

# Annual Report to the Governor

## October 2015

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

**&**

**Office of Adult and Juvenile Justice Assistance  
Colorado Department of Public Safety  
Division of Criminal Justice  
700 Kipling Street, Suite 1000  
Denver, CO 80215  
303-239-5717**



**COLORADO**

**Division of Criminal Justice**

Department of Public Safety

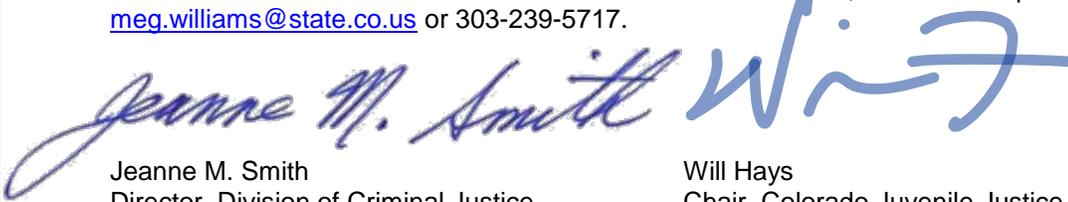
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## ***Message from the Director and Chair***

As the Director of the Division of Criminal Justice (DCJ) and the Chair of the Juvenile Justice and Delinquency Prevention Council (JJJPC), we are pleased to present the joint DCJ and JJJPC 2015 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 JJJPC from July 1, 2014 through June 30, 2015.

Questions regarding this report can be directed to Meg Williams, Manager of the Office of Adult and Juvenile Justice Assistance at the Division of Criminal Justice, Colorado Department of Public Safety at [meg.williams@state.co.us](mailto:meg.williams@state.co.us) or 303-239-5717.

A handwritten signature in blue ink that reads "Jeanne M. Smith" followed by a stylized flourish.

Jeanne M. Smith  
Director, Division of Criminal Justice  
Colorado Department of Public Safety

Will Hays  
Chair, Colorado Juvenile Justice and Delinquency  
Prevention Council

# Mission Statements

***Colorado's Juvenile Justice and Delinquency Prevention Council (JJJPC) 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 in 2002, 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. The core requirements of the Act are:

- **Deinstitutionalization of Status Offenders (DSO)** Juveniles charged with or who have committed offenses that would not be criminal if committed by an adult, or such non-offenders as dependent and neglected children, shall not be placed in secure detention facilities or secure correctional facilities. These offenders include, but are not limited to truants, runaways, or minors in possession of alcohol. Violations occur when accused status offenders are held in secure juvenile detention centers for more than 24 hours, excluding weekends and holidays; and, when adjudicated status offenders are held for any length of time either in these facilities or any adult jail or municipal lockup.
- **Sight and Sound Separation of Juvenile and Adult Offenders (Separation)** During the temporary period that a juvenile may be held in an adult jail or lockup, no sight or sound contact between the juvenile and adult inmates or trustees is permitted.
- **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 for the purpose of processing. 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.
- **Addressing the Over Representation of Minorities in the Juvenile Justice System** States are required to put forth efforts to reduce the disproportionate number of youth of color and other minorities who are detained or confined in secure facilities, or who have contact with any decision point of the juvenile justice system.

## 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 (JJDPA) of 2002. The Governor appoints the JJDP Council. Its members represent the broad scope of the juvenile justice system including government, community-based organizations, schools, and youth.

Colorado has actively participated in the JJDPA since 1984. Through early comprehensive efforts, the JJDP Council and DCJ have brought the state into compliance with the 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, continued monitoring for compliance with these requirements, and development and implementation of a comprehensive plan to address the disproportionate representation of minority youth at all decision points of the juvenile justice system, including those confined in secure facilities.

Through 1994, the JJDP Council allocated grant funds primarily to meet the first three requirements related to the appropriate holding of juveniles. The JJDP Council remains dedicated to a continued comprehensive compliance monitoring system and provides support to local law enforcement to maintain the safe and appropriate holding of juveniles. The JJDP Council and DCJ also owe the continued success in compliance to support and assistance from law enforcement, the Division of Youth Corrections, judges, probation officers, community-based youth-serving agencies, the legislature, the Governor, and many others.

The disproportionate contact of minority youth at all decision points of the juvenile justice system became a concern of the JJDP Council prior to its formal addition as a core requirement of the JJDPA in 1992, and it continues to be a priority program area for formula grant funds. It is a core system improvement effort because it works toward fair and equitable treatment of all youth.

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 JJDPA. 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 keys 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 DCJ to address the gaps identified through input from the many players in the system including rural communities and the Native American tribal communities.

The 2015-17 juvenile justice and delinquency prevention three-year plan is based upon an in-depth analysis of the juvenile justice system including a systematic review of the various initiatives in place to address youth with problem behaviors and their families. It includes an analysis of Colorado's youth serving systems from prevention through aftercare including an analysis of juvenile crime problems, juvenile needs and resource availability and gaps. This review also includes documentation of the impacts and potential outcomes of the budget cuts and related changes in policy and practice. This strategic plan document begins with statewide prevention efforts that are integral to the prevention of juvenile delinquency. From there, it will provide information regarding the "state of the state" in all facets of the juvenile justice system, describing the path a juvenile takes as they penetrate further into the system. Finally it includes Colorado's plans for addressing the prioritized areas as outlined below.

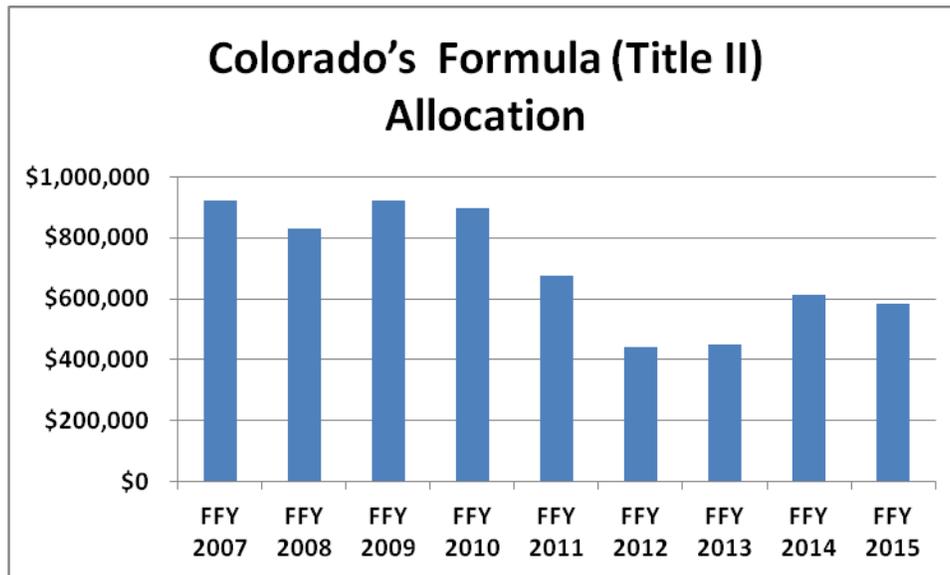
Disproportionate Minority Contact/Minority Overrepresentation  
Appropriate Holding of Juveniles through Comprehensive Compliance Monitoring  
Native American Programming  
Juvenile Justice System Improvement

## FEDERAL AND STATE FUNDING

Historically, there have been three major sources of federal funding for the juvenile justice work. The **Formula Grants Program (Title II)** was the original source of funding from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) to states. The Formula Grant 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 Disproportionate Minority Contact), Native American issues, a variety of prevention programs, planning and administration, and the State Advisory Group allocation. These funds have been precipitously reduced (reduced 36% since 2007).

