



**Justice
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Colorado Improving Outcomes for Youth (IOYouth) in Partnership with CSG Justice Center

November 2018



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Executive Summary

Executive Summary: Colorado Improving Outcomes for Youth (IOYouth) Launched in May in Partnership with CSG Justice Center

- Governor Hickenlooper established a statewide task force to oversee the initiative
- Council of State Governments (CSG) Justice Center a national nonprofit, nonpartisan, membership association of state government officials partnered with Colorado on this initiative
- IOYouth is supported by the U.S. Department of Justice through the National Reentry Resource Center

IOYouth Task Force Members

Adam Zarrin, <i>Office of Governor Hickenlooper</i>	Lanie Meyers Mireles, <i>Prowers County Human Services</i>
Anders Jacobson, <i>Division of Youth Services</i>	Honorable Leslie Gerbracht, <i>3rd Judicial District</i>
Honorable Ann Gail Meinster, <i>1st Judicial District</i>	Sheri Danz, <i>Office of the Child Representative</i>
Arnold Hanuman, <i>CO District Attorneys' Council</i>	Lindsey Sandoval, <i>CO State Public Defenders</i>
Barrie Newberger-King, <i>CO State Public Defenders</i>	Meg Williams, <i>CO Juvenile Parole Board</i>
Chief Bill Kilpatrick, <i>City of Golden</i>	Mike O'Rourke, <i>11th Judicial District,</i>
Co-Chair Senator Bob Gardner, <i>CO State Senate</i>	Representative Lois Landgraf, <i>CO State House of Representatives</i>
Honorable Brian Boatright, <i>CO State Supreme Court</i>	Co-Chair Representative Pete Lee, <i>CO State House of Representatives</i>
Chris Ryan, <i>CO Judicial Branch</i>	Rebecca Gleason, <i>18th Judicial District</i>
Representative Dafna Michaelson-Jenet, <i>CO State House of Representatives</i>	Reggie Bicha, <i>CO Department of Human Services</i>
Daniel Makelky, <i>Douglas County Human Services</i>	Stacie Colling, <i>Alternate Defense Counsel</i>
Elise Logemann, <i>CO Bar Association</i>	Will Hays, <i>Hilltop Community Resources, Inc.</i>
Emily Humphrey, <i>8th Judicial District</i>	Jeff Cuneo, <i>CO Juvenile Defender Center</i>
Jenifer Morgen, <i>17th Judicial District</i>	Rebecca Wallace, <i>American Civil Liberties Union</i>
Julie DeNicola, <i>Stepping Stones Advocacy</i>	



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Executive Summary: Colorado IOYouth Based on a Comprehensive Assessment of the Juvenile Justice System

- Following the launch of the IOYouth Initiative in May, CSG Justice Center staff spoke with a wide array of stakeholders to learn more about opportunities and challenges to improve outcomes for youth.
- CSG Justice Center staff gathered feedback from stakeholders across the state to ensure a diversity of perspectives, including through 9 site visits, calls and meetings with more than 100 people, and 6 juvenile facility visits.
- Case-level juvenile justice data and survey data from multiple sources also informed the assessment results.
- Task Force Members reached consensus on policy recommendations based on assessment findings to translate into legislation for 2019 session.



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Executive Summary: Colorado IOYouth Resulted in Consensus-Based Policy Recommendations

1. Expand accessibility to evidence-based, pre-adjudication juvenile diversion programs across the state;
2. Develop clear criteria for detention eligibility in order to limit secure detention for youth;
3. Target CYDC resources more efficiently by focusing resources on youth most at risk of secure detention in order to reduce admissions to secure detention and prevent over supervision in the community.
4. Adopt a validated risk and needs assessment instrument to identify a youth's risk of reoffending and use results to inform court decision making and case planning;
5. Establish statewide standards for juvenile probation that are based in research;
6. Improve the effectiveness of community-based services for youth on probation and parole; and
7. Expand the use of kinship care for youth in detention and commitment and under consideration for out-of-home placement.

November 9, 2018



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Improving Outcomes for Youth in Colorado

CSG Justice Center Presenters:

Nancy Arrigona, *Research*

Shanelle Johnson, *Juvenile Justice*

Nina Salomon, *Juvenile Justice*

About the Council of State Governments (CSG) Justice Center



Corrections



Justice Reinvestment



Mental Health



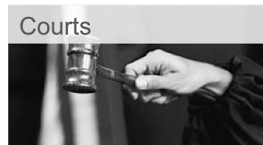
Reentry



Substance Abuse



Youth



Courts



Law Enforcement



Justice Center

THE COUNCIL OF STATE GOVERNMENTS

National nonprofit, nonpartisan, membership association of state government officials that engages members of all three branches of state government

Provides practical, nonpartisan research-driven strategies and tools to increase public safety and strengthen communities



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About the National Reentry Resource Center



- Authorized by the passage of the Second Chance Act in April 2008
- Launched by The Council of State Governments (CSG) Justice Center in October 2009
- Administered in partnership with the U.S. Department of Justice's Bureau of Justice Assistance and the Office of Juvenile Justice and Delinquency Prevention



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Colorado leadership requested technical assistance from the CSG Justice Center through the Improving Outcomes for Youth (IOYouth) Initiative.

STATE OF COLORADO

OFFICE OF THE GOVERNOR
138 State Capitol Building
Denver, Colorado 80203
(303) 866-2471
(303) 866-2003 fax



John W. Hickenlooper
Governor

March 12, 2018

Ms. Nina Salomon
Council of State Governments Justice Center
444 North Capitol St., NW
Washington, DC 20001

Dear Ms. Salomon:

On behalf of the entire state of Colorado, please accept this letter as our commitment to the Council of State Governments Justice Center (CSGJC) Statewide Juvenile Justice Improvement Initiative Technical Assistance Opportunity.

