



Final Report to the General Assembly

Recidivism Interim Study Committee
December 2023 | Research Publication 799



Recidivism Interim Study Committee

Legislative Members of the Committee

Senator, Robert Rodriguez

Representative, Judy Amabile

Senator Julie Gonzales

Rep Gabe Evans

Senator Kevin Van Winkle

Rep Matthew Martinez

Non Legislative Members of the Committee

Maureen Cain, Office of the State Public
Defender

Jack Reed, Department of Public Safety

Christie Donner, Colorado Criminal Justice
Reform Coalition

Greg Saiz, State Board of Parole

Sally Hill, Division of Youth Services

Adrienne Sanchez, Department of Corrections

Gordon McLaughlin, District Attorney,
8th Judicial District

Glenn Tapia, Probation Services, Judicial
Branch

Abi Olson, the Blue Bench

Legislative Council Staff & Office of Legislative Legal Services

Juliann Jenson, Senior Research Analyst

Bo Pogue, Senior Research Analyst

Lauren Morgan, Constituent Services Analyst

Clayton Mayfield, Fiscal Analyst

Conrad Imel, Senior Attorney

December | 2023



COLORADO GENERAL ASSEMBLY

EXECUTIVE COMMITTEE

Rep. Stephen Fenberg, Chair
Rep. Julie McCluskie, Vice Chair
Sen. Robert Rodriguez
Rep. Monica Duran
Sen. Paul Lundeen
Rep. Mike Lynch

STAFF

Natalie Castle, Director
Elizabeth Burger, Deputy Director
Manish Jani, Deputy Director



COMMITTEE

Rep. Judy Amabile
Rep. Ryan Armagost
Sen. James Coleman
Sen. Bob Gardner
Sen. Chris Hansen
Rep. Anthony Hartsook
Rep. Iman Jodeh
Rep. Meghan Lukens
Sen. Cleave Simpson
Sen. Jim Smallwood
Sen. Faith Winter
Rep. Chris deGruy-Kennedy

LEGISLATIVE COUNCIL

ROOM 029 STATE CAPITOL

DENVER, COLORADO 80203-1784

E-mail: lcs.ga@state.co.us

303-866-3521 FAX: 303-866-3855 TDD: 303-866-3472

December 2023

To Members of the Seventy-fourth General Assembly:

Submitted herewith is the final report of the Recidivism Interim Study Committee. This committee was created pursuant to Interim Committee Letter 2023-06. The purpose of this committee is to study aligning definitions of recidivism when used as a measurement of criminal justice related program success or failure.

At its meeting on November 15, 2023 the Legislative Council reviewed the report of this committee. A motion to forward this report and the bills therein for consideration in the 2024 session was approved.

Sincerely,

/s/ Senator Robert Rodriguez
Chair

Table of Contents

Committee Charge	1
Committee Activities.....	1
Common or Universal Definition of Recidivism	1
Other Metrics to Measure Success in the Criminal and Juvenile Justice System	2
Criminal and Juvenile Justice System Process Study	2
Summary of Recommendations.....	4
Bill A — Recidivism Definition Working Group	4
Bill B — Study Metrics to Measure Criminal Justice System Success	4
Bill C — Criminal and Juvenile Justice System Process Study	4
Resource Materials	5
Meetings and Topics Discussed	5

The texts of the approved bills are included as Attachments A through C after the list of meetings and topics discussed.

This report is also available online at:

<https://leg.colorado.gov/committees/committeename/2023-regular-session>

Committee Charge

The Recidivism Interim Study Committee (committee) was created pursuant to [Interim Committee Letter 2023-06](#) to align definitions of recidivism when used as a measurement of criminal justice related program success or failure. The committee met three times to:

- review agency and department definitions of recidivism;
- examine other state and academic approaches to defining recidivism;
- review other means to measure program success; and
- align agency and department recidivism definitions to more clearly measure program effectiveness.

