

# **EVALUATION OF THE YOUTHFUL OFFENDER SYSTEM (YOS) IN COLORADO**

**A Report of Findings Per C.R.S. 18-1.3-407**

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# TABLE OF CONTENTS

i	PREFACE
1	EXECUTIVE SUMMARY
19	CHAPTER ONE: INTRODUCTION
29	CHAPTER TWO: RESEARCH QUESTIONS AND STUDY DESIGN
39	CHAPTER THREE: RESEARCH FINDINGS
39	QUESTION 1: WHAT IS THE RECIDIVISM RATE FOR YOS OFFENDERS?
45	QUESTION 2: WHAT IS THE ANNUAL AMOUNT OF FUNDING SPENT PER YOS OFFENDER?
46	QUESTION 3: WHAT WAS THE LEGISLATIVE INTENT OF THE YOS PROGRAM AND HOW DOES THAT COMPARE TO CURRENT OPERATIONS? ARE THESE IMPLEMENTED AS PLANNED?
77	QUESTION 4: IS THE CORRECT POPULATION BEING SENTENCED TO YOS?
81	QUESTION 5: WHAT CURRENT ISSUES IMPACT THE OPERATIONS OF YOS?
93	CHAPTER FOUR: RECOMMENDATIONS
105	REFERENCES
109	APPENDICES
109	APPENDIX A: MENTAL HEALTH DATA COLLECTION FORM
113	APPENDIX B: INTERVIEW GUIDE
131	APPENDIX C: SPECIFIC RECIDIVISM CRIME TYPE TABLE
135	APPENDIX D: COLORADO DEPARTMENT OF CORRECTIONS YOS MENTORING PROGRAM
173	APPENDIX E: NATIONAL INSTITUTE OF CORRECTIONS/ OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION, "THE CRITICAL ELEMENTS OF SUCCESSFUL AFTERCARE SERVICES: A YOUTHFUL OFFENDER SYSTEM REPORT."



## PREFACE

Nearly nine years ago, the Colorado Department of Corrections was charged with developing and implementing a specialized program for violent juvenile offenders who were charged and convicted as adult felons. This program, called the Youthful Offender System (YOS), was the result of a Special Session of the state General Assembly, held in the fall of 1993. The Special Session followed a summer of particularly high profile violent crimes committed by juvenile offenders.<sup>1</sup> YOS became a sentencing option for juveniles transferred to adult court and sentenced on or after June 3, 1994 for offenses committed prior to, on, or after September 13, 1993. The following is a brief description of the YOS statute from C.R.S. 18-1.3-407.

The YOS legislation required that the state provide a sentencing option for “certain youthful offenders” in a “controlled and regimented environment that affirms dignity of self and others, promotes the value of work and self-discipline, and develops useful skills and abilities through enriched programming.” It directed the Department of Corrections (DOC) to develop a program that provides equitable treatment and separate housing for both male and female offenders. Although the statute mandates that the program participants be housed separate “from and not brought into daily physical contact with adult inmates” it still states that these offenders be “subject to all laws and DOC rules, regulations, and standards pertaining to adult inmates....”

Nearly nine years ago, the Colorado Department of Corrections was charged with developing and implementing a specialized program for violent juvenile offenders who were charged and convicted as adult felons. This program, called the Youthful Offender System (YOS), was the result of a Special Session of the state General Assembly, held in the fall of 1993.

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<sup>1</sup> According to Colorado Bureau of Investigation's *Crime in Colorado* reports, the number of arrests for violent crimes committed by juveniles in 1993 was 1,815, down from 1,833 the previous year. See <http://dcj.state.co.us/ors/pdf/stats/javnv.pdf>.

In the YOS statute, the General Assembly stated that district attorneys would maintain records regarding juveniles sentenced to YOS and, since 2000, the court is required to order a pre-sentence investigation for youth sentenced to YOS. The statute described a three phase program based on “self-discipline, a daily regime of exercise, education and work programs, [and] meaningful interaction with a component for a tiered system for swift and strict discipline for noncompliance....” According to the statute, YOS staff would act as role models and mentors to promote socially acceptable attitudes and behaviors, and programming would include problem-solving skills and use cognitive behavior strategies that have the potential to change criminal thinking and behavior.

Furthermore, the YOS program was to develop and promote among offenders a prosocial culture and provide an opportunity for offenders to gradually reenter the community “while demonstrating the capacity for self-discipline and the attainment of respect for the community.” To this end, the statute requires specific program components, including an intake, diagnostic, and orientation (IDO) program, supplementary activities, educational and prevocational programs in Phases I and II, and a period of community monitoring to be used to gradually reintegrate the offender into society (Phase III). In 1999, the statute was expanded to require YOS to make available sex offender treatment services for residents that have a history of sex crimes, and to provide 24-hour custody of youthful offenders in Phase II. The statute also directed DOC to “...provide reintegration support services to a youthful offender placed in an emancipation house.” DOC was granted power to operate an emancipation program and provide other support or mentoring services and residential placement in Phase II and III. Phase III is to consist of “highly structured surveillance and monitoring and

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educational and treatment programs.” The DOC was “to establish and enforce standards for the YOS....”

Finally, the legislation directed the DOC Director to hire YOS staff trained in the treatment of juveniles, including training to act as role models and mentors. And, until it was struck in the FY02 Legislative Session, the DOC, in conjunction with the Division of Criminal Justice (DCJ), was required to develop and implement a process for monitoring and evaluating the YOS.<sup>2</sup> This portion of the legislation required DOC to submit regular reports on the recidivism rates, the annual cost per offender, and an evaluation of the operations of YOS. Likewise, DCJ is mandated to “independently monitor and evaluate” the YOS by addressing the same recidivism, cost and evaluation criteria required of DOC. This report constitutes DCJ’s independent evaluation of the YOS.

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<sup>2</sup> Deleted by amendment, L. 2002, p. 881, 19, effective August 7, 2002.





## EXECUTIVE SUMMARY

In compliance with C.R.S. 18-1.3-407 (10)(b), the Colorado Division of Criminal Justice (DCJ), Office of Research and Statistics (ORS), conducted an evaluation of the Youthful Offender System (YOS) in the Colorado Department of Corrections. The General Assembly mandated that the evaluation include: a) the recidivism rate of offenders who have received YOS services five years after release, b) an accounting of the annual amount spent per offender, and c) an evaluation of the operations of YOS.

“The division of criminal justice shall independently monitor and evaluate, or contract with a public or private entity to independently monitor and evaluate, the youthful offender system. On or before November 1, 2002, and on or before November 1 every two years thereafter, the division of criminal justice shall report its findings, or the findings of the contract entity, to the judiciary committees of the senate and the house of representatives. The department of corrections shall cooperate in providing the necessary data to the division of criminal justice or an entity designated by the division of criminal justice to complete the evaluation required in this section.”

### QUESTION 1.

#### What is the recidivism rate for YOS offenders?

Recidivism was defined as a new felony filing by offenders who had completed all phases of the YOS program and discharged their sentence. All offenders sentenced to YOS, 670 since its inception, were considered in this analysis.

- Fifteen percent of the 670 YOS offenders failed the program and had the YOS sentence revoked. Most of these offenders were revoked for a new crime.
- After one year, 77.6 percent of the youth received no new felony court filing, reflecting a one-year recidivism rate of 22.4 percent.
- After two years, 64.5 percent received no new felony filings.
- After five years, 35.3 percent received no new felony filings (n=17).
- For those who did fail, the average time to failure was about 11 months, or 319.9 days, with a median value of 229 days (7.5 months). The average time offenders spend in Phase III is nine months. This suggests that the duration of Phase III should be extended to provide the structure of supervision past the period that many clients fail.

- The recidivism rate should be considered in light of the fact that this is a very serious criminal population. We found that YOS offenders with criminal histories had an average of 4.6 prior criminal court filings. Chronic offenders are at high risk to reoffend.

#### **QUESTION 2.**

##### **What is the amount of funding spent per YOS offender?**

- Given an average YOS sentence of 3.7 years and an average Phase III time of 8.44 months, the average cost per sentenced offender for YOS is estimated at \$193,778.

#### **QUESTION 3.**

##### **What was the legislative intent of the YOS program and how does that compare to current operations? Is the overall program implemented as planned?**

- Statutory changes generally continue to reflect the original mission of YOS in two ways. First, expansions of the eligibility criteria reflect the focus on serious, chronic youthful offenders. The seriousness of the population is reflected in the genetic testing and notification mandates. The original emphasis on programming is reflected in the requirement, added in FY00, for sex offender treatment. However, legislative changes that reduced the amount of time in Phase III, community supervision, conflict with the original intent to provide intense community monitoring and programming aimed at reintegrating YOS participants. Further, both the recidivism analysis presented in Question 1 above and interview data reflect the need for Phase III to be longer, not shorter, as recent legislation allows.
- The YOS staff hiring requirements were revised in January 1998. According to the YOS 1998 annual report, the new process included, “No special testing or interviewing, or experiential requirements such as working with adjudicated youth, or higher physical fitness standards will be

utilized to identify appropriate staff for employment with YOS.” (Colorado Department of Corrections, 1998: 76). Current efforts are underway to reinstate the original requirements that called for experience or education pertaining specifically to juveniles.

- There is a focus on security now that some YOS staff do not understand. Originally YOS operated in a maximum security institution (DRDC) where security concerns were managed by the existing infrastructure. Today the program operates in a minimum/minimum-restricted environment that requires a new focus on security by all YOS staff. The ability to develop and implement a program without a focus on security represented a unique opportunity for the early YOS staff. Typically prison program staff must also focus on security as part of their job.
- The boot camp program and Phase III are operating as originally intended. boot camp is the first YOS activity, lasting four weeks. These early weeks are intended to ensure the identification of disruptive youth; to help new residents understand the priorities of ritual and protocol in serving their sentence; to introduce the value of teamwork over individual, uncoordinated efforts; and to cultivate high standards of conduct and appearance. Phase III and community service providers work closely with youth in the field. Frequent contacts with staff, attending treatment, and the close supervision structure the offender’s time during this period of reintegration. Interviews and observations reflect that both of these program areas are working as designed.
- The education component of YOS remains strong, according to interviews with residents and staff.
- Programming deficits were identified, including the following:
  - Interview data reflect that currently there is very little outreach to families during IDO, and the family assessment component of IDO does not occur as originally envisioned. The current YOS administration, managing the facility since May 2002, is

implementing a new procedure where Phase III staff will do the family outreach and assessment as youth enter IDO, thereby accomplishing an important task by using staff who work in the community.

- One of the guiding principles of YOS is to “provide staff models and mentors who promote the development of socially accepted behavior and attitudes” (Program Manual, 1994: 2). Currently there is no mentoring program in place, but a proposal for such a program at YOS has been recently submitted to YOS administrators.
- Relapse prevention groups were conducted when the YOS program began operation. These groups provided YOS offenders with a series of coping skills to maintain a constructive lifestyle during the transition to the community. These groups were intended to provide offenders with coping skills to be used in high risk situations, including gang pressures, drug cravings, and interpersonal conflicts. Currently, there is no relapse prevention plan in operation at YOS.
- Current vocational programs at YOS include automotive and small engine repair, barbering, basic computer skills, computer information systems, electronics, and multimedia production technology. The Department of Corrections is currently working to include vocational programs with greater practical applications to the community.
- The length of time an offender spends in Phase I is determined by his or her sentence. During Phase I, YOS offenders participate in a range of core programs. Interview data suggested the need for intense, transition-focused services to start early in the YOS program. Residents need structured leisure time activities to keep

them focused with tasks and program outcomes required in their IPP.

- Phase II lasts three months and should include completion of a pre-release program and the development of a community release plan. It should include "...three months of job development, pre-vocational experiences and education in a reentry setting" (Program Manual, 1994: 28). Interviews with some YOS staff and residents reflect concerns about the implementation of Phase II programming. Tasks such as getting social security cards and birth certificates are to be completed in the Phase II prerelease programming, but sometimes this does not occur. Interview data suggest that some YOS offenders are leaving the facility without a GED or high school diploma.
- Interview data from staff and residents suggest that consequences, or sanctions, are not applied consistently. Clarifying staff roles in response to disciplinary violations and misbehavior, along with providing training in ways staff can productively set limits in the face of poor behavior patterns would be useful. Including information regarding the expectations of and responses to adolescents will empower staff while educating and redirecting YOS residents.

#### **QUESTION 4.**

##### **Is the right population going to YOS?**

- It appears that the correct population is, indeed, being sentenced to YOS. Without this sentencing option, YOS offenders would have very likely received a direct sentence to adult prison. Among the group of juveniles filed upon or convicted in calendar year 2000, murder and kidnapping cases were relatively rare, but this was not so for robbery and assault. More than one in 4 (27.5 percent) YOS offenders sentenced in 2000 were sentenced for the crime of robbery, and nearly half (43.1 percent) of YOS

sentences were assault cases. Another 13.7 percent were sentenced for committing burglary.

- Of all youth filed upon in calendar year 2000, youth sentenced to YOS represented the largest proportion (98 percent) of persons with convictions that are most likely to be defined as crimes of violence (murder, kidnap, robbery, assault and burglary). This proportion is nearly twice as large compared to offenders sentenced DOC.
- Less than one in four offenders (23.5 percent) sentenced to NYC commitment were convicted of these types of crimes. And only 14.3 percent of offenders received probation (including ISP and electronic monitoring) sentences received convictions for these crimes.

#### **QUESTION 5.**

##### **What current issues impact the operation of YOS?**

- Four wide-ranging concerns were found to seriously interfere with the ability of the YOS program to meet the expectations of the early program architects and the legislative mandate. These are (1) the lack of gender specific programming for females in YOS, (2) the continual presence of adults in the facility and on the YOS grounds, (3) the lack of integration of mental health services with the larger YOS endeavor, and (4) a lack of cohesion experienced by numerous YOS staff, many of whom are deeply committed to the program.

## RECOMMENDATIONS

YOS represents an important sentencing option that allows serious violent offenders who work hard in the program to reintegrate into the community and lead productive lives. Without this sentencing placement, these offenders would otherwise most likely serve lengthy adult sentences in prison. The YOS population was intended to be a very high-risk group of offenders, and our analyses reflect that this is indeed the case. At least one-third of these offenders have succeeded in living a crime-free lifestyle after serving their YOS sentence. In offering this “second last chance” to very serious but still youthful offenders, the state must ensure that program participants are given the tools to transition from a criminal lifestyle to a prosocial one.

Research has identified correctional components that are linked to the long-term success of offenders. These include restitution, mentoring, academic development, job training, substance abuse, counseling, health education, behavioral contracting, cognitive restructuring, interpersonal skill building, family counseling, individual counseling, group counseling, and case management (Lipse, 2002). This report has identified program weaknesses that must be addressed if YOS is to fulfill the original legislative mandate. Many program gaps can be corrected with increased communication, creative problem solving methods that involve the staff who must implement the solution, a clearly defined set of program and security expectations, and a quarterly training regiment for all staff. To that end, we make the following recommendations based on the findings presented in this research report.

- 1. DOC administrators should either place the six YOS females in out-of-state all-female juvenile or adult facilities operating specialized intensive treatment programs or develop and implement adequate gender-specific programs.** Moving the females out of state requires DOC to seek and obtain contract funds from the General Assembly. Specialized programs with

experienced staff exist in other states and relocating the YOS females to these facilities would ensure immediately equitable treatment of these youth as mandated in statute. However, this would separate the females from their families and make it difficult to reintegrate during the relatively short period in Phase III. Developing intense gender-specific programming and the requisite security measures for fewer than 30 offenders is inefficient. Another alternative, therefore, is to recruit serious female offenders from other states and develop gender-specific programming for the Pueblo facility.

According to the Valentine Foundation (1990), gender-specific programming for girls includes the following components: space that is physically and emotionally safe, and removed from the demands for attention of adolescent males; time for girls to talk, for girls to conduct emotionally safe, comforting, challenging, nurturing conversations within ongoing relationships; opportunities for girls to develop relationships of trust and independence with other women already present in their lives; programs that tap girls' cultural strengths rather than focusing primarily on the individual girl; mentors who share experiences that resonate with the realities of girls' lives and who exemplify survival and growth; education about women's health, including female development, pregnancy, contraception, diseases and prevention, along with opportunities for girls to define healthy sexuality on their own terms (rather than as victims); opportunities to create positive changes to benefit girls on an individual level, within their relationships, and within the community; giving girls a voice in program design, implementation, and evaluation; adequate financing to ensure that comprehensive programming will be sustained long enough for girls to integrate the benefits; and involvement with schools so that curriculum reflects and values the experience and contributions of women.

YOS administrators and staff understand that adolescent females enter correctional settings with a variety of issues that differ from male adolescent offenders (Kroupa, 1988; Fejes-Mendoza, Miller, Eppler, 1995; Archwamety,



Katsiyannis, 1998). These might include economic and or social dependency, addictive behavior that differs both in reasons and rates of using, and anxiety and depression (Miller, Darcy, Trapani, Fejes-Mendoza, Eggleston, Dwiggins, 1995). In particular, female offenders with a history of physical and or sexual abuse should be identified and receive special education or counseling (Miller et al., 1995). Females are six times more likely than males to develop PTSD in response to traumatic events (Giaconia et al., 1995). High rates of female delinquency may be the result of females' greater vulnerability to past traumatic events, specifically violent events (Cauffman et al., 1998).

Gender-specific programming is an attempt to guide all adolescent females, not just offenders, towards positive development (OJJDP, 1998). This programming includes life skills and empowerment training as well as addressing risks that face young woman such as sexism, family dysfunction, low self-esteem, academic failure, substance abuse, and victimization.

Research has found that cognitive distortions resulting from the trauma of sexual abuse usually occur in the areas of safety, trust, power, esteem, and intimacy (McCann, Sakheim, Abrahamson, 1988). One broad dimension of symptoms includes self-restraint, impulse control, suppression of aggression, consideration of others—in terms of immediate desires that conflict with long-term interests (Cauffman, Feldman, Waterman, Steiner, 1998; OJJDP, 1998).

- 2. YOS administrators and staff must work together to improve YOS programming while maintaining a safe and secure facility.** Teenagers are volatile and most YOS residents have a history of violence and manipulation. A focus on security is essential for the safety of staff and youth; however, this focus cannot override each youth's need for intense programming, structure and direction. *We applaud the administration's new plan to implement a quality assurance, or program integrity component, to the YOS, and the corresponding*

*reallocation of current staff resources to make this new initiative happen relatively quickly.*

3. **Efforts to successfully reintegrate offenders into the community must begin in IDO and remain the focus of all programming throughout each offender's YOS sentence.** The successful reintegration of YOS offenders must be a constant focus of the staff. In recent months, YOS staff from across the program phases has met to clarify how each phase can better integrate with the other phases. We recommend staff and YOS administrators continue to meet at least monthly to discuss case management and program implementation obstacles and solutions.
  
