

# **Recidivism Evaluation of Committed Youth Fiscal Year 1998-99**

*Prepared by CEB Solutions for:*

**DEPARTMENT OF HUMAN SERVICES  
DIVISION OF YOUTH CORRECTIONS**



**December 2001**

## EXECUTIVE SUMMARY

The Division of Youth Corrections (DYC) submits annual reports of recidivism outcomes of youth committed to its custody. The current report is submitted in response to Footnote #118 of the Fiscal Year 2000-01 Colorado Long Bill.

Recidivism studies on committed youth are prepared in two phases. Phase I evaluates new misdemeanor and felony offenses occurring during the period of commitment including parole, resulting in a court filing tracked in the Colorado Judicial Department's ICON data system. The sample for Phase I of this report includes all youth committed between July and October 1998, and followed throughout their commitment. Phase II evaluates new misdemeanor and felony offenses occurring within one year of discharge from DYC resulting in a court filing tracked in the ICON data system. The sample for Phase II includes all youth discharged from DYC in fiscal year 1998-99.

The measure of recidivism utilized in these studies has been revised since December 1999 in accordance with recommendations resulting from a legislative audit of the juvenile justice system. DYC reports prepared prior to December 1999 defined recidivism as a filing within one year of discharge from DYC for a new felony or misdemeanor offense **resulting in adjudication or conviction**. Beginning with the 1999 report, DYC incorporated the definition developed by a committee of representatives from the Judicial Branch and the Departments of Human Services, Public Safety and Corrections. A two-tiered approach was recommended to capture pre-release information on offense behaviors prior to release or discharge from a program, and new offenses resulting in **court filings** within one year following release or discharge from the program. The move from reporting only filings resulting in a guilty disposition to all filings naturally increased the rate of recidivism as a function of the changed measure. While efforts to define standard definitions of recidivism across correctional agencies should produce more consistency in data collection and reporting, some differences will still exist across agencies due to differences in programs and levels of security imposed (e.g., residential versus non-residential).

The recidivism definitions used for the current study and included in this report are as follows:

**Phase I: Pre-release recidivism:**

**A filing for a new felony or misdemeanor offense that occurred prior to discharge from DYC.**

**Phase II: Post-release recidivism:**

**A filing for a new felony or misdemeanor offense that occurred within one year following discharge from DYC.**

The report is divided into two sections to report Phase I and Phase II findings.

## **SECTION I: Phase I Findings – Pre-release Recidivism**

The sample for Section I consists of 336 youth committed between July 1, 1998 and October 31, 1998. Offense and filing data were evaluated on all of these youth throughout their commitment. As of November 1, 2001, 54 (16.1%) of the youth committed to NYC between July 1 and October 31, 1998 had not yet been discharged. Changes in the amount of time that youth spend with NYC, and the corresponding change in the duration of time that new offenses during commitment are recorded, negatively affect the ability to compare samples or to monitor trends over time. Longer observation times generally result in higher rates of re-offending, simply as a function of longer data collection periods. The total commitment follow-up time for the current sample (28.4 months based on LOS between commitment date and discharge, or commitment date and October 31, 2001 for youth not yet discharged) is two months longer than for the 1997 sample (26.3 months). The increased LOS of the 1998 sample combined with the implementation of a mandatory period of parole for many youth who would otherwise have spent their full commitment sentence in a residential setting produces a very different commitment experience for youth committed in this sample compared with youth in prior studies. Therefore, the information presented in this section is useful in looking at population characteristics as they relate to offenses during commitment, but not for monitoring trends over time. As in the 1997 study, the 54 youth who had not yet been discharged are included in the analyses of new offenses filed during commitment. The rate of new filings is particularly high for this group of youths (approximately 74%), probably in large part accounting for the long LOS for these youth, and excluding this group would underestimate the rate of filings during commitment. Most of the youth who had not had a new filing by the time the data collection for this study was completed are nearing the end of their sentence, and will likely be discharged without having received an additional filing during commitment.

The following is a summary of the pre-discharge recidivism results for the 1998 commitment sample:

- 1) Of the 336 youth committed during the first four months of 1998, 182 (45.8%) had a new misdemeanor or felony offense filed prior to discharge.
- 2) The rate of pre-discharge recidivism for the 1998 new commitment sample is 47% for males compared with 34.4% for females. Males consistently evidence a higher recidivism rate than females, although the difference in these rates has decreased over the last couple of years.
- 3) African American youth committed in the first four months of FY 1998-99 had a significantly higher rate (56.9%) of new offenses filed prior to discharge from NYC than did Hispanic/Latino youth (49.6%) or Anglo youth (41.3%). There were only 10 youth of other ethnic backgrounds. Only one of these youth committed a new offense during commitment resulting in filing.

- 4) DYC has a regionally based management structure, operating from five management regions throughout the state. The Central region experienced the lowest rate of new offenses filed during commitment at 38.3%, followed by the Denver region (40.0%), the Western region (42.2%), the Northeast region (49.3%), and the Southern region (56.3%).
- 5) Youth who were originally committed on property or drug felony charges and youth whose commitment offenses fall into the 'Other Felony' group (which includes public order offenses such as harassment, disorderly conduct, obstruction, etc.) were more likely to have another offense filed prior to discharge from DYC than youth in other offense groups.
- 6) Seventy-seven percent of youth committed in the first four months of 1998 had one or more prior adjudications. The rate of new offenses filed was significantly higher (48.8%) for youth with at least one adjudication prior to commitment compared to that (35.5%) for youth who had no adjudications prior to commitment.
- 7) Overall, 54% of all youth committed during the first four months of FY 1998-99 had no new charges resulting in filing during their commitment, 38% had new charges filed where the most serious charge was a felony offense, and eight percent had a new charge filed where the most serious charge was a misdemeanor offense.

