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Recidivism in high-risk releases (2014-2016)

Executive summary

Own research

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Recidivism in high-risk releases

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0. Introduction of the investigation

This investigation is the second in a series that monitors the criminogenic characteristics and recidivism rates of people with a high risk of violent reoffending, according to the *RisCanvi* risk assessment tool, as well as those who left prison under the affiliation to an action protocol. In 2019, the Secretariat for Criminal Measure, Reintegration and Attention to the Victim (hereinafter SMPRAV) carried out Investigation 2/2019 on the work procedure for the release of inmates with a high risk of violent criminal recidivism. This has ordered the entire operation in a different manner, has updated and homogenised its functioning in all the penitentiary centres of Catalonia, but did not exist during the period of the first study nor of this second one. The objectives of this protocol include enhancing the information and resources for managing the risk of recidivism, preparing more intensively for the release of these inmates, which has not occurred progressively, and facilitating the coordinated and integrated networking of all the participants involved. This time, the study of persons released between 2014-2016 has been carried out and the follow-up time has been, on average, 4 years and 2 months. This project aims to obtain significant complementary information that can enable the SMPRAV to have more data to improve reinsertion and control policies.

Figure 1. Release procedure for inmates at high risk of violent criminal recidivism
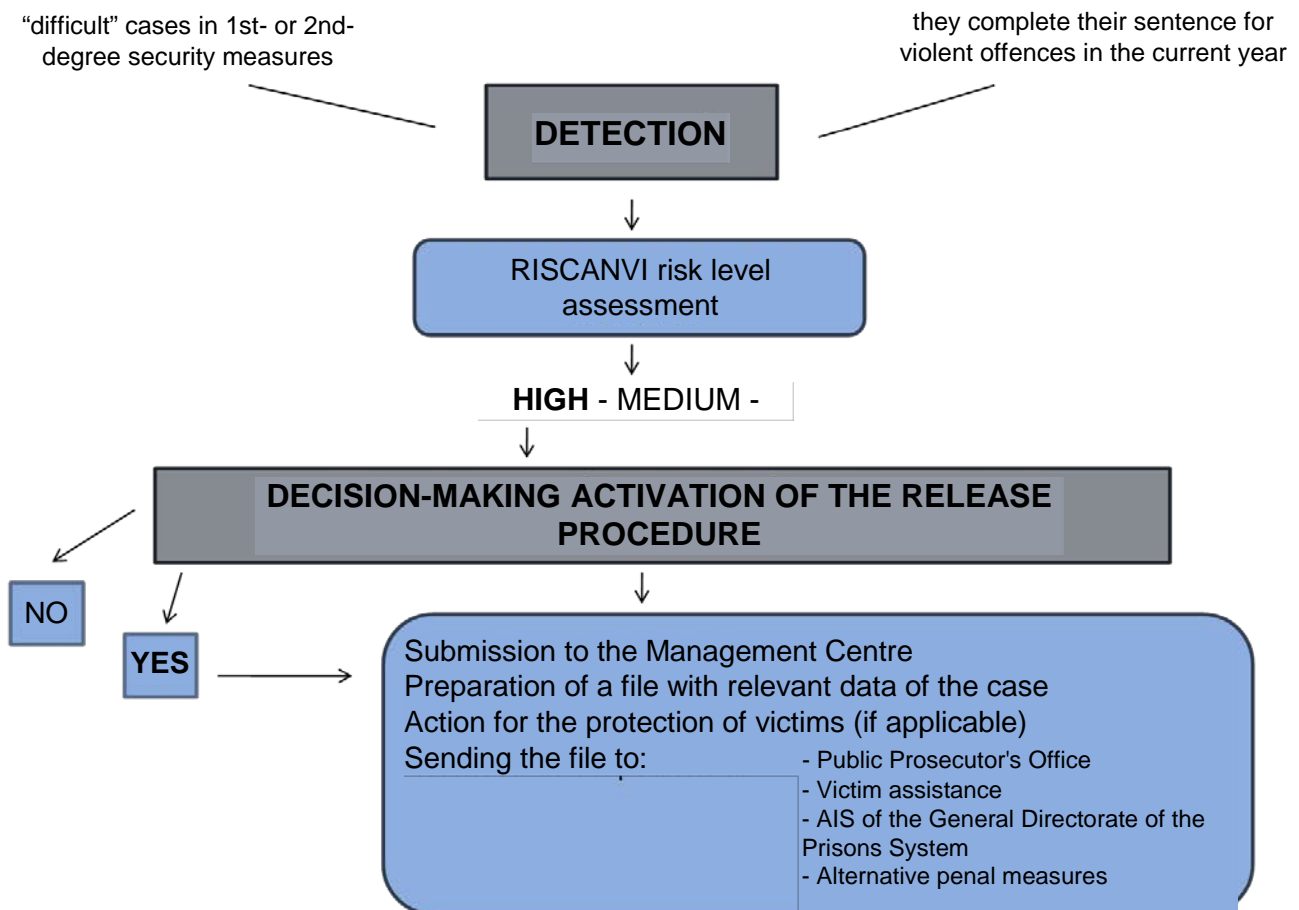
The study presented below increases knowledge of this population and incorporates new variables that do not appear in these reports (personal, criminal, penitentiary and recidivism). The results of the previous investigation have been replicated in order to compare their results. This time it has not been possible to gather the variables related to medical treatment. However, the variables obtained from the *RisCanvi* risk assessment protocol have been gathered on two occasions: in the first record of serving the base sentence and in the last record before final release; and a new valuation, that includes its evolution, has been created in the dynamic variables. Two control groups have been introduced in order to compare the similarities and differences with the study group. The ultimate purpose is to obtain significant complementary information that enables the DGSP to have more data for decision-making and improvement of the reinsertion and control policies it deems appropriate to introduce.

The study is presented in 3 chapters of results, followed by the conclusions and proposals for the future:

RESULTS PRESENTATION INDEX

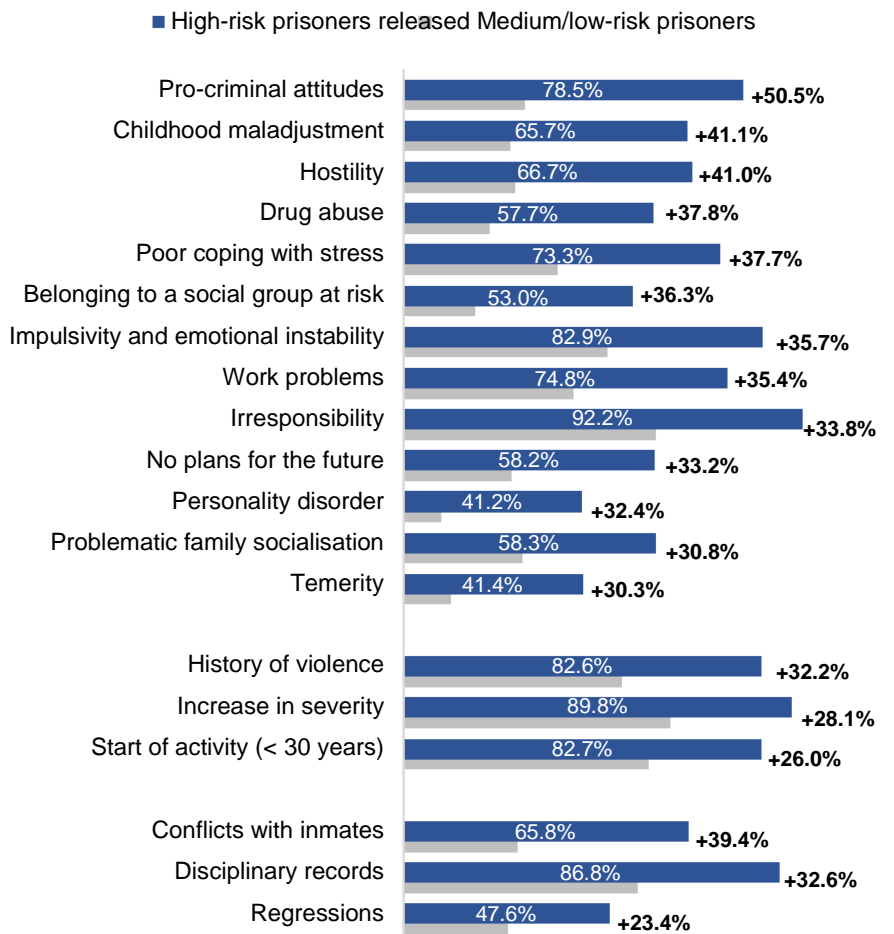|		
Chapter 1	Criminogenic characteristics of those released 2014-2016	1. Differences according to the risk of violent recidivism 2. Differences of the *maladjusted* and *adapted* persons in the penitentiary centre 3. Differences between repeat offenders and desisters 4. Differences between the profile of high-risk prisoners released according to the type of violent offence in the sentence.
Chapter 2	Recidivism observed	1. Recidivism rates 2. Characteristics of recidivism
Chapter 3	Impact of specialised treatment	1. Correlation of treatment with different variables 2. Number of meetings with professionals according to different variables

