# UNIFORM RECIDIVISM AND REVOCATION RATE
# CALCULATION

## RECOMMENDED METHODOLOGIES
## FOR
## STATE CRIMINAL JUSTICE AGENCIES

CRIMINAL JUSTICE POLICY COUNCIL

MARCH 1991

# UNIFORM RECIDIVISM AND REVOCATION RATE CALCULATION

## RATE CALCULATION

# RECOMMENDED METHODOLOGIES FOR

# STATE CRIMINAL JUSTICE AGENCIES

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March 1991

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## Executive Summary and Recommendations

In Texas, no uniform definition or calculation of recidivism or revocation rates is used among the state criminal justice agencies. Depending on the agency, a recidivist may be defined as an inmate with a previous incarceration, a parolee returned to prison or a probationer who has committed an offense while under supervision. Revocation rates, which measure the failure of offenders while under the supervision of the criminal justice system, are also calculated using a number of different formulas. Each formula results in a different revocation rate.

The acceptable methodologies for calculating recidivism and revocation rates differ significantly, allowing for a variety of legitimate measures. With no standard methodology, however, the comparison of rates across agencies becomes difficult. This lack of uniformity makes the need for a standard methodology for calculating recidivism and revocation rates imperative.

In response to this, the Criminal Justice Policy Council was mandated by the 71st Texas Legislature in House Bill 2335 to prepare and report to the 72nd Texas Legislature "a study that develops uniform definitions of the terms 'recidivism' and 'revocation rates'" (Government Code, Title 4, Chapter 413.020). To assist in this project the Policy Council created a "Recidivism Study Working Group" composed of state criminal justice agency personnel.

The Criminal Justice Policy Council wishes to acknowledge the contributions of the Recidivism Study Working Group to this project.

### Recidivism Study Working Group

| | |
|---|---|
| Garron Guszak | Legislative Budget Office |
| Mike Eisenberg | TDCJ, Pardons and Paroles Division |
| David Standlee | TDCJ, Institutional Division |
| Billy Birmingham | TDCJ, Institutional Division |
| Val Shepperd | TDCJ, Community Justice Assistance Division |
| Bob Logan | Texas Juvenile Probation Commission |
| Chuck Jeffords | Texas Youth Commission |

Nancy Arrigona and Tony Fabelo directed the project for the Criminal Justice Policy Council.

The members of the Recidivism Study Group provided expert advice in determining:

- The criteria for assessing recidivism by establishing a formula, defining the event(s) which will constitute a negative outcome or recidivism and specifying the follow-up period.

- The formula to be used to calculate revocation rates.

- The need for a data collection system that will ensure required data is available and consistent regardless of agency (division) or program. Where data is not presently available, a research design will be established for the collection of required data elements.

## Recommendations

1. That the Texas Department of Criminal Justice, the Texas Youth Commission, the Texas Juvenile Probation Commission and all other state agencies conducting criminal justice recidivism studies use the following formula when calculating recidivism rates:

Recidivism Rate is equal to:

The number of offenders placed under community supervision or released from custody during time period (x) with unfavorable outcome (y) within (z) number of months

Number of offenders placed under community supervision or released from custody during time period (x)

2. That unfavorable outcomes or "recidivism events" in the adult criminal justice system include *arrest and incarceration.* Unfavorable outcomes or "recidivism events" in the juvenile justice system will include: *placement in a Texas Youth Commission facility; juvenile arrests reported to TYC; and counts of adult arrests and incarceration of juveniles who become adults during the follow-up period.*

3. That a *three year follow-up period* be used in recidivism studies, with recidivism rates reported after the first, second and third year.

4. That the Texas Department of Criminal Justice, Institutional Division adopt the methodology and figures used by the Pardons and Paroles Division when reporting recidivism rates for inmates that have been released from prison.

5. That the Texas Department of Criminal Justice, the Texas Youth Commission and the Texas Juvenile Probation Commission use the following formula when calculating revocation rates:

Revocation Rate is equal to:

Number of revocations to a state institutional setting (state prison, Texas Youth Commission) during period (x)

Average daily population during period (x)

6. That the Community Justice Assistance Division of the Department of Criminal Justice and the Texas Juvenile Probation Commission develop appropriate research designs and data collection mechanisms for programs where present data collection does not allow for the calculation of recidivism rates.

7. That the Criminal Justice Policy Council continue to coordinate the collection and analyses of data for calculating recidivism and revocation rates. The Policy Council will compile all available recidivism and revocation information in a biennial report.