During our administration, we have made great progress to change the policy and culture of the Division of Youth Services (DYS), formerly Youth Corrections, in Colorado. In partnership with the General Assembly and stakeholders, we continue to implement programming that changes how we rehabilitate youth and improves public safety. We would like to outline some of the significant strides that DHS has made in a short period, in our efforts to enhance our overall culture. Here are just a few of the changes implemented:

- Working with the Center for Juvenile Justice Reform at Georgetown University and the University of Cincinnati Correctional Institute, we have conducted a full assessment of DHS services. This will have a strong focus on the effective delivery of evidence-based practices, the appropriate length of service for youth in our care, and ensuring that appropriate transition and aftercare services are in place upon release.
- DYS continues to move forward with the full implementation of the Sanctuary Model, a trauma responsive model geared towards a positive culture change for both youth and staff within DHS.
- Established a pilot program utilizing the consulting services of Missouri Youth Services Institute to further move our system towards a therapeutic environment.
- In July 2017, DHS redefined the position of "Correctional Youth Security Officer" to "Youth Service Specialist" and has already started marketing and recruiting for this newly identified role. This change alone has started to actualize a new type of candidate prepared to work with at-risk youth congruent with our culture change and new direction.
- Eliminated pressure-point pain compliance and offense strikes as of August 1, 2017. This is a significant milestone the Division put considerable effort behind accomplishing.
- Eliminated the use of the Safe Restraint Wrap device for all young people ages 10-13 across all DHS state-operated youth centers as of July 1, 2017.
- Further eliminated the Safe Restraint Wrap device for youth ages 14-20 across all DHS state-operated youth centers November 2018.
- Effective September 1, 2017, we implemented a forward-thinking youth search process that eliminated constant strip searches and instead implemented a procedure that preserves youth's dignity while also maintaining effective safety and security practices.
- DYS continues to be a leader in the nation in the limited use of seclusion. Seclusion use averages less than one hour per episode, which is well below the national average of 16 hours per episode.

Speaker of the House
CRISANTA DURAN
Colorado State Capitol
200 East Colfax Avenue, Room 307
Denver, Colorado 80203
303-866-2925



General Assembly
State of Colorado
Denver

Senate President
KEVIN J. GRANTHAM
Colorado State Capitol
200 East Colfax Avenue, Room 346
Denver, Colorado 80203
303-866-4877

February 21, 2018

Ms. Nina Salomon
Project Manager, Juvenile Justice Improvement Initiative
The Council of State Governments Justice Center
444 N. Capitol St. NW
Washington, D.C. 20001

Dear Ms. Salomon:

Please accept this letter as our commitment and support to actively participate in the Council of State Governments (CSG) Justice Center Statewide Juvenile Justice Improvement Initiative. If the State of Colorado is accepted, we will:

- Participate in a bipartisan, inter-branch leadership task force to guide the effort;
- Share available juvenile justice and other service system data; and
- Assist and support CSG in assessing the juvenile justice system's current law, policy and practice to help identify ways to reduce recidivism and improve outcomes for Colorado youth.

Despite many comprehensive policy, program and legislative changes, Colorado still faces challenges. While our successes have been many, there is still plenty of room for improvement and work to be done. Fortunately, we have dedicated professionals and community members across our great State that are passionate about improving the quality of life and the success of our youth. We are committed to reaching across any borders of government to work together in finding real solutions to support children, youth and families in need.

We look forward to hearing from you soon and thank you for your consideration.

Sincerely,

Speaker of the House Crisanta Duran

President of the Senate Kevin Grantham



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Governor Hickenlooper launched IOYouth in May in partnership with Representative Lee, Justice Boatright, Senator Gardner, and Director Bicha.

“Kids don’t belong in prison. We know from the data that when children are incarcerated they usually [offend] again and again. This data-driven review will help us provide youths the best chance to successfully transition to a crime-free, productive adulthood.”

- Governor John Hickenlooper.



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Review of IOYouth Assessment Process

Following the launch of the IOYouth Initiative in May, CSG Justice Center staff spoke with a wide array of stakeholders.

State and Local Agencies

- CDHS/DYS Leadership and Staff
- Client Managers
- County DHS Leadership
- Department of Corrections Leadership
- Diversion Directors
- CYDC Coordinators
- Colorado Child Protection Ombudsman
- Colorado Public Education Department

Court System

- Juvenile Court Judges/Magistrates
- District Attorneys
- Public Defenders
- Juvenile Probation
- Youth on Probation and their Families

DYS Facilities

- Lookout Mountain YSC Leadership and Staff
- Platte Valley YSC Leadership and Staff
- Grand Mesa YSC Leadership and Staff
- Zebulon Pike YSC Leadership and Staff
- Mount View YSC Leadership and Staff
- Adams YSC Leadership
- Gilliam YSC Leadership
- Youth in Facilities and their Families

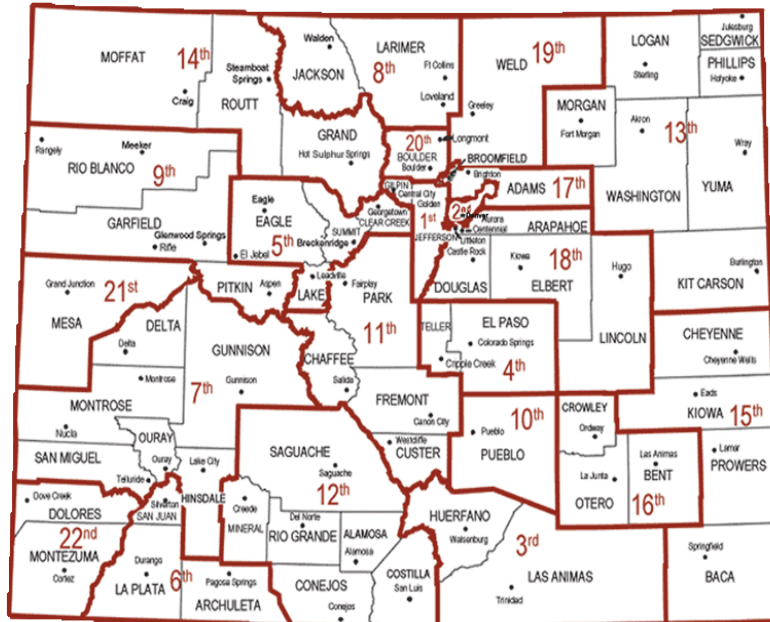
Other Stakeholders

- Law Enforcement
- Colorado Municipal League
- Community-Based and Residential Providers
- Victim Advocates



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CSG Justice Center staff gathered feedback from stakeholders across the state to ensure a diversity of perspectives.



Since February 2018...

- 9 site visits – at least 1 to each DYS region
- Calls and meetings with more than 100 people
- 6 facility visits



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Case-level and survey data from multiple sources informed the assessment results.

Data	Source
Arrest Data	Department of Public Safety, Division of Criminal Justice Colorado Bureau of Investigation
SB94 Screening and Services Data	Colorado Department of Human Services, Division of Youth Services (DYS)
Detention and Detention Screen Data	Colorado Department of Human Services, DYS
DYS Budget and Expenditure Data	Colorado Department of Human Services, DYS
Survey Data (Diversion)	District Attorneys/ Diversion Directors
Court Filings, Findings and Sentences Data	Colorado Judicial Branch
Probation and Subsequent Filings and Sentences Data	Division of Probation Services, Colorado Judicial Branch
Commitment and Parole Services Data	Colorado Department of Human Services, Division of Youth Services (DYS)
Probation and DYS Expenditure Data	Colorado Judicial Branch and DYS
Survey Data (Probation)	Probation Staff



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Task Force Members Reached Consensus on Policy Recommendations Based on Assessment Findings to Translate into Legislation for 2019 Session. Recommendations would, among other things:

- Expand accessibility to evidence-based, pre-adjudication juvenile diversion programs across the state;
- Develop clear criteria for detention eligibility in order to limit secure detention for youth;
- Adopt a validated risk and needs assessment instrument to identify a youth's risk of reoffending and use results to inform court decision making and case planning;
- Establish statewide standards for juvenile probation that are based in research; and
- Expand the use of kinship care for youth in detention and commitment and under consideration for out-of-home placement.





