



# COLORADO PROBATION RECIDIVISM STUDY

Fiscal Year 2022

## Colorado Judicial Branch

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# Colorado Probation Recidivism Study

*Fiscal Year 2022 Report for Fiscal Year 2021 Terminations and FY2020 Terminations Year Two Recidivism*

On June 30, 2021, there were 66,008 individuals on probation in Colorado, including 63,372 adults and 2,636 juveniles in both regular and intensive programs, and 2,739 monitored DUI cases.<sup>1</sup> Probation officers across the state work within a range of regular and intensive probation programs to assess, supervise, educate, and refer probationers to a host of treatment and skill-building programs. Probation officers use validated instruments to assess an individual's level of risk and criminogenic needs, as well as determine the skills they require to make amends to victims/communities and avoid further criminal behavior. Probationers are supervised within the community according to their assessed risk level and are referred to appropriate community-based treatment and skill-based programs related to their assessed needs. Programs have been designed to match the intensity of supervision to the risk and need of each probationer. Available probation programs include regular probation supervision for adults and juveniles; and intensive probation programs for adults (Limit Setter Intensive Probation-LSIP, Casework Control Intensive Probation-CCIP, Female Offender Program-FOP, and Sex Offender Intensive Probation-SOISP), and juveniles (Juvenile Intensive Supervision-JISP). Many problem-solving courts (e.g. Drug, DUI, Veteran's) are also in use throughout the state to address those probationers who are higher risk and have significant treatment needs. It is important to note that all of probation's intensive programs were originally designed to be alternatives to incarceration. Thus, individuals in these programs tended to have higher levels of risk (risk is related to the probability of program failure and commission of a new crime) and more serious offenses. For these reasons, program success levels were expected to be lower for probationers in intensive programs than for those on regular probation. Since October 1, 2013, the adult intensive supervision program is no longer a sentencing option for the courts, and therefore not an alternative to incarceration. Instead, probationers are placed in intensive programs by the probation departments based on assessed risk and needs. Additionally, beginning in fiscal year 2018, FOP is transitioning to the Casework Control Intensive Probation (CCIP) program and includes high risk and high-need probationers regardless of gender. Within this report individuals are identified as having participated in an intensive program during their stay on probation. Therefore, even with the move away from the FOP program, some women in this study are still associated with the FOP program. Each of the intensive programs (LSIP, CCIP, FOP, SOISP, and JISP) will be identified in this report to allow for comparisons of outcomes across the programs.

Colorado probation has been conducting an annual recidivism study since 1996. In reports published from 1996 through 2020, pre-release recidivism was defined as termination from probation for a new felony or misdemeanor criminal act or technical violations, and post-release recidivism was defined as a new misdemeanor or felony filing within one year of successful termination from probation. In 2019 the Colorado State Legislature passed Senate Bill (SB) 19-108 creating a Juvenile Justice Reform Committee tasked with implementing sweeping juvenile justice reform throughout the state. Senate Bill 19-108 necessitated a change in the definition of recidivism used by the Division of Probation Services for juvenile probationers. To maintain consistency in how Colorado reports recidivism for probationers, the definition of recidivism for adult probationers was also changed. Recidivism for Colorado probation is now defined using two components: pre-release and post-release. Pre-release recidivism is defined as a new deferred agreement, adjudication, or conviction while under probation supervision. Post-release

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<sup>1</sup> The total of 66,008 includes individuals under state and private probation supervision and an additional 2,739 DUI offenders were monitored by state probation.

recidivism is defined as a new deferred agreement, adjudication, or conviction one, two, and three years post-release from probation regardless of whether that release is considered successful.

This definition is a departure from previous definitions in several ways. First, pre-release recidivism is now defined by a new deferred agreement, adjudication, or conviction rather than a termination from probation for a new criminal act or technical violations. This separates new criminal activity from the type of probation termination. It is not uncommon for a probationer to have some new criminal activity, and still successfully complete probation. This change will allow us to identify criminal behavior separate from the ultimate resolution of the probation sentence. Second, the post-release portion of the definition moves away from the filing of charges to a finding of guilt on the case. The use of a conviction (or an adjudication for juveniles or the presence of a deferred agreement for adults and juveniles) is consistent with criminal justice reform practices that emphasize the importance of admissions or findings of guilt and not relying solely on the filing of charges (that may be dismissed or have a not reached guilty findings) to make assumptions about continued criminal conduct. Finally, the new definition is not limited to those probationers who have successfully completed probation. Capturing long-term outcomes for individuals regardless of how they ended their time on probation will provide a more complete picture of the outcomes of individuals sentenced to probation. Table 1, below, compares the two definitions. While this shift in definition may generate slight changes in the recidivism rates reported, general trends in probation outcomes should remain consistent.

Table 1: Comparison of 1997 to 2021 Definition of Recidivism

Comparison of Recidivism Definitions				
	Previous Definition		Current Definition	
	Pre-Release	Post-Release	Pre-Release	Post-Release
Who?	All negative probation terminations-no lifetime SO	All successful terminations	All probation terminations-all probationers	All probation terminations-all probationers
What?	An adjudication or conviction for a felony or misdemeanor, or a technical violation relating to a criminal offense	New filing for a felony or misdemeanor	New deferred agreement, adjudication, or conviction for a felony or misdemeanor	New deferred agreement, adjudication, or conviction for a felony or misdemeanor
When?	Based on probation termination status	Within 1 year of successful termination	During probation supervision-from initial sentence date to termination date	Post termination from probation for 1, 2, and 3 years

## Methodology<sup>2</sup>

The annual recidivism study is based upon the entire population of probationers terminated from probation during fiscal years 2021 and 2020 for year two recidivism. This includes individuals who participated in intensive programs as well as those on regular supervision. The one-year lag in reporting allows for cases terminated from probation to be followed for at least one full year to identify any instances of new convictions and to capture any new sentences associated with negative terminations and post-release recidivism.

### Data

For each termination cohort, a query was written to extract a data file of all adults and juveniles who had a case terminated from probation during the previous fiscal year. The data file was generated from the Judicial Branch's business intelligence system, Cognos, which queries a copy of the case management system data. The termination files were combined with a file of all misdemeanor, felony, DUI, and juvenile delinquency convictions in Colorado's district and county courts to derive pre- and post-release recidivism rates for those probationers who successfully completed probation. Beginning with this report, convictions in Denver County Court are included in this analysis for cases filed in fiscal year 2022. Pre-release recidivism rates are obtained by matching a data set of convictions from January 1, 2010, through the end of the fiscal year 2022 to identify instances of a new conviction occurring between a probationer's sentence to probation and the date their case was terminated from probation. Post-release recidivism is obtained by matching a set of convictions from the beginning of the fiscal year in which a case was terminated (e.g., July 1, 2019 for the fiscal year 2020 terminations and July 1, 2020 for fiscal year 2021 terminations) and identifying any convictions that occurred after the case was terminated from probation and up to three years later. For this report, the initial one-year recidivism rate will be provided for cases terminated in fiscal year 2021 and the two year rate will be added for those cases terminated in fiscal year 2020 referenced in the previous year's report. Although business returned to a more traditional cadence in fiscal year 2022, some impacts due to the COVID 19 pandemic may still be present.

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<sup>2</sup> Methodological note: Previous recidivism studies weighted the termination counts to match the number of people reported in Judicial's Annual Statistical Report, which led to an estimate of recidivism and of subsequent sentences. This was necessary due to the technical limitations of data reporting out of the Judicial case management system. The Annual Report counts a probationer as terminated from probation if they have no active cases remaining and had a case terminated in the fiscal year being reported. Unfortunately, the individuals included in this count cannot be identified and therefore cannot be matched to court records to identify pre/post-release recidivism or sentencing information. The State Court Administrator's Office is working to remedy system limitations using available business intelligence tools to generate a report to include the names of individuals counted in the terminations reported each year. In the interim, a query of terminated probationers will be used without weighting. Individuals may have multiple cases that terminate during fiscal year 2020 or have a case terminate in fiscal year 2020 and still be active on probation for another case. This will lead to a slight increase in the number of people who are reported to have terminated in the recidivism study compared to the Annual Report, however, the general distributions of termination rates remain consistent. Additionally, past studies did not include terminations from SOISP unless they had transitioned out of intensive supervision and were terminated from regular probation. These cases are now included in this report and will be identified where appropriate.

## Analysis

To continue to meet the evolving reporting requirements on outcomes for probation in Colorado, the following research questions guided this report:

1. What are the success rates and revocation rates for individuals who are terminated from probation?
2. How prevalent is pre-release recidivism? What are the outcomes for probationers with pre-release recidivism?
3. How prevalent is post-release recidivism for individuals terminated from probation? How are probationers sentenced following post-release recidivism?
4. What differences exist in pre-release recidivism, termination rates, and post-release recidivism for probationers by risk level and intensive program participation?
5. Where are probationers sentenced upon unsuccessful completion of a probation sentence?

In time, this new study methodology will evolve to include more specific information on the programs, services, and outcomes of individuals sentenced to probation in Colorado. As additional data become available, the report will include information on specialized (e.g., problem solving court, domestic violence/mental health/economic crime supervision) programs, changes in risk and need factors, and participation in treatment services for substance use and mental health disorders in compliance with the recommendations of the Juvenile Justice Reform Committee created under SB19-108.

Figure 1: Recidivism Measurement Timeline

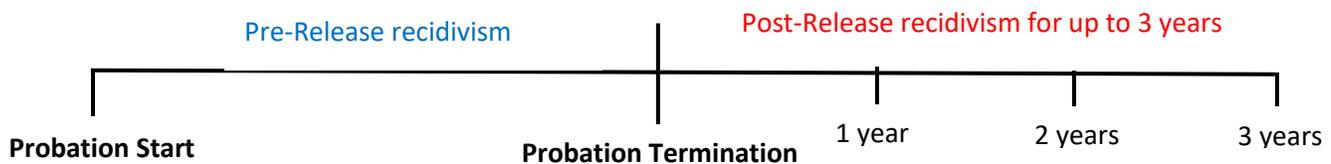


Figure 1 provides a general overview of how the new recidivism study will capture pre- and post-release recidivism. The study begins with a cohort of individuals with a case terminated in the fiscal year prior to the study to allow time for at least one year of post-release recidivism. Pre-release recidivism will be captured from the initial sentence date of the terminated case and any deferred agreement, adjudication, or conviction for a misdemeanor or felony offense that occurs between the initial sentence date and the termination date.

The following sections of the report will present the results of the updated recidivism study methodology. First, general descriptive information is provided on the population of adults and juveniles terminated from probation in fiscal year 2021. Next, general outcomes including pre-release recidivism, probation termination rates, and post-release recidivism will be provided. Post-release recidivism in year two following termination from probation is also provided for the previous year's cohort (i.e., fiscal year 2020 terminations). Additional sentencing information for negatively terminated probation cases and probationers with post-release recidivism is also included for the current year's recidivism study cohort (i.e., fiscal year 2021 in this report). Following the general outcomes results, additional sections will provide the same information separated by risk level at the start of probation and by probation program

(regular versus intensive probation). The report concludes with information on the length of stay on probation for fiscal year 2021 terminations.

