Report of the Alternative Metrics of Recidivism Working Group Pursuant to 24-33.5-535, C.R.S.

July 2025

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Authorship Note

This report was prepared by the Division of Criminal Justice within the Colorado Department of Public Safety on behalf of the Alternative Metrics Working Group. The report and its recommendations reflect the discussions and positions of the working group only and not those of the Colorado Department of Public Safety.

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Introduction

Over the past two years, legislative members, criminal justice professionals, and other interested stakeholders have been discussing what factors optimize people's capacity for success during and following involvement in the state's criminal justice system. These conversations led to the development of an interim committee, legislative proposals, and ultimately changes to state statute to create working groups to propose metrics and measures to better evaluate outcomes for individual and criminal justice agency performance. The following report describes the current legislative mandate to identify alternative metrics for recidivism, summarizes the academic conversation around the limits of recidivism as a measure of criminal justice system performance and the need to apply a socioecological model to our understanding of the impact of criminal justice involvement, and presents the initial recommendations of the Alternative Metrics Working Group (AMWG).

Legislative Mandate

During the 2023 Colorado legislative session the General Assembly created the [Recidivism Interim Study Committee](#) through [Interim Committee Letter 2023-06](#). That interim committee met during the summer of 2023 to review agency and department definitions of recidivism, examine approaches taken in other states and academic studies to define recidivism, identify other ways to measure program success, and align agency and department reporting to more clearly measure effectiveness. After hearing testimony from state agencies, statewide task forces, national experts, and advocacy groups the 15-member committee proposed three pieces of legislation to the General Assembly for the 2024 legislative session. The bills sought to establish a common definition of recidivism for state justice entities ([SB24-030](#)), identify alternative metrics for measuring criminal and juvenile justice system outcomes ([SB24-029](#)), and study how individuals proceed through the criminal and juvenile justice systems in the state ([SB24-027](#)). Both SB24-030 and SB24-029 were passed and became law.

Following the passage of these bills, the first working group, the Recidivism Definition Working Group (RDWG) began meeting to establish a consistent and standardized definition of recidivism for state agencies. The RDWG was charged with developing a definition of recidivism to become effective July 1, 2025, that includes: 1) a clearly defined point to begin tracking; 2) a clear description of the cohort to track; 3) a clearly defined time period during which an event is considered recidivism. A recidivism event is defined in 24-33.5-536(4)(c), C.R.S., as "a new deferred agreement or an adjudication or conviction for a felony offense or misdemeanor offense, including all 'Victim Rights Act' crimes as defined in section 24-4.1-302(1)." The RDWG members met from May 2024 through September 2024. Meeting minutes, recordings and transcripts are available on the [RDWG webpage](#). A shared definition of the event, starting point to track, cohort, and length of time for tracking recidivism helps to ensure that when we say "recidivism" we are all talking about the same construct. This uniform standard increases the clarity, understanding, and accuracy of conversations around base rates of recidivism and implementing practices to reduce recidivism. Although the same definition will be used across all state criminal and juvenile justice agencies, these rates are not meant to be compared against each other.

As a result of this group's efforts, the definition of recidivism used in Colorado is *a new deferred agreement, adjudication, or conviction for a felony or misdemeanor offense that occurs at 6, 12, or 36*

months after an individual is no longer under the jurisdiction of the reporting agency. Consistently defining recidivism is an important step in assessing and evaluating the state's criminal justice system. However, as discussed below, while recidivism is a necessary outcome measure, it is not sufficient. The interim committee on recidivism acknowledged this through the creation of the Alternative Metrics Working Group in SB24-029. Pursuant to 24-33.5-535, C.R.S., the Colorado Department of Public Safety's Division of Criminal Justice convened a working group to make recommendations to the General Assembly regarding metrics other than recidivism to assess criminal justice outcomes and system performance. The mandate for this group included the following:

- Members shall be appointed no later than November 30, 2024, and convene their first meeting by February 1, 2025.
- Meetings shall allow for remote participation and the working group shall consult with stakeholders and provide opportunities for diverse participation in working group meetings.
- Submit a report by July 1, 2025 to the Colorado House of Representatives, Public and Behavioral Health and Human Services Committee, House Judiciary Committee, Senate Health and Human Services Committee, and to the Senate Judiciary Committee that summarizes the efforts of the working group and any recommendations about the development and implementation of methods and metrics, other than measuring recidivism, to evaluate the effectiveness of the criminal justice system.

