



Corrections and Community Supervision

2018 Releases from Custody Three Year Post-Release Follow-Up

2018 Releases from Custody: Three Year Post Release Follow-up

Return-to-custody data are presented for incarcerated individuals released from the New York State Department of Corrections and Community Supervision (DOCCS) in 2018. This includes individuals who were released from parole program facilities¹ as well as those released from correctional facilities.

Return rates are based on a three-year follow-up period and are analyzed relative to several demographic and legal history characteristics. Return rates among the 2018 release cohort are compared to those found for an aggregated release cohort covering 1985 to 2018.

Because the 2018 release cohort was followed for three years following release, the follow-up period included 2020 and 2021. For several months during this period, due to the COVID-19 pandemic, intake to the Department was suspended. This is part of the reason for the decline in return rates among this release cohort.

¹ These alternative treatment program facilities include the Drug Treatment program at Willard (and other locations) and the Edgecombe Residential Treatment facility. Parole violators began participating in a 90-day alternative drug treatment program at Willard in November 2007 and in a separate 30-day alternative drug treatment program at Edgecombe in December 2008 (which was later extended to a 45-day program in April 2010). Incarcerated releasees can be housed in these facilities, but are excluded in this report.

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EXECUTIVE SUMMARY

Return Rates. Among the 20,921 releases in 2018, there were 6,613 (32%) individuals who returned to DOCCS' custody within three years, including 6% recommitted with new felony convictions and 26% returned for violating the conditions of their release. Since the 1996 cohort, the total return rate had been fairly stable at approximately 40%, with increasing violation rates and decreasing new conviction rates. There has been a marked decrease in the overall return rate beginning with the 2017 release cohort and the 2018 releases had the lowest return rate since DOCCS began tracking this information in 1985 (see **Table 2.1**, p. 4 and **Figure 2.1**, p. 5).

Release Type. Individuals released by a decision of the Board of Parole returned at a higher rate (40%) than those released at their conditional release dates (27%). Individuals released at the maximum expiration of their sentence, who can only return for a new felony conviction because they are not subject to supervision upon release, had a return rate of 13% (see **Table 2.1**, p. 4).

Warrant Type. Among those individuals returned for violating the conditions of their release, 41% had been issued Absconder warrants, 32% had been issued Technical warrants, and 28% had been issued New Arrest warrants (see **Table 2.2**, p. 6).

Time to Return. Of the 6,613 individuals returned to custody, ninety-one percent returned within the first 24 months after their release (see **Table 3**, p. 7). Overall, the median time to return was 10 months. The median time to return was 16 months for new commitments and 8 months for those who violated the conditions of their release. The overall median time to return has decreased since 1985 releases (see **Figure 3**, p. 8).

Sex. Females had a much lower rate of return (25%) than males (32%). The difference in female and male return rates was evident for both new convictions (3% vs. 6%) and returns for violating the conditions of parole supervision (22% vs. 26%) (see **Table 4**, p. 9 and **Figures 4.1** and **4.2**, p. 10).

Release Crime. The return rate of VFOs was 33% and the return rate of Property and Other offenders was 34%. Individual crimes with the highest return rates included for Other VFO Sex Offenses (51%), Arson 1st and 2nd (49%), Other Violent Felony (47%), Burglary 2nd (44%), and Burglary 3rd (43%). Individual crimes with the lowest return rates included Murder (8%), Manslaughter 1st (12%), and Other Homicide (14%) (see **Table 5**, p. 12).

Readmission Crime. Thirty-two percent of the 2018 releases who returned within three years for new felony convictions were convicted of property or other offenses, 27% were returned for violent felony offenses, 26% were returned for drug offenses, and 15% were returned for other coercive offenses. (see **Table 6.1**, p. 17).

Age. Younger individuals returned to DOCCS' custody at a higher rate than older individuals. Forty percent of the individuals released in 2018 who were under 21 years old returned, while 31% of the individuals 21 years of age or older returned (see **Table 7.1**, p. 21).

Criminal History. The return rate increased as the number of prior felony convictions generally increased. Among the 2018 releases, 28% of individuals with no prior conviction returned within three years, while 34% of the releases with four or more prior felony convictions returned (see **Table 9.2**, p. 26).

First vs. Previous Releases. Individuals who had no prior releases on their sentence were less likely to return (25%) than individuals previously released and returned (43%) (see **Table 10**, p. 27).

Region. Among the 2018 releases, individuals committed from Upstate Urban counties were more likely to return (42%) than individuals from other Upstate counties in New York State (37%), Suburban New York City (30%), or New York City (21%) (see **Table 11**, p. 29).

Veterans. Among the 2018 releases, individuals identified as verified veterans returned to prison at lower rates (25%) than nonveterans (32%) (see **Table 12**, p. 31).

Time Served. Among the 2018 releases, those who served 12-17 months had the highest return rates (37%), while those with total time served of 240 or more months had the lowest return rates (8%) (see **Table 13**, p. 32).

COMPAS Supervision Level. Return rates varied for individuals released to Community Supervision and supervised at different supervision levels. Those most intensively supervised, at Level 1, had the highest return rate (46%), followed by those supervised at Level 2 (45%), Level 3 (30%), and Level 4 (14%) (see **Table 14**, p. 33).

SECTION ONE: RELEASES AND RETURNS

The following report presents return-to-custody information on a cohort of incarcerated individuals released from facilities of the New York State Department of Corrections and Community Supervision (DOCCS) in 2018.² Each individual was followed for three years after release. Return-to-custody data for the 2018 cohort is compared with earlier annual cohorts, beginning with 1985, as well as a cumulative cohort covering 1985-2018 releases. The return rates by several demographic and legal history variables are assessed. Finally, a partial follow-up analysis is presented for 2019 and 2020 releases.

Description of the Release Cohorts

There are several types of releases from DOCCS' facilities. For example, individuals may be temporarily released to a mental health facility, non-citizen individuals may be deported, individuals may be paroled or they may complete their sentence. As in past reports, this follow-up study includes only the sanctioned release or discharge of an individual to the community due to:

- a) the expiration of a sentence with no requirement of supervision in the community;
- b) the individual's release by authority of the Board of Parole;
- c) the individual's conditional release, which is required by statute after the incarcerated individual has served his or her maximum or determinate sentence less any earned good time credits.

The release that triggers inclusion in the follow-up is not necessarily the first time the individual was released from DOCCS' custody while serving the current sentence. The 2018 cohort includes some individuals who were released to parole supervision prior to 2018, but who then returned to DOCCS as parole violators before their re-release during 2018.³

Returns to New York State DOCCS' Custody

Although there are many ways to measure recidivism (e.g., re-arrest, re-conviction, and re-incarceration), this study defines recidivism as a return to DOCCS' custody for reasons other than participating in a specified program for incarcerated parolees. Once individuals are given a sanctioned release to the community, there are two ways that they can be readmitted to DOCCS' custody. A *New Court Commitment* returns to DOCCS' custody after receiving a new felony conviction and a new sentence. A *Returned Parole Violator* (RPV) is returned to DOCCS' custody to continue serving time

² Incarcerated parolee releases are excluded from this analysis.

³ 1,661 of these re-released offenders had previously returned to custody to participate in an alternative treatment program, either the 90-day program at the Drug Treatment program at Willard or an alternate location or the 45-day program at Edgecombe. These returned parole violators had been given a time assessment by an Administrative Law Judge, but served a shorter amount of time (90 or 45 days) and were re-released after successfully completing the program to which they were assigned.

on a remaining sentence after having violated the conditions of supervision.⁴ The type of behavior for which an individual can be returned to custody as an RPV includes: absconding from supervision, being arrested, and/or violating the conditions of parole supervision in an important respect.⁵

Return data presented in this report reflects an individual’s first return to custody within three years of their release. Return rates are related to release type; parolees and conditional releases remain under community supervision until the maximum expiration of their incarceration and post-release supervision sentences and therefore may be returned to DOCCS’ custody for violating the conditions of parole supervision as well as for a new felony conviction. Individuals who complete their maximum sentence, however, are not under parole supervision after their release, and can only return for committing a new felony offense.

The 2018 Release Cohort

**Table 1
2018 Releases: Returns to Custody by Type of Release**

RELEASE TYPE	TOTAL RELEASES		RETURNS		NO RETURN	
			#	%	#	%
TOTAL	20,921	100.0%	6,613	31.6%	14,308	68.4%
PAROLE ⁶	9,804	46.9%	3,889	39.7%	5,915	60.3%
CONDITIONAL RELEASE	9,173	43.8%	2,473	27.0%	6,700	73.0%
MAXIMUM EXPIRATION	1,944	9.3%	251	12.9%	1,693	87.1%

Previous versions of this annual report have included appendices which presented trends in rates of return among the annual historical release cohorts. While they have been removed from this version of the annual report, historical appendices can be found for the 1985 through 2015 release cohorts in 2015 Releases from Custody, Three Year Post-Release Follow-Up.⁷

⁴ New York currently has a mixed sentencing structure. Over half of the 2018 releases followed for this report (57%) were sentenced under New York’s determinate sentencing policy, serving 6/7 of the sentence and then serving imposed post-release community supervision. Individuals who received indeterminate sentencing serve some portion of their sentence in prison and then remain under parole supervision until the maximum expiration of their sentence. For more detail, see Article 70, Sentences of Imprisonment, New York State Penal Law.

⁵ For additional information on warrant type associated with returns to custody, please see Table 2.2 in *Section Two*.

⁶ Besides individuals who were first released by decision of the Board of Parole after serving their minimum sentence, included in these releases are individuals who were re-released back to Community Supervision after participating in an alternative drug treatment program as a returned parole violator as well as parole violators re-released to post-release supervision whose release date was determined by an Administrative Law Judge.

⁷ The report is available at https://doccs.ny.gov/system/files/documents/2021/11/2015-releases_three-year-post-release-follow-up_final_20211117.pdf

**SECTION TWO:
RETURN RATES BY RELEASE TYPE AND READMISSION TYPE**

Table 2.1 presents return rates by readmission type for the 2018 releases and for the cumulative release cohort of 1985-2018 releases. Within three years of release, 26% of the 2018 releases were returned for violating the conditions of parole supervision and 6% returned with new felony convictions. Individuals can be returned to custody for violating the conditions of parole supervision for a variety of behaviors that result in warrant issuance. In addition to violating the specific conditions of parole supervision in an important respect, which can result in the issuance of a technical warrant, individuals can also be issued a warrant for absconding from supervision or for a new arrest.

The percentage of the cohort released by action of the Board of Parole has decreased over time; among the 2018 releases, 47% were released by the Board, compared to 61% of the combined 1985-2018 cohort.⁸ Among both cohorts, paroled and conditionally released individuals were more likely to be returned for violating the conditions of parole supervision than for new felony convictions. The return rate for violating the conditions of parole supervision was higher among parole releases than among conditional releases. This is because most conditional releases are first releases whereas the majority of parole releases are not⁹, and individuals who had no prior releases on their sentence (first releases) tend to have a lower recidivism rate than those who had prior releases.

⁸ Individuals who received determinate sentencing may be first-released on CR date or ME date. Since determinate sentencing was introduced for second violent felony offenders in 1995, first violent felony offenders in 1998, and drug offenders in 2005, the number of conditional releases has increased.

