

EVALUATION OF THE YOUTHFUL OFFENDER SYSTEM (YOS) IN COLORADO

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

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Despite this assistance, we alone are responsible for this report and any omissions or errors that remain.

*YOS Evaluation Project Team
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PREFACE

A decade ago the Colorado Department of Corrections (DOC) was charged by the General Assembly with developing and implementing a specialized program for violent juvenile offenders who were prosecuted and convicted as adult felons. This program, called the Youthful Offender System (YOS), was the result of a Special Session of the General Assembly, held in the 1993. The Special Session followed a summer of particularly high profile violent crimes committed by juvenile offenders. The media dubbed this period “the summer of violence.” However, 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.¹

It was in this context that the YOS became a sentencing option for juveniles transferred to adult court and sentenced on or after June 3, 1994 for offenses committed on or after September 13, 1993. The following is a brief description of the YOS statute from 18-1.3-407, C.R.S.

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. The statute mandated that the program participants be housed separate “from and not brought into daily physical contact with adult inmates.” It also stated that these offenders be “subject to all laws and DOC rules, regulations, and standards pertaining to adult inmates....”

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 behavioral strategies that have the potential to change criminal thinking and behavior.

Furthermore, the YOS program was to develop and promote among offenders a pro-social 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 required specific program components, including an intake, diagnostic, and orientation (IDO) program, supplementary activities, educational and prevocational

¹ See <http://dcj.state.co.us/ors/pdf/stats/juvenileviolentarrest.pdf>

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 the 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 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.²

In the YOS statute, the General Assembly stated that district attorneys would maintain records regarding juveniles sentenced to YOS and, since 2000, the court has been required to order a pre-sentence investigation for youth sentenced to YOS.

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.

² Deleted by amendment, L. 2002, p. 881, 19, effective August 7, 2002.

EXECUTIVE SUMMARY

This report represents the second evaluation conducted by the Colorado Division of Criminal Justice (DCJ) of the Colorado Department of Correction's (DOC) Youthful Offender System (YOS). This study presents recidivism rates, offender profiles, and a broad picture of the operations of YOS as observed from the perspective of the residents, staff, treatment providers, and administrators. Qualitative data were collected using self-administered questionnaires, focus groups, and interviews. Additional data were obtained and analyzed from the YOS education database and DOC's management information system (DCIS). Recommendations to better align the YOS program with the legislative intent are provided. These recommendations are based on the study findings.

BACKGROUND

Building on the 2002 Evaluation Findings. The 2002 YOS evaluation report concluded with a list of recommendations for facilitating greater alignment between the enabling legislation and the actual operation of the YOS program. When the 2004 study design was finalized, DCJ researchers and YOS administrators agreed that one focus of the current study would be the extent to which the 2002 recommendations were implemented. Indeed, several of the concerns outlined in the 2002 evaluation report were immediately addressed by the DOC administration, including the removal of adult inmates from the YOS facility and providing increased training for YOS staff. However, many of the findings from the 2002 study are reiterated in the 2004 findings.

SUMMARY: EMPIRICAL FINDINGS

A. EDUCATION OF YOUTH

Education is a Success. Only 10.3 percent of YOS offenders entered the program with a GED or high school diploma, indicating a significant need for providing comprehensive education services. An important finding of this study is that 59.1 percent of YOS residents obtained a GED or diploma while in the program.³ Both residents and staff consistently identified the education component as being the most important and most beneficial aspect of the YOS

³ Additional offenders improved their education level, however, data were not available to measure educational progress that did not result in completion of secondary education. Youth who require special education may not complete high school. In future evaluations, DCJ hopes to identify intermediate measures to indicate educational improvement.

program. In the staff survey, staff ranked the education program as the most important part of YOS in preparing them for the future. This program component clearly meets the legislative intent of those who originally designed the YOS program.

B. REVOCATION AND RECIDIVISM

Education Contributes to Public Safety. Residents who discharged from the facility with a secondary education were significantly more likely to succeed in Phase III and later following release from the program.

For the residents who discharged from YOS, analyses were performed to explore the relationship between having a high school diploma or GED following release from YOS and post-release risk of recidivism. Those who did not obtain a GED or diploma were found to be, as follows:

- 3.8 times more likely to be revoked from YOS to prison
- 1.6 times more likely to have a felony filing within 2 years of discharge
- 2.7 times more likely to return to prison with a new conviction following discharge

Nearly 31 percent of residents who discharged from the YOS program between 1994 and 2003 did not obtain a GED or diploma and 23.3 percent of YOS offenders in Phase III in August 2004 did not have a GED or diploma. Not all offenders are expected to complete their secondary education since many enter YOS at very low education levels and nearly 30 percent, according to the education department have special education needs.

The YOS Revocation Rate Remained Stable. As of August 2004, 161 of the 892 offenders who have entered YOS have been revoked to prison. This 18 percent revocation rate includes residents who have quit the program along with others who were terminated for noncompliance or lack of progress. It also represents those who were deemed unsuitable for the program and sent to San Carlos for further psychiatric evaluation or otherwise returned to court for reconsideration. The actual program failure rate is therefore lower than 18 percent.

