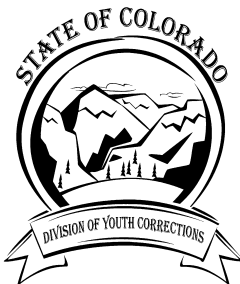


# Recidivism Evaluation of Committed Youth Discharged in Fiscal Year 2000-01



**Colorado Department of Human Services**

**Division of Youth Corrections**

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*Working with Colorado Communities to Achieve Justice*

**December 2003**

## EXECUTIVE SUMMARY

The Division of Youth Corrections (DYC) submits annual reports of recidivism outcomes on committed youth. The current report is submitted in response to Footnote 93 of the Fiscal Year 2003-04 Long Bill.

Recidivism is a measure that is often utilized in determining the level of effectiveness for juvenile justice agencies. However, the definition of recidivism can vary greatly among states and even among justice agencies within a single state. In response to recommendations resulting from a legislative audit of the juvenile justice system Colorado established a common definition of recidivism in FY 1999-00. The definition that was adopted and is used for this report is as follows:

***Pre-discharge Recidivism: A filing for a new felony or misdemeanor offense that occurred prior to discharge from DYC***

***Post-discharge Recidivism: A filing for a new felony or misdemeanor offense that occurred within one year following discharge from DYC***

The samples for this year's report include 365 youth committed to DYC from July 1 through December 31, 2000 (pre-discharge sample) and 644 juveniles discharged from DYC in FY 2000-01 (post-discharge sample).

### **Recidivism Results**

#### Pre-Discharge

- Thirty-seven percent of youth committed to DYC from July through December 2000 (N=365) recidivated prior to discharge.
- There were no significant differences in pre-discharge recidivism rates by gender or ethnicity.

- Youth committed in the Western Region were statistically less likely to recidivate prior to discharge than youth committed in other regions.
- Youth that did not have any prior adjudications were less likely to recidivate than youth with more prior adjudications.
- Youth assessed at the moderate to high level of substance abuse need for treatment were more likely to have a new filing for a felony or misdemeanor offense than youth assessed with lower treatment needs.
- Higher risk scores on the Commitment Classification Instrument (CCI) were also highly correlated with a youth having a new filing for a felony or misdemeanor offense prior to discharge.
- Twenty-five percent of new filings for offenses that occurred during commitment were on felony property charges. Felony person charges accounted for 21% of new filings that occurred prior to discharge.

#### Post-Discharge

- Thirty-six percent of youth discharged in FY 2000-01 (n=644) received a new filing for a felony or misdemeanor offense that occurred within one year of discharge from NYC.
- Males were significantly more likely to have a new filing within one year of discharge from NYC when compared to females in the sample.
- Youth with no prior adjudications were less likely to recidivate than youth with more prior adjudications.
- Youth with higher risk scores on the CCI were more likely to have a new felony or misdemeanor filing than youth that scored lower.
- Seventy percent of new filings for youth discharged in FY 2000-01 (n=232) were for felony offenses. Property offenses constituted 46% of all new filings for this discharge cohort.

Even given a common definition of recidivism, it is important to recognize that recidivism is an amorphous concept that can be affected by numerous factors such as changes in juvenile population characteristics, the length of time a subject is observed,

technology advances, and changes in policy, in addition to actual changes in criminal behavior. While the definition of recidivism has remained constant over the past few years, there have been many programmatic and legislative changes that may dramatically affect recidivism rates.

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## I. INTRODUCTION

The Colorado Department of Human Services, Division of Youth Corrections (DYC), prepares an annual recidivism report on committed youth. The current report, along with the Division's annual Management Reference Manual, are submitted in response to Footnote 93 of the Fiscal Year 2003-04 Colorado Long Bill.

**Footnote 93 reads:**

*The Division is requested to continue its efforts to provide outcome data on the effectiveness of its programs. The Division is requested to provide to the Joint Budget Committee by January 1 of each year an evaluation of Division placements, community placements, and nonresidential placements, which shall include, but not be limited to, the number of juveniles served, length of stay, and recidivism data per placement.*

The overall goal of this report is two-fold. The first goal is to describe the importance given to recidivism by the juvenile justice system and the benefits and limitations associated with using recidivism as an outcome measure. Also contained in this section is a brief discussion of the study's methodology, including applicable data sources and quality control techniques.

The second goal of this report is to describe the results of this year's recidivism study. This report represents the fifth year the Division has used the State's common definition of recidivism. This consistency in definition, as well as the standardization of this study's methodology, allows for historical analysis and trend description. To the extent that these data accurately depict recidivism rates of the Division's population, it's possible to gauge how well the Division is performing on this important outcome measure.

## II. RECIDIVISM IN COLORADO

### A. Recidivism as an Outcome Measure

Recidivism is a measure that is often utilized in determining the level of effectiveness for juvenile justice and criminal justice agencies. This seems reasonable since there is an implied public expectation that youth who leave the care of the Division will present a lesser threat to public safety. However, the definition of recidivism can vary greatly among states and even among justice agencies within a single state. Defining recidivism is an imperfect science. In the criminal justice literature, recidivism has been defined as broadly as “any new arrest” (including petty offenses) to as narrowly as “the adjudication for the same or similar offense” (whereby ignoring other serious offenses or infractions). In discussing recidivism, consistency in definition is perhaps as important as how recidivism is defined. A common definition of recidivism allows meaningful comparisons of performance data among agencies; as well as discovering performance trends of a single agency or for the juvenile justice system as a whole<sup>1</sup>.

### B. Establishment of a Common Definition in Colorado

In Colorado, a common definition of recidivism dates back to the early 1990’s. In FY1990-1991, the Office of the State Auditor reviewed various components of Colorado’s juvenile justice system. Among numerous other recommendations, the State Auditor’s Office recommended to the Legislature that a common definition of recidivism be established. This recommendation eventually resulted in a footnote to the Long Bill that mandated *DYC, the Judicial Department, the Division of Criminal Justice and the Division of Child Welfare develop a common definition of recidivism.*

In 1998, the Office of the State Auditor revisited the definition of recidivism. In its review of the juvenile probation system, the Office of the State Auditor recommended that the definition of recidivism needed to be *less restrictive* and also incorporate juvenile

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<sup>1</sup>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.



as well as adult offenders. Based on this recommendation, the Legislature approved of a footnote that required the Judicial Branch to consult with the Departments of Human Services, Public Safety and Corrections to consider a newly revised and common definition of recidivism. A multi-agency committee was formed and a collaborative report was submitted in June 1999. In this report, a two-tiered definition of recidivism was proposed. The first tier focuses on criminal re-offending while actively on supervision (pre-discharge recidivism), while the second tier looks at the rates of re-offending once the individual successfully completes the term of their sentence (post-discharge recidivism).