Committee Activities

The committee held three meetings during the 2023 interim. Briefings and presentations were made by the National Conference of State Legislatures, in addition to other experts familiar with recidivism data and measuring other factors to gauge success or failure in the criminal justice system. Additionally, agency and community organization representatives explained recidivism definitions used in their respective lines of work. The committee also discussed:

- limits of recidivism data;
- different metrics or indicators besides recidivism to measure success;
- coordination of recidivism definitions across interrelated programs and services;
- statutory definitions of recidivism; and,
- differences in adult and juvenile recidivism definitions and trends.

Common or Universal Definition of Recidivism

Recidivism generally refers to a relapse into criminal behavior, often after receiving sanctions or interventions for a previous crime. Despite the widespread use of recidivism to measure outcomes, no universal or common definition exists nationally or in Colorado.

National experts, and agency and community organization representatives, presented to the committee about applicable recidivism definitions used to collect and present data about offenders. The committee learned that these entities not only describe recidivism differently, but rely on varying gradations of re-involvement in the criminal justice system to measure success or failure. Without a common definition, the presenters stressed the difficulty in comparing and measuring the effectiveness of criminal justice practices.

Committee members discussed the importance of aligning recidivism definitions for state agencies that collect and report recidivism data. The committee subsequently tasked a Universal/Common Definition working group comprised of committee members and agency representatives to develop components of a shared definition.

The working group met two times and determined that the topic warranted further examination beyond interim committee deadlines. The working group suggested forming another, ongoing working or study group to develop a definition within a year and identified agency and

community-based participants. They also agreed upon a framework for defining and measure recidivism, including, but not limited to:

- a start event, such as a release from prison, or placement on probation;
- identify a cohort of tracked individuals;
- define a “recidivism event” as a new deferred agreement, adjudication or conviction for a felony or misdemeanor offense; and,
- window of measurement, or range of time during which failure events are tracked and measured.

Committee recommendations. As a result of its discussions, the committee recommends Bill A, which creates a working group in the Department of Public Safety (DPS) to develop a common definition of recidivism for state entities that collect recidivism data. In addition, the bill sets deadlines to identify and implement the common definition, along with other minimum components.

Other Metrics to Measure Success in the Criminal and Juvenile Justice System

The committee heard from experts about the limits of recidivism rates to measure success or failure in the criminal justice system. Recidivism rates only describe specific legal system actions and do not take into account other, more nuanced, indicators of progress, such as reductions in the severity or occurrence of criminal activity. Additionally, community and structural factors (for example, housing and employment) that shape successful reintegration are often overlooked in the larger recidivism conversation.

Committee members noted that markers of desistance that are not captured by measuring recidivism alone needed further exploration. An Alternative Metrics working group comprised of committee members and stakeholders met two times to discuss this topic in-depth. The group suggested to expand the number of metrics used by the criminal justice system. Additionally, they directed involved agencies and other stakeholders to analyze the existing research and make recommendations to the General Assembly at a future determined date.

Committee recommendations. The committee discussion about alternative metrics led to the drafting of Bill B, which creates the Alternative Metrics to Measure Criminal Justice System Performance Working Group in DPS.

Criminal and Juvenile Justice System Process Study

The criminal justice system is a complex network of government agencies on the state and local level (i.e. law enforcement, courts, corrections, behavioral health, etc.) that primarily operate independently of each other. The system may be confusing and circuitous to offenders, victims, practitioners, and lawmakers alike.

Committee members discussed the intricate nature of the criminal justice system in the context of recidivism. Testimony pointed out that many agencies are impacted by recidivism, from reporting requirements to programming to funding levels, but little coordination between

agencies exists. Furthermore, no common framework allows for agencies to communicate and share data with each other.

In response, the committee recommended a criminal justice system flow study in an effort to better understand how individuals proceed through, and interact with, the criminal justice system. The comprehensive study covers many facets of the criminal justice system, including, but not limited to, organizational and technology structures, metrics used and types of information collected, and efficiency recommendations.