Background

Recidivism is the most common measure used by criminal justice system agencies to assess outcomes because it can be clearly defined and measured using administrative data. However, recidivism as an outcome measure is limited, requiring lengthy waiting periods to evaluate (Caudill & Trulson, 2023). It also fails to identify intermediate measures and measures outside of the criminal justice system that capture successful progress by those under supervision and leave out specific performance measures for supervising agencies that have immediate impacts on the individuals they supervise. To better assess individual progress and criminal justice agency performance, additional metrics are needed to show intermediate and long-term outcomes and performance at the individual and agency level. This report provides an overview of the concepts of recidivism, desistance from crime, and alternative measures for assessing individual and agency performance and outcomes situated within the socioecological framework. It then summarizes the efforts of a legislatively created working group to identify specific metrics other than recidivism to understand post-conviction outcomes and effectiveness of Colorado's criminal justice system.

Recidivism

Recidivism has been the primary outcome measure for the criminal justice system both nationally and in Colorado. Generally, recidivism is discussed as persistent detected criminal behavior and is often used to gauge program efficacy (National Academies of Sciences, 2022). Recidivism has been an instrumental outcome measure in research seeking to understand criminal conduct (Andrews, Bonta & Hoge, 1990), developing criminological risk and needs assessments (Smith, Gendreau & Swartz, 2009), evaluating rehabilitation interventions based on risk, needs, and responsivity factors (Andrews & Bonta, 2006 as cited in Smith, Gendreau & Swartz, 2009), and clarifying the relationship between

punishment severity and deterrence (National Institute of Justice, 2016; Andrews & Bonta, 2010). While recidivism serves as a convenient outcome measure, its utility has limitations. How recidivism is defined, operationalized, and measured also matters. Operationally, recidivism is frequently defined using administrative data such as arrest, case filing, conviction, or return to prison over a specified follow-up period. There is no official definition of recidivism from federal sources and until recently, many of Colorado's state agencies used different definitions of recidivism. For example, the Colorado Department of Corrections tracked recidivism as reincarceration, Community Corrections used conviction for a new felony one-year post release, and the Division of Youth Services and Probation used a new deferred agreement, adjudication, or conviction for a felony or misdemeanor offense. Additionally, measures of recidivism only measure new criminal behavior that is detected, which is not always the case. For a review of the most recent recidivism data reflected by these unique definitions visit the Division of Criminal Justice [Recidivism Dashboard](#).

As of July 1, 2025, recidivism in Colorado is defined as a "new deferred agreement, adjudication, or conviction for a felony or misdemeanor offense" (24-33.5-536(4)(c), C.R.S.). Recidivism is tracked for three years beginning at the point when an individual is no longer under the jurisdiction of the reporting agency with agency reports identifying rates of recidivism at six months, 12 months, and 36 months (Colorado Division of Criminal Justice, 2024). This consistency in reporting will allow for a shared understanding of one outcome measure used to assess the state's criminal justice system. Agencies will still use additional outcome measures other than post-release recidivism including new offenses while under supervision, technical violations, and return to incarceration. While it serves as a concise measure of failure following the completion of formal criminal justice system intervention, any recidivism measure lacks the capacity to explain the underlying causes of that failure (National Academies of Sciences, 2022). Recidivism does not capture the complexities of an individual's reintegration process, including efforts to obtain stable employment and housing, establish necessary medical care (including for substance use or behavioral health needs), create positive community connections, improve personal well-being, and adopt positive coping strategies. Further it fails to capture systematic barriers that may inhibit an individual from achieving this success, such as lack of health insurance or the availability of affordable housing.

