

Juvenile Justice Task Force

April 19, 2012 - 9:00 am-12:00 pm
JAC Center, Lakewood, CO

Attendees:

Regina Huerter, Denver Crime Prevention and Control Commission
Charles Garcia, Juvenile Parole Board
Bonnie Saltzman, JJDP Representative
Norene Simpson, Indigent Defense Counsel
Bill Kilpatrick, Golden Police Department
Joe Higgins, Mesa County Partners
Meg Williams, Division of Criminal Justice
Karen Ashby, Juvenile Court Presiding Judge
Susan Colling, State Court Administrators
Stan T. Paprocki, Division of Behavioral Health Office
Julie Krow, Department of Human Services
Kim Dvorchak, Co. Juvenile Defender Coalition

Staff:

Ken Plotz, Consultant
Laurence Lucero, Division of Criminal Justice

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
Jeff MacDonald, Jefferson County JAC
John Gomez, Division of Youth Corrections
Don Quick, 17th District Attorney's Office
Michelle Brinegar, 8th District Attorney's Office

Guests:

Shawn Cohn, Denver Juvenile Probations
Jerry Adamek, Rite of Passage
Anna Lopez, Division of Criminal Justice, OAJA
Michele Lovejoy, Division of Criminal Justice, OAJA
Mark Evans, Office of Public Defender

Issue/Topic: Welcome and Introductions	<p>Regina Huerter welcomed the group and summarized the documents handed-out for the meeting.</p> <p>Joe Higgins moved for the approval of last month's minutes. Julie Krow seconded the motion. The minutes were approved by unanimous vote.</p>
Issue/Topic: Voting Issue	<p>Voting Issue: <i>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.</i></p> <p>Meg Williams presented on the intent of this recommendation and explained that the Education working group is proposing that the CDE amend its rules to permit the GED option be opened for 16 year old juvenile appearing before court for truancy.</p> <p><u>Discussion points:</u></p> <p>The group decided to remove <i>d)</i> as believed that this recommendation might be counterproductive and on the potential issue of overrepresentation that this rule might rise. Joe Higgins moved the motion to remove <i>d)</i>. Judge Ashby seconded the motion.</p>

	<p>Discussion around including D & N children and the group made changes to <i>b)</i> to broaden and include D&N children. Bonnie Saltzman moved the motion for changes and Joe Higgins seconded the motion.</p> <p>The group proposed the following changes (in red in the text):</p> <p>130.01 (A) A sixteen (16) year old candidate may be tested provided he/she meets the following condition. (A) the candidate must complete and submit an age waiver application form, CDE 381.1; along with either (1) a written letter from a university, college or vocational education program stating that the candidate is required to show documentation of a high school diploma or the equivalent to be eligible for admission to a specific educational or vocational education program or (2) upon approval by a judicial officer or administrative hearing officer when the youth is currently subject to court jurisdiction and where it has been determined that such request is in the best interest of the juvenile. This determination will be based upon the following criteria: a) the number of credits earned to date by the juvenile and number of credit needed to graduate; b) the outcome of credit recovery and school reengagement plans developed by the schools with the juvenile; c) wishes of the juvenile and/or his/her parents/guardians. d) and finding that it would be impractical for the child to achieve a full high school diploma at the end of the semester in which the child turns 21 years of age.</p> <p>Voting issue: <i>Recommended statutory change regarding detention as a sanction for truant behavior. Amend C.R.S. 22-33-108(7)(a) and (b) to require, as a prerequisite to detention, that a multi-disciplinary plan be required and violated before detention is imposed.</i></p> <p>Meg Williams indicated that the group met last month and commented on the discussions that occurred within the group around the issues of implementation and limitation of sanctions for children failing to follow court orders.</p> <p><u>Discussion points:</u></p> <p>The group commented on the funding issue of this recommendation and suggested:</p> <ul style="list-style-type: none"> - better definition of the multi-disciplinary staffing involved in the plan, - language describing the intent of this recommendation, - language to include “alternative to detention” and early services - clarification on the data: “<i>When child reaches 10% absence rate (excused and unexcused)</i>”. <p>What is the period used to determine 10% absence rate (school year, semester etc)?</p> <p>Meg Williams specified that the Education and Truancy working groups have been looking into the CMP process. Meg Williams will report back to the Education/Truancy working group on Friday, April 20, 2012.</p>
Issue/Topic	Stan T. Paprocki handed out the report on a survey that was conducted in October 2011 by the Colorado Division of Behavioral Health (DBH). The DBH conducted an online survey of behavioral health prevention and treatment providers about their perspectives on serving transition age youth and young adults ages 14-25.
Issue/Topic: Update on progress and impediments	<p>Judicial working group</p> <p><u>Juvenile DUI update:</u> The DUI Study group will be proposing recommendations to the Judicial working group within the upcoming months. If passing the Judicial working group, the</p>

