

## Juvenile Justice Task Force

June 21, 2012 - 9:00 am-12:00 pm  
JAC Center, Lakewood, CO

### Attendees:

Regina Huerter, Denver Crime Prevention and Control Commission  
Bonnie Saltzman, JJDP Representative (Phone)  
Norene Simpson, Indigent Defense Counsel (Phone)  
Bill Kilpatrick, Golden Police Department  
Karen Ashby, Juvenile Court Presiding Judge  
Stan T. Paprocki, Division of Behavioral Health Office  
Kim Dvorchak, Co. Juvenile Defender Coalition  
Jeff MacDonald, Jefferson County JAC  
John Gomez, Division of Youth Corrections  
Lucia Waterman for Julie Krow  
Don Quick, 17th District Attorney's Office

### 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  
Charles Garcia, Juvenile Parole Board  
Julie Krow, Department of Human Services  
Meg Williams, Division of Criminal Justice  
Joe Higgins, Mesa County Partners  
Susan Colling, State Court Administrators  
Michelle Brinegar, 8th District Attorney's Office

### Guests:

Anna Lopez, Division of Criminal Justice, OAJA  
Michele Lovejoy, Division of Criminal Justice, OAJA  
Mark Evans, Deputy State Public Defender  
Benjamin Chambers, NJJN  
Shawn Cohn, Denver Juvenile Probations

<p><b>Issue/Topic:</b></p> <p>Welcome Introduction Approval of the minutes</p>	<p>Regina Huerter welcomed the group.</p> <p>Stan Paprocki moved for the approval of last month's amended minutes. Jeff MacDonald seconded the motion. The minutes were approved by unanimous vote.</p> <p><b>Review of the CCJJ meeting on 06/15/2012</b></p> <p><u>Proposed bill FY13-JJ#2 – Education/Truancy</u></p> <p>Regi Huerter reported that the proposed bills from the Education working group and the Truancy working group were presented at the CCJJ on June 15, 2012. Regi indicated that most of the discussions at the CCJJ meeting were around the Truancy proposed bill and specifically the use of detention for truants. The votes on the proposed bills will be taking place at the next CCJJ meeting in July.</p> <p>The CCJJ group asked for a better definition of the multidisciplinary team and Regi Huerter suggested that Meg William work on the language.</p> <p><b>Group discussions:</b></p> <p>Regi Huerter indicated that it was explained at CCJJ meeting that legislation cannot rule courts especially when dealing with contempt to court. Contempt to court is ordered when a person violates a court order and is a constitutional power, not legislative.</p>
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	<p>Kim Dvorchark suggested that the focus of this task force should be on diverting youth from courts and drafting legislative language to prevent the use of detention for truants.</p> <p>Judge Ashby specified that there are very few courts using detention for truancy but more courts use probation services.</p> <p><u>Proposed bill FY13-JJ#1 – GED</u>  A change to the proposed bill: The GED came out of the Education and not the Truancy Committee (to remove from the draft title). Ken Plotz will modify the draft before votes at CCJJ.</p>
<p><b>Issue/Topic</b>  Realignment and reinvestment of justice funds</p>	<p>Realignment and reinvestment of justice funds, Benjamin Chambers, Communications Specialist, National Juvenile Justice Network (NJJN).</p> <p>Benjamin Chambers explained that NJJN exists to support and enhance the work of state-based groups to promote the reform of the juvenile justice system. The NJJN leads a national movement of state-based juvenile justice coalitions and organizations to secure state, local and federal laws, policies and practices that are fair, equitable and developmentally appropriate for all children, youth and families involved in, or at risk of becoming involved in, the justice system.</p> <p>The presentation covered the definition of realignment, national trend data and background, strategies, examples from other states and principles to guide the work.</p> <p>The national youth in placement numbers are falling since 2000. There is a shift of placements from large mostly public funding institutions with a system based on supervision and control and central service location to smaller institutions with mixed state and private funding, systems based on behavioral intervention and supports and services near youth and families. Provided examples of other states history of Juvenile Justice Realignment. The national trend is that states have downsized their facilities. States are changing due to cost of institutions, juvenile arrest rates dropping, research showing that incarceration was ineffective (cited “Pathways to desistance study” from the MacArthur foundation) and that there was litigation on conditions of confinement. Ben Chambers commented that research shows that lock-up doesn’t protect public safety and that incarceration damages youth and communities. Data from multiple states shows no correlation between reducing commitments and crime rates. Ben presented examples on how states have approached realignment with fiscal incentives/disincentives (Wisconsin, Ohio, Illinois), partnership with Juvenile Detention Alternatives Initiatives (JDAI) (Alabama, Florida JDAI active in 39 states and D.C.) or non-partisan evaluation of existing system (Washington State, Ohio), facility closure (Arizona, California, Connecticut, Georgia, Kansas, Indiana, New York, Wisconsin), policy/legislation to analyze the population being committed - <i>slice-n-dice</i> (Arkansas) or often a mix of approaches (Alabama, Texas, California).</p> <p>Ben Chambers concluded with “Downsizing Done Right” and proposed strategies. Resources from NJJN can be found at <a href="http://www.njjn.org">www.njjn.org</a>  Power Point presentation will be posted on the CCJJ/Juvenile Task Force website.</p>

