

# Reconviction patterns of released prisoners: A 48-months follow-up analysis

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## Introduction

Reducing re-offending is an important outcome objective for most correctional services. As such, measures of recidivism, particularly reconviction and re-imprisonment rates, are key indicators of those services' performance.

The data presented here are based on the "recidivism index" (RI) methodology used in the Department of Corrections' ("the Department's") annual reporting of reconviction and re-imprisonment. This method quantifies the rate of reconviction and re-imprisonment for specified sub-groups of offenders, over follow-up periods of defined length, after release from a custodial sentence or from the start date of a community sentence. Conviction and sentencing data is obtained from the Ministry of Justice's Case Management System (CMS) database.

This report summarises patterns of reconviction and re-imprisonment amongst almost 5000 offenders who were released from prison during the 12 months period 1 April 2002 to 31 March 2003. The same cohort of offenders was the subject of a previous report in this series, which provided reconviction and re-imprisonment rates within a 36-months follow-up period<sup>1</sup>. The current report provides similar data but now with a 48 months follow-up period: that is, figures represent any reconviction for an offence that occurred within 48 months of each individual offender's release date (up to 31 March 2007)<sup>2</sup>. The next report in the series (expected early in 2009) will give figures for a five-year follow-up.

Recidivism figures are produced for two potential outcomes: reconvictions leading to any sentence administered by the Department of Corrections (community-based or prison), and reconviction leading solely to a term of imprisonment. Imprisonment figures are generally considered the more critical of the two measures, as this outcome is associated with more serious offences and higher costs of sentence administration. Recidivism figures exclude reconvictions which do not result in sentences administered by the Department (fines, convicted and discharged, etc). All references in this report to reconvictions should be interpreted as restricted to convictions resulting in imprisonment or a community-based sentence

It is also important to note that most of the figures here represent *any* reconviction or re-imprisonment during the 48-month follow-up period: some of the individuals re-imprisoned may have had multiple, successive terms of imprisonment during that period. Some information on multiple re-imprisonments is given in respect of certain offence classes.

The figures below reveal important differences in the post-release re-offending behaviour of different sub-groups of offenders. Offender characteristics such as gender,

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<sup>1</sup> Publication released in March 2007, "Reconviction Patterns of Released Prisoners" (A 36-months Follow-up Analysis), available at <http://www.corrections.govt.nz/public/research/reimprisonment-report/>.

<sup>2</sup> The data set also included reconvictions on dates up to 30 June 2007 when the offence date was prior to 31 March 2007.

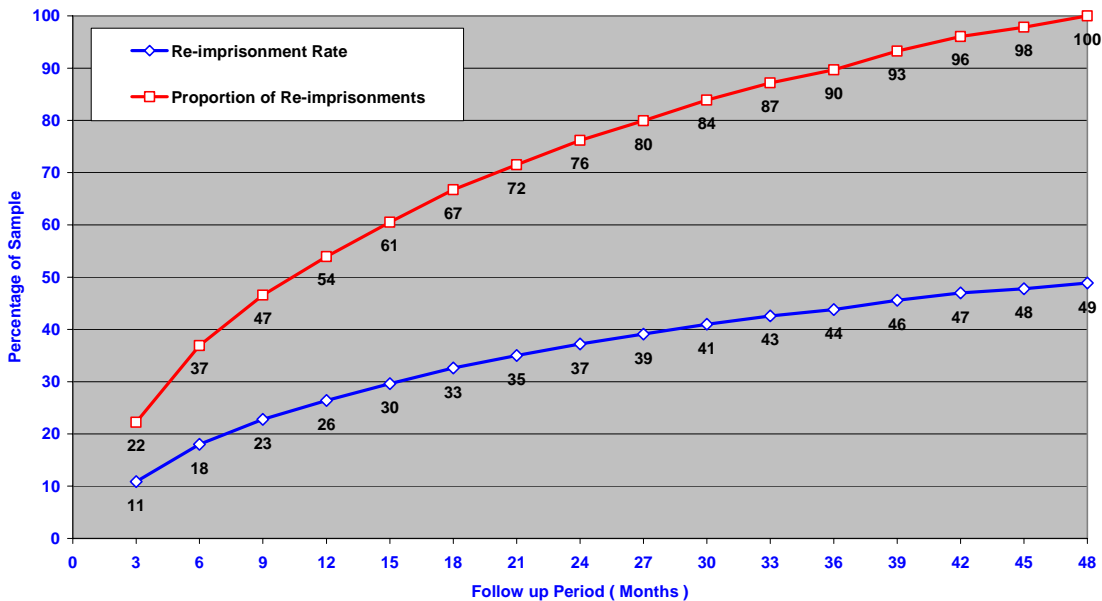
age at release, ethnicity, offence type<sup>3</sup>, offender’s previous criminal history and age at first imprisonment are each examined with reference to reconviction and re-imprisonment. In addition to previous results, this report also summarises the frequency of re-imprisonments during the 48-month follow-up period for burglars, disqualified drivers and drink-drivers. It is intended that analysis of such patterns for other offence types will be provided in subsequent reports.

Recidivist offenders are a challenge both to criminal justice sector agencies and to society at large. Therefore, this report examined the entire reconviction data set for the current sample by dividing the population into two groups, “first-timers” and “recidivists”. A number of important findings emerge from this perspective on recidivist offenders.

**Overall recidivism rates (48-month follow-up)**

Across the entire sample of offenders released from New Zealand prisons in 2002/03, 49 percent were convicted of a new offence and were returned to prison at least once during the 48-months follow-up period.

**Graph 1: Reimprisonment rate by time to first re-offence**



To clarify the above graph, the shape of the two curves is illustrative of the relationship between the volume of offenders re-imprisoned and elapsed time over the four-year follow-up period. The lower (blue) line is the cumulative proportion re-imprisoned, and indicates that numbers rise steadily early in the follow-up phase, such that by the one-

<sup>3</sup> As a great many offenders are sent to prison for multiple offences, offenders in this analysis are grouped according to the “most serious offence” (MSO) for which they were imprisoned on the original sentence. MSO rankings are determined from the Ministry of Justice Seriousness of Offence Scale, which orders offences in accordance with the average number of days imprisonment ordered by judges, for that specific offence type, over the past five years.

year mark, 26 percent of the sample had already been reconvicted and returned to prison. By the two-year mark 37 percent had been returned to prison, by the three-year mark 44 percent of the sample, with the 49 percent figure attained by 48 months.

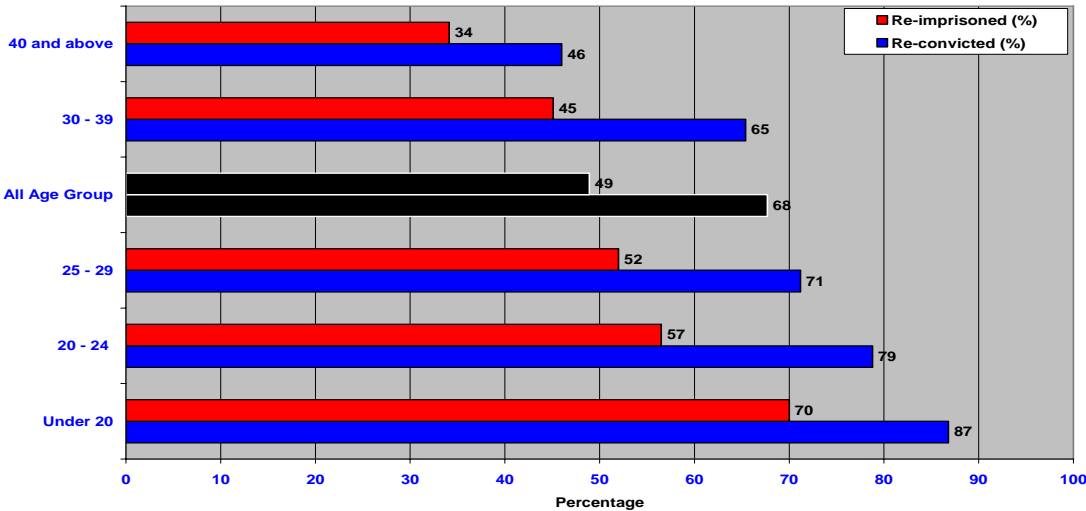
The upper (red) curve in the above graph shows the *proportion* of all re-imprisoned (in percentages) who had been returned to prison by successive three-monthly intervals. This shows, for example, that of those who were reconvicted, just over half (54 percent) were re-imprisoned within the first twelve months. From that point the rate of “relapse” slows, with a further quarter (22) percent returned to prison by the 24-month point, 14 percent returned to prison by 36 months, and the remaining ten percent returned to prison over the final twelve months. The shape of this curve predicts that, in a further twelve months time (after five years follow-up), around 52 percent of the entire sample will have been returned to prison at least once. Thereafter, new imprisonments from amongst those in the original cohort, who had not been re-imprisoned by that time, can be expected to be very small in number.

