

TRANSCRIPT: Recidivism Definition Working Group Meeting

May 6, 2024

Attendance: Dave Wolfgruber (DOC-Parole), Greg Saiz (DOC-Parole board), Katie Ruske (CDPS-DCJ-OCC), Michael Campbell (University of Denver), Kellie Burmeister (CDHS-DYS), Jeff Wise (Remerg), Aaron Stewart (State Judicial)

DCJ Staff: Erin Crites, Linda Harrison, Jack Reed

Key Abbreviations:

42-CFR-Part 2—portion of federal law protecting information related to treatment for substance use disorders

CC-Community Corrections

CDOC-Colorado Department of Corrections (see also DOC)

CJI-Criminal Justice Information

ComCor-Community Corrections

DA-District Attorney

DOC-Department of Corrections

DYS-Division of Youth Services

HIPAA-Health Insurance Portability and Accountability Act

IRT-Intensive Residential Treatment

MOU-Memorandum of Understanding

[WAGEES](#)-Work and Gain Education & Employment Skills

Erin Crites - CDPS 0:15 *[Note: timestamps are approximate.]*

[Note: Due to technical difficulties, the recording and accompanying transcript start about 15 minutes after the scheduled beginning of the meeting. Erin describes the reason meetings are recorded.]

These meetings will be recorded. They are open to the public. We are required to follow open meeting laws. We will be getting agendas out in advance, posting the minutes, and having recording there as well. So, just for folks' awareness of that.

Erin Crites - CDPS 0:40

That also means that if you have people you would like to invite to provide comment at various points in our conversation. We'll try to leave a decent amount of time at the end of the meeting for public comment so that we can accommodate additional folks providing insight and information into our discussion if they would like to be here either physically, in person, or obviously on Zoom.

Erin Crites 1:12

So and then, Kelli, back to kind of your question. Yeah, juvenile diversion. Adult diversion is still a bit unclear, because those are run by DA offices that aren't under the state kind of mandate of this statute quite the same way. But yeah, yeah, try to keep that consistency from before when we did this work previously.

Jack Reed - CDPS 1:41

Yeah. And kind of similarly, you know, if if jails were to be able to kind of link into the same data systems, were envisioning using, you know, they could potentially also start using this definition, just return to their object.

Erin Crites 2:05

Any other questions. And then, so the state agencies will be required to start recording this definition in July of 2025. And we are required as a group to provide that definition by January 31, of 25. Because some of the agencies and entities will be shifting their definition, we'd like to give folks as much lead time as possible, which is why we're starting this work earlier than statutorily required, and hoping that we can complete it sooner, to give folks enough time to redesign their methodologies, they need to and then allow for the next group associated with this topic around

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alternative metrics, some time to to begin their work, because that one's also a very short and truncated work workload timeframe.

All right. So just some kind of general thoughts on how we're going to structure this work. The idea is that we will try to meet twice per month in this hybrid format. At the end of our meeting, we'll play the game of trying to find some day and time that works for everybody. Hopefully, and not requiring to doodles in 40 options to get us in one spot. That really didn't work for everybody. But thank you all for accommodating this time. So that will be the plan and then we will expect to do some work in between those meetings. And so that really, we can make good use of these two hours to hash stuff out to have detailed and specific conversations with the information that we're all going to bring back and then come to some collective decisions around how we want to proceed. Ideally, we will finish all of this by the end of September. So that's the goal and we think we can we've got a schedule that will allow us to do that. So that's the plan. Concerns about?

Joe, tell me it would be preferable to learn from the agenda. Get to jump right in later. So Well, the hope again for this group is that we will be able to operate from a consensus model. Rather than having to take formal votes. If possible, if we get to a point where something is stickier than we anticipate, and we need to do some formal voting, we can certainly do that. But the hope is, is that we can come to some decisions by less formal consensus model than the more formal voting path.

We will try and again, some of this, we'll see how this works for our group, to spend one meeting, kind of talking about the details of some of our decision items. And then at our next meeting, we can keep kind of our two week cadence is when we'll try and make decisions so that there's some space in between our discussions here and decision making for folks to process, to get more information to talk to other folks in their circles if they feel that's appropriate, and then come back to make decisions. So we'll try not to discuss and decide in the same meeting, even if we're ready, we'll still try and leave that buffer, so that there's space for your comments and conversations with others. If we do end up having some extra room in a meeting, we'll just jump into the next conversational topic, and come back to decision making, just so that there's always a little bit of a buffer for us between discussion and decision making. Any thoughts about that process?

I love the meeting folks up for Michael. If folks find that their schedules are problematic with our meeting cadence and need some regular fill in or if we're going to have a decision making conversation, and you're unavailable, you could find somebody to kind of fill in for you to do that that would be ideal, particularly for those decision making conversations. But if it becomes a more regular inability to attend, if we could find somebody consistently to fill in that would be great, just so that we have some continuity from meeting to meeting with folks understanding of where we're headed and the conversations that have happened. But again, all of the information will be posted.

Michael Campbell 7:54

So anything along those lines, just a heads up our quarter ends after the first week of June. And so I do have travel in the summer. So this timing is just a little bit not ideal. But as long as I like the model you propose, as long as there's a little time in there between discussion and decision. I should always, you know, I'm not sure I'll get reception and some of the places I'll be hopefully. If not, I'll find a way to contribute.

Erin Crites 8:23

Sounds good, thank you vacations goal is to be somewhere where there is no reception. Yes, and I will also be out for two and a half weeks this summer. So we'll be kind of coordinating some scheduling. While we while we sort this out with like summertime, as well. Thankfully, the legislative session ends Wednesday. So that opens up some time for some of us as well. So we're always battling, scheduling overlaps and things of that nature.

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Jack Reed - CDPS 8:58

Along those lines, and we'd like to talk just kind of briefly about the idea of email. You know, if we get to like we have a discussion and we get to the decision. Would you all like to allow for email voting emails will be discussed in this group so that we need open meetings. But I just want to get folks opinion on allowing for that. My personal inclination would be to allow for email voting, kind of given how this is going to work. But I just wanted to see, are there any lawyers in the room? This is recorded. I just want to get some kind of opinion on that.

Michael Campbell 9:48

I think it seems necessary. I think there will just be times where, you know if we exclude the vote of people who have done the work for six to eight weeks and they can't vote because they're away at a certain time. I don't see any other way to work. So I Jack, I think that's the exactly the way we should operate. I wouldn't say that someone should become a email member either, though, right? Like, I think there should be some parameters with attendance, but email seems legit to me.

Jack Reed - CDPS 10:19

Yeah, yeah. Okay, great.

Erin Crites 10:29

Okay, so kind of with that I was thought I'd run through kind of a quick proposed timeline. And this will get posted. But I wanted to put it out there. And we can have some discussion around this timeline and see if it needs to be adjusted. Before we kind of officially posted as our projected timeline. So this is our kickoff meeting, I will figure out our scheduling here in a minute was, the thought is that in late May-ish, we will work on researching and discussing the point at which we begin tracking recidivism. So start with that conversation. And we'll discuss that early June, if the thought would be then to kind of finalize the decision on the point to begin tracking. And then we'll move into our discussion around the cohort that we want to track. And then again, the next meeting after that, or two meetings after that, depending on the needs of the conversation, will can finalize a decision there. And then we'll move into talking about the period across which we will work, we will measure recidivism and track recidivism. Anticipate doing that in late July, maybe in early August, and then finalize that decision and leave kind of that late August time, early September. For discussion on any other methodological considerations, caveats, limitations, anything else we might want to include in this conversation, we do have kind of a broad opening in the statute for if we have time, and resources and energy to have additional conversations around other parts of this recidivism conversation, obviously not fully into the alternative metrics, because that's its own group, but these other methodological pieces that we might want to kind of identify and talk about, that we can also dig into some of those. And we'll leave kind of late August, early September for that, and then wrap up are reports and notification to the agencies in by the end of September.

