



Oregon Recidivism Analysis

November 2020

Oregon Criminal Justice Commission
Statistical Analysis Center

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Introduction

This report is the twelfth semiannual recidivism report authored by the Oregon Criminal Justice Commission (CJC) with the assistance of state agency partners.

In this current report, the CJC's methodology for connecting cohorts to potential recidivism is consistent with past reports (please see Appendix of [May 2018 report](#)), but the cohorts themselves have been corrected. Three components of recidivism are tracked: arrest for a new crime, conviction for a new misdemeanor or felony crime, and incarceration for a new felony crime. Each recidivating component in this analysis is tracked separately, so a single offender can contribute to all three measures or a subset. The CJC separately analyses two groups: those released to post-prison supervision, and those who are sentenced to a new probation sentence. An offender is counted as recidivating if they are incarcerated for a new crime, or arrested or convicted of a crime within three years of release from prison/felony jail sentence, or imposition of a probation sentence.

The CJC combines data provided by the Oregon Department of Corrections (DOC), Oregon Judicial Department (OJD), and Oregon State Police (OSP) to calculate recidivism. The Oregon DOC tracks recidivism for offenders starting felony probation or post-prison supervision within six-month cohorts. This current analysis uses these DOC-defined cohorts, though these cohorts are defined slightly differently than in

previous reports. The DOC data permits the CJC to track incarceration for individuals within these cohorts. Circuit court data from the OJD allows the CJC to track misdemeanor and felony convictions. In reported conviction counts, the CJC does not account for multiple convictions. Law Enforcement Data Systems (LEDS) data from OSP permits the CJC to count arrests for which the individual was fingerprinted. Fingerprinting is required in arrests for felony crimes and for misdemeanor drug and sex crimes. Multiple arrests and arrests that do not require fingerprinting are omitted from the CJC's recidivism measure.

Cohort Correction

This report uses six-month recidivism cohorts provided by DOC. These cohorts have been generated with a different process than prior reports. In previous reports, all individuals were included in the Parole-PPS six-month cohorts that corresponded with the start of their post-prison supervision. Most individuals start post-prison supervision (PPS) on the day they are released from incarceration, but individuals released on leave¹ start PPS on the date their leave ends. The end of leave is the original date they would have been released from incarceration if they had not received leave. The corrected cohorts assign all individuals to a six-month Parole-PPS cohort based on their release date from incarceration, regardless of leave status. Probation cohorts are unchanged.

Corrected Cohorts Impact Parole-PPS Recidivism

The Parole-PPS cohort correction has a significant impact on recidivism through two mechanisms. First, any recidivating event that occurs while an individual is on leave is now included in the three-year follow-up period. In previous reports, the three-year follow-up

¹ The most common type of leave among recent cohorts is short-term transitional leave (STTL). DOC has implemented other leave programs, such as the [Alternative Inmate Program \(AIP\)](#), which was created by the Oregon Legislature in 1994 and expanded in 2003. The maximum number of short-term transitional leave days any included individual may have received is 90 days.

Key Takeaways

- This report includes an important correction to the Parole-PPS cohorts; six-month cohorts are now assigned based on the date an individual is released from incarceration, rather than the date post-prison supervision begins
- The Parole-PPS cohorts generally have higher recidivism rates than in previous reports due to this cohort change
- The measurement of recidivism has improved; there is not more true crime than previously reported
- Probation cohorts are unchanged
- Recidivism rates for the Parole-PPS cohort vary less than 2 percentage points since 2015
- For the first time since 2015, recidivism rates for the most recent Probation cohort are down by any measure



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period started on the date leave status ends, missing the arrests, convictions, or incarcerations that may occur during the leave period. A previous CJC [report](#) finds that if an individual will recidivate they often recidivate shortly after release. Therefore, it is unsurprising that including the period immediately following release increases measured recidivism compared to excluding it.

The second mechanism is the CJC’s methodology for connecting cohorts to potential recidivism. When the CJC receives cohorts from DOC, the data include individual identifiers and the six-month period in which an individual was released from prison or jail. The date from which the three-year recidivism follow-up period begins, the “recidivism start date”, is not identified. The CJC restricts the timeframe in which the recidivism start date can fall to within DOC’s six-month cohort. This ensures that the individual is not accidentally assigned a recidivism start date corresponding to an earlier prison or jail sentence. A recidivism start date outside of the six-month cohort would not be identified. Without a recidivism start date, there is no evidence that an individual recidivated, so that person would not be counted as recidivating. With the change to the Parole-PPS cohort, however, we can identify the recidivism start date for more individuals and include them in the analysis.

