Evaluation of Early Case Resolution (ECR)

Final Report

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THE UNIVERSITY OF UTAH

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Background and Introduction

National Trends and Research

For years, courts across the nation have reported steady increases in the number of cases filed, while the number of judges remains flat (Administrative Office of the U.S. Courts (AOUSC), 2013; Brown, 2014). The Administrative Office of the U.S. Courts (AOUSC) reported a 16.7% increase in total criminal case filings in District Courts between 2006 and 2011. As a result, many courts have experienced serious delays in court processing, resulting in a growing backlog of pending cases. Although issues of efficiency and effectiveness are not synonymous, some surveys suggest that public confidence in the justice system is diminished when court systems are perceived to be inefficient (Department of Justice Canada, 2006; Duizend, Steelman, & Suskin, 2011).

While a variety of approaches have been used to address the timeliness of court processing, three areas are of specific relevance to the current study: 1) establishment of time standards for case resolution; 2) identifying factors that contribute to court delay; and 3) the differentiated case management (DCM) model. A description and research on each of these areas is provided below.

Establishment of time standards. In 2006, time standards for the resolution of cases were released by the American Bar Association (ABA). According to the ABA (2006), the primary goals of these standards were:

> 1) to effectuate the right of the accused to a speedy trial; 2) to further the interests of the public, including victims and witnesses, in the fair, accurate, and timely resolution of criminal cases; and 3) to ensure the effective utilization of resources. (p. 22)

Unfortunately, many court jurisdictions fell short of meeting these standards and many legal practitioners and experts argued that the standards were unrealistic (Coolsen, 2008; Duizend et al., 2011). For instance, in a survey of nearly 300 legal practitioners in Chicago, Coolsen (2008) found that only one-third of respondents felt the ABA standard for disposing low-level felonies was realistic. In response to these criticisms, a new set of standards for case processing was approved in 2011 by the Conference of State Court Administrators (COSCA), Conference of Chief Justices (CCJ), American Bar Association (ABA), and the National Association for Court Management (NACM) (Duizend et al., 2011). These new time standards (referred to as the Model Standards) were developed based on the examination of years of court data and were perceived to be more realistic than the previous ABA Standards.

Table 1 provides details on both the ABA and Model standards and, when possible, compares them to Utah's statewide and Third District rates (Office of the Legislative Auditor General, 2011). As shown in the table, Utah Courts fell short of meeting both the ABA and the Model standards in 2011; for instance, only 67% of Third District felony cases were disposed within 120 days (compared to the ABA goal of 90%).

Table 1: Comparison of Criminal Cases Time Standards[a] to Utah Court Rates

	Time from Filing to Disposition			
	Utah Courts in 2011		National Time Standards	
Timeframe	Statewide[b]	3rd District[b]	ABA – 2006[c]	Model – 2011[d]
Felony Case[e]				
% disposed within:				
90 days	--	--	--	75
120 days	64	67	90	--
180 days	78	80	98	90
365 days	92	94	100	98

[a] Time from filing to disposition
[b] Office of the Legislative Auditor General, 2011
[c] ABA, 2006
[d] Duizend, Steelman, & Suskin, 2011
[e] Cases handled in Utah District Courts are limited to class A misdemeanor and felony cases while national time standards for misdemeanor cases include lower level cases (class B and class c misdemeanors). As such, comparisons of Utah Courts to national standards presented in the table were limited to felony cases.

Factors contributing to court delay. Court reform efforts have referenced numerous studies identifying factors that contribute to court delay, although much of this research has produced mixed findings. The difficulty of generalizing findings is apparent in the studies that compared multiple court sites and found wide variation between courts, with little or no overlapping, on the variables that significantly influenced time to disposition (Flemming, Nardulli, & Eisenstein, 1987; Luskin & Luskin, 1987). The most commonly noted factors fall into three primary categories: procedural, case/defendant characteristics, and legal community support. A brief explanation of these factors and the research surrounding them is provided below.

Procedural. There is general agreement among researchers that cases that go to *trial* are associated with significantly longer case processing times than guilty plea cases (Luskin & Luskin, 1987; Ostrom & Hanson, 2000; Zatz & Lizotte, 1985); however, a few studies have reported findings that do not support this claim (Department of Justice Canada, 2006; Goerdt, Lomvardias, Gallas, & Mahoney, 1989). Not surprisingly, many researchers have also found that case processing can be expedited when judges place limits on the use of *continuances* and/or insist that *deadlines* are set and met (Goerdt et al., 1989; Goerdt, Lomvardias, & Gallas, 1991; Henderson, Munsterman, & Torbin, 1990; Luskin & Luskin, 1987; Solomon, 2008). In their study of nine circuit-level courts, Flemming and colleagues (1987) found that the number of *pretrial motions* was the only variable significantly related to time to disposition across all nine courts.

Case characteristics. Although some studies provide support for the claim that more *serious cases* (e.g., violent) take longer to process through the courts (Church, 1982; Goerdt et al., 1991; Goerdt et al., 1989; Ostrom & Hanson, 2000), other research does not support this finding (Flemming et al., 1987; Luskin & Luskin, 1987). In their study on the timing of court processing in California courts, Zatz and Lizotte (1985) found cases involving defendants who were "specialized" in a particular type of crime (i.e., repeatedly committed the same type of offense) took longer to reach disposition when they went to trial. The researchers speculated that this might be explained by reluctance on the part of judges and/or jurors to quickly handle cases involving repeat offenders.

Legal community support. A number of researchers have noted the importance of a supportive *"local legal culture"* on efforts to improve the speed of case processing (Church, Carlson, Lee, & Tan, 1978; Goerdt et al., 1989; Ostrom & Hanson, 2000; Solomon, 2008). In this context, local legal culture is defined as a "stable set of expectations, practices, and informal rules of behavior" that can either speed up or slow down case processing, depending on whether the community is supportive or unsupportive (Church et al., 1978).

Given such varied findings, it is likely that numerous factors contribute to case delay and the relevance of certain factors may vary between courts depending on the structure, resources, procedures, level of legal community support, and types of cases a particular court handles.

Differentiated case management (DCM). In an attempt to address case delay, a number of programs aimed at expediting case processing have emerged in courts around the country. Although quite varied in their approach, scale, and name, the vast majority of these programs are based on the Differentiated Case Management (DCM) model. Originally developed for the management of civil cases, DCM has since been modified for use within criminal courts (Henderson et al., 1990). As described by Taxman and Elis (1999):

> DCM programs use management techniques to shift and sort criminal cases early in the court process by charge type, offender type, and/or expected disposition (e.g., guilty plea, entering of nolle prosequi, or dismissal). Resources are then differentially allocated based on initial classifications. Provisions are often made in DCM programs to process less serious cases in a shorter period of time, so time and resources can be preserved for more serious cases. (p. 30)

Cases are most commonly sorted into three tracks (e.g., expedited, standard, and complex); however, additional tracks can be established to accommodate the needs of a particular court. Cases that are less complex cases (and often less severe) are typically assigned to the expedited track, while cases that are more complex, involving more severe offenses, or contested by the defendant (i.e., not guilty plea) are assigned to the other tracks (Clarke & Flango, 2011). By sorting cases into tracks, DCM allows courts to manage high-volume caseloads while protecting public safety and defendants' constitutional rights to a speedy trial (Henderson et al., 1990; Taxman & Elis, 1999). Proponents of DCM claim that it: produces cost savings that exceed implementation costs (Henderson et al., 1990); reduces backlog and case processing time (Henderson et al., 1990; Kim, 2013; Solomon, 2008); reduces the use of pretrial detention (Henderson et al., 1990; Kim, 2013; Taxman & Elis, 1999); and allows judges and attorneys to focus their time on more complicated cases (Henderson et al., 1990).

Although exact numbers vary by court, the percent of criminal cases that go to trial is typically reported as being fewer than 10% of all cases filed (Department of Justice Canada, 2006; Solomon, 2008). Because the bulk of cases do not go to trial, advocates of the DCM model argue that case processing timelines can be dramatically impacted by targeting reform efforts at these non-trial cases. When a court does not closely monitor cases or allows multiple continuances, even non-trial cases use up valuable court time and resources. For instance, according to a report released by the Department of Justice Canada (2006), cases that went to trial took an average of 150 days and 5.5 court appearances to be resolved. Surprisingly, non-trial cases (which

represented 91% of all cases) took nearly as many court appearances and nearly as long to resolve as cases that went to trial. In response to these findings, the Steering Committee noted:

> It should not take almost as many court appearances for the parties to decide whether to resolve a case as it takes the court system to conduct a trial. Moreover, the average number of appearances per case (5.7) where the defense changes its plea to guilty exceeds the average appearances per case (5.5) where the court system conducts a trial. (p.3)

Findings of the Department of Justice Canada (2006) demonstrate the significant time and court resources that can be consumed by an inefficient system and the potential savings of resolving non-trial cases expeditiously.

Although most legal practitioners agree with the underlying principles of DCM, some programs experience resistance when attempts are made to put those principles into practice. In his survey of legal practitioners, Coolsen (2008) found that two-thirds (67%) of respondents were concerned with the fairness of using a case management system to speed up case processing in criminal courts. Many of these respondents were concerned that time standards were resulting in "assembly line justice" and argued that the speed of case processing should not be determined by time standards, but on the issues of each unique case. When responses were broken out by respondent role, concern was even more prevalent among public defenders (90%) and private defense counsel (75%). Approximately half of prosecutors and judges also indicated they were concerned with the fairness of a case management system for expediting case processing.

In addition to resistance from legal practitioners, some programs have also struggled with defendant participation. In their evaluation of Baltimore's Early Disposition (ED) Court for non-violent cases, Kelly and Levy (2002) reported that only a small portion of cases were disposed through the program (only 17% of ED eligible defendants accepted the offer). According to the study, 61% of the ED cases that were not resolved through the program ultimately received a better outcome than was offered to them through ED Court. In many of these situations the case was ultimately dismissed, often due to the high rate of failures to appear among police officer witnesses in misdemeanor cases. The researchers suggested that if a defendant, or their defense attorney, knew they were likely to receive a better plea offer or have their case dismissed, they were probably less likely to accept a plea offer through ED Court.

Large-scale efforts to reduce court delay through DCM or expedited processing programs are not simple undertakings and often face substantial hurdles. Issues are most commonly experienced when programs: make changes before consulting with partnering agencies (Steelman, 2008; Taxman & Elis, 1999); lack support from the legal community (Coolsen, 2008; Henderson et al., 1990; Solomon, 2008); and/or fail to conduct ongoing monitoring to examine the intended and unintended impacts of the change and adjust as necessary (Solomon, 2008; Steelman, 2008).

Salt Lake County ECR Court

The Early Case Resolution (ECR) Court pilot program was implemented in the Salt Lake County Third District Court on February 22, 2011, through a collaborative partnership of state and county agencies.[1] ECR was developed as a systemic approach to address challenges faced by the criminal justice system in Utah and shares many similarities with the previously described Differentiated Case Management (DCM) model. ECR is a collaborative process that aims to: (1) increase the speed of processing for all cases filed in Third District Court; (2) provide the 'same justice sooner'; (3) provide criminal defendants with appropriate sentences and treatment services; and (4) reduce recidivism (Salt Lake County District Attorney's Office (SLCo DA), 2010; Utah Third District Court, 2014).

The following benchmarks were set for the timeliness of ECR Court: (1) cases screened and filed with the Court within 2 business days of arrest; (2) initial court appearance within 14 days of jail booking; (3) ECR cases resolved within 30 days of filing; and (4) 100% of convicted ECR offenders into appropriate sentencing/treatment within 30 days of arrest/booking (SLCo DA, 2010). The Salt Lake County ECR goals represent a significantly faster case processing rate than previously existed in Third District Court (Office of the Legislative Auditor General, 2011) and are also shorter than both the ABA and Model time standards (ABA, 2006; Duizend et al., 2011).

ECR Court operates as a first appearance court for criminal cases (class A misdemeanor and above) filed in Third District Court in Salt Lake County. While any case may be processed through ECR Court, regardless of the charges filed, the screening attorneys at the DA's Office determine whether ECR is appropriate for any given case. These determinations are made on a case-by-case basis and are primarily based on the nature of the presenting offense(s) and the criminal history of the defendant. Typically, crimes involving special victims, gangs, domestic violence, aggravated weapons offenses, felony DUIs, and homicides are screened out of ECR by the DA's office. Once a case has been identified as "ECR eligible," an initial plea offer is drafted and sent to the defense attorney with the discovery packet.

