

Return to Custody Report Three 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 (2011) and the U.S. Department of Justice's Bureau of Justice Statistics (BJS) (2002, 2014). The most recent study produced by BJS reported that 49.7% of the released clients in their observed timeline returned to prison within three years. The Pew Charitable Trust report tracked more states than the BJS study and reported about 40% 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 in 2010 through 2019 returned to an MDOC facility within three years of release.



Return to Custody Introduction & Definition

Establishing a process to monitor and analyze return to custody that is created by the Department is essential in making key policy and practice decisions. This process allows the Department to measure the success of its rehabilitative efforts as they relate to clients' return to custody, including measurement of the effectiveness of specific programs, treatments, and initiatives. This information will be updated, analyzed and reported annually.

MDOC defines "Return to Custody" as the *release of a client from an MDOC facility followed by a subsequent return of a 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 Correctional Information System, 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, 2022. Clients released from 2010-2019 were tracked for a return to custody three year post-release, through the end of 2022.

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



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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)
- MDOC Releases to Interstate Active Detainer (IAD), Federal Prison



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Return to Custody Rate by Release Year

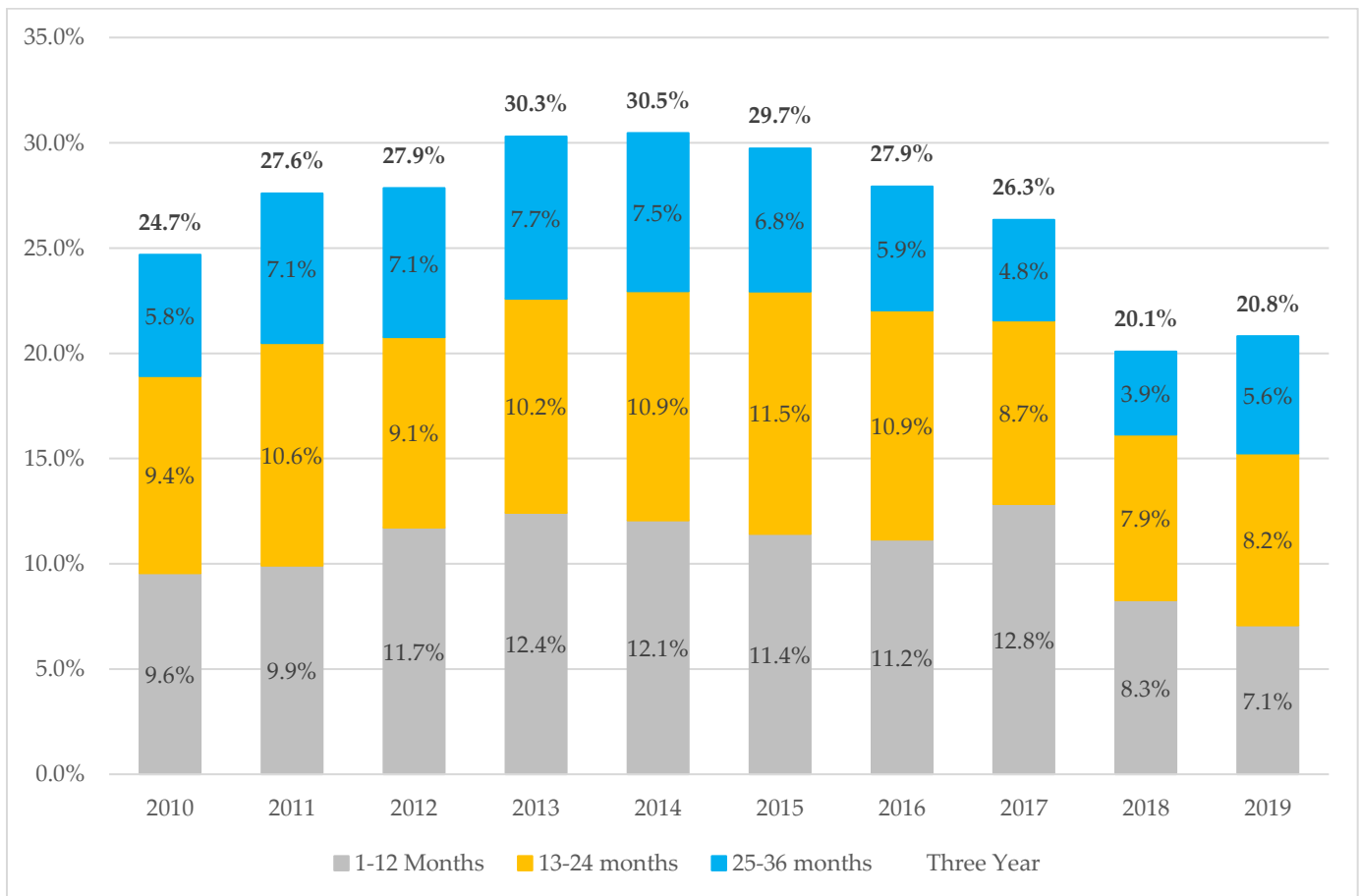
The chart below represents all releases from an MDOC facility between 2010 and 2018, grouped by release year and months until return.

MDOC Three Year Post Release RCR:

- 2010 Release Year – 24.7%
- 2011 Release Year – 27.6%
- 2012 Release Year – 27.9%
- 2013 Release Year – 30.3%
- 2014 Release Year – 30.5%
- 2015 Release Year – 29.7%
- 2016 Release Year – 27.9%
- 2017 Release Year – 26.3%
- 2018 Release Year – 20.1%
- 2019 Release Year – 20.8%

On average 26.6% of the clients released from 2010-2019 returned to an MDOC facility within three years post release.

The highest RCR in the 10 year timeframe occurred with the 2014 releases showing 30.5% returning within three years post release. The MDOC three year post release return to custody has seen a steady decline during the years that followed, bringing 2018 down to 20.1%, the lowest it is has been during the nine year period, followed by a slight increase to 20.8% in 2019.





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Return to Custody by Gender

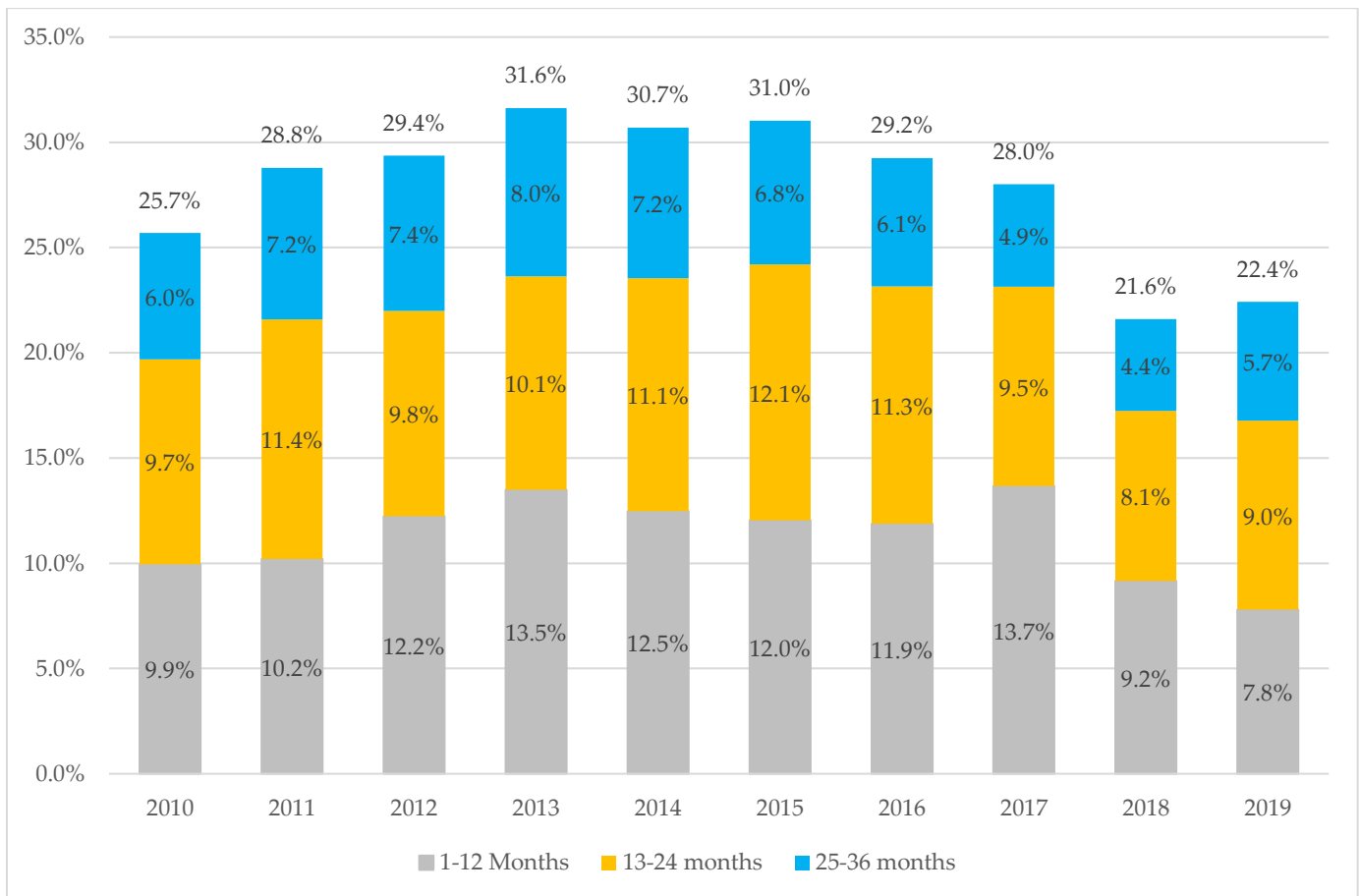
The next several charts represent all releases from an MDOC facility (Probation and Straight Release) between 2010 and 2019, grouped by gender and release year.

Male Release

MDOC Three Year Post Release RCR:

- 2010 Release Year – 25.7%
- 2011 Release Year – 28.8%
- 2012 Release Year – 29.4%
- 2013 Release Year – 31.6%
- 2014 Release Year – 30.7%
- 2015 Release Year – 31.0%
- 2016 Release Year – 29.2%
- 2017 Release Year – 28.0%
- 2018 Release Year – 21.6%
- 2019 Release Year – 22.4%

On average 27.8% of the male clients released between 2010-2019 returned to an MDOC facility within three years post release. 2013 releases experienced the highest RCR with 31.6% returning within three years post release, and 2018 experienced the lowest RCR with 21.6% returning. 2019 increased to 22.4% returning within three years post release.