Recidivism and revocation rates were calculated by the members of the Recidivism Study Group for their agencies/divisions using the recommended formulas. These rates may be found in the tables below.

## TDCJ-Parole Division:

### Recidivism Rates for Offenders Released on Parole/Mandatory Supervision

| Year Placed | Follow-Up | Reincarceration Recidivism Rate |
|---|---|---|
| 1987 | 3 years | 43% |
| 1988 | 2 years | 33% |
| 1989 | 1 year | 16% |

### Average Daily Population Revocation Rate for Offenders Under Parole/Mandatory Supervision

| Year | Average Population | Revoked to Prison | Revocation Rate |
|---|---|---|---|
| 1988 | 50,284 | 11,084 | 22.0% |
| 1989 | 54,095 | 13,235 | 24.5% |
| 1990 | 64,857 | 17,624 | 27.2% |

## TDCJ-Community Justice Assistance Division (Probation):

### Recidivism Rates for Probationers Placed into ISP and Restitution Center Programs

| Special Program | Follow-Up | Recidivism Rate | |
|---|---|---|---|
| | | Rearrest | Incarceration |
| ISP | 3 years | 54.8% | 42.8% |
| | 2 years | 47.2% | 35.6% |
| | 1 year | 32.7% | 22.9% |
| RCP | 3 years | 58.8% | 55.7% |
| | 2 years | 49.0% | 49.0% |
| | 1 year | 31.4% | 32.5% |

## Average Daily Population Revocation Rate for Probationers

| Year | Program | Average Population | Number Revoked | Revocation Rate |
|------|---------|-------------------|----------------|-----------------|
| 1988 | Regular | 128,018 | 13,102 | 10.2% |
| | ISP | 4,908 | 665 | 13.5% |
| | Specialized | 844 | 78 | 9.2% |
| | Surveillance | 108 | 20 | 18.5% |
| | Restitution Ctrs. | 564 | 63 | 11.2% |
| 1989 | Regular | 134,202 | 14,995 | 11.2% |
| | ISP | 5,590 | 633 | 11.3% |
| | Specialized | 990 | 112 | 11.3% |
| | Surveillance | 178 | 36 | 20.2% |
| | Restitution Ctrs. | 629 | 40 | 6.4% |
| 1990 | Regular | 142,633 | 16,361 | 11.5% |
| | ISP | 6,517 | 691 | 10.6% |
| | Specialized | 1,244 | 68 | 5.5% |
| | Surveillance | 258 | 25 | 9.7% |
| | Restitution Ctrs. | 688 | 32 | 4.7% |

## Texas Youth Commission:

### Recidivism Rates for Juveniles Released from the Texas Youth Commission

| Program | Follow-Up | Recidivism Rate | |
|---------|-----------|-----------------|-----------------|
| | | Rearrest | Reincarceration |
| Community Placement | 3 years | 58.0% | 32.5% |
| | 2 years | 52.7% | 26.0% |
| | 1 year | 40.1% | 15.5% |
| Institutional | 3 years | 72.5% | 47.1% |
| | 2 years | 67.7% | 37.1% |
| | 1 year | 55.9% | 23.3% |

### Average Daily Population Revocation Rate for Juveniles Under the Community Supervision of the Texas Youth Commission

| Year | Average Population | Revoked to TYC | Revocation Rate |
|------|-------------------|----------------|-----------------|
| 1988 | 1,998 | 225 | 11.3% |
| 1989 | 1,809 | 219 | 12.1% |
| 1990 | 1,919 | 336 | 17.5% |

**Texas Juvenile Probation Commission:**

Average Daily Population Revocation Rate for Juvenile Probationers

| Year | Average Population | Revoked to TYC | Revocation Rate |
|------|--------------------|----------------|-----------------|
| 1987 | 8,918 | 1,363 | 15.3% |
| 1988 | 8,702 | 1,026 | 11.8% |
| 1989 | 9,839 | 1,066 | 10.8% |

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## I.     Introduction

In Texas, no uniform definition or calculation of recidivism or revocation rates is used among the state criminal justice agencies. **Recidivism is a commonly used measure of criminal activity and an indicator of the long term success of the offender in the community.** As currently calculated, a recidivist may be an inmate with a previous incarceration, a parolee returned to prison or a probationer who has committed an offense while under supervision. In a similar yet distinct measure of criminality, **revocation rates measure the failure of offenders while under the supervision of the criminal justice system.** Revocation rates may be calculated as the proportion of revocations from the population served, the year end population, the average daily population, or the population terminated during a particular period. Each formula results in a different revocation rate.