## **SECTION I: Phase II Findings – Post-release Recidivism**

In FY 1998-99, 591 youth committed youth were discharged from DYC. Forty-three (7.3%) of these youth were under adult court authority at the time of discharge. An additional six youth (1.0%) received another commitment to DYC shortly after discharge in FY 1998-99 for an offense that occurred during the original commitment. Filings that result in such discharges are reflected in 'pre-discharge' filing outcomes (analyzed in Section I) since the offenses leading to these filings occur prior to youth's discharge from DYC. Therefore, these youth are excluded from further follow-up. The sample for Section II consisted of the remaining 542 youth (91.7%) discharged in FY 1998-99.

The following is a summary of the post-discharge recidivism results for the FY 1998-99 follow-up sample:

- 1) Of the 542 youth included in the study, 171 (31.5%) had a new misdemeanor or felony offense within one year of discharge resulting in filing. Even when youth who were discharged to adult court authority are included in the above figures, the rate of recidivism for youth discharged in FY 1998-99 is lower than that of youth discharged since 1992-93.
- 2) The rate of recidivism was 12.7% for females and 33.7% for males. The rate for females is lower than that observed in recent years, and more similar to the rates reported for females discharged in the early 1990's.

- 3) The recidivism rate for Anglo youth (26.8%) discharged in FY 1998-99 was significantly below that of African American youth (37.7%) and Hispanic/Latino youth (37.4%).
- 4) The rate of recidivism across regions for youth discharged in FY 1998-99 ranged from a low of 27.2% in the Central region to 36.9% in the Southern region.
- 5) As found in prior studies, there were no statistically significant differences in recidivism rates for youth committed to DYC on felony versus misdemeanor offenses.
- 6) For youth discharged in FY 1998-99 to placements other than those under adult court authority or committed to DYC for an offense that occurred during commitment, 67.3% were working and/or in school at the time of discharge. Youth discharged in FY 1998-99 who were in a job/school placement at the time of discharge had a lower recidivism rate (30.0%) than youth not working or in school at the time of discharge (35.2%). While these differences did not reach statistical significance in the current study, the relationship between job/school status at discharge and recidivism has been a consistent finding in previous studies.
- 7) Of the 171 youth who recidivated during the year following discharge, 133 (78%) of the offenses filed were felony offenses. This figure translates to approximately 25% of the 542 youth in the FY 1998-99 discharge follow-up sample.

Youth discharged in FY 1998-99 had lower recidivism rates (chi-square=3.0,  $p < .10$ ) and higher rates of job/school placements at the time of discharge (chi-square=5.7,  $p < .06$ ) than did youth discharged in the two previous fiscal years. It is important to note that these youth were committed prior to the implementation of mandatory parole and these outcomes cannot be attributed to the mandatory parole provision. Future studies will determine the stability of the positive outcomes in recidivism and job/school placement rates observed for the youth discharged in FY 1998-99.

The predictive power of intake information collected at the time of commitment is weak. DYC commitment programs attempt to intervene with the factors that contribute to delinquency. Effective treatment should negate or minimize correlations between intake risk factors and recidivism. Dynamic methods of assessing the risk and needs of youth as they move through their commitment sentence are needed to assist in guiding supervision and treatment decisions throughout residential and non-residential (parole) placements. In recent years, the Division adopted the Colorado Young Offender Level of Service Inventory (CYO-LSI) risk/needs instrument, and requested and received funds to develop a model for improved classification of youth during their commitment. These efforts should foster a better understanding of the relationship between intake, treatment and outcome variables, for youth committed to DYC.

## INTRODUCTION

The Colorado Department of Human Services, Division of Youth Corrections, prepares annual recidivism reports of youth committed to its custody. The current report is submitted in response to Footnote 118 of the Fiscal Year 2000-01 Colorado Long Bill.

This report is divided into two sections: Section I contains information on new misdemeanor and felony offenses occurring during the period of commitment and resulting in a court filing for youth committed to DYC between September 1, 1998 and December 31, 1998; Section II contains information on misdemeanor and felony offenses committed within one year following discharge resulting in a court filing for youth discharged in Fiscal Year 1998-99. Only those filings entered into the Colorado Judicial Department's ICON data system are included in these recidivism measures. Traffic, municipal and status offenses are not included in this measure of recidivism.

In fiscal year 1990-91, a Legislative Audit Committee conducted an audit of the Colorado juvenile justice system. In response to a recommendation generated from this audit, four Colorado agencies including DYC, the Judicial Department, the Division of Criminal Justice and the Division of Child Welfare developed a common definition of recidivism. A more recent legislative audit of the juvenile probation system recommended that the Judicial Branch consult with the Departments of Human Services, Public Safety and Corrections to consider a less restrictive definition, and one that covers both juvenile and adult offenders. Based on this recommendation, a committee was again formed consisting of representatives from each of these departments. A report submitted by the committee in June 1999 describes the activities of the committee and issues inherent in attempts to develop common definitions of recidivism. Limitations exist at any point in the justice system which affect the definition of recidivism adopted: either the definition is extremely narrow, potentially under-counting recidivism, or extremely broad, potentially over-counting recidivism. These limitations are directly associated with the available sources of recidivism data. Documented data obtained from various agencies involved in the apprehension and disposition of cases are subject to the ability of these

agencies to carry out these functions. After considerable discussion of these and other issues related to developing a common definition of recidivism, the agencies proposed a two-tiered definition. The two tiers are intended to capture pre-release information on offense behaviors prior to release or discharge from a program, and information on new offenses committed within one year following release or discharge from the program. While efforts to define standard definitions of recidivism across correctional agencies should produce more consistency in data collection and reporting, some differences will still exist across agencies due to differences in programs, levels of security imposed (e.g., residential versus non-residential) and procedures used to regress or sanction youth.