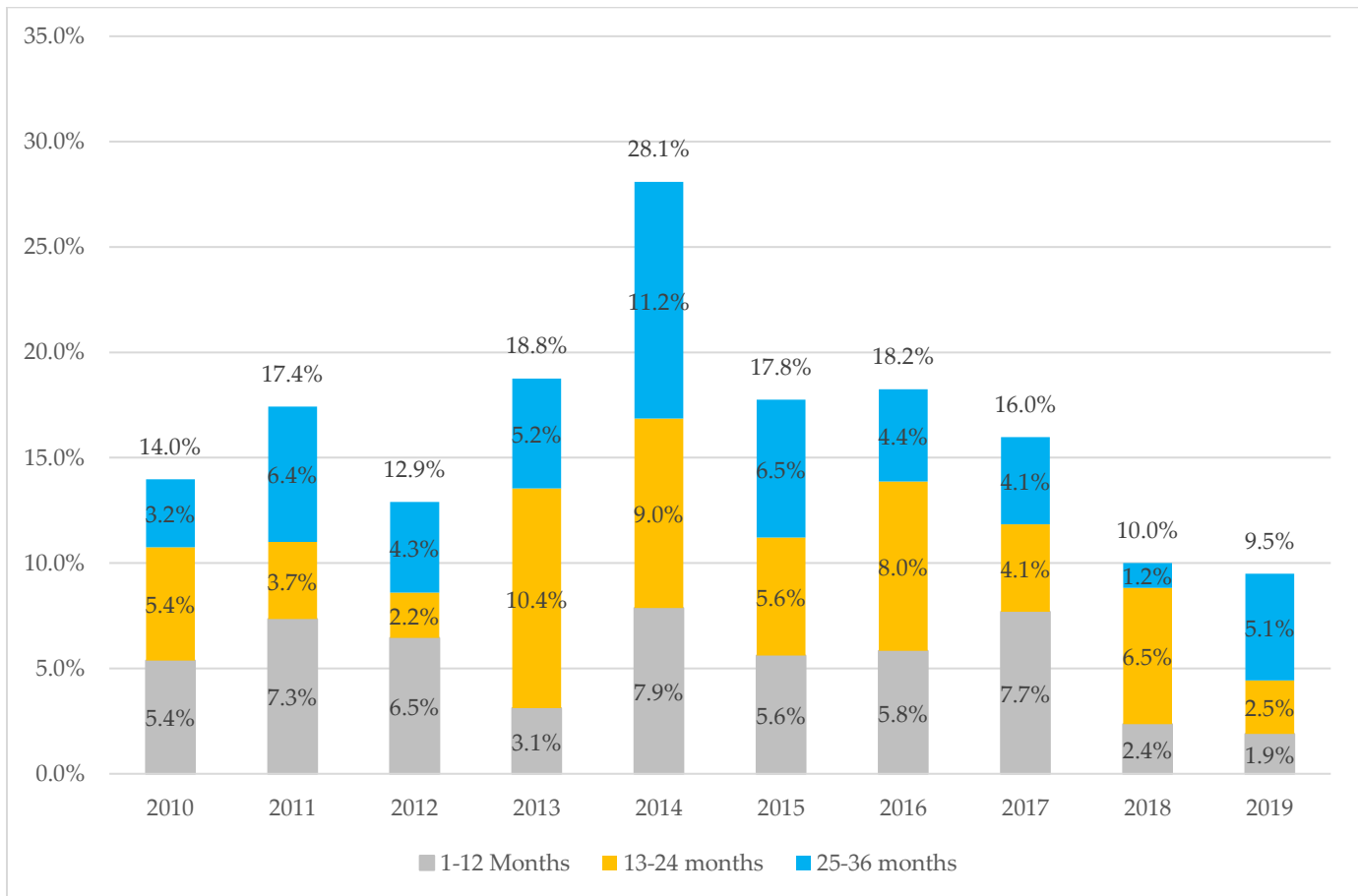
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Female Release

MDOC Three Year Post Release RCR:

- 2010 Release Year – 14.0%
- 2011 Release Year – 17.4%
- 2012 Release Year – 12.9%
- 2013 Release Year – 18.8%
- 2014 Release Year – 28.1%
- 2015 Release Year – 17.8%
- 2016 Release Year – 18.2%
- 2017 Release Year – 16.0%
- 2018 Release Year – 10.0%
- 2019 Release Year – 9.5%

On average 16.3% of the female clients released between 2010-2019 returned to an MDOC facility within three years post release. Female releases experienced a significant increase with 2014 releases showing a 28.1% RCR within three years post release. The 2019 three year return to custody was 9.5% which is the lowest rate seen during the ten year period.





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Return to Custody by Type of Release

Depending on the Release Type (Probation or Straight Release), the RCR changes and 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 Release three year RCR was 31.7%, 10.8% higher than the average Straight Release three year RCR (20.9%) in the same period.

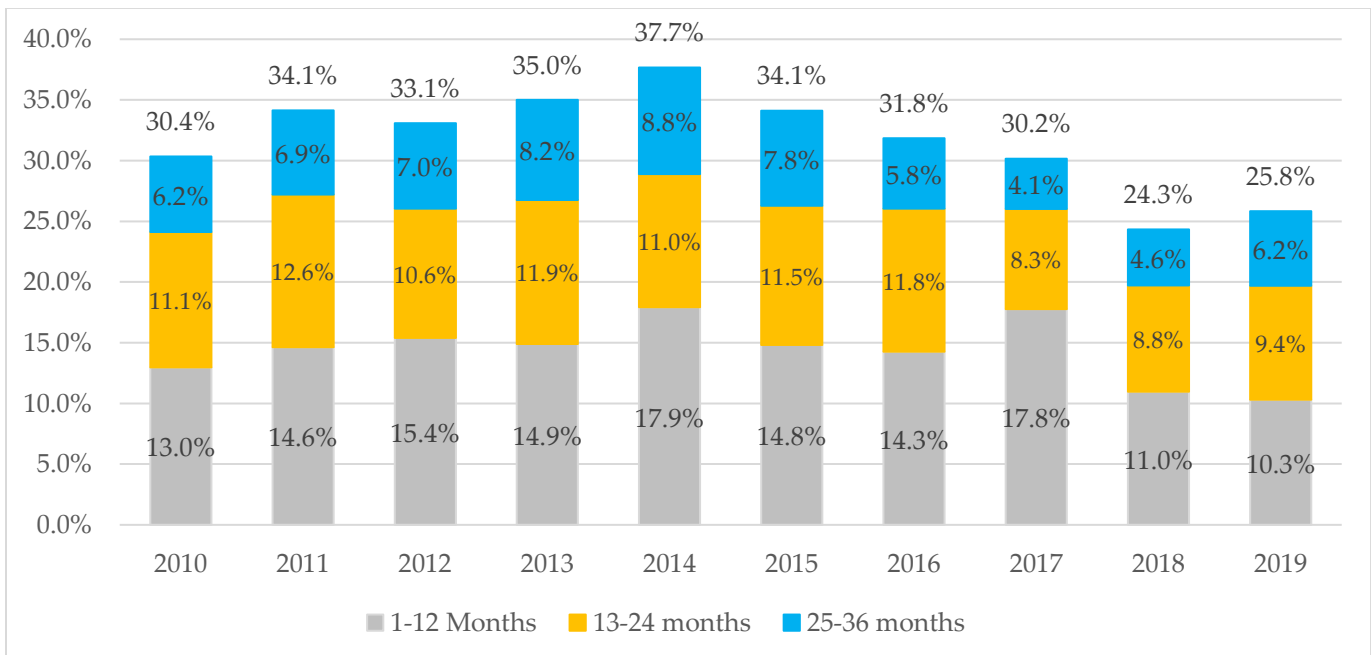
Probation Release

The chart below represents all probation releases from an MDOC facility between 2010 and 2019, grouped by release year, showing the three year return to custody percentages.

MDOC Three Year Post Release RCR for all Probation Releases:

- 2010 Release Year – 30.4%
- 2011 Release Year – 34.1%
- 2012 Release Year – 33.1%
- 2013 Release Year – 35.0%
- 2014 Release Year – 37.7%
- 2015 Release Year – 34.1%
- 2016 Release Year – 31.8%
- 2017 Release Year – 30.2%
- 2018 Release Year – 24.3%
- 2019 Release Year – 25.8%

On average, 31.7% of the clients released to probation from 2010-2019 returned to an MDOC facility within three years post release. 2014 releases experienced the highest RCR with 37.7% returning to an MDOC facility within three years post release. The three year return to custody rate for probation releases decreased in 2015, 2016, 2017, and 2018 which showed the lowest rate in the seven year period at 24.3%. The three year return rate for 2019 releases increased to 25.8%.