The emphasis on recidivism rates in the evaluation of correctional program success has been criticized not only for this limited scope but also its lengthy follow up period, reliance on administrative actions, and potential for misinterpretations of the causal relationship between individual efforts, system factors, and individual outcomes (National Academies of Sciences, 2022). Measuring recidivism requires formal intervention by the criminal justice system during a specific follow up period which creates a lag in measurement and reporting. The follow up period used to capture recidivism ranges from one to five years according to the Bureau of Justice Statistics (BJS), after individuals are released from incarceration (National Academies of Sciences, 2022). This requires waiting for the full length of the follow-up period before determining an individual to be successful. Case processing time in the criminal justice system also adds to the delay. This lengthy time frame, although necessary to ensure events are captured and legal rights upheld in the process, creates a lag in obtaining information on program effectiveness or the impact of a policy or program change. Additionally, the administrative data used to obtain recidivism measures does not include undetected criminal behavior and reflects only the official actions taken in response to the individual's behavior as it relates to the state's criminal code and

procedures (National Academies of Sciences, 2022). In addition to concerns related to timing and use of administrative records, relying solely on recidivism offers nothing to our understanding of supervising agencies' performance and effectiveness. Identifying intermediate outcomes such as a decrease in substance misuse, establishing or improving positive relationships (Burrowes, et al., 2013), being connected to peer support services and other support services, and making efforts towards self-efficacy that are associated with successful reintegration and reductions in offending (Bersani & Doherty, 2018; National Academies of Sciences, 2022) help to build our understanding of how people desist from crime, what service connections are most valuable, and how our criminal justice agencies support these efforts.

Socioecological Model and Determinants of Desistance and Persistence

Despite its limitations, recidivism is heavily relied upon as an indicator of progress, public safety, and program performance. However, additional measures are needed to assess progress and outcomes in the criminal justice system. The socioecological model, with its focus on how individuals are nested within relationships, communities, and societies (Bronfenbrenner, 1979; McLeroy, Bibeau, Steckler, & Glanz, 1988), offers a robust framework for understanding and addressing how individuals can either succeed or are prohibited from succeeding. Desistance theory has much to offer for measurement at the individual level focusing on personal characteristics and individual choices that influence behavior and signal change. Enhancing self-efficacy, participating in education and vocational training, and engaging in mental health and substance use treatment all points towards an individual desisting from criminal activity. Recognizing the unique needs and strengths of everyone is crucial for fostering positive change and supporting their journey towards desistance (Sugarman, Bachhuber, Wennerstrom, Bruno, & Springgate, 2020). However, individuals do not desist or persist in engaging in crime in the absence of interpersonal, institutional, community, or structural influences. For example, mental health and substance use treatment may not be available through an individual's insurance, those with criminal histories may experience stigma from providers or clinics, or treatment centers may not be available by public transit, which are all structural issues that inhibit an individual from engaging in necessary care. Therefore, the individual desistance framework must be nested within a larger context, best understood through a socioecological lens (See Figure 1). This framework will provide the foundation for the discussion of alternative metrics below and informed the discussions of the working group.
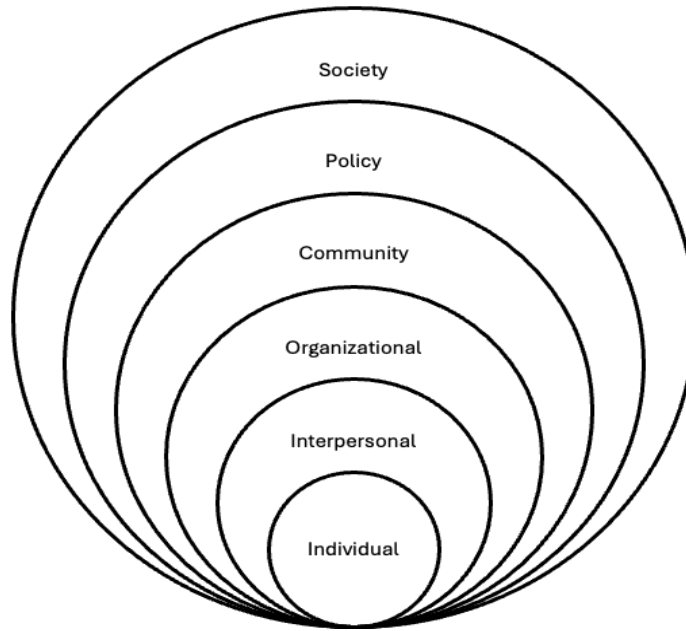
Figure 1: Socioecological Model

