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2000 Performance Report:

Adult Recidivism in Minnesota

January 2001

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Executive Summary

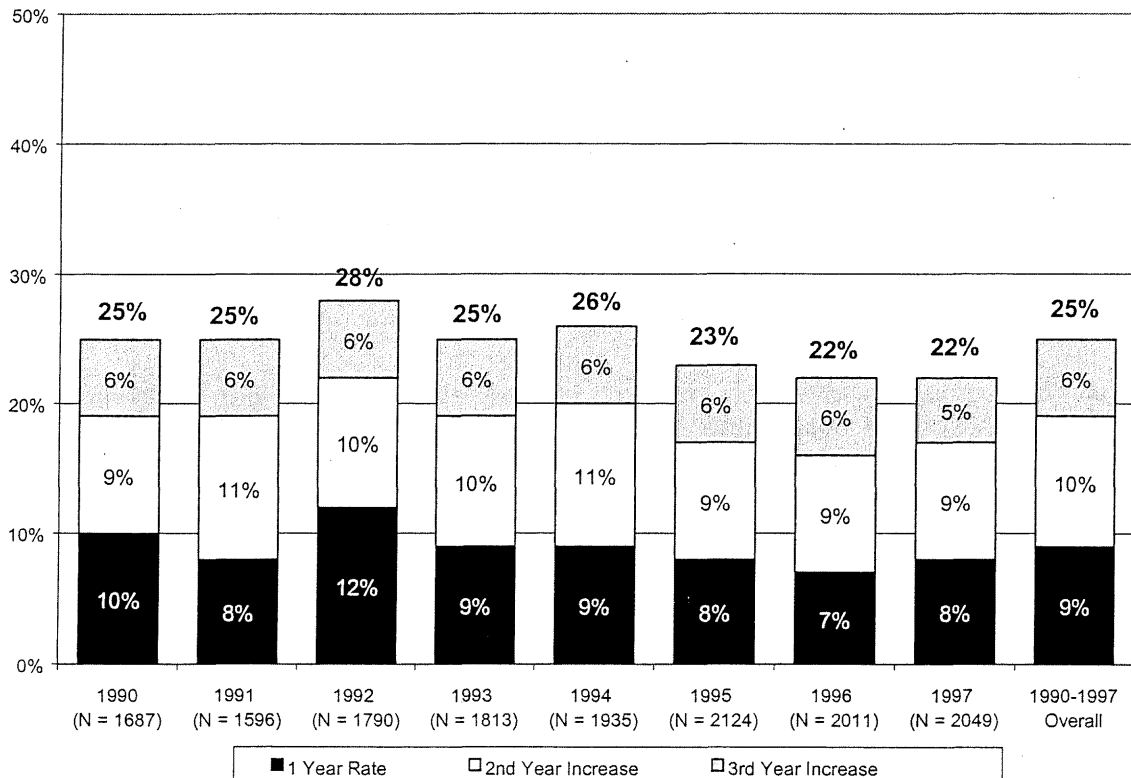
Adult Recidivism Trends in Minnesota

The Minnesota Legislature mandates that the Department of Corrections (DOC) complete an annual performance report. While the following report describes reconviction and reincarceration rates for *adult* felons three years after release from prison, it does not consider reconviction or reincarceration data for juvenile offenders. An extensive report on juveniles was completed for the 1999 Performance Report. The data reported in the 1999 Performance Report on juveniles is less than a year old. Repeating the study after such a short turn-around time would not provide any additional new or useful information.

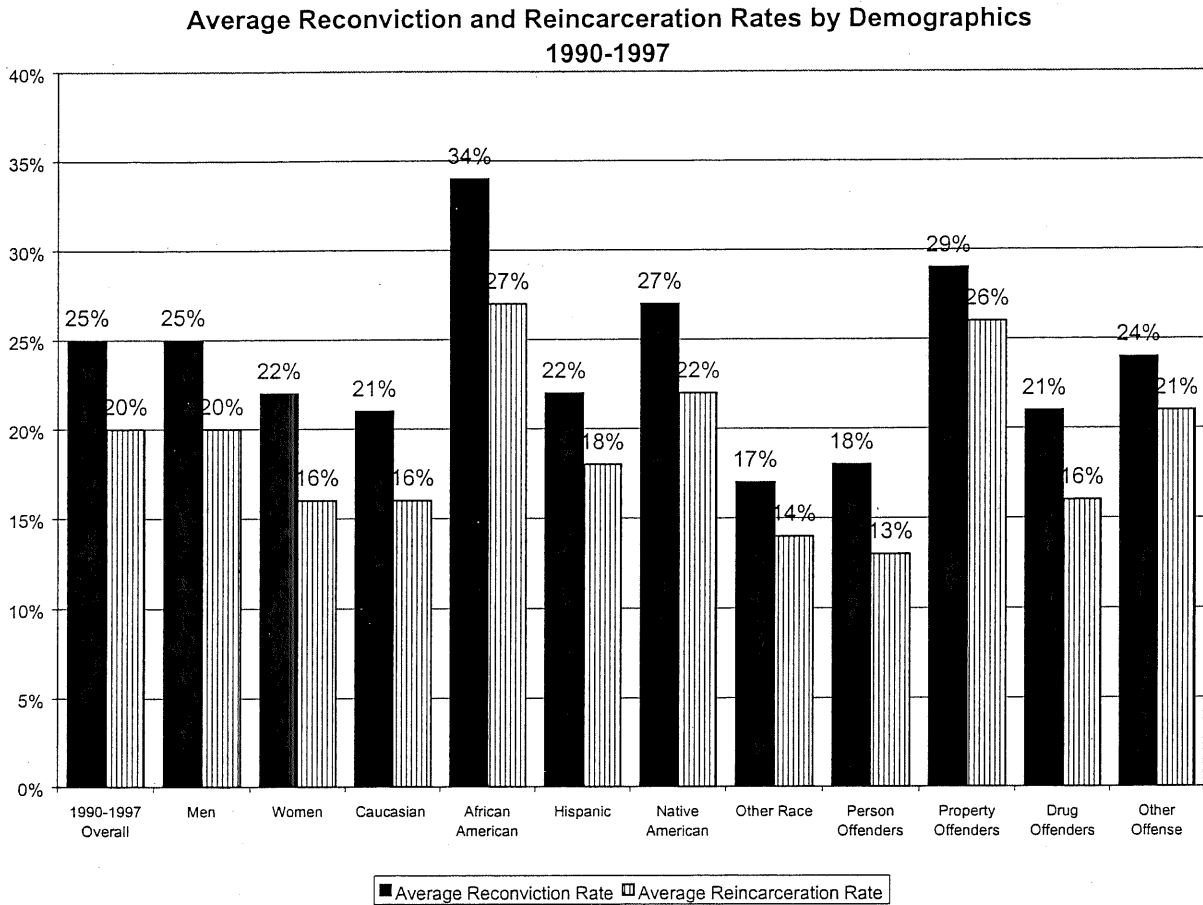
The DOC tracked offenders released between 1990 and 1997. DOC incarceration records were combined with conviction records from the Bureau of Criminal Apprehension to compute recidivism rates for each cohort of offenders. Offenders were considered recidivists if they were convicted of a new felony offense. Offenders are also considered recidivists if they were reincarcerated as a new court commitment (a new felony while not under DOC supervision) or release return with new sentence (a new crime while under DOC supervision). Offenders who commit new misdemeanor or gross misdemeanor level offenses after release, including those who are classified as technical violators, are not included in the reconviction rates.

The results of this study indicate that recidivism rates for adult felons have remained relatively stable throughout the 1990s. As shown in the graph below, overall three-year reconviction rates range from 22 to 28 percent with a seven-year average of 25 percent:

Re-Conviction Rates Three Years Post-Release
1990-1997



Three-year reincarceration rates range from 18 to 22 percent. While reconviction and reincarceration have remained stable over the years, these rates vary by the race and sex of the offender as well as by the type of offense for which they were originally sentenced. The average reconviction and reincarceration rates for the demographic groups are depicted in the following graph:



Overall, “other” race offenders and person offenders have the lowest reincarceration and reconviction rates, while African American and property offenders have the highest reconviction and reincarceration rates.

For some groups of offenders released in 1996 and 1997, the gap between the percentage reconvicted and the percentage reincarcerated seems to be narrowing. Possible explanations for this include changing legislation, policing, sentencing, or perhaps a lag in time for entry of reconviction and reincarceration data.

This research is descriptive in nature and should be interpreted with caution. Its contents do not situate the results in the context of changes in criminal law, policing, urban growth, the state and local economies, or any other factor with potential to explain why recidivism rates look like they do.

Introduction

State law requires this study of recidivism in Minnesota annually. In order to satisfy the legislative request for information on recidivism, criminal history information collected from the Minnesota Bureau of Criminal Apprehension (BCA) and Department of Corrections (DOC) data were utilized to describe how recidivism rates have changed in the 1990s.