## Results

### Cohort Descriptive Information

In fiscal year 2021, 39,472 unique individuals had a termination from probation (regular or intensive supervision). Of these 37,309 were on probation for an adult case and 2,163 were on probation for a juvenile delinquency case. For probationers who have multiple cases terminated in the same fiscal year, the termination with the earliest original sentence date was used. Additionally, for those with both an intensive supervision termination and regular probation supervision termination, the individual will only be counted once in the fiscal year. A probationer was counted in the intensive programs count if they had participated in an intensive program at any point during their probation sentence. Individuals terminated from probation who also participated in an intensive program account for 1,410 (3.7%) adults and 119 (5.5%) juveniles in the fiscal year 2021 termination cohort. The typical adult terminated from probation is a Caucasian male around 34 years of age, and the typical juvenile terminated from probation is an 18-year-old Caucasian male. The population of probationers terminated in fiscal year 2021 is generally reflective of the probation population described in the annual report, where approximately 25% of the population is female, most are Caucasian, and individuals between the ages of 25 and 39 years make up nearly half of the population. Around 72% of adults and 80% of juveniles terminated from probation are male (see Table 2). While the judicial case management system allows for identification outside of the male-female binary, a very small number (17 total terminations) do not report gender as male or female. Additionally, the majority of adult and juveniles terminated from probation are identified as Caucasian (77.6% of adults and 66.6% of juveniles).<sup>3</sup> Table 3 provides additional information on race/ethnicity for individuals terminated from probation.

Table 2: Gender Distributions for Probationers Terminated in FY2021

	Female		Male		Not Specified		Total	
	N	%	N	%	N	%	N	%
<b>Adult</b>	10,402	27.9%	26,892	72.1%	15	0.04%	37,309	100%
<b>Juvenile</b>	426	19.7%	1,735	80.2%	2	0.09%	2,163	100%
<b>Total</b>	10,828	27.4%	28,627	72.5%	17	0.02%	39,472	100%

Table 3: Race/Ethnicity for Probationers Terminated in FY2021

	Caucasian		African American		Hispanic		Asian/Indigenous/Other		Total	
	N	%	N	%	N	%	N	%	N	%
<b>Adult</b>	28,970	77.6%	3,005	8.1%	3,960	10.6%	1,374	3.7%	37,309	100%
<b>Juvenile</b>	1,441	66.6%	289	13.4%	328	15.2%	105	4.9%	2,163	100%
<b>Total</b>	30,411	77.0%	3,294	8.3%	4,288	10.9%	1,479	3.7%	39,472	100%

<sup>3</sup> Race and ethnicity are combined in the judicial case management system and is entered by court staff from information provided in the summons, affidavit, arrest report, or complaint filed with the court.

The median age for adults terminated from regular probation in fiscal year 2021 was 34.8 years and for juveniles was 17.9 years. Individuals who participated in LSIP and FOP tended to be younger at termination (31.7 years and 32.5 years, respectively) and individuals who participated in CCIP and SOISP tended to be older at termination (36 years and 38.9 years, respectively). Juveniles on JISP tended to be older at termination (18.7 years) compared to those on regular juvenile probation (17.9 years). Table 4 provides additional information on age at termination by probation population for adults and juveniles.

Table 4: Average Age at Termination for Probationers Terminated in FY2021

	<b>N</b>	<b>Average</b>	<b>Median</b>	<b>Std. Deviation</b>
<b>Regular Adult</b>	35,899	37.2	34.8	2.0
<b><i>Limit Setter Intensive Probation (LSIP)</i></b>	562	33.0	31.7	9.1
<b><i>Casework Control Intensive Probation (CCIP)</i></b>	509	37.1	36.0	9.8
<b><i>Female Offender Program (FOP)</i></b>	73	35.2	32.5	7.8
<b><i>Sex Offender Intensive Probation (SOISP)</i></b>	264	42.1	38.8	14.5
<b>Regular Juvenile</b>	2,044	17.8	17.9	2.0
<b><i>Juvenile Intensive Probation (JISP)</i></b>	121	18.6	18.7	1.5

Individuals on probation are assessed for their level of risk to engage in new criminal behavior using validated and reliable risk assessment instruments. Colorado probation officers use the Level of Supervision Inventory (LSI) to classify adults according to risk level and the Colorado Juvenile Risk Assessment (CJRA)<sup>4</sup> to classify juveniles. In fiscal year 2021 the Youth Level of Service Inventory (YLS) was implemented. Juvenile risk assessment data in this report reflects a combination of CJRA and YLS assessments. As the YLS replaces the CJRA for all juveniles additional risk and need assessment information will be available for all juveniles. The LSI is a research-based, reliable, and valid, actuarial risk instrument. The LSI is commonly used by probation and parole officers and other correctional workers in the United States and abroad. The CJRA is also an actuarial risk assessment that identifies a youth’s likely risk to reoffend and is based on a validated juvenile risk assessment tool used in Washington State. Likewise, the YLS is a commonly used juvenile assessment tool similar to the LSI. All three classification tools result in one of three supervision levels: low, moderate, or high. The higher rate of failure among higher risk probationers is consistent with risk prediction classification tools, in which high risk individuals are often more than twice as likely, as those classified at lower risk, to commit a new crime while under supervision. It is important to note the LSI, CJRA, and YLS are instruments in which the probationer is scored on several risk factors, the sum of which comprise a total score which is then classified into a risk level. On average, probationers are re-assessed every six months, and supervision strategies and level of supervision intensity change with corresponding changes in the risk and needs scores. Classification categories are determined according to policy, which is typically based on research that determines where cut-off points are most appropriately set, given actual failure rates among the study group, and resulting in more predictive cut-off points.

The majority (44%) of adults terminated in fiscal year 2021 are assessed as low risk at the start of probation, 23.4% are considered moderate risk, and 12.8% are high risk (see Table 5). For juveniles, 46.1% are classified as low risk, 24.4% as moderate risk, and 17.0% as high risk. For a portion of the terminated population (19.7% of adults and 12.5% of juveniles), risk level at the start of probation was

<sup>4</sup> Beginning July 1, 2021 juveniles starting probation are assessed using the Youth Level of Service Inventory (YLS). Future studies will use the results of YLS to produce risk levels for juveniles.

not available in the data. Data on risk may be unavailable due to several factors. First, the individual could be on alcohol monitoring where the use of a risk and needs assessment is not required. Second, the individual may have requested to serve their probation sentence in another state and not had an assessment prior to leaving Colorado. Third, there may be variations in probationers' names that limit the ability to match court records to the probation assessment record. Finally, the individual may have failed to appear to have the assessment completed. Data for individuals missing an assessment are still included in the analysis and identified as having a missing assessment in any tables reporting on risk.

Table 5: Starting Risk Level for Probationers Terminated in FY2021 and FY2020

FY2021 Terminations										
	High		Moderate		Low		Missing		Total	
	N	%	N	%	N	%	N	%	N	%
<b>Adult</b>	4,777	12.8%	8,746	23.4%	16,422	44.0%	7,364	19.7%	37,309	100%
<b>Juvenile</b>	368	17.0%	527	24.4%	998	46.1%	270	12.5%	2,163	100%
<b>Total</b>	5,145	13.0%	9,273	23.5%	17,420	44.1%	7,634	19.3%	39,472	100%
FY2020 Terminations										
	High		Moderate		Low		Missing		Total	
	N	%	N	%	N	%	N	%	N	%
<b>Adult</b>	6,396	16.1%	8,603	21.6%	20,312	51.0%	4,542	11.4%	39,826	100%
<b>Juvenile</b>	487	21.3%	578	25.3%	1,028	45.0%	189	8.3%	2,282	100%
<b>Total</b>	6,883	16.3%	9,181	21.8%	21,340	50.7%	4,731	11.2%	42,108	100%

## Outcomes

Most adults and juveniles completed probation successfully and remained crime free for at least one-year following termination. This is true even if they had a pre-release recidivism event. Table 6 and Figure 2 provide the termination, pre-release recidivism, and post-release recidivism rates for adults and juveniles who terminated from probation in fiscal year 2021.

### Pre-Release Recidivism

Pre-release recidivism occurred in 17.6% of adult terminations and 20.7% of juvenile terminations in fiscal year 2021. Of note, pre-release recidivism did not automatically lead to an unsuccessful termination from probation—9.1% of adults and 12.1% of juveniles had pre-release recidivism events and completed probation successfully. Rates of pre-release recidivism were substantially higher for individuals who terminated from probation unsuccessfully. Pre-release recidivism events occurred for 35.5% of adults and juveniles who were terminated from probation due to technical violations. Unsurprisingly, most probationers who were terminated for a new crime also had pre-release recidivism identified. While all probationers terminated for a new crime would have pre-release recidivism, due to various factors including coding practices, plea agreements, or variations in individuals' names used in the court and probation records, some of these individuals terminated for a new crime may not have had a new deferred agreement, adjudication, or conviction identified prior to their termination from probation.