Individual Level-Desistance

First understood as a social process influenced by age (Gottfredson & Hirschi, 1990 as cited in Bushway, Piquero, Broidy, Cauffman, & Mazerolle, 2001), desistance highlighted the reality that over the lifespan, criminal behavior generally reflects a brief period and most individuals eventually stop committing crimes (Bersani & Doherty, 2018; Maruna, 2017). Desistance research indicates that engaging in criminal conduct, much like problem drug or alcohol use, is not often a switch that turns off in a single event but rather a more gradual process of change that may include events of "relapse." The desistance framework focuses on the process of change for the individual, including identifying internal and external drivers and markers of change (Fox, 2022; National Academies of Sciences, 2022). For example, reducing the severity of the new crime committed and a longer time interval between criminal acts are both markers of desistance (Maruna, 2012; National Academies of Sciences, 2022) also referred to as measures of risk reduction. These are important because interventions can target drivers, and the impact of these interventions can be measured by markers of desistance. Drivers of desistance include relationships with practitioners, community members, and peers that foster trust and recognize an individual's strengths (Fox, 2022) transforming an individual's identity and establishing social interdependence (Bersani & Doherty, 2018). These drivers lead to internal markers of desistance including self-awareness, a sense of agency, feelings of belonging, creating goals and finding meaningful opportunities to reach those goals, and developing a belief that people care about you and they will affirm, encourage, and support you, especially in the hard times (Bersani & Doherty, 2018; Fox, 2022). External drivers of desistance include engagement in life course events such as employment, education, and parenthood. The impact of these drivers is measured by external markers such as employment status, paying taxes and fees, housing, educational advancement, and separation from deviant peers and negative environments (Bersani & Doherty, 2018). Much of the desistance research focuses on

internal states and individual level mechanisms of change. As seen in Figure 1, these individual changes and markers are situated within a larger context of external influences frequently discussed in the desistance literature as external drivers. External drivers can also include measurable desistance barriers that pull individuals into criminal activity such as stigma (Maruna, 2012) and lack of local resources and opportunities to participate in pro-social life events (National Academies of Sciences, 2022).

Socioecological Determinants of Success

The desistance framework focuses primarily on the individual. Discussions of external drivers in the desistance framework overlap with socioecological models and the public health concept of social determinants of health, the concept that upstream factors fundamentally shape individual behavior and ultimately well-being. These frameworks recognize the role of interpersonal relationships, organizational and institutional factors, community context, and policy- and society-level influences on individual outcomes (Bronfenbrenner, 1979; McLeroy et al., 1988). Such frameworks emphasize the impact of healthcare access and quality, education access and quality, transportation, economic stability, multi-level discrimination, housing stability, and community context (Caruso, 2017; LeMasters, Krajewski, Dong, & Brinkley-Rubinstein, 2024; Sugarman et al., 2020). Individuals involved in the criminal justice system have experienced and continue to experience inequities in social determinants of health, creating barriers to stability, especially due to discrimination and stigma surrounding criminal records (Sugarman et al., 2020; LeMasters et al., 2024). Brief descriptions of each level and examples of the level in the criminal justice context are below.

Interpersonal: For individuals involved in the justice system, family involvement, peer support, and mentorship programs that strengthen social bonds and provide positive role models can create a supportive social network that can help individuals navigate the challenges of reentry and increase the likelihood of success (Woodall, de Viggiani, Dixey, & South, 2014). In particular, peer support professionals serve a critical role by leading with their shared lived experience in the criminal justice system in assisting individuals through the re-entry process.

Organizational: The organizational level focuses on the structures and systems within institutions that shape and influence behavior. In the context of the criminal justice system, it involves the policies, practices, and programs within agencies and organizations such as use of evidence-based practices (e.g. risk assessments, collaborative case planning, and structured responses to behaviors), revocation practices (e.g. if individuals are able to be reincarcerated for technical violations), and availability of adequate services to meet individual needs (Taxman, 2002; Taxman, Smith, & Rudes, 2020; Visher & Travis, 2003).

Community: At the community level, creating environments that promote stability and support is essential. This includes ensuring access to healthcare, education, housing, and employment opportunities, as well as public transportation options for individuals to access community resources. Collaborative efforts between criminal justice agencies and community organizations can create a more supportive and inclusive environment for individuals returning

from incarceration providing resources and services that address social determinants of health (LeMasters et al., 2024).

