



Minutes

Juvenile Justice and Delinquency Prevention Council

Date: November 20, 2021

Zoom Meeting 9:00 am to 12:00 pm

Members Present: Will Hays, Kira Jukes, Paula Mattis, Al Estrada, Claire Morrow, Kyle Ragland, Diana Goldberg, Tracy Kraft-Tharp, Stacie Colling, Rebecca Gleason, David Kollar, Effie Seibold, Sheri Danz, Kelli Reidford, Tom Harbough, Brian Bumbarger, Charles Gilford III, and Julie DeNicola.

Staff Present: Kelly Abbott, Debbie Oldenettel, Kate Ferebee, Anna Lopez, Mona Barnes, Raechel Alderette and Carolyn Sheffield

Guests

Quorum Established at 9:

INTRODUCTION:

Introduction of Carolyn Sheffield from the DCJ Administration unit who is assisting today in taking minutes.

APPROVALS:

1. The minutes from the August meeting were approved with no corrections. Motion to approve the minutes by Rebecca Gleason, seconded by Al Estrada. Motion carried.
2. CCJJ membership at a cost of \$5,000.00 for 2022. Motion to approve payment by Stacie Colling, seconded by Rebecca Gleason. Motion carried.

DIRECTOR'S REPORT:

Debbie Oldenettel provided the Director's report: Colorado has had an increase in crime and DCJ has been tasked with creating a Crime Reduction Package consisting of approximately 13 components. One of those is a holding a Crime Prevention Forum which would include strategies, best practices, programs, etc. (crime prevention grants, Diversion grants). There will be a piece focusing on Public Safety Workforce expansion and recruitment and retention of law enforcement personnel and looking at how officers are trained, and community interaction. There is an Environmental Design facet that will use data from "hotspots" to potentially do things such as increase lighting in particular neighborhoods. In other components of the package various other agencies have been tasked with duties: CDHS has a youth offender grants program, DOC has a restorative justice piece, and within the agency CBI has a right sizing component for increasing their workforce. There will be a budget of approximately \$60M provided to DCJ for these endeavors. Stacie Colling asked Debbie if there was a plan available online or does she have a copy she could share? Debbie referred to the Governor's budget for more details and said she was not aware of any materials available to the public at this time. Stacie asked if there were any reports available to the public breaking down the statistics of the increase in crime. Debbie stated that Jack Reed, the acting manager of the DCJ Office of Research and Statistics, has done a number of presentations on this topic. Kelly Abbott said she has a copy of his presentation that he did for the JAG Board and she will send it out to the group. Will Hays asked if he could come report to this group and Kelly said she would invite him to the next meeting. Will Hays asked specifically for juvenile data. Brian Bumbarger asked will there be a component specific to (primary) prevention of delinquency and juvenile crime, and is that specifically listed as a priority in the authorizing language? Debbie replied that there is the young offender grants



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program. One of the concepts discussed was the one-stop shop for Juvenile Assessment centers, as well as bringing in experts from the Crime Prevention Forum to see what other avenues are available. The intention is that the programs will be data driven, evidence based but also fit the communities without being too prescriptive. Brian Bumbarger mentioned that in the past PA looked to CO for ideas. Ultimately PA adopted and prioritized the Nurse Family Partnership program as its primary prevention strategy for long term investment in reducing juvenile crime. He stressed that he hopes the Council is advocating for primary prevention. Al Estrada commented that while Colorado is seeing the highest number of juvenile crimes, we are also seeing the lowest number of detentions. When the Legislature put the cap in place, that could have aided in the current situation, but no particular thoughts and uncertain what the driving force is behind the circumstances. Rebecca Gleason stated she is not certain how much time is being devoted to picking up juveniles at the moment. Stacie Colling mentioned that not able to discuss much on hunches without the data. Kelly Abbott will invite Jack Reed to the next meeting and mention this conversation to see if he sees any information in the numbers that could shed some light.

DCJ STAFF REPORT

1. **OJJDP Update:** (Kelly)

DCJ just had the **SRAD** Conference with OJJDP. The DCJ members who were required to attend were Kelly Abbott, Mona Barnes and Anna Lopez. The training conference was virtual and focused on Compliance, **RED** plans for the year and the 3-year plan, etc. for reporting requirements for OJJDP. Their sessions included Detention Compliance Monitoring, Activating Your Governor's Report Membership, Emerging Leaders, Stream Lining your State Plan, **RED** Plan, and other sessions with general juvenile justice issue topics.

