RECIDIVISM IN NSW: WORK RELEASE PROGRAM

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At the request of officers involved in the work release program at Silverwater Correctional Complex, a small study was carried out by the Research and Statistics Unit to compare the recidivism of work releasees with the recidivism of other male inmates discharged with a C3 classification. A copy of the report is attached for your information. A summary is on page 2.

Simon Eyland
Chief Research Officer
3rd November, 1995
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SUMMARY

Work release is one of several pre-release programs available for inmates who are nearing the end of relatively long sentences and who have gained the lowest security classification available of C3. The work release program allows inmates to work in paid employment in the community during the last part of their sentence. As part of the scheme, the inmate is required to pay board to the Department of Corrective Services. Work release also allows the inmate to financially support dependants and save a nestegg for release. In some cases the inmate is able to continue with the same job after release.

This study compared the recidivism of people who had satisfactorily completed the work release program with the recidivism of other inmates who had been discharged as C3 in 1991 or 1992 after one year or more in custody.

Recidivism was defined as the percentage of people with a conviction leading to a sentence of full-time custody in New South Wales within two years of discharge.

First Offenders

For people serving their first New South Wales adult imprisonment, recidivism was higher for younger inmates. As recidivism was so low in general for C3 inmates, the recidivism rate of those who had completed work release was not significantly different to the recidivism rate of the other inmates released as C3.

Repeat Offenders

For people who had previously served an adult custodial sentence in New South Wales, recidivism was higher for people who had returned to custody more quickly after the previous time they had been imprisoned. There was a significant reduction in recidivism for people who had been on work release the longest.
1 INTRODUCTION

1.1 Pre-release Programs

The Department of Corrective Services provides a range of pre-release programs for suitable inmates, designed to assist inmates to prepare for return to the community upon release. These include:

- Work Release;
- Day Leave;
- Weekend Leave;
- Educational Programs;
- Industrial Training Programs;
- and
- Community Projects.

A full description of the aims and conditions of each program is given in the pre-release programs policy manual.

To be eligible to apply for a pre-release program an inmate must have a C2 rating and must have performed at above average levels in conduct, industry and/or training without adverse incident. Once approval to enter the program is obtained the inmate must apply for and be granted a C3 security rating which is only available to inmates who will be participating in a pre-release program.

There are periodically varied restrictions as to the minimum time served and the maximum time left to serve before the inmate may start participating in each type of pre-release program. For example, in the policy effective as of 1st March, 1992, an inmate must be within 12 months of their effective date of release or have served 50% of their minimum sentence; whichever is least before consideration for participation in day leave or weekend leave. Under the same policy, candidates for work release should be effectively serving more than three years except in special circumstances.

There are also restrictions on inmates with violent offences taking part in leave programs.

1.2 Work Release

Work Release is a program which allows inmates to go unescorted, on a temporary basis, to employment in the community while continuing to serve the latter portion of their sentences in minimum security conditions. Inmates contribute out of their earnings to the Department of Corrective Services for their board.

Participation in Work Release is preceded by an assessment program. The program usually runs for 12 weeks and incorporates programs specifically designed to gradually reintroduce him/her to the outside community. Before admission to Work Release proper, the inmate must also have successfully completed a considerable period at the Work Release Centre where their suitability for the scheme is carefully considered. Whilst at the centre they are required as far as possible to participate in programs such as Corrective Services Industries combined with trials of exposure to the community through outside sport activities or day or weekend leave.

Infringement of Work Release rules
may result in the inmate being removed from the program with an increase in classification and placement elsewhere.

As stated in the pre-release programs policy manual, work release is a program designed to:

- give inmates an opportunity to integrate and adjust to society prior to release;
- teach inmates the value of work for their own self esteem and to continue in employment after release;
- help inmates renew their community ties and social relationships and take responsibility for their own behaviour through the privileges associated with the program;
- support his/her dependants;
- pay fines and compensation;
- pay the cost of his/her imprisonment through payment of board; and
- save money for his/her eventual release.