The definitions used for the current study and included in this report are as follows:

**Pre-release recidivism:**

**A filing for a new felony or misdemeanor offense that occurred prior to discharge from NYC.**

**Post-release recidivism:**

**A filing for a new felony or misdemeanor offense that occurred within one year following discharge from NYC.**

The present report is the third to incorporate the above definition of recidivism of committed youth served in NYC. In a few of the analyses contained in the report, the old definition of recidivism or modifications to the definition are utilized to allow illustration of relevant trends utilizing data collected in previous years. These variations of recidivism definitions and calculations are identified in the body of the report as appropriate.

**Data Collection**

Data files were obtained from the Judicial Department and matched with NYC data files. The process for matching files involves a high level match of youths' last name, first initial, and two of the three birth date elements. These matches are further examined for evidence of accurate matches (review of the full name listed by both agencies, further checks against the ICON system for nicknames, etc.). Any method to match files is

limited by data entry errors, spelling differences, and aliases. Efforts were made to minimize errors through spot checking and manual reviews of randomly selected cases in the ICON system. It is anticipated that the new Colorado Integrated Criminal Justice Information System (CICJIS) will help to minimize problems in matching across agencies when it is fully operational. The Judicial Department prepared a data file containing filing information that was subsequently matched with a DYC data file on committed youth served in fiscal year 1998-99. The matched file was used to evaluate new offenses occurring during commitment (including parole) for youth committed during the first four months of FY 1998-99 (Section I), and to evaluate offenses that were filed within one year following discharge on youth discharged in FY 1998-99 (Section II). Manual data collection using both the Judicial ICON data system and the DYC Client Data System was done to follow-up on committed youth who had not yet been discharged at the time the Judicial file was prepared.

### **SECTION I**

Section I reports pre-discharge recidivism information. Early recidivism reports (prepared prior to FY 1999-00) provided information on recommitments of youth prior to discharge, but did not discriminate between recommitments resulting from offenses that preceded the original commitment and those resulting from new offenses that occurred during the commitment. Information on offense and filing dates are now available through the Judicial Department's automated data system (ICON), allowing more accurate reporting of offense dates and more meaningful analyses of filings for offenses that occur during commitment or following discharge.

The most recent two recidivism reports on committed youth (prepared in December 1999 and December 2000) incorporated data on offense dates to measure pre-discharge recidivism as a more accurate assessment of pre-discharge recidivism. Similar measures are also used for the current report. Unlike the previous reports, however, the current report is based on an evaluation of youth committed in the first four months of the target fiscal year (FY 1998-99) whereas the earlier reports were based on the first six months of the fiscal year. The change in sample selection was due to the increasing length of stay



(LOS) for youth committed in FY 1998-99 compared with prior years. With the implementation of the new mandatory parole provision (House Bill 96-1005), all youth who are committed to NYC for an offense that occurred on or after January 1, 1997 are required to serve a mandatory one-year parole in addition to the period of commitment. Total commitment LOS had been increasing even prior to this new legislation as evidenced by the proportion of youth in the 1997 sample (17.8%) that had not yet been discharged by the end of November, 2000 when the data collection was completed. This percent would have been even larger for the current study if a full six-month sample of new commitments in FY 1998-99 has been followed throughout their commitment as in previous studies. Whereas 53% of the youth committed in 1997 were under the mandatory parole provision, 86% of youth committed in the first half of FY 1998-99 were under this provision, significantly increasing their total time between the date of commitment and the date of discharge from NYC. The sample selected for the current study was restricted to youth committed in the first four months of the fiscal year in order to minimize the proportion of youth who had still not been discharged from NYC at the time data collection was finalized for this report.

### Sample

The sample for Section I consists of 336 youth committed between July 1, 1998 and October 31, 1998. Offense and filing data were evaluated on all of these youth throughout their commitment. As of November 1, 2001, 54 (16.1%) of the youth committed to NYC between July 1 and October 31, 1998 had not yet been discharged. Changes in the amount of time that youth spend with NYC (and the corresponding change in the duration of time that new offenses during commitment are recorded) negatively affect the ability to compare samples or to monitor trends over time. Longer observation times generally result in higher rates of re-offending, simply as a function of longer data collection periods. The total commitment follow-up time for the current sample (28.4 months based on LOS between commitment date and discharge, or between commitment date and October 31, 2001 for youth not yet discharged) is two months longer than for the commitment follow-up time in the 1997 sample (26.3 months). The increased LOS of the 1998 sample combined with the implementation of a mandatory period of parole for many youth who would otherwise have spent their full commitment

sentence in a residential setting produces a very different commitment experience for youth committed in this sample compared with youth in prior studies. Therefore, the information presented in this section is useful in looking at population characteristics as they relate to re-offenses during commitment, but not for monitoring trends over time.

As in the 1997 study, the 54 youth who had not yet been discharged are included in the analyses of new offenses filed during commitment. The rate of new filings is particularly high for this group of youths (approximately 74%), probably in large part accounting for the long LOS for these youth, and excluding this group would underestimate the rate of filings during commitment. Most of the youth who had not had a new filing by the time the data collection for this study was completed are nearing the end of their sentence, and will likely be discharged without having received an additional filing during commitment.

The term ‘pre-discharge’ is used in this report to identify offenses filed during commitment since the period of commitment includes both residential out-of-home placement and non-residential parole. Of the 336 youth committed during the first four months of 1998, 182 (45.8%) had a new misdemeanor or felony offense filed prior to discharge. The following subsections provide demographic and offense information by pre-discharge recidivism outcomes.

**I.A. Gender**

Table 1 shows a breakdown of pre-discharge recidivism results by gender.

**TABLE 1  
NEW OFFENSES FILED DURING COMMITMENT BY GENDER  
JUVENILES COMMITTED BETWEEN 7/1/98 AND 10/31/98**

Gender	No Pre-discharge Offense Filed		Pre-discharge Offense Filed		TOTALS	
	n	%	n	%	n	%
Males	161	53.0%	143	47.0%	304	90.5%
Females	21	65.6%	11	34.4%	32	9.5%
<b>TOTALS</b>	182	54.2%	154	45.8%	336	100.0%

Approximately ninety percent of the pre-discharge sample was male, similar to the proportion (88%) committed in all of FY 1998-99. Males consistently demonstrate a higher recidivism rate than females, although the difference in these rates has decreased over the last couple of years. The rate of pre-discharge recidivism for the 1998 new commitment sample is 47% for males compared with 34.4% for females.