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Review of Assessment Findings

Colorado lacks a centralized approach to tracking diversion participation, services, and outcomes.

- ❖ There is no statewide data system or entity responsible for collecting, tracking, or evaluating diversion data
- ❖ There is no comprehensive picture of how many youth get diverted statewide, who gets diverted, and what their diversion outcomes are
- ❖ The Division of Criminal Justice (DCJ) collects data on diversion programs funded through the DCJ grant; however, this data represents only a subset of youth that are diverted

Diversion Funded by DCJ (FY2016 – FY2017)

- 19 grant awards
- 1,350 youth began diversion
- More than 50% were for misdemeanor offenses
- 72% had no prior police contact
- More than 2/3 were result of property, theft or drug charges

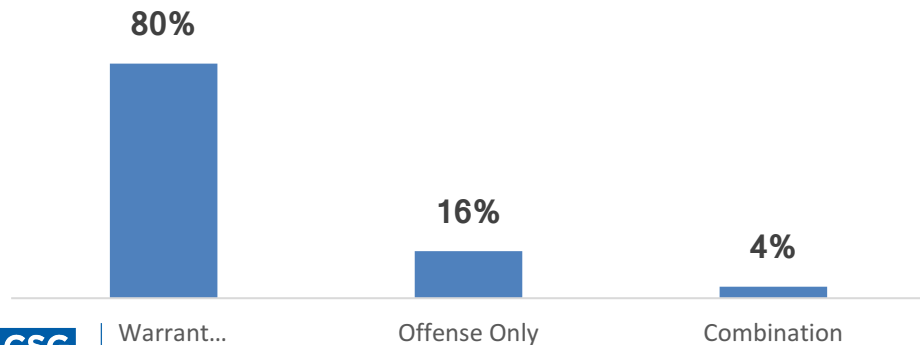


More than two-thirds of youth screened on the JDSAG receive a mandatory hold to secure detention, but more than half are not identified as a public safety risk.

Percent of Screens Resulting in a Mandatory Hold, FY2017



Reason for Mandatory Hold, FY2017



Of youth screened in FY2017 who received a mandatory hold:

- 52% were NOT determined to pose a public safety risk
- 45% had committed a misdemeanor or lesser offense
- 34% were low risk
- 68% had a responsible adult to provide supervision if released home

More than one-third of youth who screen to a level below secure detention on the JDSAG still end up in secure detention.

JDSAG Screen Results Compared to Actual Level Received, FY2017

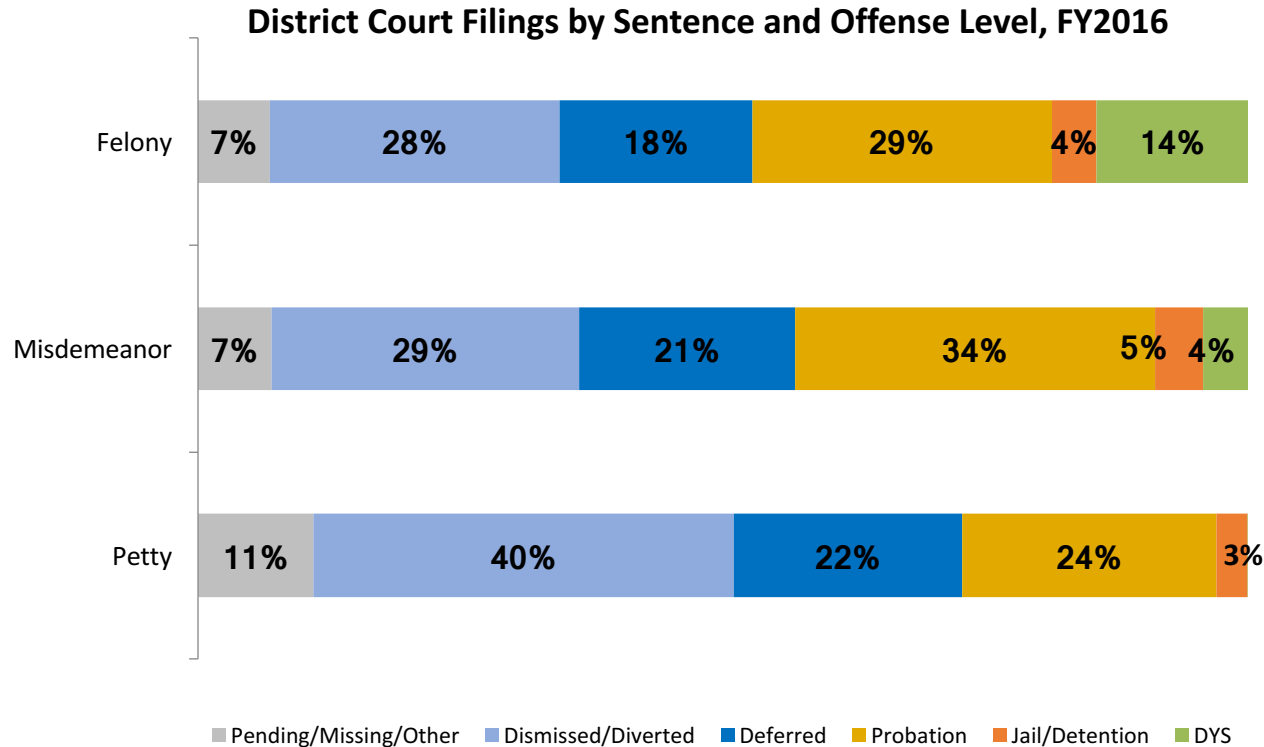
	Actual Level Received					
Screen Level	Secure Detention	Staff Secure	Residential or Shelter	Home Detention/ Services	Release	Total
Secure Detention	93%	1%	>1%	2%	3%	100% (5,767)
Staff Secure	91%	4%	2%	2%	1%	100% (265)
Residential or Shelter	38%	2%	1%	30%	29%	100% (187)
Home Detention/ Services	34%	1%	1%	38%	26%	100% (834)
Release	23%	0%	0%	33%	44%	100% (227)



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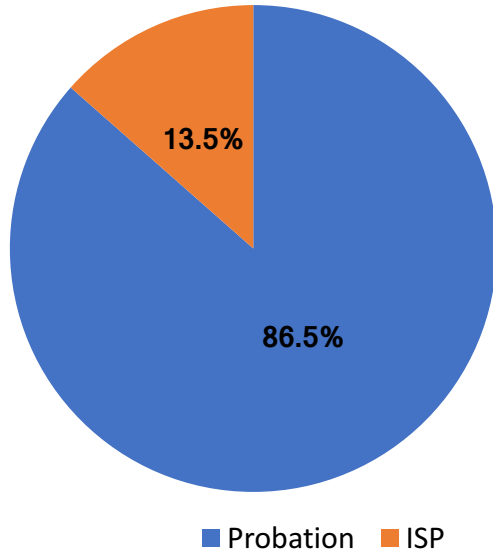
79 percent of youth screened have a recommendation of secure detention.