**Colorado's Formula (Title II) Allocation  
FFY 2007-2015**

FFY 2007	FFY 2008	FFY 2009	FFY 2010	FFY 2011	FFY 2012	FFY 2013	FFY 2014	FFY 2015
\$924,000	\$831,000	\$924,000	\$898,000	\$676,688	\$442,589	\$450,867	\$612,250	\$582,443



The purpose of the **Juvenile Accountability Block Grant (JABG)**, also from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) was to provide States and units of local government with funds to develop programs to promote greater accountability in the juvenile justice system.

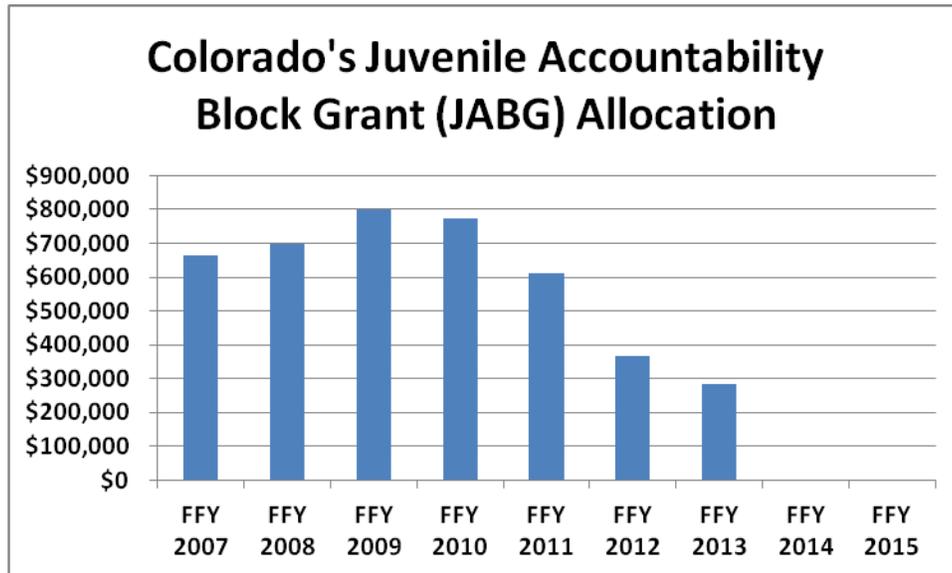
The underlying premise of juvenile accountability programming is that young people who violate the law should be held accountable for their offenses through the swift, consistent application of sanctions that are proportionate to the offenses—both as a matter of basic justice and as a way to combat delinquency and improve the quality of life in the nation's communities. The program's goal is to reduce juvenile offending through accountability-based initiatives focused on both the offender and the juvenile justice system.

For the juvenile offender, accountability means an assurance of facing individualized consequences through which he or she will be made aware of and held responsible for offenses committed. Such accountability is best achieved through a system of graduated sanctions that are imposed according to the nature and severity of the offense, moving from limited interventions to more restrictive actions if the juvenile offender continues delinquent activities. The juvenile justice system must increase its capacity to

develop youth competence, to efficiently track juveniles through the system, and to provide enhanced options such as restitution, community service, and victim-offender mediation.

As can be seen, funding was zeroed out at the federal level in 2014.

Colorado's JABG Allocations FFY 2007-2015								
FFY 2007	FFY 2008	FFY 2009	FFY 2010	FFY 2011	FFY 2012	FFY 2013	FFY 2014	FFY 2015
\$665,900	\$697,000	\$799,600	\$774,000	\$611,126	\$368,530	\$284,401	\$0	\$0



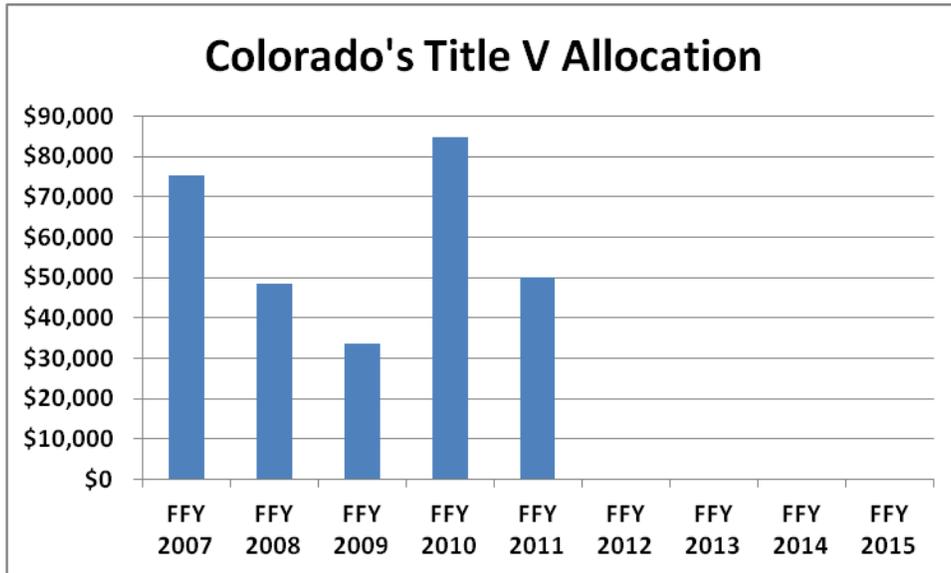
**Title V, Delinquency Prevention** funding from the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) was dedicated to delinquency prevention efforts initiated by a community-based planning process focused on reducing risks and enhancing protective factors to prevent youth from entering the juvenile justice system. It offered a funding incentive to community leaders who engaged in multi-disciplinary assessments of risks and resources specific to their communities and then developed a comprehensive, collaborative 3-year plan to prevent delinquency by funding strategies in their plan. Title V was the only OJJDP federal-funding source solely dedicated to delinquency prevention.

In Colorado, grants were awarded to qualified units of general local government through a competitive grant process. Each unit of local government could be funded in 12-month increments for up to 3 years contingent upon accomplishing progress towards achieving the previous year's goals and objectives, complying with any special conditions attached to grant awards, and available funding. Funds awarded had to be matched in cash or the value of in-kind contributions equal to 50% of the federal funds awarded.

There have been no Title V funds awarded since 2011.

Colorado's Title V- Delinquency Prevention Allocation FFY 2007-2015								
FFY 2007	FFY 2008	FFY 2009	FFY 2010	FFY 2011	FFY 2012	FFY 2013	FFY 2014	FFY 2015
\$75,250	\$48,360	\$33,486	\$84,945	\$50,000	\$0	\$0	\$0	\$0

## Colorado's Title V Allocation



State support for **Juvenile Diversion** a front-end component of the juvenile justice system had been in place for over twenty years (\$2.4 million) prior to the line item vetoes in the FY 2002-03 appropriations bill, and partial reinstatement (\$1.2 million) in FY 2006-07. Pursuant to the Colorado Children's Code [(19-1-103(44) C.R.S.], the goal of 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 holding the youth accountable for their behavior while involving them in programs and activities to prevent future criminal and delinquent behavior. Programs of this type provide local communities 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.