**Re-imprisonment rates by age at release**

The relationship between age and reconviction rates has been the subject of considerable criminological analysis in the past. A number of studies have already established a very high (inverse) correlation between age and reconviction rates. The graph below gives rates of re-imprisonment and reconviction for offenders of different age bands (note that prisoners’ ages here are as at the time of release).

Seventy percent of those aged under 20 were re-imprisoned within 48 months. Only 34 percent of those aged over 40 were re-imprisoned. In other words, prisoners aged under 20 have double the likelihood of returning to prison than do those aged over 40. Prisoners aged between 20 and 24 are 1.2 times less likely to return to prison than those aged under 20.

**Graph 2: Reconviction and re-imprisonment rate by age at release**



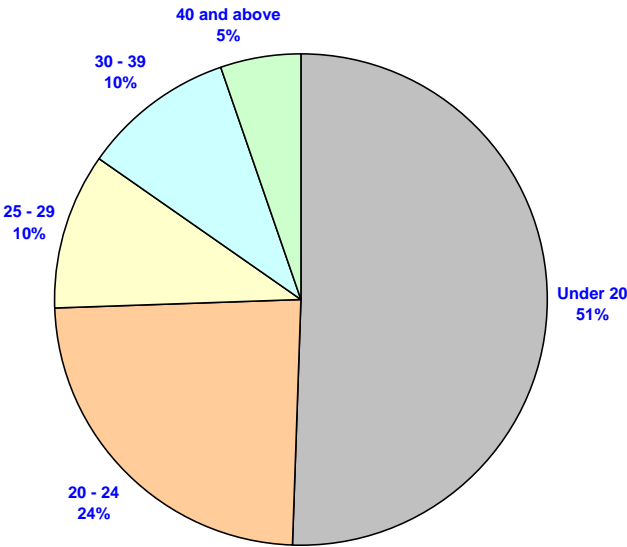
**Re-imprisonment rates by age at first imprisonment**

In general, offenders who commence their offending careers during their teenage years are considerably more likely to become persistent offenders, particularly if their initial crimes are ones that result in a prison sentence. At any given point in time only a modest proportion of the prison population in New Zealand is aged under 20 years. Many prisoners generally however were first convicted and imprisoned when they were young.

The graph below indicates that for the 2002/03 prison release cohort, about half of the prisoners were first imprisoned under the age of 20. About 75 percent of prisoners were first imprisoned at the age of 24 or under. Only five percent of prisoners were first imprisoned at the age of 40 or more.

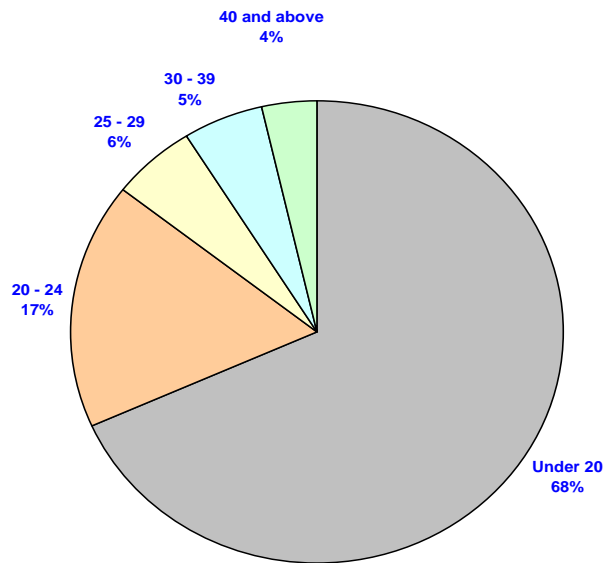
This is even more pronounced for Maori prisoners, 57 percent of whom were first imprisoned at the age of 19 or under. Further, around 80 percent of Maori prisoners were first imprisoned at the age of 24 or under, while just two percent were first imprisoned at the age of 40 or older.

**Graph 3: Distribution of age at first imprisonment**



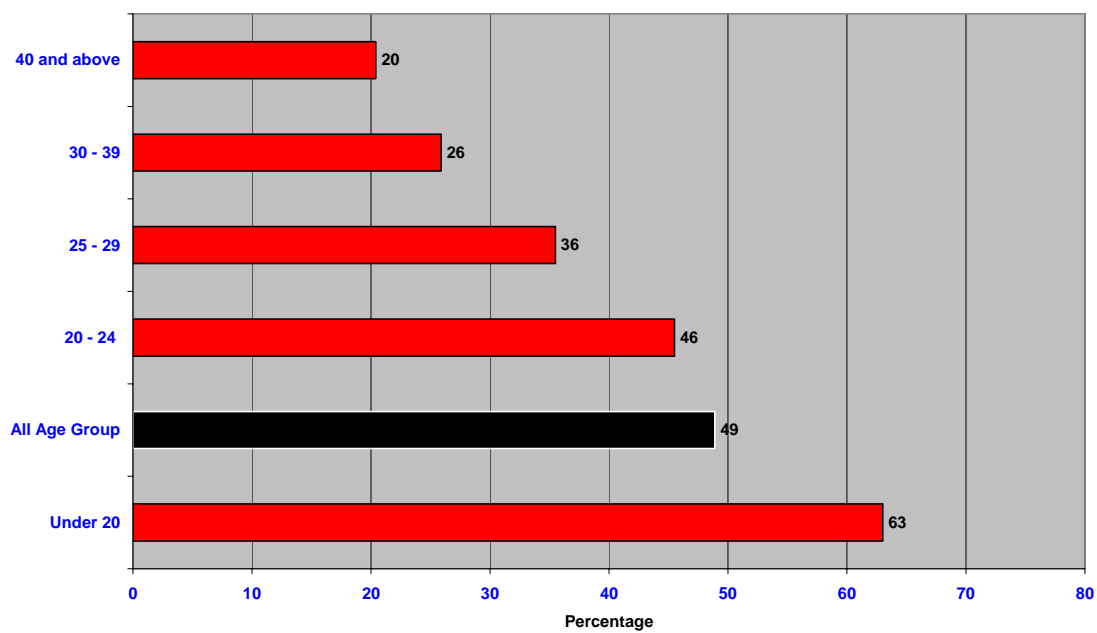
The link between early onset and later persistence is even more pronounced when the figures for convictions and community sentences is examined. The figure below indicates that, of the 2002/03 prison release cohort, about 68 percent were first convicted (though not necessarily imprisoned) at the age of 19 or under. About 85 percent of offenders were first convicted at the age of 24 or under. Amongst Maori prisoners, 76 percent were first convicted before age 20, and 91 percent first convicted by age 24 or under.

