

## Juvenile Justice Task Force

March 16, 2012 - 9:00 am-12:00 pm  
JAC Center, Lakewood, CO

**Attendees:**

Regina Huerter, Denver Crime Prevention and Control Commission  
 Jeff MacDonald, Jefferson County JAC  
 Charles Garcia, Juvenile Parole Board  
 Bonnie Saltzman, JJDP Representative  
 Norene Simpson, Indigent Defense Counsel  
 Bill Kilpatrick, Golden Police Department  
 Joe Higgins, Mesa County Partners  
 John Gomez, Division of Youth Corrections  
 Meg Williams, Division of Criminal Justice  
 Karen Ashby, Juvenile Court Presiding Judge  
 Don Quick, 17th District Attorney's Office  
 Susan Colling, State Court Administrators  
 Stan T. Paprocki, Division of Behavioral Health Office  
 Michelle Brinegar, 8th District Attorney's Office

**Task Force Members Absent:**

Linda Newell, State Senate  
 Inta Morris, Department of Higher Education  
 Regis Groff, Retired State Senator  
 Beth McCann, House of Representative  
 Kirk Henwood, Montrose County SD RE-1J  
 Julie Krow, Department of Human Services  
 Kim Dvorchak, Co. Juvenile Defender Coalition

**Guests:**

Jesse Hansen, Division of Criminal Justice, SOMB  
 Mimi Scheuermann, SOMB, Division of Child Welfare  
 Anna Lopez, Division of Criminal Justice, OAJA  
 Michelle Lovejoy, Division of Criminal Justice, OAJA

**Staff:**

Ken Plotz, Consultant  
 Laurence Lucero, Division of Criminal Justice

<p><b>Issue/Topic:</b></p> <p>Welcome and Introductions</p>	<p>Regina Huerter welcomed the group. Task force members and guests introduced themselves.</p> <p>Joe Higgins moved for the approval of last month's minutes. Michelle Brinegar seconded the motion. The minutes were approved by unanimous vote.</p> <p>Regi Huerter explained that the CCCJ is scheduled to sunset in 2013 and that a DORA review will begin in the summer. If the CCCJ does sunset, there will be possibly only one legislation session left for the Commission. Regi encouraged the group to set the priorities on the issues for this Task Force that can be accomplished within this timeframe.</p>
<p><b>Issue/Topic:</b></p> <p>Current Work</p>	<p>What can this group deliver by the next legislative session? How does it fit with our guiding principles? A "Summary of Working Group" document is handed-out.</p> <ul style="list-style-type: none"> <li>○ <u>General</u> <ul style="list-style-type: none"> <li>- <i>System alignment</i></li> <li>- <i>vision mission and guiding principles</i></li> <li>- <i>Jurisdiction in Title 19</i></li> <li>- <i>DHS goals and systems alignment:</i> The DHS has presented in several occasions (E Casey, general models adopted by DHS and cross coordination).</li> </ul> </li> </ul>

- Anticipated issues
  - *Front end services*
  - *Juvenile sexual behavior*
  - *Escapes:*

**Work in Progress**

- Education

1. *Working on ensuring continuing the flow of education while juveniles are in temporary detention.* This recommendation passed the CCJJ and will be presented in next year's legislation.

2. *Working on ensuring that kids in detention have standardized education consistent with statewide standards. Status of NYC educational services.*

Should this group to take on this issue?

John Gomez explained that there is inconsistency among districts on how education is provided to youth in NYC. If the detention facility is a contracting facility, education is regulated by the facility and not the school district. John Gomez specified that the NYC is working on standardizing the services provided. Don Quick suggested that discussions between NYC and CDE should occur. John Gomez responded that the level of services can be ordered by the Chief Judge within a District and that, due to the inconsistency among districts, discussions should maybe occur with the State Court Administration.