Michael Campbell 13:09

here and along those lines, I've one question. One thing that I can foresee that kind of came up and some of the legislative stuff in the fall was it might be useful at some point to get a little input from some of the folks that are not at these upper levels of the people in the room here in terms of talking about these definitions, you know, maybe some, you know, some some frontline parole, probation officers, juvenile justice folks, some folks that maybe I've been, you know, on parole or probation just, I just sometimes were a little bit about, you know, being an academic, I should be worried about having a heads up in the clouds a little bit too much. And I do feel like there's if there's a way to maybe have an eyeball toward where and when we can incorporate in that perspective from maybe just running some things by where they could maybe save us from something that seems perfectly logical to us, but would make a parole officers life hell or probation officers life problematic or for somebody who's on parole or probation would just be, for example,

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completely unrealistic, or miss what we're trying to do, though, that would be the one thing I would think that versus a typical kind of older administrative processes that maybe we can incorporate, that's just my perspective, though.

Jeff Wise 14:29

I can speak to that a little bit. So I in addition to my role with Remerg, I'm formerly incarcerated myself, I currently am on parole. So hopefully I can bring a little of that lived experience to the table Michael.

Michael Campbell 14:44

Great, great. And some practitioners too. I know I'm not questioning our representatives here. I'm sure they know their folks well, but it doesn't hurt every now and then to just you know, get a little more voice from the ground.

Erin Crites 14:59

Yes, that's, that's great. I, my hope is that that will we'll have options in the in between spaces of our discussion or decision making to do just that. And then at the very end, having some space to say, Okay, here's what we're like, here's what we're proposing this ought to look like, and then have some more space to consult with the folks that do the recidivism studies. Aaron does Judicial's probation. I know Sally does DYS. And talked to the diversion, folks that do the juvenile diversion study and identify any pitfalls that decisions we make might have in the implementation of the decision? Yes. I've been on both sides of that word before. So I appreciate that, though.

Jack Reed - CDPS 15:58

I do think that one point at some point, too, we're probably going to need to do or you have SB 24-29, which is the alternate metrics, one, just so we know why like our lane is, who knows, I mean, really, it's almost like the overlap between these two groups is significant. You know, the other group really kind of calls for more people with experience, and frankly, allows, I think, for a little more latitude, about who's, you know, inviting people in allowing them to call straight to community members and culture people but experiences, because I think sometimes will, I would like to move in some of those directions now. But that's going to be an environment. So we'll probably repeat that as well. probably next next week or we could do it this week, if people want,

Erin Crites 16:58

We could pull it up at the end. And I think we could do that. My thought also, along those lines, since I think a lot of folks here are interested in that same conversation, as we could create a parking lot of sorts. If ideas come up, while we're having our conversations relating to SB 24-30 and this definitional piece, that are actually better situated in that conversation under the alternative metrics, that we kind of create a list of those who so that way, we can bring them back around in that next group, don't lose the enthusiasm and the insights of this group for the overlap, that may or may not continue, but that we can kind of benefit from both keeping focus to execute this work. And then also making sure that we capture those ideas for future meetings. And we're being recorded, if we forget to write down we can always come back and find them again. Yeah Dave.

David Wolfsgruber 18:13

So as a 39 year practitioner, I wholly embrace bringing in a variety of staff members, and that was always my plan. So I'm glad that that question was already posed and answered. So the one question a couple things. This is a lower bar that I'm used to, because I'm used to being judged on technical parole violators as well, which is folks that don't report, folks that use substances folks that failed to attend counseling, don't report to the office change their residence, so misdemeanors and felonies is a lower bar, than I'm used to that. I guess the question I have, and we can dig into this later, if we're not prepared to answer is each state agency going to report on the same recidivism rate? Are we only dealing with clients in our care, meaning parolees, you know, folks that are utilizers of the substance use disorder, mental health systems

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through human services? Is the goal to report on one consolidated recidivism rate? Are we going to go department by department?

Erin Crites 19:16

Yeah, so we will, each department will report the same definition for their population and we'll help part of this group will help put some boundaries around what that looks like. Having, sorry Aaron, having worked on the recidivism report for judicial I will employ, you know, for probation, they would report on probation or terminated in a year, for example, on whatever definitional pieces that we decide on here, and that will be the official the official definition of recidivism for state probation. Same for DYS. So, same definition to help with understanding and our legislative partners have consistently talked about how different definitions when they use the word recidivism, they never know exactly what that means. And so they want to be able to say, recidivism and all generally have an understanding of what that means, at least from a definitional standpoint. But we would not pull all of our justice involved populations together and say we have one Colorado definition of recidivism. We wouldn't do that as a state. Somebody may do that. But I think one of our ideas would be to caution against it. Because the populations are different. A number of caveats I think will come up with. Does that answer your question, Dave?

David Wolfsgruber 20:53

I guess a follow up would be in the substance use disorder, mental health world, how would you know a person is presenting as justice involved?

Jack Reed - CDPS 21:01

So substance abuse and mental health is not part of they don't have to report on recidivism, right. So we're really focused only on the state agencies that have to report on criminal recidivism. So we don't have to worry, in this case about relapse or recidivism for people in substance use disorder treatment area. I do think and, you know, realistically, people could be on two to three statuses at one time, and will likely they'll be on they'll be released for parole, from DOC, they'll be on parole, and they'll be in community corrections. So occasionally, I don't know if that's something that kind of is gonna go to the cohort to be tracked piece, and what our recommendations are going to be around trying to create, like a definition for a person across all of their systems versus each individual system.

David Wolfsgruber 22:07

So that's one of the questions I think we're tasked with the answer. Okay, I appreciate the clarification, because I thought it was across all state agencies, departments and everyone okay, then it's limited to those that are actually supervising individuals under probation or parole or juvenile or YOS Okay. Yeah.

Jack Reed - CDPS 22:27

Okay. You're muted, Katie.

Katie Ruske 22:33

I was just gonna share with Dave that, you know, did we have a couple of different definitions or recidivism we currently use in community corrections, we have no plans to abandon those, this will just be like, an additional definition. Because as you know, each of our populations also have a best practice definition that helps us compare ourselves to similar situations, similar, like, organizations. I think one thing for me, and I think you sort of touched on it, Erin, and in talking about maybe some of that end work we do if we have time. To me, it's really important that the, our definition be delivered with an analysis of the limitations of whatever the definition is, and the limitations and, you know, I think some legislators are hoping that they can then say, you know, DOCs rate is this judicial rate is this, DYS rate is this, that means

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this system is performing better. And I think really including an analysis on why our populations can't necessarily be compared like that, um, even if we are using the same definition would be really important.

Erin Crites 23:44

Absolutely, yeah.

Kelli Burmeister 23:46

So we're saying, we all agree.

Jack Reed - CDPS 23:50

And I think we said that at the recidivism committee, as well. So I mean, and I believe that someone very clearly said, we would never do that.

Erin Crites 24:09

That happened? Yes. And I know a number I think of us on on this group testified this summer and made that same statement. So I think that will be one of our kind of final tasks as we finish out our work is to agree on some type of cautionary statement that maybe we say is included in all of the reports specifically says these rates while defined similarly should not be compared to one another from a standpoint of effectiveness because the populations are comparable. And the base rates for those populations are expected to be different. So I think we could kind of work through some of the nuances of that language from both the math but a logical standpoint, a population standpoint and a best practices standpoint, that really cautions against that comparison. So even if it were to happen, which never would, we would have, you know, been very clear that that was never the intent of this group's recommendations to have these compared. And I think we had a similar concern with the juveniles when we worked through this conversation once before. And so far, so good.

Michael Campbell 25:37

And if I could chime in here. I know we talked about this a little bit in the legislative hearing in the fall again, but we may not intend for people to use the data that are generated by our work here for that purpose. But ultimately, with the political element that is a part of of the outcome of these data, we all know that there's a risk that this would be used for, or against a variety of purposes for and against different agencies, different administrators or lawmakers. So, I mean, obviously, we're not intending for that to be the case. And the goal, I think, for the discussions from the way I understood them was to create, you know, more efficient and effective like assessment of what these agencies or the agencies are doing and how they might do things, you know, in ways that that have long term payoff, but we have to be conscious of the fact that however, we structure this, some folks are going to just pick it up, toss it in the blurb and maybe weaponize it in the political sphere. So we don't intend it that way. But I'm guessing some other folks, you know, whatever we produce, we'll we'll view it that way. So it's a legitimate thing I think to have in the back of our minds is just say.