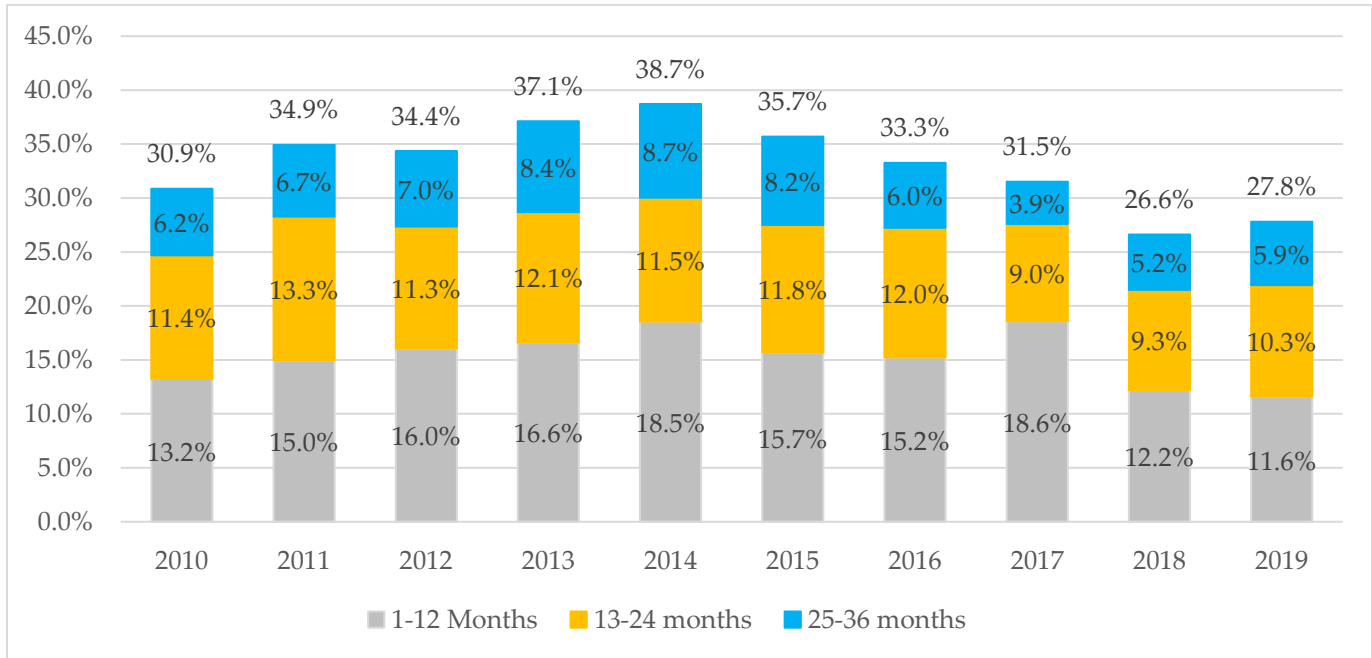




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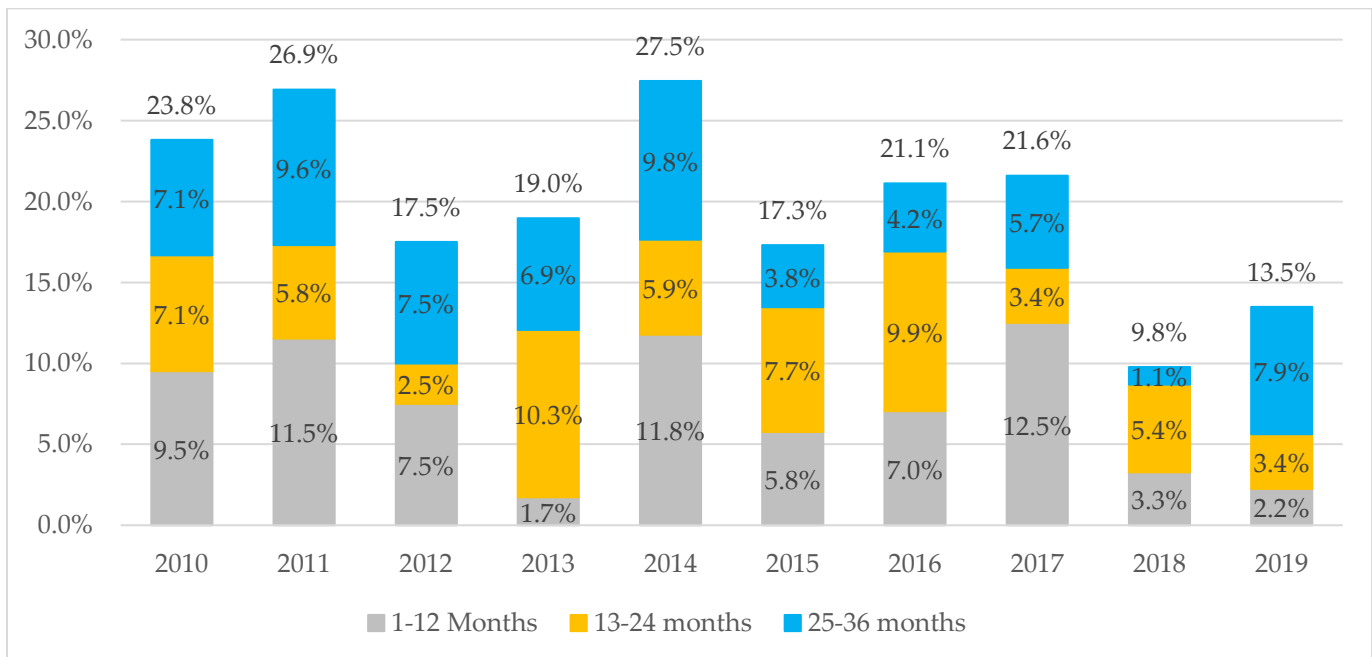
Male Probation Release

The chart below represents all male probation releases from an MDOC facility between 2010 and 2019, grouped by release year, showing the three year return to custody percentages.



Female Probation Release

The chart below represents all female probation releases from an MDOC facility between 2010 and 2019, grouped by release year, showing the three year return to custody percentages.





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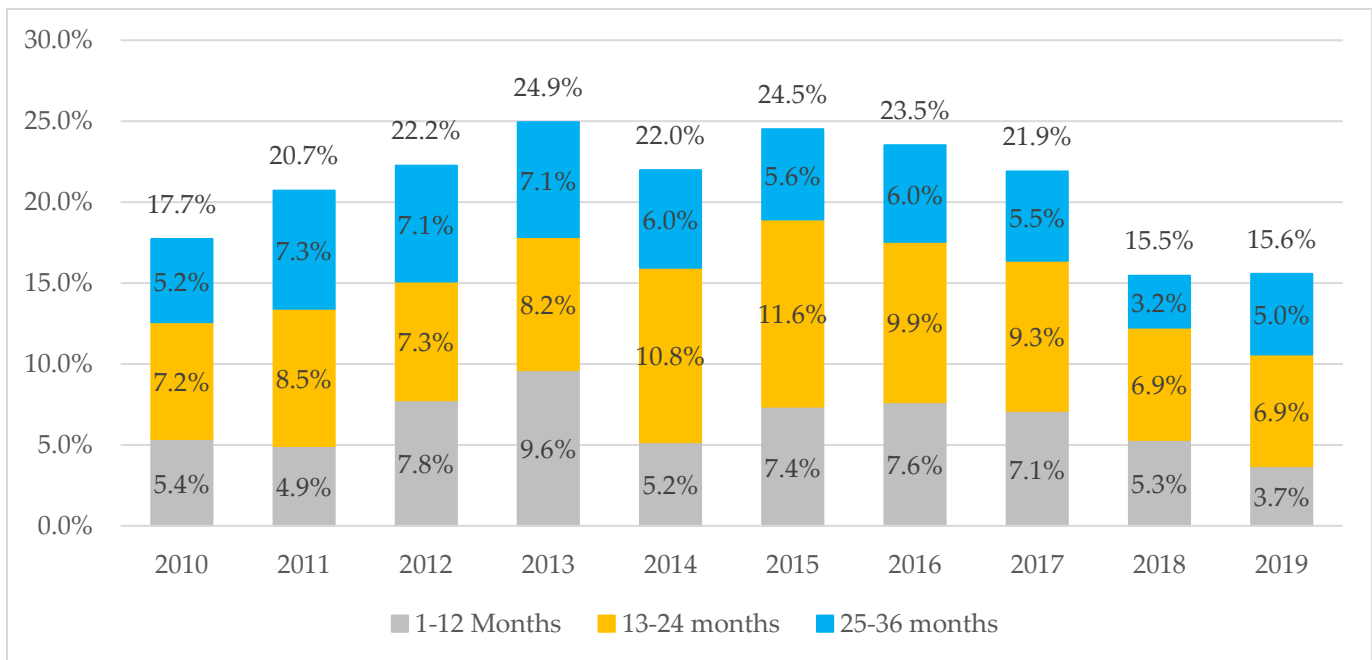
Straight Release

The chart below represents all straight releases from an MDOC facility between 2010 and 2019, grouped by release year, showing the three year return to custody percentages.

MDOC Three Year Post Release RCR for all Straight Releases:

- 2010 Release Year – 17.7%
- 2011 Release Year – 20.7%
- 2012 Release Year – 22.2%
- 2013 Release Year – 24.9%
- 2014 Release Year – 22.0%
- 2015 Release Year – 24.5%
- 2016 Release Year – 23.5%
- 2017 Release Year – 21.9%
- 2018 Release Year – 15.5%
- 2019 Release Year – 15.6%

On average 20.9% of the clients released to society without probation from 2010-2019 returned to an MDOC facility within three years post release. 2013 releases experienced the highest RCR with 24.9% returning to an MDOC facility within three years post straight release. The 2018 three year return to custody rate was 15.5% which is the lowest rate seen during the nine year period, and only a slight increase was seen in 2019 releases with a return rate of 15.6%.