**I.B. Ethnicity**

Table 2 provides a breakdown of offenses filed during commitment by ethnicity.

**TABLE 2  
NEW OFFENSES FILED DURING COMMITMENT BY ETHNICITY  
JUVENILES COMMITTED BETWEEN 7/1/98 AND 10/31/98**

Ethnicity	No Pre-discharge Offense Filed		Pre-discharge Offense Filed		TOTALS	
	n	%	n	%	n	%
Anglo	88	58.7%	62	41.3%	150	44.6%
African American	25	43.1%	33	56.9%	58	17.3%
Hispanic/Latino	59	50.4%	58	49.6%	117	34.8%
Native American	3	100.0%	0	0.0%	3	0.9%
Asian	3	75.0%	1	25.0%	4	1.2%
Other	4	100.0%	0	0.0%	4	1.2%
<b>TOTALS</b>	182	54.2%	154	45.8%	336	100.0%

*(Chi-Square=10.7; p=0.01 based on the three large ethnic groups).*

African American youth committed in the first four months of FY 1998-99 had a significantly higher rate (56.9%) of new offenses filed prior to discharge from DYC than did Hispanic/Latino youth (49.6%) or Anglo youth (41.3%).

**I.C. DYC Management Region**

DYC has a regionally based management structure, operating from five management regions in the state. The Southern region consists of seven judicial districts and includes the major counties of El Paso and Pueblo, as well as the San Luis Valley. The Western region consists of six judicial districts on the western slope. The Denver region is the City and County of Denver. The Central Region consists of four judicial districts and includes the major counties of Jefferson, Arapaho, and Douglas. The Northeast region consists of five judicial districts and includes the major counties of Adams, Boulder, Larimer and Weld. Table 3 shows a breakdown of new offenses during commitment by DYC management region.

**TABLE 3  
NEW OFFENSES FILED DURING COMMITMENT BY DYC MANAGEMENT REGION  
JUVENILES COMMITTED BETWEEN 7/1/98 AND 10/31/98**

Region	No Pre-discharge Offense Filed		Pre-discharge Offense Filed		TOTALS	
	n	%	n	%	n	%
Southern	35	43.8%	45	56.3%	80	23.8%
Western	26	57.8%	19	42.2%	45	13.4%
Denver	48	60.0%	32	40.0%	80	23.8%
Central	37	61.7%	23	38.3%	60	17.9%
Northeast	36	50.7%	35	49.3%	71	21.1%
<b>TOTALS</b>	182	54.2%	154	45.8%	336	100.0%

The Central region experienced the lowest rate of new offenses filed during commitment for the 1998 sample studied. As shown above, these rates ranged from 38.3% in the Central region to 56.3% in the Southern region.

### **I.D. Original Commitment Offense Type**

The most serious offense for which youth are committed are tracked in the DYC Client Data System based on information obtained on the mittimus. These offenses have been grouped into ‘types’ of commitment offenses for purposes of analyses. Table 4 presents a breakdown of original commitment offense type by pre-discharge recidivism.

**TABLE 4**  
**NEW OFFENSES FILED DURING COMMITMENT BY ORIGINAL COMMITMENT OFFENSE TYPE**  
**JUVENILES COMMITTED BETWEEN 7/1/98 AND 10/31/98**

Type of Original Commitment Offense	No Pre-discharge Offense Filed		Pre-discharge Offense Filed		TOTALS	
	n	%	n	%	n	%
Person Felony	39	60.9%	25	39.1%	64	19.0%
Person Misdemeanor	37	57.8%	27	42.2%	64	19.0%
Property Felony	53	46.9%	60	53.1%	113	33.6%
Property Misdemeanor	23	63.9%	13	36.1%	36	10.7%
Drug Felony	9	42.9%	12	57.1%	21	6.3%
Weapons Felony	1	50.0%	1	50.0%	2	0.6%
Weapons Misdemeanor	6	60.0%	4	40.0%	10	3.0%
Other Felony	4	33.3%	8	66.7%	12	3.6%
Other	10	71.4%	4	28.6%	14	4.2%
<b>TOTALS</b>	<b>182</b>	<b>54.2%</b>	<b>154</b>	<b>45.8%</b>	<b>336</b>	<b>100.0%</b>

Youth who were originally committed on property or drug felony charges and youth whose commitment offenses fall into the ‘Other Felony’ group (which includes public order offenses such as harassment, disorderly conduct, obstruction, etc.) were more likely (chi-square=5.6;  $p < 0.05$ ) to have another offense filed prior to discharge from DYC than youth in the other offense groups.

### **I.E. Number of Prior Adjudications**

Youth with one or more prior adjudications at the time of commitment were more likely to have another offense filed during commitment as shown in Table 5.

**TABLE 5**  
**NEW OFFENSES FILED DURING COMMITMENT BY PRIOR ADJUDICATIONS**  
**JUVENILES COMMITTED BETWEEN 7/1/98 AND 10/31/98**

Number of Prior Adjudications	No Pre-discharge Offense Filed		Pre-discharge Offense Filed		TOTALS	
	n	%	n	%	n	%
None	49	64.5%	27	35.5%	76	22.6%
One	52	57.1%	39	42.9%	91	27.1%
Two	55	54.5%	46	45.5%	101	30.1%
Three	16	41.0%	23	59.0%	39	11.6%
Four or More	10	34.5%	19	65.5%	29	8.6%
<b>TOTALS</b>	182	54.2%	154	45.8%	336	100.0%

*(Chi-Square=10.8, p < .05)*

Seventy-seven percent of youth committed in the first four months of 1998 had one or more prior adjudications. Youth with one or more adjudications prior to commitment were significantly more likely to have an offense filed during commitment.

