



COLORADO

Department of Corrections

Rick Raemisch
Executive Director

ANNUAL REPORT CONCERNING THE STATUS OF PRIVATE CONTRACT PRISONS

**A REPORT SUBMITTED TO THE
SPEAKER OF THE HOUSE OF REPRESENTATIVES
AND TO THE PRESIDENT OF THE SENATE
DUE DECEMBER 1, 2013, PURSUANT TO C.R.S. 17-1-201(2)**

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Introduction

The rise of the prison population during the 1990's outpaced construction of state facilities and necessitated the use of private prisons to house Colorado inmates. In 1995, House Bill 1352 created Title 17, Part 2 of the Colorado Revised Statutes concerning the request for proposals process for corrections privatization. This report is intended to comply with the annual reporting provision listed in Colorado Revised Statute 17-1-201(2):

NO LATER THAN DECEMBER 1 OF EACH FISCAL YEAR, BEGINNING WITH THE 1996-97 FISCAL YEAR, THE EXECUTIVE DIRECTOR SHALL SUBMIT A REPORT TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE CONCERNING THE STATUS OF CONTRACTS IN EFFECT, AND, WITH RESPECT TO COMPLETED PRISONS, THE EFFECTIVENESS OF EACH PRIVATE CONTRACT PRISON GOVERNED BY A CONTRACT WITH THE DEPARTMENT.

The Private Prisons Monitoring Unit (PPMU) was created within the Department of Corrections' (DOC) Prison Operations in 1999 to oversee private contract prisons. The PPMU was established to ensure that private contract prisons adhere to DOC policies and American Correctional Association standards, to issue competitive bids and award contracts, and to monitor compliance with contracts. The provisions of each contract stipulate services to be provided, specific security and non-security related administrative regulations to be followed, training available through DOC, medical services, food service, and the educational service level to be maintained at each facility. The PPMU is staffed with facility monitors and program specialists who regularly monitor the facilities and program areas to verify compliance with the terms and conditions of the contracts and to provide for a transition of services between public and private facilities.

The PPMU assigns monitors to the private facilities, and each is required to each spend a minimum of 20 hours

per week in his or her assigned facility. PPMU also has one medical monitor position, one mental health monitor position, and one food service monitor position. These positions are responsible for monitoring all of the private facilities and routinely visit them on a monthly basis.

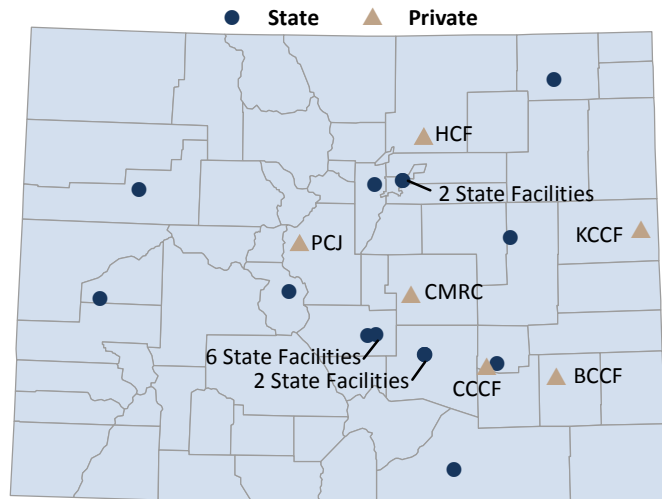
The PPMU works closely with DOC's Central Classification Unit to ensure that all offenders housed in a private contract prison meet the required custody level as determined by the inmate classification assessment. Colorado Revised Statutes 17-1-104.9, *Custody levels for state inmates at private prisons*, prohibits the DOC from placing state offenders classified higher than medium custody in private contract prisons located within or outside Colorado unless there is a correctional emergency. Private contract prisons are authorized to house out-of-state offenders in their facilities after appropriate file review and approval by the PPMU, under the authority of the executive director.

Contracts

During fiscal year (FY) 2013, the DOC had five private prison contracts and one jail contract. Of the five prison contracts, three were established as intergovernmental agreements with local jurisdictions (Bent, Crowley, and Kit Carson counties) for inmate housing and program services. The three local communities, in turn, contract with Corrections Corporation of America (CCA) to provide services to the DOC. The other two prison contracts were directly between DOC and the vendors: one was with Community Education Centers (CEC) for the Cheyenne Mountain Re-entry Center (a pre-release and revocation facility) in El Paso County and the other was with The GEO Group, Inc. (GEO) for contract monitoring of the Hudson Correctional Facility in Weld County, which has only housed out-of-state offenders so far. Finally, the DOC has a contract with the Park County Jail located in Fairplay, CO, which has a 250-bed capacity that presently is used only minimally. Table 1 and the map below it summarize the facilities and vendors with whom the state contracts along with their capacities and population at the fiscal yearend.

Table 1. Private Prison Contracts as of June 30, 2013

Facility	Operated by	Capacity	Colorado Population
Bent County Corr. Facility	CCA	1,466	1,403
Crowley County Corr. Facility	CCA	1,720	1,205
Kit Carson Corr. Center	CCA	1,562	735
Cheyenne Mtn Reentry Center	CEC	776	602
Hudson Corr. Facility	GEO	1,312	0
Park County Jail	Park County	250	5



Over the past several years the prison population has declined in Colorado, resulting in private prison operators looking elsewhere for out-of-state contracts. The Idaho Department of Corrections currently houses 244 offenders at Kit Carson Correctional Center, but the contract allows for up to 768 beds to be filled with Idaho inmates. During FY 2013, GEO had a contract with the state of Alaska to house their offenders at the Hudson Correctional Facility. This contract ended in FY 2014 and all Alaskan inmates were returned to their state as of September 26, 2013. Per Colorado Revised Statute 17-1-104.5, no inmates can be housed in a

private contract prison without the express approval of the DOC executive director. Therefore, the PPMU is working with GEO as they market their empty beds to potential clients. Currently, the state of California is interested in using the full capacity of the Hudson Correctional Facility. If a contract is executed between California and GEO for housing and program services, there will also be one between Colorado and GEO for monitoring services to ensure the public safety of Colorado citizens.

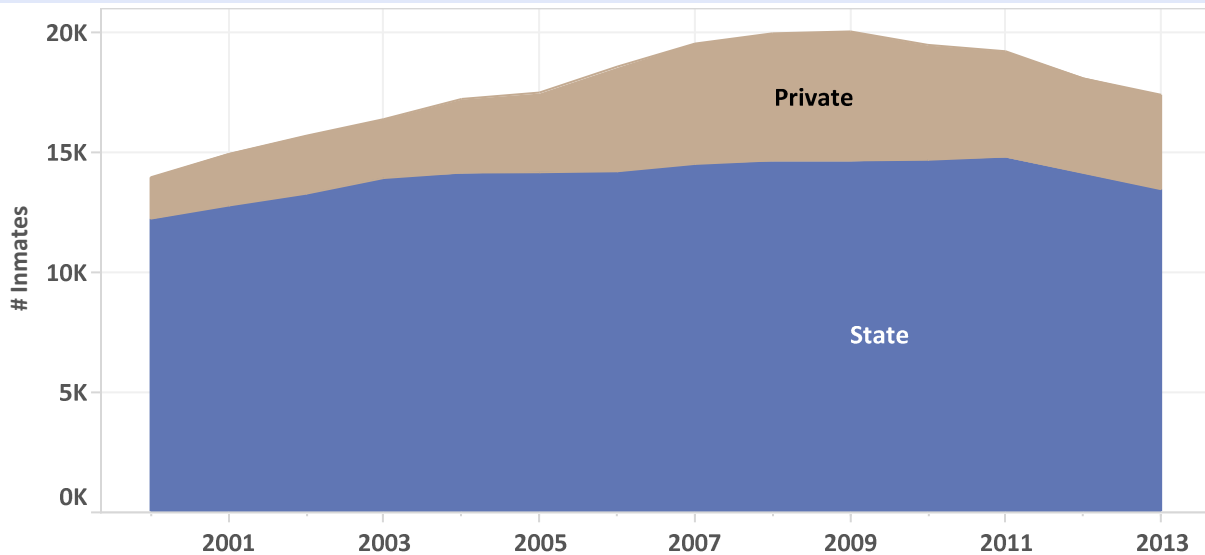
Funding

Compensation to the private contract prison vendors or local municipality through the intergovernmental agreements is provided through appropriations made available by the Colorado General Assembly. Private prisons are reimbursed at a rate of \$53.74 per inmate per day and jails are reimbursed at a rate of \$51.45 per inmate per day. Funding for private prisons is primarily provided through the External Capacity Subprogram in the Long Bill. The total amount appropriated in SB 13-230 for FY 2013-14 private prisons is \$68,802,680, of which \$10,040,467 is designated for CMRC, the pre-release and revocation facility. This funding is sufficient to house approximately 3,500 inmates in private prisons through the year. It should be noted that there is no minimum number of offenders established for any of the private prisons.

Private Prison Utilization

As the inmate population grew during the 1990s and 2000s, so did Colorado's use of private contract prisons. At the peak of Colorado's inmate population in 2009, inmates in private prisons accounted for 27% of all incarcerated inmates. Due to the decreasing prison population, that rate has since declined to 23% of the incarcerated population on June 30, 2013. Figure 1 shows the trends regarding utilization of state and private prisons since 2000.

Figure 1. Utilization of state and private prison beds for Colorado inmates



Private Prison Population

The populations housed at state and private prisons differ substantially because state prisons are mandated by statute to maintain specialized prisons to manage offenders with severe medical and mental health needs, as well as offenders who are classified at higher custody levels due to their behavior while incarcerated. In contrast, private prisons cannot house prisoners above medium custody level, according to statute. Each inmate is carefully reviewed before being placed in a private prison, but the criteria for private prison eligibility generally includes the following:

- Level III (medium) custody or below
- Low to moderate needs levels
 - Medical needs levels 1 – 4
 - Mental health needs levels 1 – 3 (CCA accepts some 4s)
 - Developmental disability needs levels 1 – 3
- Sex offenders if not actively participating in treatment (CCA) or completed treatment (CMRC)
- Some disabilities as defined in the Americans with Disabilities Act, such as diabetes, but not mobility, vision, or hearing issues
- No life without parole
- Other issues that are considered but do not

necessarily preclude offenders from being placed in private prisons include security threat group affiliation, custody issues, and parole eligibility date

Given these criteria, inmates in private prisons naturally differ from those who are housed in state facilities. Using the June 30, 2013, incarcerated population, comparisons were made to show how offenders at state and private prisons differ on demographic, needs, criminal risk, and criminal history variables. The sample consisted of 16,000 male offenders housed in Colorado's state or private prisons on June 30, 2013. No female offenders are currently housed in private prisons, and thus, they were excluded from the comparison.

