

Age of Delinquency Task Force

Minutes

April 10, 2019, 11:30AM-2:00PM
710 Kipling, 3rd floor Meeting Room

ATTENDEES:

TASK FORCE MEMBERS

Joe Thome, Co-chair, Division of Criminal Justice
Sara Strufing, Public Defender's Office
Kelly Friesen, Grand County Juvenile Justice Services
Molli Barker, 18th Judicial District JAC
Anders Jacobson, Division of Youth Services
Shawn Cohn, Denver Juvenile Probation
Jim Bullock, District Attorney's Office, 16th Judicial District
Tariq Sheikh, District Attorney's Office, 17th Judicial District (on phone)
David Bergman, Youthful Offender System (CDOC) (on phone)

ABSENT

Jessica Jones, Co-chair, Criminal Defense Attorney
Gretchen Russo, Department of Human Services
Dan Makelky, Douglas County, Department of Human Services
Janet Drake, Attorney General's Office
Melanie Gilbert, Juvenile Court Magistrate
Meg Williams, Division of Criminal Justice
Bev Funaro, Victim Advocate
Representative Serena Gonzales-Gutierrez

STAFF

Richard Stroker, CCJJ Consultant
Laurence Lucero, Division of Criminal Justice
Stephane Waisanen, Division of Criminal Justice

GUEST ATTENDEES

Audra Bishop, Department of Public Health and Environment

Issue/Topic:	Discussion
Welcome and Introductions	Chair, Joe Thome, thanked Task Force members and guest speakers for attending on a cold, snowy day. He also thanked consultant Richard Stroker for facilitating the meeting.
Approval of Minutes & Agenda	Joe mentioned that today’s meeting was focused on education with no action items. Since the Task Force completed its work with the 10-12 year-old population, the second mission is to take a look at the older cohort of 18-24 year-olds.

Issue/Topic:	Discussion
Review of March Meeting	<p>Richard recapped the March meeting, reviewing the completed work that focused on younger juvenile offenders which resulted in recommendation that was approved by the Commission. The Task Force then moved forward with the emerging adult population that has been expanded from a study of 18-21 year-olds to a study of 18-24 year-olds, per House Bill 2019-1149 that mandates the Commission gather and study specific information concerning this population, and produce a report of recommendations by June 30, 2020.</p> <p>The group discussed the need to be better informed on a variety of issues that involves this older age group. At the March meeting, Kim and Peg gathered and presented information regarding the number of defendants between 18-25 who were filed on in county (excluding traffic, and excluding Denver County Court) and district courts, disaggregated by race/ethnicity and age. This information included the charged crime and the placement by crime type for those convicted.</p> <p>As the Task Force began analyzing what information was needed for advancing knowledge, it was agreed to hear from Audra Bishop again on brain development and how it applies to this young adult population. Also discussed was the importance of getting a better sense of what the Division of Youth Services does and what their population looks like. The group will discuss these items today and review the values that this Task Force embraced at the beginning of its work.</p>

Issue/Topic:	Discussion
Report Out: National Council of Juvenile Justice Training Conference	Shawn Cohn attended the National Conference on Juvenile Justice (sponsored by the National Council of Juvenile and Family Court Judges) last month and reported to the group that, in several jurisdictions, there are efforts to address the “emerging adult” population. She mentioned that Vermont passed a bill that would allow 18-19 year-olds to stay in the juvenile justice system, regardless of the type of crime committed. Illinois is also considering going this approach.

Issue/Topic:	Discussion
<p>Presentation: Juvenile Brain Development Audra Bishop</p>	<p>Audra Bishop, the Youth and Young Adult Section Manager at the Colorado Department of Public Health and Environment, started her presentation stating that words matter when it comes to youth. Research suggests that the word “teen” should no longer be used when referring to this young adult population because it creates an automatic stereotype. Our systems are using positive youth development to create context and environment. (The presentation can be found on the Commission website, at colorado.gov/ccjj/ccjj-CADTF.)</p> <p>Between the ages of 9-25, there is a significant growth and change but also disease and death rates increase by 300%. Trauma experiences affect the brain development especially the functions that impact decisions. According to research, 90% of young people between the ages of 18-25 who are in the justice system have had significant trauma or have experienced significant trauma. Of the 90% of young people, about 30% are diagnosed with Post Traumatic Stress Disorder (PTSD). This is important to understand because “offenders” are often “victims,” and trauma changes the brain function and decision making processes.</p> <p>The spaces we create are not conducive to people talking about their victimization. There is a benefit of having multiple disciplines working with these individuals and also with prevention efforts to reduce traumatic experiences so they do not happen in the first place.</p> <p>Research shows that the critical parts of the brain involved in the decision making process are not fully developed until around the age of 25. The prefrontal cortex is a significant part of the brain that helps with social interactions that affects how one regulates emotions, controls impulsive behavior, assesses risks, and these impact the ability of individuals to reach long term goals. It can take more than 25 years for the brain to reach full maturity.</p> <p>Young people’s brains are not the only thing changing; there are developmental tasks that give context to brain development changes, including the physical changes of a maturing body, and developing feelings and a sense of identity. The 18-25 year-old brain pushes against authority and unfairness. Young people are biologically driven to push against authority and unfairness.</p> <p>It is also important to let the young person fail. One thing that we do well with babies is to let them fail as first attempt to learn. However, there is a worry that failure for older youth may have significant consequences and negatively affect their future when it should be viewed as an attempt to learn.</p> <p>Audra then discussed two forms of empathy:</p> <ul style="list-style-type: none"> ● Affective (also known as emotional empathy)--This is the automatic drive to respond appropriately to another’s emotions. ● Cognitive –The conscious drive to recognize accurately and understand another’s emotional state.

