



THE UNIVERSITY of
NEW MEXICO

PAROLE REVOCATION IN NEW MEXICO

New Mexico Statistical Analysis Center

Summary

- A review of NMDC policies and NM statutes indicates that there have only been minor policy changes from 2005 to 2010 with the notable exception of laws and policies involving certain sex offenders.
- In general, parolees with positive social ties (jobs and spouses) are less likely to fail on parole than parolees without positive social ties—particularly those with gang ties. Reentry programs that promote positive social ties are likely to be useful in terms of reducing violations and revocations.
- Parolees with more extensive criminal histories are more likely to have parole violations and are at increased risk of having their parole revoked. Positive social ties do not mediate this relationship, suggesting that offenders with more extensive offending histories require additional strategies and programming approaches.
- Absconding is the single largest predictor of parole revocation. Parolees who abscond are substantially more likely to have their parole revoked. Given the empirical magnitude of this finding, absconding is an issue that deserves additional attention and research. We found that parolees without strong pro-social ties are more likely to abscond. Reentry efforts in NM would likely be improved to the degree that research can further identify the factors that predict and prevent absconding.

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In 2010, the Justice Research and Statistics Association (JRSA) distributed money to Statistical Analysis Centers to conduct a multi-state assessment of parole revocations and violations. This report summarizes the findings of the research conducted in New Mexico.

Purpose

The general goal of this project is to understand how the parole system operates in New Mexico as well as its impact on, and response to, parolee misconduct. This project begins with a review of policies and statutes that guide the treatment of parolees. This provides the framework to understand the operation of parole in New Mexico as well as responses to violations. We then investigate documented parole violations and revocations among offenders released to parole in New Mexico during the 2005 and 2006 calendar years, assessing factors that contribute to these incidents.

Review of Policies and Statutes

There are a number of statutes and New Mexico Corrections Department (NMCD) policies that dictate how parolees are managed and supervised in NM. A full list of these statutes and policies is available in the full-length version of this report.

Changes in state statutes and parole policies could affect an offender's success on parole, either positively or negatively. For example, in June 2008, a report from New Mexico Governor's Task Force on Prison Reform resulted in numerous recommendations. One was to create a Reentry Division intended to improve offenders' chances of successful reentry. This is an example of a policy that may have a positive effect on offender outcomes. Conversely, changes in policies that require longer, more intensive

periods of supervision, and/or additional rules may decrease parolees' chances of successful reentry.

We reviewed changes to all major policies and statutes from 2005 to 2010. We found only minor changes to the operation of parole during this time period. A summary of these changes is available in the full report. In addition to reviewing the policies, we also reviewed NM statutes. There is one statute change that will likely impact the supervision of parolees and the operation of the Probation and Parole Department in the future. Passed in 2004, Statute 31-21-10.1 requires that certain sex offenders serve an indeterminate period of supervised parole for a minimum of five years up to twenty years or the life of the offender. After the minimum time is served, review hearings held at regular intervals determine whether the parolee might be allowed early release. The statute also requires all sex offenders to be electronically monitored throughout their supervision. It is likely that this statute and policies related to it may decrease the success of sex offenders as sex offenders under these policies will be subjected to a longer and more intensive period of supervision. It likely will also impact resources in the PPD.

Aside from this statute, we found that most statutes and policies related parole have been fairly stable. We can conclude, therefore, that violations and revocations in NM during the study period are not impacted by statute or policy changes.



Quantitative Analysis of Parole Violations and Revocations in New Mexico

We conducted a series of multivariate analyses to determine the factors associated with parole violations and parole revocations in NM. The data for these analyses include all offenders released to parole in New Mexico during the 2005 and 2006 calendar years and followed through to the end of their parole or through December 2008 (whichever comes first). We received these data from two key sources: NM's Corrections Management Information System (CMIS) managed by NMCD and the State's Criminal Justice Information System (CJIS) managed by the Department of Public Safety (DPS). Additional information, including the technical details for these analyses and the description of independent variables are included in the full-length version of this report.

The dependent variables analyzed in the report include violation (whether or not an offender received technical violation), type of violation, the number of technical violations, the time until an offender's first technical violation, revocation (whether or not an offender's parole was revoked), and the time until revocation.

Violations

The majority (67.5%) of parolees in our sample had at least one technical violation. The results of our regression analysis indicate that offenders with more extensive criminal histories, offenders on parole for property and/or drug offenses, offenders with disciplinary problems while incarcerated, and offenders with treatment needs are the most likely to have a technical violation. Male offenders, Black and Hispanic offenders, and young offenders are also more likely to have a technical violation than other offenders. Conversely, those with pro-social ties—married offenders, employed offenders, and offenders not affiliated with gangs—are all less likely to have technical violations than other offenders.

