



# RECIDIVISM RATES

## FACT SHEET

It is important to note that “recidivism” has no consistent definition. It can be looked at from the aspects of criminal processing: re-arrest, rebooking, and reconviction. It can also be looked at by types of crime: general, violent, and sexual. Then it can also be looked at in types of re-offenses: general, class, and specific. Sometimes it’s a mix of all the above. It’s easy to manipulate “recidivism” to fit a particular narrative. Researchers who want to exploit the worst in criminal behavior will use the broadest sense of the term as possible.

1. 2008 re-offense rate in PA= 3.1%. 3.1% calculated using PA DOC 2013 Recidivism Report data of 0.6% forcible rapes, 0% statutory rapes, and 2.5% other sexual offenses, p. 22 table 14.
2. 7-year re-offense rate in the U.S.= 7.7%.- U.S. Department of Justice, Bureau of Justice Statistics (2019). *Recidivism of sex offenders released from state prison: A 9-year follow-up (2005-14)*. Retrieved from <https://www.bjs.gov/content/pub/pdf/rsorsp9yfu0514.pdf>
3. Over 95% of sexual offenses committed before and after public registry requirements were committed by first time offenders.- Sandler, J.C., Freeman, N.J., & Socia, K.M. (2008). Does a watched pot boil? A time-series analysis of New York state’s sex offender registration and notification law. *Psychology, Public Policy, and Law*, 14(4), 284-302.
4. The U.S. Bureau of Justice Statistics (2003) found the 3-year sexual re-offense rate to be 3.5%.- Bureau of Justice Statistics (2003). *Recidivism of sex offenders released from prison in 1994*. Washington, DC: U.S. Department of Justice. Retrieved from <http://www.bjs.gov/content/pub/pdf/rsorp94.pdf>
5. Wormith et al., study followed 1,905 individuals with sexual offenses, and 24,545 individuals with nonsexual offenses, who were released in Ontario, Canada, during 2004. The mean follow-up period for both groups was 4.5 years, with a standard deviation of 106 days. 3.73 percent of the individuals with sexual offenses (97% male) committed another sex offense during the follow-up period; 3.17 percent of individuals with nonsexual offenses (80.5% male) did so. See Wormith et al., *supra* note 23, at 1521 tbl. 1. The difference between these two percentages was not statistically significant. There was also no difference between the groups in rate of nonsexual violent offenses. - J. Stephen Wormith, Sarah Hogg, & Lina Guzzo, *The Predictive Validity of a General Risk/Needs Assessment Inventory on Sexual Offender Recidivism and an Exploration of the Professional Override*, 39 CRIM. JUST. AND BEHAV. 1511, 1529-32 (2012).

6. The risk of sexual reoffending reduces with time offense-free in the community.

Static-99R Risk Level	Desistance Threshold Reached-Time offense-free in the community at which the individual poses no greater risk of sexually offending than those who have never committed a sexual offense.
Level I Very Low Risk	At time of release from prison
Level II Below Average Risk	3 to 6 years
Level III Average Risk	8 to 13 years
Level IVa Above Average Risk	16 to 20 years
Level IVb Well Above Average Risk	16 to 20 years

-Hanson, R. K., Harris, A. J. R., Letourneau, E., Helmus, L. M., Thornton, D. (2018). Reductions in risk based on time offense-free in the community: Once a sexual offender, not always a sexual offender. *Psychology, Public Policy, and Law*, 24(1), 48-63.