49 percent of petty offense cases in district court result in some form of system supervision.



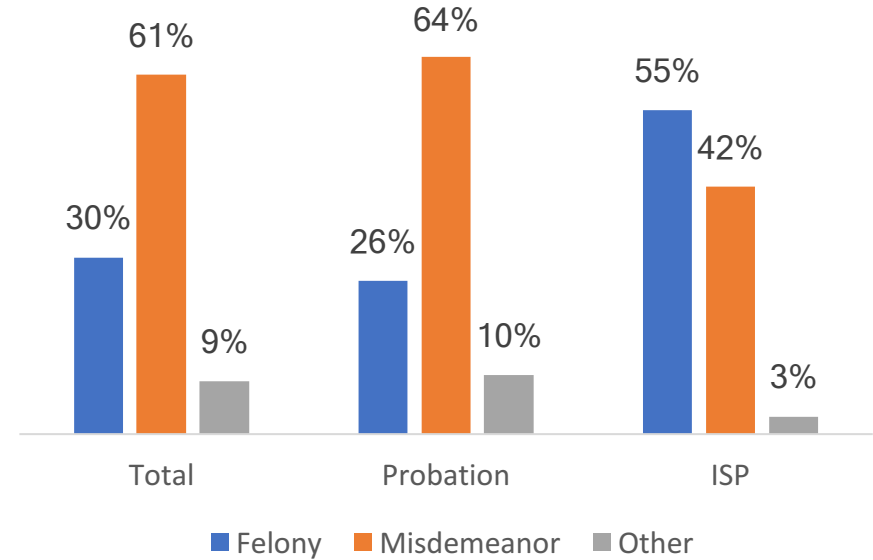
The majority of probation sentences are for misdemeanor offenses and to regular probation supervision.

District Court Probation Sentences by Type, FY2016



■ Probation ■ ISP

District Court Probation Sentences by Offense Type, FY2016



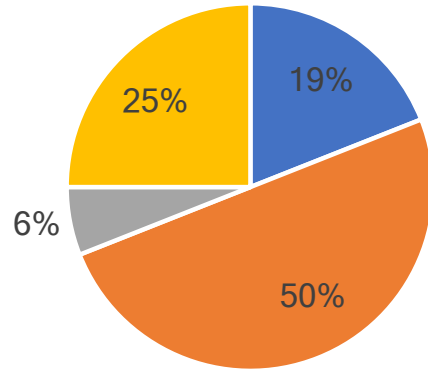
■ Felony ■ Misdemeanor ■ Other



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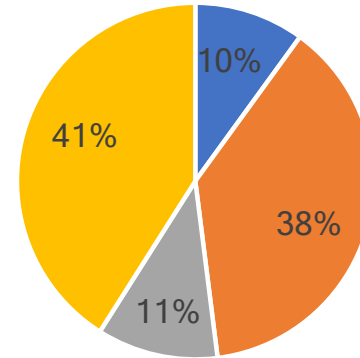
The majority of youth are sentenced to probation for one year or more; 41 percent of youth sentenced to intensive supervision probation receive 2 or more years.

Probation Sentence Length, FY2016



■ < One YR ■ One Yr ■ > 1 and < 2 ■ 2 Yrs or more

ISP Sentence Length, FY2016



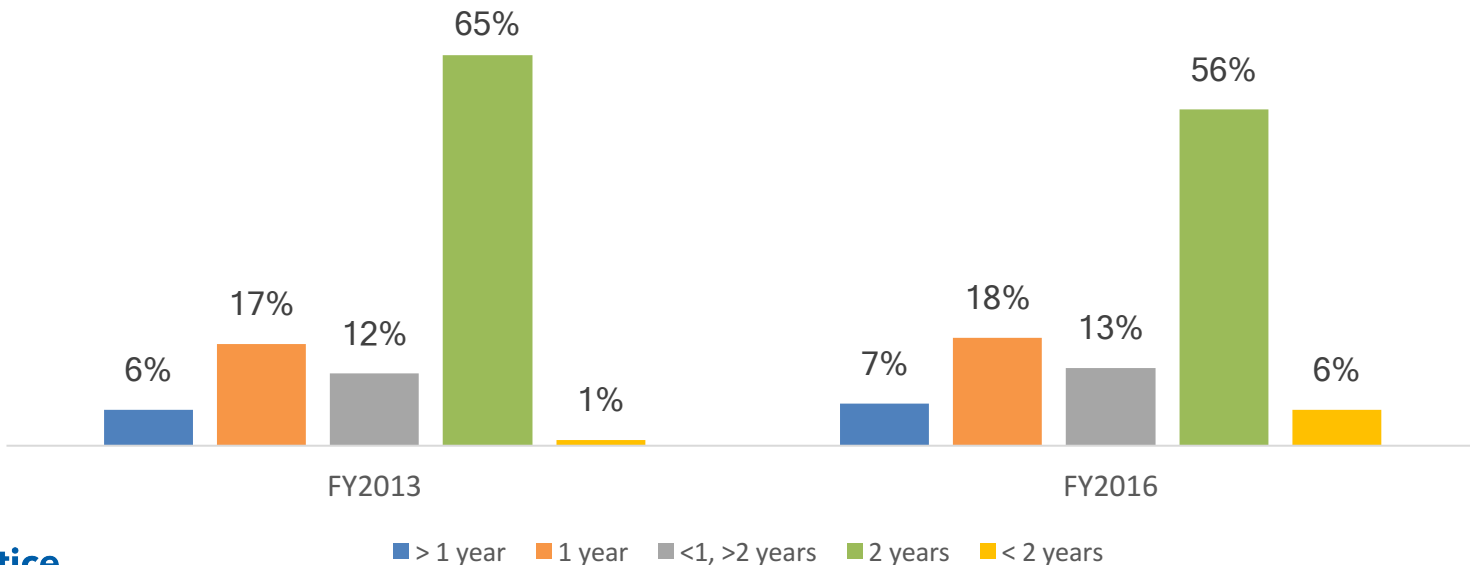
■ < One YR ■ One Yr ■ > 1 and < 2 ■ 2 Yrs or more