## JJDP COUNCIL PRIORITY AREAS/ACCOMPLISHMENTS

### OVER REPRESENTATION OF MINORITY YOUTH 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. Nevertheless, minority over representation still exists in many of the juvenile justice decision-points (arrest, detention, commitment). The JJDP Council continues to advocate for minority youth and families by monitoring legislation that may affect them 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 minority youth in the juvenile justice system.

The JJDP Council supports a DMC coordinator who takes a three-prong approach in helping Colorado remain in compliance with the DMC Core Requirement. 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 Equality (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 Equality (CMYE). Training for new and potential CMYE members is conducted annually. Funding also supports the logistical costs of four 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 is to implement the five phases of addressing DMC as developed by OJJDP by addressing the identification, assessment, intervention, evaluation and monitoring phases. There is a heavy emphasis on the collection, reporting and usability of DMC data. There are also several policy areas including those to address the disproportionate contact of Black youth at the arrest decision point and to work in concert with initiatives to address the large number of arrests made at schools. In addition there are objectives focused on assisting communities in defining and addressing their issues through training, technical assistance and an assessment study. In order to implement the plan the Council supports a 75% DMC Coordinator position.

**What have we accomplished?** The DMC Coordinator continues work with the State Analysis Center to gather the state’s DMC identification data and to post it on the Colorado Commission on Criminal and Juvenile Justice’s website (DMC website links to this data source). A DMC website specific to Council’s efforts was also established: <http://dcj.oajja.state.co.us/disproportionate-minority-contact>. Colorado was recognized for having our DMC data available to the public in the Juvenile Justice Geography, Policy, Practice and Statistics State Scan on Racial and Ethnic Fairness. In addition TA is provided to communities to help them understand what the data is telling them.

DMC case studies were completed in the 2<sup>nd</sup>, 4<sup>th</sup>, 18<sup>th</sup> and 21<sup>st</sup> Judicial Districts (JD). The 18<sup>th</sup> JD used their results to successfully apply for a MacArthur/OJJDP grant for Arapahoe County which was used in part to sponsor training on two evidence-based curriculums; El Joven Noble and Strong African American Families. In addition Arapahoe County through the efforts of their grant opened an evening reporting center, are in the process of getting a tiered warrant process approved by their Chief Judge, and presented data to DYC on the number of youth screened in by the Juvenile Detention Screening and Assessment Guide (JDSAG).

Technical assistance is provided on an ongoing basis to the 18<sup>th</sup> and 2<sup>nd</sup> Judicial Districts at their Minority over Representation (MOR) meetings. Data was analyzed for the 4<sup>th</sup> Judicial District related to the MOR issue in their child welfare system. A training for 40 people occurred in the 1<sup>st</sup> JD.

### **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 supported compliance monitoring since 1987. In 1988, a system improvement component was added to the compliance monitoring job responsibilities to enhance the effort of reaching and maintaining compliance by providing education, training, technical assistance and on-site support to law enforcement and juvenile justice system personnel. Legislation regarding the holding of juveniles in compliance with the core requirements of the JJDP Act was passed during Colorado's 2006 legislative session. This has been of great assistance in maintaining compliance and continues to be supported through the system improvement efforts of the compliance monitor.

**What have we accomplished?** Colorado has seen tremendous progress since passage of the JJDP Act and Colorado's commitment to the appropriate holding of juveniles. In the most recent years, the JJDP Council has focused its efforts on addressing the use of detention for status offenders, specifically truants, who fail to abide by a court order. After an all-time high use of detention to address truancy in FY 2012-13 (n=356), the Council worked with the Colorado Commission on Criminal and Juvenile Justice resulting in passage of HB 13-1021 which urged school districts to implement proven strategies to reduce truancy and keep students from facing court sanctions for skipping school. The Council then followed up with funding to 3 judicial districts which had a high use of detention for truancy cases and assisted them in developing problem-solving court models for their jurisdictions. The grants allowed each district to devise, implement and evaluate a problem-solving truancy court whose goals are to improve school attendance, behavior and academic performance.

In each project, individual students receive personalized help and support. The programs are based on problem-solving court models in which participants receive integrated and collaborative support while being supervised by the courts and held accountable for their actions. The programs began in May of 2014 and most recent data shows that in those three Judicial Districts, the use of detention for truants decreased from 58 from July 2013-June 2014 (one year period) to 8 in the first six months of the following year (January-June 2015). The JJDP Council also funded one truancy prevention program.

### **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 area of the state (SW). 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 support trauma treatments and non-violent life skills training to youth who are court-ordered or high risk and referred by a school counselor. For several years, the Ute Mountain Ute Tribe elected to not receive Title II/Formula grant funds because of the requirement to be in compliance

with the JJDP Act requirements for the appropriate holding of juveniles in secure settings, most critically in the area of deinstitutionalization of status offenders, notably truants.

As with the State of Colorado, both Tribes struggle to address the needs of their youth and families, especially when children and youth are struggling with truancy issues. Colorado's Native American juvenile population that is non-reservation based also continues to need culturally appropriate services. Although the Native American juvenile population that is non-reservation based is estimated at 1.1% of the State's total juvenile population and 0.7% of the Colorado school population, they represent 5.0% of the school dropouts, 1.0% of the youth who received in-school suspension, 1.3% receiving out-of-school-suspension and 2.0% who were expelled in 2013-2014.

**What have we accomplished?** Several members of the JJDP Council visited the Four Corners area to meet with representatives from the Ute Mountain Ute Indian Tribe to re-establish and rekindle their working relationship. JJDP Council member Ernest House Jr. is a member of the Ute Mountain Ute Tribe and is the Executive Secretary for the Colorado Commission on Indian Affairs and was instrumental in this endeavor. Discussions were held about compliance with the federal JJDP Act and the Tribe has made great strides toward compliance. They are now in the process of applying for the Title II Juvenile Justice set aside funds to use for juvenile justice issues.

### **JUVENILE JUSTICE SYSTEM IMPROVEMENT EFFORTS**

Colorado's JJDP Council has focused on system improvement in five main areas and committees were established to address these areas which include: **Low Risk High Need (LRHN)**; **Professional Development (PD)**; **Evidence Based Programs and Practices (EBPP)**; **Research and Evaluation**; and **Emerging Leaders**. Most recently, the Council established a Juvenile Justice Code Review Committee to look at Title 19-2 of the Colorado Revised Statute through the lens of current science and knowledge for addressing juvenile justice and delinquency issues.

Colorado has a plethora of initiatives to address the needs of children, youth and families. What has been identified in virtually all of these groups is the fact that youth with low risk of criminal offending but high needs (LRHN) for behavioral services, along with their families, are entering the juvenile justice system in order to receive services. Prior to entry into the juvenile justice system they are frequently subjected to a maze of disconnected and conflicting services that often require higher than necessary levels of care, stigmatizing labels, and ultimate criminalization that weaken the permanent supportive connections that are the foundations for pro-social adult development. As these youth become system-involved, they may or may not be provided services that are evidenced-based (supported by meta-analysis, cost benefit analysis, clinical trials, and applied practice) or provided services that are given by professionals who have had benefit of training that meets certain core requirements or even address basic understanding of adolescent development, family involvement or other keys areas critical when working with youth. Finally, the JJDP Council is committed to authentic youth involvement in all its work and is supportive of its youth members (Emerging Leaders) by providing the support it needs as a committee to determine its priorities and provide a funding base to meet its identified priorities.