4. Many of the report findings indicate a need for increased communication among YOS staff and improved programming that better reflects the original intent of the YOS legislation. Therefore, we recommend that **YOS institute a quarterly training program for all staff in contact with YOS offenders.** Staff requires cross-training, meaning that correctional staff needs training in programming activities and program staff needs training in all topics necessary for the complete implementation of the YOS curriculum. Post-training testing should be implemented as part of this initiative to ensure staff competencies. This level of intense training should occur at least quarterly for the next two years. At a minimum, the following topics should be covered in a comprehensive training program for current and new security and program staff:
  - Definition of and response to crisis situations in correctional environments
  - Child and adolescent development
  - Differences between male and female adolescents
  - Roles of all staff working with youth
  - Holding youth accountable
  - Setting residents up to succeed

- Responding to misbehavior and security violations
- Application of sanctions
- Sexuality in the YOS setting
- Gang issues
- Teamwork
- Creative problem solving
- Planning for change
- Role modeling and mentorship
- What works in corrections (from the literature)
- Special populations: females, mentally ill, sex offenders
- Using the treatment setting culture to initiate and sustain behavior changes
- Cultural diversity and sensitivity

YOS administrators and staff should continue to consult with the National Institute of Corrections (NIC) to obtain outside expertise in sustaining comprehensive programs, management and specialty training programs for correctional employees. The NIC administers training at their Longmont, Colorado facility via satellite and through workshops conducted at correctional conferences.<sup>3</sup> Training programs currently offered that are of particular interest include “Addressing Staff Sexual Misconduct with Inmates,” “Investigations of Staff Sexual Misconduct with Inmates,” “Offender Workforce Development Specialist Training,” “Strategies for Building Effective Work Teams,” “Meeting the Needs of Female Juvenile Offenders,” “Training Design and Development,” and “Youthful Offenders in Adult Corrections: A Systematic Approach Using Effective Interventions.”<sup>4</sup>

YOS staff must show solidarity and consistency to the residents, much like what is required for good parenting. To prioritize program values, we recommend that

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<sup>3</sup> <http://www.nicic.org/services/training/>

<sup>4</sup> <http://www.nicic.org/services/training/programs/default.htm>

YOS administration reward staff with creative, no-cost incentives for upholding the mission and goals of the YOS program.

According to Glick and Sturgeon (2001: 115), “Staff training is a critical area that must be managed well for a youthful offender program to be implemented successfully.” Training should be provided by trainers who are “...well-versed in adolescent development, program delivery, security and adult prison operations” (Glick and Sturgeon, 2001:117). Ultimately, it is “...all staffs responsibility to know about the program, its mission, goals and objectives” and to “...support the program philosophy and direction” (Glick and Sturgeon, 2001:118). Since the concept of positive peer culture (PPC) was integral to the YOS program, outside consultants experienced in PPC and methods of confrontation used with youth offenders recently presented staff with extensive training that emphasized “a firm hand and a belief in the youth’s potential to be redirected to a positive, productive lifestyle” (Colorado Department of Corrections, 1994:5).

- 5. Continue the recent review of staff qualifications and YOS hiring practices to seek a better “fit” between employee experience and characteristics and the mission of the YOS.** The experience and knowledge of staff is crucial to the quality of services received (Austin et al, 2000). Correctional staff working with juvenile offenders must have a high tolerance for frustration, exhibit emotional stability and present a calm demeanor, among other qualities (Alacron, 2001). We recognize and encourage the recent efforts by YOS administrators to explore the possibility of reinstating the requirement that newly hired staff have a minimum of two years experience working with juveniles.
  
- 6. Review YOS policies and practices to ensure that all residents get a GED or high school diploma prior to transferring to Phase III.** High school graduates’ median annual earnings are 91% greater than those of non-graduates (U.S. Census Bureau, 2000). Those who do not graduate are more likely to become single parents, have children at a young age, and are more likely to receive

public assistance or be in prison (Kaufman and Kwon, et al., 2000). The ongoing availability of college courses for offenders who have completed their secondary education should be made a core component of the YOS education program.

- 7. Undertake a serious study of vocational programming available at progressive juvenile facilities nationwide and institute additional and relevant vocational training at YOS.** Obtaining solid vocational skills that open employment opportunities may prove to be the cornerstone of successful reintegration into the community.
  
- 8. Integrate mental health services into YOS programming to assure the delivery of intense and consistent programming for youth with MH codes P3 and P4 on the DOC classification instrument.** Counseling services should be provided by mental health specialists, and the treatment plan and time spent in sessions should be documented. Treatment should be tailored to each resident's mental health and substance abuse needs. According to research (Yee, 2000), at least 60% of juveniles in the criminal justice system have distinguishable mental health issues. These typically include anxiety, mood instability, conduct disorder, attention-deficit, and posttraumatic stress disorders. In addition, studies show that 50 to 75% of juvenile delinquents have substance abuse problems in addition to a mental health disorder (Yee, 2000).
  
- 9. Reinstate the relapse prevention program.** Relapse prevention is intended to reinforce an individual's self-control by providing the tools to recognize problem situations, analyze decisions, and develop coping or avoiding strategies (Pithers, 1990). When an offender successfully deals with a high-risk situation (risk for drinking, using drugs or violent behavior), his or her feeling of self-control is reinforced and confidence is increased regarding the ability to handle difficult situations in the future. Conversely, if an offender fails to cope with a high-risk situation, his or her perception of self-control will only continue to diminish and a tendency to give in will develop (Pithers, 1990). Relapse prevention requires

individualized treatment and includes three tasks: recognizing an offender's high-risk situations, identifying coping skills, and analyzing precursors to the offender's antisocial acts (Pithers, 1990).

Relapse prevention requires that the offender develop a contract with anyone identified as part of the treatment team. The offender should also identify people who would be supportive in preventing reoffending behavior (Roget, Fisher, Johnson, 1998). Accountability and restitution are important issues in relapse prevention and recovery. Treatment providers should be prepared for relapse without expecting it and a balance between consequences and incentives should be established (Roget et al., 1998). The relapse plan should be evaluated and reviewed throughout the treatment process. Relapse prevention plans are useful to correctional and treatment staff as well as offenders in that they provide structured and individualized goals as well as a response plan in the event that relapse occurs (Roget et al., 1998).

**10. Institute complete sight and sound separation of YOS offenders from adult prisoners.** Despite the statutory requirement that specifies "youthful offenders ...be housed separate from and not brought into daily physical contact with adult inmates,"<sup>5</sup> DOC has filled empty beds on the YOS campus with adult offenders, with approval from the Joint Budget Committee. Adult inmates, however, by their very presence, contaminate a program designed to treat and manage youthful offenders. Their presence represents a distraction for the youth, which is one reason separation is a goal cited by the American Corrections Association. Although measures have been taken to separate adults from youth, opportunities for contact exist. The placement of adults at the YOS facility therefore remains controversial. DOC administrators have recently decided to develop a plan to remove the adults from the facility.

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<sup>5</sup> C.R.S. 18-1.3-407(1)(c).

**11. Given that research on positive peer culture programs that target delinquent youth is mixed, YOS administrators and staff need to work together to determine what will work best with the YOS population.**

Interventions that incorporate peer group environments are often used in juvenile correctional settings as a means of controlling antisocial behavior, encouraging pro-social behavior and norms, and retaining order in an institutional setting.<sup>6</sup> The objective of the positive peer culture (PPC) is to establish a pro-social group environment supporting positive behavior and rejecting antisocial behavior. Several studies (Gottfredson, 1987; Dishion, Andrews, 1995; Dishion, Spracklen, Andrews, Patterson, 1996; APA, 1999; Dishion et al., 1999) found these types of programs to be inconsistent, yielding no effect or having a negative effect on adolescent delinquent or antisocial behavior. When examining the effects of the use of peer culture interventions, researchers (Dishion et al., 1999) found that interventions backfire when peers with similar behavior problems are grouped together, especially since deviant behavior is embedded in the peer group (Elliott, Huizinga, Ageton, 1985). In correctional settings, a “negative peer culture” is often established, characterized by resistance to institutional rules and physical intimidation of other inmates (Osgood, Gruber, Archer, Newcomb, 1985). Making the program culture work for the offenders requires consistent application of rules, sanctions, and rewards for progress in the areas of positive behavior. All staff must work together as a skilled and supportive team to ensure the environment is a positive one.

**12. Continue current efforts to implement a mentoring program.** Mentoring for juvenile offenders creates positive opportunities for youth by connecting them with role models (Grossman and Gary, 1997). OJJDP (2002) defines a “mentor” as an adult age 18 or older. Youth mentoring programs provide supportive relationships that can help this population succeed through adolescence (Novotney, Mertinko, Lange, and Baker, 2000). The mentoring program(s) should begin in Phase I and continue throughout Phase III. YOS program and security

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<sup>6</sup> [www.colorado.edu/cspv/positions/position1.htm](http://www.colorado.edu/cspv/positions/position1.htm).

staff should receive ongoing training and feedback on their role in mentoring during interactions with YOS residents.

**13. The Individual Program Plan (IPP) must become the focus of each offender's reintegration efforts.** The IPP should be used to specify concrete and measurable progress toward the goal of living a crime-free life. The document should be a dynamic and relevant plan of tasks and goals, and both staff and offenders must orient individualized activities around the IPP.

**14. Develop a family program that proactively integrates family members into the IPP.** Research has underscored the importance of family involvement in the treatment of juvenile offenders. Family relationships play a significant role in the onset and persistence of juvenile delinquency and substance abuse (Swenson, Henggeler, and Schoenwald, 2000). Multisystemic therapy (MST) was developed to treat chronic, violent, or substance abusing adolescent offenders (age 12 to 17) (Swenson et al., 2000) and is a potential program to consider. MST is a family-based treatment approach that observes individuals as being influenced by several complex, interconnected factors (individual, family, school, peer, etc.). Evaluations of MST have shown reductions of 25-70% in long-term rates of rearrest in populations less serious than the YOS offender group. Proactively integrating families into YOS programming should occur by performing thorough assessments at intake and considering each resident's family issues when individualizing treatment. YOS should also continue to communicate with residents' family members and provide a way for them to monitor the status of residents. Finally, there are times that, because of sanctions applied for noncompliance with program directives, YOS youth may be temporarily disallowed visitation privileges. In these circumstances, a notification system should be established to inform families prior to designated visitation times. This is especially important for families traveling significant distances to visit offenders.



**15.** We recognize that in 1999 the state auditor recommended disbanding the YOS gang program. Nevertheless, the negative influence of even a few offenders with strong gang affiliations can undermine the efforts of prosocial programming at YOS. **We therefore recommend the gang program be reinstated and that YOS require special programming for offenders with gang affiliations.** Gang behaviors can endanger staff and other inmates and challenge program components. Correctional studies from the Seattle Social Development Project and the Rochester Youth Development Program have found gang activity to be one of the strongest predictors of violent behavior (Battin-Pearson, Thornberry, Krohn, 1998). Furthermore, a National Institute of Justice study comparing the behavior of gang members and non-gang affiliated at-risk youth found gang members more likely to act out violently (Huff, 1999).

Preventing the damaging effects of gangs begins with revising policies and criteria to identify gang activity within the facility, implementing training and education on gang mentality, and establishing strong community networks during aftercare (Jackson, 1999). Specialized programming for youth with gang ties is essential and should vary according to age and level of commitment to the gang (OJJDP, 1994). Perhaps the biggest obstacle for correctional institutions to deal with in serving gang affiliated youth is attempting to prepare them for a pro-social lifestyle upon reentry to the community (OJJDP, 1994). According to *OJJDP's Research Summary on Gang Suppression and Intervention* (1994), reentry is a critical point in conquering gang activity. Services at this time as well as during incarceration should incorporate education, socialization, family support, employment training, and coordination of community agencies (OJJDP, 1994).

**16. Work with DCJ researchers to develop and implement an electronic case management data system for YOS offenders.** This system would allow for tracking each offender's assessment information, dates and types of services provided, measures of progress in education, vocational training, counseling and the management of leisure time activity.

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As a final comment to the recommendations, it is important to reiterate that in recent months YOS has come under new administration. This administration has taken significant strides to increase communication, proactively address issues of staff cohesion, and build teamwork. It has undertaken a review of staff qualifications and is working on a plan to reinstitute the original hiring qualifications. It is in the process of developing a new staff position to bridge communication gaps and act as a liaison between administration and program staff, as well as among security personnel and staff from the various program component areas. This position will focus on program integrity throughout the YOS. YOS administrators have also begun to develop an in-service training plan for all staff and will request grant funding to provide the necessary training resources.

YOS administrators have offered to work with DCJ researchers to design meaningful measures of program delivery and program success and to develop a data system that tracks services needed and delivered to YOS offenders throughout their stay in the program. These efforts reflect significant commitment on the part of the current DOC administration to respond to the programming deficiencies reported in this study and ensure that YOS programming is adequate to meet the needs of this high-risk population.

## CHAPTER ONE: INTRODUCTION

The Colorado Department of Corrections (DOC) was mandated to establish the Youthful Offender System (YOS) during a 1993 Special Session of the Colorado General Assembly. It is the governor's prerogative to call a Special Session and to set its agenda. In 1993, the agenda was limited to the issues of juvenile case filing and transfers to adult court and the creation of a sentencing placement that integrated the punishment aspect of adult prison with the treatment philosophy that is core to the juvenile justice system. The YOS represented a new sentencing option for juvenile cases that the district attorney filed in adult court.

The state's district attorneys were very involved in the issue that led to the Special Session. It was at the DA's discretion that juvenile cases were filed in adult court. Officials at the governor's office, along with legislators with expertise in the area of juvenile and criminal justice, mental health experts and administrators from the DOC and the Division of Youth Services (now the Division of Youth Corrections), and juvenile and district court judges worked together to accomplish two things:

- 1) Greatly expand the ability of the DAs to prosecute youth as adults, and
- (2) Provide a sentencing option that recognized concerns that the youth were still rehabilitative.<sup>7</sup>

According to interviews conducted for this study, officials shared the belief that law enforcement was encountering youth who were more violent, more entrenched in gang lifestyles, and who appeared less remorseful compared to youthful offenders processed through the system in the past. Yet, many district

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<sup>7</sup> Interview, April 24, 2001, with Ray Slaughter, who was the Executive Director of the Colorado District Attorney's Council at the time of the 1993 Special Session.

attorneys and judges wanted a sentencing option that emphasized rehabilitation for even the most violent youth for whom a lengthy direct sentence to DOC would expose them to dangerous adults and limited programming.

The expansion of the filing (undertaken by the DA) and transfer (undertaken by the Court) policies in Senate Bill 93-9 was combined with a new sentencing option that emphasized self-discipline, institutional security, and educational programming. The YOS was placed in DOC, and SB 93-9 required the court to impose the adult sentence to prison, suspend that sentence, and require participation in YOS. According to the legislation, youthful offenders who failed YOS would return to court for imposition of the original adult sentence.

**Eligible offenders.** A juvenile offender eligible for YOS must meet the following criteria:

- At least age 14 and less than age 18 at the time of offense.
- Less than 19 years of age at the time of sentencing.
- Convicted of
  - Class 2 felony which is not the result of a plea agreement where a class 1 felony was charged;
  - Crimes of violence defined in C.R.S. 18-1.3-406, including first or second degree assault, kidnapping, aggravated robbery, first degree arson, first degree burglary, escape, and criminal extortion, and crimes against an at-risk adult or juvenile;
  - Any felony involving the use or possession and threatened use of a deadly weapon;
  - Vehicular homicide, vehicular assault, arson;
  - Criminal attempt, conspiracy, solicitation, or complicity to any of the offenses listed; and
  - Juveniles with histories of delinquent acts that would constitute felonies and habitual juvenile offenders as defined in C.R.S. 19-1-103

Originally, YOS was placed in the Denver Reception and Diagnostic Center (DRDC). However, the legislative intent was always to build a facility in Pueblo. DRDC is a maximum-security adult facility that had beds available at the inception of the YOS program. Female YOS offenders were transferred to

comparable programs out-of-state. During the FY94 session, the Legislature funded a 300-bed facility to be located on the grounds of the Colorado Mental Health Institute in Pueblo. The DOC requested and received approval from the legislature to renovate existing vacant buildings on the campus rather than build a new campus. During FY97, an additional 180 beds were approved for this activity, resulting in a facility of 480 beds. Revised estimates of the YOS population placed the bed need at 233. In 1999, the program moved from DRDC into this 480-bed minimum/minimum restrictive security facility in Pueblo. The female offenders returned from out-of-state placements and joined the male residents at the Pueblo campus.

Although the DRDC/YOS arrangement placed the youth in some contact with adult offenders, in 18-1.3-407(c), the legislature was clear that youthful offenders at YOS were to be housed separately from and not brought into daily contact with adult offenders. Furthermore, the American Correctional Association standards also state that youthful offenders should have no more than incidental sight or sound contact with adult offenders from outside the living unit, program, dining or other common areas.

In FY00 and FY01, 60 adult females were housed at YOS pending the completion of the new Denver Women's Correctional Facility in Denver. The DOC also obtained legislative approval to move Phase II from a community setting to the YOS campus, creating a secure pre-release program component.

In the FY00 Legislative Session, the legislature added Footnote 15 to House Bill 00-1451. The Footnote read:

"The Department is requested to prepare a plan outlining how the excess bed capacity at the Youthful Offender System campus in Pueblo is to be utilized. The plan should be submitted to the Joint Budget Committee by November 1, 2000."

The DOC studied a variety of options. Its preferred option, documented in its response to the JBC, was to use one of the YOS campus buildings as a transportation hub for medical services. This would use only 30 of the 180 open beds, however. A second option, ultimately approved by the JBC, was to decommission the DOC's prerelease facility in Canon City and transfer those minimum/ minimum restricted inmates to the YOS campus, and engage the adults in food, laundry and maintenance services for the YOS.

The JBC questioned the DOC on the prerelease option, addressing sight and sound separation, the movement of Phase II into the facility, and whether the mission of YOS might be jeopardized by placing adult male inmates at the campus. DOC confirmed that incidental contact between YOS residents and adult offenders would be impossible to prevent, but officials believed the statutory requirements of YOS "can continue to be met with an increase in the adult population on the YOS campus."<sup>8</sup> We return to this issue later in the report.

As of October 25, 2002, the YOS campus (IDO, and Phases I and II) housed approximately 206 male and 6 female offenders. Another 48 YOS offenders were participating in community reintegration in Phase III. Adult male inmates share the campus with YOS residents. There is some amount of incidental contact between the groups since the adults serve meals to YOS offenders (under the supervision of correction officers), do yard work on the campus, and reside in a facility and on grounds separated by a tight mesh and steel fence. The females reside in their own pod, where video cameras and monitors have been installed to monitor movement in open areas. Female staff is required to supervise the female population during movement and program participation.

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<sup>8</sup> Department of Corrections report to the JBC on the utilization of YOS beds, in response to FY01 Long Bill Footnote 15.

## A Few Words About Program Implementation

The Youthful Offender System is a complicated program. It represents the intersection of the adult criminal justice system and the juvenile justice system. The legislative mandate and the expectation of those who mapped out the original program design attempted to balance a focus on punishment, facility security, and intense programming for a violent and high-risk, high-need population of youth. The longstanding tension between treatment and facility security in adult corrections is well known if not well understood. As we report on our efforts to evaluate the YOS and the subsequent findings, it is vital to understand the basic nature of program implementation and the fundamental elements required to translate policy (as reflected in SB 93-09) into practice.

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In 1983, the Rand Corporation received funding from the U.S. Department of Justice to study the factors associated with successfully implementing innovative programs in criminal justice and to develop recommendations for improving the translation of new ideas into programming (Ellickson, Petersilia, Caggiano and Polin, 1983). Rand researchers defined a successful program as one that (1) altered organizational behavior and attitudes, and (2) made progress toward achieving the innovation's original goals. The following characteristics were identified as factors necessary for the successful implementation of new programs:

- Sincere motivation at adoption;
- Support from top leadership combined with director and staff commitment and, where appropriate, external cooperation;
- Staff competence;
- A benefit/cost surplus;
- Clarity of the programs goals and procedures; and
- Clear lines of authority.