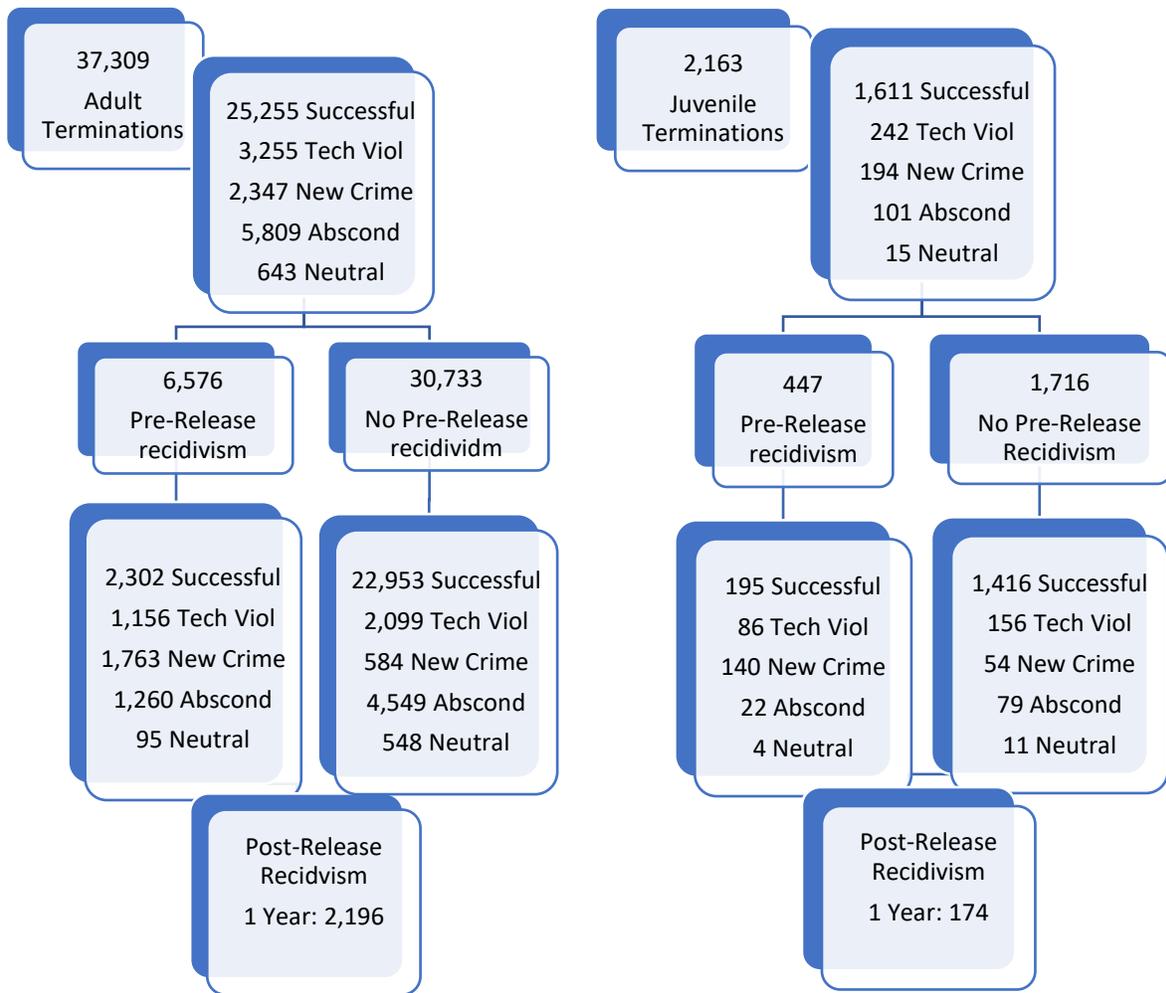


Figure 2: Adult and Juvenile Outcomes for FY2021 Terminations (Regular and Intensive Combined)

### Termination Rates

Across all probation programs, 67.7% of adults and 74.5% of juveniles successfully completed probation in fiscal year 2021. When individuals unsuccessfully terminated from probation the most common reason for adults was absconding (15.6%) and for juveniles was technical violations (11.2%). For adults the next most common reason was technical violations (8.7%) followed by a new criminal conviction (6.3%). For juveniles, the second most common reason for unsuccessful termination was new crime (9.0%) followed by absconding (4.7%). A relatively small portion of adults and juveniles are terminated from probation for reasons that are considered neither successful nor unsuccessful. Neutral terminations include, but are not limited to, death or deportation of an individual and occur in 1.7% of adult and 0.7% of juvenile terminations.

## Post-Release Recidivism

Overall post-release recidivism rates within the first year are below 10% for those who successfully complete probation—3.1% for adults and 6.0% for juveniles. Rates of post-release recidivism are higher for individuals who unsuccessfully terminate from probation. Identifying post-release recidivism rates for absconders poses some challenges. Individuals terminated for absconding have been out of contact with probation for at least three months and therefore may no longer reside in the state or may be careful to avoid contact with law enforcement and the courts. Post-release recidivism rates are highest for individuals who were terminated from probation for new crimes—18.2% for adults and 19.6% for juveniles.

Table 6: Probation Outcomes for FY2021 and FY2020 Terminations (Regular and Intensive Combined)

	All FY2021 Terminations		% Terms with Pre-release recidivism		% Terms with Post-release recidivism first year		% Terms with Post-release recidivism second year	
	Adult	Juvenile	Adult	Juvenile	Adult	Juvenile	Adult	Juvenile
<b>Successful</b>	67.7%	74.5%	9.1%	12.1%	3.1%	6.0%	--	--
<b>Technical Violation</b>	8.7%	11.2%	35.5%	35.5%	13.1%	12.8%	--	--
<b>New Crime</b>	6.3%	9.0%	75.1%	72.2%	18.2%	19.6%	--	--
<b>Abscond</b>	15.6%	4.7%	21.7%	21.8%	9.6%	8.9%	--	--
<b>Neutral/ Other</b>	1.7%	0.7%	14.8%	26.7%	0.8%	0.0%	--	--
<b>Total</b>	100%	100%	17.6%	20.7%	5.9%	8.0%	--	--
	All FY2020 Terminations		% Terms with Pre-release recidivism		% Terms with Post-release recidivism first year		% Terms with Post-release recidivism second year	
	Adult	Juvenile	Adult	Juvenile	Adult	Juvenile	Adult	Juvenile
<b>Successful</b>	65.7%	72.5%	16.9%	20.3%	6.1%	9.2%	4.7%	7.6%
<b>Technical Violation</b>	13.0%	13.4%	46.6%	39.5%	17.4%	15.7%	14.1%	17.0%
<b>New Crime</b>	7.6%	9.4%	86.8%	85.2%	18.6%	21.8%	14.7%	14.8%
<b>Abscond</b>	12.3%	4.2%	23.1%	21.3%	6.5%	2.1%	5.6%	8.5%
<b>Neutral/ Other</b>	1.4%	0.5%	15.8%	16.7%	0.0%	0.0%	0.0%	0.0%
<b>Total</b>	100%	100%	27.0%	29.5%	8.5%	10.9%	6.7%	9.6%

## Placement for Negative Terminations

When a probationer is unsuccessful on probation, a new sentence is often entered on the case once probation is terminated. Table 7 presents the sentences received by individuals upon unsuccessful termination from probation. Sentences include incarceration (including Division of Youth Services or Department of Corrections), jail or juvenile detention, community correction’s facility, and non-custodial sentences (e.g., probation, community services, fine or fees). Due to the timing of the study, new criminal cases have approximately one year to reach resolution to be included in the study. Additionally continued delays in court operations during fiscal year 2021 and into fiscal year 2022 resulting from the COVID-19 pandemic impacted the rate at which cases were resolved. As a result, approximately two-thirds to three-fourths of all cases terminated from probation for technical violations, new crimes, or absconding did not have a new sentence entered. The rate of missing sentences was higher for probationers who were terminated for absconding (75.9% for adults and 77.2% for juveniles). When a new sentence was entered, adults were commonly sentenced to jail. For adults terminated for technical violations, 28.2% were sentenced to jail and for adults terminated for new crimes, 24.8% were sentenced to jail. Sentences to the Department of Corrections (DOC) occur around 4.3% of terminated adult probationers and are more likely for new crime (7.1%) than technical violations (4.2%). Juveniles are more likely to be sentenced to the Division of Youth Services (DYS) for new crime violations (11.9%) than for technical violations (9.9%). However, juveniles terminated for technical violations are more likely to be sentenced to detention than are juveniles terminated for new crimes (26.4% and 14.9%, respectively). Non-custodial sentences which include probation, community services, and fines occur less frequently following unsuccessful termination from probation (2.2% of adult terminations and 2.6% of juvenile terminations). For adults, non-custodial sentences are more common for absconding (2.4%) or technical violations (2.2%) than for new crime (1.8%). However, for juveniles non-custodial sentences are more common for absconding (5.0%) compared to technical violations (0.0%) or new crime (4.6%).

Table 7: Placement Following Negative Termination from Probation for FY2021 and FY2020 Terminations (Regular and Intensive combined)

		FY2021									
	Negative Termination Type	DOC/DYS		Jail/ Detention		Community Corrections		Non-custodial Sentence		Not yet sentenced	
		N	%	N	%	N	%	N	%	N	%
Adult	<b>Tech Viol</b>	138	4.2%	917	28.2%	3	0.1%	72	2.2%	2,125	65.3%
	<b>New Crime</b>	167	7.1%	581	24.8%	6	0.3%	42	1.8%	1,551	66.1%
	<b>Absconding</b>	188	3.2%	1,037	17.9%	40	0.7%	137	2.4%	4,407	75.9%
	<b>Total</b>	493	4.3%	2,535	22.2%	49	0.4%	251	2.2%	8,083	70.8%
Juvenile	<b>Tech Viol</b>	24	9.9%	64	26.4%	0	0.0%	0	0.0%	154	63.6%
	<b>New Crime</b>	23	11.9%	29	14.9%	1	0.5%	9	4.6%	132	68.0%
	<b>Absconding</b>	5	5.0%	13	12.9%	0	0.0%	5	5.0%	78	77.2%
	<b>Total</b>	52	9.7%	106	19.7%	1	0.2%	14	2.6%	364	67.8%

## Sentences for One-Year Post-Release Recidivism

Post-release recidivism within the first year following any type of probation termination (successful or unsuccessful) occurred in 5.9% of adults and 8.0% of juveniles. At the writing of this report, 27.6% of adult and 28.2% of juveniles with a conviction within one-year of termination from probation had not yet been sentenced. For adults, most instances of recidivism were sentenced to jail (38.8%) or were given a non-custodial sentence (23.1%). Around 8% received a sentence to DOC. For juveniles, 46.6% received a non-custodial sentence for a new conviction within one-year of termination, 8.0% were sentenced to DYS or DOC and 14.9% were sentenced to jail or detention. A probationer who terminated from probation for a juvenile delinquency case is counted within the juvenile terminations, yet the post-release recidivism event may have occurred after the individual was 18 years of age. As a result, these individuals may be sentenced to DOC or jail. If the recidivism event occurred when the individual was still under 18 years of age, DYS or detention sentences would occur.

Table 8: Placement Following One-Year Post-Release Recidivism for FY2021 and FY2020 Terminations (Regular and Intensive Combined)

	2021										
	DOC/DYS		Jail/ Detention		Community Corrections		Non-custodial Sentence		Not yet sentenced		Total Recid
	N	%	N	%	N	%	N	%	N	%	N
Adult	177	8.1%	851	38.8%	53	2.4%	508	23.1%	607	27.6%	2,196
Juvenile	14	8.0%	26	14.9%	4	2.3%	81	46.6%	49	28.2%	174

## Outcomes by Risk Level

As discussed above, risk is strongly associated with probation outcomes, with higher risk probationers being more likely to terminate unsuccessfully from probation and more likely to engage in both pre- and post-release recidivism. Risk was defined using the LSI (adult), CJRA (juvenile), or YLS (juvenile) assessment closest to the original sentence date.

## Pre-Release Recidivism by Risk Level

Table 9 displays the pre-release recidivism rates for probationers terminated in fiscal year 2021. For both adults and juveniles less than one-fifth had a new deferred agreement, adjudication, or conviction while on probation. For adults terminated in fiscal year 2021, 39.0% of high risk, 23.4% of moderate risk, and 9.1% of low risk had pre-release recidivism events. For juveniles, 33.9% of high risk, 24.4% of moderate risk, and 12.2% of low risk probationers had pre-release recidivism.