#### **Low Risk/High Needs Committee**

**GOAL: Prevent low risk-high needs (LRHN) children and youth from unnecessarily entering the juvenile justice system or penetrating deeper in to the juvenile justice system through partnerships with schools or school districts and implementation of RJ principles and practices into school districts' discipline policies and practices.**

This committee addresses the needs of juveniles who may not have high criminogenic tendencies except for their high needs in the areas such as trauma, mental health or substance abuse. It is believed that these undiagnosed, unmet or underserved needs in these areas significantly contribute to their eventual progression into and through the juvenile justice system. Beginning with the educational system, children and youth have significant repercussions for behavior possibly connected to these unmet needs. For example, truant behavior which research suggests is strongly associated with child abuse, neglect, poverty, family disorganization and trauma, leads to juvenile court filings (1,944) and for some leads to detention for violating a court order to attend school (204 or 10.4% of those filed on). We also see a connection between children and youth served by the child welfare system and subsequent juvenile justice involvement. For example, of the youth committed to the Division of Youth Corrections in FY

2013-14, sixty four percent had one or more previous out-of-home placements; 55.4% of the girls committed had two or more prior out-of-home placements. As to substance abuse and mental health, the percent of newly committed youth in need of treatment level substance abuse services increased in FY 2013-14 to 75% (versus 72.7% in FY 2012-13). A few years prior, this percent remained closer to 60%. The male population in need of treatment has increased from 73% to 75.6%, while the female treatment population has increased from 71% to 76.8% in the past two years. In regard to mental health needs during FY 2013-14, the percent of newly committed youth assessed as “Requiring Formal Mental Health Intervention” was 45% (CCAR data). A larger percentage of females show a need for mental health intervention (64.2%) in comparison to males (42.5%).

In the last three year plan cycle, using both Juvenile Accountability Block Grant and Title II funds, the JJDP Council in collaboration with the Colorado State Court Administrator’s Office supported one Truancy Prevention and three Truancy Problem Solving Court Pilots. As a part of the projects, each of the applicants was to develop policy and procedures ensuring incorporation of Section 3 of the [National Safety, Opportunity & Success \(SOS\) Standards of Care for Non-Delinquent Youth](#). In addition, knowing this population has multiple system needs, applicants were to secure letters of commitment from high ranking officials from the collaborative members at a minimum schools, Child Welfare, Juvenile Justice, mental health treatment provider, and substance abuse treatment provider (or co-occurring treatment provider) (i.e., law enforcement, SB 94, Probation). The LRHN Committee continues its strong work with the truancy court pilots of the 1<sup>st</sup>, 16<sup>th</sup> and 18<sup>th</sup> Judicial Districts and the truancy prevention pilot in La Plata County.

All of the pilots were interviewed to identify gaps and next steps. Gaps included creation of an actual Implementation Manual, which would be especially helpful due to passage of SB 15-184 which encourages the growth in the number of problem-solving truancy courts. A best practices document for data collection and analysis was also identified as well as software for collecting the data. They also identified the need to develop the capability and capacity to market the program directly to schools (teachers, counselors) instead of to school executives (superintendents) in the beginning of the school year.

In addition to addressing some of the gaps identified by the problem-solving truancy court pilots, the LRHN Committee received approval from the full Council to pilot restorative justice (RJ) in schools training. Although a select few school districts have already implemented RJ practices in schools, Colorado continues to see a connection between school discipline and juvenile justice involvement. With the assistance of Colorado’s Restorative Justice Coordinating Council (the JJ Specialist and a JJDP Council member serve as members of the RJ Council), they hope to explore how RJ can be further implemented across the state in school settings. To inform the proposal, LRHN members have talked with several school districts to gain insight into what types of support schools need in order to implement RJ.

**What has been accomplished?** The JJDP Council approved funding for truancy demonstration pilots based on House Bill 13-1021 (concerning measures to ensure students comply with compulsory school attendance requirements) and the Safety, Opportunity & Success (SOS): Standards of Care for Non-Delinquent Youth. The purpose of these pilots is to learn and document: the causal factors of truancy; the effective prevention approaches that keep youth in school and on track academically and socially, and increase school and student engagement; and the systems changes needed to successfully address truancy.

- One Truancy Prevention pilot was funded through the Title II Formula Grant- La Plata County. This pilot is focused on youth who meet the definition of being truant but have not yet been filed on in court. This pilot began in February 2014. Recently, LaPlata’s Truancy Prevention Pilot was nominated for an OMNI Research Award, received a United Way Community Leadership Award, and was a semi-finalist (top 4) for the Colorado Non Profit Association’s Collaboration Award. This award is made to only one collaborative in the state and is open to ALL non-profit fields (i.e. environment, education, health, etc.)The Pilot also received unsolicited grants from: Ballantine Foundation, Mercury Payment System, and an Anonymous New Mexico family foundation with a total of \$75,000 all together.
- Three Truancy Solving Court pilots were funded through the Juvenile Accountability Block Grant (JABG). The 1<sup>st</sup>, 16<sup>th</sup> and 18<sup>th</sup> Judicial Districts are the pilot sites. These pilots are focused on youth who are truant and have been filed on in court. These pilots began in May 2014.

- A Toolkit to allow for duplication of the Truancy Court Problem Solving Court model based on the JJDP funded Truancy Court Pilots is being drafted.
- A document was created regarding truancy, use of detention and court, and alternatives to detention and then shared with the State Court HB 15-184 Committee (See Appendix A).
- Recently, the LRHN Committee developed a plan to support training on how to engage schools in instituting restorative practices. Trainings are being scheduled for the Spring/Summer of 2016.

#### Professional Development Committee

**GOAL:** Improve outcomes for all families involved in juvenile justice by: promoting the efficient and consistent professional development of all relevant agencies, organizations and partners (“system actors”), including judges, attorneys and direct service workers, and addressing the training needs of system actors by establishing core practices and core competencies for juvenile justice professionals.

The Professional Development committee, which was established in 2011, worked successfully to engage the JJDP Council and the Colorado Commission on Criminal and Juvenile Justice (CCJJ) which approved the idea of creating a core set of statewide juvenile professional development practices. These practices will apply to agencies within the Executive and Judicial branches of government involving case processing and treatment of juvenile offenders.

There are numerous benefits to establishing and adopting statewide professional development standards for professionals working with at risk of and justice-involved juveniles and their families, including, but not limited to:

- Improved agency and cross-discipline coordination and consistency;
- Common knowledge and framework across professionals when addressing youth and family issues;
- Expanded staff capacity and a more integrated approach to care;
- A reduction in the likelihood that youth are pushed further into the juvenile justice system and other systems when they fail to meet the requirements of contradictory case plans;
- A reduction of overall system costs and the cost to train staff; and
- Improved outcomes for youth and families (e.g., lowering the recidivism rates of justice-involved youth).

There is a precedent in Colorado of statewide professional standards for those working with children and families involved in child welfare. The state has set minimum, statutorily-defined requirements for those working in this area. Subsequently, a comprehensive child welfare training academy was developed and is currently being expanded and strengthened to meet those standards. This affords the state an opportunity to expand this concept to other youth-serving systems.