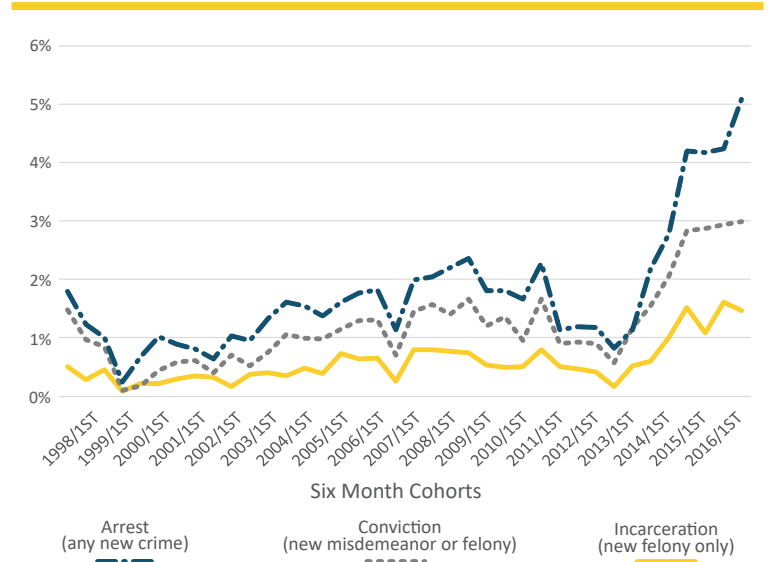
These two mechanisms lead to higher recidivism for almost all Parole-PPS cohorts in the current report compared to previous reports. The relative difference in recidivism between different Parole-PPS cohorts, however, remains mostly unchanged. For example, in the [May 2020 report](#), one of the key takeaways was that “recidivism rates are lower for those released from prison during late 2016 compared to those released in 2015, by any measure.” This is still true, although the rates themselves have been corrected and are now higher.

As use of short-term transitional leave (STTL) grows, the difference in recidivism rates will also grow. In HB 3194 (2013), the Oregon Legislature increased the amount of short-term transitional leave an adult in custody (AIC) may receive from 30 days to 90 days for sentences imposed on or after August 1, 2013. This increases the likelihood that an AIC’s release date would fall outside of their six-month cohort. Also in HB 3194, the legislature required

DOC to begin identifying AICs who were eligible for STTL and assisting them in preparing their transition plans. This change increased the number of AICs participating in the STTL program. In HB 3078 (2017), the Oregon Legislature further expanded the STTL program to 120 days for those sentenced on or after January 1, 2018. Correcting the cohorts now, before the STTL extension, ensures that future recidivism reports accurately account for STTL.

Figure 1 displays the extent to which previous reports underestimated recidivism for the Parole/PPS cohorts (current three-year recidivism rates minus rates in May 2020 report). The differences are all greater than or equal to zero, reflecting that the recidivism rates for the updated cohorts are higher. Before the 2013 expansion of STTL became effective, the difference between the corrected and uncorrected rates is at most 2.4 percentage points for arrests, 1.7 percentage points for conviction rates, and 0.8 percentage points for incarceration rates. For cohorts 2014 and later, however, the difference in arrest rates varies from 2.2 to 5.1 percentage points, the difference in convictions rates is between 1.6 and 3.0 percentage points, and the difference in incarceration rate is between 0.6 and 1.6 percentage points.

Figure 1. Recidivism Rate Difference Between November 2020 and May 2020 Reports





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Updated Statewide Recidivism Rates

The most recent recidivism cohort the CJC can track includes individuals released from prison/jail or sentenced to probation from January-June 2017. For this group, the CJC can examine the full three year recidivism period. Recidivism rates are the following for this six-month cohort:

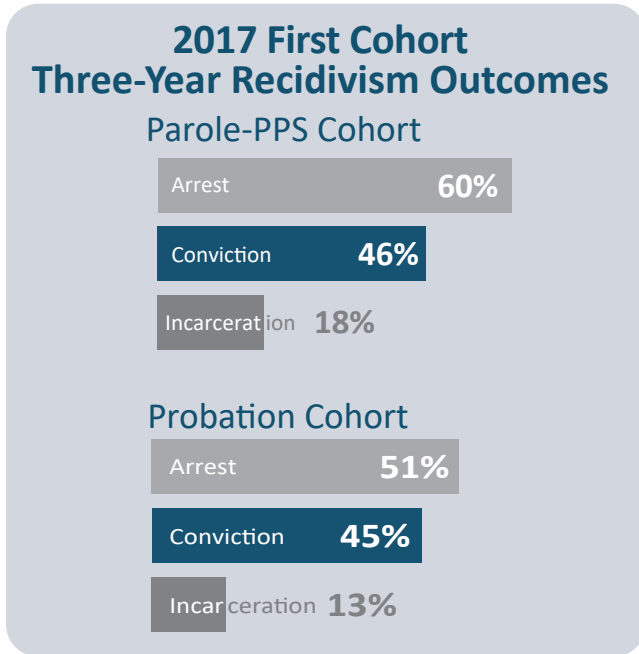


Figure 2 and Figure 3 express the above recidivism rates in greater context within Oregon. The earliest cohort included is the first six months of 1998 (1998/1ST), and the most recent cohort included is the first six months of 2017 (2017/1ST).

Figure 2 illustrates how recidivism has changed for those released from jail or prison from 1998 through early 2017. The most recent cohort exhibits higher arrest and conviction rates than the immediately preceding cohort, but a slightly lower incarceration rate. Arrest rate reaches its maximum, 60.1 percent, for the first cohort of 2017. However, arrest rate varies within two percentage point for cohorts since late 2014. Conviction rate is 45.5 percent for the most recent cohort, which is higher than the second cohort of 2016 (43.6), but within one percentage point of conviction rates for all other cohorts since late 2014. Incarceration rate is 18.2 percent for the first cohort of 2017, modestly lower than the 18.3 percent incarceration rate for the second cohort of 2016. Recidivism rates, by any measure, vary less than 2 percentage points since 2015.

Figure 3 depicts arrest, conviction, and incarceration rates for groups of individuals sentenced to probation during a nineteen-year period. Recidivism rates have been trending upwards since 2015. However, for the first time since 2015, recidivism rates are lower for the first cohort of 2017 by any measure, compared to the immediately preceding cohort. Conviction rates are modestly lower for the first cohort of 2017 (45.1 percent) compared to the second cohort of 2016 (45.5 percent), as are arrest rates (45.1 percent for 2017/1ST; 45.5 percent for 2016/2ND). Incarceration rates for the first cohort of 2017 is 12.9 percent, the lowest incarceration rate for a cohort since the second cohort of 2012.

Figure 2. Statewide 3-Year Recidivism Rate, Parole-PPS

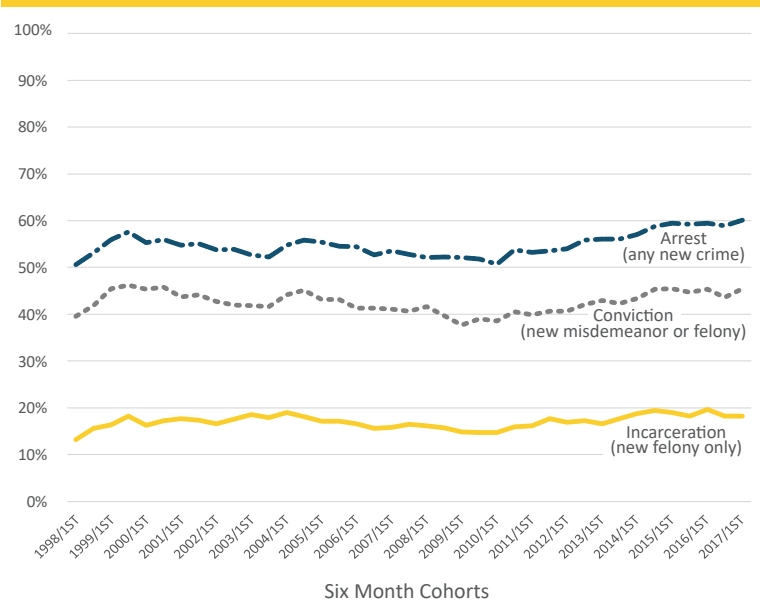


Figure 3. Statewide 3-Year Recidivism Rate, Probation