The acceptable methodologies for calculating recidivism and revocation rates differ significantly, allowing for a variety of legitimate measures. With no standard methodology, however, the legitimate comparison of rates across agencies becomes difficult. This lack of uniformity makes the need for a standard methodology for calculating recidivism and revocation rates imperative.

In response to this, the Criminal Justice Policy Council was mandated by the 71st Legislature in House Bill 2335 to prepare and report to the 72nd Legislature "a study that develops uniform definitions of the terms 'recidivism' and 'revocation rates'" (Government Code, Title 4, Chapter 413.020). This report presents the results of this study and the recommendations of the Recidivism Study Working Group. This report also presents the recidivism and revocation rates for different criminal justice programs using the recommended formulas. Finally, for programs for which rates cannot presently be calculated, recommendations are made for the design of research and data collection mechanisms to develop these calculations.

## II.     Recidivism Defined

### A.     Recidivism Formula

Simply stated, recidivism is the reoccurrence of criminal behavior. The rate of recidivism refers to the proportion of a specific group of offenders who sustain a defined negative outcome within a given period of time. Recidivism rate data is often used to assess the long term success of the system in deterring and rehabilitating offenders. It is also important when determining the demands placed on the system by repeat offenders.

Recidivism studies are usually conducted using data from the agency providing criminal justice services and the state's centralized repository of criminal history information. In Texas, criminal history information is located in the Computerized Criminal History (CCH) repository of the Texas Department of Public Safety (DPS). More comprehensive recidivism data may also be collected by designing extensive follow-up mechanisms within criminal justice agencies and gathering samples of offenders as they enter supervision.

The rate of recidivism may be calculated using different methodologies. The most widely used calculation involves finding the proportion of all offenders placed under supervision who "fail" within a specified follow-up period (Hoffman and Stone-Meierhoefer, 1980; Maltz, 1984). *This formula, presented below, is recommended as the standard recidivism rate calculation for the state.*

Recidivism Rate is equal to:

> The number of offenders placed under community supervision or released from custody during time period (x) with unfavorable outcome (y) within (z) number of months
> 
> ---
> 
> Number of offenders placed under community supervision or released from custody during time period (x)

This formula ensures that the same group of offenders is followed throughout the study period regardless of their criminal justice status and avoids distortions due to changes in policy and sentencing practices.

Other methodologies involve the use of the prison population or selected segments of the criminal justice population under supervision to derive the recidivism rate. The problems associated with these formulas stem from differences in the groups of offenders compared, a lack of uniformity in follow-up periods, a loss of information for the complete group of releasees and the inability to assure continuity in sentencing practices and policies. These other formulas, found in Appendix I, cannot accurately assess the rate of recidivism (Hoffman and Stone-Meierhoefer, 1980).

In accepting the calculation for recidivism presented above, methodological choices must be made concerning the events which will constitute recidivism and the length of time the offender will be tracked. Discussed below are the criterion measures and follow up periods most often used in defining recidivism.

## B.     Measures Of Recidivism

This section is devoted to a discussion of the many indicators that may be used to measure "unfavorable outcomes" or recidivism. Each measure may be used alone or in conjunction with other indicators. With the exception of incarceration, each of the measures below can track felonies and/or misdemeanors.

*Arrest:* Counts as recidivism all offenders arrested during the follow-up period. Arrests represent a better indicator of criminal behavior than convictions although they may overestimate recidivism by counting those offenders who are arrested but never charged or prosecuted. Research in recidivism shows that, in the aggregate, rearrest is the most reliably reported measure of recidivism, with convictions the most underreported of the recidivism measures (Beck and Shipley, 1989; Maltz, 1984; Hoffman and Stone-Meierhoefer, 1980).

Arrests may be used in conjunction with other measures or may be used alone regardless of whether a charge, prosecution, conviction or violation ensues. Arrest information is routinely reported to the Texas Department of Public Safety, Computerized Criminal History system for approximately 89% of those arrested in the state. In June 1990 (71st Texas Legislature Sixth Called Special Session) mandatory reporting of arrest information was adopted. It is expected that in the future the CCH system will contain information on almost all offenders arrested in the state, including the disposition of these arrests.

