

South Dakota Department of Corrections

External Data Brief: Adult Recidivism

March 2023 : No 2-E

KEY FINDINGS

- 95% (3,209) of South Dakota inmates will eventually be released.
- South Dakota's recidivism rate decreased 2.2% (42.5%-40.3%) from the 2018 cohort rate.
- Technical violation returns continue to result in more recidivists than new convictions.
- 54.5% of recidivists return within the first 12 months after release.
- 55.2% of recidivists were on their presumptive parole release.
- Male offenders had a recidivism rate of 41.6%.
- Female offenders had a recidivism rate of 36.3%.
- Native American offenders had the highest recidivism rate for females and males.
- Offenders whose most serious crimes were property or drug related recidivated at a higher rate.
- Of the 15 counties who had 40 or more offenders in the 2019 cohort, nine had a higher recidivism rate than the state rate.

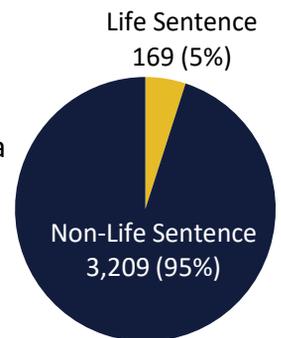
INTRODUCTION

This brief presents recidivism statistics for adult offenders released from the custody of the South Dakota (SD) Department of Corrections. Releases include offenders releasing to parole supervision and sentence discharges. Offenders released from SD correctional facilities are tracked for three years to calculate an official recidivism rate.

Based on the December 31, 2022 prison population, 95% (3,209) of offenders in a SD correctional facility will eventually be released (not serving life sentences). Monitoring recidivism trends assist the department in best preparing this substantial population for success upon their release.

States vary in how they track recidivism including time frames, definitions, and services that offenders receive prior to and following release. Because of this, the following information only pertains to SD recidivists.

December 31, 2022 Institutional Offender Population



RECIDIVISM METHODOLOGY

Recidivism: Calculated based on an offender's status three years following their release from prison to parole supervision or discharge sentence status. A return includes any admission to prison for a new felony conviction or for a technical violation of parole supervision.

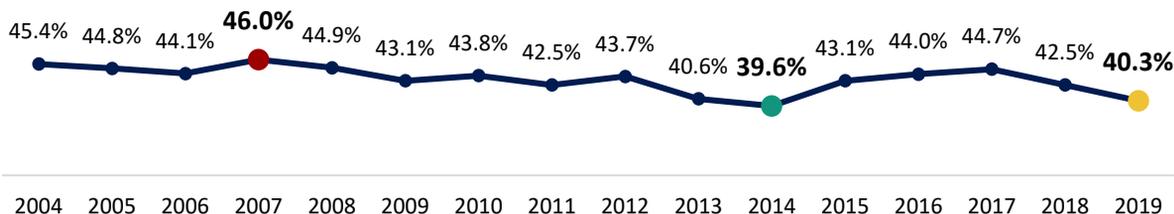
Cohort: Includes SD offenders who released to the community through parole supervision or by discharge of sentence within a targeted calendar year. The cohort number does not count multiple releases per offender per year or those who ended their incarceration with a reason of death, escape, or released to another state.



TRENDS

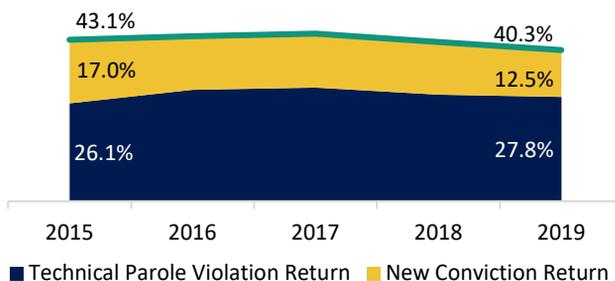
The three-year recidivism rate for the 2019 release cohort is 40.3%. This means that 40.3% of the offenders that released in 2019 had returned to prison by the end of 2022. It is because of this three-year tracking period that recidivism rates may seem outdated when in reality, the 2019 rate is the most current rate available as 2023 has not ended. The chart below outlines the adult recidivism rates from the 2004 through 2019 release cohorts. The range of rates for the 16 years of cohorts is between 46.0% and 39.6%. The 2019 rate is the second lowest rate in the 16-year summary and the lowest in the past five years.

