

# **PROMOTING PUBLIC SAFETY AND CONTROLLING RECIDIVISM USING EFFECTIVE INTERVENTIONS WITH OFFENDERS -AN EXAMINATION OF BEST PRACTICES-**

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## **I. INTRODUCTION**

Generally, for released offenders, it is not an easy task to successfully readjust to society after serving a prison sentence. Released prisoners often think they have repaid their debt to society by serving their prison sentence. Despite the sentence having been served however, society does not welcome released prisoners. Instead it distrusts them and maintains a distance from them. This situation, in which our society is not ready to accept released prisoners as new citizens even though the released want to be good citizens, Barnes and Teeters explain as “societal lag”.

According to a statistic, more than 50% of all offenders have a previous criminal record. This means that one of the most effective ways to prevent crime is to control offenders and prevent re-offending. As Barnes and Teeters said, we should accept that society as a whole is also responsible for the recidivism of offenders.

Generally, recidivism means a continuance of crime by the same person. However, the precise meaning of recidivism is different depending on the stage of criminal procedure. In Korea, at the police and prosecution stage recidivism means that the same person has been apprehended for crime twice or more; the courts consider recidivism has occurred when the same person has been convicted twice or more; and the correctional system considers recidivism to be the imprisonment of the same person twice or more in the five years since his or her release. In this paper, when I mention police I employ the police’s interpretation of recidivism, and when I mention correction I employ the correctional meaning of recidivism.

## **II. THE RECIDIVISM RATE IN KOREA**

According to statistics from the National Police Agency, the recidivism rate in 2005 in six categories, murder, robbery, arson, theft, rape, and violence is 58.3%. This means that about six out of ten people who committed those crimes are recidivist in the same or different crimes. The recidivism has rate continuously increased since 1990 and it reached almost 70% in 2003. It has decreased in 2004 and 2005, but it is too early to say the rate is continuously decreasing.

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**Table 1: The Recidivism Rate for Six Major Crimes (2001~2005)**

Year	Rate	Total	Murder	Robbery	Rape	Arson	Theft	Violence
2001	C	586,929	1,171	5,547	5,584	1,220	59,472	513,935
2001	R	380,970	819	3,790	3,865	876	32,453	339,267
<b>2001</b>	<b>%</b>	<b>64.9</b>	<b>69.9</b>	<b>68.3</b>	<b>69.2</b>	<b>71.8</b>	<b>54.6</b>	<b>66.0</b>
2002	C	513,367	1,051	5,453	5,136	1,135	63,644	436,915
2002	R	337,246	742	3,836	3,659	823	34,051	294,135
<b>2002</b>	<b>%</b>	<b>65.7</b>	<b>70.6</b>	<b>70.3</b>	<b>71.2</b>	<b>72.5</b>	<b>53.5</b>	<b>67.3</b>
2003	C	512,212	1,085	6,970	5,425	1,417	61,651	435,664
2003	R	337,540	764	4,873	3,664	1,048	32,980	294,211
<b>2003</b>	<b>%</b>	<b>69.9</b>	<b>70.4</b>	<b>69.9</b>	<b>67.5</b>	<b>74.0</b>	<b>53.5</b>	<b>67.5</b>
2004	C	536,644	1,200	6,466	6,418	1,546	68,398	452,553
2004	R	329,818	758	4,077	3,787	1,160	34,541	285,495
<b>2004</b>	<b>%</b>	<b>61.5</b>	<b>63.2</b>	<b>63.1</b>	<b>58.4</b>	<b>75.0</b>	<b>50.5</b>	<b>63.1</b>
2005	C	522,459	1,178	5,084	6,667	1,616	72,149	435,765
2005	R	304,522	739	3,313	3,733	1,137	36,010	259,590
<b>2005</b>	<b>%</b>	<b>58.3</b>	<b>62.7</b>	<b>65.2</b>	<b>56.0</b>	<b>70.4</b>	<b>49.9</b>	<b>59.6</b>

C = Caught  
R = Recidivist

### III. ISSUES IN KOREAN RECIDIVISM

#### A. Environmental Issues of Offenders

The first obstacle facing released offenders who want to start a new life is the stigma of being an ex-convict. The stigma exists everywhere in their community: friends, workplace, even in the home, and follows the released wherever they go and obstructs a new way of life. Furthermore, most released prisoners don't know how to follow the rapid changes in society following a long period in prison. This leads to frustration and often contributes to them giving up in their struggle for a new life.

