

Effective 5/3/2023

Effective until 5/1/2024

63M-7-102 Recidivism metrics -- Reporting.

- (1) For purposes of this chapter:
 - (a) "Commission" means the State Commission on Criminal and Juvenile Justice created in Section 63M-7-201.
 - (b) "Desistance" means an individual's abstinence from further criminal activity after a previous criminal conviction.
 - (c) "Intervention" means a program, sanction, supervision, or event that may impact recidivism.
 - (d) "Recidivism" means a return to criminal activity after a previous criminal conviction.
 - (e) "Recidivism standard metric" means the number of individuals who are returned to prison for a new conviction within the three years after the day on which the individuals were released from prison.
- (2)
 - (a) The commission, the Department of Corrections, and the Board of Pardons and Parole, when reporting data on statewide recidivism, shall include data reflecting the recidivism standard metric.
 - (b)
 - (i) On or before August 1, 2024, the commission shall reevaluate the recidivism standard metric to determine whether new data streams allow for a broader definition, which may include criminal convictions that do not include prison time.
 - (ii) On or before November 1, 2024, the commission shall report to the Law Enforcement and Criminal Justice Interim Committee:
 - (A) the result of the reevaluation described in Subsection (2)(b)(i); and
 - (B) other recommendations regarding standardized recidivism metrics.
- (3) A report on statewide criminal recidivism may also include other information reflecting available recidivism, intervention, or desistance data.
- (4) A criminal justice institution, agency, or entity required to report adult recidivism data to the commission:
 - (a) shall include:
 - (i) a clear description of the eligible individuals, including:
 - (A) the criminal population being evaluated for recidivism; and
 - (B) the interventions that are being evaluated;
 - (ii) a clear description of the beginning and end of the evaluation period; and
 - (iii) a clear description of the events that are considered as a recidivism-triggering event; and
 - (b) may include supplementary data including:
 - (i) the length of time that elapsed before a recidivism-triggering event described in Subsection (4)(a)(iii) occurred;
 - (ii) the severity of a recidivism-triggering event described in Subsection (4)(a)(iii);
 - (iii) measures of personal well-being, education, employment, housing, health, family or social support, civic or community engagement, or legal involvement; or
 - (iv) other desistance metrics that may capture an individual's behavior following the individual's release from an intervention.
- (5) Unless otherwise specified in statute:
 - (a) the evaluation period described in Subsection (4)(a)(ii) is three years; and
 - (b) a recidivism-triggering event under Subsection (4)(a)(iii) shall include:
 - (i) an arrest;
 - (ii) an admission to prison;

- (iii) a criminal charge; or
- (iv) a criminal conviction.