A number of states, such as Florida and Massachusetts have already taken steps to address the deficit in professional development for their juvenile justice workforce and the impact this lack of professional development has on justice-involved youth and their families. Although Colorado has trainings across many agencies relevant to the core competencies, they are not required, nor are they available to all youth-serving professionals regardless of agency affiliation.

**What has been accomplished?** The Professional Development Committee (PD) has a renewed sense of purpose and has moved to a more concrete plan to implement a training system that supports the core competencies. In February 2015, the committee put together a detailed action plan to meet the goals of the committee. Since then, with the direction of the committee a one pager has been developed to explain the core competencies and the goal of the committee (See Appendix A). The committee has also drafted a Memorandum of Understanding in anticipation of working with state agencies and the PD has begun to research what other states are doing regarding core competencies.

## Overarching Approach to All Trainings

### Integrating Cultural Responsivity and a Positive Youth Development Approach

Increasing the ability of juvenile justice professionals to understand adolescent development, including the differences in languages, values, codes of behavior, customs, beliefs, knowledge, symbols, myths and stories; the influence that institutions have on shaping the development of youth; how to effectively integrate a positive youth development approach into programming and practice such as engaging diverse youth in decision-making and utilizing a dual strategy of risk reduction and the promotion of strengths; as well as creating and maintaining healthy interactions with youth and their families.

## Recommended Core Competency Areas for Juvenile Justice Professionals

**Adolescent and Brain Development:** Adolescent developmental tasks, youth brain development and behavior/decisions.

**Effective Case Management:** Screening, assessment, effective report writing, case planning and referral, and risk, need, and responsivity. This should include the use of strengths-based language and engaging youth as partners in creating and on-going maintenance.

**Consent, Release of Information, HIPAA, FERPA, 42CFR and Confidentiality:** Privacy and confidentiality rights of youth, what and how data information can be shared across agencies.

**Effective Communication Strategies:** Appropriate, respectful strategies to ensure effective communication between providers, justice-involved youth, and victims and victims' families.

**Family Engagement:** Best practices for involving parents and families in the juvenile justice process.

**Behavioral Health:**

- *Trauma-informed response and/or care:* Best practices for providers in trauma-informed services; an understanding of the high prevalence of traumatic experiences in justice-involved youth and the neurological, biological, psychological and social effects of trauma and violence on youth.
- *Best practices in supporting youth with mental health challenges*
- *Strategies for addressing vicarious trauma in providers working with justice-involved youth*
- *Principles of substance abuse, prevention, treatment and recovery*

Partnerships have also helped this committee move forward. A strong partnership has been formed with the Colorado Department of Human Services' Office of Behavioral Health (OBH). OBH is also seeking to establish a training institute to house trainings relevant to OBH. OBH has agreed to incorporate the PD core competencies into a Request for Information, opening the opportunity to collaborate and establish a training institute that fits the needs of PD and OBH. The committee has also been able to partner with the CO 9to25 initiative by providing the information PD has gathered regarding trainings that are available and the core competencies to their Training and Technical Assistance committee.

The PD Committee is now conducting a series of individual stakeholder meetings to build knowledge, awareness and ideally support for the cross training institute and system.

### Evidence Based Programs and Practices (EBPP) 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.

According to research, implementing evidence-based programs with fidelity has the potential to impact reductions in recidivism (25-70%), reductions in out-of-home placement (47-64%); extensive improvements in family functioning and decreased mental health problems. These outcomes have also translated into large cost savings. For example, Florida's Redirection Program saved \$41.6 million over four years by reducing out-of-home placements for less serious offenders and reducing recidivism.

However, evidence-based programs and practices are not being used to their potential. For example:

- Nationally less than 10% of child welfare and juvenile justice agencies are implementing evidence-based programs and practices;
- Prevention and intervention work is rarely data driven and strategic (e.g., it isn't based on data demonstrating need at the local or state level); and
- Evidence-based programs and practices, when implemented, are rarely implemented with fidelity.

For this EBPP Committee project, the goal is to develop a state system that supports well-implemented evidence-based programs and practices matched to need at the state and local/community level focused on at-risk and system-involved youth. The long-term goal of this project is to improve outcomes for at-risk and system-involved youth and their families as evidenced by:

- Reductions in recidivism;
- Reductions in out-of-home placement;
- Improvements in family functioning;
- Decreased behavioral health problems; and
- Improved educational outcomes.

The EBPP Committee aims to build a system that supports EBPPs at both the local and state levels. Development of this work plan is based on recommendations from the EBPP Committee and the MacArthur Foundation's Models for Change Juvenile Justice Mapping Process.

This system will support a data-driven process that encourages:

- The selection of programs and practices with supported evidence of effectiveness based on need at the individual and community levels.
- Rigorous evaluation of promising, emerging and undetermined programs and practices.
- Commitment to cease any activity deemed to be harmful.
- Strong implementation supports to assure selected EBPPs are delivered with quality and fidelity.

Guiding priorities for the work plan include:

1. Support local and community processes to use data to match EBPPs to local needs.
2. Support effective implementation of EBPPs including measuring fidelity and outcomes.
3. Ensure high quality programming exists for low-, medium-, and high- risk/need youth and that youth are matched to services.
4. Use cost-benefit and cost-avoidance models to support approach.
5. Central repository to learn where programs are implemented and where the programs fall on the continuum of effectiveness (Colorado's PEW Results First Project within the Governor's Office will inform this process).

In order to accomplish this purpose the EBPP Committee is engaged in a process to develop processes, resources and tools, informed by pilot communities. These will support local committees, councils, or other groups in engaging in a process to ensure that they choose and support well-implemented evidence-based programs and practices matched to need at the local/community level focused on at-risk and system-involved youth.

These resources and tools will form an EBPP toolkit that once finalized will be disseminated and available statewide.

Steps include:

- Develop initial EBPP processes, tools and resources in the form of a toolkit that includes a researched and recommended data mapping process.
- Determine and secure 3-4 pilot communities to help inform the EBPP toolkit through engaging with the process, tools and resources.
- Implement EBPP process with 3-4 pilot communities with on-site facilitated sessions with key local stakeholders.
- Revise and adapt EBPP process, tools, and resources based on pilot feedback and finalize EBPP toolkit.
- Develop a plan for statewide dissemination of EBPP toolkit.

#### **What has been accomplished?**

- A list of available state/local indicator data has been compiled and cataloged.
- An initial draft of the EBPP Toolkit has been developed and presented to the EBPP core team for feedback.
- Four primary pilot communities for on-site summits have been chosen, with two other communities chosen in case the primary communities are unable to commit to the process.
- Criteria for messaging to the community areas and to related state agency stakeholders has been discussed and a draft document created. A finalized document will be used for communication to both local and state level contacts.

## Evaluation Committee

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

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 will be done by continuing current 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 will also continue 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.

The Committee also supports the need for local stakeholders to have more active roles in their communities by using their evaluation results to better represent their needs and values. This would be accomplished through the Juvenile Justice Leadership Project which will be complementary to the evaluation process. In order to support learning at the local level, a concept paper regarding local Diversion programs' understanding and use of their individual evaluation results to make program improvements will be drafted. This concept paper would include addressing the disparity between African American youth receiving diversion compared to white youth. Each grantee will provide their input and estimate the resources necessary to implement the Leadership Project in their community. The individual programs' estimates will be presented to the Council and decisions regarding funding will be partially based on those Juvenile Diversion programs who are the most engaged/compliant in the Diversion evaluation process. Collective results become a model for all of the Diversion programs.

