

**Annual Report to the Governor  
and  
State Legislature**

**December 2019**

**By the Colorado Juvenile Justice and Delinquency  
Prevention Council**

**&**

**Office of Adult and Juvenile Justice Assistance  
Colorado Department of Public Safety**

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## ***Message from the Director and Chair***

As the Director of the Division of Criminal Justice (DCJ) and the Chair of the Juvenile Justice and Delinquency Prevention (JJDP) Council, we are pleased to present the joint DCJ and JJDP 2019 Juvenile Justice Annual Report. This Annual Report is a requirement of federal juvenile justice funding received by the DCJ from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and summarizes the juvenile justice-related activities of DCJ's Office of Adult and Juvenile Justice Assistance (OAJJA) and the JJDP Council from July 1, 2018 through June 30, 2019.

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## Mission Statements

***Colorado's Juvenile Justice and Delinquency Prevention Council (JJRPC) provides statewide leadership and advocacy to improve the juvenile justice system, prevent delinquency, and ensure equal justice and accountability for all youth while maximizing community safety.***

***The mission of the Division of Criminal Justice (DCJ) is to improve the public safety of the community, the quality of services to crime victims, and the effectiveness of services to offenders. We accomplish this by analyzing policy, conducting criminal justice research, managing programs, and administering grants.***

## THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT

Established in 1974 and most recently reauthorized by Congress on December 13, 2018 through H.R. 6964, the Juvenile Justice and Delinquency Prevention Act (JJDP) embodies a partnership between the U.S. federal government and the states and territories to protect children and youth in the juvenile and criminal justice system, adequately address delinquent behaviors and improve community safety by preventing juvenile crime and delinquency.

**In short, the JJDP provides for:**



- A U.S. National juvenile justice planning and advisory system in all states, territories and the District of Columbia;
- Federal funding for delinquency prevention and improvements in state and local juvenile justice programs; and
- Operation of a federal agency—the Office of Juvenile Justice and Delinquency Prevention (OJJDP) - dedicated to training, technical assistance, model programs, and research and evaluation to support state and local efforts.

Under the JJDP, each state must establish a State Advisory Group on Juvenile Justice (SAG), submit a Three-Year State Plan for carrying out the purposes of the Act, and implement the Act's Core Requirements/Protections at the state and local level.

The Juvenile Justice and Delinquency Prevention Act's goals are to prevent and reduce juvenile delinquency and improve the juvenile justice system, by ensuring appropriate sanctions and services, due process, proper treatment and safe confinement for juveniles who are involved in the juvenile justice system.

In order to receive its full fiscal year allocation of Formula Grants program funds under the JJDP, a state must first demonstrate compliance with the core requirements. Compliance with the first three core requirements is demonstrated through data provided in the state's annual Compliance Monitoring Report. Compliance with the fourth core requirement is determined by information provided in the state's comprehensive Three-Year Plan and subsequent updates.

The core requirements of the Act are:

- **Deinstitutionalization of Status Offenses (DSO)** Juveniles charged with or who have committed offenses that would not be criminal if committed by an adult, or such non-offenders who are not charged with any offense and who are aliens or alleged to be dependent and neglected children, shall not be placed in secure detention facilities or secure correctional facilities. Status offenses include, but are not limited to, truancy, runaways, curfew violations, or minors in possession of tobacco. A DSO violation occurs when a status offender has been "placed" in a secure detention or correctional facility. "Placed or placement" refers to what has occurred: 1. When a juvenile charged with a status offense, a) is detained or confined in a secure correctional or detention facility for juveniles for 24 hours or more before an initial court appearance, for 24 hours or more

following an initial court appearance, or for 24 hours or more for investigative purposes or identification; or b) is detained or confined in a secure correctional or detention facility for adults, or 2) when a juvenile who is not charged with any offense, and who is an alien or alleged to be dependent, neglected, or abused, is detained or confined in a secure correctional or detention facility for juveniles or adults. Three statutory exceptions include: 1) juveniles held in accordance with the Interstate Compact on Juveniles, 2) Youth in Possession of a Handgun, or 3) a Valid Court Order exception.

- **Sight and Sound Separation of Juveniles from Adult Inmates (Separation)** during the temporary period that a juvenile may be detained or confined in an institution, no sight or sound contact between the juvenile and adult inmates or trustees is permitted. “Detained or confined” means to hold, keep, or restrain such that he is not free to leave, except that a juvenile held by law enforcement solely for the purpose of returning him to his parents or guardian or pending his transfer to the custody of a child welfare or social service agency is not detained or confined within the meaning of this definition. In the most recent 2018 reauthorization, it has been mandated that no later than 3 years after the date of enactment, states are required to ensure sight and sound separation and jail removal for youth awaiting trial as adults. This protection previously applied only to youth being held on juvenile court charges. An exception continues to exist for cases where a court finds, after a hearing and in writing, that it is in the interest of justice.
- **Removal of Juveniles from Adult Jails and Lockups (Jail Removal)** Juveniles accused of committing a delinquent act may be held in temporary custody, not to exceed 6 hours, at an adult jail or lockup only for the purposes of processing, awaiting transfer, or in conjunction with a court appearance. Reports from the federal Office of Juvenile Justice and Delinquency Prevention show that juveniles held with adults for any period of time can easily be victimized, may be easily overwhelmed by a lock-up and may become suicidal; adult facilities have neither the staff, programs nor training to best manage juveniles; and, jail or secure lockup do not provide a deterrent.
- **Racial and Ethnic Disparities** Prior to the most recent reauthorization, states were mandated to address Disproportionate Minority Contact (DMC) which is, with the passage of H.R. 6964, now referred to as a requirement to focus on Racial and Ethnic Disparities (RED). Similar to the previous DMC requirements, the new requirement (RED) directs states to collect and analyze data on racial and ethnic disparities, determine which points create RED, and establish a plan to address RED.

## THE COLORADO JUVENILE JUSTICE AND DELINQUENCY PREVENTION COUNCIL

The Colorado Juvenile Justice and Delinquency Prevention (JJDP) Council serves as the state advisory group (SAG) as defined in Title II of the federal Juvenile Justice and Delinquency Prevention Act (JJDA) of 2002. Colorado has actively participated in the JJDA since 1984. Through early comprehensive efforts, the JJDP Council and the Division of Criminal Justice (DCJ), which is the designated state agency to support the JJDP Council and its work, have brought the state into compliance with the four core requirements of the Act: the removal of status offenders and non-offenders from secure juvenile detention and correctional facilities, separation of juveniles from incarcerated adults, removal of juveniles from adult jails and lock-ups, and development and implementation of a comprehensive plan to address racial and ethnic disparities at all decision points of the juvenile justice system.

Through its membership, which represents the broad scope of the juvenile justice system including government, community-based organizations, schools, and youth, Colorado's JJDP Council provides statewide leadership and advocacy to improve the juvenile justice system, prevent delinquency, and ensure equal justice and accountability for all youth while maximizing community safety. It is committed to supporting state and local governments, community-based organizations, and residents of Colorado in their delinquency prevention and intervention efforts. The Council's role is advisory including recommending policy and practices and bringing attention to issues that are surfacing or may have been overlooked in the field which must be addressed in order to effectuate a comprehensive, fair, just and equitable juvenile justice system which includes both delinquency prevention and intervention.

The Council builds its guidance on a foundation of professional, ethical, and scientific knowledge. It holds Council discussions, reviews research literature, and sponsors projects that guide its work. These projects inform its efforts to bring attention to key issues and for direction on delinquency prevention and intervention policy and best practices.

One of the responsibilities of the JJDP Council in conjunction with the DCJ is to regularly undertake an analysis of the "state of the state" of delinquency prevention and intervention programs and policies. This analysis serves as the basis for the development of a three-year comprehensive state plan for the improvement of the juvenile justice system and prevention of juvenile delinquency as required by the JJDA. The purpose of this plan is to coordinate, develop, implement, monitor, and evaluate state and local efforts to improve outcomes for troubled youth through addressing pressing issues, gaps in services, and funding reductions that threaten the progress that has been made in the areas of delinquency prevention and intervention. Collaboration and coordination with other state and local juvenile justice and delinquency prevention efforts are key to this plan. The flexibility of the funds allocated under the plan and the technical assistance available to the state through the plan, enable the JJDP Council and the DCJ to address the gaps identified through input from the many players in the system including rural communities and the Native American tribal communities.

Colorado's JJDP Council's intended efforts to improve the juvenile justice system are not only influenced by the professional and personal experiences of its members. The Council also carefully reviews data from child and youth serving systems (from prevention through juvenile justice system aftercare), and solicits input from the larger child, youth and family serving community at both state and local levels. The Council firmly believes that the state can improve the quality of life and long-term success of children and youth in Colorado through early identification of, and appropriate and timely responses to, concerns such as

behavior issues and lack of engagement and success in school. Identification of appropriate responses cannot occur in a vacuum, as no single system can be responsible for the myriad of issues faced by our children, youth and families. Efforts will only be successful when the entire community works together to provide the resources and services that children and families need. Therefore, local community involvement in this system improvement effort is critical. Often it is local government and non-governmental systems that provide direct services to children, youth and families and best know them; their needs, and specific barriers for access to resources. Because the Council is truly committed to system change, it recognizes that it must develop partnerships with these systems to identify sustainable solutions. The Council intends to engage state and local partners to collaboratively identify issues and develop recommendations for improvement.

