

SB24-030 Recidivism Definition Working Group

Meeting Minutes

May 6, 2024 | 10:00am-12:00pm

Location: Hybrid - 700 Kipling, 3rd Floor DCJ Conference Room / Zoom

- Welcome
 - Attendance: Kelli Burmeister (Division of Youth Services), Michael Campbell (University of Denver), Katie Ruske (Office of Community Corrections), Greg Saiz (Parole Board), Aaron Stewart (Judicial), Jeff Wise (Remerg), Dave Wolfsgruber (DOC-Parole)
 - DCJ Staff: Erin Crites, Linda Harrison, Jack Reed
 - Guests: Carol Peeples (Remerg), Beale Tejada (attorney)
- Introductions
 - Remerg: Denver based organization started in 2015; goal to assist reentry ; create support network to reduce recidivism
- Background and Goals
 - Review of SB24-030 purpose, requirements, and expectations
 - Event defined in statute: new deferred or guilty/adjudication misdemeanor, felony, VRA crime
 - Does include juvenile diversion reporting
 - Must start using by July 1, 2025
 - Clearly defined point to begin tracking, cohort to track, and period during which an event is considered recidivism.
 - Provide definition to state entities by January 31, 2025
 - Meet twice per month (hybrid format).
 - Engage in work outside of the meetings.
 - Complete work by end of September
- Decision-making process
 - Consensus model to make decisions
 - Create buffer between discussion and decision making
 - If need to send alternate to meetings, please make it consistent
 - Allow for e-mail voting
 - Michael—would like to involve folks more at the ground level: officers (probation/parole), Community Corrections, people who've been under supervision
 - Jeff—Currently under parole and previous incarcerated so may be able to speak this
 - Create parking lot for ideas for SB24-029
 - Dave—who will be tasked with reporting for different populations?
 - Katie—Definitions need to be delivered with limitations. Can still use current best practice definitions
 - Cautionary statement that will be included all the reports. Be very clear that the populations are very different.
 - Michael—create more efficient effective assessment for agencies. People will use data, weaponize how they desire
 - Beale introduces self
- Timeline for the Working Group
 - May 6: kick off and confirmation of understanding of statutory recidivism event definition.
 - Late May: Research and discuss on point to begin tracking.
 - Early June: Finalize decision on point to begin tracking.
 - Late June: Research and discuss cohort to be tracked.
 - Early July: Finalize decision on cohort to be tracked.
 - Late July: Research and discuss period for recidivism tracking.

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- Early August: Finalize decision on period for recidivism tracking.
- Late August: Discuss any additional methodological considerations, caveats, and limitations to include in working group reports and recidivism reports.
- Set Standing Meeting
 - Thursdays from 1-3pm (alternate 12-2pm until June for Michael?).
 - 1st and 3rd or 2nd and 4th weeks of the month for whatever day chosen
 - 1st and 3rd Thursday from 1-3pm.
- Point to begin tracking conversation:
 - Current:
 - DYS—set in statute from cohort of discharged youth—done with residential treatment and period of parole. Agreed to track pre-discharge recidivism. Pre-discharge not in statute but choosing to do so now.
 - Probation—pre-release definition is counted; post-release recidivism for any termination reason. Cohort of 1 year, track for 3 year. If termination for new crime will count as pre-release recidivism. If sent to DOC would still be included in cohort. No DOC tracking. No jail sentence tracking for time at risk.
 - ORS for Community Corrections—currently from successful discharge for new filing. If include people who go to prison would
 - Michael—create grid with all recidivism definitions, point at risk, time to track
 - DYS—Include everyone that discharges in a fiscal year (success, non-success, DOC).
 - Dave—Not counting tech violators is a lower bar. Currently track technical returns and return as new crime. Discussion of alternate metrics.
 - There are other populations or subsets that need to be tracked; additional information / types may need to be tracked
 - Erin—describe requirements SB24-29
 - May need to track multiple definitions depending on the business needs of the organization
 - Katie—are there other states who've done a similar goal? Office of Community Corrections: Conducts performance-based contracting to increase quality of services. Required a multi-year effort to set up; worked with national consultants.
 - Metrics—successful program completion and recidivism. Recidivism: From entry into the program up until 2 years. New felony conviction. Time period works well for PBC to measure how the program is working. Long-term goal of PBC is to save state money as an alternative to prison. Stopping new felony convictions saves DOC money
 - Cohort—2 are direct sentences and release from DOC. Condition of probation, condition of parole. Specialized programs: pull out IRT but not RDDT (they stay in facility so keeping in)
 - Michael—Michigan passed reform measure in 2018. There are others who've worked on this. Will pull up information from Michigan and share. Started on parole reform in 2004. Will bring information to the group.
 - Kelli—met with Holly Force from MI to see if they could be more similar definitionally. Talked with reform. MI county-based, so can be tough to compare.
 - Contract with parolee services but not supervision

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- Greg—talked with MI parole board members about the type of work they've done. Was part of working groups (Tim). VA's numbers always look good and may be doing some positive. Leaned into national academics, social determinants of health.
 - Tracks DOC definition of recidivism.
- Jeff—Many community organizations that work with justice-involved track recidivism but the definition (when at risk, cohort, definition, time tracked) can be arbitrary. Remerg doesn't track recidivism because they don't work with clients long enough. 70% of clients are on parole but do get a lot of probation clients.
 - Katie—how do you deal with people who participate in programs voluntarily? Challenge of reentry in community-based organizations because it can be difficult to differentiate between voluntary and involuntary.
 - Jeff will get information from other organizations to determine how they are tracking recidivism. (WAGEEZ, and other groups).
 - Michael—national coalition of reentry organizations may have established standard definitions. We should investigate what those standard definitions might be.
 - Carol—organizations will usually report during program participation, then compare to others who don't have that chance.
 - Dave—organizations who don't have to be held accountable to outside definition aren't holding themselves to same standard. NJ had self-serving people who'd compare to state and cherry-picked. No baseline required
- Linda—clarify DOC definition.
 - Dave—parole reports on all people recidivism. Track all people regardless of term of parole supervision. May be able to query around who is involved in state-funded community programs
- Jack : review SB24-29
- Public Comment--None
- Action items:
 - Jeff-connect with other orgs reentry organizations
 - Michael—gather information from Michigan and their process of reforms and recidivism definition discussions
 - Create spreadsheet for each agency to fill out
 - Dave—cohort to include those off of parole
- Parking lot; Extend to other outside organizations.

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MANDATES. Pursuant to 24-33.5-536, C.R.S. (Senate Bill 2024-030)

The working group shall:

- Be appointed no later than September 15, 2024.
- Develop a definition of recidivism no later than January 15, 2025.
- Provide a definition of recidivism to each state entity identified by DCJ and the working group pursuant to 24-33.5-536(1)(b) CRS no later than January 31, 2025.
- Conclude its meetings by January 31, 2025.

The working group is required to develop a recidivism definition consistent with statute that includes:

- A clearly defined measurement point to begin tracking the recidivism event defined in 24-33.5-536(2)(4)(c).
- A clear description of the cohort to be tracked.
- A clearly defined time period during which an event is considered a recidivism event that is consistent with best practices for measuring recidivism.
- The recidivism event is a new deferred agreement or adjudication or conviction for a felony or misdemeanor offense, including "Victim Rights Act" crimes.
- In order to promote the use of consistent definitions by various state entities, the working group may develop definitions or data points related to recidivism or the desistance from crime that state entities may use as applicable.