<p>Issue/Topic: Presentation: Juvenile Brain Development Audra Bishop (continued)</p>	<p>Young people in this age group are not prepared to do either of these things on a consistent basis because their brain is still developing. Yet we expect this as part of being accountable for the crime. For example, 16-year-olds are capable of logical reasoning, often without an emotional response (“cold cognition”). They can understand and make a rational decision, but as soon as you add an emotional component (“hot cognition”) it becomes more complicated to use these reasoning abilities.</p> <p>There is a lot going on with the 18-25-year-old population. How can we help them navigate through this? There has to be nurturing environment to assist this vulnerable population to thrive.</p> <p>Systems developed for the 18-25 year old population would acknowledge victimization and promote well-being. Coaching: how do we teach them to make safe and healthy decisions? Do we raise the age for criminal responsibility? Do we make the process to seal criminal records automatic, given research shows that most individuals “age out” of crime?</p> <p>This 18-25 population reports that having a record prevents them from getting jobs, scholarships, etc. We need to create processes for them to succeed. Protective factors can mitigate multiple risk factors. Connection to family, community, school. As a system, how do we promote this? There is no healing without safety, but there is no safety without healing.</p>
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<p>Issue/Topic: Presentation: Division of Youth Services Anders Jacobson</p>	<p style="text-align: center;">Discussion</p> <p>Anders Jacobson provided an overview of a handout on data from the Division of Youth Services (DYS). He noted that there has been a decrease in the number of youths that are committed to DYS. Today, there are approximately 553 youth committed annually compared to FY2005 when the average number was around 1,450. DYS is in the process of enhancing, or reforming, the system. The primary focus is on becoming a trauma-responsive organization. This requires staff to be active program participants. The job title, “Security Officer,” has been changed to “Youth Service Specialist.” There have been many improvements at the DYS facilities such as, youth no longer wearing scrubs, new mattresses and comforters, and beds instead of metal bunkbeds.</p> <p>One challenging issue is how to incorporate the expanded age group into their system (Should that become a recommendation?) DYS does not disagree with adding individuals up to the age of 25 to a facility, but how can they be integrated into a system that is designed for 10-20 year-olds?</p> <p>Joe Thome asked whether the charges are different from earlier years, given the reduction in population from 1,450 down to 553?</p> <p>Anders responded that, from a crime perspective, it is still the same. However, there has been an increase in youth with trauma, substance abuse issues, mental health problems, and aggravated offenses. There is a higher concentration of more difficult kids with complicated treatment and safety issues. Length of stay is longer today.</p>
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<p>Issue/Topic: Presentation: Division of Youth Services Anders Jacobson (continued)</p>	<p>Two-thirds (65%) of all committed youth leave on mandatory parole, meaning that the parole board doesn't feel comfortable releasing them to the community before it's necessary. This means, youth complete their entire sentence in DYS, rather than the parole board releasing them early to the community.</p> <p>Richard Stroker mentioned that revocation outcomes specific to different placement options, including probation, might be a great topic for this group to research and discuss for the potential development of recommendations.</p>
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<p>Issue/Topic: Group Discussion: Review of Values</p>	<p style="text-align: center;">Discussion</p> <p>Richard suggested to revisit the values that had been identified when the group was formed over a year ago and asked the group to take a minute to review the values document and to provide feedback.</p> <p>The group discussed several changes to the values which can be found on the Commission website at, colorado.gov/ccjj/ccjj-CADTF.</p>
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<p>Issue/Topic: Next Steps & Adjourn</p>	<p style="text-align: center;">Discussion</p> <p>Joe Thome thanked Audra Bishop and Anders Jacobson for their presentations, and thanked members for their attendance.</p> <p>The meeting was adjourned at 2pm.</p>
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Next Meeting

Wednesday, May 8, 2019
11:30AM – 2:00PM
710 Kipling, 3rd floor Meeting Room