***Pre-Discharge Recidivism: A filing for a new felony or misdemeanor offense that occurred prior to discharge from NYC***

***Post-Discharge Recidivism: A filing for a new felony or misdemeanor offense that occurred within one year following discharge from NYC***

The present report is the fifth to incorporate the above definition of recidivism of committed youth served in NYC. The definition of recidivism utilized in this report was applied to previous discharge cohorts to analyze trends over time.

### III. STUDY METHODOLOGY

The source of data is critical for determining recidivism rates. Since recidivism is defined for both the pre-release and post-release samples as “a filing for a new felony or misdemeanor offense,” the Division relied upon the Judicial Department’s database (ICON) for determining whether a recidivist act had occurred<sup>2</sup>. Data files were obtained from the Judicial Department’s ICON data system and matched with DYC data files. Only those filings entered into the Colorado Judicial Department’s Integrated Colorado Online Network (ICON) data system are included in these recidivism measures. Traffic, municipal, status, and petty offenses are not included.

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.

The Colorado Judicial Department prepared a data file containing filing information that was matched with a DYC data file on committed youth served in fiscal year 2000-01. The matched file was used to evaluate new offenses occurring during commitment (including parole) for youth committed during the first six months of FY 2000-01 (Pre-Discharge Recidivism), and to evaluate offenses that occurred within one year following release on youth discharged in FY 2000-01 (Post-Discharge Recidivism). Both the Judicial ICON data system and the Colorado TRAILS data system were used to collect follow-up data on committed youth who had not been discharged at the time the Judicial Department’s data file was prepared.

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<sup>2</sup> Recidivism data could also be gathered by using the District Attorney’s Blackstone Database, but because of resource constraints, it was not possible to compare recidivism data between multiple data systems.

Information on offense and filing dates are now available through the Judicial Department's automated data system (ICON), allowing for more accurate reporting of offense dates and more meaningful analyses of filings for offenses that occur during commitment or following discharge. This report incorporates all available data on offense dates to more accurately assess recidivism rates.

## IV. LIMITATIONS OF RECIDIVISM DATA

### A. Recidivism Rates by Individual Placement

Youth committed to DYC experience multiple placements, both residential and non-residential, throughout their commitment. 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 strict procedures to measure program fidelity. In FY 2000-01 the Division operated seven state facilities for committed youth, and administered contracts with private vendors for services in approximately 50 residential programs. Evaluation of individual programs is time and staff intensive, and is beyond the scope of this project.

### B. Interpretation of Results

Any analysis of recidivism rates must be approached cautiously. Policy makers and juvenile justice practitioners often refer to recidivism as if it were a constant, universal concept. In reality, recidivism is an amorphous concept that is totally dependent upon its underpinning assumptions. A marked departure from any of these assumptions will result in outcome measures that are significantly disparate. This section of the report will discuss those assumptions that have that greatest potential for influencing recidivism rates<sup>3</sup>.

- 1) Population Shifts: In the juvenile justice system, the concept of risk is invariably connected to the probability of re-offending; as such, an “at-risk youth” is a youth who presents a greater than average chance of committing a criminal act. If a juvenile justice agency suddenly realizes a significant realignment of the risk potential of its population, then that realignment can result in differing recidivism

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<sup>3</sup> Altering the definition of recidivism can influence wholesale changes in outcome results. This discussion assumes that the definition of recidivism remains constant.

rates when all other factors are held constant. For example, if a certain juvenile justice program or project is eliminated, then youth who would have been directed to that program are then re-directed to other programs. This process can both positively and negatively impact recidivism rates.

- 2) Changes to The Time-At-Risk (In Program): Pre-release recidivism, unlike post-release recidivism, is not governed by a precise “time-at-risk period”. The time-at-risk period is determined solely by the length of time a youth remains under supervision. Time-at-risk is an important factor that influences recidivism because it speaks to the amount of time during which a juveniles new offense would be considered an act of recidivism. Again, this factor works in both directions. A longer-at-risk period is likely to result in higher rates of recidivism. This logic certainly applies to post-release recidivism whereby the two-year recidivism rates are markedly higher than one-year recidivism rates<sup>4</sup>. As the length of stay (LOS) increases in the juvenile justice system, it would appear reasonable that there would be a concomitant increase in the pre-release recidivism rates.
  
- 3) Information Technology Advancements: Most juvenile and criminal justice agencies rely upon official records to determine recidivism rates. To the extent that these official records are considered accurate and complete, each agency is able to determine their respective rates of recidivism. It should be noted that the completeness and accuracy of official records have been questioned in the past. In response to these concerns, Colorado has devoted significant resources updating its criminal and juvenile justice information systems<sup>5</sup>. An unexpected consequence of updating these information systems is that recidivism rates may begin to increase in the future. These rates of recidivism are not increasing as a

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<sup>4</sup> 1997 Office of Probation Services Two-Year Recidivism Report

<sup>5</sup> Marked improvements have been made to the Judicial’s data system (ICON) as well as to the Department of Human Services data system (TRAILS). These improvements are in conjunction with the statewide CICJIS effort that attempts to link individual and stand alone data systems.

result of actual spikes in criminal behavior, but because of the increased reliability and accuracy of matching offenders between data systems<sup>6</sup>.

- 4) Policy Changes: The juvenile justice system can be viewed as an intricate network of decision points that is generally governed by statute, policy, or administrative declaration, but where key decision-makers are allowed considerable discretion. Clearly, one of the key decision-makers in the juvenile justice system is the District Attorney's Office. The DA has considerable discretion in whether a Delinquency Petition (DP) is filed with the Court. A DA may choose not to file on a case because the case is considered to be without significant merit or that appropriate alternatives exist that can otherwise effectively discharge the case (e.g., a Diversion Program). Because of this discretion there exist significant differences in filing practices throughout the State. In some jurisdictions, the DA may choose to file upon the majority of cases and allow the judicial process to determine the relative merits of a case. In other jurisdictions, in an attempt to manage the limited resources of the Court, a DA may only file on those cases where the merits of a case have undergone careful examination. In either scenario, it is policy, not necessarily criminal activity that determines a filing; which in turn determines whether a recidivist act had occurred. This issue is further complicated by an increasing trend where filings do not necessarily result in a guilty disposition. In this year's recidivism study, it was observed that nearly 40 percent of the "most serious charges" result in either being dismissed or deferred<sup>7</sup>. It is unclear by the data whether all charges were dropped, that a youth was adjudicated on a lesser charge, or a youth was acquitted on the basis of the

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<sup>6</sup> Conversely, less than accurate information systems may net lower recidivism rates because of errors associated with data entry or software inconsistencies.

