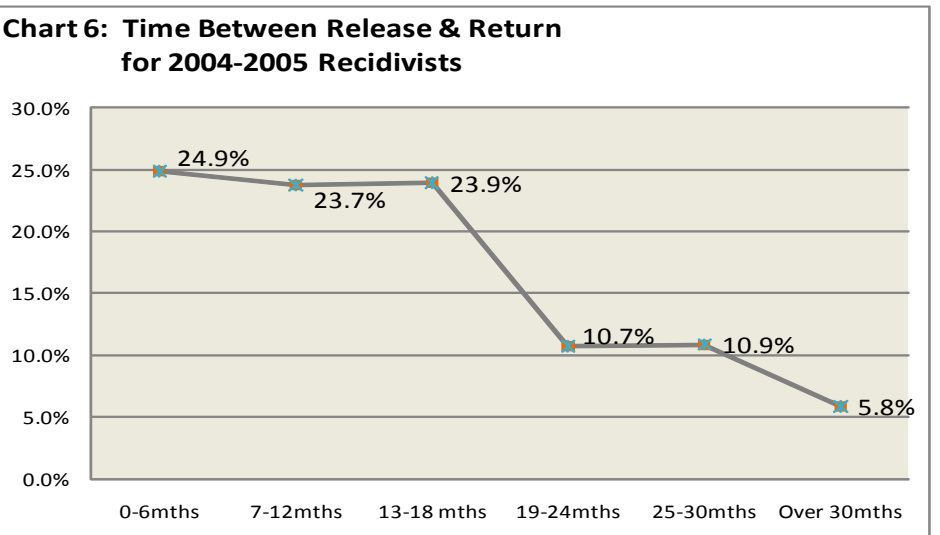
**Chart 5** shows the recidivism rate for the defined age group. For example, 30% of the 25-29 year old offenders, returned to prison within the 2 year study. The 18-24 year old category topped the list of percentage of inmates returning to prison, with a 36% return rate. That number is sharply reduced to nearly 16%, when referring to 45-49 year old offenders who have returned to prison.

Our data supports the idea that maximum criminality is reached at a younger age, and that the likelihood of criminal involvement declines over time.



## Time between Release and Recidivism

As shown in **Chart 6**, nearly 73% of offenders who returned to the custody of the WVDOC in 2004-2005, did so within 18 months of their release. The highest return rate (24.9%) came within 6 months of being released from the WVDOC. Between 19-24 months after release, those returning to DOC custody, dropped in half to 10.7% and after 30 months, declined to 5.8%.



## Summary and Significant Findings

The Criminal Justice System is continually looking for solutions to one of the biggest problems surrounding prisons in the United States today; prison overcrowding. High recidivism rates are one factor contributing to the rise in prison populations.

**Chart 7** shows a comparison of the recidivism rates in the 40 states defining recidivism similarly (re-imprisonment within three years of release), as reported in a 2008 report from the Grant Sawyer Center for Justice Studies.<sup>2</sup>

In the three year period, the average re-imprisonment rate for the states listed in the study was 39.9%. The good news for West Virginia is that it ranks very near the bottom, at 26.4% for the 2003 cohort year. Arizona had the lowest recidivism rate in this study, at 24.5%, while Alaska showed the largest rate of recidivism with 66%.