The full 2018-2020 juvenile justice and delinquency prevention three-year plan is available at: [https://cdpsdocs.state.co.us/oajja/OAJJA\\_Board\\_Council/CO2018TitleIIApplicationNarrative.pdf](https://cdpsdocs.state.co.us/oajja/OAJJA_Board_Council/CO2018TitleIIApplicationNarrative.pdf). The Plan includes full descriptions of its priorities including goals, objectives and activities planned in the following Purpose Areas:

**Racial and Ethnic Disparities in the Juvenile Justice System**

**Appropriate Holding of Juveniles through Comprehensive Compliance Monitoring**

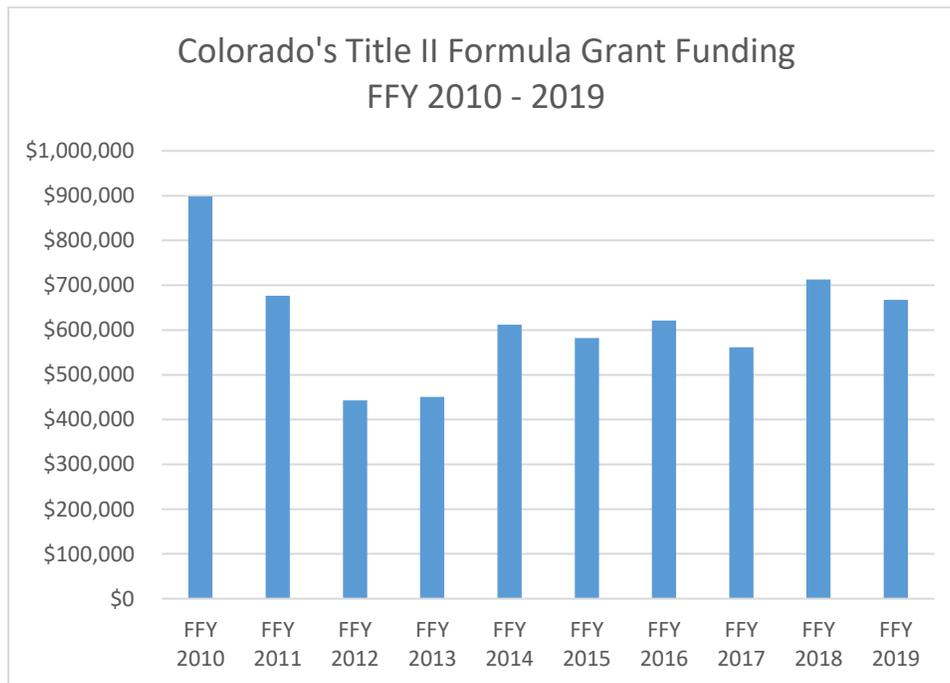
**Native American Programming**

**Juvenile Justice System Improvement**

## FEDERAL FUNDING

Since 2013, there has been only one major source of federal funding for addressing juvenile justice, the **Formula Grants Program (Title II)**, now called the Charles Grassley Juvenile Justice and Delinquency Prevention Program, from the Office of Juvenile Justice and Delinquency Prevention (OJJDP). This program supports state and local delinquency prevention and intervention efforts and juvenile justice system improvements. This program provides funds directly to states, territories and the District of Columbia to help them implement comprehensive state juvenile justice plans based on detailed studies of jurisdictional needs. Formula Grant funds can be used to fund programs to help states remain in compliance with the core requirements (Sight and Sound Separation, Jail Removal, Deinstitutionalization of Status Offenders and Racial and Ethnic Disparities), Native American issues, a variety of prevention programs, planning and administration, and the State Advisory Group allocation. With the 2018 Reauthorization of the JJD Act, there is also a new focus on data-driven evidence-based or promising prevention programs.

Colorado's Formula (Title II) Allocation FFY 2010-2019									
FFY 2010	FFY 2011	FFY 2012	FFY 2013	FFY 2014	FFY 2015	FFY 2016	FFY 2017	FFY 2018	FFY 2019
\$898,000	\$676,688	\$442,589	\$450,867	\$612,250	\$582,443	\$621,069	\$561,377	\$712,959	\$667,676



## JJDP COUNCIL PRIORITY AREAS/ACCOMPLISHMENTS

### RACIAL AND ETHNIC DISPARITIES IN THE JUVENILE JUSTICE SYSTEM

**GOAL: Prevention of delinquency by addressing contributing factors that may lead minority youth to enter the juvenile justice system.**

Colorado has been addressing minority over-representation (also called disproportionate minority contact or DMC) for the last two decades. Although local judicial districts have had achievements, at the state level minority over-representation still exists at many of the juvenile justice decision-points (arrest, detention, commitment). The JJDP Council continues to advocate for youth and families of color by monitoring legislation that may affect them inequitably and championing equal access to services by all youth. They also continue funding assessment studies in local jurisdictions to determine the multiple contributing factors of over representation of youth of color in the juvenile justice system. Additionally, this year the JJDP Council set-aside funds to support system improvement projects that are identified as a viable intervention strategy based on the information from the assessment studies.

The JJDP Council continues to support a DMC coordinator who takes a three-prong approach in helping Colorado remain in compliance with the DMC Core Requirement (Since the addition of the DMC Core Requirement, Colorado has always been found in compliance). First, as a requirement for receipt of federal Formula (Title II) funding, the state is required to “address juvenile delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of minority groups, who come into contact with the juvenile justice system.” Colorado’s DMC Coordinator serves as the liaison for DMC to OJJDP which includes participating in all DMC Coordinator calls and required webinars coordinated by OJJDP. Duties as the technical expert and liaison include writing and updating the state’s DMC Plan and Program Description annually to remain in compliance as well as updating and entering the state’s Relative Rate Index or RRI data into the OJJDP website, also a compliance requirement. In addition to the required data collection the coordinator looks at the data to identify changes in DMC from year to year and compare multiple years of data to identify trends early on and bring them to the attention of the JJDP Council, the Coalition for Minority Youth Equity (CMYE) and the systems involved to address issues as early as possible.

Second, to support state level activities, the DMC Coordinator provides staffing to the Colorado Coalition for Minority Youth Equity (CMYE). Training for new and potential CMYE members is conducted annually. Funding also supports the logistical costs of three CMYE Meetings and supports communities outside of Denver to travel and participate in CMYE meetings. The other primary focus is on improving the DMC data collection and use of DMC data in Colorado by looking at data usability and accessibility by local jurisdictions. This is accomplished by developing a user friendly document for each Judicial District to represent their RRI matrix data.

Third, heavy emphasis in the state DMC Plan is on supporting community level activities, the DMC coordinator, as the state’s DMC technical expert, provides training and technical assistance to agencies and communities to assist them in understanding the problem and assist them in developing a plan to address their local DMC issues. The plan includes the use of the identification data to determine where DMC exists within the community then selecting one of those areas to focus the assessment study utilized

to gather and look at more data that may point to reasons for the inequitable representation of youth of color at that decision point. Once the assessment is completed the community develops and intervention plan that is closely tied to what the assessment indicated. It is important that various stakeholders within the community are involved in the development of the intervention plan and strategies. It is then important that the community continues to review data and evaluate and monitor the success of the implementation plan.

**Table A: Percent of Each Decision Point Represented by Each Race/Ethnicity**

	Total Youth	White	Black	American Indian	Asian	Hispanic
<b>Pop at Risk (10-17)</b>	659,831	57 %	4.6 %	1.1 %	4.1 %	34 %
<b>Arrests</b>	22,530	52 %	17 %	.2 %	1 %	30 %
<b>Diversion (state funded only)</b>	2,193	68%	8.7%	.9%	1%	22%
<b>Detention</b>	5,169	41 %	21 %	1 %	.8 %	36 %
<b>Commitment</b>	399	40 %	20 %	.8 %	.5 %	39 %
<b>Direct File to Adult Court</b>	82	48 %	40 %	0	1.2 %	11 %

**What does the data mean?**

The data presented in Table A is telling the state that there is a large disparity when looking at what the juvenile justice system looks like for African American/Black juveniles. African American youth are 4.6% of the juvenile population 10-17 but they are 17% of the juveniles arrested. Although arrested at a representation of 17% they are less likely to be diverted representing only 8.7% of youth diverted by a locally implemented, state funded diversion program. The negative consequences are exasperated as juveniles move deeper into the juvenile justice system African American youth are 21% of the juveniles held in detention prior to adjudication, 20% of the juveniles committed and 40% of the juveniles who are direct filed.

While the data indicate that Hispanic youth are not over-represented at arrest, there is still the belief that there is an undercount of Hispanic youth due to issues of collecting ethnicity data. When looking at Hispanic youth based on the percent of Hispanic youth arrested, they are over-represented in detention and commitment and also under-represented at diversion (generally seen as a positive outcome where underrepresentation is not a positive outcome).

**What Has Been Accomplished?**

The fourth annual DMC Statewide Stakeholder meeting was held October 31, 2019. There were many systems that serve youth or are part of the juvenile justice system. The focus was on outcomes. Hosting presentations from three-communities that have and some successes in the implementation of strategies to address issues. The 1<sup>st</sup> Judicial District presented on their efforts related to assessment and planning (see highlights section below), the 8<sup>th</sup> Judicial District focused on their efforts to reduce past disproportionate numbers of Latino youth being committed and the 2<sup>nd</sup> Judicial District discussed their outcomes in the area of juvenile arrests focusing on their outcomes related to on-going training of law enforcement and work to improve youth and law enforcement relationships.

Through a partnership between the Department of Education and the Department of Public Safety along with some law enforcement and community partners a curriculum School-Justice Partnership, was developed for school administrators and school resource officers to provide them with a full-day curriculum taking them through the history of school discipline and the link to the juvenile justice system. Data is presented on both the over representation of students of color in school discipline as well as school referrals to law enforcement. The curriculum also emphasizes the connection between school discipline and referrals to law enforcement. To date about 125 people have been trained within 7 school districts.