The figures on the following pages show the characteristics of inmates in CMRC, CCA facilities (Bent, Crowley, and Kit Carson County Correctional Facilities), and state prisons. CMRC was separated from the other private prisons because its mission as a pre-release and revocation facility differs from that of the CCA facilities and because CMRC placement criteria are somewhat more restrictive than for CCA facilities. The figure notes highlight differences between the three categories. Following the graphs is a narrative summary of the key differences along with more details of the variables.

Figure 2. Race/Ethnicity

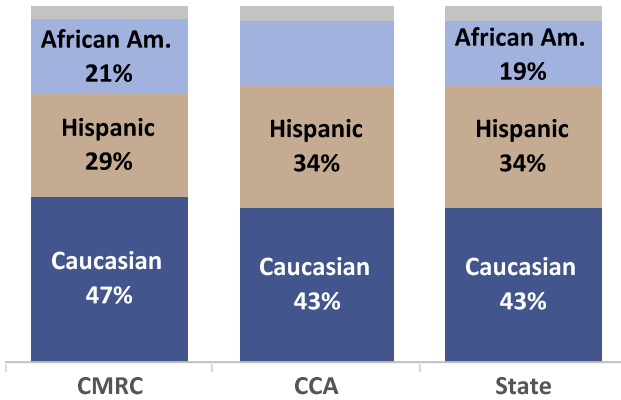


Figure note. CMRC has a smaller rate of Hispanic inmates than CCA and state facilities.

Figure 3. Secondary education achievement

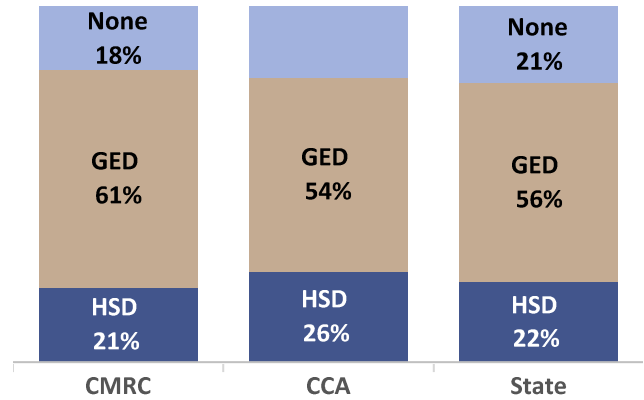


Figure note. Small variations exist, with CMRC inmates the most likely to have a GED or HSD.

Figure 4. Felony class

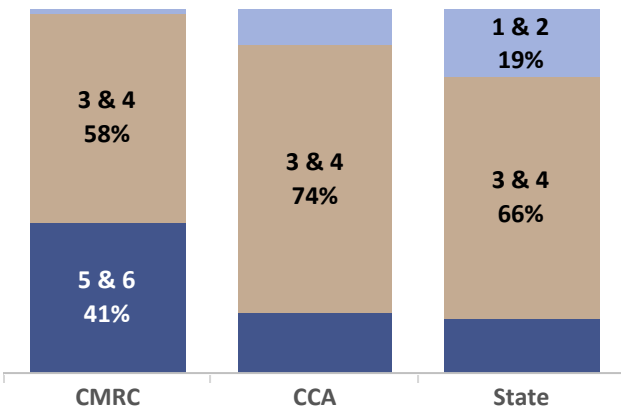


Figure note. State prison inmates have the most serious offenses and CMRC inmates have the least serious.

Figure 5. Gang affiliation

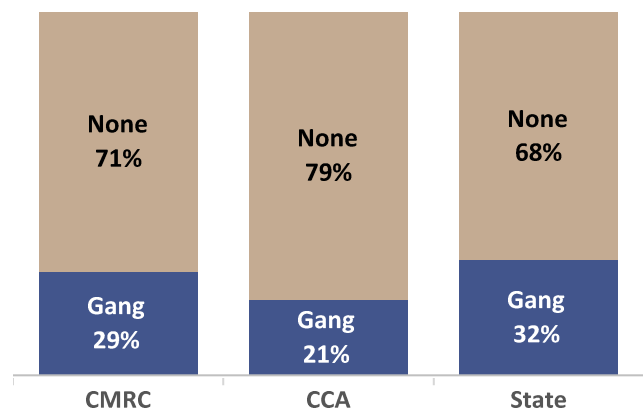


Figure note. State facilities have the highest rate of gang members and CCA facilities have the lowest.

Figure 6. Custody levels

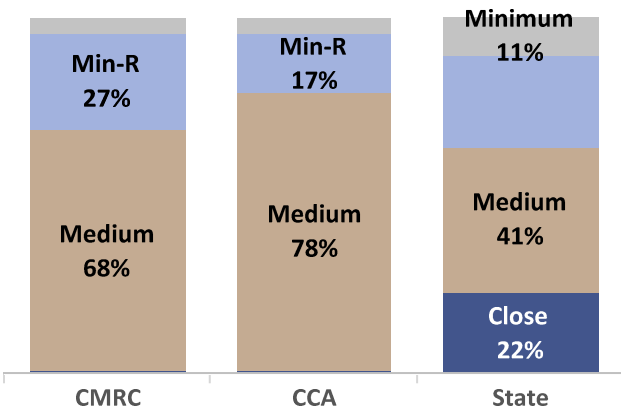


Figure note. Only state prisons house close custody inmates.

Figure 7. Inmate status

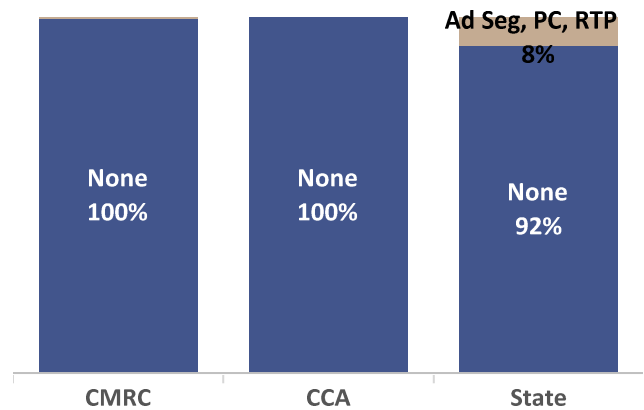


Figure note. Offenders with Ad Seg, RTP, or PC status are almost always housed in state facilities.

Figure 8. Needs Levels

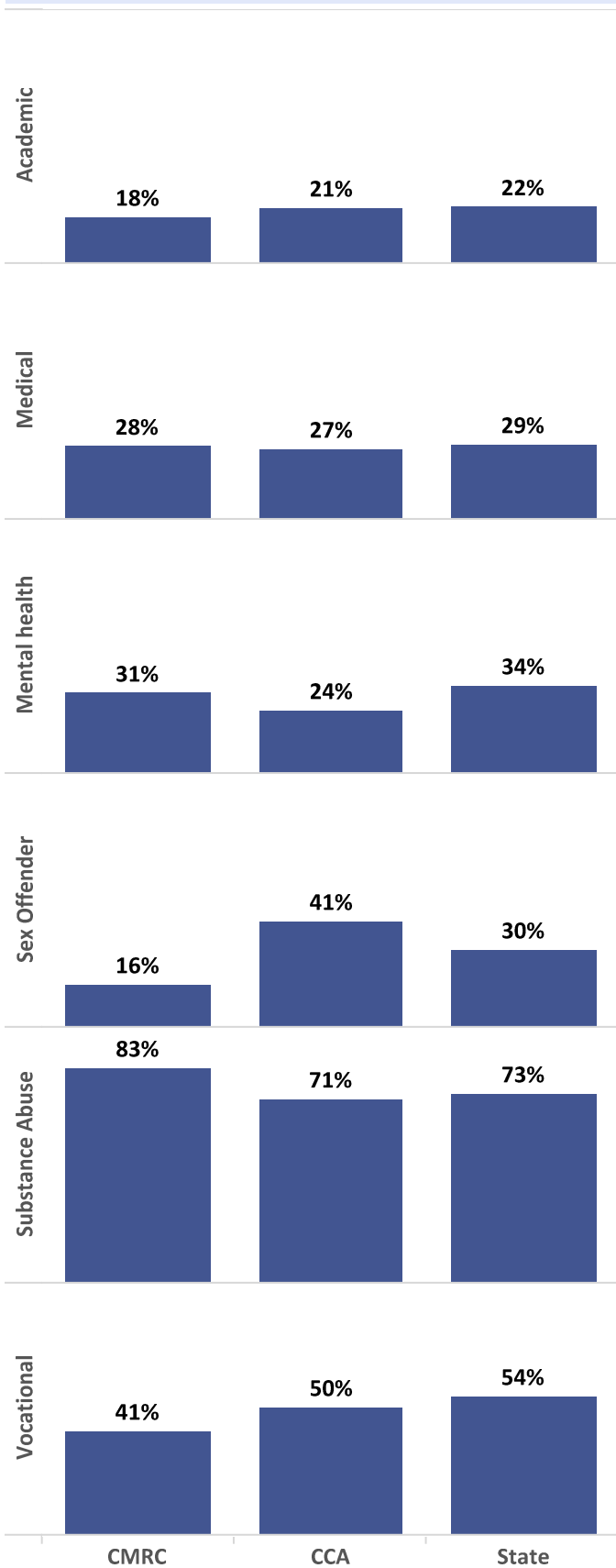


Figure 9. LSI-R average total score

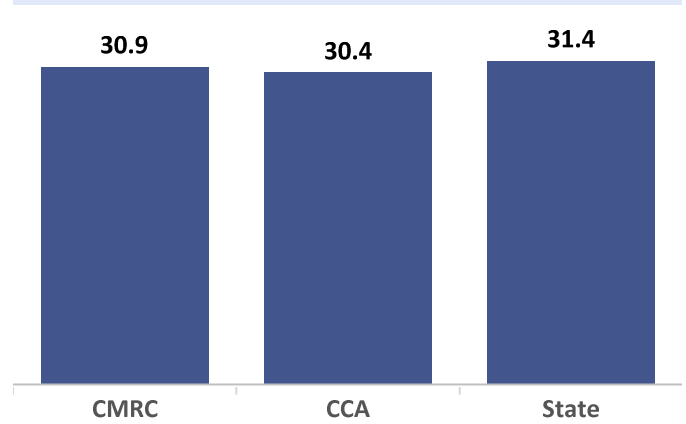


Figure note. Only minor variations exist on Level of Supervision Inventory - Revised risk scores.