The Work Release program commenced in 1969. On the 30th June, 1991 there were 103 male inmates on the program at Silverwater Correctional Complex and 12 women on the program at the Norma Parker Centre. The program was extended to Parklea Correctional Centre for young male offenders in 1992 and to Emu Plains Correctional Centre for women in 1995. At the time of this report there about 150 male and 12 female work releasees. There are also plans to extend the program into other correctional centres with minimum security inmates.

1.3 Recidivism of Work Release Inmates

Although the aims of the Work Release program do not specifically mention minimising recidivism this is implicit in the Corporate Objective to "provide inmates, both male and female, with opportunities to acquire life, educational and vocational skills, necessary for their development as law-abiding and productive citizens". Since, from its planned expansion, the program is obviously seen as important by the Department, it would be useful to know whether it has an effect on recidivism.

A study (Turnbull, Porritt and Cooney, 1982) focussing on which work releasees during the period between 1976/77 and 1980/81 did not complete the program reported that 19% of the inmates who were successful on work release returned to custody within 15 months of discharge.

The current study compares recidivism rates for male work releasees discharged in 1991 or 1992 from Silverwater Correctional Complex with recidivism rates for other male inmates discharged with a C3 security classification after serving at least a year in custody.
2 ANALYSIS AND RESULTS

2.1 Definitions

There are many definitions of recidivism. In this study recidivism was defined as the percentage of people returned with a conviction leading to a sentence of full-time custody in New South Wales within two years of discharge.

By this definition any subsequent convictions leading to non-custodial sentences, imprisonment for fine default or to periodic detention are ignored. Note that people who are re-imprisoned in other states or countries will not be counted as recidivists as data is not available, nor are people arrested for another offence but still waiting to have their case heard. It is also possible that the recidivist offence may have been committed before the offence leading to the original imprisonment. It is important to remember that, under this definition of recidivism, a non-recidivist may actually have continued to commit offences which could lead to a custodial penalty but without being convicted of any of them.

This definition may also slightly undercount the number of recidivists for more serious cases with a long time between arrest and conviction.

The 'first imprisonment group' were serving their first New South Wales adult custodial sentence. The 'repeat imprisonment group' had already served an adult custodial sentence in New South Wales.

'Time in the community before the last imprisonment' (applicable to the repeat imprisonment group only) was defined as the time between the discharge date from the previous imprisonment episode and the start date of the work release imprisonment episode.

The most serious offences (the offence with the longest sentence) were grouped into the categories of homicide, assault, sexual offences, robbery, fraud, property, driving offences, breach of parole, drug offences and other offences.

2.2 Data Set

The data consisted of all male inmates discharged from full-time custody who were discharged with a C3 security rating and who had served at least one year in custody. Inmates were defined as work releasees if they had started their first work release job at least one month before discharge and if they had continued in a work release job up to within one month before their discharge.

Of the 261 inmates who started a job on work release and were discharged from Silverwater Correctional Complex in 1991 or 1992, only 158 (61%) remained on a work release job continuously until their discharge.

2.3 Characteristics of Work Releasees

Tables 1, 2, 3 and 4 show the characteristics of work releasees and total C3 inmates in terms of their age at the start of their sentence, time served, most serious offence, and Aboriginality/country of birth.
Table 1: Age

<table>
<thead>
<tr>
<th>Age at Start of Sentence</th>
<th>Work Release</th>
<th></th>
<th>Non Work Release</th>
<th></th>
<th>Total Cases (C3 males who served over one year)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Percentage of Total</td>
<td>Number</td>
<td>Percentage of Total</td>
<td></td>
</tr>
<tr>
<td>to 20 yr</td>
<td>7</td>
<td>11%</td>
<td>59</td>
<td>89%</td>
<td>66</td>
</tr>
<tr>
<td>21 - 29 yr</td>
<td>89</td>
<td>32%</td>
<td>188</td>
<td>68%</td>
<td>277</td>
</tr>
<tr>
<td>30 - 39 yr</td>
<td>101</td>
<td>39%</td>
<td>159</td>
<td>61%</td>
<td>260</td>
</tr>
<tr>
<td>40 yr +</td>
<td>44</td>
<td>36%</td>
<td>79</td>
<td>64%</td>
<td>123</td>
</tr>
<tr>
<td>TOTAL</td>
<td>241</td>
<td>33%</td>
<td>485</td>
<td>67%</td>
<td>726</td>
</tr>
</tbody>
</table>

