

Second Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO

DRAFT  
10/4/23

Bill 2

LLS NO. 24-0376.01 Conrad Imel x2313

INTERIM COMMITTEE BILL

---

Recidivism Interim Study Committee

---

**BILL TOPIC:** Study Metrics To Measure Crim Jus Sys Success

---

**A BILL FOR AN ACT**

101 **CONCERNING A STUDY OF HOW TO MEASURE THE EFFECTIVENESS OF**  
102 **THE CRIMINAL JUSTICE SYSTEM USING METRICS OTHER THAN**  
103 **RECIDIVISM.**

---

**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)*

**Recidivism Interim Study Committee.** The bill creates the alternative metrics to measure criminal justice system performance working group (working group). The working group consists of representatives from the division of youth services in the department of human services, the department of corrections, the judicial department,

*Capital letters or bold & italic numbers indicate new material to be added to existing law.  
Dashes through the words indicate deletions from existing law.*

and the department of public safety. The working group shall consult with stakeholders either identified by the working group or who request to participate.

The bill requires the working group to study metrics and methods, other than measuring recidivism, to:

- Supplement the current measure of recidivism;
- Measure risk-reduction outcomes;
- Comprehensively measure successful outcomes that consider various aspects of life, including employment, housing, education, mental health, personal well-being, social supports, and civic and community engagement; and
- More effectively measure criminal justice system performance.

The working group is required to submit a report to the house of representatives health and insurance committee and judiciary committee and the senate health and human services committee and judiciary committee on or before July 1, 2025, that includes a summary of the group's work and any recommendations of the group.

---

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds and declares that:

4 (a) Emerging research indicates that reliance on recidivism rates  
5 as the only measure of desistance from criminal behavior does not capture  
6 other important markers of successful reintegration into society; and

7 (b) A 2022 consensus study report of the National Academies of  
8 Sciences, Engineering, and Medicine, "The Limits of Recidivism",  
9 recommends that efforts to evaluate success within the criminal legal  
10 system should: Shift away from exclusive reliance on measuring  
11 recidivism, which it describes as an imprecise proxy at best for measuring  
12 return to criminal behavior; clarify the limitations of certain measures of  
13 recidivism; draw more heavily on desistance as a measure of post-release  
14 outcomes in the criminal legal system; and expand the measurement of  
15 success to include well-being in a broad range of life domains.

1 (2) Therefore, expanding the scope of metrics used by the criminal  
2 legal system is necessary to more comprehensively assess supervision  
3 outcomes, criminal desistance, system performance, and client experience  
4 while under criminal justice supervision.

5 **SECTION 2.** In Colorado Revised Statutes, **add** 24-33.5-535 as  
6 follows:

7 **24-33.5-535. Alternative metrics to measure criminal justice**  
8 **system performance - working group - created - report - repeal.**

9 (1) THERE IS CREATED IN THE DIVISION THE ALTERNATIVE METRICS TO  
10 MEASURE CRIMINAL JUSTICE SYSTEM PERFORMANCE WORKING GROUP TO  
11 MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY REGARDING  
12 METRICS OTHER THAN RECIDIVISM TO ASSESS SUPERVISION OUTCOMES,  
13 CRIMINAL DESISTANCE, CLIENT EXPERIENCE IN THE CRIMINAL JUSTICE  
14 SYSTEM, AND CRIMINAL JUSTICE SYSTEM PERFORMANCE.

15 (2) (a) THE WORKING GROUP CONSISTS OF THE FOLLOWING  
16 MEMBERS:

17 (I) A REPRESENTATIVE OF THE DIVISION OF YOUTH SERVICES  
18 WITHIN THE DEPARTMENT OF HUMAN SERVICES, APPOINTED BY THE  
19 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES;

20 (II) A REPRESENTATIVE OF THE DEPARTMENT OF CORRECTIONS,  
21 APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF  
22 CORRECTIONS;

23 (III) A REPRESENTATIVE OF THE JUDICIAL DEPARTMENT,  
24 APPOINTED BY THE STATE COURT ADMINISTRATOR; AND

25 (IV) A REPRESENTATIVE OF THE DEPARTMENT OF PUBLIC SAFETY,  
26 APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC  
27 SAFETY.

1 (b) NO LATER THAN NOVEMBER 30, 2024, THE APPOINTING  
2 AUTHORITIES SHALL MAKE THEIR APPOINTMENTS TO THE WORKING GROUP.

3 (c) MEMBERS OF THE WORKING GROUP DO NOT RECEIVE  
4 COMPENSATION OR REIMBURSEMENT FOR EXPENSES.

5 (d) THE DIVISION SHALL FACILITATE THE WORK OF THE WORKING  
6 GROUP. THE WORKING GROUP SHALL ALLOW FOR REMOTE PARTICIPATION  
7 AT EACH MEETING OF THE WORKING GROUP.

8 (3) (a) THE DIVISION SHALL CONVENE THE FIRST MEETING OF THE  
9 WORKING GROUP NO LATER THAN FEBRUARY 1, 2025.

10 (b) THE WORKING GROUP SHALL CONSULT WITH STAKEHOLDERS  
11 EITHER IDENTIFIED BY THE WORKING GROUP OR WHO REQUEST TO  
12 PARTICIPATE IN THE WORKING GROUP'S WORK. THE GENERAL ASSEMBLY  
13 ENCOURAGES THE WORKING GROUP TO PROVIDE AN OPPORTUNITY FOR  
14 STAKEHOLDER PARTICIPATION AT EACH WORKING GROUP MEETING.