Figure 10. Disciplinary violations

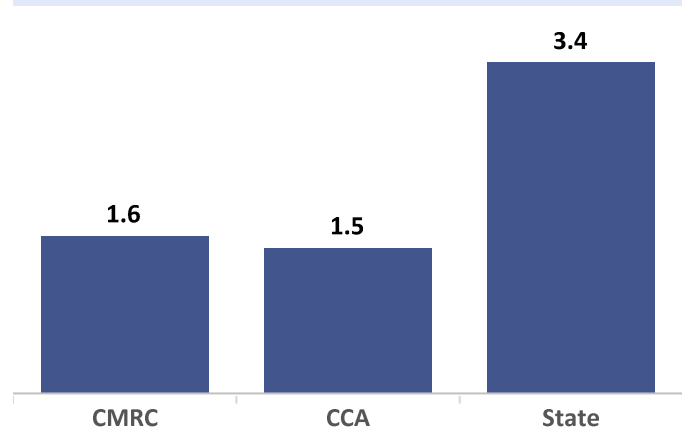


Figure note. Inmates in state facilities have more disciplinary infractions over their incarceration.

Taken together, the data indicate that inmates in state prisons tend to have higher or more specialized custody and treatment needs than inmates in private prisons. Close custody inmates and inmates with administrative segregation, protective custody (PC), and residential treatment program (RTP) status are exclusively housed in state prisons (except for those awaiting transfer out of a private prison). There was little difference in LSI-R recidivism risk measured by the LSI-R, but inmates in state prisons are more prone to gang alliances and disciplinary violations. Needs levels are broad categories of treatment needs rated on a 1 – 5 scale; for this report, only moderate to high needs (levels 3, 4, and 5) are shown. The data indicate that CCA facilities house the highest rate of sex offenders (most are ineligible for

treatment due to not meeting time criteria or refusing to participate). Inmates in CMRC have the lowest academic and vocational needs while inmates in state prisons have the highest. Conversely, inmates in CMRC have the highest rate of substance abusers. Finally, medical and mental health needs are highest at state facilities and lowest at CCA facilities. The medical needs levels do not adequately portray those with very serious medical needs who are housed at state facilities and are very resource intensive because their number is small compared to the overall population. Major mental illness was also examined and the pattern was similar to broad mental health needs portrayed in Figure 8.

Private Prison Program Services

Private contract prisons are mandated by statute to provide a range of dental, medical, and psychological services, as well as diet, education, and work programs. These programs must be at least equal to those services and programs provided by comparable state correctional facilities. The following describes program services that are available this year at the CCA private facilities, which are featured due to the nature of the facility being comparable to state facilities.

Participation in treatment programs is tracked monthly on the DOC Dashboard Measures (see www.doc.state.co.us/dashboard-measures). Since the

implementation of achievement earned time per House Bill 12-1223 in August 2012 – legislation which forced standardized coding of program discharges – successful program completions or achievements have also been tracked on the DOC Dashboard Measures. However, the dashboard measures summarize participation for all prison inmates, so this report analyzes that data by the three location categories (CMRC, CCA facilities and state facilities) to better understand how services in private prisons compare to those in state prisons. It should be noted that this review is not an evaluation of the quality of treatment programs.

Figures 11 through 13 on the following page show the percent of inmates who were enrolled in programs at the end of each month in FY 2013. Each graph is scaled the same so comparisons can be made between the three groupings. Inmates can be enrolled in more than one type of program at a time, but are not duplicated within a category if enrolled in multiple classes within a single discipline. State prisons offer the greatest variety and quantity of rehabilitation program. Neither CCA nor CMRC provide sex offender treatment or pre-release services. Also, CMRC does not provide vocational programs and only began offering substance abuse services in April. However, CMRC delivers the highest volume of mental health programs, even after the dramatic decline in the latter part of the fiscal year.

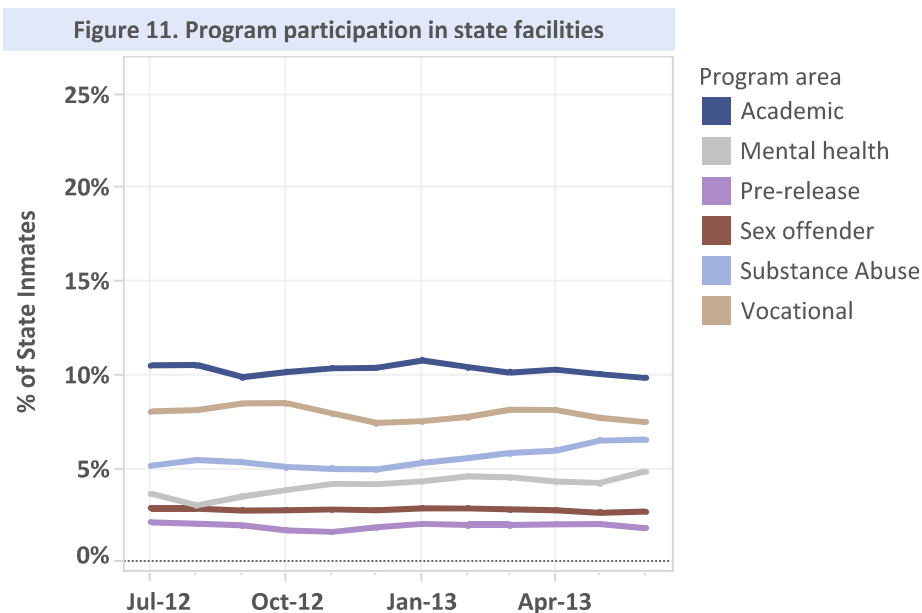


Figure 12. Program participation in CCA facilities

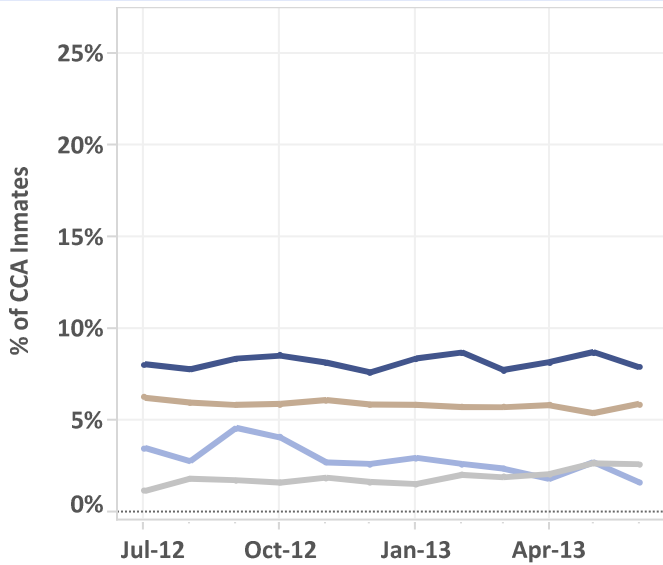
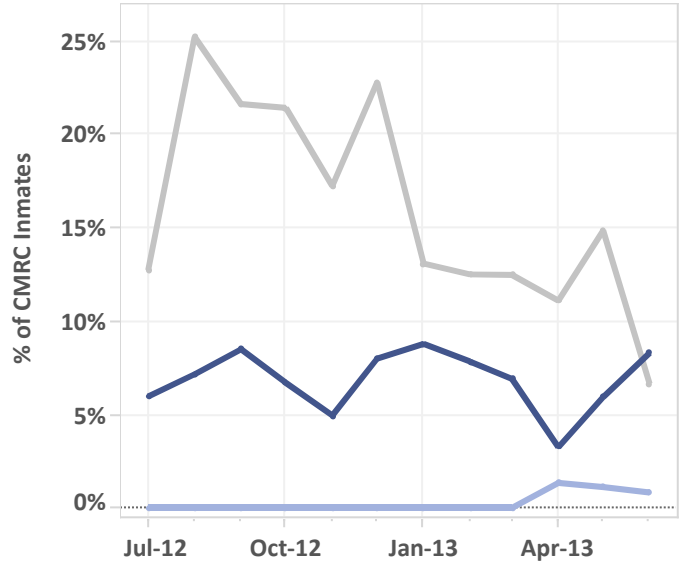


Figure 13. Program participation at CMRC



Reporting successful completions in a consistent way across all program areas became possible in late August 2012 with the implementation of achievement earned time. Table 2 shows successful completions and achievements in each program area by the three locations from September 2012 through June 2013. Figure 14 compares the completion rates to the average daily population (ADP). These data show that the program completion rate in state prisons matched the proportion of the population incarcerated there (78%). CCA facilities had a lower completion rate compared to their ADP (13% vs 19%) and CMRC had a higher completion rate compared to their ADP (9% vs. 3%).

Figure 14. Completions vs. ADP

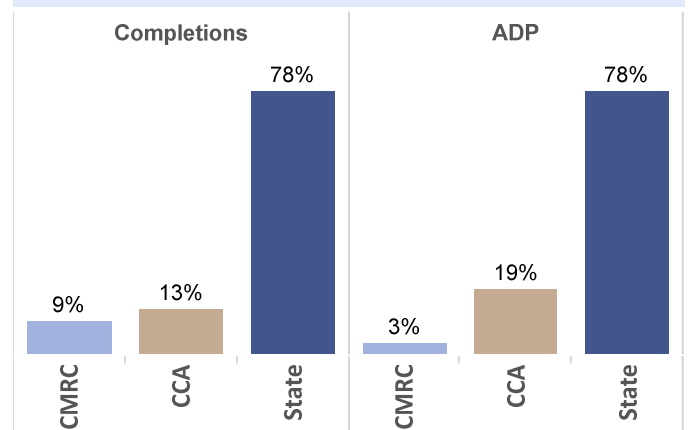


Table 2. Program Completions, Sept 2012 to Jun 2013

	CMRC	CCA	State
Academic	35	244	577
Mental Health	515	46	552
Pre-release			801
Sex Offender			101
Substance Abuse	0	242	797
Vocational		247	1,793
Grand Total	550	779	4,621

Community Labor/Relations/Unique Program

Bent County Correctional Facility

BCCF has a Community Relations Board comprised of members of various outside law enforcement agencies, vendors, school officials and city/county government employees. The Board meets twice a year. BCCF staff employed at the facility support the community through projects for Local School Boosters, Clubs and Athletic Groups; Southeast and East Central Recycling Association; Las Animas/Bent County Golf Course Advisory Board; Parent Teacher Association; 4-H Project Leaders; Bent County Deputy Officers (Reserve

Officers); Las Animas/Bent County Chamber of Commerce; Bent County Development Foundation; Bent County Health Care Center Board of Directors; and the Bent County Fair Board.

