

# Juvenile Justice Task Force

October 28, 2010 1:30-4:30PM  
700 Kipling, 1st Floor Conference Room

## **ATTENDEES:**

### **CHAIR**

Regina Huerter, Denver Crime Prev. & Control Comm.  
Ken Plotz, Task Force consultant

### **TASK FORCE MEMBERS**

Don Quick, District Att. 17<sup>th</sup> Judicial District  
Susan Colling, State Court Administrators Office  
John Gomez, Director of NYC  
Meg Williams, Division of Criminal Justice  
Don Moseley, Ralston House  
Bill Kilpatrick, Golden Police Chief  
Inta Morris, Department of Higher Education  
Kirk Henwood, Montrose County School District  
Jan Dempsey Simkins, Juvenile Parole Board  
Stan T. Paprocki, Division of Behavioral Health  
Jeff McDonald, Jeffco Juvenile Assessment Center  
Regis Groff, Retired State Senator  
Karen Beye, Department of Human Services  
Karen Ashby, Juvenile Court Presiding Judge  
Linda Newell, Senator  
Joe Higgins, Mesa County Partners  
Norene Simpson, Defense Attorney  
Senator Linda Newell

### **STAFF**

Kerry Cataldo, Division of Criminal Justice  
Germaine Miera, Division of Criminal Justice

### **ADDITIONAL ATTENDEES**

Hailey Wilmer for Steve Siegel  
Kim Dvorchak  
Kim Dvorchak intern  
Shawn Cohn  
Katie Wells  
Lindy Frolich  
Dorian Wilson  
Senator Evie Hudack  
Scott Groginsky

### **ABSENT:**

Beth McCann, Representative  
Alaurice Tafuya-Modi, Private Defense Attorney  
Debbie Zwirn, Logan County Commissioner

Issue/Topic:	Discussion:
Welcome and Introductions	Regina Huerter welcomes the group and introduces Judge Ken Plotz. Ken is a former district court judge and will be working with Regi and the rest of the group in a consultant/staff position.

Issue/Topic:	Discussion:
<p data-bbox="224 388 402 420">Mission/Vision</p> <p data-bbox="267 493 358 525"><b>Action:</b></p> <p data-bbox="94 1350 500 1449"><i>Task Force staff to clean up mission/vision handout and divide into buckets</i></p> <p data-bbox="94 1491 521 1591"><i>Jeff MacDonald to provide paragraph on statewide association of JAC's</i></p> <p data-bbox="94 1633 440 1696"><i>Regi getting info from Dan Domagala and Rich Wenning</i></p> <p data-bbox="94 1812 464 1875"><i>Inta to provide P20 info at next meeting</i></p>	<p data-bbox="560 388 1523 451">This task force is in the early stages of its work and because of that the group still needs to define its Vision/Mission statement.</p> <p data-bbox="560 493 743 525"><b>Vision/Mission</b></p> <p data-bbox="560 531 1485 630">The goal of today's discussion is not to wordsmith a statement, but to identify the component that should be present in the task force's vision/mission document.</p> <p data-bbox="560 672 764 703"><u>Discussion Points</u></p> <ul data-bbox="609 709 1523 1932" style="list-style-type: none"> <li>• Many different groups have already been addressing various youth related issues in the state.</li> <li>• The task force reviews a handout that features a synopsis of what other groups are already working on; issues and their vision/mission statements.</li> <li>• Are there things in their mission/vision statement that we should have in our statement as well?</li> <li>• In going over the handout, Susan Colling explains accomplishments Models for Change. They created various curriculums for juvenile CIT and parent involvement/advocacy in juvenile mental health as well as work around the MAISY II.</li> <li>• Someone should proof read this document for accuracy.</li> <li>• Can we add a write-up of what the direct file subcommittee of the CCJJ has accomplished?</li> <li>• HB1274 informs schools about kids in and out of placement. There hasn't been a lot of work done on that yet but it could parallel with what's going on.</li> <li>• The group asks the Juvenile task force staff to clean up the handout (mission/vision document) and divide it into buckets and maybe make a matrix (Ken Plotz/Germaine).</li> <li>• Is there a statewide association of JAC's? Jeff we'll get us a paragraph on that to add into the document.</li> <li>• P20 subcommittee (drop out committee) looking at drop-out issues, do they have any recommendations?</li> <li>• Add truancy information into this document</li> <li>• Dan Domagala from the Colorado department of education is involved in the 17.4 million dollar grant called CUPID to give identifiers to persons in schools to use across systems. Regi has a call into him and Rich Wenning to find out about school reform. There are several studies underway – one is about kids getting into college who need -remediation. Competency vs. seat-time? All of this dovetails with P20 - Inta knows a lot about this and we'll bring that info back to the table as well</li> <li>• This is a living document and we'll keep adding to it.</li> <li>• Also, the Behavioral Health Care council has a juvenile element as well.</li> </ul>

Again, the purpose of this document is to know what groups are actually already working on particular issues.