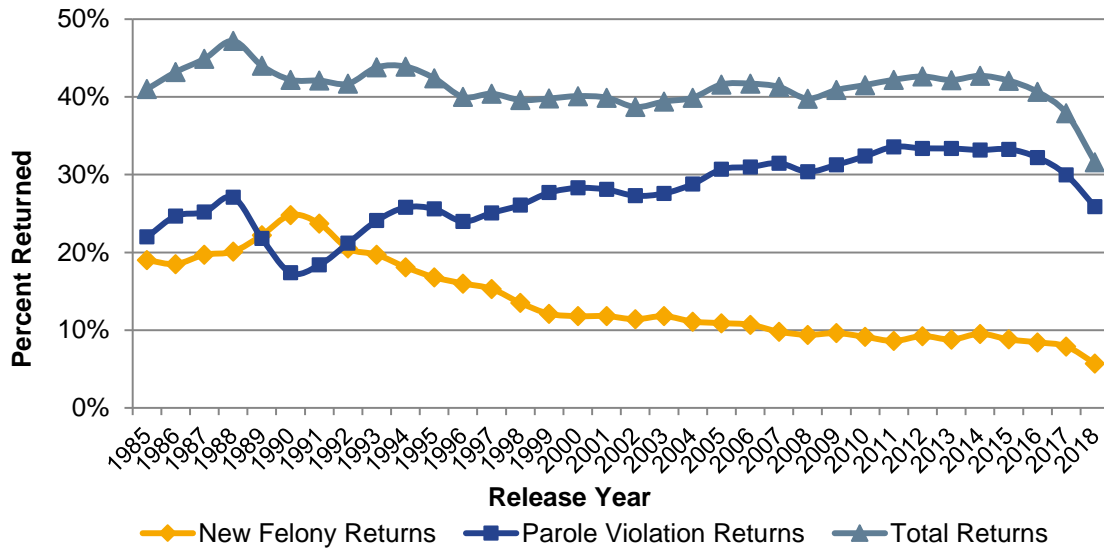
⁹ For the 2018 release cohort, 97% of conditional releases were first releases on the sentence. Among parole releases, only 45% were first releases and 55% had prior releases on their sentence. By restricting the analysis to first releases only, the return rate for violating the conditions of parole supervision was slightly higher among conditional releases (26%) than parole releases (25%). (See *Section Ten* for details).

Table 2.1
Returns for New Felony Offenses and for Violations of Parole:
Releases in 2018 and 1985-2018

RELEASE TYPE AND RELEASE COHORT	TOTAL RELEASED		TOTAL RETURNED	RETURNED: NEW COMMITMENT	RETURNED: PAROLE VIOLATION
	#	%			
2018 RELEASES	20,921	100.0%	6,613	1,198	5,415
% (return/release)	100.0%		31.6%	5.7%	25.9%
PAROLE	9,804	46.9%	3,889	528	3,361
% (return/release)	100.0%		39.7%	5.4%	34.3%
CONDITIONAL RELEASE	9,173	43.8%	2,473	419	2,054
% (return/release)	100.0%		27.0%	4.6%	22.4%
MAXIMUM EXPIRATION	1,944	9.3%	251	251	(Not Applicable)
% (return/release)	100.0%		12.9%	12.9%	
1985-2018 RELEASES	793,254	100.0%	326,678	106,709	219,969
% (return/release)	100.0%		41.2%	13.5%	27.7%
PAROLE	484,610	61.1%	216,041	66,350	149,691
% (return/release)	100.0%		44.6%	13.7%	30.9%
CONDITIONAL RELEASE	246,043	31.0%	96,713	26,435	70,278
% (return/release)	100.0%		39.3%	10.7%	28.6%
MAXIMUM EXPIRATION	62,601	7.9%	13,924	13,924	(Not Applicable)
% (return/release)	100.0%		22.2%	22.2%	

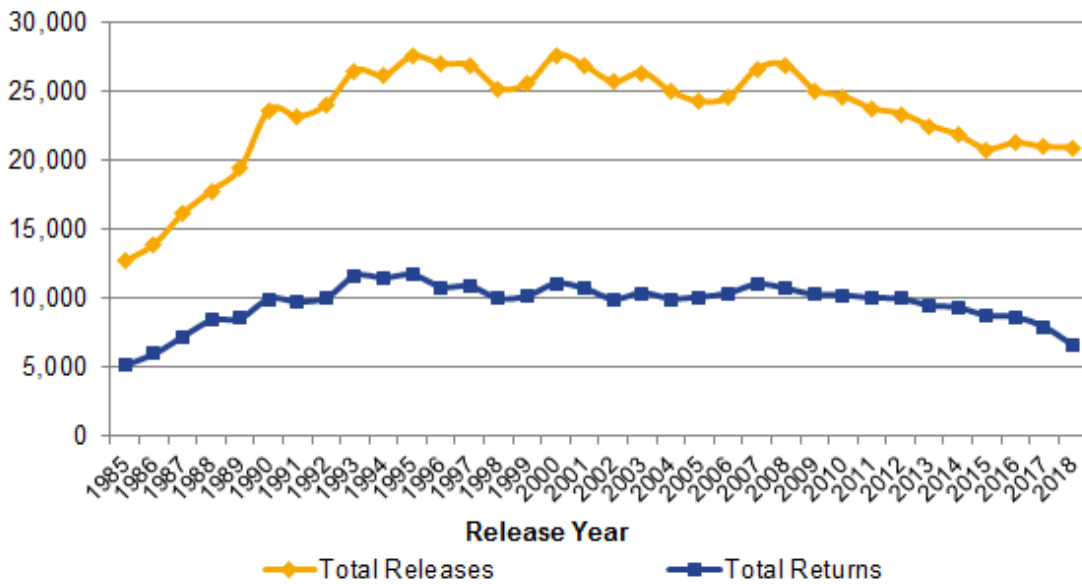
As shown in **Figure 2.1**, since the 1996 cohort, the total return rate had been fairly stable at approximately 40%, with increasing violation rates and decreasing new conviction rates. There has been a marked decrease in the overall return rate beginning with the 2017 release cohort. The total return rate for the 2018 cohort was lower than the rate for the 2017 cohort (32% versus 38%, respectively) and the 2018 releases had the lowest return rate since DOCCS began tracking this information in 1985. Between 1990 and 2016, parole violator return rates generally increased, while new commitment return rates declined. The parole violator return rate of 26% was the lowest rate of return since the 1998 cohort, while the new commitment return rate of 6% among the 2018 releases was the lowest rate of return experienced by a release cohort. Among the 2018 release cohort, returns for violating the conditions of parole supervision accounted for 82% of all initial returns within three years.

Figure 2.1
Three-Year Return Rates by Return Type: 1985-2018



Although the number of returns has decreased since 2008, because the number of releases from DOCCS custody has also decreased during that time period, the rate of return has remained fairly consistent, as shown in **Figure 2.2**.

Figure 2.2
Releases and Three-Year Returns: 1985-2018



The warrant types associated with the return to custody for violating the conditions of parole supervision are presented for the 2018 releases in **Table 2.2**. Absconder warrants were the most frequently issued warrant type among the 2018 releases (41%), followed by Technical warrants (32%), and New Arrest warrants (28%). Males who returned to prison for parole violations were more likely to have been issued an Absconder warrant compared with females (41% and 37%, respectively), while females were more likely than males to be returned to prison subsequent to the issuance of a technical warrant (37% and 31% respectively).

Table 2.2
Warrant Type among Returns for Violations of Parole by Sex:
Releases in 2018

RELEASE COHORT AND WARRANT TYPE	TOTAL RETURNED: PAROLE VIOLATION	SEX	
		MALES	FEMALES
2018 RELEASES	5,395	5,045	350
NEW ARREST	1,509	1,416	93
<i>% (return/release)</i>	<i>28.0%</i>	<i>28.1%</i>	<i>26.6%</i>
ABSCONDER	2,186	2,058	128
<i>% (return/release)</i>	<i>40.5%</i>	<i>40.8%</i>	<i>36.6%</i>
TECHNICAL	1,700	1,571	129
<i>% (return/release)</i>	<i>31.5%</i>	<i>31.1%</i>	<i>36.9%</i>

Note: Warrant Type is unavailable for 20 of the cases released in 2018.

SECTION THREE: TIME TO RETURN

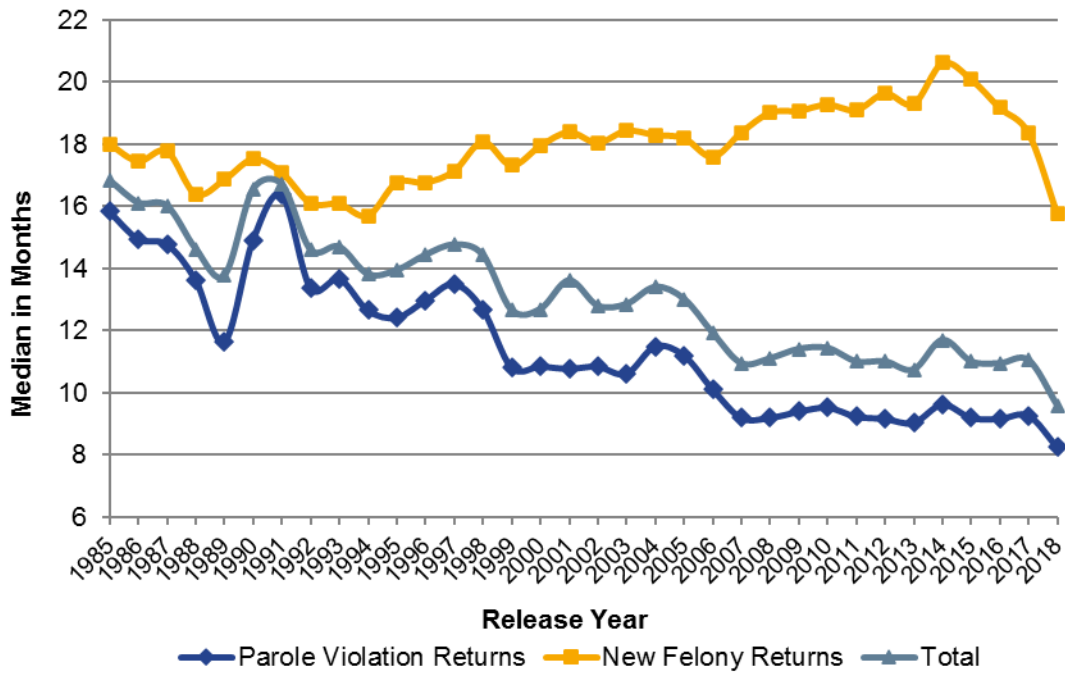
Table 3 presents the number of months from release to readmission for the 2018 releases that returned to DOCCS' custody. The median time-to-return for the 2018 cohort was 9.6 months. This means 50% of returns to prison occurred within ten months of release. Of all 2018 releases returned to DOCCS' custody within three years, 91% were returned within 24 months of their release. Those who were returned for violating the conditions of their parole supervision returned more quickly (8.3-month median) than releases who returned as new commitments (15.8-month median).

Table 3
Returns to Custody by Time to Return and Type of Return:
Releases in 2018 and 1985-2018

TIME BETWEEN RELEASE AND RETURN	TOTAL RETURNED		RETURNED: NEW COMMITMENT		RETURNED: PAROLE VIOLATION	
	#	%	#	%	#	%
2018 RELEASES						
TOTAL RETURNED	6,613	100.0%	1,198	100.0%	5,415	100.0%
1-6 MONTHS	1,962	29.7%	95	7.9%	1,867	34.5%
7-12 MONTHS	2,127	32.2%	252	21.0%	1,875	34.6%
13-18 MONTHS	1,385	20.9%	370	30.9%	1,015	18.7%
19-24 MONTHS	571	8.6%	209	17.4%	362	6.7%
25-30 MONTHS	265	4.0%	113	9.4%	152	2.8%
31-36 MONTHS	303	4.6%	159	13.3%	144	2.7%
MEDIAN # MONTHS	9.6		15.8		8.3	
1985-2018 RELEASES						
TOTAL RETURNED	326,678	100.0%	106,709	100.0%	219,969	100.0%
1-6 MONTHS	55,831	17.1%	7,279	6.8%	48,552	22.1%
7-12 MONTHS	92,715	28.4%	22,362	21.0%	70,353	32.0%
13-18 MONTHS	71,062	21.8%	25,171	23.6%	45,891	20.9%
19-24 MONTHS	49,275	15.1%	21,113	19.8%	28,162	12.8%
25-30 MONTHS	33,471	10.2%	16,961	15.9%	16,510	7.5%
31-36 MONTHS	24,324	7.4%	13,823	13.0%	10,501	4.8%
MEDIAN # MONTHS	13.2		18.0		11.3	

As shown in **Figure 3**, since 1985, the median time to return dropped substantially. Although the median time to return for new commitments increased from 1985 to 2014, it has decreased significantly since then, to a low of 15.8 months for the 2018 release cohort.