Table 9: Pre-Release Recidivism by Risk Level at Start for FY2021 and FY2020 Terminations (Regular and Intensive Combined)

2021							
		Pre-Release Recidivism		No Pre-Release Recidivism		Total	
		N	%	N	%	N	%
<b>Adult Regular Probation</b>	HIGH	1,584	39.0%	2,473	61.0%	4,057	100%
	MODERATE	1,953	23.4%	6,384	76.6%	8,337	100%
	LOW	1,471	9.1%	14,747	90.9%	16,218	100%
	Missing	1,124	15.4%	6,163	84.6%	7,287	100%
	Total	6,132	17.1%	29,767	82.9%	35,899	100%
<b>Juvenile Regular Probation</b>	HIGH	111	33.9%	216	66.1%	327	100%
	MODERATE	121	24.4%	374	75.6%	495	100%
	LOW	118	12.2%	850	87.8%	968	100%
	Missing	39	15.4%	215	84.6%	254	100%
	Total	389	19.0%	1,655	81.0%	2,044	100%
2020							
		Pre-Release Recidivism		No Pre-Release Recidivism		Total	
		N	%	N	%	N	%
<b>Adult Regular Probation</b>	HIGH	2,649	47.1%	2,973	52.9%	5,622	100%
	MODERATE	3,129	34.0%	6,077	66.0%	9,206	100%
	LOW	3,141	16.6%	15,771	83.4%	18,912	100%
	Missing	900	19.9%	3,621	80.1%	4,521	100%
	Total	9,819	25.7%	28,442	74.3%	38,261	100%
<b>Juvenile Regular Probation</b>	HIGH	125	39.8%	189	60.2%	314	100%
	MODERATE	180	33.3%	360	66.7%	540	100%
	LOW	204	19.1%	864	80.9%	1,068	100%
	Missing	28	15.2%	156	84.8%	184	100%
	Total	537	25.5%	1,569	74.5%	2,106	100%

#### Terminations by Risk Level

Like pre-release recidivism, termination rates are closely associated with risk level. Low risk probationers are much more likely to terminate successfully compared to medium or high risk probationers. Table 10 presents termination rates by risk level for adults and juveniles terminated from probation in FY2021. Successful terminations occur in 84.2% of low risk adult probationers, 61.9% of moderate risk, and 41.0% of high risk. Adults who are assessed as high risk have the highest rate of terminations for technical violations (19.7%) compared to moderate and low risk probationers (10.9% and 4.9%, respectively). Terminations for new crime is rare for low risk probationers, accounting for only 2.7% of

their terminations. For moderate risk probationers, new crime accounts for 8.4% of terminations and for high risk the rate is 15.2%. Absconding is also associated with risk with 7.4% of low risk, 16.7% of moderate risk, and 21.9% of high risk adults terminated for absconding in fiscal year 2021. Similar trends are visible for juveniles terminated from probation in fiscal year 2021. For juveniles, 84.0% of low risk, 71.9% of moderate risk, and 56.3% of high risk probationers terminated successfully. Terminations due to technical violations accounted for 7.6% of low risk, 13.1% of moderate risk, and 18.2% of high risk terminations. Terminations for new crime occur for 4.9% of low risk juveniles, 10.4% of moderate risk juveniles, and 16.8% of high risk juveniles. Absconding rates were under or at 4% for low and moderate risk juveniles (3.3% and 4.0%, respectively), and higher (6.8%) for high risk juveniles.

Table 10: Termination Rates by Risk Level at Probation Start for FY2021 and FY2020 Terminations (Regular and Intensive Combined)

2021												
		Successful		Tech Viol		New Crime		Abscond		Neutral		Total
		N	%	N	%	N	%	N	%	N	%	N
<b>Adult</b>	HIGH	1,958	41.0%	940	19.7%	727	15.2%	1,047	21.9%	105	2.6%	4,777
	MOD	5,410	61.9%	957	10.9%	731	8.4%	1,458	16.7%	190	2.2%	8,746
	LOW	13,821	84.2%	798	4.9%	439	2.7%	1,213	7.4%	151	0.8%	16,422
	Missing	4,066	55.2%	560	7.6%	450	6.1%	2,091	28.4%	197	2.7%	7,364
	<b>Total</b>	<b>25,255</b>	<b>67.7%</b>	<b>3,255</b>	<b>8.7%</b>	<b>2,347</b>	<b>6.3%</b>	<b>5,809</b>	<b>15.6%</b>	<b>643</b>	<b>1.7%</b>	<b>37,309</b>
<b>Juvenile</b>	HIGH	207	56.3%	67	18.2%	62	16.8%	25	6.8%	7	1.9%	368
	MOD	379	71.9%	69	13.1%	55	10.4%	21	4.0%	3	0.6%	527
	LOW	838	84.0%	76	7.6%	49	4.9%	33	3.3%	2	0.2%	998
	Missing	187	69.3%	30	11.1%	28	10.4%	22	8.1%	3	1.1%	270
	<b>Total</b>	<b>1,611</b>	<b>74.5%</b>	<b>242</b>	<b>11.2%</b>	<b>194</b>	<b>9.0%</b>	<b>101</b>	<b>4.7%</b>	<b>15</b>	<b>0.7%</b>	<b>2,163</b>
2020												
		Successful		Tech Viol		New Crime		Abscond		Neutral		Total
		N	%	N	%	N	%	N	%	N	%	N
<b>Adult</b>	HIGH	2,209	34.6%	1,770	27.8%	1,170	18.3%	1,133	17.8%	96	2.1%	6,378
	MOD	5,652	58.3%	1,559	16.1%	927	9.6%	1,401	14.4%	159	1.5%	9,698
	LOW	16,014	83.4%	1,138	5.9%	553	2.9%	1,293	6.7%	210	1.6%	19,208
	Missing	2,272	50.0%	721	15.9%	389	8.6%	1,065	23.4%	95	1.1%	4,524
	<b>Total</b>	<b>26,147</b>	<b>65.7%</b>	<b>5,188</b>	<b>13.0%</b>	<b>3,039</b>	<b>7.6%</b>	<b>4,892</b>	<b>12.3%</b>	<b>560</b>	<b>1.4%</b>	<b>39,826</b>
<b>Juvenile</b>	HIGH	201	51.4%	96	24.6%	71	18.2%	19	4.9%	4	1.0%	391
	MOD	407	68.8%	89	15.0%	69	11.7%	23	3.9%	4	0.7%	592
	LOW	918	83.1%	90	8.1%	58	5.2%	36	3.3%	3	0.3%	1,105
	Missing	129	66.5%	30	15.5%	18	9.3%	16	8.2%	1	0.5%	194
	<b>Total</b>	<b>1,655</b>	<b>72.5%</b>	<b>305</b>	<b>13.4%</b>	<b>216</b>	<b>9.5%</b>	<b>94</b>	<b>4.1%</b>	<b>12</b>	<b>0.5%</b>	<b>2,282</b>

## Sentences for Negative Termination by Risk Level

Once individuals are terminated from probation for noncompliance, new crimes, or absconding they are typically resentenced, and these sentences can vary based on the type of negative termination and the risk level of the probationer. Table 11 presents the sentences adult probationers received following unsuccessful termination from probation by the probationer’s risk level near the start of probation. Adults who were terminated from probation for technical violations or new crimes were most likely to be sentenced to jail. This is expected given that the individual was unsuccessful on community-based supervision and jail is the next most restrictive sentence. A greater proportion of high risk probationers were sentenced to DOC (6.2% for technical violations and 8.3% for new crimes) compared to moderate risk (3.1% for technical violations and 6.7% for new crimes) or low risk (2.6% for technical violations and 5.9% for new crimes). It is important to note that around two-thirds of adults terminated for technical violations or new crimes had not been resentenced. These low rates of resentences may be due to continued delays in court operations.

Table 11: Placements Following Negative Terminations for Adults by Risk Level for FY2021 Terminations

	Risk	DOC		Jail		Community Corrections		Non-custodial Sentence		Not yet sentenced		Total
		N	%	N	%	N	%	N	%	N	%	N
<b>Tech Viols</b>	HIGH	58	6.2%	234	24.9%	2	0.2%	15	1.6%	631	67.1%	940
	MOD	30	3.1%	277	28.9%	0	0.0%	24	2.5%	626	65.4%	957
	LOW	21	2.6%	256	32.1%	0	0.0%	22	2.8%	499	62.5%	798
	Missing	29	5.2%	150	26.8%	1	0.2%	12	2.1%	368	65.7%	560
	Total	138	4.2%	917	28.2%	3	0.1%	73	2.2%	2,124	65.3%	3,255
<b>New Crime</b>	HIGH	60	8.3%	181	24.9%	2	0.3%	10	1.4%	474	65.2%	727
	MOD	49	6.7%	171	23.4%	1	0.1%	16	2.2%	494	67.6%	731
	LOW	26	5.9%	109	24.8%	0	0.0%	11	2.5%	293	66.7%	439
	Missing	32	7.1%	120	26.7%	3	0.7%	5	1.1%	290	64.4%	450
	Total	167	7.1%	581	24.8%	6	0.3%	42	1.8%	1,551	66.1%	2,347
<b>Absc</b>	HIGH	49	4.7%	219	20.9%	3	0.3%	16	1.5%	760	72.6%	1,047
	MOD	29	2.0%	232	15.9%	3	0.2%	19	1.3%	1,175	80.6%	1,458
	LOW	8	0.7%	112	9.2%	1	0.1%	10	0.8%	1,082	89.2%	1,213
	Missing	102	4.9%	474	22.7%	33	1.6%	92	4.4%	1,390	66.5%	2,091
	Total	188	3.2%	1,037	17.9%	40	0.7%	137	2.4%	4,407	75.9%	5,809
<b>Total</b>	HIGH	167	6.2%	634	23.4%	7	0.3%	41	1.5%	1,865	68.7%	2,714
	MOD	108	3.4%	680	21.6%	4	0.1%	59	1.9%	2,295	72.9%	3,146
	LOW	55	2.2%	477	19.5%	1	0.0%	43	1.8%	1,874	76.5%	2,450
	Missing	163	5.3%	744	24.0%	37	1.2%	109	3.5%	2,048	66.0%	3,101
	Total	493	4.3%	25,35	22.2%	49	0.4%	252	2.2%	8,082	70.8%	11,411

Table 12 presents the placements for juveniles who had negative terminations from probation by risk level. The number of juveniles resentenced following unsuccessful termination from probation are quite small, which complicates comparisons of rates between termination types and risk levels.

Generally, higher risk juveniles are more likely to be sentenced to DYS or Detention following unsuccessful termination from probation compared to lower risk juveniles.