*Prosecution or First Charge:* Counts as recidivism only those arrests that are followed by a charge or some other prosecutorial action. This measure is more accurate than arrest data alone as it avoids the errors caused by including in the recidivism rate offenders arrested but never charged (Petersilia and Turner, 1986). However, data on prosecution is difficult if not impossible to obtain in centralized repositories of state criminal history information. In Texas this information is not presently being collected in the Computerized Criminal History (CCH) repository but will be available when the Chapter 60 CCP provisions for a CJIS are implemented.

*Conviction:* Counts as recidivism only those arrests that lead to a conviction. These data tend to underestimate recidivism because it excludes those offenders that are not prosecuted or taken to trial, namely probation and parole technical violators and those revoked in lieu of prosecution or conviction. More importantly, conviction data is the most underreported of the recidivism measures (Maltz 1984; Beck, 1989; Illinois Criminal Justice Information Authority, 1987). In Texas this information is not routinely reported by the local courts to the Computerized Criminal History (CCH) repository but will be available when the Chapter 60 CCP provisions for a CJIS are implemented.

*Incarceration:* Counts as recidivism admission to prison on a new charge or as a result of a probation or parole violation. A problem exists when using only incarceration as an indicator of recidivism as criminal justice system processing time is included in the follow-up period. In addition, offenders admitted to intermediary sanction facilities short of prison may not be accounted for in the recidivism measure unless this information is reported to the CCH system. In Texas the admission of an offender to state prison or to a parole intermediate sanction facility is routinely reported to the Computerized Criminal History (CCH) repository.

*Violation:* Counts as recidivism any violation in the terms of probation or parole. Absconders may or may not be counted as having recidivated. Not all parole and probation violations need be considered as recidivism events. Recidivism may be based on only those violations that lead to a new charge or that result in prison admission, thus excluding some if not all technical violations. Probation and parole violations should be used only in conjunction with other measures of recidivism as releasees discharged prior to the end of the follow-up period would not be capable of 'failure.' In Texas, probation and parole violations that do not result in an incarceration are not reported to the CCH system.

*Given the routine submission of arrest and incarceration information and the availability of these data in the Texas Computerized Criminal History (CCH) repository, it is recommended that arrest and incarceration (admission to prison) be used to measure recidivism.*

With the recent improvements and the required mandatory reporting of disposition data to the CCH system it is possible that, in the future, additional measures may be included as indicators of recidivism.

## C.  Juvenile Measures of Recidivism

A uniform definition of recidivism will necessarily include offenders in the juvenile justice system. The indicators of criminal behavior for juveniles, while different from those in the adult system, may be equated to the measures described in the previous section. The possible measures for juvenile recidivism are listed below. The measures in parentheses indicate the adult equivalent of each juvenile measure.

Arrest (Arrest)
Referral to Juvenile Probation Department/Juvenile Court (Arrest)
Informal Adjudication
Formal Adjudication (Conviction)
Confinement (Jail)
Commitment to TYC (Prison)
Violation of probation or parole (Violation)

Unique to the juvenile system, referrals and informal adjudications cannot currently be used as indicators of recidivism due to the lack of a juvenile statewide computerized criminal history repository. Juvenile arrests by law enforcement agencies are likewise difficult to track although juvenile parole officers are often able to gather some arrest information on the juveniles they supervise. Lastly, the confidentiality requirements surrounding all juvenile records effects the availability of information and makes data collection difficult.

*Given the nature of the juvenile system and the limitations related to the lack of a juvenile statewide computerized criminal history repository, the recommended measures of juvenile recidivism are: (a) placement into a Texas Youth Commission facility; (b) juvenile arrests reported to TYC; and (c) counts of adult arrests and incarceration of juveniles that become adults during the follow-up period.*

## D.     Follow Up Period (Survival Time)

The follow-up period selected for the calculation of recidivism will depend on the purpose of the study and the availability of data. In most instances, a time period of one to five years is chosen for the follow-up. For any follow-up period, the length of time to recidivism is calculated as the recidivism event minus the date placed under supervision.

The survival time chosen will have an effect on the rate of recidivism that is reported. For instance, the longer the follow-up period, the greater the chances the offender will "fail," leading to a rate of recidivism higher than that experienced with a shorter survival time. A short follow-up period, however, does not make full use of existing data and underestimates the number of offenders who will fail. Many studies of recidivism choose a follow-up period of three years (Beck and Shipley, 1989; Petersilia and Turner, 1986; Vito 1986). A three year follow-up will include the majority of those offenders who will recidivate yet does not extend the survival time past the point of accessible data collection. The National Advisory Commission on Criminal Justice Standards and Goals recommends a three year follow-up period for recidivism studies (Maltz, 1984).

