



Commission on Criminal and Juvenile Justice

Minutes

July 11, 2008

Lookout Mountain Youth Services Center
 2901 Ford Street
 Golden, CO

Commission Members Attending:

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| Peter Weir, Chairman | Ari Zavaras | Dean Conder |
| David Kaplan, Vice-Chairman | Jeanne Smith | J. Grayson Robinson |
| Peter Hautzinger | Ellen Roberts | Regina Huerter |
| Bill Kilpatrick | Don Quick | Debra Zwirn |
| Regis Groff | Steven Siegel | Terrance Carroll |
| John Suthers | Caren Leaf for Karen Beye | Brian Connors for Doug Wilson |
| Rhonda Fields | Gilbert Martinez | Tom Quinn |

Absent: Reo Leslie, Jr., Ted Harvey, David Michaud, Ken Gordon, Melissa Esquibel, Inta Morris

Call to Order and Opening Remarks:

The Chairman, Peter Weir, called the meeting to order at 1:16 p.m. Mr. Weir introduced Judge Boatright who came to speak about the juvenile criminal justice system.

Remarks by Judge Brian Boatright, District Court Judge, 1st Judicial District:

Judge Boatright began his remarks by describing the typical juveniles he sees come through his courtroom. There are common themes that these juveniles possess. They typically come from broken homes and are often removed from the parent’s home by social services. They have several contacts with the juvenile justice system. Truancy is common. When charged with misdemeanors and sentenced to probation, they fail to successfully complete the sentence. There is usually drug and /or alcohol usage by the juvenile at an early age.

Judge Boatright stated that to have a true impact, intervention needs to occur before they become truants. He pointed out that Lookout Mountain Youth Services Center, one of the Division of Youth Corrections’ facilities being toured by the Commission members, provides many needed services. However, if juveniles are returned into the same environment they came from before sentencing, they tend to return to the same bad habits that led them into the system.

Judge Boatright will speak more in-depth about the juvenile justice system when he participates in a panel discussion during the August 8th Commission meeting.

Presentation by staff members of the Lookout Mountain Youth Services Center (“Lookout Mountain”):

Caren Leaf, Associate Director for Division of Youth Services, spoke first. The Division of Youth Corrections is part of the Department of Human Service and the Office of Children, Youth and Families.

Everything they do in Division of Youth Services is linked to five key strategies.

1. Deliver the right service at the right time. This service can't stop at the institutional level.
2. Deliver services by quality staff. Train and retain quality staff and plan for succession as staff leaves.
3. Provide a safe environment.
4. Use proven practices.
5. Use restorative justice principals of repairing the harm the offender caused, reducing the risk to the community, and restoring the offender in the community.

Anders Jacobson, the Director of Lookout Mountain, then spoke about the facility. In 1881, the Industrial School for Boys was built on the current location of Lookout Mountain. The Industrial School for Boys was about supporting families and the rehabilitation of young people.

Lookout Mountain Youth Services Center is on 17 secured acres with 18 buildings that house 168 youth and 200+ staff members. What is unique is that there are two major organizations that partner with Lookout Mountain: Devereux Cleo Wallace Organization and the Community College of Denver, which provide career opportunities.

The average stay is 14 ½ months and the facility takes youth from across the state. The facility also houses the aggravated juvenile offenders. If you extract the sentences of the aggravated offenders, the average stay at Lookout Mountain is 30 days.

The population includes individuals up to their 21st birthday. Of the 168 youth, about 70% of those are on a psychotropic medication and have at least two different mental health issues.

The facility provides:

1. Safety: When the juvenile offenders come off the street, they are safe and sober in a therapeutic environment.
2. Foster all of what they do in evidence-based practices.
3. All students will get ongoing training and treatment. They each undergo the Colorado Youth Risk Assessment and have ongoing assessments.
4. Receive individual and group programming.
5. Family: Lookout Mountain provides on-going family services. Not all the kids are going home. Lookout Mountain also provides other family services. For example, the offender may have a child. Training in parenting is provided when applicable.

6. They believe every contact with an offender is a teaching opportunity.
7. Provide educational services.
8. Provide recreation, religious and vocational services.
9. Transitional Services provided.

Meeting adjourned at 1:55 for tour of Lookout Mountain Youth Services Center and reconvened at 3:43 p.m.

Peter Weir announced the changes in meeting times and locations for the next two meetings. The August 8th meeting will start at 9:30 a.m. at the NETI facility. The Commission retreat will be on September 11 and 12 at the Boettcher Mansion.

Sarah Steen, a professor at C.U. will be studying the Commission. Sarah Steen will be interviewing the Commission members over time.

On behalf of the Commission, CDPS has submitted a preliminary proposal to the JEHT Foundation for additional grant funding to pay for more training by outside experts, additional assistance by Paul Herman, and funds for an Executive Director. JEHT asked for more information. Mr. Weir is hopeful to have a final response by September 1.

Re-Entry Task Force updates and discussion:

Probation Task Force update by Gil Martinez, Chairman:

This task force looked at different issues. Are all the standard conditions of probation necessary? Are the conditions structured so that probation can be successfully completed? Are the special conditions for probation reasonable? Can they be more standardized? The sanction guidelines vary throughout the state. Can these be more standardized? Can there be positive sanctions? Can there be good time and earned time for probation? Some probation officers may recommend that probation be terminated early because of good time. This is not consistently done across the state.