FACT SHEET OF THE INVESTIGATION

Territorial scope	Catalonia
Conditions met by the population under study	**Study Group:** people who were permanently released from the 1st- or 2nd-degree prison or security measure between the years 2014-2016 and, at the time of release, had a negative evolution in the penitentiary centre and a HIGH prognosis of violent recidivism according to the *RisCanvi* criteria, and an informative protocol of the risk had been submitted to the provincial prosecutor's offices of the territory where they had to live when they left prison (N=399) **Control Groups**: people who were permanently released from the 1st- or 2nd-degree prison between the years 2014-2016 and, at the time of release, presented a MEDIUM or LOW risk prognosis of violent recidivism according to the *RisCanvi* criteria. (N=399 for each level of risk) Total of the group: 1,072 subjects The study followed the sum total of this high-risk population (study group) (N=399) and conducted a random sample selection of both control groups (n=798). The follow-up lasted from the moment of their permanent release in the years 2014, 2015 and 2016 until 30/9/2019 (end date of the field work), to find out if they had reoffended, with a follow-up period that runs from a minimum of 2.8 years to a maximum of 5.7 years.
Concept of recidivism	Penitentiary recidivism (new incarceration for an offence after release, in the penitentiary system, either as preventive or punishable) and recidivism in criminal enforcement in the community (cases who commit a new criminal act with a new sentence to an alternative penal measure)
Data source	SIJJ (Alternative Penal Measure Information System) SIPC (Catalan Prison Information System)
Statistical use	Statistical package IBM SPSS Statistics 25.0

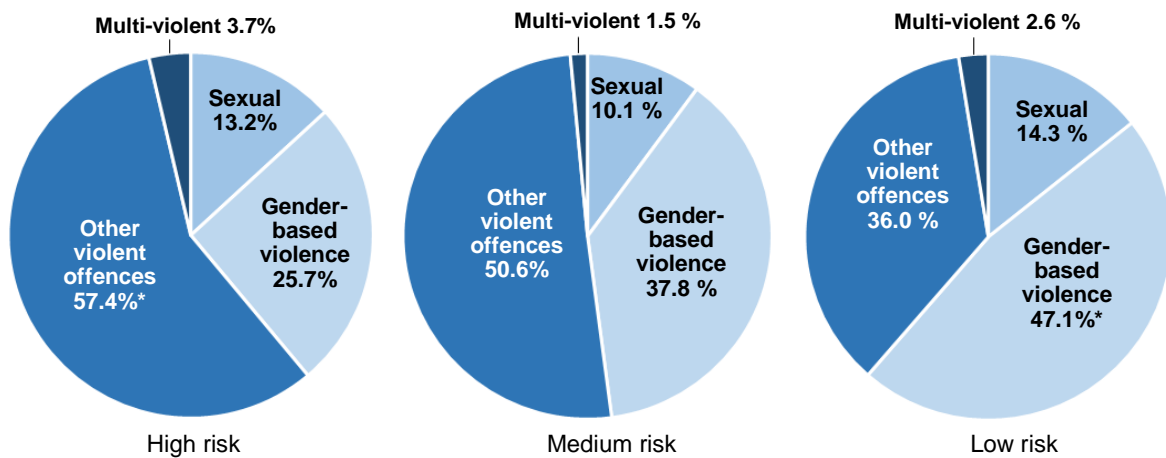# 1. Criminogenic characteristics of those released 2014-2016

The criminological profile of those released from prison at *high* risk of *violent recidivism* (*RisCanvi*) is characterised by being a group with a higher proportion of Spanish men who present a more relevant criminogenic biography, with various risk variables: psychological and social variables that are indicative of a conflictive profile and personal and social instability. Among the *high*-risk ex-prisoners, we found a higher proportion of people who have a *history of previous violence* and an increasing criminal record with an *increase in the severity* of the offences. They are also proportionally younger when they begin their criminal activities.

On the other hand, with regard to the variables of prison sentences, the differences we found between the two groups are connected with more disruptive behaviour inside the prison: they include, in greater proportion, *conflicts with inmates*, *disciplinary records* and *regressions* of level.

**Graph 1. Significant variables *high* risk versus *medium/low* risk**

■ High-risk prisoners released ■ Medium/low-risk prisoners

Variable	High-risk %	Difference
Pro-criminal attitudes	78.5%	+50.5%
Childhood maladjustment	65.7%	+41.1%
Hostility	66.7%	+41.0%
Drug abuse	57.7%	+37.8%
Poor coping with stress	73.3%	+37.7%
Belonging to a social group at risk	53.0%	+36.3%
Impulsivity and emotional instability	82.9%	+35.7%
Work problems	74.8%	+35.4%
Irresponsibility	92.2%	+33.8%
No plans for the future	58.2%	+33.2%
Personality disorder	41.2%	+32.4%
Problematic family socialisation	58.3%	+30.8%
Temerity	41.4%	+30.3%
History of violence	82.6%	+32.2%
Increase in severity	89.8%	+28.1%
Start of activity (< 30 years)	82.7%	+26.0%
Conflicts with inmates	65.8%	+39.4%
Disciplinary records	86.8%	+32.6%
Regressions	47.6%	+23.4%

Graph 2. Violent crime typology according to level of risk of violent recidivism

High risk
- Multi-violent 3.7%
- Sexual 13.2%
- Gender-based violence 25.7%
- Other violent offences 57.4%*

Medium risk
- Multi-violent 1.5 %
- Sexual 10.1 %
- Gender-based violence 37.8 %
- Other violent offences 50.6%

Low risk
- Multi-violent 2.6 %
- Sexual 14.3 %
- Gender-based violence 47.1%*
- Other violent offences 36.0 %

The *low*-risk group has carried out, in a greater proportion, an offence of *gender-based violence,* while the *high*-risk group is characterised by carrying out *other violent offences* that do not correspond to the sexual or gender typology.

Graph 3. Relationship between maladjustment in the penitentiary centre and the prediction of violent recidivism
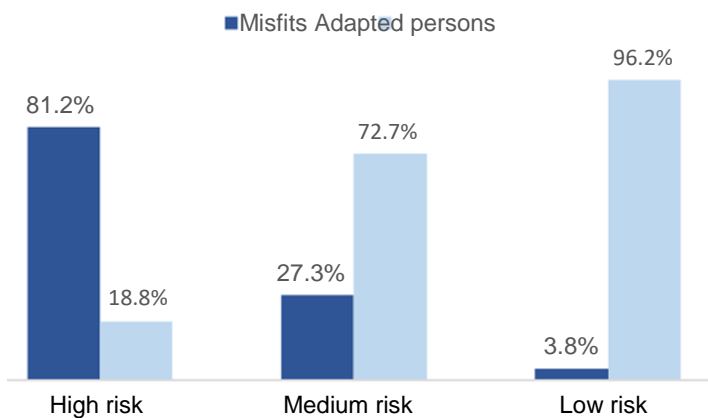

Another type of risk that *RisCanvi* assesses is that of *intra-institutional violence*; this predicts disruptive behaviour within prisons. We wanted to know if the relationships between this variable and a high assessment of *violent recidivism* are maintained. To differentiate them, colloquially, we have named those who score high in the risk of *intra-institutional violence* as *misfits*.

As can be seen in Graph 3, those not adapted to prison life are clearly the majority among the group of released prisoners at high risk of violent recidivism. In the diagnosis of risk, the two predictions are closely linked.

On the other hand, the *adapted* persons commit offences of *gender-based violence* in a greater proportion while the *misfits* commit *other violent offences* in a greater proportion (Graph 4).

Graph 4. Crime typology according to the risk of intra-institutional violence
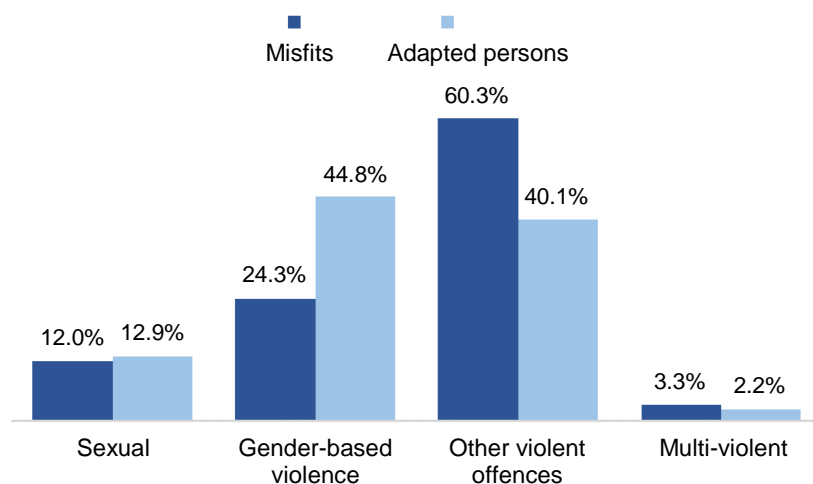
However, as is logical, within the *misfits* group, those with a high risk of violent reoffending stand out negatively in different risk factors compared to *misfits* with a medium/low risk of violent reoffending.