**Graph 4: Distribution of age at first conviction**



As the graph below indicates, prisoners first imprisoned by age 19 are 3.2 times more likely to be reconvicted and re-imprisoned than are those whose very first imprisonment occurred when they were over the age of 40.

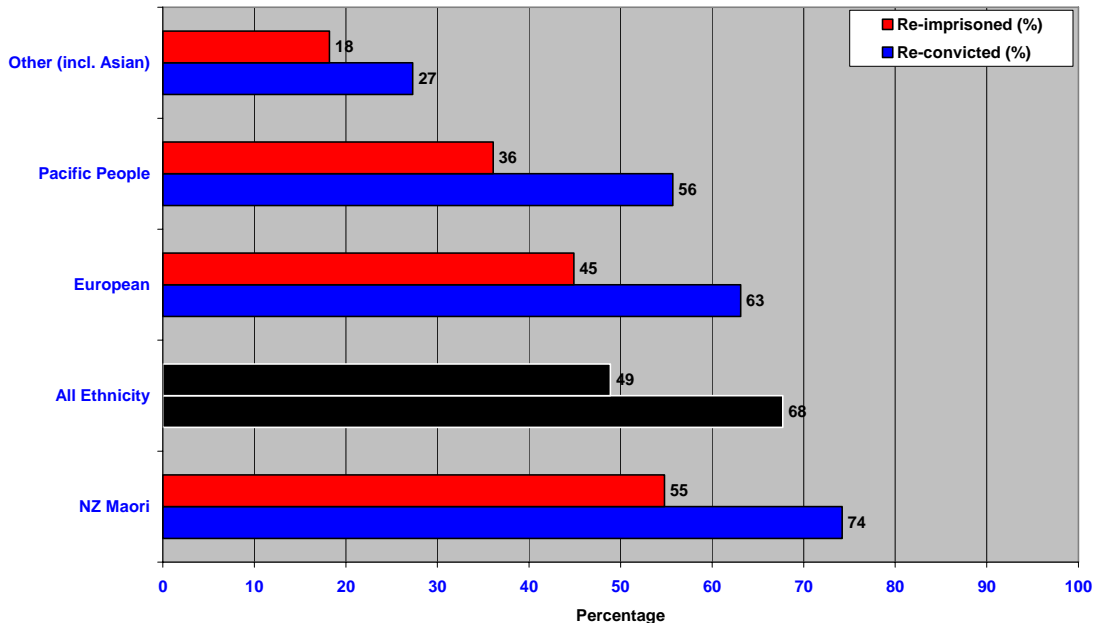
**Graph 5: Re-imprisonment rate by age at first imprisonment**



**Re-imprisonment rates by ethnicity**

The re-imprisonment rate over 48 months for Maori offenders (55%) is considerably higher than the rate for both NZ Europeans (45%) and Pacific offenders (36%). This difference is likely to be a reflection of a number of variables. Maori offenders as a group tend on average to be younger than Europeans (see Appendix 1). Maori are also more likely to be serving time for offences which have base-rates, especially dishonesty offences (burglary, car conversion, theft, etc)<sup>4</sup>. Pacific offenders on the other hand tend to be in prison for offences which have relatively low base rates (violence and sexual offences). Although the high re-imprisonment rate for Maori undoubtedly contributes to the disproportionate number of Maori in prison, its impact is likely to be considerably less than that of the very large numbers of young Maori entering the criminal justice system for the first time each year.

**Graph 6: Reconviction and re-imprisonment rates by ethnicity**

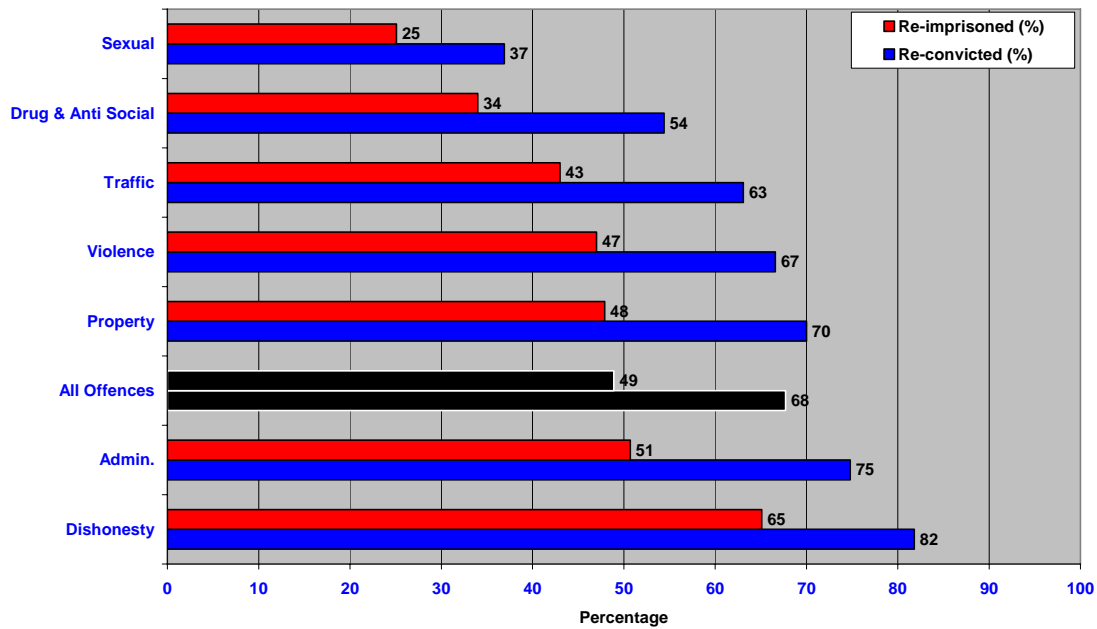


**Re-imprisonment rates by original offence type**

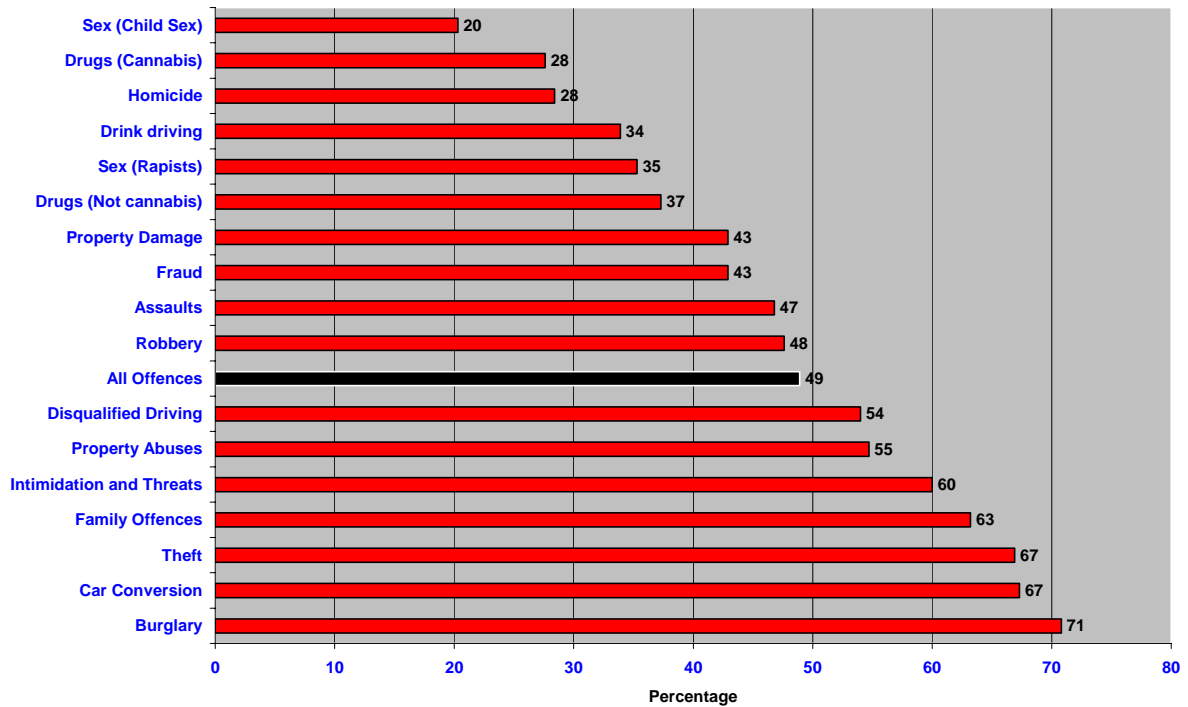
The following two graphs show reconviction and re-imprisonment rates by the most serious offence for which the offender had previously been sentenced. These clearly reveal that re-imprisonment rates vary considerably between different types of offences: rates are highest among those who committed dishonesty offences (burglary, car conversion, theft, etc) and lowest among those who were convicted of sexual offences.