All criminal cases filed in Third District Court in Salt Lake County have their first appearance in ECR Court, regardless of whether the case will remain in ECR. ECR Court uses a team approach—each courtroom's team consists of one judge, four prosecutors, four legal defenders, three court clerks, and representatives from the state and county probation agencies: Adult Probation and Parole (AP&P) and Salt Lake County Criminal Justice Services (CJS). The team approach utilized in ECR Court is intended to improve efficiency in the court by allowing one prosecutor and defendant to be in front of the judge while another team is discussing a case or attempting to reach an agreement. Proposed agreements are presented to the ECR judge who discusses the proposed resolution with the defendant and makes a final sentencing determination.

ECR-eligible defendants may also choose to opt-out of ECR or may ask for a second or third appearance before agreeing to a proposed resolution. If an agreement has not been reached

[1] Utah Commission on Criminal and Juvenile Justice (CCJJ), Utah Administrative Office of the Courts (AOC), Utah Department of Corrections (UDC), Salt Lake County's Criminal Justice Advisory Council (CJAC), Salt Lake County Division of Criminal Justice Services (CJS), Salt Lake County District Attorney's Office (DA), and the Salt Lake Legal Defender Association (LDA)

within thirty days, with an exception for specialty court cases, the ECR judge will typically reassign the case and place it on the regular calendar. Non-ECR cases begin with a first appearance in ECR Court, which includes an explanation of charges filed against the defendant, the assignment of a legal defender, if appropriate, and the reassignment of the case to a judge on the regular criminal calendar by the ECR judge. A more detailed summary of ECR Court, and changes made to the program during the study period, is provided in the Year 2 Report (Hickert, Worwood, Bradley, Prince, & Butters, 2014).

Research on the effectiveness of similar programs. Although expedited case processing programs similar to Salt Lake County's ECR Court have been widely implemented[2] and promoted, research on their effectiveness remains limited. The vast majority of reports on these programs were purely descriptive and only a few outcome studies were located.

Most studies reported significant reductions in case processing time (Henderson et al., 1990; Jacoby, 1994; Kelly & Levy, 2002; Kim, 2013; Taxman & Elis, 1999). Two studies reported a reduction in the amount of time defendants spent in jail during the pretrial period (Jacoby, 1994; Taxman & Elis, 1999). A few studies also reported increased guilty pleas and decreased case dismissals as a result of these programs (Jacoby, 1994; Taxman & Elis, 1999). These findings are not surprising, given that defendants were required to enter a guilty plea in order to accept the plea agreement offered through the program. Nevertheless, increases in guilty pleas have raised concern among some researchers due to the long-term negative effects a conviction can have on a person. As noted by Taxman & Elis (1999, p. 47): "…expedited programs could indirectly influence net widening through their impact on the nature and content of a conviction record. In today's punitive environment, an increase in the number of convictions could indirectly increase the likelihood of future incarceration."

Two studies examined sentencing outcomes; both identified a disparity between groups, with program participants receiving a lesser sentence than those in the comparison group (Kim, 2013; Taxman & Elis, 1999). Taxman and Elis's (1999) study used an experimental design and was the only one to look at jail incarceration following sentencing. This study found that misdemeanor cases in the experimental group spent fewer nights in jail (pre- and post-trial combined), while felony cases actually spent more time in jail than the control group.

The Current Study

At the request of the ECR partnering agencies, researchers from the Utah Criminal Justice Center (UCJC) at the University of Utah conducted a three-year evaluation of ECR to determine if the process and outcome goals of ECR were being met and if the implementation of ECR had any impact on non-ECR cases moving through the system. As previously mentioned, only a few outcome studies on programs similar to the Salt Lake County ECR Court were located. Although these studies examined case processing outcomes, pretrial jail use, dispositions, and sentencing disparities, only one study looked at post-sentence jail use, and none of the studies examined

[2] Similar programs were found in Canada as well as the following U.S. states: Alaska, Arizona, California, Florida, Idaho, Maryland, Michigan, Minnesota, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oregon, Puerto Rico, Texas, and Washington.

post-sentence probation compliance or recidivism. This leaves a glaring gap in the literature on the issue of whether or not defendants who are processed quickly by the court are being held accountable and receiving needed treatment/supervision services. This study contributes to the existing literature by providing a detailed analysis of the impact of Salt Lake County's ECR Court on court processing, disposition, sentencing, and post-sentencing outcomes.

Summary of Previous Findings[3]

This report represents the third, and final, report on ECR and focuses primarily on post-sentence compliance and outcomes; however, a brief summary of the findings from the first two reports is provided. Interim reports cover the following areas in detail: study samples, defendant and case characteristics, case processing timelines, dispositions, and sentences received. Readers are encouraged to refer to these reports for additional detail (Hickert, Worwood, Sarver, & Butters, 2013; Hickert et al., 2014).

Defendant and case characteristics. The ECR group had a higher proportion of female, White, and younger defendants than the non-ECR group. The majority (81%) of cases disposed in ECR were for property or drug offenses. The ECR group also included fewer cases for person offenses (4%, compared to 27% of non-ECR cases). Case severity was similar between the groups; however, slightly fewer ECR cases were filed as first degree felonies (2%, compared to 9% of non-ECR cases). These results suggest that ECR is targeting specific types of cases, and particularly that ECR cases are more frequently drug and property offenses rather than person crimes (which are more common in non-ECR cases). These findings are not surprising and are consistent with the program's screening policies and target population.

Case processing timelines.[4] Prior to ECR, cases took an average of 176 days to be disposed (number of days from filing). This timeframe was reduced by more than four months (Md = 138 days) for cases disposed in ECR Court and by nearly one month (Md = 24 days) for non-ECR cases. On average, ECR cases had less than half as many total hearings (Md = 3) as non-ECR (Md = 7) or pre-ECR (Md = 7) cases. Nearly all ECR cases were sentenced on the same day as their disposition (97%), compared with about half of Pre-ECR (50%) and non-ECR (48%) cases. Results demonstrate faster case processing timelines for criminal cases in Third District Court as a result of ECR and the procedural changes that accompanied its implementation (e.g., electronic filing, notice to appear (NTA) -- see Year 2 Report for additional detail). They also suggest that the program is well on its way to meeting the program's target goal of disposing all ECR cases within 30 days of filing.

Dispositions. Although ECR cases had their primary charge[5] dismissed less frequently than non-ECR cases (16%, compared to 27%), a larger proportion of ECR cases had all of their subsequent charges dismissed (68%, compared to 59%). Nevertheless, fewer ECR cases (11%) had all of their charges dismissed than non-ECR cases (18%). Although less frequently dismissed, more than half (54%) of ECR cases had their primary charge reduced at disposition

[3] See Appendix A for table of variable definitions

[4] Case processing timelines provided for cases disposed post-qualifying booking

[5] Primary Charge: The most severe charge for a court case; identified as Sequence 1 in CORIS database.

(compared to 39% of non-ECR cases). These findings most likely reflect the ECR process: the DA's Office identifies cases that are eligible for ECR and comes to the initial arraignment with a sentence offer.

Sentences received. Sentences were examined in detail for the four most common case types: class A misdemeanor (MA) drug, third degree felony (F3) drug, MA property, and F3 property. For these four case types, ECR cases appear to be receiving less severe sentences than similarly disposed non-ECR cases. ECR cases that were sentenced to probation typically received shorter probation terms and less restrictive levels of probation. Although the distinction between ECR and non-ECR cases was less clear when looking at jail sentences, there was a distinct pattern for ECR cases, on all four charge types, receiving much shorter average jail sentences. Findings also suggest that fewer ECR cases were ordered to substance use disorder (SUD) or mental health assessment and/or treatment as a condition of probation. Additionally, of those cases ordered to complete a SUD assessment/treatment at sentencing, fewer than half (39% ECR, 44% non-ECR) had any recorded contacts with a county treatment provider[6] within one year of their disposition or sentence. Taken as a whole, these results suggest that, in general, ECR cases receive more lenient sentences and fewer treatment conditions than similarly disposed non-ECR cases and that both groups have low rates of compliance with assessment/treatment orders.

Methods

Case Selection Criteria

The methodology for the final year's analyses differed in several notable ways from past years. Previous reports were predominantly descriptive in nature and methodological decisions in those reports were adopted with the intent of describing the ECR process (and its effect on the timing of case processing). Analyses in this final report are predominantly inferential, seeking to compare final outcomes for ECR cases relative to similar non-ECR cases in a manner that allows one to judge the effectiveness of the ECR program overall. Methodological decisions (as outlined below) were, therefore, adopted with the intent of creating the most representative comparison group possible against which to contrast outcomes from ECR cases.

To facilitate this goal, the historic group described in past year's reports was dropped from this year's analyses. Past years' reports were concerned with timelines for which a historic comparison was advisable. For example, a historic group was used in order to determine whether ECR reduced the length of time for case processing for similar cases. Generally, however, use of a historic comparison group has some rather severe limitations. As discussed by Singer and Willett (2003), cross sectional, historic data can never account for the possibility of history effects. For this reason, this year's report utilized only a concurrent comparison group (discussed more below).

[6] SUD and mental health treatment records limited to county providers and therefore do not include treatment/assessments through private providers or probation agencies (Date source: Salt Lake County Division of Behavioral Health (DBH))

Only cases where the defendant was booked into the Salt Lake County Jail between 10/1/2011 and 9/30/2012, that were not yet disposed at the time of the booking, and that were prosecuted by the District Attorney's (DA) Office at the Matheson Courthouse were eligible for inclusion in this year's samples. In contrast to previous years, data in this year's report are analyzed at the person level (rather than the case level) due to the types of outcomes examined (e.g., recidivism, probation completion). In the event that a person had more than one qualified case, the first case occurring on or after 10/1/2011 was selected.

Cases for which prison or deportation were ordered at sentencing were also removed from analyses. This decision was made because analyses were primarily focused on post-sentence outcomes, and individuals who were deported or sentenced to long-term imprisonment would not have had the opportunity to either comply with conditions or recidivate in the State of Utah simply because they were not in the community. Cases wherein the defendant was sentenced to prison, but the sentence was suspended, were not removed.

In contrast to past years' reports, this final report used sentence date as a hinge date for follow-up analyses, allowing for a more accurate portrayal of post-sentence compliance and outcomes. Disposition date was used as a hinge date in previous reports because too few cases were sentenced at the time when the reports were written[7]. At the time of this report, only eight cases remained unsentenced (all due to failure to appear). These cases were also removed from analyses. The remaining cases comprise the ECR and non-ECR samples, and are referred to as the "qualifying cases."

It should be noted that, although the previous paragraphs describe the selection of the base samples, additional restrictions were imposed for certain analyses. These restrictions are described in greater detail in the corresponding analytic sections. Because further case restrictions were based on analytic findings described below, the final sample size for the ECR and comparison groups is refined and then provided in the sections that follow.

[7] In cases involving a sentencing hearing, sentence date can occur at a date later than the disposition.

Results

Overview

Analyses in this final report supplement analyses conducted in prior ECR reports (Hickert et al., 2014; Hickert, Worwood, Sarver, & Butters, 2013), and focus on comparing the outcomes of ECR participation with similar individuals who did not participate in ECR. Analyses focused on seven research topics:

1. *Case Severity and Type as Predictors of ECR Participation* - Examine whether case severity and type predict ECR participation among cases previously (i.e., in past years) documented as ECR or non-ECR.
2. *Qualifying Case* - Describe the qualifying case for the ECR and non-ECR groups.
3. *Differences in Sentences Received* - Examine differences between ECR and non-ECR groups in jail and probation sentences, controlling for charge-related aspects of the qualifying case.
4. *Risk and Need Factors* - Examine whether ECR cases are different from non-ECR cases in terms of the risk and need factors identified on the Level of Service Inventory-Revised (LSI-R) assessment.
5. *Successful and Unsuccessful Probation Completion* - Examine whether probation completion, and the number of days to both successful and unsuccessful completion, differ for ECR and non-ECR cases.
6. *Probation Violations and Post-Sentencing*[8] - When violations of the conditions of probation occurred, examine the nature of the violation(s) and whether ECR cases differed from non-ECR cases in terms of the severity of the next post-sentence court response to the violation(s).
7. *Recidivism, Time to Recidivism and Severity of New Charges* - Examine whether ECR cases differed from non-ECR cases in the occurrence of recidivism, time to recidivism, or severity of new charges.

Case Severity and Type as Predictors of ECR Participation

As mentioned above, some of the restrictions on the comparison group sample were based on analytic findings regarding the suitability of these cases as an adequate comparison to the ECR cases. Originally, 560 non-ECR cases with data gathered in previous years' data collection procedures were considered as possible comparison group cases. These cases were examined in order to identify the subset of cases that were most similar to ECR cases in terms of the defining characteristics of qualifying cases. Data for these analyses were extracted from the Administrative Office of the Court's CORIS/XChange databases (see Appendix B for additional details on all data sources).

[8] "Post-Sentencing" refers to the sentencing event (for non-compliance) following the initial sentencing on the qualified case. Although a case can involve multiple post-sentencing events, this report only covers the first one.