Recidivism Rate



The chart on the right shows recidivism rates by return type. The 2019 release cohort had 27.8% of offenders return for technical parole violations and 12.5% of offenders return with a new conviction. Technical parole violation returns are consistently greater than new conviction returns and are more than twice as frequent for the 2019 release cohort.

Recidivism Rates by Return Type



The charts below look at one-year, two-year, and three-year at-risk windows broken out by return type. Although the official recidivism methodology only looks at the three-year rates, the one-year and two-year rates can assist in predicting future trends. Based on these trends, we would expect to continue to see a downward trend for the 2020 release cohort followed by an upward trend for both technical parole violation returns and new conviction returns beginning with the 2021 cohort.

Technical Parole Violation Returns



New Conviction Returns



TECHNICAL PAROLE VIOLATIONS

Most offenders that recidivate return to prison on a technical parole violation. Because this type of return drives the recidivism rate, the chart below shows the top six conditions of parole supervision that are violated by recidivists with a return reason of technical parole violation in the 2019 release cohort. Multiple conditions may have been violated per recidivist.

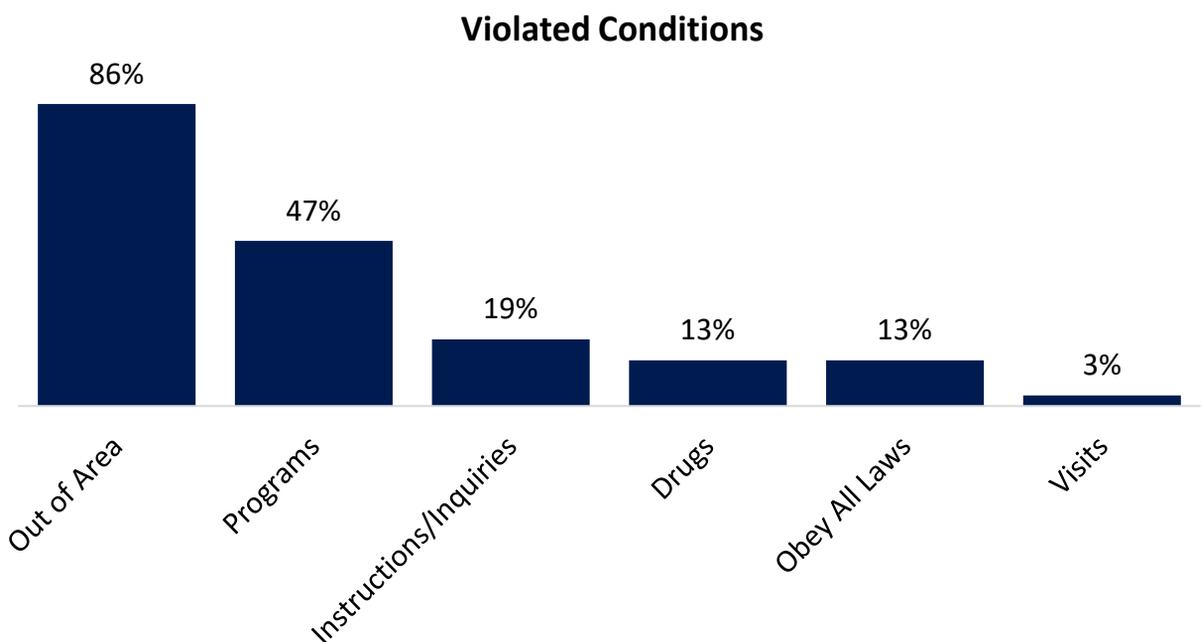
The out of area condition was violated by 86% of recidivists. Violations in this category include absconding and unknown whereabouts.

The next highest condition violated was programs (47%) which included failing to participate in treatment programs, removal from a parole board ordered or assigned program, removal from a parole board ordered placement, and removal from sex offender treatment programs.