But what are the characteristics of those individuals who **adapt correctly** to life inside the penitentiary centre but, at the same time, have a high risk of violent recidivism?

o In a greater proportion, as the main offence, they have committed **gender-based violence** mistreatment.

o They have been imprisoned, in a higher proportion voluntarily, to serve the sentence.

o They have greater alcohol problems than the misfits.

o They have shorter sentences (3.7 years on average compared to 5.3 for misfits).

o They are older in all the age groups in which they are compared: in the first imprisonment (31.6 years on average compared to 25.9 for the *misfits*), in the imprisonment of the base sentence (36.1 years on average compared to 30.9 for the *misfits*) and in permanent release (39.9 years compared to 36.8 for the *misfits*)

If we discuss in more detail the differences between the *misfits* and the *adapted persons,* in terms of risk factors, Table 1 shows that these are more present among the *misfits* group:

Table 1. Variables with statistically significant differences between the *misfits* and the *adapted persons*

	Misfits	Higher proportion of...	*Adapted persons*
Personal variables	66.8 %	Spanish people	59.1 %
	62.1 %	Childhood maladjustment	24.5 %
	85.7 %	Low educational level	76.2 %
	37.0 %	Criminal history in the family	20.7 %
	78.3 %	Employment problems	35.1 %
	47.7 %	Lack of financial resources	25.8 %
	58.4 %	No plans for the future	23.3 %
	56.5 %	Problematic family socialisation	26.5 %
	34.9 %	Lack of support	21.5 %
	17.7 %	Gang membership	5.8 %
	55.5 %	Social risk group	13.0 %
	7.0 %	Notable criminal role	1.7 %
	25.1 %	Family responsibilities	38.3 %
	46.3 %	Drug abuse	18.2 %
	88.3 %	Limited response to treatment	65.5 %
	37.3 %	Self-harm behaviours	16.7 %
	13.1 %	Severe mental disorder	7.6 %
	37.1 %	Personality disorder	8.8 %
	69.0 %	Poor coping with stress	35.6 %
	81.7 %	Pro-criminal attitudes	24.1 %
	11.9 %	Low IQ (<85)	4.3 %
	38.2 %	Temerity	10.8 %
	82.8 %	Impulsivity and emotional instability	44.5 %
	65.3 %	Hostility	23.8 %
	90.6 %	Irresponsibility	56.6 %
Criminal variables	73.5 %	Civil liability	66.4 %
	47.2 %	Age at time of offence PB < 28 years	30.5 %
	26.5 %	Intoxication at time of offence	14.8 %
	20.2 %	More than one injury victim	11.3 %
	68.6 %	Length of sentence > 2 years	46.8 %
	77.7 %	History of violence	50.9 %
	84.7 %	Beginning of criminal activities < 30 years	53.7 %
	86.6 %	Severity increase	61.2 %
Prison variables	10.7 %	Initial classification: 1st degree or art. 10 LOGP (Prison Regulation Act)	1.2 %
	96.9 %	Without leave days art. 100.2 PR (Penitentiary Regulations)	94.0 %
	84.7 %	Without leave days art. 114 PR	78.6 %
	18.9 %	Admitted to psychiatry department	10.3 %
	52.3 %	Admitted to nursing department	37.5 %
	72.2 %	Conflicts with inmates	20.0 %
	92.5 %	Disciplinary records	48.7 %
	9.7 %	Escapes	4.7 %
	51.0 %	Regressions of level	20.6 %

The most accentuated differences between the two groups are found in the following variables, in which the *misfits* are overrepresented:

- Pro-criminal attitudes (+57.6%)
- Disciplinary proceedings (+43.8%)
- Social risk group (42.5%)
- Impulsivity and emotional instability (+38.3%)
- Lack of future plans (+35.1%)

- Conflicts with inmates (+52.2%)
- Employment problems (+43.2%)
- Hostility (+41.5%)
- Childhood maladjustment (+37.6%)

If we focus attention on the group assessed as risk of violent reoffending, we can analyse the significant differences between those who have finally reoffended and those who have desisted (Graph 5). Although the two groups are quite similar, recidivists present a greater proportion of longer criminal histories and disruptive behaviour in prison.

However, there are also released prisoners who were assessed as *medium* or *low* risk and have ended up reoffending. What are *medium/low*-risk repeat offenders like? In Table 2 we present the most notable variables:

Graph 5. Differences between repeat offenders and desisters
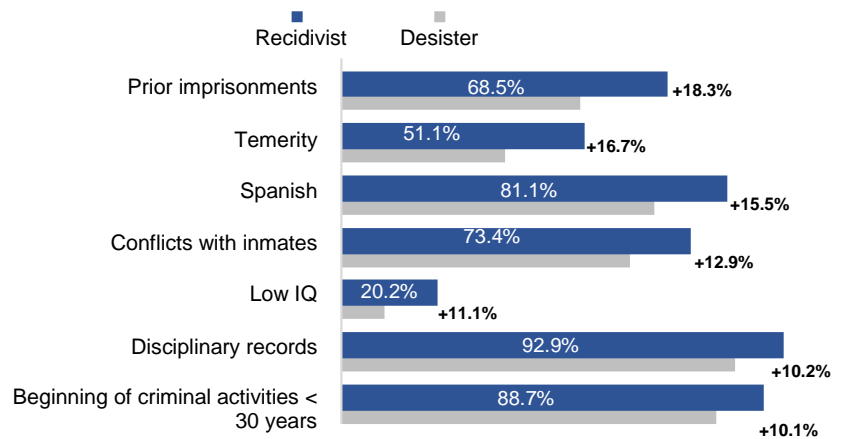
Table 2. Statistically significant differences between *medium/low*-risk and *high*-risk repeat offenders

Medium/low-risk repeat offenders	Lower proportion of…	Repeat offenders *high*-risk
24.9 %	Misfits	85.7 %
32.4 %	Childhood maladjustment	69.6 %
46.8 %	Employment problems	76.0 %
24.1 %	Lack of financial resources	52.2 %
25.0 %	No plans for the future	57.7 %
30.3 %	Problematic family socialisation	62.5 %
19.0 %	Belonging to a social group at risk	59.0 %
65.1 %	Limited response to treatment	91.9 %
8.0 %	Personality disorder	42.2 %
42.4 %	Poor coping with stress	74.6 %
28.7 %	Pro-criminal attitudes	80.5 %
14.8 %	Temerity	51.1 %
52.6 %	Impulsivity and emotional instability	87.2 %
27.0 %	Hostility	62.9 %
29.7 %	Irresponsibility	90.9 %

Along the same lines, their prison record does not stand out due to conflict: they present a lower proportion of *disciplinary records*, *conflicts* with inmates, *breakouts*, level *regressions* , serious and very serious *incidents*, negative evaluations in the *SAM*, etc. They also have, in greater proportion, a shorter sentence, fewer *criminal records,* and are older at the time of their first imprisonment.

> The recidivism rate (prison + alternative penal measure) of the *medium/low*-risk prisoners released is **16 points lower** than the *high*-risk repeat offenders

It is also worth asking what type of main offence the people released from prison (2014-2016) had committed on permanent release without having progressed to open prison. (Graphs 6 and 7).

