

Federal Post-Conviction Supervision Outcomes: Arrests and Revocations

James L. Johnson

Probation and Pretrial Services Office
Administrative Office of the U.S. Courts

THE MISSION OF the federal probation and pretrial services system is to protect the community and assist in the fair administration of justice. Protecting the community, which is the primary focus of this article, is achieved by the goals of post-conviction supervision: reducing offender risk levels of committing crime and maximizing offender success during the period of supervision and beyond.¹ Federal supervision, as these goals suggest, is concerned with more than just offenders' success during a period of supervision: It also prepares for the period after supervision is completed. The emphasis on continued success after the period of supervision acknowledges that fostering long-term behavior change is a key underpinning of effective supervision and that only through long-term behavior change will we rise to the challenge of protecting the community, even beyond the period of supervision.²

This article reports results that build upon the strategic effort that the Administrative Office of the U.S. Courts (AO) undertook to build a results-based framework for the federal probation and pretrial services system. This framework, described in detail in reports provided by Abt Associates to

the AO,³ supports the system's stated commitment to measure and communicate indicators that speak directly and precisely to its goals. In 2010, the AO published for the first time the re-arrest rates of offenders received for supervision in fiscal years 2005 through 2007.⁴ Consistent with holding ourselves accountable for reducing recidivism beyond the period of supervision, that article also examined offender arrest rates for up to three years after a term of supervision was completed. Since that time, the AO has built upon the framework by adding offenders to the study cohort for each subsequent fiscal year up to and including fiscal year 2012.⁵ The end product is a dataset of unprecedented size—over 360,000 offenders. We are now able to observe this cohort for as many as 8 years since commencement of supervision, and up to 5 years post supervision. We are now assembling the 2013 received cohort for inclusion in our study dataset, and results will be published later this calendar year. In place is the infrastructure that allows apples-to-apples comparisons of critical independently

³ *Arrest Rates and Offenses of Offenders on Federal Probation and Supervised Release* (Rhodes, Dyou, Kling, Hunt, Luallen, and Gaes) and *Post-Supervision Re-Arrest Rates of Offenders following Federal Probation and Supervised Release* (Rhodes, Dyou, Hunt, Kling, Subramanian, Luallen, and Gaes).

⁴ Baber, Laura. "Results-based Framework for Post-Conviction Supervision Recidivism Analysis." *Federal Probation* 74(3), 5-10, December 2010. Washington, DC: Administrative Office of the U.S. Courts.

⁵ Since the publication of the first article, refinements have been made to the methodology. Therefore, any differences in what is reported in this article are due to those methodological refinements.

observed outcomes over time and across the 94 federal probation offices. Further, probation staff receive annual reports of arrest and revocation rates for each year, and those statistics are placed in the context of national and circuit statistics.

In 2006, the AO contracted with Abt Associates to assist in the technical aspects of this effort. This article reports findings from work done under this contract, examining arrest and revocation rates of offenders under supervision for terms up to 60 months. Consistent with the federal system holding itself accountable for reducing recidivism beyond the period of supervision, this article also examines offender arrest rates for up to three years after a term of supervision was completed.

Study Methodology

The data presented in this article were assembled from federal supervision records from the Probation and Pretrial Services Automated Case Tracking System (PACTS), the internal case management database system of the AO's Probation and Pretrial Services Office, and also from other extant data sources. The study cohort includes 367,904 offenders serving either a term of probation or a term of supervised release (TSR) that commenced between October 1, 2004, and September 30, 2012. The cohort excludes offenders who are deported, serving sentence in another jurisdiction, or otherwise unavailable for supervision.

¹ *Guide to Judiciary Policy*, Volume 8, Part E, The Supervision of Federal Offenders (Monograph 109).

² Baber, Laura. "Results-based Framework for Post-Conviction Supervision Recidivism Analysis." *Federal Probation* 74(3), 5-10, December 2010. Washington, DC: Administrative Office of the U.S. Courts.

Defining Criminal Recidivism

Criminal recidivism, for the purpose of this study, is defined as the first arrest for a serious criminal offense during supervision and post supervision. States vary in how they report arrests for minor offenses, and this lack of consistency impacts arrest rates; therefore, only the more serious offenses were counted as recidivistic events. For the purpose of this study, it was necessary to make that classification. The following offenses were classified as less serious and are therefore excluded from the tabulations: traffic violations, obstruction of justice, liquor law violations, offenses against public peace, invasion of privacy, and prostitution. Exclusion of minor offenses does not materially understate arrest rates. When minor offenses are not included, arrest rates are 4 to 5 percentage points higher in the aggregate.

Offenders may have had multiple arrests during the study time period; however, only the first arrest was counted in this study. In addition, offenders may have had multiple arrests on the same day; in this case, the most serious charge was selected using the National Crime Information Center (NCIC) codes. The NCIC codes are in order of seriousness, and this ordering was used to select the most serious offense when there were multiple arrests on the same day.

Re-arrests During Supervision

This study examines the first arrest for a serious criminal offense for offenders within 3 months, 6 months, 12 months, 18 months, 24 months, 36 months, 48 months, and 60 months of commencing a term of supervision. In order to be included in the tabulations for each follow-up period, offenders had to be sentenced to a term of supervision for at least that time period before September 30, 2012.⁶ For example, offenders included in the 12-month arrest rates would have completed at least 12 months of supervision before September 30, 2012, according to supervision terms imposed by the courts, although they may have been on supervision for less than 12 months because of an arrest or revocation. Similarly, to be included in the 6-month rates, offenders would have had to have completed at least 6 months of supervision before September 30, 2012, except for the occurrence of an arrest or revocation, and so on. Arrests are cumulative over the follow-up periods. For example, if Offender A was sentenced to 12 months of federal supervision but was arrested after 6 months, Offender A's arrest is included in both the 6- and 12-month arrest statistics.