Greg Saiz 27:23

Thank you just wanted to note that Mr. Tejada joined us below if you wouldn't mind introducing yourself and gave a little bit of a spiel on your behalf. But Mr. Tejada as an attorney, and very passionate about this work, so I'll let you introduce yourself. Yeah.

Beale Tejada 27:41

Thanks. Great. Thank you. Well, it's probably a good time for me to show my video and actually say something. So I'm be able to have, I'm on the Governor's Advisory Council for Community Corrections. I live here in Denver, but I practices in Durango and Denver. I do criminal defense. I was a public defender in Colorado Springs for about three and a half years.

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And now they do ADC work as well. I asked Greg, when we were at the GAC meeting with Vinnie is I think this is a I love these two bills, I think getting the the definition is worked out and kind of getting everybody on the same field so we can actually make meaningful measurements and moving forward is wonderful. So that's what I understand this meeting to be Greg get forward me on some information and introduce me and I, under I understand it's open to the public. So I think I'm here as a member of the public, who's very interested. So thank you for letting me hop on and some familiar faces. But yeah, that's who I am.

Carol Peeples 28:54

Thank you. Well, I just wanted to say good morning, Beale feels my neighbor used to be my neighbor. That's a small world we work in. And so it was great to see your name pop up. Good to see you too.

Beale Tejada 29:12

Sounds like you all makes sense.

Erin Crites 29:17

I always find these meetings to be reunions been running in similar circles for years and occasionally pop in and out to these types of things. So yes, yeah. So generally be all these meetings are open to the public. We'll leave room for public comment at the end. But because timing is probably going to work for us, we may not have to be that strict on our on our meeting management. So that's just the goal is to have that setup for everybody so that people know what to expect. And then we'll work through our topics and we can catch up on some details in the minutes later if that works for you. All right. So before we start jumping into talking about some of the fun stuff, we should probably try to settle on that meeting schedule. So that we all can prepare. I can throw something out and see if it sticks because otherwise, I'm concerned that we'll all have too many options thrown out. So one of the thoughts that we had was to see if Thursdays from one to three in the afternoon works for folks generally.

Linda Harrison 30:49

Did you say Thursday Erin?

Erin Crites 30:51

Thursday? Yes.

Michael Campbell 30:53

Can you say that again? Erin?

Erin Crites 30:55

Thursdays from one to 3pm.

Michael Campbell 30:59

Starting when?

Erin Crites 31:01

Probably the I would think maybe the third or fourth week of this month,

Michael Campbell 31:12

I teach from two to four on Tuesdays and Thursdays. So that's not the best but that all changes in June. So then I'm wide open. So that time is fine, then, okay.

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Erin Crites 31:25

Okay. That's helpful. Thank you for that.

Michael Campbell 31:28

Noon to two would be fine.

Erin Crites 31:31

Noon to two would be fine.

Kelli Burmeister 31:34

Generally works.

Erin Crites 31:36

Okay.

Aaron Stewart 31:38

Random Thursday meetings, including CPO meetings once a month.

Erin Crites 31:44

Which Thursday?

Aaron Stewart 31:52

Looking. interviews coming up, but at least works for me.

Linda Harrison 32:05

I could not participate on the 30th I have a thing at 12:45 That really isn't very flexible.

Erin Crites 32:17

But Greg, that generally works for you? I think I saw a head nod.

Greg Saiz 32:21

It does Erin Yeah. I can buzz through some hearings generally by noon or two. Yeah. I can almost always make that happen.

Erin Crites 32:30

Okay. We're hoping later in the week might help folks be able to adjust if possible.

Linda Harrison 32:38

Yeah, on that 30th. I could do a two o'clock just not a noon. Okay.

Erin Crites 32:45

Well, if we have to push back a little bit, that's why we have such a big cushion in this. Knowing that I'm scheduling starting our cadence could be a little bit challenging. Katie does that generally Thursdays, Thursday afternoons work for you?

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Katie Ruske 33:01

Yeah, generally, that's fine. We have a Standing Team check in on Thursdays but someone else can handle it on the days that we have this. So that's not that big of a deal.

Michael Campbell 33:13

I can also do half half the meeting. Erin, if you know, like

Erin Crites 33:17

hold you. There would just be one Michael probably left in May at this point. Because I don't think we'll try to meet next week. So because it wouldn't give anybody any time to do anything. Sorry. I was having trouble seeing head nods and things.

David Wolfsgruber 33:37

Yeah, no, I understand getting this meeting together is like herding cattle in a tornado. So I'm fine with Thursday's generally, the 30th is no good. So that's the only in the near future. That's the only one that doesn't work for me.

Erin Crites 33:50

Okay. Okay. Awesome. Okay, so then maybe what we'll do since that generally works. We'll check out the calendars and try and set a cadence of like either the first and the third, or the second and the fourth Thursdays, just so that everyone could get those recurring on their calendars. So it looks like May is kind of a challenge for everybody. Unless we shoot for the third or do the first and the third Thursdays generally on the 23rd. All right, so let's tentatively put those down for Let's see one to say one to three or maybe one to two. Just looking at the time third and thinking about interest. Flexible online. Okay. And Michael, you said you teach at two that one week?

Michael Campbell 35:11

Yes, I teach at two. You did the one to three, I could come for the first hour. But after that, after that after that week, we're done. June 6. Yeah. For flexible.

Erin Crites 35:25

Okay. Awesome. Okay, so let's do that then. And then Michael, if you can join us for the first hour, and then after the 23rd We should be better situated for scheduling. So we'll do one to three The first and the third Thursdays of

Jack Reed - CDPS 35:50

June 6 is also his class. Oh, right. So that would be the second July. So

Linda Harrison 36:07

So pretty much we're looking at first and third Thursdays through the summer

Erin Crites 36:13

Yes. All right .wasn't quite as hard as I thought it might be. Okay. So if folks are up for it, we can kind of jump right into conversations about our first area. Ready for that. So since we're all here, and then we can figure out what type of information we think we might need. And I think this will help us kind of set up for our future discussions as well. And then we can circle back around next meeting with additional information. So the first I think, piece that we discussed is when to start tracking was. And so we're talking kind of about that is pre-release, post-release. I think you had a different sense that was unclear in the statute. That's for whiteboarding.

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Jack Reed - CDPS 38:18

I think we get through probation and DYS to talk about how they currently do. That's kind of a little bit set.

Kelli Burmeister 38:34

Part of that is, is that in statute for us. There's a piece of statute that says that we'll calculate recidivism rates on a cohort of discharged youth. So when a youth has discharged, they are completely done with residential treatment and their period of parole. So when they discharge they're completely done with do is supervision. That's right with our clock starts. That said, with the juvenile justice uniform definition that came about, we all did agree that we would also track pre discharge recidivism. And so we are tracking both. Statutorily we're not it's not in statute that we do the pre discharge, but we agreed in our in our working groups at the juvenile level to do that, so that we could be more uniform. But that second part of counting recidivism events, once they were done with parole is in statute.

Aaron Stewart 39:46

Very similar for us with probation so we are tracking pre release recidivism as well, using the same definition here, you know, so if there's any event that occurs while they're still on, track that and then post release is similar as soon as they terminated from probation, regardless of success or non success, we begin tracking for them, we get a cohort of one year, start to take a look. Three years after the fact just getting into timeframes as well.

Jack Reed - CDPS 40:17

So do you for Okay, so you track for any, any termination reason. So if the termination reason's new crime, then is that effectively like recidivism,

Aaron Stewart 40:31

So the termination at the termination reason, this new crime, they'll get marked for pre release instead of as them, okay. And then depending on where they end up after that, I think will impact. So if they end up in state DOC or something for whatever their new crime is, we're not going to necessarily be tracking them for post release. At least not to my knowledge.