<sup>4</sup> The high base rates of dishonesty offences can be appreciated from the fact that in the year to June 30 2007, over 230,000 dishonesty offences were recorded by Police; on the other hand, just on 3600 sexual offences were recorded.

**Graph 7: Reconviction/re-imprisonment rates by most serious offence class**



**Graph 8: Re-imprisonment rate by most serious offence type**





A number of interesting observations can be made when sub-groups of offenders are examined in this way. The overall rate of re-imprisonment for sex offenders, at 20 percent, is relatively low, although the rate for rapists (35%) is considerably higher. This is likely to reflect the fact that rape offenders tend to be more generally orientated towards criminal offending (of all types), which is less so for child sex offenders, a proportion of whom have no convictions for other types of offences.

Each year a considerable number of offenders are sentenced to prison in New Zealand for either disqualified driving or drink-driving (these two offences make up 95% of all traffic offences resulting in imprisonment). While the overall rate of re-imprisonment for traffic offenders is 43 percent, a significant difference emerges between drink-drivers (34% reimprisonment rate) and disqualified drivers (54%). Many disqualified drivers are in fact persistent offenders with extensive criminal histories, of which disqualified driving is just one aspect. When such offenders are imprisoned for disqualified driving, they are typically also (concurrently) convicted of other offences, such as drink-driving, burglary, car conversion, theft or violence.

Most striking however are the very high rates of re-imprisonment amongst the dishonesty offenders - those convicted of theft, car conversion and burglary. These are of course crimes with very high base-rates (in the sense that they form the bulk of all recorded crime), which means that those who tend to engage in such crimes probably do so, relatively speaking, with high frequency. Family offences also notably have high rates of re-imprisonment.

### Reimprisonment rates by new offence type

It is generally accepted, based on a wide range of studies that most offenders do not “specialise” in any one type of offence: that is, the vast majority of persistent offenders have criminal histories featuring a sequence of convictions for offences across the criminal code. For example, many “violent offenders” have histories in which convictions for violence are interspersed with significant numbers of convictions for traffic offences, property offences, drug use, and so on. Tendencies towards specialisation do occur in some instances however.

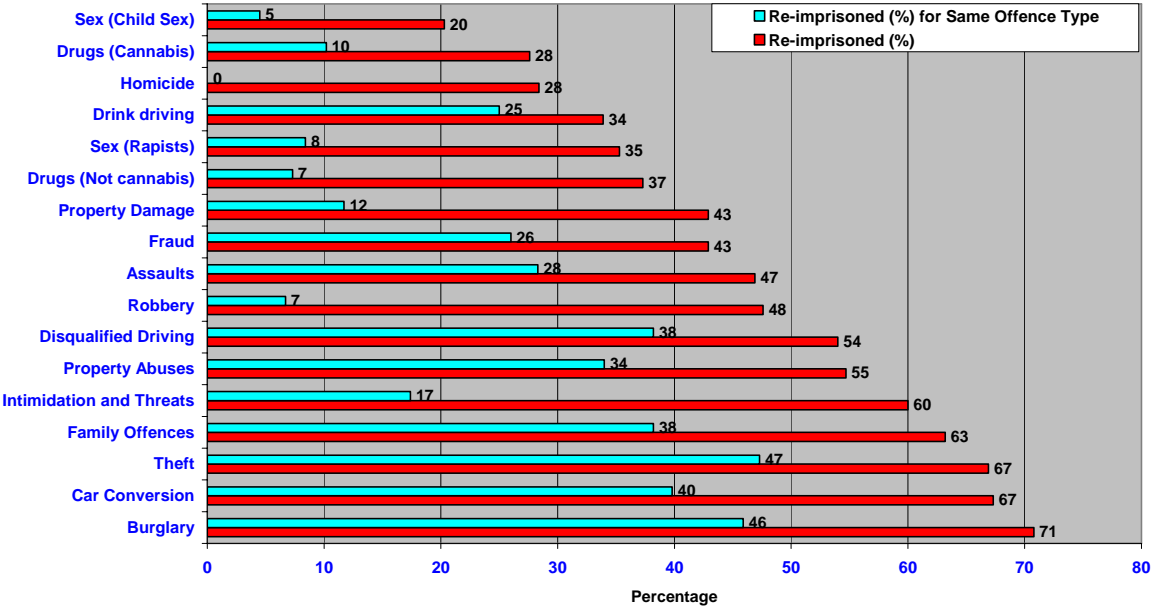
The graph below reports on the reconviction data for the current sample in a different manner to all of the other data in this report. Instead of counting *any* re-imprisonment during the follow-up period (where those re-imprisoned once and those re-imprisoned five times would each be counted just once), the graph gives the re-imprisonment rates for the same class of offence *at any time* during the follow-up period.

The figures produced in this way indicate that only very small proportions of released robbery, drugs or sex offenders are re-imprisoned within 48 months for the same type of offence. There were no recorded instances of homicide offenders being re-imprisoned for another homicide offence within 48 months. However, once again a very different pattern emerges for the dishonesty offenders: fully 46 percent of released burglars were re-imprisoned at least once specifically for burglary, and a similar proportion of thieves for theft.

Disqualified drivers also appear to be highly recidivistic with respect to this type of offending although, as noted above, these offenders tend to return to prison with multiple convictions for a range of different offence types. Also of concern is the relatively high proportion of “family offenders” (mainly those convicted of domestic violence) who go on to commit further such offences.

Very low rates of reconviction for similar offences were recorded for sex offenders. As alluded to previously however, this cannot necessarily be interpreted as signifying that these offenders seldom go on to commit further such offences. Sex offences against children, in particular, are subject to very low reporting rates. Even when a sex offence is resolved by the police, rates of successful convictions in court are also relatively low. It is also the case that, with convicted sex offences, the length of time that tends to elapse, between the actual offence being committed and the offender’s ultimate sentencing on that charge, can be several years. Thus the validity of this type of analysis will be improved when reconvictions for sex offenders have been tracked over longer periods of time.