⁶ September 30 marks the end of the federal fiscal year, which begins on October 1.

Table 1 provides the number of probation and TSR offenders that entered into the analysis for each time period. As the table shows, at any time period, far more offenders serve terms of supervised release than terms of probation.

Although arrest rates and revocation rates appearing in Tables 4 through 7 (see Results section) are cumulative over time, Table 1 shows that the offenders entering into the underlying calculations differ across time. For example, when compiling a 12-month arrest rate, a total of 274,169 offenders enter into the calculations, but when compiling a 36-month arrest rate, 108,465 offenders enter into the calculations.

Re-arrests Post-Supervision

The federal probation system's mission to protect the community is achieved by maximizing offenders' success beyond their period of supervision. Within the context of the criminal justice mission, success means refraining from criminal activity. As a result, this study examined criminal recidivism following the successful completion of federal supervision (i.e., their term expired without a revocation or their supervision was terminated early) for one-, two-, and three-year follow-up periods.

At the time the data were assembled, 47 percent of the study cohort had successfully completed their supervision terms. Of those offenders who successfully completed supervision, the time available to recidivate ranged from less than one month to almost eight years. Only offenders for whom the study team could observe arrest outcomes for at least one year post-supervision (i.e., they completed supervision prior to June 15, 2012)⁷ were included in the analysis. To have arrest rates account for time at

⁷ We began conducting criminal history record checks on the study cohort on June 15, 2012, and thus made June 15 the cut-off date for post-supervision arrest analysis.

TABLE 1.

Number of Offenders in the Re-arrest During Supervision Statistics by Month

Months	Supervision Type		
	Probation	TSR	Total
3 mos.	66,775	271,920	338,695
6 mos.	63,191	260,052	323,243
12 mos.	46,665	227,504	274,169
18 mos.	37,313	201,576	238,889
24 mos.	27,808	166,028	193,836
36 mos.	15,572	92,893	108,465
48 mos.	5,317	26,427	31,744
60 mos.	945	5,586	6,531

Note: Numbers do not sum within columns because 60 months is a subset of 48 months, and 48 months is a subset of 36 months, etc.

risk to recidivate, re-arrest rates for one-, two-, and three-year follow-up periods are tabulated separately.

One-Year Post-Supervision Arrest Rate. Offenders included completed their term of supervision by June 15, 2012, and therefore have at least one year of post-supervision follow-up. Re-arrest rates are based on the first year of post-supervision follow-up. The study team was able to observe one-year outcomes for 120,054 offenders.

Two-Year Post-Supervision Arrest Rate. Offenders included completed their term of supervision by June 15, 2011, and therefore have at least two years of post-supervision follow-up. Re-arrest rates are based on the two years of post-supervision follow-up. Arrests are cumulative over the two years of follow-up. The study team was able to observe two-year outcomes for 89,546 offenders.

Three-Year Post-Supervision Arrest Rate. Offenders completed their term of supervision by June 15, 2010, and therefore have at least three years of post-supervision follow-up. Re-arrest rates are based on the three years of post-supervision follow-up. Arrests are cumulative over the three years of follow-up. The study team was able to observe three-year outcomes for 60,724 offenders.

Table 2 provides the number of probation and TSR offenders that entered into the post-supervision analysis for each follow-up year.

Defining Revocations

Offenders may be revoked during their supervision term for new criminal activity or for violating conditions of supervision, which we call "technical" violations. This article examines overall revocation rates (i.e., revocations for both new criminal activity and technical violations) and revocation rates separately for new crimes and technical

violations. Revocations for new crimes include all offenses regardless of seriousness.

Similar to tabulations on re-arrests during supervision, the revocation rates are provided for offenders within 3 months, 6 months, 12 months, 18 months, 24 months, 36 months, 48 months, and 60 months of commencing supervision. As with re-arrest rates during supervision, in order for offenders to be included in the revocation rates, offenders had to be sentenced to supervision for at least the length of the follow-up period before September 30, 2012. For example, to be in the 12-month revocation rates, offenders had to have been sentenced to at least 12 months of supervision before September 30, 2012.

Table 3 provides the number of probation and TSR offenders that entered into the

analysis for each of the eight time periods. These numbers are slightly different from the number of offenders included in the arrest tabulations and reflect slight differences in the selection rules for including offenders in each of the respective analyses.⁸

Findings

Recidivism during Supervision

Table 4 shows the distribution of re-arrests for each of the time periods for probationers and offenders on TSR. Overall, 5.2 percent of offenders were re-arrested for a serious

⁸ The arrest analyses only include major offenses whereas the revocation analyses include all offense conduct that resulted in revocation of supervision, regardless of seriousness.

offense within the first six months of their term of supervision. Because arrests are cumulative over the time periods, longer supervision terms will produce higher arrest rates. For example, 9.4 percent of offenders were re-arrested within 12 months; 20.8 percent were re-arrested within 36 months; and, 30.8 percent had a re-arrest within 60 months. As expected, TSR offenders have higher arrest rates than probationers for all time periods. For example, 32.4 percent of offenders on TSR were re-arrested within 60 months compared to only 21.2 percent of probationers.