Policy: Local, state, and federal policies are influential in individual efforts to desist from crime. For example, state and federal Medicaid policy influences access to treatment services (Badaracco, Burns, & Dague, 2021; Burns, Cook, Brown, Tyska, & Westergaad, 2021). Local, state, and federal housing policies can restrict where individuals with certain types of criminal history can live, and similar employment policies can restrict what industries individuals with criminal records can be employed in (Blankenship, Rosenberg, Schlesinger, Groves, & Keene, 2023; Kirk, 2018). Agency policies can also impact when an individual has access to services. For example, if an individual must be within a certain number of months of release before registering to participate in a program with a waitlist, they may not have the chance to wait, enroll, and complete the program before release. All of these influence the ability of an individual to achieve success.

Societal: At the societal level addressing broader systemic factors such as policies, economic conditions, and societal attitudes that impact access to opportunities for success can help improve outcomes for individuals involved in the criminal justice system (Caruso, 2017). For individuals with criminal records this frequently includes stigmas that restrict their access to housing (Dum, 2016; Lattimore & Visher, 2021; Miller, 2021; Visher & LaVigne, 2021), employment (Pager, 2003), and health care (Paquette, et al., 2025). Further, society's lack of recognition of the distinct needs of formally incarcerated individuals inhibits their abilities to reintegrate. For example, assumptions that individuals have a state identification, can navigate current technology, or are able to immediately obtain employment do a disservice to reintegration.

Viewing involvement in criminal behavior through a socioecological lens that addresses individual, interpersonal, organizational, community, policy, and societal influences allows for a more nuanced examination of the mechanisms of change towards pro-social behaviors, crime cessation, and general success post-release from incarceration (Fox, 2022). Metrics consistent with the desistance framework and situated within the socioecological model provide insight into "how" and "why" individuals succeed following criminal justice system involvement. This multi-level framework thus addresses many of the limitations identified with relying solely on recidivism to assess system performance. The aforementioned measures capture more timely indicators of change, assess progress in life domains that are associated with success following criminal justice system involvement, and provide insight into how systems can support positive change (National Academies of Sciences, 2022). Successful outcomes among those involved in the criminal justice system are not just about crime control, but also about individual change through systemic change (National Academies of Sciences, 2022). Identifying measures that capture the process of behavior change and the community through which policy influences the ability for individuals to enact such change is crucial. Doing so allows us to develop a more complete understanding of the successes and failures of our state's criminal justice system. Ultimately, the goal is not to reject the use of recidivism as a system and behavioral measure,

but to expand the tools used to measure criminal justice system performance and implement evidence-based interventions aimed at improving individuals' success.

Alternative Metrics Working Group Activities

Summary of the AMWG's Activities

In accordance with the authorizing statute, the AMWG members (see Appendix A for list of appointees and staff) were appointed and commenced meeting in November 2024. The group met 14 times, on the second and fourth Thursdays of each month. They began with generating a list of concepts and measures associated with individual and criminal justice system processes and outcomes. This activity yielded a list of over 200 concepts and measures that were placed into categories such as those related to housing, education, employment, stability factors, juvenile-specific measures, system performance measures, and more. Identifying the level of influence of each metric within the context of the socioecological model was also discussed, but further efforts are needed to refine these metrics to ensure they accurately align with the model. To refine this list, each of the proposed items was rated on a scale of one through ten by working group members on its utility as an alternative measure of recidivism and the feasibility of capturing and reporting the measure.

Following this activity, subject matter experts from state agencies who are the custodians of most of these data as they relate to justice-involved populations were consulted. Experts from the Department of Corrections, Division of Youth Services, Judicial Department, and the Office of Community Corrections attended working group meetings and met with working group staff to provide insights into the feasibility and implementation timelines associated with various measures. Additional state agencies such as the Behavioral Health Administration, Department of Local Affairs, Department of Revenue, and Department of Education are implicated in this work, but were not members of the working group, and timing constraints limited the working group's ability to secure their participation in these feasibility discussions. Finally, a panel of individuals who had experience with the Colorado Department of Corrections met with the workgroup to provide their perspectives. This process of obtaining subject matter expert feedback on the proposed measures spanned the majority of the working group's meetings. Consulting with these experts assisted the working group members in further refining their list of measures, identifying possible methods for data collection, and illuminating gaps and barriers to data collection.

