

Adjudicated Youth Recidivism Rates (FY 2018 Appropriation Act - Public Act 107 of 2017)

March 1, 2018

Sec. 513. (1) *The department shall not expend funds appropriated in part 1 to pay for the direct placement by the department of a child in an out-of-state facility unless all of the following conditions are met:*

(a) *There is no appropriate placement available in this state as determined by the department interstate compact office.*

(b) *An out-of-state placement exists that is nearer to the child's home than the closest appropriate in-state placement as determined by the department interstate compact office.*

(c) *The out-of-state facility meets all of the licensing standards of this state for a comparable facility.*

(d) *The out-of-state facility meets all of the applicable licensing standards of the state in which it is located.*

(e) *The department has done an on-site visit to the out-of-state facility, reviewed the facility records, reviewed licensing records and reports on the facility, and believes that the facility is an appropriate placement for the child.*

(2) *The department shall not expend money for a child placed in an out-of-state facility without approval of the executive director of the children's services agency.*

(3) *The department shall submit an annual report to the state court administrative office, the house and senate appropriations subcommittees on the department budget, the house and senate fiscal agencies, the house and senate policy offices, and the state budget office on the number of Michigan children residing in out-of-state facilities at the time of the report, the total cost and average per diem cost of these out-of-state placements to this state, and a list of each such placement arranged by the Michigan county of residence for each child.*

(4) *It is the intent of the legislature that the department shall work in conjunction with the courts and the state court administrative office to identify data needed to calculate statewide recidivism rates for adjudicated youth placed in either residential secure or nonsecure facilities, defined at 6 months after a youth is released from placement.*

(5) By March 1 of the current fiscal year, the department shall notify the legislature on the status of efforts to accomplish the intent of subsection (4).



Michigan Department of
Health & Human Services

RICK SNYDER, GOVERNOR
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Adjudicated Youth Recidivism Rates

The Michigan Department of Health and Human Services (MDHHS) juvenile justice member of the Mental Health Diversion Council continued to work with the State Court Administrative Office (SCAO) and representatives from three courts to identify data needed to calculate statewide recidivism rates for adjudicated youth placed in either residential secure or non-secure facilities, defined at 6 months after a youth is released from placement. Due to a lack of funding to support the development of a comprehensive juvenile justice statewide database, efforts focused on utilizing the proposed definition of recidivism to identify specific data elements that would be needed if such a statewide database existed.

The current proposed definition:

An individual recidivates when adjudicated or convicted of a new offense within 6, 12 and 24 months of release from a secure or non-secure residential treatment facility and he or she was adjudicated or convicted of at least one other offense prior to placement in the facility. Recidivism offenses do not include probation violations, status offenses, or civil infractions.

However, this definition is proposed by SCAO and the workgroup with the following concerns:

- Using the same measurement of recidivism for youth adjudicated of a status offense released from a non-secure treatment facility and a youth adjudicated of a felony sex offense released from a secure treatment facility may be invalid due to the nature of the original offense and/or different treatment program components.
- Recidivism data is not readily available in Michigan, as it requires multiple, confidential data systems to conduct a comprehensive and complicated individualized match of youth identifying data from public and private facilities.
- Recidivism rates for a specific program and population require multiple measures over time to develop a baseline and must be considered along with positive outcome measures such as engagement in education and employment when evaluating training program effectiveness.

The following data elements were identified as necessary to measure the proposed definition and allow enough information to provide context and analysis for potentially varying recidivism rates.

Recidivism Data Elements:

- a. Youth Identifiers
 - i. Youth First Name, Middle Name, Last Name, Aliases, Suffix
 - ii. Sex (male/female)
 - iii. DOB (Age)
 - iv. Race
 - v. Ethnicity
 - vi. Social Security Number (last 4 digits)
 - vii. State Identification (SID number)
 - viii. Tattoos/scars/identifying marks
 - ix. MDHHS Recipient ID Number
 - x. CA-60 student number
- b. Adjudication(s)/Conviction(s)
 - i. Date of Offense
 - ii. Date of Adjudication or Conviction (identify if waiver case)
 - iii. Date of Disposition or Sentencing
 - iv. Adult or Juvenile
- c. Type of Offense(s)
 - i. Prosecutor Charge code and/or Michigan Compiled Laws code
 - ii. Offense against persons
 - iii. Criminal sexual conduct offenses
 - iv. Property Offense
 - v. Weapons Offense
 - vi. Drug Trafficking/possession (felony)
 - vii. Other Felony
 - viii. Drug or alcohol use (misdemeanor)
 - ix. Other misdemeanor or lesser offenses

- d. Placement Information
 - i. Date of Admission
 - ii. Name of facility
 - iii. Placement Type
 - iv. Security level
- e. Release Information
 - i. Number of consecutive facility placements prior to release to community
 - ii. Release Date to Community
 - iii. Community Placement Type (independent living, relative, foster home, etc.)
- f. Court Episode Information
 - i. Petition or Complaint number
 - ii. Case number/docket number
 - iii. CTN
 - iv. Court Name
 - v. Date Jurisdiction Terminated
- g. Adjudication(s) after release date
- h. Conviction(s) after release date
- i. Population Parameters
 - i. Risk Level & Name of Risk Assessment Used
 - 1. Initial
 - 2. At Release
 - ii. Public vs. private agency programs
 - iii. Treatment vs. incarceration/detention facility
- j. Risk Items
 - i. Age at first adjudication/conviction
 - ii. Total number of prior offenses
 - iii. Number of prior adjudications/convictions for felonies