Table 2: Time Served*

<table>
<thead>
<tr>
<th>Time Served</th>
<th>Work Release</th>
<th></th>
<th>Non Work Release</th>
<th></th>
<th>Total Cases (C3 males who served over one year)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Percentage of Total</td>
<td>Number</td>
<td>Percentage of Total</td>
<td></td>
</tr>
<tr>
<td>1 - 3 yr</td>
<td>128</td>
<td>25%</td>
<td>378</td>
<td>75%</td>
<td>506</td>
</tr>
<tr>
<td>3 - 5 yr</td>
<td>66</td>
<td>46%</td>
<td>78</td>
<td>54%</td>
<td>144</td>
</tr>
<tr>
<td>5 - 10 yr</td>
<td>29</td>
<td>67%</td>
<td>14</td>
<td>33%</td>
<td>43</td>
</tr>
<tr>
<td>10 yr +</td>
<td>18</td>
<td>55%</td>
<td>15</td>
<td>45%</td>
<td>33</td>
</tr>
<tr>
<td>TOTAL</td>
<td>241</td>
<td>33%</td>
<td>485</td>
<td>67%</td>
<td>726</td>
</tr>
</tbody>
</table>

* From sentence start date to discharge
### Table 3: Most Serious Offence

<table>
<thead>
<tr>
<th>Most Serious Offence</th>
<th>Work Release</th>
<th>Non Work Release</th>
<th>Total Cases (C3 males who served over one year)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Percentage of Total</td>
<td>Number</td>
</tr>
<tr>
<td>Homicide</td>
<td>27</td>
<td>54%</td>
<td>23</td>
</tr>
<tr>
<td>Assault</td>
<td>18</td>
<td>29%</td>
<td>45</td>
</tr>
<tr>
<td>Sexual</td>
<td>19</td>
<td>19%</td>
<td>82</td>
</tr>
<tr>
<td>Robbery</td>
<td>24</td>
<td>32%</td>
<td>50</td>
</tr>
<tr>
<td>Fraud</td>
<td>24</td>
<td>48%</td>
<td>26</td>
</tr>
<tr>
<td>Property</td>
<td>29</td>
<td>18%</td>
<td>130</td>
</tr>
<tr>
<td>Driving</td>
<td>6</td>
<td>38%</td>
<td>10</td>
</tr>
<tr>
<td>BOP</td>
<td>7</td>
<td>35%</td>
<td>13</td>
</tr>
<tr>
<td>Drug</td>
<td>83</td>
<td>49%</td>
<td>86</td>
</tr>
<tr>
<td>Other</td>
<td>4</td>
<td>17%</td>
<td>20</td>
</tr>
<tr>
<td>TOTAL</td>
<td>241</td>
<td>33%</td>
<td>485</td>
</tr>
</tbody>
</table>

### Table 4: Aboriginality/Country of Birth

<table>
<thead>
<tr>
<th>Aboriginality/Country of Birth</th>
<th>Work Release</th>
<th>Non Work Release</th>
<th>Total Cases (C3 males who served over one year)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>Percentage of Total</td>
<td>Number</td>
</tr>
<tr>
<td>Aboriginal</td>
<td>6</td>
<td>19%</td>
<td>26</td>
</tr>
<tr>
<td>Other Australian</td>
<td>154</td>
<td>29%</td>
<td>373</td>
</tr>
<tr>
<td>Other English Speaking</td>
<td>16</td>
<td>37%</td>
<td>27</td>
</tr>
<tr>
<td>Non English Speaking</td>
<td>65</td>
<td>52%</td>
<td>59</td>
</tr>
<tr>
<td>TOTAL</td>
<td>241</td>
<td>33%</td>
<td>485</td>
</tr>
</tbody>
</table>
Only relatively few inmates (66) who started sentences under 21 years of age were C3 on discharge and few of these (11%) were on work release (Table 1).

About half of the inmates discharged as C3 after serving three years of more were work releasees but work releasees made up only a quarter of those who had served between one and three years (Table 2).