In order to identify comparison cases that were the most comparable to ECR cases, logistic regression analyses were conducted with group status (ECR or non-ECR) as the outcome. Prediction of group membership was examined using several crime type and severity variables. Cases with more than one offense were categorized by the most severe prosecuted offense type and severity. Most severe prosecuted offense type and severity, rather than most severe disposed type and severity, were used in an attempt to represent the qualifying case prior to any reductions or plea agreements.

Variables selected as possible predictors were informed by the nature of cases that are selected for ECR. As mentioned previously in this report, certain types of cases (e.g., person crimes, felony-DUIs, gang-related) are typically screened out of ECR (see p. 5). To the extent that certain types of non-ECR cases are qualitatively different from ECR cases, those cases should be removed from consideration as a comparison group for ECR cases, as they are not representative of the types of cases ECR actually handles[9].

Variables considered in a model predicting group membership are outlined in Table 2. These variables are based on the primary offense as identified by the court. Because the cases are defined by their primary offense, each case is represented by the type and severity of only the primary/most severe charge. Significant predictors are noted in the table with an asterisk. A significant difference corresponds to a probability of less than .05, and indicates that only 1-in-20 times one would expect to encounter the observed outcome if it were not, in fact, a truly significant difference. A significant result, therefore, indicates that the finding of significance has an associated probability of being spurious that is .05 or less.

Because the analysis involved logistic regression, the table presents the odds ratios for the variables, and significance is denoted by an asterisk. Odds ratios reflect the change in odds of the outcome resulting from a one-unit change in the predictor; therefore, the interpretation of an odds ratio depends on the scale of the predictor. In these data, when the predictor is categorical (e.g., misdemeanor person crime – yes or no), the odds ratio represents the increase (for odds ratios above one) or decrease (for odds ratios below one) in the likelihood of the case being in the ECR group (relative to the non-ECR group) as a person changes from one category of the predictor (e.g., no) to another (e.g., yes). When a predictor is ordinal (such as case severity), the odds ratio is interpreted as the change in likelihood of the outcome as one changes, for example, by one level of case severity to the next. For each of the variables in the table, the predictor's scale or metric is discussed so the reader can interpret the meaning of the odds ratio.

Only significant effects are interpreted in the text that follows, and, though 95% confidence intervals are not provided in the table, only effects with bootstrapped 95% confidence intervals

[9] It is important to note that the more ideal procedure of propensity score matching, which identifies comparison matching cases that are most similar to treatment cases, could not be utilized in these data for several reasons. First, the dataset containing historic records for ECR and non-ECR cases was not developed with the intention of creating matched cases; therefore, variables that would have facilitated propensity score matching (including the entire criminal history pre-qualifying event) were not available. Second, an insufficient number of non-ECR cases were available for matching to the larger ECR group. Third, analyses by probation status (discussed more below) lacked sufficient size to allow matching within these strata. Accordingly, the methodology presented in the body of this report was adopted, and was considered the best remaining methodological option for creating a similar comparison group.

indicating significance are noted with an asterisk. It should be noted that, if an odds ratio is not significant, the value of that odds ratio is somewhat spurious. An odds ratio of 1.0 indicates no effect, and when an odds ratio is not significant, the confidence interval surrounding the odds ratio will include 1.0. No matter the size of a non-significant odds ratio, it should not be interpreted as meaningful. For example, an odds ratio of 2.2 that has a corresponding confidence interval that ranges from 0.8 to 3.4 is not significant because the confidence interval includes 1.0. It is also the case that the not significant odds ratio of 2.2 does not represent as large an effect as an odds ratio of 1.2 that has confidence intervals from 1.1 to 1.3 because the latter intervals do not include 1.0. Essentially, the reader is advised not to interpret an odds ratio not noted as significant, no matter its size.

When odds ratios are below one in the table, the relevant predictor is associated with a reduced likelihood of being in the ECR group. When the odds ratio is below one, the decrease can be more easily interpreted as the inverse of the odds ratio (expressed as 1/X), in which case it is interpreted as an increase in the likelihood of being in the non-ECR group. Though complicated, the effect of each predictor on the outcome is explained in the corresponding text.

Finally, it is important to note that each effect in the table is interpreted while controlling for every other variable in the model (i.e., when all other variables are held constant). As seen in the table, several variables predicted ECR group membership (or differentiated between ECR and non-ECR cases). Because they are below one, odds ratios for variables representing degree of the most severe prosecuted and disposed offenses can more easily be interpreted using their inverses. Each one-unit increase in prosecuted degree is associated with an increase of 1.32 times greater odds (1/.752) of being in the non-ECR group, and each increase in case severity disposed is associated with an increase of 1.35 times greater odds (1/.741) of being in the non-ECR group[10]. These findings indicate that cases that qualify for ECR tend to be cases of lower severity (both prosecuted and disposed) relative to non-ECR cases.

Both misdemeanor and felony person offenses were significantly more likely in the non-ECR group relative to the ECR group (by a factor of 9.52 times greater and 5.38 times greater, respectively). This outcome suggests that person crimes of any type are notably less likely to be accepted as ECR cases. Property crime cases and drug cases were 2.32 and 2.90 times more likely to be ECR cases than non-ECR cases. While misdemeanor DUI cases were equally likely to be either ECR or non-ECR cases, felony DUI cases were 2.47 times more likely to be non-ECR cases.

[10] Variables indicating degree of severity for the most serious offense are coded on a 1 to 8 scale, corresponding to: (1) infraction, (2) class C misdemeanor, (3) class B misdemeanor, (4) class A misdemeanor, (5) third degree felony, (6) second degree felony, (7) first degree felony, and (8) capital offense.

Table 2: Logistic Regression Odds Ratios[a] for a Model Predicting ECR Group Membership

Variable	Odds Ratio
Prosecuted degree	0.752*
Disposed degree	0.741*
Misdemeanor person (yes/no)	0.105*
Felony person (yes/no)	0.186*
Property crime (yes/no)	2.319*
Drug crime (yes/no)	2.904*
Misdemeanor DUI (yes/no)	1.274
Felony DUI (yes/no)	0.405*

[a] Odds ratios significantly above one indicate increased likelihood of being in the ECR group; ratios significantly below one indicate increased likelihood of being in the non-ECR group.

Together, these outcomes suggest that ECR cases, as intended by the program, are lower level offenses, typically involve a property or drug crime, are rarely person crimes of any level, and are rarely felony DUI cases. As a result of these findings, and in order to establish a relatively similar group of non-ECR cases, certain types of cases were eliminated from this year's samples. These restrictions eliminated a small number of ECR cases that were atypical of ECR cases in general, and that were not in accord with the type of cases ECR was designed to handle.

The restrictions imposed removed all cases involving person crimes or felony DUIs. This resulted in removal of 206 total cases from an original sample of 1,294. Thirty-three of these cases were ECR cases, and 173 were non-ECR cases. While these restrictions do not account for remaining differences in the level of case severity (recall non-ECR cases were significantly higher in severity even when accounting for the type of case), subsequent analyses conducted throughout this report adjust for these remaining differences statistically (discussed in more detail in applicable sections below). Considering all of the criteria outlined in the case selection criteria section, and the additional restrictions discussed in this section (i.e., removing person cases and felony DUI cases), the final analytic sample was composed of 361 comparison and 727 ECR cases.

Qualifying Cases

Having selected the cases for the ECR group that were directly compatible with the stated targets of ECR, and having removed comparison group cases that were dissimilar from ECR cases on the nature and severity of crimes comprising the qualifying case, the next section of the report provides a refined examination of the types of charges characteristic of the qualifying case for the ECR and non-ECR groups. This section of the report compares ECR and non-ECR qualifying cases, split by supervision status/group: no probation; plea in abeyance (PIA; many of these cases were supervised by specialty courts, such as mental health or drug court); Court/Good Behavior Probation; Criminal Justice Services (CJS) Probation[11]; or Adult Probation

[11] CJS Probation provides supervision services through non-sworn probation case managers to misdemeanor offenders in Salt Lake County.

& Parole (AP&P) Probation[12]. Data for this section were extracted from the Court's CORIS database; however, because sentencing data in CORIS were not easily extracted (see Hickert et al., 2014 for additional detail), all sentencing data were verified and corrected, when necessary, through manual searches of court records accessed through XChange (see Appendix B for additional details on all data sources).

ECR and non-ECR groups (split by supervision status) were compared on 12 outcomes defining the qualifying case:

1. Prosecuted degree of the most severe charge;
2. Disposed degree of the most severe charge;
3. Percentage of cases for which a property charge was the most severe charge filed;
4. Percentage of cases for which a drug charge was the most severe charge filed;
5. Total number of charges filed;
6. Total number of guilty charges;
7. Whether or not the person was ordered to be screened for or participate in drug court;
8. Whether or not the person was ordered to be screened for or participate in mental health court;
9. Whether the person was ordered to complete a substance use disorder (SUD) assessment or treatment;
10. Whether the person was ordered to complete a mental health assessment or treatment;
11. The number of days sentenced to jail (irrespective of whether the person actually served those days or received credit for all or part of the sentence); and
12. The number of months sentenced to probation or PIA (where applicable).

Table 3 below presents the mean or frequency (as applicable) for each of the 12 defining outcomes. A horizontal line in the table divides the aspects of the case that were related to the charge(s) from those related to the sentence received. Total sample sizes by ECR and probation group are provided in parentheses below the given group's column heading. Variables indicating degree of severity for the most severe charge are presented in terms of mean values in the table, where individual severities are coded on a 1 to 8 scale described earlier (see footnote 9).

Significance tests were conducted using a combination of regression, logistic regression, Poisson, or negative binomial regression (depending on the distributional properties of the outcome variable). Significant differences between ECR and non-ECR groups were conducted within individual groups (e.g., CJS, AP&P, no probation) and for all groups combined. Probation groups were not compared to one another. Also note that the tests conducted for all groups combined are redundant with those conducted within the individual groups (because the latter comprises the former), and the all groups combined analysis is heavily driven by the two largest probation conditions, no probation and AP&P probation. Significant differences between ECR and non-ECR are noted with an asterisk *only* in the ECR column of the table for each probation condition.

[12] AP&P Probation provides supervision services through sworn probation officers primarily to felony offenders throughout the state.

All groups combined. The primary focus of the report is the comparison of ECR and non-ECR cases; accordingly, the all groups combined analysis is covered first. Several significant differences were found between ECR and non-ECR groups when outcomes were examined for all probation groups. The prosecuted and disposed degrees of ECR cases were significantly lower overall compared to non-ECR cases. The difference in disposed degree relative to prosecuted degree ("disposed degree reduction") was significantly greater for ECR relative to non-ECR, with ECR cases receiving a significantly greater reduction in the disposed severity. Cases in ECR had significantly fewer total charges, and significantly fewer guilty charges. ECR offenders were significantly less likely to be ordered to drug court or to complete a SUD assessment or treatment. Likewise, ECR cases were less likely to be ordered to mental health court or to complete a mental health assessment or treatment. Notably, despite a lack of drug-related treatment requirements, ECR cases were equally likely to have a most severe charge that was a drug charge. ECR cases also received significantly fewer community service hours, days in jail, and months on probation/PIA.

No probation. For the no probation group, two significant differences existed between ECR and non-ECR cases. ECR offenders were found guilty on slightly, but significantly, fewer charges (1.1 vs 1.2). They were also sentenced to significantly fewer days in jail (83.8 vs 184.4). On average, ECR and non-ECR cases in the no probation group were sentenced to longer jail sentences than any of the other supervision groups.

Plea in abeyance. The plea in abeyance (PIA) group revealed six significant differences between ECR and non-ECR cases. The most severe prosecuted degree in ECR cases was approximately one-half a degree lower in severity than non-ECR cases, and the disposed degree was one full degree lower in severity (averaging a class A misdemeanor for ECR cases and a third degree felony for non-ECR cases at disposition). The difference in disposed degree relative to prosecuted degree ("disposed degree reduction") was significantly greater for ECR relative to non-ECR cases, with ECR cases receiving a significantly greater reduction. ECR cases had fewer total charges, but were equivalent in terms of the number of charges on which they were found guilty. ECR cases were significantly and notably less likely to be ordered to drug court (screening and/or participation), even though they were equivalent to the non-ECR group in terms of the percentage of cases for which the most severe charge was a drug charge. ECR cases also received significantly shorter PIA terms (e.g., 12 months, 24 months).

Court/Good Behavior probation. Court/Good Behavior Probation outcomes revealed five significant differences between the ECR and non-ECR groups. Despite statistically equivalent prosecuting severities for the most severe charge, ECR cases received disposed degrees averaging one-half a degree less in severity than non-ECR cases. The difference in disposed degree relative to prosecuted degree ("disposed degree reduction") was significantly greater for ECR relative to non-ECR cases, with ECR cases receiving a significantly greater reduction. ECR cases were significantly less likely to be ordered to drug court, even though they were equivalent to non-ECR cases in terms of the percentages of cases for which the most severe charge was a drug charge. ECR cases were also sentenced to significantly fewer community service hours and months on probation relative to non-ECR cases.

