
Previous Research on Recidivism

CHAPTER 2

In a 1963 study of recidivism among Minnesota prisoners, one of America's leading corrections researchers recommended regular monitoring of offender outcomes:

It can no longer be doubted that careful studies of the response of various classes of offender to the different judicial and correctional prescriptions designed by society for coping with delinquency and crime are every bit as necessary to the progress of the criminal law as are post-mortem examinations to the growth of medicine. It reflects a lazy, escapist attitude for courts, parole boards and probation authorities to continue, year in and year out, the processing of human beings convicted of crime without stopping from time to time to examine what goes into and what comes out of the mills of justice.¹

In recent decades, researchers nationally have made many efforts to examine the impact of criminal sanctions and correctional programs. To provide a context for our own findings on recidivism, we examined many of these studies and asked:

- **What levels of recidivism have been documented in previous studies, including studies of Minnesota offenders?**
- **Based on national literature, what is known about the criminal patterns of offenders?**
- **Have studies shown that programs for offenders can reduce recidivism?**

We reviewed more than 200 books, articles, and reports that discussed research findings on these topics. This represents only a portion of the recidivism studies that have been conducted, but we gave particular attention to recent studies and those that summarized previous research.

¹ Sheldon Glueck, in the foreword to Nathan G. Mandel and others *Crime Revisited: A Study of Recidivism of 446 Inmates Released From the Minnesota State Reformatory for Men During July 1, 1955 to June 30, 1956* (St. Paul, November 1963), ix.

RECENT RECIDIVISM STUDIES

The federal government regularly reports information on crime rates, imprisonment rates, and the number of people on probation in the United States, but it does not routinely report on the extent to which convicted criminals commit repeat offenses. As a result, the best sources of recidivism information are (1) special studies conducted by government and academic researchers, pertaining to selected states or counties, and (2) analyses done by some state corrections agencies that have examined the rates at which their imprisoned offenders returned to prison after release.²

In this section, we summarize the recidivism findings of many recent studies, including several that tracked felons for periods of time comparable to the three-year follow-up period that we used in our research. Recidivism rates vary depending on the measure selected, so our discussion of previous studies specifies the measures used—such as rearrests, reconvictions, or reimprisonments.³ Other factors that may account for variation in recidivism rates include: the characteristics of the offenders who were tracked; the completeness of the studies' data sources on arrests, convictions, and incarcerations; the use of national arrest and conviction data versus data from a single state; state policies regarding the use of imprisonment and conditions for prison release; and the effectiveness of offender sanctions and programs.

An 11-state study found that 63 percent of released prisoners were rearrested within three years, and 47 percent were reconvicted.

Recidivism of Released Prisoners

The most comprehensive study of state prisoner recidivism tracked 16,000 inmates released during 1983 in 11 states, including Minnesota.⁴ The study found that, overall, 63 percent of inmates were **arrested** for a felony or serious misdemeanor offense within three years of release from prison. About 47 percent of inmates were **convicted** of a new offense during the three years after release, and 41 percent **returned to prison or jail** for a new offense or technical violation of

² Dallas Miller, *A Survey of Recidivism Research in the United States and Canada* (Boston: Massachusetts Department of Correction, July 1984), 30, reported that 28 of 50 states tracked rates at which released inmates returned to prison. Florida Office of Program Policy Analysis and Government Accountability, *Policy Review of Reincarceration in Florida's Prisons Administered by the Department of Corrections* (Tallahassee, September 18, 1995), 11, reported that 19 of 25 contacted states measured reimprisonment rates.

³ When researchers track a set of offenders for uniform periods of time, the rates of rearrest will always be higher than the rates of reconviction because (1) not all arrested offenders are prosecuted and convicted, and (2) not all court dispositions of people arrested during the follow-up period will occur during that period. Likewise, offender reconviction rates will always be higher than imprisonment rates because not all convicted offenders are sentenced to prison.

⁴ Allen J. Beck and Bernard E. Shipley, *Recidivism of Prisoners Released in 1983* (Washington, D.C.: U.S. Bureau of Justice Statistics, March 1989).

their prison release.⁵ The study claimed to be the first national study that assembled criminal records from both within and outside the states in which the prisoners were released. It found that the three-year rearrest rate of prisoners would have been 57 percent, rather than 63 percent, if arrests outside the offender’s state of release had not been counted.

Based on this study, Table 2.1 shows the rates at which selected categories of released prisoners were rearrested for a felony or serious misdemeanor. The

Table 2.1: Three-Year Recidivism Rates For Various Categories of Released Prisoners (1989 Beck and Shipley Study)

	Most Serious Offense For Which Released	Offense Category's Percentage of All Released Prisoners ¹	Percent of Released Prisoners Who Were:	
			Rearrested	Reconvicted
The study showed that offenders imprisoned for property crimes usually had higher recidivism rates than other offenders.	Violent offenses	34.6%	59.6%	41.9%
	Murder	3.1	42.1	25.2
	Negligent manslaughter	1.4	42.5	27.9
	Kidnapping	0.6	54.5	35.7
	Rape	2.1	51.5	36.4
	Other sexual assault	2.1	47.9	32.6
	Robbery	18.7	66.0	48.3
	Assault	6.4	60.2	40.4
	Other violent	0.4	50.1	33.2
	Property offenses	48.3	68.1	53.0
	Burglary	25.8	69.6	54.6
	Larceny/theft	11.2	67.3	52.2
	Motor vehicle theft	2.6	78.4	59.1
	Arson	0.7	55.3	38.5
	Fraud	5.5	60.9	47.1
	Stolen property	1.7	67.9	54.9
	Other property	0.8	54.1	37.3
	Drug offenses	9.5	50.4	35.3
Possession	1.2	62.8	40.2	
Trafficking	4.5	51.5	34.5	
Other/unspecified	3.9	45.3	34.5	
Public order offenses	6.4	54.6	41.5	
Other	1.1	76.8	62.9	
All offenses	100.0	62.5	46.8	

Source: Allen J. Beck and Bernard E. Shipley, *Recidivism of Prisoners Released in 1983* (Washington, D.C.: U.S. Bureau of Justice Statistics, March 1989), 5.

¹May not sum due to rounding.

⁵ An author of this study told us that the reincarceration rates were based partly on fingerprint cards submitted by jails and prisons at the time offenders were admitted, and they likely included “some” technical violations. Our own review of Minnesota’s central criminal history records indicated that returns to prison for technical violations were not recorded in this database. For this reason, we suspect that the reincarceration rates reported in this federal study may primarily reflect offenders reincarcerated for new offenses.

Younger offenders tend to have higher recidivism rates.

offenders most likely to be rearrested were car thieves, and inmates convicted of murder and manslaughter were the least likely to be rearrested.

The study found a close relationship between offenders' number of prior adult arrests and their rates of recidivism after release from prison. For example, 38 percent of offenders with a single arrest prior to their prison release were rearrested within three years, compared with 65 percent of offenders with six prior arrests. The study also found higher recidivism rates among younger offenders. For instance, 68 percent of 18- to 24-year-olds were rearrested within three years of release, compared with less than half of offenders age 40 and older.⁶ In addition, men had higher rearrest rates than women (63 vs. 52 percent), blacks had higher rates than whites (67 vs. 59 percent), and those without high school diplomas had higher rates than those with them (64 vs. 56 percent).

An author of this report provided us with more detailed results of the study, by state. The results showed that Minnesota had recidivism rates that were slightly lower than the overall rates, as shown in Table 2.2.⁷ Compared with other states, Minnesota's released prisoners were more likely to be property offenders and

Table 2.2: Recidivism Rates of State Prisoners Released in 1983 (1989 Beck and Shipley Study)

State	Percent of Released Prisoners Who Within 3 Years Were:		
	Rearrested	Reconvicted	Sent to Prison or Jail
California	78.3%	61.2%	58.7%
Oregon	72.3	54.4	43.2
Illinois	71.3	42.6	39.0
Florida	68.7	45.0	37.6
New Jersey	68.0	44.2	36.6
New York	63.8	51.9	45.0
MINNESOTA	59.0	45.9	36.8
North Carolina	56.1	44.3	37.4
Michigan	55.7	37.1	33.0
Texas	50.6	37.5	32.3
Ohio	42.0	NA	NA
Total, 11 states	62.5	46.8	41.4

NA = Not available.