3. *Working on transfer of credits back to home school districts when kids are released from long-term commitment.*

Issue of transfer of credit: some facilities are falling under charter schools. Can we make this uniform this across the state? All Districts are different. The Education working group is working on this issue.

#2. and #3. Will be discussed at the next Education working group meeting on 3/30/12.

4. *Dealing with the issue of valid court orders and their alternatives.*

5. *Truancy:*

Meg Williams reported that there were high numbers of truant youths sentenced to NYC for missing school and indicated that the group is working on early intervention. The Truancy working group will be working on 03/30/12 on the following recommendations:

- More clearly and definitively define "absence" which in current definition can include a scheduled school day or portion thereof.
- Add language to Enforcement of Compulsory School Attendance Statute (CRS 22-33-107) requiring state school boards to adopt policies and procedures regarding student attendance including development of a multi-disciplinary plan to address when the child reaches a 10% absence rate including excused and unexcused absences.

6. *Senate Bill 46 and School Discipline*

7. *GED*: Meg Williams indicated that the Education working group will be working on the following recommendation on 03/30/12:

- Request the Colorado Department of Education (CDE) amend its rules (1 CCR 301-2) to permit the General Equivalency Diploma (GED) option be opened for 16 year old juveniles appearing before the court for truancy when provided sufficient information to determine it is in the best interest of the youth.

- Assessment and Screening/non-legislative policy

1. *Work on training all people who use assessment tools on the proper way to use them.*

2. *Revising screening and assessment tools. Updating the manual to make it user friendly. We are still in the learning/education process.*

3. *Working on the problem of crossover kid. Looking for tools for the DHS to use in assessing kids other than the CJRA tool so that we don't needlessly push low risk kids into the judicial system.*

The CJRA tool is to measure the risk to reoffend not necessarily the risk to the community. Jeff McDonald specified that the Child Welfare system is looking at multiple assessment tools, early intervention at the appropriate levels. Judge Ashby commented that often times, even though there are assessment tools to measure risks and needs, there are no appropriate interventions and resources. Judge Ashby suggested a system with the appropriate responses based on the assessments' measurements.

- Judicial

1. *Advancing professionalism: Rotation, training and education of professionals in the juvenile system –*

The Professionalism study group discussed the idea of developing a juvenile curriculum in the Continuing Legal Education (CLE). Flexible system with CLE and/or Law certificate. Both law schools that have been contacted have shown interest in developing such curriculum with juvenile background.

Discussions around trainings and coordination of efforts without duplicating. There also have been discussions regarding outreach strategies to talk about juvenile justice before Law school graduation. The next meeting will be on Monday, March 19, 2012 at 11:30am.

2. *DUI: We will be recommending that juveniles under 18 be charged as delinquents rather than adult traffic offenders and therefore addressing how we can change Title 19 (Juvenile Code) to accomplish this. Also working out the details of such as MVD consequences, treatment, and how prior convictions are treated.*

3. *DYC: Who should and shouldn't be in DYC and use guiding principles.*

4. *Warrants: County Court and Municipal Court alignment.*

Judge Ashby commented that the Judicial working group will be meeting this afternoon and will be working on prioritizing the issues identified: Juvenile Escape, Juvenile Sexual behavior and County Court warrants. Judge Ashby added that Debbie Wilde brought the issue of juveniles being arrested on county court warrants. The Judicial working group