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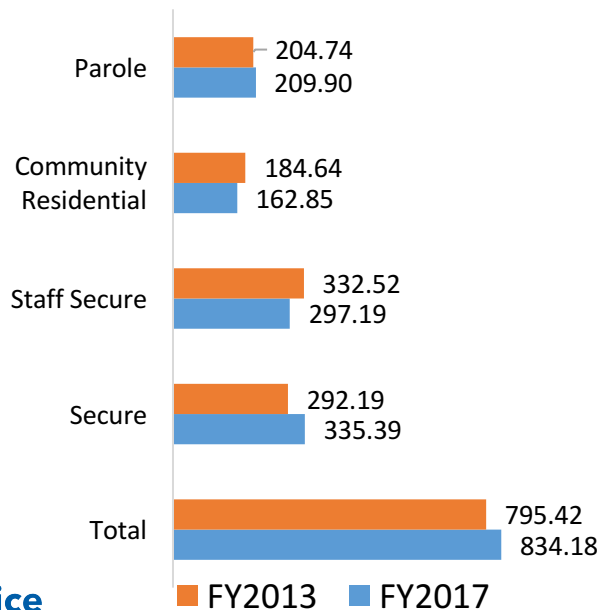
62 percent of Division of Youth Services (DYS) sentences are for two years or longer.

DYS Sentence Length, FY2013 and FY2017

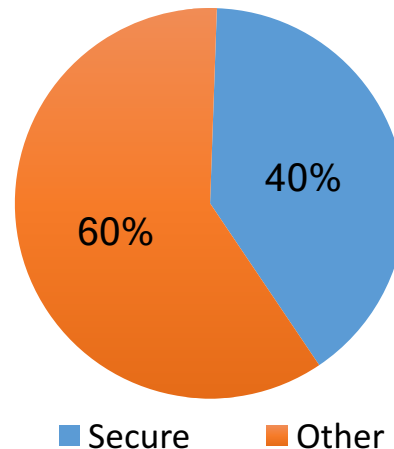


In 2017, youth spent an average of 834 days (2.28 years) total in commitment, of which time an average of 40 percent was spent in a secure facility.

Average LOS (days), FY2013 and FY2017



Average % of Total Commitment in Secure Facility, FY2017



Total LOS includes assessment, awaiting placement, first placement, step-down placements (if applicable, parole violations/revocations, recommitments for youth in secure or contract facilities, or parole.

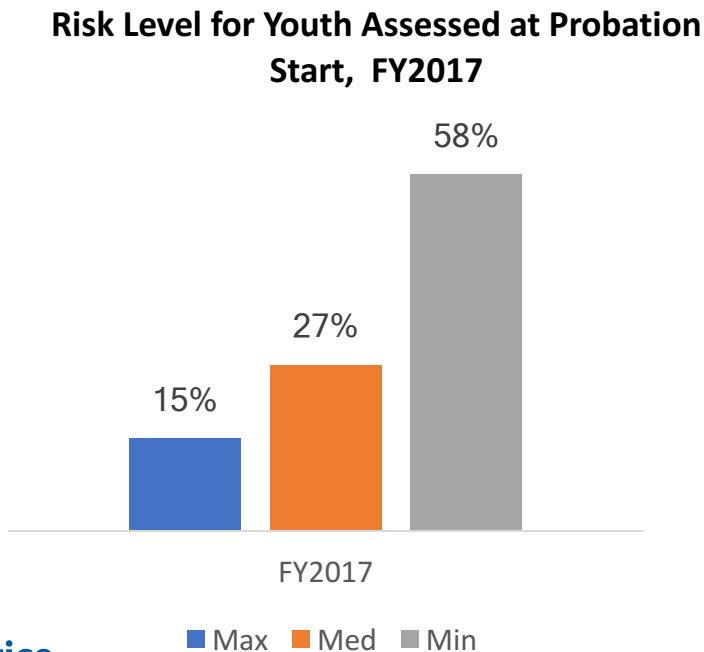


Juvenile probation varies statewide in the use of research-based policies and practices that are necessary to reduce recidivism.

- ❖ There are 18 standard conditions on juvenile probation agreements and many officers reported including additional conditions that are often not tied to youths' criminogenic needs.
- ❖ In many jurisdictions, probation officers have mixed adult and juvenile caseloads which can limit an officer's ability to utilize research-based practices targeted to the unique developmental needs of youth.
- ❖ According to the survey, juvenile probation officers report caseloads as high as 75, with many reporting caseload ranges of 40-60.
- ❖ Juvenile probation offices are not consistently using a graduated response/incentive matrix to address probation violations.



Of youth that receive a risk assessment at their probation start, more than half are assessed as minimum risk.



- Approximately 14% of district court cases have a pre-disposition investigation (PSI) ordered; in FY2017, 10 JDs ordered no PSIs
- Risk and needs assessments are not used consistently across judicial districts to inform case planning and reentry planning

Nearly 30 percent of youth starting probation fail while under probation supervision.

Probation Status, Youth Starting Probation, FY2013 - FY2017

Start FY	Case Closed					Case Active		Total
	Complete	Failure- Technical Violation	Failure- New Crime	Failure- Abscond	Sealed / Expunged	Active	Pending Review or Warrant	
13	67%	17%	9%	3%	3%	0%	0%	100%
14	64%	20%	8%	3%	5%	0%	0%	100%
15	65%	18%	9%	3%	5%	0%	0%	100%
16	63%	17%	9%	2%	5%	2%	1%	100%
17	49%	12%	7%	2%	7%	15%	8%	100%



35 percent of youth completing probation have a subsequent case filed within three years of discharge.

**Recidivism Rate for Youth Completing Probation by
Termination Year, FY2013 – FY2016**

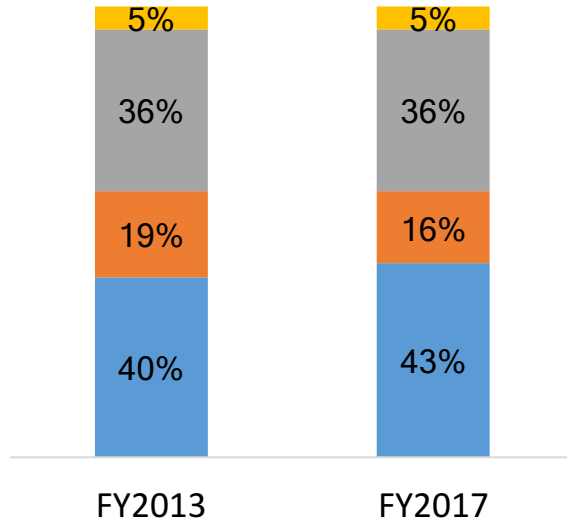
Term FY	Year 1	Year 2	Year 3		3 Year Rate
FY2013	19%	9%	7%		36%
FY2014	16%	10%	8%		35%
FY2015	16%	11%			
FY2016	17%				

Recidivism is defined as a court case filed for a misdemeanor or felony offense within one, two, or three years of successful completion of supervision.