Recidivism Rates Are Lower than Prison. Recidivism was defined as a new felony filing. For the current study, 143 youth had been discharged for at least five years. Fifty-three (53) percent of these youth received a new felony filing.⁴ New filing rates for one year and two years were 22.2 percent and 32.9 percent,

⁴ In 2002, only 17 youth had been discharged for 5 years. The 5-year recidivism rate (64.7 percent) was reported, as mandated by the YOS statute but as noted in 2002, because of the few number of youth in the analysis, this rate was unreliable.

respectively. This recidivism rate is considerably lower than the return-to-prison rate tracked and reported by DOC of other DOC inmates given that this is a higher-risk population and not all cases filed in court result in a prison sentence.

C. CHARACTERISTICS OF THE POPULATION

The YOS Age Remained Stable Over Time. The average age of youth entering YOS has remained stable since 1994 at 16 years. Additionally, the average age of the YOS population has increased since 1994 because the youth age as they serve their sentences. However, the average age has stabilized since 1999 at age 19.

Education Level. The percentage of residents with a GED or diploma prior to entry into YOS varied considerably from year to year with 2000 having the highest proportion (16.2 percent) and 2003 having the lowest proportion (1.7 percent). The average percentage over this time span is 10.3 percent, reflecting the importance of the YOS education program for this population.

Crime Severity Level. The majority of youth entered YOS with a felony class 2, 3 or 4 as their most serious crime. There is no discernible trend over time in severity of felony class.

YOS Offenders are a Unique Population. YOS is being used for a specific group of young, serious violent offenders. Of all placement options, the largest proportion of cases (81.3 percent) sentenced for crimes of violence received a YOS sentence. Indeed, YOS offenders most resemble the proportion of young offenders with violent convictions sentenced to DOC in 2003.⁵

D. PROGRAM ISSUES

Philosophical Tension. Data from the surveys, interviews and focus groups found that both staff and residents viewed an overriding tension between what we refer to as the “prison/program” philosophical conflict. The data show that many residents and staff believed that YOS facility custody concerns override efforts to implement programming. The data from all these sources reflected the perspective that, with the exception of education, there is not a cohesive program at YOS and that the programmatic components that exist are colored by an overriding impediment to program implementation: the unresolved and ongoing conflict between the philosophies of custody and treatment.

⁵ Over 8,000 court cases with offenders younger than 18 and receiving dispositions in 2003 were analyzed by placement and conviction crime.

Specific Programs. According to perceptions documented during interviews, surveys and focus groups, services at the YOS facility have been significantly reduced. This reflects the curtailing of budget expenditures, and the permanent loss of 18 positions and the temporary loss of 7 more, according to interviews with YOS administrators. Clinical staff estimated that more than 90 percent of the YOS population had a serious substance abuse problem, but treatment for substance abuse has been folded into a single group that also addresses anger management and cognitive education. This group meets for one semester (approximately 16 weeks), for one hour 4 days per week. This translates into 15 to 20 hours of group time for each of the three topics addressed in this combined group.⁶ Further, there is a waiting list for offenders to get into this group and admission is based on mandatory release date. Most YOS staff believed this type intervention to be inadequate given the high-need and high-risk nature of the YOS population.

Consequences. Since the inconsistent application of sanctions was a finding in the 2002 evaluation report, we included questions on this topic in the surveys, focus groups and interviews. Indeed, both staff and residents have the perception that sanctions and consequences are not applied consistently across staff members and from building to building. There was a common concern voiced that this behavior contributes to a decline in program effectiveness.

Progress and Incentives. The perspectives of youth and staff agreed that there was a need for incentives to reward progress in the program. Staff recognized a need to keep youth motivated to progress through the phases of YOS. Administrators agreed that there was a need for incentives for YOS offenders: “We can do better, especially with Phase II.”

Limited Physical Separation between Phase I and II. The data from all categories of study participants resoundingly expressed concern about the integration of Phase I and II residents. The lack of separation affected the residents’ motivation and stalled or interrupted the process of “concentrating on the living skills they should be attaining.”

Progress to Phase II is Limited by the Number of Available Beds. DCJ researchers found a problem with “program flow” between Phases I and II during the 2002 evaluation of YOS. At that time, it appeared that the waiting list for Phase II was the result of housing non-YOS inmates in the same facility, reducing the space available for Phase II residents. In 2004, the limited number of beds in Phase II is driven by the lack of funds available to open an additional building on the campus. Phase I and II youth are housed in the same building and progress to Phase II is driven by bed availability.

⁶ As a point of reference for the level of this particular intervention, several staff noted that in least two of the adult facilities, prior to the budget shortfall, the anger management class involved 190 hours of group work.

Lack of Individualized Treatment. Many of the residents and staff noted the lack of individualized treatment. While it was mentioned that this resulted from having too few clinical personnel, the 2002 YOS evaluation also reported a lack of individualized treatment, along with a lack of mental health services. Evaluations of youth contain significant information but efforts to develop and implement an individualized intervention plan do not transpire, according to residents and staff. The result, according to staff respondents, is a “cookie cutter approach with the residents.”