### **Vision/Mission – Working Document**

The task force moved onto the handout entitled 'working document only' to start thinking about its own Vision/Mission statement.

- The group looks at the first two paragraphs called vision and mission
- Again, one of our areas is to craft a STATEWIDE vision/mission statement for Colorado around areas of juvenile justice

### Discussion Points

- Do we want to have more of an objective bent to this? To direct toward a certain outcome?
- Can we really address the needs of all youth? Maybe we should signify 'youth-at-risk' or something along those lines. This may be too broad.
- When you're thinking about outcomes and the vision, do we only want to do this without looking at impact or embracing the public or the legislature or outside of the system? Let's look holistically outside of the system.
- The vision is 'what is it for kids that we want to achieve' – something broader.
- Regi breaks the task force into work groups of 3 for a more pinpointed dialogue.
- Think of this in terms of the framework that there are already a lot of other groups already working on this. Keep in mind that we don't want to replicate all the groups that are already out there.

### Small group feedback and Discussion points

- We need alignment of the Systems
- Community and State Level involvement
- Policy level rather than individual group level. This group recommends the policies and then alignment of systems.
- Do we want to be another group looking at kids and families or do we want to be the group that looks at the system as a whole?
- CLARIFICATION - We're not looking at the vision/mission of *this* group but rather the STATEWIDE vision/mission. The vision/mission is BIGGER PICTURE.
- Are we looking at Juveniles in general? Or juveniles in the justice system. At risk and involved or the larger picture of youth in general.
- Our group needs to be the coach, all the other groups are the players
- We don't have a good way to coordinate all the efforts currently going on
- Better outcomes for children in the juvenile justice system
- What about adding the words prevention and intervention?
- We should state that youth should receive a continuum of appropriate and effective services so they can succeed
- Evaluating best practices and making recommendations about bringing all the different systems to a best practice standard (maybe more in values than mission/vision). Also, access to best practices across the

<p>Note – after further discussion this work is on hold at the moment</p>	<p>state.</p> <ul style="list-style-type: none"> <li>• We see this as a collaborative system – vision – that is meeting specific needs of youth and families (through some kind of case management system).</li> <li>• We need to limit the number of case managers. There needs to be collaboration with one or two case managers representing all the systems. Coordinated case management and breaking down the silos</li> <li>• A core of standards and expectation</li> </ul> <p>Regi asks for volunteers to work on this and bring back the statement for next month. Possible volunteers are Ken Plotz, Joe Higgins, Meg Williams and Kirk Henwood.</p>
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<p><b>Issue/Topic:</b></p> <p>Juvenile Justice Data</p> <p><b>Action:</b></p>	<p><b>Discussion:</b></p> <p>Ken Plotz and Kerry Cataldo take the group through section 4 of DCJ’s Crime and Justice Report. Section 4 addresses Juveniles in the Juvenile Justice System, how the system works, who is in the system and where they are.</p> <p>This handout is a great tool, a great snapshot on the juvenile justice system – Who gets prosecuted, who gets convicted, what happens at sentencing, cost, etc. This is a great go-to reference if any task force members have questions about the juvenile justice system. More than anything this is just an educational tool with some basic education and reference items</p>
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<p><b>Issue/Topic:</b></p> <p>Education: Colorado Juvenile Justice System</p> <p><b>Action:</b></p>	<p><b>Discussion:</b></p> <p>Don Quick walks the group through how the juvenile justice system works in the state of Colorado.</p> <p><u>Presentation Discussion Points</u></p> <ul style="list-style-type: none"> <li>• Denver is the only jurisdiction in the state with a designated juvenile court; all other districts rotate a judge into juvenile court. This creates rotation and no real consistency in managing kids</li> <li>• The JJ system has a different focus on the outcome that includes justice for victim, justice for the defendant and justice for the community. In the JJ system - the most important thing is <i>justice for the child</i> – we often take risks on kids to go toward rehabilitation more so than adults</li> <li>• Juveniles are not convicted, they’re adjudicated</li> <li>• The volume of juvenile cases is much higher for municipal courts than for county or state systems. It’s complicated to try to figure out how we coordinate those systems, delinquency, school, municipal, how do we have a common point of reference</li> <li>• We need a common index or data base for all the youth’s info that includes, name, date of birth, school issues, social service contacts and municipal info all in one common data base.</li> <li>• With juvenile’s cases can be dismissed or diverted or never filed on</li> <li>• We really want to avoid unintended consequences when working with a</li> </ul>
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child