BCCF recently started up a commercial driver's license program where offenders can obtain practical training from computer simulators. After an offender successfully completes the program, and upon getting released from the CODC, they will then be able to be ready to take the practical driving test and a physical in order to obtain their license.

BCCF also has a reading program for offenders to read and record their reading for their child. A CD with the offender's voice and a book are then mailed to the offender's child. Offenders also contribute to the community by recording books and newspaper editions for the blind, learning disabled, and elderly.

Crowley County Correctional Facility

CCCF has a community relations committee that consists of facility managers as well as community representatives, including nearby residents, local officials/leaders, and the local media. The committee holds a quarterly community relations luncheon. Members of the community exchange ideas, address community questions and concerns, and discuss the facility's operation and activities.

CCCF completes a number of projects for Habitat for Humanity. The Habitat for Humanity project is a vocational program for the offenders at CCCF. The Vocational Instructor Training Program Truss Shop manufactures roof trusses.

In addition, CCCF staff is involved in other local organizations which include 16th Judicial Drug Task Force, Salvation Army, Rocky Mountain SER (Employment Service partnership), Ordway Chamber of Commerce, and the Colorado Department of Transportation, and the school systems of Rocky Ford, Crowley, Manzanola, and Fowler.

The Project Linus Program at CCCF is designed to allow offenders to crochet blankets, scarves, mittens, etc. to

donate to charities throughout the world. CCCF has a greenhouse where plants are grown and then donated to community gardens, schools, nursing homes, etc.

CCCF teams up with the Department of Labor for several apprentice programs. The programs are Cabinet Making, Cook/Bake, Laundry Machine Repair, Maintenance Repair, Construction Painter, Plumbing and Combination Welder. CCCF continues its partnership with Friends of Retired Greyhounds in an Adoption/Foster Care Program. This program allows offenders to foster greyhounds that have been taken from the racetracks and given a second chance to be adopted into a home setting.

Kit Carson Correctional Center

KCCC holds community relations meetings with 14 leaders of the city of Burlington and county of Kit Carson. These meetings are effective in communicating information between the facility and the city/county. KCCC staff is involved in the community. Areas of involvement include Boy Scouts and Girl Scouts of

America, Rotary Club, Chamber of Commerce, Preventive Justice Arts Council, Prairie Family Center, Library, Old Town and Kit Carson County Carrousel, Fort Morgan Community College classes, and many activities of the Burlington School system.

KCCC currently participates in a Colorado Correctional Industries Canine Companion Program. This prepares animals for final placement that will enable them to provide assistance to handicapped persons. KCCC also has the "Second Chance Dog Program." This program provides "second chance" training for pound dogs to be adopted by families in the surrounding area.

Effectiveness of Private Prisons

The analyses conducted in this section were carried out by the Department of Corrections' Office of Planning and Analysis. The analyses and interpretation of study findings were examined by Drs. Alex and Nicole Piquero, Professors of Criminology at the University of Texas at Dallas, who provided additional suggestions for statistical analyses as well as identification of

limitations and directions for future research.

The ideal research study would compare a sample of offenders who spent their entire incarceration in private prisons with a sample of offenders who spent their entire incarceration in state prisons, and the two samples would be highly similar in every respect except for the type of prison where they were incarcerated. This was not possible, because no offenders spent their entire incarceration in private prisons. All offenders at least go to the Denver Reception and Diagnostic Center, a state facility where intake assessments are conducted and offenders are classified into the appropriate custody level, and most offenders spent at least some time at one or more additional state facilities, even if they do eventually move to a private facility. A further complication is that the demographic and criminal characteristics of offenders in state and private prisons differ substantially, as described earlier.

Therefore, after discussing preliminary analyses with Drs. Alex and Nicole Piquero, the CDOC research team agreed that the best way to proceed was to analyze the data multiple ways, with multiple fiscal years of offender releases, in order to determine how consistent the results are across different samples and outcomes. Specifically, they recommended that samples of offenders incarcerated in private prisons for at least 75%, 85%, and 90% of their incarceration should be selected and compared to matched comparison groups of offenders incarcerated in state prisons for at least 75%, 85%, or 90% of their incarceration. *The 75%, 85%, and 90% cutoffs were a tradeoff between selecting the purest possible sample of offenders who spent most of their incarceration in private prisons and having a large enough sample size to draw meaningful conclusions.*

In addition, the CDOC research team agreed with the consultants' recommendations to use propensity score matching to create a matched comparison group in state prisons for each of the samples in private prisons, and to conduct survival analyses in addition to recidivism analyses. Propensity score matching is a

statistical technique used to create a matched comparison group when it is not feasible to randomly assign people to conditions (in this case, state and private prisons). For each offender incarcerated in private prisons, propensity score matching identifies the most similar offender on a variety of characteristics (needs levels, offense degree, Code of Penal Discipline violations, age, etc.) from a pool of offenders incarcerated in state prisons. Survival analysis is another way of looking at recidivism and focuses on the time until the experience of an event (e.g., recidivism).

Background

A range of issues surrounds the debate between private and public prisons, including the extent to which private prisons provide any significant cost savings (which a recently completed meta-analysis indicates they do not; Lundahl, Kunz, Brownell, Harris, & Van Vleet, 2009). In this report, effectiveness is measured using recidivism. Following is a review of the national literature on state and private prisons and a series of analyses examining recidivism in Colorado state and private prisons.

Unfortunately, little is known about the extent to which recidivism patterns vary among offenders sentenced to private prisons compared to offenders sentenced to public prisons. Moreover, several methodological issues underlie the analyses and conclusions that emerge from these investigations. For example, prisoners are not randomly assigned to private or public prisons; existing studies tend to disregard the type of offender (e.g., violent, drug) or type of facility (e.g., minimum, medium, maximum) in recidivism analyses; information regarding offenders' in-prison treatment typically is not collected, reported upon, or analyzed; and finally, most research conducted on the private and public prison issue has been focused on offender databases from the state of Florida.

In an early study, Lanza-Kaduce, Parker, and Thomas (1999) compared recidivism patterns among 198 male releases from two private facilities in Florida who were matched with releases from public prisons. Findings

showed that the private prison group had lower rates of recidivism and tended to commit less serious subsequent offenses than the public prison inmates. In a subsequent analysis, Lanza-Kaduce and Maggard (2001) reanalyzed the same inmate pairs from the earlier study but added 3 years of follow-up observation (to 48 months). They found again that inmates released from private prisons recidivated at a lower rate than the public prison inmates, but the differences were not statistically significant.

Farabee and Knight (2002) examined a matched sample of over 8,000 inmates released directly from public or private prisons in Florida who were released from January 1997 through December 2000. Defining recidivism as either a conviction for a new offense or incarceration for a new offense, their 3-year follow-up study found that, among adult males, there were no significant differences in rates of re-offense or re-imprisonment. Among adult females, however, those released from private facilities had significantly lower rates than adult females released from public facilities. Finally, among male and female youthful offenders (aged 18-24), no differences in recidivism rates emerged between inmates released from public or private prisons.

Bales, Bedard, Quinn, Ensley, and Holley (2005) undertook a much larger analysis of Florida inmates' public and private recidivism and employed the most rigorous methodological design to date. Using data from a large cohort of Florida prison inmates released from 1995 to 2001, the authors did not find any significant recidivism (i.e., reoffense and reimprisonment) rate differences between private and public prison inmates for adult males, adult females, or youthful offender males.

In an analysis of Oklahoma offenders, Spivak and Sharp (2008) explored the recidivism patterns of 23,114 offenders released from state and private prisons in Oklahoma between June 1997 and May 2001. Results showed a slightly higher rate of recidivism among private prison releases (32.8%) compared to state prison releases (29.8%). An important consideration

here is that inmates in the private prisons differed from those in state prisons on several characteristics: they were younger, had shorter sentences, served less time, and were more likely to be incarcerated for drug offenses.

In short, it is difficult to generalize the results of private prison studies conducted in one state to another state, due to differences in the way private prisons are operated between states. In addition, the extant knowledge base is too small and methodological weaknesses too great (with the exception of Bales et al., 2005) to reach any firm conclusion regarding the recidivism patterns of public and private facilities.

Fiscal Year 2009 Releases

A sample of FY 2009 releases from the DOC was used to examine the relationship between time in state and private prisons and recidivism, defined as return to prison. Offenders who were ineligible to be housed in private prisons due to their custody level, gender, needs levels (medical, mental health, and developmental disability), life without parole sentence, or disability were eliminated from the data. After eliminating these offenders, the sample was 5,420 offenders, and 2,247 (41%) of those offenders spent at least 1 day in a private prison during the incarceration from which they released in FY 2009. Then, the percent of time each offender spent in state prisons, CMRC, CCA, and both CMRC and CCA combined (labeled private prisons) was calculated. CMRC and CCA prisons were examined separately because CMRC is the only facility with a specific mission to provide pre-release services.

Table 3 shows the differences between offenders releasing in 2009 and the smaller samples of offenders who were eligible for private prisons and those who spent 75% of their incarceration in private prisons/CMRC/CCA. In general, the total population releasing in FY 2009 was higher risk than offenders who spent at least 75% of their incarceration in all private prisons or in CCA prisons, who in turn tended to be higher risk than offenders who spent at least 75% of their incarceration at CMRC.