Few of the sexual or property offenders who were discharged as C3 were on work release but work releasees made up about half of the homicide, drug and fraud offenders (Table 3).

About half the C3 inmates born in Non English speaking background countries were on work release. Very few Aboriginals (32) were discharged as C3 and very few of these (19% compared to an overall 33%) were on work release (Table 4).

2.4 Recidivism

Since it has been shown that recidivism is much lower for people who have not been imprisoned before (Thompson 1995), recidivism for the first imprisonment group and the repeat imprisonment group was analysed separately. Logistic regression techniques were used to test for differences in recidivism between work releasees and other C3 inmates who had served at least one year, taking account of variables such as age at start of sentence, sentence length, most serious offence and time in the community before the last imprisonment (for the repeat imprisonment group). Further details of the analysis are given in the appendix.

Out of the 241 work releasees in the study, 65% were serving their first adult custodial sentence. This is similar to the percentage for all C3 inmates (61%).

2.4.1 Recidivism of First Imprisonment Group

Age was a significant factor in the recidivism of the first imprisonment group. As Table 5 shows, younger inmates had higher recidivism. For example, non work release C3 inmates who started their sentence between the ages of 18 and 20 had a recidivism rate of 22% while non work release C3 inmates who started their sentence at the age of 30 or older had a recidivism rate of 4%. However there was no significant difference between recidivism for the work releasees and the other C3 inmates when age was taken into account.

2.4.2 Recidivism of Repeat Imprisonment Group

The time in the community after last imprisonment was a significant factor in the recidivism of the repeat imprisonment group, rather than age. For example, non work release C3 inmates who had only been in the community up to 3 years before the start of their sentence had a recidivism rate of 42% while non work release C3 inmates who had been in the community more than three years before the start of their sentence had a recidivism rate of 33%.
Table 5: Recidivism of First Imprisonment Group

Males discharged as C3 in 1991 or 1992 after one year or more in custody
No prior imprisonment

<table>
<thead>
<tr>
<th>Age at Start of Sentence</th>
<th>Recidivism (n = number of cases)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Non Work Release</td>
</tr>
<tr>
<td>18 - 20 yr</td>
<td>22% (n=46)</td>
</tr>
<tr>
<td>21 - 29 yr</td>
<td>11% (n=101)</td>
</tr>
<tr>
<td>30 yr and older</td>
<td>4% (n=143)</td>
</tr>
<tr>
<td>TOTAL</td>
<td>9% (n=290)</td>
</tr>
</tbody>
</table>

Table 6: Recidivism of Repeat Imprisonment Group

Males discharged as C3 in 1991 or 1992 after one year or more in custody
Repeat imprisonment

<table>
<thead>
<tr>
<th>Time in Community after last Imprisonment</th>
<th>Recidivism (n = number of cases)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Non Work Release</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>up to 3 yrs</td>
<td>42% (n=144)</td>
</tr>
<tr>
<td>3 yrs and over</td>
<td>33% (n=51)</td>
</tr>
<tr>
<td>TOTAL</td>
<td>40% (n=195)</td>
</tr>
</tbody>
</table>

The recidivism of the work releasees was lower than for other C3 inmates for longer times on work release. This lower recidivism was most marked for inmates who had spent nine months or more on work release. However, as Table 6 shows, this reduction of recidivism applied to only a small number of work releasees, 23 in the two years (10% of the work releasees).
3 DISCUSSION

3.1 Characteristics of Groups

Since there is a minimum time that must be served before an inmate can be granted a C3 classification for work release or day or weekend leave it is not surprising that only a relatively small percentage of young inmates (who generally get shorter sentences) were discharged as a C3 and that few property or assault offenders (who also tend to get short sentences) were discharged as a C3. Since the work release program has the longest minimum time, it is also not surprising that a relatively high percentage of C3 inmates in the homicide and drug groups (both groups having long sentences) were on work release and a relatively low percentage in the property and other offence groups.