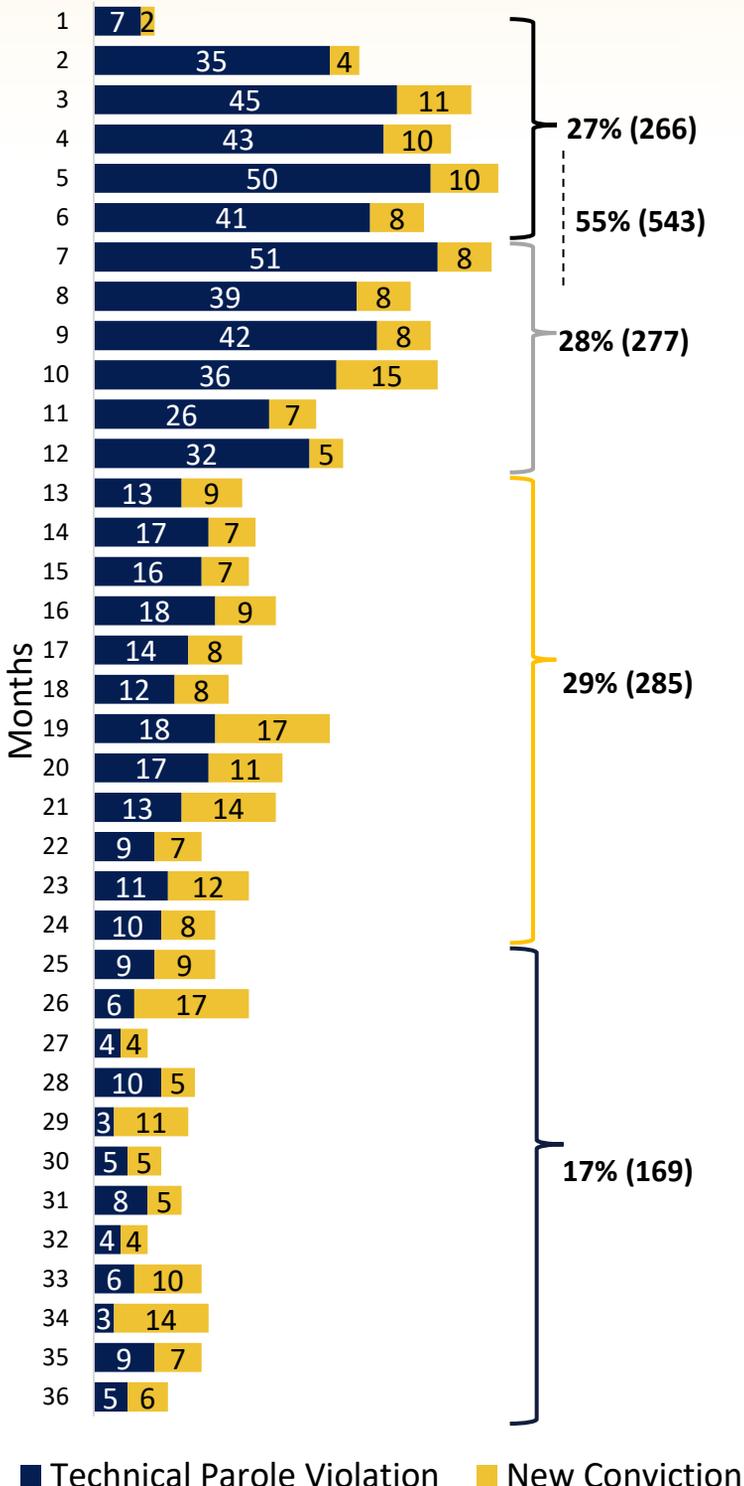
Violations of instructions/inquires (19%) included failure to comply with imposed sanctions, deliberate patterns of non-compliance, and failure to follow orders/directions.

Drug and obeying all laws were violated by 13 of recidivists. Drug violations included abusing medication, admission of use or testing positive for drugs, failure to submit a drug analysis, and possession of drugs or drug paraphernalia. Violations of obeying all laws included acts of violence or assaultive, abusive, violent, stalking, or threatening behavior.

Lastly, avoiding agent phone calls and or visits were violated by 3% of recidivists under the condition of visits.



Recidivists by Months Following Release



LENGTH OF TIME OUT OF PRISON

The chart to the left outlines the length of time in months offenders from the 2019 release cohort remained in the community before returning to the prison system. The chart shows technical parole violations in blue and new convictions in gold.

More than half (55%, 543) of recidivists returned during the first year, including 27% (266) in the first six months and 28% (277) in the seven-to-12-month range. In the second year, 29% (285) returned followed by 17% (169) in the third year.

The average length of time for the 2019 release cohort was 14 months from release to return to prison.

