

Juvenile Justice Task Force

May 3, 2013 - 1:00 pm-3:00 pm
JAC Center, Lakewood, CO

Attendees:

Regina Huerter, Denver Crime Prevention and Control Commission
Karen Ashby, Denver Juvenile Court
Stan T. Paprocki, Division of Behavioral Health Office
Kim Dvorchak, Co. Juvenile Defender coalition
Jeff McDonald, Jefferson County JAC
John Gomez, Division of Youth Corrections
Ann Gail Meinster, 1st Judicial District Court
Kelly Friesen, SB94, 14th JD/Grand Co. J.J. Dept
Joe Higgins, Mesa County Partners
Norene Simpson, Indigent Defense Counsel
Debbie Rose, Juvenile Parole Board
Michelle Brinegar, 8th District Attorney's Office
Julie Krow, Department of Human Services

Staff:

Ken Plotz, Consultant
Laurence Lucero, Division of Criminal Justice
Anastasiya Schomaker, Division of Criminal Justice

Task Force Members Absent:

Meg Williams, Division of Criminal Justice
Susan Colling, State Court Administrators, Probation Services
Bonnie Saltzman, JJDP Council Representative
Beth McCann, Co. House of Representative
Bill Kilpatrick, Golden Police Department
Linda Newell, Co. State Senate
Charles Garcia, Community at Large

Guests:

Lou Griffith, Juvenile Parole Board
Kim English, Division of Criminal Justice
Hollie Wilkinson, 13th District Attorney's Office
Anna Lopez, Division of Criminal Justice
Dana Wilks, Division of Probation Services

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| Issue/Topic: | Regi Huerter welcomed the group. Members and guests introduced themselves. |
| Welcome and Introductions | Debbie Rose moved for the approval of minutes of meeting on 04/05/13. Joe Higgins seconded the motion. The minutes were approved by a unanimous vote. |
| Approval of Minutes | Update on status of bills in the legislature: 1) Truancy, GED and Education in Detention bill passed the House. The bill amendment will be presented to the Task Force. 2) Escape and 3) Sex Offender Deregistration are included in the Omnibus bill. Ms. Huerter commended Kim Dvorchak for her participation during this legislative session. |
| Status of bills in legislature | 4) CCJJ extension bill passed. 5) EPIC extension bill passed. |

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| <p>Issue/Topic:</p> <p>Update from the Assessments Working Group</p> | <p><u>Comments from Task Force members on draft manual handed out last month</u></p> <p>Jeff McDonald reminded that the Assessment working group has worked on examining all the assessment tools used across the state and identifying validated instruments. The validated screening and assessments tools are listed in the draft of the Colorado Reference Guide, Juvenile Screening and Assessment instrument that was presented at the JJTF meeting in April. The manual is now in its final form and ready to be presented to the CCJJ in June.</p> <p>It was suggested that an entity be the central repository and have ownership of the manual which would allow an update of the manual every 5 years. The JJDP Council was cited as a possible option and Jeff proposed drafting a letter to address to the JJDP Council and submit to the JJTF group before presenting the manual to the CCJJ.</p> <p>Jeff McDonald reported that the Assessment working group discussed the process when a juvenile enters the juvenile justice system and the points of entry into the system. Jeff suggested creating a Triage working group to discuss the implementation of a system of triage.</p> <p><i>Discussions:</i></p> <ul style="list-style-type: none"> - District Attorneys, defense counselors and other entities receiving information from the assessments should participate to the discussions. - Adverse childhood experience, trauma informed decisions should be considered. - Defining the triage: what is accomplished in this process and who are the participants? - Screening and assessing for civil adjustment. - Who will make the determination of whether to assess or not assess? - Should there be merging of the “Services” and “Triage/Assessment” working groups? The group agreed that the working groups will work in parallel. |
| <p>Issue/Topic</p> <p>Reports from Working groups</p> | <p><u>Wobbler group (now Juvenile Justice System working group)</u></p> <p>Hon. Karen Ashby reported on the work group progress. The group was renamed to “Juvenile Justice” working group. The District Attorneys were well represented at the last group’s meeting and felt strongly that deferred adjudication decision should be solely made by District Attorneys.</p> <p>Several issues were discussed at the working group meeting:</p> <ul style="list-style-type: none"> - Suspension of proceedings in post-plea. If there was an option of suspending the proceedings, deferred adjudication could be offered. The District Attorneys felt that deferred adjudication should be offered by DAs after the trial rather than by judges during the trial. - Is there a necessity to have an adjudicated juvenile wobble from felony to misdemeanor? There were arguments from both sides and it was agreed to all consequences couldn’t be addressed. - Guilty after disposition. |