Erin Crites 40:59

I think the challenge in those groups always is identifying whether the person is at risk or not at risk for recidivism. So whether they're in the community or not in the community, that's going to be challenging to define in the data. Because we don't always know where a person physically is. We can make some assumptions based on their sentencing. But usually, those folks just end up looking like if they had a new crime or sent to DOC. Think, depending on how long they're there, wouldn't necessarily have the opportunity to recidivate in that first year.

Jack Reed - CDPS 41:38

So they would still be

Erin Crites 41:41

Yes.

Linda Harrison 41:43

So are you saying they're completely excluded from the post release cohort, if they go to DOC

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Aaron Stewart 41:49

It's not that they're excluded from the cohort it's that depending on how long they're there, we just this we check for three years that they may not be showing up because they wouldn't have had an opportunity to recidivate post release. So they would still end up within the cohort.

Linda Harrison 42:07

Okay, and you keep track of when they get released from DOC.

Aaron Stewart 42:11

No. In fact, as I just feel a little bit beyond our means,

Linda Harrison 42:15

Yeah, I thought so. Explain it to me more in depth later.

Erin Crites 42:19

It's the jail sentences that are really a challenge, if we were to try to define time at risk,

Kelli Burmeister 42:31

With the caveat saying they could pick up a new felony or misdemeanor while they're in DOC or jail? Yeah, definitely good. But it's not the same opportunity as being in the community, right? Yes.

But still could,

Erin Crites 42:51

Oh, I didn't see your thank you.

Katie Ruske 42:59

Just chiming in on this sort of the same thing, ORS, you know, in the definition of recidivism that they track for us, they do any new charge in court filing, but separate from that they start in speaking about time period, from discharge, but successful discharge, and we get criticisms for that from some people, but at the same time, similar to what you guys are talking to, because our population, for an unsuccessful discharge, they're returning to prison or going to prison, some of them if they're on the direct sentence side for a very long time period. And so if we included them in the cohort, I would be concerned that we're then inflating our numbers because they don't have access to like, just like you guys, were talking about to potentially commit new crime. So I think that for us is probably the challenge and figuring out the post release. If we went that route, or or pre release, it's just the people who terminate from community corrections are headed negatively are headed to prison. So if they're included, that really changes what our numbers look like, as far as recidivism,

Erin Crites 44:14

Yeah, your denominator gets bigger, but the potential for recidivism is smaller. So

Jeff Wise 44:22

Thanks, Katie. I

Erin Crites 44:24

can't see them looking at your square, but I'm just

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Jack Reed - CDPS 44:29

yeah, like, Oh, my God.

Michael Campbell 44:31

I raised my real hand there for a second because I just wasn't sure. I'll try to come in person next time. It's a little easier but um, is somebody creating a spreadsheet on this that we can share so that I don't like Don't we need a grid here with juvenile justice, probation, parole, and all of the categories that we're working on here that we can all like, share and know that it's correct because I was going to start typing one but I can't I don't think I heard exactly everything. So is there any way we could create that so that I can, as somebody who's not as familiar with the agencies can have a very clear outline of what they do and whatever like, absolutely.

Erin Crites 45:11

I think if we don't already have a few floating around between old files that judicial and some here

Jack Reed - CDPS 45:17

we have one on our ORS recidivism page. Yeah, it's not a grid. It's just kind of a notes. But so it's easy enough to move that into a grid.

Michael Campbell 45:27

Great. Thank you.

Jack Reed - CDPS 45:37

Kelli, Do you want to talk about DYS?

Kelli Burmeister 45:40

Sure. We include everyone that discharges within that specific fiscal year. So regardless of success, or non success or discharging straight sentence, YOS or DOC, we include everyone.

Erin Crites 46:02

I mean, really, that was part of the conversation we had in 108 too in this last conversation. Yes. Yeah.

Kelli Burmeister 46:13

I don't know if I believe will there be a DOC cohort and a YOS cohort reporting separate rates using this method?

Jack Reed - CDPS 46:26

Yeah, yeah. And that's, I think, where we're gonna have the same people in multiple cohorts at the same time. And that's probably something we can discuss. There are ways that's a bigger integration of data systems question that we are actually not tasked with this at all. But it's something that we can definitely, I mean, that's open for us.

So, Dave, can you talk about parole?

David Wolfsgruber 47:06

Yeah, so like, like I said, not counting technical parole violators, is a lower bar than I'm traditionally used to, because now we're only talking about misdemeanors and new felony convictions. So currently, we track technical returns. And then a return with a new crime, which is generally a felony, that returns someone to the DOC. For a period of a year or greater, that would end up someone would end up in a in a DOC facility. I guess the question I have is, are we also going to track?

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Are we only tracking individuals released to parole supervision? are we tracking folks that complete their sentence and are released without parole supervision? What's our what's our thought in that realm?

Jack Reed - CDPS 47:59

That I think that is definitely something we're gonna get to when we start talking about a cohort. Because yeah, that's, I think the one of the big questions we're talking about is, at that point, it sounds like they would probably fall into just the DOC cohort, and not the parole cohort. So I think that that's, that's something we're also going to be talking about, that's our later, first or second kind of task.

David Wolfsgruber 48:29

And this might be a later conversation as well. But to bring us into the current. You know, I want to I don't want to say nationwide because a lot of criminal justice systems, and I understand why it's selfish, but don't look into things like actual employment versus McDonald's versus long term employment versus not using substances or mental, you know, accessing mental health systems. Things are unrelated to the statistic that lands someone in a DOC facility again, for a new felony conviction, but is incredibly important for everyone to have a fuller understanding of what recidivism actually is, it's all of the systems together. And that's why selfishly, I was hoping the mental health and substance use disorder world would would have some seat at the table as far as working collaborative, collaboratively with us to understand the ability to connect or not connect to the mental health system in Colorado, which I understand has some work to do. But just a fuller understanding that we all own recidivists. We're getting them at the tail end of parole when life circumstances have led them through the process and things that weren't addressed by the educational deficits or the mental health system deficits or substance use disorder, access to treatment or housing and all those variables. We need to and I'm not I'm not saying that we're statutorily required. I would almost like a sidebar conversation,

Jack Reed - CDPS 50:01

we actually are Dave.

Erin Crites 50:03

in another group, we actually have do have a statutory mandate to discuss these alternatives. They're calling, we're calling them alternative metrics for which is what you're kind of alluding to, that's the the next group that needs to talk about those. In

these conversations over this, this interim committee tried to kind of pin the recidivism to really just be this kind of our more traditional but negative measure of a failure, because the committee wanted a definition of recidivism. So we tried to narrow it as much as possible for this group, and then really open up the conversation to those alternative metrics of success, as we kind of have talked about them. For the next group, and I think that's where a lot of us on here, would really like to have the focus of the state's energy be on those other measures. But we're, we've got to get this one because they want a recidivism number from the agencies. And so we're kind of getting through this, to get to kind of the fun stuff. What else should we be measuring, to be able to really talk about systems' impacts on people and their long term success and trajectories in life? We kicked around desistance a lot in those conversations at the interim committee, and really hope I think a lot of folks have to get back to that conversation once we can get this definition done. So that some of the members who've been wanting a consistent definition for years get that.

David Wolfsgruber 52:00

Yeah, yeah, no, I'll put the blinders on.

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Erin Crites 52:03

I know, it's a much more robust conversation and we'll do that next. We're all eager to get there.

Jack Reed - CDPS 52:12

And maybe after we kind of finish up this part today, we can throw up, like who's going to be part of like, what the goals of that next group are? Just so we, I think, have a better sense of what, you know, the next group's lane is going to be that we work. And there is a DOC rep on the next group. Dave? So I mean, it's not up to us, to that is but..

Jeff Wise 52:41

Understood, understood.

Katie Ruske 52:44

To follow up with Dave's a little bit, though, because, you know, I mean, it's so widely accepted, and DOC populations that return to prison is the measure. Are there any other states that have tried to do this, that we can look at to like, come up with a recidivism measure that limits the limitations as much as possible?