Table 12: Placements Following Negative Terminations for Juveniles by Risk Level for FY2021 Terminations

	Risk	DOC/DYS		Jail/ Detention		Community Corrections		Non-custodial Sentence		Not yet sentenced		Total
		N	%	N	%	N	%	N	%	N	%	N
<b>Tech Viols</b>	HIGH	12	17.9%	17	25.4%	0	0.0%	0	0.0%	38	56.7%	67
	MOD	4	5.8%	14	20.3%	0	0.0%	0	0.0%	51	73.9%	69
	LOW	5	6.6%	24	31.6%	0	0.0%	0	0.0%	47	61.8%	76
	Missing	3	10.0%	9	30.0%	0	0.0%	0	0.0%	18	60.0%	30
	Total	24	9.9%	64	26.4%	0	0.0%	0	0.0%	154	63.6%	242
<b>New Crime</b>	HIGH	12	19.4%	6	9.7%	0	0.0%	2	3.2%	42	67.7%	62
	MOD	7	12.7%	12	21.8%	0	0.0%	1	1.8%	35	63.6%	55
	LOW	3	6.1%	8	16.3%	1	2.0%	6	12.2%	31	63.3%	49
	Missing	1	3.6%	3	10.7%	0	0.0%	0	0.0%	24	85.7%	28
	Total	23	11.9%	29	14.9%	1	0.5%	9	4.6%	132	68.0%	194
<b>Absc</b>	HIGH	1	4.0%	4	16.0%	0	0.0%	1	4.0%	19	76.0%	25
	MOD	1	4.8%	2	9.5%	0	0.0%	3	14.3%	15	71.4%	21
	LOW	0	0.0%	7	21.2%	0	0.0%	1	3.0%	25	75.8%	33
	Missing	3	13.6%	0	0.0%	0	0.0%	0	0.0%	19	86.4%	22
	Total	5	5.0%	13	12.9%	0	0.0%	5	5.0%	78	77.2%	101
<b>Total</b>	HIGH	25	16.2%	27	17.5%	0	0.0%	3	1.9%	99	64.3%	154
	MOD	12	8.3%	28	19.3%	0	0.0%	4	2.8%	101	69.7%	145
	LOW	8	5.1%	39	24.7%	1	0.6%	7	4.4%	103	65.2%	158
	Missing	7	8.8%	12	15.0%	0	0.0%	0	0.0%	61	76.3%	80
	Total	52	9.7%	106	19.7%	1	0.2%	14	2.6%	364	67.8%	537

#### Post-Release Recidivism by Risk Level

Post-release recidivism rates are generally low across both adult and juvenile probationers regardless of risk level. For both adult and juvenile probationers, post-release recidivism rates are associated with risk level (see Table 13). High risk adult probationers terminated from probation in fiscal year 2021 were most likely to have a new deferred agreement or conviction within one year of termination compared to moderate or low risk adults. Post-release recidivism occurred in 12.4% of high risk adult terminations, 6.4% of moderate risk terminations, and 2.7% of low risk terminations. Post-release recidivism occurred in 13.3% of high risk juvenile terminations, 9.9% of moderate risk juvenile terminations, and 5.4% of low risk juvenile terminations. First time recidivists in year two following termination from probation in the fiscal year 2020 cohort are also associated with risk and are generally lower than first time recidivism rates in year one following termination.

Table 13: First Post-Release Recidivism by Risk Level at Probation Start for FY2021 and FY2020 Terminations (Regular and Intensive Combined)

2021							
		Post-Release Recidivism (Year 1)		Post-Release Recidivism (Year 2)		Post-Release Recidivism (Year 3)	
		N	%	N	%	N	%
<b>Adult Probation</b>	HIGH	593	12.4%	--	--	--	--
	MODERATE	557	6.4%	--	--	--	--
	LOW	444	2.7%	--	--	--	--
	Missing	602	8.2%	--	--	--	--
	Total	2,196	5.9%	--	--	--	--
<b>Juvenile Probation</b>	HIGH	49	13.3%	--	--	--	--
	MODERATE	52	9.9%	--	--	--	--
	LOW	54	5.4%	--	--	--	--
	Missing	19	7.0%	--	--	--	--
	Total	174	8.0%	--	--	--	--
2020							
		Post-Release Recidivism (Year 1)		Post-Release Recidivism (Year 2)		Post-Release Recidivism (Year 3)	
		N	%	N	%	N	%
<b>Adult Probation</b>	HIGH	1,020	16.0%	824	12.9%	--	--
	MOD	1,037	10.7%	798	8.2%	--	--
	LOW	1,006	5.2%	788	4.1%	--	--
	Missing	317	7.0%	275	6.1%	--	--
	Total	3,380	8.5%	2,685	6.7%	--	--
<b>Juvenile Probation</b>	HIGH	57	14.6%	63	16.1%	--	--
	MOD	87	14.7%	65	11.0%	--	--
	LOW	87	7.9%	73	6.6%	--	--
	Missing	18	9.3%	17	8.8%	--	--
	Total	249	10.9%	218	9.6%	--	--

Sentences for One-Year Post-Release Recidivism by Risk Level

Sentences for probationers with a post-release recidivism event within the first year after being terminated from probation by the probationers' risk levels near the start of probation are presented in Table 14. Around 30% of those adults and juveniles with instances of post-release recidivism one-year post termination had not yet been sentenced. For adults with post-release recidivism, sentences to jail were most common and occurred for 33.9% of high risk, 36.6% of moderate risk and 38.1% of low risk adults. Sentences to DOC occurred in 11.0% of post-release recidivism for high risk, 6.1% of post-release recidivism for moderate risk, and only 3.8% for low risk. Probationers who were high risk were less likely

than moderate or low risk probationers to receive a non-custodial sentence following post-release recidivism.

Juveniles with post-release recidivism within one-year of termination were most likely to be sentenced to a non-custodial sentence. Just under 39% of high risk juveniles 50% of moderate risk, and 48.1% of low risk juveniles were sentenced to a non-custodial sentence. Around 14% of high risk juveniles were sentenced to DYS or DOC following post-release recidivism. Sentences to DYS and DOC were much less frequent for moderate (7.7%) and low (5.6%) risk juveniles.

Table 14: Placements Following Post-Release at Year One Recidivism by Risk Level for FY2021 Terminations

2021												
		DOC/DYS		Jail/ Detention		Community Corrections		Non-custodial Sentence		Not yet sentenced		Total
	Risk	N	%	N	%	N	%	N	%	N	%	N
Adult	HIGH	65	11.0%	201	33.9%	16	2.7%	89	15.0%	222	37.4%	593
	MOD	34	6.1%	204	36.6%	14	2.5%	144	25.9%	161	28.9%	557
	LOW	17	3.8%	169	38.1%	4	0.9%	145	32.7%	109	24.5%	444
	Missing	61	10.1%	277	46.0%	19	3.2%	130	21.6%	115	19.1%	602
	<b>Total</b>	<b>177</b>	<b>8.1%</b>	<b>851</b>	<b>38.8%</b>	<b>53</b>	<b>2.4%</b>	<b>508</b>	<b>23.1%</b>	<b>607</b>	<b>27.6%</b>	<b>2,196</b>
Juvenile	HIGH	7	14.3%	10	20.4%	1	2.0%	19	38.8%	12	24.5%	49
	MOD	4	7.7%	4	7.7%	3	5.8%	26	50.0%	15	28.8%	52
	LOW	3	5.6%	9	16.7%	0	0.0%	26	48.1%	16	29.6%	54
	Missing	0	0.0%	3	15.8%	0	0.0%	10	52.6%	6	31.6%	19
	<b>Total</b>	<b>14</b>	<b>8.0%</b>	<b>26</b>	<b>14.9%</b>	<b>4</b>	<b>2.3%</b>	<b>81</b>	<b>46.6%</b>	<b>49</b>	<b>28.2%</b>	<b>174</b>

Overall, for both adults and juveniles risk is strongly related to pre-release recidivism, termination type, and post-release recidivism. Sentences following negative terminations and post-release recidivism tend to be more restrictive for higher risk individuals.

#### Outcomes by Probation Program

During their time on probation some probationers will be placed into an intensive program. These programs are designed to provide additional structure and resources to higher risk, and in some programs higher need probationers. For adults, placement in an intensive program is determined using a series of assessments to identify the risk level and needs of probationers. The Limit Setter Intensive Probation (LSIP) program is designed for high risk probationers who do not exhibit many needs in the areas of substance use or mental health treatment. In contrast, the Casework Control Intensive Probation (CCIP) program is designed for individuals who are both high risk and high need. CCIP is like the historical Female Offender Program (FOP) but is not restricted to females. The FOP program is being phased out of use and most probationers participating in FOP will be transitioned to CCIP. The fiscal year 2021 termination cohort still includes participants in the FOP program. Adult Sex Offender Intensive Probation (SOISP) and Juvenile Intensive Probation (JISP) are sentencing options used by the court. Most probationers spend their sentence on regular probation. Regular probation can include specialized

supervision for economic crime, domestic violence, mental health, problem solving courts, and non-intensive sex offenders. For ease of discussion these are all discussed under regular probation in this report.

### Regular Probation

Regular probation represents the largest portion of the probation population, and accounts for 96% of adult terminations and 97% of juvenile terminations in fiscal year 2021. Table 15 presents pre-release recidivism rates for regular adult and regular juvenile probationers terminated in fiscal year 2021. Approximately one-fifth of adults and juveniles in the fiscal year 2021 cohort had pre-release recidivism.

Table 15: Pre-Release Recidivism for Regular Adult and Juvenile Probationers Terminated in FY2021 and FY2020

2021						
	Pre-release Recidivism		No Pre-release Recidivism		Total	
	N	%	N	%	N	%
<b>Regular Adult Probation</b>	6,132	17.1%	29,767	82.9%	35,899	100%
<b>Regular Juvenile Probation</b>	389	19.0%	1,655	81.0%	2,044	100%
2020						
	Pre-release Recidivism		No Pre-release Recidivism		Total	
	N	%	N	%	N	%
<b>Regular Adult Probation</b>	9,819	25.7%	28,442	74.3%	38,261	100%
<b>Regular Juvenile Probation</b>	537	25.5%	1,569	74.5%	2,106	100%

Most individuals on regular probation terminate successfully. As demonstrated in Table 16, 68.3% of regular adult probationers and 75.4% of regular juvenile probationers complete probation successfully. Terminations for technical violations occur for 8.4% of adults and 11.0% of juveniles. New crimes represent 6.1% of adult and 8.2% of juvenile terminations. Adults have a much higher rate of terminations for absconding (15.5%) compared to juveniles (4.7%).