**What have we accomplished?** The Evaluation Committee has become more active in reviewing with applicants and funded projects their proposals and reports and has reviewed closely consultant's reports and has met with consultants to ask questions and make recommendations on their work and reports.

## Emerging Leaders (EL) Committee

**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.

Over the past three 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. Many of these members were not 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.

Recently, the Emerging Leaders Committee identified a need for more concerted outreach within its own membership because of lagging involvement of some of its members. They contracted with two Youth

Advocates (one who was a previous JJDP Council member) to provide an Advocacy Training, developed and delivered by the Youth Advocates, to the Emerging Leaders as well as other statewide groups where they are also encouraging youth advocacy.

In addition to the training, this committee has also chosen to focus on the needs of LGBTQ youth involved in the juvenile justice system. 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 agreed to make this a priority for their Colorado-based work. Their goal is to improve services provided to LGBTQ minority youth within the Colorado juvenile justice system and increase LGBTQ engagement within agencies. This will be accomplished by helping providers understand what it means to provide respectful and equal services to LGBTQ youth who are involved in the juvenile justice system through an educational training for providers to increase their knowledge and understanding of LGBTQ language and the specific needs of the community. This training will also assist in improving provider's comfort levels in working with the LGBTQ community and help agencies develop an engagement model to implement their work with LGBTQ minority youth.

## JUVENILE JUSTICE AND DELINQUENCY PREVENTION 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

\*Auontai (Tay) Anderson 08/15  
Emerging Leader  
Denver

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

Lisa Calderon 05/10  
Community Reentry Project  
Denver

Jennifer Capps 05/10  
Metro State University of Denver  
Denver

Stacie Colling 08/15  
CO Alternative Defense Council  
Denver

\*Nkeonye'Asua Egbune 08/14  
Emerging Leader  
Denver

Jenny Ellison 02/14  
Chief Deputy District Attorney, 8<sup>th</sup> JD  
Ft Collins

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

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

Elizabeth Anne Ford, Esq. 06/13  
Defense Attorney  
Denver

\*Lerissa Garcia 11/12  
Emerging Leader  
Denver

Christine Harms 06/12  
Colorado School Safety Resource Center  
Denver

Ernest House, Jr. 05/10  
Colorado Commission on Indian Affairs  
Denver

Bill Kilpatrick 01/15  
Golden Police Department  
Golden

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

Dorothy Macias 08/15  
Office of the Child's Representative  
Denver

\*Alina Peisley 08/15  
Emerging Leader  
Alamosa

\*Ricardo Rocha-Rangel 08/14  
Emerging Leader  
Commerce City

Dedrick Sims 12/13  
Sims-Fayola Foundation  
Brighton

\*Ciera Springer 08/15  
Emerging Leader  
Denver

\*Jack Storti 12/13  
Emerging Leader  
Parker

Joe Thome 8/11  
Division of Youth Corrections/CDHS  
Denver

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

Kevin West 05/15  
School District 27J  
Brighton

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

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

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

Stan Hilkey- Executive Director, Colorado Department of Public Safety  
Rebecca Spiess- Deputy Executive Director, Colorado Department of Public Safety  
Jeanne M. Smith- Director, Division of Criminal Justice  
Meg Williams- Manager, Office of Adult and Juvenile Justice Assistance

OAJJA Staff

Sue Bradley  
Susan Davis  
Cindy Johnson  
Bruce Langsdon

Anna Lopez  
Michele Lovejoy  
Kyle McDonald

## DEVELOPING A CROSS-SYSTEM TRAINING INSTITUTE FOR YOUTH SERVING PROFESSIONALS

### Professional Development Committee - Background

[Colorado's Commission on Criminal and Juvenile Justice \(CCJJ\)](https://www.colorado.gov/ccjj) <https://www.colorado.gov/ccjj> approved and supported the creation of a core set of statewide juvenile professional development practices.

The Professional Development Committee of the Juvenile Justice Delinquency Prevention (JJDP) Council was established in 2011 to move the work initiated through the Denver Crime Prevention and Control Commission into planning and implementation across state agencies.

These practices will apply to agencies within the Executive and Judicial branches of government involved in case processing and treatment of juvenile offenders and ideally to all youth serving professionals across the state.

There are numerous benefits to establishing and adopting statewide professional development practices for professionals working with at-risk of and justice-involved youth and their families, including, but not limited to:

- Improved agency and cross-discipline coordination and consistency;
- Common knowledge and framework across professionals when addressing youth and family issues;
- Expanded staff capacity and a more integrated approach to care;
- A reduction in the likelihood that youth are pushed further into the juvenile justice system and other systems when they fail to meet the requirements of contradictory case plans;
- A reduction of overall system costs and the cost to train staff; and
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There is a precedent in Colorado of statewide professional standards for those working with children and families involved in child welfare. The state has set minimum, statutorily-defined requirements for those working in this area. Subsequently, a comprehensive child welfare training academy was developed and is currently being expanded and strengthened to meet those standards. This affords the state an opportunity to expand this concept to other youth-serving systems.

A number of states, such as Florida and Massachusetts have already taken steps to address the deficit in professional development for their juvenile justice workforce and the impact this lack of professional development has on justice-involved youth and their families. Although Colorado has trainings across many agencies relevant to the core competencies (see next page), they are not required, nor are they available to all youth-serving professionals *regardless of agency affiliation*.

This project would emphasize leveraging these existing trainings and systems instead of creating a new system.

## Next Steps for Developing a Cross-System Training Institute

Over the next few months the JJDP Professional Development Committee will be working with Colorado state agencies to:

- Explore the opportunities to open existing trainings that fit with the core competencies to other agencies;
- Remain a priority in the 2015 – 2017 of Colorado’s Juvenile Justice Delinquency Prevention plan;
- Supporting the implementation of a cross-system training institute that assures the core competencies for juvenile justice system professionals are met and that they can receive the list of training;
- Pursue opportunities to leverage possible centralized systems to manage trainings, such as working with the Office of Behavioral Health and other partners to establish the “Cross-system Training Institute.”

With the goal of all youth and family-serving professionals receiving the training and support needed to serve youth and families in the best possible manner.

### Overarching Approach to All Trainings

#### **Integrating Cultural Responsivity and a Positive Youth Development Approach**

Increasing the ability of juvenile justice professionals to understand adolescent development, including the differences in languages, values, codes of behavior, customs, beliefs, knowledge, symbols, myths and stories; the influence that institutions have on shaping the development of youth; how to effectively integrate a positive youth development approach into programming and practice such as engaging diverse youth in decision-making and utilizing a dual strategy of risk reduction and the promotion of strengths; as well as creating and maintaining healthy interactions with youth and their families.

### Recommended Core Competency Areas for Juvenile Justice Professionals

**Adolescent and Brain Development:** Adolescent developmental tasks, youth brain development and behavior/decisions.

**Effective Case Management:** Screening, assessment, effective report writing, case planning and referral, and risk, need, and responsivity. This should include the use of strengths-based language and engaging youth as partners in creating and on-going maintenance.

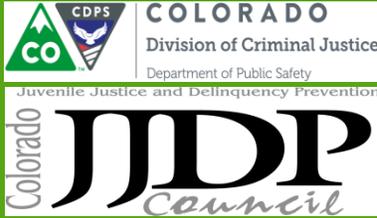
**Consent, Release of Information, HIPAA, FERPA, 42CFR and Confidentiality:** Privacy and confidentiality rights of youth, what and how data information can be shared across agencies.