What statutes are on the books that can hinder successful completion of probation? For example on a drug case, the defendant is ordered to pay court costs, restitution, useful public service, drug testing. In addition, drivers' licenses for drug offenders are automatically suspended. Yet the defendant is expected to be employed to pay the fines and costs.

Incarceration Task Force update by Grayson Robinson, Chairman:

This task force began with an education process. Then they began looking at bond reform issues and existing bond commissions. Can there be a uniform bond schedule? Would it be more effective for bonds to be handled by the Courts?

The Courts need to enforce the statutes. There is also a need for the defendants to stay employed. Can there be modifications to good time schedules? The task force wants to increase the amount of time that Rule 35(b) motions could be filed.

Can project time in a county jail be transferred to DOC so an inmate can get credit for time in a project?

The task force is also looking at mental health issues.

Transition Task Force update by Regis Groff, Chairman:

Mission of this task force was written in its charter and is to focus on the six months prior and six months after release. What can affect the success of parolees?

Housing: If they have no place to go after release, their chance of being successful is limited. This has a high impact. This is a long term issue. There is a need to help them find shelter; help with the ability to pay rent.

Identification: It is critical to have proper ID. Without a recognized government ID, you cannot get jobs, housing, medical assistance. This has high impact. This is an issue that could be addressed by collaboration between all the governmental agencies that deal with identification. Mr. Zavaras stated that the Colorado Department of Corrections is currently working with the Dept. of Revenue in a pilot program on this issue. Discussion ensued around the issue of properly identifying the inmate. Often the name under which an inmate is sentenced is an alias name.

Restitution fees and costs: What kind of fees and costs exist beyond restitution? There are fees that deal with child support. Sometimes the fees faced by parolees are overwhelming.

Release amount increase: When a parolee is released, he/she is given \$100. This figure has remained the same for many years. This is a one-time amount and won't last long. Can they do vouchers? Is there a way inmates can be given more money upon release that will be more effective?

Transportation: The offender reintegration requires getting from home to work, to the parole appointment. Do you have to leave work to get to a parole meeting? Will that affect your employment? This is an issue that has low impact because you can get bus tokens. It may have a long term solution.

Employment: This is a complex issue that is multi-layered. Inmates often lack skills to get jobs that are meaningful and have a future. Some employees aren't interested in hiring people who are parolees. In addition to affecting the parolee's dignity, they are also faced with financial issues. Can they afford to live on their own? Can they pay restitution? Child support?

Their next meeting will have discussions on social support and mental health issues.

Post-Incarceration Supervision Task Force update by David Kaplan, Chairman:

This unit divided their tasks into three categories:

1. Community Corrections case management issues:
 - Looking at ensuring the assessment process upon release and treatment services match up. Don't overburden an offender with the incorrect programs.
 - They are also examining the financial burden placed on the offender. These fees are to help fund good services. Can't argue with the program the restitution funds will go to, but the offender may not be able to comply and you are setting him/her up for failure.
 - Can there be more flexibility for length of stay in community corrections? There should be logic to their length of stay. We could save bed space if you correctly evaluate who really needs to be there.
 - They are also discussing staff stability and training. Try to limit the turnover of staff. Staff should have some sort of educational longevity.
 - Is there a legislative proposal that could offer alternatives to needing prison beds? Is there a way to partner with local counties to build facilities?
2. Case Management in Parole:
 - They were examining offender risk and need levels and how to use evidence-based practices.
 - How can the offender's motivation to succeed be enhanced? Can the parole discharge date be accelerated?
 - Increase the positive reinforcement for parole officers so they understand the measure of their success is tied to the offender's successful completion of parole.
 - There should be performance measures for parolees in community to determine which programs are successful and which are not.
3. Parole structure:
 - Christie Donner has done extensive research. She will bring her report back to the task force. She is examining if there are policy recommendations in the current structure that would make the entire system more cost effective. Or will there be a recommendation for a longer term reform and what policies would be needed to successfully meet that reform.

Re-Entry Oversight Committee update and discussion by Reggie Huerter, Chairperson:

Ms. Huerter expressed her gratitude for the time and energy given by the task force members. There are four (4) task forces that meet for 3 hours at a time and have been well attended. These task forces will come back to the full Commission with recommendations in September.

There are some overarching issues that have appeared in each of the task forces:

- Data: Where is it and how do we access it?
- Offender Identification.
- Community corrections – what are we doing well? What isn't working?
- Training and costs.
- If there is a fiscal note to a recommendation, how can it be presented to the legislative bodies so they understand the cost and the savings?
- Mental health.
- Disproportionate representation of minorities in criminal justice system.

Re-Entry, evidence-based practice, and next steps by Paul Herman:

Mr. Herman remarked that the task forces have been forced to look at some complex issues and have done so in the spirit of openness. The Commission is fortunate that it has been granted enough time to do the difficult task before it.

Wrap-up and Next Meeting:

Next meeting will be August 8, 2008, beginning at 9:30 am. The focus will be on juvenile issues and will include a panel discussion.

The meeting adjourned at 5:00 p.m.