## **1<sup>st</sup> Judicial District's Highlights for Engaging Partners for Collaborative Success**

***Lakewood High School*** used restorative practices to prevent suspension and expulsion of students!

***All Lakewood Schools*** started Handle with Care, a trauma-informed approach to engaging with students experiencing challenges outside of school and this will soon be offered district-wide!

***Lakewood Probation Officers*** educated school staff and principals on alternatives to law enforcement, decreasing the need for law enforcement involvement in the schools!

***The Lakewood Police Department*** added an ethnicity field to police tickets to increase the ability to monitor and track data regarding potential youth minority overrepresentation!

***Jeffco Public Schools, Jefferson Center for Mental Health, Jefferson County Juvenile Assessment Center, 1st Judicial District Colorado Youth Detention Continuum and Jefferson County*** collaborate to divert eligible students into programs to support decreasing truant behavior, versus them going to court and moving further into the justice system!

***The Jefferson Center for Mental Health*** is partnering with the schools to provide bilingual Mental health services for families to increase access to Mental Health resources for Spanish-speaking youth and their families.

## APPROPRIATE HOLDING OF JUVENILES THROUGH COMPREHENSIVE

### COMPLIANCE MONITORING

**GOAL: Maintain compliance with Deinstitutionalization of Status Offenders, Separation of Juveniles from Adult Inmates and the Removal of Juveniles from Adult Jails and Lockups.**

Colorado has emphasized and conducted compliance monitoring since 1987. The compliance monitor's job is to provide training, technical assistance and on-site support to law enforcement and juvenile justice system personnel is to ensure that the state of Colorado remains in compliance with the Juvenile Justice Delinquency Prevention Act's (JJDP) Core Requirements which include:

- 1) Deinstitutionalization of Status Offenders (DSO),
- 2) Sight and Sound Separation of Juveniles from Adult Inmates (Separation), and
- 3) the Removal of Juveniles from Adult Jails and Lockups (Jail Removal).

In December 2018, the JJDP was reauthorized with the passage of H.B. 6964, the Juvenile Justice Reform Act of 2018 (JJRA). The Core Requirements remain in effect with minimal changes.

**Core Requirement: Deinstitutionalization of Status Offenders (DSO). Under the JJDP at 42 U.S.C. 5633, (Sec. 223) (a)(11)(A), a state shall provide that juveniles who are charged with or who have committed an offense that would not be criminal if committed by an adult....and non-offenders who are aliens, or are alleged to be dependent, neglected, or abused, shall not be placed in secure detention or correctional facilities. Excluding:**

- 1) juveniles held at a juvenile facility in accordance with the Interstate Compact (for juveniles that have run from other states to Colorado),
- 2) youth held for violating the Youth Handgun Safety Act (juvenile in possession of a handgun), or
- 3) juveniles placed in a facility for violating a Valid Court Order (VCO)

Violations of the DSO core requirements occur when:

- 1) an accused status offender is held at a juvenile detention facility over 24 hours prior to or immediately following an initial court appearance, or when a juvenile accused of violating a Valid Court Order (VCO) isn't seen before the court within 48 hours;
- 2) a juvenile charged with a status offense is detained or confined in a secure detention or correctional facility for ADULTS, and/or
- 3) when a juvenile who is NOT charged with any offense (non-offender), and who is an alien or alleged to be dependent, neglected, or abused, is detained or confined in a secure detention or correctional facility for juveniles or adults.

With the passage of H.R. 6964, youth who are found in violation of a valid court order may be held in detention, for no longer than seven days, if the court finds that such detention is necessary and enters an order containing the following:

- 1) identifies the valid court order that has been violated; 2) specifies the factual basis for determining that there is reasonable cause to believe that the status offender has violated such

*order; 3) includes findings of fact to support a determination that there is no appropriate less restrictive alternative available to placing the status offender in such a facility, with due consideration to the best interest of the juvenile; 4) specifies the length of time, not to exceed seven days, that the status offender may remain in a secure detention facility or correctional facility, and includes a plan for the status offender's release from such facility. Such an order may not be renewed.*

While the enactment of that legislation will impact a lot of juveniles across the country, Colorado recognized the need to limit detention for these non-delinquent offenders earlier than the federal legislation and continued to move toward more stringent policy in the last session. Colorado House Bill 18-1156 states that if the court finds that a child or youth has refused to comply with the plan developed as a result of his or her violation of a Valid Court Order for Truancy, the court may impose on the child or youth, as a sanction for contempt of court, a sentence to a juvenile detention facility for no more than 48 hours. This bill reduced the potential sentence time from previous Colorado legislation from 5 days to 48 hours.

In 2018, the state of Colorado held 40 accused and/or adjudicated status offenders in secure juvenile detention and/or correctional facilities across the state. Colorado had 15 youth held in violation of the “24-hour reporting exception.” The majority of these violations were the result of the court issuing a warrant on a juvenile for Failure to Appear (FTA) in court or for Failure to Comply (FTC) with court orders on a truancy case. If a juvenile is issued a warrant as a result of a status offense violation of court orders, they become eligible to be held in a secure juvenile detention facility and/or correctional facility. These types of violations are primarily caused when juveniles are placed in detention pending a court appearance but due to scheduling conflicts, a court appearance cannot be arranged within 24 hours. Violations can also occur when arrangements for the pickup of a juvenile can’t occur within 24 hours after the initial court appearance (excluding weekends and holidays).

To ensure compliance with this requirement, DCJ trains law enforcement and secure juvenile detention center staff, during on-site visits and through email correspondence, on how to best handle status offenders and non-offenders that may be brought into their facilities.

**In 2018, Colorado had 15 violations (1.19%) of the DSO Core Requirement but remained under the threshold of OJJDP’s established DSO standard of 5.85% which resulted in Colorado “meeting” this standard.**

**Core Requirement: Sight and Sound Separation of Juveniles from Adult Inmates.** Pursuant to the JJDP Act at 42 U.S.C. 5633(a)(12), the state must develop a plan that ensures that youth alleged or found to be delinquent, youth who are alleged to or have committed a status offense, and youth not committing any offenses who are alleged to be dependent, neglected, or abused, shall not be detained or confined in any institution in which they could have contact with an “adult inmate” which is defined as an individual who has reached the age of full criminal responsibility under applicable state law and has been arrested and is in custody for or awaiting trial on a criminal charge, or is convicted of a criminal offense. Sight contact is defined as clear visual contact between adult inmates and juveniles within close proximity to each other, and sound contact is defined as direct oral communication between adult inmates and juveniles.

Due to ongoing changes to police and sheriff facilities, DCJ remains ever-vigilant on ensuring that juvenile and adult secure holding areas remain separated. This core requirement applies at any institution or facility that has the capability to securely detain or confine both adult inmates and juveniles.

**In 2018, Colorado had 1 violation (0.08%) of the Sight and Sound Core Requirement which put the state under the threshold of OJJDP's established Separation standard of 0.30% which resulted in Colorado "meeting" this standard.**

**Core Requirement: Removal of Juveniles from Adult Jails and Lockups.** Pursuant to the JJDP Act 42 U.S.C. 5633(a)(13), the state must develop a plan that provides that (with limited exceptions) no juvenile shall be detained or confined in any adult jail or lockup. The primary exception to this is the 6 hour hold allowance. The JJDP Act allows for those juveniles accused of committing delinquent offenses to be detained in an adult jail or lockup for up to a total of 6 hours for processing, awaiting transfer, or during which period they make a court appearance. Note that this exception does not apply to status offenders or adjudicated juveniles.

DCJ actively works with law enforcement by recommending they provide non-secure waiting areas for juveniles within their facilities, and by encouraging the development of policies that state that they will not hold juveniles securely within the walls of their facilities.

**Colorado has been in compliance with Jail Removal since 1993 and continues to be in compliance in 2018 with 44 violations (3.87%) which again, keeps Colorado under the threshold of OJJDP's established Jail Removal standard of 7.04% resulting in Colorado "meeting" the standard for this core requirement.**

### **Colorado Youth Service Centers**

There are 8 juvenile detention centers in Colorado and 2 additional youth correctional centers that are strictly for committed youth.

State Operated Detention and Multi-Purpose Facilities:

1. Gilliam Youth Services Center (Denver) – Detention Only
2. Adams Youth Services Center (Denver) – Detention Only
3. Pueblo Youth Services Center (Pueblo) – Detention Only
4. Spring Creek Youth Services Center (Colorado Springs) – Detention Only
5. Marvin W. Foote Youth Services Center (Englewood) – Detention Only
6. Platte Valley Youth Service Center (Greeley) – Detention and Commitment
7. Grand Mesa Youth Service Center (Grand Junction) – Detention and Commitment
8. Mount View Youth Service Center (Denver) – Detention and Commitment
9. Lookout Mountain Youth Service Center (Golden) – Commitment Only
10. Zebulon Pike Youth Service Center (Colorado Springs) – Commitment Only

In 2018, two Youth Detention Facilities (Robert E. Denier Youth Service Center and Betty K. Marler Youth Service Center) were closed when the state suspended the license of the contractor, Rite of Passage, that operated programs at these 2 facilities. The contractor was accused of inappropriate treatment of the youth detainees under their care and supervision.

The closure of the Robert Denier facility in SW Colorado created a hardship for law enforcement who no longer had a “local” juvenile detention facility to take juveniles to.