Committee recommendations. Bill C requires the DPS to contract with a third-party to conduct a study on how individuals proceed through the criminal justice system as well as includes study parameters and deadlines.

Summary of Recommendations

As a result of the committee's activities, the committee recommended three bills to the Legislative Council for consideration in the 2024 session. At its meeting on November 15, 2023, the Legislative Council approved the three recommended bills for introduction, described below.

Bill A — Recidivism Definition Working Group

The bill creates a working group in the DPS to develop a common definition of recidivism to be used across all state entities that collect recidivism data. The working group must identify a definition by January 15, 2025, and include minimum components identified in the bill. Beginning July 1, 2025, all state entities identified by the working group must include the definition developed by the working group in any documents or reports with recidivism data.

Bill B — Study Metrics to Measure Criminal Justice System Success

The bill creates the Alternative Metrics to Measure Criminal Justice System Performance Working Group in the DPS to study alternative metrics other than recidivism to measure outcomes and performance of the criminal justice system. The working group must convene its first meeting by February 1, 2025, and submit a report to the General Assembly by July 1, 2025. As part of its work, the working group must consult with stakeholders and allow for stakeholder participation at its meetings.

Bill C — Criminal and Juvenile Justice System Process Study

The bill requires DPS to issue a request for proposals to study how individuals proceed through the various states of the criminal and juvenile justice system. At a minimum, the study must include:

- an analysis of the information technology systems used by criminal and juvenile justice agencies;
- an organizational matrix of process, personnel structures, and technology structures used by criminal and juvenile justice agencies;
- a detailed diagram of criminal and juvenile justice proceedings;
- a model-based systems engineering analysis of criminal and juvenile justice structures;
- recommendations and best practices for creating more efficient operational and technological systems and procedures to be used in the criminal and juvenile justice systems;
- an analysis of inefficiencies within the various stages of the criminal and juvenile justice systems; and
- an analysis of the types of metrics and information collected by criminal and juvenile justice agencies.

The DPS must enter into a contract with an entity to conduct the study by July 1, 2024, and submit a final report to the General Assembly by June 30, 2025.

Resource Materials

Meeting summaries are prepared for each meeting of the committee and contain all handouts provided to the committee. The summaries of meetings and attachments are available at the Division of Archives, 1313 Sherman Street, Denver (303-866-2055). The listing below contains the dates of committee meetings and the topics discussed at those meetings. Meeting summaries are also available on our website at:

<https://leg.colorado.gov/content/committees>

Meetings and Topics Discussed

August 2, 2023

- Committee overview by nonpartisan staff
- Recidivism definitions in other states
- State agency definitions of recidivism
- Recidivism definitions and tracking in jails
- Panel discussions about recidivism definitions and perspectives from state agencies, courts, district attorneys, public defenders, and community organizations and providers

September 13, 2023

- Recidivism policies and definitions on the national level
- Updates from recidivism study groups: common definitions and alternative matrix
- Draft bill requests

October 25, 2023

- Final action on bill draft requests

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

Attachment A

Bill A

LLS NO. 24-0375.01 Conrad Imel x2313

SENATE BILL

SENATE SPONSORSHIP

Rodriguez and Gonzales,

HOUSE SPONSORSHIP

Amabile and Martinez,

Senate Committees

House Committees

A BILL FOR AN ACT

101 CONCERNING CREATING A WORKING GROUP TO DEVELOP A DEFINITION
102 OF 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 requires the division of criminal justice in the department of public safety to convene a working group to develop a definition of "recidivism" to be used by each state entity that collects data or reports on recidivism, in any report issued by the entity. The working group consists of representatives of the judicial department, the department of corrections, the division of youth

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

services in the department of human services, the state board of parole, the department of public safety, an institution of higher education, and a community-based organization that works for criminal legal reform and supports consistent data collection.