OJJDP just sent notification that they will be delaying sending out the awards for the 2021 funds. In reviewing all of the materials DCJ submitted, they indicated that our current compliance monitoring manuals did not align with the statutory and regulatory requirements of the formula grants program. They will be sending out a template manual to all of the states on December 15th and we will be giving 180 days to transfer this information into the template. Once received and cleared they will release the 2021 funds. We also need to make sure that this new template fits within DCJ's guidelines. We are not sure how it may delay the 2022 funding solicitation process.

No legislative updates at this time. By the next meeting there will be a better idea of things to come from the Crime Prevention Package.

2. **JJRC Update** (Kelly)

The next meeting is December 28, 2021. We will be reviewing and getting updates from Judicial, DYS and Diversion on where they stand in efforts to get items implemented. The Department of Revenue (DORA) wrote and sent a report recommending sun setting the JJRC. We will wait for the outcome from this legislative session.

Tom and Kelly are working behind the scenes on ways to improve our data collections systems. Tom stated the scope of interconnectivity of our data was not the original build intent of our



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individual data systems. It is important to find a solution for what is coming next which is knowing what is going on with the kids in a building and with a level of accountability when it comes to reporting that is necessary for us to know that we are making the right decisions with the right kids with the right dollars.

Kelly said that she has spoken Kelli Burmeister to get all of our systems input in the conversation.

Al Estrada gave an update on DYS and the status of some of their SB-108 tasks. They were required to adopt and implement an actuarial based risk assessment and they have done that with the youth assessment and screening instrument (YASI). We have been in the process since July 1, 2021 of updating our current cases and working with all of the treatment providers to update their treatment plans so they reflect a youth's need domains from the YASI. It has been a learning curve and the tool requires a lot more work on the part of the supervisors because of the amount of review time. We are doing a lot of training and coaching. Because it has taken longer to implement YASI, we have had to push out the implementation of our Length of Stay Matrix, which is also reference in statute. We have a matrix ready but it relies heavily upon the YASI scores. We are set to implement this on January 1, 2022. We have also been working on the release criteria. We have a tool that we have been piloting but it requires changes in processes, therefore it will probably roll out in April of 2022.

Kelly spoke about the CJJ Membership and dues. In the past, this Board has paid the membership fee of \$5,000 which gives us the availability for training and discounts. Kelly participates in nationwide conversations and regional meetings. Stacie is the leader for the western region. The organization has provided technical assistance and forums for us to have conversations about topics such as compliance monitoring issues, etc. and gives us a voice at OJJDP. Stacie recommended that we pay the dues and stay involved. There are over 40 states now that are members so it is a broad coalition. Their advocacy at the Capitol and with OJJDP and acting as the advocate for the states with OJJDP and at budget time is really important and would be something hard for the states to do individually. She has been very impressed with CJJ and youth leadership. Currently their President is a youth member, and also a member on the Board who is currently incarcerated in Washington. The membership allows all of the members of the Council to be members with the member rate/discount that they offer for trainings and conferences.

Debbie Oldenettel thanked the Office of Adult and Juvenile Justice Assistance (OAJJA) staff for their diligence as they are currently under-staffed.

3. **Diversion Update:** (Kate)

DCJ is finalizing the 5-year contract with the evaluator for this year and subsequent years. Kate hopes this will provide some continuity with the data collection. The contracted evaluator is going to take the lead on the review of the allocation formula and fund distribution to judicial districts in order to stay on the 3-year timeline that was approved by the JJDP Council for the current allocation of funds.