15 (4) (a) THE WORKING GROUP SHALL STUDY METRICS AND  
16 METHODS, OTHER THAN MEASURING RECIDIVISM, TO:

17 (I) SUPPLEMENT THE CURRENT MEASURE OF RECIDIVISM,  
18 INCLUDING MEASURES OF DESISTANCE FROM CRIME SUCH AS REDUCTIONS  
19 IN THE FREQUENCY AND SERIOUSNESS OF NEW CRIMINAL BEHAVIOR AND  
20 INCREASES IN THE LENGTH OF TIME BETWEEN CRIMINAL BEHAVIORS;

21 (II) MEASURE RISK-REDUCTION OUTCOMES;

22 (III) COMPREHENSIVELY MEASURE SUCCESSFUL OUTCOMES THAT  
23 CONSIDER VARIOUS ASPECTS OF LIFE, INCLUDING EMPLOYMENT, HOUSING,  
24 EDUCATION, MENTAL HEALTH, PERSONAL WELL-BEING, SOCIAL SUPPORTS,  
25 AND CIVIC AND COMMUNITY ENGAGEMENT; AND

26 (IV) MORE EFFECTIVELY MEASURE CRIMINAL JUSTICE SYSTEM  
27 PERFORMANCE TO ENSURE ALIGNMENT WITH BEST PRACTICES BOTH IN

1 SUPERVISION PROGRAM DESIGN AND IMPLEMENTATION.

2 (b) AS PART OF ITS STUDY OF ALTERNATIVE METRICS AND  
3 METHODS, THE WORKING GROUP SHALL ALSO IDENTIFY:

4 (I) METHODS TO OBTAIN INFORMATION FROM INDIVIDUALS UNDER  
5 SUPERVISION, AS WELL AS THOSE RECENTLY TERMINATED FROM  
6 SUPERVISION, REGARDING THE INDIVIDUALS' SUPERVISION EXPERIENCES.  
7 THE INFORMATION MAY INCLUDE THE QUALITY AND PERCEIVED  
8 EFFECTIVENESS OF THE RELATIONSHIP WITH AN INDIVIDUAL'S SUPERVISING  
9 AGENT; ACCESS TO NEEDED SUPPORTS AND SERVICES; AND  
10 SELF-ASSESSMENT OF AN INDIVIDUAL'S STABILITY AND OVERALL  
11 WELL-BEING, BOTH BEFORE AND AFTER SUPERVISION.

12 (II) DATA COLLECTION GAPS OR BARRIERS, AND MAKE  
13 RECOMMENDATIONS FOR HOW TO ADDRESS THOSE GAPS OR BARRIERS,  
14 INCLUDING THE NEED FOR THE STATE TO INVEST IN STRENGTHENING DATA  
15 COLLECTION AND DATA MATCHING CAPACITY;

16 (III) LIMITATIONS OR QUALIFIERS THAT NEED TO BE UNDERSTOOD  
17 REGARDING ANY METRIC OR METHOD INCLUDED IN THE WORKING GROUP'S  
18 RECOMMENDATIONS;

19 (IV) THE TIMELINE TO DEVELOP AND IMPLEMENT A NEW METRIC  
20 OR METHOD, AND POTENTIAL RESOURCES NEEDED FOR DEVELOPMENT AND  
21 IMPLEMENTATION; AND

22 (V) ANY CUSTOMIZATION OF A METRIC OR METHOD THAT MAY BE  
23 NECESSARY TO ACCOUNT FOR THE AGE, GENDER, RACE, ETHNICITY, OR  
24 RISK-LEVEL OF A SPECIFIC COHORT BEING MEASURED USING A  
25 RECOMMENDED METRIC OR METHOD.

26 (5) ON OR BEFORE JULY 1, 2025, THE WORKING GROUP SHALL  
27 SUBMIT ITS REPORT TO THE HOUSE OF REPRESENTATIVES PUBLIC AND

1 BEHAVIORAL HEALTH AND HUMAN SERVICES COMMITTEE AND THE HOUSE  
2 OF REPRESENTATIVES JUDICIARY COMMITTEE AND THE SENATE HEALTH  
3 AND HUMAN SERVICES COMMITTEE AND THE SENATE JUDICIARY  
4 COMMITTEE, OR THEIR SUCCESSOR COMMITTEES. THE REPORT MUST  
5 INCLUDE A SUMMARY OF THE WORKING GROUP'S WORK AND ANY  
6 RECOMMENDATIONS OF THE WORKING GROUP ABOUT THE DEVELOPMENT  
7 AND IMPLEMENTATION OF METHODS AND METRICS, OTHER THAN  
8 MEASURING RECIDIVISM, TO EVALUATE THE EFFECTIVENESS OF THE  
9 CRIMINAL JUSTICE SYSTEM.

10 (6) THIS SECTION IS REPEALED, EFFECTIVE JUNE 30, 2026.

11 **SECTION 3. Act subject to petition - effective date.** This act  
12 takes effect at 12:01 a.m. on the day following the expiration of the  
13 ninety-day period after final adjournment of the general assembly; except  
14 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
15 of the state constitution against this act or an item, section, or part of this  
16 act within such period, then the act, item, section, or part will not take  
17 effect unless approved by the people at the general election to be held in  
18 November 2024 and, in such case, will take effect on the date of the  
19 official declaration of the vote thereon by the governor.