**Effective Communication Strategies:** Appropriate, respectful strategies to ensure effective communication between providers, justice-involved youth, and victims and victims’ families.

**Family Engagement:** Best practices for involving parents and families in the juvenile justice process.

#### **Behavioral Health:**

- *Trauma-informed response and/or care:* Best practices for providers in trauma-informed services; an understanding of the high prevalence of traumatic experiences in justice-involved youth and the neurological, biological, psychological and social effects of trauma and violence on youth.
- *Best practices in supporting youth with mental health challenges*
- *Strategies for addressing vicarious trauma in providers working with justice-involved youth*
- *Principles of substance abuse, prevention, treatment and recovery*



## INTRODUCTION

The Colorado Juvenile Justice and Delinquency Prevention (JJDP) Council's Low Risk/High Needs (LRHN) committee was established to address the needs of juveniles who may not have criminogenic tendencies but whom do have undiagnosed, unmet, or underserved needs in areas such as trauma, mental health, or substance abuse, which may contribute to these youths' eventual progression into and through the juvenile justice system.

Specifically, the JJDP Council has been concerned about truancy and the use of detention for truants in Colorado who fail to abide by a court order (287 youths in 2013). Studies have shown that once young people are detained, even when controlling for their prior offenses, they are more likely than non-detained youth to end up going further into the system<sup>1</sup>. We also know that truants are often found to be living in "multiple disadvantaged" circumstances<sup>2</sup>, to have parents suffering from alcoholism<sup>3</sup>, and to experience family histories of abuse<sup>4</sup>, maltreatment, or neglect<sup>5</sup>.

For these reasons, the JJDP Council through the LRHN committee funded four truancy demonstration pilots (one focused on prevention and three problem-solving court pilots) based on House Bill 13-1021<sup>6</sup> and the Coalition for Juvenile Justice's Safety, Opportunity & Success: Standards of Care for Non-Delinquent Youth<sup>7</sup>. The purpose of these pilots is to learn and document:

- The causal factors of truancy;
- Effective prevention approaches to keep youth in school and on track academically and socially, while increasing school and student engagement; and
- Systems changes needed to successfully address truancy.

The LRHN committee serves as an advisory group and learning collaborative for the pilot sites. This document provides an overview of the learning from the first year of the three truancy problem-solving court pilots.

## DEFINING TRUANCY PROBLEM SOLVING COURTS

Problem-solving courts (PSCs) are structured to allow for the necessary resources, both within the courtroom and in the community, to provide wrap-around services to a student and parents/guardians. These courts can easily serve as a model for truancy courts, and many truancy courts have adopted this model, as many elements of PSCs directly compliment the principles undergirding truancy reduction, e.g., a focus on outcomes that benefit students, schools, and the community, as well as non-traditional roles for the court in facilitating outcomes rather than overseeing an adversarial process.

*Although PSCs are more time- and effort-intensive upfront, they can be more effective in a shorter time-period, reduce recidivism, and decrease the need for or use of sanctions including detention.*

## WHAT DOES A TRUANCY PSC PROGRAM LOOK LIKE?

In contrast to many "traditional" models, which seek to fix what is not working, truancy PSCs take a strengths-based approach, starting with what *is* working and building from there. They also have a clear focus on family engagement and participation, ensuring all voices are heard, respected, and empowered.

Drug court research shows that clearly defined phase schedules, with clear expectations, significantly improve youth outcomes. As such,

truancy PSC programs have progressive phases, with early phases structured so participants can have early successes and see their potential. The table below outlines what a truancy PSC looks like from the perspective of a program and a participant.

*All students have talked about the support they have received in our program from all team members which has help them in deciding to make a change in their lives.*

- 1<sup>st</sup> Judicial District

## PILOT SITES IN COLORADO

There are currently three Truancy PSC pilot programs, which began in May 2014 and are funded through Colorado’s Juvenile Accountability Block Grant (JABG):

- 1<sup>st</sup> Judicial District (Jefferson County);
- 16<sup>th</sup> Judicial District (Otero, Crowley and Bent Counties); and
- 18<sup>th</sup> Judicial District (Arapahoe County – Aurora Public School District).

All three pilots focus on youth who meet the definition of being truant and are court involved (see Appendix A for a description of each site).

The mission of the PSC Truancy Pilot courts is to empower and support youth and their families in order to improve attendance and, ultimately, school performance through a broad, culturally-relevant set of supports.

## GETTING A PROGRAM STARTED

Based on feedback from the Truancy PSC sites, developing a Truancy PSC requires:

- Identifying the needs and benefits, as well as already available resources, for such a program.
- Testing stakeholder interest to gain their support in the implementation process, as well as for the sustainability of the program. Stakeholders include, but are not limited to school districts and schools, the judicial district, human/social services, and treatment providers.
- Developing a champion and/or a coordinator to keep the process moving forward, as well as a steering committee composed of cross-disciplinary stakeholders that provide support to the champion/coordinator (see Appendix B for a list).
- Determining what data to collect and how to collect it in order to select programs that best fit

### Program and Participant Perspective

Phase	Minimum Length	Program Perspective	Participant Perspective
1: Orientation & Stabilization	4 weeks (2 weeks without absences/tardies)	Complete assessments; build rapport; formulate treatment and action plans	Explore importance of school and the why of attending; decrease fear of court and the judicial system; work with parents on their role in truancy
2: Engagement	6 weeks (3 weeks without absences/tardies)	Active participation in school attendance, treatment, pro-social activities; creation of new habits	Help student see how to realize their potential; understand, honestly explore likes/dislikes of school; positive reinforcement for desired behavior
3: Achievement	12 weeks (4 weeks without absences/tardies)	New habits become typical behavior, expectations of attendance, no behavioral issues, and better academic performance; reinforce positive habits	Maintain progress and celebrate success
4: Aftercare	24 weeks (5 weeks without absences/tardies)	Staff assist/support from afar, focus is on self-directed positive behavior with lower levels of staff assistance	Realize their ability to stay in school and do their best – they are ready!

the specific needs of the district. This can include attending trainings, talking to other people

running PSCs, observing courts with similar programs, surveying students who meet the definition of truancy, etc.

- Establishing the general focus and priorities, as well as goals and procedures, in order to create an outline of the program.
- Providing an opportunity for input from all stakeholders (e.g., a stakeholder meeting where the basic program is presented and suggestions are solicited) and refining the program based on the input.
- Developing a screening/referral process, allowing the Truancy PSC to select and use appropriate services based on individual needs.
- Providing relevant training for those in contact with youth and their families (e.g., motivational interviewing training for judicial officers).
- Continual review and revision as necessary.

*The schools absolutely have to be supportive of it and they need to be aware of how this can be of benefit to them. Find out early what they wish to see happen and solicit suggestions.*

- 18<sup>th</sup> Judicial District

These phases can take time. The 1<sup>st</sup> Judicial District noted they spent three to four months bringing stakeholders together, soliciting input, doing research, and developing their program, and another two to three months to hire staff and be fully functional in order to begin serving participants. After a year, they were able to explore areas of success in their program and make modifications to areas that were not successful. For example, they noticed many students were spending more time in the stabilization phase of the program than planned, so they are modifying this phase of the program to promote student progress in this area.