Source: Unpublished data from Allen J. Beck, U.S. Bureau of Justice Statistics.

⁶ A previous federal study reported somewhat lower recidivism rates among young parolees. According to Beck and Shipley, *Recidivism of Young Parolees* (Washington, D.C.: U.S. Bureau of Justice Statistics, May 1987), of 3,995 offenders age 17 to 22 released from 22 states in 1978, 69 percent were rearrested within six years of release for felonies or serious misdemeanors, and 45 percent were rearrested within three years.

⁷ A memorandum from Department of Corrections Commissioner Frank W. Wood to Sen. Tracy Beckman, "Per Diem and Recidivism Information," March 28, 1995, cited this study and said that nationally, 41 percent of released prisoners returned to prison, compared with 23 percent in Minnesota. This comparison was incorrect. The national rate cited in the study was for returns to prison or jail, and the study found that 37 (not 23) percent of Minnesota offenders returned to prison or jail within three years.

offenders under age 25--characteristics that researchers usually associate with high recidivism rates.⁸ On the other hand, the study indicated that Minnesota's released offenders had fewer prior arrests and more education than offenders from other states, and these factors tend to be associated with relatively low recidivism rates.

Some multi-state studies have focused on the rates at which released prisoners have **returned to prison for new offenses or technical violations** of their release conditions. A 1984 federal study of 14 states found that a median of 32 percent of prisoners returned to prison within three years of release, as shown in Table 2.3.⁹ The state with the highest reimprisonment rate was Minnesota, where 40 percent of released prisoners returned. More recently, a Florida legislative research office contacted 25 states to obtain reimprisonment rates for released offenders. Nine of the states were able to provide three-year reimprisonment rates that included returns to prison for new offenses as well as technical violations. As shown in Table 2.3, the rates ranged from 31 percent in Alabama to 46 percent in Illinois. In addition, Table 2.3 shows reimprisonment rates for Oregon and states adjacent to Minnesota, based on our contacts with the corrections departments in those states.

In most studies, the percentage of offenders rearrested is considerably higher than the percentage reimprisoned.

Finally, Table 2.4 presents the overall **rearrest** rates of released prisoners in several states, as reported in recent studies that used follow-up periods of about three years. Again, variation in the findings of recidivism studies may reflect differences in the types of measures used, the types of offenders who were tracked, and the accuracy of states' information on arrests, convictions, and imprisonments. In general, however, our review of these and other previous studies suggested that:

- **Overall three-year rates of rearrest for released prisoners have usually ranged from about 50 to 70 percent. Three-year rates of reconviction have usually ranged from 35 to 55 percent, and rates of reimprisonment (for new offenses and technical violations) have usually ranged from 25 to 45 percent.**

Recidivism of Probationers

In 1992, the U.S. Bureau of Justice Statistics issued the federal government's largest single study of recidivism among felons on probation.¹⁰ The study tracked 12,370 felons who in 1986 were sentenced to probation in selected urban counties of 17 states (including Hennepin County in Minnesota). It found that, within three years of sentencing, 43 percent of probationers were **arrested for a new felony**

⁸ Among the states, the percentage of offenders released for violent crimes ranged from 22 to 56 percent. Minnesota's percentage (38 percent) was about the same as the median percentage.

⁹ John F. Wallerstedt, *Returning to Prison* (Washington, D.C.: U.S. Bureau of Justice Statistics, November 1984). The years of release for these prisoners ranged from 1976 to 1980.

¹⁰ Patrick A. Langan and Mark A. Cunniff, *Recidivism of Felons on Probation, 1986-89* (Washington, D.C.: U.S. Bureau of Justice Statistics, February 1992). Supplemental data are reported in Cunniff and Mary K. Shilton, *Variations in Felony Probation: Persons Under Supervision in 32 Urban and Suburban Counties* (Washington, D.C.: National Association of Criminal Justice Planners, March 1991).

Table 2.3: Percentage of Released Prisoners Who Returned to Prison Within Three Years (Selected States)

State	1984 Bureau of Justice Statistics Study	1995 Florida Legislative Study	1996 Legislative Auditor Contacts
Colorado	24.1	--	
Georgia	34.9	39.0	
Iowa	23.3	--	31.2 (2 years) ^a
Massachusetts	32.0	--	
MINNESOTA	40.0	--	
Mississippi	27.8	--	
Nebraska	27.9	--	
New York	33.7	--	
North Carolina	31.6	41.8	
Oklahoma	27.8	--	
Oregon	32.2	--	30.3 ^b
Rhode Island	36.2	--	
Washington	28.3	--	
Wisconsin	31.3	--	35.9
Alabama	--	31.3	
Arizona	--	40.5	
Florida	--	37.7	
Illinois	--	46.0	
Pennsylvania	--	35.0	
South Carolina	--	35.0	
Texas	--	44.0	
North Dakota	--	--	c
South Dakota	--	--	d

Note: The rates in the table include offenders who returned for new offenses or violations of their release conditions.

Sources: John F. Wallerstedt, *Returning to Prison* (Washington, D.C.: U.S. Bureau of Justice Statistics, November 1984); Florida Office of Program Policy Analysis and Government Accountability, *Policy Review of Reincarceration in Florida's Prisons Administered by the Department of Corrections* (Tallahassee, September 18, 1995); Program Evaluation Division interviews.

^aIowa's most recent study tracked prisoners released in 1990-91 for two years. Minnesota's Department of Corrections also tracks prisoners for two-year follow-up periods, and its most recent return rate was 37 percent.

^bOregon's return rate for prisoners released in 1992 (30.3 percent) dropped sharply from the 1991 rate (37.6 percent) and the 1990 rate (42.7 percent).

^cOf prisoners released from North Dakota's penitentiary in 1992, 23 percent returned to prison for new offenses within three years. North Dakota does not track returns to prison for technical violations.

^dSouth Dakota computes recidivism in a different way than the other states shown in this table, so we did not report its "return rate." Specifically, the Department of Corrections determines the percentage of people entering prison in the past year for a new crime who had previously been imprisoned in the state.

About 25 to 45 percent of prisoners return to prison for new crimes or technical violations, according to three-year follow-ups in various states.

Table 2.4: Percentage of Released Prisoners Rearrested (Selected States)

State	Length of Follow-Up (in years)	Percent Rearrested	Types of Offenses Included in Rearrest Rate
New Jersey	3	62	Felonies
Georgia	3	55	Felonies and misdemeanors
California	3	76	Felonies, parole violations, and selected other offenses ^a
Texas	3	60	Felonies, parole violations, and selected other offenses ^a
Michigan	3	53	Felonies, parole violations, and selected other offenses ^a
North Carolina	2.2	41 ^b	Felonies and serious misdemeanors
Illinois	2.3	60	Felonies and serious misdemeanors

Sources: New Jersey data: Cynthia A. Corbo, *Release Outcome-1984: A Follow-Up Study* (Trenton: New Jersey Department of Corrections, February 1992); Georgia data: Karen E. Needels, "Go Directly to Jail and Do Not Collect? A Long-Term Study of Recidivism, Employment, and Earnings Patterns Among Prison Releasees," *Journal of Research in Crime and Delinquency* (November 1996) 471-496; California, Texas, and Michigan data: Stephen P. Klein and Michael N. Caggiano, *The Prevalence, Predictability, and Policy Implications of Recidivism* (Santa Monica, CA: Rand, August 1986); Stevens H. Clarke and Anita L. Harrison, *Recidivism of Criminal Offenders Assigned to Community Correctional Programs or Released From Prison in North Carolina in 1989* (Chapel Hill: Institute of Government, 1992); Illinois data: Illinois Criminal Justice Information Authority, *The Pace of Recidivism in Illinois*, Research Bulletin No. 2 (Chicago, 1986).

