

AGE OF DELINQUENCY TASK FORCE
FINAL RECOMMENDATION PRESENTED TO THE
COLORADO COMMISSION ON CRIMINAL AND JUVENILE JUSTICE
July 10, 2020

FY 20-AD #01. Incorporate Standards to Formally Recognize and Address the Needs of Young Adults in Probation Supervision [Policy]

Recommendation FY20-AD #01

Adult probation supervision standards promulgated by the Judicial Department should be modified and expanded by July 1, 2021 to create specific standards associated with probation supervision of young adults (18-24 year olds). These supervision standards should reflect current research and knowledge about age and brain development, especially regarding matters such as impulsivity, risk taking, and appreciating consequences of actions taken. Further, these standards should be guided by evidence-based or emerging best practices regarding the supervision of young adults, including case management approaches, involvement of the family in supervision efforts, responses to violations, the use of appropriate assessment tools, the use of restorative justice principles and practices, and partnerships with providers and the community to meet the needs of this population.

The implementation of this policy update should include the following:

- Training regarding brain development,
- Targeted interventions based on brain science,
- The need for development of partnerships with service providers and other community stakeholders to meet the needs of this population,
- Restorative justice,
- Assessment and case planning; case planning that incorporates educational/vocational training and life skills.
- Technical assistance should be provided to probation departments to facilitate the implementation of best practices.

Discussion

Chief Justice Directive 16-01 requires the State Court Administrator to submit annually to the Supreme Court for approval the Standards for Probation in Colorado. The Division of Probation Services and the Chief Probation Officers Counsel review and update the standards annually. It is recommended that standards regarding young adults be addressed in the revisions that are developed by July 2021.

Recent neuroscience research helps explain why young adults require specialized, age-appropriate interventions. The brain — and, in particular, the prefrontal cortex — continues to develop well into an individual's twenties.^{1, 2} The prefrontal cortex is the area most responsible for reasoning, self-control, and executive functioning. As a result, young adults struggle with issues around decision-making, impulse control, and organized planning compared to older adults. Simultaneously, they are more

¹ Johnson S. B., Blum, R. W., & Giedd, J. N. (2009). Adolescent maturity and the brain: The promise and pitfalls of neuroscience research in health policy. *Journal of Adolescent Health, 45* (3), 216-221. Available at, ncbi.nlm.nih.gov/pmc/articles/PMC2892678/

² Arain, M., et al. (2013). Maturation of the adolescent brain. *Neuropsychiatric Disease and Treatment, 9*, 449-461. Available at, ncbi.nlm.nih.gov/pmc/articles/PMC3621648/

[As Approved]

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susceptible to peer pressure than any other age group. In combination, these factors can lead to increased intersection with the criminal justice system.³

This recommendation will impact thousands of young adults because probation supervision is the most common sentence for this age group. In fact, in 2019, 63% of defendants who were 18-24 years old at the case filing date and were sentenced in district, county and juvenile delinquency courts received probation supervision (n=10,651).⁴

³ National Research Council. (2013). *Reforming juvenile justice: A developmental approach*. Committee on Assessing Juvenile Justice Reform (R. J. Bonnie, R. L. Johnson, B. M. Chemers, & J. A. Schuck, Eds.). Committee on Law and Justice, Division of Behavioral and Social Sciences and Education. Washington, DC: The National Academies Press.

⁴ Analysis conducted by Division of Criminal Justice, Office of Research and Statistics, for the Age of Delinquency Task Force. Data extracted from the Colorado Judicial Branch's information management system (ICON) via the Colorado Justice Analytics Support System (CJASS). Note: These figures represent cases, not individuals. Excludes Denver County Court cases.