Measures and Constructs

The working group spent the first four meetings identifying measures, concepts, and categories of concepts that could be used to assess the effectiveness of the criminal justice system. Consistent with a consensus report produced by the National Academies of Sciences Committee, *The Limits of Recidivism: Measuring Success after Prison*, these measures include both individual and system level items focused on areas associated with successful reintegration, to help assess the influence of each on the effectiveness of the criminal justice system (National Academies of Science, 2022). Individual measures include items that are captured at the individual level, such as participation in available programming, active employment, housing stability, educational achievement, perceptions of physical

health, quality of relationships, civic engagement, and following conditions of supervision when in the community. These may be assessed using administrative data sources and, in many instances, may be best gleaned through surveys of individuals involved in the criminal justice system. However, many of these individual-level measures are impacted by systemic barriers. For example, there may be limitations to the type of work someone with a criminal record can or will be hired for, due to legal constraints or the stigma attached to their criminal record. These barriers may push individuals towards types of employment which are sometimes referred to as "felon friendly" and are not careers which pay well, provide benefits, or allow for significant advancement, inhibiting their success.

Consistent with the socioecological framework above, most metrics, even those collected at an individual level, are strongly influenced by organizational, community, or policy level factors. These include structural barriers such as wait times to receive programming, availability of programs in custodial settings or in the community, and structural supports such as resources (e.g. housing vouchers, financial assistance for treatment) and services (e.g. assistance with getting identification documents, referrals to reentry support organizations) that are available to assist individuals in meeting their goals. The group believes it is important to situate measures of performance at an individual level within layers of influence outside of the individual including criminal justice and other organizations, communities, policies, or society. When possible, it is necessary to report both individual and multi-level data, such as an individual's employment status and employment opportunities in their local area and policies that may prevent them from obtaining certain jobs. Additionally, some of the identified items represent complex concepts that would require multiple measurements to accurately assess. For example, risk reduction may be regarded as an individual measure that is assessed using risk assessment instruments, reductions in severity of offenses if the individual reoffends, and increasing length of time between offenses if they do occur. Measuring metrics at each of these levels involves a recognition of the need for input from those currently or formerly involved in the criminal justice system and from the staff who work within it, in addition to the subject matter expertise of professionals across organizations, communities, and policy spaces.

Methods for Collecting Data

Data collection methods will vary by measure and source of the data. State agencies and other organizations collect many administrative measures that can be used to assess individual progress that are unique to their programs. All agencies collect measures of program success such as program completion. Agencies also collect intermediate measures of participation and compliance such as attendance in treatment, substance use testing results, and completion of individualized supervision goals. Other measures proposed by the working group such as hope in the future, the working alliance between clients and supervision agents, or perceptions of the usefulness of programming would require surveying staff and criminal justice system participants.

Multiple methods for data collection and management are available for the measures identified by the working group. However, not all these measures are immediately feasible to collect or report. Subject matter experts from multiple state agencies, service providers, and academic researchers provided insights into the feasibility of collecting different measures. Feasibility assessments were discussed based on whether the measure was currently being collected, in what format, and the amount of effort that would be needed to extract data. For example, an item that is currently captured in

administrative data in a discrete format (e.g. type of termination from supervision) is highly feasible (scored a 10). Experts also identified the timing of feasibility. Timing of feasibility included discussions on how much time may be required to implement and report the measure. For example, assessing the working alliance between an individual and supervision agent may be highly feasible because it can be measured using an available and validated survey but would require substantial time to implement because a working alliance tool would need to be identified, staff would need to be trained on its use, then data collection conducted, and finally reported. Continued discussions are needed to further refine methods for data collection.

Gaps and Barriers to Data Collection

Discussions with the subject matter experts on the identified measures highlighted some gaps and barriers to moving forward. Notably, many of the state agency's data management systems need upgrades to include additional measures and to support more robust data collection and reporting. Many of the state systems were built to assist in case management practices including documenting activities in a narrative format that is not conducive to efficient data reporting. Because of this, extracting and processing data for reporting can be time and resource intensive. A second barrier to more nuanced reporting is the need for some measures (e.g. working alliance, stage of change, perceptions of program effectiveness) which require direct surveys of staff and participants. In most cases this will require the creation of survey items, a system for developing sampling strategies to improve representativeness and getting individuals to respond to the survey, a method for capturing and summarizing survey responses, and a process for reporting the results. While useful and feasible, this will require time and funding for state agencies and service organizations, and time and incentives for individuals participating in or recently released from criminal justice agencies to respond.