It is important to clarify how we define both “release” and “recidivism.” For the purposes of calculating recidivism, we only considered the events that followed an offender’s first release from prison for a given offense. An offender is considered released from prison if she/he was released under the following status:

- ✓ Parole
- ✓ Supervised Release
- ✓ Intensive Community Supervision
- ✓ Conditional Release
- ✓ Challenge Incarceration Program Commitment (phases 2 and 3)
- ✓ Intensive Supervised Release
- ✓ Discharge at Expiration

Further, the Minnesota DOC defines recidivism as *a conviction or incarceration on any new felony within the first three years after release*. For the purpose of this analysis, offenders who commit a misdemeanor or gross misdemeanor offense after release, including those who are classified as technical violators, are *not* considered recidivists.

The use of recidivism rates as a measure of offender success, as well as the manner by which recidivism is defined, have been the subject of debate in both scholarly and practitioner circles. For those who commonly use recidivism to measure offender success, rearrest, reconviction, and reincarceration data are often reported. There are both positive and negative connotations for all three measures of recidivism. For this report we have decided not to report re-arrest data. While re-arrest data is important to understanding the police resources needed to deal with the offending population, critics contend that re-arrest data is not the most reliable measure of recidivism. Re-arrest can over-count the number of people actually committing crime as some persons arrested are ultimately not formally charged or convicted. Reconviction data is a better measure of recidivism as it is at this point we are certain an offender has committed another crime. Reincarceration data is a better measure of the seriousness of that crime. This report is based on recidivism as it impacts the correctional system. We have only considered convictions that would potentially result in reincarceration (i.e., felony offenses) and actual return to prison for a new crime.

Methodology

The DOC initiated this research by compiling a list of all adult felons released from Minnesota prisons between calendar years 1990 and 1997 (see release status summarized on page 4). Each offender and his/her incarceration record are identified by the DOC using an Offender Identification Number (OID). Similarly, offenders' criminal histories are identified by the BCA using State Identification Numbers (SID). By using both the OID and the SID for each offender released between 1990 and 1997, we were able to collect demographic, conviction, offense, and incarceration data on the study population. This data was then used to determine how many of these felons had been reconvicted or reincarcerated for a new felony offense within three years of their release.¹ It is estimated that about 10 percent of the DOC's offenders are missing SIDs; thus, the reconviction rates in this report may be slightly underrepresented. This is not true of the reincarceration rates.

Analyses

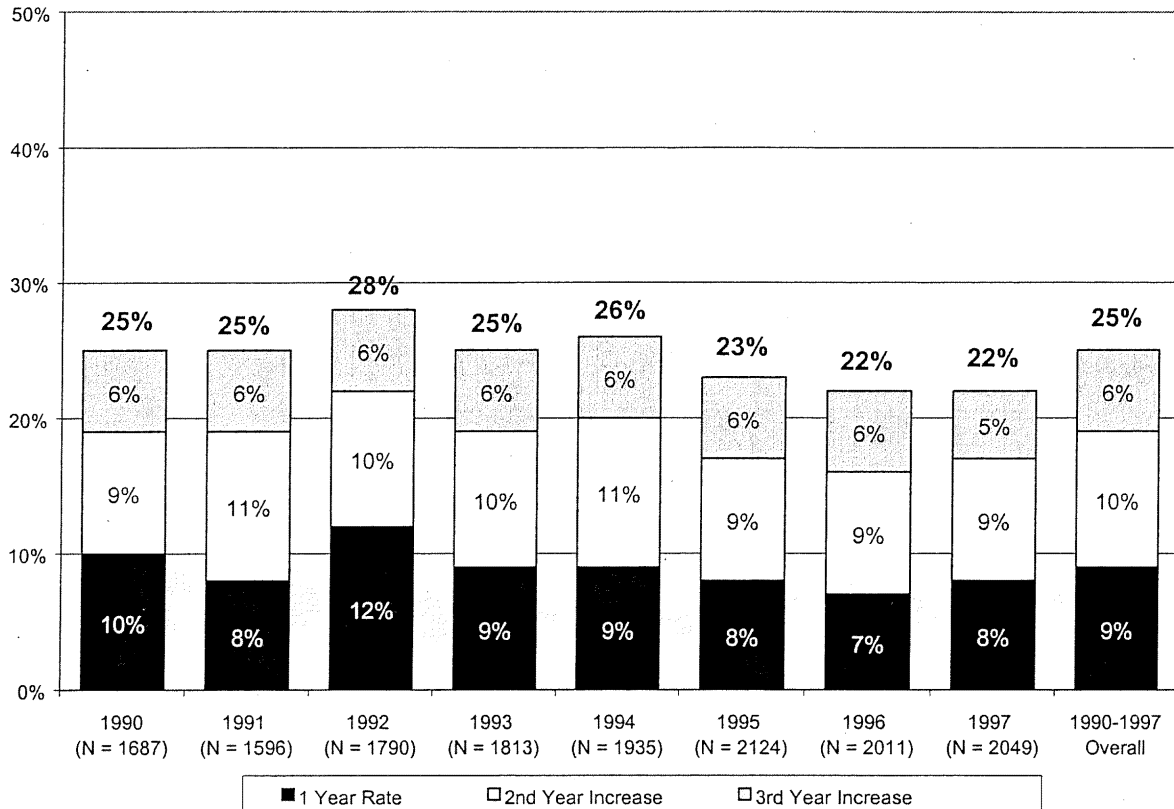
Univariate and bivariate analyses were conducted to provide the descriptive results for this study. First, three-year reconviction and reincarceration rates, as well as gender and race statistics, were calculated for each release cohort. Next, three-year reconviction and reincarceration rates were broken down by year of release and race, gender, and original offense categories. The results of these analyses are presented in the following figures and grouped accordingly.

¹ Some offenders may have multiple convictions in the three-year time frame. For this study, we counted only the first felony conviction occurring after their first release on any given offense.

Overall Recidivism

FIGURE 1

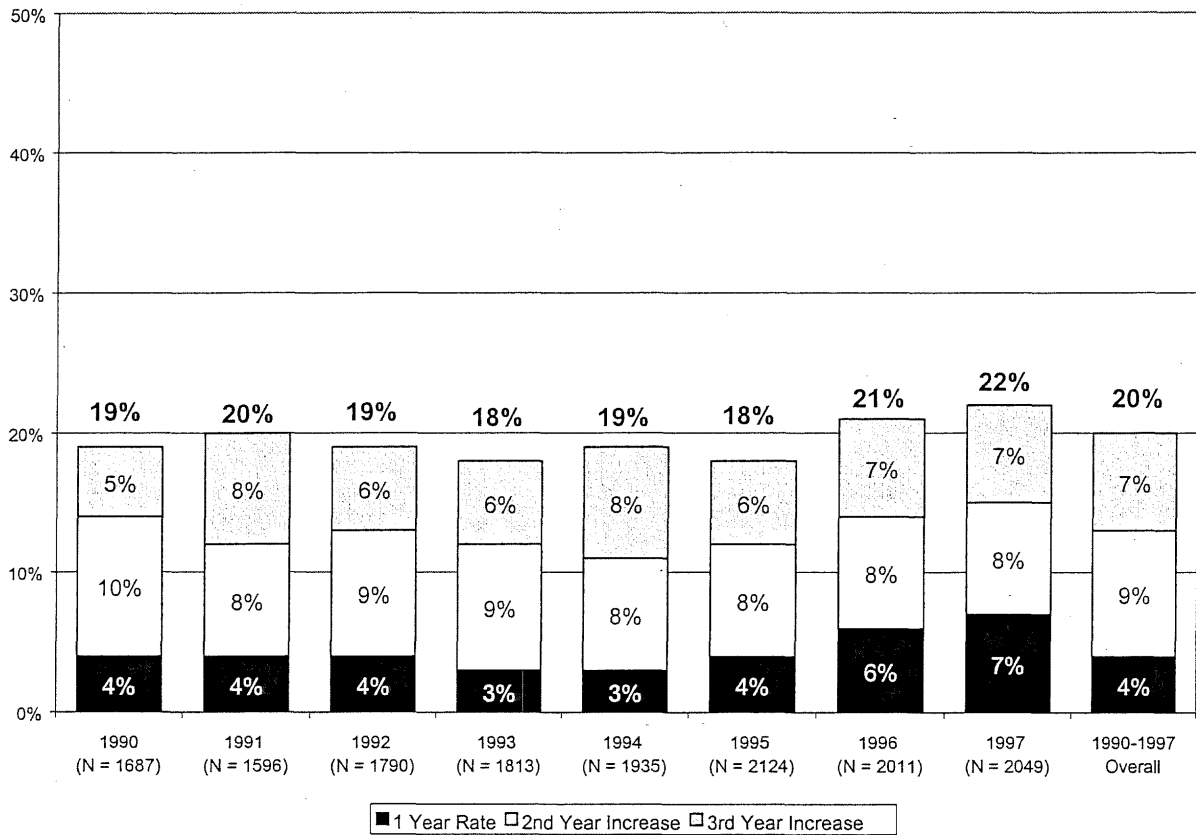
Re-Conviction Rates Three Years Post-Release
1990-1997



- ❖ As shown in Figure 1, the percentage of offenders who are reconvicted one, two and three-years post prison release remained stable between 1990 and 1997. Between seven and 12 percent of offenders are reconvicted of a felony the first year they are released from prison. During the second year of release, an additional nine to 11 percent are reconvicted of a felony. The percentage of additional offenders who are reconvicted of a felony by the third year was extremely consistent between 1990 and 1997.
- ❖ Between 1990 and 1997, overall reconviction rates ranged between 22 and 28 percent. A total of 25 percent of released offenders were reconvicted of a felony in 1990, 1991, and 1993. The highest reconviction rate occurred in 1992 when almost three in ten offenders (28%) released from prison were reconvicted of a felony within three years of release.
- ❖ There is a slight decrease in overall reconviction rates for offenders released in 1995, 1996, and 1997 with reconviction rates of 22 to 23 percent. Overall, the average reconviction rate for offenders released between 1990 and 1997 is 25 percent.