Table 3. Descriptive statistics for FY 2009 releases

	All adult releases (N = 10,352)	Eligible for private prisons (n = 5,420)	75% of time in private prisons (n = 763)	75% of time at CMRC (n = 69)	75% of time at CCA (n = 600)
Race/Ethnicity					
Asian	0.8%	0.9%	1.3%	0.0%	1.7%
African American	19.0%	17.7%	19.0%	14.5%	17.2%
Native American	3.1%	2.6%	2.4%	2.9%	2.5%
Hispanic	31.9%	33.6%	32.2%	24.6%	35.5%
Caucasian	45.3%	45.2%	45.1%	58.0%	43.3%
Gang Affiliation					
Mental Health	23.1%	20.5%	20.1%	10.1%	20.0%
Medical Needs	25.5%	16.0%	15.5%	18.8%	14.2%
Sex Offender Needs	13.9%	12.1%	10.6%	10.1%	11.0%
Academic Needs	14.2%	14.4%	10.1%	0.0%	12.8%
Vocational Needs	30.4%	30.6%	32.2%	26.1%	34.7%
Anger Needs	59.4%	61.2%	58.5%	29.0%	61.5%
Substance Abuse	25.0%	23.1%	27.7%	13.2%	29.7%
Self-Destructiveness	84.3%	82.7%	85.3%	87.0%	84.7%
Developmental Disability	5.6%	4.3%	4.1%	5.8%	3.4%
High School/GED Diploma	5.3%	4.0%	4.3%	1.4%	4.7%
Ever in Ad Seg	73.1%	73.2%	73.4%	80.0%	71.2%
Offense Degree	6.4%	2.0%	0.0%	0.0%	0.0%
1	0.2%	0.1%	0.0%	0.0%	0.0%
2	1.1%	1.1%	0.1%	0.0%	0.2%
3	14.2%	15.0%	10.3%	2.9%	10.9%
4	40.3%	37.7%	37.8%	26.1%	37.5%
5	28.8%	28.2%	34.2%	31.9%	35.4%
6	15.4%	18.0%	17.6%	39.1%	16.0%
Release Type					
Discretionary Parole	37.5%	48.0%	51.6%	59.4%	50.8%
Mandatory Parole	30.7%	44.0%	42.2%	37.7%	42.2%
Sentence Discharge	14.0%	3.4%	2.5%	0%	3.2%
Re-Parole	14.8%	0.6%	1.2%	1.4%	.8%
Other	3.0%	3.9%	2.5%	1.4%	3.0%
Final Custody Level					
Minimum	38.8%	47.8%	36.3%	58.0%	48.3%
Minimum-R	31.5%	30.7%	37.1%	39.1%	30.7%
Medium	19.1%	21.5%	26.6%	2.9%	21.0%
Close	8.0%	0.0%	0.0%	0.0%	0.0%
Max Ad Seg	2.6%	0.0%	0.0%	0.0%	0.0%
Age at Release, Mean (SD)					
Age at Release, Mean (SD)	35.7 (10.0)	35.3 (10.2)	34.7 (9.4)	36.8 (10.0)	34.5 (9.4)
Age at Release, Min/Max					
Age at Release, Min/Max	18/97	18/79	19/62	20/56	19/62
Class 1 and 2 COPDs, Mean (SD)					
Class 1 and 2 COPDs, Mean (SD)	2.2 (4.2)	1.4 (2.3)	1.0 (1.8)	0.3 (0.3)	1.0 (1.8)
Class 1 and 2 COPDs, Min/Max					
Class 1 and 2 COPDs, Min/Max	0/80	0/40	0/32	0/2	0/32
LSI-R Total, Mean (SD)					
LSI-R Total, Mean (SD)	30.5 (7.2)	29.4 (7.3)	30.6 (6.7)	29.7 (6.4)	30.5 (6.9)
LSI-R Total, Min/Max					
LSI-R Total, Min/Max	4/53	2/51	9/48	9/43	9/48

For example, the average number of serious (class 1 or 2) disciplinary violations, the percentage of offenders with a felony class 1-3 offense, the percentage of offenders with a gang affiliation, and the percentage of offenders with a need for sex offender treatment were highest for all FY 2009 releases, lower for offenders who spent at least 75% of their incarceration in private prisons, and lowest for offenders who spent at least 75% of their incarceration at CMRC. The proportion of offenders releasing on discretionary parole was highest for offenders who spent at least 75% of their incarceration at CMRC, then offenders who spent at least 75% of their incarceration in all private prisons or CCA prisons, then all FY 2009 releases.

In addition, no offenders who spent at least 75% of their incarceration in private prisons (or CCA prisons or CMRC) have ever been in administrative segregation during their current incarceration. Offenders who spent at least 75% of their incarceration in private prisons, CCA prisons or CMRC had lower mental health needs than all FY 2009 releases, but offenders at CMRC had slightly higher mental health needs than offenders at private prisons.

Outcomes for state and private prisons. Offenders who spent at least 75%, 85%, and 90% of their incarceration in private prisons were compared to a matched comparison group of offenders in state prisons (n = 1,526, 968, and 756, respectively). Each of the three matched comparison group of state prisoners was created using propensity score matching to ensure that the groups were highly similar on the following variables:

- Needs levels (sex offender, mental health, medical, vocational, anger, substance abuse, developmental disability, self-destructiveness)
- Level of Supervision Inventory-Revised (LSI-R)
- Offense degree (felony class 1 – 6)
- Release type (e.g., discretionary parole, sentence discharge)
- Class 1 and 2 Code of Penal Discipline violations during incarceration
- Ever in administrative segregation this

incarceration

- Gang status
- Age
- Ethnicity
- High school diploma or GED

In several preliminary analyses, a logistic regression was used to examine the effects of the percent of time in private prisons on recidivism, controlling for variables that might vary between state and private prisons, including the percent of their incarceration that offenders spent in community corrections. Percent of time spent in community corrections was not a significant predictor of recidivism, therefore it is not included in the present analyses. In addition, the Colorado Actuarial Risk Assessment Scale (CARAS) used by the Parole Board for making release decisions was not included due to large amounts of missing data prior to FY 2012.

Throughout this report, an alpha level of .05 will be used as the standard for considering a result to be statistically significant. This means that the null hypothesis (that recidivism rates do not vary by prison type) will only be rejected if the observed data would have occurred by chance at most 5% of the time if the null hypothesis was true. Although this cutoff is arbitrary, it has been commonly used by researchers since Fisher published *Statistical Methods for Research Workers* in 1925 (Bross, 1971).

A chi-squared analysis showed no significant difference in overall recidivism within 1, 2, or 3 years for any of the three comparisons between the offenders who spent 75%, 85%, or 90% of their incarceration in private prisons and the matched comparison group of state prisoners. Likewise, there was no difference in returns to prison for technical violations, new crimes, or new violent crimes between offenders incarcerated in private prisons and the matched comparison group of state prisoners (only 10 offenders in the sample returned to prison for violent crimes).

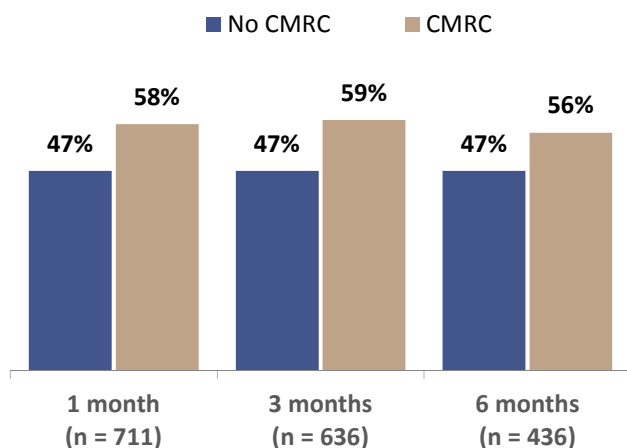
Similarly, there was no significant difference in how long offenders remained in the community before returning to prison for offenders who spent 75%,

85%, or 90% of their incarceration in private prisons and the matched comparison group of state prisoners.

Outcomes for CMRC and state prisons. Because CMRC is designed to provide pre-release services, few offenders spend 75% or more of their incarceration at CMRC. On average, offenders who are incarcerated at CMRC spend less than 6 months there. Therefore, cutoffs of 1, 3, and 6 months were used.

Figure 15 compares 3-year recidivism rates for offenders who went to CMRC for at least 1, 3, or 6 months with offenders who were eligible for placement at private prisons but did not go to CMRC, in order to examine whether there is a dosage effect for CMRC. Please note that Figure 15 does not control for any of the variables that may differ between offenders at CMRC and state prisons.

Figure 15. FY 2009 3-year recidivism comparison for CMRC versus no CMRC



In order to control for the same set of variables used for propensity score matching in the previous analysis, a logistic regression analysis was estimated. The results indicated that offenders who spent at least 30 days at CMRC had a higher recidivism rate than offenders who did not go to CMRC. This comparison was statistically significant 1, 2, and 3 years after release from prison. The odds ratio indicated that the odds of returning to prison within 3 years was 1.3 times higher for offenders who spent at least 30 days at CMRC than for offenders who did not go to CMRC. Similarly, pre-release offenders who spent at least 30 days at CMRC had a

higher recidivism rate 1, 2, and 3 years after release, but only the 2 and 3-year recidivism rates were statistically significant.

Additional logistic regressions were conducted to determine whether offenders who spent at least 30 days at CMRC were more likely to return to prison for technical violations, new crimes, or violent new crimes within 1, 2, or 3 years. There was no significant difference between offenders who went to CMRC and those who did not for technical violations, new crimes, or violent new crimes.

In order to determine whether there is a dosage effect for CMRC, additional logistic regressions were estimated comparing offenders who spent at least 3 or 6 months at CMRC with offenders who did not go to CMRC. Offenders who spent 3 months at CMRC were more likely to return to prison within one year, and the difference was statistically significant. Although offenders who spent 3 months at CMRC were slightly more likely to return to prison within two years or three years, the difference was not statistically significant. Pre-release offenders who spent at least 3 months at CMRC were more likely to return to prison within 1, 2, or 3 years, but only the 1-year recidivism was statistically significant. However, a logistic regression analysis showed no significant difference in recidivism rates between offenders who spent at least 6 months at CMRC and offenders who did not go to CMRC. This was true for both new court commitments and technical parole violators.

Cox regression analysis showed that the hazard of returning to prison within 1, 2, or 3 years is significantly greater for offenders who spent 30 days or more at CMRC compared to offenders who did not go to CMRC. For example, the hazard of returning to prison within 3 years is 1.4 times greater for offenders who spent at least 30 days at CMRC than for offenders who did not go to CMRC.

Outcomes for CCA prisons and state prisons. Offenders who spent at least 75%, 85%, or 90% of their incarceration in CCA prisons were compared to a matched comparison group of offenders who spent at

least 75%, 85%, or 90% of their incarceration in state prisons. Table 4 shows that recidivism rates are generally similar for the CCA offenders and the matched comparison groups of state offenders. One exception was the 2-year recidivism comparison for offenders who spent at least 90% of their incarceration in CCA and a matched comparison group. The offenders who spent at least 90% of their incarceration in CCA had slightly lower 2-year recidivism than offenders releasing from state prisons, but the difference was not statistically significant.