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| | <p><i>Discussions:</i></p> <ul style="list-style-type: none"> - Who should make the decision to suspend the proceedings? The statute provides that the court may defer the adjudication with the consent from DA. - Should the line from “guilty adjudicatory trial” to “discretionally box” remain there? Should it be an option and how to suspend proceedings? The line will stay with some limitations outlined. - The victims’ points of views (VRA) were included in the discussions of deferred adjudication after a jury trial. - What are the incentives for juveniles to plead guilty? - Restorative justice programs look similar to the model discussed. - There are unintended long-term consequences, but the wobbler might not be answer. Services should be the focus of the system. - It is a broader societal issue how juvenile adjudications play through their life. We can ensure that there is an effective advocacy for youths when they return back to the community. What are the statistics of the juveniles negatively impacted? There is a tremendous barrier for adults. <p><i>Next recommended steps for the working group:</i></p> <ul style="list-style-type: none"> - The working group will invite additional participants for a broader representation. - The Task Force directed the working group to explore the long-term consequences for youths in the juvenile justice system and discuss when it is appropriate for youths who plead guilty to be offered deferred. - The group will also conduct some additional legal research on constitutional powers issue in deferred adjudication in statute vs. Constitution. <p><u>Civil Adjustment Group – Ken Plotz, Regi Huerter and Kelly Friesen</u></p> <p>The Civil Adjustment group recommended that Victims Right Act (VRA) crimes should not be automatically eligible for civil adjustment. The group discussed a process during which when a civil adjustment request is submitted to the DA, the DA notifies the victims, acts in accordance with VRA procedures and refers the matter back to the civil adjustment officer. Mental capacity will be integrated in the decision-making of the civil adjustment.</p> <p>The working group discussed how to develop discretionary response processes that would reduce adjudications and provide the right services to youths while ensuring public safety. District Attorneys, municipal courts and diversion programs were also discussed.</p> <p>The group is working on surveying municipal courts to obtain information on their response to juveniles.</p> |
| <p>Issue/Topic</p> <p>Reformation of working groups</p> | <p><u>Reformation of working groups: Legal group and Services group</u></p> <p>It was proposed that two working groups be re-formed:</p> <ul style="list-style-type: none"> - Legal group - Services group (assessment and triage, reentry, adverse childhood experiences, |

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| | <p>advocacy). Suggested focus areas:</p> <ul style="list-style-type: none"> ○ Funding ○ Access to care ○ Functions <p><i>Discussions:</i></p> <ul style="list-style-type: none"> - The groups should be advisory to each other. - Membership should be diverse to include different perspectives. - Working with existing groups to not duplicate the efforts. - In the El Paso County, there is a “Care Management” group that looks at funding. The group will be invited to present on their efforts at a future JJTF meeting. - The Children’s Code review. - Both groups will be flushing out the boxes in the chart and make sure it is consistent with other groups’ work. - It was proposed that a Triage working group be parallel to the Service working group. <p>It was decided that the following groups will be formed:</p> <ul style="list-style-type: none"> - Legal group, - Statutes group (will give the statutes information to the legal group), - Triage group. |
| <p>Issue/Topic:</p> <p>PEW Center</p> | <p>Discussion and feedback re: PEW Center for States and Juveniles in Custody Technical services to states</p> <p>The PEW Center offered data research assistance to Colorado and the members of the Task Force shared their experiences of past interactions with PEW Center. Regi Huerter will obtain some additional information on the PEW’s proposal and will follow up with the group.</p> |
| <p>Issue/Topic:</p> <p>Next meeting</p> | <p>Next meeting is on June 7, 2013 at 1:00 p.m. at the Juvenile Assessment Center. Meeting adjourned at 4:16 pm.</p> |