Transition through YOS. According to the perception of residents and staff, transition through the YOS phases is driven by mandatory release date. This practice can undermine the very real need for transition planning and execution: “YOS holds them back, then doesn’t prepare them for Phase III.”

Anticipated Move to Another Location. Budget cuts and DOC bed shortages have led to plans to move YOS to a smaller facility if and when funds are available. Staff and residents perceive the move to have the potential to severely and continuously disrupt the delivery of programming. The staff are concerned that the facility could have limited space for education classes and programs, youth will be housed in “bays” with multiple bunks, and the area for recreation will be significantly reduced. Staff and residents expressed significant concern for safety and programming.

The Need for Quality Control. Given the reduction in programming resources and the problems with the quality of services delivered inside the facility, some staff recommended the need to implement a method of ongoing quality control to monitor the delivery of services and case management in the facility.

RECOMMENDATIONS

Based on the information obtained for this study and presented in this report, researchers make the following recommendations to better align YOS operations with the legislative intent.

1. Because safety is paramount in confinement facilities, we recommend that DOC investigate allegations of abusive staff behavior. It is important to note that YOS administrators immediately referred to the Inspector General concerns of abuse that were identified in the course of this study. Efforts must be made to encourage reporting of abuse or potential abuse to DOC authorities.
2. YOS policies regarding the immediate response to serious program violations are clearly in place. However, it is not clear whether and if less serious violations are consistently handled. Holding program participants accountable is an important component of any offender management

approach. Additional training for both residents and staff on this topic might increase understanding and consistency.

3. As reported in the 2002 evaluation study findings, DOC does not require staff at YOS to have special qualifications for working with at-risk youth. We encourage the new YOS administration to implement its plan to review historical practices involving transfers, promotions and special position qualifications, and to work with staff to develop a transparent process that meets the needs of the administration and staff members who are deeply committed to working with this population.
4. This study found that education is clearly linked to positive outcomes for youth in YOS. Accomplishing educational goals is associated with length of stay in the facility. Given these findings, educational achievement should drive progress through the program and should remain an emphasis during Phase III. Shorter sentences, credit for time served, possible backlogs in local jails, and mandatory release dates may result in insufficient programming time. Therefore, not including the time needed for the above occurrences, we recommend that sentences to YOS permit residents at least two and a half years in the program (Phase I through III) to enhance residents' opportunities to attain educational goals.
5. The reduced programming at YOS requires the attention of the new administration. The YOS statute mentions many different types of programs, yet these are minimally implemented. As recommended in 2002, the gang and the relapse prevention programs should be reinstated. Further, substance abuse and anger management programming should be significantly expanded. A comprehensive cognitive education program should be available to YOS residents and instructors should be specially trained counselors.
6. In 2002 we recommended a review of Phase II programming because it appeared that the residents had significant amounts of idle time. Again, we make the following recommendations regarding Phase II:
 - a. Reinstatement of privileges and incentives (i.e. outings, movies, food, tennis shoes, more recreation time, home passes, etc).
 - b. Separate Phase II residents from Phase 1.
 - c. Increase the capacity of Phase II.
 - d. Examine the practice of progressing residents through the program based on mandatory release date; use release eligibility date if youth have progressed in the program, to motivate youth and encourage them to earn their release to the community earlier.

- e. Focus on intensive reintegration skill building, such as living skill groups, budgeting, and job seeking with the community parole officer.
- f. Focus on reintegration into the communities where they intend to return.
- g. Ensure residents obtain identification before they are released to Phase III.

The elimination of the community-based activity in Phase II remains a source of significant concern among many YOS staff. Many staff strongly believed that these activities are extremely important to the success of residents. We recommend that the new administration work with a committee of various YOS representatives and explore ways that this activity might be undertaken for residents who have progressed to a necessary level of security.

7. We recommend that the new administration examine YOS' implementation of telemedicine with the psychiatrist. Although this has been found to be a cost effective tool in the medical field, it requires reliable and secure equipment, access to complete records at both locations, and verification of the offender's self-report to the psychiatrist. Both youth and staff perceived this method to be ineffective, particularly for assessments that result in prescriptions for medications.
8. The proportion of YOS intakes that arrive with a GED or high school diploma has averaged about 10 percent since 1994. Although 59.1 percent of YOS residents complete their secondary education while in the program, approximately 25 to 30 percent of YOS residents discharge from the program without having obtained a GED or high school diploma. Statistical analyses presented in this report showed that the lack of attaining either of these significantly increased the probability of program revocation and, within two years of discharge from the program, a new felony filing and return to prison. Given this empirical link between the YOS population, education, program failure and recidivism, efforts should continue to be made to ensure that YOS participants complete their secondary education, if possible. The need for special education services should be reviewed to ensure adequate staffing in this area.
9. In August 2004, there were thirteen offenders in YOS with ICE detainers. These residents are not U.S. citizens and representatives from the Bureau of Immigration and Customs Enforcement will most likely deport the offenders upon release to Phase III. Given the relationship between education and later involvement in the criminal justice system, efforts to educate this population should continue. Programming related to community reintegration should be minimized since these youth will not participate in Phase III.