	<p>has also requested data from NYC on the NYC population.</p> <p><b>Late-entry Issues:</b></p> <ul style="list-style-type: none"> <li>○ Juvenile Sexual Offender behavior:  Regi Huerter indicated that the Adult Sex Offender Task Force has concluded but do not feel that there is enough expertise in the group to take on this issue.  Norene Simpson mentioned that several Juvenile Task Force members have expressed interest in taking on this issue and will be meeting on 04/04/2012 at 12pm at 690 S. Santa Fe, Denver. Norene extended the invitation to additional members to participate. The group will work on identifying immediate issues that have general agreement and consensus on what can be addressed within a short period of time. Regi Huerter mentioned that there were different perspectives on this issue that needed to be heard. Charles Garcia expressed the concern that the CCCJJ is expecting the JJTF to present on the priorities at the next meeting in April and that, if a Juvenile Sexual Offender behavior working group is created, timeframe on issues that can be accomplished should be clearly presented. Due to the upcoming review from the DORA, the study group should be ready by August 2012.</li> <li>○ Juvenile escape:  Charles Garcia discussed the issue of juveniles walking away from juvenile facilities with minimum supervision also commonly called “Gingerbread Houses”. A new felony escape charge is issued and the juveniles receive consecutive sentences and ultimately sent to DOC when they turn 18 years old. Charles Garcia reminded the group that a juvenile committed to a “Gingerbread House” is often on minor offenses (petty or misdemeanor). John Gomez added that the majority of escape incidents occur in private programs with minimum supervision. Staffs in private programs are not prepared to deal with walk away. Another issue is that, the populations in these programs include child welfare and NYC youth. Only the NYC child would receive a felony escape charge as committed with mandatory sentence.  Bonnie Saltzman suggested the amendment of the escape statute to return youth into juvenile facilities when they turn 18 years old of age.  Michelle Brinegar expressed caution when proposing a standardized solution especially when cases are being handled differently across jurisdictions. Should amending it to a non-mandatory or non-consecutive be an option?  Stan Paprocki proposed discussions around system alignment and age group to include 18-24 years old.</li> </ul>
<p><b>Issue/Topic:</b> New Work</p>	<p><u>Establishing the next priorities</u>  Review of our guiding principles and what we decided to do at the retreat of March, 2011</p> <ul style="list-style-type: none"> <li>○ Framing front end and diversionary processes</li> <li>○ Establishing a statewide diversion policy</li> </ul> <p>The group reviewed and discussed the “Chart Summary” handout</p> <p><b>Group Discussions:</b></p>

**Diversion**

Divert: a program service

Diversion: from NYC is related to adjudication.

Joe Higgins mentioned that youths are committed to NYC because there are limited alternatives and resources. Joe reiterated that this Task Force has a real opportunity to address a change of resources. For instance, Joe suggested the reallocation of resources from the YOS system to the NYC and using the savings to create alternatives at SB94, diversion, resources at community levels.

Charles Garcia indicated that the Sentencing Task Force will be taking on the diversion issue and cautioned this group to not duplicate efforts.

Meg Williams provided an overview of the Juvenile Justice Council. Meg Williams indicated that the JJ Council is taking on the study of diversion but would not be ready to present recommendations for another year.

John Gomez suggested that "Diversion/Intervention/Alternative" be re-named to "Cost Effective Community Based Services".

Charles Garcia reminded that the offender pays for diversion and expressed concern that success rate may be due to family resources with an important impact on MOR.

**Coordination of efforts and education on other groups' initiatives**

The group mentioned the Coordinating Council on Juvenile Justice and Delinquency Prevention (Council).

John Gomez suggested that coordination of efforts be taken on as a priority and that this group be provided with education on other groups' initiatives.

**Intervention**

Should we develop a system to address lowest-risk to reoffend youth behavior and appropriate services in non-secured facilities?

**Assessment**

There are no common assessment tools across programs. Should there be one statewide assessment or individual program assessment tools?

Bonnie Saltzman mentioned that each district has different eligibility criteria in regards to needs, risks and level of services.

Bonnie Saltzman proposed a working grid:

		Low Risk	Moderate Risk	High Risk
	Low Need	List of Services		List of Services
	Moderate Need			
	High Need		List of Services	
<b>Issue/Topic:</b> <b>Next meeting</b>	<p>Next meeting is on April 19, 2012 at 9:00 a.m. at the Juvenile Assessment Center.</p> <p>Meeting adjourned at 12pm.</p>			