### **What Has Been Accomplished?**

In FY2018, The Colorado Division of Criminal Justice (DCJ) met and/or exceeded all the Federal JJDP Core Requirement Standards, and the Annual Compliance Monitoring Report, which includes all the data collected and reviewed by the compliance monitor, was approved by the Office of Juvenile Justice and Delinquency Prevention under the Department of Justice (DOJ). Colorado continues to be recognized as a leader in compliance monitoring practices by other states and at the Federal Office of Juvenile Justice and Delinquency Prevention (OJJDP). DCJ has a strong commitment to the appropriate holding of juveniles across all law enforcement facilities, secure juvenile detention and correctional facilities, and court-holding locations. Per the JJDP, each state is required to collect data from any and all Colorado institutions that are used by law enforcement, or a juvenile or criminal justice authority to detain or confine juveniles or adult inmates. The compliance monitoring conducts on-site visits to law enforcement facilities and secure juvenile detention and correctional facilities annually to ensure that the Separation and Jail Removal requirements are being met. Law enforcement agencies must report to DCJ, on a quarterly basis, all juveniles detained or confined at their facilities. The compliance monitor must review this data to ensure that status offenders and non-offenders were not detained at their facilities, and that juvenile delinquents were not detained and/or confined over the 6-hour time limit. In addition, data on juveniles held at secure juvenile detention and correctional facilities must also be reviewed for compliance. System improvements for our data collection and reporting processes, which began in 2018, continues in order to advance our processes from an adequate system to an efficient system. DCJ has completed its initial phase of updating the process for collecting and reviewing Secure Juvenile Holding Logs which is a requirement under the Juvenile Justice Delinquency Prevention Act (now reauthorized as the Juvenile Justice Reform Act of 2018). This secure juvenile holding log is required to be submitted (quarterly) by any law enforcement agency that has the capability of detaining or confining a juvenile at their facility and must include all juveniles that were detained or confined at their facility. In the past, this process consisted of data being submitted in several different formats and usually with the information hand-written on the form resulting in long hours of data entry being completed by the compliance monitor. This year, DCJ has developed a standardized electronic form that allows for facilities to enter data into a spreadsheet that can flag an entry if erroneous data has been entered. This new process will reduce the number of data entry mistakes as well as the time required to enter and sort data. DCJ plans to make additional process improvements in the future to further automate the tasks required of the JJDP/JJRA compliance monitor.

## **NATIVE AMERICAN PROGRAMMING**

**GOAL: To support juvenile justice and delinquency prevention programming with the American Indian Tribes and expand our support to the non- reservation based Native American population in Colorado.**

The Division of Criminal Justice and the Juvenile Justice and Delinquency Prevention Council have enjoyed great relationships with both the Southern Ute and Ute Mountain Ute Tribes located in the Four Corners (Southwest) area of the state. Several years ago a subcommittee of the JJDP Council met with representatives from both tribes in the Four Corners area and re-established their working relationship. Former Council member Ernest House Jr. is a member of the Ute Mountain Ute Tribe and is the former Executive Secretary for the Colorado Commission on Indian Affairs has been instrumental in this endeavor. The Juvenile Justice Specialist (Meg Williams) also attended a meeting of the Colorado Commission of Indian Affairs in March of 2013 to continue the discussions about how the Council might assist the Tribes in meeting some of their identified needs for justice-involved youth. A subgroup of JJDP Council members met again with representatives from the Ute Mountain Ute Tribe in August of 2015 to encourage them to access the funds that have been set aside for their needs annually but not been accessed since 2009.

### **What Has Been Accomplished?**

The Council has historically offered federal Title II/Formula Grant funds in excess of the required pass-through amount to both Tribes. Most recently, the Southern Ute Tribe has been using these funds to continue the Youth and Family Equine Project which supports the Dialectical Behavioral Therapy model of treatment with youth including their family members in learning the same set of principles of mindfulness, emotional regulation, toleration of distress, and non-violent interpersonal relationships. Use of family equine therapy with imbedded DBT lessons enables youth and their families to experientially learn these skills in a culturally significant way. DCJ has been conducting outreach with the Ute Mountain Ute Tribe but no applications have been submitted for funding since 2009. DCJ and the JJDP Council will continue this outreach. In lieu of Ute Mountain Ute Tribe accessing the set aside funds, these funds will be used within the Denver community for programming for non-reservation based Native American children, youth and families.

## JUVENILE JUSTICE SYSTEM IMPROVEMENT EFFORTS

While Colorado has a variety of agencies and initiatives at both the state and local level working to support the needs of youth and families, it faces a number of challenges that impede system functioning. First, there is a need for enhanced coordination among youth-serving agencies and community partners. Currently, despite efforts to do otherwise, systems continue to operate in silos, less than effective means to coordinate and pool and leverage their resources to meet youth and family needs. Partners need to develop strong relationships and a shared vision, mission, and goals to guide their work. Second, there is a need for increased focus on preventing justice system involvement as well as utilizing approaches that are youth-centered, focused on problem-solving to promote positive behavior change through personal development, avoids criminalizing youth and is trauma-informed. Too often, the systems react too late, and youth become unnecessarily involved or more deeply involved in the justice system than would have occurred had interventions or services needs been identified and provided earlier. Finally, there is a need for services and supports that are evidence-based and supported by data to suggest that they lead to positive outcomes for the target population. Sustainable solutions to these challenges will require system change, including modifying policies and practices as well as increasing the capacity of system actors.

To address these challenges, the JJDP Council aims to advance four overarching themes: improve the strength and quality of partnerships; develop high quality products to advance the field; advance systemic change; and leverage resources. The Council has a direct role in identifying administrative, legislative or policy opportunities as well as opportunities to leverage resources to support its mission. Over the next three years the Council will:

1. Develop a set of state and local policy recommendations to prevent delinquency and ensure equal justice and accountability while maximizing community safety;
2. Identify areas of opportunity to further leverage partnerships and deepen strategic relationships; and
3. Identify internal and external resources that can be obtained to support the Council's goals and strategies.

In addition, The JJDP Council has convened the following four subcommittees to focus on system improvement initiatives:

1. Evidence-Based Programs and Best Practices Data Committee
2. Evaluation Committee
3. Children's Code Review Committee
4. Emerging Leaders (EL) Committee

## **EVIDENCE-BASED PROGRAMS AND PRACTICES DATA COMMITTEE**

**GOAL:** To develop a state system that supports well-implemented evidence-based programs and practices, matched to need at the local/community level, focused on at-risk and system-involved youth.

The Data Committee:

- Will increase Capacity for Evaluation Reporting on Impact and Outcomes
- Increase Continuous Quality Improvement Efforts
- Increase Community Performance Management Efforts.

After many discussions regarding lessons learned through the EBPP Committee's work, the Council identified wanting to see an uptick in systems' coordination through institutionalized, data-driven and cross-disciplinary processes across the state. This better ensures that all systems involved in an issue are looking at the same holistic data ultimately identifying a common purpose/solution. Key to this is the ability of systems' professionals to understand and therefore use data more effectively, from problem identification through evaluation of efforts undertaken to address the problem.

### **What Has Been Accomplished?**

The EBPP committee initially engaged in a process to develop resources and tools, and subsequently, the EBPP process and accompanying toolkit was created and has been revised based on user feedback informed by over seven pilot communities. These seven communities include Denver, Weld, Pueblo, Montezuma, Dolores, Mesa and Douglas Counties, as well as the 15<sup>th</sup> Judicial District.

In 2018 the EBPP Committee created data resources of juvenile justice-related data snapshots for all 22 Judicial Districts throughout Colorado. Additionally in October 2018 a day-long EBPP Summit was held to train participants on the EBPP process and toolkit where participants included stakeholders from all across Colorado, representing all but one of the 22 Judicial Districts, including those affiliated with the following county/judicial local agencies (Probation, CMP, SB94, Core Services, Child Welfare, etc.).

In 2019 the EBPP Data Committee work will build from the three years of the initial EBPP by supporting previous and new communities in taking the next step for effective evidenced-based planning and program/practice implementation. The primary focus will be on supporting communities regarding evaluation and using data effectively in service of EBPP implementation and reaching outcomes.

Next fiscal year, work will start on revising and revamping the [www.coebpp.org](http://www.coebpp.org) website to make sure users can easily access and use tools and steps in the toolkit. Tools and learnings from the current evaluation work will be added, and new content will be developed and added to the website to support users accessing data on their community Risk and Protective Factors. This information will link to the toolkit to support them in how to use the data for community planning.

# EBPP Strategic Planning Summit Results | October 23, 2018

## Objectives & Outcomes

This summit provided skill-building training based on a multi-phase Evidenced Based Programs and Practices (EBPP) Strategic Planning process and a toolkit with step by step instructions, templates, and resources to assist community/state partnerships and collaboratives to:

- Identify, outreach and recruit the right stakeholders for a data-driven decision-making workgroup,
- Locate and analyze relevant needs assessment data,
- Facilitate conversations to interpret and prioritize data for strategic planning,
- Select and determine the best fit evidenced-based program/practice that matches prioritized data needs for better outcomes, and
- Track and evaluate your efforts to ensure continuous quality improvement.

Participants left this workshop with:

- Increased understanding of each phase of the toolkit,
- Increased understanding of outcomes associated with each phase of the toolkit,
- Increased understanding of state-level stakeholders' perspective of what is needed to implement this process successfully, and
- Increased skills and ability to apply the toolkit to their work to support Strategic Planning that leads to the selection of well-implemented evidence-based programs and practices, matched to data and needs at the community level.

## Attendees

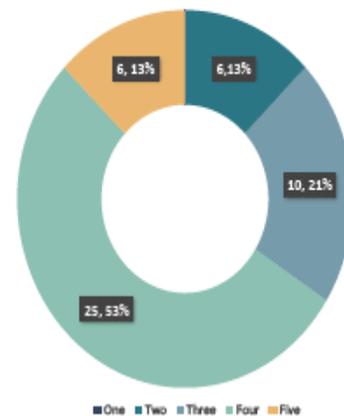
The event was advertised across Colorado with the intent to have at least two members of local Juvenile Services Planning Committee (JSPC) members along with local Diversion and CO Detention Continuum Coordinator and two members of your Interagency Oversight Group (IOG) along with your Collaborative Management Program Coordinator.