<sup>7</sup> The Division has observed a trend where many new filings are dismissed or deferred prior to case disposition. In accepting new filings as the definition of recidivism, the Division (as well as the other members of the interagency committee) assumed that filings would not always result in a guilty disposition. However, it was assumed the vast majority of filings would result in some form of a guilty disposition (e.g., guilty of a lesser crime). In this year's study, only 52.9% of pre-release filings resulted in a guilty disposition; whereby 47.3% of filings were either dismissed or deferred. In terms of post-release recidivism, the percentage of guilty dispositions fell to only 39% (indicating that filings were either dismissed or deferred in 61% of the cases).

hearing. Nonetheless, it speaks to the notion that filing may not be as concretely linked to a recidivist act as was once believed.

- 5) Actual Change in Criminal Behavior: Lastly, changes in the recidivism rate can be the result of actual changes in criminal behavior. As research advances in juvenile justice programming, it is generally believed that these advances will eventually result in better short-term and long-term outcomes. Quantitative evidence of these enhanced outcomes may require years to be realized. Until causal links can be firmly established in data, claims that actual criminal behavior patterns have changed (either positively or negatively) should be made cautiously. This is not to suggest that annual recidivism rates should be ignored. Quite the contrary, annual recidivism rates provide a basic barometer in how the system is reacting. Minimally, changes in recidivism rates should prompt policy-makers to question whether actual behavioral changes have occurred or whether the fluctuation in rates is an artifact of some other change occurring elsewhere the juvenile justice system.

## V. RECIDIVISM RESULTS

### A. Pre-Discharge Recidivism

This section reports pre-discharge recidivism information. The current report is based on an evaluation of youth committed in the first six months of the target fiscal year (FY 2000-01). The term 'pre-discharge' is used to identify offenses filed during commitment, since the period of commitment includes both residential out-of-home placement and non-residential parole.

The sample selected for the current study was restricted to youth committed in the first six months of the fiscal year in order to minimize the proportion of youth that had not been discharged from NYC at the time data collection was finalized for this report. The sample consists of 365 youth committed between July 1, 2000 and December 31, 2000. As of December 1, 2003, 46 (12.6%) of the youth committed to NYC between July 1 and December 31, 2000 had not yet been discharged. As in previous studies, the 46 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 (63%), probably in large part because of the longer LOS for these youth (38.2 months) when compared to the 2000 sample as a whole (27.8 months)<sup>8</sup>.

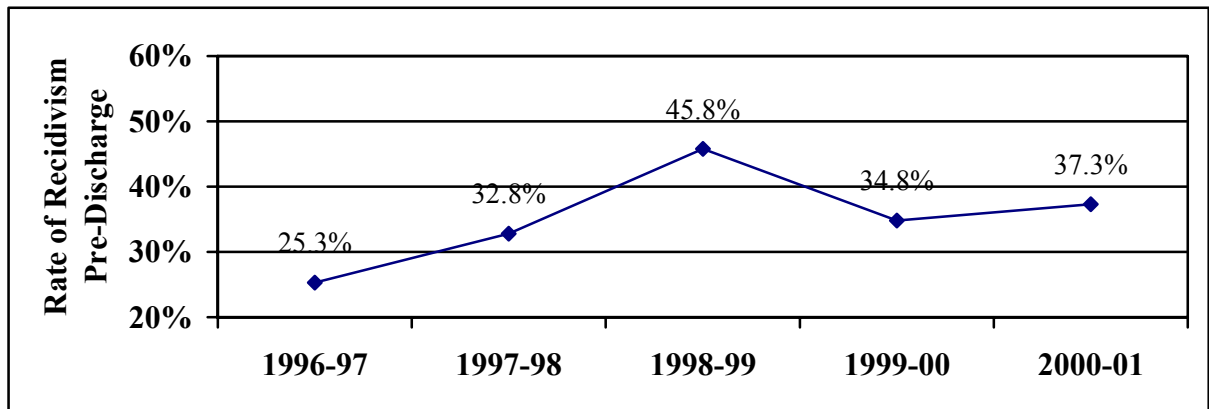
Of the 365 youth committed during the first six months of 2000, 136 (37.3%) had a new misdemeanor or felony offense filed prior to discharge. The total observation time for the current sample was 27.8 months<sup>9</sup>. As seen in the following graph, pre-discharge recidivism rates have been relatively stable over the last two years after a drop from 46% in FY 1998-99. As will be discussed later in the report, the validity of comparing pre-discharge recidivism rates may be limited because of the variable lengths of stay for each sample.

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<sup>8</sup> Excluding this group would underestimate the rate of filings during commitment for all youth committed during the first six months of the fiscal year. Most of the youth who had not been discharged and not had new charges filed 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.

<sup>9</sup> Observation time is based on the length of time between commitment date and discharge, or between commitment date and December 1, 2003 for youth not yet discharged.





The following subsections provide demographic and offense information by pre-discharge recidivism outcomes.

i. 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 7/1/00 AND 12/31/00**

Gender	No Pre-discharge Offense Filed		Pre-discharge Offense Filed		TOTALS	
	n	%	n	%	n	%
Males	208	63.4%	120	36.6%	328	89.9%
Females	21	56.8%	16	43.2%	37	10.1%
<b>TOTALS</b>	229	62.7%	136	37.3%	365	100.0%

Ninety percent of the 2000 pre-discharge sample was male, similar to the proportion (88%) committed in all of FY 2000-01. The rate of pre-discharge recidivism for the 2000 new commitment sample is 36.6% for males compared with 43.2% for females. Pre-discharge recidivism rates were not statistically significantly different for male and female clients committed to NYC during the first six months of the fiscal year.

