



## Re-Incarceration and Re-Arrest Rates of VADOC FY2017 State Responsible Releases

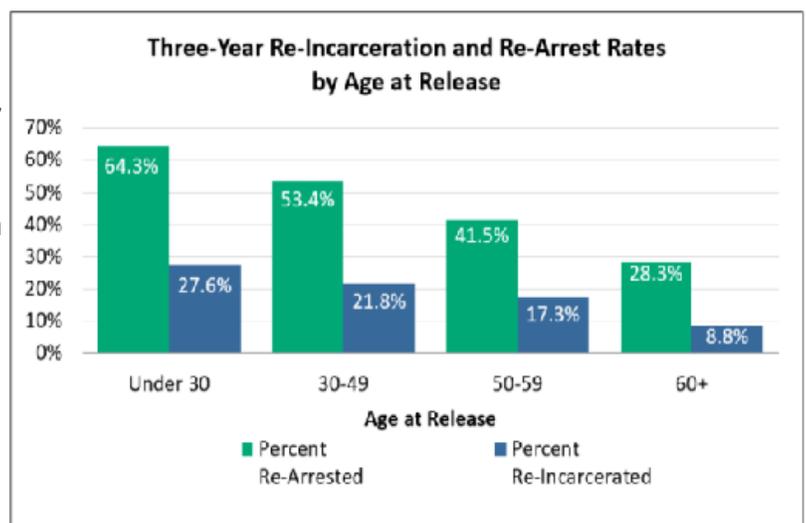
The Virginia Department of Corrections (VADOC) studies and tracks recidivism to obtain information on the success of inmates re-entering society once released from state responsible (SR) incarceration. For an inmate's incarceration to be classified as SR, they must be convicted of a felony in Virginia with a sentence of one year or more or a parole violation with a sentence of two years or more. A re-arrest<sup>1</sup> encompasses any arrest reported in the Virginia State Police (VSP) criminal history database for a felony or misdemeanor offense, including supervision violations, that occurs within three years of release. Re-incarceration, by definition, is any SR re-incarceration within three years of release, including any incarceration for an offense committed prior to release, and technical violations. Re-incarceration is the official recidivism measure of the VADOC. Re-arrest rates will always be higher than re-incarceration rates as arrests are not always indicative of criminal behavior and do not always lead to convictions or SR incarcerations. Understanding factors that impact re-arrest and re-incarceration is crucial for following VADOC's mission of "helping people to be better."

Among the 42 states that report the re-incarceration of inmates with an SR sentence within three years of their release, Virginia's re-incarceration rate was among the lowest at 22.3% for FY2017 SR releases, second only to South Carolina's at 21.0%<sup>2</sup>. Although 53.7% of released inmates were re-arrested within three years, only 22.3% were re-incarcerated within that same time period. This report contrasts the characteristics of FY2017 SR releases who recidivated to those who did not recidivate.

Between the FY2016 and FY2017 SR releases, there was a 1.6% decrease in re-incarceration rates. Similarly, there was a 0.5% decrease in re-arrest rates when comparing the re-arrest rates of FY2016 to FY2017 SR releases.

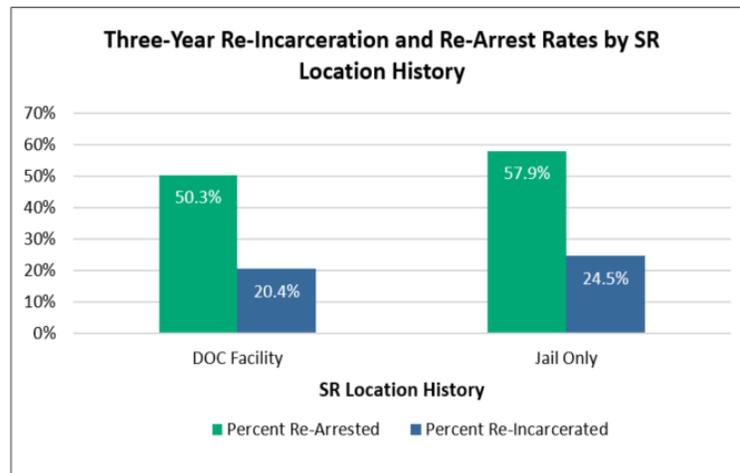
### Gender and Age

Demographic characteristics, such as gender and age have shown to be predictive factors of recidivism. Aligned with previous research, males and younger inmates had higher re-arrest and re-incarceration rates. Males had a re-incarceration rate almost 7% higher than females (23.2% and 16.3%, respectively). Males also had a higher re-arrest rate than females (54.4% and 50.0%, respectively; see Appendix A). Released inmates under 30 years of age had a 27.6% re-incarceration rate compared to 8.8% for those aged 60 and up. Furthermore, younger inmates had higher re-arrest rates than older inmates.