Table 16: Termination Type for Regular Probation

2021												
	Successful		Tech Viol		New Crime		Abscond		Neutral		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
<b>Regular Adult</b>	24,529	68.3%	3,008	8.4%	2,202	6.1%	5,571	15.5%	589	1.6%	35,899	100%
<b>Regular Juvenile</b>	1,542	75.4%	225	11.0%	168	8.2%	96	4.7%	13	0.6%	2,044	100%

2020												
	Successful		Tech Viol		New Crime		Abscond		Neutral		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
<b>Regular Adult</b>	25,407	66.4%	4,811	12.6%	2,810	7.3%	4,702	12.3%	551	1.4%	38,261	100%
<b>Regular Juvenile</b>	1,566	74.4%	271	12.9%	174	8.3%	84	4.0%	11	0.5%	2,106	100%

Placements following negative terminations for regular adult and juvenile probationers are presented in Table 17. For adults the most common type of sentence following a negative termination is jail—28.2% for technical violations and 24.8% for new crimes. The majority (75.9%) of regular adult terminations for absconding had not been resentenced. Similarly for juvenile probationers the most common type of sentence is also jail or detention—technical violations 26.4% for technical violations and 14.9% for new crime. Juveniles were sentenced to DYS in 9.9% of terminations for technical violations and 11.9% of terminations for new crime. As with adults, 77.2% of juveniles terminated for absconding had not been resentenced. Community corrections sentences were infrequent for both adult and juvenile probationers, as were non-custodial sentences.

Table 17: Placements Following Negative Terminations for Regular Probation

2021												
	Term Type	DOC/DYS		Jail/ Detention		Community Corrections		Non-custodial Sentence		Not yet sentenced		Total
		N	%	N	%	N	%	N	%	N	%	N
<b>Regular Adult</b>	Tech Viol	138	4.2%	917	28.2%	3	0.1%	72	2.2%	2,125	65.3%	3,255
	New Crime	167	7.1%	581	24.8%	6	0.3%	42	1.8%	1,551	66.1%	2,347
	Abscond	188	3.2%	1,037	17.9%	40	0.7%	137	2.4%	4,407	75.9%	5,809
	Total	493	4.3%	2,535	22.2%	49	0.4%	251	2.2%	8,083	70.8%	11,411
<b>Regular Juvenile</b>	Tech Viol	24	9.9%	64	26.4%	0	0.0%	0	0.0%	154	63.6%	242
	New Crime	23	11.9%	29	14.9%	1	0.5%	9	4.6%	132	68.0%	194
	Abscond	5	5.0%	13	12.9%	0	0.0%	5	5.0%	78	77.2%	101
	Total	52	9.7%	106	19.7%	1	0.2%	14	2.6%	364	67.8%	537

Table 18 provides one-year post-release recidivism rates for regular adult and juvenile probationers by termination type. This table demonstrates that most individuals on regular probation who terminate successfully remain crime-free for at least one-year post-release—one-year recidivism rates are 3% for adults and 5.8% for juveniles. Of those probationers who terminated negatively from probation for technical violations, 12.9% of adults and juveniles were convicted of a new crime within one year. Individuals terminated from probation for the commission of new crimes had the highest rates of post-release recidivism at 18.5% for adults and 20.8% for juveniles. For the cohort completing probation in fiscal year 2020 the likelihood of having a first time recidivism event in year two is lower than the likelihood in year one. For adults 6.6% of all terminations had their first recidivism event in the second year following release from probation. Only 4.7% of adult probationers who terminated successfully recidivated in year two. For juveniles, 9.2% recidivated for the first time in year two.

Table 18: Post-Release Recidivism Rates for Regular Probation Terminations

2021							
		Post-Release Recidivism (Year 1)		Post-Release Recidivism (Year 2)		Post-Release Recidivism (Year 3)	
		N	%	N	%	N	%
<b>Regular Adult</b>	Successful	737	3.0%	--	--	--	--
	Tech Viol	389	12.9%	--	--	--	--
	New Crime	407	18.5%	--	--	--	--
	Abscond	535	9.6%	--	--	--	--
	Neutral	5	0.8%	--	--	--	--
	Total	2,073	5.8%	--	--	--	--
<b>Regular Juvenile</b>	Successful	89	5.8%	--	--	--	--
	Tech Viol	29	12.9%	--	--	--	--
	New Crime	35	20.8%	--	--	--	--
	Abscond	8	8.3%	--	--	--	--
	Neutral	0	0.0%	--	--	--	--
	Total	161	7.9%	--	--	--	--
2020							
		Post-Release Recidivism (Year 1)		Post-Release Recidivism (Year 2)		Post-Release Recidivism (Year 3)	
		N	%	N	%	N	%
<b>Regular Adult</b>	Successful	1,533	6.0%	1,195	4.7%	--	--
	Tech Viol	857	17.8%	661	13.7%	--	--
	New Crime	520	18.5%	414	14.7%	--	--
	Abscond	293	6.2%	260	5.5%	--	--
	Neutral	0	0.0%	0	0.0%	--	--
	Total	3,203	8.4%	2,530	6.6%	--	--
<b>Regular Juvenile</b>	Successful	139	8.9%	116	7.4%	--	--
	Tech Viol	47	17.3%	45	16.6%	--	--
	New Crime	41	23.6%	24	13.8%	--	--
	Abscond	2	2.4%	8	9.5%	--	--
	Neutral	0	0.0%	0	0.0%	--	--
	Total	229	10.9%	193	9.2%	--	--

Placements following post-release recidivism within one-year of probation termination in fiscal year 2021 for regular probationers by termination type are presented in Table 19. For regular adults, the most common sentence for post-release recidivism was jail. Just under forty percent (39.2%) of adults supervised under regular probation programs with post-release recidivism were sentenced to jail upon conviction. Individuals with post-release recidivism following successful completion of probation were most likely (37.7%) to receive a jail sentence, followed by a non-custodial sentence (34.9%), DOC (2.2%), and community corrections (1.1%). Nearly one-fourth had not yet been sentenced. Of the adults supervised under regular probation programs terminated for technical violations with post-release

recidivism 28.5% had not been sentenced, 38.8% were sentenced to jail, 21.1% to a non-custodial sentence, 8.7% to DOC, and 2.8% to community corrections. Adults who terminated from probation for the commission of a new crime and had post-release recidivism were most likely to have not yet been sentenced (46.7%), and if sentenced to receive a jail sentence (30.2%), followed by a non-custodial sentence (10.6%), DOC (10.6%), and community corrections (2.0%).

Table 19: Placements Following One-Year Post-Release Recidivism for FY2021 and FY2020 Regular Probation Terminations

2021												
	Term Type	DOC/DYS		Jail/ Detention		Community Corrections		Non-custodial Sentence		Not yet sentenced		Total
		N	%	N	%	N	%	N	%	N	%	N
<b>Regular Adult</b>	Successful	16	2.2%	278	37.7%	8	1.1%	257	34.9%	178	24.2%	737
	Tech Viol	34	8.7%	151	38.8%	11	2.8%	82	21.1%	111	28.5%	389
	New Crime	43	10.6%	123	30.2%	8	2.0%	43	10.6%	190	46.7%	407
	Abscond	69	12.9%	258	48.2%	24	4.5%	107	20.0%	77	14.4%	535
	Total	162	7.8%	810	39.2%	51	2.5%	489	23.7%	556	26.9%	2,068
<b>Regular Juvenile</b>	Successful	5	5.6%	7	7.9%	0	0.0%	57	64.0%	20	22.5%	89
	Tech Viol	4	13.8%	5	17.2%	2	6.9%	11	37.9%	7	24.1%	29
	New Crime	3	8.6%	9	25.7%	1	2.9%	8	22.9%	14	40.0%	35
	Abscond	1	12.5%	4	50.0%	0	0.0%	2	25.0%	1	12.5%	8
	Total	13	8.1%	25	15.5%	3	1.9%	78	48.4%	42	26.1%	161

In FY2021, for juveniles with post-release recidivism, the most common sentence was non-custodial. Sixty-four percent (64%) of juvenile probationers who successfully completed regular probation supervision programs and had post-release recidivism were given a non-custodial sentence, as were 37.9% of juveniles terminated for technical violations. Juveniles who were terminated from probation in FY2021 for a new crime and who had post-release recidivism were more likely to be sentenced to jail or detention (25.7%) compared to any other sentence type.

#### Intensive Probation<sup>5</sup>

Individuals placed in intensive probation programs are higher risk and higher need than those on regular supervision. It is expected that they will have lower overall success rates and higher recidivism rates than regular probationers. These programs also represent a small portion of the fiscal year 2021 terminations. Table 20 demonstrates the higher rates of pre-release recidivism found in the intensive programs, apart from SOISP. As a group, individuals who have committed sexual offenses tend to have lower recidivism rates than probationers sentenced for other types of offenses. Pre-release recidivism

<sup>5</sup> Individuals included in this section of the recidivism report participated in an intensive program while on probation supervision and may have terminated directly from the intensive program or regular probation following completion of the intensive program. This differs from Probation's Annual Report where terminations from intensive programs include those individuals who terminate from probation while being supervised in an intensive program.

rates for adult intensive programs are highest for FOP (42.5%), followed by LSIP (36.5%), CCIP (34%), and SOISP (13.3%). Intensive juvenile probation has the highest pre-release recidivism rate of 47.9%. Pre-release recidivism rates for all intensive programs decreased from fiscal year 2020.

Table 20: Pre-Release Recidivism for Intensive Adult and Juvenile Probationers Terminated in FY2021 and FY2020

2021						
	Pre-Release Recidivism		No Pre-Release Recidivism		Total	
	N	%	N	%	N	%
<b>Limit Setter Intensive Probation (LSIP)</b>	205	36.5%	357	63.5%	562	100%
<b>Casework Control Intensive Probation (CCIP)</b>	173	34.0%	336	66.0%	509	100%
<b>Female Offender Program (FOP)</b>	31	42.5%	42	57.5%	73	100%
<b>Sex Offender Intensive Probation (SOISP)</b>	35	13.3%	229	86.7%	264	100%
<b>Juvenile Intensive Probation (JISP)</b>	58	47.9%	63	52.1%	121	100%
2020						
	Pre-Release Recidivism		No Pre-Release Recidivism		Total	
	N	%	N	%	N	%
<b>Limit Setter Intensive Probation (LSIP)</b>	336	55.4%	271	44.6%	607	100%
<b>Casework Control Intensive Probation (CCIP)</b>	141	47.6%	155	52.4%	296	100%
<b>Female Offender Program (FOP)</b>	151	54.3%	127	45.7%	278	100%
<b>Sex Offender Intensive Probation (SOISP)</b>	81	21.1%	302	78.9%	383	100%
<b>Juvenile Intensive Probation (JISP)</b>	98	55.4%	79	44.6%	177	100%

In addition to higher rates of pre-release recidivism, intensive programs are likely to see overall lower success rates. The termination rates presented in Table 22 account for individuals who participated in an intensive supervision program during their probation sentence. These terminations could occur directly from an intensive program or once the individual transitioned from intensive supervision to regular supervision. In FY2021, 50.4% of LSIP participants were successful, 14.4% were terminated for technical violations, 15.5% for new crimes, and 17.8% for absconding. For CCIP program participants, 45.0% terminated successfully, 18.7% for technical violations, 8.1% for new crimes, and 23.2% for absconding. FOP participants had the highest success rate of 71.2%. Terminations for technical violations represent 12.3% of all FOP terminations, followed by 2.7% for new crime and 12.3% for absconding. SOISP had the second highest success rate at 61.0%. It also has higher rates of terminations for technical violations (23.5%), but lower rates for new crime (6.1%), and absconding (4.2%).