## LESSONS LEARNED

In the first year of the pilot program, sites noted an increased focus on positive reinforcement of desired behaviors rather than heavy use of sanctions, as well as an increased focus on case management with participants. For example, the 1<sup>st</sup> and 18<sup>th</sup> Judicial District Steering Committees took detention out of

the options of sanctions for their Truancy PSC and saw many youth successfully progressing through the program. Sites also identified challenges to be addressed either internally or, potentially, through statute.

### *What is working?*

Overall, the districts identified a number of aspects of the truancy PSCs that are working well, such as:

- Using incentives for attendance (e.g. verbal praise, candy, and standing ovations).
- Relationship-building with school leadership and stakeholders to build buy-in and to communicate the benefits of the Truancy PSC.
- Engaging parents and youth in the process, for example, creating a clear and easily-understandable participant handbook for both student and parent.
- Providing a group where participants can interact and be held accountable.
- Making expectations about how to advance through the program very clear and reasonable.
- Focusing on positive behavioral reinforcement, incorporating cognitive behavioral therapy into the program, and using graduated sanctions prior to any use of detention.
- Combining “connectedness” and rapport-building with accountability to help engage students in school.
- Incorporating case management and judicial review into the process.
- Assessing what is happening in the lives of the student and their family.
- Being flexible with program timelines to fit the reality of the process.

### *What has been challenging?*

The districts identified a number of structural challenges to be addressed as they move forward with this work, including:

- Developing outcome measures to address differences in school district definitions of truancy (especially for online schools).
- Working within the context of previous efforts that attempted to address attendance without

consideration of root causes (e.g., mental health, lack of parental support, substance use, etc.).

- Competing with other school district priorities (e.g. student counts).
- Moving away from punitive measures and toward incentives and creative accountability.
- Recruiting youth into the program.

In addition, the judicial districts brought up several legislative issues under Titles 19 and 22 of the Colorado Revised Statutes (C.R.S.) that should be aligned including:

- A lack of incentives, such as a deferred adjudication, for students to participate in the truancy court pilot;
- Protective orders where students and families can safely make statements (such as in therapy) without fear of incrimination;
- Clear authority for Court Appointed Special Advocates (CASAs) to participate in truancy cases<sup>8</sup>;
- Information sharing;
- Educational neglect; and
- Funding for services for students and families involved in truancy court.

### *Other considerations*

As the pilot site work moves forward, other things to consider include:

- The need to ensure these programs are always anchored by youth and family engagement;
- The importance of working to reduce negative perceptions or fears of the court while ensuring respect for the court; and
- The recognition that participant success may initially be made in "baby steps".

*This project was supported by Award number 2013-MU-FX-0047 awarded by the Office of Juvenile Justice and Delinquency Prevention, Office of Justice Programs through the Division of Criminal Justice, Colorado Department of Public Safety.*

*The opinions, findings, and conclusions or recommendations expressed in this publication are those of the author(s) and do not necessarily reflect the views of the U.S. Department of Justice nor the Division of Criminal Justice, Colorado Department of Public Safety.*

## APPENDIX

### A. Pilot Profiles

#### *1<sup>st</sup> Judicial*

**Name of program** – STEP (Specialized Truancy Engagement Program) Court

**Mission Statement** - The 1st Judicial District STEP Court is a specialized, collaborative court that seeks to improve attendance by identifying barriers to education and providing assistance to empower students and families to overcome those challenges.

**Project Description** - The STEP Court is a voluntary program that takes approximately 6-9 months to complete, at minimum. As a participant in STEP Court, your child is expected to comply with the following:

- Any instructions given to him/her by the Magistrate in Court
- Your child's STEPing Up Plan, which details the expectations to move up in each STEP. This includes treatment and sobriety monitoring, as needed.
- The Academic Plan developed by you, your child, and your Engagement Team
- The rules outlined in this handbook

**Who they serve** – Jefferson County is the largest public school district in Colorado with about 150 schools. STEP serves 12-16 years old, with an average age of 14 years. The older the student the more difficult it is for them to go through the program.

#### *16<sup>th</sup> Judicial*

**Name of program** – MAP (Motivation, Achievement and Power) Program

**Mission Statement** – The MAP program is designed to MOTIVATE you to ACHIEVE high attendance and academic performance in school and bring out the POWER to thrive not only in school but in everyday life.

**Project Description** - The MAP Program is designed to last between 6-12 months and is divided into four phases called the Four C's. Each phase has a key concept: Choice, Challenge, Change, and Courage. Youth move through each phase by using a point system where each phase is worth a certain amount of points that must be accumulated to move into the next phase. Points will be tracked by using a Points Register. A Points List was developed and shows participants how to earn points or have them subtracted (see Appendix C). Points are monitored on a weekly basis by the youth, his/her Case Manager, and their parent/guardian.

**Who they serve** - Elementary to high school students in Bent, Crowley, and Otero Counties.

#### *18<sup>th</sup> Judicial*

**Name of program** –ACE (Academic Centered Empowerment) Court Program

**Mission Statement** – The 18th Judicial District Truancy Problem Solving Court honors and empowers families to reconnect truant students with school or other educational alternatives. It employs a holistic, problem solving, culturally sensitive approach, in order to foster educational success and create self-sufficient families.

**Project Description** - Participation in the ACE Court Program is a voluntary commitment of approximately 8-12 months.

**Who they serve** – Arapahoe County has five school districts, but this pilot is limited to Aurora Public Schools. ACE Court is open to kids that qualify in 6–9<sup>th</sup> grade.

## **B. Recommendations on key team members**

Collaborative stakeholder teams can facilitate a shared understanding of the work, as well as build buy-in and develop support from other key players. Suggested stakeholders include:

- Truancy Court Magistrates
- District Court Juvenile Judges
- Court Navigators
- School Resource Officers
- Court Coordinators
- Public Schools Truancy Administrators
- Public Schools Attorneys
- Child, Student, Leadership Commission Coordinators
- Human Services Directors
- Juvenile Assessment Centers (JACs)
- CASA Program Directors and volunteers
- Director of Diversion Service Administrators
- Truancy Court Clerks
- Juvenile Probation Directors
- Community Mental Health Representatives
- Parents/Students/Guardians Ad Litem

## **ENDNOTES**

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<sup>1</sup> Holman, B. and Ziedenberg, J. (November 2006). The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities, Justice Policy Institute.

<sup>2</sup> Galloway, D. (1982). A study of persistent absentees and their families. *British Journal of Educational Psychology*, 52, 317-330.

<sup>3</sup> West, MO, Prinz, RJ. (1987). Parental alcoholism and childhood psychopathology. *Psychological Bulletin*, 102(2), 204-218.

<sup>4</sup> Famular, O.R., Kinscherff, R., Fenton, T., & Boldur, S.M. (1990). Child maltreatment histories among runaway and delinquent children. *Clinical Pediatrics*, 29, 713-718.

<sup>5</sup> Garry, Elieen (1996). Truancy: First Step to a Lifetime of Problems.OJJDP Juvenile Justice Bulletin.

<sup>6</sup> “Concerning measures to ensure students comply with compulsory school attendance requirements”

<sup>7</sup> <http://www.juvjustice.org/sos>

<sup>8</sup> This was addressed in SB 15-004 which now allows CASA volunteers to advocate for the best interests of a child in a truancy proceeding pursuant to the “School Attendance Law of 1963”, Part 1 of Article 33 of Title 22, C.R.S.