Types of Technical Violations

We divided technical violations into four categories: violations for absconding, drug-related technical violations, alcohol-related technical violations, and violations of other standard conditions of parole. The most frequent violation was for drug related offenses: either for failing a drug test or for using, possessing or distributing a controlled substance. Failing to report or absconding was also a frequent violation (27% of all parolees had absconded at least once).

We estimated separate regression models for each of these types of violations. The statistical significance of the independent variables differed depending on which violation type was being analyzed. For example, we found positive social ties reduce the odds of absconding. However, employment is positively and statistically significantly related to alcohol violations. This result may suggest that employed offenders more often find themselves in situations where alcohol consumption is normative.

Number of Technical Violations

A substantial proportion of parolees in our sample had multiple technical violations. Table 1 displays the proportion of parolees by number of violations.

Table 1. Number of violations

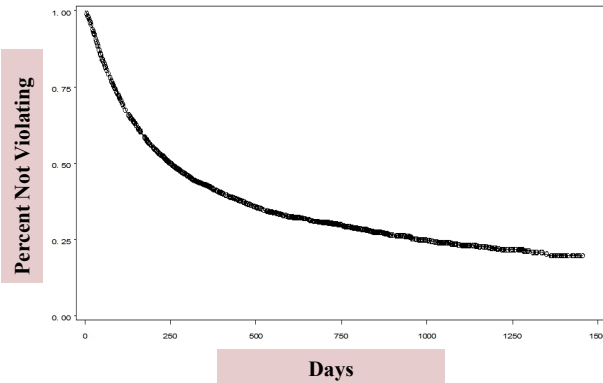
Number of Violations	%
0	32.5%
1	27.0%
2	18.1%
3	10.4%
4-11	12.0%
Total N	4345

Our regression results predicting the number of technical violations generally indicate that the factors that are associated with parolees having any violations are also associated with an increased count of violations. In general, parolees with more positive social ties have significantly fewer technical violations, while parolees with negative social ties have significantly more technical violations. Parolees with more extensive offense histories while incarcerated are also have more violations, as do male offenders.

Days Until First Violation

Over 25% of parolees have a violation documented within the first 60 days of supervision. Over half have a violation documented within the first six months of supervision. This suggests that most parolees receive their first technical violation fairly quickly after their release from prison. This serves as an important reminder that the additional time and resources spent on newly related parolees is warranted, as newly released parolees are at an increased risk of failure. The average number of days to a violation is much longer (approximately 197 days), suggesting that some proportion of parolees violate later during their supervision. Around 15% of parolees have their first documented technical violation after one year of supervision. Figure 1 is a Kaplan-Meier plot of the time until first violation.

Figure 1. Kaplan-meier plot for time until first violation



Our regression results indicate that male offenders, those with gang affiliations, and those with more prior prison experiences receive their first technical violation earlier. Aside from these variables, however, our results suggest that many of the factors that predict whether or not a parolee receives a technical violation do not predict how quickly they receive these violations. For example, in our other analyses using violations, type of violation, and number of violations as dependent variables, there was mixed evidence suggesting that minority offenders are all more likely to have violations than Whites. Race/ethnicity variables, though, vary even within these analyses. For example, while Native Americans are less likely to have a technical violation, when they do, they are more likely to abscond or have an alcohol violation (as are Hispanic parolees) as compared to whites. Similarly, while our other analyses indicated that offenders with property offenses had an increased risk for having violations, the time until violation analysis indicates that offense type is not a statistically significant predictor for time until violation.

These results suggest that certain types of offenders may require more extensive reentry services to successfully make the transition from prison to the community than others. Moreover, an increase in culturally sensitive treatment programs may need to be considered for those with alcohol violations.

Revocations

Technical violations for parolees in NM do not always result in revocations. Bivariate analyses indicate that revocations are most likely for technical violations that involve failure to report, failure to allow the parole officer to visit the home, changing residence without approval, and technical violations related to weapons. Technical violations involving drugs and alcohol are less likely to result in revocations.