^aOther offenses included escape, "enhancements" (such as carrying a weapon during a crime), driving without a license, misdemeanor drug offenses, and pandering.

^bThis was the rate for the "regular parole" population. The rearrest rates were lower (27 percent) for prisoners given unconditional discharges at the end of their sentences and higher (45 percent) for prisoners who had restitution as a condition of parole.

within the sentencing state, 32 percent were **convicted** of any new offense, and 26 percent were **sent to prison** for a new offense or a violation of their probation.¹¹ In this study, the high rearrest rates of seven California counties significantly increased the overall rearrest rates.¹² As a result, it may be more useful to note that:

- **Among 25 non-California counties, a median of 34 percent of felony probationers were arrested for a new felony within three years of sentencing.**

Table 2.5 shows that probationers convicted of robbery, drug offenses, and burglary had the highest rates of rearrest.

Several recent studies have examined the extent of probationer **rearrests for felonies or misdemeanors**, but the results have varied widely. The highest recidivism was reported in a study of two large California counties, which found that 65

¹¹ Another 10 percent were sent to jail, and 10 percent absconded. Of all the probationers tracked, 62 percent were either arrested for a new felony or charged at a hearing with violating a condition of their probation. The 32 percent reconviction rate cited here is based on Langan and Cunniff's finding that 75 percent of probationers were convicted after their first felony arrest.

¹² Seven California counties accounted for 39 percent of the total probationers tracked, and their rearrest rates were 58, 54, 53, 53, 48, 46, and 38 percent. The only Minnesota county (Hennepin) in the study had a felony rearrest rate of 36 percent.

Table 2.5: Three-Year Felony Rearrest Rates For Various Categories of Probationers (Langan and Cunniff Study)

A national study showed that robbers, burglars, and drug offenders had the highest felony rearrest rates among offenders on probation.

Most Serious Felony Conviction	Percent of probationers who were rearrested for:			
	Any Felony	Violent Felony	Property Felony	Drug Felony
Violent offense	41.0%	17.9%	9.4%	8.9%
Murder	20.8	7.9	4.4	6.0
Rape	19.5	8.3	2.7	5.1
Robbery	54.6	24.8	13.3	11.4
Assault	35.4	14.7	7.9	7.7
Property offense	43.4	7.4	23.7	7.3
Burglary	49.1	9.3	25.8	9.0
Larceny	39.4	6.7	21.3	6.7
Fraud	41.0	4.5	25.5	5.1
Drug offense	48.9	7.4	10.3	26.7
Weapons offense	36.0	11.2	4.8	10.1
Other offense	32.2	5.8	11.4	5.7
All offenses	43.0	8.5	14.8	14.1

Source: Patrick A. Langan and Mark A. Cunniff, *Recidivism of Felons on Probation, 1986-89*, (Washington, D.C.: U.S. Bureau of Justice Statistics, February 1992), 6.

percent of offenders placed on probation in 1980 were rearrested for felonies or misdemeanors within about three years of sentencing.¹³ In contrast, studies that tracked other states' probationers for three years reported much lower rates of rearrest for similar types of offenses: Missouri and Kentucky, 22 percent; New Jersey, 36 percent; Kansas, 37 percent; and North Carolina, 27 percent in a 2.2 year follow-up.¹⁴

¹³ Joan Petersilia, Susan Turner, James Kahan, and Joyce Peterson *Granting Felons Probation: Public Risks and Alternatives* (Santa Monica, CA: Rand, January 1985). The counties (Alameda and Los Angeles) represented 43 percent of the state's probationers. The recidivism rate in this study may have exceeded those of California counties in the Langan and Cunniff study because they included certain lower level offenses, such as disturbing the peace, failure to appear in court or to pay fines, and others. Another study found even higher rates of rearrest (79 percent), but the follow-up period was 4.5 years, and "rearrests" included probation and traffic violations (Linda G Smith and Ronald L. Akers, "A Comparison of Florida's Community Control and Prison: A Five-Year Survival Analysis," *Journal of Research in Crime and Delinquency* (August 1993), 267-292).

¹⁴ Johnny McGaha, Michael Fichter, and Peter Hirschburg, "Felony Probation: A Re-examination of Public Risk," *American Journal of Criminal Justice* (Fall 1987), 1-9; John T. Whitehead, "Effectiveness of Felony Probation: Results From An Eastern State," *Justice Quarterly* (December 1991), 525-543; Gennaro F. Vito, "Felony Probation and Recidivism: Replication and Response," *Federal Probation* 50 (1986), 17-25; Peter R. Jones, "The Risk of Recidivism: Evaluating The Public-Safety Implications of a Community Corrections Program," *Journal of Criminal Justice* (January-February 1991), 49-66; Clarke and Harrison *Recidivism of Criminal Offenders Assigned to Community Correctional Programs or Released From Prison in North Carolina in 1989*.

Research has not shown that recidivism can be reduced through more frequent meetings between offenders and probation officers.

Partly because of the high levels of recidivism found in the California study, the federal government funded many studies nationwide to evaluate whether recidivism could be reduced through more intensive types of probation supervision and surveillance. But, contrary to the expectations of researchers, the most carefully conducted studies did not find differences in the rearrest rates of offenders in intensive supervision and “regular” probation supervision programs, nor did they identify a relationship between recidivism and the amount of contact that probation officers had with offenders.¹⁵ Researchers have speculated that strengthening the treatment component of intensive supervision programs might reduce recidivism, but this has not been tested extensively.¹⁶

Previous studies seem to indicate that the rearrest rates for probationers, as a group, are somewhat lower than the rates for released prisoners, as a group. But it is likely that probationers have lower rates of recidivism partly because they have shorter criminal histories than prisoners, on average. Based on the two major federal recidivism studies completed in the past decade, Table 2.6 shows the recidivism rates of probationers and prisoners by the number of prior arrests they had. As shown,

- **Prisoners and probationers with similar numbers of prior arrests had similar rates of recidivism.**

As a result, an author of the federal probation study concluded that “neither prison nor probation is clearly superior to the other in deterring future crime among those punished.”¹⁷ This may be true if recidivism is monitored from the time offenders become public risks in the community--the time of release for prisoners, and the time of sentencing for probationers. It is important to consider, however, that prison provides an additional measure of safety by taking offenders off of the streets during their term of imprisonment.

Minnesota Recidivism Studies

A study of Minnesota parolees was one of the first large-scale recidivism studies ever done in the United States.¹⁸ Conducted by a University of Minnesota professor, the study tracked recidivism for nearly 1,200 inmates released from St. Cloud State Reformatory and Stillwater State Prison between 1922 and 1927. Parole typically lasted about one year at that time, and the study found that 17 percent of the released inmates became “major violators” before their parole period ended.

¹⁵ Petersilia and Turner, “Intensive Probation and Parole,” in *Crime and Justice: A Review of Research*, ed. Michael Tonry, 17 (Chicago: University of Chicago Press, 1993), 281-335. It is possible that the intensive supervision programs reduced criminal activity but increased the chances of detecting the crimes committed; however, the studies provided no evidence that this occurred. Participants in intensive supervision programs were more likely to be cited for technical violations than offenders on regular probation, but citations for technical violations did not appear to suppress new criminal arrests.

¹⁶ Petersilia and Turner, “Intensive Probation and Parole,” 321.

¹⁷ Langan, “Between Prison and Probation: Intermediate Sanctions,” *Science* (May 6, 1994), 792.

¹⁸ George B. Vold, *Prediction Methods and Parole* (Minneapolis: The Sociological Press, 1931).

