

State of New York
Department of Correctional Services

Building Number 2
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Albany, New York 12226

**2001 RELEASES:
THREE YEAR POST
RELEASE FOLLOW-UP**



George E. Pataki
Governor



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EXECUTIVE SUMMARY

Return Rates. Among the 26,784 inmates released in 2001, 10,677 (40%) returned to custody within three years, one of the lowest rates of return since 1985. (see *Table 2.1*, p.5 and *Figure 2.1*, p.6). Twelve percent of the 2001 releases returned as new commitments and 28% returned for parole violations. After several years of increasing violator return rates and decreasing new commitment rates, both types of returns held stable at last year's rates for the 2001 cohort.

Release Type. Among the 2001 cohort, inmates released by a decision of the Board of Parole returned at a higher rate (43%) than inmates released at their conditional release dates (39%). Inmates released at the maximum expiration of their sentence, who can return for a new felony conviction but are not subject to return for parole violations, had a return rate of 23% (refer to *Table 2.1*, p.5).

Time to Return. Two-thirds of the 10,677 inmates who returned were re-committed within the first 18 months after their release (refer to *Table 3.1*, p.7). Median time to return has dropped substantially among parole violators for the last three release cohorts, falling to 10.8 months among the 2001 releases.

Gender. Women had a much lower rate of return (31%) than men (41%). The gender difference was evident for both new convictions and parole violation returns (*Table 4.1*, p.9).

Release Crime. Inmates sentenced to DOCS as Youthful Offenders had the highest rates of return (50%), followed by Property Offenders (46%). Violent Felony Offenders were the least likely to return (35%). (Refer to *Table 5.1*, p.11.)

Readmission Crime. Forty-one percent of the 2001 releases who returned for the commitment of a new crime were returned for a new drug offense (refer to *Table 6.1*, p.16). Among the 1985-2001 release cohort, drug offenders were more likely to specialize (76% of the re-convicted drug offenders committed a new drug offense) than other types of offenders (refer to *Table 6.2*, p.18).

Age. Younger releases were more likely to return to DOCS than older inmates. More than half (54%) of the inmates released when they were under 21 years old returned, compared to 39 percent of the inmates 21 years of age or older (refer to *Table 7.1*, p.21).

Ethnicity. African-American inmates had the highest rate of return (44%). Thirty-six percent of Whites and Hispanics returned within three years. (Refer to *Table 8.1*, p.22).

Predicate Felons. Offenders who had been sentenced as predicate felons had a higher return rate (44%) than offenders sentenced as first felony offenders (35%) (refer to *Table 9.1*, p.25).

Region. Among the 2001 releases, inmates committed from Upstate Urban counties were more likely to return (45%) than inmates from Other New York counties (39%), New York City (39%) or Suburban New York (38%) (refer to *Table 11.1*, p. 30).

SECTION TWO: RETURN RATES BY RE-ADMISSION TYPE

Table 2.1 presents return rates by re-admission type for the 2001 releases and for the cumulative release cohort of 1985-2001 releases. (Data for individual years is provided in *Appendix A*). Within three years of release, 28 percent of the 2001 releases were returned for rule violations and 12 percent returned with new felony convictions. As shown in *Figure 2.1*, the three-year total return rate has been generally stable since the 1996 release cohort. After several years of increasing violator return rates and decreasing new commitment rates, both types of returns held steady at last year's rates among the 2001 cohort.

Both paroled and conditionally released inmates were more likely to be returned for rule violations than for new felony convictions. Almost one out of every three inmates released by the Parole Board during 2001, or 33 percent, were returned for rule violations within three years; 11 percent returned for new felonies. Similarly, among the 2001 conditional releases, 11 percent were returned for new crimes, while 28 percent were returned as parole violators.

TABLE 2.1
2001 and 1985-2001 RELEASES:
RETURNS FOR NEW FELONY OFFENSES AND FOR VIOLATION OF PAROLE

RELEASE TYPE AND RELEASE COHORT	TOTAL RELEASED		TOTAL RETURNED		RETURNED: NEW COMMITMENT		RETURNED: PAROLE VIOLATION	
	#	%	#	%	#	%	#	%
1985-2001 RELEASES	389,348	100.0%	163,211	41.9%	68,134	17.5%	95,077	24.4%
PAROLE	297,635	76.4%	127,226	42.7%	48,780	16.7%	77,446	26.0%
CONDITIONAL RELEASE	71,102	18.3%	29,999	42.2%	12,368	17.4%	17,631	24.8%
MAXIMUM EXPIRATION	20,611	5.3%	5,986	29.0%	5,986	29.0%	(Not Applicable)	
2001 RELEASES	26,784	100.0%	10,677	39.9%	3,162	11.8%	7,515	28.1%
PAROLE	16,247	60.7%	7,030	43.3%	1,707	10.5%	5,323	32.8%
CONDITIONAL RELEASE	7,853	29.3%	3,034	38.6%	842	10.7%	2,192	27.9%
MAXIMUM EXPIRATION	2,684	10.0%	613	22.8%	613	22.8%	(Not Applicable)	