Jeff Wise 53:10

Yeah

Katie Ruske 53:10

that compares these community based versus confinement populations.

Michael Campbell 53:14

Yeah, it's funny, you ask that I was just doing some research for a research project in Michigan, started doing some of these things. They had some, they passed an 18 bill reform measure in 2018 that included the sort of discussions we're having right now about recidivism. And so I was planning on pulling up some of that and seeing where they got and maybe even reaching out to some folks that are there and seeing what they you know, what they might share, because I brought this up in the fall. But, you know, we're not the first people to think this, this might need to be something to be worked on. And so I think one of the best places for all of our work to start would be, you know, if there's other states that have done a ton of work on this, and they've, you know, they've, they could get us further down the road before we even start digging in. That would be a good place to start. So my plan is to look at Michigan, and try to pull some of the work they did, and share that with folks, based on what I do find if anything.

Erin Crites 54:15

Great, would be awesome.

Kelli Burmeister 54:18

That's interesting. You brought that up, Michael, we Sally and I from DYS just met with Holly Force with Michigan a couple of days ago, because we were hoping that we could add them to the list of states that we might potentially be more comparable to in terms of methods and definition. And just from the juvenile perspective, I think they are definitely having those conversations and getting there. But she did share with us that they're so county based that they don't have a statewide level of or consistency or uniformity there yet but definitely trying to get there. So that's just to mention that from the juvenile side, it's interesting that we had just talked with her for about an hour about where they were with that. And she was talking about kind of the reform that was happening.

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Michael Campbell 55:18

Okay, great. Yeah, Michigan started reviewing a lot of these things on parole in 2004. I think they're further down the road than most states. That's part of the research I do. And so maybe I can try to foster a little connection there and just get some the lay of the land of this. Because, obviously, if they're so local versus state, that might be a challenge. But I might start digging into that and reach out to some folks. They're great.

Jack Reed - CDPS 55:46

Michael, so do you envision trying to, like, invite someone from Michigan to talk? Or do you think you,

Michael Campbell 55:54

I wouldn't, I wouldn't do that unless you folks thought that would be a good idea, I would probably just look at what kind of because like us, their stuff has to be public. So it'd be a matter of just kind of looking at what they did and what groups are there. And then if it seems it seems relevant to what we're doing, then maybe I'd send out an email. And if somebody wanted to talk that that might be useful. And then if you all thought after I maybe talk with them that that might be useful. I can either email and we can see if they want to chime in or, you know, if it turns out their systems are so different, and structured so differently, then maybe it's not as relevant. But there will be states that will be and if they have done the kind of work where we're kind of initiating here, they're, you know, we don't need to reinvent the wheel. You know, let's put that wheel on something and get it rolling. You know?

Okay, if that's That sounds logical. Jack, I don't want to. I mean, if you want me to try to find someone, I could do that, too. I don't know.

Jack Reed - CDPS 56:57

I'm good with you being the filter. Greg?

Greg Saiz 57:02

Thanks Dr. Campbell, I may be able to ease some of the searching for you. Just last night, I was actually talking with two state of Michigan Parole Board members about the work we're doing in this this workgroup. And yeah, one of the I think was the vice chair, it was telling me exactly what you were saying that they've been putting work into it. So I will get Tim's contact info and get that to you might be a really good space to start in, he probably won't have all of the details, but he will definitely be able to point in the right direction, I believe he was part of some of those working groups in their state legislature. So he's an excellent resource to at least kind of kick the door open. And as far as other states, the state of Virginia seems to be having. Their numbers always look really good. And I think people accuse anybody who has good numbers of cooking the books. But they may actually be doing some really good things, because they've invested heavily into some practice models and supervision is highly effective out there. In a lot of ways they themselves have really leaned into the National Academy is sort of, you know, social determinants of health pieces that we talk a lot about in the funding side of the interim committees. And that might be a place to continue to see how far they've come in terms of codifying some of those other metrics, in terms of measuring success, because we all know they're there. And I don't know if they're at that point yet, but they're a lot closer than we are clearly. So I'll do some more homework. I don't think there's anybody here from Virginia at this conference. But if I do find one, I will get their cards

Erin Crites 57:03

I used to live in Virginia, but it's been a decade so I probably they probably all retired.

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Jack Reed - CDPS 58:46

I'll be there in August, but hopefully we'll be closer to done by then. Katie can so on you talked about the ORS definition of recidivism being new misdemeanor felony filing for successful terminations. Can you talk about OCC's specific definition and what it's used for?

Katie Ruske 59:17

Sure, Jack, I'm happy to. So in community corrections, and we do performance based contracting, because we are local state partnership operators. So the state funds, we contract with a local unit of government who then either runs community corrections themselves or they subcontract with a provider to help really increase the quality of services. And to try to really start to see some movement in our outcomes and in the quality of services that we're doing. We moved to performance based contracting. It was a many, many multi year effort to set up exactly what performance based contracting was going to look like. And then we worked with a lot of different national consulting agencies, as well as our stakeholders to set that up. But we do have two metrics that are risk informed that are incentivized on top of some other things. And those metrics are successful program completion and recidivism. For recidivism with, we worked with the Urban Institute on that. And they looked at our data, and they looked at what was happening nationally, and they made a definition recommendation. And we do use their recommendation, their recommendation was from entry into the program, because our clients do have community access and the ability to sign themselves out and things like that. And they really suggested that it start from time of entry into the program. And then we do up until two years. And then our definition is new felony conviction. The reason that we went with that definition is a few different reasons. One, the time period really works well for performance based contracting, because then we don't have quite as much of a lag between how the program was actually serving that client and what they were doing and providing to that individual, before they're actually getting the funding and the money. Versus if we started the clock at exits, right, then they actually serve the individual maybe four years ago, before they're actually getting the funding. And we know a lot can change in a program in four years. So that's one reason and that definition was beneficial. Another reason is the long term goal, performance based contracting, and Community Corrections really is to save the state money as an alternative to prison. And so we really focused in on new felony conviction. Because if we are stopping new felony convictions, and we are stopping new felon, new prison intakes. So that is really how we came up with that definition with them. But like I said, just so you guys know where I stand, I think that you need to run recidivism, a bajillion different ways. And like all the different definitions, so I'm never opposed to looking at other or different definitions. That's just the specific one we use for performance based contracting arm so that they can earn additional funding.

Erin Crites 1:02:12

And, Katie, I think that's an important point. And something that we talked a little bit about in the lead up to a lot of this business definitions of recidivism for things like performance based contracting, or for like DOC returns to prison is an important business definition to kind of track some of that separate from some of these other definitions that have a different purpose. And so trying to kind of balance kind of the business definitions from the state requirement might mean having to track multiple definitions, which is not always ideal, but they do each serve a different purpose. And being kind of clear, I think, to Michael's earlier point, being clear about what each of these definitions are intended to do, will be will be another one of those things that we want to make sure that we're, we articulate in any reporting.

Katie Ruske 1:03:15

And, you know, for just doing a little bit of background, I really didn't even get into cohort, their cohort for Community Corrections gets really complicated, and gets really complicated when we start to have this conversation. You know, our two main populations are either direct sentences from the courts, or transitions out of prison. So they are technically DOC clients. So those individuals are automatically counted twice. But then we also have individuals referred as a condition of their probation, and individuals referred as a condition of their parole. And then, in addition to just looking

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at who the referral agency is, and where they came from, you also have the different types of programs within community corrections because we have some specialized programs. So for example, for performance based contracting, we pull out our intensive residential treatment discharges, because that is just a 90 day substance use program. And those individuals are either releasing back into the community because they were there as a condition of probation, or they're moving to a regular community corrections bed because they're still under supervision. So just an example of like in community corrections. Cohort is always complicated, but it gets even more complicated with what we do. So.

Linda Harrison 1:04:30

Katie, when you said that you pull them out, does that mean you exclude them?