10. We recommend that the new YOS administration meet with therapists from the sex offender treatment and management program (SOTMP) to better understand how administrative policies can reinforce sex offender accountability and improve sex offender programming.
11. As in 2002, we again recommend that vocational programming target realistic and available job opportunities in the community. The skills learned in the YOS vocational education program should translate into skills needed for actual occupations in the community. Vocational training staff should meet regularly with Phase III contractors and staff to discuss ways to reach their shared goals of ensuring the youth have employable skills and can obtain jobs upon release.
12. The presence of so few females in the YOS continues to challenge efforts to provide separate but equal programming. Further, the isolation of the females is considered by many staff to be the special price these inmates pay for their few numbers. We recommend that programming for the females be reevaluated by the new administration since many staff believe that they need more recreation time, more program and activity time, and more female-only programming to address relationships and trauma (see DCJ's 2002 report for a discussion of gender-specific programming). Finally, with proper security administrators should consider the value of allowing all the teachers, including the men, to deliver education programming since the men are specialized in teaching certain subject areas and the young women would benefit from exposure to positive male role models.
13. Ensuring adequate communication represents a challenge for all complex organizations. We recommend that the new YOS administration make specific and ongoing efforts to regularly communicate with both staff and residents. At a minimum, this communication should address the following topics:
 - a. Facility safety
 - b. Programming gaps and successes
 - c. Hiring, transfer and promotion practices
 - d. The need to integrate the security and program philosophies
 - e. Role modeling and creating a prosocial environment
 - f. Training needs
 - g. Operational consistency and the application of sanctions
 - h. Performance measures and quality control

14. The 2002 evaluation report identified staff training as an important area needing attention from DOC administrators. In 2002, researchers listed a range of training specific to at-risk youth and adolescent development. Indeed, efforts were undertaken to expand training for YOS staff. For this evaluation, staff provided researchers with additional types of training they feel they need to perform their jobs:

- Juvenile-specific training
 - o how to work with juveniles
 - o adolescent behavior
 - o juvenile psychology
 - o adolescent development and needs

- Programmatic training
 - o positive peer culture
 - o gangs
 - o cognitive/mental health counseling
 - o mentoring
 - o group facilitation
 - o anger management
 - o substance abuse

- Staff development
 - o stress management
 - o team building
 - o communication skills
 - o de-escalation skills

15. We support the development of an expanded “leadership team,” as described by YOS administrators during meetings with researchers. This team will be comprised of representatives from housing, medical, mental health, education, security, programming, budgeting, and Phase III.

16. The current effort to document needs and program progress, i.e., the PAS, is considered by many to be inadequate to address the individual needs of youth. This may be the result of a loss of staff and perhaps insufficient understanding of the instrument. We recommend that either the PAS be replaced with an individual treatment plan or that training specific to the ways the PAS can be expanded be prioritized and required. Both residents and staff need a meaningful method to identify individual goals and progression toward those goals. The PAS or individual treatment plan should be developed early in the offender’s stay at YOS and should be used as a community reintegration document that follows the offender throughout the program. This instrument should drive placement and program regression decisions.

17. In 2002 and again in 2004 we found Phase III to be operating according to the legislative declaration specified in the YOS statute. However, programming deficits in the earlier phases combined with the loss of positions and services in Phase III may ultimately weaken even this stable program component. We recommend that efforts be undertaken to address the following issues:

- a. Placement in Phase III should be driven by progress and not just by mandatory release date
- b. Reinstate specialized caseloads where possible; consider reducing the caseload size for CPOs
- c. Efforts should be undertaken to operationally integrate Phase III into the overall goals of YOS, thereby increasing the integration of services

18. This study found that many staff and residents are anxious about the potential move to a different facility in 2006 or 2007. We recommend that the new administration encourage tours of the new facility during the remodeling period and identify several committees to work with administrators during the next 18 months to accomplish the following:

- a. Replace rumors about the impending move with information, perhaps using a monthly memo from the committee or developing a regular newsletter for staff and residents
- b. Address concerns that surface regarding the delivery of services in a significantly smaller space
- c. Develop methods to ensure safety of staff and residents in the new housing arrangements where populations will be more concentrated
- d. Assist in planning for the actual move
- e. Develop an ongoing feedback mechanism between staff and officials regarding the move and institutionalize this method so that it continues after the move is accomplished

19. Finally, we recommend that YOS officials develop a method to continually assess the delivery of programs and services. This process would require the clear identification of the YOS mission, goals and objectives. This would include the development of meaningful performance measures clearly linked to specific objective-driven activities. This process requires collaboration between administrators and line-staff that deliver services. It also requires the development of a data collection system designed to provide regular quantitative feedback to administrators and staff.

CHAPTER 1: INTRODUCTION

This report represents the second evaluation of the Colorado Department of Correction's (DOC) Youthful Offender System (YOS) conducted by the Colorado Division of Criminal Justice (DCJ). The Division is mandated to evaluate this program biannually and submit the findings to the General Assembly on November 1 of even numbered years.

The statutory mandate reads as follows:

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.