In the two or three month period just after release, ex-prisoners can easily become vulnerable, socially and psychologically. Therefore, people refer to this period as the crime incubation period. If there is not enough support and care for released persons during this time it's very difficult to expect offenders to start a new life. Unfortunately it is not easy to meet those support and care needs at this moment.

A particular problem is that many released offenders don't have functional families and are exposed to the temptation of the criminal world. Even though people agree with the concept 'welcome them for a new life,' still they distrust and try to keep away from the released. Being unable to find a way to live as a member of the community creates negative results in the fight against recidivism.

#### B. Issues in the Correctional Stage

It is true that there is still doubt whether a real rehabilitation is possible or not, even though most countries have adopted policies which express the value of treatment and rehabilitation through education and training in prison. Martinson, (1974) said "nothing works" after he researched the effect of prison treatment programmes but Adams and Palmer (1976) said there are positive effects to treatment programmes for prisoners. So it is not an easy question to answer with certainty one way or another.

The Korea Correctional Bureau surveys the re-entry rate to prison every three years to see how prison treatment programmes work. According to the results of the survey from 1 January 1999 to 31 Dec 2001, there were 92,828 released prisoners and 23,096 of them returned to prison within three years of their release. This means that 24.9% of released prisoners (one in four) returned to prison within three years.

There are two main reasons for this return rate. Firstly, treatment programmes in prisons given to prisoners during the prison term didn't work as expected. Across the country there are 47 correctional institutions and there are many treatment programmes for offenders, varying a little depending on the institution. But those programmes don't work as expected because of overcrowding, lack of personnel and programme experts, and the accommodation policy for sentenced prisoners which designates prisons according to the offender's incarceration number.

Another important reason is that vocational training in prison is not related to life outside of prison. Almost all correctional institutions have vocational training programmes and the Correctional Bureau has a department controlling all prison industries and vocational training programmes but the work skills and certificates are usually too old to be of use after release. Most prison industry is based on simple labouring. Programmes given in prison are not modern enough to keep up with the changes occurring outside of prison so they are of little use when offenders are released.

### C. Issues of Aftercare

Even though offenders repent and prepare to be good citizens during their prison terms they still need a period of time to adjust to the community and this period is crucial for deciding whether they can successfully reintegrate or not. If they fail to adjust during this period there is little hope that they will avoid a criminal future.

It is true that once even one crime is committed many offenders can't get out of the vicious circle of crime. It means that efforts of the criminal justice system to prevent recidivism are not working at all. In particular, correctional treatment programmes in correctional institutions and aftercare programmes for released offenders are ineffective. To solve this dilemma many countries try to refocus on community corrections.

The rehabilitation centre system was developed on the basis of this philosophy. Rehabilitation centres help released prisoners by giving physical and psychological support for their reintegration to the community. In Korea, rehabilitation centres began as civil volunteer work and developed as governmental work. Now the National Rehabilitation Agency under the Ministry of Justice is in charge of the rehabilitation programme. The agency helps released offenders by supporting them with food and shelter, travelling expenses, vocational training and job placement.

Job placement is the most important area with which offenders need help; there are restricted types of jobs available for the released, mostly physical labour. Many offenders quit such jobs because they think it is too hard and the payment is too low. For employers who hire released offenders there is no advantage, instead only the risk of criminal activity by their new employee. This means that released prisoners are rarely employed.

