

Colorado Commission on Criminal and Juvenile Justice

Abuse of Youth in Custody Subcommittee

Minutes

September 27, 2018, 1:30 - 3:00PM

700 Kipling, 4th Floor Training Room

ATTENDEES:

SUBCOMMITTEE MEMBERS

Joe Thome, Subcommittee Chair, Division of Criminal Justice

Tom Raynes, Colorado District Attorneys Association

Blake Harrison, 2nd JD District Attorney's Office

Eiffie Seibold, Public Defender's Office

Carolyn Parker, Child Protection Ombudsman

Anders Jacobson, CDHS, Division of Youth Services

Joseph Brozek, CDHS, Child Welfare

ABSENT

Tony Gherardini (CDHS)

Gretchen Ruso (CDHS)

Tanya Wheeler (AG's Office)

STAFF

Kim English, Division of Criminal Justice

Laurence Lucero, Division of Criminal Justice

WELCOME and INTRODUCTIONS

Joe Thome, Subcommittee Chair, welcomed group and attendees introduced themselves.

Blake Harrison is the delegated representative for the District Attorneys; Tom Raynes also joined the meeting. Carolyn Parker is attending the first meeting, but another representative from Child Protection Ombudsman will sit on this subcommittee.

Joe provided background on the Commission's structure and protocols, and the group reviewed the mandate from the General Assembly and discussed the context of the study assignment to the Commission.

Tanya Wheeler, the Assistant Attorney General for CDHS, has reviewed relevant statutes; Tanya is a member of the Subcommittee and we will invite her to share what she has learned at our next meeting.

PROBLEMS DISCUSSED

Inability to investigate allegations of child abuse/neglect of youth ages 18-21 who are in the custody of CDHS because they are not a child, per statute. Requires a law enforcement investigation if the youth is 18+. Law enforcement sometimes arrest the youth. Communication with local social services sometimes problematic.

Those who are mandated reporters of child abuse/neglect are not required to report when youth is 18+; mandatory reporting should be expanded to include individuals who are in an institution/facility.

Offense of *child abuse by a person in a position of trust* requires review; should apply to those 18-21.

Myriad serious problems with the state personnel system were identified; these were determined to be outside the scope of the mandated study.

PLAN OF WORK

October 2018 through March 2019:	Legal/statutory analysis and monthly Subcommittee meetings
April 15, 2019:	Draft report for Subcommittee review
April 30, 2019:	Draft report completed
May 10, 2019:	Present preview of Subcommittee findings to CCJJ
May 30, 2019:	Subcommittee finalizes report
June 14, 2019:	Final report presented to CCJJ
June 30, 2019:	Report completed and submitted to General Assembly

NEXT STEPS

- Ask Ms. Wheeler to present at next meeting on her investigation of relevant statutes for CDHS, with a focus on gaps and possible solutions.
- What are the affected statutes? (Tanya has probably identified these; if not, staff will reach out to Legislative Services)
- Data: How many incidents/year? Joey Brozek to confirm data?
- Set dates for next meetings - 3rd or 4th Thursday of the month – Laurence to send invitations for next meeting dates (10/18 and 11/15).