



CO Juvenile Justice Reform Committee: SB19-108

March 24, 2020, 1-3 (WebEx)

Minutes

Committee Members Attending: Carl Blake, Kirsta Britton, Shawn Cohn, Stacie Colling, Sheri Danz, Hon. Beth Elliot-Dumler, Sarah Ericson, Amanda Pennington, Elise Logemann, Dan Makelky, Lanie Meyers-Mireles, Tariq Sheikh, Elaina Schively, Sara Strufing, Joe Thome, Hon. Doug Walker, Tobin Wright, Anders Jacobson

Staff: Kelly Abbott, Gina Vincent, Yaël Coley-Greene, Kate Ferebee, Anna Lopez

Guests: Tom Harbaugh, Erin Crites, Glenn Tapia

Quorum established.

Division Updates

Update from Risk Assessment Implementation Committees (Shawn Cohn):

- SB 108 requires selection of a mental health-screening tool to inform appropriate options to take for each juvenile before disposition. That tool can be a tool that is already in use in Colorado or can be a new one to the state. There is some confusion because the language says a tool or tools but the intention was for every judicial district to use the same mental health-screening tool(s). Tools plural referred to the possibility a set of tools would be selected that would work together. If this is the option selected the same tool/tools would be used statewide.
- The legislation also says that before sentencing a juvenile, the court would have ordered a mental health screening using the tool identified by this Committee. For this reason and more there is an emphasis on finding a screening tool that would also provide information that would be helpful in sentencing.
- SB 108 references use of the tool by diversion programs. Diversion programs were not required to implement a mental health screen for every youth but it is clear that if a diversion program is going to use a mental health-screening tool it needs to be the one selected by the JJRC.
- The intent of a mental health screening is not to diagnose a mental health need/diagnoses. A screen is completed to identify possible issues/needs. If the screen points to something that is utilized to inform the probation officer/diversion staff of an area that needs to be looked at and paid attention, maybe triggers a mental health assessment or further screening.
- This the group looked at two different instruments again recognizing that they are not diagnostic, and they shouldn't be used to determine treatment for youth, it was determined that the MAYSI-2 was the instrument that the majority of the group wanted to use.
- Members of the screening committee went back to their local districts and reached out for feedback on both to GAIN-SS-SS and the MAYSI-2.
- Throughout Colorado, the MAYSI-2 has been used at several levels and degrees. It is not consistent but people are familiar with that instrument.

- The MAYSI-2 is less cumbersome than the GAIN and it does a better job of giving notice that further mental health evaluation is needed.
- The one dissenting group for the are some of some folks from human services. They prefer the GAIN. The GAIN does give you a little longer tool. It also does an excellent job around substance use and the need for further substance use screening.
- Is not as clear as MAYSI-2 for just testing for mental health.
- The recommendation is to move toward adopting the MAYSI-2 across all aspects of juvenile justice specifically DYS, Diversion, and Probation.
- Was any consideration given for the requirement that the state has for those that accept marijuana tax dollars? By accepting those funds you are required to use GAIN.
- Kirsta previously asked Matt F. that exact question, because she was under the impression that they are required to use the GAIN-SS. Matt's response was that it doesn't have to be the GAIN-SS; it just needs to be a tool. At the beginning, many agencies implemented the GAIN-SS thinking that that was the directive. Then along the way, that changed.
- For Diversion this is a question for DCJ, if there would be a shift to the MAYSI-2 per 108, for programs accepting MTR dollars or if they would need to do the GAIN-SS as well.

Motion: Carl Blake moved to adopt the MAYSI-2 as the mental health screening tool. Elaina Shively seconded the motion. Lanie Myers-Mireles voted no.