Figure 3
Trends in Time to Return by Type of Return: 1985-2018



SECTION FOUR: RETURN RATES BY SEX

Ninety-three percent of the 2018 releases were males (see **Table 4**). Since females tend to have a shorter length of stay in DOCCS' custody, they are overrepresented in the release cohort compared to an under custody population.¹⁰ Consistent with previous release cohorts, the rate of return for women released in 2018 was lower than the return rate for men (25% compared to 32%). Among the 393 females who returned to DOCCS' custody, 89% (350 of 393) returned for parole violations and 11% (43 of 393) returned for new offenses. For males who returned to DOCCS' custody, 81% (5,065 of 6,220) returned for parole violations and 19% (1,155 of 6,220) returned for new crimes.

Return rates for the 1985-2018 cohort were similar to the 2018 release cohort; females had overall lower return rates than males (29% compared to 42%). For both females and males, the new commitments return rate was higher for the 1985-2018 release cohort than for the 2018 release cohort.

Table 4
Returns to Custody by Sex:
Releases in 2018 and 1985-2018

SEX	TOTAL RELEASED		TOTAL RETURNED		RETURNED: NEW COMMITMENT		RETURNED: PAROLE VIOLATION	
	#	%	#	%	#	%	#	%
2018 RELEASES	20,921	100.0%	6,613	31.6%	1,198	5.7%	5,415	25.9%
MALES	19,355	92.5%	6,220	32.1%	1,155	6.0%	5,065	26.2%
FEMALES	1,566	7.5%	393	25.1%	43	2.7%	350	22.3%
1985-2018 RELEASES	793,254	100.0%	326,678	41.2%	106,709	13.5%	219,969	27.7%
MALES	738,983	93.2%	310,781	42.1%	102,702	13.9%	208,079	28.2%
FEMALES	54,271	6.8%	15,897	29.3%	4,007	7.4%	11,890	21.9%

On the next page, the trends are illustrated graphically.

¹⁰ On December 31, 2018, 95% of the incarcerated individuals under custody were male and 5% were female.

Figure 4.1
Return Rates among Male Releases: 1985-2018

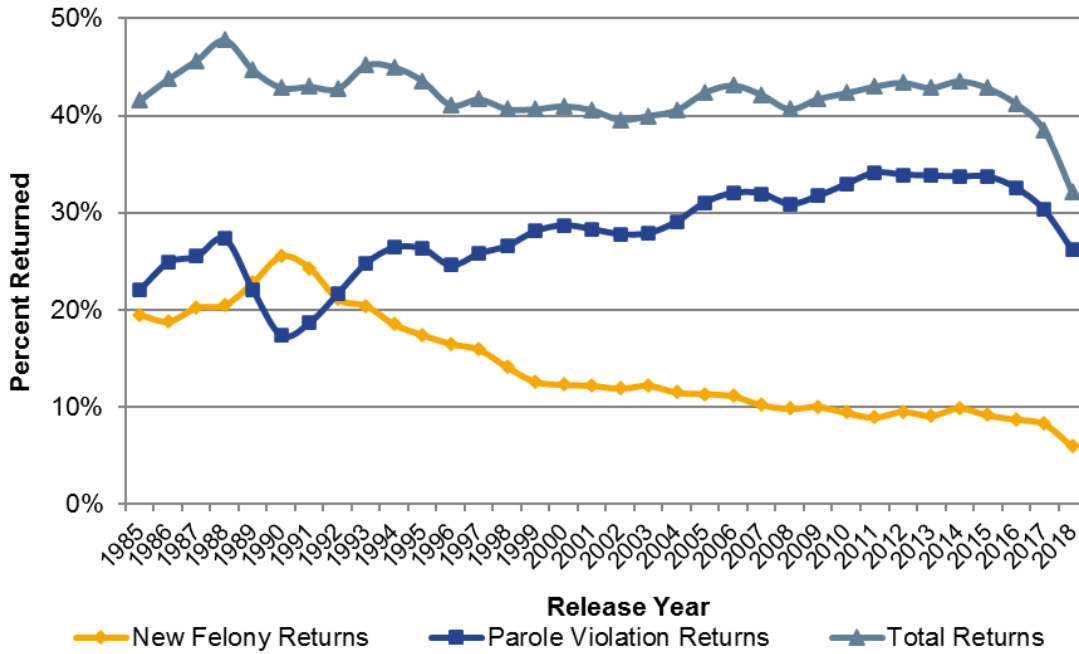
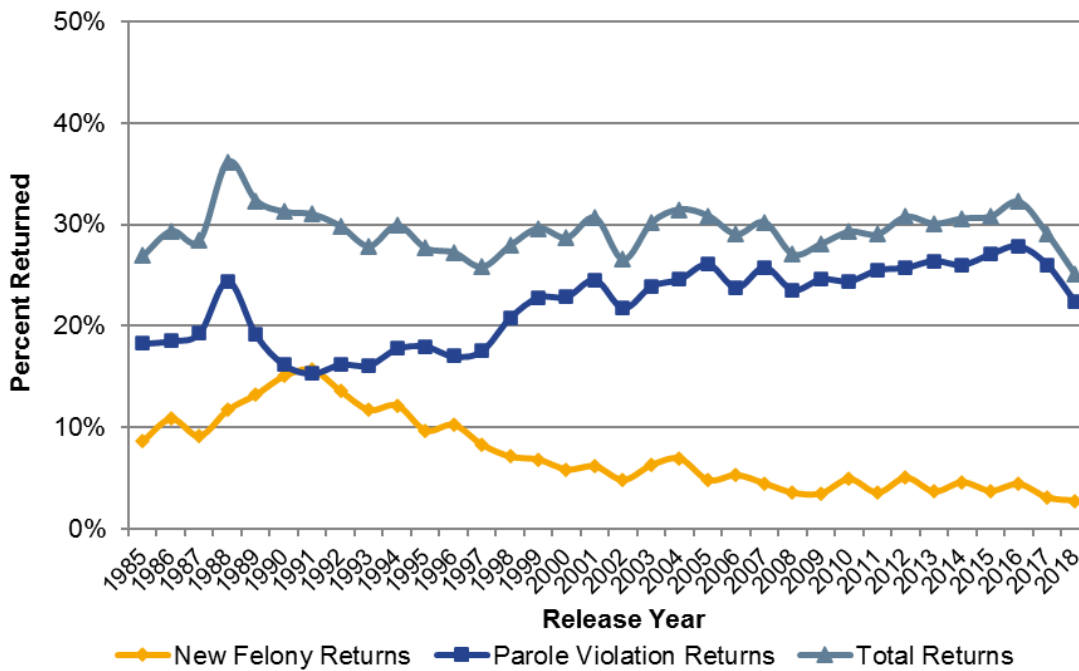


Figure 4.2
Return Rates among Female Releases: 1985-2018



SECTION FIVE: RETURN RATES BY RELEASE CRIME

Table 5 presents data on the most serious commitment crime¹¹ for releases in the 2018 cohort. Crimes are broken out by major crime categories. Violent Felony Offenses (VFOs) include legislatively-designated violent crimes that invoke certain sentencing mandates and Class A crimes. Other violent or coercive crimes are included under the heading Other Coercive Offenses. Additional major categories include Drug Offenses, Property and Other Offenses, and two headings that denote legal status for young people, Youthful Offenders and Juvenile Offenders.¹²

The total return rates were 33% for Violent Felony offenders, 31% for Other Coercive offenders, 25% for Drug offenders, 34% for Property and Other offenders, 36% for Youthful Offenders, and 13% for Juvenile Offenders.

Among individual crime categories, there were marked differences in the rates of return. More specifically, the highest rates of return were observed for Other VFO Sex Offenses (51%), Arson 1st and 2nd (49%), Other Violent Felony (47%), Burglary 2nd (44%), and Burglary 3rd (43%). Individuals least likely to return within three years were convicted of Murder (8%), Manslaughter 1st (12%), and Other Homicide (14%).

¹¹ "Most serious commitment crime" is determined by the crime with the longest maximum sentence.

¹² A "Youthful Offender" (YO) is a 14- to 18-year-old who commits a crime but is given Youthful Offender status at sentencing by the judge. A YO record is not a criminal record and is automatically sealed. A "Juvenile Offender" (JO) is a 13- to 15-year-old who commits a serious felony or other violent act. Convicted Juvenile Offenders can be punished like adults, and their record is not sealed unless the case is sent to Family Court.

Table 5
2018 Releases: Most Serious Crime at Commitment by Return Type

MOST SERIOUS CRIME AT COMMITMENT	TOTAL RELEASED	TOTAL RETURNED		RETURNED: NEW COMMITMENT		RETURNED: PAROLE VIOLATION	
TOTAL	20,921	6,613	31.6%	1,198	5.7%	5,415	25.9%
VIOLENT FELONY	8,337	2,775	33.3%	447	5.4%	2,328	27.9%
MURDER	466	38	8.2%	7	1.5%	31	6.7%
ATTEMPT MURDER	163	27	16.6%	3	1.8%	24	14.7%
MANSLAUGHTER 1ST, AG 2ND	205	24	11.7%	5	2.4%	19	9.3%
RAPE 1ST	264	93	35.2%	6	2.3%	87	33.0%
ROBBERY 1ST	882	288	32.7%	49	5.6%	239	27.1%
ROBBERY 2ND	1,212	472	38.9%	89	7.3%	383	31.6%
ASSAULT 1ST	438	104	23.7%	18	4.1%	86	19.6%
ASSAULT 2ND	666	236	35.4%	37	5.6%	199	29.9%
BURGLARY 1ST	202	63	31.2%	8	4.0%	55	27.2%
BURGLARY 2ND	1,520	672	44.2%	112	7.4%	560	36.8%
ARSON 1ST, 2ND	47	23	48.9%	4	8.5%	19	40.4%
SODOMY 1ST	147	45	30.6%	4	2.7%	41	27.9%
SEXUAL ABUSE 1,2,3	313	93	29.7%	3	1.0%	90	28.8%
WEAPONS OFFENSES	1,534	469	30.6%	96	6.3%	373	24.3%
KIDNAPPING 1ST, 2ND	43	11	25.6%	1	2.3%	10	23.3%
OTHER VFO SEX OFFENSES	175	89	50.9%	2	1.1%	87	49.7%
OTHER VIOLENT FELONY	60	28	46.7%	3	5.0%	25	41.7%
OTHER COERCIVE	2,483	769	31.0%	119	4.8%	650	26.2%
MANSLAUGHTER 2ND	72	13	18.1%	3	4.2%	10	13.9%
OTHER HOMICIDE	56	8	14.3%	1	1.8%	7	12.5%
ROBBERY 3RD	684	256	37.4%	40	5.8%	216	31.6%
ATTEMPT ASSAULT 2ND	314	97	30.9%	14	4.5%	83	26.4%
CONSPIRACY 2,3,4	178	30	16.9%	4	2.2%	26	14.6%
OTHER WEAPONS	506	125	24.7%	35	6.9%	90	17.8%
OTHER SEX OFFENSES	436	172	39.4%	11	2.5%	161	36.9%
OTHER COERCIVE	237	68	28.7%	11	4.6%	57	24.1%
DRUG OFFENSES	4,320	1,097	25.4%	263	6.1%	834	19.3%
PROPERTY AND OTHER OFFENSES	5,128	1,746	34.0%	318	6.2%	1,428	27.8%
BURGLARY 3RD	1,445	616	42.6%	114	7.9%	502	34.7%
GRAND LARCENY	1,104	333	30.2%	68	6.2%	265	24.0%
FORGERY	431	131	30.4%	21	4.9%	110	25.5%
STOLEN PROPERTY	313	117	37.4%	20	6.4%	97	31.0%
DRIVE INTOXICATED	602	117	19.4%	25	4.2%	92	15.3%
CONTEMPT 1ST	284	98	34.5%	18	6.3%	80	28.2%
ALL OTHER FELONIES	949	334	35.2%	52	5.5%	282	29.7%
YOUTHFUL OFFENDER	608	220	36.2%	51	8.4%	169	27.8%
JUVENILE OFFENDER	45	6	13.3%	0	0.0%	6	13.3%

Figure 5.1 presents return rates for selected groupings of crime categories. While individuals with crimes such as burglary, stolen property, and sex offenses had the highest return rates, individuals released after serving time for murder and manslaughter returned at the lowest rates.