**Graph 9: Re-imprisonment rate by most serious offence type, and new offence type**



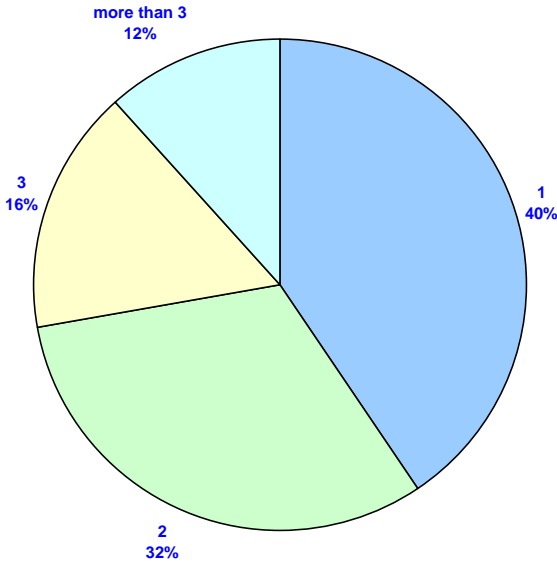
**Frequency of re-imprisonments (48-month follow-up)**

A proportion of all offenders recorded as having been re-imprisoned during the 48-months follow-up period will in fact have experienced more than one term of imprisonment during that period. The figures reported below count distinct “aggregate sentences” for each released prisoner during the 48-month follow-up period. An aggregate sentence of imprisonment reflects the fact that many offenders are sent to prison after being convicted for multiple charges, each of which attracted separate sentences of imprisonment (often of varying lengths). Counting aggregate sentences however may underestimate the frequency of imprisonments, as some prisoners are convicted and imprisoned while in prison, but the second set of convictions may be added to the earlier aggregate sentence.

At this stage analysis of the reimprisonment frequencies for all offence types has not been completed: the current analysis reports on burglars, disqualified drivers and drink drivers.

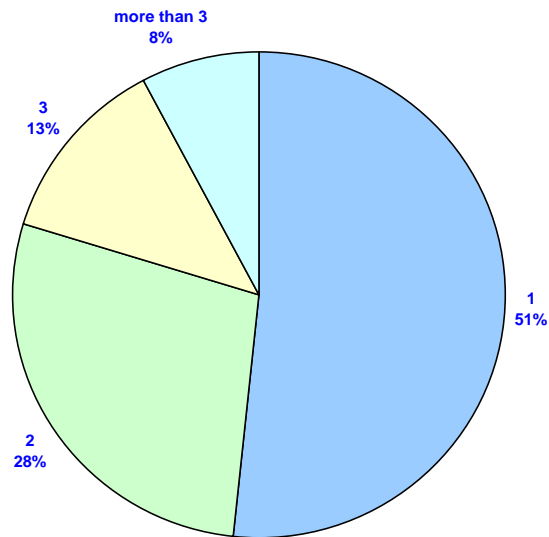
Of the 857 burglars released in 2002/03, 607 were returned to prison during the follow-up period. Of these, 192 were returned to prison twice during the follow-up period, 98 were returned to prison three times and 71 were returned to prison on more than three separate sentences.

**Graph 10: Frequency of re-imprisonments, burglars**



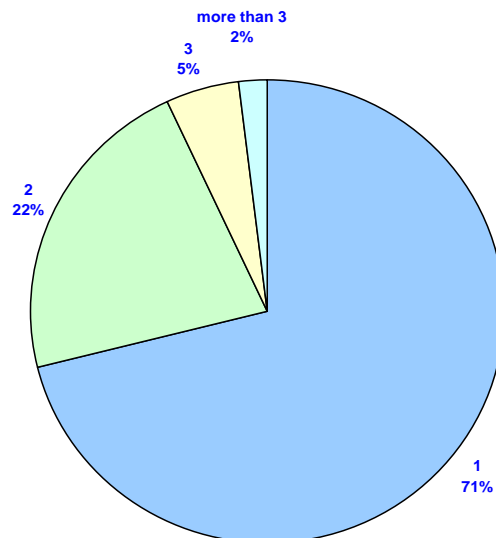
Of the 474 disqualified drivers released in 2002/03, 256 of them were returned to prison at least once during the follow-up period. One hundred and twenty four were returned to prison at least twice during the follow-up period, 52 at least three times and 20 more than three times.

**Graph 11: Frequency of re-imprisonments, disqualified drivers**



Of the 460 drink-drivers released in 2002/03, 156 of them were returned to prison at least once during the follow-up period. Forty-five were returned to prison at least twice during the follow-up period, 11 at least three times and just 3 were returned to prison more than three times.

**Graph 12: Frequency of re-imprisonments, drink-drivers**

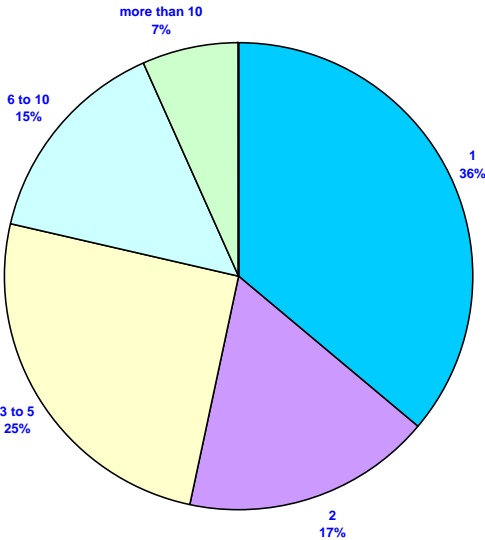


### Re-imprisonment rates by number of previous sentences

The following section examines more closely the reconviction dataset by disaggregating offenders according to the number of previous prison terms. Those for whom their release in 2002/03 was from their first-ever prison term are designated in the following as “first-timers”. The remainder, who had served two or more previous prison terms, are designated “recidivists”.

The graph below indicates the extent to which members of the 2002/03 prison release cohort had served previous terms of imprisonment. Of interest here is the finding that 36 percent of the sample were released from their first prison sentence (this group of first-timers are denoted as having “one previous term”). A quarter of the sample had served between three and five previous terms, and seven percent had served more than ten previous terms. A similar picture emerges when histories of both prison and community sentences are examined: about one in six had no previous prison or community-based sentences (although the records used here do not include previous conviction resulting in fines or other minor penalties (e.g., convicted and discharged).

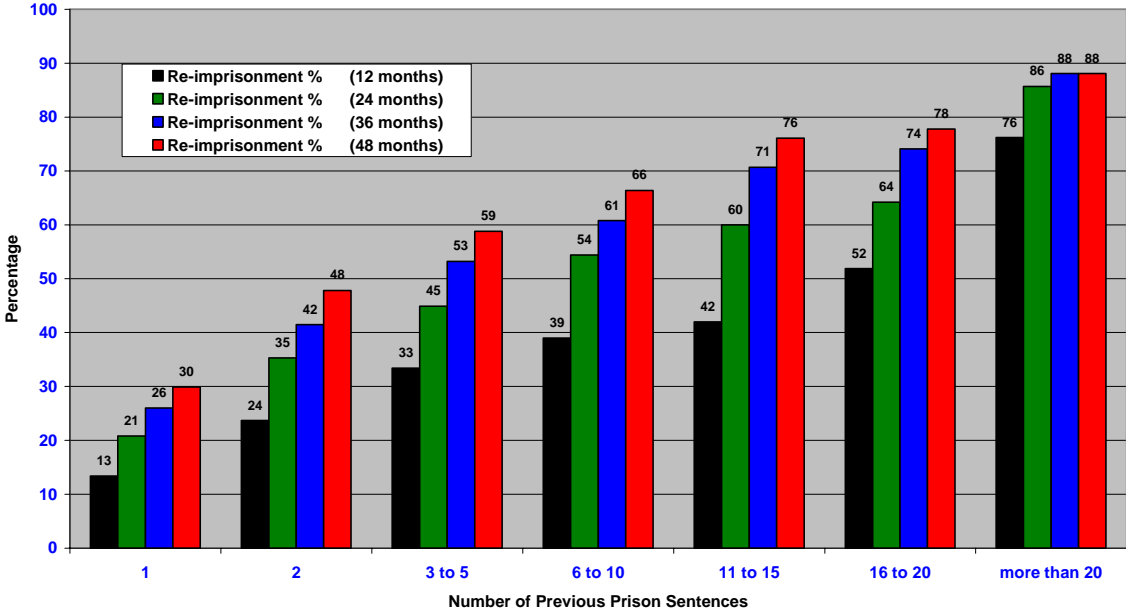
**Graph 13: Prison releases by number of previous prison sentences**



The following graph indicates how the likelihood of subsequent re-imprisonment varies according to the number of previous custodial sentences. Only 30 percent of those who were released from their first term were re-imprisoned by the end of the 48 months. In marked contrast, however, 78 percent of those who had served more than 10 prison sentences were re-imprisoned. Remarkably, a number of offenders were recorded as

having previously served more than 20 sentences. Of these, an astonishing 88 percent were again imprisoned, with most of the remainder being convicted and serving at least one community sentence.