Katie Ruske 1:04:34

Mm, yeah. We exclude them from the data sample. We do not exclude residential dual diagnosis treatment because those programs often they stay in, they don't transition from that bed to a regular bed. They just stay in a residential dual diagnosis treatment but because IRT is a specific 90 Day Program. We pull those out

Erin Crites 1:05:01

These are those complicated methodological choices. And I don't think there's something we will need to discuss and agree on as a group that definition of the cohort. And the when do we start counting has to necessarily be identical because the populations are different and the programs are different. So that may be something we want to consider as well, as does each entity just clearly define when they start counting? Or do we have to try and make them as same as possible? Which not to start down that path too quickly might be both theoretically, and methodologically very challenging to try and make them the same. But that might be a point we want to discuss.

Jack Reed - CDPS 1:06:02

Greg, can you from the parole board's perspective, can you talk about how you all view recidivism?

Greg Saiz 1:06:09

Yeah, so the board doesn't have its own definition, the board tracks the Department of Corrections, definition of recidivism, which kind of makes me a little bit of a passenger on that side and more of thinking further downstream, like how can a more common definition help us sort of work backwards to make sure we're setting appropriate conditions and just doing those things that will help create more complete lives? And I know, I'm kind of bleeding into some of the other stuff we'll get to. But yeah, so luckily, we don't have yet another piece to add to it.

Erin Crites 1:07:00

So on that it sounds like we kind of have a lay of the land, we probably want to

Jeff Wise 1:07:06

I'm sorry.

Jack Reed - CDPS 1:07:07

Yeah, community I want. How do you? How do you all envision measuring recidivism? How do you measure it?

Jeff Wise 1:07:16

So this, this work is really exciting, because in the community organizations, but the recidivism data is kind of arbitrary, because each organization can have their own meaning. So I just I work with another organization that, you know, they touted 0% recidivism rate. But that doesn't include technical violations. So it's only counting new offenses, which I think

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is a big distinction, I would think you'd want to count both. So it kind of varies. And I think the idea is to piggyback whatever the state is doing, and match it up. But it is a little bit different. And there's no standard, I think, I think probably the most common is three years. But that's prison returns. So

Jack Reed - CDPS 1:08:15

with that, when you say that they're only 0%. Are they only counting that while they're within the program? Or are they tracking them after the program?

Jeff Wise 1:08:25

while they're in the program. Okay. And so that's another challenge for us so remember, we don't track recidivism rates, because we don't work with the population long enough. So when they reach out to us, it's connecting them to a resource, and then they're gone. So we'd love to be able to, but we don't have the capacity. So I think that's probably the case for most of these organizations.

Jack Reed - CDPS 1:08:49

And the people you deal with are they're primarily on parole, right? Are they on and off for

Jeff Wise 1:08:57

70% are probably on parole for us. But we get a lot of probation clients as well.

Katie Ruske 1:09:08

Can I also ask a question. Thank you so much for being here, by the way, and it helps me learn so much. So I assume similar to our conversation about whether or not we count, you know, both successful terminations and negative terminations, how the community organizations usually counts, people who just sort of fall off the radar when you're a voluntary service, if that makes sense. So your voluntary service, maybe they show up for an intake, they come to a couple of sessions, and then they just don't ever come back. Do they get counted in the numbers? Do they not get counted in the members or does it just depend?

Jeff Wise 1:09:50

I highly doubt it. You know, I can't speak for every reentry organization. That's that's the challenge. We have at Remerg. We don't we there's no way of knowing for sure, you know, if that person was able to maintain their sobriety. Yeah, so yeah, that's it. That's a challenge of reentry and community based organizations.

Jack Reed - CDPS 1:10:18

Do you think it would be worthwhile? Or should we just kind of leave that outside of our purview? Bringing in some of those other organizations to have them discuss how they're measuring it? Because if they're a state funded organization, who is reporting 0% recidivism that is that completely yet? What's What's your opinion on that? Maybe? What's the rest of the news?

Jeff Wise 1:10:51

Well, you know, maybe that's something that I can I can work on. And look, I'm getting kind of a sample of how are you guys doing it? I know. We're not WAGEES funded. But some of these other WAGEES, organizations might have more, more robust standards. So I can look into that if it's value. Just

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Erin Crites 1:11:22

think differently, grant funded organizations of the state. So when we talk about community based organizations, other grants require different data collection, so my guess, might also play a role for suppose which might be interesting to hear how they navigate some of that. Yes Michael.

Michael Campbell 1:11:42

Yeah, I was gonna say, I can't remember the exact acronym or name of the organization now, but there are multiple, I'm sure. Other folks here would know, but there are multiple organizations that kind of set the standards for reentry organizations, they have like a national coalition of reentry organizations or something. And my guess is, I would expect that they established some definitions that are kind of their, you know, standard or expected. I'm sure they, you know, nobody's compelled to use them necessarily, but I'm sure they have some that we could maybe, you know, at least have on the table to look at as standards or examples or canned expectations for definitions of recidivism for these types of organizations. Because, obviously, you can define yourself right into being the perfect organization that never has recidivism, by excluding anything that doesn't work out. So that obviously qualifies all of those things. So I'm sure that maybe those organizations, that'd be probably a good place to start, if we're going to put some things on the table we'd be looking at, at what they've said is kind of some standards.

Jack Reed - CDPS 1:12:53

Yeah. Especially for the cohort piece is that, yeah, yeah. Carol, I'm sure. Yeah.

Carol Peoples 1:13:05

May I? Yeah, I think it's, it's one of my frustration is having watched reentry over the years, is that a lot of organizations will just report the recidivism rate of the organization while the person is in their program, but they don't tell how long the person is in their program. And but they'll put it out there as saying and comparing it against the DOC recidivism rate of a three year cohort. And there's just been this lack of truthfulness about it, I think. And so we're not really learning what works in reentry in with a lot of those dollars that are going into the community. So I don't know if this working group is the right place for this, but I'll just put an observation out there from the last few years.

Jack Reed - CDPS 1:14:01

Dave, thanks.

David Wolfsgruber 1:14:02

Yeah, no, I'll just echo what Carol said 100 fold. We had organizations in New Jersey that would throw out these numbers, and then they'd be darlings of the legislature and get funded for unrealistic unreal recidivism numbers because you can slice and dice recidivism to meet your own objective. You can not say the time period, you can you cannot say the type of offender, you don't even need to say what type of recidivism you're relying upon, you could just simply say, you know, those individuals in our program weren't returned to DOC, I mean, that could mean in those 90 days, they didn't pick up a felony conviction going back to DOC which we'd know especially coming out of COVID how slow the courts are operational nationwide. So we had a I won't get into too much of New Jersey but we had self-serving individuals that would compare their 5% recidivism rate to the New Jersey overall recidivism rate, which is a nationwide leader not a pat on the back, just factual. 51% rearrest. 31%, returned to prison. But we also included, as I said before technical parole violators that were revoked and returned to prison as well. So any individual under parole supervision that was returned either due to a new criminal offense or technical parole violator, where these organizations weren't reporting any of that, and there was no baseline for what they're reporting. So it's all over the map. And in Colorado, it is it does seem to have that standard WAGEES included, to just report on those individuals during their time in the program, which is not even a part of the picture of the overall recidivism schematic in the state of Colorado.

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Jack Reed - CDPS 1:16:00

So this is not necessarily Well, no, it's not in statute. But I think this could be a conversation that we have, at least as it pertains to state funded organizations that report on recidivism. And, and it might not be a requirement we can put on folks, but it might be something we make a recommendation. I do think one of the reasons that many of them would have and would, you know, understand what we'll say is, we don't have access to that data. We only know what we know while the person is in our program. And so that would also raise that larger question of what are our MOUs and how can we use data in for more than just the state folks in a room to make to do some testing? I'm putting that in.

Erin Crites 1:17:01

Linda, did you change your mind? Oh, you're muted?

Linda Harrison 1:17:07

Let me get my mouse under control so I can. I just wanted to clarify. With DOC My understanding, and I just want to make sure that we're discussing the same reporting, that it wasn't just technicals and parole violators for the new crime, but also any new commitment that may happen after they were released from parole. Isn't that part of the DOC reporting? Unless parole, and I've never been clear parole does their own reporting, but I believe you said they do not.