Collecting these individual data points is one step in the process of assessing individual and system outcomes. Connecting data points across systems is also necessary. Many individuals have data in multiple state, local, and private data systems. For example, an individual on parole who is employed, on Medicaid, and participating in a local reentry program will have relevant data in at least four different systems. The organizations capturing this information rarely share data with one another. Even when they are committed to sharing information, the systems they use to collect information may lack interoperability. One solution to interoperability issues is using a trusted data matching broker, such as the Linked Information Network of Colorado (LINC). LINC already includes multiple state agency partners directly related to the measures proposed by this group and has the capacity to connect multiple disparate data systems and provide secure deidentified data to users for analysis.

Demographic Considerations and Risk

When reporting these metrics every effort should be made to report data and outcomes by various demographic groups. The working group broadly discussed the need to have data reported in a disaggregated manner. The current challenge in many of Colorado's data systems is the way race, ethnicity, sex, and gender are captured. In some systems race and ethnicity are a combined measure based on the perceptions of system actors. In other systems these measures are self-reported and include separate categories for race and ethnicity. The same is true for sex and gender. Most state systems lack separate items for sex and self-identified gender, which are broadly considered to be

separate constructs. Being able to match data across systems could allow reporting to leverage the best available demographic data from varying state data systems.

The statute also required that metrics and methods identified by the working group to account for risk level. Risk assessments are used in all criminal justice agencies in Colorado. These assessments are empirically designed and normed to predict reoffending. However, the assessments used and the risk profiles generated are unique to the population on which they are conducted. For example, while both community corrections and probation use the 54-item actuarial assessment known as the Level of Service Inventory (LSI), the score ranges for classification into high, medium, or low risk are different in the community corrections and probation populations. Criminal justice agencies in Colorado currently report outcomes by risk level and could follow similar practices, where appropriate, to also report alternative metrics by risk level.

Implementation Timeline

As indicated in the authorizing statute, the working group discussed implementation timelines. Each subject matter expert was asked to provide a general sense of timing to implement measures within their authority. Implementation was discussed using the categories: currently reported, short-term, medium-term, long-term, or aspirational. Given the varying nature of data systems and data collection across the state, and the current budgetary constraints, it was difficult for the group to identify any more specific time frames. Measures that require modifications to current data collection practices, data management systems, or data reporting procedures will necessarily require the investment of staff time and financial resources. This is an area where additional investigation is required to fully identify an implementation timeline, and the resources needed to execute that timeline.

Recommendations

The AMWG took exceptional care in identifying a large set of potential alternative measures and assessing the utility and feasibility of those measures with subject matter experts. Based on these discussions and within the scope of the group's legislative mandate, the AMWG makes the following initial recommendations:

1. Colorado is better served by augmenting measures of recidivism and failure with outcome measures that focus on desistance, criminal justice system performance, and individuals' experiences under criminal justice supervision. This includes an integration of social determinants of success following criminal justice involvement such as the availability of and access to housing, employment, healthcare, and other stability factors.
2. To best support the intent of the statute, consider this a status report of the working group's findings and allow more time for the AMWG to consult with subject matter experts to further refine proposed metrics, identify an implementation process accounting for current system limitations, plans for data system improvements, possible legal barriers, and budgetary restrictions for items that are high utility and lower feasibility. A second status report can be completed by Jan 1, 2026, and a final report by the sunset date of June 30, 2026.

3. Identify research support for each metric proposed by the working group and assess the legal and practical considerations of the metrics. This activity will be used to inform specific final recommendations on metrics, measures, data collection, and implementation strategies following additional meetings.

4. Increase support for research and evaluation, including resources for data collection and analysis across criminal justice agencies. To make full use of any metrics proposed by this working group to fully assess the effectiveness of the Colorado criminal justice system, new data collection efforts will be required, and additional data reporting processes will need to be developed.