Table 5 provides the distribution of re-arrest rates by each offense category for each of the time periods in the study. Overall, 30.8 percent of offenders were re-arrested within 60 months of starting their supervision term. Most of those re-arrests were for drug, violence, and property offenses. For example, 11.1 percent of the offenders were arrested for a drug offense, 7.9 percent had an arrest for a violent crime, and 6.8 percent committed a property offense. As supervision terms mature, drugs, violence, and property offenses account for a greater percentage of the offenses for which offenders are arrested. For example, within the first 3 months of commencing supervision, drugs, violence, and property offenses accounted for 68.9 percent of arrests for serious offenses, but increased to 83.5 percent of the total by 60 months (see Appendix A).

Tables 6 and 7 show re-arrest rates for offenders on TSR and probation, respectively, for each type of offense committed while under supervision. Not surprisingly, offenders serving terms of supervised release had higher recidivism rates for the majority of the serious offenses (e.g., drugs, violence, and firearms) than did offenders on probation. In part this is because offenders serving TSR have more extensive criminal histories and other characteristics that put them at elevated risk to recidivate compared with offenders on probation.

As Figure 1 shows, among offenders arrested for a serious crime during a term of supervision, those serving a term of supervised release were more frequently arrested for violent and drug-related offenses (26 percent and 30 percent, respectively) compared with offenders serving terms of probation (roughly 20 percent for violence and 21 percent for drug-related offenses).

Figure 2 displays the three-year re-arrest rate for serious offenses within RPI risk categories by the year in which the case was received for supervision. RPI scores were

TABLE 2.

Number of Offenders in the Re-arrest Post-Supervision Statistics by Year

Year	Supervision Type		
	Probation	TSR	Total
One Year	34,237	85,817	120,054
Two Years	27,011	62,535	89,546
Three Years	19,955	40,769	60,724

Note: Numbers do not sum across columns because 3 years is a subset of 2 years and 2 years is a subset of 1 year.

TABLE 3.

Number of Offenders in the Revocation Statistics by Month

Months	Supervision Type		
	Probation	TSR	Total
3 mos.	66,783	271,925	338,708
6 mos.	63,215	260,079	323,294
12 mos.	46,673	227,562	274,235
18 mos.	37,344	201,689	239,033
24 mos.	27,832	166,163	193,995
36 mos.	15,579	93,107	108,686
48 mos.	5,314	26,525	31,839
60 mos.	932	5,590	6,522

Note: Numbers do not sum within columns because 60 months is a subset of 48 months, and 48 months is a subset of 36 months, etc.

TABLE 4.

Arrest Rates for Serious Offenses During Supervision by Supervision Type

Supervision Type	Percent of Offenders with Arrest by Supervision Month							
	3 mos.	6 mos.	12 mos.	18 mos.	24 mos.	36 mos.	48 mos.	60 mos.
Probation	2.2%	3.7%	5.8%	7.8%	9.7%	13.2%	16.3%	21.2%
TSR	3.0%	5.6%	10.1%	13.6%	16.6%	22.0%	26.1%	32.4%
Total Pct.	2.8%	5.2%	9.4%	12.7%	15.6%	20.8%	24.5%	30.8%
Total Cases	338,695	323,243	274,169	238,889	193,836	108,465	31,744	6,531

Note: Numbers do not sum across columns because the 31% within 60 months reflects additional arrests from the 24% within 48 months, and the 24% within 48 months reflects additional arrests from the 21% within 36 months, etc.

collapsed into four risk categories—low, medium, high, and unknown—based on the corresponding RPI score.⁹ The low-risk category includes RPI scores of 0 to 2, scores between 3 and 6 make up the medium-risk

⁹ The RPI is an eight-question prediction instrument used by federal probation officers to estimate or predict the likelihood of an offender recidivating during his or her period of supervision. RPI scores range from 0 to 9; subsequently, low scores represent a low risk of recidivating and high scores are associated with a higher risk of recidivism. The Post Conviction Risk Assessment (PCRA) has since replaced the RPI as the prediction instrument that informs officers' case management. RPI scores are still calculated to maintain an historical basis.

category, and scores 7 to 9 represent the high-risk category. RPI Unknown represents cases in which no RPI score was recorded.¹⁰ As the figure shows, low-risk offenders were re-arrested less frequently than medium-risk offenders who were re-arrested less frequently than high-risk offenders, regardless of the year they started supervision. For example,

¹⁰ By policy, RPI scores are calculated during the development of an offender's case plan, which is developed within the first 60 days of supervision. If an offender's case is revoked prior to the development of the case plan, no RPI score is calculated. Another reason RPI scores are unknown is because they are not required for class B and C misdemeanor cases.

TABLE 5.
Arrest Rates for Serious Offenses During Supervision by Offense Category

Offense Category	Percent of Offenders with Arrest by Supervision Month							
	3 mos.	6 mos.	12 mos.	18 mos.	24 mos.	36 mos.	48 mos.	60 mos.
Drugs	0.7%	1.4%	2.6%	3.7%	4.7%	6.5%	8.4%	11.1%
Violence	0.6%	1.2%	2.3%	3.2%	4.0%	5.5%	6.5%	7.9%
Property	0.7%	1.4%	2.4%	3.2%	3.8%	4.9%	5.4%	6.8%
Unknown	0.2%	0.3%	0.5%	0.7%	0.8%	1.0%	1.1%	1.3%
Immigration	0.4%	0.5%	0.6%	0.7%	0.8%	0.8%	0.6%	0.7%
Escape/ Obstruction	0.1%	0.2%	0.3%	0.4%	0.4%	0.5%	0.5%	0.7%
Firearms	0.1%	0.1%	0.3%	0.4%	0.4%	0.6%	0.6%	0.9%
Sex Offense	0.0%	0.1%	0.1%	0.2%	0.2%	0.3%	0.4%	0.5%
Public Order	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%
Other	0.1%	0.1%	0.2%	0.3%	0.4%	0.6%	0.9%	0.9%
Total Pct.	2.8%	5.2%	9.4%	12.7%	15.6%	20.8%	24.5%	30.8%
Total Cases	338,695	323,243	274,169	238,889	193,836	108,465	31,744	6,531