Over 80 people registered online for the event, and a total of 78 participants signed for attendance on the day of the summit. The summit had representation from all across Colorado, including all but one, the 12th Judicial District out of the twenty-two Judicial Districts in Colorado.

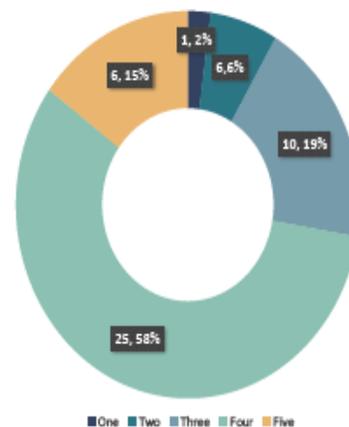
## Evaluation Results

Below are post-summit survey results. Participants were asked to rate their answers to the following questions on a scale of 1 (strongly disagree) to 5 (strongly agree)

This Training helped me build new knowledge and skills- Average Score- 3.7 (Scores 4 & 5 together= 66%)



The ideas, activities, and/or materials offered in this training are practical and useful for me. - Average Score=3.8 (Scores 4 & 5 together= 73%)



## **EVALUATION COMMITTEE**

**GOAL: To continue to support quality improvement in the juvenile justice system through key research and/or evaluation projects.**

The Evaluation Committee:

- Supports Council member participation in the planning, implementation, and review of evaluation components in proposed, funded, and endorsed activities;
- When requested, the Committee provides review, comment, and recommendations on the evaluation components of Council activities; and
- Sustains a focus on the value added by evaluation components of Council activities, assuring that they lead to meaningful action in support of youth, their families, communities, and Council agendas and sponsored programs.

As part of its System Improvement efforts, the JJDP Council has supported research and evaluation as a key component of any programming process it funds. An example of this is the evaluation of the state-funded Juvenile Diversion program. Since 2009, the JJDP Council has supported this evaluation which has yielded useful information leading to improvements in the operations of the diversion programs. This commitment to quality improvement through research and evaluation will continue in the next three-year cycle.

The Evaluation Committee and the JJDP Council support the continued data collection and data analysis by OMNI Institute using the Evidence to Outcomes (ETO) database for Intake/Exit data and the data entry of pre/post survey Juvenile Diversion data. This is done by continuing ongoing evaluation activities and to delve deeper into the findings that appear to be supportive of positive outcomes for youth to determine what activities are correlated to the positive outcomes. Working with DCJ and the Committee, components that are found to be non-responsive to the recidivism rate will be removed from the data collection instruments. The Evaluation committee also continues to look at recommendations based on evaluation findings to improve services leading to better outcomes for youth, to assure outcomes and services are culturally equivalent for all youth and to continue to know if we are making a difference and in an equal way.

### **What Has Been Accomplished?**

The Evaluation Committee Chair has discussed with DCJ staff to the council options for bringing the guidance for JJDP Council-sponsored evaluations more in line with current approaches by other State groups involved in services to at-risk youth. The Committee also engaged in conversation with evaluation leaders at the University of Colorado regarding current trends and best practices in evaluation. The Committee reviewed recent publications about juvenile justice policy and a new mission statement from the Colorado Office of Behavioral Health.

## **CHILDREN’S CODE REVIEW COMMITTEE**

**GOAL: Improve outcomes for all youth and families involved in juvenile justice by revising Article 2 of the Colorado Children’s Code to give meaning to, and allow for the faithful implementation of, the legislative declaration through applying current research and best practices.**

The Children’s Code Committee began meeting in 2015 to review Title 19, Article 2 and determine how to ensure the Code was consistent with current juvenile justice research and with evidence-based policies and practices. Currently, Colorado laws relating to juveniles in the justice system are scattered throughout the nine Parts of Article 2 and contain provisions that are duplicative, inconsistent, conflicting, and at times unclear. The Committee’s meticulous review of Article 2 revealed the current order is illogical. As Article 2 is procedural in nature, it must be presented in a way that allows for tactical application, which the current order does not support. Specifically, the current order makes it difficult to train professionals on the law, subsequently making it difficult for them to argue the law. The Committee believes a comprehensive, easy-to-use code is not only good practice, it better ensures due process. Importantly, the proposed reorder of Article 2 would improve ease of use and comprehension for juvenile justice-involved professionals and pro se families. The Committee has established two primary reasons why this revision is necessary:

**(1) To improve clarity for those who implement the Code, as well as those who are affected by its implementation.** The current structure of Article 2 of the Code is illogical, and portions are out of date with obsolete statutes. This lack of clarity has resulted in juvenile justice-involved professionals raising concerns regarding the ability to train professionals who engage with youth inside and outside the courtroom, as well as pro se families’ ability to comprehend the Code.

**(2) To ensure any future changes or modifications are in line with established best practices and current research.** Article 2 of the Code is ripe for a contextual review given the research around working with juveniles that has come about since the Code was last revised. The past thirty years have seen an increased understanding of adolescent brain development, youth development, public safety measures, and the need for family engagement, and this understanding should be reflected in Colorado’s laws. A developmental and evidence-based approach to reforming juvenile justice, which promotes public safety and accountability, starts with a reorganization of the Code and requires goals, design, and operation of the juvenile justice system to be research-informed. If a contextual review of Article 2 were done in a developmentally-informed way, “procedures for holding adolescents accountable for their offending, and the services provided to them, can promote legal socialization, reinforce a prosocial identity, and reduce reoffending<sup>1</sup>.”

Proposed revisions are studied through multiple perspectives including: equal treatment; developmental appropriateness; restorative justice; victim empowerment; addressing criminogenic and other needs to reduce reoffending and allow juveniles the opportunity to become productive members of society; and honoring the role of families and natural supports.

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<sup>1</sup> National Research Council. (2013). *Reforming juvenile justice: A developmental approach*. Committee on Assessing Juvenile Justice Reform. (vii.). Bonnie, R., Johnson, B., Chemers, B., Schuck, J., Eds. Committee of Law and Justice, Division of Behavioral and Social Sciences and Education. Washington, DC: The National Academies Press.

### **What Has Been Accomplished?**

House Joint Resolution 1013 (see Appendix B) was passed in 2018 which encourages the JJDP Council to continue this code review work to create a developmentally appropriate juvenile justice system that promotes public safety, individual accountability, juvenile rehabilitation, and positive adolescent development. In addition, it encourages the JJDP Council and the Code Review Committee to redraft article 2 of the Children's Code by August of 2020.

The Children's Code Review Committee (CCR) set forth recommendations to the JJDP Council to modernize Article 2 of the Children's Code. These recommendations included a reorder of Article 2 with new section labels and additional parts to promote a clear, understandable, user-friendly version of the Children's Code. In addition, the CCR Committee added a General Provision section to the new Article 2.5 where all relevant definitions can be easily found in one place; and lastly reviewed and made consistent the various terms used to describe caregivers, as appropriate.

The Children's Code committee will build on its successes and will continue their work to revise Article 2 of the Children's Code so that it can better contribute to a developmentally appropriate, swift, consistent, transparent, and equitable juvenile justice system. In addition, the committee will continue to cultivate broad support for its recommendations, including among members of the Council, external agency heads, as well as legislative champions. The CCR Committee has been working on drafting a bill to reorganize the Children's Code. The committee is hoping to have the bill introduced in the FY20 session.

## **EMERGING LEADERS (EL) COMMITTEE**

**GOAL:**     **The purpose of the EL committee is to allow the voices of young individuals who have in one way or another been part of systems involved in juvenile corrections; guide and give important opinions on the improvement of juvenile justice and delinquency prevention.**

The JJDP Council truly supports the voice of youth and young adults in all its work. In support of this, the Council developed an Emerging Leaders Committee comprised of members of the Council who were appointed as “youth members”, those who were appointed before age 24. A portion of the federal funds has been given to the EL Committee to designate for special projects of interest and concern of the EL Committee.

The purpose of the Emerging Leaders committee is to allow the voices of young individuals who have been a part of systems involved in juvenile justice; guide and give important opinions on the improvement of juvenile justice and delinquency prevention.

Over the past several years, Emerging Leaders focused on several different issues which they had prioritized which included the need for more training for law enforcement and other front line professionals in how to work with juveniles who are having a mental health crisis. None of the current emerging leaders were Council members when the CIT for SROs and School Personnel curriculum was developed and when informed, felt this would meet the identified need. This training was held in the past three-year cycle with the Denver Police Department.

One of the Emerging Leaders of the JJDP Council was selected to participate in a national forum sponsored by OJJDP regarding the needs of LGBTQ youth in the juvenile justice system. Based on his involvement and what he learned, he informed the other members of the Emerging Leaders who also agreed to make this a priority for their Colorado-based work.

### **What Has Been Accomplished?**

The Emerging Leaders (EL) met in December 2018 and with the help of a facilitator the committee developed a strategic plan and set priorities for their next year’s activities. During the workshop, the group brainstormed ways they can improve the juvenile justice system to help youth thrive and be healthy. Based on the ideas from the workshop the group then developed an overarching strategic plan for the Emerging Leaders. The plan includes developing partnerships, marketing and branding, develop a “things to consider” checklist to guide policy, and engaging community.

As part of the group's efforts to develop partnerships they have been researching other youth councils across the state so they can begin to collaborate and join forces on youth initiatives to prevent duplication of efforts. They have submitted a presentation proposal for the Governor's Colorado Justice Systems Forum, scheduled in March 2020. This presentation will allow Emerging Leaders to provide subject-matter expertise about the juvenile justice system in Colorado, as well as how to ensure youth input when creating policy.