Table 6.2 addresses whether offenders tend to repeat the same type of crime for which they were initially committed. Among the 1985-2001 releases who returned for new felony convictions within three years of release, return crimes are compared to the original crime for which the releasees were serving time in prison. The study is limited to those crimes that are often the focus of attention (and that comprise over 80 percent of the crimes committed by the releases): *Homicide, Robbery, Burglary, Sex Offenses, Drug Offenses and Weapons Offenses*.⁶ Because not all new commitment crimes are included in **Table 6.2**, the last column presents the percent of inmates who returned for one of the new commitment crimes in that table. **Figure 6.1** illustrates the findings presented in **Table 6.2**. More detail is presented in **Appendix E**, which compares the specific crime at release and crime on return for the 2001 release cohort and the 1985-2001 aggregated cohort.

Homicide. Of the 389,348 offenders released during the 1985-2001 period, 11,808 (3%) were originally committed for a homicide offense (Murder, Attempted Murder, Manslaughter 1st and 2nd, and All Other Homicides). Overall, 26 percent of the homicide offenders returned to prison within three years, the lowest return rate among the focus crimes presented in **Table 6.2**. Approximately eight percent of those released with homicide offenses returned as a new court commitment. Of the 929 homicide releases who returned to prison as a new court commitment, six percent returned for a new homicide offense, while 40 percent were returned for a drug offense.

Robbery. Among the 1985-2001 releases, 78,564 (20%) were originally committed for a robbery offense (Robbery 1st, Robbery 2nd, and Robbery 3rd). Almost half (49%) of the robbery releases returned to prison within three years, including 20 percent returned as a new court commitment. Of the 15,853 robbery releases who returned to prison as a new court commitment, the same percentage returned for a drug offense as returned for the commission of another robbery (33%).

Burglary. Burglary offenses (Burglary 1st, Burglary 2nd or Burglary 3rd) accounted for 48,502 (12%) of the 1985-2001 releases. More than half (52%) of these inmates returned to prison within three years, including 22 percent returned for a new crime. Of the 10,744 burglary releases who returned to prison as a new court commitment, 52 percent returned for the commission of another burglary while 18 percent returned for drug offenses.

Sex Offenders. Among the 1985-2001 releases, 11,898 (3%) were committed with a sex offense as the most serious conviction offense (Rape 1, Sodomy 1, Sexual Abuse 1 and all other Sex Crimes). About one-third (34%) of these sex offenders returned to prison within three years, including eight percent re-committed for a new crime. Of the 965 sex offender releases who returned to prison as a new court commitment, 26 percent returned for the commission of another sex offense, while 21 percent returned for a drug offense.

⁶ These tables only present information on an offender's most serious commitment crime, so information on the second or third crimes (or more) cannot be used to address this question. About three-quarters of the 2001 releases were serving sentences for the conviction of a single crime.