Table 2.6: Percentage of Probationers and Released Prisoners Rearrested, By Number of Prior Arrests (Based on Findings of Two Federal Studies)

Federal studies found that probationers and prisoners with similar arrest records had similar recidivism rates.	Number of Prior Arrests	Percent of Offenders Rearrested Within 3 Years:		Percent of Offenders With This Number of Prior Arrests:	
		Probationers	Prisoners	Probationers	Prisoners
	0	36.2%	38.1%	56.6%	9.1%
	1	51.1	48.2	19.9	10.8
	2	58.3	54.7	10.7	10.8
	3	63.0	58.1	5.6	9.7
	4	72.1	59.3	3.4	8.0
	5	59.8	64.8	2.0	7.0
	6-9	69.3	67.7	1.5	18.8
	10+	86.2	78.8	0.3	25.9
	Total	43.0%	62.5%	100.0%	100.0%

Note: For both groups, the rearrest rates were based on felony arrests, but the rates for prisoners also included serious misdemeanors. The probation data were based only on urban locations, while the prisoner data reflected statewide data.

Source: Patrick A. Langan, "Between Prison and Probation: Intermediate Sanctions," *Science* (May 6, 1994), 792.

Major violations consisted mainly of new misdemeanors and felonies, and they usually resulted in a return to prison.¹⁹

In subsequent years, researchers conducted several general studies of recidivism by Minnesota felons. These studies found that:

- Thirty-nine percent of inmates released from St. Cloud Reformatory in 1944-45 were **arrested** for felonies or misdemeanors during the five to seven years following their release, and another 14 percent had their **parole rescinded** but did not have new arrests. Twenty-one percent were **convicted** of felonies.²⁰
- Within five years of release from the St. Cloud Reformatory in 1955-56, 62 percent of inmates were **convicted** of felonies, misdemeanors, or serious traffic offenses, or had their **parole revoked**.²¹

¹⁹ Major violations did not include technical violations of parole, but they included fleeing from law enforcement and failing to make child support payments.

²⁰ Stanley B. Zuckerman, Alfred J. Barron, and Horace B. Whittier, "A Follow-up Study of Minnesota State Reformatory Inmates: A Preliminary Report" *Journal of Criminal Law, Criminology, and Police Science*, 43 (1953), 622-636.

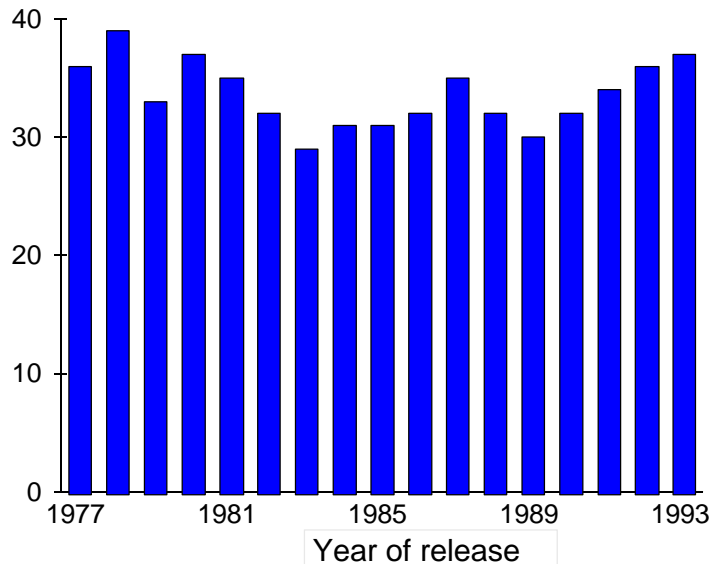
²¹ Mandel and others, *Crime Revisited*, 35-36.

- Among persons who were first convicted of a felony in 1982-84, 27 percent were arrested for a felony or gross misdemeanor within three years and subsequently **convicted**.²²

Since the 1970s, the Minnesota Department of Corrections has regularly tracked the extent to which released inmates have returned to any prison in Minnesota, as shown in Figure 2.1. For inmates released from prison for the first time on their current sentence, the figure shows the percentage of offenders who returned to prison within two years. The department has found that 29 to 39 percent of released offenders **returned to prison** for either a new offense or technical violation of their release conditions.²³

The Minnesota Department of Corrections has tracked reimprisonment rates for many years.

Figure 2.1: Percentage of Minnesota Prisoners Who Returned to Prison Within Two Years



Source: Minnesota Department of Corrections.

In addition to these general recidivism studies, some researchers have examined recidivism for certain subgroups of Minnesota offenders. In 1995, the Rand Corporation issued the results of an experimental study of Minnesota’s community-based intensive supervision programs.²⁴ The study found that 48 percent of

22 Stephen Coleman and Kathryn Guthrie, *Sentencing Effectiveness in the Prevention of Crime* (St. Paul: Minnesota State Planning Agency, 1988). The study was based on conviction data from 1982-85. It did not adjust for felons who were sent to prison and therefore were unable to reoffend for all or part of the follow-up period.

23 According to the department, the percentage of offenders returning to prison for new offenses has consistently been around 20 percent, and the other returning offenders have come back for technical violations. But Chapter 3 notes that the department has understated the percentage of inmates who returned for new offenses because it determined the type of return only by the first return to prison in the follow-up period.

24 Elizabeth Piper Deschenes, Turner, and Petersilia *Intensive Community Supervision in Minnesota: A Dual Experiment in Prison Diversion and Enhanced Supervised Release* (Santa Monica, CA: Rand, May 1995). The study tracked about 300 offenders.

offenders in a “prison diversion” program were **arrested** for a felony or gross misdemeanor in their first two years in the community. This program was intended for persons sentenced to prison but considered by the Department of Corrections to be relatively low risks to the public. In addition, Rand examined an intensive supervision program for persons given their “supervised release” from prison but believed by the Department of Corrections to represent potential continuing risks to the community. Among these offenders, 15 percent were **arrested** in the first year following their release. The study found that rearrest rates of the offenders in the intensive supervision programs did not differ significantly from the rates of similar offenders who were randomly assigned to other types of supervision.²⁵

Also, the Department of Corrections has recently undertaken several studies of sex offender recidivism. For instance, the department tracked sex offenders released from prison in 1988 and found that 45 percent were **arrested** for a felony or gross misdemeanor during the next five years, including 15 percent for a new sex offense.²⁶ Less than 20 percent of the sex offenders completed treatment during their prison term, and sex offenders who completed treatment programs in prison had recidivism rates similar to those of sex offenders who did not enter programs.²⁷

Legislators have not had comprehensive information on recidivism among Minnesota prisoners and probationers.

While there have been some useful efforts to evaluate the recidivism rates of Minnesota offenders during the past 70 years, concern about the lack of adequate recidivism information was one of the reasons the 1996 Minnesota Legislature requested our office to conduct this study. In particular,

- **There has been limited statewide information on (1) rearrest or reconviction rates of Minnesota’s released prisoners, and (2) rates of recidivism among Minnesota’s probationers.**

The rates of reimprisonment regularly reported by the Minnesota Department of Corrections can be a useful measure of recidivism, but they do not provide a comprehensive measure of repeat criminal activity by offenders. Because Minnesota courts sentence many convicted felons to probation rather than prison, rearrest and reconviction rates provide more complete measures of recidivism than reimprisonment rates.²⁸

²⁵ The study found that a significantly higher percentage of participants in the prison diversion program had technical violations when compared with similar offenders not assigned to this program. There was no difference in the extent of technical violations among the offenders on “intensive supervised release” and a similar group of released offenders.

²⁶ James Kaul, Stephen Huot, Douglas Epperson, and Maude Dornfeld *Study One: Sex Offenders Released in 1988* (St. Paul: Minnesota Department of Corrections, 1994).

²⁷ Over a five-year period, the rearrest rates for all crimes were 44 percent for treatment completers, 49 percent for those who entered treatment but did not complete, and 44 percent for those who never entered treatment. The rates of rearrest for violent offenses were 22, 41, and 23 percent, respectively. On average, offenders who entered treatment but did not complete had longer and more serious criminal records than treatment completers and those who never entered treatment.

