**Framework for Defining and Measuring Recidivism**Wisconsin Criminal Justice Coordinating Council (CJCC)

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**DEFINING RECIDIVISM**

Recidivism refers broadly to re-offending, with the most common measurements including re-arrest, re-charge, re-conviction, and/or re-incarceration. Recidivism rates measure the frequency with which individuals re-engage with the criminal justice system within a defined time period.\*

**Re-arrest recidivism**: recidivism measured on the basis of a new offense that resulted in a new arrest

**Re-charge recidivism:** recidivism measured on the basis of a new offense that resulted in new charges

being issued by the District Attorney

**Re-conviction recidivism:**  recidivism measured on the basis of a new offense that resulted in a new conviction

 and sentence to jail, prison, or probation

**Re-incarceration recidivism:** recidivism measured on the basis of a new offense or technical violation that resulted in a return to confinement (jail or prison)

See the Adult Criminal Justice System Key Definitions for definitions of arrest, charge, conviction, and incarceration.

**MEASURING RECIDIVISM**

**FRAMEWORK PRINCIPLES**

* You can only count what you can count.
* You should only report on what you can count.
* You should only report on what you can count that is valid, defensible, and can be independently replicated.
* The method for measuring and reporting recidivism should be consistent over time.

**POST-RELEASE OR POST-PROGRAM RECIDIVISM**

**STARTING POINT**

* A **date on which a criminal justice event occurs** that starts the measurement period
	+ Must be defined clearly and measured consistently for all individuals in the cohort.
		- e.g., date of arrest, date of conviction, date of release from jail or prison, date of admission or discharge from supervision, date of program completion, etc.

**COHORT**

* A **group of offenders who are at risk to recidivate**, tracked over a consistent period of time.
	+ The parameters of the cohort must be clearly defined.
		- e.g., all participants who were discharged from drug court during a particular year; all offenders released from DOC custody in a particular year, etc.
	+ The cohort size (N) must be large enough to be meaningful.
		- Often best to report both the raw numbers, particularly with small cohorts.
	+ Individuals who could no longer recidivate before the end of their follow-up period should be removed from the cohort.
		- e.g., individuals who die, move out of state, are extradited, are incarcerated during the entire follow-up period, etc.
	+ An individual should only be counted once in a cohort.

**RECIDIVIST EVENT**

* A **criminal justice event** **during the follow-up period** that can be reliably and validly counted based on official records, and is clearly defined and consistently measured for all individuals in the cohort.
	+ More than one type of recidivist event should be collected when possible. However, each event must be tracked separately for all members of the cohort.
		- e.g., re-arrest, re-charge, re-conviction, and/or re-incarceration
	+ The event must take place during the follow-up period.
		- e.g., if the follow-up period is 3 years, an event that occurs in year 4 would not be included
	+ The event must have an associated date and the date must be collected consistently for all members of the cohort.
		- e.g., offense date should be used if possible, regardless of whether the event is measured based on re-arrest, re-charge, re-conviction, or re-incarceration
	+ The event needs to be clearly defined as to whether it is general or specific.
		- e.g., for sex offenders, measurement may include both overall recidivism for any crime (general), as well as recidivism for sex offenses only (specific)
	+ The events should be identified and counted based on all available sources
		- e.g., local, state, and national as available

**FOLLOW-UP PERIOD**

* From the starting point, the **time period** in which the individuals in the cohort have the opportunity to engage in a recidivist event.
	+ Must be the same amount of time for every individual in the cohort, based on their starting point.
		- e.g., if the follow-up period is 1 year, data should be tracked on all individuals in the cohort for 1 year from their individual starting point.
	+ Must be a minimum of 6 months long.
	+ Common measurement periods are 6 months, 1 year, 2 years, 3 years, and 5 years (or longer).
	+ Recidivism is typically calculated as the percent of offenders who engage in at least one recidivist event during the follow-up period, out of the total offenders in the cohort who have completed the follow-up period.
	+ Tracking can include the first or last recidivist event and/or the total number of recidivist events in the follow-up period.

**IN-PROGRAM RECIDIVISM**

**STARTING POINT**

* A **date on which a criminal justice event occurs** that starts the in-program measurement period and is clearly defined and consistently measured for all program participants.
	+ - e.g., admission date to treatment court, entry date to a program, etc.

**PROGRAM PARTICIPANTS**

* A **group of offenders who are at risk to recidivate**, during the period of program participation

**RECIDIVIST EVENT**

* A **criminal justice event during the program period** that can be reliably and validly counted based on official records, and is clearly defined and consistently measured for all program participants.
	+ More than one type of recidivist event should be collected when possible. However, each event must be tracked separately for all program participants.
		- e.g., re-arrest, re-charge, re-conviction, and/or re-incarceration
	+ The event must take place during the program period.
		- e.g., an event that occurs after the program has ended would not be included
	+ The event must have an associated date and the date must be collected consistently for all program participants.
		- e.g., offense date should be used if possible, regardless of whether the event is measured based on re-arrest, re-charge, re-conviction, or re-incarceration
	+ The event needs to be clearly defined as to whether it is general or specific.
		- e.g., for OWI offenders, measurement may include both overall recidivism for any crime (general), as well as recidivism for OWI offenses only (specific)
	+ The events should be identified and counted based on all available sources
		- e.g., local, state, and national as available

**ENDING POINT**

* An **event that ends the in-program measurement** **period** and is clearly defined and consistently measured among all program participants.
	+ - e.g., discharge date from treatment court, completion date for a program, etc.
* The starting and ending points of the program define the time period in which the individual has the opportunity to engage in a recidivist event.
	+ - Length of measurement period depends on program length
* In-program recidivism is typically reported as the percent of participants who engaged in a recidivist event during the program time period.

**WHAT RECIDIVISM IS NOT**

* In most cases, recidivism does not include:
	+ Non-criminal justice events
		- e.g. treatment episodes/failures, civil violations, ordinance violations, etc.
	+ Events that do not result in direct criminal justice action, where there is no arrest, charge, or conviction
		- e.g. contacts with police, positive drug tests, etc.
	+ Absence of an event
		- e.g. failure to appear, failure to submit to a drug test, etc.

**DOCUMENTATION**

* All steps of the recidivism analysis should be clearly documented including the starting point, cohort description, recidivist event(s), and follow-up period or ending point
* Documentation should also include:
	+ Methodology for counting the recidivist events
		- e.g. how arrest, charge, conviction, and/or incarceration events are counted and what is included or excluded
	+ Data source(s) and known limitations
	+ Information that is or is not included in the recidivism analysis
		- e.g. whether the analysis includes out of state arrests or convictions, technical violations or revocations, misdemeanors and felonies, etc.