Conversely, Rand researchers found that less positive outcomes tend to have the following characteristics:

- The tendency to impose incremental resource cuts on the innovations when the program cannot absorb them without suffering a significant decline in performance;
- Not fully implementing the program because of resource shortages unrelated to the program's direct funding (what the researchers called a "spillover effect"); and
- Providing an inadequate timeframe between program onset and "adolescence" for the necessary learning and experimentation that occurs with innovation.

Interestingly, the benefit/cost surplus, mentioned above, is not necessarily fiscally based. In fact, the researchers reported, "Notably, monetary payoffs typically contributed little to the calculus" (Ellickson, et al., 1983:37). Study participants identified a myriad of intangible incentives that resulted in this "surplus," and these were linked to program success. The benefits included the following:

- The belief that the program is worthwhile;
- The challenge of making it work;
- The feeling of personal investment and valued participation in the problem-solving process;
- The satisfaction of having their concerns addressed in the problem-solving process;
- The satisfaction of furthering the agency objectives or doing the job well; and
- The enjoyment of good working relationships or higher status associated with working in the program.

The researchers determined that conflicts among the innovations goals seriously impeded successful outcomes, *but only when they remained unresolved*. Competing views of the program's purpose threaten successful implementation. Often, these competing views result in the shifting of resources from certain activities to others, and so program priorities shift accordingly.



Finally, it is important to understand that programs are dynamic entities, changing over time in response to a variety of influences. Understanding this fluid nature of projects and programs, proactively anticipating change by instituting a problem-solving strategy that involves staff and other stakeholders, and valuing the learning-by-doing aspect of innovation are key to the long-term success of complicated endeavors.

According to Wildavsky and Pressman (1984) in their respected book entitled *Implementation*, a substantial share of the difficulty in addressing social problems is due to program and policy implementation breakdowns rather than basic flaws in the nature of interventions. According to these authors, policies and programs are rarely implemented or delivered precisely according to plan. What appears to be simple and straightforward early in the implementation process often turns out to be significantly more complex than anticipated. In the course of implementing new ideas, it is common to underestimate the number of steps involved, the variety of decisions that have to be made, and the assortment of barriers not previously anticipated. Because of the complexity involved, successful program implementation, even under the best circumstances, is exceedingly difficult.

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## Background

In compliance with C.R.S. 18-1.3-407 (10)(b), the Colorado Division of Criminal Justice (DCJ), Office of Research and Statistics (ORS), conducted an evaluation of the Youthful Offender System (YOS) in the Colorado Department of Corrections. The General Assembly mandated that the evaluation summarize the recidivism rate of offenders who have received YOS services and track offenders five years after release, an accounting of the annual amount spent per offender, and an evaluation of the operations of YOS.

*The division of criminal justice shall independently monitor and evaluate, or contract with a public or private entity to independently monitor and evaluate, the youthful offender system addressing ...*

*A summary of the recidivism rate for offenders who complete the programs in the youthful offender system that tracks such offenders for five years following release from the youthful offender system; An accounting of the amount annually spent per offender sentenced to the youthful offender system; and an evaluation of the operations of the youthful offender system.*

*On or before November 1, 2002, and on or before November 1 every two years thereafter, the division of criminal justice shall report its findings, or the findings of the contract entity, to the judiciary committees of the senate and the house of representatives (C.R.S. 18-1.3-407 (10) (b)).*

Resources to conduct the YOS evaluation were not provided to DCJ by the General Assembly, so the ORS was unable to comply with the legislative mandate. However, the State Auditor's Office took exception to this noncompliance, and in 1999 cited the Division's lack of effort to obtain grant funds to conduct the study and therefore comply with the mandate.<sup>9</sup> Subsequent

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<sup>9</sup> Report of the State Auditor, "Department of Corrections Youthful Offender System, Performance Audit", Recommendation 12, August 1999.

to the audit exception, the ORS requested grant funds from the Drug Control and System Improvement Program's federal block grant program (the Byrne Program) and was awarded funding to evaluate the YOS under grant number D02DB19492.

The legislation requires DCJ to report evaluation results every other year. However, Byrne funds are limited to four-year projects. This source of funding for the YOS evaluation may not be available after the November 1, 2004 report.



## **CHAPTER TWO: RESEARCH QUESTIONS AND STUDY DESIGN**

### **RESEARCH QUESTIONS**

The research questions were identified from two sources. First, the YOS statute clearly specifies that the evaluation would address recidivism, cost, and program “operations.” Second, discussions with stakeholders early in the study, including staff from DOC’s Planning and Analysis Unit and YOS administrators,<sup>10</sup> revealed additional questions that ORS researchers then incorporated into the evaluation design. This report is organized around the following five questions:

1. What is the recidivism rate for YOS offenders?
2. What is the annual amount of funding spent per YOS offender?
3. What was the legislative intent of the YOS program and how does that compare to current operations? Are these implemented as planned?
4. Is the correct population being sentenced to YOS?
5. What current issues impact the operations of YOS?

### **STUDY DESIGN**

#### **Data Collection**

Data were obtained from multiple sources. Quantitative data were obtained to profile the YOS population and determine recidivism rates. In addition, qualitative data were collected from interviews, on-site observations, one family focus group, and document reviews.

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<sup>10</sup> Meeting dates with DOC staff: March 2, 2001, July 18, 2001, and August 28, 2001.

## Quantitative Data

**Recidivism and Offender Profiles.** Recidivism was defined as new felony court filing. DCJ obtained data from the Colorado District Attorney's Council (CDAC), CICJIS,<sup>11</sup> and the Judicial Branch's ICON database. To describe youth receiving YOS sentences and to examine recidivism, DCJ analyzed data from CDAC and ICON. The DOC's Office of Planning and Analysis provided the names and identifying information for YOS admissions through June 2001.

**Mental Health Files.** Because service delivery to clients with special needs was of interest, researchers reviewed the mental health files of 40 offenders to determine the number of counseling contacts received by individuals with high mental health needs (those rated P3 and P4) over a three-month period.<sup>12</sup> The 40 offenders selected were the total number of YOS residents rated P3 or P4 at the time of the review. The data collection instrument is available in Appendix A.

**File Reviews.** Researchers were unable to obtain detailed file information in electronic form from the DOC Research and Analysis Unit. Therefore researchers reviewed a sample of 10 education files, nine case working files and, as previously mentioned, 42 mental health files. The files were reviewed by hand to determine the feasibility of gathering services/program related data from the files of residents who had been sentenced to the YOS. This process revealed that files were housed in several locations in the facility, and that many data items did not exist in a format that could easily be extracted and coded. This review resulted in the determination that it was not possible with current evaluation resources to collect data from approximately 600 files in several locations.

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<sup>11</sup> The Colorado Integrated Criminal Justice Information System.

<sup>12</sup> The P code (Psychiatric Needs Level) is assigned at YOS intake and is based on psychometric testing, mental health history information and offender self-report information. A P3 rating is applied to offenders with moderate psychiatric needs. These offenders, "are generally able to function adequately in the correctional facility with minimal disruption" and "require ongoing mental health monitoring or treatment" (Department of Corrections, Clinical Services Mental Health Procedures Manual, October 2000).

## Qualitative Data

### Interviews

In-depth interviews lasting between 45 minutes and 2 hours were conducted in person and over the phone with YOS staff, residents, program architects, former legislators and other stakeholders.<sup>13</sup>

Non-staff interviewees were identified using a “snowball sample”, meaning that those interviewed early in the research process named individuals that would be important to interview. A total of 82 semi-structured interviews<sup>14</sup> were conducted between September 2001 and July 2002. A total of 243 pages of interview notes were analyzed to identify patterns and themes. A description of interviewees can be found in Table 1.

A total of 243 pages of interview notes were analyzed to identify patterns and themes.

**Table 1. Description of Interviewees**

YOS Staff	32
YOS Residents	37
Program Architects/Criminal Justice Practitioners	8
Community Contract Agency Staff	5
<b>Total</b>	<b>82</b>

**Staff Interviews.** Researchers interviewed two former and 30 current YOS employees over the course of 10 months. Interview questions explored a number of topics including program goals, policies and procedures, the impact of the program on residents, changes in YOS over time, staff work experiences, and questions specific to staff roles (interview guides are in Appendix B).

A stratified sample was used to select staff for interviews. Staff who worked for the program since its inception--those who made the transfer from Denver to

<sup>13</sup> Program architects and stakeholders were determined through interviews.

<sup>14</sup> Semi-structured interviews are guided by the research questions and allow the interview to occur as a discussion. This type of interview is appropriate for questions concerning process, and so allows questioning about the reasoning and resources involved in the program, the conditions necessary to sustain change, and so forth. Interview data reflect individual perceptions and experiences, and researchers analyze these data for themes and to provide context for other information obtained for the evaluation (Pawson and Tilley, 1997).

Pueblo--and those representing various lead positions were interviewed, including correctional officers, teachers, program administrators, mental health practitioners, youth counselors, security, administration and parole. Of the 32 staff interviewed, eleven worked for YOS when the program was housed at DRDC.<sup>15</sup> YOS staff positions identified for interviews are presented in Table 2.

**Table 2. YOS Staff Interviewees**

Adult Parole Officers	4
Teachers	5
Youth Counselors	6
Correctional Officers	3
Drill Instructor	1
Mental Health Practitioners	3
Building Unit Supervisors	3
Director	1
Deputy Director	1
IDO Supervisor	1
Security Manager	1
Phase I Manager	1
Director of Community Corrections	1
Administrative Staff	1
<b>Total</b>	<b>32</b>

**Resident Interviews.** Client perspectives about the program were obtained through interviews with a sample of 37 YOS residents. Researchers followed one group of six offenders from their first days at YOS (that began at the start of our data collection activities) through their progression from IDO to Phase I to, in some cases, Phase II. These six residents were interviewed at least twice during the ten months researchers were on-site. The remaining offenders were randomly selected from a list of offenders who were currently in the facility.

YOS offenders were asked about their history in the juvenile justice system, experiences in YOS, strengths and weaknesses of the program, types of services received by phase, educational components, staffing, and family

<sup>15</sup> Staff selection was based on two criteria. First, it was important to gather opinions from staff with various lengths of employment in order to reduce bias based on lack of, or length of experience. Second, only staff employed from the beginning of the program could provide information regarding changes in the program over time, a key research question. Since there was relatively few staff (11 compared to more than 200 overall) who had participated in the program from its placement in DRDC, we interviewed all of them.



involvement. Interviews were conducted over a nine-month period, between October 2001 and July 2002. Residents participating in all phases of the program (IDO, Phase I, II, and III) were interviewed. Table 3 shows the number of individuals interviewed in each program phase.

**Table 3. Resident Interviewees**

IDO Residents	6
Phase I Residents	17
Phase II Residents	14
Phase III Residents	6
<b>Total</b>	<b>43</b>

### **Observations and Site Visits**

The purpose of observational data is to provide descriptive information about the setting/activity, its participants, and how participants appear to have reacted to what has occurred.<sup>16</sup> To obtain information about the types of activities that occurred in various program phases, researchers observed all major components of the YOS program at the facility in Pueblo.

**Observations at YOS campus.** Time spent conducting observations was as follows: 30 person-hours over 4 days in IDO; 32 person-hours over 6 days in Phase I, 16 person-hours over 2 days in Phase II, and 16 person-hours over 4 days in Phase III, for a total of 94 person-hours. Observations in Phase I included education classes, cognitive classes, and guided group interactions. Reintegration classes were observed in Phase II, and in Phase III researchers monitored resident staffings and groups. With few exceptions, observations were conducted by two researchers to reduce bias inherent in single-person observations.

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<sup>16</sup> Advantages to observational data in evaluation research include the following: (1) researchers are better able to understand the context in which program operations and activities occur; (2) firsthand experience with a program allows researchers to discover information apart from written documents or interview data; (3) researchers can observe what does and *does not* happen; and (4) the researcher has the opportunity to see things that may routinely escape conscious awareness among program participants and staff (Patton, 1990).

**Community Agencies.** Residents released to Phase III participated in a number of community-based programs. DCJ researchers visited four agencies in different parts of the state to interview program coordinators and observe YOS contract activities. Site visits were conducted at Turning Point Youth and Family Services of Ft. Collins, Colorado; Youthtrack, Inc. P.A.L.S. program at the Cambrian Apartments, Aurora, Colorado; Savio House, Denver, Colorado, and Colorado Treatment and Assessment Center, Denver, Colorado.

**Phase III.** Researchers accompanied two Denver parole officers for four hours while they performed supervisory activities. These included random checks at offender apartments, car and home searches. Researchers also observed two scheduled contacts with YOS offenders in Phase III.

**Family Focus Group.** To obtain the perspectives of families regarding services received by YOS residents and Phase III participants, DCJ researchers conducted a focus group with family members that included questions about sentencing, YOS services, parental contact with residents, resident progress, and reintegration. The focus group consisted of a convenience sample of individuals who tended to participate in the YOS parents advisory group.

**Document Review.** Upon request, YOS administrators and staff provided DCJ researchers with a variety of documents to review. Additionally, Colorado Department of Corrections provided research staff with documents related to YOS. A complete list of the documents reviewed follows:

- Addiction Recovery Program, Inc., “Youthful Offender System Substance Abuse Education and Relapse Prevention.”
- Colorado Department of Corrections, “Youthful Offender System: YOS Cognitive Intervention Program” Staff Manual.
- Colorado Department of Corrections, “Youthful Offender System: Education Manual,” February 2001.

- Colorado Department of Corrections, Clinical Services, “Mental Health Procedures Manual”, October 2000.
- Colorado Department of Corrections, “Youthful Offender System Annual Reports” for the years 1994 – 2002.
- Colorado Department of Corrections, “The Senate Bill 93S-9 Program Report and Recommendations” for The Colorado General Assembly Capital Development Committee and Joint Budget Committee, January 28, 1994.
- Colorado Department of Corrections, “Youthful Offender System, Fiscal Year 2000” Statistical Bulletin.
- Colorado Department of Corrections, “Youthful Offender System, Fiscal Year 2001” Statistical Bulletin.
- Colorado Department of Corrections, “Youthful Offender System Resident Guide to Adjustment – An Orientation Booklet.”
- Colorado Department of Corrections, “YOS Cognitive Intervention Program,” Group Leader Manual.
- Colorado Department of Corrections, “Youthful Offender System Program Overview.”
- Colorado Extended Anger Management Program, Participant Manual, 2<sup>nd</sup> Ed., 2000.
- Elliott, Delbert and Paul Katsampes. “Colorado Department of Corrections: Youthful Offender System,” National Institute of Corrections, June 1997.
- Report of The State Auditor, “Department of Corrections Youthful Offender System, Performance Audit,” August 1999.
- Swanson, Richard M., “Colorado Youthful Offender System: Program Manual,” February 1994.
- West, Dr. Mary, Brian Gomez and Jeaneene Miller. “Colorado Department of Corrections’ Youthful Offender System,” in *Best Practices: Juveniles in Adult Correctional Systems*. Glick, Barry and Edward Rhine, Ed., American Correctional Association, Lanham, Maryland, 2001.
- Youthful Offender System Procedure Manual for Mental Health Services, February 7, 2001.

## **Recidivism Analysis, offender profiles and cost analysis**

Several extensive electronic data files were developed to address the research questions in this report. To address the question of recidivism and to analyze the type of case sentenced to YOS, a data file identifying all inmates admitted to YOS from inception through June 2001 was obtained from the Department of Corrections. Additional data were obtained from the Colorado District Attorneys' Council (CDAC) regarding all Colorado filings on all persons who were juveniles anytime between the years of 1990 and 2002.<sup>17</sup>

The created recidivism data file had 444,775 unique cases, representing 219,386 individuals. Six hundred and ninety-six cases were sealed. This is unfortunate because these sealed records could hold valuable information. A matching variable was constructed utilizing an algorithm based on partial names and dates of birth. This variable was used to identify all cases involving YOS participants. Extensive additional searches were conducted to identify cases for individuals for whom no cases were found. A single individual appeared twice in the YOS data set provided. The first appearance was deleted, but the second was retained for the recidivism analysis.

Cases were flagged as having occurred before or after the YOS sentence, and aggregated to the inmate level. These data were then used to identify recidivating events and to link outcomes with each offender's criminal history.

The offenders were in the community and able to reoffend for varying time periods. To control for differences in this "opportunity time" to reoffend, we conducted a survival analysis that examines the time between discharge and failure. Elapsed days between YOS release to the filing of a new offense were used in the survival analysis.

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<sup>17</sup> This included all individuals born after Jan 1, 1974.

In order to describe youth sentence to various placements, all juvenile filings in the year 2000 were identified from Judicial's data system, ICON, using the Colorado Integrated Criminal Justice Information System (CICJIS).<sup>18</sup>

The cost data presented in this report were obtained from DOC.

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<sup>18</sup> It's important to note that this analysis used all data in calendar year 2000, and the numbers of sentenced youth do not match admissions to YOS noted in DOC's annual report. This is for several reasons including the use of calendar year and not fiscal year, and sentence year and admission year are often dissimilar. For example, a case may take several months or even years before it proceeds to sentencing and then admission.

## CHAPTER THREE: RESEARCH FINDINGS

### QUESTION 1. WHAT IS THE RECIDIVISM RATE FOR YOS OFFENDERS?

*Data: YOS and DOC Annual Reports, electronic data from CDAC and ICON via CICJIS.*

Recidivism refers to the proportion of offenders who fall back into crime upon release from the program. Recidivism was defined as obtaining a new felony filing after discharge from the YOS program. Using information supplied from DOC, we were able to identify all offenders who had been sentenced to YOS from its inception to June 30, 2001, and how they left the program (see Table 4). Only those discharged from YOS were included in the recidivism analysis. However, it is important to note, discussed below, note that 15.2 percent<sup>19</sup> of YOS offenders failed the program and had the YOS sentence revoked. At least 98 of the 102 offenders who were revoked committed a new crime. The offenders, having failed while in the YOS program, are not included in the recidivism analysis reported here.

**Table 4. Release Status to YOS**

<b>Release Status from YOS</b>	<b>Number of Cases</b>	<b>Percent</b>
Still Active	257	38.4
Released to Probation	13	1.9
Court Ordered Discharge	8	1.2
Appeal Bond	1	0.1
Deceased	3	0.4
Sentence Discharged	280	41.8
Revocation/ Terminated	102	15.2
Discharged to Charges	4	0.6
Discharged to Detention	1	0.1
Other	1	0.1
<b>Total</b>	<b>670</b>	<b>100.0</b>

<sup>19</sup> Individuals can leave YOS in several ways. As shown in Table 4, through June 2001, 13 YOS offenders were released to probation, 8 were discharged via court order, and one was released on bond pending appeal of the sentence. One hundred and two offenders received revocations or were unsatisfactorily terminated from the program, representing 15.2% of 670 youthful offenders sentenced to the program. For the purposes of the recidivism analysis, only those clients *discharging* their sentence were included because this group completed all phases of the YOS program.

Recidivism was examined for periods of one year, 2 years and 5 years post-discharge. Naturally, the sample sizes available for analysis were smaller as the “time at risk” period grew. There were 269 offenders in the one-year analysis, 184 in the 2-year, and only 17 YOS offenders had been out of YOS for 5 years at the time of this study.