Another issue in rehabilitation work is money. To help the offenders the Agency needs more money than is available in its budget. The budget for rehabilitation is a low government priority.

**Table 2: Budget of the National Rehabilitation Agency (in Millions of Won)**

Year	00	01	02	03	04
Total	6,216	6,808	6,858	6,346	6,836
Governmental subsidy	3,709	4,447	4,657	5,003	5,642
Self business	2,507	2,361	2,201	1,343	1,194

In Table 2, we can see that the budget of the National Rehabilitation Agency has increased since 2000, but the amount is still very low (in 2004 less than US\$700,000). To guarantee successful rehabilitation work sufficient funds are essential but the actual budget allotted is much too low. For example, in 2002, the budget given to the Agency allowed only 1.6% of all released offenders to get help. This shows that the government is unconcerned about the matter of rehabilitation for released offenders.

**Table 3: The Number of Offenders Helped by the Agency**

Year	Number of Crimes	Perpetrators Caught	Clearance Rate (%)	Number of Caught	Number of Helped	Ratio of Help
1999	1,732,522	1,651,896	95.3	2,081,797	42,522	2.00
2000	1,867,882	1,664,441	89.1	2,126,258	41,651	1.96
2001	1,985,980	1,763,346	88.8	2,234,283	35,882	1.6
2002	1,977,665	1,826,852	92.4	2,267,557	35,989	1.6

According to Table 3, the number of crimes has gradually increased but the number of offenders who were helped by the National Rehabilitation Agency has decreased. This decrease comes as a result of the lack of funding and lack of understanding of rehabilitation work.

#### **IV. CRIME PREVENTION EFFORTS IN KOREA**

##### **A. Police Stage**

The most significant crime prevention activity at the police stage is an observation system for persons liable commit to crime. The object of this observation system is to prevent recidivism by released offenders and to use the collected data for investigations. This system can be described as a kind of probation system; however, it is not legally regulated but is executed by an official order from the National Police Agency.

According to the National Police Agency, released offenders are categorized as a person liable to commit crime in two cases. The first case is when he or she is likely to commit crime after a conviction for robbery, rape, theft, violence, kidnapping, gambling, fraud, counterfeiting, smuggling, and drug related crime. The second case concerns organized gangsters, and when there is a high liability of recidivism according to the personal character of the offenders.

Police watch these people after they are released from prison. When the head of a police station is notified of the release of offenders from prison, he or she has to check the offender's address and decide whether or not to designate the offender as a person liable to commit crime within two months of release. If an offender is so designated the police check the person once a month or once every three months, depending on the likelihood of reoffending.

Once an offender been placed on the list the police create a personal file and research details such as family members, residence, job and neighbours to record therein. This observation system was originally the duty of investigative police staff in police stations but in practice, because of the lack of staff, officers in police boxes sometimes conduct this observation duty.

##### **B. Correctional Stage**

###### 1. Re-entry Rate Survey

To see how correctional treatment programmes work for prisoners, in 1997 the Korean Corrections Bureau began to survey the re-entry rate to prisons. When it started, the project was undertaken every three years, but since 2002 it has been completed annually. The re-entry rate refers to the ratio of released prisoners returning to prison within three years, for any reason.

###### 2. Survey Items

Data collected through the Corrections Bureau's statistics and survey items include the person's age, sex and previous convictions, as well as the number of times he or she has been imprisoned, the length of his or her prison term and the reason for release. The Corrections Bureau chose to register this because it is relatively easy to measure and to compare with other countries.

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**Table 4: Re-entry Ratio by Year**

Year Contents	'94~'96	'97~'98	'99~'01	2002
Surveyed Year	2002	2004	2005	2006
Re-entry Ratio	31.6%	24.7%	24.9%	24.3

According to Table 4, the re-entry rate is about 25%. Hopefully it will continue to show a decrease, however small. The rate of recidivism needs to be watched continuously for a long period of time.

