Colorado Commission on Criminal and Juvenile Justice **Age of Delinquency Task Force** **Minutes** March 6, 2019 11:30AM-2:00PM 710 Kipling, 3rd floor conference room	

ATTENDEES:

CHAIRS:

Joe Thome, Division of Criminal Justice

TASK FORCE MEMBERS:

Molli Barker, 18th Judicial District
Jim Bullock, District Attorney's Office, 16th Judicial District
Shawn Cohn, Denver Juvenile Probation
Bev Funaro, Victim representative
Tariq Sheikh, District Attorney's Office, 17th Judicial District
Sara Strufing, Public Defender's Office

STAFF

Richard Stroker, CCJJ Consultant
Kim English, Division of Criminal Justice
Stephane Waisanen, Division of Criminal Justice

ABSENT

Jessica Jones, Co-Chair
Janet Drake, Deputy, Attorney General's Office
Kelly Friesen, Grand County Juvenile Justice Services
Gretchen Russo, Department of Human Services
Meg Williams, Division of Criminal Justice
Dan Makelky, Douglas County, Department of Human Services
Melanie Gilbert, Juvenile Court Magistrate

ADDITIONAL ATTENDEES

Peg Flick, Division of Criminal Justice
Mona Barnes, Division of Criminal Justice
David Schuck, ACLU

Issue/Topic: Welcome and Introductions	Chair Joe Thome welcomed the group and asked everyone in attendance to introduce themselves. He welcomed guest attendee, Mona Barnes, Compliance Expert from DCJ, to the meeting.

Issue/Topic: Approval of Minutes & Agenda	Joe asked if anyone had corrections or additions to the minutes. Since there were none, he asked for a motion to approve the minutes. The minutes were unanimously approved. He then reviewed the agenda and asked Kim to give a legislative update.

Issue/Topic: Legislative Updates	Kim had mentioned that the amendments to House Bill 2019-1149 include changing the age range from 18-20 to 18-25. It mandates that the Commission study the 18-25 year olds and compile specific data. The final report deadline in the bill has been extended until June 2020. She stated that she did not have the new bill but believed this Task Force was to look at age, race, ethnicity, and the potential impact on the Division of Youth Services (DYS) and the Youthful Offender System (YOS). Our group is to look at these emerging adults and make recommendations to the Commission regarding the appropriate uses of the juvenile justice system and the Youthful Offender System for this population. Since the recommendation to improve collaboration has been completed, the Commission will be voting on it this Friday. Kim stated that Representative Gonzales-Gutierrez, who sponsored the bill, had just been appointed to the Commission. Hopefully she will be able to join the Task Force once the legislative session is over and help guide us as we move forward. Richard mentioned that the group's next study topics would be the emerging adult population and collecting information so we can understand best practices. If this bill passes, the responsibility would come to the Commission and ultimately this Task Force. Much of the work over the next couple months for this Task Force is really in anticipation of getting ourselves ready to take on this topic. Regardless what happens with the bill, this group will move forward with this effort. There was some concern that with raising the age to 25 there would need to be additional screening tools, assessments, and probation issues that would need to be addressed.

Issue/Topic: Recap of February Meeting	Richard stated at the last meeting there were many things that happened. One issue is the emerging adult study that has now been expanded from 18-25. We discussed what some of these considerations might be and the general consensus was that we needed to be better informed on the Youthful Offender System and brain development. We also need to have a better understanding of detention continuum, DYC, direct file outcomes, recidivism, law enforcement, and service providers. Richard thanked Anders for being here and helping us to understand this process better. From all the discussion and feedback from our last meeting, Kim gathered quite a bit of information including articles, publications, and data to share with you.