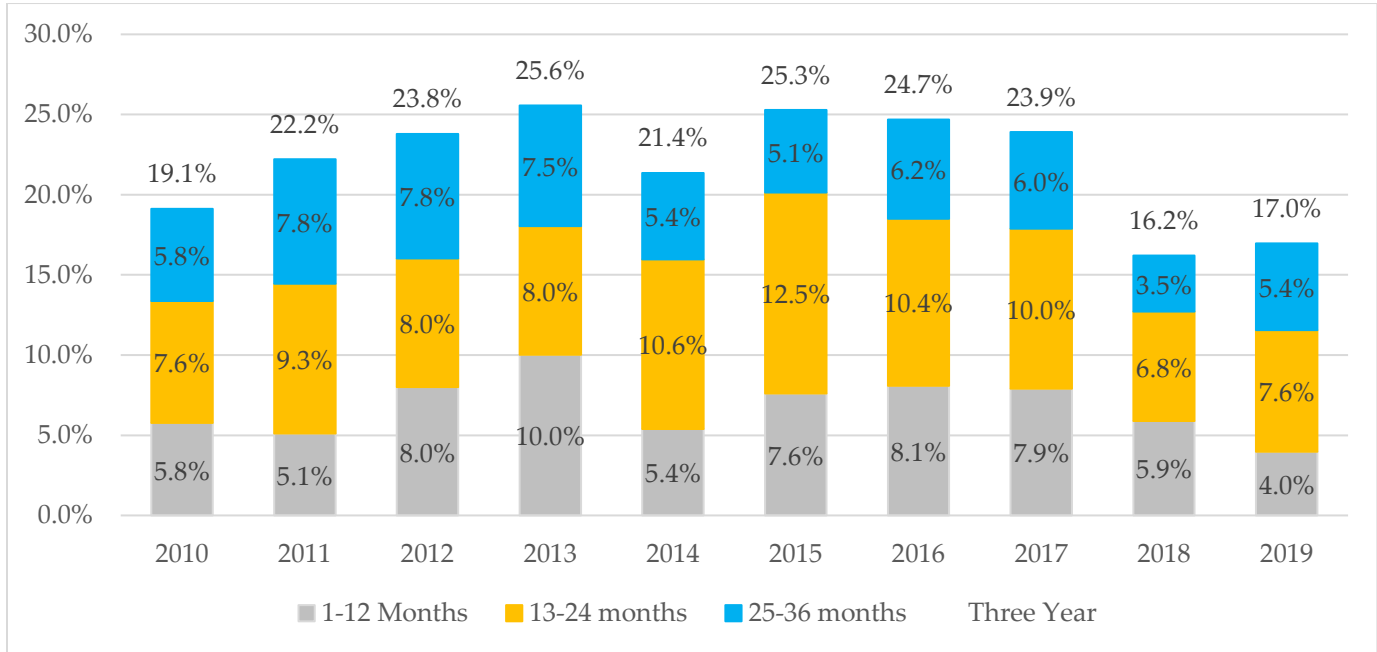




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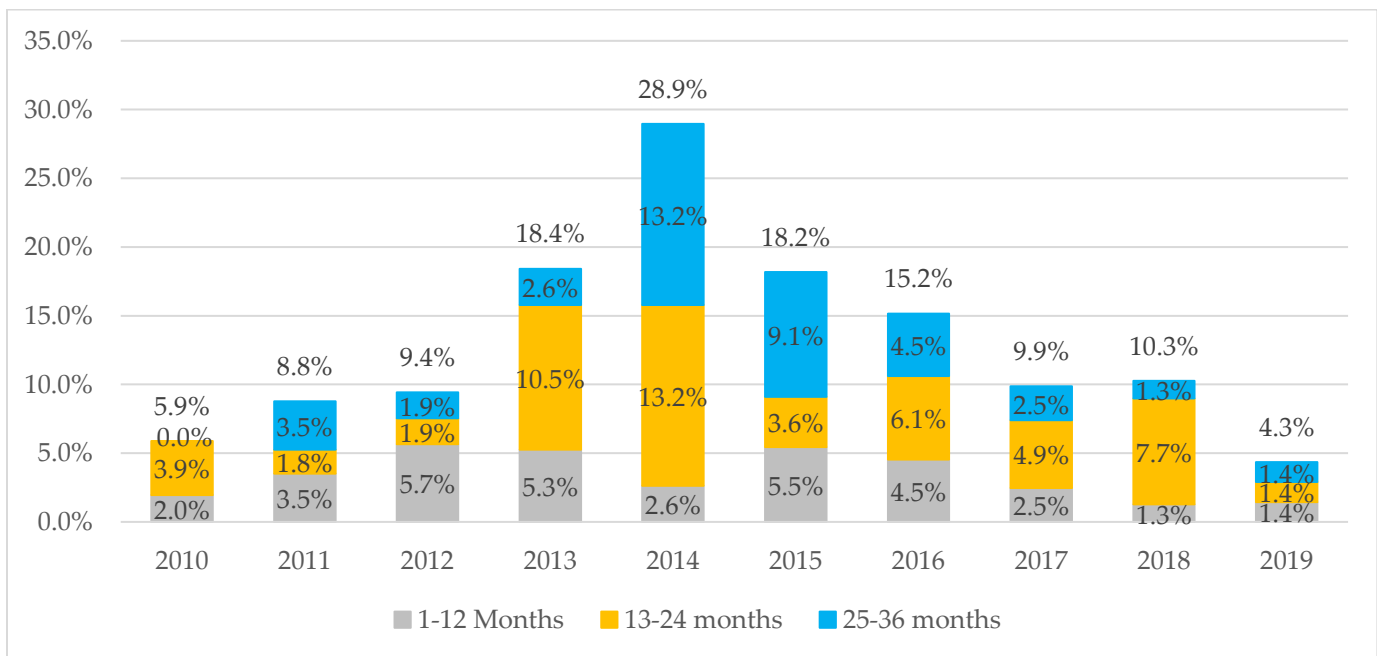
Male Straight Releases

The chart below represents all male straight releases from an MDOC facility between 2010 and 2019, grouped by release year, showing the three year return to custody percentages.



Female Straight Releases

The chart below represents all female straight releases from an MDOC facility between 2010 and 2019, grouped by release year, showing the three year return to custody percentages.





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Return to Custody by Custody Level at Release

It is the policy of the Department of Corrections to manage residents in a manner consistent with established custody levels. Close custody residents are classified close custody because they require a high level of supervision. These residents are the highest custody of general population clients. Medium custody residents are classified medium custody because they require a moderate level of supervision. Minimum custody residents are classified minimum custody because they require a minimal level of supervision within the facility. Community custody residents are classified community custody because they require the least level of supervision.

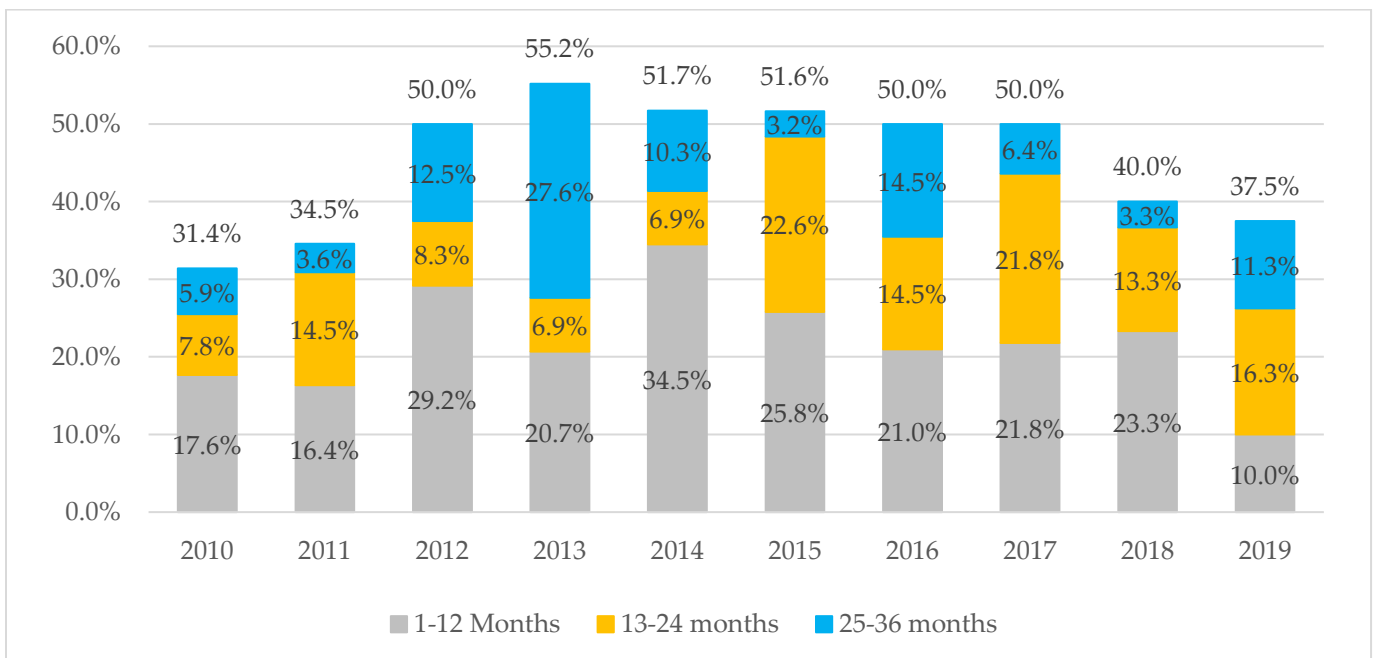
The following charts represent all releases from an MDOC facility (Probation and Straight Release) between 2010 and 2019, grouped by custody level at release and release year.

Close Custody Release

Close Custody Three Year Post Release RCR:

- 2010 Release Year – 31.4%
- 2011 Release Year – 34.5%
- 2012 Release Year – 50.0%
- 2013 Release Year – 55.2%
- 2014 Release Year – 51.7%
- 2015 Release Year – 51.6%
- 2016 Release Year – 50.0%
- 2017 Release Year – 50.0%
- 2018 Release Year – 40.0%
- 2019 Release Year – 37.5%

On average 45.2% of all clients released from close custody between 2010-2019 returned to an MDOC facility within three years post release. The three year RCR for close custody releases in 2013 experienced the highest three year return to custody rate of 55.2%. 2019 showed the lowest three year return to custody for close custody clients since 2011 with a 37.5% return rate.

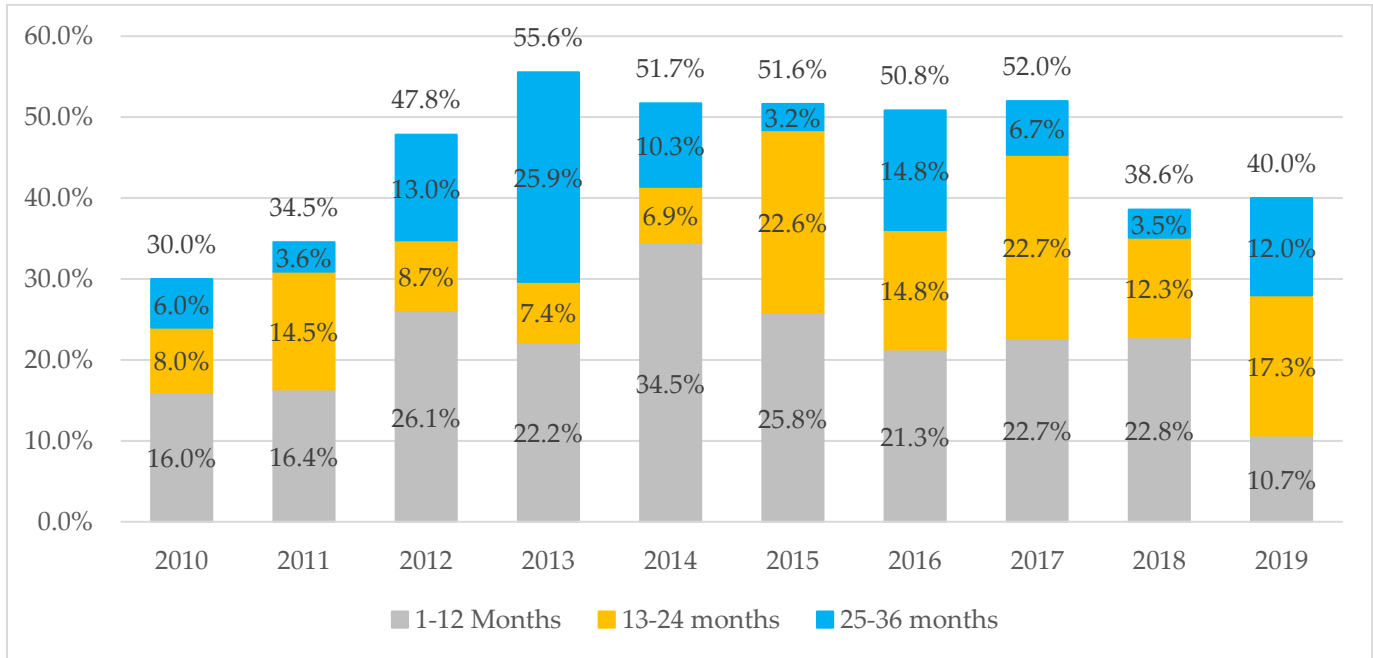




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Male Close Custody Releases

The chart below represents all male close custody releases from an MDOC facility between 2010 and 2019, grouped by release year, showing the three year return to custody percentages.



Female Close Custody Releases

The table below represents all female close custody releases from an MDOC facility between 2010 and 2019, grouped by release year, showing the number of clients who returned within three years. Return to Custody Rate calculations are not included due to the low number of releases in this category.