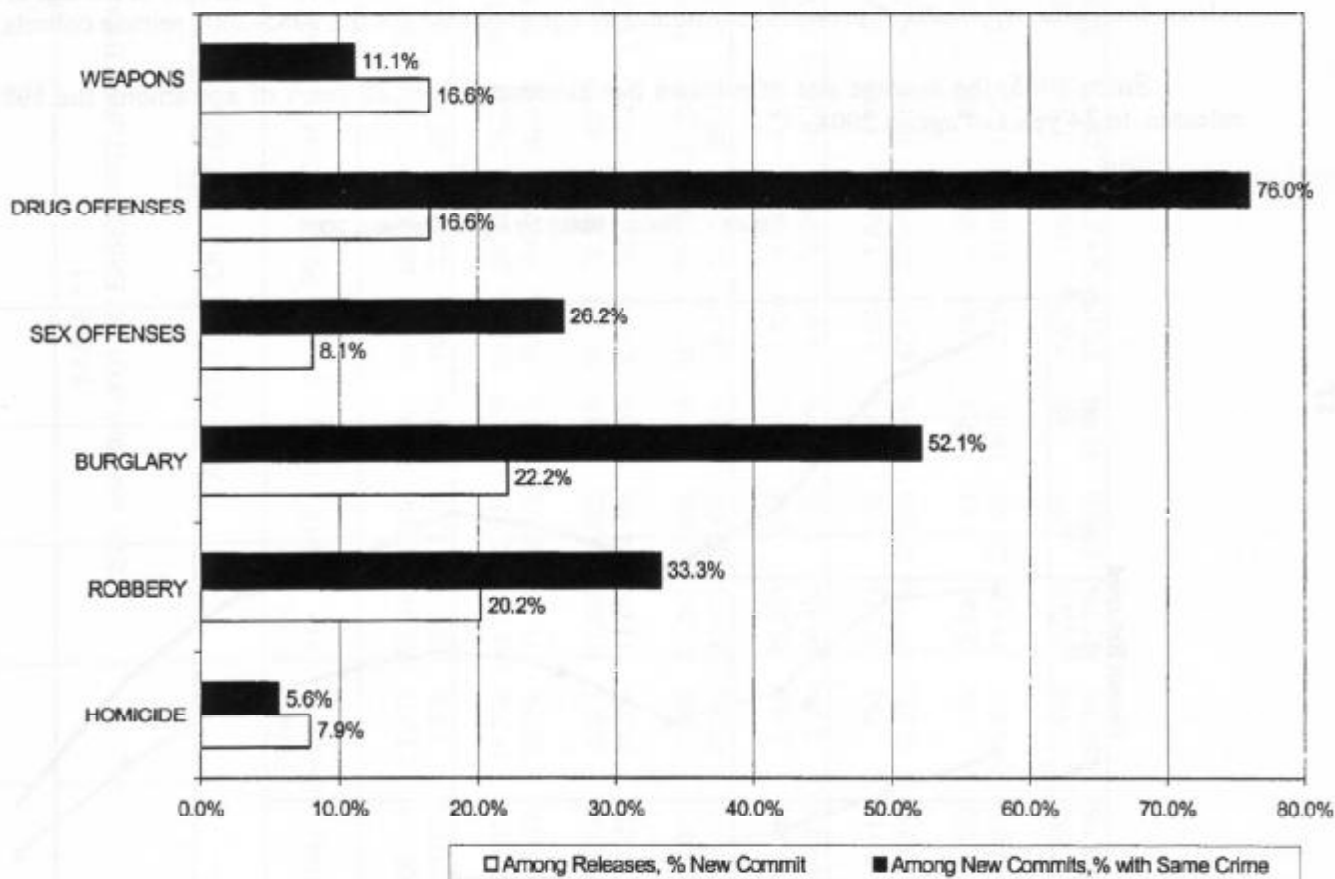
Table 6.2
SUMMARY TABLE OF SELECTED RELEASE CRIMES BY RETURN CRIMES, 1985-2001