The EL Committee began work on their branding campaign. They have designed and purchased T-shirts with the Emerging Leaders' logo; started to develop a one-page fact sheet about Emerging Leaders' priorities and activities that can be shared; and designed a presentation template to promote the Emerging Leaders' work. They have also started developing a survey for Colorado youth and have begun developing a checklist for decision makers that takes youth voice into consideration. This checklist will be utilized at the Governor's Forum.

## STATE FUNDING

### Juvenile Diversion Programs

A total of \$1.2 million in state general funds was allocated to the Division of Criminal Justice's Office of Adult and Juvenile Justice Assistance (OAJJA) in SFY 18-19 for local Diversion programs. Pursuant to the Colorado Revised Statute [(19-1-103(44) C.R.S.], the goal of Juvenile Diversion is to prevent further involvement of the youth in the formal legal system. Diversion of a juvenile or child may take place either at the pre-filing level as an alternative to filing of a petition; at the post adjudication level as an adjunct to probation services following an adjudicatory hearing; or a disposition as a part of sentencing. Juvenile diversion programs concentrate on accountability while involving youth in programs and activities to prevent future criminal and delinquent behavior. Programs of this type provide local communities with alternatives for holding youth accountable for their behavior, can help change the way youth think about their behavior, ensure that youth take responsibility for their actions, and ensure that victims and communities feel safe and restored.

An annual application process is held. The first year is competitive; applications are solicited and a subcommittee of OAJJA's JJDP Council reviews and makes funding recommendations. The next 2 years are not competitive but applicants are to address what they have accomplished and challenges they experienced in the preceding year. Year 2 and Year 3 applications are also reviewed by a JJDP Council subcommittee before funding. In the past, this process was repeated every three years. Going forward, an annual allocation will be made via formula to all 22 Judicial Districts in the state. This allocation method will replace the competitive 3-year funding cycle.

In SFY 18/19, a total of 18 programs were funded across the state. Seven programs are located within District Attorneys' Offices, 3 are county-based programs, 1 is a municipal program and 7 are community-based programs. Applicants outside of the District Attorneys' offices are required to submit with their applications an MOU with their District Attorneys.

In SFY 18-19, from July 2018 through June 2019, a total of 2,059 new youth were admitted into one of the 18 state-funded juvenile diversion programs within 15 of the 22 Judicial Districts. Of the youth served, 69% were male, 70% White/Caucasian, 28% Hispanic/Latino, 8% Black/African American, less than 1% Native American, 1% Asian/Pacific Islander, and 3% multi-racial. The most serious types of charge included person (34%), theft (17%), drug (25%) and property (17%). The stage at which juveniles were being accepted into Diversion included: 27% as an alternative to filing a petition, 68% were pre-adjudication, and 5% were post-adjudication. A total of youth exited a diversion program during the reporting period,

with 83% being successful, 17% unsuccessfully terminating either due to an arrest on a new offense or due to non-compliance with their diversion contract.

There are several other Juvenile Diversion programs in other locations (1<sup>st</sup> JD which is largely Jefferson County, 4<sup>th</sup> JD which is largely Colorado Springs/El Paso County and 20<sup>th</sup> JD which is Boulder County) that do not request the state diversion funds. These programs are totally self-funded at the local level.

### **Marijuana Tax Funded Diversion Programs**

Three years ago, the General Assembly also approved \$400,000 in Marijuana Tax funding for Diversion to be awarded to local programs and utilized for the evaluation process. The purpose of this funding is to increase access to substance use screening, assessment and treatment services for youth receiving juvenile diversion programming. Applications are submitted at the same time as their Juvenile Diversion applications. Only DCJ funded Juvenile Diversion programs are eligible to apply for these funds. In SFY 18/19, a total of 7 programs received Marijuana Tax funding in addition to the Juvenile Diversion funding. Funds may be used for:

- Screening, assessment, and treatment for marijuana and general substance abuse needs;
- Addressing the practical barriers to treatment;
- Providing incentives to encourage abstinence from substances;
- Obtaining training for program staff; and
- Providing services to caregivers as it relates to substance use and abuse.
- Travel for training and technical assistance, and to bring programs together on specific topics relevant to this program.

In Fiscal Year 2018-19, of youth who were served by the Marijuana Tax Cash Fund grantees and completed programming (n=502), 73% were male, 68% white, 17% Hispanic/Latino ethnicity, 13% Black or African American, 1% multi-racial. All other race categories were 2% or less.

Evaluation of outcomes for juveniles served with Marijuana Tax funds is imperative to the Division of Criminal Justice. The Division has contracted the evaluation process with OMNI, Inc. Per OMNI's evaluation, "Overall, programs are increasing their ability to screen, assess, and treat youth for substance use and mental health, especially for those with co-occurring issues. Youth who completed diversion successfully consistently improved on all short-term outcome domains measured through the evaluation.

Additionally, substance use from intake to exit decreased, especially for those who are receiving Marijuana Tax Funded services.” Because of the known prevalence for co-occurring disorders, the evaluation also tracks information regarding the need for and provision of mental health services. Of youth receiving Marijuana Tax Funded services and who needed substance use treatment, 100% also needed mental health treatment, according to OMNI’s evaluation.

### **Next Steps**

As was previously mentioned, Juvenile Diversion, among other topics, was the focus of juvenile justice system improvement discussions being held by the Improving Outcomes for Youth (IOY) Task Force established by former Governor Hickenlooper and facilitated by the Council of State Government (CSG) (<http://csgjusticecenter.org>). Four members of the JJDP Council (Stacie Colling, Rebecca Gleason, Will Hays and Bill Kilpatrick) and the Juvenile Justice Specialist for Colorado (a designation by OJJDP), Meg Williams, were appointed by the Governor to the IOY Task Force. These efforts resulted in recommendations and, ultimately, passage of Senate Bill 19-108, which provided additional funding so that all 22 judicial districts will have juvenile diversion programming, a risk assessment and screening tool to be used uniformly across the state to inform District Attorney decisions about diversion, and the uniform collection of juvenile diversion data across the state allowing for an improved evaluation of diversion services and outcomes.

**SFY 2018-19 STATE JUVENILE DIVERSION AWARDS**

**Project Period: July 1, 2018 – June 30, 2019**

**2<sup>nd</sup> JUDICIAL DISTRICT**

<b>AGENCY:</b>	<b><u>District Attorney's Office</u></b>
Award:	\$94,437
Description:	The Denver District Attorney's Juvenile Diversion Program will provide culturally competent services that repair the harm caused by crime to victims and the community, increase social and other age appropriate competency skills of offenders, their families, and to reduce the likelihood of further involvement by the juvenile in the court system. Denver DA's Diversion population includes juveniles ages 10-17 with a total of 171 youth being served throughout the grant period at a cost per client of approximately \$1,400. Denver DA Diversion focuses on the whole child as opposed to solely addressing the crime itself. Various programs provide a unique opportunity to implement responses to delinquency that are more cost-effective than incarceration and that provide better outcomes for youth, their families and the community. Program effectiveness is evidenced by a 7.9% recidivism rate of successfully terminated clients in 2015.

**5<sup>th</sup> JUDICIAL DISTRICT**

<b>AGENCY:</b>	<b><u>District Attorney's Office</u></b>
Award:	\$49,035
Description:	The 5th JD's Juvenile Diversion Program (JDP5) is designed to provide Juveniles an opportunity to stay out of the court system after first offenses in order to keep them from being labeled 'delinquent', and to provide them individualized services that address their specific needs to help prevent future delinquent behavior. As a predominantly pre-formal filing program, JDP5 has the ability to re-direct juveniles away from a formal system and will subsequently keep the crime off their record if they successfully complete all of the program requirements. JDP5 is therefore able to reduce the caseload on the court system as well as provide vital services for at-risk youth who would benefit more from informal interventions than getting trapped in the juvenile justice system. The ultimate goal of JDP5 is to produce successful participants who have gained the skills to make more prosocial decisions and desist from criminal behaviors, and who can positively contribute to their communities.

<b>6<sup>th</sup> JUDICIAL DISTRICT</b>	
AGENCY:	<b><u>La Plata Youth Services</u></b>
Award:	\$85,654
Description:	Since 2001, the La Plata Youth Services Diversion Program has worked to divert youth from the court system by providing evidence-based alternatives directed toward positive youth development. LPYS is the only intervention program in La Plata County that works with youth involved in delinquent behavior prior to adjudication. Youth are referred to LPYS in lieu of formal charges filed against them, avoiding court processes and a permanent criminal record. In FY 2015, the LPYS Diversion Program will serve 30 youth ages 10-17 in La Plata County implicated in a misdemeanor or felony type of offense, with services prior to adjudication. Contracts will last 3-12 months and will include restorative justice, useful public service, and substance abuse treatment. The average cost per client is \$1,737, which will save thousands of tax payer dollars while encouraging youth to become accountable for their actions, complete their education, learn healthy behaviors and give back to the community.
<b>7<sup>th</sup> JUDICIAL DISTRICT</b>	
AGENCY:	<b><u>Gunnison County, Juvenile Services</u></b>
Award:	\$35,000
Description:	Gunnison County Juvenile Diversion program is a pre-file intervention for eligible youth ages 10-17 in legal trouble referred by the District Attorney to prevent involvement in the Juvenile Justice system. The program emphasizes that the youth take accountability and responsibility for their actions while at the same time helping to ensure public safety. The program includes services such as case management, community service, restitution, drug testing, mentoring and tutoring and if issues are identified through mental health/substance abuse screenings, referrals to outside resources for treatment may be made. If appropriate, individual cases will be referred to a Restorative Justice process to repair harm and make amends to victims.
AGENCY:	<b><u>Hilltop Community Resources, Inc.,</u></b>
Award:	\$32,070
Description:	Montrose County Juvenile Diversion Program's goal is to prevent further involvement of juveniles in the formal justice system. Juvenile Diversion concentrates on holding youth accountable for their behavior while involving them in programs and activities to prevent future criminal and delinquent behavior. The Program operates on the idea that juvenile crime can be a symptom of other problems at home, school or within the individual. Target population is a first time or low level juvenile offenders with acceptable charges from Montrose County's District Court.