--- Section 18-1.3-407 (10)(b), C.R.S

The first report, delivered on November 1, 2002, focused on recidivism rates, funding levels, comparisons of legislative intent to actual implementation of the program, and characteristics of the YOS population. This study, the second in the series, deals with some of the same issues but also attempts to provide a broader picture of the operations of YOS according to the perspectives of the residents, staff, treatment providers, and administrators that are involved in the program. To that end, both staff and residents were surveyed using self-administered questionnaires.

Two important changes have happened to the YOS program and statute since the last report. The first change occurred last spring when the 64th General Assembly repealed the sunset provision in the YOS statute (18-1.3-407, C.R.S.) making it a permanent part of the DOC. The second change is the planned swapping of facilities between YOS and a smaller facility. The latter activity is

scheduled to occur after renovations to the smaller facility are completed if and when funding for additional staff is approved and appropriated.

SECTION 1.1: THE STATE BUDGET CRISIS

Budget Reductions. In recent years, many states have experienced severe budget cutbacks that resulted from significant reductions in tax revenue following a downturn in the economy nationwide. However, the state budget in Colorado cannot recover even as the economy improves and revenue increases because the budget is subject to several separate but related spending limits.

State Spending Limits. In 1992, a statewide referendum was placed on the general election ballot, the so called Taxpayers' Bill of Rights (TABOR). The TABOR initiative passed, and was implemented the following year via state statute. TABOR amended the state Constitution (Article X, Section 20) and restricts the state's total revenue growth to the sum of inflation plus population growth. Some state funds are exempt from TABOR, such as those obtained from federal sources, damage awards, property sales, certain fees, and so on. This annual budget cap requires that taxpayers receive refunds of excess state revenue.

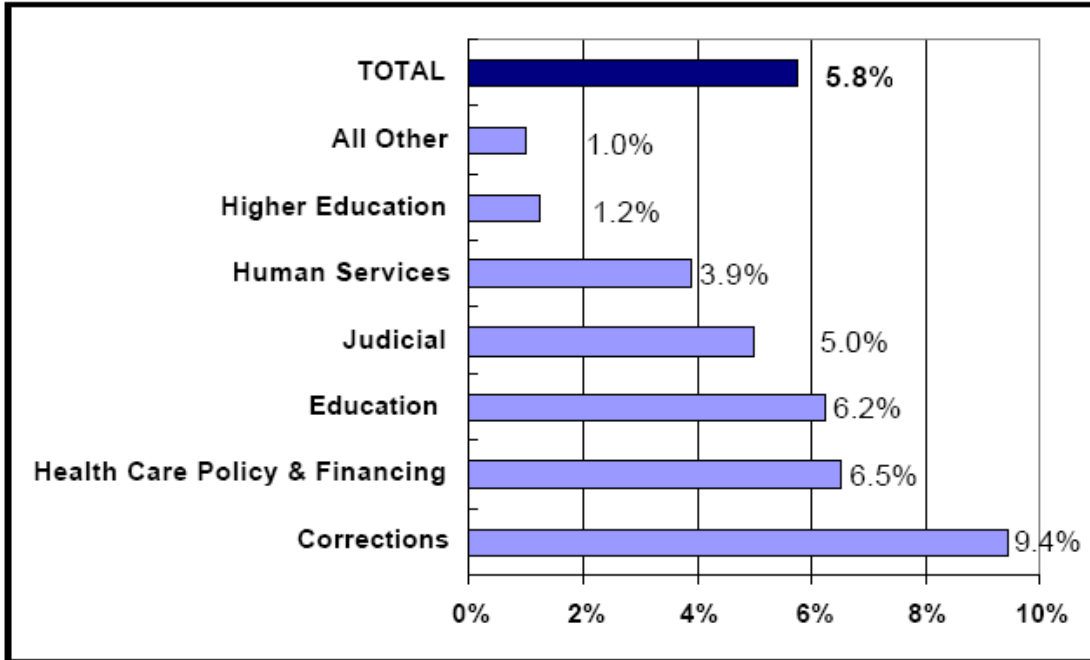
Another important spending limit was enacted prior to the TABOR Amendment and popularly known as the Arveschoug/Bird limit. This is a six-percent limit on the growth of the General Fund appropriations. Exceeding this limit requires two-thirds of the General Assembly to declare a state of fiscal emergency. While there are specified exceptions to the six-percent limit, the combination of the six-percent limit and the TABOR amendment drastically limit the growth of government expenditures, even in excellent economic conditions.

In a report to the General Assembly dated September 2003, the budget crisis was summarized this way:

During the past two years, beginning with the special session in the 2001, the General Assembly has devoted significant time to grappling with the state budget within the constraints of declining revenues.... General Fund expenditures decreased by \$221 million in FY 2001-02 and \$96 million in FY 2002-03, before increasing by \$82 million in FY 2003-04.

YOS Lost 26 Employees/Contractors. According to administrators, in the past few years, 18 YOS positions were abolished and another seven were lost through retirement. The latter positions can be replaced in FY04-05 when the budget allows.