²⁸ For example, as we showed in Table 1.2, the percentage of persons convicted of violent felonies in Minnesota who went to prison ranged from 24 percent for those with one criminal history point” on Minnesota’s sentencing guidelines system to 88 percent for those with six or more criminal history points. Offenders with higher numbers of points generally have longer criminal histories.

In addition, the Legislature has never received statewide information on probationer recidivism. The Department of Corrections' 1994 performance report indicated that 10 percent of probationers supervised by a department agent in fiscal year 1994 were charged with a new misdemeanor or felony offense.²⁹ But department staff told us that they have no documentation for the recidivism rate cited in the report and are unsure what data were used to compute it. Furthermore, the report included no information on **county-supervised** probationers, who account for about 80 percent of felony probationers in Minnesota. In Chapter 4, we offer suggestions for improving Minnesota's information on offender recidivism.

Research on Patterns of Criminal Behavior

Criminal justice researchers have studied general patterns of criminal behavior in addition to measuring offender recidivism rates. For example, they have examined the ages at which criminal behavior typically begins and ends, and the number and types of offenses committed. We reviewed this research to highlight findings that might provide a useful context for our recidivism analysis.

Research on the persistence of criminal behavior has generally indicated that:

- **Crime is not a lifelong activity for most recidivists.**

A national panel of researchers examined arrests for serious offenses among recidivists whose first adult arrest occurred before age 21. They concluded that the average period of time between these offenders' first and final arrests was about five years; property offenders had shorter than average periods of criminality, and violent offenders had longer periods.³⁰ But, while most offenders ended their criminal "careers" during early adulthood, the panel found that the group of offenders who continued to commit serious offenses into their thirties typically were not arrested for the last time until at least age 40.³¹

Research has shown that a significant proportion of the American male population--perhaps 25 to 35 percent of urban males--are arrested for a serious crime at some time during their lives.³² Males are about three to five times more likely than females to be arrested for a crime during their lives, and black males are two

**Typically,
recidivists stop
committing
crimes after
several years.**

²⁹ Minnesota Department of Corrections, *Annual Performance Report* (St. Paul, September 1994), 32.

³⁰ Panel on Research on Criminal Careers, *Criminal Careers and 'Career Criminals'*, ed. Alfred Blumstein, Jacqueline Cohen, Jeffrey A. Roth, and Christy A. Visher (Washington, D.C.: National Academy Press, 1986), 94. Another researcher used arrest data and inmate surveys to reach a conclusion that "6 or 7 years" is a reasonable estimate for the average length of a criminal "career;" see William Spelman, *Criminal Incapacitation* (New York: Plenum Press, 1994), 140.

³¹ *Criminal Careers and 'Career Criminals'*, 92-94. While some people have argued against incarcerating 30-year-old offenders because they are near the end of their criminal careers, the authors state that "the few persistent offenders who begin their adult careers at 18 and remain criminally active into their 30s appear to represent prime candidates for incarceration" (p. 93).

³² *Criminal Careers and 'Career Criminals'*, 53. "Serious" crimes were defined as the FBI's "index" offenses.

to three times more likely than white males to be arrested for a crime during their lives.³³ But, while many males have arrest records, research has indicated that:

- **A relatively small group of recidivists are responsible for a disproportionately large number of serious crimes.**

For instance, large surveys of jail and prison inmates in three states have indicated that 10 to 20 percent of the offenders accounted for 70 to 80 percent of the serious violent and property crimes that had been committed by the inmates.³⁴ Unfortunately, corrections researchers have been unable to develop methods that predict individual offenders' future criminality with much accuracy.³⁵

While some offenders "specialize" in certain types of crime, research has indicated that:

- **Persons who commit crimes the most frequently often commit a variety of offenses, not just one type.**

In one inmate survey, 43 percent said that they committed only property crimes in the two years prior to incarceration, 20 percent committed only violent crimes, and 37 percent committed both types.³⁶ But the study found that offenders who committed **both** personal and property crimes committed each at rates about twice as high as criminals who specialized in one or the other. In addition, many repeat offenders who specialize in a broad type of crime (such as property crime) commit a variety of specific offenses within the type.³⁷

As a result of this varied pattern of offending, it probably makes sense for recidivism analyses to examine whether offenders have committed **any** subsequent offenses, not just crimes of the exact type for which the offenders were initially convicted. Likewise, if a person imprisoned for a violent offense is arrested for theft following his release, this might reflect a normal pattern of varied criminal behavior and not necessarily the offender's transformation into a nonviolent criminal.

Research evidence has indicated that offenders commit relatively constant numbers of particular crimes during the period of time when they are "active"

Chronic offenders often commit a variety of types of crimes.

33 *Criminal Careers and 'Career Criminals,'* 40-41.

34 *Criminal Incapacitation*, 84-86, based on 1975, 1976, and 1978 Rand surveys in Texas, Michigan, and California.

35 For example, Stephen P. Klein and Michael N. Caggiano, *The Prevalence, Predictability, and Policy Implications of Recidivism* (Santa Monica, CA: Rand, August 1986), 37-38, used five models to try to predict recidivism among released inmates. "The predictions generated by any one model were usually only 5 to 10 percent more accurate than those that would be obtained by chance," they reported.

36 Spelman, *Criminal Incapacitation*, 104-107.

37 *Criminal Careers and 'Career Criminals'* examined arrest patterns in Detroit and found no offense category in which more than 50 percent of people arrested were arrested the next time for the same offense. For example, among white offenders, only 24 percent of auto thieves and 40 percent of fraud arrestees were next arrested for the same offense (pp. 82-83).

Three years is a reasonable follow-up period for a recidivism study.

criminals (that is, committing crimes).³⁸ In other words, aside from dropping out of crime entirely, criminals do not tend to vary significantly the frequency of committing a particular crime over time. Results of inmate surveys in several states have indicated that the typical offender commits at least 10 to 15 non-drug crimes in the year before entering prison.³⁹

Because many crimes do not result in arrests, recidivism studies that rely on records of arrest, conviction, or imprisonment have the potential to understate the actual level of repeat offending. But studies have also indicated that:

- **Among those convicted felons who are subsequently rearrested, most are rearrested relatively soon after their previous conviction or release from incarceration.**

In fact, evidence from official criminal records has indicated that a three-year follow-up period is sufficiently long to identify a majority of those offenders who will eventually be rearrested.⁴⁰ This is one reason that most recidivism studies have tracked offenders for relatively short periods, even though longer follow-up periods would surely uncover some additional instances of recidivism.

PROGRAM IMPACTS ON RECIDIVISM

To evaluate the impact of a program on recidivism, it is necessary to consider whether the program resulted in lower recidivism rates than would have occurred in its absence. Researchers often do this by comparing the recidivism of offenders who participated in the program (the “experimental group”) with the recidivism of offenders who did not (the “control group”). To help ensure that differences in these recidivism rates do not reflect underlying differences in the types of offenders in these groups, researchers generally prefer to **randomly** assign eligible offenders to either the experimental or control group. But sometimes this is impractical, and some people believe that it is unethical to deny offenders access to programs that may help them. Thus, in cases where it is not possible to conduct program evaluations based on random assignments, researchers often try to ensure that the characteristics of the offenders in the experimental group are similar to

³⁸ *Criminal Careers and ‘Career Criminals,’* 59-76.

³⁹ Anne Morrison Piehl and John J. DiIulio, “Does Prison Pay? Revisited: Returning to the Crime Scene,” *The Brookings Review* (Winter 1995), 22, reported that the median number of offenses in recent New Jersey and Wisconsin surveys was 12, compared with 15 in earlier surveys in Texas, Michigan, and California. The average number of offenses committed is often considerably higher due to the large number of offenses committed by a small group of offenders.