FIGURE 2

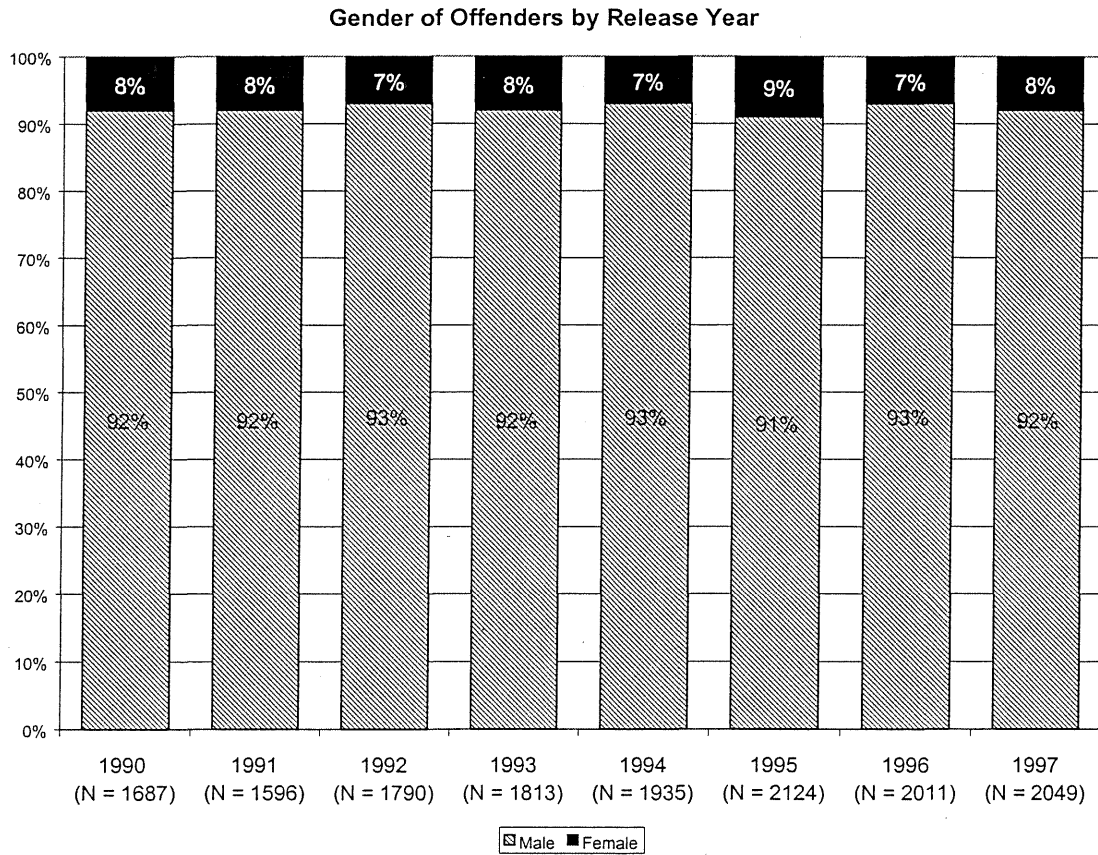
**Re-Incarceration Rates Three Years Post-Release
1990-1997**



- ❖ The percentage of offenders who are reincarcerated the first year they are released from prison remained stable between 1990 and 1995 (Figure 2). During 1996 and 1997, the first year percentage has increased slightly. However, the second year increase in offenders reincarcerated has remained between eight and 10 percent.
- ❖ Overall, reincarceration rates remained stable between 1990 and 1995 (between 18% and 20%). The slight increases during 1996 and 1997 seem to be due to the higher percentage of offenders who were reincarcerated during the first year they were released from prison. It should be noted that although the overall rate has increased, the rate has only increased two to three percent.
- ❖ Overall, the average three-year post-prison reincarceration rate is 20 percent for offenders released between 1990 and 1997.

Recidivism by Gender

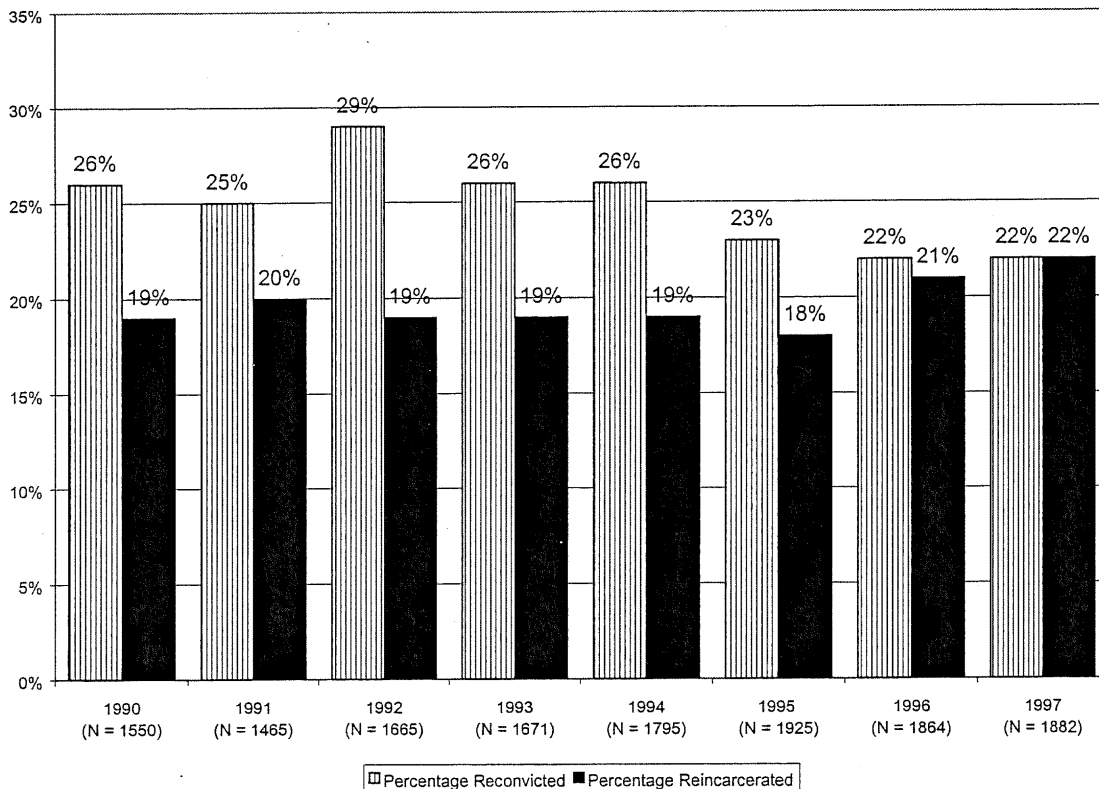
FIGURE 3



- ❖ In order to understand recidivism rates by demographic variables, it is important to understand the demographics of the release population for each year. Therefore, each demographic section of this report (gender, race, and original offense) will first contain a description of the release population.
- ❖ Overall, the gender breakdown of offenders released from prison between 1990 and 1997 has remained the same; more than 90 percent of the offenders released from prison each year are male and less than 10 percent are female (Figure 3).
- ❖ The gender breakdown of releasees described above is consistent with the overall prison population. Therefore, we would expect more men to be released from prison each year because significantly more men than women in Minnesota are incarcerated each year. For instance, in June of 2000 the prison population was 94 percent men and six percent women.