Figure 5.1
Return Rates for Selected Crimes: 2018 Releases

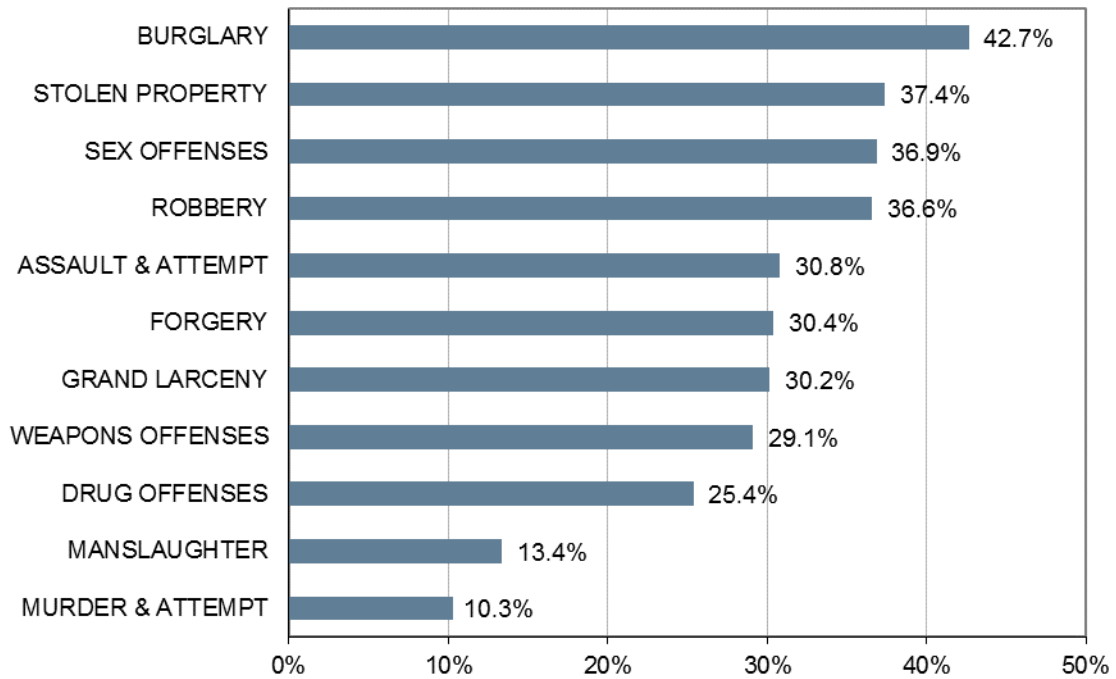
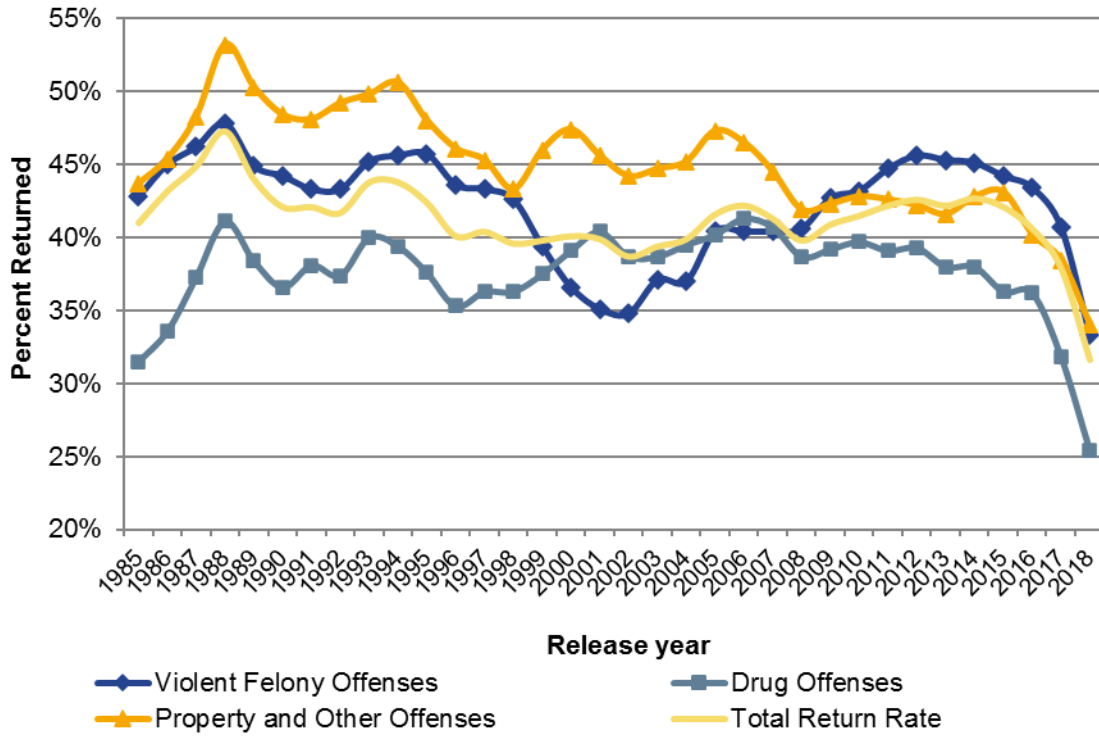


Figure 5.2 shows trends in total return rates of the annual release cohorts between 1985 and 2018, for select major crime categories and overall. Since 2011, the return rate for VFOs has been higher than the return rate for Property and Other offenders.

Figure 5.2
Trends in Return Rates by Select Crime Categories: 1985-2018

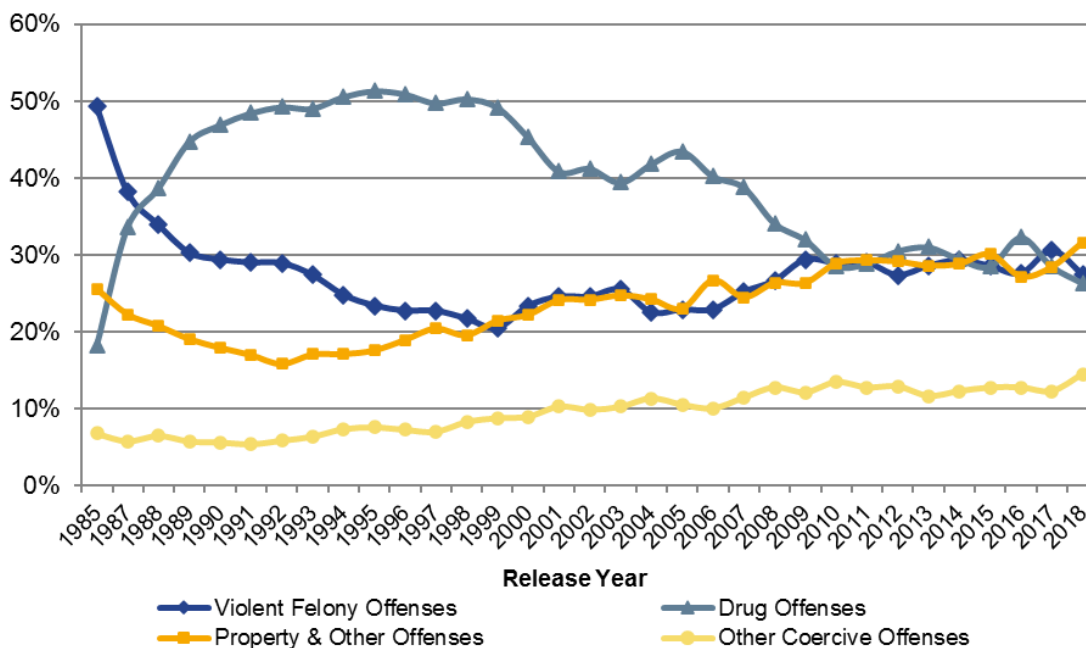


SECTION SIX: READMISSION CRIMES

Among the 20,921 individuals in the 2018 release cohort, 1,198 (6%) were returned to DOCCS' custody within three years of release following conviction for a new felony offense. **Figure 6** and **Table 6.1** present the crimes for which these individuals returned to DOCCS' custody. Thirty-two percent of the 2018 releases who returned within three years for new felony convictions were convicted of property or other offenses, 27% were returned for violent felony offenses, 26% were returned for drug offenses, and 15% were returned for other coercive offenses.

The gap between the proportion of individuals returned for committing drug offenses and the proportion returned for violent offenses narrowed significantly since the mid-1990s. Among 1995 releases, 51% returned for drug offenses and 24% returned for violent offenses. Among 2018 releases, 26% returned for drug offenses and 27% returned for violent offenses. The return rate for committing other coercive offenses remained the lowest among the different crime types. **Table 6.2** shows return crimes by release crimes for the 2018 cohort.

Figure 6
Trends in Return Crime Type, 1985-2018



**Table 6.1
Crime on Return among New Commitments:
Releases in 2018 and 1985-2018**

CRIME ON RETURN	2018 RELEASES RETURNED AS NEW COMMITMENT		1985-2018 RELEASES RETURNED AS NEW COMMITMENT	
	#	%	#	%
TOTAL	1,198	100.0%	106,709	100.0%
VIOLENT FELONY OFFENSES	329	27.5%	29,519	27.7%
MURDER	17	1.4%	897	0.8%
ATTEMPT MURDER	4	0.3%	504	0.5%
MANSLAUGHTER 1ST, AG 2ND	6	0.5%	459	0.4%
RAPE 1ST	6	0.5%	505	0.5%
ROBBERY 1ST	22	1.8%	5,122	4.8%
ROBBERY 2ND	41	3.4%	6,014	5.6%
ASSAULT 1ST	18	1.5%	957	0.9%
ASSAULT 2ND	31	2.6%	1,693	1.6%
BURGLARY 1ST	12	1.0%	693	0.6%
BURGLARY 2ND	61	5.1%	6,722	6.3%
ARSON 1ST, 2ND	1	0.1%	64	0.1%
SODOMY 1ST	4	0.3%	230	0.2%
SEXUAL ABUSE 1,2,3	6	0.5%	452	0.4%
WEAPONS OFFENSES	89	7.4%	4,931	4.6%
KIDNAPPING 1ST, 2ND	1	0.1%	113	0.1%
OTHER VFO SEX OFFENSES	3	0.3%	105	0.1%
OTHER VIOLENT FELONY	7	0.6%	58	<0.1%
OTHER COERCIVE OFFENSES	174	14.5%	9,280	8.7%
MANSLAUGHTER 2ND	2	0.2%	83	0.1%
OTHER HOMICIDE	1	0.1%	42	<0.1%
ROBBERY 3RD	62	5.2%	4,564	4.3%
ATTEMPT ASSAULT 2ND	42	3.5%	1,431	1.3%
CONSPIRACY 2,3,4	5	0.4%	294	0.3%
OTHER WEAPONS	42	3.5%	1,412	1.3%
OTHER SEX OFFENSES	7	0.6%	690	0.6%
OTHER COERCIVE	13	1.1%	764	0.7%
DRUG OFFENSES	316	26.4%	44,318	41.5%
PROPERTY & OTHER OFFENSES	379	31.6%	23,577	22.1%
BURGLARY 3RD	129	10.8%	8,799	8.2%
GRAND LARCENY	66	5.5%	5,752	5.4%
FORGERY	14	1.2%	1,746	1.6%
STOLEN PROPERTY	21	1.8%	3,352	3.1%
DRIVE INTOXICATED	25	2.1%	1,289	1.2%
CONTEMPT 1ST	22	1.8%	464	0.4%
ALL OTHER FELONIES	102	8.5%	2,175	2.0%
YOUTHFUL OFFENDERS	0	0.0%	7	<0.1%
JUVENILE OFFENDERS	0	0.0%	6	<0.1%
DATA NOT AVAILABLE	0	0.0%	2	<0.1%