⁴⁰ For example, Howard Kitchener and others, “How Persistent is Post-Prison Success?”, *Federal Probation* (March 1977), 9-15, tracked offenders for 18 years. The study found that 50 percent of the recidivists could be identified as repeat offenders from official records after two years, and two-thirds could be identified after three years. Karen E. Needels, “Go Directly to Jail and Do Not Collect? A Long-Term Study of Recidivism, Employment, and Earnings Patterns Among Prison Releasees,” *Journal of Research in Crime and Delinquency* (November 1996), 471-496, tracked Georgia offenders for 17 years. Supplemental data provided by the author indicated that two-thirds of the repeat arrestees could be identified after three years, and more than half of the reimprisoned offenders could be identified after three years.

Many studies have examined the effects of correctional programs on recidivism.

those in the control group, or they find a way to statistically control for any important differences.

At the outset of our study, many legislators expressed a desire for more information about the effectiveness of corrections programs and strategies. They wanted to know the rates of recidivism for various groups of offenders, but they also wanted to know whether particular programs could reduce recidivism. Because we evaluated recidivism for offenders who were sentenced or released from prison several years ago, we could not conduct an experimental study or control for all differences among the offenders.

But academic researchers have periodically evaluated correctional programs, including some that are similar to those in Minnesota. This section highlights the findings from those studies that were the most carefully designed and, therefore, the most conclusive. Where possible, we relied on published reviews of research literature. Although programs may be judged by a variety of measures, we only examined measures of programs' impacts on recidivism. Our review is intended to help decision makers consider the **general** potential of correctional programs to reduce recidivism, rather than exploring detailed aspects of program content that may contribute to successful or unsuccessful outcomes.

General Findings

There was considerable pessimism in the mid-1970s about the ability of correctional interventions to rehabilitate offenders. This resulted, in large part, from a summary of past research that found that: "With few and isolated exceptions, the rehabilitative efforts that have been reported so far have had no appreciable effect on recidivism."⁴¹

In 1979, a panel of researchers from the National Academy of Sciences concluded that:

The entire body of research appears to justify only the conclusion that we do not now know of any program or method of rehabilitation that could be guaranteed to reduce the criminal activity of released offenders. Although a generous reviewer of the literature might discern some glimmers of hope, those glimmers are so few, so scattered and so inconsistent that they do not serve as a basis for any recommendation other than continued research.⁴²

This comprehensive review acknowledged that some treatments might be effective for certain offender subgroups. But, regarding programs in prisons, the

⁴¹ Robert Martinson, "What Works: Questions and Answers About Prison Reform," *The Public Interest* (Spring 1974), 25. This article was based on a subsequently-published review of research: Douglas Lipton, Martinson, and Judith Wilks, *The Effectiveness of Correctional Treatment: A Survey of Treatment Evaluation Studies* (New York: Praeger, 1975). Later, Martinson recanted his conclusion and observed that "contrary to my previous position, some treatment programs do have an appreciable effect on recidivism"--see Martinson, "New Findings, New Views: A Note of Caution Regarding Sentencing Reform" *Hofstra Law Review* (Winter 1979), 244.

⁴² Panel on Research on Rehabilitative Techniques *The Rehabilitation of Criminal Offenders: Problems and Prospects*, ed. Lee Sechrest, Susan O. White, and Elizabeth D. Brown (Washington, D.C.: National Academy of Sciences, 1979), 3.

authors concluded, "We should continue to treat as problematic the assumption that long-term behavior in a nonprison environment can be significantly affected by institutional programs."⁴³ The report's authors expressed frustration with flaws in previous research, and they questioned whether the correctional programs under review had made sufficiently serious efforts to change the ingrained behavior of offenders.

Today, there continues to be considerable debate about the effectiveness of correctional programming. Some researchers contend that there is clear evidence that selected programs succeed with certain types of offenders. Others believe that the results of past research are inconclusive or suggest that programs have little impact. Figure 2.2 contains a sampling of findings from recent reviews of research.

Figure 2.2: Selected Summaries of Program Effectiveness Literature

- **Lab and Whitehead, 1989** (based on a review of 50 studies issued between 1975 and 1984): "The results clearly support the contentions of [previous analysts] that correctional treatment has little effect on recidivism."
- **Andrews and others, 1990** (based on a review of 80 studies issued between 1959 and 1989): The use of "appropriate" treatment reduces recidivism rates by an average of about 50 percent. The authors said that appropriate treatment is that which targets higher risk cases, targets offenders' criminogenic needs, and uses types of treatment that match client need and learning styles.¹
- **Palmer, 1991**: "Neither meta-analyses nor recent literature reviews indicate that generic types of programs have been found that consistently produce major recidivism reductions." But there is general agreement that interventions for serious and repeat offenders should (1) combine a variety of components, such as education, work training, counseling, and other activities, (2) be intensive, and (3) be tailored to offender subgroups.
- **Lipsey, 1992** (based on 443 studies issued since 1950): "The answer to the general question 'Does treatment reduce delinquency?' therefore appears to be 'Yes, on average there is a positive effect.' But while positive and statistically significant, the mean effect sizes found here appear relatively modest. . . [T]he mean treatment effect . . . is equivalent to a reduction in average recidivism from 50 to 45 percent."
- **Logan and Gaes, 1993**: "Meta-analysis of research on rehabilitation has not yet established that any particular method of treatment is significantly and reliably effective. We still do not know what 'works' in correctional treatment, but it wouldn't matter even if we knew, because the fundamental purpose of imprisonment is not the correction but the punishment of criminal behavior."

Sources: Steven P. Lab and John T. Whitehead, "A Meta-Analysis of Juvenile Correctional Treatment," *Journal of Research in Crime and Delinquency* (August 1989), 276-295; D.A. Andrews and others, "Does Correctional Treatment Work? A Clinically Relevant and Psychologically Informed Meta-Analysis," *Criminology* (August 1990), 369-404; Ted Palmer, "The Effectiveness of Intervention: Recent Trends and Current Issues," *Crime and Delinquency* (July 1991), 330-346; Mark W. Lipsey, "Juvenile Delinquency Treatment: A Meta-Analytic Inquiry into the Variability of Effects," in *Meta-Analysis for Explanation: A Casebook*, eds. Thomas D. Cook and others (New York: Russell Sage Foundation, 1992), 83-127; Charles H. Logan and Gerald G. Gaes, "Meta-Analysis and the Rehabilitation of Punishment," *Justice Quarterly* (June 1993), 243-263.

¹A preliminary analysis of a more recent set of studies (1989-94) found that the more appropriate approaches identified by Andrews were not as highly correlated with reduced recidivism as in the original Andrews analysis. Frank S. Pearson, Douglas S. Lipton, and Charles M. Cleland, *Some Preliminary Findings From the CDATE Project*, paper presented at the Annual Meeting of the American Society of Criminology, Chicago, November 20, 1996. The authors are still exploring possible explanations.

Researchers are still trying to determine which programs are most effective.

In our view, many studies have shown that programs **can** reduce recidivism by modest amounts, so the view that “nothing works” is unnecessarily pessimistic. But,

- **There is still no clear consensus regarding which programs are most effective with various categories of offenders, and programs that have reduced recidivism in certain circumstances have not always worked in others.**

Currently, a private research organization is cataloging data from all correctional treatment studies since 1968, in hopes of identifying elements of successful correctional programming.⁴⁴ Still, programs that have been shown to be effective in experimental settings have not always been implemented more widely with similar results. Thus, we think that the 1979 conclusion of the National Academy of Sciences remains true today: that no program can guarantee reduced recidivism, although some studies have shown that programs **can** reduce recidivism.

The following sections summarize research findings about the impact of various offender programs on recidivism, particularly prison-based programs. It is important to note that there may be measures of program success besides levels of recidivism, so our discussion is not intended to provide a comprehensive basis for judging the value of these programs.