Nearly two thirds (65%, 447) of technical parole violation returns occurred in the first 12 months following release. The remaining 35% (240) returned between 13 to 36 months.

New conviction returns remain consistent across the three-year range with 31% (96) returning in the first year, 38% (117) in the second year, and 31% (97) returning in the third year.

INSTITUTION RELEASE TYPES

The bar chart to the right shows 2019 recidivists by release type. Releases to parole supervision are broken out by the three types: suspended sentence, discretionary parole, and presumptive parole to provide more detail. Definitions for each release type are below.

The circle charts compare recidivists (colored segments) and non-recidivists (grey segments) within each release type.

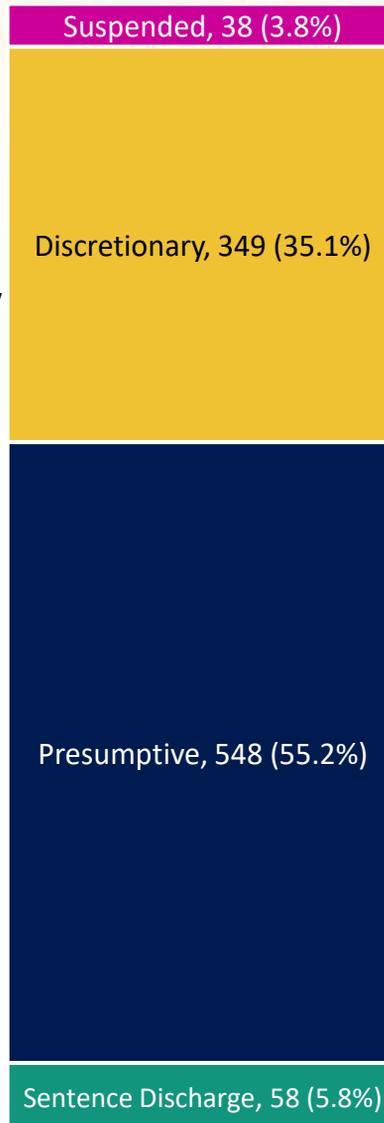
The smallest release type in the 2019 release cohort was suspended sentence supervision. This release type made up only 3.8% (38) of recidivists. However, over half (55.1%, 38) of those offenders in that type recidivated.

Discretionary parole releases made up 35.1% (349) of recidivists. Nearly half of the discretionary parole releases (49.1%, 349) recidivated.

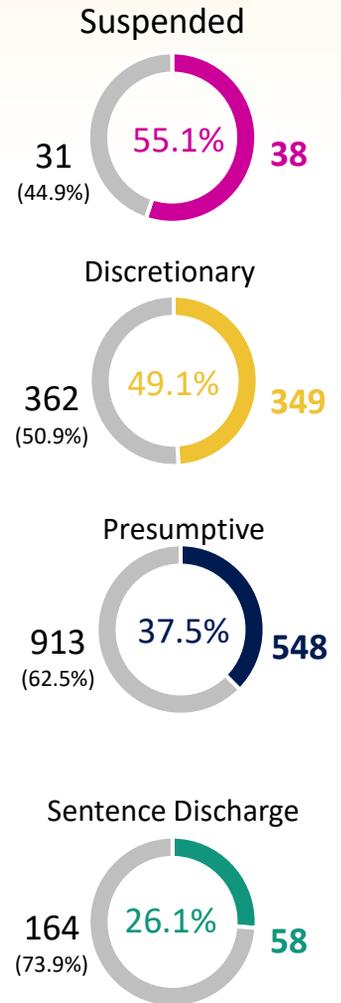
The largest amount of releases were presumptive releases. This group was the largest group of recidivists (55.2%, 548), but only 37.5% (548) of those released to presumptive parole recidivated.

Finally, sentence discharges were 5.8% (58) of the release type for recidivists and 26.1% (58) of those releases recidivated.

Recidivists by Release Type



Recidivists Within Each Release Type



PAROLE SUPERVISION

Suspended sentence includes offenders who have been given a split sentence with time suspended contingent on outlined expectations as set by the courts.

Discretionary parole is a system in which an offender is granted parole before the completion of their sentence and is subject to the outcome of a discretionary parole board hearing.