TABLE 6.
Arrest Rates for Serious Offenses While On TSR by Offense Category

Offense Category	Percent of TSR Offenders with Arrest by Supervision Month							
	3 mos.	6 mos.	12 mos.	18 mos.	24 mos.	36 mos.	48 mos.	60 mos.
Drugs	0.7%	1.5%	2.9%	4.1%	5.1%	7.2%	9.5%	12.2%
Violence	0.7%	1.4%	2.6%	3.6%	4.4%	6.0%	7.2%	8.4%
Property	0.7%	1.4%	2.4%	3.2%	3.9%	4.9%	5.3%	6.7%
Unknown	0.2%	0.3%	0.5%	0.7%	0.8%	1.0%	1.1%	1.3%
Immigration	0.4%	0.5%	0.6%	0.7%	0.8%	0.8%	0.6%	0.6%
Escape/ Obstruction	0.1%	0.2%	0.3%	0.4%	0.5%	0.6%	0.6%	0.7%
Firearms	0.1%	0.2%	0.3%	0.4%	0.5%	0.6%	0.6%	1.0%
Sex Offense	0.0%	0.1%	0.1%	0.2%	0.2%	0.3%	0.4%	0.6%
Public Order	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.1%
Other	0.1%	0.1%	0.2%	0.3%	0.4%	0.6%	0.8%	0.9%
Total Pct.	3.0%	5.6%	10.1%	13.6%	16.6%	22.0%	26.1%	32.4%
Total Cases	271,920	260,052	227,504	201,576	166,028	92,893	26,427	5,586

8.9 percent of low-risk offenders received in FY 2009 were re-arrested within three years of starting supervision compared with 22.8 percent of medium-risk offenders and 37.8 percent of high-risk offenders. For the most part, with the exception of offenders with unknown RPI scores, the re-arrest rates have been remarkably stable across risk groups and time periods.

Post-Supervision Recidivism

Table 8 displays post-supervision re-arrest rates for the three follow-up periods. For those arrested after successfully completing their terms of supervision, 6.5 percent were arrested within the first year, 11.2 percent were arrested within two years, and 14.7 percent were arrested within three years. TSR and probation offenders each had similar patterns of arrest after successfully completing supervision and while under supervision. As Table 8 shows, TSR offenders were arrested more frequently after completing supervision than probationers at each follow-up period. Within three years of completing supervision, 16.6 percent of offenders who were on TSR were re-arrested compared to 10.7 percent of probationers.

Table 9 provides the distribution of re-arrest rates by each offense category for each of the three follow-up periods. As the table illustrates, drugs, violence, and property offenses comprise the majority of re-arrests. For example, of the 14.7 percent of offenders arrested within three years of completing supervision, 4.6 percent had an arrest for a drug offense, 4 percent had an arrest for a violent crime, and 3.7 percent were re-arrested for a property offense. Although re-arrest rates involving drugs, violence, and property offenses increased in each subsequent follow-up year, the distribution of those three offenses remained stable, as they consistently accounted for more than 84 percent of all re-arrest offenses (see Appendix B). Offenders who completed a term of supervision were re-arrested less frequently than offenders who were still on supervision for each of the comparable follow-up periods. For example, within three years of completing supervision, 14.7 percent of former offenders were re-arrested compared to 20.8 percent (see Table 5) of offenders re-arrested within three years of starting supervision.

Table 10 provides re-arrest rates by each offense category for each of the three years for TSR and probation. As shown in the table, offenders who completed terms of supervised release have higher overall recidivism rates for serious offenses than do offenders who

TABLE 7.
Arrest Rates for Serious Offenses While on Probation by Offense Category

Offense Category	Percent of Probationers with Arrest by Supervision Month							
	3 mos.	6 mos.	12 mos.	18 mos.	24 mos.	36 mos.	48 mos.	60 mos.
Drugs	0.5%	0.8%	1.2%	1.6%	1.9%	2.4%	3.0%	4.4%
Violence	0.4%	0.7%	1.1%	1.5%	1.8%	2.6%	3.3%	4.6%
Property	0.8%	1.3%	2.1%	2.8%	3.6%	5.1%	6.2%	7.2%
Unknown	0.1%	0.2%	0.3%	0.5%	0.6%	0.9%	1.2%	1.7%
Immigration	0.2%	0.3%	0.5%	0.6%	0.8%	0.9%	0.8%	1.1%
Escape/Obstruction	0.0%	0.1%	0.1%	0.2%	0.2%	0.3%	0.4%	0.5%
Firearms	0.0%	0.1%	0.1%	0.1%	0.2%	0.2%	0.2%	0.3%
Sex Offense	0.0%	0.0%	0.1%	0.1%	0.1%	0.2%	0.3%	0.1%
Public Order	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Other	0.1%	0.1%	0.2%	0.3%	0.5%	0.6%	0.9%	1.3%
Total Pct.	2.2%	3.7%	5.8%	7.8%	9.7%	13.2%	16.3%	21.2%
Total Cases	66,775	63,191	46,665	37,313	27,808	15,572	5,317	945

FIGURE 1.
Percent of Re-arrests during Supervision by Offense Category for Probation and TSR Offenders