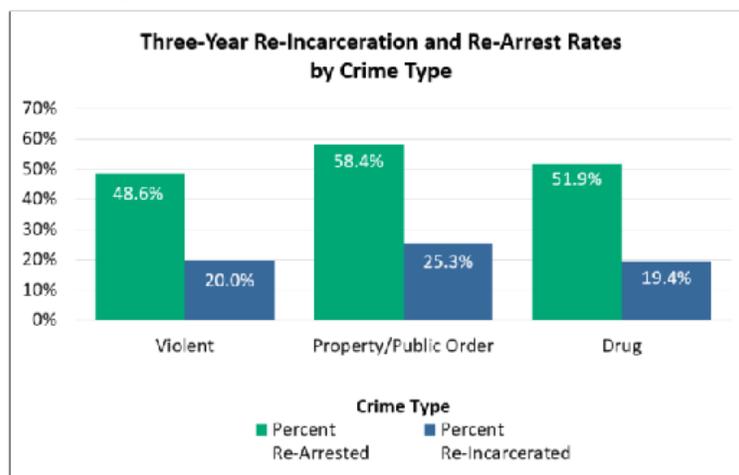
## Criminal History and SR Location History

Criminal history and SR location history are known predictive factors for recidivating. Inmates with a greater number of prior SR incarcerations showed higher re-incarceration rates than those who were released after their first SR incarceration. There was a similar trend in re-arrest rates that increased with increasing history of SR incarceration across zero to two previous SR incarceration terms, becoming somewhat stable from two to four SR terms, and then increasing with four to five or more previous SR terms (See Appendix A). Inmates who spent their entire SR term in a jail had higher re-arrest and re-incarceration rates (57.9% and 24.5%, respectively) than those who spent at least part of their SR incarceration in a VADOC facility (50.3% and 20.4%, respectively).



## Crime Type

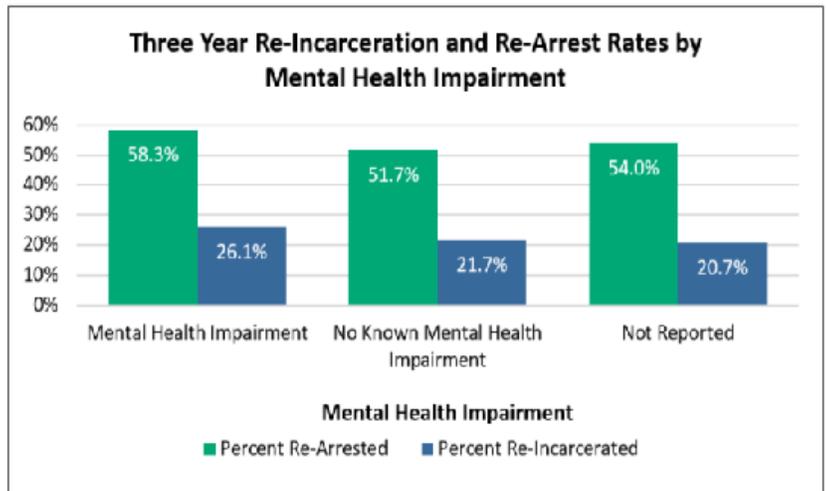
Crime type is a known predictive factor for recidivating. Inmates whose crime type of their most serious offense was property/public order had higher re-arrest and re-incarceration rates (58.4% and 25.3%, respectively) than those with drug (51.9% and 19.4%, respectively) or violent (48.6% and 20.0%, respectively) crime types. A higher percentage of released inmates had a property/public order crime type (45.0%) compared to violent (32.1%) or drug (22.9%) crime types. Inmates with a most serious offense of burglary/breaking and entering (B&E) or larceny/fraud had the highest re-arrest rates (64.6% and 60.2%, respectively). Inmates with a most serious offense of burglary/B&E or other non-violent<sup>3</sup> offenses had the highest re-incarceration rates (30.1% and 29.2%, respectively).