**Graph 14: Re-imprisonment rates by number of previous prison sentences**



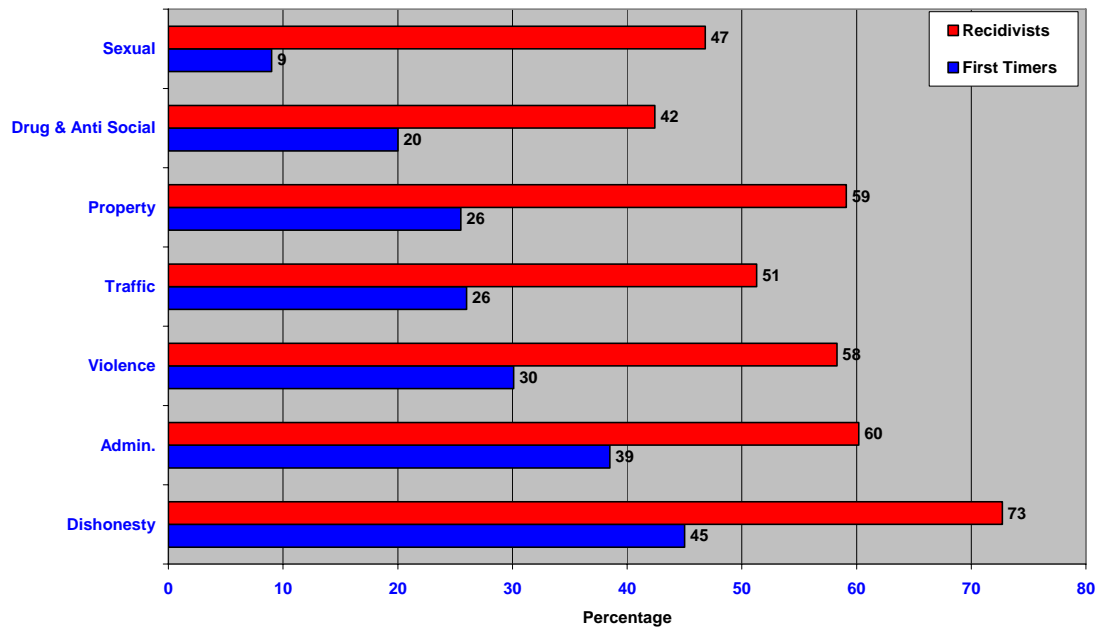
**Re-imprisonment rates: “first-timers and “recidivists”**

As noted above, across the entire sample of released offenders, about one third had been sent to prison for their first time. The re-imprisonment rate of these first-timers is 30 percent; in contrast, the re-imprisonment rate of the remainder – the recidivists - is 60 percent. Many recidivists appear almost endlessly to cycle through a sequence of offending, conviction, imprisonment, release, and rapid return to further offending.

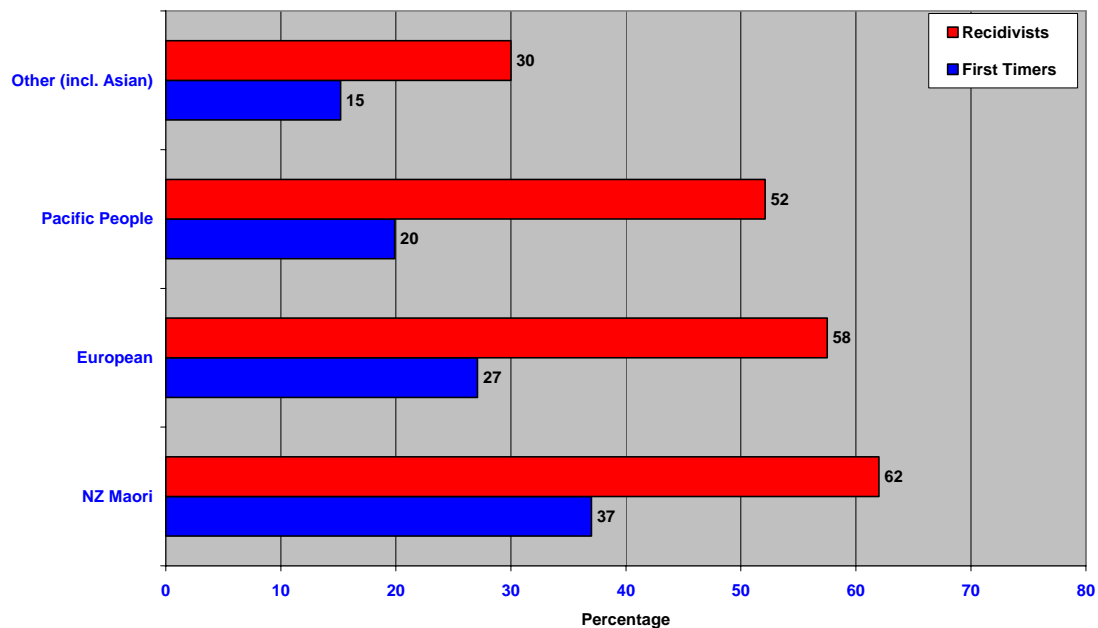
In general reconviction and re-imprisonment rates for sex offenders are low relative to other offence types. However, when disaggregated by previous sentences, this finding does not hold true for the recidivist sex offenders, whose rate of re-imprisonment is 47 percent. This is slightly higher than the rate for recidivist drug offenders (42%), and only slightly lower than for recidivist traffic offenders (51%). Recidivist sex offenders are in fact 5.2 times more likely to return to prison than first-timer sex offenders.

Similarly, as is apparent from Graph 16 below, the rate of re-imprisonment over 48 months for recidivist Pacific offenders (52%) is not much lower than recidivist NZ Europeans (58%) and recidivist Maori offenders (62%). The rate of reconviction (i.e., including convictions resulting in community sentences also) for recidivist Pacific offenders (74%) is only slightly lower than recidivist NZ Europeans (76%), while the rate of reconviction for recidivists Maori offenders is 80 percent over 48 months.

**Graph 15: Re-imprisonment rate by most serious offence class: First-timers vs Recidivists**



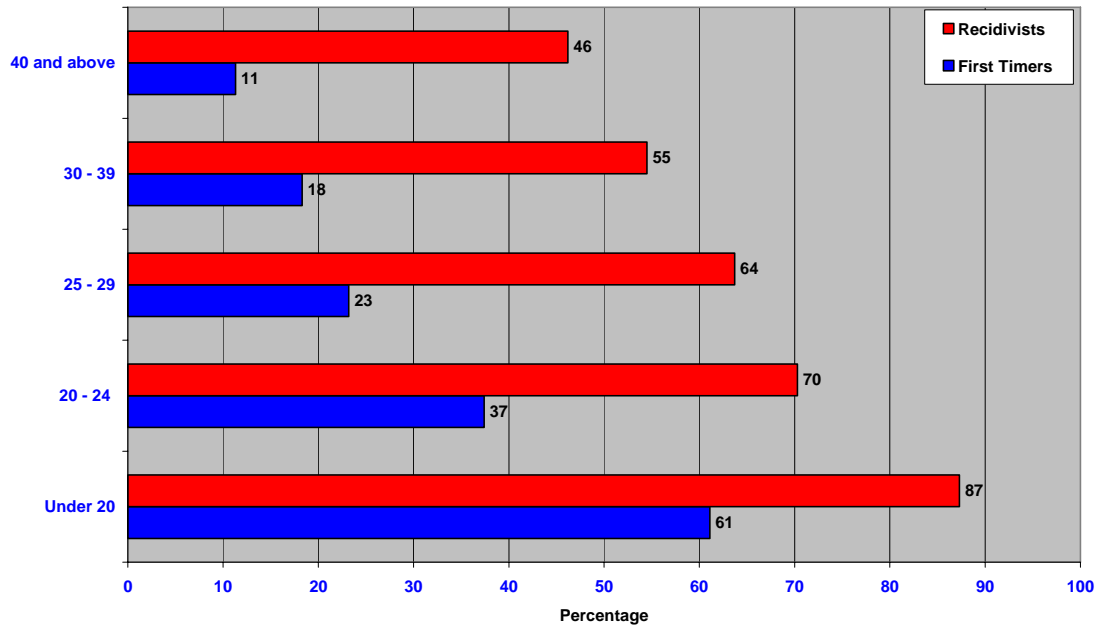
**Graph 16: Re-imprisonment rate by ethnicity: First-timers vs Recidivists**