Table 6.2 (Part I)
2018 Releases Returned as New Felony Commitments by Original Crime and Return Crime

ORIGINAL COMMITMENT CRIME (AT RELEASE)	GRAND TOTAL	CRIME ON RETURN												
		MURDER & ATTEMPT	MANSL 1ST	RAPE 1ST	ROB 1ST & 2ND	ASSAULT 1ST & 2ND	BURG 1ST & 2ND	ARSON 1ST	SODOMY 1ST	SEXUAL ABUSE 1,2,3	WEAPONS OFFENSES	KIDNAP 1ST & 2ND	OTHER VFO SEX OFF	OTHER VIOLENT FELONY
GRAND TOTAL	1,198	21	6	6	63	49	73	1	4	6	89	1	3	7
VIOLENT FELONY	447	13	3	2	27	22	36	0	1	3	42	1	1	2
MURDER & ATTEMPT	10	1	0	0	0	1	0	0	0	0	2	0	0	0
MANSLAUGHTER 1ST	5	0	0	0	0	1	0	0	0	0	2	0	0	0
RAPE 1ST	6	0	0	0	0	1	1	0	0	1	0	0	0	0
ROB 1ST & 2ND	138	2	0	0	14	9	5	0	0	0	4	0	1	0
ASSAULT 1ST & 2ND	55	1	1	1	3	5	1	0	0	0	4	0	0	1
BURG 1ST & 2ND	120	3	1	1	5	2	26	0	1	2	7	0	0	1
ARSON 1ST & 2ND	4	0	0	0	0	0	1	0	0	0	0	0	0	0
SODOMY 1ST	4	0	0	0	0	1	0	0	0	0	0	0	0	0
SEXUAL ABUSE 1,2,3	3	0	0	0	0	0	0	0	0	0	0	1	0	0
WEAPONS OFFENSES	96	6	1	0	4	1	2	0	0	0	23	0	0	0
KIDNAPPING 1ST & 2ND	1	0	0	0	1	0	0	0	0	0	0	0	0	0
OTHER VFO SEX OFF	2	0	0	0	0	0	0	0	0	0	0	0	0	0
OTHER VIOLENT FELONY	3	0	0	0	0	1	0	0	0	0	0	0	0	0
OTHER COERCIVE	119	2	0	0	9	6	6	0	2	1	12	0	0	1
MANSLAUGHTER 2ND	3	0	0	0	0	0	1	0	0	1	0	0	0	0
OTHER HOMICIDE	1	0	0	0	0	0	0	0	0	0	0	0	0	0
ROBBERY 3RD	40	0	0	0	7	4	2	0	1	0	0	0	0	0
ATTEMPTED ASSAULT 2ND	14	1	0	0	0	0	1	0	0	0	0	0	0	1
CONSPIRACY 2,3,4	4	0	0	0	0	0	0	0	0	0	1	0	0	0
OTHER WEAPONS	35	1	0	0	2	1	1	0	1	0	9	0	0	0
OTHER SEX OFFENSES	11	0	0	0	0	1	1	0	0	0	0	0	0	0
OTHER COERCIVE	11	0	0	0	0	0	0	0	0	0	2	0	0	0
DRUG OFFENSES	263	4	2	0	4	9	4	0	0	0	15	0	1	1
PROPERTY AND OTHER OFFENSES	318	2	0	3	17	10	24	1	1	2	7	0	0	3
BURGLARY 3RD	114	2	0	1	6	3	9	1	1	0	2	0	0	2
GRAND LARCENY	68	0	0	1	8	3	5	0	0	0	1	0	0	1
FORGERY	21	0	0	0	0	0	2	0	0	0	0	0	0	0
STOLEN PROPERTY	20	0	0	0	1	0	0	0	0	0	2	0	0	0
DRIVE INTOXICATED	25	0	0	0	1	1	1	0	0	0	0	0	0	0
CONTEMPT 1ST	18	0	0	0	0	0	1	0	0	1	0	0	0	0
ALL OTHER FELONIES	52	0	0	1	1	3	6	0	0	1	2	0	0	0
YOUTHFUL OFFENDER	51	0	1	1	6	2	3	0	0	0	13	0	1	0
JUVENILE OFFENDER	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Table 6.2 (Part II)
2018 Releases Returned as New Felony Commitments by Original Crime and Return Crime

ORIGINAL COMMITMENT CRIME (AT RELEASE)	CRIME ON RETURN															
	MANSL 2ND	OTHER HOMICIDE	ROB 3RD	ATT ASSAULT 2ND	CONSPIR 2,3,4	OTHER WEAPONS	OTHER SEX OFFENSES	OTHER COERCIVE	DRUGS	BURG 3RD	GRAND LARCENY	FORGERY	STOLEN PROPERTY	DWI	CONTEMPT 1ST	ALL OTHER FELONIES
GRAND TOTAL	2	1	62	42	5	42	7	13	316	129	66	14	21	25	22	102
VIOLENT FELONY	1	1	34	23	2	19	4	6	94	38	16	4	7	1	6	38
MURDER & ATTEMPT	0	0	1	0	0	1	1	0	3	0	0	0	0	0	0	0
MANSLAUGHTER 1ST	0	0	0	0	1	0	0	0	1	0	0	0	0	0	0	0
RAPE 1ST	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	2
ROB 1ST & 2ND	0	1	25	10	0	6	1	2	23	14	8	2	1	0	1	9
ASSAULT 1ST & 2ND	0	0	1	7	0	4	1	0	13	2	3	0	0	1	1	5
BURG 1ST & 2ND	1	0	5	2	1	3	0	3	17	22	2	2	3	0	3	7
ARSON 1ST & 2ND	0	0	0	1	0	0	0	0	0	0	1	0	0	0	0	1
SODOMY 1ST	0	0	0	0	0	1	1	0	1	0	0	0	0	0	0	0
SEXUAL ABUSE 1,2,3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
WEAPONS OFFENSES	0	0	2	3	0	4	0	1	34	0	2	0	3	0	1	9
KIDNAPPING 1ST & 2ND	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OTHER VFO SEX OFF	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1
OTHER VIOLENT FELONY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
OTHER COERCIVE	0	0	13	7	0	6	1	1	22	6	3	0	1	1	4	15
MANSLAUGHTER 2ND	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0
OTHER HOMICIDE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
ROBBERY 3RD	0	0	11	3	0	1	0	0	2	5	1	0	0	0	0	3
ATTEMPTED ASSAULT 2ND	0	0	1	1	0	2	0	1	4	0	0	0	0	0	0	2
CONSPIRACY 2,3,4	0	0	0	0	0	0	0	0	3	0	0	0	0	0	0	0
OTHER WEAPONS	0	0	1	3	0	3	0	0	7	1	2	0	1	0	0	2
OTHER SEX OFFENSES	0	0	0	0	0	0	1	0	1	0	0	0	0	1	0	6
OTHER COERCIVE	0	0	0	0	0	0	0	0	4	0	0	0	0	0	4	1
DRUG OFFENSES	1	0	6	1	3	9	1	3	163	11	7	1	1	2	1	13
PROPERTY AND OTHER OFFENSES	0	0	8	8	0	7	1	3	31	71	38	8	9	20	10	34
BURGLARY 3RD	0	0	2	1	0	3	0	2	10	52	6	0	3	3	1	4
GRAND LARCENY	0	0	4	3	0	1	0	1	4	8	20	3	3	0	0	2
FORGERY	0	0	0	2	0	1	0	0	2	1	4	3	2	1	0	3
STOLEN PROPERTY	0	0	0	0	0	0	0	0	2	5	6	0	1	0	1	2
DRIVE INTOXICATED	0	0	1	0	0	1	0	0	4	0	0	0	0	14	1	1
CONTEMPT 1ST	0	0	0	0	0	0	0	0	2	1	0	1	0	0	4	8
ALL OTHER FELONIES	0	0	1	2	0	1	1	0	7	4	2	1	0	2	3	14
YOUTHFUL OFFENDER	0	0	1	3	0	1	0	0	6	3	2	1	3	1	1	2
JUVENILE OFFENDER	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

SECTION SEVEN: RETURN RATES BY AGE AT RELEASE

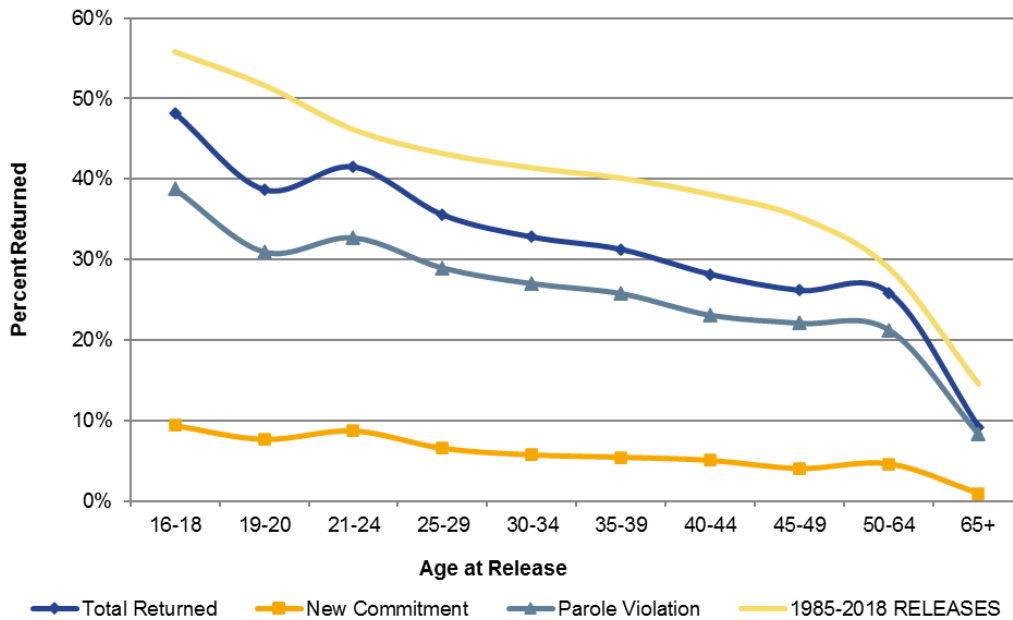
The relationship between return rates and age at time of release is illustrated in **Figure 7** and **Table 7.1**.¹³ Since 1985, the average age of releases increased, from 29 among 1985 releases, to 37 among 2018 releases.

Among 2018 releases, 40% of the individuals who were under 21 when released returned to DOCCS' custody within three years, while 31% of those 21 years old or older returned to DOCCS' custody (see **Table 7.1**). Generally, return rates declined as age at release increased.

The data for the aggregate 1985-2018 cohort shows a steady decline in return rate as the age at release increases.¹⁴

Table 7.2 shows new commitment returns for the 2018 release cohort by age group. Individuals aged 50 or older who returned to prison for committing a new crime were most likely to return for committing non-violent Property and Other crimes (52%). The highest return rate for individuals under age 50 was for Violent Felony Offenses (29%).