Release Year	Total Releases	Returned within 1-12 months	Returned within 13-24 months	Returned within 25-36 months
2010	1	1	0	0
2011	0	0	0	0
2012	1	1	0	0
2013	2	0	0	1
2014	0	0	0	0
2015	0	0	0	0
2016	1	0	0	0
2017	3	0	0	0
2018	3	1	1	0
2019	5	0	0	0
Totals	16	3	1	1



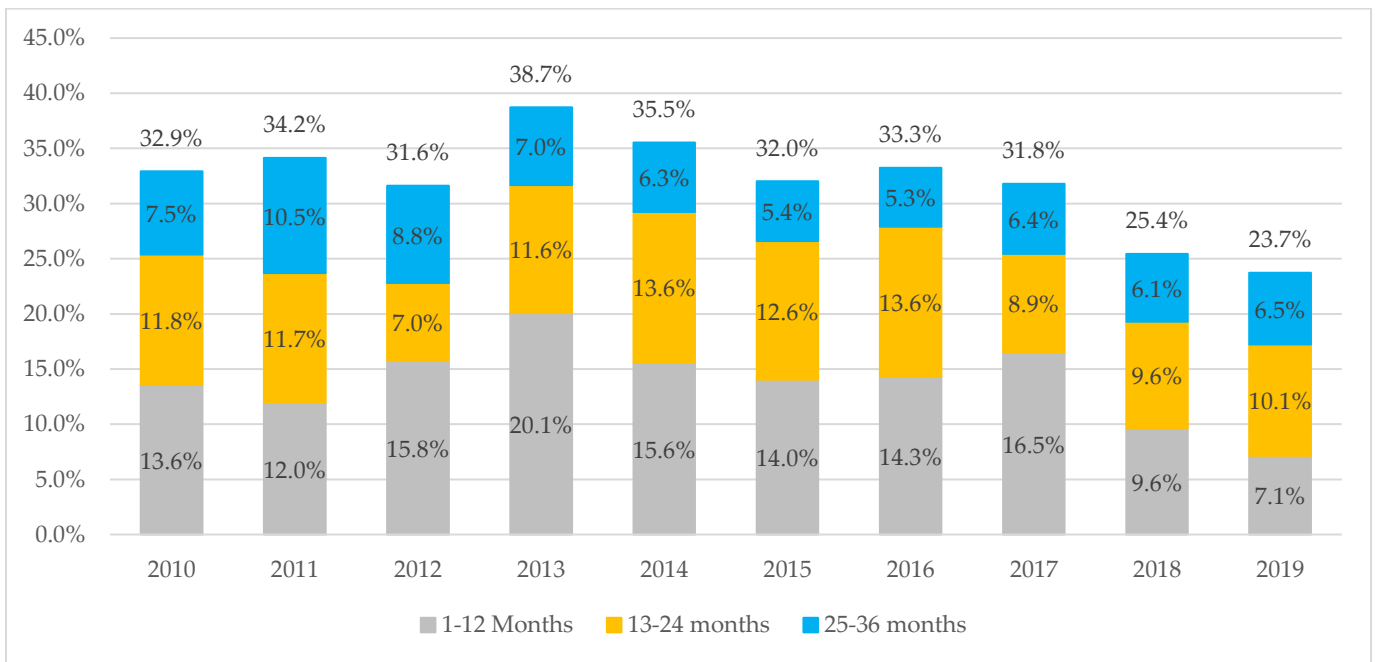
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Medium Custody Release

Medium Custody Three Year Post Release RCR:

- 2010 Release Year – 32.9%
- 2011 Release Year – 34.2%
- 2012 Release Year – 31.6%
- 2013 Release Year – 38.7%
- 2014 Release Year – 35.5%
- 2015 Release Year – 32.0%
- 2016 Release Year – 33.3%
- 2017 Release Year – 31.8%
- 2018 Release Year – 25.4%
- 2019 Release Year – 23.7%

On average 31.9% of all clients released from medium custody between 2010-2019 returned to an MDOC facility within three years post release. The three year RCR for medium custody releases had been steadily decreasing since 2013 until 2016 when it increased slightly to 33.3%, after which it decreased again in 2017 through 2019 where it was the lowest in the ten year period at 23.7%.

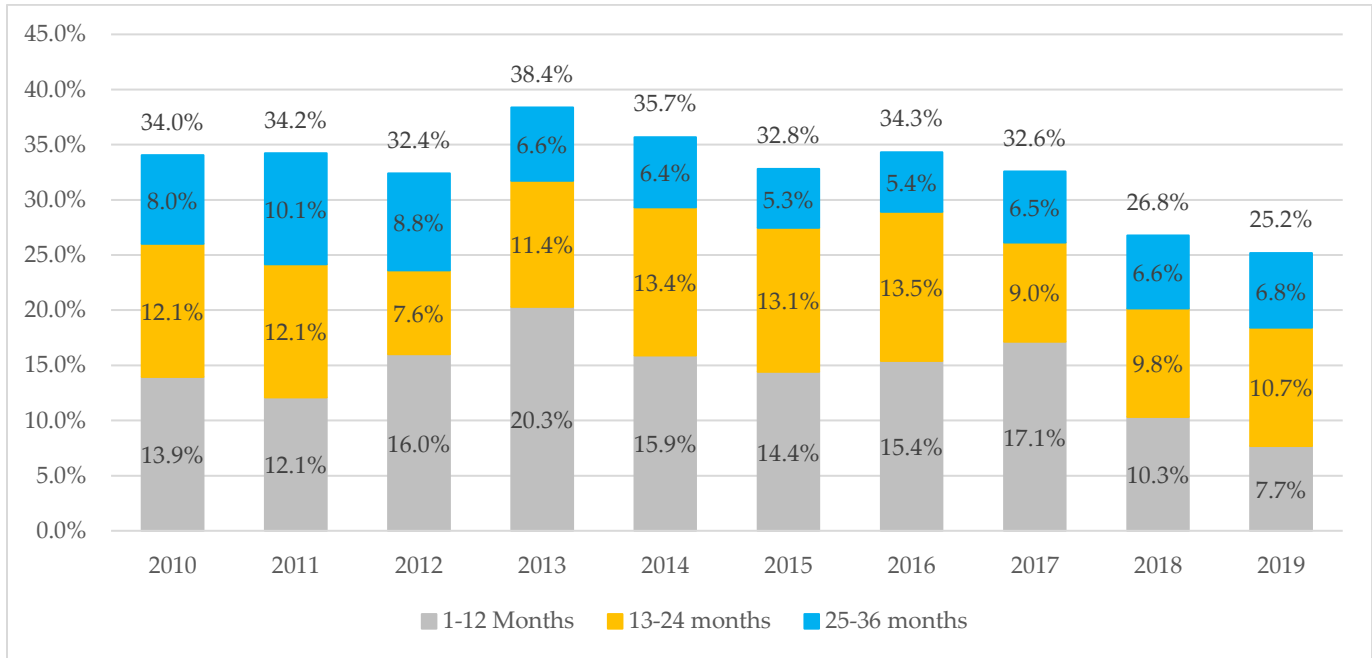




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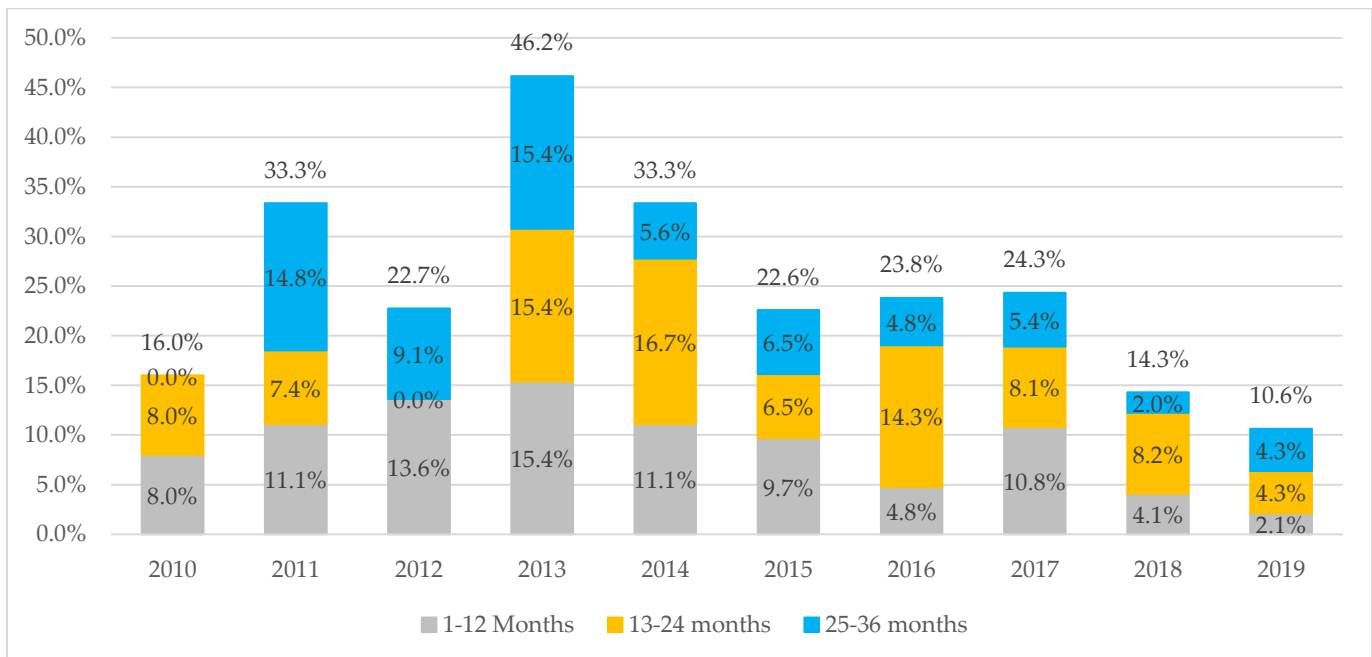
Male Medium Custody Releases

The chart below represents all male medium custody releases from an MDOC facility between 2010 and 2019, grouped by release year, showing the three year return to custody percentages.



Female Medium Custody Releases

The chart below represents all female medium custody releases from an MDOC facility between 2010 and 2019, grouped by release year, showing the three year return to custody percentages.





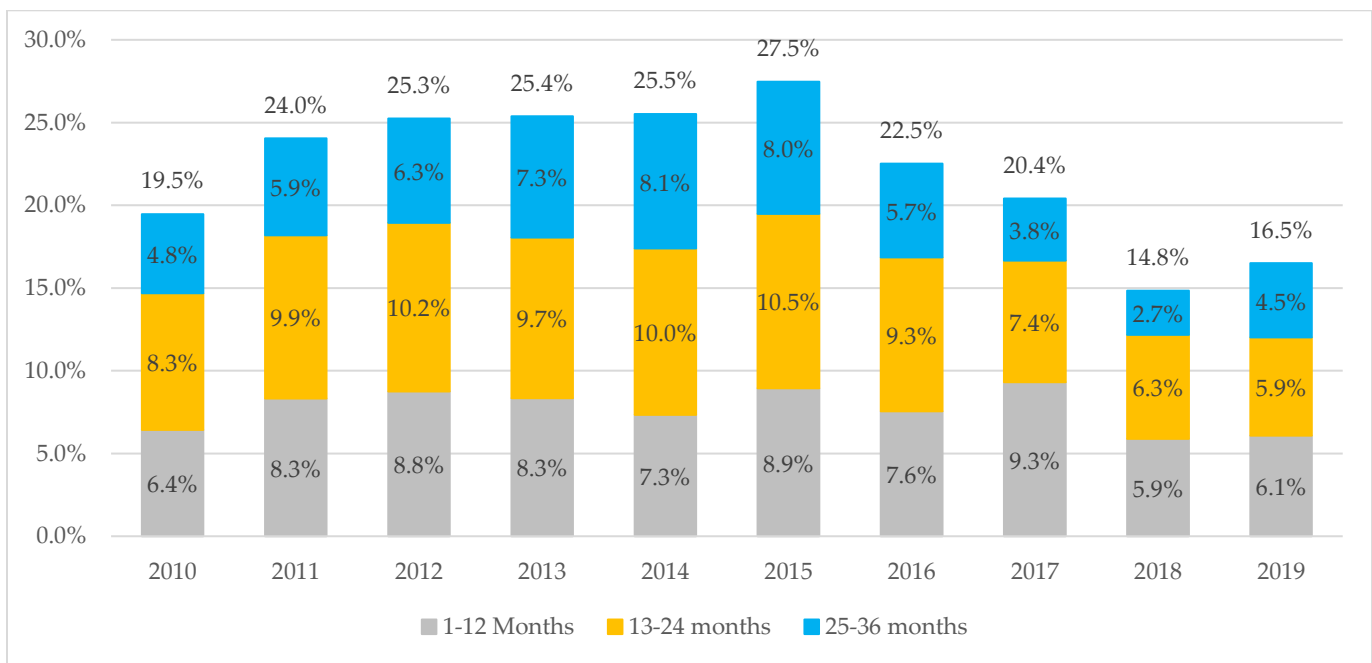
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Minimum & Community Custody Release

Minimum and Community Custody Three Year Post Release RCR:

- 2010 Release Year – 19.5%
- 2011 Release Year – 24.0%
- 2012 Release Year – 25.3%
- 2013 Release Year – 25.4%
- 2014 Release Year – 25.5%
- 2015 Release Year – 27.5%
- 2016 Release Year – 22.5%
- 2017 Release Year – 20.4%
- 2018 Release Year – 14.8%
- 2019 Release Year – 16.5%

On average 22.1% of all clients released from minimum and community custody between 2010-2019 returned to an MDOC facility within three years post release. The three year RCR for minimum and community custody releases in 2018 was 14.8%, which is the lowest rate in the nine year period, and has increased to 16.5% for 2019 releases.