Chemical Dependency Programs

Many serious offenders abuse drugs or alcohol, and sometimes this is directly related to their criminal behavior. In a 1991 survey of prison inmates nationwide, 62 percent of inmates said they had used a non-prescribed drug on a regular basis at some time.⁴⁵ At the time of their commitment offense, 18 percent were under the influence of alcohol, 17 percent were under the influence of drugs, and 14 percent were under the influence of both. Seventeen percent said that they committed their offense to get money to buy drugs. Studies have shown that offenders tend to commit more severe and frequent crimes as the frequency of their drug abuse increases.⁴⁶

According to a 1995 federal report, a series of large-scale, recent studies are the first “to provide solid evidence that prison-based [drug] treatment can produce significant reductions in recidivism rates among chronic drug-abusing felons and to

⁴⁴ New York-based National Development and Research Institutes, Inc., has initiated the Correctional Drug Abuse Treatment Effectiveness (CDATE) project, which is designed to summarize the results of all credible research on correctional interventions (not just drug treatment) that have been conducted since 1968--the latest year of studies included in the 1975 analysis by Lipton, Manson, and Wilks.

⁴⁵ U.S. Bureau of Justice Statistics, *Survey of State Prison Inmates, 1991* (Washington, D.C., March 1993), 21-26. For the survey, 13,986 inmates were interviewed in 277 prisons.

⁴⁶ Gregory P. Falkin, Harry K. Wexler, and Douglas S. Lipton, “Drug Treatment in State Prisons” *Treating Drug Problems* (v. 2), ed. Dean R. Gerstein and Henrick J. Harwood (Washington, D.C.: National Academy Press, 1992), 97-98.

show consistency of such results over time.⁴⁷ These studies have indicated that offenders who were in treatment for longer periods (such as 9 to 12 months) tended to have lower recidivism rates than short-term participants.

Over the years, "only a limited number of [correctional drug treatment] programs have been scientifically demonstrated to be effective."⁴⁸ But a recent research summary reported that "a growing body of research" shows that voluntary or mandatory drug treatment can reduce recidivism, especially when treatment is matched to offender needs.⁴⁹ Researchers have suggested that the central features of effective drug treatment programs in correctional settings are (1) competent and committed staff, (2) support of correctional authorities, (3) adequate resources, (4) comprehensive, intensive therapy aimed at changing offender lifestyles and not just substance abuse problems, and (5) continuity of care following program completion.⁵⁰

Sex Offender Treatment Programs

There are various types of sex offenders, and research literature has indicated that their rates of recidivism may differ considerably. One literature review indicated that untreated exhibitionists tend to commit repeat sex offenses at the highest rates (41 to 71 percent), and untreated incest offenders have the lowest rates (4 to 10 percent). The review said that recidivism rates for untreated child molesters have ranged from 10 to 40 percent, and rates for untreated rapists have ranged from 7 to 35 percent.⁵¹

Correctional agencies not only serve various types of sex offenders, but they also employ various types of treatment approaches. *Behavioral treatment* attempts to reduce sexual arousal by changing offenders' behavioral responses to sexual stimuli. *Organic and biomedical treatment* relies on surgery, hormones, or medica-

47 Douglas S. Lipton, *The Effectiveness of Treatment for Drug Abusers Under Criminal Justice Supervision* (Washington, D.C.: National Institute of Justice, November 1995), 51, which singled out studies of programs in New York, Oregon, California, and Delaware. Even some of the better evaluations have not involved random assignment of offenders to groups receiving treatment and those not receiving it. Instead, studies have often compared the outcomes of treatment completers with the outcomes of program dropouts or with demographically similar groups of offenders who did not participate in treatment. Thus, as in any studies that do not use random assignment, it is possible that the successful participants were more motivated to change their behaviors than unsuccessful participants.

48 Falkin and others, "Drug Treatment in State Prisons," 90. For example, the authors cited failed interventions such as "scared straight" programs, counseling programs run by inmates, and programs based on a "disease model."

49 Michael L. Prendergast, M. Douglas Anglin, and Jean Wellisch, "Treatment for Drug-Abusing Offenders Under Community Supervision," *Federal Probation* (December 1995), 66.

50 Falkin and others, "Drug Treatment in State Prisons," 118-119, suggest that the more successful programs are based on "social learning theory." These programs assume that criminal behavior is learned, so they try to improve offenders' interpersonal relations through vocational and social skill building, peer-oriented behavior programs, interpersonal cognitive skill training, role playing, and other approaches.

51 W.L. Marshall and H.E. Barbaree, "Outcome of Comprehensive Cognitive-Behavioral Treatment Programs," *Handbook of Sexual Assault*, (New York: Plenum Press, 1990), 371. The studies have used varying follow-up periods, which may partly explain variations in the rates for particular offender types.

tions to reduce the sexual drive of offenders. *Psychological and cognitive treatment* aims to teach sex offenders how to recognize and control their sexual arousal patterns.⁵²

Research studies often combine these treatment approaches and serve multiple types of sex offenders, so it is difficult to conclusively determine what types of treatment work best with certain offenders. A 1989 review of 42 research studies concluded that:

Despite the relatively large number of studies on sex offender recidivism, we know very little about it. . . . There is as yet no evidence that clinical treatment reduces rates of sex reoffenses in general and no appropriate data for assessing whether it may be differentially effective for different types of offenders.⁵³

Some sex offender treatment programs have reduced recidivism by small amounts.

But a 1995 review of 12 subsequent studies reached a more optimistic conclusion about the effectiveness of sex offender treatment. It reported that 19 percent of sex offenders treated in these studies committed new sex offenses, compared with 27 percent of sex offenders who did not receive the treatments. The studies that followed offenders for long periods (more than five years) showed greater impacts from treatment than did studies with shorter follow-up periods, apparently due to the long-term risk of recidivism by untreated, or inadequately treated, sex offenders. The analysis of these studies concluded that “the effect of treatment with sexual offenders is robust, albeit small, and that treatment is most effective with outpatient [rather than institutionalized] participants and when it consists of hormonal or cognitive-behavioral treatments.”⁵⁴

Still, the author of this review suggested that treatment staff in programs for sex offenders should aim for more than “small” reductions in recidivism:

Unlike many other psychological treatments for highly repetitive problems, such as addictive behaviors (e.g., smoking, alcohol, drugs), in which some recidivism may be expected and even tolerable, the expectation of psychological treatments for sexual offenders is *no recidivism* because of the serious effects of even a single act of sexually aggressive behavior [emphasis added].⁵⁵

Education Programs

Many studies have indicated that there is a relationship between the education level of offenders and their rates of recidivism. As shown in Table 2.7, for example, the Bureau of Justice Statistics found that high school graduates released from

52 For a discussion of programs in Minnesota, see Office of the Legislative Auditor, *Sex Offender Treatment Programs* (St. Paul, July 1994).

53 Lita Furby, Mark R. Weinrott, and Lyn Blackshaw, “Sex Offender Recidivism: A Review,” *Psychological Bulletin* (January 1989), 27.

54 Gordon C. Nagayama Hall, “Sexual Offender Recidivism Revisited: A Meta-Analysis of Recent Treatment Studies,” *Journal of Consulting and Clinical Psychology* (October 1995), 808. One of the studies relied on castration of offenders, an approach that is not used in Minnesota. Without this study, the percentages of recidivating offenders would have been 22 percent for treated offenders and 26 percent for untreated offenders.

55 Nagayama Hall, “Sex Offender Recidivism Revisited,” 802.

Better-educated prisoners often have lower recidivism rates, but relatively few studies have rigorously examined the impact of prison-based education programs.