Criminal Justice Services (CJS) probation. Outcomes for CJS Probation revealed three significant differences between the ECR and non-ECR groups. ECR cases were significantly more likely to have a most severe charge that was a drug charge, but they were no more likely to be ordered to drug court or to complete a SUD assessment or treatment. ECR cases were also sentenced to significantly fewer community service hours and days in jail relative to non-ECR cases.

Adult Probation and Parole (AP&P) probation. The AP&P Probation outcomes revealed several significant differences between the ECR and non-ECR groups. Though they had statistically equivalent prosecuted degrees of the most severe charge on a case, ECR cases were disposed at a significantly lower case severity. However, the actual difference in the reduction ("disposed degree reduction") was not significantly different between the two groups. ECR cases were significantly more likely to have a most severe charge that was a drug charge, but had relatively fewer total charges and guilty charges per case. Despite the significantly greater incidence of drug charges, ECR cases were equally likely to be ordered to drug court (although rarely ordered among both groups), and were significantly less likely to be ordered to complete a SUD assessment or treatment. They were significantly less likely to be ordered to mental health court (including screening/participation) or to complete a mental health assessment or treatment. ECR cases had significantly fewer total charges, and significantly fewer guilty charges. They also received significantly fewer community service hours, days in jail, and significantly fewer months on probation or PIA.

Qualifying case summary and caveats. Examining outcomes in Table 3 overall, or for all groups combined, suggests that the ECR group received notably less severe sentences on their qualifying case. They had fewer drug and mental health requirements, and received less community service hours, days in jail and months on probation (or PIA). However, it is also the case that characteristics of the qualifying case differed between the two groups. Elimination of person and felony DUI cases helped create equivalence between ECR and non-ECR cases on the frequency of most property and drug cases, but did not create equivalent groups in terms of the most severe charge degree prosecuted or disposed, the total number of charges, or the total number of guilty charges. Accordingly, the next analysis examined the qualifying case sentencing outcomes by ECR or non-ECR group while controlling for these variables.

Table 3: Qualifying Case Descriptions: Means, Frequencies (Percentages "Yes"), and Sample Sizes (n)[a] for Qualifying Case Outcomes by Probation Group

	No Probation		Plea in Abeyance		Court/Good Behavior		CJS		AP&P		All Groups	
Outcome	ECR (214)	Non (61)	ECR (80)	Non (58)	ECR (99)	Non (46)	ECR (105)	Non (40)	ECR (229)	Non (156)	ECR (727)	Non (361)
Prosecuted degree of most severe charge[b]	4.9	4.9	4.7*	5.2	5.0	5.1	4.9	4.7	5.3	5.4	5.0*	5.2
Total number of charges	2.1	2.3	2.2*	2.7	2.5	2.8	2.7	2.4	2.7*	3.4	2.4*	2.9
Percentage of cases most severe charge was property	53.7%	42.6%	38.8%	43.1%	36.4%	30.4%	30.5%	35.0%	41.9%	39.7%	42.6%	39.1%
Percentage of cases most severe charge was drug	29.0%	37.7%	48.8%	46.6%	44.4%	41.3%	52.4%*	27.5%	50.7%*	39.7%	43.5%	39.3%
Disposed degree of most severe charge	4.3	4.2	4.0*	5.0	4.0*	4.5	4.0	3.9	4.6*	4.9	4.3*	4.6
Disposed degree reduction[c]	0.6	0.7	0.7*	0.2	0.9*	0.6	0.9	0.8	0.7	0.6	0.7*	0.6*
Total number of guilty charges	1.1*	1.2	1.1	1.3	1.3	1.3	1.4	1.3	1.2*	1.4	1.2*	1.3
Percentage of cases with drug court ordered	2.3%	1.6%	11.3%*	51.7%	7.1%*	19.6%	1.0%	5.0%	1.3%	3.2%	3.4%*	13.0%
Percentage of cases with mental health court ordered	0.0%	1.6%	1.3%	1.7%	0.0%	2.2%	0.0%	0.0%	0.9%*	4.5%	0.4%*	2.8%
Percentage of cases with SUD assessment or tx ordered	18.7%	14.8%	55.0%	55.2%	46.5%	34.8%	77.1%	75.0%	72.5%*	86.5%	51.9%*	61.5%
Percentage of cases with condition for mental health assessment or tx ordered	0.0%	0.0%	5.0%	6.9%	5.1%	4.3%	2.9%	10.0%	3.5%*	25.0%	2.8%*	13.6%
Court fines and fees ($)	NA	NA	NA	NA	343.07	417.67	NA	NA	NA	NA	NA	NA
Community service hours	NA	NA	37.9	68.2	31.9*	57.0	28.0*	48.8	39.3*	87.7*	35.1*	74.2
Number of jail days sentenced	83.8*	184.4	2.5	1.4	7.4	21.0	5.4*	26.9	22.9*	104.2	33.9*	82.1
Months of probation/PIA sentenced (when applicable)	NA	NA	15.1*	28.0	14.6*	24.1	14.9	16.0	20.1*	31.6	17.6*	27.8

[a] Sample sizes are smaller by the counts in the NA cells for each outcome in the "All Groups" categories whenever a subset probation group is NA.

[b] Variables indicating degree of severity for the most serious offense are coded on a 1 to 8 scale, corresponding to: (1) Infraction, (2) Class C Misdemeanor, (3) Class B Misdemeanor, (4) Class A Misdemeanor, (5) Third Degree Felony, (6) Second Degree Felony, (7) First Degree Felony, and (8) Capital Offense.

[b] The difference when subtracting "Prosecuted degree of most severe charge" from "Disposed degree of most severe charge" can be off by up to one-tenth due to rounding.

Differences in Sentence Received

Table 4 shows the results of logistic regression analyses predicting the binary outcomes (i.e., yes or no) of whether or not a person was likely to be ordered to drug court, mental health court, SUD assessment or treatment, or mental health assessment or treatment. Because the outcomes are binary, results are presented in terms of odds ratios. Outcomes represent the odds of the outcomes associated with being in the non-ECR group relative to the ECR group. In these data, odds ratios above one indicate the outcome is more likely to occur in the non-ECR group.

As seen in the table, even after accounting for the differences between groups on prosecuted and disposed degrees, the total number of charges, and the total number of guilty charges, non-ECR cases are significantly more likely to be sentenced to drug court or mental health court (participation or screening). They are also more likely than ECR cases to be ordered to complete a mental health assessment or treatment. After controlling for these variables, non-ECR and ECR cases do not differ, however, on the likelihood of being ordered to complete a substance use assessment or treatment.

Table 4: Odds Ratios[a] for Binary Outcomes Predicted From ECR or non-ECR Group After Accounting for Covariates (n=726 for ECR, 361 for non-ECR).

Outcome	Odds Ratio
Drug Court participation or screening	3.246*
Mental Health Court participation or screening	7.220*
Substance use assessment or treatment	1.259
Mental health assessment or treatment	5.504*

[a] Odds ratios significantly above one indicate the outcome is more likely in the non-ECR group.

Table 5 shows the results of the regression analyses conducted comparing ECR and non-ECR cases on the community service hours, days in jail, and months on probation outcomes. Sample sizes are provided for each cell in the table because of the large differences in sample sizes between analyses (caused by the fact that these analyses are aggregated across supervision groups, and certain outcomes in this table did not apply to the entire subset of groups [see Table 3]). Values in the table represent the marginal means for the outcomes, which are the mean hours, days in jail, and months on probation after accounting for differences on prosecuted and disposed degrees, the total number of charges, and the total number of guilty charges. As seen in the table, even after accounting for these variables, ECR cases received significantly fewer community service hours, days in jail, and months on probation.

Table 5: Marginal Means for Continuous Outcomes Predicted From ECR or non-ECR Group After Accounting for Covariates

	ECR		Non	
Outcome	Mean	n	Mean	n
Community service hours	36.3*	314	71.0	114
Number of jail days	35.8*	726	78.4	361
Months of probation/PIA (when applicable)	18.7*	511	26.4	300

Risk and Need Factors

Given that ECR cases have fewer substance and mental health related requirements even after controlling for qualifying case related differences, the next analysis examined whether offenders in these groups were concomitantly lower on risk and need factors, thereby justifying the lack of requirements in these domains. To examine this question, LSI-R scores were provided by both Criminal Justice Services (CJS) and Adult Probation and Parole (AP&P; see Appendix B for additional details on all data sources). LSI-R scores were not available for individuals who did not have supervision, or those on lower levels of supervision (i.e., PIAs and Court/Good Behavior Probation). Only LSI-R assessments occurring within 365 days of sentencing were used as indicators of risk and needs at the time of sentencing. Assessments outside of that window have been found to be considerably less predictive of risk, needs, and recidivism (Sarver, Prince, Worwood, & Butters, 2014). This restriction resulted in removal of 9.5% of LSI-R assessments. LSI-R assessments within the timeframe were available for 78 of 145 CJS probationers (53.8%), and 338 of 385 AP&P probationers (87.8%).

Significance tests examined the total score and the domain specific risk and need profiles from the LSI-R assessments, comparing ECR and non-ECR cases split by CJS and AP&P probation, as well as overall. Depending on the distributional properties of the domain scores, significance tests were conducted in standard, Poisson, or negative binomial regression; however, for ease of interpretation, only mean differences between the groups are presented in Table 4 (rather than switching back and forth in providing interpretations of beta weights and odds ratios depending on the type of test). Significance tests compared ECR to non-ECR within the two available probation agencies and do not compare one agency to another. Significant differences are noted by an asterisk in the ECR column. Sample sizes for each group are provided in the column headings.

As seen in Table 6, the risk and need profiles of the ECR and non-ECR groups were quite similar. As one would expect, the AP&P supervised group was generally more at risk than the CJS group (this difference was not tested for significance). Only three significant differences were observed. For AP&P supervision, the ECR group was significantly less at risk on the leisure and recreation domain. The ECR group was also less at risk on the leisure and recreation domain when collapsed across supervision agency (i.e., both groups), but this effect is partially redundant with the AP&P specific finding, and is largely driven by the notably larger size of the AP&P sample.

The only other significant difference indicated that, for CJS and AP&P combined, the ECR group was less at risk on the emotional/personal domain. This finding might provide justification for the fact that ECR cases received less mental health related requirements at sentencing. The emotional/personal domain is not intended as a substitute for a mental health assessment, but does assess similar constructs. For example, the emotional/personal domain assesses inability to cope with anxiety, grief, depression, and frustration. It also assesses whether the person is currently or has ever received mental health treatment.

As one final caveat regarding these findings, the reader should keep in mind that LSI-R assessments were not available for the no probation, PIA, or the Court/Good Behavior Probation

groups. It is not clear whether ECR and non-ECR cases within these groups also share similar risk profiles, or whether their profiles differ in ways that would explain the pattern of relatively greater drug and mental health requirements and the longer jail sentences for non-ECR compared with ECR cases within these other supervision groups (see Table 3).

Table 6: LSI-R Total and Domain Scores by Probation Agency

	CJS		AP&P		Both Groups	
LSI-R Domain or Total	ECR (52)	Non (26)	ECR (199)	Non (139)	ECR (251)	Non (165)
Criminal History	4.06	3.92	5.26	5.43	5.01	5.19
Education/Employment	3.29	3.50	5.47	5.68	5.02	5.33
Financial	0.56	0.38	1.27	1.37	1.12	1.22
Family/Marital	0.73	0.77	1.39	1.42	1.25	1.32
Accommodations	0.71	0.62	0.88	0.94	0.84	0.89
Leisure/Recreation	0.87	0.81	1.39*	1.55	1.28*	1.44
Companions	1.79	1.92	2.30	2.29	2.19	2.24
Alcohol/Drug	3.56	2.73	4.15	4.19	4.03	3.96
Emotional/Personal	1.19	1.38	1.27	1.56	1.25*	1.53
Attitudes/Orientations	0.60	0.35	0.79	0.84	0.75	0.76
Total Score	21.52	20.65	24.35	25.39	23.76	24.64

Successful and Unsuccessful Probation Completion

Analyses next examined the frequency of successful and unsuccessful probation terminations. Data regarding probation outcomes were gathered manually from CORIS/XChange for all individuals under Court/Good Behavior, CJS, and AP&P probation. Because Court/Good Behavior Probation defines successful completion differently than CJS and AP&P (i.e., there are different, and fewer criteria for the former), the outcomes are discussed separately for: (1) CJS and AP&P, and (2) Court/Good Behavior Probation.