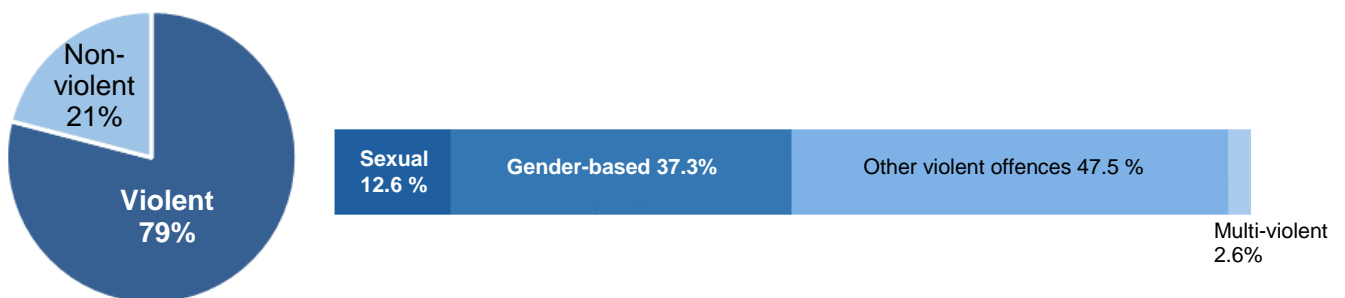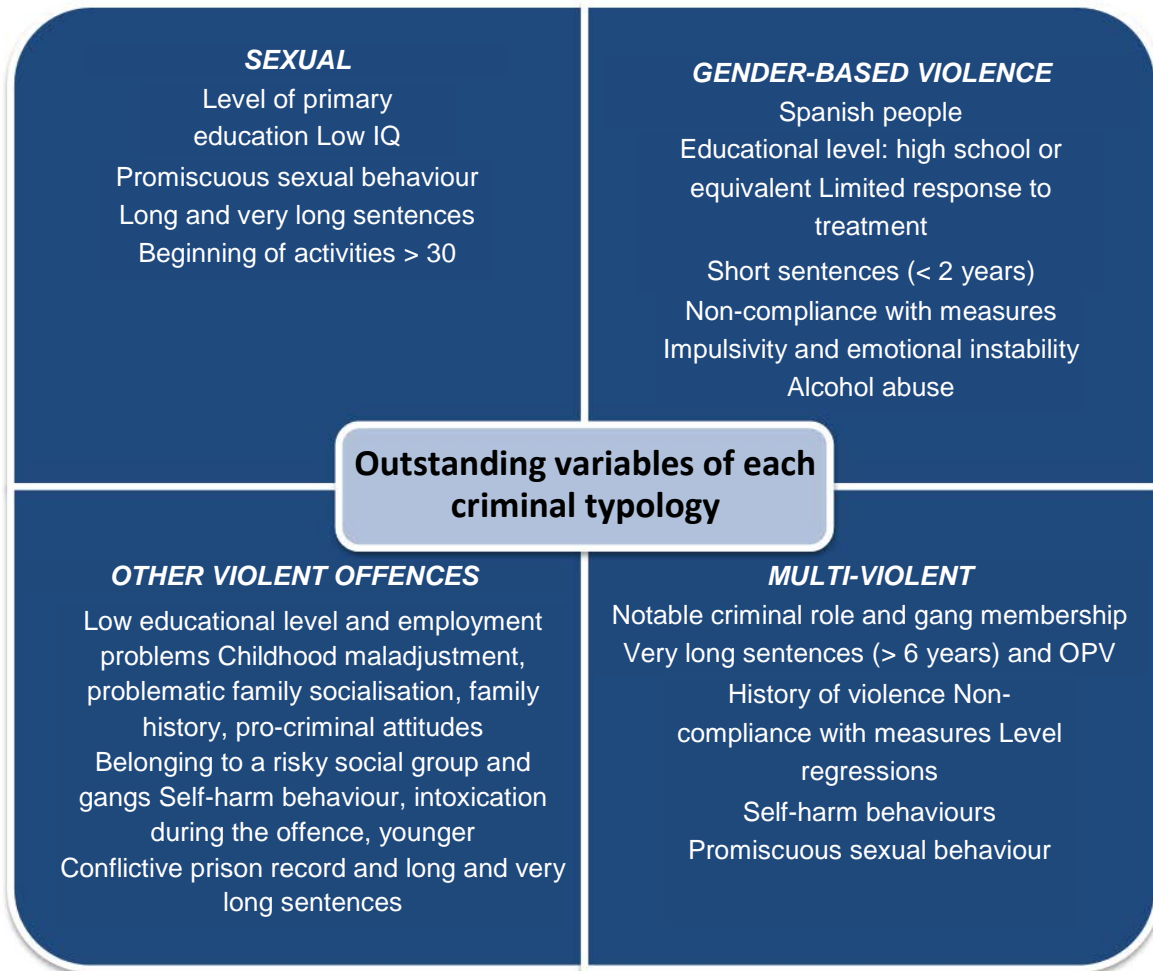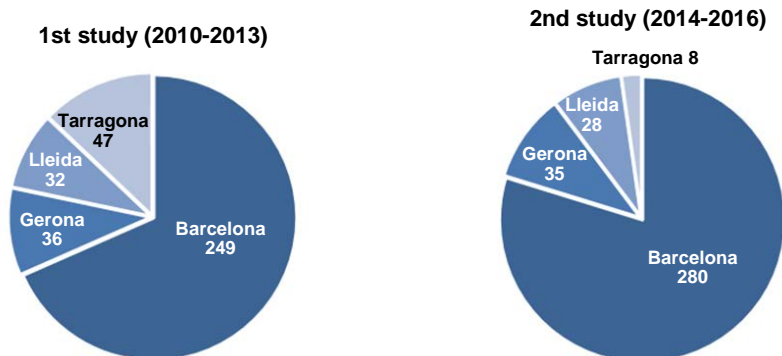**Graphs 6 and 7. Global distribution of offences according to violence and violence typology**

Figure 2. Most notable characteristics of each violence typology (regardless of the level of risk)

Outstanding variables of each criminal typology

SEXUAL
Level of primary education Low IQ
Promiscuous sexual behaviour
Long and very long sentences
Beginning of activities > 30

GENDER-BASED VIOLENCE
Spanish people
Educational level: high school or equivalent Limited response to treatment
Short sentences (< 2 years)
Non-compliance with measures
Impulsivity and emotional instability
Alcohol abuse

OTHER VIOLENT OFFENCES
Low educational level and employment problems Childhood maladjustment, problematic family socialisation, family history, pro-criminal attitudes
Belonging to a risky social group and gangs Self-harm behaviour, intoxication during the offence, younger
Conflictive prison record and long and very long sentences

MULTI-VIOLENT
Notable criminal role and gang membership
Very long sentences (> 6 years) and OPV
History of violence Non-compliance with measures Level regressions
Self-harm behaviours
Promiscuous sexual behaviour

On the other hand, the profile of those released from prison at *high* risk of violent recidivism of the various violent criminal types has been analysed: sexual, gender-based violence, other violent and multi-violent offences. The conclusion obtained is very clear:

> There is not much difference between the criminal typologies; they all follow the same trend of *high* vs. *medium/low* risk. In other words, the profile of the released high-risk prisoners of each of the violent criminal typologies is explained rather by belonging to the group at *high* risk of violent recidivism and not by the specification of the violent offence committed in the base sentence.

Graph 8. Distribution in the territory

1st study (2010-2013)

Tarragona 47
Lleida 32
Gerona 36
Barcelona 249

2nd study (2014-2016)

Tarragona 8
Lleida 28
Gerona 35
Barcelona 280

Finally, it should be noted that Barcelona is the territory in which the most cases are derived, that is, where the most reports **of *high*-risk releases** are submitted. Compared to the previous study, the Tarragona Public Prosecutor's Office has a statistically lower proportion of cases.

2. Recidivism observed

In this chapter, we analyse how the rate of recidivism is affected based on these groups that we have been configuring: risk of violent recidivism, risk of intra-institutional violence and violent criminal typology. However, we will highlight the differences observed between *repeat offenders* and *desisters*. In addition, taking advantage of the data from the previous study (2010-2013), we will make a comparison of the results obtained with the *high*-risk released prisoners. As far as the recidivism rate is concerned, the reference point is the general recidivism rate involving the entire prison population.

Figure 3. Prison recidivism rates

30.2% recidivism general

32.7% recidivism high risk 14-16

35.0% recidivism high risk 10-13

14.6% medium/low-risk recidivism 14-16
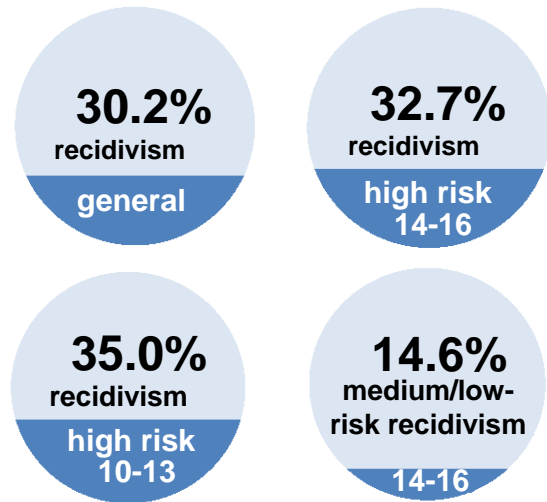
Figure 4. Recidivism rates in criminal enforcement

33.9% recidivism general

40.6% recidivism high risk 14-16

42.5% recidivism high risk 10-13

24.6% medium/low-risk recidivism 14-16
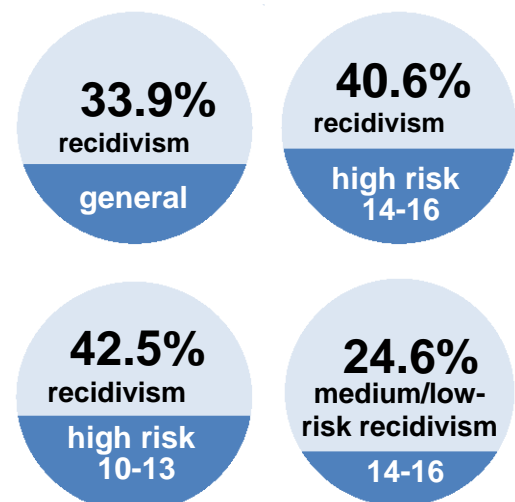
6 out of 10 *high*-risk prisoners released have not returned to the Catalan criminal enforcement system (neither prison nor alternative penal measure) during the follow-up time of this investigation (1,538 days on average, equivalent to 4.2 years).