The working group shall develop a definition of "recidivism" no later than January 15, 2025. The definition must include:

- A clearly defined measurement point to begin tracking recidivism;
- A clear description of the cohort to be tracked;
- That the recidivism event is a new deferred agreement or adjudication or conviction for a felony or misdemeanor offense, including "Victim Rights Act" crimes; and
- A clearly defined time period during which an event is considered a recidivism event, consistent with best practices for measuring recidivism.

Each state entity that collects data or reports on recidivism in any report issued by the entity shall begin using the working group's definition on July 1, 2025.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 24-33.5-535 as
3 follows:

4 **24-33.5-535. Definition of recidivism working group - created**
5 **- membership.** (1) (a) THE DIVISION SHALL CONVENE A WORKING GROUP
6 TO DEVELOP A DEFINITION OF RECIDIVISM TO BE USED BY EACH STATE
7 ENTITY, INCLUDING EACH DEPARTMENT, DIVISION, AGENCY, OFFICE, OR
8 COMMISSION THAT COLLECTS DATA OR REPORTS ON RECIDIVISM, IN ANY
9 REPORT ISSUED BY THE ENTITY.

10 (b) THE DIVISION SHALL IDENTIFY EACH STATE ENTITY, INCLUDING
11 EACH DEPARTMENT, DIVISION, AGENCY, OFFICE, OR COMMISSION THAT
12 COLLECTS DATA OR REPORTS ON RECIDIVISM IN ANY REPORT ISSUED BY
13 THE ENTITY.

14 (c) EXCEPT AS OTHERWISE REQUIRED BY STATE OR FEDERAL LAW,
15 BEGINNING JULY 1, 2025, EACH STATE ENTITY DESCRIBED IN SUBSECTION

1 (1)(b) OF THIS SECTION SHALL USE THE DEFINITION OF RECIDIVISM
2 DEVELOPED BY THE WORKING GROUP PURSUANT TO THIS SECTION IN THE
3 ENTITY'S RECIDIVISM DATA COLLECTION. ANY DOCUMENT OR REPORT
4 THAT INCLUDES RECIDIVISM DATA COLLECTED BY A STATE ENTITY ON OR
5 AFTER JULY 1, 2025, MUST REPORT THE DATA CONSISTENT WITH THE
6 DEFINITION OF RECIDIVISM DEVELOPED BY THE WORKING GROUP. THIS
7 SECTION DOES NOT PROHIBIT A STATE ENTITY FROM REPORTING, IN
8 ADDITION TO DATA ABOUT RECIDIVISM AS DEFINED BY THE WORKING
9 GROUP, ANY OTHER METRICS THE STATE ENTITY DEEMS NECESSARY OR
10 RELEVANT TO ITS MISSION, OR TO MEET THE NEEDS OF THE ENTITY.

11 (2) (a) THE WORKING GROUP CONSISTS OF THE FOLLOWING
12 MEMBERS:

13 (I) A REPRESENTATIVE OF THE JUDICIAL DEPARTMENT, APPOINTED
14 BY THE STATE COURT ADMINISTRATOR;

15 (II) A REPRESENTATIVE OF THE DEPARTMENT OF CORRECTIONS,
16 APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF
17 CORRECTIONS;

18 (III) A REPRESENTATIVE OF THE DIVISION OF YOUTH SERVICES IN
19 THE DEPARTMENT OF HUMAN SERVICES, APPOINTED BY THE EXECUTIVE
20 DIRECTOR OF THE DEPARTMENT OF HUMAN SERVICES;

21 (IV) A REPRESENTATIVE OF THE STATE BOARD OF PAROLE,
22 APPOINTED BY THE CHAIR OF THE PAROLE BOARD;

23 (V) A REPRESENTATIVE OF THE DEPARTMENT OF PUBLIC SAFETY
24 WITH EXPERTISE IN COMMUNITY CORRECTIONS, APPOINTED BY THE
25 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY;