CJS and AP&P. Table 7 shows the probation end status for ECR and non-ECR cases split by AP&P and CJS probation as of 6/30/2014. Total sample size for each subgroup is listed in the corresponding column header, and cell sample size is listed next to the percentage. As seen in the table, under the column for both groups, ECR probationers are almost twice as likely to be terminated unsuccessfully from probation; however, this conclusion should be viewed with caution because non-ECR cases are, overall, notably more likely to still be active (both compliant and non-compliant). This outcome partially reflects the finding (outlined in Table 3) that non-ECR probationers are sentenced to significantly longer probation periods. From these data, it is not known whether active non-ECR probationers will complete unsuccessfully or successfully, thereby making the two groups more or less similar, respectively, once probation has terminated for all cases. However, given the shorter probation sentences, it is somewhat surprising that the ECR group, while having nearly equal success relative to non-ECR, has such a notably higher rate of unsuccessful termination.

Table 7: AP&P, CJS, and Overall Probation End Status for ECR and non-ECR cases.

Probation Outcome	CJS				AP&P				Both Groups			
	ECR (105)		Non (40)		ECR (229)		Non (156)		ECR (334)		Non (196)	
	%	n	%	n	%	n	%	n	%	n	%	n
Terminated - Successful	20.0%	(21)	27.5%	(11)	14.4%	(33)	16.7%	(26)	16.2%	(54)	18.9%	(37)
Terminated - Unsuccessful	36.2%	(38)	25.0%	(10)	68.6%	(157)	30.8%	(48)	58.4%	(195)	29.6%	(58)
Terminated - Other	4.8%	(5)	2.5%	(1)	6.6%	(15)	4.5%	(7)	6.0%	(20)	4.1%	(8)
Active - Compliant	13.3%	(14)	20.0%	(8)	4.8%	(11)	31.4%	(49)	7.5%	(25)	29.1%	(57)
Active - Noncompliant	25.7%	(27)	25.0%	(10)	5.7%	(13)	16.7%	(26)	12.0%	(40)	18.4%	(36)

Given that a probationer was unsuccessfully terminated, another question of interest involves the relative time to failure for ECR and non-ECR cases. Survival analyses were conducted to compare the failure for ECR and non-ECR cases. These analyses were run independently for CJS and AP&P probation. This methodology helps account for the fact that the two agencies have different types of offenders, with different probation sentences, and that the two agencies have different supervision policies and requirements. In the analysis, the "terminated – unsuccessful" category was coded as "1" for the binary outcome (i.e., event occurrence), and all other categories were coded as "0" (i.e., all other categories reflected not terminated unsuccessful, and were coded as event nonoccurrence). The number of days on probation was calculated by subtracting the start date from the termination date (if successful or unsuccessful), or by subtracting the start date from 6/30/2014 if still active.

Table 8 shows the expected probability for both 75% and 50% survival in the ECR and non-ECR groups by probation agency. These values indicate the time points at which the probability of failure reaches 25% and 50%, respectively (e.g., the number of days before you would expect 25% of the group to terminate unsuccessfully). Median (50%) survival is provided for the AP&P ECR group, but is not tabled for AP&P non-ECR cases, or CJS cases, because the expected probability of failure for these cases did not reach 50% (and, hence did not reach a median rate of failure). Odds ratios are also shown in the table, and indicate the odds of failure for the ECR group relative to the non-ECR group as a function of time. Odds ratios significantly above one indicate unsuccessful termination is more likely in the ECR group.

As seen in the table, CJS ECR cases reached 25% expected probability of failure more quickly, although the difference between the two CJS groups was not significant. AP&P ECR cases, however, reached 25% expected probability of failure significantly more quickly (188 compared to 433 days), and were over three times more likely to fail at any instantaneous time point. In fact, this group reached 50% expected probability of failure in fewer days than the non-ECR group took to reach 25% expected probability of failure. The pattern is also found for CJS and AP&P combined (i.e., "Both Groups"); in this case, the ECR group reached 25% expected

probability of failure significantly more quickly, and reached 50% expected probability of failure in only 8 more days than the non-ECR group took to reach 25% expected probability of failure.

Table 8: AP&P, CJS, and Overall Probation 75% and 50% Survival, and Odds Ratios[a] for Unsuccessful Termination

	CJS		AP&P		Both Groups	
Outcome	ECR (105)	Non (40)	ECR (229)	Non (156)	ECR (334)	Non (196)
Days to 75% Survival	356	468	188*	433	237*	440
Days to 50% Survival [b]	NA	NA	370[b]	NA	448[b]	NA
Odds Ratio	1.393		3.175*		2.421*	

[a] Odds ratios significantly above one indicate unsuccessful termination is more likely and occurred more quickly in the ECR group.
[b] Significance testing is not performed for this row because certain groups (listed as NA) did not reach median failure.

Thus, despite fewer restrictions, and shorter periods on probation, ECR cases are notably more likely to fail probation, and they do so more quickly. This analysis does not address the possibility that they are being treated differently on supervision; that question is addressed in following sections.

Court/Good Behavior probation. Court/Good Behavior probationers have far fewer requirements than AP&P and CJS Probation and do not receive the ongoing monitoring that the other two probation groups receive. The most common requirements include paying fines and/or restitution and payment (or non-payment) is typically not determined until the probation end date. To examine the relative frequency of successful probation completion, flags were created that indicated whether a case had fines and/or restitution ordered, and if those obligations were met, unmet, or sent to the Office of State Debt Collections (OSDC) by the case closed date. If a case was closed, but the offender had not paid the fines or restitution, and the case had been sent to OSDC, that case was classified as unsuccessful (and given a value of 1). Cases that were closed without fines and restitution requirements, cases that had those requirements and had met the requirements, and cases that remained open, were all classified as *not* unsuccessful (i.e., a value of 0). One case lacked sufficient information to classify it according to the binary variable. All variables used to create these outcomes were manually extracted from XChange (see Appendix B for additional details on all data sources).

As shown in Table 8, the ECR group was more likely to be closed unsuccessfully from Court/Good Behavior Probation than the non-ECR group, and the non-ECR group was more likely to be closed successfully. Table 9 further qualifies this finding, indicating that the ECR group reached a 25% expected probability of failure in 456 days, and a median probability of failure in 707 days. The non-ECR group never reached 25% probability of failure, and, accordingly, is not compared to ECR in the first two rows of Table 9. The odds ratio in Table 9, however, indicates that the ECR group was three times more likely to fail at any instantaneous time point compared to the non-ECR group.

Table 9: Court/Good Behavior Probation 75% and 50% Survival, and Odds Ratios[a] for Unsuccessful Closure.

Outcome	ECR (99)	Non (46)
Days to 75% Survival	456[b]	NA
Days to 50% Survival[b]	707[b]	NA
Odds Ratio	3.311*	

[a] An odds ratios significantly above one indicates unsuccessful closure is more likely and occurred more quickly in the ECR group.
[b] Significance testing is not performed for this row because certain groups (listed as NA) did not reach median failure.

Probation Violations and Post-Sentencing

The next section of the report examines whether court responses to violations (when applicable) were similar between the ECR and non-ECR groups. This section only examines responses to violations of probation conditions and does not consider responses to new criminal charges and convictions. Table 10 provides the breakdown of the frequency of the categories: no violations, violations without new charges, and new charges (as reported by probation agency). The no probation group is not represented in the table because no supervision conditions existed, and hence violations could not occur. The issue of new charges (recidivism) is addressed in the next major section of the report.

Data presented in Table 10 represent manually extracted outcomes from XChange. Because they represent violations that rose to the level of court involvement, all violations discussed in this section involve revocation of probation. Other types of violations (i.e., those that resulted in alternative events at the agency level) are not represented. A later subsection of the report addresses intra-agency responses to violations within AP&P.[13]

As seen in Table 10, both the plea in abeyance group and the Court Probation group, owing partly to having relatively fewer probation requirements, had relatively infrequent occurrences of violations without new charges (n=11 and 8, respectively). Because of this, and a concomitant lack of statistical power, the sections that follow do not examine differences between ECR and non-ECR under these agencies. Forty-eight CJS and 124 AP&P cases received a revocation for violation(s) of probation conditions that did not include a new charge at their first post-sentencing hearing. ECR and non-ECR differences were examined for these two agencies.

Table 10: Frequency of Probation Violation Outcomes at First Post-Sentencing Hearing by Agency

	Plea in Abeyance (138)		Court/Good Behavior (145)		CJS (145)		AP&P (385)	
Outcome	%	n	%	n	%	n	%	n
No violations or new charges	77.5%	(107)	83.4%	(121)	41.4%	(60)	32.5%	(125)
Violation(s), no new charge(s)	8.0%	(11)	5.5%	(8)	33.1%	(48)	32.2%	(124)
New charge(s)	14.5%	(20)	11.0%	(16)	25.5%	(37)	35.3%	(136)

[13] See Year 2 Report for information on intra-agency responses to violations in CJS.

Table 11 shows the responses to violations for several outcomes. As with other tables, significant differences between ECR and non-ECR cases are denoted by an asterisk in the ECR column. Differences in outcomes were tested using regression, logistic regression, ordinal, Poisson, or negative binomial regression (depending on the distributional properties of the outcome variable). Outcomes for months of probation reinstatement, community service hours and days in jail are reported only for the cases to which the outcome applied; that is, the mean value for these outcomes represents the mean given that probation was reinstated, or that community service or jail were sentenced.

The first row presents the frequency of revoke and reinstate responses for AP&P and CJS by ECR and non-ECR cases. Because all cases were revoked, data in the table present only the frequency of reinstatement. For AP&P, but not CJS, the court was significantly less likely to reinstate probation for ECR cases relative to non-ECR cases. This was also the case for both groups combined, a finding that was partially driven by the AP&P outcome, but also the fact that a similar pattern was found in CJS data (and the combined analysis, therefore, had more power). Though fewer ECR cases were reinstated, the ones that were reinstated received significantly shorter reinstatements for AP&P and overall (AP&P and CJS combined). This finding is partly driven by the fact that reinstatements often restart or continue existing probation sentences, and ECR cases (as seen in Table 3) were given significantly shorter probation sentences initially.

Across all the outcomes, only one other significant difference was found. As with the lower likelihood of receiving a requirement for SUD assessment when sentenced on the qualifying case, ECR cases, within AP&P and with CJS and AP&P combined, were significantly less likely to receive a SUD assessment requirement after a violation resulting in revocation.

ECR and non-ECR groups did not differ on other responses to violations, including the likelihood of receiving a mental health assessment requirement (yes/no), a community service requirement (yes/no), the number of hours of community service, required fines or fees (yes/no), a jail sentence (yes/no), or the length of a jail sentence. The prison sentence outcome was recorded as a categorical-ordinal variable, with the values: (0) no prison, (1) sentenced and suspended, and (2) sentenced to serve. Values are presented in terms of the means for ease of interpretation (though mean comparison is not how the procedure works in practice). On this variable too, the ECR and non-ECR groups did not differ.

Table 11: AP&P, CJS, and Overall Frequencies of Post-Sentencing Outcomes by ECR and non-ECR groups

	CJS				AP&P				Both Groups			
	ECR (35)		Non (13)		ECR (91)		Non (33)		ECR (126)		Non (46)	
Outcome	%/Mn	n	%/Mn	n	%/Mn	n	%/Mn	n	%/Mn	n	%/Mn	n
Probation reinstated	74.3%	(26)	84.6%	(11)	52.7%*	(48)	72.7%	(24)	58.7%*	(74)	76.1%	(35)
Months reinstated	15.2		18.6		20.1*		30.8		18.4*		26.8	
SA assess/tx	54.3%	(19)	53.8%	(7)	33.0%*	(30)	66.7%	(22)	38.9%*	(49)	63.0%	(29)
MH assess/tx	8.6%	(3)	15.4%	(2)	5.5%	(5)	15.2%	(5)	6.3%	(8)	15.2%	(7)
Community service	40.0%	(14)	30.8%	(4)	13.2%	(12)	3.0%	(1)	20.6%	(26)	10.9%	(5)
Fine/fee	34.3%	(12)	53.8%	(7)	17.6%	(16)	24.2%	(8)	22.2%	(28)	32.6%	(15)
Community service hours	30.6		48.8		35.5		150.0[a]		32.7		69.0	
Jail sentence	54.3%	(19)	46.2%	(6)	83.5%	(76)	75.8%	(25)	75.4%	(95)	67.4%	(31)
Number of jail days sentenced	15.4		31.5		78.3		107.1		60.8		85.7	
Prison sentence	.00		.08		.13		.21		.10		.17	

[a] This outcome is based on only one individual who received community service hours in response to a violation and who was in the AP&P, non-ECR group.