### **I.G. Assessed Drug/Alcohol Use**

Youth undergo a battery of assessments at the time of commitment to assist in developing placement and treatment plans. Substance abuse is a common problem experienced by youth committed to DYC. Table 6 shows the breakdown of pre-discharge recidivism by assessed level of drug/alcohol use at the time of commitment.

**TABLE 6**  
**NEW OFFENSES FILED DURING COMMITMENT BY DRUG/ALCOHOL USE**  
**JUVENILES COMMITTED BETWEEN 7/1/98 AND 10/31/98**

Assessed D/A Level	No Pre-discharge Offense Filed		Pre-discharge Offense Filed		TOTALS	
	n	%	n	%	n	%
None/Low	24	68.6%	11	31.4%	35	10.4%
Moderate/Severe	157	52.3%	143	47.7%	300	89.6%
<b>TOTALS</b>	181	54.0%	154	46.0%	335	100.0%

*(Chi-Square=3.3, p=.068, missing=1)*

Only ten percent of the youth committed in the first four months of FY 1998-99 were assessed at the prevention, or low, level of substance use. Thirty-one percent of these youth received another filing for an offense that occurred during commitment, compared with almost 48% of youth assessed as needing intervention or treatment level services (moderate to severe substance abuse problems).

### **I.H. Charges Filed During Commitment**

Table 7 provides a breakdown of pre-discharge recidivism by the most serious type of charge filed.

**TABLE 7**  
**FREQUENCY OF MOST SERIOUS NEW CHARGES FILED DURING COMMITMENT**  
**JUVENILES COMMITTED BETWEEN 7/1/98 AND 10/31/98**

Type of Commitment Offense	TOTALS	
	n	%
Person Felony	37	24.0%
Person Misdemeanor	9	5.8%
Property Felony	42	27.3%
Property Misdemeanor	12	7.8%
Weapons Felony	2	1.3%
Weapons Misdemeanor	1	0.6%
Controlled Substance Felony	12	7.8%
Escape Felony	21	13.6%
Escape Misdemeanor	4	2.6%
Other Felony	2	1.4%
Other Misdemeanor	12	7.8%
<b>TOTALS</b>	<b>154</b>	<b>100.0%</b>

Overall, 54% of all youth committed during the first four months of FY 1998-99 had no new charges resulting in filing during their commitment. Of the 154 youth with new offenses filed, 42 were charged with property felony offenses as the most serious offense filed. Thirty-seven youth (24%) were charged with person felony charges. It is important to remember that when the total sample of 336 youth are considered, the

percent of youth with new property and person felony offenses during commitment resulting in filing is 12.5% and 11.0% respectively.

While the definition of recidivism adopted for use following the latest legislative audit is based on new filings, many charges are dismissed or reduced prior to case disposition. In the current study, new charges filed during commitment were also tracked according to the most serious disposition. That is, a separate offense variable was tracked to reflect the most serious charge paired with the most serious disposition. Based on this variable, 29% of youth committed during the first four months of FY 1998-99 were found guilty for a felony offense filed prior to discharge, compared with the 38% who received filings for felony offenses reflected in Table 6 above. The remaining felony offenses filed were reduced to misdemeanor offenses prior to disposition. Of the 154 filings for which dispositions were available (dispositions were missing in two cases), 136 (90%) resulted in guilty dispositions, 13 (8%) were dismissed, and three (2%) were deferred.

Offense dates related to filings are available in the Judicial Departments automated data system. Placement status of youth at the time the most serious offense filed prior to discharge was examined. Of the 154 youth who received new filings during their commitment, 82 (53%) were on parole status on the date of the offense that led to the court filing. Note that this represents approximately 24% of the total 1998 sample. It is important to emphasize that these percents do not represent the performance of all parolees served on parole as this study would require a selection and follow-up of all youth served on parole within a specific time period. The Division prepares separate reports on parole services and outcomes. Thirty-five of the most serious charges filed during commitment (23% of all charges filed, and 10% of the total commitment sample) occurred while youth were in secure residential programs. These offenses represent behavior problems within the institutions rather than a threat to the community as is the case with offenses that occur while the youth is on parole. Twenty-six of the most serious charges filed during commitment (17% of all charges filed, and 8% of the total commitment sample) occurred while the youth were in community residential settings. The remaining eleven most serious charges filed occurred while youth were in other non-



DYC facilities or on escape status. The relatively high rate of filings for this sample of youth while on parole may be partially due to the increased numbers of youth placed on parole and the increased time spent on parole (extending the total commitment time) as the mandatory parole provision is fully implemented. Prior to the implementation of the one-year mandatory parole, almost half of all youth discharged were released without parole, having completed their commitment sentences in more secure residential settings. House Bill 96-1005 required that all youth committed on offenses that occurred on or after January 1, 1997 spend a mandatory one-year of parole in addition to the period of commitment. This provision not only increased the total length of stay of youth throughout the period of commitment including parole, but also placed larger numbers of high risk and high needs youth, previously denied parole, under parole supervision in the community prior to discharge, as intended by the legislation. The Division anticipated the need for expanded services to treat this new population youth on parole, and this study includes a large proportion of the first youth to be committed under the new mandatory parole provision and released onto parole supervision. Recent legislation (Senate Bill 2001-77) reduced the mandatory period of parole from twelve to nine months.

Youth committed to DYC experience multiple placements, both residential and non-residential, throughout their sentence. Therefore, collection of recidivism outcomes, while useful for understanding the rate of re-offending during the commitment period and monitoring re-offending behaviors by specific sub-populations, is not useful in measuring performance of individual programs. Evaluation of the effectiveness of individual programs requires experimental research designs that incorporate control or comparison groups matched on critical characteristics, and incorporating strict procedures for measuring process and outcomes based on the theoretical approach adopted by each program to produce identifiable outcomes. In FY 1998-99 the Division operated seven state facilities for committed youth, and administered contracts with private vendors for services in approximately 50 secure residential and minimum secure community residential programs. Evaluation of individual programs is time and staff intensive, and is beyond the scope of this project.