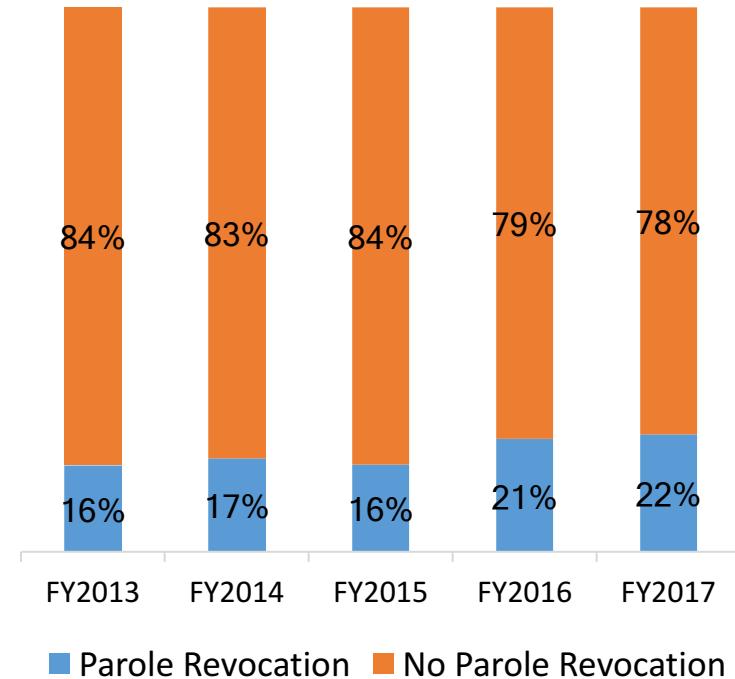
Almost half of youth are discharged from parole unsatisfactorily.

Parole Outcomes, FY2013 and FY2017



■ Unsatisfactory ■ Satisfactory
■ Excellent ■ No Parole

% of Commitments with a Parole Revocation, FY2013 – FY2017



■ Parole Revocation ■ No Parole Revocation



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Approximately half of youth that are discharged from commitment recidivate after 2 or 3 years.

Recidivism Rates by Discharge Cohort

Youth Discharge Cohort	1-Year Recidivism Rate	2-Year Recidivism Rate	3-Year Recidivism Rate
FY2015 - 2016 Cohort (N=445)	31.5%	TBD	TBD
FY2014 - 2015 Cohort (N=476)	30.9%	49.2%	TBD
FY2013 - 2014 Cohort (N=556)	28.1%	46.2%	55.2%

The Division of Youth Services defines recidivism as a new adjudication or conviction resulting from a misdemeanor or felony offense at any point within the prescribed follow-up time period(s).



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Recidivism Evaluation of the Colorado Division of Youth Services, Colorado Department of Human Services, January 2018.



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Policy Recommendations

Best Practices in Juvenile Diversion

- ❖ Court involvement for low-risk youth often does more harm than good and takes limited resources away from focusing interventions on youth whose behavior poses a public safety risk.
- ❖ Most low risk youth grow out of their behavior and stop reoffending without system intervention.
- ❖ Diversion is a more cost effective public safety strategy than court processing for low risk youth.
- ❖ Youth's current offenses are a poor predictor of future risk to reoffend.
- ❖ Restorative justice practices are an effective way to hold youth accountable for repairing the harm caused to victims and communities and can reduce reoffending and increase victim's satisfaction with the justice system.



1

Expand accessibility to juvenile diversion programs across Colorado and establish statewide policies and guidelines for juvenile diversion.

1.1

Establish a block grant to allocate funds to each judicial district for the establishment and implementation, or continuation, of a diversion program that is aligned with evidence-based practices and the statewide definition of diversion, for juveniles with offenses that can be filed at the district court level.

1.2

Establish a statewide definition of diversion. Diversion shall require the least amount of oversight and restrictions as necessary to hold the juvenile accountable and support public safety. Goals and objectives of diversion are:

- ❖ to provide eligible pre-adjudicated juveniles with an alternative to adjudication that emphasizes accountability, acceptance of responsibility, and restorative practices;
- ❖ to reduce risk and repair harm to victims and communities;
- ❖ to minimize recidivism and improve positive youth outcomes; and
- ❖ to ensure appropriate services for all eligible juveniles.



1

Expand accessibility to juvenile diversion programs across Colorado and establish statewide policies and guidelines for juvenile diversion.

1.2

Cont.

Jurisdictions may not deny diversion to juveniles solely for the following reasons:

- ❖ based on the juvenile's or family's inability to pay
- ❖ based on the juvenile's previous or current involvement with the Department of Human Services

1.3

Adopt and use a validated risk screening tool to inform all juvenile diversion eligibility decisions, unless a determination has already been made to divert the juvenile. DA's offices shall conduct these screenings, or DA's offices may opt to collaborate or contract with an alternative agency to conduct the screenings, and the results of the screenings shall then be made available to the DA's office. Juveniles screened will be referred for additional assessments if necessary.



1

Expand accessibility to juvenile diversion programs across Colorado and establish statewide policies and guidelines for juvenile diversion.

1.4

Develop outcome measures and identify data that each judicial district shall track and report annually to the state agency administering the juvenile diversion block grant, including, but not limited to demographic data, risk level, offense, program participation, and outcome/completion data. The state agency shall also provide technical assistance to diversion programs to support the uniform collection of data and reporting, and program development. The state agency shall provide annual individual program reports and a statewide report to DA's offices and the legislature.



Best Practices in the Use of Detention

- ❖ Research demonstrates that detention can have a negative impact on the mental and physical well-being of youth and when used inappropriately, detention may make it more likely that youth will reoffend.
- ❖ Youth who are detained are more likely to penetrate deeper into the juvenile justice system than similar youth who are not detained.
- ❖ Detention alternatives should be based on the principle of using the least restrictive setting possible and on identifying and addressing youth's needs as identified through validated screening tools.



2

Develop clear criteria for detention eligibility in order to limit secure detention for juveniles who pose a risk of harm to others or risk of flight from prosecution, and community-based alternatives are insufficient to mitigate this risk.