**Table 5: Re-entry rate by Reason for Release**

Year	Contents	Total	Reasons for Release				
			Expiration	Parole	Expiration of Preventive Custody	Temporary Release from Preventive Custody	Pardon
2002	Number of Released	30,869	20,393	10,090	24	331	31
	Number of Re-entered	7,498	5,998	1,334	11	155	0
	<b>Ratio</b>	<b>24.3%</b>	<b>29.4%</b>	<b>13.2%</b>	<b>45.8%</b>	<b>46.8%</b>	<b>0.0%</b>
'99~'01	Number of Released	92,828	61,702	28,477	153	1,234	1,262
	Number of Re-entered	23,096	18,070	4,266	97	595	68
	<b>Ratio</b>	<b>24.9%</b>	<b>29.3%</b>	<b>15.0%</b>	<b>63.4%</b>	<b>48.2%</b>	<b>5.4%</b>
'97~'98	Number of Released	55,120	44,067	8,448	152	1,095	1,358
	Number of Re-entered	13,633	12,009	1,086	59	379	100
	<b>Ratio</b>	<b>24.7%</b>	<b>27.3%</b>	<b>12.9%</b>	<b>38.8%</b>	<b>34.6%</b>	<b>7.4%</b>

When considering the reason for release, the re-entry rate shows great variation. Offenders released from preventive custody and on temporary release from preventive custody show the highest re-entry rate. The reason for the high rate is because offenders imprisoned under the social security law have usually been incarcerated multiple times. Even though the law was abolished in 2005, offenders who were imprisoned under that law are still imprisoned. On the other hand, offenders released on parole and offenders who were pardoned show a very low re-entry rate. To be released on parole or be pardoned, a prisoner needs to have demonstrated good behaviour and to give an indication that he or she has been rehabilitated.

**Table 6: Re-entry rate by gender**

Year	Total Number of Released	Number of Released		Total Number of Re-entered	Number of Re-entered		Re-entry Rate	
		Male	Female		Male	Female	Male	Female
2002	30,869	28,893	1,976	7,498	7,258	240	25.1%	12.1%
'99~'01	92,828	86,377	6,451	23,096	22,409	687	25.9%	10.6%
'97~'98	55,120	51,464	3,656	13,633	13,305	328	25.9%	9.0%

The re-entry rate for male released offenders is twice as high as that of females. Another interesting thing to note is that the re-entry rate for male offenders has decreased while that of female offenders has increased. We can therefore assume that correctional treatment programmes for female offenders are a greater concern than those for male offenders, but unfortunately it is not borne out in practice.

**Table 7: Re-entry Rate by the Number of Times of Imprisonment**

Year	Contents	Total	Number of Terms of Imprisonment				
			1	2	3	4	5+
2002	Number of Released	30,869	14,847	7,835	3,526	1,839	2,822
	Number of Re-entered	7,498	1,676	2,155	1,358	815	1,494
	<b>Ratio</b>	<b>24.3%</b>	<b>11.3%</b>	<b>27.5%</b>	<b>38.5%</b>	<b>44.3%</b>	<b>52.9%</b>
'99~'01	Number of Released	92,828	48,325	22,293	9,228	4,890	8,092
	Number of Re-entered	23,096	6,229	6,715	3,569	2,312	4,271
	<b>Ratio</b>	<b>24.9%</b>	<b>12.9%</b>	<b>30.1%</b>	<b>38.7%</b>	<b>47.3%</b>	<b>52.8%</b>
'97~'98	Number of Released	55,120	27,390	12,211	5,660	3,592	6,267
	Number of Re-entered	13,633	3,755	3,553	2,168	1,446	2,711
	<b>Ratio</b>	<b>24.7%</b>	<b>13.7%</b>	<b>29.1%</b>	<b>38.3%</b>	<b>40.3%</b>	<b>43.3%</b>

Table 7 shows that as the number of times a person is imprisoned increases, the rate of re-entry also increases. It is much more difficult to rehabilitate an offender who has been imprisoned two or three times.