ii. Ethnicity

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

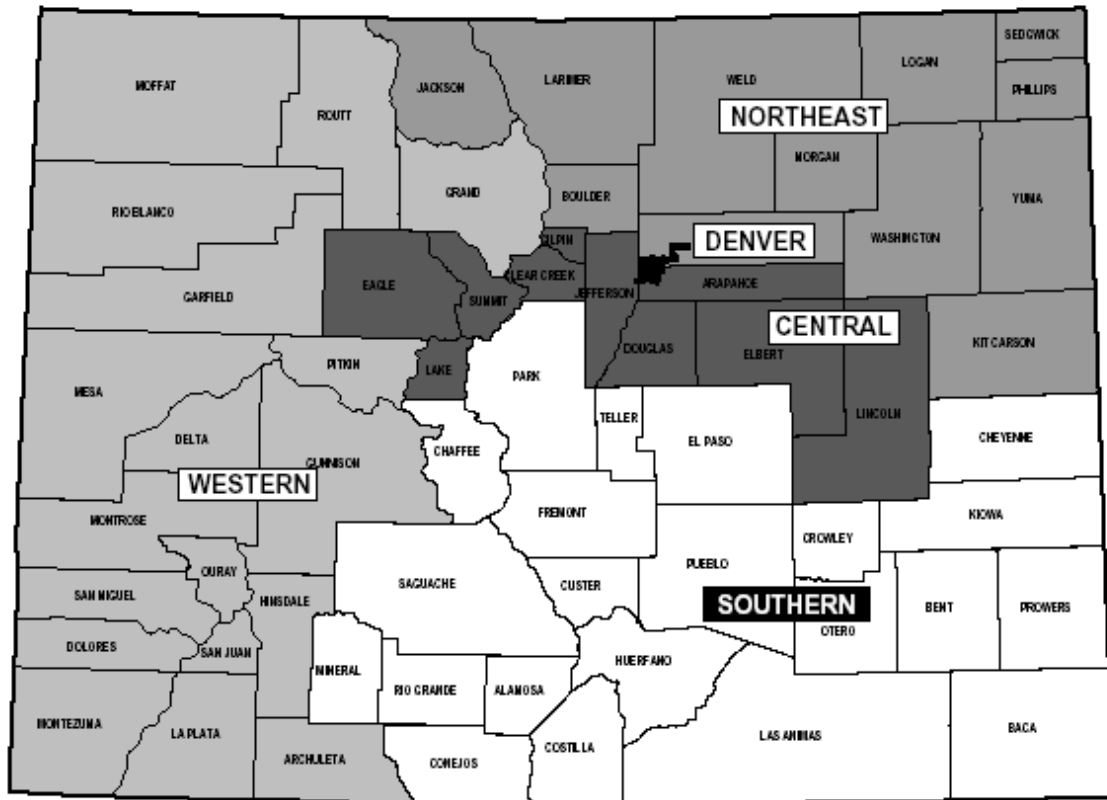
**TABLE 2**  
**NEW OFFENSES FILED DURING COMMITMENT BY ETHNICITY**  
**JUVENILES COMMITTED BETWEEN 7/1/00 AND 12/31/00**

Ethnicity	No Pre-discharge Offense Filed		Pre-discharge Offense Filed		TOTALS	
	n	%	n	%	n	%
Anglo	101	60.1%	67	39.9%	168	46.0%
African American	30	68.2%	14	31.8%	44	12.1%
Hispanic/Latino	91	64.1%	51	35.9%	142	38.9%
Native American	2	40.0%	3	60.0%	5	1.4%
Asian	2	66.7%	1	33.3%	3	0.8%
Other	3	100.0%	0	0.0%	3	0.8%
<b>TOTALS</b>	229	62.7%	136	37.3%	365	100.0%

Recidivism rates did not differ significantly by ethnic group. Table 2 illustrates that youth in the three largest ethnic groups (African-American, Anglo, and Hispanic) recidivated at similar rates. The ethnic group that exhibited the highest rates of pre-discharge recidivism was Native Americans (60%). Because of the extraordinarily small sample size of this population (N=6), the results from this finding should be cautiously interpreted.

iii. DYC Management Region

DYC has a regionally based management structure, operating from five management regions in the state. The Central Region<sup>10</sup> consists of four judicial districts and includes the major counties of Jefferson, Arapahoe, and Douglas. The Denver Region is the City and County of Denver. The Northeast Region consists of five judicial districts and includes the major counties of Adams, Boulder, Larimer, and Weld. 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 the six judicial districts on the western slope.



<sup>10</sup> In July 2003 the Central Region and the Denver Region merged to form one combined Central Region. In FY 2000-01 these regions were still individual entities and recidivism rates for each are reported in these analyses.

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 7/1/00 AND 12/31/00**

Region	No Pre-discharge Offense Filed		Pre-discharge Offense Filed		TOTALS	
	n	%	n	%	n	%
Central <sup>11</sup>	50	54.9%	41	45.1%	91	24.9%
Denver	46	67.6%	22	32.4%	68	18.6%
Northeast	60	66.7%	30	33.3%	90	24.7%
Southern	38	53.5%	33	46.5%	71	19.5%
Western	35	77.8%	10	22.2%	45	12.3%
<b>TOTALS</b>	229	62.7%	136	37.3%	365	100.0%

The rates of new offenses filed during commitment ranged from a low of 22.2% in the Western Region to a high of 46.5% in the Southern Region. Youth committed in the Western Region were statistically less likely than youth committed in other regions to have another charge filed prior to discharge from DYC (Chi-Square=10.59; p<0.05).

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<sup>11</sup> In July 2003 the Central Region and the Denver Region merged to form one combined Central Region. In FY 2000-01 these regions were still individual entities and recidivism rates for each are reported in these analyses.

iv. Original Commitment Offense Type

The Colorado TRAILS data system includes information on the most serious offense for which youth are committed as it is recorded on the juvenile’s 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 OFFENSE TYPE**  
**JUVENILES COMMITTED BETWEEN 7/1/00 AND 12/31/00**

Type of Original Commitment Offense	No Pre-discharge Offense Filed		Pre-discharge Offense Filed		TOTALS	
	n	%	n	%	n	%
Person Felony	59	74.7%	20	25.3%	79	21.6%
Person Misdemeanor	29	59.2%	20	40.8%	49	13.4%
Property Felony	77	57.9%	56	42.1%	133	36.4%
Property Misdemeanor	24	66.7%	12	33.3%	36	9.9%
Drug Felony	14	73.7%	5	26.3%	19	5.2%
Drug Misdemeanor	2	66.7%	1	33.3%	3	0.8%
Weapons Felony	1	50.0%	1	50.0%	2	0.5%
Weapons Misdemeanor	4	44.4%	5	55.6%	9	2.5%
Other Felony	11	57.9%	8	42.1%	19	5.2%
Other Misdemeanor	7	46.7%	8	53.3%	15	4.1%
Other Offenses	1	100.0%	0	0.0%	1	0.3%
<b>TOTALS</b>	<b>229</b>	<b>62.7%</b>	<b>136</b>	<b>37.3%</b>	<b>365</b>	<b>100.0%</b>

Thirty-one percent of youth committed for a person offense had a filing for a new misdemeanor or felony offense prior to being discharged from DYC. In comparison, 40.2% of youth committed for a property offense and 41.2% of youth committed for other offenses recidivated prior to discharge. These differences were not statistically significant.

v. Number of Prior Adjudications

Table 5 shows recidivism rates by the number of prior adjudications for youth committed in the first six months of FY 2000-01.