Violations within the AP&P Probation group. The first analysis examined whether ECR cases differed from non-ECR cases in the likelihood and number of alternative events[14] administered while under AP&P supervision. Additionally, the analysis examined whether, for cases that reached the level of court involvement, the two groups differed in the total number of violations committed. The analyses in Table 12 are presented separately for those who received revocations and those who received only alternative events in order to examine whether alternative events were more likely with or without revocation within the ECR or non-ECR group. The analysis in the first row of Table 12 provides the percentage of cases committing a violation out of the total cases under AP&P supervision (within ECR and non-ECR and revocation or no revocation). Analyses in the last two rows represent group means and are presented given that a violation occurred; hence, the sample size (not tabled) is smaller for these analyses under the no revocation column, as it contains only cases that actually committed a violation (all revocation cases committed a violation). In these data, new criminal charges (which result in revocation) are also included as violations, and are reflected, along with other violations resulting in revocation, in the total number of violations row within the revocation column.

Violations that did not result in revocation were significantly more common within the ECR group relative to the non-ECR group; 19.2% of ECR cases committed violations that did not result in revocation in contrast to only 7.1% of non-ECR cases. Predictably, when revocation occurred, 100% of both groups had committed a violation.

[14] Alternative events are AP&P responses administered without escalating a violation to the level of court involvement. These include, as examples: warnings, new required treatment or programming, required SUD assessment, structured work searches, jail time and new/increased limitations or standards being imposed (such as on associates/friends, curfew or GPS monitoring).

Table 12 also shows the results of negative binomial regressions conducted on count outcomes for the number of alternative events and total number of violations. Results indicate that ECR cases that committed a violation, and did not receive a revocation during probation, received significantly more alternative events (an AP&P-level event) than non-ECR cases that committed a violation and did not receive a revocation. Among cases that were revoked (a court-level event), the ECR and non-ECR groups were equally likely to have received an alternative event prior to revocation, though both groups averaged only 0.3 alternative events prior to a revocation. The low number of alternative events for the group receiving revocations is partially due to new offenses which necessitated revocation rather than allowing further alternative events (discussed next, in Table 13).

ECR and non-ECR cases did not differ on the binomial negative regression comparing the total number of violations committed prior to a revocation. In conjunction with the finding that ECR AP&P probationers were more likely to terminate unsuccessfully and did so faster than non-ECR probationers, these outcomes suggest that ECR AP&P probationers were not being supervised more harshly (defined in terms of the number of alternative events received), but were, instead, committing an equal number of violations or new offenses (see Table 12) in a shorter amount of time (see Table 8), leading to faster revocation. Among those who were not revoked, ECR cases were actually receiving significantly more alternative events than non-ECR cases.

Table 12: Frequency and Number of AP&P Alternative Events Resulting in No Revocation or Preceding a Revocation and Total Violations Preceding Revocation by Group

	No Revocation		Revocation	
Outcome	ECR (104)	Non (112)	ECR (125)	Non (44)
Percent committing a violation[a]	19.2%*	7.1%	100.0%	100.0%
Number of alternative events	3.0[b]*	1.6[b]	0.3	0.3
Total number of violations prior to first revocation[c]	NA	NA	3.2	3.1

[a] Percentage reflects the percentage of cases out of all cases within a column (provided in parentheses).
[b] Mean values reflect the means for the subset of cases with violations.
[c] The outcome is non-applicable for the no revocation group because no revocation occurred.

The next analysis examined the nature of the violations committed to determine whether they differed between the two groups and to investigate whether ECR cases were committing less serious violations. The latter analysis may explain the higher number of alternative events administered among the ECR cases that were not revoked. Table 13 shows the frequency of violations of different types and compares ECR and non-ECR cases (split by those who received a revocation and those who did not). Significance tests compare ECR to non-ECR cases within each revocation outcome; revocation outcomes are not compared to one another for significance. Because individuals could commit violations of more than one type, rows are not mutually exclusive, and columns in the table do not add to 100%. Outcomes in this table are presented for all cases, regardless of whether a violation occurred.

Two significant differences existed between the ECR and non-ECR group for cases that did not receive a revocation. Recall that ECR cases received more alternative events without revocation; these data suggest that those alternative events were significantly more likely for violations in the areas of other programming and compliance. Violations in the area of other programming indicate that ECR cases were significantly less likely to comply with conditions requiring non-

SUD and non-mental health-specific services, including enrolling in or completing Life Skills classes, transitional services, or Cognitive Behavioral Treatment (CBT) classes. Because these data refer only to the subsample of individuals who were not revoked, compliance violations do not include new criminal acts. Instead, the data related to compliance violations indicate ECR cases were, as examples, significantly less likely to pay fines and fees or restitution, comply with electronic monitoring or home confinement, and were more likely to be dishonest (as reported by AP&P staff), and fail to appear for court hearings. Non-ECR cases that were not revoked did not commit probation violations of any type more often than ECR cases; hence, the smaller number of alternative events they received appears to reflect a lower propensity to violate rather than a tendency to violate different probation conditions. These data also indicate that ECR cases were more likely to receive alternative events without revocation despite being more likely to commit violations in the specific categories of compliance and other programming.

Within cases that were revoked, ECR and non-ECR cases differed significantly on only one outcome. Non-ECR offenders were significantly more likely to commit weapons violations; however, the number of offenders who actually committed the violation was low for both groups. Notably, compliance violations were high for both groups among those whose probation was revoked. This occurs because compliance violations resulting in revocation include new criminal acts; new criminal acts were an equally large determinant of revocation for both ECR and non-ECR cases.

It is interesting to note that non-ECR cases (whether revoked or not) were no more likely to commit alcohol or drug violations. Among revocation cases, alcohol or drug violations were more likely than not for both ECR and non-ECR cases, yet results from post-sentencing outcomes presented in Table 11 indicate that non-ECR AP&P cases were significantly more likely to receive an order for SUD assessment/treatment. Though not shown in Table 11, the same pattern of significantly greater likelihood of post-sentence SUD assessment occurs whether or not violations are also new offenses.

Table 13: Frequency of Violation Types[a] by ECR and non-ECR Group

	No Revocation				Revocation			
	ECR (78)		Non (96)		ECR (125)		Non (44)	
Violation Type	%	n	%	n	%	n	%	n
Alcohol or drugs	14.1%	11	6.3%	6	61.6%	77	54.5%	24
Mental health	0.0%	0	1.0%	1	0.0%	0	2.3%	1
Other programming	9.0%*	7	0.0%	0	20.8%	26	9.1%	4
Sex offender	0.0%	0	0.0%	0	0.0%	0	2.3%	1
Employment and education	2.6%	2	0.0%	0	23.2%	29	22.7%	10
Compliance	21.8%*	17	5.2%	5	94.4%	118	97.7%	43
Gangs	2.6%	2	0.0%	0	6.4%	8	9.1%	4
Other special conditions	0.0%	0	0.0%	0	0.0%	0	2.3%	1
Weapons	0.0%	0	0.0%	0	2.4%*	3	11.4%	5

[a] Examples of special conditions in each category are: alcohol or drug: SUD treatment, interlock devices, abstinence from alcohol, drug testing, and required use of Antabuse; mental health: mental health treatment and mental health court; other programming: Life Skills, transitional services and CBT classes; sex offender: limits on contact with children, required polygraphs, limits on type of employment, therapy and submission of DNA; employment and education: acquiring GED or graduating high school, attending vocational training, and maintaining employment; compliance: not committing new criminal acts, paying fees and restitution, submitting financial records, electronic monitoring, regular reporting and paying child support; gangs/associates: no gang signs or gestures, emblems or insignias, and no gang associates; other special conditions: free text and conditions not otherwise listed.

Recidivism, Time to Recidivism, and Severity of New Charges

The final analytic section examined recidivism as a function of membership in ECR group and supervision type. Analyses were conducted separately by supervision group in order to account for the fact that supervision types are themselves an indicator of risk to recidivate. An overall analysis is also provided in Table 14 under the "All Groups" column. Data for recidivism were gathered from two independent datasets: the Salt Lake County Jail's Offender Management System (OMS), and the statewide Bureau of Criminal Identification (BCI; see Appendix B for details on all data sources).

Data from the two databases were merged in order to create a composite outcome for recidivism related to: (1) any new charge, (2) any new person charge, (3) any new property charge, and (4) any new drug charge. The two criminal records databases were used in order to compensate for weaknesses of one system by utilizing the relative strengths of the other. OMS records, while detailed and quickly recorded, are limited only to criminal conduct occurring in the Salt Lake County jurisdiction that results in a jail booking. BCI records, on the other hand, are statewide and capture criminal activity that may have occurred in other jurisdictions within the state. Because BCI data are not the original point of entry for criminal activity, BCI records are not recorded as quickly as OMS. Accordingly, OMS often contains records (particularly for more recent offenses) that are not captured in BCI records, but BCI records provide greater geographic coverage.

Recidivism outcomes presented in Table 14 are at the charge/arrest level rather than the disposition level. While being charged with a crime is not an ideal measure of recidivism, it was selected as the preferred metric because of the amount of time cases take to progress from charge to disposition, and because, for ECR cases, that span would be notably quicker (making ECR cases look artificially higher or lower on recidivism outcomes depending on whether cases were more or less likely to be disposed as guilty).

Recidivism rates presented in Table 14 are notably higher than those presented in Table 10 (under "new charges") because recidivism here refers to any criminal recidivism following sentencing on the qualifying case rather than recidivism occurring prior to the first post-sentencing. Follow-up periods for these analyses ranged from a minimum of 200 to a maximum of 1,094 days, with a mean of 845 days and a median of 848. By contrast, the median follow-up time to the first post-sentencing (for cases with probation) was 309 days.

Table 14 shows the results of survival analyses examining the occurrence and time to recidivism (by charge type). The count of days to recidivism (if it occurred) began on the recidivism start date, defined as the last occurring of: qualifying case sentence date, probation start date, or jail release date (for offenders in jail at sentencing). Time to recidivism was calculated as the difference between arrest date and the start date.

Outcomes are presented as odds ratios, and represent the relative odds of recidivism at any instantaneous time point for the ECR group relative to the non-ECR group. In addition to the baseline frequency of recidivism, two sets of analyses are presented in the table, representing the outcomes controlling for different covariates. Analyses with the "b" superscript represent the

odds of recidivism in the ECR group relative to the non-ECR group controlling for LSI total score at the most proximal assessment[15], disposed degree of highest severity charge at qualifying case, time in jail from qualifying sentence to 9/20/14 (Salt Lake Jail only)[16], and original months sentenced to probation or PIA. Because only AP&P and CJS had LSI-R assessments available, analyses with this covariate are available for these groups only. The "All Groups" column for this outcome includes only the aggregated cases from these two probation groups.

The subsequent analysis (denoted with a superscripted "c") omits LSI-R score as a covariate, and controls for the other covariates within all probation groups. The analysis without LSI-R included as a covariate (though partially redundant) is also conducted within CJS and AP&P in order to allow comparison of identical models across groups lacking the LSI-R.

Percentile based survival times are not presented in the table by ECR or non-ECR group (as they were in the prior table) because these analyses utilized a different type of survival analysis, Cox Regression, which allows the simultaneous modeling of covariates. Because covariates are included, survival times are dependent on these additional variables, and cannot be presented by each of them individually. Seventy-five and 50% survival are presented only for the "any new charge" outcome as points of reference; they represent the points at which the probability of recidivism on any new charge first exceeded 25% and then 50% of cases, respectively. The percentage recidivating (across the entire follow-up period) is presented for all outcomes at baseline (i.e., irrespective of covariates and ECR or non-ECR). Baseline percent recidivism represents the percentage of cases, across covariates and ECR or non-ECR, that recidivated (by charge type) at the end of the follow time period (defined as the date on which data for the criminal databases were last extracted, or 9/30/14).

The use of "ISF" in the table indicates that insufficient cases were available for analyses, which would have yielded a null effect due to a lack of power even if one might be expected in the population in general. In Table 14, this outcome only occurs for person charges, which were rare in occurrence for both the ECR and non-ECR group (recall that ECR cases typically do not involve person crimes, and non-ECR cases were specifically selected to be comparable to ECR in this way; a lack of person crimes at one's qualifying case is also associated with a lack of person crimes for new charges). The "ISF" designation merely indicates the respective analysis was not performed; however, cases from the "ISF" subgroups are included in the analysis presented in the "All Groups" column of the corresponding row.

Examining the "All Groups" column in Table 14, one can see that, for the analyses designated with a superscripted "c" and for the outcomes of any new charge, property charge, and drug charge (the latter two are subsets of the former), ECR is associated with greater and faster recidivism. However, in all but the "any new charge" outcome, inclusion of the LSI-R (only available for CJS and AP&P) negated the predictive importance of ECR participation, suggesting that, after accounting for individual proclivities to reoffend (as measured by the LSI-R), the relationship between ECR and recidivism is less notable (though still present on the any new

[15] Missing LSI-R assessments for CJS and AP&P were computed using multiple imputation to allow for a complete analysis.