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4. **JJRA Compliance Monitoring:** (Mona)

Mona is currently in the process of updating our manual and reformatting it to meet the accessibility requirements. Regarding the court holding situation, they decided that court holding facilities met the definition of an adult jail and lockup. They are very focused on meeting definitions. They will now have to meet the core requirements of an adult jail. They would now have to log every juvenile that came into a court holding facility, i.e. all of the transfers in for juveniles for court that day. Also, once the juvenile was adjudicated they could not go back into the court holding cell because it was now considered an adult jail. This is posing a problem with the courts as to what to do with the juveniles until they are picked up. They backed off this scenario and contemplated what if the courthouses have separate holding areas for juveniles and adults where they would not be in contact with each other, then we can keep them classified as an institution, which means it only requires site and sound separation. Most of our facilities fit into this category, but now we have to get the documentation from those courts showing the diagrams of these areas. In the rural areas, some of the court houses are sharing the court holding area, sharing meaning that they are time phased. We are working to make sure we have the documentation to fit their needs ensuring that all of the courthouses are not adult jails and lockups.

The Interest of Justice will go into effect December 15, 2021. It states that if a juvenile is going to be tried in criminal court, where can they be held and what are the requirements for doing so. We don't have a lot of kids that are direct filed in criminal court, but we are going to have to meet the requirements. If they are being held somewhere, it will have to be reviewed every 30 days, document that paperwork, at 180 days they have to re-evaluate the whole situation. Part of the Colorado Revised Statute 19-2508 addresses that already, so we are very clear and dedicated when it comes to everyone regarding where juveniles will be held. We are trying to meet with Tom to go over these items.

Law enforcement is very frustrated right now. This frustration may have started with COVID, but they pick up juveniles on a court warrant and they ended up letting them go. The courts are backed up and unable to see them, so they would let them go. The same is happening with screening them into detention unless they committed a certain level of crime.

Brian added that maybe this has some implications for Anna's public safety partnership project because part of that is educating police officers and shifting their understanding about reasons on the limitation and the use of detention etc.

Mona stated that there was no communication out there about why the juveniles weren't getting screened into detention. The screeners would say let them go, so they let them go. Mona pointed out that it is also a priority issue with law enforcement. They are also understaffed and with crime being up, then picking up juveniles that will be let go anyway makes it lower on their priority list.



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Kira commented that it depends on what community you are in. In my judicial district we work closely with our law enforcement partners in educating them about the changes to detention screening. And throughout COVID the JAC served law enforcement for the youth that were not detention eligible. Ours specifically we refer directly to our pre-file Diversion program or to our Standard Diversion program as well as CYDC supervision, so as Debbie was eluding to earlier, I think for those communities who are using established assessment centers who are using evidence-based practices and participating in research to try and demonstrate the impact is there could be available funding to enhance those programs. But also, for communities that don't have them to look at what an assessment center would look like for their community because each one needs to vary to meet those community needs. There is frustration but a lot of opportunity.

Mona – some people higher up on the system may be receiving this information, but getting it filtered down to the police departments presents another challenge. This is more of an issue in the rural areas.

5. R/ED (Anna Lopez)

CDPS has a Wildly Important Goal (WIG) from the Governor's Office regarding MOR of youth in the JJ System. This goal includes Anna providing a data presentation and training to local communities and assisting them in creating a plan for addressing MOR in their communities. These trainings include a pre/post evaluation. Brian is going to assist Anna in developing the questions.

The JJDP Council has provided funding to update the Effective Police Interaction Curriculum. This curriculum was implemented in Denver and once the curriculum is updated it will be available for other districts to utilize. The contractor is having issues with finding a videographer to film the scenario scenes, so this has caused some delays.

Anna is also providing technical assistance to four local communities. She attends their monthly meetings and answers questions about best practices.

***Kelly Abbott mentioned that she found a fact sheet on the Public Safety Investment Plan that was in the Governor's budget and she placed it in the chat.

SUBCOMMITTEE REPORTS:

1. **Children's Code Reorder Committee (Rebecca/Stacie)** – they are waiting on the facilitator to be hired.

Al asked if this was for the content re-write. Have people been selected to be on this group yet?



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Kelly replied that we have the current committee from the re-org but we have not looked at pulling in other stakeholders into this committee so AI if you have any thoughts on who else we should bring in . . .

Al stated that he is thinking more in terms of DYS. I need to have a discussion with our folks as to who would be the best person, and from the earlier process there clearly needs to be someone from a legal background I think. I don't know if the Attorney Generals' Office is able to assist with this, but I need to look at who would be the best fit for this committee.