Figure 7
2018 Return Rates by Age at Release



¹³ Of the 2018 release cohort, 2% were under age 21. This is comparable to the composition of incarcerated individuals under custody as of December 31, 2018, when 2% of the individuals were under 21.

¹⁴ See Appendix F of the 2015 Releases from Custody Three Year Post-Release Follow-Up for data on historical release cohorts.

**Table 7.1
2018 and 1985-2018 Releases: Returns by Age at Release**

RELEASE TYPE BY COHORT	AGE AT TIME OF RELEASE													Data not Avail.
	TOTAL	TOTAL UNDER 21	TOTAL 21 +	16-18	19-20	21-24	25-29	30-34	35-39	40-44	45-49	50-64	65 and Over	
2018 RELEASES	20,921 100.0%	501 100.0%	20,420 100.0%	85 100.0%	416 100.0%	2,011 100.0%	4,083 100.0%	3,658 100.0%	3,029 100.0%	2,119 100.0%	1,857 100.0%	3,338 100.0%	325 100.0%	0
TOTAL RETURNED	6,613 31.6%	202 40.3%	6,411 31.4%	41 48.2%	161 38.7%	835 41.5%	1,452 35.6%	1,200 32.8%	947 31.3%	597 28.2%	486 26.2%	864 25.9%	30 9.2%	0
RETURNED: NEW COMMITMENT	1,198 5.7%	40 8.0%	1,158 5.7%	8 9.4%	32 7.7%	176 8.8%	268 6.6%	210 5.7%	165 5.4%	107 5.0%	75 4.0%	154 4.6%	3 0.9%	0
RETURNED: PAROLE VIOLATION	5,415 25.9%	162 32.3%	5,253 25.7%	33 38.8%	129 31.0%	659 32.8%	1,184 29.0%	990 27.1%	782 25.8%	490 23.1%	411 22.1%	710 21.3%	27 8.3%	0
1985-2018 RELEASES	793,254 100.0%	44,046 100.0%	749,200 100.0%	9,428 100.0%	34,618 100.0%	119,014 100.0%	164,157 100.0%	147,538 100.0%	118,373 100.0%	85,843 100.0%	56,321 100.0%	53,891 100.0%	4,063 100.0%	8 100.0%
TOTAL RETURNED	326,678 41.2%	23,176 52.6%	303,501 40.5%	5,268 55.9%	17,908 51.7%	54,991 46.2%	70,974 43.2%	61,147 41.4%	47,563 40.2%	32,753 38.2%	19,880 35.3%	15,602 29.0%	591 14.5%	1 12.5%
RETURNED: NEW COMMITMENT	106,709 13.5%	9,104 20.7%	97,605 13.0%	2,043 21.7%	7,061 20.4%	20,962 17.6%	25,787 15.7%	20,216 13.7%	13,956 11.8%	8,472 9.9%	4,646 8.2%	3,441 6.4%	125 3.1%	0 0.0%
RETURNED: PAROLE VIOLATION	219,969 27.7%	14,072 31.9%	205,896 27.5%	3,225 34.2%	10,847 31.3%	34,029 28.6%	45,187 27.5%	40,931 27.7%	33,607 28.4%	24,281 28.3%	15,234 27.0%	12,161 22.6%	466 11.5%	1 12.5%

**Table 7.2
Crime on Return by Release Age Among New Commitments: Releases in 2018**

CRIME ON RETURN	AGE UNDER 50								AGE 50 OR +			TOTAL				
	16-18	19-20	21-24	25-29	30-34	35-39	40-44	45-49	SUBTOTAL	50-64	65 +		SUBTOTAL			
VFO	3	16	66	84	53	39	20	18	299	28.7%	29	1	30	19.1%	329	27.5%
MURDER	0	0	5	2	5	2	1	2	17	1.6%	0	0	0	0.0%	17	1.4%
ATTEMPT MURDER	0	0	2	0	0	1	0	1	4	0.4%	0	0	0	0.0%	4	0.3%
MANSLAUGHTER 1ST, AG 2ND	0	0	1	1	2	1	0	1	6	0.6%	0	0	0	0.0%	6	0.5%
RAPE 1ST	0	0	1	2	1	2	0	0	6	0.6%	0	0	0	0.0%	6	0.5%
ROBBERY 1ST	0	1	3	9	4	3	1	1	22	2.1%	0	0	0	0.0%	22	1.8%
ROBBERY 2ND	1	2	10	8	5	8	1	2	37	3.6%	4	0	4	2.5%	41	3.4%
ASSAULT 1ST	0	2	3	5	4	1	2	1	18	1.7%	0	0	0	0.0%	18	1.5%
ASSAULT 2ND	0	0	6	5	7	6	1	2	27	2.6%	4	0	4	2.5%	31	2.6%
BURGLARY 1ST	0	0	1	5	3	0	1	0	10	1.0%	2	0	2	1.3%	12	1.0%
BURGLARY 2ND	1	2	7	13	7	6	7	5	48	4.6%	13	0	13	8.3%	61	5.1%
ARSON 1ST, 2ND	0	0	0	1	0	0	0	0	1	0.3%	0	0	0	0.0%	1	0.2%
SODOMY 1ST	0	0	1	0	2	0	1	0	4	0.3%	0	0	0	0.0%	4	0.2%
SEXUAL ABUSE 1,2,3	0	0	1	1	1	1	0	0	4	0.4%	1	1	2	1.3%	6	0.5%
WEAPONS OFFENSES	1	9	24	29	11	8	3	1	86	8.3%	3	0	3	1.9%	89	7.4%
KIDNAPPING 1ST, 2ND	0	0	0	0	1	0	0	0	1	0.1%	0	0	0	0.0%	1	0.1%
OTHER VFO SEX OFFENSES	0	0	1	1	0	0	0	1	3	0.3%	0	0	0	0.0%	3	0.3%
OTHER VIOLENT FELONY	0	0	0	2	0	0	2	1	5	0.5%	2	0	2	1.3%	7	0.3%
OTHER COERCIVE	2	6	29	34	30	19	21	11	152	14.6%	21	1	22	14.0%	174	14.5%
MANSLAUGHTER 2ND	0	0	0	1	1	0	0	0	2	0.2%	0	0	0	0.0%	2	0.2%
OTHER HOMICIDE	0	0	0	1	0	0	0	0	1	0.1%	0	0	0	0.0%	1	0.1%
ROBBERY 3RD	0	1	8	6	7	5	11	7	45	4.3%	16	1	17	10.8%	62	5.2%
ATTEMPT ASSAULT 2ND	1	4	8	11	7	3	4	1	39	3.7%	3	0	3	1.9%	42	3.5%
CONSPIRACY 2,3,4	0	0	0	1	1	1	1	1	5	0.5%	0	0	0	0.0%	5	0.4%
OTHER WEAPONS	1	0	11	11	7	6	4	1	41	3.9%	1	0	1	0.6%	42	3.5%
OTHER SEX OFFENSES	0	0	1	1	3	1	0	0	6	0.6%	1	0	1	0.6%	7	0.6%
OTHER COERCIVE	0	1	1	2	4	3	1	1	13	1.2%	0	0	0	0.0%	13	1.1%
DRUG OFFENSES	2	3	45	73	56	63	34	17	293	28.1%	23	0	23	14.6%	316	26.4%
PROPERTY & OTHER	1	7	36	77	71	44	32	29	297	28.5%	81	1	82	52.2%	379	31.6%
BURGLARY 3RD	1	1	7	20	12	17	13	16	87	8.4%	42	0	42	26.8%	129	10.8%
GRAND LARCENY	0	1	5	14	13	9	5	8	55	5.3%	11	0	11	7.0%	66	5.5%
FORGERY	0	0	1	1	3	1	2	1	9	0.9%	5	0	5	3.2%	14	1.2%
STOLEN PROPERTY	0	2	9	6	2	0	0	0	19	1.8%	2	0	2	1.3%	21	1.8%
DRIVE INTOXICATED	0	0	0	6	8	3	3	0	20	1.9%	5	0	5	3.2%	25	2.1%
CONTEMPT 1ST	0	1	2	5	7	2	1	1	19	1.8%	3	0	3	1.9%	22	1.8%
ALL OTHER FELONIES	0	2	12	25	26	12	8	3	88	8.5%	13	1	14	8.9%	102	8.5%
TOTAL	8	32	176	268	210	165	107	75	1,041	100.0%	154	3	157	100.0%	1,198	100.0%

SECTION EIGHT: RETURN RATES BY RACE/ETHNICITY

The racial and ethnic distribution of the 2018 and 1985-2018 release cohorts is presented below in **Table 8**. Of the 2018 releases, 45% were Black, 30% were White, and 23% were Hispanic. These percentages are similar to those of the under custody population at the end of 2018.¹⁵

The highest return rate among the 2018 cohort was for Native American releases (39%), followed by 35% of the White, 34% of the Black and 24% of the Hispanic releases. Among the 1985-2018 aggregate cohort, the return rate was the highest for Native American releases (48%), followed by Blacks (45%), Whites (38%) and Hispanics (37%).¹⁶

Table 8
Race/Ethnic Status by Type of Return:
Releases in 2018 and 1985-2018

RACE/ETHNIC STATUS	TOTAL RELEASED		TOTAL RETURNED	RETURNED:	
	#	%		NEW COMMITMENT	PAROLE VIOLATION
2018 RELEASES	20,921	100.0%	6,613	1,198	5,415
% (return/release)			31.6%	5.7%	25.9%
BLACK	9,346	44.7%	3,133	606	2,527
% (return/release)			33.5%	6.5%	27.0%
WHITE	6,230	29.8%	2,174	318	1,856
% (return/release)			34.9%	5.1%	29.8%
HISPANIC	4,747	22.7%	1,149	242	907
% (return/release)			24.2%	5.1%	19.1%
NATIVE AMERICAN	201	1.0%	78	21	57
% (return/release)			38.8%	10.4%	28.4%
ASIAN	74	0.4%	12	1	11
% (return/release)			16.2%	1.4%	14.9%
OTHER/UNKNOWN	323	1.5%	67	10	57
% (return/release)			20.7%	3.1%	17.6%
1985-2018 RELEASES	793,254	100.0%	326,678	106,709	219,969
% (return/release)			41.2%	13.5%	27.7%
BLACK	394,144	49.7%	177,601	58,532	119,069
% (return/release)			45.1%	14.9%	30.2%
WHITE	159,986	20.2%	60,832	15,296	45,536
% (return/release)			38.0%	9.6%	28.5%
HISPANIC	226,810	28.6%	83,890	31,821	52,069
% (return/release)			37.0%	14.0%	23.0%
NATIVE AMERICAN	2,900	0.4%	1,400	291	1,109
% (return/release)			48.3%	10.0%	38.2%
ASIAN	1,686	0.2%	294	69	225
% (return/release)			17.4%	4.1%	13.3%
OTHER/UNKNOWN	7,728	1.0%	2,661	700	1,961
% (return/release)			34.4%	9.1%	25.4%

¹⁵ At the end of 2018, 48% of the individuals under custody were Black, 25% were White, 24% were Hispanic, and 3% were other ethnicities.

¹⁶ See Appendix G of the 2015 Releases from Custody Three Year Post-Release Follow-Up for historical release cohorts.