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**Table 8: Re-entry Rate by Age**

Year	Contents	Total	Age					
			under20	20~29	30~39	40~49	50~59	60 +
2002	Number of Released	30,869	378	9,369	9,724	8,083	2,493	822
	Number of Re-entered	7,498	138	2,560	2,627	1,690	392	91
	<b>Ratio</b>	<b>24.3%</b>	<b>36.5%</b>	<b>27.3%</b>	<b>27.0%</b>	<b>20.9%</b>	<b>15.7%</b>	<b>11.1%</b>
'99~'01	Number of Released	92,828	2,056	28,423	30,596	22,062	7,665	2,026
	Number of Re-entered	23,096	819	8,513	8,011	4,388	1,117	248
	<b>Ratio</b>	<b>24.9%</b>	<b>39.8%</b>	<b>30.0%</b>	<b>26.2%</b>	<b>19.9%</b>	<b>14.6%</b>	<b>12.2%</b>
'97~'98	Number of Released	55,120	1,424	18,384	18,629	11,378	4,147	1,158
	Number of Re-entered	13,633	520	5,468	4,700	2,205	621	119
	<b>Ratio</b>	<b>24.7%</b>	<b>36.5%</b>	<b>29.7%</b>	<b>25.2%</b>	<b>19.4%</b>	<b>15.0%</b>	<b>10.3%</b>

In Table 8 we can see that older offenders have a lower re-entry rate. This emphasizes the importance of rehabilitation programmes for young prisoners. In other words, if we can succeed in preventing young prisoners from recommitting crime, we can greatly reduce the rate of recidivism.

**Table 9: Re-entry Rate by Crime**

Year	Contents	Total	Murder	Robbery	Sexual Violence	Theft	Fraud	Drugs	Negligence
2002	Number of Released	30,869	716	1,810	1,641	5,555	7,663	3,280	2,763
	Number of Re-entered	7,498	65	532	395	2,365	1,078	1,348	294
	<b>Ratio</b>	<b>24.3%</b>	<b>9.1%</b>	<b>29.4%</b>	<b>24.1%</b>	<b>42.6%</b>	<b>14.1%</b>	<b>41.1%</b>	<b>10.6%</b>
'99~'01	Number of Released	92,828	2,488	5,851	4,543	17,511	23,397	9,083	8,869
	Number of Re-entered	23,096	240	1,782	1,125	7,257	2,881	4,265	972
	<b>Ratio</b>	<b>24.9%</b>	<b>9.6%</b>	<b>30.5%</b>	<b>24.8%</b>	<b>41.4%</b>	<b>12.3%</b>	<b>47.0%</b>	<b>11.0%</b>
'97~'98	Number of Released	55,120	1,296	3,214	2,377	10,164	5,326	2,842	4,386
	Number of Re-entered	13,633	99	834	518	4,126	476	1,397	615
	<b>Ratio</b>	<b>24.7%</b>	<b>7.6%</b>	<b>25.9%</b>	<b>21.8%</b>	<b>40.6%</b>	<b>8.9%</b>	<b>49.2%</b>	<b>14.0%</b>

According to Table 9, theft and drug crime shows the highest re-entry rate. The reason for this rate is that theft and drug crime usually has a nature of addiction to it.