Kelly stated that it might be clearer once we get the new facilitator on board to help identify who the right person would be to have at the table.

2. **CMYE (Lisa/Charles)** – Charles stated that the structure of the Coalition includes 3 subcommittees. These subcommittees are focused on training, data, and interventions. The subcommittees have had a few meetings to date and we are excited to get extra work done by utilizing this structure. The Coalition was dormant for a year. The efforts to get people re-engaged has worked well.
3. **Emerging Leaders (Kate)** The Emerging Leaders met on November 13. It became a planning session for a spring forum. There were 6 guest professionals interested in helping to plan the forum. Two Council members were there. The group divided into 2 breakout sessions: one to discuss strategies for increasing engagement by system involved youth in the forum and another to identify topic areas they felt should be discussed at the forum. They prioritized the topics and 4 of the 6 guests expressed an interest in on-going engagement in the planning process. They will try to carve out some time in the regular Emerging Leaders Saturday meetings every month to invite those who would like to continue the planning process. The group decided on a May forum. This forum would be localized to the Aurora area. The group felt that a statewide endeavor would be a little big too big, so trying to narrow the focus was their preference. The group was told of a similar effort by the city of Aurora that is happening in April. The Emerging Leaders' event may tie into that effort in some way. Kate will reach out to the planners in Aurora.
4. **Research and Evaluation Committee (Brian)** No updates

***Kelly also stated that due to the staffing shortage OAJJA has not has the bandwidth to start up any new subcommittees, but they will get to that in the near future.

Behavioral Health Administration (Summer) - Summer presented a PowerPoint presentation of an overview of the Behavioral Health Administration and its roles and responsibilities. Please see a copy of the presentation for more information.

Diversion Ad-Hoc Committee (Will)



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The Executive Committee discussed the need to create a group to provide feedback on proposals in the next call for juvenile diversion applications. The JJDP Council has historically helped review, with various members volunteering each year. This year, the State will begin a formal review of the funding formula and allocation methodology, which will be led by DCJ's contracted evaluator. This process will need to be completed quickly, as the current allocation process will end in June 2023. The process will include stakeholder input through surveys and focus groups, as well as an examination of the needs of judicial districts' diversion programs.

In order to keep this process going as quickly as possible, the Executive Committee proposes an ad-hoc Diversion Committee for both efforts (reviewing the funding applications and for the longer-term work of reviewing the allocation model and bringing it to the Council). Kate commented that last time the formula was presented to the Council she thought it was a little bit of a confusing process and there were a couple of bumps along the way, so she feels like now that DCJ has learned from those experiences, and will be better able to present some different options for the Council to consider, rather than just having only one proposal to decide upon. She thinks that it would be very helpful to have the Council's input in a committee so this can be one of the bodies that helps DCJ move along in this process. A couple of people at the Executive Committee meeting had expressed their interest in participating, and members were asked to volunteer via the chat or email to Kate.

The reviews will take place in February/March of this year. DCJ must have reviews completed in time to get the contracts out by the end of the fiscal year. Usually it takes about a month and a half for DCJ to create a contract and obtain all the signatures required. This year DCJ is doing a slightly quicker process internally, so more discussion and review may be possible. The allocation formula and methodology were approved for the fiscal years of 2020-21, 2021-22, 2022-23. Due to the contracting process, decisions would need to be made on proposals for the first year of the new formula by May of 2023. Ideally, there would be recommendations from the contracted evaluator in the fall of 2022 so that DCJ could call for applications by the first of calendar year 2023. This all depends on if anything changes in the formula or allocation methodology.

Council members agreed that a combined group to tackle the review and the allocation formula recommendations is best. This committee would take the place of the original working group that had been tasked with specific work through the legislation that created the Juvenile Justice Reform Committee (JJRC). That working group consisted of members of the JJDP Council and the JJRC, as well as juvenile diversion program representatives. If the Council's new Diversion committee is interested in engaging members from outside the Council, the committee could discuss that at its first meeting. Rebecca and Paula suggested that the committee consider inviting guests in as consultants, rather than create a larger group, since larger groups do not always do things as efficiently as smaller ones.

David Kollar, Kira Jukes and Paula Mattas expressed interest in participating.

MEETING ADJOURNED