**TABLE 5**  
**NEW OFFENSES FILED DURING COMMITMENT BY PRIOR ADJUDICATIONS JUVENILES**  
**COMMITTED BETWEEN 7/1/00 AND 12/31/00**

Number of Prior Adjudications	No Pre-discharge Offense Filed		Pre-discharge Offense Filed		TOTALS	
	n	%	n	%	n	%
None	69	72.2%	26	27.8%	97	26.6%
One	48	53.3%	42	46.7%	90	24.7%
Two	63	65.6%	33	34.4%	96	26.3%
Three or More	48	58.5%	34	41.5%	82	22.5%
<b>TOTALS</b>	229	62.7%	136	37.3%	365	100.0%

Seventy-three percent of youth committed in the last six months of 2000 had one or more prior adjudications. In last year's sample, 34.5% of youth with one or more prior adjudications recidivated compared with 40.7% in the current sample. Youth that did not have any prior adjudications were significantly less likely to have a new filing for a felony or misdemeanor offense than youth with more prior adjudications (Chi-Square=8.05; p<.05).

vi. Assessed Drug/Alcohol Treatment Needs

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 need for treatment at the time of commitment.

**TABLE 6**  
**NEW OFFENSES FILED DURING COMMITMENT BY DRUG/ALCOHOL NEED FOR TREATMENT, JUVENILES COMMITTED BETWEEN 7/1/00 AND 12/31/00**

Assessed D/A Level	No Pre-discharge Offense Filed		Pre-discharge Offense Filed		TOTALS	
	n	%	n	%	n	%
None/Low	45	75.0%	15	25.0%	60	16.6%
Moderate/High	181	60.1%	120	39.9%	301	83.4%
<b>TOTALS</b>	226	62.6%	135	37.4%	361	100.0%

*(Missing=4)*

Approximately 83% of the youth committed in the first four months of FY 1999-00 were in need of intervention or treatment services. Youth assessed at the moderate to high level were more likely to have a filing for a new misdemeanor or felony offense (39.9%) than youth assessed with lower substance abuse needs (25.0%) (Chi-Square=4.72; p<.05).

vii. Assessed Risk Score

One of the many assessment instruments used at the time of commitment is the Commitment Classification Instrument (CCI). Placement needs are calculated by the CCI using the combined risk score and severity of the offense the youth was committed for. The risk score is based on factors such as the number of prior adjudications, offense type, prior placement history, and age at first adjudication.

**TABLE 7**  
**NEW OFFENSES FILED DURING COMMITMENT BY ASSESSED RISK**  
**JUVENILES COMMITTED BETWEEN 7/1/00 AND 12/31/00**

Assessed Risk	No Pre-discharge Offense Filed		Pre-discharge Offense Filed		TOTALS	
	n	%	n	%	n	%
Low Risk	84	74.3%	29	25.7%	113	31.1%
Moderate	92	64.3%	51	35.7%	143	39.4%
High Risk	52	48.6%	55	51.4%	107	29.5%
<b>TOTALS</b>	228	62.8%	135	37.2%	363	100.0%

(Missing=2)

Youth committed between July and December 2000 with higher risk scores on the CCI were significantly more likely to recidivate prior to discharge from DYC (Chi-Square=15.82; p<.01).



viii. Charges Filed During Commitment

Table 8 provides a breakdown of pre-discharge recidivism by the most serious type of charge filed.

**TABLE 8**  
**FREQUENCY OF MOST SERIOUS NEW CHARGES FILED DURING COMMITMENT**  
**JUVENILES COMMITTED BETWEEN 7/1/00 AND 12/31/00**

Type of Offense	Original Commitment Offense		New Filings (Recidivism)	
	n	%	n	%
Person Felony	79	21.6%	29	21.3%
Person Misdemeanor	49	13.4%	18	13.2%
Property Felony	133	36.4%	34	25.0%
Property Misdemeanor	36	9.9%	8	5.9%
Drug Felony	19	5.2%	1	0.7%
Drug Misdemeanor	3	0.8%	1	0.7%
Weapons Felony	2	0.5%	1	0.7%
Weapons Misdemeanor	9	2.5%	2	1.5%
Other Felony	19	5.2%	28	20.6%
Other Misdemeanor	15	4.1%	14	10.3%
Other Offense	1	0.3%	0	0.3%
<b>TOTALS</b>	<b>365</b>	<b>100.0%</b>	<b>136</b>	<b>100.0%</b>

Overall, 37.3% of all youth committed during the first half of FY 2000-01 had new charges that resulted in a filing during their commitment. Of these 136 youth, 34 (25.0%) were charged with property felony offenses as the most serious new offense filed.

Twenty-nine youth (21.3%) were charged with person felony charges. From the original sample of all 365 youth, the proportion with new property and person felony offenses during commitment resulting in filing was 9.3% and 7.9% respectively.

Proportions of person, drug, and weapon offenses were similar when comparing the original commitment offense with filings for new charges that occurred prior to discharge. There was a lower proportion of new property crimes (31%) compared with

the original commitment offense (46%) and a higher percentage of new offenses for other crimes (31%). The proportion of “other” offenses that resulted in a new filing was inflated primarily by escape felony and misdemeanor offenses.

**B. Post-Discharge Recidivism**

This section reports on recidivism rates for youth that have been discharged from the Division of Youth Corrections. Recidivism for this cohort is defined as a judicial filing for a felony or misdemeanor offense that occurs within one year following discharge from DYC. 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 2000-01.