Regardless of the length of time involved, the follow-up period should be consistent for all offenders. If the follow-up period is defined as a specific number of years or the supervision period, whichever is less, then the follow-up will be shorter for some of the population than for others. Offenders that recidivate after their supervision has ended but during the follow-up period will not be included as "failures" in this case and the recidivism rate will be underestimated (Hoffman and Stone-Meierhoefer, 1980).

*It is recommended that a three year follow-up period be used by state criminal justice agencies calculating recidivism. Cohort data should be stored to allow for the calculation of recidivism rates after the first, second and third year of the follow-up period.*

## III. Measuring Revocation Rates

A revocation is the result of a violation in the rules of supervision. An offender may be revoked because of a new offense or as the result of an administrative or "technical" violation such as failure to pay, failure to report or a positive drug test. Revocation may result in increased community sanctions, admission to jail, admission to an intermediate sanction facility or admission to prison.

**The revocation rate is a separate calculation from that of recidivism and applies only to offenders under supervision.** Agreement on the formula to be used in the calculation of a revocation rate is as essential as a uniform definition of recidivism.

Revocation rates may be calculated a number of different ways. In all instances, only those revocations that result in the offender's admission to prison or TYC are considered as "revocations." The formula options for the calculation of revocation rates include:

### Option 1    Intake Revocation Rate

$$\frac{\text{Number of revocations to prison/TYC during period (x)}}{\text{Number of intakes during period (x)}}$$

This formula ignores the effect of length of stay in the program for revocation possibilities as there is no factor to determine the length of time an offender has been under supervision when revoked. Also, by using the number of intakes during period (x) this formula is easily effected by changes in sentencing policy and in criminal justice processing time. Lastly, this formula requires individual case follow-up information to be used properly. Individual case data is not available for all programs at this time.

### Option 2    Total Population Served Revocation Rate

$$\frac{\text{Number of revocations to prison/TYC during period (x)}}{\text{Total number served during period (x)}}$$

This formula includes all those offenders served during a specific period regardless of the length of time they were actually under supervision during the period. This allows for significant differences in the number of days an offender included in the sample has been at risk during the period and inflates the denominator by not subtracting out the offenders that were terminated during the period.

### Option 3    Average Daily Population Revocation Rate

$$\frac{\text{Number of revocations to prison/TYC during period (x)}}{\text{Average daily population during period (x)}}$$

This formula standardizes to an average the number of days an offender was at risk of revocation by using as the denominator the average daily population for the period. The calculation for average daily population must be standard for comparisons to be made between agencies/divisions. The data needed to calculate this rate is currently available for all adult and juvenile criminal justice programs.

### Option 4    Program Termination Revocation Rate

$$\frac{\text{Number of revocations to prison/TYC during period (x)}}{\text{Number of terminations during period (x)}}$$

The denominator in this formula includes those offenders terminated from a program during the period. This formula is commonly used as it is easily calculated with available data. Using only program terminations to determine the revocation rate, however, ignores the number of offenders under supervision and the length of time they were at risk during the period, thus overstating the "failure" event. This formula also includes unsuccessful terminations that have not yet been revoked and administrative closures in the "total termination" denominator.

It must be noted that the above revocation rate formulas include only those offenders who have been revoked to prison in the numerator. It is common practice to terminate an offender who has absconded or who has a motion to revoke pending from a specialized or diversionary program and place them into a regular caseload. These terminations, while unsuccessful, are not counted in the formula as having been revoked.

*Given the advantages and disadvantages in using each of the formulas discussed above, it is recommended that state criminal justice agencies use the "Average Daily Population" formula (Option 3) when reporting revocation rates. This formula standardizes to an average the number of days an offender was at risk of revocation by using as the denominator the average daily population for the period. The formula also utilizes data that is currently available for all adult and juvenile programs.*

## IV.    Recidivism and Revocation Rates for Adult and Juvenile Criminal Justice Programs

### A.    Texas Department of Criminal Justice

#### 1.    Institutional Division

The Institutional Division defines a recidivist as an inmate in the population with one or more previous incarcerations. Their "recidivism rate" is calculated by dividing the number of inmates in the population with prior incarcerations by the total number of offenders in the population. Although useful in the classification of offenders, this formula does not reflect the recidivism rate of those sentenced to prison.