FIGURE 4

**Reconviction and Reincarceration Rates for Male Offenders
Three-Years Post-Prison Release**

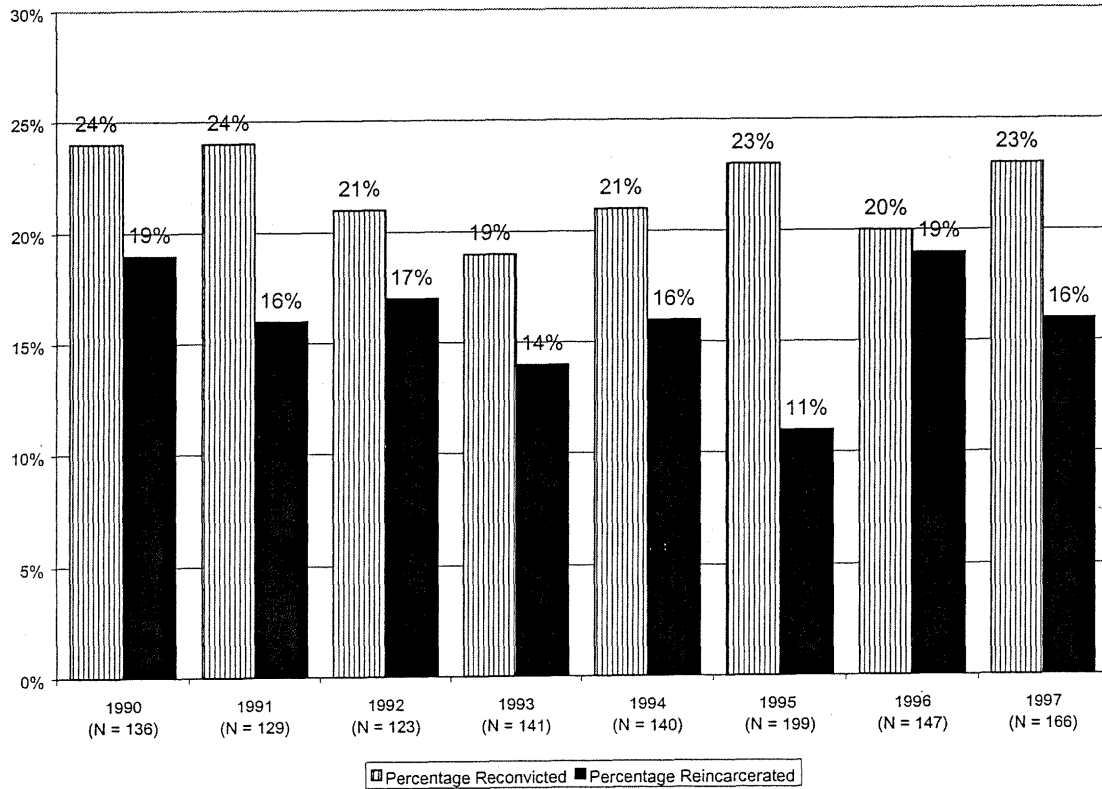


- ❖ Between 1990 and 1997, the percentage of male offenders released from prison who have been reconvicted of a felony within three years of release has ranged from 22 to 29 percent (Figure 4). Between 1995 and 1997, the reconviction rate for men has decreased. The average reconviction rate for men between 1990 and 1997 was 25 percent.
- ❖ While the reincarceration rate for men released in 1990 through 1995 remained relatively stable, it has increased slightly for male offenders released in 1996 and 1997. Overall, the percentage of men reincarcerated three years after release from prison has ranged between 18 and 22 percent during this time period, with an average of 20 percent.
- ❖ The figure above shows a decrease in the gap between the percentage of men reconvicted of a felony and the percentage of men reincarcerated.² At this point, we have no explanation for this convergence in reconviction and reincarceration rates. Possible explanations include changes in laws, sentencing practices, policing practices, and data entry lags for reconviction information.

² This convergence between reconviction and reincarceration rates in the latter half of the 1990s can also be seen in figures 7 (Caucasian offenders), 8 (African American offenders), 10 (Native American offenders), 13 (Person offenders), and 14 (Property offenders). Currently, we have no explanation for any of these convergences.

FIGURE 5

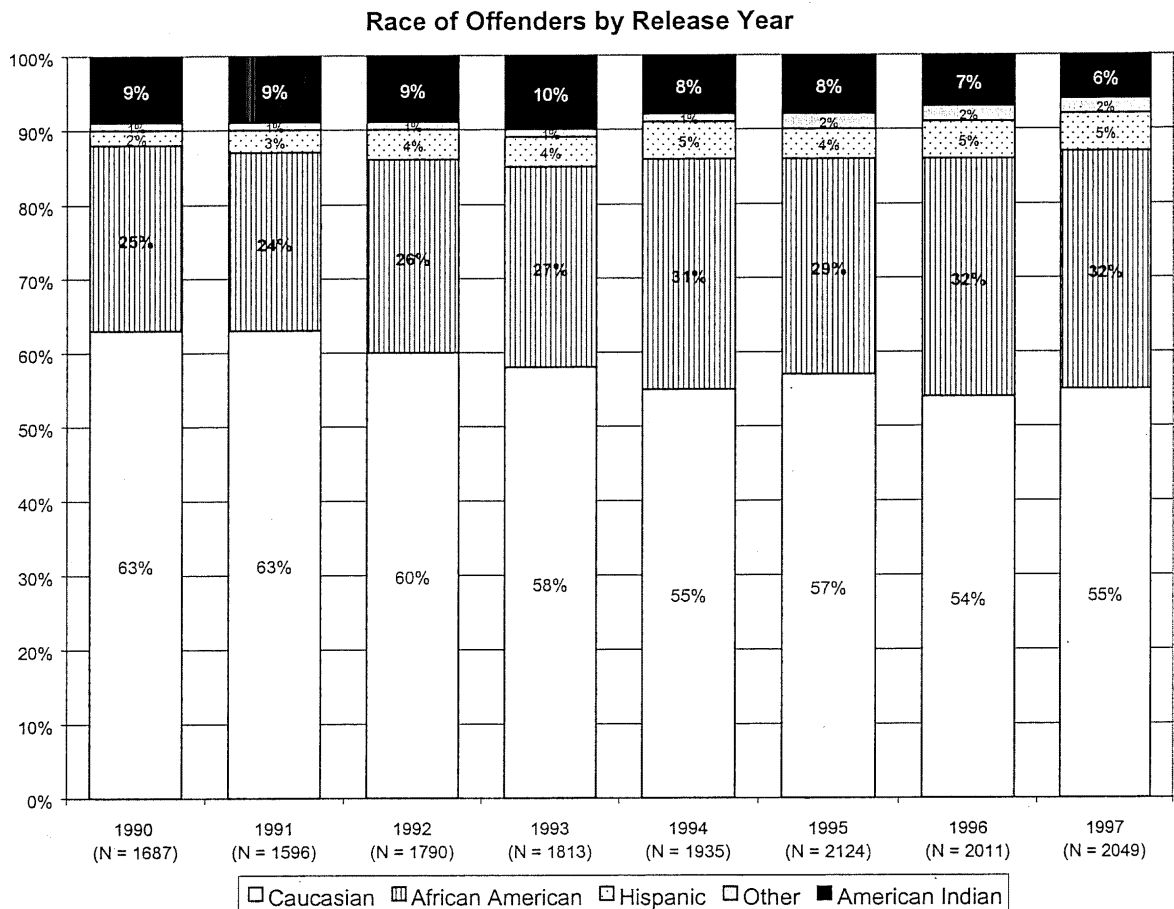
**Reconviction and Reincarceration Rates for Female Offenders
Three-Years Post-Prison Release**



- ❖ Between 1990 and 1997, the rate of reconviction for women released from prison has ranged from 19 to 24 percent (Figure 5). The reincarceration rates have ranged between 11 percent for those women released in 1995 to 19 percent for those women released in 1990 or 1996.
- ❖ On average, women who have been released from prison between 1990 and 1997 have a reconviction rate of 22 percent and a reincarceration rate of 16 percent.