Although the differences are not statistically significant, there is a downward trend both in terms of prison recidivism and criminal enforcement of released *high*-risk prisoners compared to the previous study. Thus, if we compare the data with the rate of the general prison population, we see that they are getting closer and closer, especially in the case of prison recidivism, where there is a difference of only 2.5% with those released from prison with *high* risk (2014-2016).

However, we can also analyse the different rates of recidivism according to the type of offence committed in the *base sentence* (Table 3).

**Table 3. Comparison of recidivism rates according to general criminal typology**

Main offence type	General prison population rate	Rate of *high*-risk prisoners released 2010-2013	Rate of *high*-risk prisoners released 2014-2016
Against persons	22.3 %	31.4 %	28.4 %
Against sexual freedom	19.5 %	41.7 %	25.0 %
Against property	42.8 %	54.5 %	43.1 %
Drugs	14.1 %	*	*
Trafficking	19.1 %	*	*
Others	26.6 %	33.3 %	38.8 %

*There are not enough cases to be able to provide a rate.

The **recidivism rate in criminal enforcement** of *high*-risk prisoners released (2014-2016) follows the same trend: the most repeat offenders are those who have committed an offence *against property* (49.2%), followed by offences *against persons* (36.9%) and *against sexual freedom* (27.8%).

Regarding violent offences (Graph 9), we can observe that, although the differences are not significant, those who have committed an offence of *gender-based violence* are those with the highest rate of recidivism, in both types of measure: penitentiary and criminal enforcement (prison and alternative penal measure).

Graph 9. Rates of recidivism in prison and in criminal enforcement according to the type of violent offence
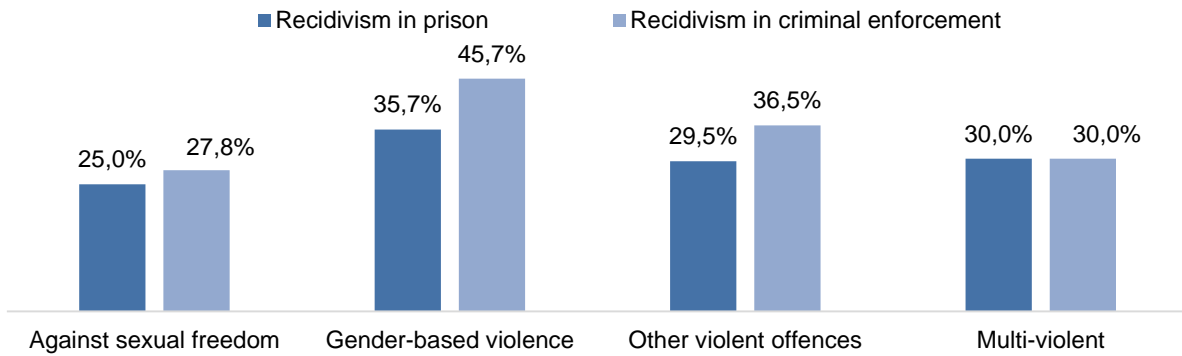
As a summary table, we present the general, violent and sexual recidivism rates as we did in the previous report. As shown by the data in Table 4, the *high*-risk group (2014-2016) shows a decrease in prison recidivism in the three rates mentioned, in comparison with the previous study (2010-2013), when the general recidivism was 35%, violent 25% and sexual 3.3%.
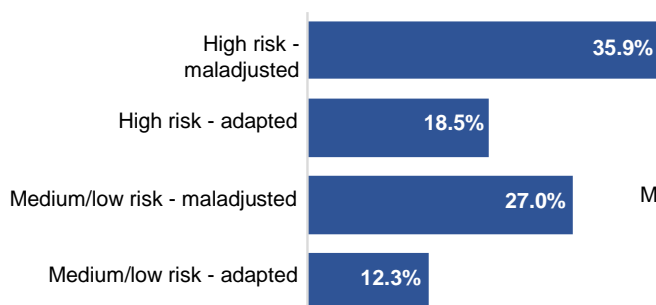
We must remember that each rate of recidivism includes, in itself, the following (the general rate includes violent and sexual, and violent includes sexual).

**Table 4. Recidivism rates according to severity (2014-2016 study)**

Rate type	Prison recidivism		Recidivism criminal enforcement	
	High risk	*Medium/low risk*	*High* risk	*Medium/low risk*
General recidivism	32.7 %	14.6 %	40.6 %	24.6 %
Violent recidivism	18.5 %	7.2 %	24.7 %	14.2 %
Sexual recidivism	2.3 %	0.3 %	2.3 %	0.3 %

However, recidivism rates can be analysed by cross-referencing the risk of violent recidivism with the risk of intra-institutional violence. Thus, there is a trend that indicates that the *misfits* (regardless of the risk of violent recidivism) are more repeat offenders than the *adapted persons* (Graphs 10 and 11).

Graph 10. Prison recidivism rate   **Graph 11. Recidivism rate in criminal enforcement**
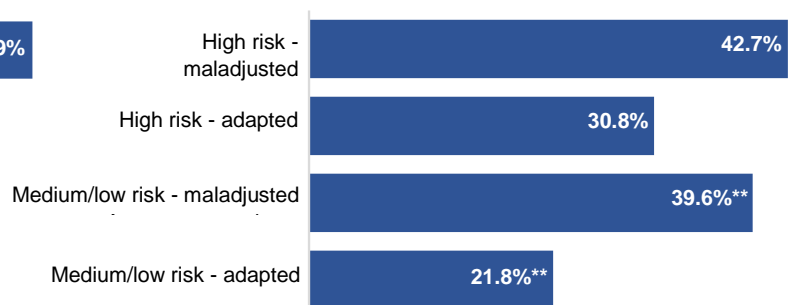
**Statistical significance; p ≤ 0.01

Another relevant aspect of recidivism is the **time** it takes to reoffend. Let us remember that, in this study, the mean follow-up time was 1,538 days (4.2 years) compared to 1,669 days in the previous study (4.5 years), but with less dispersion.

Figure 5. Time it takes for the three comparison groups to reoffend

336.14 days	**361.05 days**	**495.86 days**
General prison population	*High*-risk group study 2010-2013	*High*-risk group study 2014-2016

In accordance with all the scientific literature that we have cited in previous studies, we observe that, 4 years after their release from prison, 97.8% have already reoffended (Table 5), which confirms, once again, that between 4 years and 5 years is enough follow-up time to detect the recidivism of adult offenders and, at the same time, to support the idea that after 5 years we can consider the person to be a *desister* if they have not reoffended.

The time it takes for *high*-risk offenders to reoffend is not significantly different depending on the type of offence (Table 6), but it is worth noting that, in cases of *gender-based violence,* we found a greater latency of response. Thus, it may appear that rehabilitation has occurred, but this is not the case. With this group that takes longer to reoffend, it would be interesting to carry out a more intensive and prolonged follow-up.

**Table 5. Time it takes for *high*-risk prisoners released to reoffend, grouped by years**

Follow-up time	N	% valid	% accumulated
Up to 1 year	63	45.7 %	45.7 %
From 1 to 2 years	40	29 %	74.6 %
From 2 to 3 years	18	13 %	87.7 %
From 3 to 4 years	14	10.1 %	97.8 %
From 4 to 5 and a half years	3	2.2 %	100 %

Table 6. Time it takes for *high*-risk prisoners released to reoffend according to violent offence

Type of offence	N	Mean (days)	Standard deviation
Against sexual freedom	9	495.78	410.84
Gender-based violence	31	544.55	442.96
Against persons	63	534.24	421.34
Against property	32	446.88	359.14
Other offences	34	470.88	417.20

If we look at which offences are the most frequent at the time of reoffending (Graph 12), we find that both in penitentiary recidivism and in alternative penal measures, these are offences *against property* (36.6% and 25.7%, respectively) and *against persons* (28.4% and 36.5%, respectively).