Regression analyses were done to investigate the predictive ability of some of the intake information collected on youth at the time of commitment. Data incorporated into the regression analyses included number of prior adjudications, number of prior out-of-home placements, age at first adjudication and commitment, assessed drug/alcohol level, and score on the risk component of the Commitment Classification Instrument. These variables alone or in combination only minimally improve prediction of pre-discharge recidivism beyond that expected by chance. In approximately mid-year of FY 1998-99, the Division began administering the Colorado Young Offender Level of Service Inventory (CYO-LSI), a combined risk/needs assessment instrument, to all new commitments. Youth included in this study had not been assessed with this instrument and it was not possible to examine its predictive ability for this population. Future recidivism studies will be able to explore the relationship between information collected on the CYO-LSI and offenses committed prior to discharge.

Since FY 1998-99, the Division has initiated some significant programmatic changes. In addition to enhanced assessment of youth with the CYO-LSI and with the Colorado Client Assessment Record (CCAR), a mental health assessment used by the state's Mental Health Services, the Division has implemented new client programs for committed youth. The largest newly created program is the Ridge View Youth Services Center designed to serve 500 committed youth. Ridge View is a performance-based, state-owned, privately operated facility that emphasizes academic, vocational and athletic achievement. DYC has also expanded mental health services at Lookout Mountain Youth Services center, and created more gender-specific programs for females. Recidivism studies provide one mechanism for monitoring impacts of system change on outcomes of youth served.

## **SECTION II**

### *Sample*

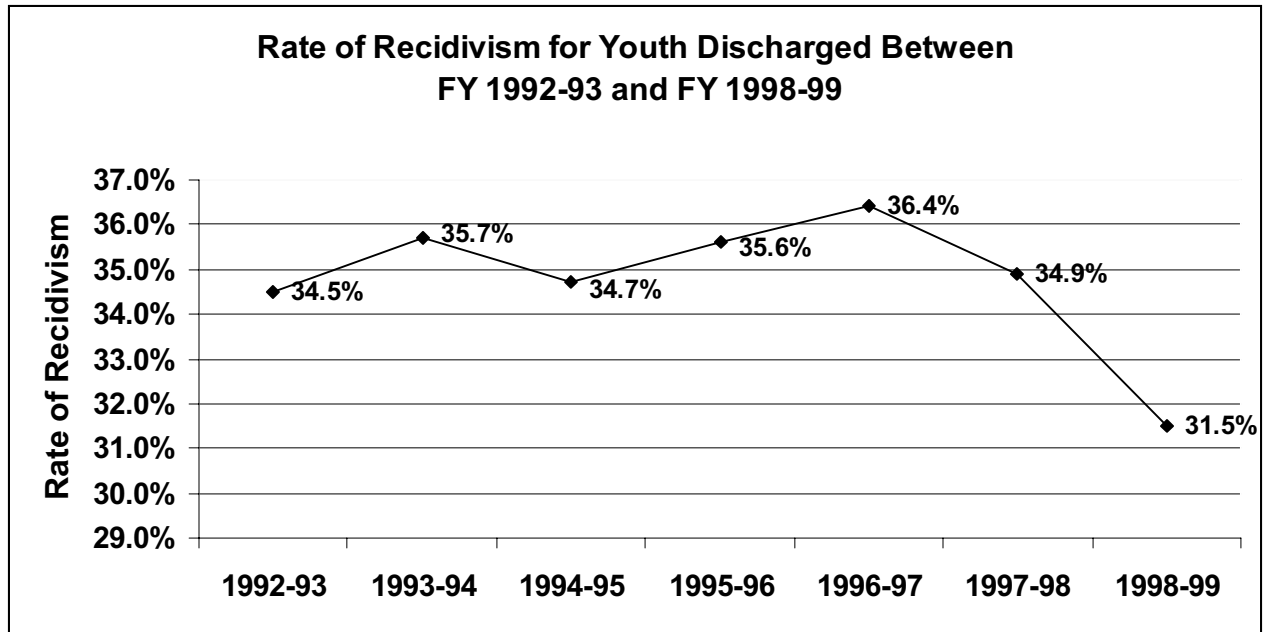
Follow-up information on new misdemeanor or felony offenses committed within one year following discharge from DYC resulting in a court filing and entered into the Judicial Department's ICON data system was collected on all youth discharged in Fiscal

Year 1998-99. Of the 591 youth discharged in FY 1998-99, 43 (7.3%) were under adult court authority at the time of discharge. Filings that result in such discharges are reflected in ‘pre-discharge’ filing outcomes (analyzed in the prior section) since the offenses leading to these filings occur prior to youth’s discharge from DYC. The following table shows trends in the proportion of youth discharged to adult court authority.

<b>Fiscal Year</b>	<b>92-93</b>	<b>93-94</b>	<b>94-95</b>	<b>95-96</b>	<b>96-97</b>	<b>97-98</b>	<b>98-99</b>
<b>% Discharged to Adult Court Authority</b>	4%	6%	8%	7%	6%	6%	7%

An additional six youth (1.0%) received another commitment to DYC shortly after discharge in FY 1998-99 for an offense that occurred during the original commitment. These youth were also excluded from the one-year follow-up portion of this study. Therefore, of the 591 youth discharged in FY 1998-99, 49 (8.3%) were already under adult court authority at the time of discharge or received another commitment following discharge for an offense that occurred during the first commitment. The follow-up sample for Section II consisted of the remaining 542 youth (91.7%) discharged in FY 1998-99.

Of these 542 youth, 171 (31.5%) had a new misdemeanor or felony offense within one year of discharge resulting in filing. The definition of recidivism utilized in this report was applied to previous discharge cohorts to obtain trends over time. Youth who are under adult court authority at the time of discharge (percents shown in previous table) are excluded from the post-discharge follow-up analyses for each of the seven years shown in the graph below.