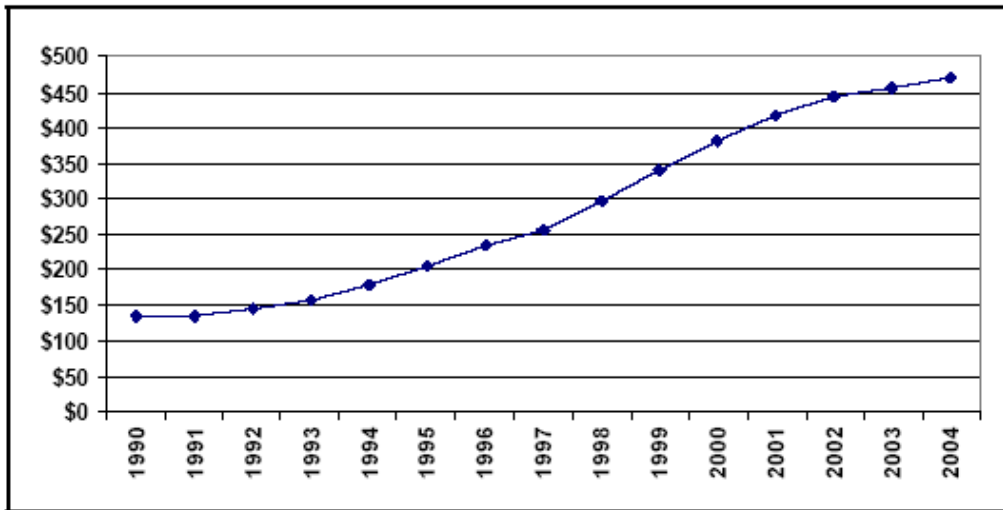
**Figure 1:
Average Annual Growth in General Funds Expenditures
FY 1989-1990 through FY 2003-2004**



From: House Joint Resolution 03-1033, TABOR, Amendment 23, the Gallagher Amendment, and Other Fiscal Issues *Prepared by Legislative Council Staff, Publication No. 518 September 2003, Figure 1-7.*

The figure above illustrates how the general fund expenditures among the major departments changed from FY 1989-1990 to FY 2003-2004. Total General Fund expenditures increased at an average annual rate of 5.8 percent between FY 1989-90 and FY 2003-04. This roughly matches the TABOR-imposed revenue cap of inflation and population growth in this time frame. Three departments have grown faster than total General Fund expenditures since 1990: Corrections (9.4 percent), Health Care Policy and Financing (6.5 percent), and Education (6.2 percent). As a result, these three departments now account for a larger share of General Fund spending than in FY 1989-90. General Fund expenditures for the remaining large departments (Judicial, Higher Education, and Human Services) have all grown at a slower pace than total General Fund expenditures. Meanwhile, the average annual growth rate for all other departments was 1.0 percent. One of the General Assembly's budgetary responses to declining state revenues has been to maintain General Fund support for the largest state agencies by cutting General Fund support for other departments.

**Figure 2:
General Fund Expenditures: Department of Corrections*
(millions of dollars)**



**FY 2002-03 and FY 2003-04 are appropriations, not expenditures.*

From: House Joint Resolution 03-1033, TABOR, Amendment 23, the Gallagher Amendment, and Other Fiscal Issues Prepared by Legislative Council Staff, Publication No. 518 September 2003, Figure B-18.

Of the DOC's total General Fund appropriation, about 66 percent is spent on correctional institutions for the costs of utilities, maintenance, housing and security, food services, medical services, superintendents, the Youthful Offender System, and the specialized San Carlos Correctional Facility which houses inmates with mentally illness. Figure 2 shows the annual General Fund appropriation to the Department of Corrections since 1990.

Department Placement Costs. According to DOC's 2003 Statistical Report (Rosten, 2003:28, 92), the following table presents the Department's daily placement costs. The activities included in these total per diem costs of DOC programs are: management (program administration); institutions (facility maintenance cost); support services (carpenters, mechanics, mail services, etc.); inmate programs (educational and recreational programs); and community services (counseling, job placement, and monitoring personnel).

Table 1: 2003 Cost of Prison Placement per Day

PROGRAM	PER DIEM	AVERAGE DAILY POPULATION
DOC	\$ 76.23	13,610
YOS	\$185.62	237
Parole	\$ 9.07	3,674
ISP Parole⁷	\$ 19.03	738

Source: K. Rosten. 2003. Colorado Department of Correction's 2003 Statistical Report, pages 28 and 92.

One reason the costs associated with YOS continue to be more than twice that of prison, according to administrators, is the cost of maintaining the empty capacity. The facility was built for 480 inmates but the number of YOS residents has remained consistent over the years at 220-240. Additional costs are associated with obtaining meals and maintenance services from the Colorado Mental Health Institute in Pueblo (CMHIP). Whereas other DOC facilities can manage these costs by using inmate labor under the supervision of DOC staff, the CMHIP uses state employees that, for example, results in approximately double the cost for each meal.

⁷ ISP Parole does not pay for institutions costs, and neither DOC nor YOS are charged for community services. Community services are covered in another budget line.