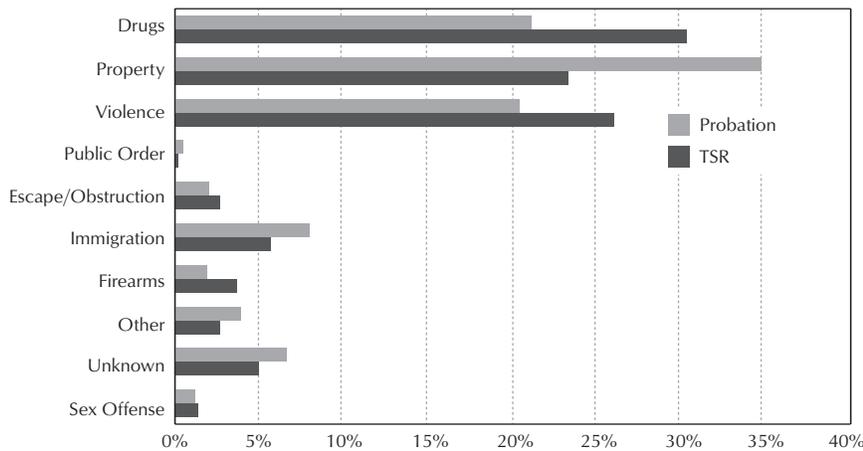
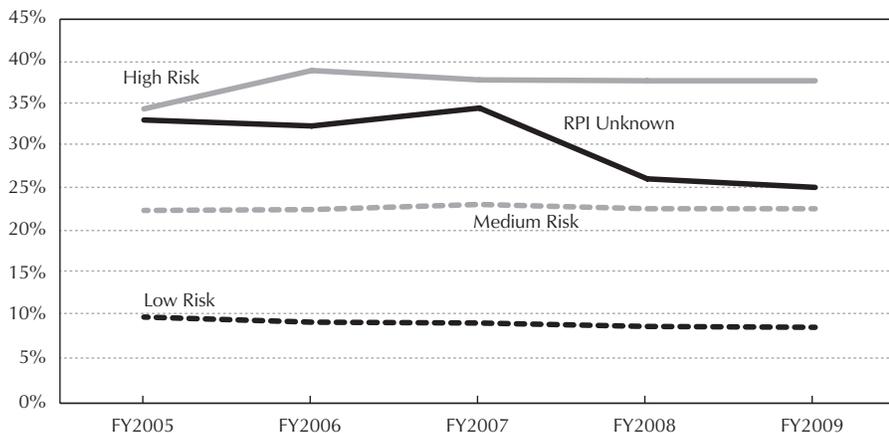


FIGURE 2.
Three-Year Re-Arrest Rate for Serious Offense within RPI Risk Group by Year Received



completed terms of probation. Moreover, they have higher re-arrest rates for the most serious offenses. Again, we would expect this given their more extensive criminal histories and other characteristics that put them at elevated risk to recidivate.

Figure 3 shows the percent of post-supervision arrests by offense category for probation and TSR offenders. Among offenders re-arrested for a serious offense, former probationers were arrested more frequently for property and violent offenses (28.5 percent and 27.6 percent, respectively) compared with former TSR offenders (23.4 percent for property and 26.5 percent for violence). Although the types of offenses offenders are arrested for remains relatively the same during and after supervision, the distribution of those offenses slightly shifts. Offenders arrested after completing supervision were re-arrested more frequently for drugs and violent offenses than offenders on supervision. For example, 34.6 percent of former TSR offenders were re-arrested for drugs compared with 30.3 percent of offenders re-arrested during supervision. For violent offenses, 27.6 percent of former probationers were re-arrested compared with 20.4 percent of offenders on supervision (refer to Figure 1 for offenders on supervision).

Figure 4 shows re-arrest rates for serious offenses within the first three years of completing supervision by RPI risk group and the year the case was received for supervision. As expected, low-risk offenders were re-arrested significantly less often than high-risk offenders for each fiscal year received. For example, 7.2 percent of low-risk offenders received in FY 2008 who completed supervision were re-arrested within three years compared to 41.7 percent of high-risk offenders. Re-arrest rates have been relatively stable for low-risk offenders, but have steadily increased for medium- and high-risk offenders. In FY 2005, 20.8 percent of medium-risk and 34.7 percent of high-risk offenders were re-arrested within three years of completing supervision; however, 24.8 percent of medium-risk and 41.7 percent of high-risk offenders received in FY 2008 were re-arrested within three years of completing their supervision term.

Overall Revocation Rates

Table 11 shows the distribution of overall revocations of supervision (i.e., revocations for both technical violations and new crimes) for each of the time periods for probationers and offenders on TSR. Few offenders were revoked within the first six months of supervision (less than four percent). However, within

another six months, revocation rates more than doubled, as nearly 9 percent of offenders were revoked within one year of supervision. Although revocation rates increased steadily across time periods, they began to level out around 36 months. Roughly 22 percent of offenders were revoked within 36 and 48 months, and 24 percent were revoked within 60 months. Similar to re-arrest rates, TSR offenders had higher revocation rates than probationers for all time periods.

Revocations for New Crimes and Technical Violations

Figure 5 displays revocation rates for new crimes and technical violations for each of the eight time periods. Caution, however, must be taken when interpreting statistical information concerning revocation rates, in particular technical violations. There are instances in which a revocation described as “technical” may mask the occurrence of new criminal behavior. For example, an offender who conspires and works with a former cellmate to distribute cocaine has committed both a new crime and a technical violation, specifically drug trafficking and association with a known felon. If the offender is revoked for the technical violation, the new crime will not be captured in the revocation statistics.¹¹ As the figure illustrates, more revocations were for technical violations, particularly within the first 24 months of supervision. For example, 9.4 percent of revocations within the first 24 months of supervision were for technical violations compared with 7.2 percent for new crimes. However, as supervision terms matured, in particular at 36 months and beyond, offenders were revoked more often for new crimes. Within 60 months of starting supervision, 14 percent of offenders were revoked for a new crime compared with 10 percent who were revoked for a technical violation. Though not depicted in Figure 5, this pattern, however, appears to be limited to TSR offenders, as probationers were more likely to be revoked for technical violations than for new crimes across time periods.