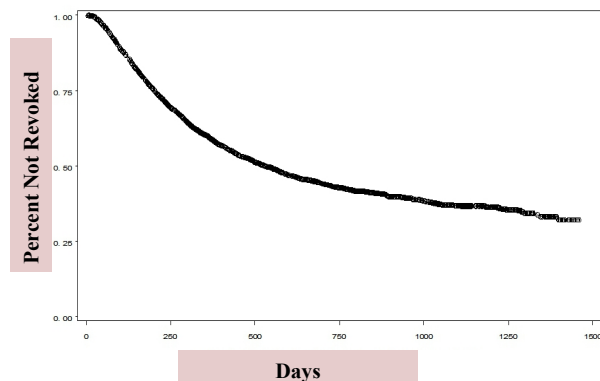
Just over half (51.5%, N=2274) of the parolees in our sample had some form of revocation during their supervision period (shock incarceration, partial or full revocation); approximately 10% were revoked more than once. Approximately 70% of revocations were due to technical violations. An additional 20% were due to new arrests. We were unable to determine the reason for the remaining 10% of revocations.

Our multivariate analysis indicates that offenders with more extensive criminal histories, property offenses, disciplinary problems while incarcerated, and new arrests are more likely to have their parole revoked. Young, male, Black and Hispanic offenders are also more likely to have their parole revoked. Conversely, employed offenders and offenders not affiliated with gangs are less likely to receive revocations. However, the largest single predictor of revocation is whether or not a parolee absconds. The expected odds of revocation for parolees that abscond are 2,757% higher than for parolees with no record of absconding, controlling for other factors. Approximately 84% of parolees who abscond are revoked. Clearly, absconding drives parole revocations. Given the empirical magnitude of this finding, absconding is an issue that deserves additional attention and research. Reentry efforts in NM would be vastly improved to the degree that future research can effectively predict and prevent absconding.

Days Until Revocation

On average, parole revocations occur later in the parole process than technical violations. This is partially reflective of the fact that many offenders do not have their parole revoked for their first technical violation. On average, offenders who experienced revocation had their parole revoked 269 days after beginning parole. Approximately 24% of revocations occurred after 1 year of supervision. Figure 2 is a Kaplan-Meier plot of the time until revocation.

Figure 2. Kaplan-Meier plot for time until revocation



Our regression results indicate that male offenders, offenders with gang affiliations, and parolees with more prior prison experiences will be revoked more quickly than female parolees, parolees without gang associations, and parolees with fewer prison stays. Conversely, married and employed parolees tend to not have their parole revoked until later in their sentence. Interestingly, absconders are also likely to take longer to have their parole revoked. This is likely reflective of the fact that absconders must be captured before their parole is revoked.

General Findings

Our quantitative analyses of parole violations and revocations suggest several general trends and patterns:

- Parolees with weaker social ties are more likely to have parole violations and are more likely to have their parole revoked than other parolees.
- Parolees with more extensive criminal histories are also more likely to have violations and to have their parole revoked than other offenders.
- Parolees who committed property offenses are more likely to have violations and to have their parole revoked than parolees who did not commit property offenses.
- Even after controlling for these factors, there are clear demographic trends in parole violations and revocations. Our analyses provide strong evidence that males and somewhat weaker evidence that racial and ethnic minorities have an increased risk for parole violations and revocations.
- Absconding is the single largest predictor of parole revocation. Parolees who abscond are even more likely to have their parole revoked than parolees that commit new offenses (84% vs. 74%).

Recommendations

- Continue to develop and utilize programs that promote positive social ties. The presence of positive social ties such as being employed and married decreases the risk for parole violations and revocation.
- Develop tailored reentry plans for certain types of offenders. Even after controlling for a variety of risk factors, males and racial/ethnic minorities appear to be at an increased risk for parole violations and revocations. Similarly, property offenders and

offenders with more extensive criminal histories also appear to be at increased risk for parole violations and revocations. While this issue requires additional research, it seems likely that certain segments of the parole population require different supervision approaches and different reentry strategies. These results suggest that a singular approach to reentry is not going to benefit all parolees equally.

- Devote additional time and resources to studying absconding. Given the importance of absconding in our analysis of revocations, it is clear that this issue requires additional attention. Our results suggest that parole revocations would decrease substantially if the absconding rate also decreased. Future research should focus on identifying which offenders are most likely to abscond, why they are likely to abscond, and how the parole system can prevent absconding. For example, our analysis suggests that Native Americans are more likely to abscond than whites, despite being less likely to receive technical violations. The current research cannot identify why this group is more likely to abscond. Additionally, we found that pro-social ties are a protective factor against absconding. Programs that promote strengthening of pro-social ties may be beneficial. Future research focused on absconding may, however, prove quite useful in understanding and reducing parole revocations.

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Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position of the Justice Research and Statistics Association.

A full-length version of this report can be obtained by contacting:

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