CHAPTER 2: METHODS

STUDY DESIGN

Building on DCJ's 2002 Evaluation Findings. The 2002 YOS evaluation report concluded with a list of recommendations for facilitating greater alignment between the enabling legislation and the actual operation of the YOS program. In fact when the 2004 study design was finalized, DCJ researchers and YOS administrators agreed that one focus of the current study would be the extent to which the 2002 recommendations were implemented. Indeed, several of the concerns outlined in the 2002 evaluation report were immediately addressed by the DOC administration, including the removal of adult inmates from the YOS facility.

One concern documented in the 2002 study was that there seemed to be significant frustration among some staff regarding the YOS programming following its relocation to Pueblo from its original (but temporary) site in Denver. Specifically, many staff reported an emphasis in security efforts to the detriment of programming efforts. In the 2002 study, onsite observations by researchers, analyses of position qualifications and requirements, and interviews with residents corroborated concerns voiced by staff members. It appeared that after the move to Pueblo, YOS had become significantly more focused on security and less focused on creating a "last chance" treatment environment for young offenders.

To tap the viewpoints of individuals who are continually onsite at the facility, the 2004 study design attempted to get the perceptions and opinions of all staff and all residents. Efforts were therefore made to collect information from multiple sources. Data were gathered from lengthy face-to-face interviews, focus groups and self-administered questionnaires. The study design is described in detail below.

Actual quotes are used to represent a specific statement made by a study participant, the word "staff" is used to describe the range of personnel working at YOS, "administrators" to refer to those who set policy and program direction, and "residents" to the young men and women serving sentences at YOS.

Data Collection. Data were obtained from multiple sources and are described below.

QUANTITATIVE DATA

Quantitative data were obtained from several sources and used to profile the YOS population and used to determine recidivism rates.

Recidivism. Recidivism was defined as a sustained filing in a Colorado district court. A group of 496 YOS participants discharged between December 1995 and August 2004 were identified using the DOC education and DCIS (DOC's management information system) databases. These cases were reviewed to collect as many known identifiers as possible, including combinations of names and dates of birth, aliases and Social Security Numbers. These identifiers were matched to those found in the database maintained by the Colorado Judicial Department, which were isolated and extracted via the Criminal Justice Information System (CICJIS).⁸ New felony filings and convictions in district court were explored for 1 year, 2 years and 5 years post-discharge.

Offender Profiles. In addition to utilizing CICJIS data for the recidivism analysis, a dataset containing all filings on juveniles disposed in 2003 was developed to describe youth receiving YOS sentences and to compare juvenile and direct filing dispositions. This database included all juvenile delinquency filings and criminal filings on individuals under the age 18 at the time of offense, arrest, filing or sentencing.

QUALITATIVE DATA

Qualitative data were collected from the following:

- written questionnaires completed by YOS residents and staff
- interviews with administrators and supervisors involved in all levels of the YOS program
- on-site observations
- focus groups involving staff and residents

Surveys. Two survey instruments were developed to capture resident and staff perspectives of the YOS program. Both the resident and the staff questionnaires were seven pages in length and contained about 30 questions. The staff questionnaire was attached to a monthly pay-stub, a manner that assured the

⁸ Court data from the Integrated Colorado Online Network (ICON) were obtained using the State of Colorado's Criminal Justice Decision Support System, a research-specific data mart.

receipt of every questionnaire. Researchers administered the questionnaire to the youth, one pod at a time, in a large classroom. No more than two youth were seated at each table to protect confidentiality. These questionnaires, along with signed consent forms, were returned directly to DCJ staff upon completion to further protect confidentiality. Copies of the questionnaires are included as Appendices A and B.

A total of 171 resident surveys and 53 staff surveys were collected and analyzed to identify patterns and themes.

Focus Groups. Eleven focus groups lasting between 45 minutes and 2 hours were conducted. The following bullets describe the focus groups:

- 2 groups of 10 Phase I male residents
- 1 group of 8 Phase II male residents
- 2 groups of 5 female residents
- 1 group of 11 education staff
- 1 group of 6 clinical staff
- 1 group of 4 Phase III community parole officers
- 1 group of 3 Phase III service providers
- 1 group of 10 swing shift staff
- 1 group of 10 day shift staff

Data obtained from the focus groups were recorded and transcribed. A total of 355 typed pages of information obtained from focus groups were analyzed to identify patterns and themes. Copies of the focus group guides are included in Appendix C.

Interviews with Supervisors and Administrators. Ten in-depth face-to-face interviews lasting between 45 minutes and 2 hours were conducted with YOS supervisors and administrators between August 2004 and September 2004. Interview notes totaled 42 typed pages of interview notes and were analyzed to identify patterns and themes. Copies of the interview guides are included in Appendix C.

Observations and Site Visits. The purpose of observational data is to provide descriptive information about the settings, activities and program participants, and how participants appear to have reacted to what they have experienced.⁹ To obtain information about the types of activities that occurred in various program

⁹Advantages 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 (Michael Quinn Patton, *Qualitative research and evaluation methods*. 2nd ed, Sage Publications, 1997).

phases, researchers observed some of the components of the YOS program at the facility in Pueblo.