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VADOC Research-Evaluation Unit, February 2022

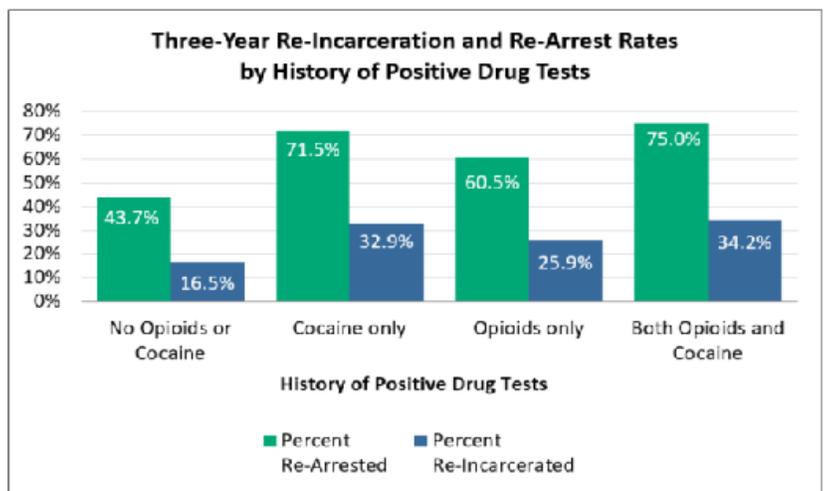
## Mental Health Impairment

Additional factors, such as mental health impairment, are associated with recidivism. Inmates with no known mental health impairment have lower re-arrest and re-incarceration rates (51.7% and 21.7%, respectively) than those with a known mental health impairment (58.3% and 26.1%, respectively).



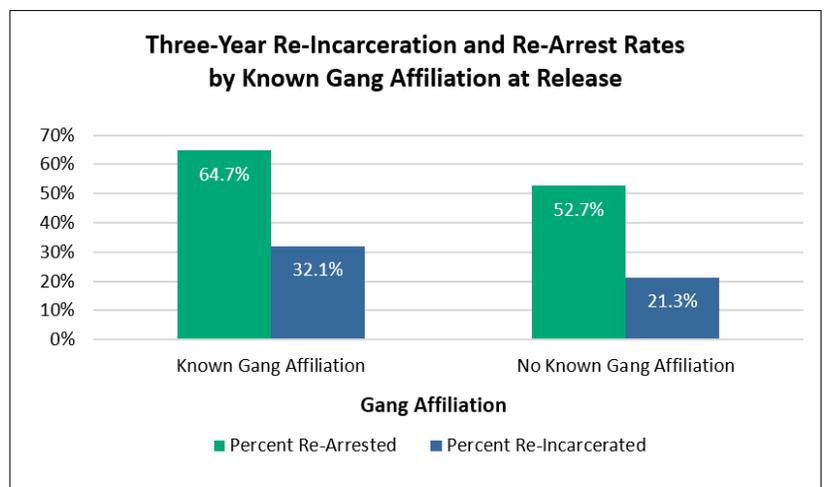
## History of Positive Drug Tests

Inmates with a history of testing positive for both opioids and cocaine had a re-incarceration rate more than 17% higher than those with no history of testing positive for opioids or cocaine. Inmates with no history of testing positive for opioids or cocaine had a re-arrest rate of 43.7%, much lower than those with a history of testing positive for only cocaine (71.5%), only opioids (60.5%), or both (75.0%). Inmates with no history of either have a lower re-arrest (43.7%) and re-incarceration rate (16.5%) than the overall cohort (53.7% and 22.3%, respectively).