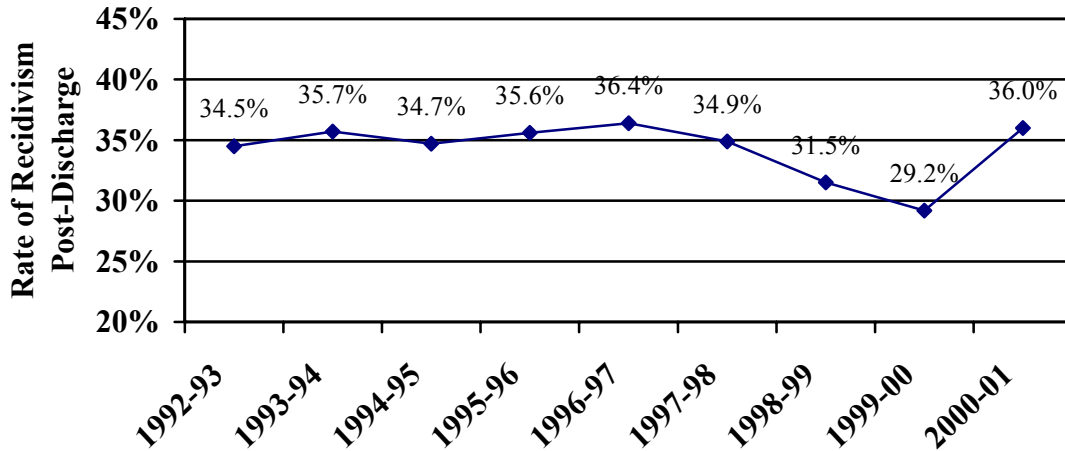
Of the 697 youth discharged in FY 2000-01, 52 (7.5%) were under adult court authority at the time of discharge. Filings that result in such discharges are reflected in ‘pre-discharge’ filing outcomes (analyzed in the prior section) since the offenses leading to these filings occur prior to youth’s discharge 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>99-00</b>	<b>00-01</b>
<b>% Discharged to Adult Court Authority</b>	4%	6%	8%	7%	6%	6%	7%	6%	8%

One youth received another commitment to DYC within 3 months after discharge in FY 2000-01 for an offense that occurred during the original commitment. This youth was also excluded from the one-year follow-up portion of this study. Of the 697 youth discharged in FY 1999-00, 53 (7.6%) 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 consisted of the remaining 644 youth (92.4%) discharged in FY 2000-01.

Of these 644 youth, 232 (36.0%) had a new misdemeanor or felony offense that resulted in filing within one year of discharge. The definition of recidivism utilized in this report was applied to previous discharge cohorts to obtain trends over time<sup>12</sup>.



The following subsections provide demographic and offense information by post-discharge recidivism.

<sup>12</sup> As mentioned earlier in the report, 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 nine years shown.

i. Gender

Males represent a large majority of the commitment population. Nearly 88% of the study sample was male. Table 9 shows the recidivism rate by gender.

**TABLE 9**  
**POST-DISCHARGE RECIDIVISM BY GENDER**  
**JUVENILES DISCHARGED IN FISCAL YEAR 2000-01**

Gender	No Post-Discharge Recidivism		Post-Discharge Recidivism		TOTALS	
	n	%	N	%	n	%
Males	350	61.9%	215	38.1%	565	87.7%
Females	62	78.5%	17	21.5%	79	12.3%
<b>TOTALS</b>	412	64.0%	232	36.0%	644	100.0%

Females were significantly less likely to have a filing for a misdemeanor or felony offense than their male counterparts (Chi-Square=8.22; p<.01).

It is notable that the pre-discharge recidivism rates for youth committed in the first six months of FY 2000-01 show that proportionately more females received a new filing for an offense that occurred prior to discharge. Most of the youth in the pre-discharge sample were not discharged until FY 2002-03 and it will be interesting to see if this finding is reflected in future post-discharge recidivism studies.

ii. Ethnicity

Recidivism rates by ethnicity are shown in Table 10.

**TABLE 10**  
**POST-DISCHARGE RECIDIVISM BY ETHNICITY**  
**JUVENILES DISCHARGED IN FISCAL YEAR 2000-01**

Ethnicity	No Post-Discharge Recidivism		Post-Discharge Recidivism		TOTALS	
	n	%	n	%	n	%
Anglo	208	67.1%	102	32.9%	310	48.1%
African American	62	62.0%	38	38.0%	100	15.5%
Hispanic/Latino	133	61.9%	82	38.1%	215	33.4%
Native American	3	33.3%	6	66.7%	9	1.4%
Asian	3	60.0%	2	40.0%	5	0.8%
Other	3	60.0%	2	40.0%	5	0.8%
<b>TOTALS</b>	412	64.0%	232	36.0%	644	100.0%

There were no significant differences in recidivism rates based on ethnicity. African-American and Hispanic youth discharged in FY2000-01 recidivated at a rate of approximately 38%. Thirty-three percent of Anglo youth who were discharged in FY 2000-01 had a filing for a misdemeanor or felony charge within one year of discharge.

Similar to the results seen with the pre-discharge sample reported in Section I, Native American youth had the highest rates of follow-up recidivism reported (66.7%). Again, it is important to interpret this finding cautiously because of the small sample size (N=9) and the fact that past recidivism studies have not shown Native American youth to recidivate at such high rates.

iii. DYC Management Region

Table 11 provides a breakdown of recidivism by DYC Management Region.

**TABLE 11**  
**POST-DISCHARGE RECIDIVISM BY DYC MANAGEMENT REGION**  
**JUVENILES DISCHARGED IN FISCAL YEAR 2000-01**

Region	No Post-Discharge Recidivism		Post-Discharge Recidivism		TOTALS	
	n	%	n	%	n	%
Central <sup>13</sup>	114	70.8%	47	29.2%	161	25.0%
Denver	84	67.2%	41	32.8%	125	19.4%
Northeast	72	56.3%	56	43.8%	128	19.9%
Southern	93	60.8%	60	39.2%	153	23.8%
Western	49	63.6%	28	36.4%	77	12.0%
<b>TOTALS</b>	412	64.0%	232	36.0%	644	100.0%

The rate of recidivism for youth discharged in FY 2000-01 ranged from a low of 29.2% in the Denver<sup>13</sup> Region to 43.8% in the Northeast Region. Unlike the pre-discharge recidivism rates, the regional differences noted above are not statistically significant.

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<sup>13</sup> In July 2003 the Central Region and the Denver Region merged to form one combined Central Region. In FY 2000-01 these regions were still individual entities and recidivism rates for each are reported in these analyses.

iv. Original Commitment Offense Type

Recidivism outcomes by type of original commitment offense are shown in Table 12. The commitment offense is listed on the mittimus at the time of sentencing.