Overall, 77.6 percent of youth at risk for one year received no new felony filings, reflecting a one-year recidivism rate of 22.4 percent.

**What is the percentage of felony filings for YOS offenders who discharge their sentence?** Overall, as shown in Table 5 below, 77.6 percent of the youth at risk to reoffend for one year received no new felony filings (100 percent minus 22.4 percent), reflecting a one-year recidivism rate of 22.4 percent. As time goes on the successful group gets smaller: 64.5 percent of those at risk for two years received no new felony filings, and 35.3 percent of those at risk to reoffend for five years received no new felony filings. Relatively few discharged offenders had misdemeanor filings. Table 6 shows the final disposition of the offenders’ new crime for each follow-up period.

**Table 5. Recidivism Rates for YOS offenders Measure: New Court Filing at Years 1, 2 and 5<sup>20</sup>**

	1 Year Post-YOS n=269		2 Years Post-YOS n= 184		5 Years Post-YOS n=17	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
No New Filings	192	77.6	105	57.4	5	29.4
Felony Filings	60	22.4	65	35.5	11	64.7
Misdemeanors	21	7.8	15	8.2	2	11.8

<sup>20</sup> This is a multiple response table; hence the totals are not additive.

**Table 6. Sentence Disposition Following Recidivism at Years 1, 2, and 5<sup>21</sup>**

	1 Year Post-YOS		2 Years Post-YOS		5 Years Post-YOS	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
Convictions	46	17.2	45	24.6	7	41.2
Jail Sentences	14	5.2	18	9.8	4	23.5
Com Cor Sentences	1	0.4	1	0.5	0	0
DOC Sentences	16	6	16	8.7	0	0
DYC Sentences	1	0.4	0	0	0	0

Specific Crime Types associated with these new filings are displayed in Appendix C.

**Did recidivism rates vary for youth who completed most of their sentence in the early program years compared to those who completed most of their sentence after 1998?** Recidivism measures were compared for youth who completed the majority of their YOS sentence in the early years of the program compared to those who served the majority of their sentence after the YOS program was relocated. The study groups were determined by calculating the number of days YOS offenders spent in the program prior to and after state fiscal year (SFY) 1999 (July 1, 1999). This resulted in 185 offenders assigned as the Pre-1999 group and 95 assigned as the Post-1999 group.

No significant differences in the percent of offenders with a new filing were found between the Pre-1999 and the Post-1999 groups, at either one or two years. (Numbers for statistical comparison were insufficient for new filings at five years.) The numbers at risk to reoffend for the specified time frame and the percent receiving new felony court filings for the two groups are displayed in the following table.

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<sup>21</sup> This is a multiple response table; hence the totals are not additive.



**Table 7. Percent of Offenders with New Felony Filings SFY 1999**

Time at Risk	Before the Move (n=185)	After the Move (n=95)		
	% New Filings	% New Filings	Total N	Significance
1 year	25.0	16.3	270	.11
2 years	35.3	33.3	185	.86
5 years	64.7	N/A	17	N/A

**Did “Time to Fail” change after the facility was relocated?** For those who did fail, the average time to failure was about 11 months, or 319.9 days, with a median value of 229 days (7.5 months). When the elapsed time between discharge and the first new filing is examined, we find that the group discharged from the Pueblo facility failed in a significantly shorter time frame than did those discharged from the Denver facility, as reflected in Table 8.

**Table 8. Time to Failure (Days) Before and After the Move**

Facility	Median Survival Times: All filing types	Median Survival Times: Felony filings only
Combined	228.75	263.0
Pre-7/98 (n=185)	250.0	298.3
Post-7/98 (n=95)	152.5	178.7
Significance*	.001	.028

\*Significance examined using the Gehan generalized Wilcoxon test.

As can be seen, most failures occur in the first year post-discharge. However, first new filings were observed up to 4.5 years post-release.

Only 18 clients from the post-1999 time frame have been discharged for an adequate time frame to examine two-year outcomes. Only 17 YOS offenders total, none of which are in the post-1999 study group, have been discharged for longer than 5 years. These short time frames and small numbers limit longer term recidivism analysis. With increasing time and numbers of discharges, future analyses may yield different results.

**Can we explain who tends to fail and who doesn't?** Ideally, we would like to describe the differences between the group that received new felony filings and the group that didn't, and the groups that failed early versus later. This type of analysis requires information on each offender (offending history, family history, peer groups, substance abuse and mental health history, educational and vocational progress, and so on), and the services delivered (for example, frequency and type of services). These data were not available to us. Although the Department of Corrections was mandated in the original legislation to develop a data system for YOS offenders, this never occurred, and the mandate was eliminated from the statute as of August 2002. DCJ has agreed to work with YOS administrators and staff to develop an electronic database during the next evaluation period.<sup>22</sup> Our ability to develop the data system for *past* YOS offenders will be dependent on the extent to which relevant and meaningful information exists in case files, and can be coded to capture how the case was managed. Staff at Phase III developed a database for YOS clients who transitioned to the community component of the program, but we were unaware that it existed until late in the evaluation period, and so we were unable to explore its usefulness for this evaluation.

Ideally, we would like to describe the differences between the group that received new felony filings and the group that didn't, and the groups that failed early versus later.

DCJ has agreed to work with YOS administrators and staff to develop an electronic database during the next evaluation period.

**These are serious offenders.** Recidivism files developed by DCJ included the criminal history of offenders in these analyses. This is particularly relevant for the YOS analysis since these youth are, by statute, violent and inappropriate for a lesser sentence. Using data from the Colorado District Attorneys' Council, we found that the 670 youth sentenced to YOS between 1994 and 2001 had received a total of 2623 filings *prior to admission* to YOS. This represents an average of 3.9 offenses per YOS offender prior to the index crime

YOS is, indeed, being used as a sentencing option for serious offenders and these offenders are at a very high risk to reoffend.

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<sup>22</sup> The next evaluation report from DCJ is due on November 1, 2004.

that led to the current sentence. However, nearly one in six YOS offenders (14.8%) had no known *prior* criminal involvement in Colorado (see Table 9). When these offenders are removed from the analysis, the average number of filings accrued by YOS offenders with a prior offense history in Colorado is 4.6. This indicates that YOS is being used as a sentencing option for serious offenders who are at very high risk to reoffend.

**Table 9. Filings Incurred by YOS Participants**

<b>Filings Incurred</b>	<b>Number of Cases</b>
Before	2623
After	329
During	98
No Filings Identified	29

Finally, the DOC's 2002 Annual Report lists cumulative recidivism rates for all offenders who discharged their sentence to date. It is important to include these figures here because these findings differ from those reported above, as DOC reports cumulative recidivism rates for all who discharged their sentence to date, whereas our analysis is controlled for time at risk. Each is a valid method of reporting recidivism. According to DOC's analysis, of the 277 discharges released through June 2001, 40 (14.4%) YOS offenders were sentenced to adult prison for new felony convictions. The re-offense findings are as follows: 87 (31.4 %) of the offenders had no criminal activity reported, 74 (26.7%) had new felony convictions, 58 (20.9%) had new misdemeanor convictions, 39 (14.1%) had pending or dismissed non-felony charges and 19 (6.9%) had pending felony charges (CDOC, 2001: 61-62).

**QUESTION 2: WHAT IS THE ANNUAL AMOUNT OF FUNDING SPENT PER YOS OFFENDER?**

*Data: Colorado Department of Corrections Annual Reports*

According to the Colorado Department of Corrections' 2001 Annual Report, "the fiscal year 2001 annual cost per inmate in the YOS was \$52,337, an increase of 6% from the annual cost in FY2000 of \$49,360" (CDOC, 2002: 44). This number represents an average daily cost of \$145.47 for IDO, Phase I and Phase II. Phase III costs are \$130.94 per day (CDOC, 2002: 44).

An attempt was made to approximate the average overall cost of a YOS sentence. Given an average YOS sentence of 3.7 years and an average Phase III time of 8.44 months, we estimate an average cost per offender sentenced to YOS of \$193,778.<sup>23</sup>

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<sup>23</sup> This figure is based on sentencing data for all youth filed on in calendar year 2000, and the average Phase III duration reported in the DOC 2002 YOS Annual Report.

**QUESTION 3. WHAT WAS THE LEGISLATIVE INTENT OF THE YOS PROGRAM AND HOW DOES THAT COMPARE TO CURRENT OPERATIONS? ARE THESE IMPLEMENTED AS PLANNED?**

*Data: Legislation, interviews with program architects<sup>24</sup> including legislators, document review of policies and procedures (Program Manuals), previous evaluations and related research, interviews and observations, DOC annual program reports, state job postings, staff and resident interviews, family focus group data, document reviews, site visits to YOS and Phase III*

We address this question from several perspectives. First, we present the community context in which the idea for the YOS was conceived and then implemented. We then discuss the legislative changes that have occurred since the initial program and how these relate to the original mission of YOS. Staff qualifications and the phase system, and broad program elements clearly addressed in the original legislation are then discussed. Finally, we review very specific program components, or “operations,” and how they have been implemented.

### **Community Context**

As discussed earlier, events in Denver during the summer of 1993 precipitated the YOS initiative. At approximately the same time, the Division of Youth Services (DYS) commitment and detention facilities were overcrowded. One of the facilities was under court order to reduce the population. Housing youth in private facilities became an unexpected expense and DHS was facing serious funding problems.

The Governor responded by calling for a Special Session of the Colorado General Assembly. By law, Special Sessions are restricted to the agenda defined by the governor when he calls the session. This agenda focused on youth violence. According to interviews with representatives of the Colorado District Attorneys’ Association and former state senator Dottie Wham<sup>25</sup> who ultimately sponsored the YOS legislation, stakeholders began meeting in the weeks prior to the session.

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<sup>24</sup> Interviews identified a core group of people who developed the YOS program.

<sup>25</sup> Interview with Ray Slaughter, April 2001, and former Senator Dottie Wham, June 2002.

Interview data reflect that there was general consensus among stakeholders regarding the following: (1) The need for additional, enhanced sentencing options for prosecutors, and (2) the intent to send a message that acts of violence by juveniles in Colorado would not be tolerated. During this session the name of DYS was changed to the Division of Youth Corrections, using nomenclature that placed greater emphasis on punishment and, at the same time, lesser emphasis on treatment.

Legislators, prosecutors, and DYS officials generally agreed that the particularly violent juveniles who were the subject of the Special Session needed to be treated as adults, waiving the components of juvenile court that they believed were designed for less serious crimes: jurisdiction that terminated when the youth was 25, sentences served at campus-like facilities, and the possibility that the record would be closed or could be expunged. Officials also wanted to protect youth who were sentenced to what is now DYC from exposure to extremely violent juveniles.

However, the youthful nature of this “new kind of offender” weighed on the minds of those who would develop a system of harsher consequences. Many of the offenders, whose crimes and victims were foremost in the minds of prosecutors and legislators, were only 14, 15 and 16 years old. Despite the heinous nature of their conviction crimes, policymakers wanted them to have the benefit of intense treatment and services, a goal that remains constant in the juvenile justice system but is secondary to punishment and containment in the adult system. This melding of two philosophies required something new in terms of programming.

YOS was intended to provide treatment and reform (or redirect) chronic juvenile offenders, and act as a middle tier between the juvenile and adult correctional systems. It was conceived to provide a “second last chance” through treatment,

counseling, vocational and educational programs (Program Manual, 1994:2).<sup>26</sup> The philosophy of YOS is to cognitively and behaviorally redirect offenders, equip them for effective participation in society and gradually reintegrate them into the community with on-going support and monitoring. This middle-tier approach was developed to serve as a hybrid of the juvenile justice system and the adult corrections system. The adult court retains jurisdiction throughout the YOS sentence, so when youth are found to be out of compliance with the program, he or she may be transferred by revocation to adult prison for violation of the YOS program.

The program targets juveniles between the ages of 14 and 18 who have been directly filed in district court as adults and convicted of committing violent felonies that involve “the use of a weapon or threat of use of a weapon” (Program Manual, 1994:11). Offenders convicted of Class 2,3,4,5 and 6 felonies are eligible for YOS. The original YOS Program Manual specifies a clear separation between adult and juvenile offenders and states, “YOS offenders will not be commingled with DOC adult offenders....” (Program Manual, 1994: 4). However, interview data from current YOS administrators reveal that throughout the history of the program, some amount of contact between YOS offenders and adult DOC inmates has occurred since the program has always shared facility space with other DOC offenders.

Females were sent out of state when the program was located at the Denver Reception and Diagnostic Center (DRDC). When YOS was moved to the Pueblo facility, females were returned from the out of state placement and accepted at the new YOS facility. The original legislation states that “necessary measures be taken by the DOC to establish separate housing for female and male offenders who are sentenced to the youthful offender system without compromising the equitable treatment of either” (C.R.S. 18-1.3-407 (b)).

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<sup>26</sup> DOC is currently updating the YOS Program Manual.



## Legislative Changes and Program Mission

The Youthful Offender System was based on a program proposal developed by the Department of Corrections that became integrated into Senate Bill 93S-9. “It is the intent of the General Assembly that the youthful offender system...shall benefit the state by providing as a sentencing option for certain youthful offenders a controlled and regimented environment that affirms dignity of self and others, promotes value of work and self-discipline, and develops useful skills and abilities through enriched programming” (C.R.S.18-1.3-407(1)(a)). This mission is reiterated in DOC reports pertaining to YOS reflecting that DOC has emphasized retaining the original intent since the program’s inception.<sup>27</sup>

Useful measures of program implementation require an understanding of the way the program mission becomes operationalized on-site in day-to-day activities, together with legislatively defined changes that occur over time. Table 10 describes the legislative changes occurring in the program since its inception.

**Table 10. YOS Legislative Changes from 1993 to 2002**

<b>YOS Legislative Changes 1993 – 2002</b>	
SB 93S-9	Signed into law 9/23/93; determinate sentence of 1 to 5 years with 12 months community supervision
SB 94-201	Modified sentencing structure - determinate sentence of 2 - 6 years with 6 - 12 months of community supervision
SB 94-155	<b>Expanded eligibility criteria for YOS:</b> Included habitual juvenile offenders.
HB 96-1128	Mandatory time in Phase III of 9 - 12 months
HB 97-1244	Provided 11 million for additional bed space and program addition
SB 99-130	<b>Expanded eligibility criteria for YOS:</b> Included juveniles less than 16 years old convicted of a Class 2 felony; Class 2 felons eligible for a sentence of up to 7 years.
SB 99 –131	Extended the repeal date on the sunset legislation from June 30, 1999 to June 30, 2004
SB 00-140	Moved Phase II from the community to Pueblo facility and specified this phase as “pre-release;” required presentence investigation be conducted prior to sentencing; funded sex offender treatment
SB 01-015	Notification to local law enforcement of community placement of offenders

<sup>27</sup> Colorado Department of Corrections Youthful Offender System Annual Reports, 1994 – 2002 state the mission of YOS as originally intended.

Statutory changes generally continue to reflect the original mission of YOS in two ways. First, expansions of the eligibility criteria reflect the focus on serious, chronic youthful offenders, and the legislation was expanded in 1994 to include habitual juvenile offenders.<sup>28</sup> The seriousness of the population is reflected in the genetic testing and notification mandates. Second, the original emphasis on programming is reflected in the requirement, added in Fiscal Year 2000, for sex offender treatment.

Legislative changes that reduced the amount of time in Phase III, community supervision, conflict with the original intent to provide intense community monitoring and programming aimed at reintegrating YOS participants. Further, interview data reflect the need for Phase III to be longer, not shorter, as recent legislation allows.

However, legislative changes that reduced the amount of time in Phase III, community supervision, conflict with the original intent to provide intense community monitoring and programming aimed at reintegrating YOS participants. Further, interview data reflect the need for Phase III to be longer, not shorter, as recent legislation allows. Staff working with these youth said that YOS offenders need a minimum of 18 – 24 months of programming in the community, i.e., enough time to help them identify employment opportunities, obtain employment, and stabilize with a crime-free lifestyle. Legislation that reduces time in the community diverts from the original intent of YOS and undermines effective programming.

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Nevertheless, interview data regarding current Phase III programming indicated that staff commitment to accomplish reintegration remains strong. Efforts by both YOS administrators and Phase III staff to transition these offenders in locations away from the settings where the original crime occurred is supported by juvenile delinquency research that prioritizes peer influences as major risk factor working against successful reintegration.

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<sup>28</sup> A "Habitual Juvenile Offender" is a juvenile who has previously been twice adjudicated a juvenile delinquent for separate delinquent acts, arising out of separate and distinct criminal episodes that constitute felonies. C.R.S. 19-2-805(1)(a)(V).

## Staff Qualifications

The original legislation emphasized the importance of hiring staff who had experience working with juveniles by stating in statute, “[t]he executive director shall select persons who are trained in the treatment of juveniles or will be trained in the treatment of juveniles prior to working with such juveniles” (C.R.S. 18-1.3-407(3.5)). In accordance with this legislation, the program creators further stressed the importance of staff qualifications in the Program Manual, stating, “the Executive Director of the Colorado Department of Corrections (CDOC) created positions within the current Colorado State Personnel System *that required a minimum of two years experience working with adjudicated youth and/or an educational substitute in the field. Supervising positions required a minimum of four years experience and/or an educational substitute*” (Program Manual, 1994: 92).

According to the original Program Manual and interviews with YOS founders, an aggressive recruiting program was initially instituted to attract qualified staff to work with youth involved with violent gangs.<sup>29</sup> Information obtained through interviews indicates that at the onset of the program, staff met those requirements, which included a bachelor’s degree and/or experience working with youth.<sup>30</sup> The description in the 1994 Program Manual suggests that staff should be “chosen for their potential to mentor, to coach, to provide training to residents and will jointly facilitate the counseling sessions” (Program Manual, 1994: 12). Again, according to the original Program Manual (1994: 12), “[c]entral to the development and maintenance of a positive peer culture<sup>31</sup> is multiple staff involvement in community meetings, the daily guided group interaction sessions, and various educational training modules that staff will provide.”

According to interview data, a testing process was originally implemented, which included physical testing as well as measures of knowledge regarding work with

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<sup>29</sup> Program Manual, 1994; Interviews with three YOS founders.

<sup>30</sup> Interviews from 12 staff who worked at YOS when the facility was housed at DRDC.

<sup>31</sup> See Recommendations Section for a discussion of the research literature pertaining to positive peer culture.

adjudicated youth and service delivery. The physical fitness component of staff testing was required for those staff engaged in the physical training of offenders. The hiring process also included rigorous screening for these basic qualifications. First, candidates were interviewed by a panel of representatives from the Colorado Department of Corrections Operations, the Drug and Alcohol Treatment Administration, Juvenile Probation, and Assessment Management.<sup>32</sup> If the candidate passed this process, he or she was then screened by DOC executive staff. According to the Program Manual, “[a]ll candidate finalists were approved by the DOC Executive Director prior to job offer” (1994: 93).

While not addressed in any of the legislative changes, hiring requirements were revised in January 1998 (according to the YOS 1998 annual report). The new process indicated that, “No special testing or interviewing, or experiential requirements such as working with adjudicated youth, or higher physical fitness standards will be utilized to identify appropriate staff for employment with YOS” (Colorado Department of Corrections, 1998:76). This change in qualifications preceded the transfer of the program from DRDC to Pueblo, which occurred early in June 1998. Interviews conducted for this study suggest the move to Pueblo facilitated the reduction in hiring requirements because DOC administrators anticipated a smaller pool of professionals to draw from once the program left the metro area.