	<p>recommendations will be forwarded to the JJTF for voting.</p> <p>Two issues are being discussed:</p> <p>1) How do previous DUIs count when the offender is a juvenile? Some members consider that previous DUIs should count and others argue that juveniles should get a second chance. There have been middle ground discussions that it would only count for youth over 14-15 years of age. Bonnie Saltzman also explained that the group seemed to agree on expungement of the administrative sanctions (DMV) with criminal record remaining accessible for law enforcement and judicial.</p> <p>2) Issue of municipal ordinances, more specifically in Denver. The Office of District Attorney in Denver has no jurisdiction over municipal ordinances.</p> <p>The group acknowledged Tamar Wilson's participation in the progress of these discussions.</p> <p><u>Juvenile Escape</u>: The group will meet this afternoon and will be reviewing some data on the juvenile escape issue. Further discussions on this issue are anticipated.</p> <p><u>Professionalism</u>: The study group met yesterday and was presented on existing efforts undertaken by other groups in the arena of juvenile professionalism. There was a consensus that there should be collaborative efforts in developing a statewide curriculum for professionals working with juveniles.</p> <p>The assessment group is meeting on Tuesday, April 24, 2012. A survey will be sent out to update the assessment tool.</p>
<p>Issue/Topic: Continued discussion on Diversion policy</p>	<p>Regi Huerter engaged the group into discussing a statewide policy on diversion and the determination of whether an offender can be diverted or offered diversion. In this current practice, the decision on whether an offender should be proposed diversion is taken at the level of District Attorney's office or on occasion police department. Should there be opportunities to practice diversion across systems?</p> <p>Regi Huerter presented an algorithm developed by the Parole board that will enable to determine parole based on an assessment on risks and needs and suggested that such tool could be developed to enable juvenile professionals to make best decision for a child. Regi reminded the group that, with the guiding principles, the intent is to provide more upfront services with assessments of needs and services. Should this group explore such idea for diversion?</p> <p>There is no uniformity across the state on how diversion is used.</p> <p><u>Discussion point</u></p> <p>Susan Colling explained that the Juvenile Justice and Delinquency Prevention (JJDP) Council has undertaken a study about diversion and suggested to postpone these discussions and wait for the results of the study to be published.</p> <p>The group discussed the limitation of funding and concern of replicating the unfunded mandates of the Missouri model. Julie Krow explained that about 2 years ago, a CCJJ bill (1152 or 1351) passed and generated savings from DOC funds which were reinvested into services on substance abuse, mental health and prevention of crime. Julie suggested modeling this concept to extent to diversion and possibly looking at savings from the DYC. Bonnie Saltzman also proposed to explore all the funds potentially available and reinvested.</p> <p>The definitions of diversion and decision points need to be clarified.</p>

	<p>Marc Evans proposed to collaborate with this group during these discussions. Marc is part of the diversion group for the Adult population and explained that some efforts have been already done for the adult population and data available.</p> <p>Bonnie Saltzman discussed the Missouri model. Two schools of thoughts:</p> <ol style="list-style-type: none"> 1. Front load of services or keeping youth out of services. 2. Loading resources into DYC that showed excellent results. Should we look at other models (including the Missouri model) to include more community commitments? <p>Regi Huerter recommended that this group is taking on the diversion discussion. Julie Krow proposed to include Christine Donner into these discussions and Charles Garcia recommended Marc Evans. Kim Dvorchak also offered assistance from her office.</p> <p>The group agreed to look at system alignment and cost reinvestment.</p>
Issue/Topic Other Issues	<p>Stan T. Paprocki handed out the report on a survey that was conducted in October 2011 by the Colorado Division of Behavioral Health (DBH). The DBH conducted an online survey of behavioral health prevention and treatment providers about their perspectives on serving transition age youth and young adults ages 14-25.</p> <p>Charles Garcia is calling for consideration of the effect on juveniles when a bill is drafted and proposed that the group work on a language to include on the bills.</p>
Issue/Topic: Next meeting	<p>Next meeting is on May 17, 2012 at 9:00 a.m. at the Juvenile Assessment Center.</p> <p>Meeting adjourned at 12pm.</p>