Table 4. FY 2009 comparison of offenders who spent 75%, 85% or 90% of their incarceration in CCA prisons with a matched comparison group of offenders in state prisons

% of Time	Recidivism Timeframe	State	CCA
75%	1 year	28.5%	30.5%
	2 years	40.0%	40.2%
	3 years	42.4%	42.6%
85%	1 year	28.3%	30.5%
	2 years	39.7%	39.8%
	3 years	42.0%	42.2%
90%	1 year	34.4%	30.5%
	2 years	46.8%	39.0%
	3 years	47.2%	41.8%

Fiscal Year 2010 Releases

Table 5 shows the descriptive statistics for offenders releasing in FY 2010. Similar to the FY 2009 releases, the total population releasing in FY 2010 tended to be higher risk than offenders who spent at least 75% of their incarceration in all private prisons or CCA prisons, who in turn were higher risk than offenders who spent at least 75% of their incarceration at CMRC.

For example, the percentage of offenders who went to administrative segregation during their current incarceration, and the percentage of offenders with vocational, self-destructiveness, or developmental disability needs were highest for all FY 2010 releases, lower for offenders who spent 75% of their incarceration in all private prisons or CCA prisons, and lowest for offenders who spent 75% of their incarceration at CMRC.

In addition, offenders who spent at least 75% of their incarceration in all private prisons or CCA prisons had lower mental health needs than all FY 2010 releases. Offenders who spent at least 75% of their incarceration at CMRC had lower sex offender needs than all FY 2010 releases; in contrast, offenders who spent at least 75% of their incarceration at CCA prisons had higher sex offender needs than all FY 2010 releases. Offenders who spent at least 75% of their incarceration in all private prisons, CCA prisons or CMRC had lower felony class offenses and lower final custody levels than all FY 2010 releases. However, re-paroles were more common at CMRC than for all FY 2010 releases.

Outcomes for state and private prisons. The same analyses were conducted with FY 2010 releases to determine whether the relationship between private prisons and recidivism would remain the same for a different release cohort. Just as in the previous analyses, offenders ineligible to be housed in private prisons were excluded from the sample. After excluding these offenders, the sample was 7,196 offenders, 3,433 of whom had spent at least 1 day in private prisons. For the three samples of offenders who spent at least 75%, 85%, and 90% of their incarceration in private prisons, the sample sizes were 3,568, 2,976, and 2,320, respectively. Each of the three matched comparison groups of state prisoners was created using propensity score matching, using the same matching variables as for the FY 2009 releases.

Table 5. FY 2010 releases descriptive statistics

	All adult releases (N = 10,454)	Eligible for private prisons (n = 7,196)	75% of time in private prisons (n = 1,784)	75% of time at CMRC (n = 739)	75% of time at CCA (n = 1,088)
Race/Ethnicity					
Asian	0.9%	1.0%	0.7%	0.9%	0.6%
African American	19.1%	19.5%	21.2%	18.8%	22.1%
Native American	3.0%	2.8%	4.0%	3.2%	4.8%
Hispanic	31.8%	32.1%	30.7%	29.1%	32.8%
Caucasian	45.2%	44.6%	43.4%	47.9%	39.7%
Gang Affiliation					
Mental Health	25.1%	23.9%	24.5%	25.0%	25.2%
Medical Needs	29.3%	22.2%	23.3%	27.3%	20.9%
Sex Offender Needs	13.8%	11.9%	9.6%	9.5%	10.1%
Academic Needs	15.4%	15.6%	18.6%	0.5%	32.4%
Vocational Needs	28.1%	27.3%	26.1%	21.5%	29.9%
Anger Needs	48.6%	45.3%	38.7%	27.6%	46.4%
Substance Abuse	24.2%	24.0%	27.0%	22.0%	30.5%
Self-Destructiveness	84.4%	85.0%	86.3%	90.1%	83.5%
Developmental Disability	5.3%	4.2%	3.2%	1.9%	3.9%
High School/GED Diploma	5.8%	5.0%	4.1%	2.8%	5.3%
Ever in Ad Seg	73.3%	74.1%	75.3%	79.0%	71.8%
Offense Degree	6.7%	2.7%	1.8%	0.7%	2.5%
1	0.1%	0.1%	0.0%	0.0%	0.0%
2	1.0%	0.9%	0.3%	0.4%	0.3%
3	14.1%	14.8%	11.9%	11.9%	11.7%
4	41.9%	41.6%	44.0%	45.7%	42.9%
5	28.3%	27.6%	29.8%	26.9%	30.2%
6	14.6%	15.1%	15.0%	15.0%	15.0%
Release Type					
Discretionary Parole	30.1%	31.6%	27.4%	24.6%	28.4%
Mandatory Parole	35.3%	36.3%	29.5%	15.3%	38.2%
Sentence Discharge	12.4%	11.5%	13.7%	13.0%	13.0%
Re-Parole	19.5%	18.7%	28.2%	47.0%	18.5%
Other	2.7%	1.9%	1.2%	0.1%	2.0%
Final Custody Level					
Minimum	36.6%	39.6%	26.9%	30.4%	24.1%
Minimum-R	34.8%	39.6%	46.2%	58.9%	39.5%
Medium	18.2%	20.7%	26.9%	10.7%	36.4%
Close	8.1%	0.0%	0.0%	0.0%	0.0%
Max Ad Seg	2.3%	0.0%	0.0%	0.0%	0.0%
Age at Release, Mean (SD)					
Age at Release, Mean (SD)	35.8 (10.1)	35.6 (10.0)	35.8 (9.7)	35.9 (9.5)	35.5 (9.9)
Age at Release, Min/Max					
Age at Release, Min/Max	18/85	18/74	19/69	19/69	19/68
Class 1 and 2 COPDs, Mean (SD)					
Class 1 and 2 COPDs, Mean (SD)	1.9 (3.5)	1.3 (2.3)	1.3 (2.2)	1.0 (1.8)	1.4 (2.3)
Class 1 and 2 COPDs, Min/Max					
Class 1 and 2 COPDs, Min/Max	0/78	0/41	0/18	0/17	0/18
LSI-R Total, Mean (SD)					
LSI-R Total, Mean (SD)	30.7 (7.1)	30.4 (7.0)	31.0 (6.5)	31.0 (6.2)	31.1 (6.7)
LSI-R Total, Min/Max					
LSI-R Total, Min/Max	3/50	3/50	7/47	9/45	10/47

Figure 16 shows that offenders who spent at least 75% of their incarceration in private prisons had higher 1- and 2- year recidivism rates than the comparison group of state prisoners, but only the difference in 2- year recidivism was statistically significant. Offenders who spent at least 75% of their incarceration in private prisons also were more likely to return to prison within 1 or 2 years for a technical violation and the difference was statistically significant, but there was no significant difference in returns to prison for new crimes or new violent crimes (only 30 offenders in the sample returned to prison for violent crimes within 2 years).

Figure 16. Comparison of recidivism rates for offenders who spent at least 75% of their incarceration in private prisons versus a matched comparison group of state prisoners

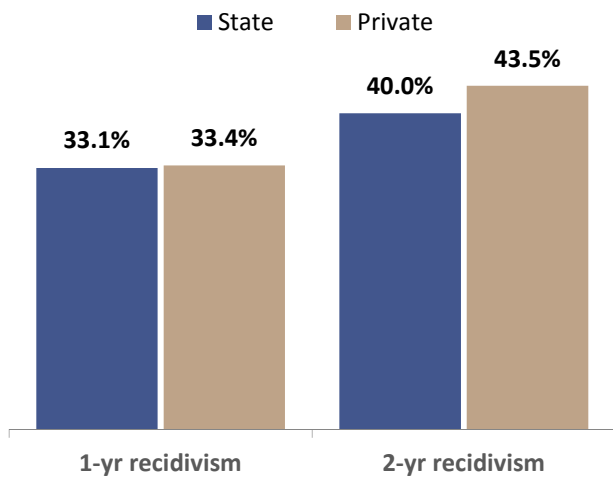


Figure 17 shows that offenders who spent at least 85% of their incarceration in private prisons had a higher recidivism rate than the matched comparison group, but the difference was not statistically significant for 1- or 2-year recidivism. In addition, offenders who spent at least 85% of their incarceration in private prisons were more likely to return to prison for a technical violation within 1 or 2 years, and the difference was statistically significant. However there was no difference in returns to prison for new crimes or new violent crimes.

Figure 17. Comparison of recidivism rates for offenders who spent at least 85% of their incarceration in private prisons vs. a matched comparison group of state prisoners

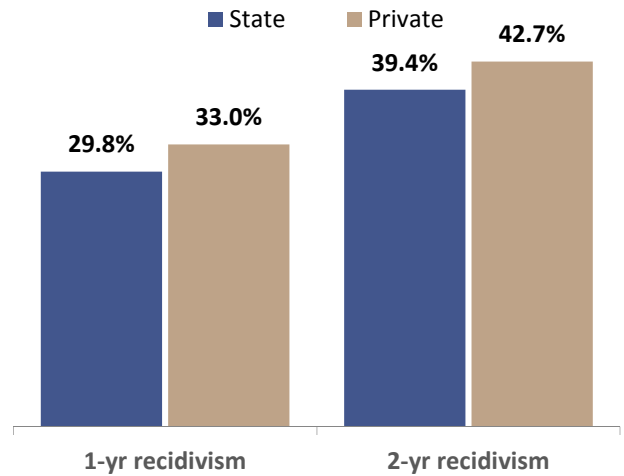
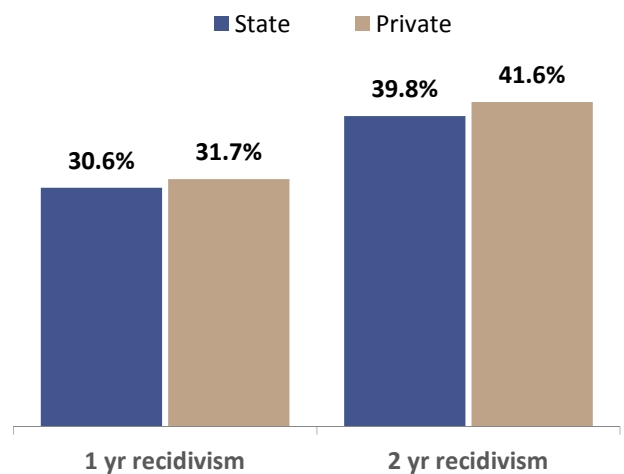


Figure 18 shows that offenders who spent at least 90% of their incarceration in private prisons had a slightly higher recidivism rate than the matched comparison group of state prisoners, but the difference was not statistically significant for either 1- or 2-year recidivism. There was no difference in returns to prison specifically for technical violations, new crimes, or new violent crimes.