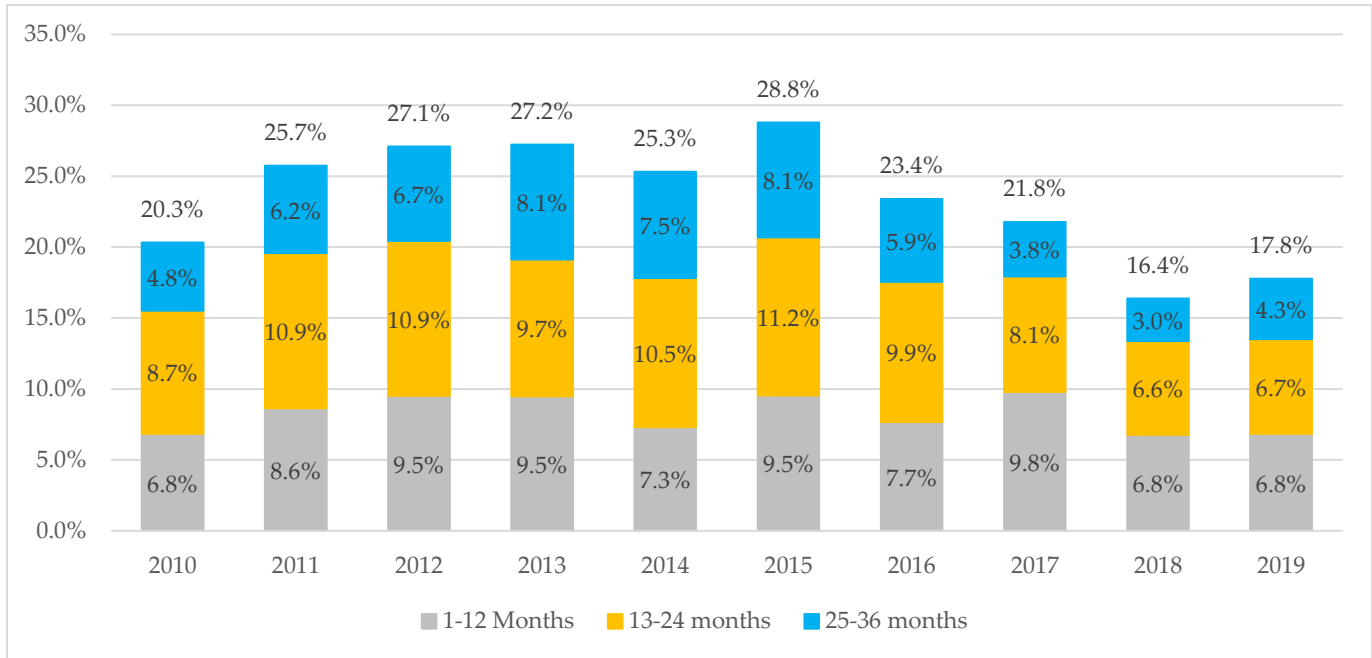




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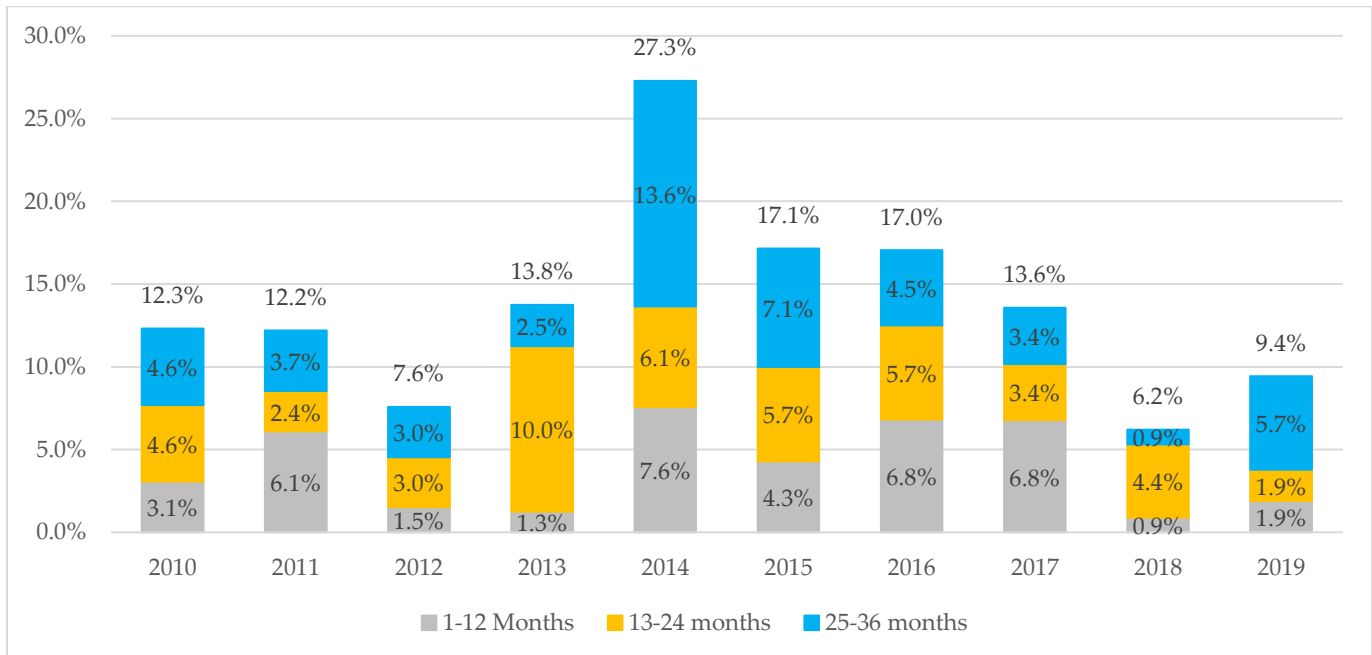
Male Minimum and Community Custody Releases

The chart below represents all male minimum and community custody releases from an MDOC facility between 2010 and 2019, grouped by release year, showing the three year return to custody percentages.



Female Minimum and Community Custody Releases

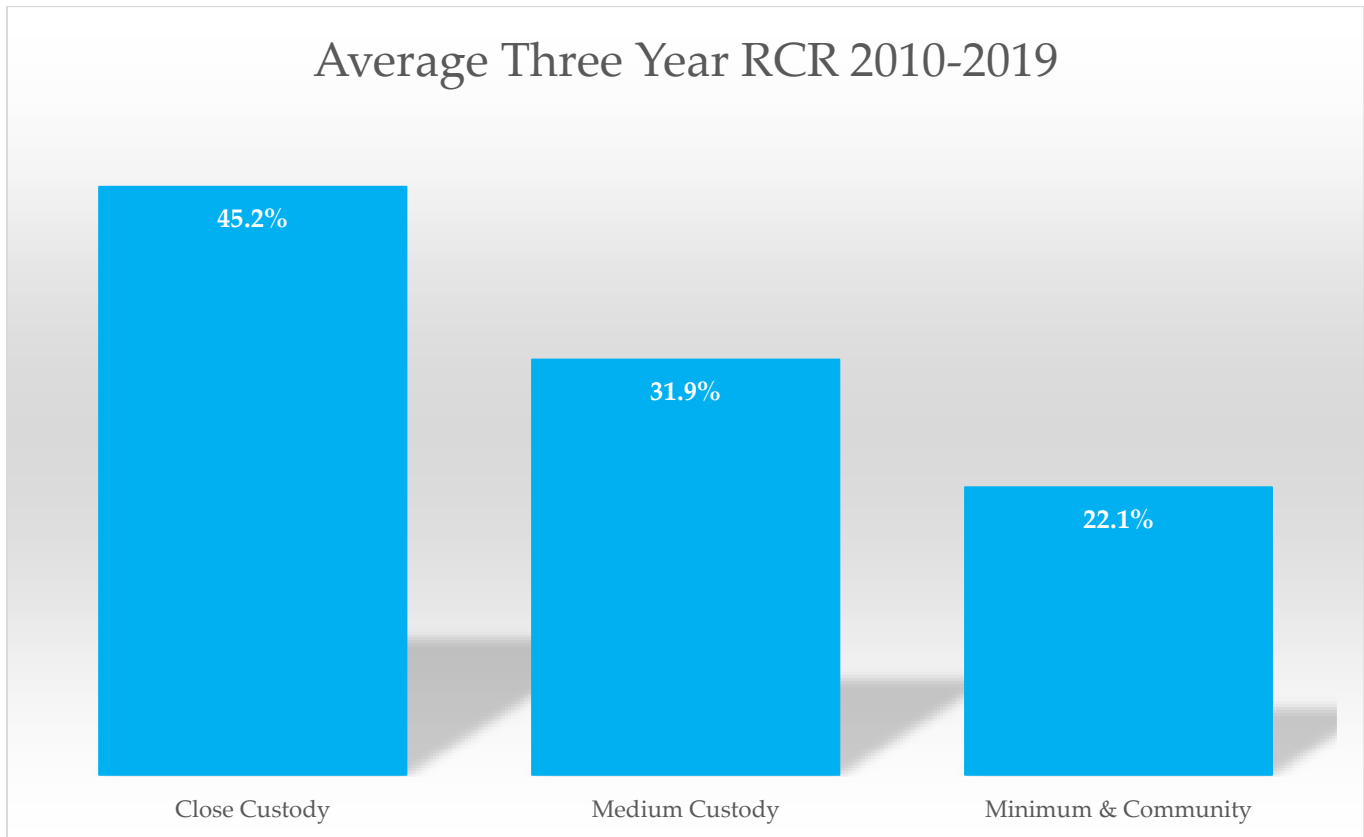
The chart below represents all female minimum and community custody releases from an MDOC facility between 2010 and 2019, grouped by release year, showing the three year return to custody percentages.