David Wolfsgruber 1:17:47

Parole does report on all individuals released to supervision. Now, during that period of supervision, they could be on parole supervision for three months. And then now they're just a citizen of the state of Colorado, we're still subjected their recidivism. So yes, DOC reports on all of those recidivistic activities that occur, it's not like we just count them when they're under parole supervision. It's during that entire period that the report is, is including that information. So we usually do a one year, two year three year, obviously, you know, you can get criminal criminologist in a room and they'll not all still agree on the period, three years has generally been recognized as the as kind of the, for lack of better term, the gold standard as far as time but those individuals are still counted, whether they're on parole for a month, and they max out to you know, they're no longer under supervision or not. So we count all of those individuals,

right, where they receive a new court commitment.

Correct. They're still considered a parolee, that's been released to DOC that were quote unquote, responsible for but the term of parole supervision has nothing to do with the recidivistic events that we report on in CDOC.

Linda Harrison 1:19:00

Okay, I just wanted to clarify that because earlier, you had mentioned that it was limited, so I just wanted to make sure that it wasn't a separate reporting entity, just because I'm familiar with the way DOC has done it historically. And I just wanted to make sure that I wasn't missing something.

David Wolfsgruber 1:19:21

Know the way I was referring to the WAGEES, the WAGEES partners only report on those activities while they're under while they're in those programs. So that might have been the maybe some of the confusion is the WAGEES partners that we partner with within parole. Their activities are only limited to the term that they're in that program. But no CDOC reports on all events for anyone released the parole supervision, actually anyone released to the community so even if they if they are released, and they don't have parole supervision, for some reason, they complete their custodial portion, which is relatively rare, because just about everyone has a term of supervision. But even if that individual is, you know, comes back as a technical parole violator revoked by the parole board goes out. We're counting those as well, what regardless of the term of parole supervision that they may have, or not have.

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Jack Reed - CDPS 1:20:23

Dave, to follow up on that, do you track in a way that can be easily queried the different programs that they're involved in that are state funded?

David Wolfsgruber 1:20:35

Yeah, I don't think that would be too difficult. I have to check with my policy and analysis, folks. But that shouldn't be too difficult to track. If it they may be they may tell me that. You know, it's more easy, easily track than I think it might be. But I think I think that's something we can track as long as it's a state funded, because if you're talking tracking every single service provider in Colorado, I'd say that's a Herculean task. If you're just referring to the WAGEES partners that we have, that should be that should be relatively easy to track.

Jack Reed - CDPS 1:21:07

Okay. Yeah, I think I was. Does DYS have any similar like, post release programs that are state funded?

Kelli Burmeister 1:21:24

Gosh, I mean, we have a different requirement where we're going to report on kind of the outcomes of parolee vendors that we use for different parole services that our parolees are on. So we contract with several different entities for services, but not for supervision. Okay, that gets that what you're asking?

Erin Crites 1:21:52

You know, there was a similar conversation around treatment services paid for by the state for youth that came up around tracking services received and outcomes. That is a bigger lift than it seems like it ought to be.

Kelli Burmeister 1:22:10

yeah, similar to what Katie was describing the performance based outcomes of our offenders.

Jack Reed - CDPS 1:22:27

Not

So, Michael, to your point, I think what we'll do is probably create, like a Google sheet that people can go and populate their own their own line. Yeah. that would that would be the take home for the group.

Michael Campbell 1:22:53

that would be really helpful. Because by the time I type out a couple of the things that folks have said, they've said two more that I've missed. So yeah,

Erin Crites 1:23:00

I think we did one for the juvenile conversation, you might need to look for files that we use as a starting point, Jack. Yeah, I am having memories of having done this activity. I just don't have access to this, but Aaron does. Awesome. Alright, so then to continue this conversation for our next meeting. Some folks are going to follow up with contacts in Michigan, with some of your contacts in your reentry circles. And then we'll do this charting out of what currently exists to really help us kind of think through these areas of more concretely, and we can start kind of really nailing down the challenges of this, this tiny piece, and talking about it in very specific detail at our next meeting. I wanted to check if everyone's good with that. If we want to spend the last little bit of time talking about the other working group just to kind of so that folks know what that group is doing. We can get that kind of separate a little bit, but that everybody knows where we're headed after this. If we want to kind of do that, in this last few minutes. Here we can talk about

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Senate Bill 29. It always throws me off because I would have ordered them differently. But yeah, it's not the order I would tackle them it's the order in which they got them through.

Jack Reed - CDPS 1:25:09

Okay, let me just let me do that. All right. I will sorry, will actually then throw this into the chat, sorry. Okay. So this is can you all see my screen online? Okay, great. So really Dave this is what you were talking about effectiveness of criminal justice system using metrics other than recidivism. So, you know, it kind of starts off with reliance on recidivism, does it capture the other metrics, this 22 consensus study, Beyond Recidivism that I think came up in the meetings, I created a Google folder that has research, it's one of the articles in there. So this is generally the purpose of the group, measure performance, make recommendations regarding metrics other than recidivism to assess outcomes, criminal justice systems, client experience, the justice system, and system performance. And so it's a really broad kind of mandate. And then these are the folks who are in there. So human services, but this one is just human services more generally, not necessarily just DYS, DOC, judicial, public safety, in this one is not specifically call out community corrections, more general. Two people from higher ed, who've done this kind of research. You know, there are there are, I think several in the state and then

Greg Saiz 1:27:39

interruption, just a heads up if nothing's changing on our screen. It looks like it's still the definition versus recidivism workgroup agenda. So we're not tracking anything. I mean, I know you're saying we're just not seeing the changes as you're mentioning them.

Jack Reed - CDPS 1:27:55

Okay, let's try this. Yeah, I move the screen to another screen. So that might be why can you see this moving now? Um, so there are and some other in some other section of this statute, it also says that we can bring in other folks as we kind of as the group sees fit. You know, like, there's a there's a lot of cross. And that's supposed to be seated by November 30. Again, our goal is to have that happen sooner. It's on us to facilitate. And the first meeting has to be by February, which is really late, given what we'll come up with next. Yeah, and this is also where we are kind of shall consult with stakeholders. And then who request to participate in the working groups work. So this is beyond just like, you can give public comment. This is a thing much, much broader task or requirement that we bring in other folks, that we bring in people from the substances and mental health treatment communities. That we bring in brain injury, Brain Injury Alliance. you know, housing professionals. Yep. Yeah. Okay. Support groups. Yeah, yeah. housing, employment. You know, I think that there's, you know, this B here I think really does bring in a lot can potentially bring in a lot more people. And I think Jeff, to your earlier observation, you all seem to know each other, but we knew this is gonna bring in again, I think, a broader group that we don't know, which are the other reason why I want to make sure that we have as much time as possible. Because I think there's gonna be a lot more level setting, there's going to be a lot more voluntary, vigorous discussion, more vigorous discussion, as well as larger questions about what this data looks like, where does it come from? We may have to actually involve a number of lawyers. Beale are you still here?

Beale Tejada

I'm here.

Jack Reed - CDPS

You know, about just the, you know, what is legally available? Between CJ data, 42 CFR Part 2, HIPAA, I mean, there's all the legal things that are going to come for, for this. And the working group is tasked with studying it. So it's much again, a broader task, looking at desistance looking at reductions in criminal behavior, and then, you know, length of time between behaviors, you know, it's a really long list of things. How do we get the data? You know, there's a lot. Timelines,

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resources, this is also where we're going to be able to make comments about, okay, you want us to do this, this is how much it's going to cost this is, these are all the people who play in the sandbox with each other nice and share data. So I think that there's, there's going to be a lot there. And then the task here is by July 1, 2025, that we'll submit a report about the work that we've done, the summary of the recommendations, and what it would take to implement it. So this, you know, this is not the case, like in this one, like, after we come up with this, all you have to use. This is a much broader, like, these are the things we can come up with. This is where the data lives, you know, we're gonna be able to take think, to much broader like, these are things that are possibilities easy, medium, hard to implement. And so, you know, think that this is really and then section repealed June 30. This So, and I think, by contrast with this group, we have an end date, we can't meet after I think, February 1. So our group, this look, this band is to standard on February one. This one, this other alternative metrics. It's not repealed until the following year. And I don't think that they have any, you can't meet past. So while the initial report is due July one, I don't necessarily think they envision this group haven't stopped work, I thought. So I think that this is good. So we know what's coming next. You know, and to Erin's point, we'll be making notes about okay, this is what the folks in this room think we should be discussing, to start a lot of discussion. Dave, does that kind of get to some of your questions earlier then?