Recidivism by Race

FIGURE 6

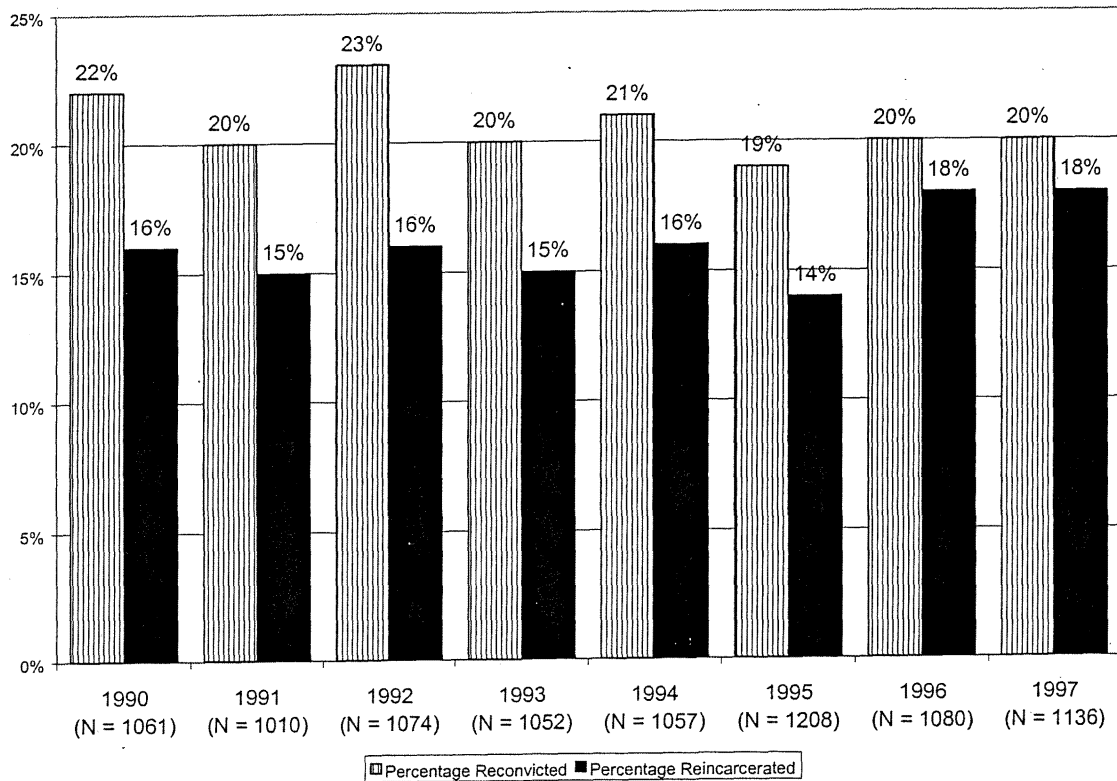


- ❖ Between 54 and 63 percent of the offenders released from prison for the years between 1990 and 1997 are Caucasian and approximately one-quarter to one-third are African American (Figure 6). Less than five percent of prisoners released are Hispanic and two percent or less each release year identify as “other³.” Between six and 10 percent of the offenders released each year is American Indian.
- ❖ The race of the release population is consistent with the race of the prison population during this time frame. Thus, there are higher percentages of Caucasian offenders released each year because there are more Caucasian offenders in prison. Therefore, the release percentages of offenders by race should not be interpreted as anything but a reflection of the overall prison population. This is true when interpreting the overall release population for original offense as well.

³ The “other” race designation not only includes Asian and Pacific Islander, but also any race other than Caucasian, African American, Hispanic, or Native American.

FIGURE 7

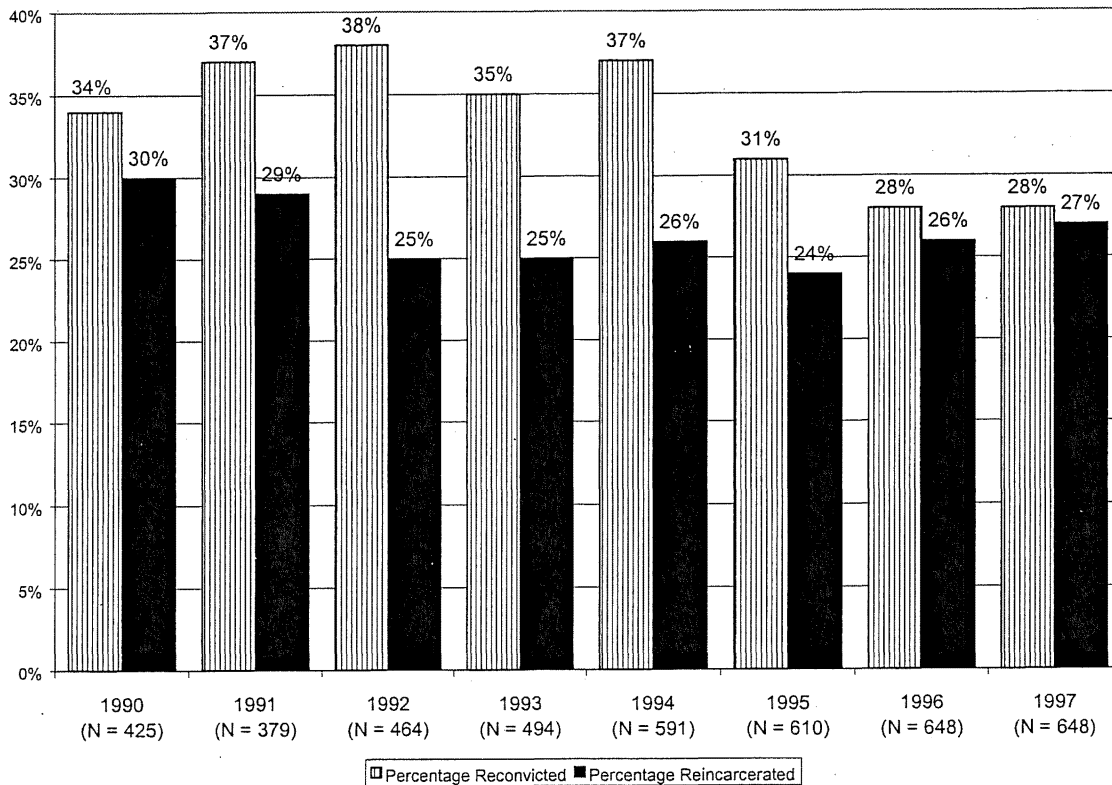
**Reconviction or Reincarceration Rates for Caucasian Offenders
Three-Years Post-Prison Release**



- ❖ Figure 7 shows that the three-year post-prison rate of felony reconviction for Caucasian offenders between 1990 and 1997 has ranged from 19 to 23 percent. The average reconviction rate during this time period for Caucasian offenders is 21 percent.
- ❖ The three-year post-prison reincarceration rate for Caucasian offenders has ranged from 14 percent in 1995 to 18 percent in 1996 and 1997. The average reincarceration rate for Caucasian offenders during this time period is 16 percent.

FIGURE 8

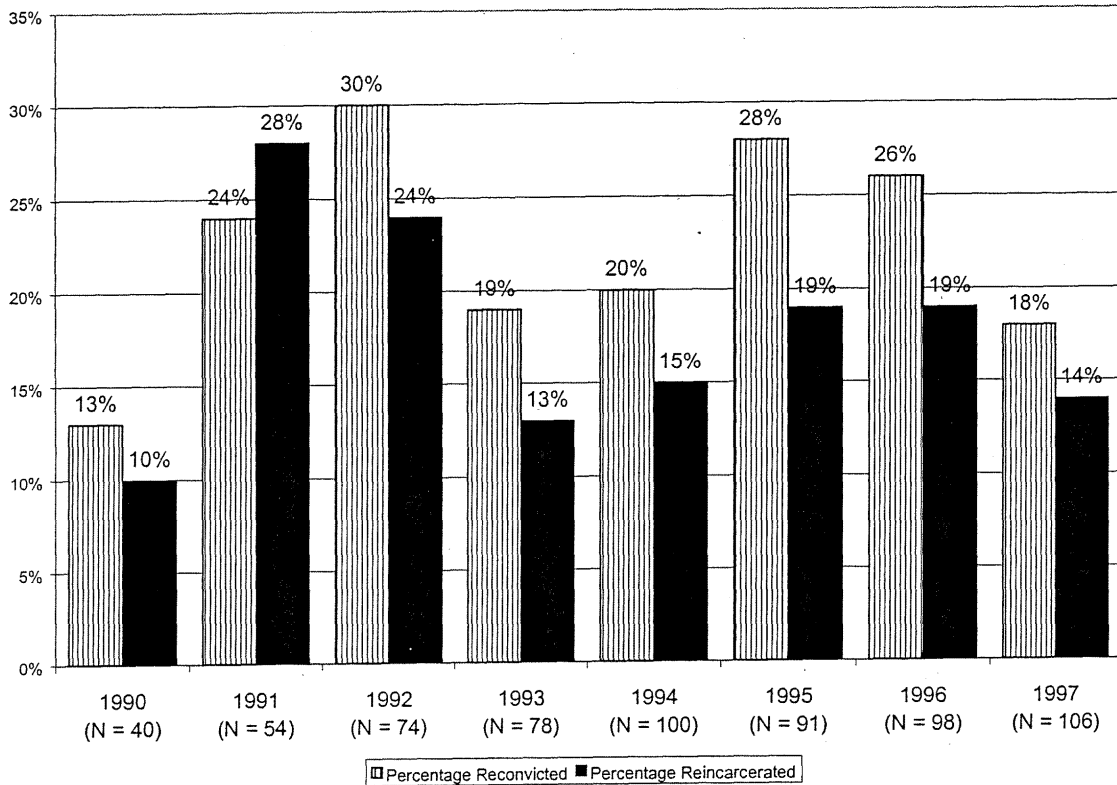
**Reconviction or Reincarceration Rates for African American Offenders
Three-Years Post-Prison Release**



- ❖ As shown in Figure 8, the range of three-year post-prison felony reconviction rates for African American offenders is between 28 and 38 percent. There has been a considerable drop in the reconviction rate for African American offenders since 1994. Overall, the average felony reconviction rate for African American offenders during this time period is 34 percent.
- ❖ Since 1992, the reincarceration rate for African American offenders has remained relatively stable. The three-year post-prison reincarceration rates for African American offenders have ranged from 24 percent for those released in 1995 to 30 percent for those released in 1990. The average reincarceration rate during this time period is 27 percent.