The very low number of Aboriginals on work release warrants investigation. Further analysing the available data on discharged inmates showed that, while 8% of the inmates discharged in 1990, 1991 or 1992 after two years or more in custody were Aboriginal, only 4% of those discharged as C3 were Aboriginal. In contrast 22% of those discharged as A2 were Aboriginal, and 12 %, 11 % and 8% of those discharged as B, C1 and C2 respectively were Aboriginal. Thus, for some reason, Aboriginals with long sentences were not progressing down the security classification ratings.

The relatively large percentage of C3 inmates born in non-English speaking background countries on work release in connected with the relatively high number of drug offenders born in NESB countries on work release.

3.2 Recidivism

3.2.1 First Imprisonment Group

Since the recidivism of inmates discharged as C3 after their first imprisonment is very low anyway, it is not surprising that those who successfully completed the work release program did not have a significantly lower recidivism.

The low recidivism figures may be due to the type of inmate who can achieve the standard of behaviour necessary for a C3 rating or it may be that many of the pre-release programs for C3 inmates are equally useful in enabling an inmate who wishes to become a law-abiding citizen to so.

3.2.2 Repeat Imprisonment Group

As found in other studies, recidivism of repeat offenders is higher than for first offenders and is highest for people who came quickly back to custody after their last imprisonment. Because the recidivism for C3 inmates in general is relatively high, this gives more scope to reduce it by pre-release programs.

For inmates discharged in 1991 or 1992, the 23 people who had work release jobs for 9 months or more did have lower recidivism than the other repeat imprisonment work releasees or the other repeat imprisonment C3 inmates.

While with such small numbers this
result should be treated with caution, it is logical to suppose that any special benefits from work release which might ultimately result in lower recidivism would need time to achieve. However there may have been some connection between the reason those particular inmates were put on work release earlier before their discharge than the other inmates and the likelihood of the inmate not to reoffend. For example, perhaps people more likely to recidivate were also more likely to be removed from the program for infringements. Thus only the lowest recidivism-risk inmates would stay for the longest time on the program. This sort of effect would be difficult to investigate.

Nevertheless the results suggest that more repeat offenders should be encouraged to participate in the work release program and that, if possible, inmates should start the program earlier in their sentences. A similar study should then be carried out to see if this policy change did indeed lead to reduced recidivism.

3.3 Other Benefits of Program

While the results indicate that the work release program operating as at present has made little detectable difference to recidivism it provides other substantial benefits. For example, the money earned benefits both the inmates, their families and the Department of Corrective Services. In addition, in some cases the inmate is able to continue with the same job after release (McHutchison, 1995).

4 REFERENCES


ACKNOWLEDGEMENTS

Thanks to Keith Swarris, Tom Lau and Terry Oates of the Information Technology Branch and to Nicolle Tierney of the Research and Statistics Unit of the NSW Department of Corrective Services for retrieving the data from the departmental Offender Record System. Thanks also to Simon Eyland of the Research and Statistics Unit for comments on the text.
APPENDIX: Details of Analysis

Logistic regression was used to test for relationships between recidivism and variables relating to:

* age start of sentence
* Most serious offence (grouped into ten classes)
* Aboriginality
* Country of birth (grouped into Australian, English speaking background and Non-English speaking background)
* Time served (time between start date and discharge date of focal episode)
* Time in the community since last imprisonment (time between discharge from prior episode and the start date of focal episode).

The resulting models were as follows.

Where \( R(\text{recidivism probability}) = \frac{1}{1 + e^{-Z}} \)

and for the first imprisonment group

\[ Z = 7.0 - 2.8 \ln(\text{age}), \]

and for the repeat imprisonment group

\[ Z = 1.1 - 0.4 \sqrt{\text{time}} - 0.09 \times \text{months on work release} \]

where time < 3 years,

\[ Z = 2.7 - 0.4 \sqrt{\text{time}} - 0.09 \times \text{months on work release} \]

where time > 3 years.

The variables were entered into the model by the forward stepwise method. At each step the variable most strongly related was added to the model, provided the improvement to the model chi-square was significant at the 5% level. Data for inmates serving their first adult imprisonment ('first imprisonment' group) and inmates who had previous adult custodial sentences in New South Wales ('repeat imprisonment' group) were analysed separately.