Figure 6 shows the revocation rates by offense type for offenders revoked for a new crime during the study period by supervision type. Similar to re-arrest rates during

TABLE 8.

Post-Supervision Re-Arrest Rates for Serious Offenses by Year for Probation and TSR Offenders

Supervision Type	Percent of Offenders with Arrest		
	One Year	Two Years	Three Years
Probation	4.4%	7.8%	10.7%
TSR	7.4%	12.7%	16.6%
Total Pct.	6.5%	11.2%	14.7%
Number of Terms	120,054	89,546	60,724

Note: Numbers do not sum across columns because the 14.7% within three years reflects additional arrests from the 11.2% within two years. Likewise, the 11.2% within two years reflects additional arrests from the 6.5% within one year.

TABLE 9.

Post-Supervision Re-Arrest Rates for Serious Offenses by Year and Offense Category

Offense Category	Percent of Offenders with Arrest		
	One Year	Two Years	Three Years
Drugs	2.1%	3.6%	4.6%
Violence	1.8%	3.1%	4.0%
Property	1.6%	2.8%	3.7%
Unknown	0.3%	0.5%	0.7%
Immigration	0.2%	0.3%	0.5%
Escape/Obstruction	0.1%	0.2%	0.2%
Firearms	0.1%	0.2%	0.3%
Sex Offense	0.1%	0.1%	0.2%
Public Order	0.0%	0.0%	0.0%
Other	0.2%	0.3%	0.4%
Total Pct.	6.5%	11.2%	14.7%

TABLE 10.

Post-Supervision Re-Arrest Rates for Serious Offenses by Year and Offense Category

Offense Category	Percent of Offenders with Arrest					
	TSR			Probation		
	1-Year	2-Years	3-Years	1-Year	2-Years	3-Years
Drugs	2.5%	4.3%	5.5%	1.2%	2.1%	2.9%
Violence	2.0%	3.5%	4.5%	1.3%	2.2%	3.0%
Property	1.7%	3.0%	4.1%	1.2%	2.2%	3.0%
Unknown	0.3%	0.6%	0.8%	0.2%	0.4%	0.6%
Immigration	0.2%	0.3%	0.5%	0.2%	0.4%	0.5%
Escape/Obstruction	0.1%	0.2%	0.3%	0.0%	0.1%	0.1%
Firearms	0.1%	0.3%	0.4%	0.1%	0.1%	0.2%
Sex Offense	0.1%	0.2%	0.2%	0.1%	0.1%	0.1%
Public Order	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Other	0.2%	0.4%	0.5%	0.1%	0.2%	0.3%
Total Pct.	7.4%	12.7%	16.6%	4.4%	7.8%	10.7%
Number of Terms	85,817	62,535	40,769	34,237	27,011	19,955

¹¹ Rowland, Matthew. “Too Many Going Back, Not Enough Getting Out? Supervision Violators, Probation Supervision, and Overcrowding in the Federal Bureau of Prisons.” *Federal Probation* 77(2), 3-16, September 2013. Washington, DC: Administrative Office of the U.S. Courts.

the period of supervision, offenders on TSR were more frequently revoked for drug and violent offenses (27 percent and 17.8 percent, respectively) compared with offenders on probation (19.9 percent for drugs and 12.8 percent for violent offenses). Revocations for new crimes include arrests for both minor and serious offenses.

When an offender is arrested for a new offense, his or her supervision may be revoked as a result. Consequently, the event may be counted in both re-arrest and revocation statistics; therefore, one cannot add the two categories together to calculate an overall recidivism rate. Figure 7 displays the three-year re-arrest and revocation rates for offenders by the fiscal year in which they were received for supervision. As the figure shows, re-arrest rates remained relatively stable over time. For example, roughly 20 percent of offenders received for supervision in FY 2005 were re-arrested within three years of commencing their term of supervision and 21 percent of the offenders received in FY 2009 were re-arrested within three years. With the exception of the received cohorts of FY 2006 and FY 2009, three-year revocation rates decreased each year from the previous year. For example, for FY 2007 cohorts, the three-year revocation rate decreased to 22 percent from 23.4 percent for FY 2006 cohorts.

Summary

The primary goal of federal supervision is to protect the public by minimizing offenders’ involvement in criminal activities during and after supervision. This article provides analyses for criminal recidivism (defined as the first arrest for a serious offense) during federal supervision and after the successful completion of supervision. The analyses show that a little more than 9 percent of offenders on supervision were re-arrested after the first year and on average about 5 percent were re-arrested per year after the first year—almost 16 percent within the second year, nearly 21 percent within three years, roughly 25 percent within four years, and about 31 percent within five years of commencing supervision. In terms of criminal activity after supervision, close to 7 percent of offenders who completed supervision were re-arrested within one year, about 11 percent were re-arrested within two years, and nearly 15 percent were

FIGURE 3.
Percent of Post-Supervision Re-arrests by Offense Category for Probation and TSR Offenders