Juveniles who participated in JISP successfully terminated probation at a rate of 57.9%. Over twenty percent (20.7%) were terminated for new crime and 14.0% for technical violations. As with regular juveniles, JISP participants had lower rates of absconding (4.1%) compared to many of their adult counterparts.

Table 21: FY2021 and FY2020 Probation Terminations for Intensive Programs

2021												
	Successful		Tech Viol		New Crime		Abscond		Neutral		Total	
Program	N	%	N	%	N	%	N	%	N	%	N	%
Limit Setter Intensive Probation (LSIP)	283	50.4%	81	14.4%	87	15.5%	100	17.8%	11	2.0%	562	100%
Casework Control Intensive Probation (CCIP)	229	45.0%	95	18.7%	41	8.1%	118	23.2%	26	5.1%	509	100%
Female Offender Program (FOP)	52	71.2%	9	12.3%	2	2.7%	9	12.3%	1	1.4%	73	100%
Sex Offender Intensive Probation (SOISP)	161	61.0%	62	23.5%	16	6.1%	11	4.2%	14	5.3%	264	100%
Juvenile Intensive Probation (JISP)	70	57.9%	17	14.0%	25	20.7%	5	4.1%	4	3.3%	121	57.9%
2020												
	Successful		Tech Viol		New Crime		Abscond		Neutral		Total	
Program	N	%	N	%	N	%	N	%	N	%	N	%
Limit Setter Intensive Probation (LSIP)	272	44.8%	148	24.4%	106	17.5%	77	12.7%	4	0.7%	607	100%
Casework Control Intensive Probation (CCIP)	102	34.5%	80	27.0%	57	19.3%	52	17.6%	5	1.7%	296	100%
Female Offender Program (FOP)	124	44.6%	73	26.3%	40	14.4%	40	14.4%	1	0.4%	278	100%
2020												
	Successful		Tech Viol		New Crime		Abscond		Neutral		Total	
Program	N	%	N	%	N	%	N	%	N	%	N	%
Sex Offender Intensive Probation (SOISP)	241	62.9%	75	19.6%	28	7.3%	20	5.2%	19	5.0%	383	100%
Juvenile Intensive Probation (JISP)	90	50.8%	35	19.8%	40	22.6%	11	6.2%	1	1.8%	177	100%

Table 22 details the placement of individuals who participated in an intensive program and were terminated from probation for technical violations, new crimes, or absconding. Adults who participated in LSIP, CCIP, or FOP who terminated from probation for technical violations are more likely to receive sentences to jail over any other sentence (if sentenced)—27.2% for LSIP, 30.5% for CCIP, and 33.3% for FOP. The same is true for participants in LSIP and CCIP when terminated for new crimes, although the majority of terminations for new crimes had not yet been sentenced. Negative terminations from SOISP

are much more likely to receive a sentence to DOC (37.1% for technical violations and 43.8% for new crime), and less likely to receive a jail sentence (4.8% for technical violations and none for new crime) compared to other intensive program participants. Individuals on SOISP have been convicted of a felony sexual offense where probation supervision on SOISP is an alternative to a sentence to the Department of Corrections. Individuals in other intensive programs have been convicted of either misdemeanor or felony offenses. Juveniles who participated in JISP are more likely to receive a sentence to DYS for any negative termination compared to a sentence to detention, although as with adult intensive programs many of these juveniles had not yet been sentenced. Non-custodial sentences were far less common for the terminations in fiscal year 2021 compared to previous years.

Table 22: FY2021 Placement Following Negative Termination from Intensive Programs

	Prog	DOC/DYS		Jail/ Detention		Community Corrections		Non-custodial Sentence		Not yet sentenced		Total
		N	%	N	%	N	%	N	%	N	%	N
<b>Tech Viols</b>	LSIP	4	4.9%	22	27.2%	1	1.2%	1	1.2%	53	65.4%	81
	CCIP	6	6.3%	29	30.5%	0	0.0%	0	0.0%	60	63.2%	95
	FOP	1	11.1%	3	33.3%	0	0.0%	0	0.0%	5	55.6%	9
	SOISP	23	37.1%	3	4.8%	0	0.0%	0	0.0%	36	58.1%	62
	JISP	6	35.3%	3	17.6%	0	0.0%	0	0.0%	8	47.1%	17
<b>New Crime</b>	LSIP	11	12.6%	18	20.7%	0	0.0%	2	2.3%	56	64.4%	87
	CCIP	5	12.2%	13	31.7%	0	0.0%	0	0.0%	23	56.1%	41
	FOP	1	50.0%	0	0.0%	0	0.0%	0	0.0%	1	50.0%	2
	SOISP	7	43.8%	0	0.0%	0	0.0%	0	0.0%	9	56.3%	16
	JISP	3	12.0%	2	8.0%	0	0.0%	1	4.0%	19	76.0%	25
<b>Absc</b>	LSIP	4	4.0%	16	16.0%	0	0.0%	5	5.0%	75	75.0%	100
	CCIP	5	4.2%	28	23.7%	1	0.8%	0	0.0%	84	71.2%	118
	FOP	1	11.1%	1	11.1%	0	0.0%	0	0.0%	7	77.8%	9
	SOISP	3	27.3%	0	0.0%	0	0.0%	0	0.0%	8	72.7%	11
	JISP	1	20.0%	2	40.0%	0	0.0%	0	0.0%	2	40.0%	5
<b>Total</b>	LSIP	19	7.1%	56	20.9%	1	0.4%	8	3.0%	184	68.7%	268
	CCIP	16	6.3%	70	27.6%	1	0.4%	0	0.0%	167	65.7%	254
	FOP	3	15.0%	4	20.0%	0	0.0%	0	0.0%	13	65.0%	20
	SOISP	33	37.1%	3	3.4%	0	0.0%	0	0.0%	53	59.6%	89
	JISP	10	21.3%	7	14.9%	0	0.0%	1	2.1%	29	61.7%	47

One-year post-release recidivism rates are presented in Table 23. Individuals who participated in CCIP had the highest post-release recidivism rate of all adult intensive programs. The recidivism rate for CCIP was 10.8%, followed by LSIP at 10.0%, and FOP at 8.2%. Recidivism rates in all programs are lowest for those who successfully complete probation—7.8% for LSIP, 5.7% for CCIP, and 7.7% for FOP. SOISP had a very low post-release recidivism rate of 2.5%. This suggests that once a probationer successfully completes SOISP, they are generally unlikely to recidivate within the first year post-termination.

Table 23: Intensive Programs Post-Release Recidivism Rates for FY2021 Terminations

		Post-Release Recidivism FY2021 Terminations					
		Post-Release Recidivism (Year 1)		Post-Release Recidivism (Year 2)		Post-Release Recidivism (Year 3)	
Intensive Program	Termination Type	N	%	N	%	N	%
Limit Setter Intensive Probation (LSIP)	Successful	22	7.8%	--	--	--	--
	Tech Viol	13	16.0%	--	--	--	--
	New Crime	8	9.2%	--	--	--	--
	Abscond	13	13.0%	--	--	--	--
	Neutral	0	0.0%	--	--	--	--
	Total	56	10.0%	--	--	--	--
Casework Control Intensive Probation (CCIP)	Successful	13	5.7%	--	--	--	--
	Tech Viol	20	21.1%	--	--	--	--
	New Crime	12	29.3%	--	--	--	--
	Abscond	10	8.5%	--	--	--	--
	Neutral	0	0.0%	--	--	--	--
	Total	55	10.8%	--	--	--	--
Female Offender Program (FOP)	Successful	4	7.7%	--	--	--	--
	Tech Viol	1	11.1%	--	--	--	--
	New Crime	0	0.0%	--	--	--	--
	Abscond	1	11.1%	--	--	--	--
	Neutral	0	0.0%	--	--	--	--
	Total	6	8.2%	--	--	--	--
Sex Offender Intensive Probation (SOISP)	Successful	4	2.5%	--	--	--	--
	Tech Viol	2	3.2%	--	--	--	--
	New Crime	0	0.0%	--	--	--	--
	Abscond	1	9.1%	--	--	--	--
	Neutral	0	0.0%	--	--	--	--
	Total	7	2.7%	--	--	--	--
Juvenile Intensive Probation (JISP)	Successful	6	8.6%	--	--	--	--
	Tech Viol	2	11.8%	--	--	--	--
	New Crime	3	12.0%	--	--	--	--
	Abscond	1	20.0%	--	--	--	--
	Neutral	0	0.0%	--	--	--	--
	Total	12	9.9%	--	--	--	--

Table 24: Intensive Programs Post-Release Recidivism Rates for FY2020 Terminations

Intensive Program	Post-Release Recidivism FY2020 Terminations					
	Post-Release Recidivism (Year 1)		Post-Release Recidivism (Year 2)		Post-Release Recidivism (Year 3)	
	N	%	N	%	N	%
Limit Setter Intensive Probation (LSIP)	83	14.9%	77	12.7%	--	--
Casework Control Intensive Probation (CCIP)	52	14.6%	31	10.5%	--	--
Female Offender Program (FOP)	31	11.2%	27	9.7%	--	--
Sex Offender Intensive Probation (SOISP)	12	2.9%	19	5.0%	--	--
Juvenile Intensive Probation (JISP)	19	13.2%	26	14.7%	--	--

Similar to individuals terminated from regular probation in fiscal year 2020, individuals who participated in an intensive program had lower first time recidivism rates in year two compared to year one. In LSIP and FOP post-release recidivism rates for those terminated for technical violations were higher in year two. This could be due to individuals serving custodial sentences immediately following termination from probation and therefore having fewer opportunities to engage in new crime in year one.

As Table 25 demonstrates, intensive program participants who have post-release recidivism are commonly sentenced to jail. Due to the generally small number of individuals who participate in intensive programs, terminate from probation, and then go on to recidivate, the placement patterns identified in this table should be interpreted with caution. A small number of individuals are sentenced to DOC following post-release recidivism from an intensive probation program. For juveniles who recidivate following participation in JISP, they are most likely to receive a non-custodial or jail/detention sentence.

Table 25: Placements Following Year One Post-Release Recidivism for Intensive Program Terminations in FY2021 and FY2020

Program	2021											
	DOC/DYS		Jail/ Detention		Community Corrections		Non-Custodial Sentence		Not yet sentenced		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
Limit Setter Intensive Probation (LSIP)	8	14.3%	19	33.9%	1	1.8%	5	8.9%	23	41.1%	56	100%
Casework Control Intensive Probation (CCIP)	6	10.9%	15	27.3%	1	1.8%	11	20.0%	22	40.0%	55	100%
Female Offender Program (FOP)	0	0.0%	3	50.0%	0	0.0%	1	16.7%	2	33.3%	6	100%
Sex Offender Intensive Probation (SOISP)	1	14.3%	1	14.3%	0	0.0%	1	14.3%	4	57.1%	7	100%

2021												
	DOC/DYS		Jail/ Detention		Community Corrections		Non- Custodial Sentence		Not yet sentenced		Total	
<b>Juvenile Intensive Probation (JISP)</b>	1	8%	1	8%	1	8%	2	17%	7	58%	12	100%

Individuals who terminated from probation in fiscal year 2021 and had participated in an intensive program during their probation were more likely to have pre- and post-release recidivism and negatively terminate from probation compared to those who were never in an intensive program.

