



Defining Recidivism

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Overview

- What work has been completed with the National Governor's Association's Pre-Arrest Diversion and Deflection (PDAD) Learning Collaborative?
- What is the Wisconsin Framework for Defining and Measuring Recidivism?
- What is Washoe County Sheriff's Office work surrounding desistance?
- What is the Statewide Substance Use Response Working Group's recommendation for defining recidivism?



National Governor's Association Nevada Deflection and Pre-Arrest Diversion (DPAD) Learning Collaborative

National Governor's Association Executive Director 2023 letter to Governor Lombardo

Technical Assistance – other states that have deflection/pre-arrest diversion programs in rural/frontier counties

Furthered education and interest statewide in deflection and pre-arrest diversion programs

[DPAD Learning Collaborative - National Governors Association](#)



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

Recidivism refers broadly to reoffending, with the most common measurements including rearrest, recharge, reconviction, or reincarceration. Recidivism rates measure the frequency with which individuals reengage with the criminal justice system within a defined time period.



Wisconsin Framework Cont.

- **Rearrest recidivism:** measured on the basis of a new offense that resulted in a new arrest
- **Recharge recidivism:** measured on the basis of a new offense that resulted in new charges being issued by the District Attorney
- **Reconviction recidivism:** measured on the basis of a new offense that resulted in a new conviction and sentence to jail, prison, or probation
- **Reincarceration recidivism:** measured on the basis of a new offense or technical violation that resulted in a return to confinement (jail or prison)



Wisconsin Framework Cont.

What recidivism is not:

- Non-criminal justice events
 - 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
- Absence of an event
 - Failure to appear, failure to submit a drug test, etc.
- There are additional measures that may be of interest when trying to understand behavioral change or program outcomes



Wisconsin Framework Cont.

Desistance: Although there are variations in the definition and measurement, this is the concept that criminality or engagement in criminal behavior declines over the life-course and may be impacted by criminal justice interventions. Although often measured by the number or percent of individuals who do not have additional contact with the criminal justice system after release or program participation, there are arguments for using surveys to measure desistance, as well as indicators of desistance such as intervals between offenses and changes in offense severity.^{3,4} Although often measured by the number or percent of individuals that do or do not have additional contact with the criminal justice system after release or program participation, there are arguments for using surveys to measure desistance, as well as indicators of desistance such as intervals between offenses and changes in offense severity



Wisconsin Framework Cont.

Documentation

- All steps of recidivism analysis should be documented
- Methodology for counting recidivism events
- Data sources and known limitations
- Information that is or is not included in the recidivism analysis



Washoe County Sheriff's Office (WCSO) The Bridge

Desistance from crime refers to the reduction in criminal behavior that typically occurs after an individual reaches adulthood. It is understood as a process where individuals stop engaging in criminal behavior, often influenced by various social, psychological, and environmental factors. This concept distinguishes between the termination of offending (the point at which the criminal activity stops) and the underlying process of desistance, which involves changes in behavior and identity over time.

[But What Does It Mean? Defining, Measuring, and Analyzing Desistance From Crime in Criminal Justice | Office of Justice Programs](#)



Where desistance fits into the Wisconsin framework

Starting Point: For WCSO purposes, they define the moment of reentry after incarceration as the starting point for measuring desistance.

Cohort: This would be based on specific program involvement (e.g., participants in Program X).

Follow-Up Period: Each program would have a clearly defined follow-up timeframe.



Desistance

According to the Wisconsin Framework, desistance opens the door for more nuanced reporting—recognizing that while recidivism is very important, it functions mostly as a system-level outcome and accountability tool. It tells us *what* happened, but not *why*. It's like learning that cancer deaths decreased 10%—that's a signal worth exploring, but it doesn't tell us which treatments (behavioral changes) were most effective.

Desistance, on the other hand—when defined as the specific behavioral change a program is designed to produce—gets closer to the "why."



2024 Statewide Substance Use Response Working Group (SURG) Recommendations


Response Subcommittee of the SURG Recommendation # 5

Recommend state agencies under the legislative, judicial, and executive branches involved with deflection and diversion programs have a comprehensive definition of recidivism, and policies related to measuring and reporting recidivism

[SURG - 2024 Annual Report Working Draft](#)



Justification and background

- Recidivism is the act of committing another crime or coming into conflict with the criminal justice system (CJS) again. It is an important measure of the effectiveness of CJS efforts to promote rehabilitation, reintegration, and public safety. Recidivism rates are not available at a national level since there is no national consensus on the operational definition of recidivism and there are significant variations in how recidivism is defined and counted (e.g., re-contact, rearrest, re-incarceration, or reconviction) in different jurisdictions. For this reason, comparisons between studies and jurisdiction should not be made. (Recidivism in Criminal Justice, <https://www.justice.gc.ca/eng/rp-pr/jr/jf-pf/2020/aug01.html>) 
- The Nevada Department of Corrections defines recidivism as a return to incarceration with NDOC within 3 years of an offender's date of release.



Action Step

Suggest state agencies involved with deflection and diversion programs; to include but not limited to the Department of Health and Human Services, Department of Administration, Department of Corrections, and Court Systems have a comprehensive definition of recidivism, and policies related to measuring and reporting recidivism. Recidivism is often broadly defined as reoffending, however more specificity is necessary for understanding and measuring recidivism rates. Common factors/measures to consider include rearrest, recharge, reconviction, or reincarceration. Recidivism rates measure the frequency with which individuals reengage with the criminal justice system in a defined period of time¹. When these agencies administer grants that have as a goal to reduce recidivism, those receiving the grants (grantees) must have a definition for recidivism that guides metrics that effectively measure the outcomes of these goals. The grantees adopt the state agency recidivism definition. It is suggested this be implemented within two years. Currently the Nevada Department of Corrections has a definition of recidivism. This definition is specific and measurable but would not work well for agencies that fund early deflection and diversion programs.



2025 SURG

Add desistance to the definitions of recidivism



QUESTIONS

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