Graph 12. Type of offence committed in the recidivism
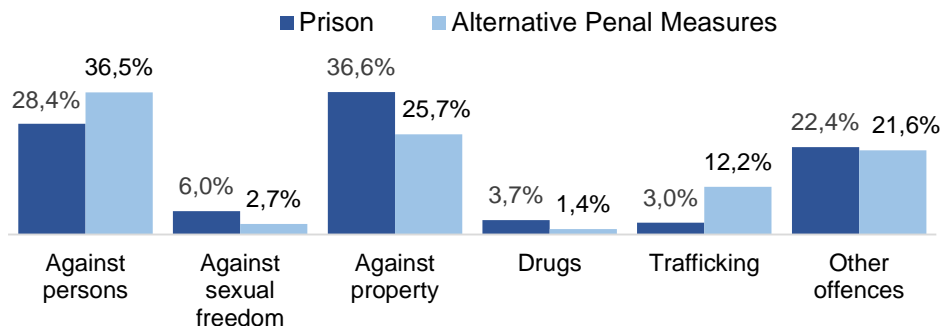
Another characteristic of the recidivism of those assessed as *high*-risk is that they show a certain "specialisation" in the offence (Table 7). Especially noteworthy is the fact that almost half of repeat offenders of *gender-based violence* will repeat the same offence.
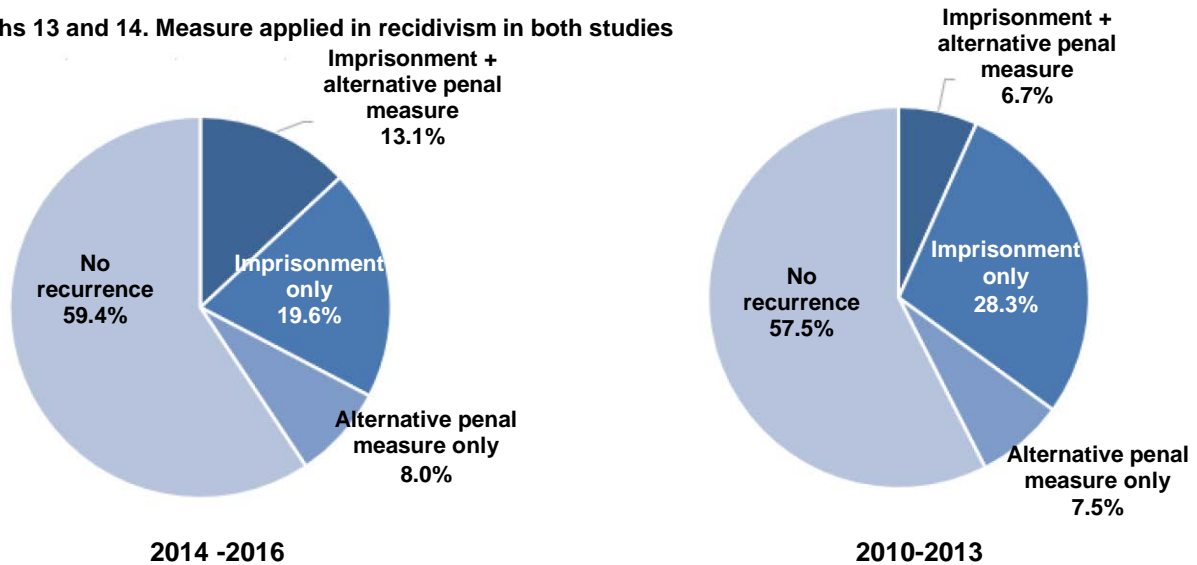
Table 7. Specialisation of the offence in recidivism

Violent typology in recidivism (SIPC)	Specific violent typology PB		
	Against sexual freedom	Gender-based violence	Other type of violence
Against sexual freedom	*37.5%	11.1%	8.7%
Gender-based violence	0.0 %	*44.4%	8.7%
Other type of violence	62.5%	44.4%	*82.6%

* Values statistically higher than the expected values with significance p ≤ 0.05

On the other hand, from the previous study (2010-2013) to the current one (2014-2016), there has been a decrease of 8 points in readmissions for **previous causes**, from 21% to 13%. In reference to the number of readmissions to prison for **recidivism**, the majority have only one readmission (65.4%), although 27.1% have two and 7.5% more than two.

If we compare the results with the previous study (2010-2013), we have already seen that the desisters have increased by just over 2 points. But the big change has been in the reoffenders released who receive a prison sentence and alternative penal measure: the previous percentage has doubled from 6.7% to 13.1%. Those who only receive an imprisonment measure as a penalty for the new offence have dropped almost 9 points (Graphs 13 and 14).

Graphs 13 and 14. Measure applied in recidivism in both studies

Imprisonment + alternative penal measure 13.1%
No recurrence 59.4%
Imprisonment only 19.6%
Alternative penal measure only 8.0%

2014 -2016

Imprisonment + alternative penal measure 6.7%
No recurrence 57.5%
Imprisonment only 28.3%
Alternative penal measure only 7.5%

2010-2013

**Graph 15. Time to first recurrence**

4.1% (15 persons)
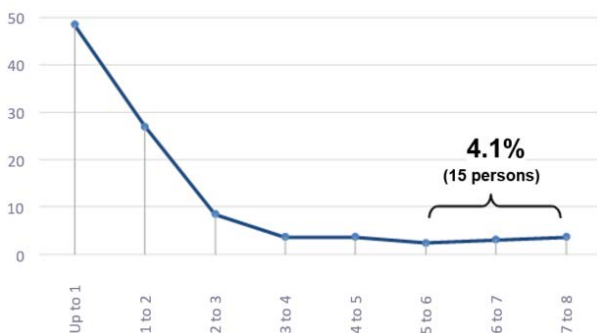
An update has been made on the recurrence of the *high*-risk group released between 2010-2013. With a mean follow-up of 9 years (min. 6 years and max. 10). With this extension of the follow-up time, we have detected a 6.6% rate of new recidivism. From a statistical point of view, these data are residual and confirm what we have been saying. The international literature also says that 5 years of follow-up is sufficient. No one has reoffended after 8 years of follow-up. Half have received an imprisonment measure, the other half an alternative penal measure. Half have committed offences related to gender-based violence (8 out of 15 individuals).

3. The impact of specialised treatment

The **hypotheses** behind it are that those people who have completed and passed the specific violence treatment programme should have started the chain of leave days and have obtained more *leave days* than those who have not passed it, should have fewer *incidents* and receive fewer *disciplinary reports* and, in short, have less *recidivism*.

The Andrews & Bonta **RNR model** involves grading the intensity of the action based on the level of risk (*risk*), treating the risk factors and criminogenic *needs* directly related to the offence (*need*) and adapting the action to the individuals' characteristics and learning styles (*responsiveness*).

Graph 15. Percentage completion of basic programme
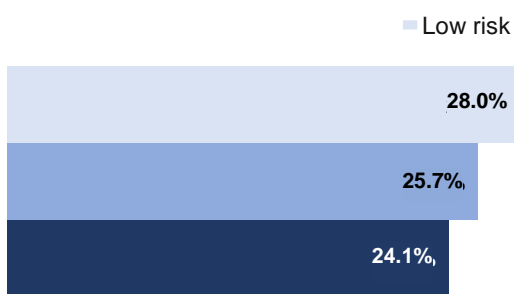
Graph 15. Percentage completion of intensive programme

■ Low risk ■ Medium risk ■ High risk

28.0%

25.7%

24.1%

36.3%

39.9%

37.6%
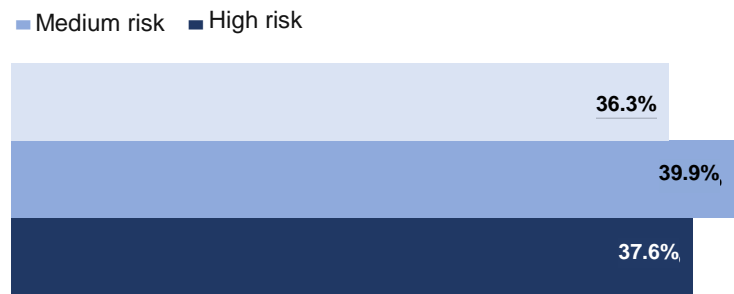
It has been verified that, in the cases studied (releases between 2014-2016), the RNR principle does not apply to them. According to this principle, the majority of participants in the *intensive* programme should be the *high*-risk cases, and in the *basic* programme, the *medium*- or *low*-risk cases. As can be seen in Graph 15, this has not been fulfilled with the population of this study: the data indicate that **there is no discrimination** based on the level of risk.

Next, we will contrast the hypotheses regarding the impact of specialised treatment on ordinary leave days, incidents and disciplinary records, and recidivism.

Table 8. Relationship between *the use* of the programme and the use of *leave days*

Programme type	Programme *use*	Ordinary leave days	
		No	**Yes**
Motivational	They do not use	82.1 %	17.9 %
	Yes, they use	74.4 %	25.6 %
Basic	They do not use	**91.7%	8.3 %
	Yes, they use	77.0 %	**23.0 %
Intensive	They do not use	**93.2%	6.8 %
	Yes, they use	67.4 %	**32.6 %
Maintenance	They do not use	69.3 %	30.7 %
	Yes, they use	68.6 %	31.4 %

Those who take advantage of the *basic* and *intensive* programme obtain *ordinary leave days* in a greater proportion.