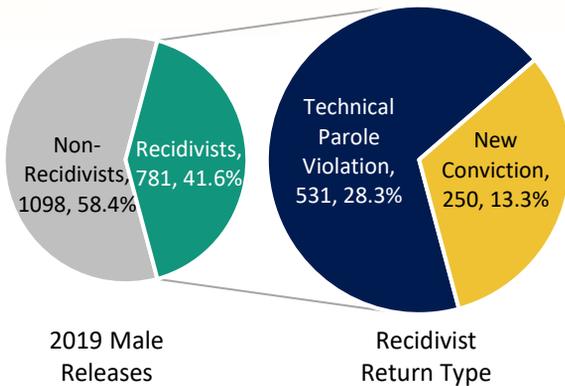
Presumptive parole is a system in which an offender is released on their initial parole date unless there is a determination that they are not in compliance with their release plan.

SENTENCE DISCHARGE

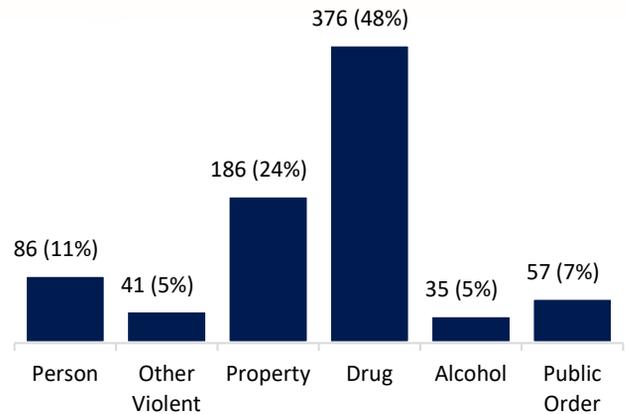
Sentence Discharge includes offenders who have served their maximum sentence and release on their expiration of sentence date.

2019 COHORT DEMOGRAPHICS: MALE OFFENDERS

Outcomes



Most Serious Offense at Commitment



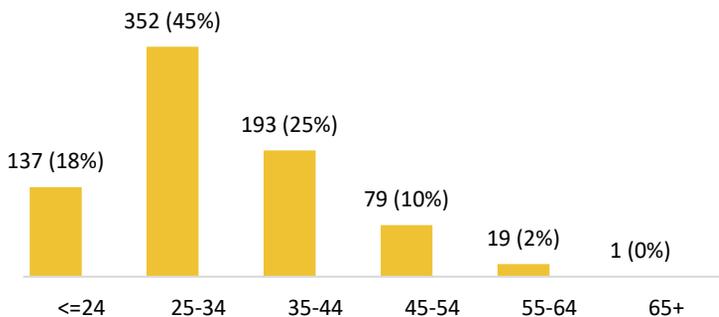
The 2019 release cohort included 1,879 male offenders. Of the total released, 781 (41.6%) recidivated within three years following release as shown in the pie chart above. This is further broken down to 531 (28.3%) recidivating with a technical parole violation and 250 (13.3%) returning to prison with a new conviction.

The chart above shows the recidivists by most serious offense at the time of their commitment. Almost half (48%) of the 2019 release cohort who recidivated were incarcerated for a drug offense. Only 11% of the releases with a most serious offense in the category of person recidivated.

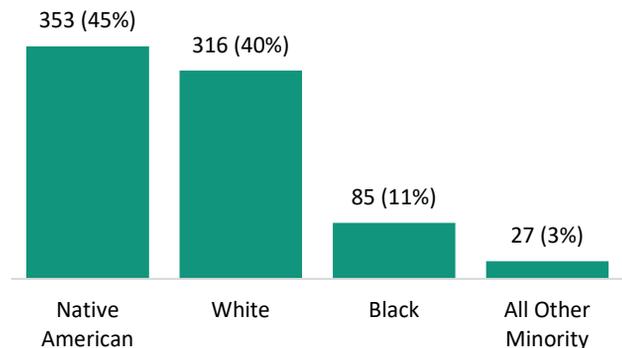
The chart below shows recidivists by age category. The majority of recidivists were between the ages of 25 and 34 (352, 45%). As an offender's age increased, they were less likely to recidivate.

The chart below displays the recidivists by race. Native American males made up 45% (353) of all male recidivists followed closely by white males at 40% (316).

