



Juvenile Continuity of Care Task Force

Preliminary Recommendation Presentation to the
Colorado Commission on Criminal and Juvenile Justice

June 9, 2017

Juvenile Continuity of Care (JCC) Task Force

MEMBERS

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BACKGROUND

- Formed in June 2016
- Tasked with creating a plan to formally recognize and address the needs of Crossover Youth (youth who are involved in the juvenile justice and child welfare systems)

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What do national studies of Crossover youth reveal?

- Higher rates of complex trauma histories than the general youth population resulting in behavior problems leading to juvenile justice system involvement.
- More likely to be detained, detained for longer periods of time, and have histories of out-of-home placements with the child welfare system.
- The level of services required to address their complex trauma needs as well as the behavior which has led to juvenile justice system involvement is costly and disruptive and results in further traumatic experiences due to multiple changes in educational settings, placements and services.

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What do studies of Crossover youth reveal?

- Crossover youth are often in the child welfare system for long periods of time
- Crossover youth are more likely to be female compare to the general delinquency population
- Minorities, particularly African Americans, appear to be over-represented in crossover populations in many jurisdictions
- Most crossover youth have been placed out of the home and often experience numerous placements in congregate care
- Crossover youth are often truant and/or performing poorly at school
- Over half of crossover youth are detained prior to adjudication
- Crossover youth are prescribed as higher risk by juvenile justice decision-makers and receive harsher dispositions than their non-crossover counterparts

Center for Juvenile Justice Reform at
Georgetown University McCourt School of Public Policy

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Learning about Crossover youth in Colorado

The Task Force received presentations from numerous entities:

Office of Behavioral Health (Cross system study)

Diversion (DCJ)

Juvenile Assessment Centers (Jefferson County)

Probation (Judicial)

Senate Bill 94 and Commitment (DYC)

Crossover Youth Practice Models in CO (8 initial sites in CO)

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What did we learn about Crossover Youth - Colorado?

- In Colorado, it has been estimated that upwards of 80% of the youth committed to the Division of Youth Services have a prior history of child welfare involvement.
- It is further estimated that 60% have experienced prior out-of-home care placement through the child welfare system.
- The length of detention stay for child welfare involved youth is double that of only juvenile justice involved youth

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Initial Findings from the Task Force

Multi-system collaboration is essential

- Coordinated case assignment
- Joint assessment process
- Coordinated case plans
- Coordinated case supervision

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Minimum Elements of Effective Crossover Youth Plan

- Identification of crossover youth
- Method for collaborating and exchanging information
- Notification of status between child welfare and juvenile justice
 - Can also include notification of public defenders, district attorneys, SB 94 coordinators, human services, probation, juvenile court and guardians ad litem
- Process for identifying the least restrictive placement
- Process for sharing and gathering information
- Process for developing a single case management plan and identifying the lead agency for case management

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Minimum Elements of Effective Crossover Youth Plan

- Process for facilitating the sharing of assessment and case planning information
- Process for multi-disciplinary staffing
 - Include decisions regarding: youth and community safety, placement, provision of needed services, alternatives to detention and/or commitment, probation, parole, permanency, educational stability and case closure
- Crossover youth deemed eligible for release by court to be placed in a less restrictive setting when possible to reduce disparity between crossover and non-crossover youth in detention

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Purpose of the Recommendations

- Formalize collaboration specific to crossover youth;
- Facilitate early identification and information sharing;
- Ensure communication and collaboration with existing initiatives including the Collaborative Management Program (HB04-1451);
- Facilitate consideration of least restrictive placement based on individual needs and protection of the public;
- Facilitate the successful discharge from the juvenile justice system as early as possible and reduce recidivism;
- Encourage a coordinated plan with engagement from the youth and family or natural supports;
- Make the best use of resources and encourage permanency planning.

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Recommendation FY17-JCC #01: Create a plan to formally recognize and address the needs of *crossover youth*.