However, three out of four of those who do the *basic* programme, and two out of three who do the *intensive* programme, DO NOT start leave days once the programme use is finished.

** Statistical significance regarding the use of leave days; $p \leq 0.01$

The data show that, despite finding some impact on *the use* of the programme in the granting of *ordinary leave day*s, these are clearly restricted (less than 33%) and the impact of the specialised programme is very minor. It must be borne in mind that the beginning of the *chain of leave days* is a key part of prison treatment, since it serves to prepare for life on the outside and corresponds to the idea of resocialisation.

Regarding the relationship between carrying out the specific treatment programme and the fact of having *incidents* and *disciplinary records,* the results show us, with significant differences, that the people who have

undergone a treatment programme accumulate more incidents and more disciplinary files than the people who have not done so. Therefore, we find a criterion of adaptation to need - those who need it most do it (Graphs 15 and 16). However, people without incidents and without disciplinary records are significantly more numerous (60%) among those who have completed the treatment programme than among those who have not. Therefore we could also speak of a relationship of preventive efficiency (Graphs 17 and 18). It helps to pacify daily prison life and, quite logically, it should serve to prepare for life on the outside.
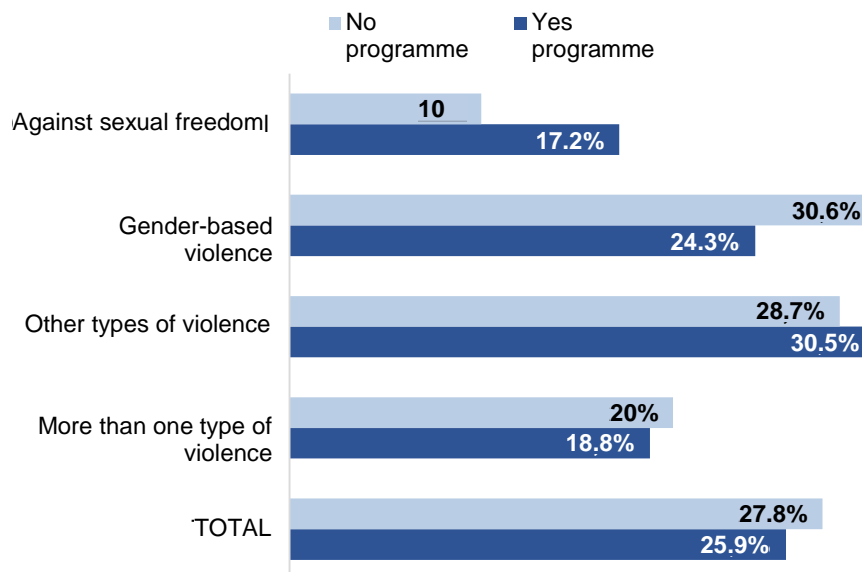
Graph 15. With incidents   **Graph 16. With files**   **Graph 17. No incident**   **Graph 18. No files**

■ Yes treatment programme   ■ No treatment programme
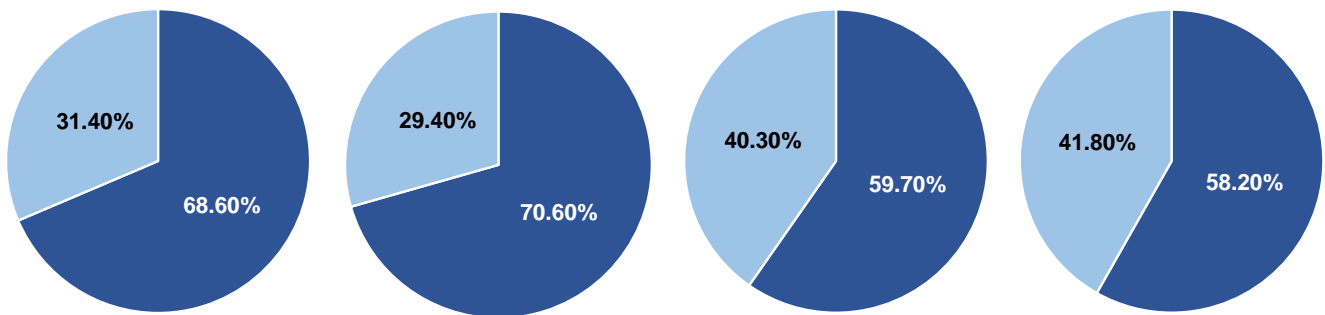
Graph 19. Rates of recidivism in criminal enforcement according to violent offence type and completion of the programme

> There are no differences in recidivism in criminal enforcement due to having undergone the specific programme or otherwise.
> **None of the percentages presented achieve significant differences.**
> In the overall collection of cases, without distinguishing between the level of risk (*high, medium* and *low*) or the modalities of the programme (*basic, intensive* and *maintenance*), the results show that there is no impact on the rate of recidivism in criminal enforcement.

If we include the *use* variable of the treatment programme, we do find significant differences, although contrary to the hypothesis. These are those convicted of offences of **gender-based violence**. We found that **almost three times as many of those who do take advantage of the treatment programme reoffend**, as opposed to those who do not (28.4% versus 10.8%, respectively). The rest of the groups show no significant differences, although, in general, there is a tendency for those who have taken advantage of the programme to reoffend more.

To complete this block, we wonder if there are more *meetings* between treatment professionals and inmates depending on the level of risk.

If the RNR model were applied, inmates with a *high* risk level of violent recidivism should be overrepresented in the number of recorded *encounters* with the various professionals.

The answer is that, in general, this is not the case, except for the **psychologist**, who works more with those at *high* risk (Table 9).

Table 9. Number of meetings with professionals according to risk of violent recidivism

Number of encounters	Level of risk	Half	Standard deviation
Educator	*High* risk	26.76	24.28
	Medium risk	23.97	29.94
	Low risk	22.83	38.27
Lawyer	*High* risk	9.85	9.79
	Medium risk	9.69	11.39
	Low risk	10.93	20.65
Psychologist	*High* risk	15.61	15.89
	Medium risk	14.32	25.31
	Low risk	11.37	24.35
Social worker	*High* risk	25.34	25.41
	Medium risk	25.47	49.67
	Low risk	22.20	20.99

On the other hand, we did find significant differences between the number of *encounters* with treatment professionals and subsequent recidivism.

All of them, except the lawyer, have had more *encounters* with those who later transpired to be repeat offenders (Table 10).

Table 10. Number of meetings with professionals according to recidivism in criminal enforcement or otherwise

Number of encounters	Recidivism Imprisonment + alternative penal measure	Half	Standard deviation
Educator	Desister	23.09	31.64
	Recidivist	27.82	25.43
Lawyer	Desister	9.95	16.03
	Recidivist	10.65	11.49
Psychologist	Desister	**12.19	18.68
	Recidivist	**17.37	28.90
Social worker	Desister	21.97	21.76
	Recidivist	29.81	52.92

The same happens with inmates with a *misfit* profile. These have had proportionally more *encounters* with the educator and the psychologist than the *adapted persons* (Table 11).

The results lead us to conclude that the professionals end up correctly detecting those cases with more criminogenic needs to receive intervention both inside the prison and later outside, given the recidivism results. Hence they devote more time to them.

Table 11. Number of encounters with professionals according to risk of intra-institutional violence

Number of encounters	Risk of *intra-institutional violence*	Half	Standard deviation
Educator	*Misfit*	**28.85	24.81
	Adapted person	**22.10	32.45
Lawyer	*Misfit*	9.70	9.56
	Adapted person	10.45	17.19
Psychologist	*Misfit*	**16.49	16.20
	Adapted person	**12.18	25.19
Social worker	*Misfit*	27.04	47.43
	Adapted person	22.77	23.66

* Statistical significance; p ≤ 0.05   ** Statistical significance; p ≤ 0.01

4. Conclusions

Regarding the rates and their prediction

1. The *prison recidivism* rate of the released *high*-risk prisoners in this study (2014-2016) is 32.7%. In the previous study (2010-2013), the rate was 35%.
    Despite this difference in rate, the differences are not statistically significant. On the other hand, the follow-up time of this investigation is 131 days less on average, compared to the previous one.

2. The recidivism rate of the *medium/low*-risk released prisoner group is 14.6%, less than half the last general prison recidivism rate (2014), which was 30.2%.

3. If we look at the rates *of recidivism in criminal enforcement* (prison + alternative penal measure), the trends are similar: 40.6% the current *high*-risk group (2014-2016), 42.5% the *high*-risk group from the previous investigation (2010-2013), 24.6% the *medium/low*-risk group and 33.9% in the study of the general prison population (2014).