### Length of Stay

Length of stay on probation was defined as the number of months that elapsed from the initial sentence to probation to the termination date. The median length of stay on probation for adult probationers is 19.19 months and for juveniles is 14. Adults who successfully completed probation in fiscal year 2021 had a median length of stay of 19.15 months. Terminations for new crimes occurs around 20.11 months and for technical violations at around 21.26 months. Prior to filing for revocation probation staff give probationers ample time to come into compliance. The median length of stay prior to termination for absconding is 18.23 months for adults. In most instances, probation departments will hold a probation case open for between three and six months while they attempt to locate and reconnect with a missing probationer. Therefore, most probationers appear to abscond within the first 10 to 12 months of probation. Unlike adults, juveniles who successfully terminate from probation have the shortest length of stay (12.42 months) compared to those terminated for technical violations (18.04 months), new crimes (19.38 months), or absconding (19.29 months). It is important to note that a termination for absconding is an administrative decision on the part of probation and not based on a finding by the court. After substantial efforts have been made to locate an individual, including requesting a warrant, over the course of three to six months the probation department closes the case to allow the supervising officer to manage the volume of active caseloads. The warrant issued by the court remains active, and if the individual is located probation may resume. In the fiscal year 2021 termination cohort the increased length of stay for adults and juveniles in all termination categories is likely due to the slowed court operations that may have occurred in fiscal year 2021 as a result of the COVID-19 pandemic and local health policies in place. See Table 26.

Table 26: Median Length of Stay (in months) for FY2021 and FY2020 Terminations

FY2021						
	Successful	Technical Violations	New Crime	Absconding	Neutral	Total
Adult	19.15	21.26	20.11	18.23	16.62	19.19
Juvenile	12.42	18.04	19.38	19.29	16.39	14.0
FY2020						
	Successful	Technical Violations	New Crime	Absconding	Neutral	Total
Adult	18.04	15.75	16.59	16.30	13.22	17.94
Juvenile	12.19	16.00	16.08	16.76	9.77	13.77

As is shown in Table 27 probationers who had pre-release recidivism events had a longer median length of stay. For adults the median length of stay for a probationer with no pre-release recidivism was 18.07 months and for an adult who had pre-release recidivism the length of stay was 25.66 months (over 7 months longer in duration regardless of the termination type). Similarly, for juveniles the median length of stay for a probationer without pre-release recidivism was 12.35 months and for a juvenile with pre-release recidivism was 21.39 months.

Table 27: Length of Stay for Adult and Juvenile Probationers

<b>FY2021</b>					
	Pre-Release Recidivism	N	Median	Mean	Std. Dev.
<b>Adult</b>	No	30,733	18.07	21.48	14.94
	Yes	6,576	25.66	29.67	18.55
	Total	37,309	19.19	22.92	15.95
<b>Juvenile</b>	No	1,716	12.35	14.96	9.37
	Yes	447	21.39	24.40	14.29
	Total	2,163	14.00	16.91	11.24
<b>FY2020</b>					
	Pre-Release Recidivism	N	Median	Mean	Std. Dev.
<b>Adult</b>	No	29,298	16.05	19.26	14.07
	Yes	10,528	23.23	26.31	17.50
	Total	39,826	17.94	21.12	15.37
<b>Juvenile</b>	No	1,647	12.03	14.22	8.48
	Yes	635	20.07	22.12	12.50
	Total	2,282	13.08	16.42	10.39

Probation length of stay also varies by whether an individual participates in an intensive program and how a probationer completes probation (see Table 28). In general, successful terminations have a slightly longer length of stay. For regular adult probation the median length of stay for successful probationers is 22.31 months. For intensive programs the length of stay for successful probationers ranges from 24.64 months in CCIP to 68.29 months in SOISP. Sentences to SOISP can range in length from around 2 years to indefinite or lifetime compared to 12 to 24 months for most probation sentences.

Table 28: FY2021 Length of Stay for Adults by Probation Program

<b>Program</b>	<b>Termination Type</b>	<b>Median</b>	<b>Mean</b>	<b>Std. Deviation</b>
<b>Regular Adult Probation</b>	Successful	22.31	18.86	14.68
	Technical Violation	24.77	21.08	17.54
	New Crime	23.04	20.01	14.85
	Abscond	21.96	18.20	15.02
	Neutral	22.13	16.36	23.84
	Total	22.50	18.96	15.21
<b>Limit Setter Intensive Probation (LSIP)</b>	Successful	32.37	24.02	26.79
	Technical Violation	32.51	27.40	22.12
	New Crime	30.27	26.45	20.58
	Abscond	26.95	19.96	19.31
	Neutral	27.56	27.24	17.84
	Total	31.00	24.05	23.90
<b>Casework Control Intensive Probation (CCIP)</b>	Successful	24.64	24.02	11.71
	Technical Violation	20.73	20.11	11.60
	New Crime	15.98	14.29	8.23
	Abscond	22.52	19.43	13.51
	Neutral	18.09	16.51	11.13
	Total	22.39	20.11	12.13
<b>Female Offender Program (FOP)</b>	Successful	42.38	39.82	18.02
	Technical Violation	57.79	37.36	33.32
	New Crime	40.10	40.10	16.05
	Abscond	52.25	44.91	21.38
	Neutral	42.38	39.82	18.02
	Total	45.25	39.72	21.07
<b>Sex Offender Intensive Probation (SOISP)</b>	Successful	68.29	59.99	34.94
	Technical Violation	37.08	31.74	26.92
	New Crime	53.44	34.18	43.72
	Abscond	39.79	26.81	33.45
	Neutral	46.19	29.22	44.66
	Total	57.70	49.17	36.76

For juveniles terminated following regular probation, the median length of stay was 12.65 months, and for those who participated in JISP the median length of stay was 26.47 months (see Table 29). Juveniles who terminated successfully from regular probation had the shortest length of stay of 12.11 months, while JISP participants who terminated for committing a new crime had the longest length of stay of 29.97 months.

Table 29: FY2021 Length of Stay for Juveniles by Probation Programs

<b>Program</b>	<b>Termination Type</b>	<b>Median</b>	<b>Mean</b>	<b>Std. Deviation</b>
<b>Regular Juvenile Probation</b>	Successful	12.11	15.05	9.68
	Technical Violation	15.90	18.36	10.37
	New Crime	15.33	18.04	10.80
	Abscond	16.69	20.88	11.97
	Neutral	9.63	9.41	5.62
	Total	12.65	15.93	10.09
<b>Juvenile Intensive Probation (JISP)</b>	Successful	26.37	23.85	14.65
	Technical Violation	21.39	15.18	17.54
	New Crime	29.97	25.23	16.39
	Abscond	28.49	28.62	15.86
	Neutral	25.47	28.58	12.74
	Total	26.47	23.29	15.40

### Future Studies

The new and modernized recidivism study is a work in progress. It was important to address the changing nature of the recidivism definition first and then work toward adding the additional measures of interest as data become available. As our business intelligence tools and data structure are improved, future studies will be able to incorporate more information on probationers' participation in specialized caseloads (e.g. economic crime, mental health, domestic violence, and problem solving court supervision) and programs during their stay on probation. Measures of individual needs, including assessments and referrals for behavioral health disorders, will be included in future reports. Programming is currently underway in the case management system to capture and extract these data. The additional measures listed below will be reported for each year's terminated population as they become available:

1. Proportion of probationers assessed/screened for risk for reoffending
2. Risk assessment/screening override rate
3. Proportion of probationers screened for behavioral health needs
4. Proportion of probationers with each criminogenic need identified by the risk and needs assessment
5. Proportion of probationers with specific behavioral health needs (mental health, substance use, trauma)
6. Probationers referred for further behavioral health evaluation
7. Probationers receiving treatment for behavioral health needs
8. Changes in specific need domains from intake to completion
9. Risk level reduction (from initial to last).
10. Improvements in protective factors (from initial to last)

## Conclusions

This report represents the continuation of a major update to Colorado Probation's recidivism study methodology begun in fiscal year 2021. In response to legislative changes resulting from SB19-108 (Juvenile Justice Reform) new definitions of recidivism were implemented for both juveniles and adults on probation. Pre-release recidivism is defined as a new deferred agreement, adjudication, or conviction for a new felony or misdemeanor offense while on probation. Post-release recidivism is defined as a new deferred agreement, adjudication, or conviction for a new felony or misdemeanor offense within one, two, and three years post discharge from probation. This report includes the year one recidivism rate for the cohort of cases terminated from probation in fiscal year 2021 and the year one and year two recidivism rates for the fiscal year 2020 cohort.

Most probationers successfully complete probation in around 19 months for adults and 12.5 months for juveniles and remain crime free following release. Although pre-release recidivism was not uncommon (17.6% of adults and 20.7% of juveniles), both adults and juveniles are likely to successfully complete probation supervision (67.7% and 74.5%, respectively). Successful terminations are more common in lower risk probationers (84.2% for adults and 84.0% for juveniles) compared to higher risk probationers (41.0% for adults and 56.3% for juveniles). Since most intensive programs are designed for higher risk probationers, successful termination rates in these programs are lower compared to regular probation (see Table 16 and Table 21). Following unsuccessful terminations, most adults are given a jail sentence (Table 7) and juveniles are sentenced to either the Division of Youth Services (DYS) or juvenile detention. Post-release recidivism within one year of discharge from probation in fiscal year 2020 occurred in 5.9% of adults and 8.0% of juveniles. When post-release recidivism does occur, sentences for adults typically involve jail or a non-custodial sentence such as probation. For juveniles, post-release recidivism sentences are usually non-custodial (Table 8). This year is the first report in which we are able to include first time recidivism events past one year. For probationers terminated in fiscal year 2020 recidivism rates at two years are generally lower than first time recidivism rates in year one following termination and continue to be related to risk at the start of probation.

Colorado probation continues to engage in the implementation of evidence-based and evidenced-informed practices. These practices include the use of validated risk and need assessments, making programmatic decisions based on assessment results, and responding to probationers' behaviors. These practices continue to shape the course of outcomes for probationers in Colorado. As this recidivism report continues to evolve, the impact of these practices will be documented through the reporting of risk and need information, outcomes for both specialized and intensive probation programs, the use of incentives and sanctions, and the impact of these practices on outcomes. Colorado probation is committed to engaging in practices that facilitate behavior change to contribute to a safer Colorado.