Although there is a high (inverse) correlation between age and re-imprisonment, recidivist offenders tend to have a higher rate of re-imprisonment compared to first-timers regardless of their current age. Recidivist offenders who are over 40 at release

are 4.1 times more likely to return to prison than first-timers who are over 40 at release. The graph below clearly shows the difference in rate of re-imprisonment between recidivist offenders and first-timers for each age group at release.

**Graph 17: Re-imprisonment rate by age group: First-timers vs Recidivists**

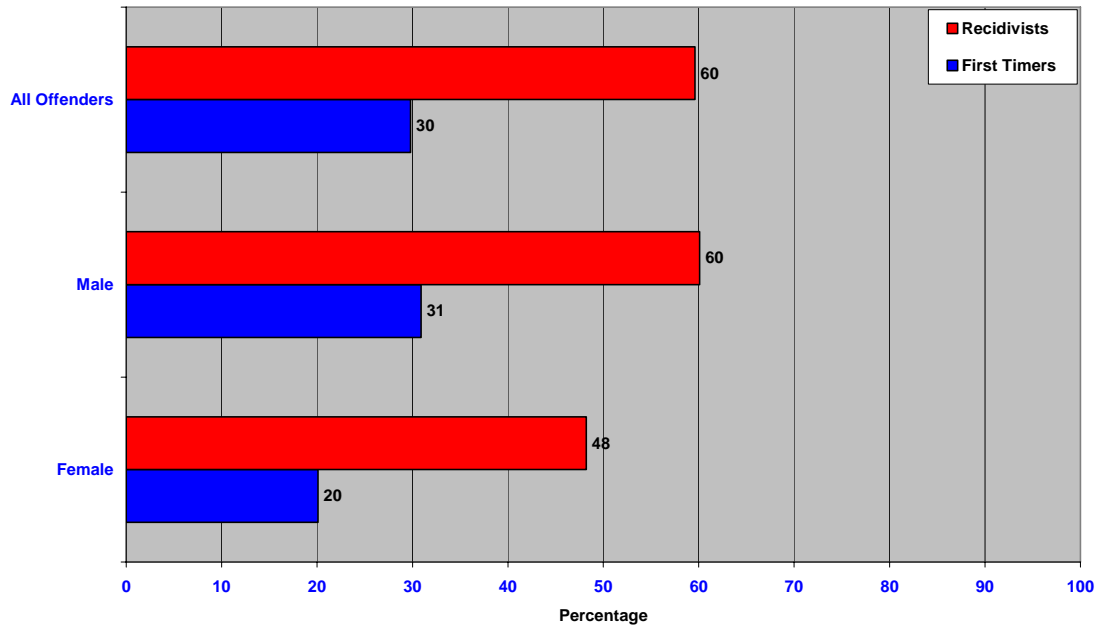


In general, the overall re-imprisonment rate of female offenders (33%) is lower than that of male offenders (50%). The graph below shows some interesting findings in relation to female offenders: the rate of re-imprisonment for recidivist female offenders (48%) is not greatly dissimilar to that of recidivist male offenders (60%). Recidivist female offenders turn out to be 2.4 times more likely to return to prison than first-timer females, while recidivist male offenders are just 1.9 times more likely to return to prison than first-timer males. However, the rate of reconviction for recidivist female offenders (79%) is slightly higher than that for recidivist male offenders (78%). Clearly there is a “hard core” of female offenders who if anything are equally as criminally inclined as their male counterparts.

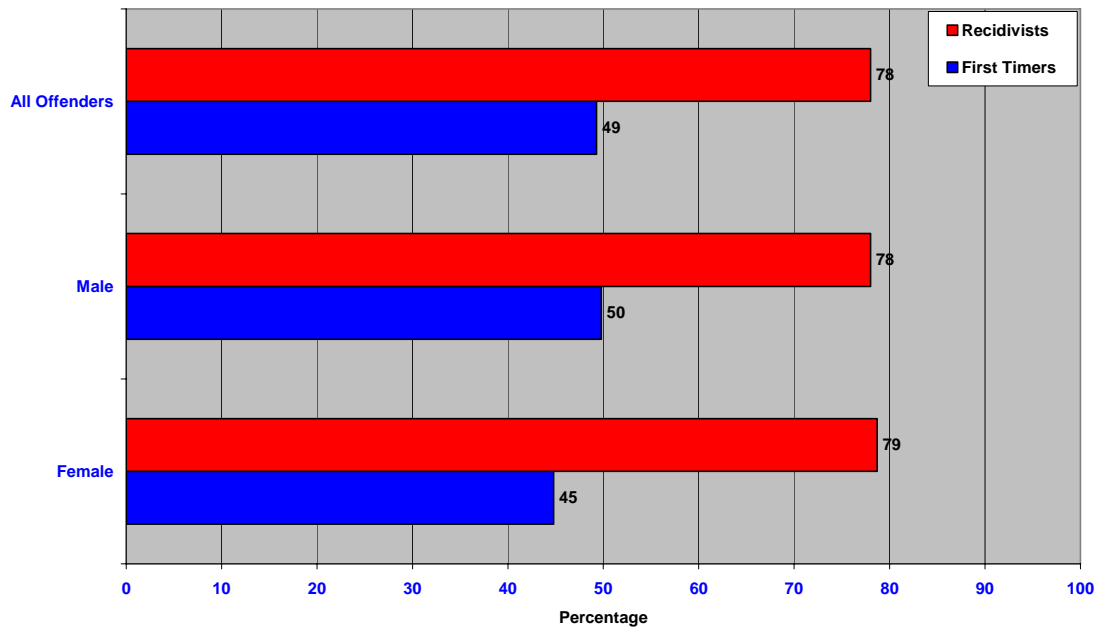
In summary this analysis shows that, the more often in the past someone has been in prison, the more likely they are to return to prison following any given release.



**Graph 18: Re-imprisonment rate by gender: First-timers vs Recidivists**



**Graph 19: Reconviction rate by gender: First-timers vs Recidivists**



## Summary

A number of observations can be made concerning the prisoner cohort released in 2002/03:

- About half of the prisoners were Maori.
- About two in every three prisoners had been previously imprisoned.
- About five in every six prisoners had been previously convicted and served community sentences.
- Around 51 percent of prisoners were first imprisoned at the age of 19 or under.
- 75 percent of prisoners were first imprisoned at the age of 24 or under.
- 57 percent of Maori prisoners were first imprisoned at the age of 19 or under.
- 80 percent of Maori prisoners were first imprisoned at the age of 24 or under.