- If a kid is transferred or “direct filed on” they’ll often go to YOS
- The YOS completion rate should be higher
- Also, the original YOS facility should be used again for youth. Due to population issues women are now housed in the YOS facility and youth are housed at the women’s prison. The YOS facility was specifically designed to meet the needs of youth and should be used for youth.
- Young adult offenders are sometimes put in the YOS system in the hopes of better outcomes
- Youth can be put in detention beds post adjudication
- Social Services can be part of the placement structure in juvenile cases
- Deferred adjudication is similar to deferred judgment
- We have a consistent children’s code, but there’s a lot of ability at the local level to implement different practices and different policies.
- Judges can do things differently in different judicial districts
- Public defenders generally operate consistently statewide
- We should talk about aligning the practices in the justice system statewide rather than each judicial district doing their own thing. We should also possibly look at changing the children’s code
- Should there be collaboration among school districts for an alternative for expelled kids, etc.
- We have agreed to look at the children’s code in our work – How the children’s code supports this vision/mission. This will be more of the latter part of our discussion
- Most kids arrested are usually placed that night.
- Protections are available for adults that aren’t always available for juveniles. We can hold kids without bond and we don’t do that to adults. Sometimes, kids are actually put at a specific disadvantage (especially girls).
- JAC’s - (Juvenile Assessment Centers) – They try to figure out what’s going on with the kid as soon as possible so they can be dealt with early on and more proactively. The JAC partners with social services. An officer can drop a child off at a shelter/JAC area.
- SB94 is often housed with social services and JAC in the same facility/location to provide more overlap (in Adams County this is a public/private partnership).
- These types of Collaboratives are really a best practice to help sort out which kids need a more severe level of secure detention and which don’t need such intense services.
- Sentencing is very different for juveniles than for adults. Kids can be sentenced to out of home placements, etc.
- JISP – highest level of supervision in the community. PO’s in Denver see these kids 2 times a week. They do night visits with the kids, etc. This is the highest level of supervision with a kid before commitment
- The average kid on probation is probably on probation for a year to 18 months
- For juvenile cases the length of sentence has more to do with how many cases a juvenile has rather than the severity of the case.
- Sentencing really does differ jurisdiction to jurisdiction. For example, not every jurisdiction has a JAC
- 68% of DOC population does not have a diploma
- The biggest risk factors for kids is dropping out of school and being

*Del Elliott to speak to the task force at some point down the road*

- chronically truant
- Let's have Del Elliot come talk to the group at some point
- The downward spiral for kids starts early. Kids not ready at kindergarten are less likely to be ready for middle school and then high school.
- Also, there are huge minority over-representation numbers in the juvenile justice system. African Americans are 5 times more likely to be in the system than whites, 7 times more likely to be a victim
- Drug use is the same by minority kids and white kids, it's just that minority kids get contacted more often
- MOR issues are also generational
- Juvenile delinquency cases are technically civil. It's an odd mix of criminal and civil systems.
- Juveniles can also expunge their record. Maybe we can work on an automatic expungement notification for kids. Maybe there could be something on the state judicial website regarding this.

**Issue/Topic:**

Education: Truancy in Colorado

**Discussion:**

Scott Groginsky delivers a PowerPoint presentation to the task force regarding Truancy in Colorado. Scott is the senior policy director for the Colorado Children's Campaign and also the president of Gilpin county school board.

*Truancy laws and regulations in Colorado*

- Attendance is one of the top 3 warning indicators of dropouts
- Early chronic absences (excused or not) are a problem
- If a child has 20 or more absences in a year they are less likely to graduate
- Absences of 10% are also a major indicator
- NCLB (the No Child Left Behind) law required states to count truancy and absences by school district
- Habitual truancy is 10 unexcused absences per year
- The state board of education did not have a governing rule on this NCLB requirement
- By definition, school boards are their own bosses and can make up their own rules. Colorado is referred to as a local-controlled state. Local school districts have a lot of latitude.
- Data should be transparent and understandable
- HB 1336 addressed habitual truancy – as it was the most significant problem. Now schools report the number of kids who are habitually truant.
- Student attendance is now recorded twice a day. Absence is 50% or more.
- We need schools that represent the needs of kids, not schools that represent the needs of the school systems. We really have to ask the question 'what do WE want'.
- Alternative schools need to exist to address at-risk youth
- In YOS, kids actually excel educationally because the education programs are programmed specifically for them.
- In general, for the adult population, recidivism rates for heavy equipment operators (out of DOC) are much better because they actually