FIGURE 9

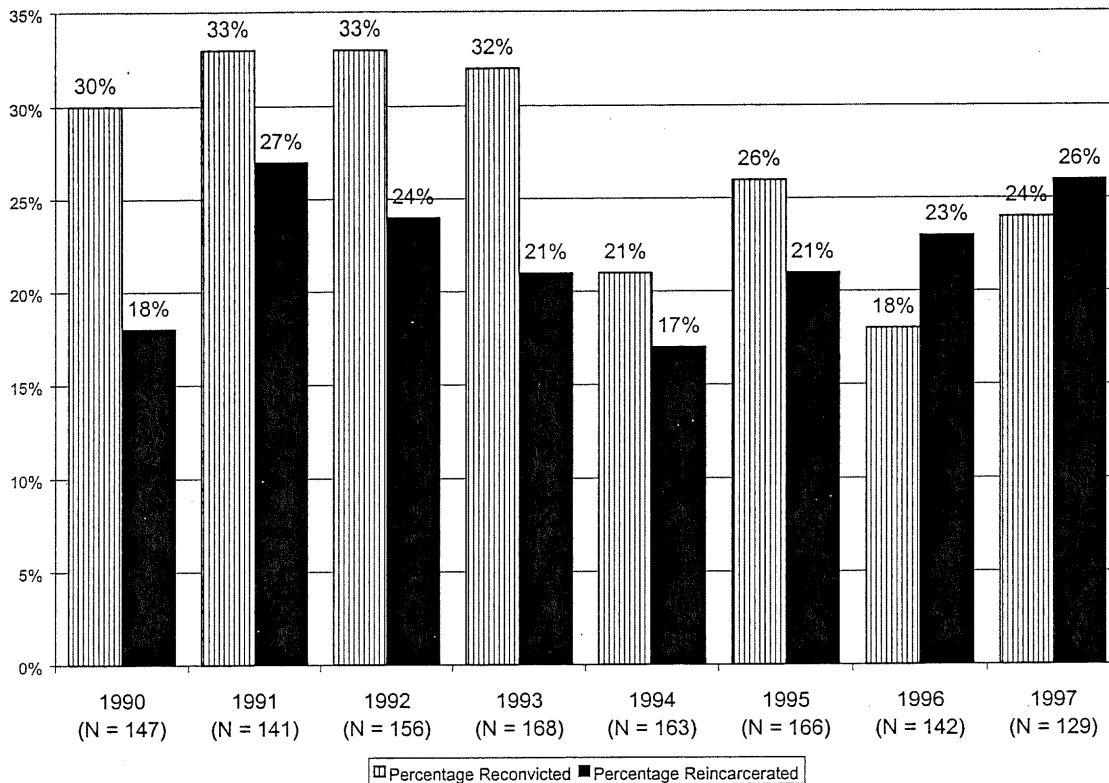
**Reconviction or Reincarceration Rates for Hispanic Offenders
Three-Years Post-Prison Release**



- ❖ The three-year post-prison felony reconviction rates for Hispanic offenders between 1990 and 1997 have varied greatly (Figure 9). While the three-year post-prison reconviction rate for offenders released in 1990 was 13 percent, it was 30 percent for offenders released in 1992 and 18 percent for those released in 1997. The average felony reconviction rate for Hispanic offenders released during this time is 22 percent. It should also be noted that the small number of Hispanic offenders each year could contribute to the variability in reconviction and reincarceration rates. Because of the small numbers, caution should be exercised when interpreting this recidivism information.
- ❖ Like the reconviction rates, the reincarceration rates for Hispanic offenders have also varied from year to year. For the offenders released in 1990, the reincarceration rate was 10 percent; however, the three-year post-prison reincarceration rate for offenders released one year later was 28 percent. In general, the reincarceration rates ranged from 10 to 28 percent with an average rate of 18 percent.

FIGURE 10

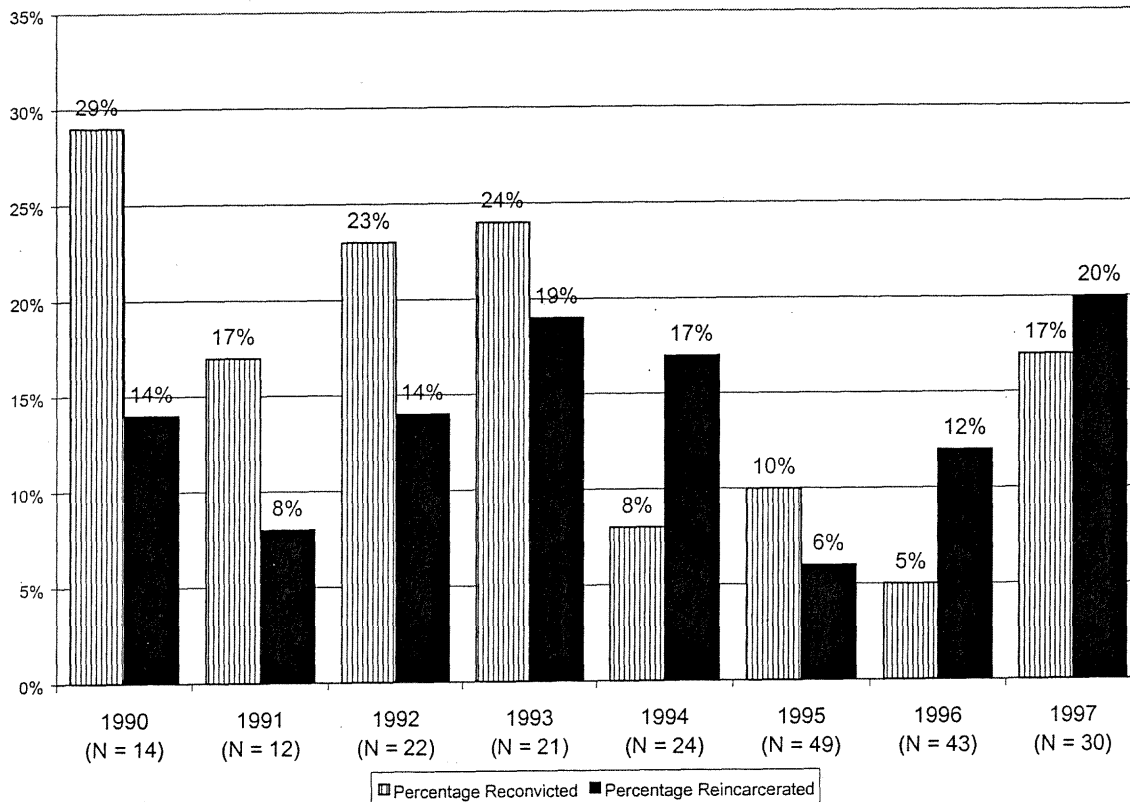
**Reconviction or Reincarceration Rates for Native American Offenders
Three-Years Post-Prison Release**



- ❖ The range of reconviction for Native American offenders released between 1990 and 1997 has ranged from 18 to 33 percent (Figure 10). While the three-year post-prison felony reconviction rates for Native American offenders released between 1990 and 1993 averaged 32 percent, this average decreased to 22 percent for Native American offenders released from prison between 1994 and 1997.
- ❖ The reincarceration rates for Native American offenders has ranged from 17 percent for those offenders released in 1994 to 27 percent for those offenders released in 1991. The average three-year post-prison reincarceration rate for Native American offenders is 22 percent.