**TABLE 12**  
**POST-DISCHARGE RECIDIVISM BY ORIGINAL COMMITMENT OFFENSE**  
**JUVENILES DISCHARGED IN FISCAL YEAR 2000-01**

Type of Commitment Offense	No Post-Discharge Recidivism		Post-Discharge Recidivism		TOTALS	
	n	%	n	%	n	%
Person Felony	83	74.1%	29	25.9%	112	17.4%
Person Misdemeanor	69	62.7%	41	37.3%	110	17.1%
Property Felony	145	60.4%	95	39.6%	240	37.3%
Property Misdemeanor	40	62.5%	24	37.5%	64	0.9%
Drug Felony	28	75.7%	9	24.3%	37	5.7%
Drug Misdemeanor	1	100.0%	0	0.0%	1	0.2%
Weapons Felony	3	50.0%	3	50.0%	6	0.9%
Weapons Misdemeanor	11	57.9%	8	42.1%	19	3.0%
Other Felony	16	59.3%	11	40.7%	27	4.2%
Other Misdemeanor	8	47.1%	9	52.9%	17	2.6%
Other Offenses	8	72.7%	3	27.3%	11	1.7%
<b>TOTALS</b>	412	64.0%	232	36.0%	644	100.0%

There were no statistically significant differences in recidivism rates for youth committed to DYC on felony versus misdemeanor offenses. Thirty-nine percent of youth committed for a property offense recidivated within one year following discharge from DYC, compared with 32% of youth committed for a person offense and 36% of youth committed for other offenses. Differences by offense type were also not statistically significant.

v. Job/School Status at Discharge

The percent of youth in job and/or school placements at the time of discharge declined slightly from 66.2% in last year's study to 65.5% in this year's sample. Recidivism outcomes by job/school status at the time of discharge are shown in Table 13.

**TABLE 13**  
**POST-DISCHARGE RECIDIVISM BY JOB/SCHOOL STATUS AT DISCHARGE**  
**JUVENILES DISCHARGED IN FISCAL YEAR 2000-01**

Job/School Status At Discharge	No Post-Discharge Recidivism		Post-Discharge Recidivism		TOTALS	
	n	%	N	%	n	%
None	142	65.1%	76	34.9%	218	34.5%
Job or school	261	63.2%	152	36.8%	413	65.5%
<b>TOTALS</b>	403	63.9%	228	36.1%	631	100.0%

*(Missing=13)*

There were no significant differences in recidivism rates for youth that were in a job/school placement at the time of discharge (36.8% recidivism rate), compared with youth not working or in school at the time of discharge (34.9%). The recidivism rate for youth who were not employed or enrolled in school remained approximately the same as last year (35%), while the rate for youth who were working or in school at the time of discharge has increased from 26% to 37% for this year's cohort.



vi. Number of Prior Adjudications

Table 14 shows recidivism rates by the number of prior adjudications for youth discharged in FY 2000-01.

**TABLE 14**  
**POST-DISCHARGE RECIDIVISM BY PRIOR ADJUDICATIONS**  
**JUVENILES DISCHARGED IN FISCAL YEAR 2000-01**

Number of Prior Adjudications	No Post-Discharge Recidivism		Post-Discharge Recidivism		TOTALS	
	n	%	n	%	n	%
None	109	74.1%	38	25.9%	147	22.9%
One	120	63.2%	70	36.8%	190	29.6%
Two	107	62.2%	65	37.8%	172	26.8%
Three or More	74	56.1%	58	43.9%	132	20.6%
<b>TOTALS</b>	410	64.0%	231	36.0%	641	100.0%

*(Missing=3)*

Seventy-seven percent of youth discharged in FY 2000-01 had one or more prior adjudications. Youth who did not have any prior adjudications were significantly less likely to have a new filing for a felony or misdemeanor offense than youth with more prior adjudications (Chi-Square=10.48; p<.05).

vii. Assessed Risk Score

Youth undergo a battery of assessments at the time of commitment to assist in developing placement and treatment plans. Assessed placement needs are based on the combined risk score and severity of the offense the youth was committed for, as calculated by the Commitment Classification Instrument (CCI). Risk scores are based on factors such as the number of prior adjudications, offense type, prior placement history, and age at first adjudication.

**TABLE 15**  
**POST-DISCHARGE RECIDIVISM BY ASSESSED RISK SCORE**  
**JUVENILES DISCHARGED IN FISCAL YEAR 2000-01**

Assessed Risk	No Post-Discharge Recidivism		Post-Discharge Recidivism		TOTALS	
	n	%	n	%	n	%
Low Risk	144	70.6%	60	29.4%	204	31.8%
Moderate	156	62.7%	93	37.3%	249	38.8%
High Risk	110	58.5%	78	41.5%	156	29.5%
<b>TOTALS</b>	410	64.0%	231	36.0%	363	100.0%

*(Missing=3)*

Youth with higher risk scores on the CCI were significantly more likely to have a felony or misdemeanor filing within one year following discharge from NYC (Chi-Square=6.50; p<.05).

viii. Most Serious Filing Offense

Information on the most serious filing offense committed during the year following commitment was collected. Table 16 shows a breakdown of these charges.

**TABLE 16**  
**FREQUENCY OF NEW CHARGES FILED FOLLOWING COMMITMENT**  
**JUVENILES DISCHARGED IN FISCAL YEAR 2000-01**

Type of Offense	Original Commitment Offense		New Filing (Recidivism)	
	n	%	n	%
Person Felony	112	17.4%	37	15.9%
Person Misdemeanor	110	17.1%	26	11.2%
Property Felony	240	37.3%	93	40.1%
Property Misdemeanor	64	0.9%	13	5.6%
Drug Felony	37	5.7%	17	7.3%
Drug Misdemeanor	1	0.2%	1	0.4%
Weapons Felony	6	0.9%	1	0.4%
Weapons Misdemeanor	19	3.0%	6	2.6%
Other Felony	27	4.2%	15	6.4%
Other Misdemeanor	17	2.6%	23	9.9%
Other Offense	11	1.7%	0	0.0%
<b>TOTALS</b>	<b>644</b>	<b>100.0%</b>	<b>232</b>	<b>100.0%</b>

Seventy percent of the offenses filed were felony offenses. Overall, approximately 25% of youth discharged in FY 2000-01 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. Compared with the original commitment offense, new filings were slightly lower for person offenses and slightly higher for property offenses.