2.1

Require that the CYDC Advisory Board (or a subcommittee of the Advisory Board) revise the juvenile detention screening and assessment guide (JDSAG) or develop a new research-based detention screening instrument to be used statewide. The tool must identify and mitigate any disparate impacts based on race, sex, national origin, economic status, and child welfare involvement. The Board or subcommittee must include representatives from law enforcement, district attorneys, public defenders, judicial officers, and probation, in addition to CYDC, DYS, and DHS leaders.

- a. The subcommittee will be tasked with identifying measures for the detention screening instrument, determining cutoff scores for each level on the detention continuum, and identifying how the instrument should be validated and piloted
- b. The subcommittee shall establish statewide override policies that minimize subjective decisions to hold a juvenile in secure detention, while allowing for local flexibility.



2

Develop clear criteria for detention eligibility in order to limit secure detention for juveniles who pose a risk of harm to others or risk of flight from prosecution, and community-based alternatives are insufficient to mitigate this risk.

2.2

The results of the detention screening instrument, among other factors, shall be used statewide by CYDC and courts to inform all detention decisions. Court records must include data on detention screening scores, and if the score does not mandate secure detention, the rationale for the override. The CYDC shall compile and report to the legislature annually on the use and justification of overrides of the detention risk screening instrument that result in detentions. Hearings shall be held periodically to ensure the continued need for detention unless the juvenile has waived his/her right to a hearing.



2

Develop clear criteria for detention eligibility in order to limit secure detention for juveniles who pose a risk of harm to others or risk of flight from prosecution, and community-based alternatives are insufficient to mitigate this risk.

Secure detention shall be restricted for the following populations of youth unless the court makes a finding that all alternatives to secure detention have been exhausted:

- ❖ Youth who have not committed, or have been accused of committing, a delinquent act unless otherwise found in contempt of court
- ❖ Delinquent and non-delinquent youth who have been placed in the legal custody of a county department of social/human services pursuant to a petition in dependency and neglect and are solely waiting out of home placement.
- ❖ Youth who are committed to the legal custody of the Colorado Department of Human Services, Division of Youth Services, and are solely awaiting a DYS placement.
- ❖ Youth who at admission, require medical care, are intoxicated, or under the influence of drugs, to an extent that is beyond the scope of the detention facility's medical service capacity.
- ❖ Youth who are solely assessed as suicidal or exhibit behavior placing them at imminent risk of suicide.
- ❖ Youth who have not committed a delinquent act but present an imminent danger to others or to himself or herself or appears to be gravely disabled as a result of a mental health condition.

2.3



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2

Develop clear criteria for detention eligibility in order to limit secure detention for juveniles who pose a risk of harm to others or risk of flight from prosecution, and community-based alternatives are insufficient to mitigate this risk.

2.3 cont.

Youth shall not be placed in secure detention solely because of or in order to:

- ❖ A lack of supervision alternatives, service options or more appropriate facilities;
- ❖ The community's inability to provide treatment or services;
- ❖ A lack of supervision in the home or community;
- ❖ A parent, guardian or legal custodian avoiding legal responsibility;
- ❖ A risk of self-harm;
- ❖ An attempt to punish, treat, or rehabilitate such child;
- ❖ A request by a victim, law enforcement, or the community; or
- ❖ Permit more convenient administrative access to him or her; or
- ❖ Facilitate further interrogation or investigation.

3

Target CYDC resources more efficiently by focusing resources on juveniles most at-risk of secure detention in order to reduce admissions to secure detention and prevent over supervision in the community.

3.1

The CYDC Advisory Board shall establish clear criteria for which pre-disposition juveniles at-risk of secure detention should be referred to pre-disposition supervision programs funded through CYDC and criteria for which juvenile can be released without pre-disposition supervision based on results on the detention screening instrument.

3.2

The CYDC Advisory Board shall establish clear criteria for which sentenced juveniles at risk-of secure detention should be referred to supervision programs funded through CYDC. Criteria for the use of CYDC funds for sentenced juveniles shall prioritize those juveniles at risk of secure detention and assessed as moderate or high risk to reoffend on a validated risk and needs assessment.



3

Target CYDC resources more efficiently by focusing resources on juveniles most at-risk of secure detention in order to reduce admissions to secure detention and prevent over supervision in the community.

3.3

The CYDC Advisory Board shall review data on the use of CYDC funding and its impact on detention at least every 2 years. The review shall look at the use of secure detention for juveniles solely for assessment and planning purposes, (specifically looking at juveniles released to the community prior to disposition that could otherwise be served immediately in the community), as well a review on where services are taking place, whether in detention or in the community.



Best Practices in Disposition & Sentencing

- ❖ Match youth with the most appropriate level and length of supervision based primarily on the youth's assessed risk of reoffending.
- ❖ Minimize system interventions for low risk youth and focus system resources on high risk youth.
- ❖ Base supervision terms on youth's risk level and offense and their progress under supervision.
- ❖ Minimize supervision lengths beyond 12 months due to diminishing returns (high cost of incarceration and research demonstrating reduced outcomes).



4

Select and adopt a validated risk and needs assessment tool to inform court decision making and establish policies to require and support the use of the tool.

4.1

Establish a statewide oversight committee with diverse representation from relevant stakeholder groups (prosecutors, defense attorneys, diversion, judges, DYS, probation, guardian ad litem, juvenile mental health professionals, among others) that shall be responsible for:

- ❖ selecting a validated risk and needs assessment tool to be used to inform court decision making and determine the appropriate actions to take for each juvenile subject to the jurisdiction of the juvenile court;
- ❖ establishing guidelines and requirements around when the risk and needs assessment shall be conducted and for which populations of juveniles;
- ❖ selecting a validated mental health screening tool(s) to determine the appropriate actions to take for each juvenile in need of supervision;
- ❖ developing a plan to collect and report data on the risk assessment results and corresponding sentence, supervision, and service matching decisions to the legislature.
- ❖ selecting a validated risk screening tool to inform juvenile diversion eligibility decisions;
- ❖ developing performance measures and identifying data that each judicial district shall track and report annually to the state agency administering the new juvenile diversion block grant;
- ❖ developing guidelines to ensure that conditions of probation are matched to juvenile's identified risk and needs; and
- ❖ developing shared performance measures for community-based providers serving juveniles on probation and parole.

4

Select and adopt a validated risk and needs assessment tool to inform court decision making and establish policies to require and support the use of the tool.

4.2

DYS, in consultation with the state oversight committee, shall establish a facility length of stay matrix, facility release criteria, and objective criteria to determine eligibility and admission into reintegration centers/step down facilities that is based on juveniles' risk of reoffending, as well as the seriousness of their offense, and progress in meeting treatment goals. The matrix and criteria established must take into account special criteria and requirements for certain categories of offenses.