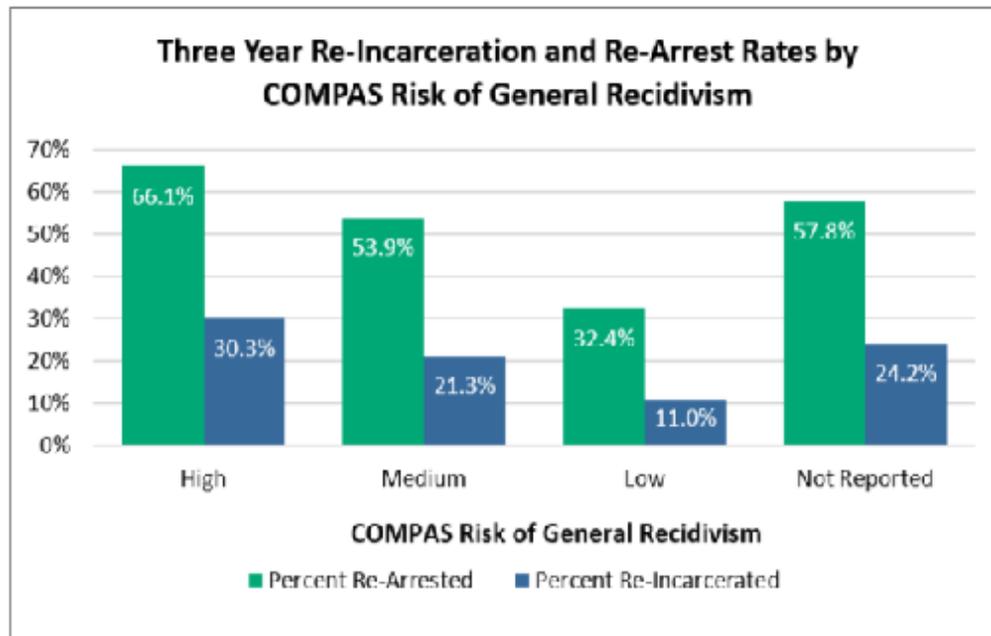
## History of Gang Affiliation

Inmates with a known gang affiliation at release had higher re-arrest and re-incarceration rates than inmates with no known gang affiliation. Inmates with a known gang affiliation had a re-arrest rate of 64.7% compared to 52.7% of inmates with no known affiliation, a difference of more than 10%. Similarly, the re-incarceration rate of inmates with at least one known gang affiliation was 32.1% compared to 21.3% for inmates with no known gang affiliation.



## COMPAS Risk/Needs

VADOC uses the COMPAS Risk & Needs Assessment to determine an inmate’s risk of recidivism and criminogenic needs. Inmates who scored higher on the risk of general and violent recidivism scales showed higher re-arrest and re-incarceration rates than those who scored lower. More specifically, inmates who scored as “High” risk on the risk of general and violent recidivism scales had higher rates of both re-arrest (66.1% and 69.5%, respectively) and re-incarceration (30.3% and 32.8%, respectively) than inmates who scored as “Medium” or “Low” risk. Inmates who scored “Highly Probable” on the substance abuse needs scale had higher rates of re-arrest and re-incarceration (54.8% and 24.3%, respectively) than those who scored “Probable” (49.9% and 18.6%, respectively) or “Unlikely” (42.3% and 15.4%, respectively).



## Summary

Recidivism among SR releases can vary with factors such as gender, age, drug use history, and crime type. But those characteristics don’t capture the full picture. Specific factors associated with a higher likelihood of recidivism include gang affiliation, mental health impairment, criminal history, SR location history, positive drug test history, and COMPAS risk (general and violent) and needs (substance abuse). The tables in Appendix A outline all analyzed factors in greater detail with the overall count of individuals included in each category, as well as both re-arrest and re-incarceration rates.

### Footnotes:

<sup>1</sup> Arrest Records come from the Virginia State Police (VSP) and are matched to data in VirginiaCORIS based on key identifiers. As of July 2021, only arrests and convictions mandated to be reported to the Central Criminal Records Exchange (CCRE) are included in the VSP data, per 2021’s House Bill 2113. This resulted in all follow-up periods seeing a reduction in re-arrest rates.

<sup>2</sup> VADOC Research-Evaluation Unit (2022), State Recidivism Comparison Report.

<sup>3</sup> Most Serious Offense Category "Other Non-Violent Offenses" has fewer than 30 released inmates.

