

Effect of Prison Length of Stay on Recidivism in Oregon

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Why Did We Study LOS and Recidivism?

Oregon's Justice Reinvestment Initiative (JRI) was passed by lawmakers with HB 3194 in 2013. JRI targets nonviolent crimes and established the specific goals of reducing prison use, reducing recidivism, maintaining public safety, and increasing offender accountability. Given JRI's focus on stabilizing prison growth and reducing recidivism, *it is useful to understand the relationship between incarceration and recidivism*. The Oregon Criminal Justice Commission (CJC) tasked a Portland State University Research Team (PSU) to examine the connection between length of prison stay (LOS) and recidivism in the State of Oregon. This infographic summarizes the result of the full report of PSU's research effort on the following research questions:

1. What's the impact of LOS on recidivism?

2. Does LOS's impact on recidivism vary by JRI offense types?

JRI offenses include driving, possession, drug distribution/manufacturing, and property offenses.

3. What is the threshold in sentence length that maximizes public safety?

Do certain lengths of stay significantly increase or decrease the likelihood of recidivism?

How We Approached the Study of LOS and Recidivism:

Working with the CJC, we identified all offenders released from prison in Oregon between 2011 and 2015 after serving time for **one or more JRI offenses**. This consisted of 12,824 individuals includes those released following the end of their sentence (73.2%), those released on short-term transitional leave (26.3%), and people released for other, less common reasons (.4%).

Recidivism was examined with three primary measures as defined by Oregon state statute:

- Rearrest within 3 years
- Reconviction within 3 years
- Reincarceration within 3 years

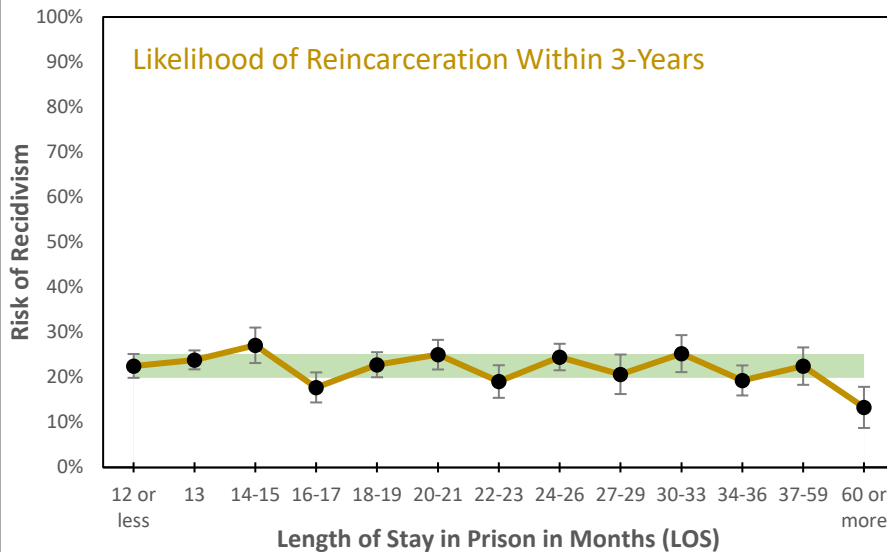
Statistically similar groupings of inmates within each of 15 length of stay groupings (e.g. inmates serving 13 months, inmates serving 14-15 months, etc.) were identified. Using a quasi-experimental approach, inmates were matched using demographics, criminal history, behavioral characteristics, and accounting for factors influencing recidivism. These groupings then become directly comparable and allow us to conclude if different LOS have different recidivism outcomes.

What We Found:

- Overall, **longer prison stays have little to no effect** regardless of offense and recidivism type.
 - In 82 analyses out of 90 we found no effect of LOS on recidivism.
- The likelihood of recidivating remains stable and flat regardless of LOS for *almost all* models.
- Some LOS results in lower and some higher recidivism. However, rarely are there significant trends.
- Rarely is there a decline in recidivism for imprisoning longer than 24 months.
- It is not clear what LOS maximizes public safety because the likelihood of recidivating remains basically the same between LOS.
 - This also suggests that **more time-served does not reduce rearrest, reconviction, or reincarceration**.
 - **Shorter LOS is not likely to decrease public safety**.
- Rarely is there a benefit to imprisoning JRI offenders for more than 18 months.
- Across almost all cases, individuals **neither recidivate sooner nor later** based on their LOS.



What the Analysis Looks Like:



Sample Analysis:

- This Graph illustrates one of our 90 analyses.
- It shows the likelihood to be reincarcerated for any offense within 3-years.
- Each *black dot* represents the average and the *black lines* above & below show the range of recidivism for each listed LOS.
- The *green shaded area* shows the range of reincarceration for those with a LOS of 12 months or less.
- Only the 60 or more group has a statistically different range.

Why Might 60 or More Months be Different?

- Only 2.9% of cases are in this group, as it is rare for a JRI offense to get a sentence this long.
- The individuals in this group are older and are more likely to “age-out” of criminal activity.
- The group represents a unique group of repeat property crime offenders.

More Things to Consider:

- In most cases, there is no added benefit of LOS after 18-24 months.
- The current sentencing system for JRI offenses is producing largely flat recidivism. This does suggest that Oregon’s system is not increasing recidivism and thus appreciably reducing public safety.
- On the other hand, the system is largely not reducing overall recidivism or the time in the community before recidivism. Thus, Oregon’s system is largely not producing positive reductions in recidivism.
- The analysis includes *only* JRI offenses, which are predominately non-violent and non-sex crimes.
- 51% of JRI offenders are rearrested within 3-years
- 45% of JRI offenders are reconvicted within 3-years.
- 22% of JRI offenders are reincarnated within 3-years.

Our Policy Recommendations:

- (1) It appears that a reduction in time-served, either through shorter sentences, earned time, early release, or other means would not appreciably decrease public safety, while likely benefiting Oregon, particularly financially.
- (2) Cost savings from the reduction in the use of prisons could be substantial and the state should look to redirect those savings into community corrections, offender services, and proactive crime reduction programs.
- (3) Shorter prison stays would likely maximize public safety while still reducing costs if it is coupled with targeted, evidence-based expansion in JRI programs.
- (4) A focus on reinvesting savings from reduced incarceration into protective or preventive factors in the community, such as strengthening public education, increasing the number of low-skilled jobs available, and/or addressing the causes and consequences of homelessness, drug addiction, severe mental health problems, and dual diagnoses could reduce the need for prisons while also increasing public safety.