	<p><b><u>Questions from the group:</u></b></p> <p>Bill Kilpatrick asked about the average age of youth who stop recidivating.  Bonnie Saltzman asked about the states that have been tracking and using race/ethnicity data to address DMC as they downsize.  Ben Chambers will research the data and will get back to the group.  Bonnie Saltzman asked about the timeline to see changes in commitment rates if Colorado took on some aspects of realignment. Ben Chambers responded that all states had adopted different approaches but will look into the Arkansas approach and answer this question.  Bill Kilpatrick asked if there was a core model for change with racial and ethnicity awareness (DMC). Anna Lopez commented that her office was working with the Arapahoe county on a study on disparity and should have the data in a few weeks available for this group. The Arapahoe model is to research the reasons why the youths are going deeper the system. Anna Lopez also proposed to look at the Relatively Rate Index (RRI) of Ohio.</p> <p><b><u>Further discussions from the group on the presentation:</u></b></p> <p>John Gomez was asked about the Colorado youth arrest commitment numbers and responded that the total DYC population was less than 1000, decreased by a third compared to 2006. He also explained that the decline of population was the result of numerous initiatives such as HB 1451 and SB 94. John also indicated that DYC has closed 1 facility and 3 housing units within other facilities. 90% of the youths placed at DYC score high risk to reoffend per CJRA.</p> <p>Judge Ashby reported that data on the DYC population will be presented at the Judicial working group this afternoon by Al Estrada and further discussions are anticipated.</p> <p>John Gomez commented on the idea of not committing youth for misdemeanor offenses and suggested that the focus should be more on the services rather than the type of offense.</p> <p>Kim Dvorchak argued that this group should discuss the commitment of youths for misdemeanor offenses due to the effect of the 3<sup>rd</sup> strike and the length of stay.</p> <p>Shawn Cohn mentioned risk assessment to address the needs and reported that there were inconsistencies of services fees in counties.</p> <p>The group requested additional data on risk scores, misdemeanor commitments and length of stay.</p>
<p><b>Issue/Topic:</b> Adult Diversion</p>	<p>Adult Diversion and the CCJJ Sentencing Task Force, Mark Evans, Deputy State Public Defender. Materials were handed-out to the group.</p> <p>Mark Evans presented on the work of the Comprehensive Task Force regarding Adult Diversion and discussed a draft of Diversion Program Proposal. The efforts of the Proposal are on developing the use of “deferred prosecution” in Colorado. The proposal includes several model forms. Mark indicated that the discussions of the Comprehensive Sentencing Task Force are around the resources to supervise people.</p>

	<p><b>Discussions</b></p> <p>Jeff MacDonald asked about Pretrial services and whether they include risk assessment screens. Jeff added that with SB94, all juvenile are screened for risk assessment and suggested that pretrial services (SB94) be included in the screening process for determination of eligibility for diversion.</p> <p>The group commented on the “deferred adjudication” when an offender has pleaded guilty and could have case expunged if successfully completed diversion and a “deferred prosecution” which is a form of pretrial diversion where prosecution is deferred for a period of time and then dismissed if the defendant satisfactorily completes supervision.</p> <p>The group discussed the use existing resources (such as Probation) and how a diversion program in place could prevent a Juvenile record.</p>
<p><b>Issue/Topic</b> Diversion discussion</p>	<p>Diversion discussion: what more information do we need? Regi Huerter What are the next steps?</p> <p>This topic will continue to be discussed at future meetings.</p> <p>Ken Plotz suggested inviting additional members of Defense, Prosecution, Probation services, State Judicial, SB94 and at the District level to participate to the discussions regarding the framework of the Diversion. Several members of the group volunteered to reach out to other possible participants.</p>
<p><b>Issue/Topic:</b> Juvenile Effects Bill</p>	<p>Report back on revisions and recommendations for “Juvenile Effects” bill Regi Huerter thanked publicly Charles Garcia and Kim Dvorchark for their work on this bill and postponed this topic to further discussions.</p>
<p><b>Issue/Topic:</b> Next Steps</p>	<p>A presentation on Social Impact Bond will be presented at the next Juvenile Task Force meeting on July 19, 2012.</p>
<p><b>Issue/Topic:</b> Next meeting</p>	<p>Next meeting is on July 19, 2012 at 9:00 a.m. at the Juvenile Assessment Center. Meeting adjourned at 12pm.</p>