Recidivism At a Glance: Releases from State Responsible (SR) Incarceration

Introduction

The VADOC studies recidivism to gather information on the success of inmates re-entering society once released from State Responsible (SR) incarceration. SR incarceration requires a Virginia felony conviction with a sentence of one year or more or a parole violation with a sentence of two years or more. Recidivism studies can measure a variety of repeat behaviors for a range of follow-up periods. These measures are limited to known behavior that have been captured in the data. VADOC routinely studies three standard measures of recidivism—re-arrest, re-conviction, and re-incarceration—for time periods ranging from six to 36 months. These measures are consistent with other Virginia criminal justice agencies' standard recidivism measures.

State Responsible Releases

This report provides information on the recidivism of SR releases. SR releases include all Virginia felons who were sentenced to an incarceration period of one year or more and were released from an SR incarceration. This includes SR inmates release from VADOC facilities and SR inmates released from local/regional jails.

VADOC only includes SR releases who were at liberty and had the opportunity to recidivate. Those excluded from the analysis include SR releases who died in custody and those who were transferred to another jurisdiction upon release. Releases from Community Corrections Alternative Programs (CCAPs) and those on community supervision are studied separately. Recidivism rates may vary slightly from what was reported in previous versions of this report due to data maturity.

State Responsible Releases		
Release Year	Total Releases	Releases in Study
FY2016	12,647	12,551
FY2017	12,477	12,376
FY2018*	12,600	12,499
FY2019**	12,692	12,597
FY2020**	12,774‡	12,680
FY2021**	11,574‡	11,443
FY2022†	10,082	9,975

---

* One release in FY2018 had their record expunged and is no longer considered an SR release.

** Escapes from jail were removed because they are not true releases. This resulted in a reduction of releases by four in FY2019, one in FY2020, and three in FY2021.

‡ SR COVID early releases, released per House Bill 29 and House Bill 30, are included in the number of releases for FY2020 and FY2021.

† The large decrease in releases for FY2022 is likely a result of court closures and operating at limited capacities during the COVID-19 pandemic.

Re-Arrest*

Re-arrest is defined as any arrest reported in the Virginia State Police (VSP) criminal history database for a felony or misdemeanor offense, including supervision violations, within the specified time period after release. Local ordinance violations, such as non-criminal speeding, are not considered re-arrests. Re-arrests are reported on VSP criminal history database without delay. Therefore, this measure is immediately available. However, re-arrest is not necessarily indicative of new criminal behavior but is an indicator of interaction with law enforcement. Some re-arrests will lead to findings of not guilty or charges being dismissed. The re-arrest rates in the table below only account for offenses that occured after an inmate's release date.

The highest rates of re-arrest at the 18 and 24-month follow-up periods occurred with the FY2018 release cohort. The FY2019 release cohort has the lowest re-arrest rate at the 36-month follow-up period but the highest re-arrest rate at the six and 12-month follow-up periods. The FY2021 release cohort has the lowest re-arrest rate for the six, 12, and 18-month follow-up periods. Lower re-arrest rates in later years are likely a result of the COVID-19 pandemic.

Months Since Release	Re-Arrest				
	6	12	18	24	36
FY2016	13.0%	26.8%	37.4%	44.7%	53.7%
FY2017	13.3%	27.1%	37.3%	44.8%	53.8%
FY2018	13.0%	27.4%	38.2%	45.2%	52.8%
FY2019	13.7%	28.4%	37.2%	43.2%	51.4%
FY2020	13.3%	24.9%	34.4%	40.5%	
FY2021	11.9%	24.4%	34.1%		

Re-Conviction*

Re-conviction is defined as a conviction resulting from a re-arrest where the re-arrest occured within the specified time period. The actual conviction may occur outside the specified follow-up period. Re-convictions are recorded at the conclusion of court proceedings and merged into the VSP database. Because of this processing time lag, the measure is not immediately reportable. However, this measure is indicative of new criminal behavior because the charge is adjudicated in a court of law. The re-conviction rates reported in the table below only consider convictions for offenses that occurred after an inmate's release date.

Re-conviction rates were the lowest at the 36-month follow-up period with the FY2018 release cohort. The FY2019 release cohort has the lowest re-conviction rate for the 24-month follow up period. The six-month re-conviction rate is similar for the FY2016 to FY2020 release cohorts. The FY2021 release cohort has the lowest re-conviction rate at the six and 12-month follow-up periods. Differences in re-conviction rates may be the result of court delays due to closures and operating at limited capacities during the COVID-19 pandemic.

Months Since Release	Re-Conviction				
	6	12	18	24	36
FY2016	9.7%	21.4%	30.9%	37.6%	46.1%
FY2017	9.8%	21.5%	30.4%	36.9%	45.6%
FY2018	9.8%	22.1%	31.6%	37.8%	45.3%
FY2019	10.6%	22.4%	30.0%	35.1%	
FY2020	10.0%	19.1%	26.8%		
FY2021	8.6%	18.4%			

* Re-arrest and re-conviction information is based on July 2023 Virginia State Police (VSP) criminal history data. As of July 2021, only arrests and convictions mandated to be reported to the Central Criminal Records Exchange (CCRE) are included in the VSP data per House Bill 2113.

Re-Incarceration

Re-incarceration is defined as any SR re-incarceration within the specified time period, including those for crimes committed prior to release and technical violations. VADOC waits at least four years to calculate the three-year re-incarceration rate of SR releases in order to allow all court information to be received and entered into VirginiaCORIS.* This measure reflects criminal behavior which impacts VADOC bed space needs.

Re-incarceration rates of the six-month follow-up period were similar for all release cohorts examined. The FY2019 release cohort has the lowest re-incarceration rate for the 24 and 36-month follow-up periods. The FY2016 release cohort had the highest re-incarceration rates for all follow-up periods except for the six-month follow-up. The FY2020 release cohort has the lowest re-incarceration rates for the 12 and 18-month follow-up periods. For the FY2016 through FY2020 release cohorts, re-incarceration rates decreased in every follow-up period except for the six-month follow-up period. Each release follow-up period trended down for re-incarceration rates until FY2021 where the re-incarceration rate increased slightly for the six and 12-month follow-up periods.

Months Since Release	Re-Incarceration				
	6	12	18	24	36
FY2016	1.3%	5.0%	10.1%	15.6%	23.9%
FY2017	1.3%	4.9%	9.8%	14.5%	22.3%
FY2018	1.2%	4.6%	9.7%	14.5%	20.6%
FY2019	1.2%	4.4%	8.1%	12.1%	19.0%
FY2020	1.3%	3.5%	7.0%		
FY2021	1.4%	3.6%			

Re-incarceration rates are lower during follow-up years impacted by COVID-19 due to court closures and sentencing delays.

---

* VADOC's inmate management system.