The issue of dropping specific job-related qualifications surfaced in a 1997 National Institute of Corrections technical assistance report. The report recommended YOS “[R]etain the college degree, college credits and experience special requirements for YOS staff” (Elliott and Katsampes, 1997:40). The report further suggested that YOS “resist the effort to eliminate special hiring conditions for YOS staff and work hard to select staff who understand and appreciate the comprehensive, integrated approach embodied in the YOS program” (Elliott and Katsampes, 1997:41).

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<sup>32</sup> Program Manual, 1994.

Additional information obtained from interviews with DOC administrators suggests that many key YOS program staff voiced a willingness to relocate to Pueblo but did not do so when the program moved. Currently, any DOC employee can bid on a position at YOS (as well as any other correctional facility). Selection is based on seniority within the department, rather than qualifications desirable for working with YOS youth. As a result, many of the correctional staff hired to work in YOS may not have had an adequate understanding of the program goals and the different needs of juvenile offenders. This change in the staff requirements appears to have led interviewees to the common perception that a core value of the YOS program--remaining mindful of the developmental issues of adolescence--may have suffered in recent years.

At this writing, the whole of the current YOS staff—having worked with this population for several years (at least since the move to Pueblo)—meet the job qualifications originally specified in legislation. Obviously this has occurred for many employees because of years of experience they have gained by working with juvenile offenders at YOS rather than having begun work at YOS with the required experience.

The statute still allows for the DOC Director to make changes in the Department's personnel system to accommodate special hiring qualifications. To this end, the new YOS administration is in the process of working with the DOC personnel office to reinstate the special qualifications and to begin a new training program with current staff.

The statute still allows for the DOC Director to make changes in the Department's personnel system to accommodate the special hiring qualifications. To this end, the new YOS administration is in the process of working with the DOC personnel office to reinstate the special qualifications and to begin a new training program with current staff.

### **Other staff considerations: security**

The change in hiring practices appeared to many interviewees to coincide with a new focus on facility security. YOS administrators who were opening the new facility needed to hire security staff for the first time, along with many new program staff to replace those who did not relocate to Pueblo. When YOS was located at DRDC, program administrators and staff were free to focus on implementation of the program components without concern about security. DRDC, an existing institution, allowed the YOS staff to develop a comprehensive program within a maximum-security environment fully staffed with correctional officers who managed all movement within the facility. Further, during the first two years of operation, the DRDC-based program had fewer offenders. See Table 11 for changes in YOS ADP (average daily population) since inception.

**Table 11. Average Daily Population by Year**

<b>Year</b>	<b>ADP<sup>33</sup></b>
1994	3
1995	76
1996	265
1997	247
1998	278
1999	295
2000	282
2001	274
2002	265

In 1998, YOS moved from a program operating in a maximum security setting to a minimum/minimum restricted environment. In the first six months of operation, six YOS offenders escaped in two separate incidents, and were quickly apprehended.<sup>34</sup> In this new facility, the focus of the program began to emphasize security. As in all minimum/minimum restricted security facilities, non-uniformed YOS staff was expected to integrate security and housing functions with programmatic objectives and responsibilities. Today, all personnel within each

<sup>33</sup> ADP information provided by the Department of Corrections by e-mail, October 29, 2002.

<sup>34</sup> According to an e-mail received October 25, 2002 from the Deputy Director of YOS, three male YOS residents escaped on September 3, 1998 and were apprehended the next day. On December 4, 1998 three male residents escaped and were apprehended the same day.

functional unit are charged with balancing and effecting department/facility security practices and programmatic interventions.<sup>35</sup>

According to interviews with current and former DOC administrators, developing and implementing an intense program without having to be concerned with matters of security represented a unique situation that may have gone unnoticed by the early program leadership. According to YOS Administrators, DRDC's maximum-security infrastructure offered the young YOS program and its early staff the considerable advantage of focusing completely on program operations without any facility-based distractions. The movement of the program to a minimum/minimum restricted facility, followed by the two escape episodes, was a sharp reminder that the YOS program now required an integration of both security and programming.

In sum, our analysis of interview data reflect that the perception of many YOS staff that the move to Pueblo is linked with (1) modifications of the required staff qualifications (and thus DOC personnel practices in relationship to these modifications), and (2) a focus on security that seemed to change the YOS program. These changes resulted in hiring staff with little or no experience or education working with adolescents. While hiring under the modified requirements may have begun prior to moving the program to Pueblo, interview data indicate that this seemed to occur at an increased rate after the program was moved into the new renovated facility. This phenomenon coincided with the focus on security that resulted in expanded (security-related) duties for program staff working in Pueblo. In particular, a perception exists that the focus on facility security undermines the strong programming aspect of YOS.

As mentioned above, YOS administrators have met with those in the DOC personnel office to reinstate the original hiring practices. For the present, we strongly recommend that the DOC undertake an all-inclusive training program for

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<sup>35</sup> October 25, 2002 e-mail from Deputy Director of YOS.

current YOS employees to ensure that all staff has the necessary security and program skills to manage this special population. All current staff should participate in this training program to build a common knowledge base and reinforce the value of teamwork in the operations of YOS. We also recommend that staff and administrators meet regularly to discuss program changes, obstacles to implementation, and ways to solve problems together. This will encourage regular communication and brainstorming about ways to improve the YOS program, build teamwork and model problem-solving for the residents.

We strongly recommend that the DOC undertake an all-inclusive training program for current YOS employees to ensure that all staff have the necessary security and program skills to manage this special population. All current staff should participate in this training program to build a common knowledge base and reinforce the value of teamwork in the operations of YOS.

### **Program Phases**

The YOS plan calls for an integrated program involving Intake, Diagnosis and Orientation (IDO) and a sequence of three program phases, which mark progress toward eventual reintegration into the community. We answer the question - is the four-phase structure operating as planned? – in two ways. First, we discuss the phase system and any discrepancies we found between intent and implementation. We then discuss specific program components and whether or not these have been implemented as planned.

When YOS was functioning at DRDC, Phase II was located in the community and managed by a private contractor. Once the program moved to Pueblo, Phase II programming moved inside the facility. According to interview data, few stakeholders understand the reasoning behind changing the location of Phase II programming even though this happened several years ago.

The phased program approach has generally remained the same since the program's inception with one exception. A significant change has been the physical location and programming of Phase II. When YOS was functioning at DRDC, Phase II was located in the community and managed by a private contractor. Once the program moved to Pueblo, Phase II programming moved inside the facility.



According to interview data, few stakeholders understand the reasoning behind changing the location of Phase II programming, even though this happened several years ago. Current program administrators think integration and redirection was, in fact, quite limited when Phase II was in the community; however, other interviewees believe that there were Phase II community activities every weekday when the program was community-based.

YOS administrators told us that, due to the level of risk these violent youth present to those in the community and because space became available in the new YOS complex in Pueblo, YOS administrators decided to operate Phase II as a pre-release program. We were informed of at least one escape when Phase II was contracted out, and program administrators, sensitive to the violent and impulsive nature of these adolescents, considered the possibility of future escapes intolerable. Furthermore, YOS administrators believe that the time for actual reintegration begins in Phase III, and prior to that, offenders are still repaying their debt to society by serving time in the facility.

There is an important discrepancy in perceptions regarding the location of Phase II. Some interviewees feel that Phase II should be community-based as it once appears to have been, and these individuals perceive that consequently Phase II is not operating as intended. YOS administrators feel it did not operate as intended until it was brought into the facility because of the public safety risk posed by this population. This discrepancy has not been completely resolved, perhaps because the notion that Phase II is a *pre-release program* has not been integrated well into the current YOS environment.

Discrepancies regarding the appropriate location for Phase II have not been completely resolved, perhaps because the notion that Phase II is a pre-release program has not been integrated well into the current YOS environment.

Research on the implementation of new ideas assumes there are “trial and error” activities (Ellickson, et al., 1983). Stakeholders of successful programs learn from those experiences. We believe that integrating modifications into Phase II while remaining mindful of the original program intent will improve this aspect of YOS. Our interview experiences suggest that both points of view have merit. We recommend that YOS administrators form a team to develop a clear strategy for Phase II pre-release programming, including criteria for movement into and out of that phase. Maximum input from staff and administrators would result in clear and progressive goals and objectives for staff and residents in Phase II. Building on the positive programmatic aspects of the former community-based curriculum and emphasizing life-skills training and other important pre-release activities will redefine Phase II in a way that prioritizes its usefulness to the residents. We recommend that this group identify a “Phase II training team” to train other staff in YOS about the newly defined prerelease program.

Building on the positive programmatic aspects of the former community-based curriculum and emphasizing life-skills training and other important pre-release activities will redefine Phase II in a way that prioritizes its usefulness to the residents. We recommend that this group identify a “Phase II training team” to train other staff in YOS about the newly defined prerelease program.

## Specific Program Phases

### ***Intake Diagnostic & Orientation Phase (30-45 days)***

The first four to four to six weeks of the YOS sentence occurs in what is referred to as IDO (Intake, Diagnostic and Orientation). These first weeks are intended to ensure the early identification of disruptive youth; to help new residents understand the priorities of ritual and protocol in serving their sentence; to introduce the value of teamwork over individual, uncoordinated efforts; and to cultivate high standards of conduct and appearance.

**Bootcamp.** Intake occurs when approximately 16 youth are prepared to enter YOS. They form a “group IDO.” The group’s first job is to complete the 30-day boot camp. According to interviews, the boot camp is designed to break gang ties, establish discipline, and build self-esteem. Despite concerns from the research community about the effectiveness of boot camps, the development of exercise regimens like the one at YOS has grown considerably in juvenile correctional facilities, reflecting a shift in the juvenile justice system’s response to the perception of an increase in violent crime by juvenile offenders and the need for discipline and control (MacKenzie, Gover, Styve, 1999). Boot camps became a popular sentencing option for juveniles in the early ‘90’s but there is no empirical evidence that this sort of programming is effective for the offender in the long run (MacKenzie, Armstrong, Mitchell, 2001). One study comparing 27 boot camps to traditional juvenile facilities found that boot camp *staff* feel good about the program: they perceived their facility to be safer than others and reported higher job satisfaction. The outcome research found boot camps to be no more effective than regular facilities (MacKenzie et al., 1999).

The Office of Juvenile Justice and Delinquency Prevention (1997) encourages the following components to be included in a boot camp program design: education, job training, community service, substance abuse treatment, health care, mental health treatment, ongoing individual case management, and

aftercare services. By providing support through long-term aftercare-oriented programming, boot camps may minimize post-release failure (Office of Juvenile Justice and Delinquency Prevention, 1997).

The YOS program design includes these recommended services. YOS residents in IDO receive intensive programming and staff attention. Interviews with staff working in this early phase suggest that YOS staff need to be in constant communication about residents' physical and mental well-being. According to observations and interviews with YOS staff, this original intent continues to be the focus of the early weeks of the offenders' sentences. IDO staff are enthusiastic, committed and communicate well with each other about the implementation of their work goals.

According to observations and interviews with YOS staff, this original intent continues to be the focus of the early weeks of the offenders' sentences. IDO staff are enthusiastic, committed and communicate well with each other about the implementation of their work goals.

**Intake, Diagnostic and Orientation.** According to the program description, within three weeks of intake to YOS, an IDO planning team meets to develop a plan of program activities for the youth. This team may include an intake counselor, a primary program counselor, an educational specialist, the unit or facility supervisor, the staff psychologist and/or consulting psychiatrist, and other team members. The intake assessment addresses mental and medical issues, gang involvement, social, drug and criminal history, violent and aggressive behaviors, and the areas of education, work and family.<sup>36</sup>

**CYO-LSI.** The Colorado Youthful Offender Level of Service Inventory (CYO-LSI) is a validated assessment tool that provides considerable information necessary for developing an appropriate treatment plan. The instrument, completed during staff interviews with the offender, addresses criminal lifestyle, peer groups,

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<sup>36</sup> Substance abuse, lifestyle problems, personality assessment tools recommended for evaluations are the Addiction Severity Index (ASI), the Level of Supervision Inventory (LSI), the U.C.L.A. Natural History Interview Form, the Minnesota Multiphasic Personality Inventory (MMPI, or MMPI-2), the SCL-90-R or the Million Adolescent Personality Inventory (MAPI) (Program Manual, 1994: 18-19).

support groups, substance abuse problems, work and school history. It is a tool that, if administered periodically throughout treatment, can reflect improvement in all of these areas, thereby informing program staff of progress, or lack of it, on the domains of interest.

The CYO-LSI is currently administered to each offender within the first few days of entrance into the program. A YOS contractor conducts this assessment and the results of the assessment are placed in the offender's file. The new YOS administration has documented its intent to provide training for Youth Counselors I, II, and Correctional Officers III (case managers) to administer the CYO-LSI so it can be administered periodically to capture progress toward meeting the goals of the Individual Program Plan. This is an important program improvement, and we will track the implementation of this initiative during the next evaluation period. In addition, we will work to include information from the CYO-LSI assessment and reassessments in the YOS data system described in the recidivism section of this report.

**Family.** IDO was designed to include supervised visitations with families "to determine the role of family...in a redirection program of the YOS offender" (Program Manual, 1994). Research suggests that family intervention and participation is an important element in redirecting youthful offenders towards a more productive and successful community reintegration (Harland, 1996). However, interview data reflect that currently there is very little outreach to families during IDO and the family assessment component of IDO does not occur as originally envisioned. The current YOS administration, managing the facility since May 2002, is

The new YOS administration has documented its intent to provide training for Youth Counselors I, II, and Correctional Officers III (Case Managers) to administer the CYO-LSI so it can be administered periodically to capture progress toward meeting the goals of the Individual Program Plan.

The current YOS administration, managing the facility since May 2002, is implementing a new procedure where Phase III staff will do the family outreach and assessment as youth enter IDO, thereby accomplishing an important task by using staff who work in the community.

implementing a new procedure where Phase III staff will do the family outreach and assessment as youth enter IDO, thereby accomplishing an important task by using staff who work in the community.

**Individual Program Plan.** The original intent of this assessment process is that information obtained during Intake gets translated into an Individual Program Plan (IPP). The IPP for each offender describes assessment scores, achievement goals for various areas in the offender's life, along with the YOS program modules that will assist the offender in achieving these goals. The IPP addresses academic, cognitive, behavioral, physical, dental and mental health needs, as well as specific areas that are expected to promote successful community integration, such as developing family, living and working skills. According to the 1994 Program Manual, the IPP should be updated quarterly to monitor the offenders' progress through the program,

Finally, IDO serves as an orientation to the programs, procedures and behavioral expectations of the YOS. On the 28<sup>th</sup> day of IDO, a multi-disciplined staffing should be held for each offender with his or her individualized program team.<sup>37</sup> At this time, the team reviews behavior problems, cognitive skills, drug and alcohol issues, custody concerns, educational development and placement, family support and gang issues. At this meeting the resident is introduced to his/her Phase I youth counselor who informs the resident of Phase I program expectations.

**Phase I (length of stay is determined by sentence).**

Upon successful completion of IDO, the offender is sent to Phase I. The length of time an offender spends in Phase I is determined by his or her sentence. At this time, the diagnostic evaluation report and IPP are to be sent to the sentencing judge for possible reconsideration. Meanwhile, during Phase I, a range of core programs, as well as supplementary activities such as educational and vocational

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<sup>37</sup> Program Manual, 1994.

programs are provided to the offender. There should be a high staff to youth offender ratio in Phase I, with the ideal group size being sixteen, and the total not to exceed twenty, according to the 1994 Program Manual. These groups of offenders should be “organized into a positive peer culture managed by guided group interaction sessions” (Program Manual, 1994: 31).

In the last year, a policy change (OM 650-100) has been developed to outline expectations for progression through the level system. For example, residents earn privileges and status by exhibiting their knowledge and command of cognitive skills.<sup>38</sup> This process has allowed for a more efficient utilization of bed space and staffing resources.<sup>39</sup> “Progressive Placement” takes place when a resident demonstrates steady program compliance and a willingness to improve. Several guidelines determine whether the resident will reside in a less restrictive living environment or remain in his/her assigned living unit while receiving Phase II programming objectives. Residents who fail to demonstrate progress in Progressive Placement in Phase II will be reviewed by way of a program team review (PTR) to determine if a resident should be returned to a more restrictive living environment. “Developmental Placement” occurs when a resident fails to meet program objectives.

According to the Program Manual, while in Phase I each youth should meet with his primary counselor to develop a weekly schedule, which consists of activities from 6am to 9pm, seven days per week. Quarterly progress ratings are to be provided by the primary counselor to the program team.

If the offender meets the educational and program plan objectives, and develops an attitude that is pro-social and work oriented, he or she may progress to Phase II (if not, the offender may be required to repeat IDO). If program objectives are

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<sup>38</sup> OM 650-100, Resident Status Levels: Residents in the Phase I/II incentive level program shall be provided the following progressive privileges. Any modification of these conditions or privileges will require written approval by the Phase I/II Manager. Policy change OM 650-100 also developed Phase II progressive (eligibility date) and Phase II developmental (mandatory date) status levels to address a resident’s readiness for Phase II and III.

<sup>39</sup> ORS did not get a chance to observe these changes. We will evaluate this piece of the program in our next report.

not met, the offender may be considered in violation of his YOS sentence and considered for revocation.

Interview data suggested the need for intense, transition-focused services to start early in the YOS program. Residents need structured leisure time activities to keep them focused with tasks and program outcomes required in their IPP.

More specifically, many stakeholders perceived that the vocational services offered in Phase I are not always applicable to the real world. For instance, several interviewees told us that the computer information certificate received at YOS provides little background for computer employment in the market place. Once in the community, offenders trained as barbers require expensive tools and a license that takes time to acquire. Staff in community agencies expressed concerns that the current gamut of vocational programs were not helpful to many offenders, and that residents did not seem prepared for the community when they enter Phase III.<sup>40</sup>

Further, there is a perceived need for significantly increased Phase I services (i.e. home investigations/family involvement, assignment of a community agent, offense specific groups, gender-specific programming, community service, gang intervention, cultural education, mentoring), and that these should start at this early point in the program (see Appendix E). Current YOS administrators agree that programming for reintegration into the community must begin early in the program. This issue was one of the key topics discussed during an all-phase planning meeting of YOS administrators and staff held on October 10, 2002. We recommend that this work by the new administration continue. Any disconnect between the major YOS programming that occurs in Phase I, and the preparation and

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<sup>40</sup> Some of this information was obtained during a recent community-based facility tour, program presentation, and team building session with YOS administration, Phase I, II, and III staff, and community agency representatives.



reintegration activities in Phases II and III will ultimately undermine the success of the program by not adequately preparing youth to start their lives anew.

### **Phase II (3 Months).**

Phase II serves two purposes, according to the 1994 Program Manual. It supports the assessment activities and redirection elements of Phase I, while providing the base for successful community integration sought in Phase III. Phase II should include completion of a pre-release program and the development of a community release plan. It should also include "...three months of job development, pre-vocational experiences and education in a reentry setting" (Program Manual, 1994: 28). The Program Manual further states while in Phase II, each offender should meet with his primary counselor "...to develop a schedule of activities including eight hours of work or vocational training, and/or physical activity, five days per week..." (1994:35). Program activities should include continuations of various core, supplementary and educational activities begun Phase I, in addition to community oriented program activities.