Update from Risk Assessment Implementation Committees (Carl Blake):

- Update from the probation side of the assessment. They decided to do stakeholder meetings reaching out to each Judicial District and asking for YLS/CMI feedback, thoughts around implementation as well as utilizing it to help inform events for sentencing.
- Thank you so much, Magistrate Elliott and Magistrate Dumler. They were able to make contact with the 18th JD. Recording did not work for this group.
- A second stakeholder meeting that would be with Denver was almost set before the pandemic hit. They will have a call this week to talk about some other strategies for getting additional stakeholder information.
- More information will be given at next month's meeting.
- Intent is to speak with all 22 judicial districts. There is a lead for each JD who will pull together the team to ensure that everybody is invited and included.
- To continue to move forward with the implementation committee, they have been working with Tina and Kelly around the implementation plan, explicitly looking at revisions to the policies and procedures.
- The plan, at this point, starting last week, is to roll out the initial online training for the initial implementation in the southern region.
- Unfortunately, the second step of the training was to be in person. DYS is working with ORBIS to figure out how to do that partially due to the limitations of in-person meetings. To further complicate the situation Orbis is located in Canada, so their ability to travel from Canada to the United States is difficult. Those trainings are tentatively scheduled for April 8 and 9th. The plan is to have an initial implementation in DYS's southern region beginning in May.

- The purpose of that initial implementation is to have end users utilizing the instrument in a workflow perspective to help inform policies and procedures and what additional changes will be needed before roll out.
- Carl and part of the assessment team meet regularly with the southern region. Focused on questions they have about how the rollout is going. This will be continued for several months during the initial rollout.
- After that work, will have the final policies and procedures and a list of commonly asked questions and responses.
- Then begin the training followed by in-person training and rollout for the other three regions.
- The timeframe for full implementation is by January 1. That timeframe is a little bit up in the air right now as they navigate through the initial implementation.

Update from Outcome Measures Working Group (Dr. Erin Crites):

- Start with a timeline of the process that our working group went through. The group started in October.
- The group wanted to be consistent with the move away from focusing on filings or arrests, courts determination of guilt in a legal sense.
- Will connect with CYDC to try and get us all on the same page with a definition of recidivism.
- The requirement of the legislation is that these three systems (DYS, Probation, and Diversion) have a shared recidivism definition.

Motion: Carl moves to adopt these definitions. It would then connect all the agencies that have a common language for collecting recidivism. Jennifer Morgan seconded. Motion passed.

Update from Diversion Working Group: (Sarah Ericson):

- Working Group membership is from the Juvenile Justice Reform Committee and the Juvenile Justice and Delinquency Prevention Council.
- Recently switched focus to work that was specifically required by the JJRC under SB108.
- Selecting a screening tool to be used to inform DA's decisions of whether to divert juvenile cases. This working group narrowed it down to two options. Plan to test the two options.
- A hold has been put on tasks primarily because both of the tools need to be used as widely as possible.
- A diverse group of juveniles need to be included and a diversity of agencies to participate.
- Currently, in a wait and see position to figure out when testing the tools meaningfully is feasible given current conditions. One of the things continue to discuss is, what it, means for DA's offices if testing is pushed back.
- January of 2021 is still the goal, and the working group is optimistic that that can still occur.

Update from DYS and Judicial on SB19-108 Implementation and Alignment (Anders Jacobson):

- CSG and Dr. Gina Vincent are continuing to help with the YASI implementation and JDSAG (detention screen) review.

Implementation and Alignment (Tom H.):

- Start with the assessment. There is a printable agreement that has options for case management.
- There is an incentives and sanctions program reliant upon the YLS data and it populates some fields as well as appropriate responses for behaviors demonstrated by a juvenile.
- Judicial needs to build and implement the assessment within the case management system. It will drive how effectively probation is utilizing assessment information to feed the strategies for behavior change module.
- Shawn reached out to all the jurisdictions to form a group to review current standards and provide feedback on the suggested modifications for changes in the statutory requirements.
- The plan now is to deliver those standard warnings in a final rough draft form that will go through the process of normal approval within Judicial. There are many internal stakeholders that will review, modify, review, edit, and modify again before they are finalized for the state.

Next Steps (Joe Thome):

- The next meeting is scheduled for the end of April. Wait and see what happens between now and then.
- Joe has been working with Senator Lee and Elise on looking at the timelines in the legislation and helping to clarify some of the language, essentially extending some of the time given the situation that is taking precedent. That information will be relayed back to the JJRC.
- There will be at least one week's notice as to whether we will meet in person or send email updates for April. Including whether we are pursuing Executive Orders, status of subcommittees, etc...

Meeting adjourned at 2:20 p.m.