Return to Custody Rate Average Comparison by Custody Group

The chart below depicts the three year RCR average for all releases between 2010-2019 grouped by the client's custody level upon release. The chart is sorted from greatest custody risk level to least, going from close custody to minimum & community custody. As custody level at release decreases, so does the three year RCR average.





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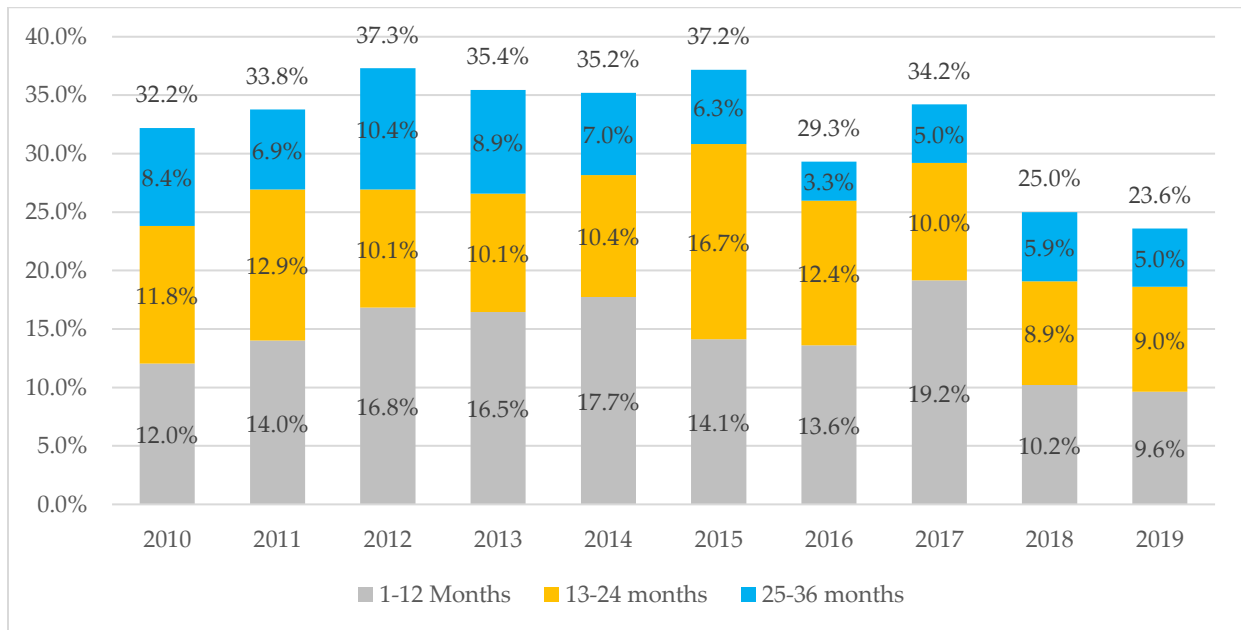
Return to Custody by Age at Release

The charts below represent all releases from an MDOC facility (Probation and Straight Release) between 2010 and 2019, grouped by release year & age at release.

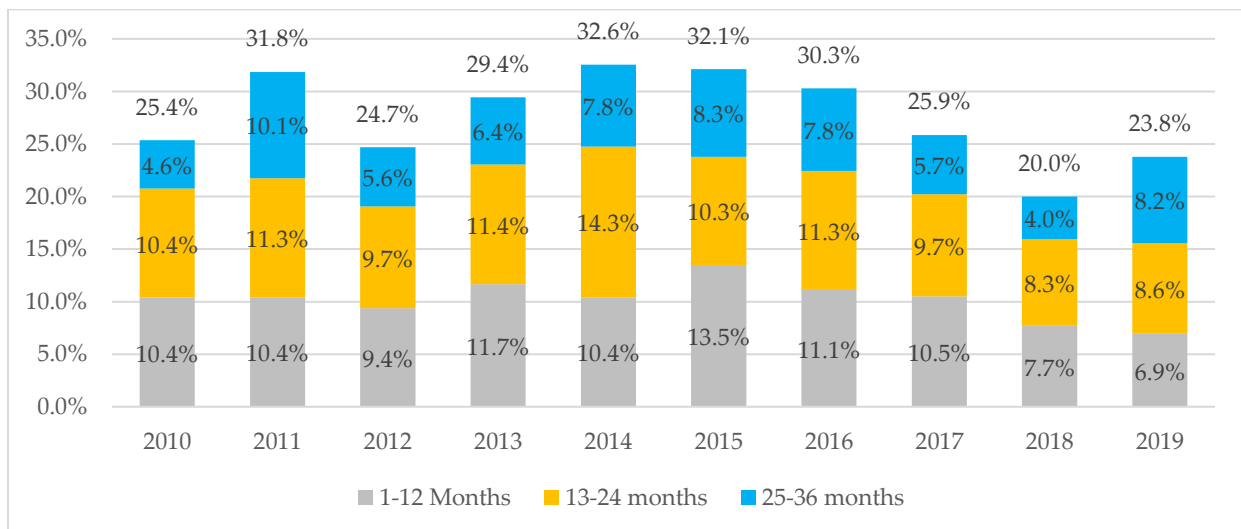
Clients 30 – 39 years old at release showed the highest three year return to custody rate of all age groups in 2019 at 23.8%.

The 60 and older and under 30 age group experienced a decrease in the three year return to custody rate from 2018 to 2019, while all other groups experienced some increase in the three year RCR from 2018 to 2019.

Return to Custody three year post release for clients under the age of 30 at release, broken down by release year.



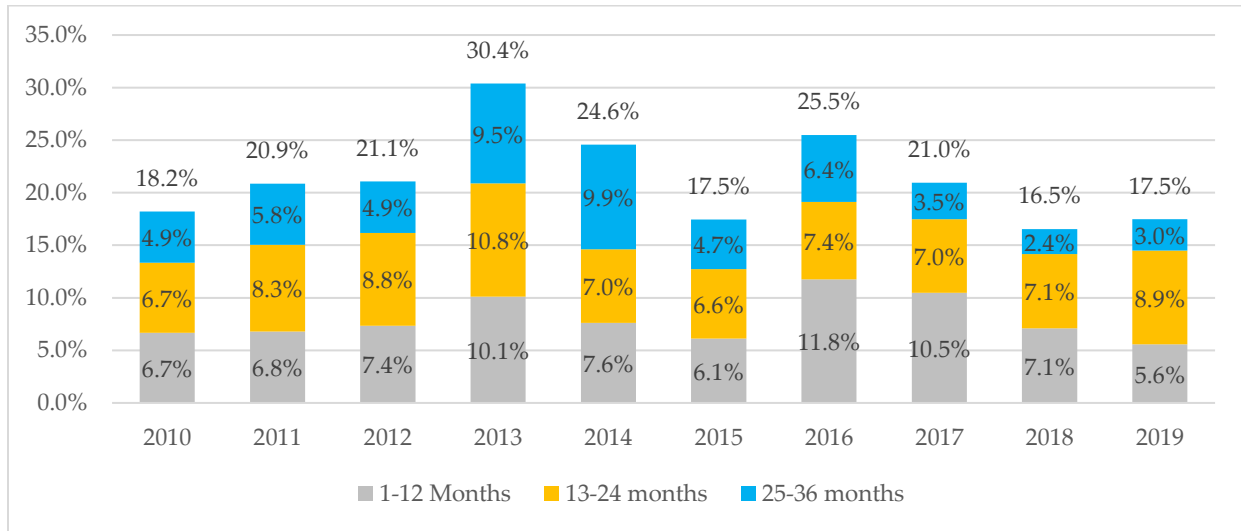
Return to Custody three year post release for clients age 30-39 at release, broken down by release year.



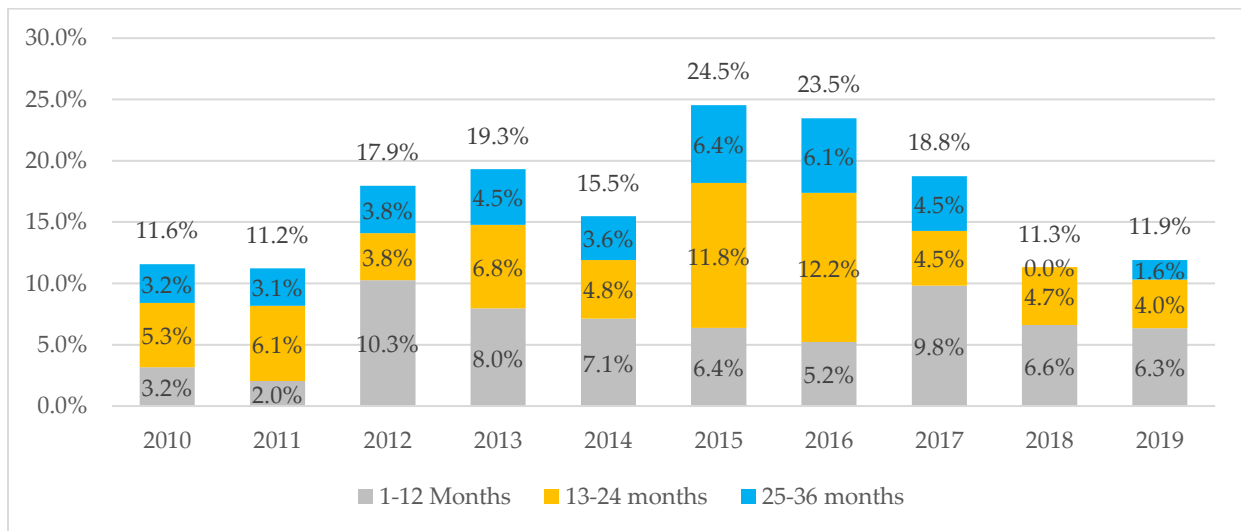


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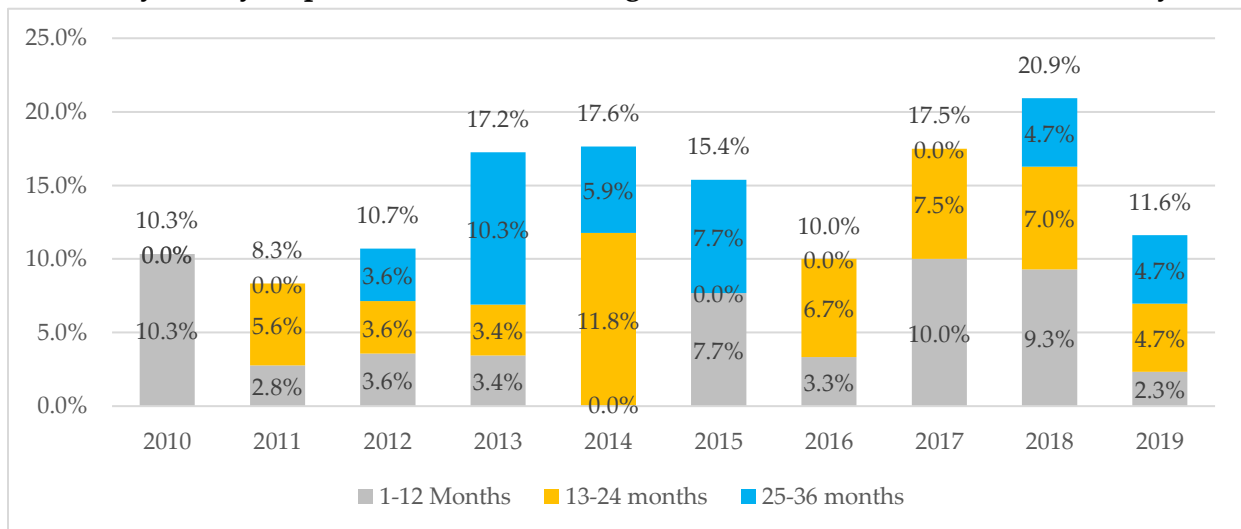
Return to Custody three year post release for clients age 40-49 at release, broken down by release year.