AGENCY:	<b><u>Delta County Alternative Sentencing Department,</u></b>
Award:	\$49,107
Description:	The Delta County Juvenile Diversion Program is designed to divert youth from the formal court system by providing evidence-based programming directed toward positive youth development. The program Operates in concert with all law enforcement agencies, County and District Courts, and the District Attorney's Office to enhance accountability, ensure public safety, and reduce recidivism among delinquent youth by preventing future delinquent activity, moving in a continuum from limited interventions to more restrictive penalties. The Juvenile Diversion Program serves juveniles between 10-17 years old, irrespective of gender and or ethnicity, which have been charged with misdemeanor or felony offenses, or a combination thereof.
<b>8<sup>th</sup> JUDICIAL DISTRICT</b>	
AGENCY:	<b><u>Center for Family Outreach,</u></b> Larimer County Diversion Program
Award:	\$72,094
Description:	The Center for Family Outreach provides resources, referrals, and a coordinated planned system for youth aged 10-17 who are struggling with substance abuse, mental health, crime, poverty, and adolescence. Our approach to these issues addresses three levels of programming: 1) Prevention which targets youth prior to entering the juvenile justice system and includes proactive efforts that empower individuals to choose and maintain healthy life choices; fostering an environment that encourages law-abiding, pro-social behavior. 2) Early intervention which provides preventative efforts to intervene at early signs of issues. These efforts reduce risks and change behaviors with family-centered interventions. 3) Integrated intervention which is designed to operate with other agencies to enhances accountability, ensure public safety, and reduce recidivism by preventing delinquent behavior and avoiding formal court processing.
AGENCY:	<b><u>City of Fort Collins,</u></b> Restorative Justice Services
Award:	\$67,612
Description:	Fort Collins Restorative Justice Services will provide restorative justice practices as a diversion option for 104 youth who have committed offenses in our community and are referred by the DAs Office. Based on the philosophy of restorative justice, the program will include victims and/or victim representatives, families and community members in the process. The conferences will focus on the harm caused and how to repair it while holding the young offender accountable. As part of program participation, youth will be screened for substance abuse and mental health and referred to appropriate community resources. In order to complete the programs, youth will fulfill individual accountability contracts that address the harm done to the victim, community, their families and themselves. An emphasis on the youth's positive qualities, accountability, restorative language and approaches will be utilized throughout.

<b>9<sup>th</sup> JUDICIAL DISTRICT</b>	
AGENCY:	<b><u>YouthZone,</u></b>
Award:	\$102,746
Description:	The YouthZone Juvenile Diversion Program is designed to prevent first-time and low-level juvenile offenders from entering the Juvenile Justice System. The target population is youth age 10 to 17 that commit crimes in Garfield and Pitkin Counties in the 3rd Congressional District and 9th Judicial District. More than 85 percent of all cases are referred to YouthZone, and of those, approximately 100 youth from Pitkin and Garfield County and District Courts are under the YouthZone Juvenile Diversion program. The district attorney's office in the 9th Judicial District is the referral source for this program. A recent three-year evaluation shows that the YouthZone Juvenile Diversion Program has proven to reduce recidivism. Ninety percent of youth that participates in the YouthZone Juvenile Diversion Program do not repeat another offense. The cost per youth in the Juvenile Diversion Program with six to twelve months services is approximately \$1,400.
<b>10<sup>th</sup> JUDICIAL DISTRICT</b>	
AGENCY:	<b><u>District Attorney's Office, 10th Judicial District</u></b>
Award:	\$50,371
Description:	Funds will be used to support a full time Juvenile Diversion Counselor. This counselor will supplement the existing Diversion program and focus on working with all juvenile offenders that are deemed eligible for the program. They will continue to serve special sub-groups of diversion candidates: those whose offense is related to bullying, either as bully or victim; very young offenders (10-14 years old) for whom typical teenage programming may not be appropriate; and minors found in possession of drugs or alcohol, but will also accept any juvenile that is in need of early intervention Diversion services.
<b>11<sup>th</sup> JUDICIAL DISTRICT</b>	
AGENCY:	<b><u>District Attorney's Office</u></b>
Award:	\$39,226
Description:	The Fremont County Teen Court Program is designed to divert first-time adolescent offenders from formal juvenile court proceedings by holding youth accountable for their offenses through engagement in restorative justice. The program emphasizes offenders taking responsibility to repair the harm they have caused to victims and their community.

<b>12<sup>th</sup> JUDICIAL DISTRICT</b>	
AGENCY:	<b><u>Center for Restorative Programs</u></b>
Award:	\$70,841
Description:	Youth 10-17 in the San Luis Valley, with law enforcement contact and at-risk for formal filing of delinquency charges, are offered restorative options to: 1) take responsibility for the harm caused by their behaviors; 2) engage in dialogue, as appropriate, with those harmed; 3) repair the harm through restitution or other indicated reparations; and 4) work at restoring relationships and safety within their community, school and family. Outcomes include: offender accountability, victim and community restoration and safety, and reduced recidivism. Approximately 75 youth will be served, at an annual cost of approximately \$750 per juvenile.
<b>14<sup>th</sup> JUDICIAL DISTRICT</b>	
AGENCY:	<b>Grand County Juvenile Services Department</b>
Award:	\$39,887
Description:	The 14th Judicial District is requesting funding for its' three Juvenile Diversion Programs. This grant will allow them to have a unified approach while freeing up limited county funds to better address the needs of the youth that have municipal charges and/or a minor in possession charges. Juveniles between 10 & 17, who have allegedly committed a misdemeanor or felony property offense, and meet the criteria may be offered Diversion services in lieu of formal court proceedings. The concept of diversion is based on the theory that processing certain youth through the juvenile justice system may do more harm than good. Additionally, they are requesting funding for the Alternative to Sentencing Program. This program serves Probation and Diversion youth utilizing restorative justice by having the youth complete useful public service repairing the harm that was done to the community. The 14th does not discriminate due to ethnicity, gender, sexual orientation, or socioeconomic status.
<b>17<sup>th</sup> JUDICIAL DISTRICT</b>	
AGENCY:	<b><u>District Attorney's Office</u></b>
Award:	\$72,009
Description:	The 17th Judicial District Attorney's Office Project seeks to specifically and intensely target 4 risk factors that increase the likelihood of youth dropping out of school and of being involved in substance use based on the research at Penn State's EPISCenter. We will intervene with a full time Education Client Manager to supervise, support and connect the youth and families while in the project. This will be structured utilizing a Blue Prints Model program, Positive Action, which will be implemented through this project. In addition, they will concurrently provide Strategic and Bowenian family therapy with all families.

<b>18<sup>th</sup> JUDICIAL DISTRICT</b>	
AGENCY:	<b><u>District Attorney's Office</u></b>
Award:	\$91,445
Description:	JDCP is a department within the DA's office staffed by 14 masters-level therapists trained and licensed in such areas as professional counseling, social work, couples and family therapy, art therapy and SOMB therapy. JDCP provides an alternative to prosecution in court for select juvenile offenders between the ages of 10 and 17. Their primary goal is to prevent further contact with the police and justice system through an emphasis on accountability and increased well-being. Each client undergoes a thorough biopsychosocial assessment, which allows for identification of the underlying contributors to delinquent behavior, such as substance use, mental health issues, negative peer connections, lack of community engagement and/or family dysfunction. Our ability to provide alternatives to traditional case management and talk therapy models (such as wilderness and art therapies) allows for individualized treatment plans that are proven effective in meeting client, family and community needs.
<b>19<sup>th</sup> JUDICIAL DISTRICT</b>	
AGENCY:	<b><u>District Attorney's Office</u></b>
Award:	\$95,359
Description:	The Weld County District Attorney's Juvenile Diversion Program works to divert first-time, non-violent juvenile offenders from the traditional court system into restorative programming to address the juveniles' needs and community safety; repairing the harm caused and encouraging their future endeavors. Approximately 150 juveniles aged 10-17, who face a first time criminal case will be served at a cost to the state of approximately \$640 per person.
<b>21<sup>st</sup> JUDICIAL DISTRICT</b>	
AGENCY:	<b><u>Mesa County Partners</u></b>
Award:	\$125,992
Description:	In cooperation with DA's Office and 21st Judicial District Court/Probation, the Partners Work Program provides community-based restorative justice and accountability sanctions and intervention for 320 pre-file and post-file juvenile offenders involved in misdemeanor and felony cases. The purpose is to reduce further involvement in the justice system. The primary focus of services includes completion of community service hours, restitution, victim empathy/restorative justice, Offense Specific and mental health assessments and treatment (contracted out), as well as the MAYSI-2 and GAIN SS. The total average cost per youth served is \$622 (includes Muni/County youth, not funded by DCJ). Youth receiving Sexual Offense Specific and mental health assessments with further mental health treatment/services, will cost more than the average depending upon what further services they actually receive from licensed providers (as a result of the assessments).

**22<sup>nd</sup> JUDICIAL DISTRICT**

AGENCY:	<b><u>The Recovery Center: A Behavioral Health Organization</u></b>
Award:	\$11,646
Description:	In an effort to enhance community safety by holding youth between the ages of 10-17 who have been or could have been issued a summons or taken into custody for misdemeanor or felony offenses eligible for a delinquency filing by the District Attorney, accountable their actions, The Recovery Center will provide supervised, well-structured Juvenile Diversion services to 30 youth between the ages of 10 and 17. Referrals will be made by the 22nd Judicial District Attorney's office or local law enforcement agencies. Diversion services will consist of case management, behavioral contracts, community service, drug and alcohol testing, drug and alcohol treatment as appropriate, and referrals to other programs in the community for counseling, mediation, reparation, parenting classes, life skills classes, and/or mentoring.