Interviews with some YOS staff and residents reflect concerns about the implementation of Phase II programming. Some perceive that YOS participants are required to stay in Phase I longer than necessary due to lack of staff and bed space in Phase II. In fact, bed space may be an issue, but the transition to Phase II is sometimes hampered by sentencing laws. Offenders with upcoming mandatory release dates *must* move toward completion of their YOS sentence, and thus are prioritized over those with eligibility dates in placements to Phase II.

Tasks such as getting social security cards and birth certificates are to be completed in the Phase II prerelease programming, but sometimes this does not occur. Interview data suggest that some YOS offenders are leaving the facility without a GED or high school diploma, a problem that would begin in Phase I (quantitative data are not available to further explore this problem). Communication

Communication between staff working in Phases I, II and III is very important, and recent efforts have been made to increase teamwork between the two phases.

between staff working in Phases I, II and III is very important, and recent efforts have been made to increase teamwork between the two phases.

We recommend that Phase II staff prioritize the development of a meaningful release plan for each offender and include Phase III staff in the development process. As described in the 1994 Program Plan, a plan should be developed during Phase II that identifies community services, including an emphasis on gang avoidance, family reintegration and drug recovery programming. The parole board is to review this plan at least 30 days prior to release to Phase III of the program. We suggest Phase II staff prioritize obtaining the personal documents required for successful transition into the community.

### **Phase III (6 – 12 Months).**

Phase III is based upon the premise that intensive community supervision after an offender has completed the basic program modules is necessary for successful reintegration into the community. Youth are placed in the community with their families, in halfway houses or other approved settings.<sup>41</sup> Length of time in Phase III has been statutorily reduced from a mandatory 12-month sentence specified in the original 1993 legislation to a 6-12 month period. Interviews with YOS staff indicated that 12 months is the minimum length of time necessary for successful reintegration.

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<sup>41</sup> Effective July 1, 2001, legislation was enacted which requires the Department of Corrections to notify the local law enforcement agency for the jurisdiction in which the offender is placed for Phase III. This notice is to include the offender's name, crime committed, disposition of case, and basis for the placement. Local law enforcement may appeal this placement unless it is in the jurisdiction where the juvenile was residing at the time the offense was committed (18-1.3-407(3.3)(d)(II)).

Monitoring these offenders in the community is intensive and includes a minimum of two contacts per week with parole as well as other collateral contacts, electronic monitoring, curfew compliance and surveillance. Offenders must call in daily and provide a urinalysis screen each week. Levels of supervision are also adjusted to consider the youthful offender's "stability, performance and level of adolescent development," and are designed to provide the most resources to offenders at greatest risk of failure<sup>42</sup> (Colorado Department of Corrections, 2002: 29).

Indeed, the Phase III program appears to be operating as planned. The staff in Phase III appears to be committed to finding opportunities (mentoring, job opportunities) for residents and to improving the overall program.<sup>43</sup> Officers work closely with YOS offenders in communities across the state. Supervision staff facilitates frequent contacts between parole officers and offenders. During interviews and site visits, officers discussed their roles as not only supervising youth offenders, but also modeling and reinforcing pro-social behaviors. Parole officers or community corrections supervisors assigned to Phase III have specialized caseloads of approximately 10 YOS offenders (Colorado Department of Corrections, 1996). According to interview data, this caseload has not been exceeded. In addition to parole officers, YOS surveillance officers should be in contact with the offenders to provide support to parole in monitoring and managing youth offenders.

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<sup>42</sup> CDOC Administrative Regulation 250-6 defines these structured supervision levels.

<sup>43</sup> Recently, a team of YOS staff from Phase II and III as well as three community service professionals attended training by the National Institute of Corrections entitled "Critical Elements of Reentry/Aftercare Services." From this, they presented to YOS and DOC administrators successful and essential aftercare components to begin upon intake. See Appendix E.

During Phase III the offender is expected to hold employment and/or be involved in training and education. Restitution and 100 hours of community service may be part of the Phase III requirement. Community based agencies under contract with the YOS are to provide the offenders with specialized activities to facilitate successful reintegration, and interviews suggest that this is occurring.

The determination of a youth to be returned home or emancipated is considered paramount to the development of the Phase III program (Colorado Department of Corrections, 1996). Both cost factors and level of supervision are directly affected by this decision. Those youth placed in the Family Preservation Program and returned to their homes are allowed to do so after assessments of the family and community take place to ensure the proper atmosphere for successful reintegration, and interviews indicate that this occurs. If the family environment is considered to be lacking in support or resources, the youth may be placed in an emancipation and independent living program. Group homes consist of 8 to 12 offenders and generally last 2 – 4 months. These homes offer 24-hour adult supervision intended to assist the youths in the transition process in the emancipation program.

One of the goals of Phase III is to immediately address noncompliant behavior and employ sanctions for this behavior. A range of remedial actions exists in Phase III to respond to the offender's noncompliant behavior without revoking the youth's sentence. These may include essays wherein an offender describes his or her behavior and offers solutions, community service, loss of privileges, house arrest or detention. The offender may even return to the IDO Phase of the YOS program for up to 30 days.

A range of remedial actions exists in Phase III to respond to the offender's noncompliant behavior without revoking the youth's sentence. These range from written essays to loss of privileges to detention. The offender may even return to the IDO Phase of the program for up to 30 days.

Obstacles to implementing Phase III reported by staff included the length of time residents are in Phase III. An average length of stay is not long enough to deliver services efficiently, and there is even less time if a resident is remediated. Some residents are leaving Phase II without a high school diploma or GED or have obtained limited skills while at YOS. Vocational education at YOS is not always applicable to the real world. For instance, we were told that the computer information certificate received at YOS provides little background for computer employment in the market place. Once in the community, offenders trained as barbers require expensive tools and a license that take time to acquire. This is a particular challenge as Phase III residents must secure employment immediately.

**Specific Program Elements.** The YOS legislation established guiding principles to be used by DOC to implement the YOS. These principles include teaching offenders self-discipline by providing consequences, creating a varied daily regimen, replacing gang principles with community values, developing socially accepted behaviors and attitudes, teaching problem-solving skills and promoting behavioral changes through positive peer culture. These principles have been translated into specific program elements that we discuss below.

**Remediation and Discipline.** By statute, discipline within YOS is to be tiered, swift and strict.<sup>44</sup> The original Program Manual stated that staffing teams are the responsible party for implementing sanctions, and those sanctions are required to be "...clear, fair, proportionate and logical in their application" (1994: 12).

Youth who are disruptive are managed in a separate unit. Disruptive youth are transferred to this unit for short periods of time up to thirty days. Repeated transfer to the remediation unit should be considered persuasive evidence of failure to progress and basis for a revocation recommendation. Throughout the sentence, DOC retains authority to recommend the offender be revoked to the original adult sentence and remanded to prison.

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<sup>44</sup> C.R.S. 18-1.3-407 (3)(b).

Interview data from staff and residents suggest that consequences, or sanctions, are not applied consistently. Some of these inconsistencies may be rooted in the differing philosophies of staff regarding the type of sanction a YOS youth should receive for various violations or infractions. To the extent that YOS engages in individualized programming, the variety of responses to misbehavior may be quite appropriate but could appear very inconsistent across staff and across residents when there is a lack of understanding about how treatment is delivered.

To clarify the issues involved in this aspect of YOS programming, we recommend that YOS administrators work with staff to develop a “sanctions grid” similar in theory to that used by sex offender therapists and parole officers designed for managing polygraph examinations. A sanctions grid for YOS offenders would identify a broad range of behaviors that require specified remediation. We recognize that an important limitation to such a grid is that it may lock staff into responses that may not be most effective at the individual resident level. One sort of behavior by one offender may reflect he or she is seriously acting out in a manner that requires immediate therapeutic attention, whereas a similar behavior by another offender may reflect poor judgment that requires education, but this approach may provide guidelines that lead to more consistency in the application of sanctions.

We recommend that YOS administrators meet with staff to discuss this concern about the inconsistent application of sanctions. Clarification of staff roles in response to disciplinary violations and misbehavior, along with providing training in ways staff can productively set limits in the face of poor behavior patterns—including information regarding the expectations of and responses to adolescents—will empower staff while educating and redirecting YOS residents. Phase III staff have a range of sanctions they employ to address misbehavior and perhaps some of these responses can be used in the facility.

## **Mentoring**

One of the guiding principles of YOS is to “provide staff models and mentors who promote the development of socially accepted behavior and attitudes.” (Program Manual, 1994: 2) It has been determined that mentoring for juvenile offenders is more effective than tough positions such as boot camps and incarceration.<sup>45</sup> In interviews with several YOS staff and administrators, the desire and benefit of implementing a mentoring program was mentioned. Many staff reported that, if they could change anything about the YOS, they would establish a mentoring program. Currently there is no mentoring program in place, but a proposal for such a program at YOS has been recently submitted to YOS administrators (see Appendix D). Staff is currently working to implement such a program. This program has been established based on two national programs and assistance from the Colorado Assessment and Treatment Center.

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## **Services**

*The YOS program, as originally designed and reviewed in a 1994 study, “...reflected the state of the art and current research findings... to provide a sound basis for the development of an effective violence prevention program”* (Elliott and Katsampes, 1997: 11). In addition to a core set of programs developed to provide these preventative and rehabilitative services, the programming should include “specialized/individualized options for those with special needs” (Program Manual, 1994:12).

### **Guided Group Interaction (GGI)**

Despite mixed evidence regarding positive peer culture programs,<sup>46</sup> GGI groups are included in the YOS set of core programs “...to help offenders learn new skills by experiencing support for pro-social behavior and confrontation of anti-social behavior by peers and staff alike” (Program

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<sup>45</sup> Mentoring was added in 1992 to the Juvenile Justice and Delinquency Prevention Act after identifying it as a powerful tool against poor school activity and delinquent behavior (OJJDP, 2000).

<sup>46</sup> See Recommendations Section for a description of research related to positive peer culture.

Manual, 1994: 49). This type of peer group intervention is intended to emphasize group controls on antisocial behavior resulting in an increase in conformity to prosocial norms. The model of GGI has been adapted from the Glen Mills School of Concord, Pennsylvania (“Glen Mills”). Glen Mills was considered the model for which YOS was designed, and the positive peer culture aspects of the program were studied and replicated by YOS creators and staff.<sup>47</sup> GGI groups are held three times per week during Phases I and II, and consist of one to three hours per session. In the last year, Guided Group Interactions (GGI) increased from 3 to 4 nights per week with one unit of Quick Skills each week to provide 5 nights of mandatory programming within the units.

### **Cognitive Redirection**

The YOS cognitive redirection program was modeled after the EQUIP Program, which is a guide to positive peer culture techniques.<sup>48</sup> The creator of EQUIP presented staff with a training curriculum in order to further the development of cognitive training and the enhancement of positive peer culture (West, Gomez and Miller, 2001: 19). At the time of the program development, it was mandatory that each staff person read the EQUIP Program book “within the first three months of employment at YOS” (YOS Cognitive Intervention Manual). This program was intended to integrate and refine positive peer culture techniques. In 2001 this program was replaced with Quick Skills. Quick Skills replaced the EQUIP program because YOS was unable to contract with the EQUIP creator for ongoing training. The decision to use Quick Skills was made to maintain consistency of the program; Phase III had been using Quick Skills for

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<sup>47</sup> Information obtained from 3 program creators and 5 staff.

<sup>48</sup> The EQUIP program (Gibbs, Potter, Goldstein, 1995) is a combination of peer group and skills training designed to assist youths in helping other peers in the group. YOS initially adopted this program with the intention of making it a major facet of cognitive intervention. EQUIP employs Vorrath and Brendtro’s (1985) Positive Peer Culture. Major tenets of the program include keeping promises, telling the truth, helping others, and accountability for the consequences of one’s actions (Gibbs et al, 1996). Members of the program are required to attend meetings that occur in phases and include an introduction to the program, problem reporting, awarding the meeting (to another group member), problem solving, and a summary of the meeting. An evaluation of EQUIP was completed in a juvenile correctional facility with a sample of 57 male juvenile offenders (Leeman, Gibbs, Fuller, 1993). Conduct was measured by self-report and facility records. One year after release, recidivism for offenders who participated in EQUIP was 15% while recidivism for a control group was 40% (Leeman et al, 1993).



some time. Quick Skills are intended to provide residents with the cognitive tools necessary to change their behaviors, thinking patterns and beliefs. Thus, residents should be able to identify and change negative thinking patterns.<sup>49</sup> It was developed and presented to YOS by Dr. Jim Tanner. This program is taught to all staff and residents, beginning in IDO and continuing to Phase III. It is expected that staff and residents employ the quick skills daily. “Training for Trainers” was developed for GGI and Quick Skills to provide an on-going resource for all staff at YOS.

Although the residents we interviewed discussed the information learned in cognitive courses, it was not clear from our observations whether they were using it in day-to-day activities or to solve conflicts. In addition, as with the positive peer culture element, staff varied in their application of the Quick Skills program, and some staff appeared to have little knowledge of Quick Skills. It should be noted that the implementation of Quick Skills at the YOS facility is fairly new and it may be that staff has not had enough time to fully understand the components of the program. Because of this and interviews with some staff who had little familiarity with the program, YOS staff would benefit from additional training on incorporating this program in daily facility operations.

### **Relapse Prevention Groups**

Relapse prevention groups were conducted when the YOS program began operation. These groups provided YOS offenders with a series of coping skills to maintain a constructive lifestyle during the transition to the community. According to the program manual, during the first six to nine months of Phase I, these groups are to be held three times per week (1994; 49). For the final three months of Phase I, the groups should meet five times per week. Once in Phase II, youth must attend these meetings

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<sup>49</sup> [www.kbsolutions.com/html/foundation/html](http://www.kbsolutions.com/html/foundation/html). Quick Skills encompasses twelve components focused on skill building. They include problem solving, identifying ‘thinking traps’, aggression replacement, anger control, parenting skills, financial management, employment skills, dealing with difficult situations, self-assertion, dealing with feelings, basic learning skills, and basic social skills.

three times a week for two hours (Id. at 49). These groups were intended to provide offenders with coping skills to be used in high risk situations, including gang pressures, drug cravings, and interpersonal conflicts. Currently, there is no relapse prevention plan in operation at YOS.

### **Education**

The educational component at YOS is intended to “...develop compassionate, responsible, independent and productive citizens through a quality education” (West, Gomez and Miller, 2001: 20). Educational services should include “open entry and exit, competency-based integrated academic and pre-vocational skills” (Program Manual, 1994: 58). Education should be delivered in a classroom setting with classroom ratios not to exceed 10 students to one instructor. Computer assisted instruction should part of the delivery of educational services.

Basic skills education emphasizes basic reading, writing and math skills, and is to be provided to those individuals with learning disabilities who fall in the 0-8 grade placement range. Once appropriate skill levels are reached within the Test of Adult Basic Education (TABE) measurement instrument, the student is placed in the secondary school program or recommended for the General Education Development Program if they have reached age 16. This program “...includes language arts, social studies, science, mathematics, fine arts, health and safety, and physical education curriculum” (Program Manual, 1994: 58).

An Individualized Education Training Plan (IETP) that maps a route to achieving personal educational goals is to be developed for each offender. The IETP should include both academic and vocational programming.

Interviews from both staff and residents confirm that the educational component remains strong at YOS.

## **Vocational Training**

Vocational training is provided to offenders to equip them with meaningful employment skills. According to the Program Manual, vocational training should be “conducted in program areas that are compatible with student needs and job placement capabilities” (Program Manual, 1994: 59). Current vocational programs at YOS include automotive and small engine repair, barbering, basic computer skills, computer information systems, electronics, and multimedia production technology. Interviews with YOS staff suggest that some of these programs do not translate well to actual employment in the community. The Department of Corrections is currently working to involve vocational programs with practical applications to the community.

## **Family involvement**

When the program was first implemented in Denver, staff interviewed parents and family members in order to get an adequate picture of each resident’s individual needs and background. Currently, there is no evidence of a strong family component at YOS. Limited and “second hand” family histories and assessments are obtained from youth and not directly from family members. Family history is critical to design individual treatment plans, and there is a need to “outreach” to parents, rather than simply respond to them. For those parents who continue to attempt to maintain contact with their children in YOS, transportation can be an issue. In addition, offenders often have difficulty contacting their families because of the high cost of telephone calls from the facility.

Offenders often have difficulty contacting their families because of the high cost of telephone calls from the facility.

According to parents who participated in a focus group, there is concern regarding communication with staff that deals with the status, particularly remediation, of their children. Parents explained that they are not notified

if their child is sent to remediation, which is especially problematic if there is a visit to YOS planned, and time is wasted driving to the facility only to find that they cannot see their child.

### **Program Evaluation and Monitoring**

Evaluation and monitoring are critical to determine whether programs are efficient and effective. The original legislation called for a system of monitoring and evaluation YOS. DOC acknowledged the importance of these activities early on by addressing the need to compile data on a regular basis. In describing the importance of the individual program plan for each offender, DOC stated, "This program plan will not only determine an offender's pathway through YOS, but this data will be compiled quarterly to allow Correctional Programs to develop a new curricula and program activities in response to the YOS population needs" (Program Manual, 1994: 22). The importance of evaluation in monitoring and assessing YOS is described in C.R.S. 18-1.3-407. This statute formerly required CDOC to provide yearly reports to the legislature addressing rates of recidivism for YOS offenders, account for annual dollars spent for offenders, and evaluate the operations of the system. This requirement was recently removed from the statute. This statute still requires that DCJ evaluate the YOS every two years.

#### **QUESTION 4: IS THE CORRECT POPULATION BEING SENTENCED TO YOS?**

*Data: DOC annual reports, data obtained from DOC describing selected demographics for residents entering the program.*

It appears that the correct population is, indeed, being sentenced to YOS. Below we describe how we came to this conclusion.

To answer this question, data were obtained from ICON, the Judicial Branch's data system, via the Colorado Integrated Criminal Justice Information System (CICJIS). All juvenile cases filed in court in calendar year 2000 were extracted for analysis. This totaled 11,957 cases. Of these, 3,257 were not adjudicated, and the remaining 8,700 cases were examined for case dispositions. Case dispositions were determined based on the most severe sentence. For instance, if a youth received probation plus a fine, the case was placed in the probation sentence category.

For calendar year 2000, we found 51 youth sentenced to YOS. This is a smaller number than those actually admitted to the YOS in FY 2000,<sup>50</sup> in large part because admissions lag considerably behind the sentence date. We then compared the most serious crime for each case with the placement disposition. Findings from this analysis are presented in Table 12.

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<sup>50</sup> Department of Corrections' reports focus on prison *admissions* in a fiscal year. Our analysis focused on sentences during the calendar year.