# APPENDIX A

3 Year Re-Incarceration and Re-Arrest <sup>+</sup> Rates of FY2017 SR Releases				
		N	Percent Re-Incarcerated	Percent Re-Arrested <sup>+</sup>
<b>All Releases</b>		<b>12,376</b>	<b>22.3%</b>	<b>53.7%</b>
<b>Gender</b>				
	Male	10,642	23.2%	54.4%
	Female	1,734	16.3%	50.0%
<b>Age at Release</b>				
	Under 30	3,391	27.6%	64.3%
	30-49	6,769	21.8%	53.4%
	50-59	1,739	17.3%	41.5%
	60+	477	8.8%	28.3%
<b>Previous SR Incarcerations</b>				
	No previous SR terms	6,582	16.9%	47.3%
	1 previous SR term	2,894	24.9%	58.8%
	2 previous SR terms	1,472	30.2%	63.3%
	3 previous SR terms	731	32.0%	62.2%
	4 previous SR terms	359	34.0%	61.0%
	5 or more previous SR terms	338	35.8%	68.0%
<b>Location History</b>				
	DOC Facility Releases	6,774	20.4%	50.3%
	Jail Only Releases	5,602	24.5%	57.9%
<b>Crime Type</b>				
	Violent	3,969	20.0%	48.6%
	Property/Public Order	5,569	25.3%	58.4%
	Drug	2,838	19.4%	51.9%
<b>Most Serious Offense</b>				
	Capital Murder, Homicide-1st, Homicide-2nd	146	4.8%	23.3%
	Manslaughter	85	9.4%	24.7%
	Abduction	245	18.8%	40.8%
	Rape/Sexual Assault	676	21.0%	35.7%
	Robbery	995	19.8%	53.6%
	Assault	1,467	21.4%	54.8%
	Weapons	355	22.3%	55.2%
	Arson	69	23.2%	46.4%
	Burglary/B&E	1,161	30.1%	64.6%
	Larceny/Fraud	3,391	25.6%	60.2%
	Conspiracy <sup>^</sup>	9	0.0%	33.3%
	Sex Offense	281	23.1%	43.4%
	DUI	315	14.9%	43.5%
	Habitual Offender	319	18.5%	47.6%
	Other Non-Violent <sup>^</sup>	24	29.2%	54.2%
	Drug Sales	1,630	16.7%	48.5%
	Drug Possession	1,208	23.1%	56.5%

<sup>+</sup> Arrest records come from the Virginia State Police (VSP) and are matched to data in VirginiaCORIS based on key identifiers. As of July 2021, only arrests and convictions mandated to be reported to the Central Criminal Records Exchange (CCRE) are included in the VSP data, per 2021's House Bill 2113. This resulted in all follow-up periods seeing a reduction in re-arrest rates.

<sup>^</sup> Most serious offense category with fewer than 30 released inmates.

<b>3 Year Re-Incarceration and Re-Arrest<sup>+</sup> Rates of FY2017 SR Releases</b>				
		<b>N</b>	<b>Percent Re-Incarcerated</b>	<b>Percent Re-Arrested<sup>+</sup></b>
<b>All Releases</b>		<b>12,376</b>	<b>22.3%</b>	<b>53.7%</b>
<b>Mental Health Impairment</b>				
	Mental Health Impairment	2,504	26.1%	58.3%
	No Known Mental Health Impairment	6,082	21.7%	51.7%
	Not Reported	3,790	20.7%	54.0%
<b>History of Positive Drug Tests for Opioids/Cocaine*</b>				
	No Opioids or Cocaine	7,465	16.5%	43.7%
	Cocaine only	1,813	32.9%	71.5%
	Opioids only	1,581	25.9%	60.5%
	Both Opioids and Cocaine	1,517	34.2%	75.0%
<b>COMPAS Risk of General Recidivism**</b>				
	High	2,266	30.3%	66.1%
	Medium	2,254	21.3%	53.9%
	Low	2,381	11.0%	32.4%
	Not Reported	5,475	24.2%	57.8%
<b>COMPAS Risk of Violent Recidivism**</b>				
	High	1,594	32.8%	69.5%
	Medium	2,258	23.8%	56.6%
	Low	3,049	12.0%	36.0%
	Not Reported	5,475	24.2%	57.8%
<b>COMPAS Substance Abuse Needs Scale**</b>				
	Highly Probable	3,504	24.3%	54.8%
	Probable	1,686	18.6%	49.9%
	Unlikely	1,712	15.4%	42.3%
	Not Reported	5,474	24.2%	57.8%
<b>Gang Affiliation at Release</b>				
	Known	1,072	32.1%	64.7%
	No Known	11,304	21.3%	52.7%

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\*History of drug test was examined before or within three years of release (end of three year follow-up for non-recidivists or recidivated date for recidivists).

\*\*The last COMPAS assessment prior to release from this release term. Inmates who spent their entire SR term in jail were included in the 'Not Reported' category.