Define *crossover youth* and *crossover plan* in statute and require each local Juvenile Services Planning Committee (JSPC), established in C.R.S. 19-2-211, to devise a crossover plan for the identification and notification of cases involving crossover youth.

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Recommendation FY17-JCC #01

Add crossover youth definitions to 19-1-103 C.R.S.

19-1-103 C.R.S. - Definitions:

- **DUALLY IDENTIFIED CROSSOVER YOUTH:** YOUTH WHO ARE CURRENTLY INVOLVED WITH THE JUVENILE JUSTICE SYSTEM AND THE CHILD WELFARE SYSTEM OR HAVE A HISTORY IN THE CHILD WELFARE SYSTEM.
- **CROSSOVER YOUTH PLAN:** THE PORTION OF THE ANNUAL PLAN AS SET FORTH IN 19-2-211 C.R.S. DEVISED IN EACH JUDICIAL DISTRICT BY THE JUVENILE SERVICES PLANNING COMMITTEE THAT OUTLINES IDENTIFICATION AND NOTIFICATION OF CROSSOVER YOUTH AS DESCRIBED IN 19-2-211.5 C.R.S.

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Recommendation FY17-JCC #01

Add a new section to 19-2-211 C.R.S. - duties of JSPCs

19-2-211.5 C.R.S. – IDENTIFICATION AND NOTIFICATION OF CROSSOVER YOUTH

- Plan to outline process for identifying crossover youth and notification of child welfare of status
- Plan to include effective coordination of case management and engagement of crossover youth and caregivers
- Plan to consider other collaborative initiatives such as the collaborative management program

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Recommendation FY17-JCC #01

Add language to 24-1.9-102 (1)(e) C.R.S. - Require each local JSPCs devise a plan for crossover youth

24-1.9-102 (1) (e) C.R.S. – Memorandum of Understanding (for Collaborative Management Program)

- Explicitly includes and permits local Collaborative Management Programs to establish memorandum of understanding with the local Juvenile Services Planning Committees for the coordination of services for crossover youth

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Recommendation FY17-JCC #01

Add a new section to Title 19 Article 2 C.R.S.

- Require the court to consider a youth's crossover status at all stages of the proceedings (i.e., pre and post adjudication) and not be used against the youth in a manner contrary to the principles informing the crossover youth practice model

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Recommendation FY17-JCC #02: Utilize existing funds for local crossover youth plans and services.

Authorize the utilization of existing marijuana tax revenue distributed to Senate Bill 1991-94 entities to allow these funds to be used to support the development and implementation of local crossover youth plans and services.

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Recommendation FY17-JCC #02

- Funding is provided to the Division of Youth Services for services and activities as outlined in Senate Bill 1991-94. Additionally, Senate Bill 2014-215 (C.R.S. 12-43.3-501) provides funds to serve adolescents with substance abuse problems.
- However, there are restrictions on how these funds may be used (services must address marijuana and treatment), and available funds are not always completely spent by local jurisdictions.
- Further, the expanded use of these funds would allow local JSPCs to request training and technical assistance from the Colorado Department of Human Services/Office of Children, Youth and Families, in developing and implementing their crossover youth plans.

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Recommendation FY17-JCC #03:Require permanency planning for *legally free* youth following a commitment to the Division of Youth Services.

The Colorado Department of Human Services, Division of Child Welfare, should promulgate rules that provide guidance on permanency planning to county departments of social/human services under Social Service Rules Volume 7. These rules should provide guidance to counties in circumstances involving a *legally free* youth (where parental rights have been terminated and there is no legal guardianship) who is either returning to county custody after a period of commitment to or is projected to emancipate from the Division of Youth Services (DYS).

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Recommendation FY17-JCC #03

- Permanency for youth includes a permanent legal connection to a family, such as reuniting with birth parents, adoption, kinship care, or legal guardianship.
- *Legally free* is a term applied to children and youth where parental rights have been terminated and there is no identified “second” family or legal guardianship.
- Encourage local jurisdictions to continue efforts regarding legal permanency for crossover youth.

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Questions?