**Table 12. Differences in juvenile index crimes and sentence disposition for youth adjudicated in the year 2000**

	Murder		Kidnap		Sex Crimes		Robbery		Assault		Burglary		Other		MV Theft Felony		Misd/PO		Total %	Total N
	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%	N		
DOC/CC*	9.8	5	2.0	1	11.8	6	15.7	8	11.8	6	13.7	7	15.7	8	13.7	7	5.9	3	100	51
YOS	2.0	1	2.0	1	0	0	27.5	14	43.1	22	13.7	7	11.8	6	0	0	0	0	100	51
DYC Commit	.2	1	.3	1	3.1	19	1.1	7	7.5	46	14.4	88	22.7	139	7.2	44	43.5	266	100	612
DYC Detention	.2	2	0	0	1.2	11	1.7	16	6.3	59	13.6	128	17.5	165	3.4	32	56.3	531	100	944
Work Release/ Jail	0	0	.3	2	2.6	10	1.3	5	3.7	14	13.4	51	21.5	82	4.7	18	52.5	200	100	381
Probation	.0	1	.1	3	2.1	107	.9	46	4.2	208	10.9	546	15.3	762	3.2	158	63.3	3160	100	4991
Deferred	0	0	0	0	11.7	20	0	0	2.9	5	4.1	7	6.4	11	1.2	2	73.7	126	100	171
Pay/ CMSV/ Tx Suspend	.1	1	.1	2	2.6	37	1.0	14	3.1	44	9.1	130	18.8	268	1.8	26	6.3	902	100	1424

\*Only 3 cases in this sample were sentenced to community corrections.

Source: Judicial filing data for the year 2000 was obtained from ICON and extracted via CICJIS.

The data in Table 12 show that youth sentenced to YOS in calendar year 2000 had the largest proportion (98 percent) of persons with convictions that are most likely to be defined as crimes of violence<sup>51 52</sup> (murder, kidnap, robbery, assault and burglary). This proportion is nearly twice as large compared to offenders sentenced DOC or CC,<sup>53</sup> the sentencing groups with the next largest proportion of convictions in these crime categories (53 percent). Less than one in four offenders (23.5 percent) sentenced to DYC commitment were convicted of these types of crimes. And only 14.3 percent of offenders who received probation (including ISP and electronic monitoring) sentences received convictions for these crimes. Since the YOS statute states that youth so sentenced should have exhausted other placement options, violent offenders sentenced to probation are likely to be first-time offenders.

When reviewing the proportion of cases per sentencing option by crime type, the data presented reflects the similarity between DOC and YOS in the proportion of offenders with serious crime types. Conversely, the data illustrate the crime type differences among YOS, DOC and the proportion of offenders sentenced elsewhere. This suggests that YOS offenders are those who, without this sentencing option, would have likely received a direct sentence to adult prison. This is particularly true for older juveniles sentenced for robbery and assault (see discussion that follows).

Table 13 shows the average age of juvenile offenders sentenced to various placements across the state in calendar year 2000. Juveniles sentenced to work release, DOC and YOS are the oldest groups. Given the extent to which these placements penetrate the system, these youth probably have longer criminal histories than offenders in the other groups. YOS offenders, with an average age of 16.35, are slightly older than youth with other dispositions.

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<sup>51</sup> Per C.R.S. 18-1.3-407.

<sup>52</sup> Violent crimes could not be separated, as there were wide and idiosyncratic variations in the way the crime was recorded. For example, sometimes the degree of the crime was reported and sometimes not. The numbers in the Tables 12 and 13 vary due to missing data.

<sup>53</sup> Only three individuals in the entire sample received dispositions to community corrections.

**Table 13. Average Age by Placement**

<b>Placement</b>	<b>N</b>	<b>Mean</b>
DOC/CC	51	16.24
YOS	51	16.35
DYC	612	15.59
Detention/ Detention & Probation	946	15.20
Work Release and Jail	380	16.21
Probation/ ISP/ Electronic Home Monitoring	4987	15.03
Deferred	178	14.93
Pay Fine, Community Service, Treatment, Suspended Sentence	1483	15.11
<b>Total</b>	<b>8688</b>	<b>15.17</b>

**How does criminal history and need for services factor into the sentencing decision?** We attempted to analyze the relationship of CYO-LSI scores and disposition to compare the risk/need levels of juveniles across sentencing dispositions since that would provide a better understanding of the role risk/need may play in the sentencing decision. Unfortunately, CYO-LSI was not electronically available for nearly half (49.3 percent) of the sample. A search for adult LSI scores on this group of juveniles (those filed on in 2002) resulted in finding LSI scores for another eight percent of this group. The amount of CYO-LSI/LSI missing data precluded further analysis of the groups of juvenile offenders who were sentenced in Colorado in calendar year 2000. We will attempt this analysis again in future YOS evaluation reports.

In sum, among of juveniles filed on in 2000, murder and kidnapping cases are relatively rare, but this is not so for robbery and assault. More than one in four (27.5 percent) YOS offenders were sentenced in 2000 were sentenced for the crime of robbery, and nearly half (43.1 percent) of YOS sentences were assault cases. Another 13.7 percent were sentenced for committing burglary. This information, combined with the fact that YOS offenders are slightly older than offenders in other, less severe placements, suggests that these offenders may have accumulated a more serious criminal history. Criminal history is likely the determining factor in the decision to transfer the case to criminal court and use the YOS sentencing option.



## **QUESTION 5: WHAT CURRENT ISSUES IMPACT THE OPERATION OF YOS?**

*Data: DOC annual reports, data obtained from interviews with staff and residents, family focus group data, site visits to YOS and Phase III.*

We addressed many programming issues in response to Question 3. However, we believe that four wide-ranging concerns were found to seriously interfere with the ability of the YOS program to meet the expectations of the early program architects and the legislative mandate. These are (1) the lack of specialized programming for females in YOS, (2) the continual presence of adults in the facility and on the YOS grounds, (3) the lack of integration of mental health services with the larger YOS endeavor, and (4) a lack of cohesion experienced by many YOS staff, many of whom are deeply committed to the program. We address these concerns in detail below.

### **1. Lack of gender-specific programming for female offenders**

The enabling YOS legislation<sup>54</sup> directs that measures be taken to “...*establish separate housing for female and male offenders who are sentenced to the youthful offender system without compromising the equitable treatment of either.*” During the time of this research evaluation, only six of the 212 YOS residents were female. We found no evidence of gender-specific services targeting female youthful offenders. In fact, “equitable” treatment has been implemented as “equal” treatment, meaning that the females receive the same treatment as the males. Research suggests that by the time girls have reached the point of incarceration in the legal system they have experienced a long history of criminal behavior, mental health problems, sexual and physical victimization, and family dysfunction (American Bar Association, 2001).

In a 1997 evaluation of YOS, Elliott and Katsampes found that “...developing a program for females comparable to the program for males will be very difficult

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<sup>54</sup> C.R.S.16-11-311 (1)(b)

and expensive.” Solutions to this problem included operating the program for females separate from the males, sending females to out of state facilities, and accepting females from out of state to increase the total number of females at the facility (Elliott & Katsampes, 1997). The third alternative was considered most viable, since increasing the number of females would “allow the organization to create programming for full teams of female residents,” thus normalizing the correctional setting (Elliott and Katsampes, 1997: 30). While the female population constitutes less than three percent of YOS, appropriate programming is important to their successful reintegration into the community.

**Victimization and other problems with a mixed gender facility.** During interviews, ORS learned of four correctional officers sexually assaulting a female resident.<sup>55</sup> The YOS response to the sexual assaults by staff was appropriate: staff were fired and referred to the district attorney for prosecution. Three were prosecuted. Additional problems with the coed facility include a former resident becoming pregnant while at YOS and, for her safety, she was separated for a prolonged period from the other residents. Finally, a female resident is pending revocation due to numerous incidents of sexual misconduct.<sup>56</sup>

Professionals who operate coed facilities, especially adolescent facilities, agree that sex between residents is a common problem. So it is not surprising that 15 of the residents and 11 staff interviewed discussed the perception that sex occurs between residents. Administrators at DOC and YOS have made the following significant changes in both policy and practice to increase security and prevent future sexual assaults against residents:<sup>57</sup>

- All doors entering the female living unit as well as the male living unit (building 109) were changed to automatically lock upon closure. Additionally, the staff restrooms between the staff offices were keyed to

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<sup>55</sup> This occurred before the new security procedures were implemented.

<sup>56</sup> This occurred before the new security procedures were implemented.

<sup>57</sup> Memorandum dated October 16, 2002 to DCJ Research Director from YOS Assistant Director detailing recent CDOC/YOS facility changes.

lock upon closure, and the sliding glass divider was permanently closed to guard against unauthorized movement from pod to pod by residents.

- The door to the upper level of building 109 was locked with access restricted to the LAN Coordinator and Key/Locksmith.
- Janitorial closed doors in building 111 (school) were outfitted with glass windows so that staff can see if anyone is in the closet.
- All staff assigned to Phase I and Security received training - "Working with Female Offenders."
- All misconduct was referred to the District Attorney's office for criminal charges.
- Video cameras and monitors have been installed in the female living unit to monitor staff/resident movement in open areas of the unit. These cameras are monitored through Master Control with the capability of video recording.
- Bathroom doors throughout the campus were locked to prevent any unauthorized entry without staff knowledge. Conference room doors were also locked when not in use.
- A security post was added to the high school, and bathrooms were locked throughout campus.
- A security system camera was installed in IDO building.
- Female staff is required to supervise female population throughout IDO, Phase I and Phase II.
- Living Unit door alarms were disengaged to allow for unannounced supervision/inspections.
- Two Youth Counselor I positions were filled by females and assigned to building 109. Additionally a full-time Correctional Officer III was assigned to building 109.

These steps taken by YOS administrators reflect an appropriate response to a serious problem. However, the distractions caused by the presence of opposite-gender youth are probably undermining the treatment efforts for at least two reasons. First, YOS participants can be distracted from “working their program,” a natural consequence of their age and adolescent development. Second, the important efforts implemented to increase security at YOS require that, of course, ongoing resources be directed toward security. This focus, while currently extremely appropriate, likely occurs at the expense of focusing equitable resources on programmatic activities. This redirection is necessary but, in an environment of finite and shrinking resources, the entire YOS program may suffer from the necessary attention to security in this coed environment.

Because of the two issues discussed here—the lack of gender-specific programming and the resources necessarily devoted to security in this coed facility—we recommend that the Department of Corrections explore options to ensure that the females get the programming the legislation requires. DOC administrators should attempt to obtain contract funds from the general assembly to place the females in facilities out of state or to develop adequate gender-specific programs on the YOS campus.

## **2. The presence of adult inmates**

Over the course of the program a total of 480 beds were approved for the YOS facility.<sup>58</sup> Revised estimates of the YOS population placed the bed need at 233. The legislature is clear in C.R.S.18-1.3-407(c), that youthful offenders at YOS were to be housed separately from and not brought into daily contact with adult offenders. The American Correctional Association standards also state that youthful offenders should have no more than incidental sight or sound contact with adult offenders from outside the living unit, program, dining or other common areas. However, the YOS campus includes adults.

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<sup>58</sup> During the FY94 session, the Legislature funded a 300-bed facility to be located on the grounds of the Colorado Mental Health Institute in Pueblo. The DOC requested and received approval from the legislature to renovate existing vacant buildings on the campus rather than build a new campus. During FY97, an additional 180 beds were approved for the YOS facility.

In FY00 and FY01, 60 adult females were housed at YOS pending the completion of the new Denver Women's Correctional Facility in Denver. In the FY00 Legislative Session, the legislature added Footnote (15) to House Bill 00-1451. The footnote read:

The Department is requested to prepare a plan outlining how the excess bed capacity at the Youthful Offender System campus in Pueblo is to be utilized. The plan should be submitted to the Joint Budget Committee by November 1, 2000.

The DOC studied a variety of options. Its preferred option, documented in its response to the JBC, was to use one of the YOS campus buildings as a transportation hub for medical services. However, this would use only 30 of the 180 open beds. A second option, ultimately approved by the JBC, was to decommission the DOC's prerelease facility in Canon City and transfer those minimum/ minimum-restricted inmates to the YOS campus, and engage the adults in food, laundry and maintenance services for the YOS.

The JBC questioned the DOC on the prerelease option, addressing sight and sound separation, the movement of Phase II into the facility, and if the mission of YOS might be jeopardized by placing adult male inmates at the campus. DOC confirmed that incidental contact between YOS residents and adult offenders would be impossible to prevent, but officials believed the statutory requirements of YOS "can continue to be met with an increase in the adult population on the YOS campus."<sup>59</sup>

DOC has filled empty beds on the YOS campus with adult offenders, with approval from the Joint Budget Committee. Although measures have been taken to separate adults from youth, opportunities for contact exist. The adults and YOS offenders share library space, although the groups do not occupy the library at the same time. Adult offenders serve meals to the youth, and the adults are carefully supervised during meals and separation is enhanced with a large

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<sup>59</sup> Department of Corrections report to the JBC on the utilization of YOS beds, in response to FY01 Long Bill Footnote 15.

plexiglass shield between the servers and the youth. Adults doing grounds keeping could potentially come into contact with youth, and there is a steel mesh fence separating the adult housing from the YOS housing.

Interviews with staff and residents suggest that there is a perception that YOS offenders have limited access to recreational activities due to shared space with adult inmates in the kitchen, gym, and yard. There is a perception on the part of residents that certain work opportunities (kitchen duties and care taking of the grounds) would be available to youth if the adults were housed elsewhere. While intense programming schedules would likely interfere with such envied assignments, the presence of adults appears to be an important distraction from core YOS activities. For example, during interviews, two residents said they recognized some of the inmates from the outside: *“I know a lot of them from the outside so it’s cool to see them” (resident interview).*

Forty percent of staff interviewed felt that the presence of adult inmates precluded their ability to meet the goals of the program and so posed a safety risk to residents. Given the YOS offenders’ regular “contact” or exposure to adults during meals every day, we believe that YOS is out of compliance with the mandate to allow no more than “incidental” contact with adults.

The YOS administration has addressed issues concerning the placement of adults on the YOS campus. The following is a list of activities and policies implemented to accommodate a suitable living environment for YOS residents sharing the grounds and part of the facility with adult CDOC inmates:<sup>60</sup>

- An acceptable perimeter fence was erected to provide a visual and physical barrier between the adult male inmates and the residents.
- The resident population will only utilize the sidewalk north of the library to enter and exit food services.

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<sup>60</sup> Memorandum dated October 10, 2002 to DCJ, Research Director from YOS Assistant Director detailing recent CDOC/YOS facility changes.

- Orange traffic zones were utilized to separate the sidewalk and sections of the yard for both resident and adult use.
- Neither adult nor resident population will occupy the baseball field/common areas at the same time.
- OM 300-110RD, provides written guidelines and procedures to regulate resident/inmate movements [3-4181], and provide that youthful offenders have no more than incidental sight or sound contact with adult inmates from outside the unit in living, program, dining, or other common areas of the facility. Any other sight or sound contact is minimized, brief, and in conformance with applicable legal requirements [3-4293-5].”

Despite these efforts, the placement of adults at the YOS facility remains controversial. DOC administrators have recently decided to develop a plan to remove the adults from the facility, which we believe represents a significant commitment of key stakeholders to the integrity of the YOS offenders.

At this writing, the adults are being moved from the YOS campus and are being integrated into existing facilities elsewhere in the state. Fifty-seven adult offenders remained at the facility at the end of October 2002.

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### **3. Lack of mental health services**

DCJ researchers reviewed the files of *all* YOS offenders who had serious mental health needs to examine one aspect of service provision--the extent to which individual mental health contacts were provided. All offenders with a YOS rating of P-3 or P-4 on July 3, 2002 were examined. A rating of P-3 indicates the offender has moderate mental health needs that require a mandatory referral. These include offenders with a DSM IV diagnosis, including conditions that indicate current impairment and require mental health attention. Some inmates

rated as P-3 may have a major mental illness. According to DOC, these individuals “require ongoing mental health monitoring or treatment, but they are not recommended for specialized placements or hospitalization.”<sup>61</sup> Inmates rated P-4 were assessed with serious mental illness or organic mental disorders with either severe symptoms or high resource demands (determined by DOC’s Resource Consumption Scale [RCS]). Resources are defined by how often and how recently crisis, self-injury, restraint and other incidents occurred.

All files for youth with a mental health rating of P-3 or P-4 were reviewed to determine the number of individual mental health contacts documented between March 1<sup>st</sup> and May 31<sup>st</sup> of 2002 (13 weeks). Forty files were examined including 37 youth with a rating of P-3 and 3 youth with P-4 ratings. No offenders in this analysis experienced rating changes during this time period. The time spent on each contact was also noted.

Overall, we found that youth with serious mental health needs receive few individual mental health contacts. We found that 31 residents had no individual contact in the first two weeks we examined (March 1<sup>st</sup> to March 10<sup>th</sup>) and half (20) had no individual contact in the first three weeks (March 1<sup>st</sup> to March 17<sup>th</sup>) of this file review.

Nearly half (42.5 percent) had four or fewer individual mental health contacts during the 13-week period. This amounts to, on average, less than one contact every three weeks.<sup>62</sup>

The amount of mental health contact time documented for the 13-week period ranged from 45 minutes to 975 minutes per offender. For 25 percent of the offenders in this analysis, this would average 9 minutes or less of contact time

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<sup>61</sup> Department of Corrections Mental Health Clinical Standards and Procedures Manual, October 2001.

<sup>62</sup> Thirteen weeks divided by 4 contacts = 1 contact every 3.25 weeks.



per week; and for more than half (55 percent) this would average 15 minutes a week or less.<sup>63</sup>

Many YOS residents have conduct disorders and are dealing with frustration, anger, and anxiety.<sup>64</sup> According to a community mental health provider for YOS Phase III residents, “antisocial kids are not connected with anyone so they may need individual therapy to prepare for the group (or they will usually be disruptive to the group).” Although this was in reference to Phase III residents, this should also be taken into consideration when residents are participating in Guided Group Interaction at the facility.

The YOS administration has made significant changes to mental health services during the last fiscal year and these include:<sup>65</sup>

- Implementation of the Sex Offender Treatment Program.
- Changes in the assessment process to streamline paperwork.
- CYO-LSI training for Youth Counselors I, II, Correctional officer III (case managers) so these staff can begin administering this instrument prior to entry into Phase I. Reassessments will occur prior to entry into Phase II.<sup>66</sup>

Mental health specialists should provide counseling services on a regular basis. Individuals may not benefit from other areas of programming if chronic or acute mental health problems are not addressed. This is a serious impediment to the core mission of YOS.

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<sup>63</sup> These numbers simply provide an idea of the time spent, so none of the offenders in the analysis were seen in every one of the 13 weeks of the study period.

<sup>64</sup> Interview with mental health practitioner, June 8, 2002

<sup>65</sup> Memorandum dated October 10, 2002 to DCJ Research Director from YOS Assistant Director detailing recent CDOC/YOS facility changes.

<sup>66</sup> ORS did not have the opportunity to observe these changes as the program was newly started during our data collection.

#### 4. Staff Cohesion

Interview data consistently reflected the perception of interruptions in communication regarding the implementation of many YOS program components. Most commonly, interviewees described a lack of common goals and regular communication among line staff, youth counselors, teachers, and program administrators. Communication across the program phases is challenging, in part, because some of the program components are housed at different locations (for example, Phase III operates in the field). Nevertheless, lack of regularly scheduled communication typically leads to breakdowns in the strategies developed to successfully implement complicated programs.

A lack of teamwork and staff cohesion was reported during interviews that were undertaken over the ten months researchers spent on-site at the YOS facility. However, significant efforts have been underway in the past two months to increase communication and staff interaction. These efforts include full day planning meetings, the institution of regular staff meetings, and the identification of a position that will be tasked with bridging the gaps in communication across program areas and across phases.<sup>67</sup> Building communication and teamwork was a major goal of the NIC/OJJDP “Elements of Effective Aftercare” training and presentation at YOS recently (see Appendix E). Communication has, and continues, to increase among the facility, Phase III, and community agencies.