**SFY 2018-19 STATE MARIJUANA TAX FUND FOR JUVENILE DIVERSION AWARDS****Project Period: July 1, 2018 – June 30, 2019****SECOND JUDICIAL DISTRICT**

<b>AGENCY:</b>	<b><u>District Attorney's Office</u></b>
Award:	\$56,764
Description:	Denver Diversion's main target population for this project includes a percentage of clients that are initially eligible for Diversion based on criminogenic factors but who may be excluded during the initial screening process due to moderate to high social history scores on the CJRA and other unique factors such as level of criminal offense, drug of choice, lack of family support, family history of substance use, and lack of motivation to change based on answers during the intake process. In addition to this population, a small percentage of current Diversion clients needing intensive services will be referred where co-occurring disorders have been diagnosed during the assessment process. A very small select number of clients who fail to attain sobriety through early intervention treatment services may also be included in treatment services.

**6<sup>th</sup> JUDICIAL DISTRICT**

<b>AGENCY:</b>	<b><u>La Plata Youth Services</u></b>
Award:	\$34,761
Description:	La Plata Youth Services (LPYS) was designated by the 6th Judicial District Attorney in 2001 as the juvenile diversion program of La Plata County. LPYS receives referrals from law enforcement, the courts, schools (for truancy), and parents and youth in need of support. Our programs and services are aimed toward improving the quality and availability of services for youth; increasing protective factors and reducing risk factors for youth; and reducing the number of youth with juvenile justice systems involvement. In 2015, one out of every two students referred to LPYS reported drug and alcohol use as a risk factor requiring subsequent assessment and/or treatment and support. In order to respond to a high-need for substance abuse programming and treatment for youth, LPYS will increase our capacity to offer in-house screening and substance abuse support and services including counseling, mentoring, MI, ReThinking Substances, and family support.

<b>7<sup>TH</sup> JUDICIAL DISTRICT</b>	
<b>AGENCY:</b>	<b><u>Delta County Alternative Sentencing Department</u></b>
Award:	\$13,776
Description:	The Delta County Alternative Sentencing Department [DCASD] provides community based alternative sentencing options to the courts for offenders between the ages of 10-21. Per Colorado Revised Statutes, the goal of Juvenile Diversion, a division of the DCASD, is to prevent further involvement of juveniles in the formal justice system. The Delta County Juvenile Diversion program provides community-based alternatives to the formal court system for youth between the ages of 10-17 arrested for misdemeanor or felony offenses. The program concentrates on holding the youthful offender accountable while engaging them in programs to prevent future criminal behavior, the legislative intent of the diversion statute. Evaluation of state-funded Diversion programs in Colorado has highlighted a need to ensure there are protocols in place for programs to screen, assess, and treat youth for mental health and substance abuse issues, utilizing the Marijuana Tax Fund Grant, which this program provides from intake, assessment and treatment of offenders through discharge.
<b>8<sup>TH</sup> JUDICIAL DISTRICT</b>	
<b>AGENCY:</b>	<b><u>Center for Family Outreach</u></b>
Award:	\$67,165
Description:	The Center for Family Outreach will contract with a substance abuse/behavioral health therapist or counselor for 30 hours a week. This individual will be responsible for serving Larimer County students and their families with substance abuse and behavioral health issues, conducting individual and group sessions, helping them access substance abuse services, navigating families through assessments, providing referrals for families who are in need of intensive services, and determining developmentally appropriate programming. We will also provide incentives to students for positive achievements and milestones, including behavioral incentives, improved school attendance and grades, and successful program completion.
<b>9<sup>TH</sup> JUDICIAL DISTRICT</b>	
<b>AGENCY:</b>	<b><u>YouthZone</u></b>
Award:	\$17,254
Description:	The YouthZone Substance Use Program will serve justice-involved youth ages 10 to 17 in Garfield and Pitkin Counties in the 3rd Congressional District and 9th Judicial District. Through the proposed project, YouthZone will secure training and support for 3 staff who are in the process of obtaining or maintaining CAC II certifications. In addition, this project we will provide comprehensive and evidence-based assessments for 60 youth to identify risk and protective factors. Combined with the GAIN SS, the YouthZone Screening will target relevant services, including the treatment of substance use disorder. Services include substance use education classes, group therapy utilizing the Seeking Safety curriculum, and individual substance use therapy, services which have proven to decrease substance use among court-involved youth according to our most recent internal evaluation.

18 <sup>TH</sup> JUDICIAL DISTRICT	
<b>AGENCY:</b>	<b><u>District Attorney's Office</u></b>
Award:	\$113,483
Description:	<p>The JDCP is a department within the DA's office staffed by 14 masters-level therapists which provides an alternative to prosecution in court for select juvenile offenders between the ages of 10 and 17. Our primary goal is to prevent further contact with the police and justice system through an emphasis on accountability and increased well-being. Each client undergoes a thorough biopsychosocial assessment of the underlying contributors to delinquent behavior, such as substance use, mental health issues, negative peer connections, lack of community engagement and/or family dysfunction. JDCP is seeking grant funds to support the following efforts related to our clients' marijuana use and abuse:</p> <ul style="list-style-type: none"> <li>-Increase the number of marijuana-related charges referred to JDCP by a minimum of 60 cases per years.</li> <li>-Fund UAs, substance abuse evaluations and higher levels of care with external partners as needed</li> <li>-Support staff progress toward LAC status</li> <li>-Fund attendance at required annual meetings</li> </ul>
21 <sup>ST</sup> JUDICIAL DISTRICT	
<b>AGENCY:</b>	<b><u>Mesa County Partners</u></b>
Award:	\$36,797
Description:	<p>Mesa County Partners, Inc. provides several programs to serve at-risk youth in Mesa County. This particular project will lie within our Restitution/Community Service Work Program. We plan to provide a part time staff person to provide mental health (MAYSI-II) and substance abuse (GAIN SS) screens, substance abuse education group, and case management for 50 pre-adjudicated Diversion youth and 35 post-adjudicated youth. This person will work closely with the two Mesa County District Attorney Diversion/District Court Probation in order to provide consistent case management information and reports. This person will also work with the DA Diversion staff to assist with referrals to the HB1451 Project to obtain funds and/or find approved insurance providers (i.e. Medicaid) to provide substance abuse assessments and/or treatment.</p>

## JUVENILE JUSTICE AND DELINQUENCY PREVENTION COUNCIL

\*Emerging Leaders are youth appointed prior their 24<sup>th</sup> birthday,  
dates denote original dates of appointment to Council

Will Hays 06/12, JJDP Council Chair  
Hilltop Community Resources, Inc.  
Grand Junction

Linda Nordin 06/12, JJDP Council Vice-Chair  
Jefferson Center for Mental Health  
Lakewood

Andre Adeli 08/17  
Boulder Preparatory High School  
Boulder

\*Malaysia Atwater 03/18  
Centennial

Mindi Beckler 10/16  
Parent Representative  
Lakewood

\*Ciara Benner 03/18  
Bennett

Judge Michelle Brinegar 08/14  
8th JD  
Ft. Collins

\*Paige Brown 03/18  
Strasburg

Jennifer Capps 05/10  
Metro State University of Denver  
Denver

Stacie Colling 08/15  
CO Alternative Defense Council  
Denver

\*Samuel Elfay 10/18  
Aurora

Al Estrada 01/17  
Division of Youth Services  
Denver

Jerry Evans, Ph.D. 08/14  
Community Health Initiatives  
Carbondale

Jane Flournoy 12/13  
Office of Behavioral Health/CDHS  
Denver

\*Claire Furtado 10/18  
Denver

Stacy Davis Gahagen 07/16  
St. Vrain School District  
Longmont

Rebecca Gleason 03/18  
18<sup>th</sup> JD District Attorney's Office  
Centennial

Bill Kilpatrick 01/15  
Golden Police Department  
Golden

Tracy Kraft-Tharp 08/13  
House of Representatives, State of Colorado  
Denver

\*Crystal Murillo 07/16  
Emerging Leader  
Aurora

Paula Ramaekers-Mattas 08/17  
Mesa County Partners  
Grand Junction

Ed Rogers 08/17  
Guardian ad Litem  
Colorado Springs

\*Jack Storti 12/13  
Emerging Leader  
Parker

\*Nicholas Turco 05/16  
Emerging Leader  
Durango

Susan Walton 05/15  
Park County Department of Human Services  
Bailey

Karen Wilde 07/16  
Expert, Native American Issues  
Lamar

Dana Wilks 06/13  
State Court Administrator's Office  
Denver

**Colorado Department of Public Safety (CDPS)**  
**Division of Criminal Justice (DCJ)**  
**Office of Adult and Juvenile Justice Assistance (OAJJA)**

**Colorado Department of Public Safety (CDPS)**  
Stan Hilkey- Executive Director, Colorado Department of Public Safety

**Division of Criminal Justice (DCJ)**  
Joe Thome- Director, Division of Criminal Justice  
Debbie Oldenettel- Deputy Director, Division of Criminal Justice

**Office of Adult and Juvenile Justice Assistance (OAJJA)**  
Meg Williams- Manager, Office of Adult and Juvenile Justice Assistance (OAJJA) (Retired June 2019)  
Kelly Abbott-Manager, Office of Adult and Juvenile Justice Assistance (OAJJA) (September 2019)

**OAJJA Staff**

Mona Barnes	Anna Lopez
Kate Ferebee	Kyle McDonald
Gary Fugo	Kristy Wilson
Cindy Johnson	