Table 2.7: Recidivism Rates of Prisoners Released in 1983 From 11 States, By Education Level

Education Level, Before Imprisonment	Percent of Released Prisoners Who Within 3 Years Were:		
	Rearrested	Reconvicted	Reincarcerated
8th Grade or Less	61.9%	46.0%	38.4%
Some High School	65.1	46.9	40.9
High School Graduate	57.4	39.8	35.0
Some College or More	51.9	36.1	30.4

Source: Beck and Shipley, *Recidivism of Prisoners Released in 1983*, 5.

prison in 1983 had somewhat lower recidivism rates than inmates without high school diplomas.⁵⁶ That same study indicated that Minnesota's inmate population was relatively well-educated. Of the eight states in this study that reported information on the education levels of released offenders, Minnesota had a much higher percentage of high school graduates (59 percent) than any of the others.⁵⁷

While many studies have indicated a relationship between offenders' education levels and recidivism rates, there is limited evidence that individual prison education **programs** reduce inmate recidivism. Recently, two researchers examined studies issued between 1948 and 1992 that explored the relationship between prison education programs and recidivism. The researchers rated these studies, based on the quality of the research methods used.⁵⁸ Of the six "best" studies of precollege education programs in prisons, three showed a significant inverse relationship between participation in the program and post-release recidivism, and three did not. Of the six best studies of prison-based college education, four showed a significant inverse relationship between program participation and recidivism, and two did not. Of the six best studies of vocational education programs, four showed a significant inverse relationship between program participation and recidivism, and two did not.

But even some of the "best" studies cited here did not randomly assign inmates to the program under study or to a "control group" that did not receive these educational services. As a result, there is the possibility of bias in the results of some of these and many other less rigorous studies: specifically, that offenders who enrolled in education programs had lower recidivism rates because they were more motivated to change their lives than offenders who did not enroll in the programs.

⁵⁶ Beck and Shipley, *Recidivism of Prisoners Released in 1983*, 5.

⁵⁷ Other percentages were: Michigan--43; Texas--42; Illinois--35; Florida--33; New Jersey--29; New York--25; and North Carolina--25.

⁵⁸ Jurg Gerber and Eric J. Fritsch, "Adult Academic and Vocational Correctional Education Programs: A Review of Recent Research," *Journal of Offender Rehabilitation* 22 (1/2) (1995), 119-142. The most rigorous studies (and those cited here) were ones that employed both experimental and control groups, that controlled for differences between the populations of these groups (through random assignment of offenders, selection of "matched" control and experimental subjects or statistical control of the characteristics of the control and experimental groups), and that reported whether the observed results were statistically significant.

Thus, while the authors of this review pointed to some promising indications of a relationship between education programs and reduced recidivism, they also said that future studies need to be designed better in order to isolate the impact of the programs from other variables. "Without adequate control techniques," they said, "it is difficult to speak definitively about the impact of correctional education programs."⁵⁹

A more recent study provided some encouraging evidence about the impact of prison education programs on poorly educated inmates. The study of 14,000 Texas inmates found that those who entered prison with the lowest levels of education appeared to benefit more than other inmates from intensive participation in prison education programs (more than 200 hours). For example, as shown in Table 2.8, the two-year recidivism rate of offenders who entered prison with less than a fourth-grade education was 18 percent for those who participated in

Table 2.8: Recidivism Rates of Texas Prisoners, By Level of Education and Participation in Prison Academic Education Programs

A Texas study found that inmates who spent more time in education programs had lower rates of reimprisonment.	<u>Initial Grade Level and Hours of Participation in Academic Programs</u>	<u>Percent of Inmates Reimprisoned (Average Follow-up Period = 2 Years)</u>
	1.0 to 3.9	
	No participation	26.6%
	0-200 hours	25.7
	200+ hours	18.1
	4.0 to 5.9	
	No participation	27.9
	0-200 hours	22.8
	200+ hours	20.7
	6.0 to 8.9	
	No participation	26.2
	0-200 hours	24.7
	200+ hours	20.5
	9.0 to 11.9	
	No participation	21.4
	0-200 hours	19.8
	200+ hours	16.9
	12.0 or higher	
	No participation	15.3
	0-200 hours	13.2
	200+ hours	12.5

Source: Kenneth Adams and others, "A Large-Scale Multidimensional Test of the Effect of Prison Education Programs on Offenders' Behavior," *The Prison Journal* (December 1994), 433-449.

⁵⁹ Gerber and Fritsch, 137.

intensive education programs, compared with 27 percent for similar offenders who did not.⁶⁰ Consistent with many other studies, the study found that the inmates who entered prison with the highest levels of education tended to have the lowest recidivism rates after their release.

Prison Industry Programs

Corrections officials advocate the development of work programs within prisons as a way to productively occupy the time of inmates and keep them in structured, supervised settings. But many prison staff also favor work programs as a means of helping to rehabilitate offenders. Staff hope that inmates who learn good work habits and skills during their prison terms may be less likely to turn to crime following their release from prison.

In 1989, based on a review of studies conducted in Utah, Ohio, Florida, and New York, a corrections researcher concluded that “the few empirical studies that have examined the presumed beneficial effects of prison labor on inmate behavior have reached contradictory but largely pessimistic conclusions.”⁶¹ Since this review was conducted, a major federal study has provided evidence of a modest yet positive link between prison industry participation and recidivism. The study tracked released federal prisoners, matching industry participants with a similar group of non-participants.⁶² After 12 months, 6.6 percent of the industry participants had been rearrested or had their supervision revoked for technical violations, compared with 10.1 percent of the comparison group. For a longer follow-up period (8 to 12 years), the study found that males who did not participate in industry programs returned to federal prisons for new offenses sooner and more often, on average, than males who did participate.⁶³

60 Kenneth Adams and others, “A Large-Scale Multidimensional Test of the Effect of Prison Education Programs on Offenders’ Behavior,” *The Prison Journal* (December 1994), 433-449. Because this study did not involve random assignments to programs or “matched samples” of offenders, it is possible that factors besides education programs—such as offender motivation—explain these results.

61 Timothy Flanagan, “Prison Labor and Industry,” *The American Prison: Issues in Research and Policy*, ed. Lynne Goodstein and Doris Layton MacKenzie (New York: Plenum Press, 1989), 135-161. A more recent (1995) evaluation of Ohio prison industries showed that industry participants had lower recidivism rates than non-participants, but the study selected the comparison group on the basis of only one offender variable (reading level).

62 William G. Saylor and Gerald G. Gaes, *PREP: A Study of “Rehabilitating” Inmates Through Industrial Work Participation and Vocational and Apprenticeship Training* (Washington, D.C., July 12, 1996). The difference was statistically significant. The non-participants had characteristics that indicated they likely would have been selected for participation in prison industries if job had been available.

63 Males who had participated in industry programs remained out of federal prison for new offenses 20 percent longer than non-participants, and this difference was statistically significant. The industry programs showed no such long-term impact, however, when the prison return rate was calculated on the basis of both new offenses and supervision revocations. See Saylor and Gaes, *Interim Report: The Effect of Prison Work Experience, Vocational and Apprenticeship Training on the Long-Term Recidivism of U.S. Federal Prisoners* (Washington, D.C., November 6, 1995).

SUMMARY

It is difficult to determine “typical” offender recidivism rates that can be used as benchmarks for evaluating Minnesota’s recidivism rates, but we concluded that recent studies have tended to show three-year recidivism rates for released prisoners in the following broad ranges: 50 to 70 percent were arrested for felonies or serious misdemeanors, 35 to 55 percent were convicted, and 25 to 45 percent were re-imprisoned. Recidivism rates for probationers were usually lower, probably reflecting their shorter criminal histories. Some of the variations in recidivism rates identified in previous studies might be explained by differences in the types of offenders tracked, their correctional settings, and the definitions of recidivism used. Studies indicate that a three-year follow-up period is sufficient to identify the majority of offenders who will subsequently be rearrested, but they also indicate that offenders usually commit many crimes that do not result in arrests.

For more than 20 years, the Minnesota Department of Corrections has tracked the rates at which released prisoners end up in prison again. But there have been no statewide studies of **probationer** recidivism in Minnesota, and there have been few attempts to examine rates of **rearrest** and **reconviction** among Minnesota’s released prisoners.

Correctional programs have been studied by researchers for decades, but there is no consensus about which programs are most successful. The results from the studies are mixed; some programs have been shown to reduce recidivism, and others have not. Unfortunately, many of the researchers have not described their offenders or treatments in sufficient detail, so corrections professionals are still trying to determine which programs work best with which offenders. Furthermore, programs that have been shown to reduce recidivism in one setting are not always replicated successfully in another setting.