Offenders released from prison are supervised by the Pardons and Paroles Division. Because of this, the Institutional Division does not track offenders in the community and has not approached the calculation of recidivism using the methodology discussed above. *It is recommended that the Institutional Division adopt the methodology and figures used by the Parole Division when reporting recidivism rates for inmates that have been released from prison.*

## 2.    Pardons and Paroles Division

The Pardons and Paroles Division calculates recidivism rates using the recommended methodology. A cohort of offenders placed on parole is followed for a three year period, with recidivism rates reported at yearly intervals. All offenders in the cohort that are returned to prison are considered "failures" or recidivists. Returns to prison include offenders admitted to TDCJ/ID because of a new conviction or because of a violation of the terms of parole. In the future, recidivism rates will also be calculated for parolees arrested during the follow-up period. Table 1 below shows the recidivism rates for offenders placed under regular parole supervision.

Table 1
Recidivism Rates for Offenders Released on Parole/Mandatory Supervision

| Year Placed | Follow-Up | Reincarceration Recidivism Rate |
| --- | --- | --- |
| 1987 | 3 years | 43% |
| 1988 | 2 years | 33% |
| 1989 | 1 year | 16% |

The Pardons and Paroles Division also calculates recidivism rates for some of their special programs. These programs offer more intensive supervision and additional services to offenders at risk of returning to prison or who have special needs. Table 2 below indicates the recidivism rate of parolees in special programs. Beside each rate of recidivism for the special program is the recidivism rate for a similar group of offenders placed into regular parole caseloads. As in Table 1 above, reincarceration is used as the "failure" event.

## Table 2
### Recidivism Rates for Offenders in Parole Special Programs

| Program | Follow Up | Reincarceration Recidivism Rate | |
|---|---|---|---|
| | | In Specialized | In Regular |
| Sex Offender | 2 years | 18% | 30% |
| Mentally Retarded Offender | 2 years | 45% | 37% |
| Halfway House Placement | 2 years | 32% | 35% |
| PPT Placement | 2 years | 28% | 34% |
| Intensive Supervision | 1 year | 15% | 15% |

For offenders who "fail" while under parole supervision, the Division routinely calculates the revocation rate using the average daily population and termination from program formulas. For official documents or requests for information, the revocation rate will be calculated using the recommended Average Daily Population Revocation Rate formula. The Pardons and Paroles Division calculates revocations for only regular parole caseloads.

## Table 3
### Average Daily Population Revocation Rate for Offenders Under Parole/Mandatory Supervision

| Year | Average Population | Revoked to Prison | Revocation Rate |
|---|---|---|---|
| 1988 | 50,284 | 11,084 | 22.0% |
| 1989 | 54,095 | 13,235 | 24.5% |
| 1990 | 64,857 | 17,624 | 27.2% |

### 3. Community Justice Assistance Division

The Community Justice Assistance Division (CJAD) does not currently calculate recidivism rates for offenders on probation. The Division receives aggregate data from Community Supervision and Corrections Departments. This information includes the number and types of probation placements and discharges and the number of offenders under supervision. CJAD does not currently have the ability to track cohorts of individual probationers placed into regular probation or into caseloads where case classification data is not available. Because of this, CJAD is not able to calculate recidivism rates as recommended for probationers not included in the case classification system.

The tracking of cohorts is possible for offenders placed in diversionary probation programs. This is limited by CJAD's ability to collect case classification information from local departments. The case classification system gathers intake, assessment, reassessment and discharge information on all probationers placed into ISP, specialized and surveillance caseloads as well as probationers under electronic monitoring and those in residential facilities.

CJAD was able to collect recidivism information on a cohort of probationers placed on ISP and into Restitution Centers (RCP) using their case classification database. The study, conducted as part of the Division's Risk Assessment Project, tracked the rearrest and incarceration of probationers using the DPS Computerized Criminal History system. Recidivism rates for these two programs can be found on Table 4 below. It is possible that the methodology used in this project may be extended to include other programs that submit case classification data to the Division and eventually to regular probation.

Table 4
Recidivism Rates for Probationers Placed into ISP and Restitution Center Programs

| Special Program | Follow-Up | Recidivism Rate | |
| --- | --- | --- | --- |
| | | Rearrest | Incarceration |
| ISP | 3 years | 54.8% | 42.8% |
| | 2 years | 47.2% | 35.6% |
| | 1 year | 32.7% | 22.9% |
| RCP | 3 years | 58.8% | 55.7% |
| | 2 years | 49.0% | 49.0% |
| | 1 year | 31.4% | 32.5% |

CJAD currently calculates revocation rates using the "Total Population Served" formula. Data is available, however, for the calculation of revocation rates using the recommended Average Daily Population Revocation Rate formula. Table 5 below shows the revocation rates for regular and special probation programs using the average daily population formula. It is important to note that offenders transferred from diversionary programs with a motion to revoke or an absconder status are then revoked from a regular probation caseload. The revocation of these offenders would therefore be reflected in the regular probation revocation rate, not in the rate of the program from which they were transferred.