Recidivism rates for youth discharged in FY 2000-01 were higher than they have been since the FY 1996-97 discharge cohort. Results from the Colorado Judicial Branch’s

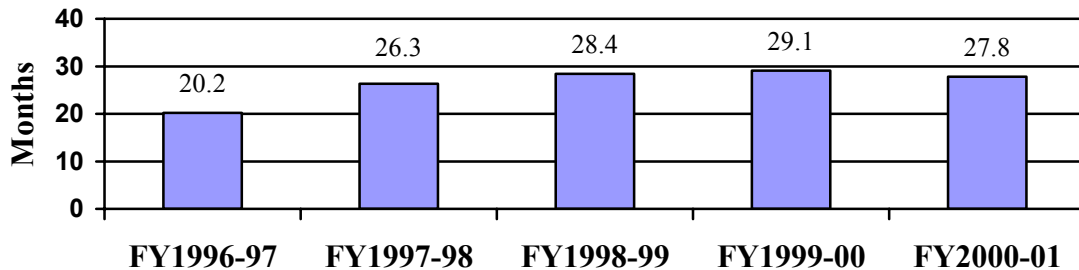
Division of Probation Services also showed increased recidivism rates for juvenile probation clients released from supervision in FY 2000-01. These rates decreased again for juvenile probation clients released in FY 2001-02. It will be important to continue monitoring recidivism rates closely over the next few years to see if they remain high or return to the levels seen in the past few years.

## VI. DISCUSSION

### A. Pre-Discharge Recidivism and Length of Stay

The length of stay (LOS) for juveniles in the pre-discharge sample (27.8 months) was approximately one month less than for youth in the 1999 sample (29.1 months). Changes in the amount of time that youth spend with DYC (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 “at-risk” data collection periods. Therefore, the information presented in this section is useful in looking at population characteristics as they relate to re-offending during commitment, but it is not appropriate to use in an effort to monitor pre-discharge recidivism trends over time.

**Observation Time (LOS) in Months  
FY1996-97 through FY 2000-01**



### B. Increase in Post-Discharge Recidivism Rates

The rate of recidivism for youth discharged in FY 2000-01 is the highest it has been since FY 1996-97. An explanation to the nearly seven percent increase in the recidivism rate is difficult to determine at this time. It is possible that this may be a one-time aberration from the recent trend and that rates will continue to decline next year. It is also possible that Colorado’s juvenile justice system is going through a period of realignment, whereby all juvenile justice agencies are reacting to various system-wide influences that have affected and will continue to impact recidivism rates in the future. This later theory is

supported in part by the recidivism rates reported for the last two years by Colorado's Division of Probation Services. Similarly to DYC, the Colorado Judicial Branch's Division of Probation Services is responsible for producing an annual recidivism report. Because of issues associated with DYC's longer length of stay (LOS) and needing to account for the youth's period of time on parole, the Division's annual recidivism study reviews a discharge cohort that is one year behind the Judicial Department's recidivism study. For example, the Division's cohort sample for this study is those youth discharged in FY 2000-01. Probation's most recent study (November 2003) looked at youth who were released in FY 2001-02. If there are system-wide influences that are driving higher recidivism rates, the Probation recidivism study provides an opportunity for Division to predict how its recidivism rates might look in the future.

Results from the Pre-release Termination and Post-release Recidivism Rates of Colorado's Probationers: FY2001 Releases (November 2002) indicated a 150% increase in post-supervision recidivism. Almost twenty percent of juveniles that successfully terminated probation in FY 2000-01 recidivated compared with only 7.8% in FY1999-00. The most recent recidivism report released by the Judicial Department, Office of Probation Services shows a slight decrease in post-supervision recidivism for youth who successfully terminated probation in FY 2001-02.

Probation opines that the recent increase in recidivism rates may in part be associated with Colorado's recent economic recession. The linkage between the economy and crime rates is somewhat controversial in the literature, but it is a theory that many researchers, economists, juvenile justice practitioners and policy-makers support<sup>14</sup>. If the economy-crime link is valid, the State might expect lower recidivism rates in the future as most economic signs suggest a recovery is imminent.

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<sup>14</sup> Legislative Council Staff bases a portion of their DYC population projection model on current and projected economic conditions.

### **C. Mandatory Parole**

Mandatory parole legislation introduced in the 1996 Legislative Session, and more recent reductions to the length of mandatory parole also diminish the validity of comparing pre-discharge recidivism rates over the years. Prior to mandatory parole legislation, almost half of the youth committed to DYC spent their entire commitment sentence in residential placements. While a required period of parole in non-residential settings may facilitate the successful reintegration of the juvenile back into the community, thus potentially reducing rates of post-discharge recidivism, it may also unintentionally inflate pre-discharge recidivism rates because of the increased opportunities that are not available to youth in a residential placement.

### **D. Definition of Recidivism: Filing v. Adjudication**

Recidivism is affected by numerous factors such as changes in juvenile population characteristics, the length of time a subject is observed, technology advances, and changes in policy, in addition to actual changes in criminal behavior. Additionally the definition of recidivism itself can affect rates. If a more restrictive definition of recidivism based on guilty dispositions of filings were imposed on the 2000 pre-discharge<sup>15</sup> sample the recidivism rate would have been 32.0% compared with 37.3% in this year's report. This would represent a 14% decrease in the pre-discharge recidivism rate solely based on the definition of recidivism used.

### **E. Programmatic and System Changes**

Additionally, the Division has initiated some significant programmatic changes since FY 2000-01 including the implementation of new client programs for committed youth. Among these is a 40 bed secure girl's facility on the Mount View campus. This facility is the first in the nation to be designed, built and operated specifically to meet the unique needs of committed girls. Girls View at the Betty K. Marler Youth Services Center began serving young women in July of 2002. The Ridge View Youth Services Center is currently operating close to its designed capacity of 500 committed youth. Ridge View,

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<sup>15</sup> This data was not available for the post-discharge cohort studied for this report, but will be collected and analyzed in future years.

which began operations in July 2001, is a performance-based, state-owned, privately operated facility that emphasizes academic, vocational and athletic achievement.

Furthermore, budget reductions in recent years have impacted available services for committed youth and have created overcrowded conditions in state secure facilities. Reduced services and higher client to staff ratios may precipitate higher rates of pre and post-discharge recidivism. It will continue to be important to monitor recidivism as these studies provide a useful mechanism for monitoring the impacts these kinds of system change have on outcomes of youth served.