Figure 18. Comparison of recidivism rates for offenders who spent at least 90% of their incarceration in private prisons vs. a matched comparison group of state prisoners



Survival analyses were conducted to determine whether offenders at state or private prisons remained in the community for a longer period of time before returning to prison. Figures 19 and 20 show that offenders who spent at least 75% of their incarceration in private prisons returned to prison sooner than a matched comparison group of state prisoners, but the difference was only statistically significant for 2 years after release (it was not statistically significant for one year after release). On average, 2 years after release from prison offenders who spent at least 75% of their incarceration in private prisons returned to prison 17 days sooner than the matched comparison group of state prisoners.

Similarly, offenders who spent at least 85% of their incarceration in private prisons returned to prison sooner than a matched comparison group of state prisoners, and the difference was statistically significant for both 1 year and 2 years after release. On average, 2 years after release from prison offenders who spent at least 85% of their incarceration in private prisons returned to prison 35 days sooner than the matched comparison group of state prisoners. Offenders who spent at least 90% of their incarceration in private prisons returned to prison a few days sooner than the matched comparison group of state prisoners, but the difference was not statistically significant.

Figure 19. Average number of days in the community 1 year after release for offenders in private prisons compared to a matched comparison group of state prisoners

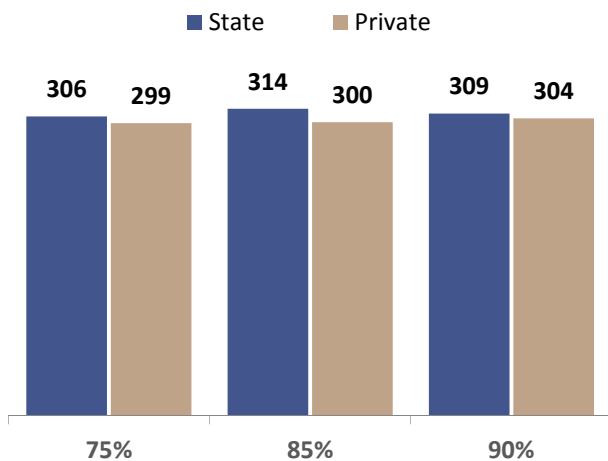
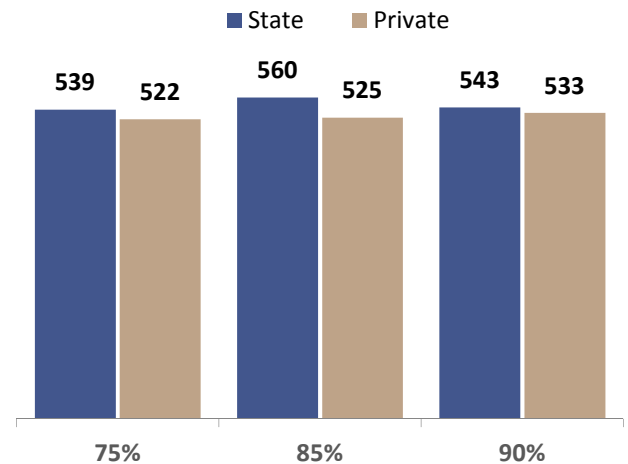
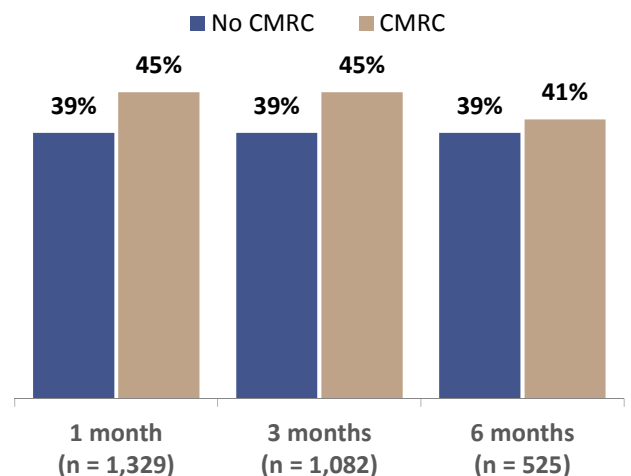


Figure 20. Average number of days in the community 2 years after release for offenders in private prisons compared to a matched comparison group of state prisoners



Outcomes for CMRC and state prisons. A comparison of 2-year recidivism rates for offenders who went to CMRC for at least 1, 3, or 6 months and offenders who did not go CMRC is shown in Figure 21. Offenders who went to CMRC had higher 2-year recidivism rates than offenders who did not go to CMRC. Although this analysis excluded offenders who were not eligible for placement in private prisons, it did not control for any of the characteristics that differ between offenders at CMRC and offenders who did not go to CMRC.

Figure 21. FY 2010 2-year recidivism comparison for CMRC versus no CMRC



In order to control for the same variables as the analysis of the FY 2009 release cohort, a logistic

regression was estimated. Results indicated that offenders who spent at least 30 days at CMRC had a significantly higher 1-year and 2-year recidivism rate than offenders who did not go to CMRC, after controlling for the same variables as the previous analysis. Offenders who were incarcerated at CMRC for at least 30 days were 1.2 times more likely to return to prison within 2 years than offenders who never went to CMRC during their current incarceration.

Another set of logistic regression analyses was conducted to determine whether the relationship between CMRC and recidivism holds for pre-release and parole violators. For pre-release, offenders who spent at least 30 days at CMRC were more likely to return to prison within 1 or 2 years, and the difference was statistically significant. However, for parole violators, there was no significant difference.

In order to determine if there is a dosage effect for CMRC, additional logistic regressions were estimated comparing offenders who spent at least 3 or 6 months at CMRC with offenders who did not go to CMRC. The results for the 3 month comparison were very similar to the 30 day comparison. Offenders who spent at least 3 months at CMRC were more likely to return to prison within 1 or 2 years. The same was true of pre-release offenders who went to CMRC. However, for the comparison between offenders who spent at least 6 months at CMRC and offenders who did not go to CMRC, there was no significant difference in recidivism for either new court commitments or parole violators.

Cox regression analysis showed that the hazard of returning to prison within 1 year or 2 years was significantly greater for offenders who spent at least 30 days at CMRC and offenders who did not go to CMRC.

Outcomes for CCA and state prisons. Offenders who spent up to 75%, 85%, or 90% of their incarceration at facilities operated by CCA were compared to a matched comparison group of offenders at state facilities. Table 6 shows that recidivism rates were similar for offenders releasing from state prisons and prisons operated by CCA.

Table 6. FY 2010 comparison of offenders who spent 75%, 85%, or 90% of their incarceration in CCA prisons with a matched comparison group of offenders in state prisons

% of Time	Recidivism Timeframe	State	CCA
75%	1 year	31.7%	32.1%
	2 years	37.3%	38.6%
85%	1 year	32.4%	31.3%
	2 years	39.3%	37.1%
90%	1 year	30.4%	28.8%
	2 years	37.4%	34.2%

Fiscal Year 2011 Releases

Table 7 shows the descriptive statistics for offenders releasing in FY 2011. Like the FY 2009 and 2010 releases, the total population releasing in FY 2011 tended to be higher risk than offenders who spent at least 75% of their incarceration in all private prisons or CCA prisons, who in turn were higher risk than offenders who spent at least 75% of their incarceration at CMRC. For example, the proportion of offenders who were gang members, associates, or suspects, had ever been placed in administrative segregation, had higher felony class offenses, and had more disciplinary violations was highest for all FY 2011 releases, lower for offenders who spent at least 75% of their incarceration in all private prisons or CCA prisons, and lowest for offenders who spent at least 75% of their incarceration in CMRC.

In addition, the percentage of offenders releasing on discretionary parole was highest for CMRC offenders, lower for private prison offenders, and lowest for all FY 2011 releases. All private prison, CCA and CMRC offenders had lower final custody levels than all FY 2011 releases. In contrast, CCA offenders had the highest sex offender needs, followed by all releases.

Table 7. FY 2011 releases descriptive statistics

	All adult releases (N = 9,603)	Eligible for private prisons (n = 6,236)	75% of time in private prisons (n = 1,068)	75% of time at CMRC (n = 171)	75% of time at CCA (n = 509)
Race/Ethnicity					
Asian	0.6%	0.7%	0.7%	0.0%	1.0%
African American	18.8%	18.7%	20.7%	18.1%	19.6%
Native American	2.9%	3.0%	2.9%	2.3%	2.8%
Hispanic	32.0%	32.4%	31.9%	25.1%	39.9%
Caucasian	45.6%	45.2%	43.8%	54.4%	36.7%
Gang Affiliation					
Mental Health	32.6%	24.9%	24.8%	34.5%	23.2%
Medical Needs	13.5%	12.0%	8.6%	6.4%	9.0%
Sex Offender Needs	16.8%	17.2%	18.3%	0.0%	36.6%
Academic Needs	26.7%	24.4%	27.7%	28.7%	32.2%
Vocational Needs	45.8%	39.9%	38.4%	26.3%	48.5%
Anger Needs	26.5%	25.1%	29.5%	24.4%	31.5%
Substance Abuse	83.1%	84.4%	86.4%	85.4%	82.7%
Self-Destructiveness	6.4%	4.7%	3.8%	4.2%	4.2%
Developmental Disability	5.8%	4.8%	4.9%	4.7%	5.3%
High School/GED Diploma	73.4%	75.9%	72.5%	72.0%	67.9%
Ever in Ad Seg	6.9%	2.7%	0.2%	0.0%	0.4%
Offense Degree					
1	0.2%	0.0%	0.0%	0.0%	0.0%
2	0.7%	0.6%	0.8%	0.0%	1.4%
3	13.5%	14.8%	9.4%	4.1%	9.4%
4	41.6%	41.7%	39.1%	23.4%	35.8%
5	29.1%	28.3%	34.8%	35.1%	38.5%
6	14.8%	14.5%	15.8%	37.4%	14.9%
Release Type					
Discretionary Parole	21.1%	22.9%	22.8%	26.9%	17.5%
Mandatory Parole	39.5%	43.1%	52.7%	62.6%	56.8%
Sentence Discharge	14.8%	13.1%	7.2%	2.9%	8.8%
Re-Parole	22.3%	19.5%	15.1%	7.6%	4.5%
Other	2.3%	1.3%	2.2%	0%	12.4%
Final Custody Level					
Minimum	35.0%	38.1%	31.2%	32.2%	18.3%
Minimum-R	36.2%	40.6%	41.0%	53.8%	44.4%
Medium	17.8%	21.4%	27.8%	14.0%	37.3%
Close	8.3%	0.0%	0.0%	0.0%	0.0%
Max Ad Seg	2.7%	0.0%	0.0%	0.0%	0.0%
Age at Release, Mean (SD)					
Age at Release, Mean (SD)	36.1 (10.2)	36.0 (10.1)	35.0 (9.9)	33.7 (9.9)	34.6 (10.1)
Age at Release, Min/Max					
Age at Release, Min/Max	18/80	18/75	19/66	19/60	19/66
Class 1 and 2 COPDs, Mean (SD)					
Class 1 and 2 COPDs, Mean (SD)	2.0 (3.9)	1.6 (2.7)	1.0 (1.4)	0.4 (0.7)	1.0 (1.3)
Class 1 and 2 COPDs, Min/Max					
Class 1 and 2 COPDs, Min/Max	0/109	0/39	0/11	0/4	0/11
LSI-R Total, Mean (SD)					
LSI-R Total, Mean (SD)	30.7 (7.6)	30.7 (7.2)	31.2 (7.0)	30.4 (6.4)	32.0 (7.0)
LSI-R Total, Min/Max					
LSI-R Total, Min/Max	0/50	2/50	6/46	8/46	6/45