MOST SERIOUS COMMITMENT CRIME	TOTAL RELEASED	TOTAL RETURNED #	TOTAL RETURNED %	AMONG RELEASED NEW COMMITS		AMONG THOSE RETURNED, THE NUMBER AND PERCENTAGE RETURNED FOR THE NEW CRIME OF:										TOTAL % RETURNED FOR THESE CRIMES		
				#	%	HOMICIDE #	%	ROBBERY #	%	BURGLARY #	%	SEX #	%	DRUGS #	%		WEAPONS #	%
TOTAL RELEASED	389,348	163,211	41.9%	68,134	17.5%	52	5.6%	143	15.4%	86	9.3%	22	2.4%	369	39.7%	108	11.6%	84.0%
HOMICIDE	11,808	3,016	25.5%	929	7.9%	13	4.4%	50	17.0%	25	8.5%	7	2.4%	107	36.4%	41	13.9%	82.7%
MURDER (& ATTEMPT)	3,695	984	26.7%	294	8.0%	33	6.6%	76	15.1%	50	10.0%	13	2.6%	215	42.8%	53	10.6%	87.6%
MANSLAUGHTER 1st	5,960	1,628	27.3%	502	8.4%	4	4.2%	14	14.6%	6	6.3%	0	0.0%	38	39.6%	12	12.5%	77.1%
MANSLAUGHTER 2nd	1,457	308	21.1%	96	6.6%	2	5.4%	3	8.1%	5	13.5%	2	5.4%	9	24.3%	2	5.4%	62.2%
OTHER HOMICIDE	706	96	13.6%	37	5.2%													
ROBBERY	78,564	38,182	48.6%	15,653	20.2%	370	2.3%	5,272	33.3%	1,405	8.8%	213	1.3%	5,255	33.1%	952	6.0%	84.9%
ROBBERY 1st & 2nd	66,830	31,883	47.7%	13,148	19.7%	316	2.4%	4,304	32.7%	1,114	8.5%	173	1.3%	4,486	34.1%	855	6.6%	85.6%
ROBBERY 3rd	11,734	6,299	53.7%	2,705	23.1%	54	2.0%	968	35.8%	291	10.8%	40	1.5%	767	28.4%	97	3.6%	82.0%
BURGLARY	48,502	25,412	52.4%	10,744	22.2%	114	1.1%	1,120	10.4%	5,601	52.1%	197	1.8%	1,884	17.5%	234	2.2%	85.2%
BURGLARY 1st & 2nd	24,647	12,581	51.0%	5,229	21.2%	54	1.0%	567	10.8%	2,665	51.0%	104	2.0%	980	18.7%	131	2.5%	86.1%
BURGLARY 3rd	23,855	12,631	53.8%	5,515	23.1%	60	1.1%	553	10.0%	2,936	53.2%	93	1.7%	904	16.4%	103	1.9%	84.3%
SEX OFFENSES	11,898	4,069	34.2%	965	8.1%	32	3.3%	133	13.8%	127	13.2%	253	26.2%	199	20.6%	38	3.9%	81.0%
RAPE 1st	4,213	1,700	40.4%	443	10.5%	15	3.4%	84	19.0%	59	13.3%	87	19.6%	98	22.1%	22	5.0%	82.4%
SODOMY 1st	1,921	657	34.2%	130	6.8%	6	4.6%	19	14.6%	19	14.6%	37	28.5%	21	16.2%	6	4.6%	83.1%
SEXUAL ABUSE 1st	3,187	964	31.2%	227	7.1%	8	3.5%	18	7.9%	24	10.6%	75	33.0%	42	18.5%	8	3.5%	77.1%
OTHER SEX	2,577	718	27.9%	165	6.4%	3	1.8%	12	7.3%	25	15.2%	54	32.7%	38	23.0%	2	1.2%	81.2%
DRUG OFFENSES	152,116	57,532	37.8%	25,203	16.6%	269	1.1%	1,939	7.7%	1,018	4.0%	172	0.7%	19,163	76.0%	805	3.2%	92.7%
WEAPONS	15,124	5,251	34.7%	2,505	16.6%	135	5.4%	446	17.8%	172	6.9%	33	1.3%	1,080	43.1%	279	11.1%	85.6%

Drug Felonies. Thirty-nine percent, or 152,116 of the 1985-2001 releases were committed for a drug offense. Thirty-eight percent of the drug offenders were returned to the Department within three years, including 17 percent for a new crime. Of the 25,203 drug offenders who were re-committed for a new crime, the large majority (76%) were returned to prison for the commission of another drug offense. Approximately eight percent were returned for the commission of a robbery.

Dangerous Weapons. Among the 1985-2001 releases, 15,124 (4%) were committed for a dangerous weapons offense. Over a third (35%) of these weapons offenders returned to prison within three years, including 17 percent for new felony convictions. Of the 2,505 weapons offenders who were re-committed for a new crime, the largest proportion (43%) were returned for drug offenses, followed by returns for robbery offenses (18%). Eleven percent returned for another weapons related offense.

Figure 6.1 New Commitment Crime by Original Crime, 1985-2001 Releases



Summary. The extent to which offenders tend to repeat the same crimes for which they were incarcerated depends on the crime. Over three-quarters of the drug offenders returned to prison for a new crime were convicted of new drug offenses. Half of the burglary offenders who returned to prison for a new crime were recommitted for burglary offenses. For other offenses, although there is some relationship between the original commitment crime and the recommitment offense, the evidence is a bit weaker. Among inmates who returned for a new crime, only about one out of three robbery releases returned with a new robbery crime and about one in four sex offenders returned for the commission of a sex offense. Homicide and dangerous weapons releases were much more likely to return for a drug offense than for the original type of crime. These findings suggest that, with the exception of inmates committed for drug and burglary offenses, there is no clear evidence of criminal specialization among inmates who recidivate.