The creation of this new position to bridge communication gaps will become effective January 1, 2003. This position will act as a liaison between administration and program staff, and among security and staff from the range of program component areas. The purpose of this position is to “maintain programmatic integrity, training, efficiency, and effectiveness.”<sup>68</sup>

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<sup>67</sup> Memorandum dated October 10, 2002 to DCJ Research Director from YOS Assistant Director detailing recent CDOC/YOS facility changes.

<sup>68</sup> Memorandum to DCJ Research Director from YOS Assistant Director detailing recent CDOC/YOS facility changes.

We consider these recent efforts by current administrators to build the YOS team by increasing communication and focusing on program integrity to be a critical step forward. YOS administrators have agreed to work with DCJ researchers to design meaningful measures of program delivery and program success and to develop a data system that tracks services needed and delivered to offenders throughout. YOS administrators have also begun to develop an in-service training plan for all staff, and will request grant funding to provide the necessary training resources.



## CHAPTER FOUR: RECOMMENDATIONS

YOS represents an important sentencing option that allows serious violent offenders who work hard in the program to reintegrate into the community and lead productive lives. Without this sentencing placement, these offenders would otherwise most likely serve lengthy adult sentences in prison. The YOS population was intended to be a very high-risk group of offenders, and our analyses reflect that this is indeed the case. At least one-third of these offenders have succeeded in living a crime-free lifestyle after serving their YOS sentence. In offering this “second last chance” to very serious but still youthful offenders, the state must ensure that program participants are given the tools to transition from a criminal lifestyle to a prosocial one.

Research has identified correctional components that are linked to the long-term success of offenders. These include restitution, mentoring, academic development, job training, substance abuse, counseling, health education, behavioral contracting, cognitive restructuring, interpersonal skill building, family counseling, individual counseling, group counseling, and case management (Lipsey, 2002). This report has identified program weaknesses that must be addressed if YOS is to fulfill the original legislative mandate. Many program gaps can be corrected with increased communication, creative problem solving methods that involve the staff who must implement the solution, a clearly defined set of program and security expectations, and a quarterly training regiment for all staff. To that end, we make the following recommendations based on the findings presented in this research report.

- 1. DOC administrators should either place the six YOS females in out-of-state all-female juvenile or adult facilities operating specialized intensive treatment programs or develop and implement adequate gender-specific programs.** Moving the females out of state requires DOC to seek and obtain contract funds from the General Assembly. Specialized programs with

experienced staff exist in other states and relocating the YOS females to these facilities would ensure immediately equitable treatment of these youth as mandated in statute. However, this would separate the females from their families and make it difficult to reintegrate during the relatively short period in Phase III. Developing intense gender-specific programming and the requisite security measures for fewer than 30 offenders is inefficient. Another alternative, therefore, is to recruit serious female offenders from other states and develop gender-specific programming for the Pueblo facility.

According to the Valentine Foundation (1990), gender-specific programming for girls includes the following components: space that is physically and emotionally safe, and removed from the demands for attention of adolescent males; time for girls to talk, for girls to conduct emotionally safe, comforting, challenging, nurturing conversations within ongoing relationships; opportunities for girls to develop relationships of trust and independence with other women already present in their lives; programs that tap girls' cultural strengths rather than focusing primarily on the individual girl; mentors who share experiences that resonate with the realities of girls' lives and who exemplify survival and growth; education about women's health, including female development, pregnancy, contraception, diseases and prevention, along with opportunities for girls to define healthy sexuality on their own terms (rather than as victims); opportunities to create positive changes to benefit girls on an individual level, within their relationships, and within the community; giving girls a voice in program design, implementation, and evaluation; adequate financing to ensure that comprehensive programming will be sustained long enough for girls to integrate the benefits; and involvement with schools so that curriculum reflects and values the experience and contributions of women.

YOS administrators and staff understand that adolescent females enter correctional settings with a variety of issues that differ from male adolescent offenders (Kroupa, 1988; Fejes-Mendoza, Miller, Eppler, 1995; Archwamety,

Katsiyannis, 1998). These might include economic and or social dependency, addictive behavior that differs both in reasons and rates of using, and anxiety and depression (Miller, Darcy, Trapani, Fejes-Mendoza, Eggleston, Dwiggin, 1995). In particular, female offenders with a history of physical and or sexual abuse should be identified and receive special education or counseling (Miller et al., 1995). Females are six times more likely than males to develop PTSD in response to traumatic events (Giaconia et al., 1995). High rates of female delinquency may be the result of females' greater vulnerability to past traumatic events, specifically violent events (Cauffman et al., 1998).

Gender-specific programming is an attempt to guide all adolescent females, not just offenders, towards positive development (OJJDP, 1998). This programming includes life skills and empowerment training as well as addressing risks that face young woman such as sexism, family dysfunction, low self-esteem, academic failure, substance abuse, and victimization.

Research has found that cognitive distortions resulting from the trauma of sexual abuse usually occur in the areas of safety, trust, power, esteem, and intimacy (McCann, Sakheim, Abrahamson, 1988). One broad dimension of symptoms includes self-restraint, impulse control, suppression of aggression, consideration of others—in terms of immediate desires that conflict with long-term interests (Cauffman, Feldman, Waterman, Steiner, 1998; OJJDP, 1998).

- 2. YOS administrators and staff must work together to improve YOS programming while maintaining a safe and secure facility.** Teenagers are volatile and most YOS residents have a history of violence and manipulation. A focus on security is essential for the safety of staff and youth; however, this focus cannot override each youth's need for intense programming, structure and direction. *We applaud the administration's new plan to implement a quality assurance, or program integrity component, to the YOS, and the corresponding*

*reallocation of current staff resources to make this new initiative happen relatively quickly.*

3. **Efforts to successfully reintegrate offenders into the community must begin in IDO and remain the focus of all programming throughout each offender's YOS sentence.** The successful reintegration of YOS offenders must be a constant focus of the staff. In recent months, YOS staff from across the program phases has met to clarify how each phase can better integrate with the other phases. We recommend staff and YOS administrators continue to meet at least monthly to discuss case management and program implementation obstacles and solutions.
  
4. Many of the report findings indicate a need for increased communication among YOS staff and improved programming that better reflects the original intent of the YOS legislation. Therefore, we recommend that **YOS institute a quarterly training program for all staff in contact with YOS offenders.** Staff requires cross-training, meaning that correctional staff needs training in programming activities and program staff needs training in all topics necessary for the complete implementation of the YOS curriculum. Post-training testing should be implemented as part of this initiative to ensure staff competencies. This level of intense training should occur at least quarterly for the next two years. At a minimum, the following topics should be covered in a comprehensive training program for current and new security and program staff:
  - Definition of and response to crisis situations in correctional environments
  - Child and adolescent development
  - Differences between male and female adolescents
  - Roles of all staff working with youth
  - Holding youth accountable
  - Setting residents up to succeed



- Responding to misbehavior and security violations
- Application of sanctions
- Sexuality in the YOS setting
- Gang issues
- Teamwork
- Creative problem solving
- Planning for change
- Role modeling and mentorship
- What works in corrections (from the literature)
- Special populations: females, mentally ill, sex offenders
- Using the treatment setting culture to initiate and sustain behavior changes
- Cultural diversity and sensitivity

YOS administrators and staff should continue to consult with the National Institute of Corrections (NIC) to obtain outside expertise in sustaining comprehensive programs, management and specialty training programs for correctional employees. The NIC administers training at their Longmont, Colorado facility via satellite and through workshops conducted at correctional conferences.<sup>69</sup> Training programs currently offered that are of particular interest include “Addressing Staff Sexual Misconduct with Inmates,” “Investigations of Staff Sexual Misconduct with Inmates,” “Offender Workforce Development Specialist Training,” “Strategies for Building Effective Work Teams,” “Meeting the Needs of Female Juvenile Offenders,” “Training Design and Development,” and “Youthful Offenders in Adult Corrections: A Systematic Approach Using Effective Interventions.”<sup>70</sup>

YOS staff must show solidarity and consistency to the residents, much like what is required for good parenting. To prioritize program values, we recommend that

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<sup>69</sup> <http://www.nicic.org/services/training/>

<sup>70</sup> <http://www.nicic.org/services/training/programs/default.htm>

YOS administration reward staff with creative, no-cost incentives for upholding the mission and goals of the YOS program.

According to Glick and Sturgeon (2001: 115), “Staff training is a critical area that must be managed well for a youthful offender program to be implemented successfully”. Training should be provided by trainers who are “...well-versed in adolescent development, program delivery, security and adult prison operations” (Glick and Sturgeon, 2001:117). Ultimately, it is “...all staffs responsibility to know about the program, its mission, goals and objectives” and to “...support the program philosophy and direction” (Glick and Sturgeon, 2001:118). Since the concept of positive peer culture (PPC) was integral to the YOS program, outside consultants experienced in PPC and methods of confrontation used with youth offenders recently presented staff with extensive training that emphasized “a firm hand and a belief in the youth’s potential to be redirected to a positive, productive lifestyle” (Colorado Department of Corrections, 1994:5).

- 5. Continue the recent review of staff qualifications and YOS hiring practices to seek a better “fit” between employee experience and characteristics and the mission of the YOS.** The experience and knowledge of staff is crucial to the quality of services received (Austin et al., 2000). Correctional staff working with juvenile offenders must have a high tolerance for frustration, exhibit emotional stability and present a calm demeanor, among other qualities (Alacron, 2001). We recognize and encourage the recent efforts by YOS administrators to explore the possibility of reinstating the requirement that newly hired staff have a minimum of two years experience working with juveniles.
  
- 6. Review YOS policies and practices to ensure that all residents get a GED or high school diploma prior to transferring to Phase III.** High school graduates’ median annual earnings are 91% greater than those of non-graduates (U.S. Census Bureau, 2000). Those who do not graduate are more likely to become single parents, have children at a young age, and are more likely to receive

public assistance or be in prison (Kaufman and Kwon, et al., 2000). The ongoing availability of college courses for offenders who have completed their secondary education should be made a core component of the YOS education program.

- 7. Undertake a serious study of vocational programming available at progressive juvenile facilities nationwide and institute additional and relevant vocational training at YOS.** Obtaining solid vocational skills that open employment opportunities may prove to be the cornerstone of successful reintegration into the community.
  
- 8. Integrate mental health services into YOS programming to assure the delivery of intense and consistent programming for youth with MH codes P3 and P4 on the DOC classification instrument.** Counseling services should be provided by mental health specialists, and the treatment plan and time spent in sessions should be documented. Treatment should be tailored to each resident's mental health and substance abuse needs. According to research (Yee, 2000), at least 60% of juveniles in the criminal justice system have distinguishable mental health issues. These typically include anxiety, mood instability, conduct disorder, attention-deficit, and posttraumatic stress disorders. In addition, studies show that 50 to 75% of juvenile delinquents have substance abuse problems in addition to a mental health disorder (Yee, 2000).
  
- 9. Reinstate the relapse prevention program.** Relapse prevention is intended to reinforce an individual's self-control by providing the tools to recognize problem situations, analyze decisions, and develop coping or avoiding strategies (Pithers, 1990). When an offender successfully deals with a high-risk situation (risk for drinking, using drugs or violent behavior), his or her feeling of self-control is reinforced and confidence is increased regarding the ability to handle difficult situations in the future. Conversely, if an offender fails to cope with a high-risk situation, his or her perception of self-control will only continue to diminish and a tendency to give in will develop (Pithers, 1990). Relapse prevention requires

individualized treatment and includes three tasks: recognizing an offender's high-risk situations, identifying coping skills, and analyzing precursors to the offender's antisocial acts (Pithers, 1990).

Relapse prevention requires that the offender develop a contract with anyone identified as part of the treatment team. The offender should also identify people who would be supportive in preventing reoffending behavior (Roget, Fisher, Johnson, 1998). Accountability and restitution are important issues in relapse prevention and recovery. Treatment providers should be prepared for relapse without expecting it and a balance between consequences and incentives should be established (Roget et al., 1998). The relapse plan should be evaluated and reviewed throughout the treatment process. Relapse prevention plans are useful to correctional and treatment staff as well as offenders in that they provide structured and individualized goals as well as a response plan in the event that relapse occurs (Roget et al., 1998).

**10. Institute complete sight and sound separation of YOS offenders from adult prisoners.** Despite the statutory requirement that specifies "youthful offenders ...be housed separate from and not brought into daily physical contact with adult inmates,"<sup>71</sup> DOC has filled empty beds on the YOS campus with adult offenders, with approval from the Joint Budget Committee. Adult inmates, however, by their very presence, contaminate a program designed to treat and manage youthful offenders. Their presence represents a distraction for the youth, which is one reason separation is a goal cited by the American Corrections Association. Although measures have been taken to separate adults from youth, opportunities for contact exist. The placement of adults at the YOS facility therefore remains controversial. DOC administrators have recently decided to develop a plan to remove the adults from the facility.

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<sup>71</sup> C.R.S. 18-1.3-407(1)(c).

**11. Given that research on positive peer culture programs that target delinquent youth is mixed, YOS administrators and staff need to work together to determine what will work best with the YOS population.**

Interventions that incorporate peer group environments are often used in juvenile correctional settings as a means of controlling antisocial behavior, encouraging pro-social behavior and norms, and retaining order in an institutional setting.<sup>72</sup>

The objective of the positive peer culture (PPC) is to establish a pro-social group environment supporting positive behavior and rejecting antisocial behavior. Several studies (Gottfredson, 1987; Dishion, Andrews, 1995; Dishion, Spracklen, Andrews, Patterson, 1996; APA, 1999; Dishion et al., 1999) found these types of programs to be inconsistent, yielding no effect or having a negative effect on adolescent delinquent or antisocial behavior. When examining the effects of the use of peer culture interventions, researchers (Dishion et al., 1999) found that interventions backfire when peers with similar behavior problems are grouped together, especially since deviant behavior is embedded in the peer group (Elliott, Huizinga, Ageton, 1985). In correctional settings, a “negative peer culture” is often established, characterized by resistance to institutional rules and physical intimidation of other inmates (Osgood, Gruber, Archer, Newcomb, 1985). Making the program culture work for the offenders requires consistent application of rules, sanctions, and rewards for progress in the areas of positive behavior. All staff must work together as a skilled and supportive team to ensure the environment is a positive one.

**12. Continue current efforts to implement a mentoring program.** Mentoring for juvenile offenders creates positive opportunities for youth by connecting them with role models (Grossman and Gary, 1997). OJJDP (2002) defines a “mentor” as an adult age 18 or older. Youth mentoring programs provide supportive relationships that can help this population succeed through adolescence (Novotney, Mertinko, Lange, and Baker, 2000). The mentoring program(s) should begin in Phase I and continue throughout Phase III. YOS program and security

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<sup>72</sup> [www.colorado.edu/cspv/positions/position1.htm](http://www.colorado.edu/cspv/positions/position1.htm).

staff should receive ongoing training and feedback on their role in mentoring during interactions with YOS residents.

**13. The Individual Program Plan (IPP) must become the focus of each offender's reintegration efforts.** The IPP should be used to specify concrete and measurable progress toward the goal of living a crime-free life. The document should be a dynamic and relevant plan of tasks and goals, and both staff and offenders must orient individualized activities around the IPP.

**14. Develop a family program that proactively integrates family members into the IPP.** Research has underscored the importance of family involvement in the treatment of juvenile offenders. Family relationships play a significant role in the onset and persistence of juvenile delinquency and substance abuse (Swenson, Henggeler, and Schoenwald, 2000). Multisystemic therapy (MST) was developed to treat chronic, violent, or substance abusing adolescent offenders (age 12 to 17) (Swenson et al., 2000) and is a potential program to consider. MST is a family-based treatment approach that observes individuals as being influenced by several complex, interconnected factors (individual, family, school, peer, etc.). Evaluations of MST have shown reductions of 25-70% in long-term rates of rearrest in populations less serious than the YOS offender group. Proactively integrating families into YOS programming should occur by performing thorough assessments at intake and considering each resident's family issues when individualizing treatment. YOS should also continue to communicate with residents' family members and provide a way for them to monitor the status of residents. Finally, there are times that, because of sanctions applied for noncompliance with program directives, YOS youth may be temporarily disallowed visitation privileges. In these circumstances, a notification system should be established to inform families prior to designated visitation times. This is especially important for families traveling significant distances to visit offenders.

**15.** We recognize that in 1999 the state auditor recommended disbanding the YOS gang program. Nevertheless, the negative influence of even a few offenders with strong gang affiliations can undermine the efforts of prosocial programming at YOS. **We therefore recommend the gang program be reinstated and that YOS require special programming for offenders with gang affiliations.** Gang behaviors can endanger staff and other inmates and challenge program components. Correctional studies from the Seattle Social Development Project and the Rochester Youth Development Program have found gang activity to be the strongest predictors of violent behavior (Battin-Pearson, Thornberry, Krohn, 1998). Furthermore, a National Institute of Justice study comparing the behavior of gang members and non-gang affiliated at-risk youth found gang members more likely to act out violently (Huff, 1999).

Preventing the damaging effects of gangs begins with revising policies and criteria to identify gang activity within the facility, implementing training and education on gang mentality, and establishing strong community networks during aftercare (Jackson, 1999). Specialized programming for youth with gang ties is essential and should vary according to age and level of commitment to the gang (OJJDP, 1994). Perhaps the biggest obstacle for correctional institutions to deal with in serving gang affiliated youth is attempting to prepare them for a pro-social lifestyle upon reentry to the community (OJJDP, 1994). According to *OJJDP's Research Summary on Gang Suppression and Intervention* (1994), reentry is a critical point in conquering gang activity. Services at this time as well as during incarceration should incorporate education, socialization, family support, employment training, and coordination of community agencies (OJJDP, 1994).

**16. Work with DCJ researchers to develop and implement an electronic case management data system for YOS offenders.** This system would allow for tracking each offender's assessment information, dates and types of services provided, measures of progress in education, vocational training, counseling and the management of leisure time activity.

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As a final comment to the recommendations, it is important to reiterate that in recent months YOS has come under new administration. This administration has taken significant strides to increase communication, proactively address issues of staff cohesion, and build teamwork. It has undertaken a review of staff qualifications and is working on a plan to reinstitute the original hiring qualifications. It is in the process of developing a new staff position to bridge communication gaps and act as a liaison between administration and program staff, as well as among security personnel and staff from the various program component areas. This position will focus on program integrity throughout the YOS. YOS administrators have also begun to develop an in-service training plan for all staff and will request grant funding to provide the necessary training resources.

YOS administrators have offered to work with DCJ researchers to design meaningful measures of program delivery and program success and to develop a data system that tracks services needed and delivered to YOS offenders throughout their stay in the program. These efforts reflect significant commitment on the part of the current DOC administration to respond to the programming deficiencies reported in this study and ensure that YOS programming is adequate to meet the needs of this high-risk population.



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## **APPENDIX A**

### **MENTAL HEALTH DATA COLLECTION FORM**



# **APPENDIX B**

## **INTERVIEW GUIDE**





## **APPENDIX C**

### **SPECIFIC RECIDIVISM CRIME TYPE TABLE**



**APPENDIX D**

**COLORADO DEPARTMENT OF CORRECTIONS  
YOS MENTORING PROGRAM**



## **APPENDIX E**

**NATIONAL INSTITUTE OF CORRECTIONS/  
OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION,  
“THE CRITICAL ELEMENTS OF SUCCESSFUL AFTERCARE  
SERVICES: A YOUTHFUL OFFENDER SYSTEM REPORT”**