4. Six out of ten released prisoners (59.4%) with a prognosis of *high* risk of violent recidivism and referral with protocol, have not returned to the Catalan criminal enforcement system in the 5 years after their release.
    Of those who have returned to the Catalan criminal enforcement system, 54.4% have done so due to a violent offence.

5. The results offer us two possible explanations, or both at the same time: either there is an overestimation of the risk in these cases in which the protocol is submitted, and/or the detection itself and subsequent action have been effective in reducing the risk of recidivism, although an exhaustive statement cannot be made in either of these two regards.

6. A very high correlation has been found between the prognosis of *violent recidivism* and that of *intra-institutional violence*. This suggests that misbehaviour within the prison is very often associated with the prediction of a risk of reoffending.

7. It will be necessary to be attentive to this type of profile of *gender-based violence,* given that its low level of conflict within the penitentiary centre can lead to an underestimation of the risk in some cases.

Regarding the effectiveness of the high-risk release protocol and the specific professional intervention in violence

8. The results tell us that the three risk groups (*high*, *medium* and *low*) have undergone the specific violent treatment programme in the same proportion (around 65%). They also say that the programme has had no impact on the rate of recidivism.

9. In some *low*-risk cases, the treatment programme has even been negative: those who have completed it have reoffended more. This draws as a conclusion inefficient risk management in the 2013-2015 period. It does not appear that the Andrews & Bonta RNR model was followed.

10. Nor is any relationship found between the type of programme applied (SAC, VIGE or DEVI) and recidivism. Likewise, there are no differences according to the type of programme module applied between those that existed at the time, before the 2020 modification (*basic, intensive* and *maintenance*).

11. Undergoing the specific violence programmes with *use* is not later related to obtaining leave days and/or progressing to third grade. Only 23% of those who finish a specific programme of violence with *use* end up obtaining ordinary leave days throughout the entire sentence.

12. The SMPRAV has changed the content and structure of the treatment programmes after the moment covered by this study. It also ordered the action protocol for released high-risk prisoners in Investigation 2/2019 regarding the work procedure for the release of inmates with a high risk of violent criminal recidivism. The reason why we have produced the study and given these conclusions is that it confirms in data some detected needs, and that work has already been done to solve them, partly due to the proposals of the previous study (2010-1013).

Regarding the characteristics of recidivism

13. The mean time it takes for the released *high*-risk prisoners in this study to reoffend is 495.86 days (1.4 years), while in the general prison population the mean is 336.14 days (0.9 years).

14. The first two years after release become the key period to carry out a checking action and more efficient treatment if recidivism is to be reduced.

15. In the 10-year follow-up that we have conducted exceptionally in the cases of the 2010-2013 study, only 6.6% reoffend (criminal enforcement rate) after 5 years. And none have reoffended after 8 years.

16. In the cases with a later recurrence (over 5 years) we observe that, for the most part, they are related to offences of *gender-based violence*.

17. An increase in the use of alternative penal measures (APMs) is observed in response to recidivism. In the previous study, 14% of repeat offenders were again sentenced with an APM, as a single measure or combined with a return to prison. Of the current sample, 21% are under an alternative penal measure for a new offence.

Regarding the profile of the repeat offender and the desister

18. When we talk about prisoners at *high* risk of violent recidivism, we are basically referring to men. And in two out of three cases, they are of Spanish nationality. From a statistical point of view, in repeat offenders those factors that related to the criminal record stand out (age at 1st and previous imprisonments), personality factors (recklessness), borderline intelligence and conflict (conflicts with other inmates, disciplinary records, incidents or self-harm).

19. The violent offence committed in the *base sentence* does not by itself define a different probability of recidivism, in any regard.

20. Due to their personal, social, penal and penitentiary variables, *gender-based violence* assailants seem to be the most normalised group of that studied, and with less conflictive and disruptive behaviour in the prison. This leads to an erroneous perception in the treatment regarding the risk: they have a higher recidivism rate, there is a worse impact of the specific treatment and a greater probability of late recurrence. They have specific criminogenic needs that need to be worked on differently from the rest in order to achieve desistance.

21. In the group of *high*-risk repeat offenders, a criminal *specialisation* in the commission of new offences is observed, tending to repeat the violent criminal typology of the *basic sentence*.

5. Proposals for the future

1. Presenting these results to the various treatment teams of all the prisons, to discuss with them the possibilities of adjusting the work proposals for the criminogenic needs of the inmates as regards the observed risk.

2. Designing, between the Investigation and Training Area in Criminal Enforcement and the SGPRS, specific training aimed at the treatment teams of these centres that facilitates referral to the open environment of the high number of *low*-risk cases that complete the sentence directly from second degree, taking into account the very low rate of recidivism that has been compiled in this group. Gradual release can be better prepared through semi-open measures for these inmates, without increasing the risk of recidivism. On the contrary, the risk would be reduced.

3. On the other hand, focusing more exhaustively on those incarcerated at *high* risk of recidivism to strengthen their link to treatment. One in three *high*-risk prisoners released will serve their entire sentence, normally a long one, without having completed any specialised treatment programme.

4. Emphasising the need for more frequent and standardised use by the group at high risk of violent recidivism of assessment through specific instruments in the type of violence for which they are sentenced.

5. Analysing the cases of *gender-based violence*. It is necessary to promote more specific studies in the population incarcerated for this type of offence who have a short stay in prison (less than two years), on the one hand, and, on the other, with the high-risk inmates that we have found as repeat offenders, beyond the 5 years of standard follow-up that does serve to explain desistence in most cases. Half of the repeat offenders who reoffend after these 5 years of follow-up commit offences of gender-based violence.

6. Proposing to the SMPRAV the modification of the assessment protocols for the use of the specific programmes. The results have shown that they are inconsistent, laborious to collect and do not even discriminate internally to observe improvements (neither access to leave days nor changes in *RisCanvi* assessments), nor to influence recidivism (they have no impact).

7. Maintaining the Work Procedure for the release of inmates with a high risk of violent recidivism, valued by all technical operators as positive and efficient, with the incorporation of two specific improvement proposals: 1) reduce the cases in which the protocol is submitted, given that it is considered excessive and the results of the recidivism investigation confirm this, and 2) reinforce the legal and regulatory framework that supports the actions of all the professionals involved in the follow-up of cases of inmates who have already served their full criminal sentence, as other countries have already regulated.

8. Promote better coordination between prison treatment teams and medical health teams in these cases of special complexity and risk. Sharing information and working in coordination in the same direction is essential to guarantee continuity in discharge and adherence to the treatment in the community itself. This proposal is practically modelled on the previous study, but remains within the priority demands of the operators themselves as necessary to achieve.

9. Improving external coordination between the interdepartmental teams participating in the protocol, given that the lack of information is not considered a problem (it is considered valuable and sufficient), but the feedback regarding the effectiveness of the transfer and the assessment in terms of impact (knowing whether it works to prevent and avoid new recurrences) is considered thus.

Notes and bibliographical references

Notes:

[1] SGPRS (2014): *Procedure for the release of inmates with a high risk of violent criminal recidivism or with security measures for violent offences.* Activity report 2014. Internal document

[2] Capdevila, M. (coord.) et al. 2015 *Prison recidivism rate 2014.* Barcelona. CEJFE (Centre for Legal Studies and Specialised Training). Available on the website:
http://justicia.gencat.cat/web/.content/home/ambits/formacio__recerca_i_docum/recerca/cataleg_d_investigacions/per_ordre_cronologic/2015/taxa_reincidencia_2014/taxa_reincidencia_2014_cat.pdf

[3] Capdevila, M. et al. 2017 *Study of recidivism in high-risk releases (2010-2013).* Barcelona. CEJFE (Centre for Legal Studies and Specialised Training). Available on the website:
http://cejfe.gencat.cat/ca/recerca/cataleg/crono/2017/reincidencia-excarceracions-risc/

[4] The special supervision modules are high restraint institutional behaviour stabilisation modules for cases of inmates with extreme risk of escape or persistent extreme danger, where the educational and technical intervention is intensive and specialised to guarantee internal security or security aspects or containment of crisis situations (*Rehabilitation Model in Catalan prisons*, 2011:62). Also included here are the Special Departments where the inmates serve in the first penitentiary degree. Available on the website:
http://justicia.gencat.cat/web/.content/enllacos/pdf/model_rehabilitacio_presons_catalanes.pdf

[5] It is considered that the *use* of a specialised treatment programme occurs when it exceeds, in percentage terms, with a positive assessment, 66% of the coefficient resulting from weighting *attendance* at the sessions, as well as *the attitude* regarding involvement in the content and *participation in* the performance of the proposed exercises. The 3 items - attendance, attitude and participation - are scored in each session and globally, in percentage of achievement each quarter.

[6] For a description of each of the RisCanvi variables and, in general, of all those used in this work, see Chapter 2 on the methodology of the aforementioned study on the *2014 prison reoffending rate.*