26 (VI) A MEMBER FROM AN INSTITUTION OF HIGHER EDUCATION
27 WITH EXPERTISE IN THE CRIMINAL LEGAL SYSTEM WHO HAS CONDUCTED

1 RELEVANT RESEARCH REGARDING RECIDIVISM, APPOINTED BY THE
2 EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY; AND

3 (VII) A REPRESENTATIVE OF A COMMUNITY-BASED ORGANIZATION
4 THAT WORKS FOR CRIMINAL LEGAL REFORM AND SUPPORTS CONSISTENT
5 DATA COLLECTION, APPOINTED BY THE EXECUTIVE DIRECTOR OF THE
6 DEPARTMENT OF PUBLIC SAFETY.

7 (b) NO LATER THAN SEPTEMBER 15, 2024, THE APPOINTING
8 AUTHORITIES SHALL MAKE THEIR APPOINTMENTS TO THE WORKING GROUP.

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

11 (d) THE DIVISION SHALL FACILITATE THE WORK OF THE WORKING
12 GROUP. THE WORKING GROUP SHALL ALLOW FOR REMOTE PARTICIPATION
13 AT EACH MEETING OF THE WORKING GROUP.

14 (3) (a) THE WORKING GROUP SHALL DEVELOP A DEFINITION OF
15 RECIDIVISM NO LATER THAN JANUARY 15, 2025.

16 (b) NO LATER THAN JANUARY 31, 2025, THE WORKING GROUP
17 SHALL PROVIDE ITS DEFINITION OF RECIDIVISM TO EACH STATE ENTITY
18 IDENTIFIED BY THE DIVISION IN SUBSECTION (1)(b) OF THIS SECTION.

19 (4) THE DEFINITION OF RECIDIVISM DEVELOPED BY THE WORKING
20 GROUP PURSUANT TO THIS SECTION MUST INCLUDE, AT A MINIMUM:

21 (a) A CLEARLY DEFINED MEASUREMENT POINT TO BEGIN TRACKING
22 THE RECIDIVISM EVENT DESCRIBED IN SUBSECTION (4)(c) OF THIS SECTION
23 FOR THOSE PERSONS WHO ARE OUT OF CUSTODY AND UNDER SUPERVISION
24 AND THOSE PERSONS WHO ARE OUT OF CUSTODY BUT TERMINATED FROM
25 SUPERVISION BY ANY AGENCY;

26 (b) A CLEAR DESCRIPTION OF THE COHORT TO BE TRACKED;

27 (c) THAT A RECIDIVISM EVENT IS A NEW DEFERRED AGREEMENT OR

1 AN ADJUDICATION OR CONVICTION FOR A FELONY OFFENSE OR
2 MISDEMEANOR OFFENSE, INCLUDING ALL "VICTIM RIGHTS ACT" CRIMES
3 AS DEFINED IN SECTION 24-4.1-302 (1); AND

4 (d) A CLEARLY DEFINED TIME PERIOD DURING WHICH AN EVENT IS
5 CONSIDERED A RECIDIVISM EVENT THAT IS CONSISTENT WITH BEST
6 PRACTICES FOR MEASURING RECIDIVISM.

7 (5) SUBJECT TO AVAILABLE RESOURCES, AND IF THE WORKING
8 GROUP DETERMINES IT CAN DO SO PRIOR TO JANUARY 15, 2025, TO
9 PROMOTE THE USE OF CONSISTENT DEFINITIONS BY VARIOUS STATE
10 ENTITIES, THE WORKING GROUP MAY DEVELOP DEFINITIONS OF OTHER
11 METRICS OR DATA POINTS RELATED TO RECIDIVISM OR THE DESISTANCE
12 FROM CRIME THAT STATE ENTITIES MAY USE AS APPLICABLE.