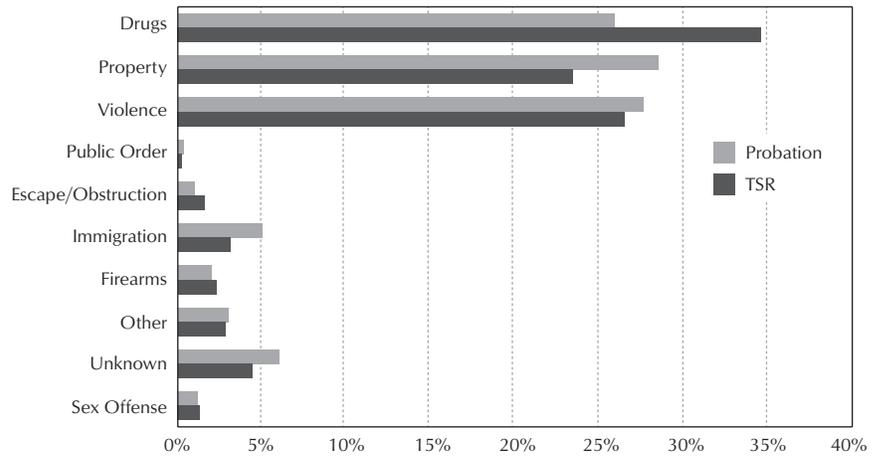


FIGURE 4.
Re-Arrest Rate for Serious Offense within 3 Years Post-Supervision by RPI Risk Group and Year Received

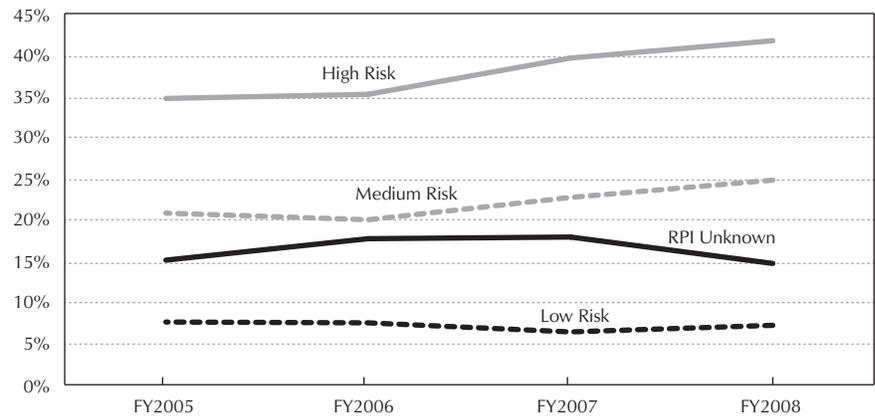


TABLE 11.
Overall Revocation Rates for Probation and TSR Offenders

Supervision Type	Percent of Offenders with Revocation by Month							
	3 mos.	6 mos.	12 mos.	18 mos.	24 mos.	36 mos.	48 mos.	60 mos.
Probation	0.7%	1.9%	4.0%	6.0%	7.9%	11.7%	15.2%	16.4%
TSR	1.1%	4.2%	9.6%	14.4%	18.1%	23.3%	23.7%	25.4%
Total Pct.	1.1%	3.8%	8.7%	13.1%	16.6%	21.6%	22.2%	24.1%
Number of Terms	338,708	323,294	274,235	239,033	193,995	108,686	31,839	6,522

Note: Numbers do not sum across columns because the 24% within 60 months reflects additional arrests from the 22% within 48 months, and the just over 22% within 48 months reflects additional arrests from the just under 22% within 36 months, etc.

re-arrested within three years of completing supervision. For both re-arrests during supervision and after supervision, the recidivistic events were most often for drug, violent, and property offenses. Not surprisingly, offenders in higher RPI risk groups were re-arrested more often than lower-risk offenders during and after supervision. High-risk offenders were re-arrested significantly more often than medium- and low-risk offenders for each fiscal year received. Though in the federal system the proportion of high-risk offenders is small (16 percent), they account for nearly 38 percent of new criminal conduct. These data underscore the risk principle of the Risk/Need/Responsivity model of community supervision; that is, the most intensive supervision services should be reserved for those offenders with the greatest risk of recidivating.

Another goal of federal supervision is to maximize successful supervision by limiting involvement in new criminal activity. Consequently, this article provides data on revocations for new criminal activity and technical violations of conditions of supervision. Very few offenders (less than 4 percent) had a revocation within the first 6 months of supervision, but at 12 months, revocation rates more than doubled to about 9 percent, and within 24 months the revocation rate was almost 17 percent. Within 36 months and beyond, the rate of increase for revocation rates began to level out, going from roughly 22 percent within 36 and 48 months to only 24 percent within 60 months. Similar to re-arrest rates, TSR offenders had higher revocation rates than probationers. Additionally, for TSR offenders, revocations early on in supervision were more often for technical violations. As supervision terms matured, however, TSR offenders were revoked slightly more often for new crimes—14 percent of offenders were revoked for a new crime, compared with only 10 percent revoked for a technical violation within 60 months. Not surprisingly, as with the re-arrest tabulations, most revocations for new crimes were for drugs, property, and violent offenses.