**Table 10: Re-entry Rate by Prison Term**

Year	Contents	Total	Prison Term					
			6 months ~ 1 Year	5 Years ~7 Years	7 years ~ 10years	10 years ~15 years	15 years ~ 20 years	20 years
2002	Number of Released	30,869	10,614	849	514	246	53	27
	Number of Re-entered	7,498	1,875	191	172	68	8	3
	<b>Ratio</b>	<b>24.3%</b>	<b>17.7%</b>	<b>22.5%</b>	<b>33.5%</b>	<b>27.6%</b>	<b>15.1%</b>	<b>11.1%</b>
'99~'01	Number of Released	92,828	31,026	1,971	1,754	985	259	229
	Number of Re-entered	23,096	5,249	455	664	297	50	18
	<b>Ratio</b>	<b>24.9%</b>	<b>16.9%</b>	<b>23.1%</b>	<b>37.9%</b>	<b>30.2%</b>	<b>19.3%</b>	<b>7.9%</b>
'97~'98	Number of Released	55,120	22,202	4,399	558	345	56	2
	Number of Re-entered	13,633	5,287	1,021	94	43	4	0
	<b>Ratio</b>	<b>24.7%</b>	<b>23.8%</b>	<b>20.5%</b>	<b>16.8%</b>	<b>12.5%</b>	<b>7.1%</b>	<b>0.0%</b>

According to Table 10, offenders released after a prison term of between seven to ten years have the highest re-entry rate. As prison terms increase beyond ten years, the re-entry rate drops.

*(i) Analysis of the Re-entry Rate*

The re-entry rate is not an absolute authority on recidivism because it can change depending on many variables. According to the results of this research, special correctional programmes for preventive custody offenders and female offenders need to be developed.

The high rate of re-entry for offenders under 20 years old means that juveniles tend to fall into the criminal world more easily than adults and should be the focus of preventive and rehabilitative criminal policy.

The number of crimes committed and the re-entry rate correspond strongly. This shows that as an offender is imprisoned repeatedly, he adjusts well to prison society. To overcome this dilemma, adjustment programmes in prison, support for the released, and community understanding for the released are essential.

With this survey, the Corrections Bureau can check the effectiveness of correctional treatment programmes and formulate new policies and programmes accordingly.

**C. Probation Stage**

1. John School System

The John School programme is a kind of alternative treatment, instead of punishment, for those who pay for sexual acts. John School started in the U.S.A in 1995 and took its name from the most common name registered by those undergoing treatment.



Korea introduced this system in 2005 and is now expanding its application. In this programme participants listen to the stories of victims of the sex industry and learn how to develop a healthy sex life. According to statistics collected by the Probation Agency, 2,235 people finished this programme during the period of 1 August 2005 - 31 December 2005. They showed a 1.6% recidivism rate compared to 7.5% for other offenders under probation.

## 2. Curfew Supervising Voice Verification System

The Curfew Supervising Voice Verification System is an alternative treatment programme to imprisonment. Offenders who committed crimes such as paying for sex, housebreaking, robbery, theft, and juvenile sexual offences are eligible for this programme. If a judge imposes this CVS programme on an offender he or she is under curfew from 10pm to 6am. The program period varies from three months to one year depending on the nature of crime.

When judge impose CVS, a voice template is built into a computer and the computer calls the offender randomly. Each time the offender answers the phone he or she is asked to repeat a series of different words. The computer matches the spoken words to the template and provides a report to the probation officer who decides if the offender was compliant or not.

If the offender fails to answer a call he or she has to appear in the probation office and report the reason. If the offender fails to answer to the call three times the CVS programme is revoked and the offender is imprisoned.

The CVS programme is imposed by court order so there are no concerns about human rights' violations. According to statistics collected by the Probation Office, the recidivism rate of offenders under this programme is 2.7% compared to the rate of 7.4% for offenders under probation only. This programme is mainly imposed on juvenile offenders but courts are currently trying to utilize this programme for adult offenders too.

## **V. CONCLUSION**

People say that crime has existed from the beginning of human history and it will last as long as mankind. We all know that this is true and that there is no panacea for crime prevention. But as we saw earlier, more than 50% of offenders have previous convictions. This means that the majority of offenders are recidivists. More than half of crime is perpetrated by career criminals. This is why we have to focus on the prevention of recidivism. Maybe we can't find the best way but we can at least find a better way, if we study and adopt appropriate crime prevention policies and learn from each other.