13 (6) THE WORKING GROUP SHALL NOT MEET AFTER JANUARY 31,
14 2025.

15 **SECTION 2.** In Colorado Revised Statutes, 19-2.5-1501, **amend**
16 (4) as follows:

17 **19-2.5-1501. Division of youth services - created - interagency**
18 **agreements - duties of administrators of facilities in connection with**
19 **voter registration and casting of ballots - reports - definitions.** (4) On
20 or before July 1, 2018, and on or before each July 1 thereafter, the
21 department of human services shall collect recidivism data and calculate
22 the recidivism rates and the educational outcomes for juveniles committed
23 to the custody of the department of human services who complete their
24 parole sentences and discharge from department supervision. ~~In collecting~~
25 ~~the recidivism data, the department of human services shall include any~~
26 ~~juvenile adjudication or adult conviction of a criminal offense within~~
27 ~~three years after parole discharge.~~ Notwithstanding section 24-1-136

1 (11)(a)(I), the department of human services shall report the recidivism
2 data, recidivism rates, and educational outcomes to the general assembly
3 annually. The report must denote the demographic characteristics of the
4 population considered in the report. In reporting on recidivism rates, the
5 report must denote the types of criminal offenses committed, delineating
6 between felonies and misdemeanors and between crimes that are included
7 as a "crime" pursuant to section 24-4.1-302 (1) and other crimes.

8 **SECTION 3. Safety clause.** The general assembly finds,
9 determines, and declares that this act is necessary for the immediate
10 preservation of the public peace, health, or safety or for appropriations for
11 the support and maintenance of the departments of the state and state
12 institutions.

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

Attachment B

Bill B

LLS NO. 24-0376.01 Conrad Imel x2313

SENATE BILL

SENATE SPONSORSHIP

Gonzales and Rodriguez,

HOUSE SPONSORSHIP

Amabile, Martinez

Senate Committees

House Committees

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,

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers 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. Safety clause.** The general assembly finds,
12 determines, and declares that this act is necessary for the immediate
13 preservation of the public peace, health, or safety or for appropriations for
14 the support and maintenance of the departments of the state and state
15 institutions.

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

Attachment C

Bill C

LLS NO. 24-0377.01 Jacob Baus x2173

SENATE BILL

SENATE SPONSORSHIP

Gonzales and Rodriguez,

HOUSE SPONSORSHIP

Martinez, Amabile

Senate Committees

House Committees

A BILL FOR AN ACT

101 CONCERNING A STUDY TO EXAMINE HOW INDIVIDUALS PROCEED
102 THROUGH THE VARIOUS JUSTICE SYSTEMS.

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 requires the division of criminal justice (division) in the department of public safety to conduct a study to examine how individuals proceed through the various stages of criminal and juvenile justice proceedings, including sentences and alternative sentencing programs.

The division shall solicit proposals for an entity to assist with the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

study.

The bill requires the division to submit a report of its findings to the joint budget committee and the judiciary committees of the house of representatives and the senate by June 30, 2025.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 24-33.5-535 as
3 follows:

4 **24-33.5-535. Criminal and juvenile justice processes study -**
5 **request for proposals - report - definition - repeal.** (1) (a) THE
6 DIVISION SHALL CONDUCT A STUDY TO EXAMINE HOW INDIVIDUALS
7 PROCEED THROUGH THE VARIOUS STAGES OF CRIMINAL AND JUVENILE
8 JUSTICE PROCEEDINGS, INCLUDING SENTENCES AND SENTENCING
9 PROGRAMS. THE STUDY MUST INCLUDE, AT A MINIMUM:

10 (I) AN ANALYSIS OF THE MODERN INFORMATION SYSTEM
11 TECHNOLOGIES AND DESIGN PRINCIPLES USED IN THE VARIOUS STAGES OF
12 CRIMINAL AND JUVENILE JUSTICE PROCEEDINGS AND BY CRIMINAL AND
13 JUVENILE JUSTICE AGENCIES, INCLUDING VARIOUS CORRECTIONAL
14 FACILITIES, DIVISION OF YOUTH SERVICES FACILITIES, JUVENILE DETENTION
15 FACILITIES, AND PROGRAMS, INCLUDING BUT NOT LIMITED TO:

16 (A) THE SERVICE-ORIENTED ARCHITECTURE USED IN INFORMATION
17 EXCHANGES AND OPERATIONAL PROCESSES; AND

18 (B) THE INTEGRATED DATABASES AND DATA SERVICES USED TO
19 STORE AND ACCESS RECORDS;

20 (II) AN ORGANIZATIONAL MATRIX OF PROCESSES, PERSONNEL
21 STRUCTURES, AND TECHNOLOGY STRUCTURES USED IN THE VARIOUS
22 STAGES OF CRIMINAL AND JUVENILE JUSTICE PROCEEDINGS AND BY
23 CRIMINAL AND JUVENILE JUSTICE AGENCIES, INCLUDING VARIOUS

1 CORRECTIONAL FACILITIES, DIVISION OF YOUTH SERVICES FACILITIES,
2 JUVENILE DETENTION FACILITIES, AND PROGRAMS;

3 (III) A DIAGRAM OF CRIMINAL AND JUVENILE JUSTICE
4 PROCEEDINGS, INCLUDING DETAILS CONCERNING THE OPTIONS AVAILABLE
5 FOR PERSONS AT THE VARIOUS STAGES OF CRIMINAL AND JUVENILE JUSTICE
6 PROCEEDINGS, INCLUDING VARIOUS SENTENCES AND PROGRAMS, AND
7 STATISTICS REGARDING THE FREQUENCY AT WHICH THE OPTIONS ARE
8 CHOSEN;

9 (IV) AN ANALYSIS USING MODEL-BASED SYSTEMS ENGINEERING TO
10 STUDY VARIOUS CRIMINAL AND JUVENILE JUSTICE STRUCTURES,
11 PROCESSES, AND CRIMINAL AND JUVENILE JUSTICE AGENCIES, INCLUDING
12 CORRECTIONAL FACILITIES, DIVISION OF YOUTH SERVICES FACILITIES,
13 JUVENILE DETENTION FACILITIES, AND PROGRAMS TO:

14 (A) ILLUSTRATE EXISTING ORGANIZATIONAL RELATIONSHIPS,
15 INFORMATION SYSTEMS, AND PROCESSES; AND

16 (B) ANALYZE EXISTING PROCESS INEFFICIENCIES AND
17 OPPORTUNITIES FOR IMPROVING QUALITY AND EFFICIENCY;

18 (V) RECOMMENDATIONS AND BEST PRACTICES IMPLEMENTED IN
19 COLORADO OR OTHER STATES FOR CREATING MORE EFFICIENT
20 OPERATIONAL AND TECHNOLOGICAL SYSTEMS AND PROCEDURES TO BE
21 USED IN CRIMINAL AND JUVENILE JUSTICE PROCEEDINGS AND THE VARIOUS
22 CORRECTIONAL FACILITIES, DIVISION OF YOUTH SERVICES FACILITIES,
23 JUVENILE DETENTION FACILITIES, AND PROGRAMS;

24 (VI) AN ANALYSIS OF INEFFICIENCIES WITHIN THE VARIOUS STAGES
25 OF CRIMINAL AND JUVENILE JUSTICE PROCEEDINGS, INCLUDING VARIOUS
26 CORRECTIONAL FACILITIES, DIVISION OF YOUTH SERVICES FACILITIES,
27 JUVENILE DETENTION FACILITIES, AND PROGRAMS; AND

1 (VII) AN ANALYSIS OF THE TYPES OF METRICS AND INFORMATION
2 COLLECTED AND PREPARED BY CRIMINAL AND JUVENILE JUSTICE AGENCIES
3 REGARDING INDIVIDUALS PROCEEDING THROUGH THE VARIOUS STAGES OF
4 CRIMINAL AND JUVENILE JUSTICE PROCEEDINGS AND THE VARIOUS
5 SENTENCES AND PROGRAMS. THE ANALYSIS MUST EXAMINE THE PURPOSE
6 OF COLLECTING AND PREPARING THE METRICS AND INFORMATION AND
7 HOW THEY ARE USED.