David Wolfsgruber 1:34:24

Yeah, it does. Now, this is helpful. Thank you. And just to just to kind of further what I was saying before, we're only responsible statutorily for those that are released to our supervision. So another bucket is those that max out to no supervision. So again, not not that I just think that we're, I don't want to say we're watering down what we're responsible for, and I'm not looking to you know, Name That Tune in one note, but just holding us accountable for individuals that commit a new crime, whether be a misdemeanor or a felony is an extremely low bar. And I'm, I'm not one to, you know, add additional burdens to our staff. But I also, and this is a second, this is a second, sidebar, technical parole violations that result in a return to incarceration are something that needs to be looked at as well, because they also deal with the same deficits, whether it be substance use disorder or mental health, again, not to beat a dead horse, but kind of just if we can put that in the parking lot, again, not part of our responsibility statutorily, but something that we track, and we are accountable for reporting on those individuals that are released to our supervision. So I just come from a, I guess, a more difficult existence when it comes to accountability on the paroling authority to report on on those measures that also contribute to individuals going back to DOC. So that's my only point is that we're responsible statutorily for those that come to us. But there's a whole other cadre of folks that don't receive parole services that we should be tracking as well. And that's the holistic conversation, maybe from the second group to take a look at it those that don't have the benefit of a parole officer guiding them through the employment, substance use disorder, mental health, housing schematic to assist them in their reintegration as well.

Jack Reed - CDPS 1:36:32

You're correct. But the one kind of piece of the statute says we all have to report on this one thing. It doesn't say that's the only thing we report on. And it actually says that if kind of to Erin's point earlier, if you have a business need or belief that there are additional things that you need to report on to adequately capture the work that you do. You still can. It doesn't like.

Kelli Burmeister 1:37:02

and maybe should if it's best practice in your particular, with your particular population. Yeah, yeah, absolutely. Yep.

Erin Crites 1:37:10

And I think that's, it's why originally, we had had the conversation in these interim committee meetings to not put the definition of the recidivism event in statute, but to allow a group like this, to have that conversation. That we have what we have now. And so we are kind of better bet isn't statute, but it's not exclusive to, you know, other business needs. So I

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think that's always going to be the challenge, particularly when we get into conversations around, but we only have the resources to do what's statutorily required. If we unfortunately do have that one definition in the one event count in statute. But there might be some ways that we can frame the recommendations that broaden that up, Dave so then it doesn't feel so exclusive to the other measures that are important to your outcomes for your population under this umbrella of recidivism.

David Wolfsgruber 1:38:15

Yeah, and probably this group, Greg knows, as well as anyone from being the parole supervision, and now the parole board side of the deficits that contribute to technical parole violations. So while I'm not advocating that we throw ourselves under the bus and run over, I would just add the whole schematic of the deficits that exists in the community in the state of Colorado, not to suggest that we draw fire to ourselves, but just to understand that, you know, Wolfsgruber was ultimately returned to prison because there's nothing else that was available and an M1 hold, I use CDS and ultimately, the decision was made, I put the statutory criteria to be returned to Colorado DOC not to necessarily criticize ourselves for returning that technical parole violator, but just to have a fuller understanding of the agencies and organizations we deal with that aren't able to meet the needs. Not a criticism. There's deficits throughout the system, lack of staff, lack of resources, funding all of that, that factors into why a person doesn't commit a new crime, but it's still returned to DOC.

Erin Crites 1:39:26

I have another task force for you Dave. You may have just volunteered yourself.

David Wolfsgruber 1:39:34

I'm in.

Erin Crites 1:39:33

I'll be in touch

Jeff Wise 1:39:38

If you want me that is of course, your choice.

Kelli Burmeister 1:39:48

Have departments submitted their selections for either the recidivism definition or the alternative metrics groups yet? Have you seen some of those start to come in?

Erin Crites 1:40:02

This is the definition of recidivism group.

Kelli Burmeister 1:40:06

About the alternative metrics group?

Erin Crites 1:40:08

We've got a few here and there. I think Aaron has been volunteered for the other one. But otherwise, not specifically yet.

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Jack Reed - CDPS 1:40:17

Yeah, we're gonna, we're going to create a Google, we're going to create a Google sheet. And we're going because this was so much more circumscribed. You know, really, other than the community group that Jeff came from, and then Michael, from the higher education, you know, Michael testified at the recidivism committee group. And we sent out emails to three different community groups. One deferred, Remerg said yes, and the other didn't respond for a period of time. We recommended it to our. The next one, because it's going to be a lot broader, and we know that it's going to need to be a much more formal process to get folks on board.

Kelli Burmeister 1:41:12

Just know that divisional would like to have someone there, but I don't know if our department will select, like a different OCYF rep. So, yeah, sure, we can be members of the public,

Erin Crites 1:41:26

That collaborative group, there might be some space for us to formalize that much more to separate from public comment side, because it is specifically listed in statute as collaborating with stakeholders so that maybe we could structure in a way that sits slightly differently than traditional public comment.

Jack Reed - CDPS 1:41:55

It's very vague. When the legislature writes vague things then they can be interpreted. So I do think No, it's not twitchiness, the one thing that I think came up in some recent discussions around, you know, making recommendations on improving the justice system was concerned that there'd be too much executive branch kind of representation. That was kind of like silencing the community groups, some of the academics, some of the other groups, you might want to be at the table. So you know, there's certain groups that I think yes, absolutely, should be part of it. But then I think we need to be mindful of that. So that's coming, we just need to make a Google Form announcement.

Erin Crites 1:42:54

To Do List,

Jeff Wise 1:42:56

Well keep us in mind. We'd love to be involved.

Jack Reed - CDPS 1:43:01

Absolutely, no, I think, like I said, there were three community groups and all three would be interested. So but it's going to be a much broader mandate with a much more flexible group.

Erin Crites 1:43:20

All right. Anything else for the good of the cause? I will send out an email with the scheduling for our next meetings. And then we'll get the minutes out, once we review them, and have everybody review them, as well, before we post them.

Jack Reed - CDPS 1:43:46

Yeah, we didn't, we didn't actually talk about decision making for one minutes get posted. I mean, I would still like to get the chance to look at them before we post them. And then, you know, those, probably along with the recording of this meeting, but the audio, and then depending on time, from an accessibility point of view, the transcript. but we're gonna see about that. Cool? So, other action items, you're going to look into other organizations. Michael's going to look at Michigan and other folks, we're going to create a spreadsheet

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Jeff Wise 1:44:44

So do you want me to send that to you ahead of our next meeting to be added to the spreadsheet or presented at our next meeting?

Jack Reed - CDPS 1:44:56

I think if you're able to get it in time to add it to the spreadsheet that would be ideal. And I think I would still like you to probably present on that a little bit. Okay. Oh, there is one other thing that I want to let you all know. So I had a capstone student this last semester. And I said, you know, there's this recidivism working group. And it would be awesome to know what it looks like at least from one cohort, what recidivism looks like, according to the current definitions, as well as the proposed definition, and she's completed her Capstone. So I think she'll actually be presenting it, I think next week. And, you know, I think it might be valuable to this group to get her to present on that as well. It's, it's a really, the outcomes are really interesting, I think, and pretty compelling looking at when is the start date, you know, what limitations do you put on the population? So I think she did some really, really cool stuff. So excited about and it's a community corrections population, in part because that's what we, what we easily had as a group that we could give her we could match all that stuff. Okay.

Erin Crites 1:46:24

All right. Well, thanks, folks. Appreciate your attendance and participation today, and we will see you next time. Right, thanks so much. Thanks. All right.

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