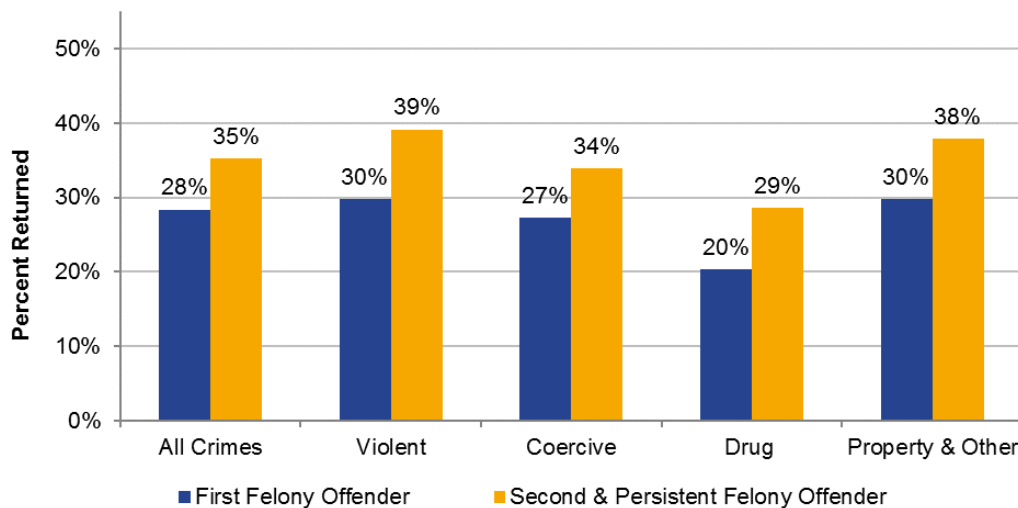
SECTION NINE: RETURN RATES BY CRIMINAL HISTORY

PREDICATE FELONY OFFENDERS

Approximately 47% of the 2018 releases were originally sentenced as second felony offenders. Second felony offenders in the 2018 cohort had a higher return rate (35%) than first felony offenders (28%), both overall and within all four major crime categories.

Below, **Figure 9** summarizes return data for broad crime categories by felony offender status. More detailed crime information is presented in **Table 9.1** on the following page. The highest rate of return for second felony offenders was found for releases who committed Violent Felony Offenses (39%). Among first felony offenders, the highest rate of return was also found for Violent Felony Offenders (30%) and Property & Other (30%).¹⁷

Figure 9
Return Rates by Felony Offender Status and Crime Category
2018 Releases



¹⁷ Youthful Offenders and Juvenile Offenders can only be sentenced as first felony offenders.

**Table 9.1
2018 Releases: Returns by Felony Offender Status**

MOST SERIOUS COMMITMENT CRIME	TOTAL RELEASED	FIRST FELONY*			SECOND & PERSISTENT FELONY		
		RELEASED #	RETURNED #	RETURNED %	RELEASED #	RETURNED #	RETURNED %
TOTAL	20,921	11,078	3,142	28.4%	9,843	3,471	35.3%
VIOLENT FELONY OFFENSES	8,337	5,208	1,550	29.8%	3,129	1,225	39.1%
MURDER	466	466	38	8.2%	0	0	NA
ATTEMPT MURDER	163	117	18	15.4%	46	9	19.6%
MANSLAUGHTER 1ST, AG 2ND	205	147	15	10.2%	58	9	15.5%
RAPE 1ST	264	187	61	32.6%	77	32	41.6%
ROBBERY 1ST	882	502	159	31.7%	380	129	33.9%
ROBBERY 2ND	1,212	656	243	37.0%	556	229	41.2%
ASSAULT 1ST	438	302	60	19.9%	136	44	32.4%
ASSAULT 2ND	666	380	118	31.1%	286	118	41.3%
BURGLARY 1ST	202	122	34	27.9%	80	29	36.3%
BURGLARY 2ND	1,520	752	313	41.6%	768	359	46.7%
ARSON 1ST, 2ND	47	29	11	37.9%	18	12	66.7%
SODOMY 1ST	147	121	36	29.8%	26	9	34.6%
SEXUAL ABUSE 1,2,3	313	263	76	28.9%	50	17	34.0%
WEAPONS OFFENSES	1,534	959	271	28.3%	575	198	34.4%
KIDNAPPING 1ST, 2ND	43	28	6	21.4%	15	5	33.3%
OTHER VFO SEX OFFENSES	175	145	72	49.7%	30	17	56.7%
OTHER VIOLENT FELONY	60	32	19	59.4%	28	9	32.1%
OTHER COERCIVE OFFENSES	2,483	1,114	304	27.3%	1,369	465	34.0%
MANSLAUGHTER 2ND	72	57	9	15.8%	15	4	26.7%
OTHER HOMICIDE	56	46	5	10.9%	10	3	30.0%
ROBBERY 3RD	684	235	86	36.6%	449	170	37.9%
ATTEMPT ASSAULT 2ND	314	84	18	21.4%	230	79	34.3%
CONSPIRACY 2,3,4	178	112	20	17.9%	66	10	15.2%
OTHER WEAPONS	506	137	27	19.7%	369	98	26.6%
OTHER SEX OFFENSES	436	313	112	35.8%	123	60	48.8%
OTHER COERCIVE	237	130	27	20.8%	107	41	38.3%
DRUG OFFENSES	4,320	1,689	344	20.4%	2,631	753	28.6%
PROPERTY & OTHER OFFENSES	5,128	2,414	718	29.7%	2,714	1,028	37.9%
BURGLARY 3RD	1,445	508	210	41.3%	937	406	43.3%
GRAND LARCENY	1,104	440	104	23.6%	664	229	34.5%
FORGERY	431	160	54	33.8%	271	77	28.4%
STOLEN PROPERTY	313	92	30	32.6%	221	87	39.4%
DRIVE INTOXICATED	602	597	115	19.3%	5	2	40.0%
CONTEMPT 1ST	284	118	38	32.2%	166	60	36.1%
ALL OTHER FELONIES	949	499	167	33.5%	450	167	37.1%
YOUTHFUL OFFENDER	608	608	220	36.2%	0	0	NA
JUVENILE OFFENDER	45	45	6	13.3%	0	0	NA

* Includes those sentenced as first felony offenders and Class A felons not subject to predicate sentencing.

PRIOR FELONY CONVICTIONS

Table 9.2 presents return rates among individuals with varying numbers of prior felony convictions accumulated before they were admitted to DOCCS' custody for the current offense. Among 2018 releases, the return rate generally increased as the number of prior felony convictions increased.

Table 9.2
2018 Releases: Number of Prior Felony Convictions by Type of Return

NUMBER OF PRIOR FELONY CONVICTIONS	TOTAL RELEASED		TOTAL RETURNED	RETURNED:	
	#	%		NEW COMMITMENT	PAROLE VIOLATION
TOTAL	20,921	100.0%	6,613	1,198	5,415
<i>% (return/release)</i>			<i>31.6%</i>	<i>5.7%</i>	<i>25.9%</i>
NONE	8,256	39.5%	2,318	362	1,956
<i>% (return/release)</i>			<i>28.1%</i>	<i>4.4%</i>	<i>23.7%</i>
ONE PRIOR CONVICTION	5,172	24.7%	1,715	304	1,411
<i>% (return/release)</i>			<i>33.2%</i>	<i>5.9%</i>	<i>27.3%</i>
TWO PRIOR CONVICTIONS	3,037	14.5%	1,045	191	854
<i>% (return/release)</i>			<i>34.4%</i>	<i>6.3%</i>	<i>28.1%</i>
THREE PRIOR CONVICTIONS	1,784	8.5%	623	123	500
<i>% (return/release)</i>			<i>34.9%</i>	<i>6.9%</i>	<i>28.0%</i>
FOUR OR MORE	2,672	12.8%	912	218	694
<i>% (return/release)</i>			<i>34.1%</i>	<i>8.2%</i>	<i>26.0%</i>

SECTION TEN: RETURN RATES BY FIRST OR PREVIOUS RELEASE

Table 10 presents a breakdown of first releases and individuals who had prior releases on their sentences for 2018 and 1985-2018 aggregate release cohorts.¹⁸ In the 2018 release year, 65% of releases were first releases to the community, and 35% had been previously released from DOCCS. Individuals who had no prior releases on their sentence were less likely to return than individuals who had been previously released and returned (25% vs. 43%). These differences held for both new commitment and parole violator returns, and for the 1985-2018 releases.

Table 10
Returns among First and Previous Releases
Releases in 2018 and 1985-2018

RELEASE STATUS	TOTAL RELEASED		TOTAL RETURNED	RETURNED:	
	#	%		NEW COMMITMENT	PAROLE VIOLATION
2018 RELEASES	20,921	100.0%	6,613	1,198	5,415
% (return/release)			31.6%	5.7%	25.9%
FIRST RELEASE	13,658	65.3%	3,478	623	2,855
% (return/release)			25.5%	4.6%	20.9%
PREVIOUS RELEASE	7,263	34.7%	3,135	575	2,560
% (return/release)			43.2%	7.9%	35.2%
1985-2018 RELEASES	793,254	100.0%	326,678	106,709	219,969
% (return/release)			41.2%	13.5%	27.7%
FIRST RELEASE	532,194	67.1%	197,155	64,905	132,250
% (return/release)			37.0%	12.2%	24.8%
PREVIOUS RELEASE	261,060	32.9%	129,523	41,804	87,719
% (return/release)			49.6%	16.0%	33.6%

¹⁸ In this section, only prior releases on the sentence for which the individual was under custody are considered; previous sentences and their corresponding releases, if any, are not included.

SECTION ELEVEN: RETURN RATES BY REGION

Thirty-eight percent of the 2018 study population was originally committed from one of the five counties of New York City. Upstate Urban counties accounted for an additional 25%; 10% were committed from Suburban New York City counties, and the remaining 27% were committed from other areas of the state.

Among the 2018 releases, individuals from Upstate Urban counties had the highest return rate, at 42%, compared to 37% of those from non-urban upstate (“Other New York State”) counties, 30% of releases from Suburban New York City, and 21% of the releases from New York City.

New conviction return rates varied narrowly among the regional groupings. Kings county had the lowest new conviction return rate (4%), while Albany had the highest new conviction return rate (8%).

Most of the Upstate Urban counties also had relatively high parole violation return rates, with an overall violator return rate of 36%, compared to 31% for Other New York State counties, 23% among the releases committed from Suburban New York City, and 16% for releases from New York City. The commitment county with the highest violator return rate was Broome (39%), while Richmond had the lowest rate (11%).