[16] Time in jail represents time out of the community for reasons unrelated to new charges; this may include time served on warrants or on other cases that were pending at the time of qualifying case sentencing.

charge outcome). Though their LSI-R scores are not higher overall (discussed above), LSI-R scores in combination with other factors (including disposed degree of the most severe charge for the qualifying case, time in jail, and original probation sentence) are more important determinants of recidivism than ECR participation alone. Analyzed at the level of probation agency (i.e., disaggregated), one can see that ECR CJS cases recidivate more quickly and more often than non-ECR cases, but only for the outcome of property crimes, and, again, once LSI-R scores are accounted for, the relationship is no longer significant.

Table 14 also shows that the recidivism rate of individuals with no probation is particularly high compared to other probation groups, and the problem is particularly pronounced among ECR cases. For all recidivism types except person crimes, the no probation ECR cases recidivate more often and faster than non-ECR cases. Overall, the probability of recidivating extends to 25% of the no probation cases within 30 days, and to 50% within 158 days. The interpretation of this outcome is not immediately clear from a visual inspection of the data. Twenty-eight of the 275 no probation cases (10.2%) have arrest dates in BCI records matching their release date from the Salt Lake County jail, yielding a result of 0 days in the community before recidivating. Whether this is a data recording issue or whether the outcome accurately reflects immediate recidivism on any type of new charge is not clear from the data alone. Consequently, the time to recidivism outcome should be interpreted with caution for this group. The comparison of ECR to non-ECR remains accurate to the extent that any recording issue might be expected to impact the two groups equally.

Table 14: Survival Analysis and Odds Ratios[a] Examining Time to Recidivism by Probation Agency and ECR Status Controlling for Covariates

Model	Variable	No Probation (275)	Plea in Abeyance (138)	Court/Good Behavior (145)	CJS (145)	AP&P (385)	All Groups (1088)
	75% Survival (Days)	30	93	140	163	112	93
	50% Survival (Days)	158	797	776	606	331	356
Any New Charge	Baseline recidivism	74.2%	51.4%	50.3%	55.9%	64.9%	62.4%
	ECR vs. Non[b]				1.610	1.319	1.370*
	ECR vs. Non[c]	1.445*	1.495	1.397	1.708	1.330	1.416*
	Baseline recidivism	21.1%	8.7%	9.0%	9.0%	13.5%	13.6%
Person Charge	ECR vs. Non[b]				ISF	0.799	0.663
	ECR vs. Non[c]	0.977	ISF	ISF	ISF	0.800	1.184
	Baseline recidivism	60.0%	31.2%	29.0%	35.9%	45.7%	43.9%
Property Charge	ECR vs. Non[b]				1.850	1.150	1.237
	ECR vs. Non[c]	1.784*	1.000	1.667	2.058*	1.163	1.355*
	Baseline recidivism	48.7%	29.0%	26.2%	35.9%	43.4%	39.6%
Drug Charge	ECR vs. Non[b]				1.632	1.188	1.228
	ECR vs. Non[c]	1.806*	1.098	1.113	1.829	1.203	1.433*

[a] Odds ratios significantly above one indicate recidivism is more likely and occurred more quickly in the ECR group.

[b] Analysis includes as covariates: LSI total score for most proximal assessment, disposed degree of qualifying case's highest severity charge, time in jail from qualifying case sentence until 9/20/14 (Salt Lake Jail only), and original months of probation/PIA.

[c] Analysis includes all covariates in "b" except the LSI total score for most proximal assessment, which was not available for no probation, PIA and Court/Good Behavior Probation (the analysis without LSI included as a covariate is also conducted within CJS and AP&P in order to allow comparison of identical models to groups lacking the LSI).

One final recidivism analysis examined the charged severity of new charges by type (i.e., any, person, property, or drug). The analysis is conducted in two ways in order to compensate for limitations of the recidivism data for BCI recorded new charges. Recall that the BCI records data statewide rather than only in Salt Lake County (as OMS charges are recorded). Because of this, there were more new charges in the BCI than there were in OMS (674 offenders recidivated by BCI records, and 559 by OMS records). However, BCI data lacks a detailed severity level (i.e., class A, B, or C misdemeanor or first, second, or third degree felony) attached to charges (the severity is more commonly attached when the case is disposed). Accordingly, while the type of charges could be combined for the analyses in Table 14, the lack of a charge severity code in BCI data made combining OMS and BCI data difficult for the severity outcome.

To circumvent the problem created by the fact that the BCI records lacked the detailed charge severity, the most severe charge (by charge type) was coded more coarsely as a misdemeanor or felony only. This classification is not ideal because it groups classes of crimes that are notably less severe (such as a class C misdemeanor) with notably more severe crimes (such as a class A misdemeanor). To address this lack of specificity, a second analysis was conducted utilizing OMS data only, as OMS data includes the detailed charged charge severity. There are less charges of each type in OMS because of its narrow jurisdiction, but the inclusion of severity for new charges provides for a more ideal analysis, as it does not group together vastly different charge severities. Results from the two analyses are compared for concordance.

The two analyses are presented in Table 15. The first row of each charge type presents the results of the analysis combining BCI and OMS data at the felony or misdemeanor level. Outcomes are presented in terms of odds ratios, and reflect the increased or decreased odds of felony recidivism for ECR versus non-ECR cases. Odds ratios significantly above one indicate the ECR group was less likely to receive a felony new charge relative to the non-ECR group. Odds ratios significantly below one indicate the ECR group was more likely to receive a felony new charge. The second row of each charge type presents the results of ordinal regression analyses comparing the mean new charge degree for ECR and non-ECR cases. Results are presented in terms of marginal means, or the mean severity accounting for covariates in the models. Infractions were not included in the recidivism models, and no capital offenses were recorded among the sample of offenders and in the time frame over which they were followed; accordingly, the scale of the severity outcome ranges from a class C misdemeanor (coded 1) to a first degree felony (coded 6).

Both analyses represent differences between ECR and non-ECR cases after controlling for disposed degree of the highest severity charge at qualifying case, time in jail from qualifying sentence to 9/20/14 (Salt Lake Jail only), and original months sentenced to probation or PIA. When interpreting the table, note that there are more “ISF” values in this analysis. This occurs because only cases recidivating have an associated severity (reducing sample size and statistical power), whereas the previous recidivism analysis in Table 14 included all cases (coded as yes or no with respect to recidivism).

Only one significant difference existed between the ECR and non-ECR groups on the severity of the most severe new offense. For the no probation group, non-ECR cases were significantly more likely (29.3% more likely) to receive felony drug charges than ECR cases (within the OMS data,

this result was marginally significant, but did not reach the .05 standard of significance). Thus, despite recidivating with drug charges at a lower rate overall and more slowly than ECR cases, new drug charge cases were more serious for the non-ECR, no probation group.

Notably, there was a high degree of agreement between the OMS and combined BCI/OMS analysis. Though only one significant difference existed, outcomes were in the same direction in both analyses. Where odds ratios were above one in the models predicting felony recidivism, marginal means from OMS also indicated slightly (non-significantly) higher severity for the non-ECR group; when they were below one, marginal means indicated slightly (non-significantly) lower severity for the non-ECR group. Given the nature of their qualifying cases, which were lower level offenses on average, one might have expected ECR cases to reoffend on lower severity charges. However, combined, the analyses of certain outcomes in Tables 14 and 15 indicate that ECR cases were recidivating at a similar level of offense severity, but were recidivating more quickly.

Finally, though probation groups were not compared to one another in terms of significance, it is noteworthy that the no probation group (which received the longest jail sentences of all supervision groups) revealed levels of new charge severity that were equivalent to or greater than other probation groups and the overall average ("All Groups"). The outcome is particularly interesting when one considers that they were also found to recidivate more quickly than other groups. There is no reason to conclude the no probation group was lower risk, however, because no data on risk levels within this group were available (LSI-R assessments were not available for this group).

Table 15: Odds Ratios for Felony New Charges (OMS and BCI Combined)[a] and Marginal Means of Severity (OMS Only)[b] By Crime Type for ECR and non-ECR Cases

		No Probation		Plea in Abeyance		Court/Good Behavior		CJS		AP&P		All Groups	
Outcome		ECR	Non	ECR	Non	ECR	Non	ECR	Non	ECR	Non	ECR	Non
Any New	Combined	0.939		0.841		1.012		0.923		0.910		0.938	
Charge	OMS	4.3	4.3	4.1	3.5	4.0	4.0	3.9	4.4	4.3	4.1	4.2	4.1
Person	Combined	1.291		ISF	ISF	ISF	ISF	ISF	ISF	0.959		1.056	
Charge	OMS	3.5	4.0	ISF	ISF	ISF	ISF	ISF	ISF	3.2	2.9	3.4	3.4
Property	Combined	0.849		0.919		ISF	ISF	ISF	ISF	0.947		0.962	
Charge	OMS	3.6	3.6	3.4	3.4	ISF	ISF	ISF	ISF	3.5	3.5	3.5	3.6
Drug	Combined	1.293*		0.901		ISF	ISF	ISF	ISF	1.074		1.094	
Charge	OMS	4.2	4.7	3.9	3.9	ISF	ISF	ISF	ISF	4.0	4.2	4.1	4.3

[a] Odds Ratios (first row): significantly above one indicate the ECR group was less likely to receive a felony new charge relative to the non-ECR group; odds ratios significantly below one indicate the ECR group was more likely to receive a felony new charge.

[b] Marginal Means (second row): Scale of the severity outcome ranges from a class C misdemeanor (coded 1) to a first degree felony (coded 6).

Discussion

For this year's report, an attempt was made to select a concurrent set of comparison group cases that were similar to ECR cases with respect to the type and severity of the cumulative charges of the qualifying case. Certain factors precluded the use of propensity score matching, and limited the achieved similarity, but the process did create groups that were statistically comparable in terms of the frequency of both drug and property crimes as the most severe charge on a qualifying case (two of the key aspects of ECR qualified cases). Other statistical adjustments were made to account for the fact that, after reducing and selecting the comparison group sample, the ECR group was still significantly lower in terms of the degree of the most severe charge (as prosecuted) and the total number of charges per case.

Because the two groups had remaining differences in terms of the characteristics of their qualifying case, analyses examined qualifying case sentence outcomes after accounting for the differences between groups on prosecuted and disposed degrees, the total number of charges, and the total number of guilty charges. After controlling for these factors, ECR cases still received significantly fewer community service hours, days in jail, and months on probation at qualifying case sentencing. Non-ECR cases were significantly more likely to have requirements for both drug and mental health court participation or screening, and they were also more likely than ECR cases to have requirements for mental health assessment or treatment. Accounting for the fact that ECR cases were of a lower severity initially, they received a modestly greater (though significant) reduction on the disposed severity of their most severe offense.

Despite the general lack of SUD-related requirements, LSI-R scores (available only for a portion of AP&P and CJS probationers) suggested ECR cases were not lower risk on the alcohol and drug domain; however, the ECR group was less at risk on the emotional/personal domain. This finding might provide justification for the fact that ECR cases received less mental health related requirements associated with sentencing outcomes for the qualifying case. On the other hand, even after controlling for other factors related to the qualifying case charge(s), including prosecuted and disposed severity, as well as the number of total and guilty charges, ECR cases received notably less restrictive sentences. Given the significantly less stringent probation requirements, it is somewhat surprising that the ECR group was not lower on risk and needs in other domains or overall.

The reader should keep in mind, however, that LSI-R assessments were not available for the no probation, PIA, or the Court/Good Behavior Probation groups. It is not clear whether ECR and non-ECR cases within these groups also share similar risk profiles, or whether their profiles differ in ways that would explain the pattern of relatively greater drug and mental health requirements and the longer jail sentences for non-ECR compared with ECR within these other supervision groups (see Table 3).

With respect to probation completion within CJS and AP&P, ECR cases were terminated unsuccessfully at a significantly greater rate than non-ECR cases, and were notably faster to unsuccessful termination. Within Court/Good Behavior Probation (which defines success differently), ECR cases were again more likely to be closed unsuccessfully, and were three times more likely to fail at any instantaneous time point compared to non-ECR cases. Thus, despite

fewer restrictions, and shorter periods on probation, ECR cases were notably more likely to fail, and they did so more quickly.

A sufficient number of violations of probation conditions (without new charges) existed within CJS and AP&P supervised cases to allow an examination of differences in how the court responded to violations. At post-sentencing for violations (excluding new charges), the court was significantly less likely to reinstate probation for ECR cases relative to non-ECR cases. Though fewer ECR cases were reinstated, the ones that were reinstated received significantly shorter reinstatements for AP&P and overall (AP&P and CJS combined). This finding is partly driven by the fact that reinstatements often restart or continue existing probation sentences, and ECR cases (as seen in Table 3) were given significantly shorter probation sentences initially.