<p style="text-align: center;"><b>Action:</b></p> <p><i>Ask Jana Locke to start attending our meetings</i></p>	<p>learned a skill in DOC. Maybe we could see the same kind of success for kids who aren't into traditional school, but maybe are more geared toward learning a skill.</p> <ul style="list-style-type: none"> <li>• Causes of truancy – kids get in trouble with the JV system and start backing out of school. Boys tend to cause a big ruckus and get in fights with fellow students and say 'screw it' I'm out. Girls leave more quietly, and tend to withdraw. Bullying is also a big problem.</li> <li>• Suspensions in school or out of school are not counted either way</li> <li>• Often times truants have mental health issues, can't read, etc. Kids exposed to a significant level of trauma.</li> <li>• JAC's are often used as an assessment center for truants, what's going on with those kids and let's them get into a class that works for them.</li> <li>• Jeffco has their own dropout office in the district to look at these issues</li> <li>• The system is currently punitive and legislative and nobody talks about how to <i>help</i> the kid. The reverse is a truant officer to help figure out what the problems are and get them squared away.</li> <li>• There are two kinds of truancy – elementary truancy is an adult decision to keep a child home. Older kid truancy is a completely different issue. Truancy of young children is different than teenage and juvenile truancy.</li> <li>• We need to look at targeted issues (truancy) but whole picture as well. Let's do what we can along the way.</li> </ul> <p>Should we create a smaller working group on truancy issues maybe? Senator Newell says she's looking at addressing this issue of keeping kids in school.</p> <p>Regi asks Inta, Senator Newell, Scott and Kirk how education issues might be addressed-</p> <ul style="list-style-type: none"> <li>• Senator Newell says she has two bills- one about education and one about juvenile sentencing</li> </ul> <p>There is also a CCJJ legislative task force that looks at CCJJ bills. Can the new legislative person (Jana Locke) start attending some of the juvenile group meetings?</p> <p>Kim Dvorchak says they're looking at how to retroactively eliminate life without parole for kids. How to give courts more discretion when it comes to kids. Trying to come up with a way to review sentences, review the functional equivalent of 'life' sentences for kids.</p>
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<p style="text-align: center;"><b>Issue/Topic:</b></p> <p style="text-align: center;">Plan November meeting</p> <p style="text-align: center;"><b>Action</b></p>	<p style="text-align: center;"><b>Discussion:</b></p> <p>Can we have an educational piece about detention next time from John Gomez? Do we want to spend December talking about Sentencing Issues?</p> <p>Next month's meeting topic proposals</p> <ul style="list-style-type: none"> <li>• More education around education, detention, some of the numbers around expulsion, sentencing to detention, P20 , other proactive things that are taking place around predictive analysis. What are other states doing around this? Colorado 6 is working on these issues.</li> </ul>
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*Next meeting possible education items*

- *Inta/P20*
- *John Gomez/Detention education*
- *Senator Newell/National Data*
- *Kirk/Predictive analysis (Ken or Vanessa Farrell?)*

- Remediation study about how many kids have to go through remediation
- P20 framework
- Unified improvement plan – Scott (workforce readiness)
- Higher Ed and K12 are working on workforce readiness
- P20 is a good umbrella, good framework, intended to see that every kid has a chance.
- P20 – Inta to do some education. Larger vision for our state as integrated system of education let’s hear the part related to expulsion, etc.
- Gaps – Scott/Kirk, predictive analysis - what districts are doing in Colorado is the main goal of the Colorado graduates initiative. Talk to Scott. Ken or Steve should present on what is happening with districts. Through a predictive model, it can tell you here in your school is the greatest risk for dropping out, etc.
- Once you create an algorithm you can pop in data. Ken and his staff, the national center for school engagement.
- Sex offender issues – an update from the Sex Offender task force regarding juvenile issues. Have a SO person come in and present around this area.
- Look at what DPS is doing regarding discipline
- Look at JV sentencing

Proposed agenda items-

- P20-Inta
- Workforce Readiness
- Detention Education – John Gomez
- National Data – Senator Newell
- How to identify the ‘at-risk’ kid – Ken or Vanessa Farrell?

**Future Meeting Dates:**

<b>Date</b>	<b>Location</b>	<b>Time</b>
November 18, 2010	710 Kipling, 3 <sup>rd</sup> floor conference room	9AM-12PM
December 16, 2010	Location - TBD	9AM-12PM