Table 11
County of Commitment by Type of Return:
Releases in 2018 and 1985-2018

REGION OF COMMITMENT	TOTAL RELEASED		TOTAL RETURNED		RETURNED: NEW COMMITMENT		RETURNED: PAROLE VIOLATION	
	#	%	#	%	#	%	#	%
2018 RELEASES	20,921	100.0%	6,613	31.6%	1,198	5.7%	5,415	25.9%
NEW YORK CITY	7,896	37.7%	1,667	21.1%	375	4.7%	1,292	16.4%
BRONX COUNTY	1,323	6.3%	282	21.3%	62	4.7%	220	16.6%
KINGS COUNTY	1,755	8.4%	395	22.5%	76	4.3%	319	18.2%
NEW YORK COUNTY	3,197	15.3%	684	21.4%	163	5.1%	521	16.3%
QUEENS COUNTY	1,378	6.6%	266	19.3%	61	4.4%	205	14.9%
RICHMOND COUNTY	243	1.2%	40	16.5%	13	5.3%	27	11.1%
SUBURBAN NYC	2,140	10.2%	634	29.6%	139	6.5%	495	23.1%
NASSAU	693	3.3%	201	29.0%	44	6.3%	157	22.7%
ROCKLAND	161	0.8%	53	32.9%	12	7.5%	41	25.5%
SUFFOLK	843	4.0%	260	30.8%	57	6.8%	203	24.1%
WESTCHESTER	443	2.1%	120	27.1%	26	5.9%	94	21.2%
UPSTATE URBAN	5,158	24.7%	2,187	42.4%	330	6.4%	1,857	36.0%
ALBANY	711	3.4%	306	43.0%	59	8.3%	247	34.7%
BROOME	415	2.0%	191	46.0%	29	7.0%	162	39.0%
ERIE	914	4.4%	380	41.6%	44	4.8%	336	36.8%
MONROE	1,283	6.1%	554	43.2%	72	5.6%	482	37.6%
ONEIDA	451	2.2%	178	39.5%	27	6.0%	151	33.5%
ONONDAGA	820	3.9%	347	42.3%	65	7.9%	282	34.4%
RENSSELAER	209	1.0%	84	40.2%	7	3.3%	77	36.8%
SCHENECTADY	355	1.7%	147	41.4%	27	7.6%	120	33.8%
OTHER NEW YORK STATE	5,727	27.4%	2,125	37.1%	354	6.2%	1,771	30.9%
1985-2018 RELEASES	793,254	100.0%	326,678	41.2%	106,709	13.5%	219,969	27.7%
NEW YORK CITY	462,637	58.3%	185,821	40.2%	69,320	15.0%	116,501	25.2%
BRONX COUNTY	98,194	12.4%	39,036	39.8%	13,329	13.6%	25,707	26.2%
KINGS COUNTY	104,392	13.2%	41,880	40.1%	14,712	14.1%	27,168	26.0%
NEW YORK COUNTY	178,434	22.5%	74,858	42.0%	29,494	16.5%	45,364	25.4%
QUEENS COUNTY	71,920	9.1%	26,207	36.4%	10,547	14.7%	15,660	21.8%
RICHMOND COUNTY	9,697	1.2%	3,840	39.6%	1,238	12.8%	2,602	26.8%
SUBURBAN NYC	86,909	11.0%	33,715	38.8%	11,222	12.9%	22,493	25.9%
NASSAU	27,747	3.5%	10,407	37.5%	3,938	14.2%	6,469	23.3%
ROCKLAND	5,640	0.7%	1,859	33.0%	631	11.2%	1,228	21.8%
SUFFOLK	33,002	4.2%	13,906	42.1%	4,031	12.2%	9,875	29.9%
WESTCHESTER	20,520	2.6%	7,543	36.8%	2,622	12.8%	4,921	24.0%
UPSTATE URBAN	126,428	15.9%	58,638	46.4%	14,679	11.6%	43,959	34.8%
ALBANY	18,538	2.3%	7,983	43.1%	2,185	11.8%	5,798	31.3%
BROOME	9,397	1.2%	4,389	46.7%	980	10.4%	3,409	36.3%
ERIE	25,628	3.2%	12,140	47.4%	2,611	10.2%	9,529	37.2%
MONROE	29,360	3.7%	14,306	48.7%	3,542	12.1%	10,764	36.7%
ONEIDA	11,038	1.4%	4,748	43.0%	1,433	13.0%	3,315	30.0%
ONONDAGA	18,237	2.3%	8,601	47.2%	2,258	12.4%	6,343	34.8%
RENSSELAER	5,689	0.7%	2,602	45.7%	656	11.5%	1,946	34.2%
SCHENECTADY	8,541	1.1%	3,869	45.3%	1,014	11.9%	2,855	33.4%
OTHER NEW YORK STATE	117,006	14.8%	48,404	41.4%	11,452	9.8%	36,952	31.6%
DATA NOT AVAILABLE	274	<0.1%	100	36.5%	36	13.1%	64	23.4%

SECTION TWELVE: RETURN RATES OF VETERANS

Table 12 presents a breakdown of releases who were identified as verified veterans of the United States Armed Forces and releases considered nonveterans. Verified veterans comprised only four percent of all 2018 releases, but they returned to prison at lower rates (25%) than nonveterans (32%). This difference in return rates held for both new commitment and parole violator returns.

Table 12
Returns Among Verified Veterans and Nonveterans
Releases in 2018 and 2013-2018

VETERAN STATUS	TOTAL RELEASED		TOTAL RETURNED	RETURNED:	
	#	%		NEW COMMITMENT	PAROLE VIOLATION
2018 RELEASES	20,921	100.0%	6,613	1,198	5,415
% (return/release)			31.6%	5.7%	25.9%
VERIFIED VETERANS	776	3.7%	197	22	175
% (return/release)			25.4%	2.8%	22.6%
NONVETERANS	20,145	96.3%	6,416	1,176	5,240
% (return/release)			31.8%	5.8%	26.0%
2013-2018 RELEASES	128,136	100.0%	50,710	10,528	40,182
% (return/release)			39.6%	8.2%	31.4%
VERIFIED VETERANS	4,313	3.4%	1,312	208	1,104
% (return/release)			30.4%	4.8%	25.6%
NONVETERANS	123,823	96.6%	49,398	10,320	39,078
% (return/release)			39.9%	8.3%	31.6%

SECTION THIRTEEN: RETURN RATES BY TOTAL (STATE + JAIL) TIME SERVED

The return rates by total time served are presented in **Table 13**. The mean “total time served” (i.e., state time plus jail time) for the 2018 release cohort was 40.3 months and the median was 22.6 months.

Those 2018 releases with total time served of 12-17 months had the highest return rate (37%) while those with total time served of 240 or more months had the lowest return rate (8%). Generally, as the total time served increased, the return rate decreased.

Table 13
Return Rates by Total (State + Jail) Time Served
Releases in 2018

TOTAL (STATE + JAIL) TIME SERVED	TOTAL RELEASED		TOTAL RETURNED	RETURNED: NEW COMMITMENT		RETURNED: PAROLE VIOLATION	
	#	%					
2018 RELEASES	20,921	100.0%	6,613	1,198		5,415	
% (return/release)			31.6%	5.7%		25.9%	
LESS THAN 12 MONTHS	4,166	19.9%	1,431	283		1,148	
% (return/release)			34.3%	6.8%		27.6%	
12 - 17 MONTHS	3,908	18.7%	1,464	259		1,205	
% (return/release)			37.5%	6.6%		30.8%	
18 - 23 MONTHS	3,640	17.4%	1,264	174		1,090	
% (return/release)			34.7%	4.8%		29.9%	
24 - 35 MONTHS	3,628	17.3%	1,131	193		938	
% (return/release)			31.2%	5.3%		25.9%	
36 - 47 MONTHS	1,465	7.0%	425	98		327	
% (return/release)			29.0%	6.7%		22.3%	
48 - 71 MONTHS	1,851	51.0%	506	110		396	
% (return/release)			27.3%	5.9%		21.4%	
72 - 119 MONTHS	1,006	27.7%	240	50		190	
% (return/release)			23.9%	5.0%		18.9%	
120 - 179 MONTHS	481	13.2%	82	22		60	
% (return/release)			17.0%	4.6%		12.5%	
180 - 239 MONTHS	211	5.8%	23	4		19	
% (return/release)			10.9%	1.9%		9.0%	
240 OR MORE MONTHS	565	15.6%	47	5		42	
% (return/release)			8.3%	0.9%		7.4%	
MEAN TIME SERVED IN MONTHS	40.3		29.7	30.6		29.5	
MEDIAN TIME SERVED IN MONTHS	22.6		20.3	20.2		20.3	

SECTION FOURTEEN: RETURN RATES BY COMPAS SUPERVISION LEVEL

The COMPAS Supervision model of Community Supervision was implemented in January 2012. The four supervision levels and the accompanying ratios (25:1, 40:1, 80:1, and 160:1) and reporting requirements were determined based on a number of risk factors, including risk of absconding, risk of any arrest, and risk of Violent Felony arrest. Individuals determined by the Article 10 process to require Strict and Intensive Supervision and Treatment are supervised at a 10:1 ratio and are included in the Level 1 category. Other sex offenders and mental health cases are also supervised at Level 1.

Table 14 presents a breakdown of individuals released to Community Supervision by the first known COMPAS Supervision Level at release. Those who did not have a COMPAS assessment conducted at the time of release were excluded from the analysis.

For 2018 releases to Community Supervision, the overall return rate was 34%. Those supervised at the highest level (Level 1) were returned at the highest rate (46%) and those supervised at the lowest level (Level 4) had the lowest return rate (14%). This finding was consistent for returns for parole violations, while for new commitment returns, Level 2 releases returned at slightly higher rates than Level 1. Among the 2013-2018 releases, return rates were highest for Level 1 cases and lowest for Level 4 cases, for both new commitments and parole violations.

Table 14
Return Rates by COMPAS Supervision Level:
Releases to Community Supervision in 2018 & 2013-2018

COMPAS LEVEL	TOTAL RELEASED		TOTAL RETURNED	RETURNED:	
	#	%		NEW COMMITMENT	PAROLE VIOLATION
2018 RELEASES	18,899	100.0%	6,340	944	5,396
% (return/release)			33.5%	5.0%	28.6%
Level 1	6,213	32.9%	2,888	359	2,529
% (return/release)			46.5%	5.8%	40.7%
Level 2	2,707	14.3%	1,214	168	1,046
% (return/release)			44.8%	6.2%	38.6%
Level 3	5,248	27.8%	1,563	276	1,287
% (return/release)			29.8%	5.3%	24.5%
Level 4	4,731	25.0%	675	141	534
% (return/release)			14.3%	3.0%	11.3%
2013-2018 RELEASES	114,247	100.0%	48,133	8,190	39,943
% (return/release)			42.1%	7.2%	35.0%
Level 1	36,734	32.2%	20,509	3,025	17,484
% (return/release)			55.8%	8.2%	47.6%
Level 2	22,388	19.6%	11,646	1,913	9,733
% (return/release)			52.0%	8.5%	43.5%
Level 3	31,262	27.4%	11,659	2,292	9,367
% (return/release)			37.3%	7.3%	30.0%
Level 4	23,863	20.9%	4,319	960	3,359
% (return/release)			18.1%	4.0%	14.1%

Note: Releases to Community Supervision with pending COMPAS assessments or for whom an exact match between COMPAS data and release data was not found were excluded from this table.

**SECTION FIFTEEN: RETURN RATES
FOR SUBSEQUENT RELEASE COHORTS**

Releases from 2019 and 2020 were followed so that more current trends in return rates could be examined. The 2019 releases were followed for two years, and the 2020 releases were followed for a one year period. The outcomes of these partial follow-ups are compared to the 2018 releases and presented in **Table 15**.

Compared to 2018, the percentage of releases who returned within 12 months after release was lower for both the 2019 and 2020 release cohorts. The one-year return rate for the 2018 cohort was 20%, 15% for the 2019 release cohort, and 7% for the 2020 release cohort.

The lower return to custody rates among the 2019 and 2020 release cohorts are partly due to decreased prison admissions during the follow-up period due to the COVID-19 pandemic.

**Table 15
2018, 2019, and 2020 Releases: Time to Return**

	TOTAL					
	2018		2019		2020	
	#	%	#	%	#	%
TOTAL RELEASED	20,921		19,606		15,809	
TOTAL RETURNS						
Months to Return:						
12	4,089	19.5%	2,882	14.7%	1,033	6.5%
24 (cumulative)	6,045	28.9%	3,998	20.4%	NA	
36 (cumulative)	6,613	31.6%	NA		NA	
NEW COMMIT						
Months to Return:						
12	347	1.7%	181	0.9%	86	0.5%
24 (cumulative)	926	4.4%	510	2.6%	NA	
36 (cumulative)	1,198	5.7%	NA		NA	
PAROLE VIOLATION						
Months to Return:						
12	3,742	17.9%	2,701	13.8%	947	6.0%
24 (cumulative)	5,119	24.5%	3,488	17.8%	NA	
36 (cumulative)	5,415	25.9%	NA		NA	
TOTAL RETURNS						
Months to Return:						
1-6	1,962	9.4%	1,602	8.2%	314	2.0%
7-12	2,127	10.2%	1,280	6.5%	719	4.5%
13-18	1,385	6.6%	495	2.5%	NA	
19-24	571	2.7%	621	3.2%	NA	
25-36	568	2.7%	NA		NA	
TOTAL RETURNS	6,613	31.6%	3,998	20.4%	1,033	6.5%

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