In relation to the recidivism amongst these prisoners:

- One in every two prisoners were reconvicted and re-imprisoned within four years of release.
- About two in every three prisoners were reconvicted within four years of release.
- About 70 percent of prisoners under age 20 at release were reconvicted and re-imprisoned within four years of release.
- About two in every three prisoners who were imprisoned for dishonesty offences (such as burglary, car conversion and theft) were reconvicted and re-imprisoned within four years of release.
- About one in every two prisoners who were imprisoned for violent offences were reconvicted and re-imprisoned within four years of release.
- About one in every four prisoners who were imprisoned for sexual offences were reconvicted and re-imprisoned within four years of release.
- The more often someone has been in prison, the more likely they are to return to prison following release.

Prisoners deemed to be “recidivists” in the 2002/03 release cohort (two or more previous sentences) also displayed some interesting characteristics:

- About 60 percent of recidivist prisoners were reconvicted and re-imprisoned within four years of release.
- About 78 percent of recidivist prisoners were reconvicted within four years of release.
- About three in every four prisoners who were imprisoned for dishonesty offences were reconvicted and re-imprisoned within four years of release.
- About one in every two recidivist prisoners who were imprisoned for sexual offences were reconvicted and re-imprisoned within four years of release; this rate of re-imprisonment for recidivist sex offenders is not lower than for other offence types.
- About one in every two recidivist female prisoners are reconvicted and re-imprisoned within four years of release: this rate of re-imprisonment is not significantly lower than that of recidivist male prisoners.
- About four in every five recidivist female prisoners are reconvicted within four years of release. The rate of reconviction for recidivist female prisoners is the same as for recidivist male prisoners.

## References

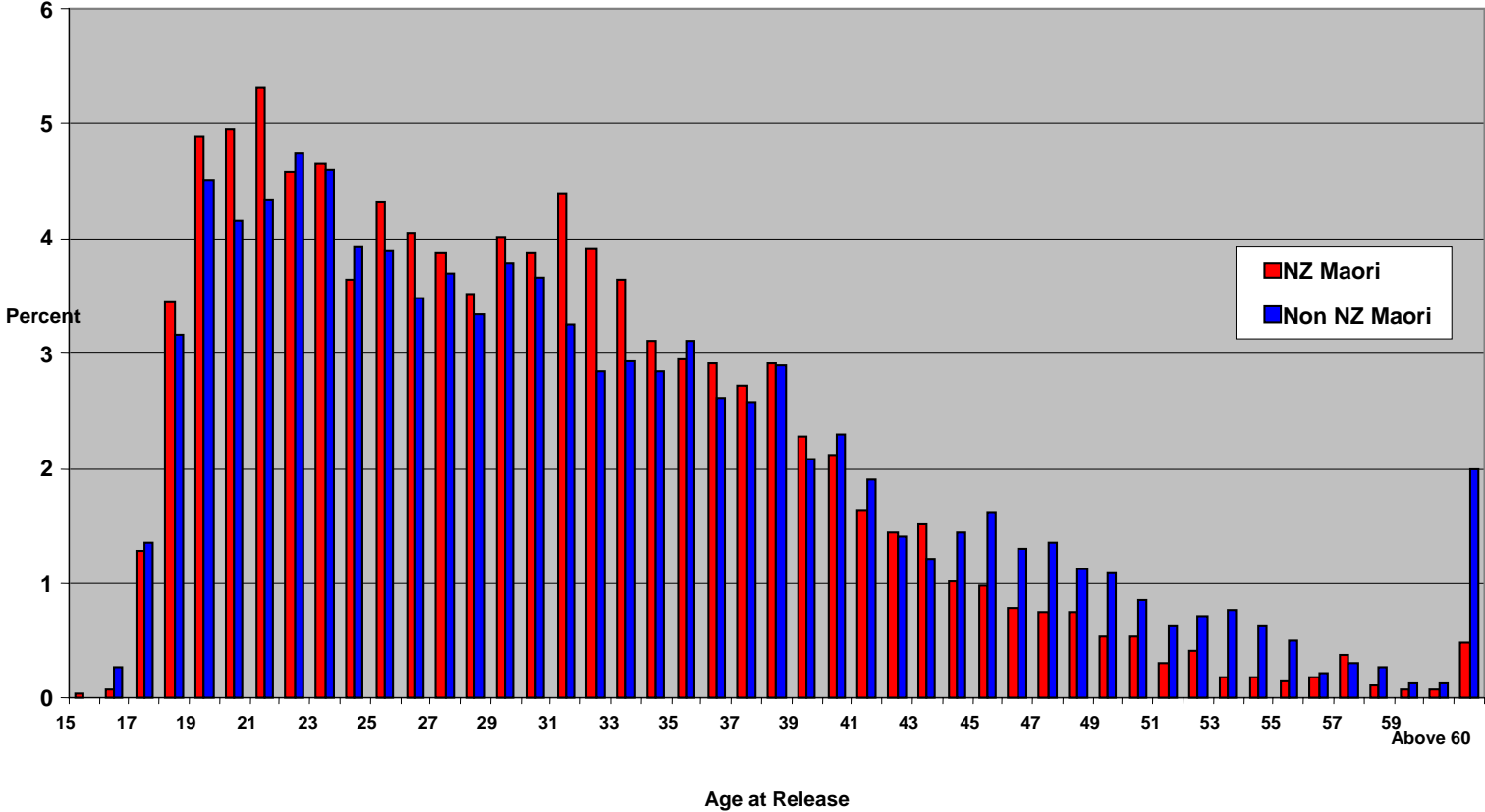
*Reconviction Patterns of Released Prisoners* (March 2007), Policy Strategy and Research, Department of Corrections.

*Annual Report 2005/06* (2006), Department of Corrections.

*Census of Prison Inmates and Home Detainees* (2003), Department of Corrections.

Appendix 1

The Distribution of Age at Release, 2002/03  
 NZ Maori vs Non NZ Maori



## Appendix 2: Counts of offenders in each sub-group

### Re-imprisonment Rate by Age Group

Age Group	Releases	Re-imprisoned	Re-imprisoned (%)
Under 20	463	324	70.0
20 - 24	1093	617	56.5
25 - 29	925	481	52.0
30 - 34	843	392	46.5
35 - 39	658	285	43.3
40 and above	873	298	34.1
Unknown	90	20	22.2
All	4945	2417	48.9

### Re-imprisonment Rate by Gender

Gender	Releases	Re-imprisoned	Re-imprisoned (%)
Female	313	103	32.9
Male	4631	2313	49.9
Unknown	1	1	
All	4945	2417	48.9

### Re-imprisonment Rate by Major Ethnicity

Major Ethnicity	Releases	Re-imprisoned	Re-imprisoned (%)
NZ Maori	2679	1467	54.8
European	1732	778	44.9
Pacific People	424	153	36.1
Asian	84	12	14.3
Other	15	6	
Unknown	11	1	
All	4945	2417	48.9

### Re-imprisonment Rate by Previous Prison Sentences

Number of previous Prison Sentences	Releases	Re-imprisoned	Re-imprisoned (%)
1	1784	533	29.9
2	853	408	47.8
3 to 5	1256	739	58.8
6 to 10	724	481	66.4
More than 10	328	256	78.0
All	4945	2417	48.9

### Re-imprisonment Rate by Most Serious Offence Group

Most Serious offence (Category)	Releases	Re-imprisoned	Re-imprisoned (%)
Dishonesty	1419	923	65.0
Admin.	306	155	50.7
Property	140	67	47.9
Violence	1298	610	47.0
Traffic	955	411	43.0
Drug & Anti Social	482	164	34.0
Sexual	331	83	25.1
Other Minor	14	4	
All	4945	2417	48.9

### Re-imprisonment Rate by Most Serious Offence Class

Most Serious offence (Class)	Releases	Re-imprisoned	Re-imprisoned (%)
Burglary	857	607	70.8
Disqualified Driving	474	256	54.0
Drink Driving	460	156	33.9
All	4945	2417	48.9