5. Continue to engage legislators in the discussion on measuring criminal justice system effectiveness through presentations to the Joint Budget Committee, House Behavioral Health and Human Services Committee, House Judiciary, Senate Health and Human Services Committee, and Senate Judiciary Committee.

6. Research the logistical and financial feasibility of using a data matching entity, such as LINC, to match data across entities to address one of the barriers to data collection.

While the group supports pursuing these recommendations, it also recognizes the state budget limitations in the coming years. Many of these recommendations are consistent with those made by the previous working group tasked with creating a shared definition of recidivism. Both groups identified antiquated data systems, lack of interoperability, and the need for collaboration between state subject matter experts as key gaps in the ability of Colorado to improve data collection and reporting related to its criminal justice system.

Next Steps

Although the Alternative Metrics Working Group expended substantial effort, more work is needed to fully achieve the intended goals of the group. Should the group continue its work as recommended above, outreach will be conducted to gain insights from additional stakeholders. First, state agencies beyond those directly involved with the criminal justice system should be consulted to assess the utility and feasibility of measures related to housing (Department of Local Affairs), employment (Department of Revenue, Department of Labor and Employment), education (Department of Education, Department of Higher Education), behavioral health (Behavioral Health Administration), medical care (Department of Health Care Policy and Financing, Colorado Hospital Association), public assistance (Department of Human Services), and other additional entities identified during the discovery process. Second, the group would like to seek a broader perspective from individuals with lived experience. The working group was able to gain the perspective of a group of individuals with lived experience who provided valuable insights. However, this group did not provide enough diversity of experiences in terms of offense type, sentence length, or reentry stressors to gain a full picture of what it means to succeed in reentry and desist from criminal activity. Third, specific research on how any identified metrics can be used to support system improvement is needed. Research in this final area may be outside the scope of this working group's charge but is critical to ensuring that the AMWG's efforts serve their purpose–assess and improve the effectiveness of the criminal justice system.

Conclusion

The Alternative Metrics Working Group was charged with identifying measures and metrics, other than recidivism, to evaluate the effectiveness of the state's criminal justice system. An appointed group of individuals from state agencies, academic institutions, and community organizations met twice a month from December through June to meet their charge. Throughout the course of 14 meetings the group generated a list of possible metrics, discussed the utility and feasibility of those metrics, consulted with subject matter experts to identify considerations towards implementing the metrics, and identified a set of recommendations. Most notably, the group recommends continuing its efforts until the sunset of the statute on June 30, 2026, to further refine the research, legal, and practical support for the list of metrics identified and to consult with additional subject matter experts, including more individuals with lived experience. Following additional meetings, a set of metrics will be proposed along with more specific details on how to collect and report on the metrics to ensure that they can be used to assess the performance of Colorado's criminal justice system.

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Appendix A: Working Group Membership

Pursuant to 24-33.5-536 (2) (a), C.R.S., the working group comprises the following eight members:

(I) A representative of the division of youth services within the department of human services, appointed by the executive director of the department of human services;
Kelli Burmeister, DYS/CDHS

(II) A representative of the department of corrections, appointed by the executive director of the department of corrections;
Dave Wolfsgruber, CDOC

(III) A representative of the judicial department, appointed by the state court administrator;
Aaron Stewart, Colorado State Judicial Branch

(IV) A representative of the department of public safety, appointed by the executive director of the department of public safety;
Jack K. Reed, DCJ/CDPS

(V) Two members from an institution of higher education with expertise in the criminal legal system who have conducted relevant research regarding the effectiveness of the criminal legal system, appointed by the executive director of the department of public safety;
Jonathan "Jon" Caudill, Ph.D., University of Colorado-Colorado Springs
Katherine LeMasters, Ph.D., University of Colorado-Anschutz

(VI) Two members who are each a representative of a community-based organization that works for criminal legal reform, appointed by the president of the senate.
Christie Donner, CO Criminal Justice Reform Coalition (ccjrc.org)
Whitney Leeds, Above Waters Project (abovewatersproject.org)

WORKING GROUP STAFF
Erin Crites, Ph.D., Division of Criminal Justice/CDPS
Yolanda Alvarez-Montello, Division of Criminal Justice/CDPS
Linda Harrison, Division of Criminal Justice/CDPS
Kaylynn Duncan, Division of Criminal Justice/CDPS