FIGURE 11

**Reconviction or Reincarceration Rates for Other Race Offenders
Three-Years Post-Prison Release**



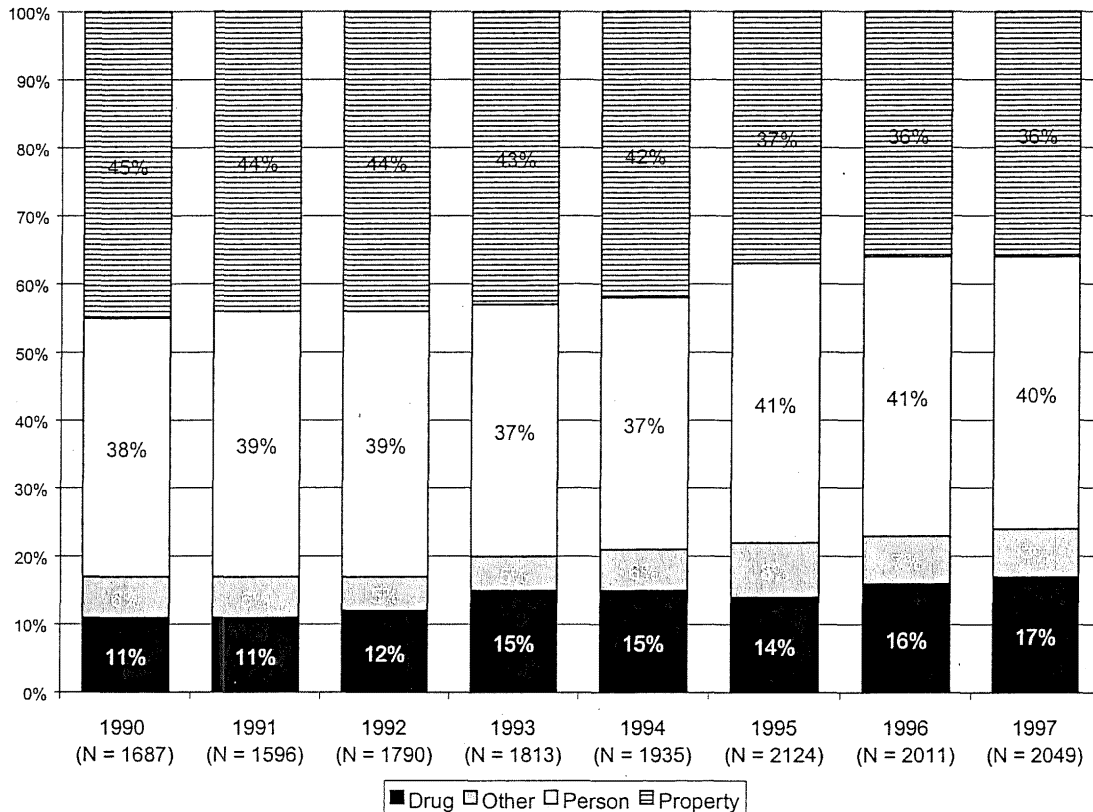
**Other race" includes offenders who identify as Asian or Pacific Islander or any race other than Caucasian, African American, Hispanic, or Native American.

- ❖ The felony reconviction rates for "other" offenders released between 1990 and 1997 has ranged from five percent for those offenders released in 1996 to 29 percent for those released in 1990 (Figure 11). The average three-year post-prison reconviction rate for other race offenders released during this time is 17 percent.
- ❖ The three-year post-prison reincarceration rates for other race offenders released between 1990 and 1997 have ranged from six to 20 percent. The average reincarceration rate for offenders released during this time period is 14 percent.
- ❖ Please note that the small number of "other" race offenders released each year can affect the variability of the recidivism data. This data should be interpreted with caution.

Recidivism by Original Offense

FIGURE 12

Original Offense of Offenders by Release Year

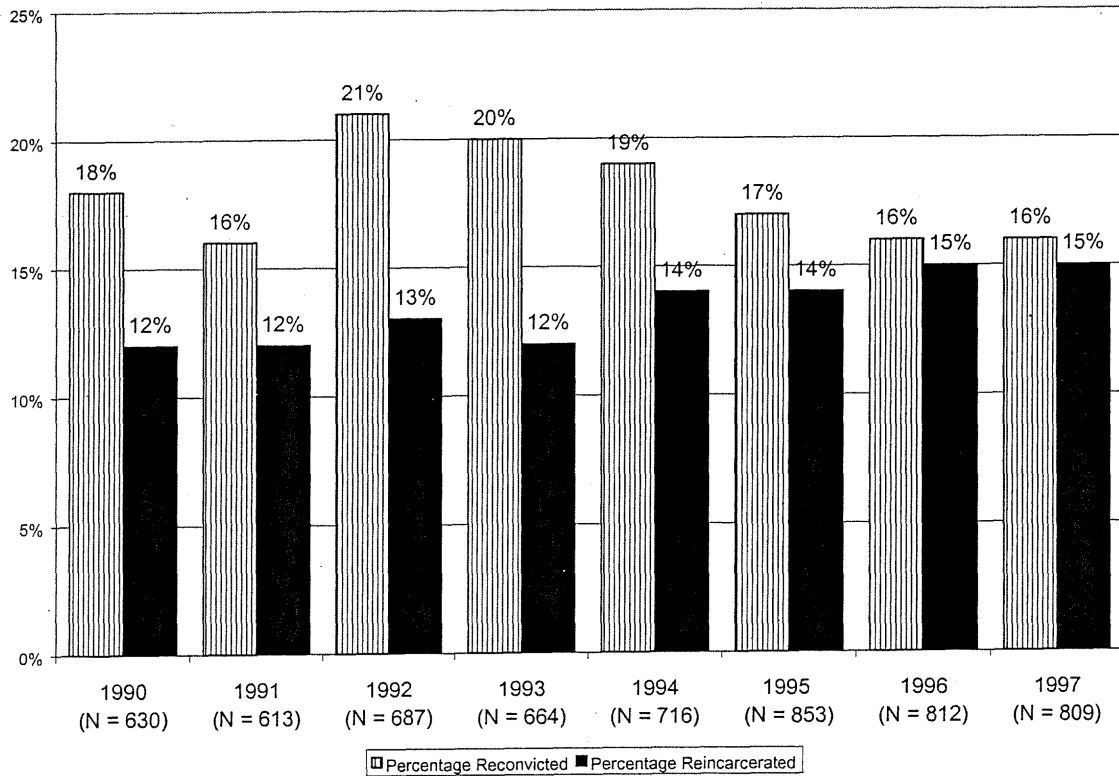


- ❖ Approximately 40 percent of offenders released between 1990 and 1997 were originally incarcerated for a person crime and another 40 percent were originally incarcerated for a property crime (Figure 12). Between 11 and 17 percent each year were incarcerated for a drug crime, while between five and seven percent of offenders released in this time period were originally incarcerated for other crimes⁴.
- ❖ The percentage of offenders incarcerated for these original offenses has remained relatively consistent over the years, as has the percentage of offenders released for these offenses. However, the original offenses of those offenders released in 1995, 1996, and 1997 point to a possible new trend; while the percentage of offenders originally incarcerated for property offenses is decreasing, the percentage of offenders originally incarcerated for drug and person offenses is increasing.

⁴ Other crimes can include traffic/accidents, gambling, weapons, disturbing the peace, and crimes against the administration of justice.

FIGURE 13

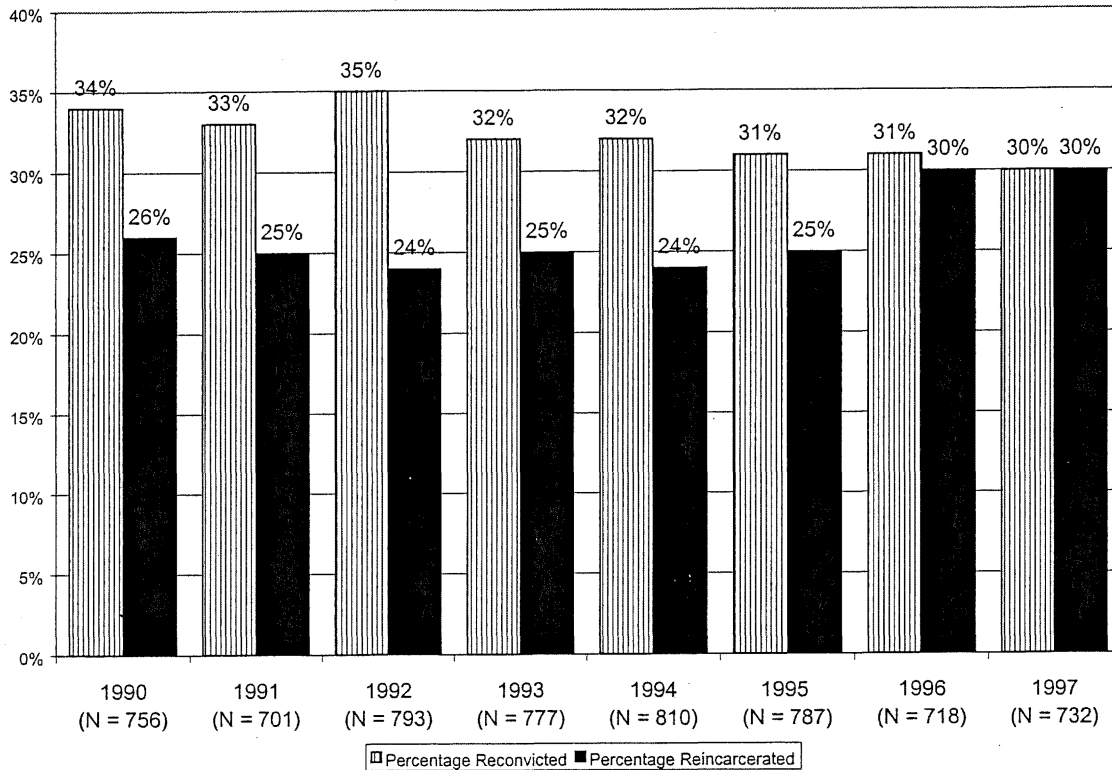
**Reconviction and Reincarceration Rates for Person Offenders
Three Years Post-Prison Release**



- ❖ Since 1992, the felony reconviction rates within three years of release for person offenders has steadily decreased from 21 percent in 1992 to 16 percent in 1996 and 1997 (Figure 13). The average felony reconviction rate for person offenders during this time period is 18 percent.
- ❖ While the three-year post-prison reconviction rates have decreased, the three-year reincarceration rates for person offenders have increased approximately three percent since 1990; while the reincarceration rate was 12 percent for person offenders released in 1990, 15 percent of the 1997 offenders were reincarcerated by the three-year mark. The average reincarceration rate for person offenders released between 1990 and 1997 is 13 percent.