Age

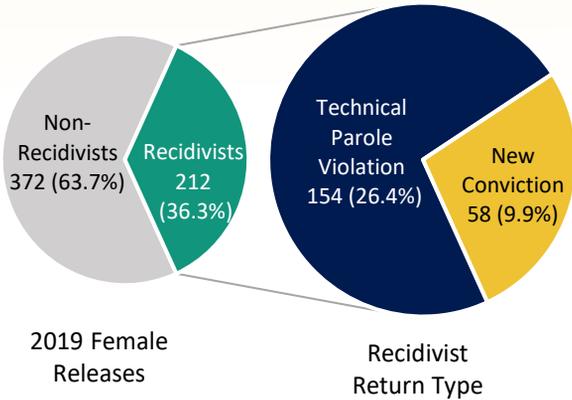


Race

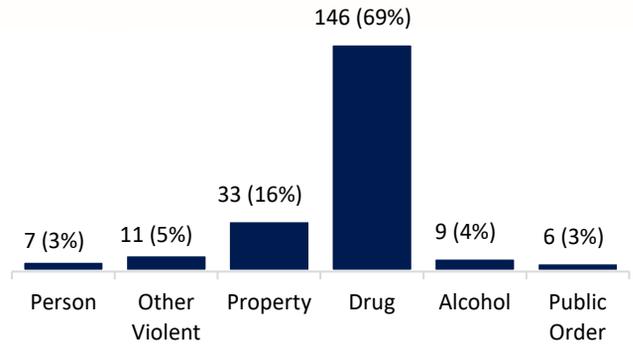


2019 COHORT DEMOGRAPHICS: FEMALE OFFENDERS

Outcomes



Most Serious Offense at Commitment



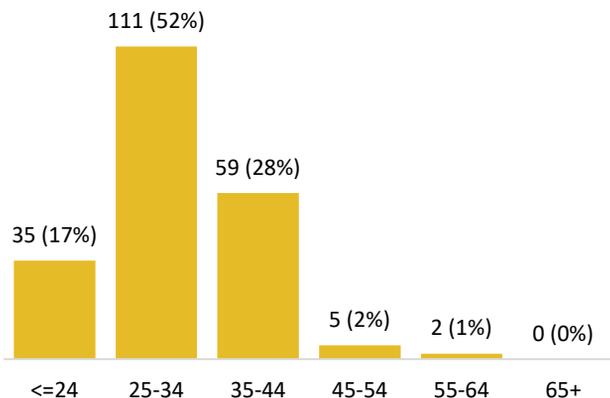
The 2019 release cohort included 584 female offenders. Of the total released, 212 (36.3%) recidivated within three years following release as shown in the pie chart above. This is further broken down to 154 (26.4%) recidivating with a technical parole violation and 58 (9.9%) returning to prison with a new conviction.

The chart above shows the recidivists by most serious offense at the time of their commitment. Over two thirds (69%, 146) of the 2019 release cohort who recidivated were incarcerated for a drug offense. Only 3% (7) of the releases with a most serious offense in the category of person recidivated.

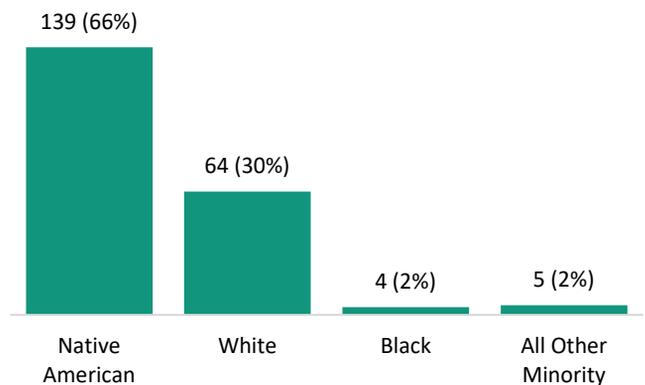
The chart below shows recidivists by age category. The majority of recidivists were between the ages of 25 and 34 (111, 52%). As an offender's age increased, they were less likely to recidivate.

The chart below displays the recidivists by race. Native American females made up 66% (139) of all female recidivists followed by white females at 30% (64).