*(Based on new definition of recidivism)*

Even when youth who were discharged to adult court authority are included in the above figures, the rate of recidivism for youth discharged in FY 1998-99 is lower than that of youth discharged since 1992-93. Comparisons of specific characteristics of youth discharged in FY 1998-99 at the time of commitment with youth discharged in the two previous years indicate that a higher percent of the FY 1998-99 discharge cohort were Anglo (52%) compared with youth discharged in the two previous years (approximately 46%) (chi-square=19.7;  $p < .01$ ). No differences were found in the groups on intake variables including the number of prior adjudications, age at first adjudication, commitment age, number of prior out-of-home placements, proportion of felony versus misdemeanor commitment charges, and score on the risk component of the Commitment Classification Instrument. Fluctuations in the rate of recidivism can occur in spite of similar youth characteristics. Future studies will determine whether the decline in the rate of recidivism can be sustained.

The most serious dispositions of cases filed within one year following discharge were collected on youth included in the study although they are no longer used in the new definition of recidivism. Dispositions were missing in the judicial database for seven youth on whom new offenses were filed. For the remaining 164 youth, 138 (81%) had

‘guilty’ dispositions, 5 (3%) had ‘deferred’ dispositions, and 19 (11%) of dispositions were dismissed and two (1%) were found ‘not guilty’. The rate of cases filed resulting in dismissal or ‘not guilty’ (12%) as the most serious disposition was high for this discharge cohort compared with previous discharge cohorts studied, ranging from four to six percent for the last two discharge cohorts.

## II.A. Gender

Males represent a large majority of the commitment population. Almost 90% of the study sample were male. Table 8 shows the recidivism rate by gender.

**TABLE 8**  
**FOLLOW-UP RECIDIVISM BY GENDER**  
**JUVENILES DISCHARGED IN FISCAL YEAR 1998-99**

Gender	No Follow-up Recidivism		Follow-up Recidivism		TOTALS	
	n	%	N	%	n	%
Males	323	66.3%	164	33.7%	487	89.9%
Females	48	87.3%	7	12.7%	55	10.1%
<b>TOTALS</b>	371	68.5%	171	31.5%	542	100.0%

*(Chi-Square = 10.0, p < .01)*

The rate of recidivism is lower for both populations than in recent studies. The rate for females grew to 19% and 20% for the FY 1996-97 and FY 1997-98 discharge cohorts. The rate for females in the current study (12.7%) is similar to rates seen for females discharged in the early 1990’s.

## II.B. Ethnicity

Recidivism breakdowns by ethnicity are shown in Table 9.

**TABLE 9**  
**FOLLOW-UP RECIDIVISM BY ETHNICITY**  
**JUVENILES DISCHARGED IN FISCAL YEAR 1998-99**

Ethnicity	No Follow-up Recidivism		Follow-up Recidivism		TOTALS	
	n	%	n	%	n	%
Anglo	208	73.2%	76	26.8%	284	52.4%
African American	43	62.3%	26	37.7%	69	12.7%
Hispanic/Latino	112	62.6%	67	37.4%	179	33.0%
Native American	3	100.0%	0	0.0%	3	0.6%
Asian	1	100.0%	0	0.0%	1	0.6%
Other	4	66.7%	2	33.3%	6	1.1%
<b>TOTALS</b>	371	68.5%	171	31.5%	542	100.0%

*(Chi-Square = 7.0, p = .05)*

The recidivism rate for Anglo youth (26.8%) discharged in FY 1998-99 was significantly below that of African American youth (37.7%) and Hispanic/Latino youth (37.4%).

Group sizes for the remaining ethnic groups are too small for statistical analyses. The rate of recidivism for the Hispanic/Latino youth discharged in FY 1998-99 has fluctuated only slightly since FY 1995-96. Unfortunately, the low rate of recidivism seen for the African American youth discharged in FY 1997-98 (28.6%) was not sustained for the current discharge cohort.

### **II.C. DYC Management Region**

Table 10 provides a breakdown of recidivism by DYC Management Region.

**TABLE 10**  
**FOLLOW-UP RECIDIVISM BY DYC MANAGEMENT REGION**  
**JUVENILES DISCHARGED IN FISCAL YEAR 1998-99**

Region	No Follow-up Recidivism		Follow-up Recidivism		TOTALS	
	n	%	n	%	n	%
Southern	70	63.1%	41	36.9%	111	20.5%
Western	45	72.6%	17	27.4%	62	11.4%
Denver	75	69.4%	33	30.6%	108	19.9%
Central	91	72.8%	34	27.2%	125	23.1%
Northeast	90	66.2%	46	33.8%	136	25.1%
<b>TOTALS</b>	371	68.5%	171	31.5%	542	100.0%

The rate of recidivism across regions for youth discharged in FY 1998-99 ranged from a low of 27.2% in the Central region to 36.9% in the Southern region.

### **II.D. Original Commitment Offense Type**

Recidivism outcomes by type of original commitment offense are shown in Table 11. The commitment offense is the offense listed on the mittimus at the time of sentencing.

**TABLE 11**  
**FOLLOW-UP RECIDIVISM BY ORIGINAL COMMITMENT OFFENSE**  
**JUVENILES DISCHARGED IN FISCAL YEAR 1998-99**

Type of Commitment Offense	No Follow-up Recidivism		Follow-up Recidivism		TOTALS	
	n	%	n	%	n	%
Person Felony	74	67.3%	36	32.7%	110	20.4%
Person Misdemeanor	48	69.6%	21	30.4%	69	12.8%
Property Felony	149	66.8%	74	33.2%	223	41.3%
Property Misdemeanor	41	70.7%	17	29.3%	58	10.7%
Drug Felony	26	72.2%	10	27.8%	36	6.7%
Weapons Felony	3	75.0%	1	25.0%	7	0.7%
Weapons Misdemeanor	11	68.8%	5	31.3%	16	2.9%
Other Felony	8	66.7%	4	33.3%	12	2.2%
Other Misdemeanor	9	81.8%	2	18.2%	11	2.0%
Other	0	0.0%	1	100.0%	1	0.2%
<b>TOTALS</b>	<b>369</b>	<b>68.3%</b>	<b>171</b>	<b>31.7%</b>	<b>540</b>	<b>100.0%</b>

*Missing=2*

As found in prior studies, there were no statistically significant differences in recidivism rates for youth committed to DYC on felony versus misdemeanor offenses.