FIGURE 14

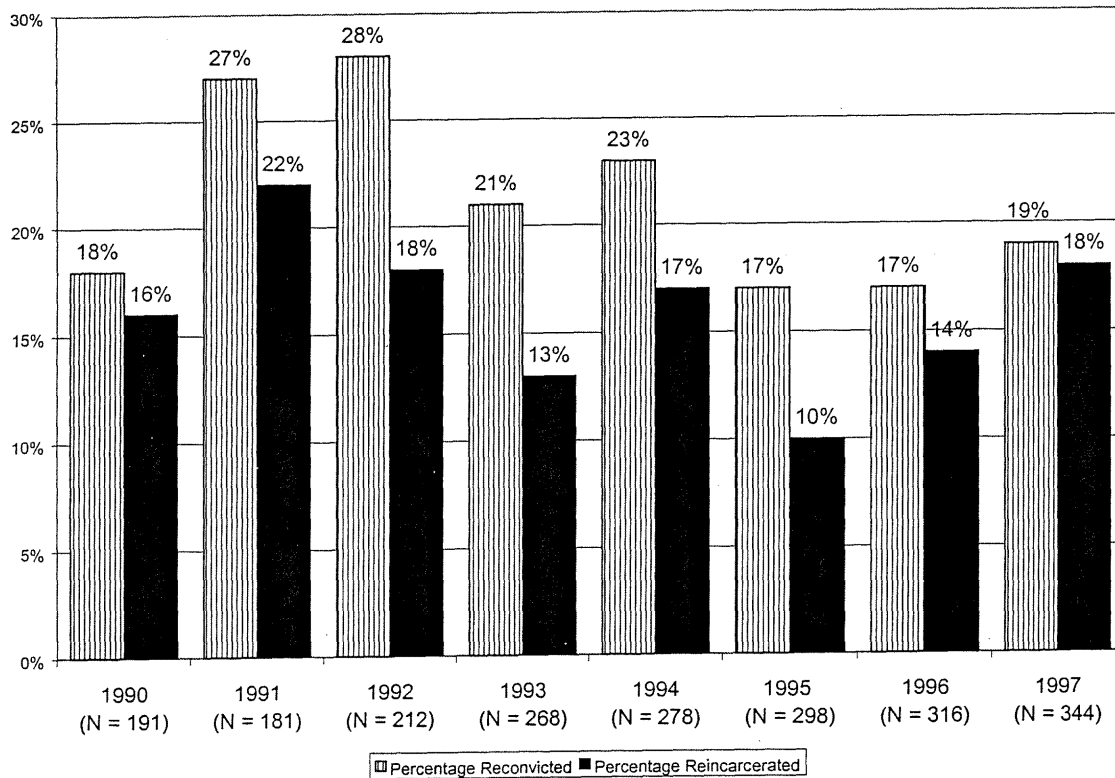
**Reconviction and Reincarceration Rates for Property Offenders
Three Years Post-Prison Release**



- ❖ The felony reconviction rates for property offenders released between 1990 and 1997 have remained between 30 and 35 percent (Figure 14). The average felony reconviction rate for property offenders released during these years is 32 percent.
- ❖ Until 1996, the reincarceration rates at the three-year mark for property offenders remained between 24 and 26 percent. For those offenders released in 1996 or 1997, the reincarceration rate increased to 30 percent. The average reincarceration rate for property offenders released between 1990 and 1997 is 26 percent.

FIGURE 15

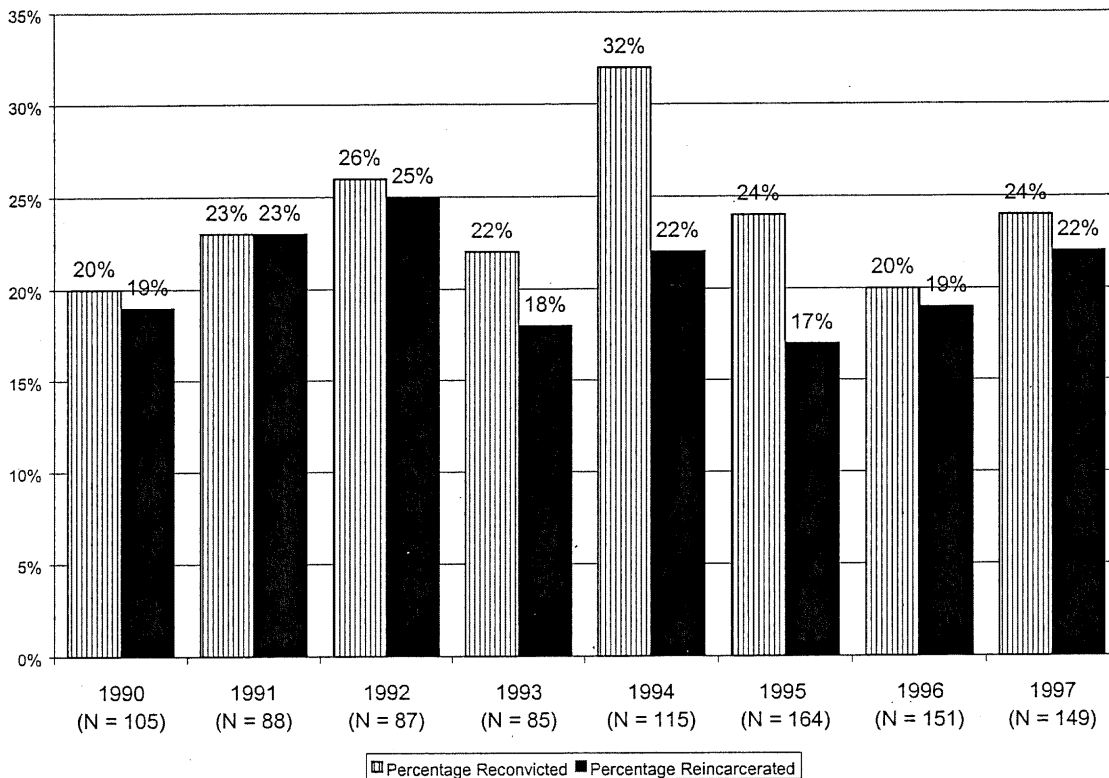
**Reconviction or Reincarceration Rates for Drug Offenders
Three-Years Post-Prison Release**



- ❖ Between 1990 and 1997, the felony reconviction rates at the three-year mark for drug offenders were variable (Figure 15). For instance, offenders released in 1992 had a three-year reconviction rate of 28 percent, while offenders released in 1995 or 1996 had a 17 percent reconviction rate. The average reconviction rate for drug offenders released in these years is 21 percent.
- ❖ The reincarceration rate for drug offenders has also fluctuated during this time period. The lowest three-year post-prison reincarceration rate has been for offenders released in 1995 (10%), while the highest rate has been for those drug offenders released in 1991 (22%). The average reincarceration rate for drug offenders during this time is 16 percent.

FIGURE 16

**Reconviction or Reincarceration Rates for Other Offense Offenders
Three-Years Post-Prison Release**



- ❖ Figure 16 shows the three-year post-prison felony reconviction rates for other offense offenders have ranged from 20 to 32 percent. While there was a noticeable increase in reconviction for offenders released in 1994, the overall average reconviction rate during this time period is 24 percent.
- ❖ Reincarceration rates for other offense offenders have varied from year to year. Offenders in 1995 have the lowest three-year post-prison reincarceration rate (17%) and offenders released in 1992 have the highest reincarceration rate (25%). The average reincarceration rate for these offenders is 21 percent.

Conclusion

The research presented here was intended to describe the trends in adult felon recidivism through the 1990s. An examination of the data shows fairly consistent overall recidivism rates for felons released each year from 1990 through 1997.⁵ Consistency is also shown for recidivism by gender of the offender. More variation is evident when we look at returns to prison by both race of the offender and type of offense. Of particular interest are the remarkable ranges and patterns of conviction and incarceration for offenders racially identified as Hispanic, Native American, and "Other." The cause of these trends lines cannot be readily interpreted because of the limited data collected for this study and the small population of these offenders. However, they do point to potential questions for further research, specifically the need to assess the challenges faced by offenders of color before, during, and after their involvement with the criminal justice system in order to more completely explain why their conviction and incarceration rates vary.

⁵ The conviction rates are slightly underestimated due to the large number of conviction records that cannot be matched to an offender. The Bureau of Criminal Apprehension maintains these unmatched records in a "Suspense File" that, when manually sorted, has been shown to increase re-arrest and reconviction rates by about three percent (see the Department of Corrections 1999 Performance Report: Recidivism in Minnesota).