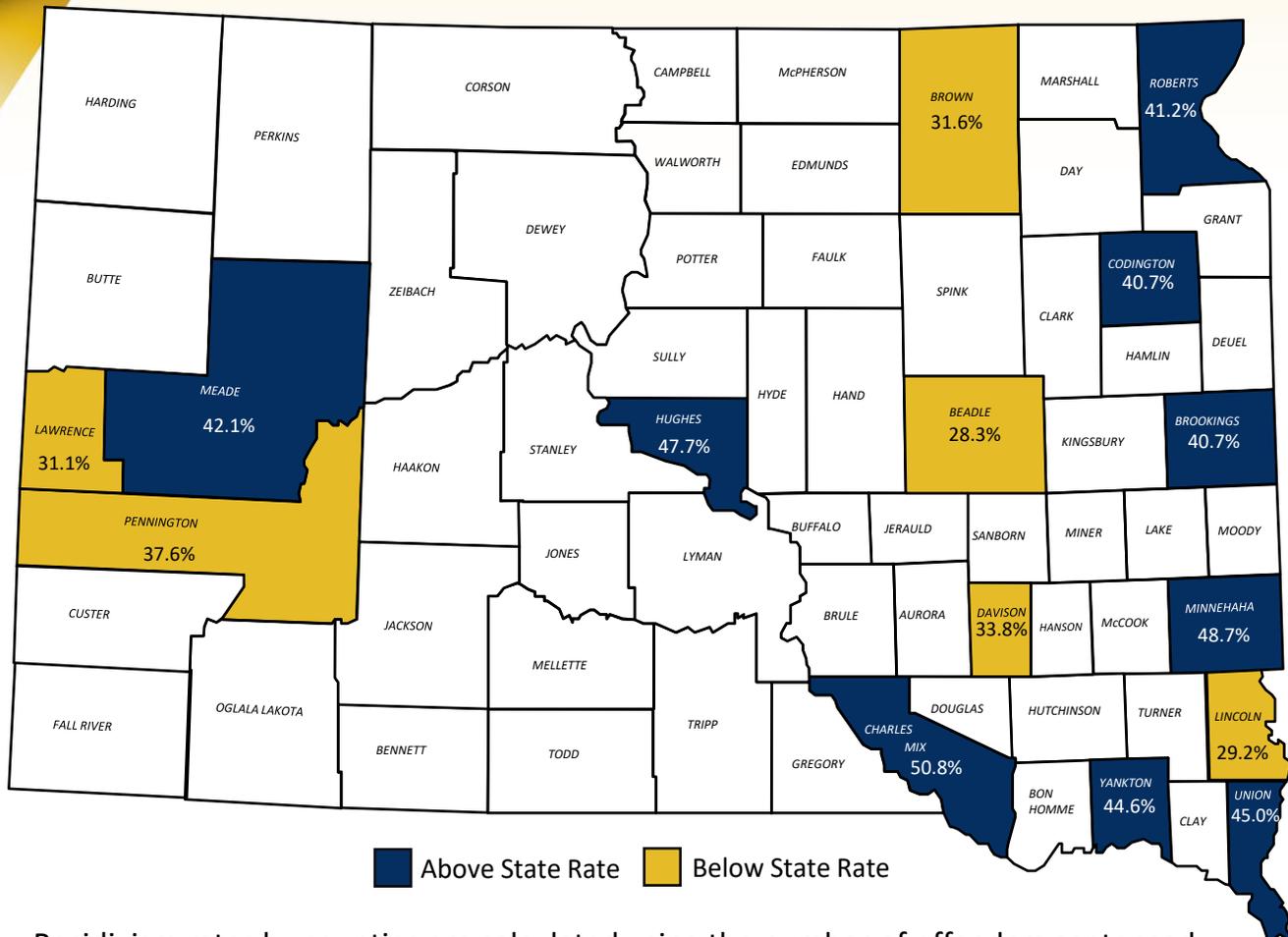
Age



Race



RECIDIVISM RATES BY COUNTY



Recidivism rates by counties are calculated using the number of offenders sentenced from the county in the 2019 release cohort. Counties who had fewer than 40 releases in the 2019 release cohort were excluded to prevent any misinterpretations of the data. For example, a small county with one offender in the release cohort would show a 100% recidivism rate if the offender returned to prison. This would not be an accurate representation of the risk of offenders from that county to recidivate.

Of the 15 counties with 40 or more releases, nine had a recidivism rate higher than the state rate of 40.3%. The county with the highest rate was Charles Mix (50.8%) followed by Minnehaha (48.7%). Of the six counties with rates lower than the state rate, Beadle County had the lowest rate at 28.3% followed by Lincoln County with 29.2%.

FOR MORE INFORMATION, CONTACT:

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