Outcomes for state and private prisons. The same analyses were conducted with FY 2011 releases, again excluding offenders ineligible to be housed in private prisons. After excluding these offenders, the sample was 6,236 offenders, 3,289 of whom spent at least 1 day in a private prison. For the three samples of offenders who spent at least 75%, 85%, and 90% of their incarceration in private prisons, the sample sizes were 2,136, 1,626, and 1,242 respectively. Each of the three matched comparison groups of state prisoners was created using propensity score matching, using the same matching variables as for the FY 2009 and FY 2010 releases.

For offenders who spent at least 75% of their incarceration in private prisons and a matched comparison group of state prisoners, the private prison group was more likely to return to prison within 1 year, but the difference was not statistically significant. Of the private prison group, 29.1% returned to prison within 1 year, compared to 25.7% of the matched comparison group of state prisoners.

For offenders who spent at least 85% of their incarceration in private prisons and a matched comparison group of state prisoners, the private prison group was slightly more likely to return to prison within 1 year but the difference was not statistically significant; 28.8% of the private prison group returned to prison within 1 year, compared to 26.1% of the matched comparison group of state prisoners. The same pattern held for offenders who spent at least 90% of their incarceration in private prisons and a matched comparison group of state prisoners; 29.0% of the private prisons group returned to prison within 1 year, compared to 26.7% of the matched comparison group of state prisoners, but the difference was not statistically significant.

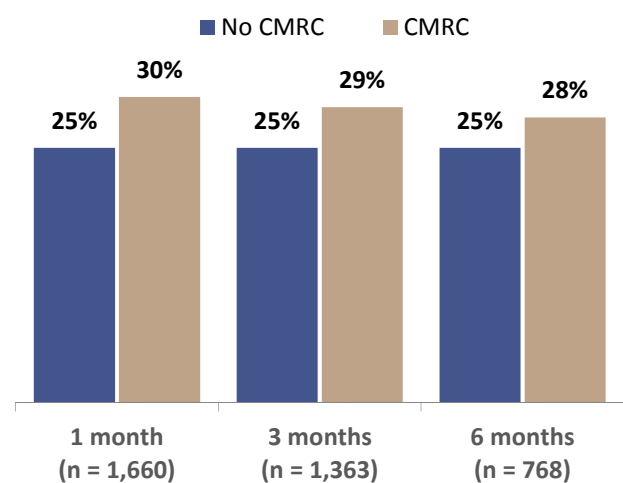
There was no difference in returns to prison for technical violations, new crimes, or new violent crimes within 1 year between offenders who spent 75%, 85% or 95% of their incarceration in private prisons and the matched comparison groups of state prisoners (only 13 offenders in the sample returned to prison within 1 year

for a new violent crime).

A Kaplan-Meier survival analysis was conducted for each of the three samples, and there was no significant difference in length of time until return to prison for the private prison group and the matched comparison group of state prisoners for any of the samples.

Outcomes for CMRC and state prisons. Figure 22 compares 1-year recidivism for offender who went to CMRC for 1, 3, or 6 months and offenders who did not go to CMRC. Offenders who went to CMRC had higher 1-year recidivism rates, but this analysis did not control for differences in offender characteristics between CMRC and other prisons.

Figure 22. FY 2011 1-year recidivism comparison for CMRC versus no CMRC



A logistic regression analysis showed no significant difference in 1-year recidivism between offenders who spent at least 30 days at CMRC and offenders who did not go to CMRC, or between offenders who spent at least 6 months at CMRC and offenders who did not go to CMRC, after controlling for the same variables as in the FY 2009 and FY 2010 analyses. This was true whether selecting parole violators, pre-release offenders, or both. Offenders who spent at least 3 months at CMRC were slightly more likely to return to prison within 1 year than those who did not go to CMRC, but the difference was not statistically significant. Pre-release offenders who went to CMRC for at least 3 months were slightly more likely to return to

prison, but the difference was not statistically significant.

Cox regression analysis showed that the hazard of returning to prison within 1 year was not significantly different for offenders who spent at least 30 days at CMRC and offenders who did not go to CMRC.

Outcomes for CCA and state prisons. Table 8 shows that 1-year recidivism outcomes were similar for offenders who spent at least 75%, 85%, or 90% of their incarceration in prisons operated by CCA and a matched comparison group of state prisoners.

Table 8. FY 2011 comparison of offenders who spent 75%, 85%, or 90% of their incarceration in CCA prisons with a matched comparison group of offenders in state prisons

% of Time	Recidivism Timeframe	State	CCA
75%	1 year	26.5%	30.0%
85%	1 year	24.8%	28.7%
90%	1 year	23.6%	28.2%

Conclusions

This study was designed to set up a rigorous test of whether recidivism rates are differed by prison type. Offenders not eligible to be placed in private prisons were excluded from the samples, and propensity score matching was used to create a matched comparison group of state prisoners based on offender characteristics that relate to recidivism. Creating a matched comparison group of state prisoners was necessary because the population of offenders at state and private prisons is quite different. In general, offenders at private prisons tend to be lower risk than offenders at state prisons.

Three different prison release cohorts were used (FY 2009, 2010, and 2011), and analyses were conducted using three different percentages of time spent in state or private prisons in order to examine a dosage effect. Selecting offenders who spent at least 75%, 85%, and 90% of their incarceration in private prisons and then creating a matched comparison group of state prisoners of offenders who spent at least 75%, 85%, and 90% of their incarceration in state prisons set up a stringent

test of whether prison type has an impact on recidivism, yet it also resulted in eliminating a large portion of the sample, greatly reducing the power of the analysis to detect differences in recidivism between state and private prisons, but power remained large enough to detect true differences.

Table 9 summarizes key results. The results indicate that for 1 out of 18 analyses, recidivism rates are higher for private compared to state prisons, and the difference was statistically significant. Likewise, for 3 out of 18 analyses, state prison offenders are successful in the community for longer periods of time before returning to prison compared to offenders at private prisons, and the difference was statistically significant.

Similarly, the recidivism rate for CMRC also appears to be higher than the recidivism rate for offenders who do not go to CMRC, and the difference is statistically significant for 5 of the 6 analyses of offenders who went to CMRC compared to state prisons for at least 1 month, and 3 of the 6 analyses of offenders who went to CMRC compared to state prisons for at least 3 months. However, none of the analyses of offenders who went to CMRC compared to state prisons for at least 6 months were statistically significant. Of the 18 different analyses conducted for CCA offenders, none were statistically significant.

Table 9. Key results of recidivism comparisons

Groups compared		FY 2009			FY 2010		FY 2011
Outcome follow-up period		1-year	2-year	3-year	1-year	2-year	1-year
Recidivism	State and private						
	75%	N.S.	N.S.	N.S.	N.S.	State	N.S.
	85%	N.S.	N.S.	N.S.	N.S.	N.S.	N.S.
	90%	N.S.	N.S.	N.S.	N.S.	N.S.	N.S.
Survival	State and private						
	75%	N.S.	N.S.	N.S.	N.S.	State	N.S.
	85%	N.S.	N.S.	N.S.	State	State	N.S.
	90%	N.S.	N.S.	N.S.	N.S.	N.S.	N.S.
Recidivism	State and all CMRC						
	1 month	State	State	State	State	State	N.S.
	3 months	State	N.S.	N.S.	State	State	N.S.
	6 months	N.S.	N.S.	N.S.	N.S.	N.S.	N.S.
Survival	State and all CMRC						
	1 month	State	State	State	State	State	N.S.
Recidivism	State and CMRC pre-release						
	1 month	N.S.	State	State	State	State	N.S.
	3 months	State	N.S.	N.S.	State	State	N.S.
	6 months	N.S.	N.S.	N.S.	N.S.	N.S.	N.S.
Recidivism	State and CCA						
	75%	N.S.	N.S.	N.S.	N.S.	N.S.	N.S.
	85%	N.S.	N.S.	N.S.	N.S.	N.S.	N.S.
	90%	N.S.	N.S.	N.S.	N.S.	N.S.	N.S.

Note. The first two columns show the type of analysis (recidivism or survival analysis) and what groups are being compared (e.g., state and private prisons). The next column, which is divided into three, shows results for offenders releasing in FY 2009, broken into 1, 2, and 3 year recidivism. The next two columns show results for offenders releasing in FY 2010 and FY 2011. An “N.S.” indicates no significant difference. “State” means that offenders in state prisons had significantly lower recidivism.

Limitations

A limitation of this study is that many offenders are housed at both state and private prisons over the course of their incarceration and move back and forth between the two. So it is difficult to determine whether length of stay at a particular prison or type of prison has an effect on recidivism. Sampling offenders who spent at least 75%, 85%, or 90% of their incarceration in state

or private prisons and using propensity score matching resulted in the cleanest samples possible in order to more accurately compare recidivism rates without being able to randomly assign offenders to state and private prisons for their entire incarcerations, which is not feasible for ethical and security reasons.

An alternative way to analyze the data would have been to compare offenders released from private and state

prisons. However, offenders often released from a different facility than the one where they spent the majority of their incarceration (and some offenders spend only a few days or weeks at their last facility). Therefore, percentage of time spent at state and private facilities seemed to be the better measure. In order to better understand the effects of prison type on recidivism, it would be necessary to track all aspects of the prison environment, including prison culture, services and treatment programs. This would be difficult if not impossible, considering that not all programs are currently tracked accurately in CDOC's electronic data system.

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