FIGURE 5.
Revocation Rates for Probation and TSR Offenders

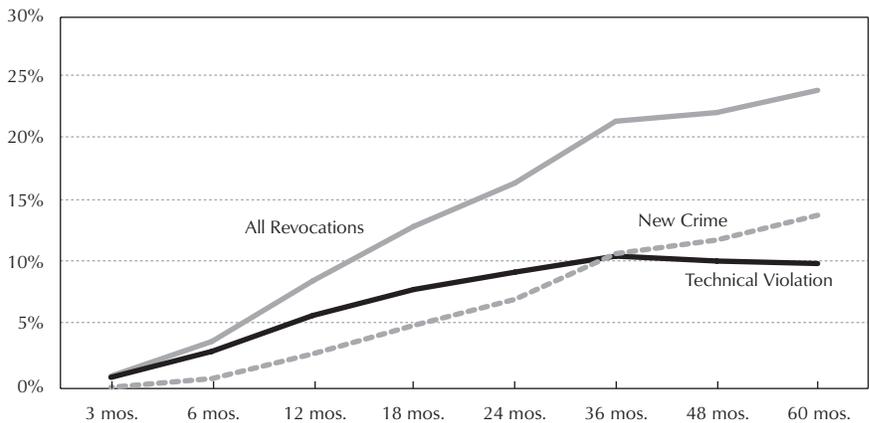


FIGURE 6.
Percent of Revocations for New Crimes by Offense Category for Probation and TSR Offenders

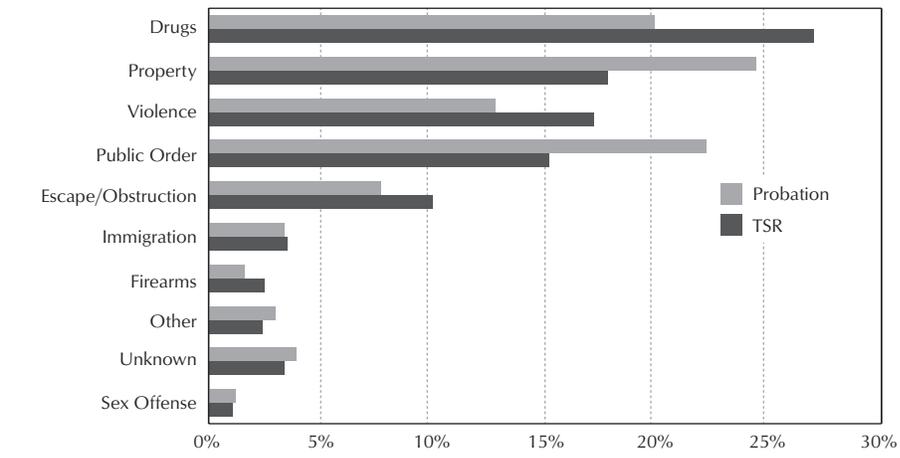
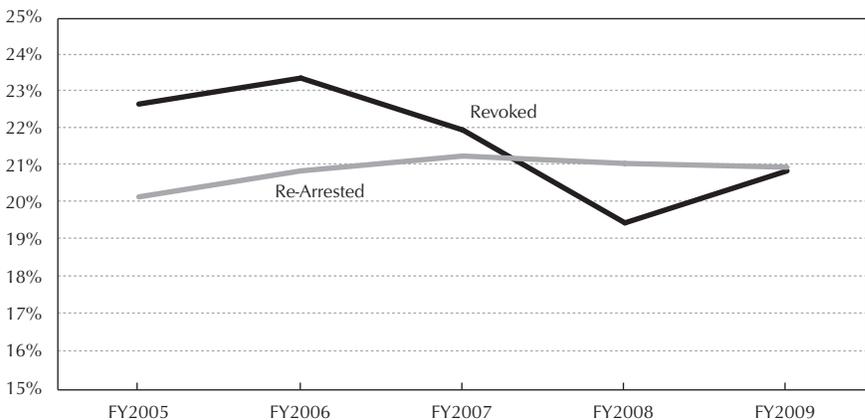


FIGURE 7.
Percent of Post-Supervision Re-arrests and Revocations by Year Received for Supervision



Appendices

APPENDIX TABLE A.

Offense Distribution of Arrests for Serious Offenses During Supervision

Offense Category	Percent of Offenders with Arrest by Supervision Month							
	3 mos.	6 mos.	12 mos.	18 mos.	24 mos.	36 mos.	48 mos.	60 mos.
Drugs	24.1%	26.4%	27.7%	28.9%	30.3%	31.4%	34.4%	35.9%
Violence	20.7%	22.6%	24.5%	25.0%	25.8%	26.6%	26.6%	25.6%
Property	24.1%	26.4%	25.5%	25.0%	24.5%	23.7%	22.1%	22.0%
Unknown	6.9%	5.7%	5.3%	5.5%	5.2%	4.8%	4.5%	4.2%
Immigration	13.8%	9.4%	6.4%	5.5%	5.2%	3.9%	2.5%	2.3%
Escape/ Obstruction	3.4%	3.8%	3.2%	3.1%	2.6%	2.4%	2.0%	2.3%
Firearms	3.4%	1.9%	3.2%	3.1%	2.6%	2.9%	2.5%	2.9%
Sex Offense	0.0%	1.9%	1.1%	1.6%	1.3%	1.4%	1.6%	1.6%
Public Order	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.3%
Other	3.4%	1.9%	2.1%	2.3%	2.6%	2.9%	3.7%	2.9%
Total Pct.	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Total Cases	338,695	323,243	274,169	238,889	193,836	108,465	31,744	6,531

APPENDIX TABLE B.

Offense Distribution of Post-Supervision Arrest for Serious Offense by Year

Offense Category	Percent of Offenders with Arrest		
	One Year	Two Years	Three Years
Drugs	32.3%	32.4%	31.5%
Violence	27.7%	27.9%	27.4%
Property	24.6%	25.2%	25.3%
Unknown	4.6%	4.5%	4.8%
Immigration	3.1%	2.7%	3.4%
Escape/Obstruction	1.5%	1.8%	1.4%
Firearms	1.5%	1.8%	2.1%
Sex Offense	1.5%	0.9%	1.4%
Public Order	0.0%	0.0%	0.0%
Other	3.1%	2.7%	2.7%
Total Pct.	100.0%	100.0%	100.0%
Number of Terms	120,054	89,546	60,724