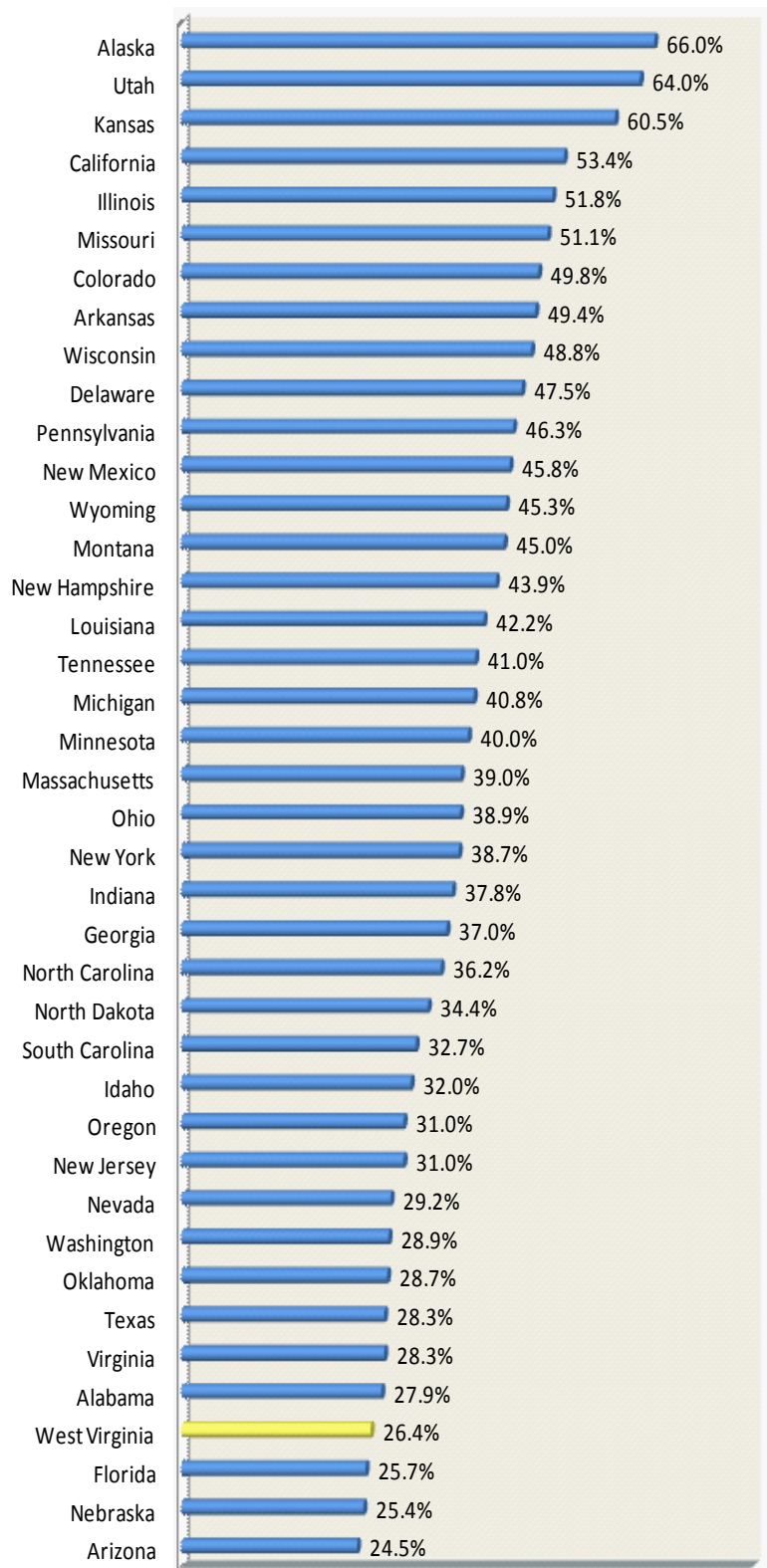
The WV Division of Corrections is dedicated to getting offenders better prepared for returning into the community, by giving them the tools and support they need to stay out of the prison environment. This practice is not only beneficial to the offenders, but also to the taxpayers, saving money by reducing the need for new prison construction.

Recidivism rates will continue to have implications for those involved with public safety and the cost effectiveness of keeping repeat offenders out of prison. *It is estimated that at least \$25,650 is saved annually for every offender who does not return to the confinement of the West Virginia Division of Corrections.*<sup>3</sup>

*Among the 40 states that report felon recidivism as re-imprisonment within three years of release, **West Virginia** has the 4th lowest recidivism rate.*

**Chart 7 : Three Year Re-Imprisonment Rates**

Updated 8/15/08



Sources:

- <sup>1</sup> Bauer, Jared; Parole Revocation Profile 2002-2005. Significant Findings, pg. 1
- <sup>2</sup> *Nevada Truth in Sentencing Criminal Justice Trends Report*; Grant Sawyer Center for Justice Studies, University of Nevada, Reno, August, 2008, and *Virginia Criminal Sentencing Commission*, Microsoft PowerPoint Presentation from: [sfc.state.va.us/pdf/.../2009/012309%20Kern%20Presentation.pdf](http://sfc.state.va.us/pdf/.../2009/012309%20Kern%20Presentation.pdf)
- <sup>3</sup> WV DOC Annual Report, FY2008-FY2009; December 2009

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