## Table 5
### Average Daily Population Revocation Rate for Probationers

| Year | Program | Average Population | Number Revoked | Revocation Rate |
|------|---------|--------------------|----------------|-----------------|
| 1988 | Regular | 128,018 | 13,102 | 10.2% |
| | ISP | 4,908 | 665 | 13.5% |
| | Specialized | 844 | 78 | 9.2% |
| | Surveillance | 108 | 20 | 18.5% |
| | Restitution Ctrs | 564 | 63 | 11.2% |
| 1989 | Regular | 134,202 | 14,995 | 11.2% |
| | ISP | 5,590 | 633 | 11.3% |
| | Specialized | 990 | 112 | 11.3% |
| | Surveillance | 178 | 36 | 20.2% |
| | Restitution Ctrs | 629 | 40 | 6.4% |
| 1990 | Regular | 142,633 | 16,361 | 11.5% |
| | ISP | 6,517 | 691 | 10.6% |
| | Specialized | 1,244 | 68 | 5.5% |
| | Surveillance | 258 | 25 | 9.7% |
| | Restitution Ctrs | 688 | 32 | 4.7% |

## B.    Texas Youth Commission

The Texas Youth Commission (TYC) calculates recidivism rates using the recommended methodology. The agency follows a cohort of juveniles released from TYC for a three year period, with recidivism rates reported yearly. All those that are arrested, returned to TYC or who are admitted to the Institutional Division of the Texas Department of Criminal Justice are considered 'failures' or recidivists. Unlike the adult calculations, TYC recidivism rates are calculated according to the program from which the juvenile was released. Community Placement includes contract care, TYC camps and halfway houses. Institutional placement includes training schools and RTC's.

## Table 6
### Recidivism Rates for Juveniles Released from the Texas Youth Commission

| Program | Follow-Up | Recidivism Rate | |
|---------|-----------|-----------------|--|
| | | Rearrest | Reincarceration |
| Community Placement | 3 years | 58.0% | 32.5% |
| | 2 years | 52.7% | 26.0% |
| | 1 year | 40.1% | 15.5% |
| Institutional | 3 years | 72.5% | 47.1% |
| | 2 years | 67.7% | 37.1% |
| | 1 year | 55.9% | 23.3% |

TYC currently calculates revocation rates using the recommended Average Daily Population Revocation Rate formula. Table 7 below presents revocation rates for those returned to a TYC institutional facility. Juveniles age seventeen and older who commit a new offense may also be charged in the adult system.

## Table 7
### Average Daily Population Revocation Rate for Juveniles Under the Community Supervision of the Texas Youth Commission

| Year | Average Population | Revoked to TYC | Revocation Rate |
|------|--------------------|----------------|-----------------|
| 1988 | 1,998 | 225 | 11.3% |
| 1989 | 1,809 | 219 | 12.1% |
| 1990 | 1,919 | 336 | 17.5% |

## C.    Texas Juvenile Probation Commission

The Texas Juvenile Probation Commission (TJPC) does not currently calculate recidivism rates for juvenile offenders. Juvenile probation departments are managed by counties and juvenile tracking data, where available, is not submitted to a state repository. Until very recently TJPC received only aggregate data concerning the number and type of offenders placed on juvenile probation. Changes in state law, however, have allowed the Commission to receive case information on juvenile offenders from selected counties. Data in the Commission's CASEWORKER system include identifiers (name, date of birth, sex) that are critical to conduct follow-up studies using the databases of TYC and DPS. The CASEWORKER database will allow TJPC to track a cohort of offenders over a specific time period for future recidivism studies.

TJPC currently calculates a revocation rate using the Total Population Served Revocation Rate formula. Statewide aggregate data gathered for each calendar year is available which allows TJPC to calculate revocation rates using the recommended Average Daily Population Revocation Rate. A juvenile is considered revoked only after being removed from their community and placed into a TYC facility. Table 8 below presents revocation rates for juvenile probationers for calendar year 1987 through 1989.