7. Table 2 of the Hanson study shows a 5-year re-offense rate of 2.2% for low-risk individuals with sexual offenses, and 6.7%, for moderate-risk offenders. These two groups together account for 74.2% of Hanson's sample of 7,740 offenders. Hanson, et al., at 2802.- R. Karl Hanson, Andrew J. R. Harris, Leslie Helmus, and David Thornton, *High Risk Sex Offenders May Not Be High Risk Forever*, 29 (15) J. OF INTERPERSONAL VIOLENCE 2792, 2792-813 (2014). The median year of release was 1996; the release year ranged from 1957 to 2007.
8. Among 20,195 persons released from state prisons in 2005 across 30 states after serving a sentence for rape or sexual assault, 8% were arrested for rape or sexual assault during the 9 years after their release. - Bureau of Justice Statistics (2019). *Recidivism of Sex Offenders Released from State Prison: A 9-Year Follow-Up (2005-2014)*. Washington, DC: U.S. Department of Justice. Retrieved from <https://bjs.ojp.gov/content/pub/pdf/rsorsp9yfu0514.pdf>
9. "In 2016, the Probation and Pretrial Services Office of the Administrative Office of the U.S. Courts published a study on the recidivism of individuals convicted of sexual offenses under federal supervision (Cohen & Spidell, 2016). The data came from 94 federal judicial districts and involved the records of 7,416 males with sexual offense convictions who were released from federal prison and placed on supervision during fiscal years 2007 through 2013. The authors of the study define recidivism as arrest for a new crime. Cohen and Spidell take a subsample of those on active supervision and find that 2.8% were rearrested for a new sexual offense within three years."- Lave, Tamara & Prescott, J.J. & Bridges, Grady. (2021). The problem with assumptions: Revisiting "The dark figure of sexual recidivism". *Behavioral Sciences & the Law*. 39. 10.1002/bsl.2508 at pp. 7-8.- Cohen, T. H., & Spidell, M. C. (2016). How dangerous are they? An analysis of sex offenders under federal post-conviction supervision. *Federal Probation*, 80(2), 21–32.
10. "[I]n 2007, the Minnesota Department of Corrections published research evaluating the recidivism patterns of 3,166 individuals released in Minnesota following conviction and punishment for a sexual

offense. The follow-up periods the researchers use range from 3 to 16 years, with an average of 8.4 years. During that period, 12% of these releasees were rearrested for a new sexual offense; 10% were reconvicted, and 7% were reincarcerated.” -Lave, Tamara & Prescott, J.J. & Bridges, Grady. (2021). The problem with assumptions: Revisiting “The dark figure of sexual recidivism”. *Behavioral Sciences & the Law*. 39. 10.1002/bsl.2508 at p. 8.- Minnesota Department of Corrections. (2007). Sex Offender recidivism in Minnesota.

11. The U.S. Sentencing Commission followed 32,135 federal offenders released from incarceration or sentenced to a term of probation in 2010 for eight years. They found that 49.3% (15,843 persons) of those released were rearrested; of that 49.3%, 31.4% (4,975 persons) were rearrested for a violent offense; of that 31.4%, 1.6% (80 persons) were rearrested for sexual assault. In other words, 0.2% of the 32,135 were rearrested for sexual assault. - U.S. Sentencing Commission (2021). Recidivism of Federal Offenders Released in 2010. Retrieved from [https://www.ussc.gov/sites/default/files/pdf/research-and-publications/research-publications/2021/20210930\\_Recidivism.pdf](https://www.ussc.gov/sites/default/files/pdf/research-and-publications/research-publications/2021/20210930_Recidivism.pdf)
12. A study was done in New Jersey to examine recidivism rates pre and post SORN laws. The pre-SORN group (1990–1994) included 247 offenders, while the post-SORN group (1996–2000) included 248 offenders. Pre-SORN recidivism rates were 8.2% while post-SORN recidivism rates were 9.7%. - Tewksbury R, Jennings WG, Zgoba KM. *A longitudinal examination of sex offender recidivism prior to and following the implementation of SORN*. *Behav Sci Law*. 2012 May-Jun;30(3):308-28. doi: 10.1002/bsl.1009. Epub 2011 Sep 5. PMID: 21898579.
13. Dr. Kristen Zogba conducted another study in New Jersey. Data on 550 individual who committed a sexual offense released during the years 1990 to 2000 were collected. The pre-SORN group (19-). Pre-SORN recidivism rates were 10% while post-SORN recidivism rates were 7.6%. -Zgoba, K.,Witt, P.,Dalessandro, M., & Veysey, B. (2008). *Megan’s Law: Assessing the practical and monetary efficacy (report on grant award 2006-IJ-CX-0018)*. Washington, D.C.: National Institute of Justice.
14. The Pennsylvania Dept. of Corrections produced their Recidivism Report for 2022. The Bureau of Planning, Research and Statistics followed parolees who were released in 2016 for three years. They found parolees with property crime offenses have the highest re-arrest rates [59.9%]. Parolees with sexual offenses have the lowest re-arrest rates [28.9%] (pg.26). Also, “within three years of release, just over half, or 51.4 percent, are re-arrested. Eight out of 10 of the re-arrest offense types are split fairly evenly between public order, drugs, and property crimes. The remaining 16.7% are for violent crimes (including sex offenses),” (pg.26). -Bureau of Planning, Research and Statistics. *Pennsylvania Department of Corrections Recidivism Report 2022*.