Best Practices in Juvenile Probation Supervision and Services

- ❖ Position probation officers as agents of positive behavior change rather than compliance monitors by reducing caseloads and focusing supervision on skill development.
- ❖ Focus conditions of supervision on the root causes of behavior and restorative justice practices.
- ❖ Engage youth and families in the development of case plans and in case decision making.
- ❖ Promote and fund only those system interventions demonstrated by research to be effective at reducing recidivism and improving other youth outcomes.
- ❖ Employ graduated responses and incentives to hold youth accountable, promote behavior change, and minimize probation violations.



5

Establish statewide standards for juvenile probation across Colorado that are aligned to research-based policies and practices.

5.1

The state court shall establish statewide standards for juvenile probation that are aligned with research-based practices, and premised on a statewide definition of probation whose purpose is to serve as a sentencing alternative to the courts and reduce the incidence of crime through the design and implementation of research based policies, practices and standards; to set forth conditions of supervision and match juveniles to services that address identified risk and needs; and to achieve the successful completion of their agreement. Areas of focus for probation standards include, but are not limited to :

- ❖ Aligning probation staffing and workload to more effectively supervise and work with juveniles
- ❖ Developing guidelines around early termination policies
- ❖ Establishing common elements for case planning that are informed by risk and needs assessment results, among other factors
- ❖ Establishing common elements for the use of out-of-home placements and the Division of Youth Services

5

Establish statewide standards for juvenile probation across Colorado that are aligned to research-based policies and practices.

5.2

Local probation departments must adopt and use a statewide juvenile graduated response and incentives grid, or a locally developed grid aligned to best practices, to inform responses to probation violations. The state court shall collect data related to the use of responses and incentives, grid compliance and program outcomes, and shall include an internal process for reviewing responses that are challenged by the juvenile.



6

Improve the effectiveness of community-based services for youth on probation and parole.

6.1

Establish shared performance measures that service providers receiving judicial, DYS and other state funds to provide services to juveniles in the juvenile justice system must track and report related to youth outcomes and develop a plan to collect and report data on these measures. State agencies, including the judicial department, contracting with service providers for these purposes shall report on these performance measures annually, and a consolidated report shall be made available annually to the legislature, chief justice, and the governor.



7

Expand the use of kinship care for juvenile justice involved youth in detention and commitment and under consideration for out-of-home placement.

7.1

Require parents of a juvenile placed in detention or considered for out-of-home placement to complete an advisement relative affidavit within a specified time period or prior to the next hearing on the matter.

7.2

Allow for a juvenile screened for detention who does not require physical restriction/detention but who may not return home to be given temporary care with his or her grandparent or an immediate family member not residing in the home of the juvenile.

7.3

Allow for the release of a juvenile to the custody of a relative or a person with a significant relationship to the child at the conclusion of a detention hearing.

7.4

Require that kinship placement be explored prior to the use of out-of-home placement for juvenile justice involved youth (detention and probation)



Next Steps

1

Work with state and local leaders to translate policy recommendations into legislative language and introduce legislation in the 2019 legislative session

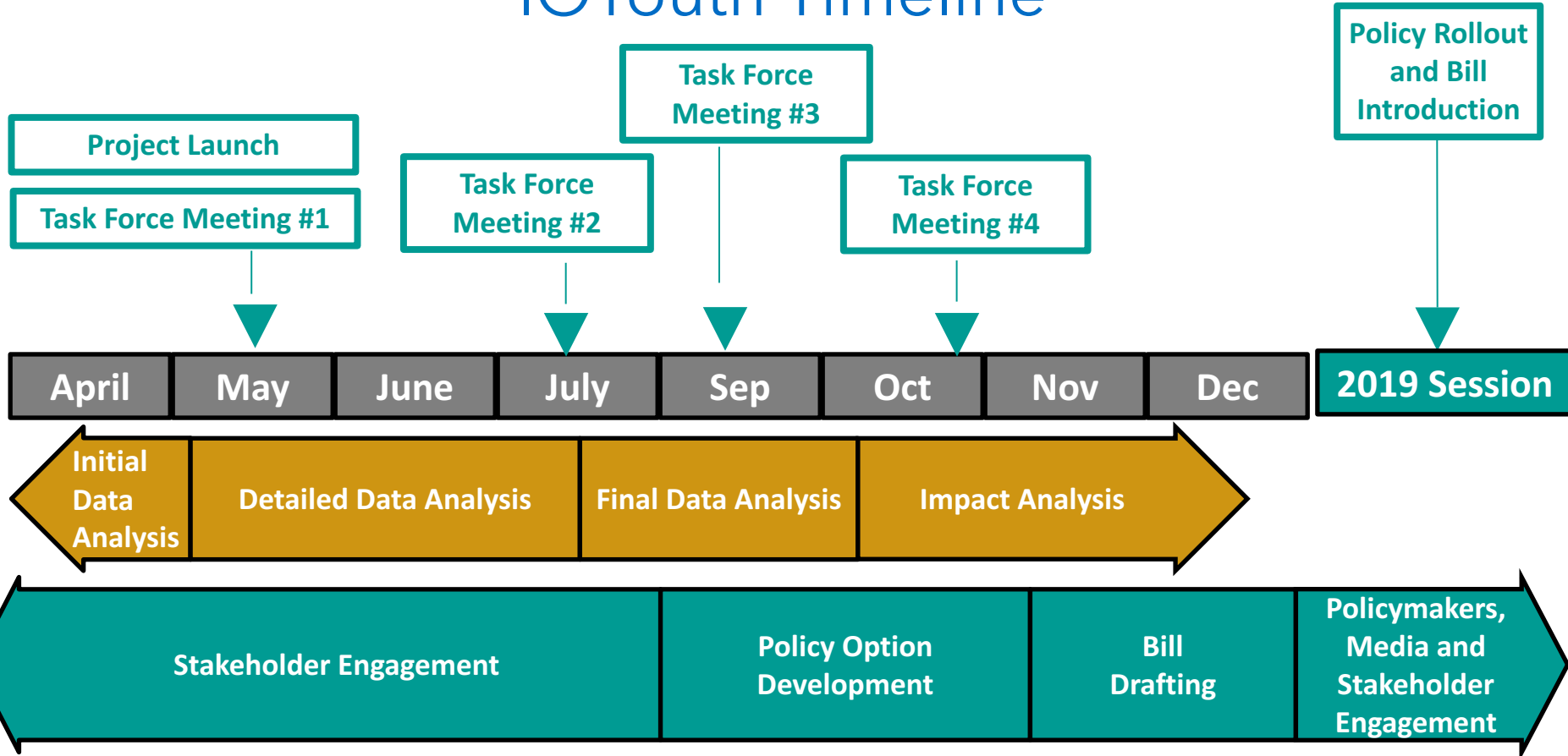
2

Engage task force members, media, policymakers, and other stakeholders to garner support during the legislative process and throughout implementation



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