## Table 8
### Average Daily Population Revocation Rate for Juvenile Probationers

| Year | Average Population | Revoked to TYC | Revocation Rate |
|------|--------------------|----------------|-----------------|
| 1987 | 8,918 | 1,363 | 15.3% |
| 1988 | 8,702 | 1,026 | 11.8% |
| 1989 | 9,839 | 1,066 | 10.8% |

## V.   Recommended Research and Data Collection Efforts

*It is recommended that the Community Justice Assistance Division and the Texas Juvenile Probation Commission develop appropriate research designs and data collection mechanisms to ensure that cohorts of offenders placed under supervision may be tracked for periods of at least three years. Recidivism and revocation data would then be available for all criminal justice services.*

As discussed above, data is presently not available to calculate recidivism rates for juveniles and adults placed on probation. In the adult system, the Community Justice Assistance Division receives aggregate data from Community Supervision and Corrections Departments on the probationers they serve. The Division's case classification system allows for the collection of individual case data on probationers placed into diversionary programs, however, no mechanism is currently in place to routinely collect and analyze these data. Similarly, the Texas Juvenile Probation Commission receives aggregate data from juvenile probation departments on the juveniles they serve. Case data, where available, can not currently be extracted from the database for collection and analysis.

TJPC is in the process of developing a criminal history database on a sample of juveniles placed on probation. This information will be collected from juvenile probation departments using the Commission's CASEWORKER software. Approximately one-third of the state will be represented on the database. With this database it will be possible to track a cohort of juvenile offenders for a recidivism study. To complete recidivism studies in the future, TJPC should work toward developing a program that will allow them to easily access the information found on the CASEWORKER database and develop a research design to routinely submit data to TYC and to the CCH system of DPS for recidivism studies.

The Community Justice Assistance Division of the Texas Department of Criminal Justice should also work toward implementing a research design for tracking adult probationers. In the long term, the Corrections Tracking System of the Department should provide a statewide database of adult probationers that can be used for follow-up studies in conjunction with the enhanced CCH system of DPS. In the short-term, however, CJAD is unable to track offenders placed on regular probation. Some tracking is possible for offenders placed in diversionary programs if the local probation departments submit case classification information.

Using available information, the Community Justice Assistance Division should develop a research design to calculate recidivism rates for all probationers. A statewide sample of case information for regular probation intakes and terminations gathered in July 1987 may be used for a study of the recidivism patterns of regular probationers. Case classification information for probation diversionary programs may also be used to provide the necessary information for CJAD special programs.

## VI. Conclusion

The recommendations made in this report should result in the standardization of the calculation of recidivism and revocation rates by all state criminal justice agencies involved in these types of studies. This standardization is critical to provide a uniform frame of reference for policy makers to evaluate criminal justice services. The Criminal Justice Policy Council will continue to coordinate a comprehensive and cohesive approach to the collection and analysis of the necessary data for calculating recidivism and revocation rates. Moreover, it is recommended that the Policy Council compile available recidivism and revocation information in a biennial report.

# APPENDIX I

The rate of recidivism may be calculated using different methodologies. The recommended calculation, and therefore the most widely used, involves finding the proportion of all offenders placed under supervision who "fail" within a specified follow-up period (Hoffman and Stone-Meierhoefer, 1980; Maltz, 1984).

1. $$\frac{\text{The number of offenders placed under community supervision or released from custody during time period (x) with unfavorable outcome (y) within (z) number of months}}{\text{Number of offenders placed under community supervision or released from custody during time period (x)}}$$

Other methodologies involve the use of the prison population or selected segments of the criminal justice population under supervision to derive the recidivism rate. These formulas are:

2. $$\frac{\text{Number of persons in prison with previous negative outcome}}{\text{Number of persons in prison}}$$

3. $$\frac{\text{Number of persons with a negative outcome (y) during time period (x)}}{\text{Number of person placed under supervision during time period (x)}}$$

4. $$\frac{\text{Number of person with a negative outcome(y) during time period (x)}}{\text{Average number of persons under supervision during time period (x)}}$$

The problems associated with formulas two through four stem from differences in the groups of offenders compared, a lack of uniformity in follow up periods, a loss of information for the complete group of releasees and the inability to assure continuity in sentencing practices and policies. These formulas cannot truly assess the rate of recidivism (Hoffman and Stone-Meierhoefer, 1980).

The literature reviewed indicates that the most appropriate formula for determining the rate of recidivism is the formula which considers the same group of offenders throughout a specified follow-up period (formula #1).

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