### **II.E. Job/School Status at Discharge**

The percent of youth in job and/or school placements at the time of discharge has been increasing. For youth discharged in FY 1998-99 to placements other than those under adult court authority or DYC, 67.3% were working and/or in school at the time of discharge. Recidivism outcomes by job/school status at the time of discharge are shown in Table 12.



**TABLE 12**  
**FOLLOW-UP RECIDIVISM BY JOB/SCHOOL STATUS AT DISCHARGE**  
**JUVENILES DISCHARGED IN FISCAL YEAR 1998-99**

Job/School Status At Discharge	No Follow-up Recidivism		Follow-up Recidivism		TOTALS	
	n	%	N	%	n	%
None	114	64.8%	62	35.2%	176	32.7%
Job or school	254	70.0%	109	30.0%	363	67.3%
<b>TOTALS</b>	368	68.3%	171	31.7%	539	100.0%

*(Missing=3)*

Youth discharged in FY 1998-99 who were in a job/school placement at the time of discharge had a lower recidivism rate (30.0%) than youth not working or in school at the time of discharge (35.2%). While these differences did not reach statistical significance in the current study, the relationship between job/school status at discharge and recidivism has been a consistent finding in previous studies.

### **II.F. Most Serious Filing Offense**

Information on the most serious filing offense committed during the year following commitment was collected. Table 13 shows a breakdown of these charges.

**TABLE 13**  
**FREQUENCY OF NEW CHARGES FILED DURING COMMITMENT**  
**JUVENILES COMMITTED BETWEEN 7/1/98 AND 12/31/99**

Type of Commitment Offense	TOTALS	
	n	%
Person Felony	39	22.8%
Person Misdemeanor	10	5.8%
Property Felony	68	39.8%
Property Misdemeanor	11	6.4%
Weapons Felony	2	1.2%
Weapons Misdemeanor	3	1.8%
Controlled Substance Felony	18	10.5%
Other Felony	6	3.5%
Other Misdemeanor	14	8.2%
<b>TOTALS</b>	171	100.0%

Seventy-eight percent of the offenses filed were felony offenses. As an overall rate of youth discharged in FY 1998-99 to placements other than adult court authority, or who received a new commitment to NYC due to charges filed during commitment, approximately 25 percent received new filings for a felony offense within one year of discharge. The ‘Other’ felony and misdemeanor categories included mainly public order offenses such as obstruction and disorderly conduct.

As with prediction of pre-discharge recidivism, the commitment information collected at intake, analyzed either alone or in combination utilizing regression analyses, were not highly predictive of post-discharge recidivism. The Division now administers the CYO-LSI on newly committed youth and is exploring methods of assessing youth as they are placed on parole. Unfortunately, these new assessments had not been implemented, and are therefore not available, on the youth discharged in FY 1998-99.

## **DISCUSSION**

In recidivism studies prepared on youth discharged in the early to mid 1990's, recidivism outcomes were broken down by the residential placement in which the youth spent more time than any other single placement during commitment. Since that time, the number and types of programs serving committed youth have increased substantially, and youth often experience multiple placements prior to discharge. While youth may spend more time in one program than in any other single program, he or she may spend more time in a combination of other programs than in any one program. In addition, increasingly more youth are placed on parole for longer periods as the mandatory parole provision is implemented. Youth on parole receive varied treatment services in addition to surveillance. For these reasons, assigning recidivism outcomes to specific placements is inappropriate and does not substitute for evaluation of individual program effectiveness.

Trends in recidivism outcomes and job/school placements at discharge provide an overall measure of system outcomes for the Division of Youth Corrections. Youth committed in the first four months of FY 1998-99 and followed throughout their commitment sentence experienced a higher rate of new charges filed prior to discharge than youth committed in the two prior fiscal years for which this data were collected. Some of the youth included in this study are the first to fall under the new mandatory parole provision. While a required period of parole may later prove to have positive impacts on youth discharged, moving a higher proportion of youth onto parole in non-residential placements may increase the rate of offenses committed during their commitment. Almost half of youth committed to DYC spent their entire commitment sentence in more secure residential settings prior to the implementation of mandatory parole.

Youth discharged in FY 1998-99 had lower recidivism rates (chi-square=3.0,  $p < .10$ ) and higher rates of job/school placements at the time of discharge (chi-square=5.7,  $p < .06$ ) than did youth in prior years. It is important to note that these youth were committed prior to the implementation of mandatory parole and these outcomes cannot be attributed to the mandatory parole provision. Future studies will determine the stability of the

positive outcomes in recidivism and job/school placement rates observed for the youth discharged in FY 1998-99.

This report provides descriptive information on recidivism outcomes for specific populations of youth committed to NYC. The predictive power of intake information collected at the time of commitment is weak for this population of youth. NYC commitment programs attempt to intervene with the factors that contribute to delinquency which, if successful, should inhibit the relationship between correlates of delinquency at the time of commitment, and recidivism both during and following commitment. For this reason, more dynamic methods of assessing the risk and needs of youth as they move through their commitment sentence are needed to assist in guiding supervision and treatment decisions throughout residential and non-residential (parole) placements. In recent years, the Division adopted the CYO-LSI risk/needs instrument, and requested and received funds to develop a model for improved classification of youth during their commitment. These efforts should foster a better understanding of the relationship between intake, change and outcomes variables, for youth committed to NYC.