ECR cases were significantly less likely to receive a SUD assessment/treatment requirement after a violation resulting in a post-sentencing. ECR and non-ECR groups did not differ on other responses to violations, including: the likelihood of receiving a mental health assessment requirement (yes/no), a community service requirement (yes/no), the number of hours of community service, required fines or fees (yes/no), receiving a jail sentence (yes/no), the length of a jail sentence, or receiving a prison sentence (yes/no).

Another set of analyses examined whether ECR cases differed from non-ECR cases in the likelihood and number of alternative events administered while under AP&P supervision, as well as in the total number of violations committed prior to revocation. The analyses indicated that violations not resulting in a revocation were significantly more common within the ECR group. ECR cases without a revocation were more likely than non-ECR cases to receive alternative events, and were significantly more likely to commit compliance and other programming violations. Non-ECR cases that were not revoked did not commit probation violations of any type more often than ECR cases. ECR and non-ECR cases were equally likely to receive an alternative event among cases with a revocation, and did not differ on the total number of violations committed prior to a revocation. In conjunction with the finding that ECR AP&P probationers were more likely to terminate unsuccessfully and did so faster than non-ECR probationers, these outcomes suggest that ECR AP&P probationers were not being supervised more harshly, but were, instead, committing an equal number of violations or new offenses in a shorter amount of time, leading to faster revocation. Interestingly, non-ECR cases (whether revoked or not) were no more likely to commit alcohol and drug violations (both were more likely than not), yet results from post-sentencing outcomes indicate that non-ECR AP&P cases were significantly more likely to receive an order for SUD assessment/treatment. Though the pattern was not presented in the post-sentencing table, it also held true whether or not violations were also new offenses.

With respect to recidivism, the positive relationship between being in ECR and greater recidivism was largely attenuated when risk to recidivate (as measured by the LSI-R) was included in the predictive model. After controlling for LSI-R total score, disposed degree of highest severity charge at qualifying case, time in jail after qualifying sentence, and original months sentenced to probation or PIA, ECR was not associated with greater recidivism for person, property, or drug charges. ECR cases were, however, more likely to recidivate (and did so faster) with respect to “any new charge.” When the level of risk to recidivate could not be

accounted for (because it was not available for certain groups), ECR was associated with increased recidivism for all outcomes except person crimes. ECR and non-ECR cases did not differ with respect to the severity of new criminal acts; thus, combined results suggest that ECR cases were recidivating at a similar level of offense severity, but were recidivating more quickly.

Though not statistically analyzed with respect to other supervision groups, the no probation group showed particularly high levels of recidivism, and recidivated relatively quickly compared to supervised groups. It is important to note, however, that the no probation group received the longest jail sentences on their qualifying case and few were ordered to complete SUD treatment (see Table 3). ECR no probation cases were also significantly more likely than non-ECR no probation cases to recidivate with "any new charge," drug, or property offenses, suggesting that perhaps the combination of ECR cases and no probation is particularly predictive of recidivism of certain types.

Conclusions

The Early Case Resolution (ECR) Court pilot program was developed as a systemic approach to address challenges faced by the criminal justice system in Utah through a collaborative partnership of state and local agencies. By identifying lower level cases that were eligible for expedited processing, ECR Court aimed to: (1) increase the speed of processing for all cases filed in Third District Court; (2) provide the 'same justice sooner'; (3) provide criminal defendants with appropriate sentences and treatment services; and (4) reduce recidivism rates (Salt Lake County District Attorney's Office (SLCo DA), 2010; Utah Third District Court, 2014).

With respect to the first goal, results from this study demonstrate that case processing time was decreased for criminal cases in Third District Court as a result of ECR and the procedural changes that accompanied its implementation. Prior to ECR, cases took an average of 176 days to be disposed (number of days from filing); after ECR, cases took only 38 days on average for ECR cases and 152 days for non-ECR cases. ECR cases also required half as many court appearances as non-ECR and pre-ECR cases and nearly all ECR cases were disposed and sentenced on the same day (compared to approximately half of non-ECR and pre-ECR cases).

In regards to the second goal of providing the 'same justice sooner,' ECR cases appeared to receive differential sentences for similar types of crimes. ECR cases were lower in severity and had fewer charges at filing than non-ECR cases. At disposition, more ECR cases had their primary charge reduced and all subsequent charges dismissed, while more non-ECR cases had their primary charge or their entire case dismissed. Even after controlling for group differences, ECR cases received more lenient sentences (e.g., lower supervision level, shorter probation length, fewer jail days) than non-ECR cases. These findings suggest that the program is incentivizing defendant participation with the provision of reduced charges and lighter sentences for similar offenses, rather than providing the 'same justice sooner.' Tensions between these two competing principles of ECR were also noted in the survey of ECR professionals during the first year of the study. Although a large number of respondents described ECR as providing the 'same justice sooner,' another group described ECR as a reciprocal relationship where both the defendant and the Courts were able to benefit from the process. More lenient sentencing was also found in studies of similar programs (Kim, 2013; Taxman & Elis, 1999). The court clearly

benefits from expedited case processing and the offer of reduced sentences may be the only way to sustain defendant participation. Experiences described by participants of a similar program in Baltimore highlight the difficulty of getting defendants and their defense counsel to agree to participate in these programs when faster case resolution is the only enticement offered (Kelly & Levy, 2002).

ECR cases also received differential sentencing with respect to treatment, part of the third goal of ECR. Although not lower risk on the LSI-R alcohol and drug domain, fewer ECR cases were ordered to complete SUD-related services at sentencing. The same trend was also observed at defendants' first post-sentencing hearings for non-compliance, where fewer ECR cases were ordered to complete SUD-related services, even though they were not less likely to have committed a drug or alcohol violation. The lower rate of treatment orders, despite a similar need, raises questions regarding the program's ability to sufficiently screen and assess the treatment needs of defendants with current resources and/or within the program's shortened timeframes. These findings also appear to support comments from the survey of ECR professionals (see Year 1 Report) that the emphasis placed on meeting tight timelines and the inability to complete pre-sentence reports (PSRs) prior to sentencing often lead to less informed decision making. Given that the program's timeline goals are substantially shorter than the previously described Model Standards (see p. 1), the program should consider extending the timeline goals to allow for adequate screening and information gathering prior to sentencing.

With respect to the fourth goal of reducing recidivism, ECR cases were more likely to recidivate, both in terms of probation failures and new charges. Although typically sentenced to shorter probation terms, ECR cases were more likely to be terminated unsuccessfully from probation and were terminated more quickly than non-ECR cases. Examination of AP&P records found that, although ECR probationers did not commit more violations prior to their first revocation, they did commit them faster than non-ECR probationers, leading to quicker revocation. In the survey of ECR professionals, concern was raised that ECR probationers were being treated more harshly for post-adjudication non-compliance. According to one such respondent, "They seem to be punished more severely because prosecutors and judges feel as if they were given a 'gift' to begin with." Data examined in this study suggests that ECR cases were not being supervised more harshly but were, instead, committing a similar number of violations in a shorter amount of time.

Interestingly, although this study also found evidence suggesting ECR cases recidivate more quickly and more often than non-ECR cases, the relationship between ECR participation and greater recidivism was reduced for some outcomes when risk to recidivate (as measured by the LSI-R) was included in the predictive model. This confirms previous research indicating that assessed risk level is the best predictor of future recidivism (Andrews & Bonta, 2010; Andrews, Bonta, & Hoge, 1990). Use of a validated risk/needs assessment or screening instrument to inform sentencing and/or post-sentencing decisions, could allow the court to tailor supervision and treatment strategies in a manner that is most likely to reduce recidivism (Casey, Warren, & Elek, 2011; Warren, 2009).

The high recidivism rate observed among the "no probation" group, especially for ECR cases, was another noteworthy finding. As a whole, cases in the no probation group were sentenced to

serve the longest number of days in jail and few cases were ordered to complete SUD or mental health-related services. Although jail sentences may be necessary to achieve certain sentencing objectives (e.g., punishment, incapacitation), research has consistently found that incarceration without treatment does not reduce recidivism and may actually increase the likelihood of recidivism (Gendreau, Goggin, Cullen, & Andrews, 2007; Smith, Goggin, & Gendreau, 2002; Warren, 2009). Unfortunately, LSI-R assessments were not available for this group so it is not clear whether ECR and non-ECR cases shared similar risk profiles, or whether they were different in other ways that would explain these differences in sentences.

As previously mentioned, cases were screened by the District Attorney's Office, and ECR eligibility was primarily based on the presenting offense(s) and the defendant's criminal history (see p. 5). Without the PSR to provide additional offender information, it is likely that sentencing decisions are also being primarily driven by the presenting offense(s). Although the seriousness of the current case must factor into these decisions, research suggests that "whether a particular offender is an appropriate candidate for recidivism reduction cannot accurately be assessed relying solely on the type of offense committed and the offender's prior criminal history" (Warren, 2009, p. 2). Previous research, in conjunction with the elevated ECR recidivism rates reported in this study, emphasize the importance of considering additional factors that have been found to impact risk of recidivism when making sentencing decisions, such as supervision level and treatment options (Andrews, 2007; Casey, Warren, & Elek, 2011; Warren, 2009).

Although programs similar to Salt Lake County's ECR Court exist, or are being developed, throughout the country, research supporting their effectiveness remains limited. Reports on these programs are primarily descriptive in nature and few outcome studies have been conducted to look at the long-term impact of these programs. The few outcome studies available focus on the timeframe between the filing and sentencing of a case, such as: case processing timelines, jail bed use, and sentencing disparities. Only one study was located that reported on a post-sentence outcome (i.e., jail bed use after sentencing), leaving a clear gap in the literature on the issue of whether or not defendants who are processed quickly by the court are being held accountable and receiving needed treatment and/or supervision services. The current study was the first to examine this issue by studying the impact of this program on participants' probation compliance and recidivism rates. As such, the findings of this study highlight the need for additional research on the impact of these programs, not only on process outcomes, but also on treatment and recidivism outcomes.

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Appendix A: Variable Definitions

Alternative events	AP&P responses occurring before escalating a violation to the level of court involvement (if applicable). These include, as examples: warnings, required treatment or programming, required SUD assessment, structured work searches, jail time and new/increased limitations, or standards being imposed (such as on associates/friends, curfew or GPS monitoring).
Case severity	The *charge severity* of the most severe charge for each case.
Case type	The *charge type* of the most severe charge for each case.
Charge severity	The degree of an individual charge, including (from least severe to most severe): infraction, class C misdemeanor (MC), class B misdemeanor (MB), class A misdemeanor (MA), 3rd degree felony (F3), 2nd degree felony (F2), 1st degree felony (F1), and capital offense.
Charge type	The type of offense (e.g., person, property, drug) for an individual charge.
Disposed degree	Most severe charge degree when the case was disposed.
Prosecuted degree	Most severe charge degree when the case was filed with the court.
Disposed degree reduction	The difference in *disposed degree* relative to *prosecuted degree*
Disposition	The resolution or outcome of a case (e.g., guilty, not guilty, dismissed).
Filing Date	Date case was filed by the DA's Office with the court.
Pre-ECR period	1/1/10 to 12/31/10
During ECR period	10/1/11 to 9/30/12
Post-Sentence	The time period following (but not including) the initial sentencing date.
Post-Sentencing Hearing	The first sentencing hearing following the initial sentencing on the qualified case. Although a case can involve multiple post-sentencing events, this report only examines the first one.

Primary Charge	The most severe charge for a court case; identified as Sequence 1 in CORIS database.
Qualifying Case	The single case for each defendant that was selected for inclusion in the final year analyses (see section starting on page 8 for description of case selection criteria)
Subsequent Charge(s)	Additional charge(s), after the primary charge, that was part of a court case.
Time to Disposition	Number of days between the court case filing date and the disposition date.

Appendix B: Data Sources for Final Report Analyses

Data Source	Description
Salt Lake County Sheriff's Office – Adult Detention Center (ADC)	
OMS	Jail booking history for Salt Lake County Adult Detention Center, which includes booking and release dates and types, offense descriptions, offense severity, and court case information for cases that have been filed. Used to describe the qualifying case and recidivism.
Bureau of Criminal Identification (BCI)	
BCI	Statewide arrest data, including arrest date, offense descriptions, and misdemeanor or felony level severity.
Administrative Office of the Courts (AOC)	
CORIS	Primary source for court data, including case numbers, primary charge type, primary charge degree, subsequent charge(s), group (ECR, Non-ECR), dispositions, and sentences.
XChange	Online database of court dockets used to look up court case numbers when missing from jail records, verify information across data systems, fill in missing information, and collect probation compliance and outcomes through 6/30/14.
Salt Lake County Criminal Justice Services (CJS)	
C-track	LSI data
Utah Department of Corrections (UDC)	
O-Track	LSI data; supervision compliance, including violation type and response (alternative event or revocation)