Return to Custody three year post release for clients age 50-59 at release, broken down by release year.



Return to Custody three year post release for clients age 60 or older at release, broken down by release year.





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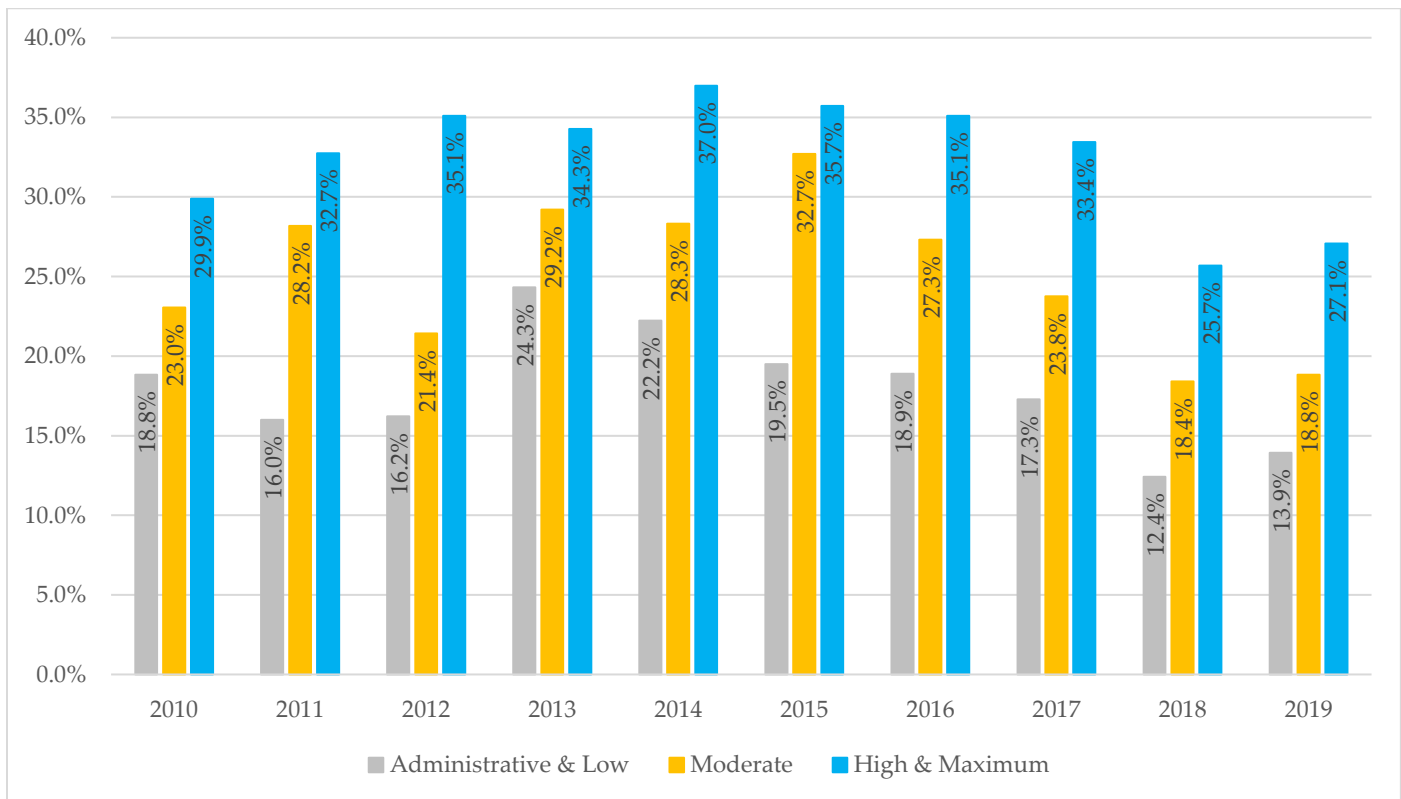
Return to Custody by Risk Assessment

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 three years post release by release year, broken down by their risk assessment score at the time of their release.

In 2019 the risk scores coincide with the three year return to custody rate as expected, increasing the RCR for each increase in risk level. 2019 experienced slight increases in the three year return to custody rate for all risk levels from those rates for 2018.





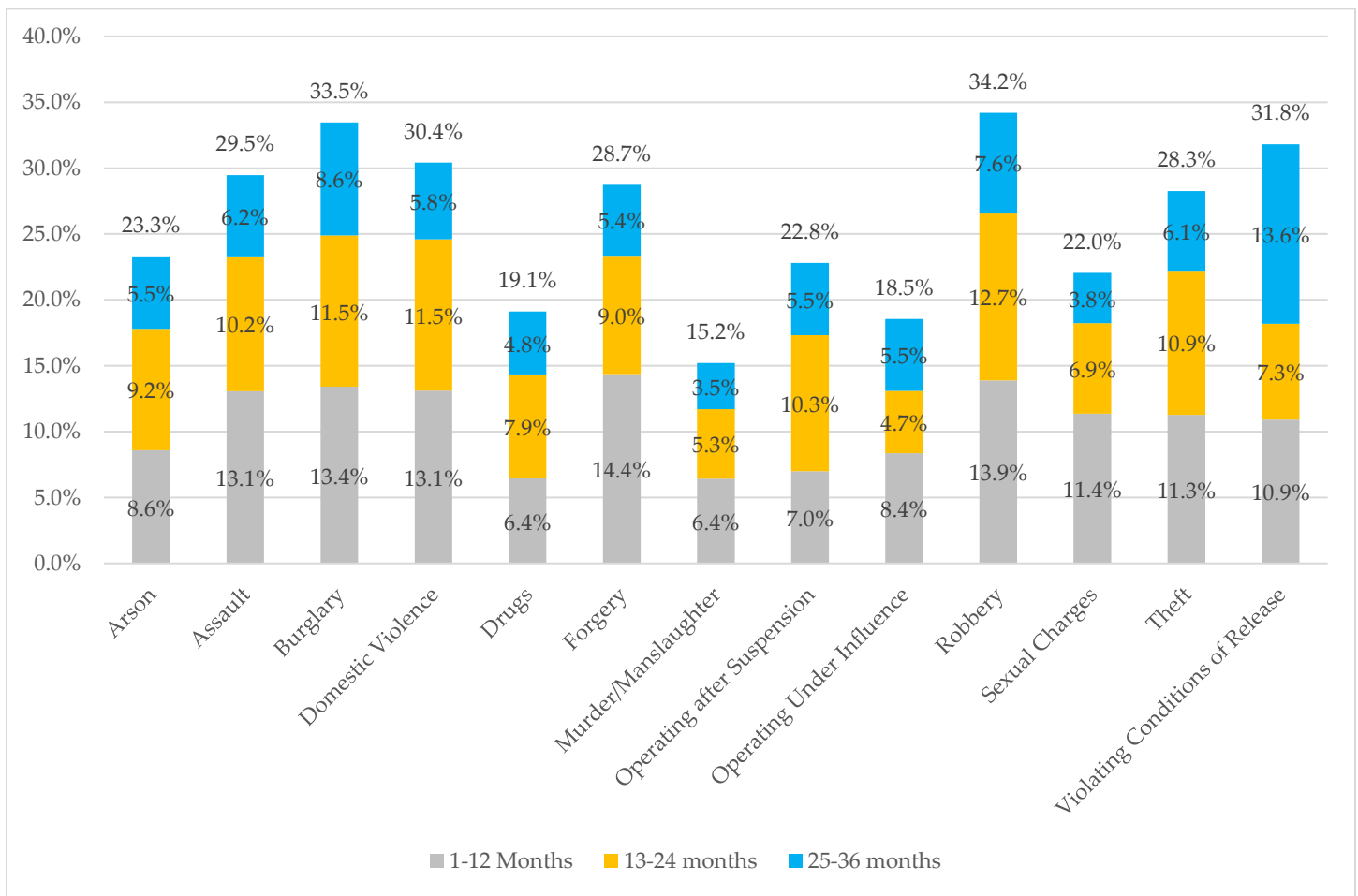
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Return to Custody by Controlling Sentence

The chart below represents all releases from an MDOC facility (Probation and Straight Release) between 2010 and 2019, grouped by controlling sentence at release which is defined as the most severe (greatest sentence length) offense the client was serving when released.

Burglary, Domestic Violence and Robbery releases experienced the highest three year return to custody rates for the nine year period.

The controlling sentence categories shown are not a full representation of all releases from 2010-2019. The chart only highlights the controlling sentence release categories with greater than 100 releases for the period.





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Report Summary

Overall, the three-year return to custody rate increased from 2010 to 2014, going from 24.7% to 30.5%, then decreased incrementally each year to 20.1% in 2018, with a slight increase in 2019 to 20.8%.

Below are some of the key findings when comparing the most recent year of 2019 to the previous year of 2018.

Male Releases

- Three year RCR increased from 21.6% for 2018 releases to 22.4% for 2019.

Female Releases

- Three year RCR decreased from 10.0% for 2018 releases to 9.5% for 2019.

Probation Release

- Three year RCR increased from 24.3% for 2018 releases to 25.8% for 2019.

Straight Releases

- Three year RCR increased from 15.5% for 2018 releases to 15.6% for 2019.

Close Custody Releases

- Three year RCR decreased from 40.0% for 2018 releases to 37.5% for 2019.

Medium Custody Releases

- Three year RCR decreased from 25.4% for 2018 releases to 23.7% for 2019.

Minimum & Community Releases

- Three year RCR for Minimum & Community Custody releases increased from 14.8% for 2018 to 16.5% for 2019.

Releases by Age Range

- Three year RCR for releases under age 30 decreased from 25.0% for 2018 to 23.6% for 2019.
- Three year RCR for 30-39 year old releases increased from 20.0% for 2018 to 23.8% for 2019.
- Three year RCR for 40-49 year old releases increased from 16.5% for 2018 to 17.5% for 2019.
- Three year RCR for 50-59 year old releases increased from 11.3% for 2018 to 11.9% for 2019.
- Three year RCR for releases 60 years or older decreased from 20.9% for 2018 to 11.6% for 2019.

Releases by LSI Score

- Three year RCR increased from 12.4% for 2018 releases to 13.9% for 2019 releases with an Administrative or Low LSI score.
- Three year RCR increased from 18.4% for 2018 releases to 18.8% for 2019 releases with a Moderate LSI score.
- Three year RCR increased from 25.7% for 2018 releases to 27.1% for 2019 releases with a High or Maximum LSI score.



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