

# Studying Recidivism

## Introduction

The VADOC studies recidivism to gather information on the success of inmates re-entering society once released from State Responsible (SR) incarceration. SR incarceration requires a Virginia felony conviction with a sentence of one year or more or a parole violation with a sentence of two years or more. Recidivism studies can measure a variety of repeat behaviors for a range of follow-up periods. These measures are limited to known behavior that have been captured in the data. VADOC routinely studies three standard measures of recidivism—re-arrest, re-conviction, and re-incarceration—for time periods ranging from 6 to 36 months. These measures are consistent with other Virginia criminal justice agencies' standard recidivism measures.

### Re-Arrest:

Re-arrest is defined as any arrest reported in the Virginia State Police (VSP) criminal history database for a felony or misdemeanor offense, including supervision violations, within the specified time period after release. Local ordinance violations, such as non-criminal speeding, are not considered re-arrests.

### Re-Conviction:

Re-conviction is defined as a conviction resulting from a re-arrest that occurred within the specified time period. The actual conviction may occur outside the specified follow-up period.

### Re-Incarceration:

Re-incarceration is defined as any SR re-incarceration within the specified time period, including those for crimes committed prior to release and technical violations.

## State Responsible Releases

This report provides information on the recidivism of SR releases. SR releases include all Virginia felons who were sentenced to an incarceration period of one year or more and were released from an SR incarceration.

VADOC only includes SR releases who were at liberty and had the opportunity to recidivate. Those excluded from the analysis include SR releases who died in custody or were transferred to another jurisdiction upon release.

State Responsible Releases		
Release Year	Total Releases	Releases in Study
FY2015	12,490	12,385
FY2016	12,647	12,551
FY2017	12,477	12,376
FY2018*	12,600	12,499
FY2019	12,696	12,601
FY2020	12,775	12,681
FY2021	11,577	11,446

Releases from Community Corrections Alternative Programs (CCAPs) are studied separately. In addition, recidivism measures for those on community supervision are included in a separate report. Recidivism rates may vary slightly from what was reported in previous versions of this report due to data maturity.

\*One release in FY2018 had their record expunged and is no longer considered an SR release.

### Virginia Department of Corrections

Research - Evaluation Unit  
Tama S. Celi • Brittney Via  
Dakota Contois

E-mail: [tama.celi@vadoc.virginia.gov](mailto:tama.celi@vadoc.virginia.gov)

### Public Safety First

[www.vadoc.virginia.gov/general-public/recidivism-studies/](http://www.vadoc.virginia.gov/general-public/recidivism-studies/)

Virginia Department of Corrections

RESEARCH - EVALUATION UNIT

## Recidivism At a Glance

Releases from State  
Responsible  
Incarceration

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# Recidivism at a Glance

## Releases from State Responsible Incarceration

### Re-Arrest\*

The re-arrest rates for the FY2016-FY2020 release cohorts should be compared to the previous release cohorts with discretion. The change in VSP data resulted in all follow-up periods seeing a reduction in re-arrests rates. The highest rates of re-arrests at the 18 month and 24 month follow-up periods occurred with the FY2018 release cohort. The FY2019 release cohort has the highest re-arrest rates at the 6 and 12 month follow-up period but the lowest re-arrest rate at the 24 month follow-up period.

Months since Release	Re-Arrest				
	6	12	18	24	36
FY2015	13.5	27.0	36.9	44.0	53.4
FY2016	13.0	26.8	37.4	44.7	53.7
FY2017	13.3	27.1	37.3	44.8	53.8
FY2018	13.0	27.4	38.1	45.1	52.7
FY2019	13.7	28.4	37.2	43.2	
FY2020	13.3	24.8	34.3		

Re-arrests are reported on VSP criminal history database without delay. Therefore, this measure is immediately available. However, re-arrest is not necessarily indicative of new criminal behavior. Some re-arrests will lead to findings of not guilty or charges being dismissed.

\* Re-arrest and re-conviction information is based on July 2022 Virginia State Police (VSP) criminal history data. 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 House Bill 2113. This change resulted in minor decreases ( $\leq 0.5\%$ ) in the re-arrest and re-conviction rates for the FY2016-FY2018 release cohorts due to some misdemeanor arrests and convictions no longer being recorded in the VSP criminal history data.

### Re-Conviction\*

The re-conviction rates for the FY2016-FY2020 release cohorts should be compared to the FY2015 release cohorts with discretion. The change in VSP data resulted in many follow-up periods seeing a reduction in re-conviction rates. Re-conviction rates were the lowest at the 24 month follow-up period with the FY2017 release cohort. The 6 month re-conviction rate has remained around 10% between the FY2015 to FY2020 release cohorts. The FY2020 release cohort has the lowest re-conviction rate at the 12 month follow up.

Months since Release	Re-Conviction				
	6	12	18	24	36
FY2015	10.3	21.7	30.5	37.1	46.0
FY2016	9.7	21.4	30.9	37.6	46.1
FY2017	9.8	21.5	30.4	36.9	45.6
FY2018	9.8	22.0	31.4	37.6	
FY2019	10.4	22.2	29.6		
FY2020	9.7	18.2			

Differences in re-conviction rates may be the result of court delays due to COVID-19. Re-convictions are recorded at the conclusion of court proceedings and merged into the VSP database. Because of this processing time lag, the measure is not immediately reportable. However, this measure is indicative of new criminal behavior because the charge is adjudicated in a court of law. The re-conviction rates reported in the table above only consider convictions for offenses that occurred after an inmate's release date.

### Re-Incarceration

Re-incarceration rates have fluctuated among the past several release year cohorts. Between the FY2015 and FY2016 release cohorts, the 3-year re-incarceration rate increased by 0.8% to 23.9%, but then decreased by 1.6% to 22.3% in the FY2017 release cohort. By the FY2018 release cohort, the 3-year re-incarceration rate decreased again, by 1.7% to 20.6%. Other follow-up time periods have seen similar patterns in their rates as well. The FY2019 cohort has the lowest re-incarceration rate at the 18 follow-up period. The FY2020 cohort has the lowest re-incarceration rate at the 12 month follow-up period.

Months since Release	Re-Incarceration				
	6	12	18	24	36
FY2015	1.5	4.9	9.9	15.0	23.1
FY2016	1.3	5.0	10.1	15.6	23.9
FY2017	1.3	4.9	9.8	14.5	22.3
FY2018	1.2	4.6	9.7	14.5	20.6
FY2019	1.2	4.4	8.1		
FY2020	1.3	3.5			

Re-incarceration rates are lower during follow-up years impacted by COVID-19 due to court closures and sentencing delays. VADOC waits at least four years to calculate the 3-year re-incarceration rate of SR releases in order to allow all court information to be received and entered into VirginiaCORIS (VADOC's inmate management system). This measure reflects criminal behavior which impacts VADOC bed space needs.