Issue/Topic:	Joe introduced Mona Barnes, Division of Criminal Justice, Juvenile Justice and Delinquency Prevention Act (JJDPA) Compliance Expert. He mentioned that her responsibility is to travel to jails and juvenile detention centers statewide, observing and collecting data to make sure each facility is in compliance with federal regulations that mandate the physical sight and sound separation of juveniles who might otherwise be housed with adults.
Updates – Sight and Sound Separation According to JJDPA	Mona explained that the sight and sound separation is when a youth is placed in jail or a secure setting, sight and sound contact is prohibited between youth and incarcerated adults. This provision seeks to prevent youth from threats, intimidation, and other forms of psychological abuse and physical assault. Youth cannot be housed near adult cells or share any common space.
	Mona mentioned that one thing that occurred this year was the reauthorization of JJDPA by Congress, and the new Act has a better definition of what constitutes an adult inmate. The definition refers to an adult that is being held in custody in an adult facility, but does not include adults on probation or parole. This will be an important issue to understand as we move forward exploring what might result in co-mingling adults with youth.
	Shawn mentioned that she has had conversations with others concerning the work of the Task Force. The question that came up was whether or not there was a need for a young adult system? What can be done differently for the 18-24-year-old population? Maybe we start with a study to see what the probation numbers are. There is no data that allows us to understand whether this population is failing placements at an alarming rate. Shawn sees high numbers that are going into community corrections. They fail because they are too young to be placed with a 50-year-old, long-term offender. We would have to explore if jail or detention was needed and where they would go. YOS was created for younger offenders and now they are putting older offenders in the system. We also need to look at probation number to understand the information. If the bill passes we will really need to explore these issues.

Issue/Topic:	Kim stated that David Bergman from Youthful Offender System (YOS) would be joining as a member of the Task Force next month. She informed the group that Audra Bishop from CDHS, who had presented to the group on brain development a year ago, will be presenting on the emerging adult population of 18-25 year olds at April's meeting.
Misc., Information & Data	Kim briefly described the handouts she obtained for the group after the brainstorming at the last meeting.
	Kim asked the group if there were any crime types that they would like DCJ review.

	Possibly escapes? There seemed to be interest in knowing more about DOC and probation failures. Peg stated that she would take a look at it and that maybe there was some type of data available through COMCOR or DOC. Shawn mentioned that she was attending the National Council of Juvenile and Family Court Judges training conference and would gather information and bring back to the group next month. There was a lengthy discussion about the information that Kim provided. She mentioned that she wanted the group to review the information and formulate any ideas/suggestions on these topics for next month's meeting.

	Molli mentioned detention screenings and risk assessments. What happens if we expand the age of delinquency? Are tools and assessments still valid at that age range? Do we have to use different tools? The intent is to keep these kids in the juvenile system and more treatment based. What are we doing to build capacity of treatment providers? Richard stated that there are many implications regarding an emerging adult system, and we need to get a better understanding on the crimes, punishments, and victim's needs. He mentioned that there were three populations: adults, juveniles, and the ones that are in between. This might be something that we give thought to. How could we take the best that is available in the juvenile side and the adult side and merge them together? Peg mentioned that Judicial records the initial sentence and she may be able to gather information on probation or COMCOR sentences, and if the sentence was revoked. She stated that she can obtain court data, however, she does not have access to their probation system. We would have to request information from Chris Nash at Judicial. Richard asked the group if they were interested in getting information on probation admissions and revocations on a statewide basis? It was suggested to ask Glenn Tapia who is the director of probation services, if he could obtain information on age, terminations, and juvenile probation of this population. Kim mentioned that she and her staff would take a look at juvenile probation in terms of revocation and unsuccessful terminations for this emerging adult population.

Issue/Topic: Next Steps & Adjourn	Richard stated that the more the group explored and gathered information on the 18-25-year-old population the better understanding we would have. He thought it was best to wait and hear from Mr. Bergman from YOS, and have Anders provide additional information on DYS operations. He thought the following would be good topics for the

<table>
<tr><td></td><td>

group to consider:

1. Over the next two meetings gather information about brain development for this particular population.
2. Gather information from Youthful Offender System (YOS).
3. Anders will provide information on Division of Youth Services (DYS).
4. Identify our values early on this project.
5. Feedback from the group about values and what the group thinks is appropriate in working with this population.

Joe thanked the group and thanked the Office of Research and Statistics for presenting information today.

</td></tr>
</table>

Next Meeting

April 10, 2019/ 11:30AM – 2:00PM
710 Kipling, 3rd floor conference room