8 (b) THE DIVISION SHALL LIMIT THE STUDY TO THE MOST RECENT
9 EIGHTEEN-MONTH PERIOD FOR WHICH DATA IS AVAILABLE AND SUFFICIENT
10 TO SATISFY THE OBJECTIVES IN SUBSECTION (1)(a) OF THIS SECTION.

11 (c) THE DIVISION SHALL SOLICIT AND CONSIDER PUBLIC COMMENT
12 REGARDING THE OBJECTIVES OF THE STUDY DESCRIBED IN SUBSECTION
13 (1)(a) OF THIS SECTION. THE DIVISION SHALL ALLOW PUBLIC COMMENT TO
14 BE SUBMITTED ANONYMOUSLY.

15 (2) THE DIVISION SHALL COLLABORATE WITH CRIMINAL AND
16 JUVENILE JUSTICE AGENCIES, THE DEPARTMENT OF LAW, THE JUDICIAL
17 DEPARTMENT, THE STATE BOARD OF PAROLE, THE DEPARTMENT OF
18 CORRECTIONS, THE YOUTHFUL OFFENDER SYSTEM IN THE DEPARTMENT OF
19 CORRECTIONS, THE DIVISION OF YOUTH SERVICES IN THE DEPARTMENT OF
20 HUMAN SERVICES, AND THE OFFICE OF INFORMATION TECHNOLOGY, AS
21 NECESSARY, TO SATISFY THE OBJECTIVES OF THE STUDY DESCRIBED IN
22 SUBSECTION (1)(a) OF THIS SECTION.

23 (3) THE DIVISION SHALL ISSUE A REQUEST FOR PROPOSALS FOR AN
24 ENTITY TO ASSIST THE DIVISION IN CONDUCTING THE STUDY, GATHERING
25 INFORMATION, ANALYZING THE ISSUES, AND PRODUCING A REPORT. THE
26 DIVISION SHALL ENTER INTO A CONTRACT WITH AN ENTITY ON OR BEFORE
27 JULY 1, 2024.

1 (4) ON OR BEFORE JUNE 30, 2025, THE DIVISION SHALL SUBMIT A
2 REPORT OF ITS FINDINGS TO THE JOINT BUDGET COMMITTEE AND THE
3 JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE
4 SENATE, OR ANY SUCCESSOR COMMITTEES.

5 (5) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
6 REQUIRES, "CRIMINAL AND JUVENILE JUSTICE AGENCY" MEANS A LAW
7 ENFORCEMENT AGENCY, COURT, LOCAL JAIL, MUNICIPAL JAIL AUTHORIZED
8 PURSUANT TO SECTION 31-15-401 (1)(j), MULTIJURISDICTIONAL JAIL
9 AUTHORIZED PURSUANT TO SECTION 17-26.5-101, THE DEPARTMENT OF
10 CORRECTIONS, PRIVATE CONTRACT PRISONS, THE DIVISION OF YOUTH
11 SERVICES IN THE DEPARTMENT HUMAN SERVICES, THE YOUTHFUL
12 OFFENDER SYSTEM IN THE DEPARTMENT OF CORRECTIONS, OR ANY
13 AGENCY THAT HAS JURISDICTION OVER A JUVENILE.

14 (6) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2025.

15 **SECTION 2. Safety clause.** The general assembly finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, or safety or for appropriations for
18 the support and maintenance of the departments of the state and state
19 institutions.