Researchers observed 10 hours of program groups. This occurred by attending the following sessions:

- Guided Group Interaction (GGI)
- Engines and Automotive Performance class
- Career Education class
- Drug, Alcohol, Anger and Cognitive Behavior group
- “Quickskills” group

Analysis. Qualitative survey results were analyzed using the software package SPSS Text Analysis for Surveys. Descriptive and inferential statistical analyses were performed using the statistical software packages SPSS and SAS.

CHAPTER 3: PROGRAM AND EDUCATION FINDINGS

3.1 HAVE YOS RESIDENTS CHANGED OVER TIME?

Interview, focus group and survey data collected from YOS administrators and staff suggested that there was a common perception that the YOS facility population had changed over time and, consequently, the overall YOS program needed to adapt accordingly. For example, administrators thought that the population was getting older (specifically, that the average age of the population was 19 or older) and that residents in recent years were more likely to have graduated from high school or had obtained their GED (General Equivalency Diploma) prior to admission to YOS. Should the residents be older and better educated, their need for the education program would decrease.

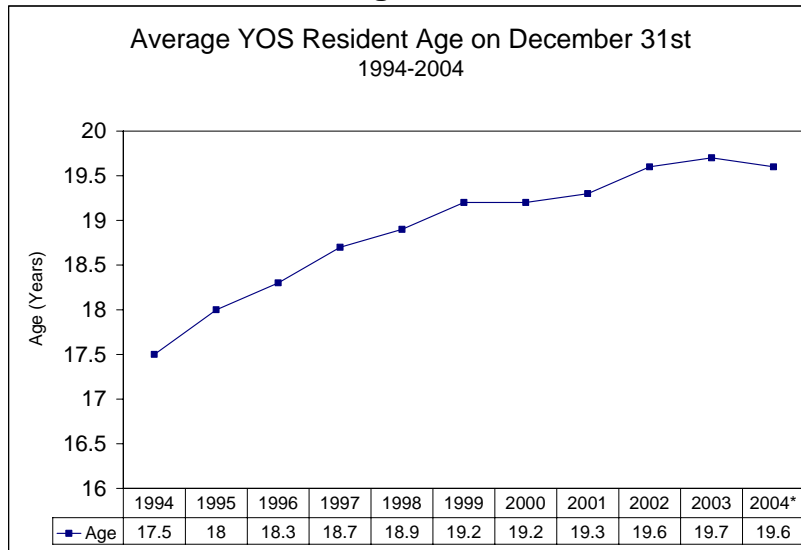
Further, interviews and focus groups data suggested that the population was becoming more serious, i.e., that “harder offenders are coming here.” These perceptions included the idea that the population was coming to YOS with higher levels of felony class and that more assaultive offenders were being sent to YOS. Staff focus group data indicated an increase in gang membership among the residents. Finally, some interviewees thought that the YOS population in recent years has tended to resemble the DOC population in terms of the “criminal profile.”

To address these concerns, DCJ researchers obtained data from the YOS education database and DOC’s DCIS to profile the YOS population.

Age Level. Age was obtained from date of birth information. The analysis averaged the age of the stock population on December 31st for each year that YOS has operated and for August 24 for the current year.

Figure 3 shows that the average resident age has gone up significantly from 1994 to 2001 and then leveled off from 2002 to present. This trend is explained by the fact that YOS was a new program in 1994. Indeed, the entire YOS population is aging and has increased in age from 17.5 to 19.6. This age increase is to be expected given the length of time offenders spend in the program. The information in Figure 3.1 includes YOS offenders in Phase III.

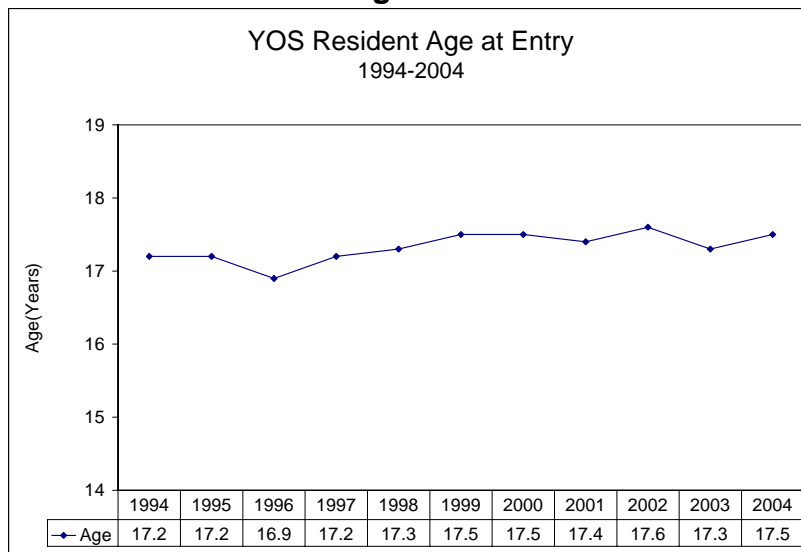
Figure 3:



Source: DCIS Data, n=892;
*Age for 2004 calculated from stock population on 8/24/2004

While the stock population at YOS has gotten older over time, statistical analyses found that YOS residents are not getting older at time of entry. Figure 4 shows this result.

Figure 4:



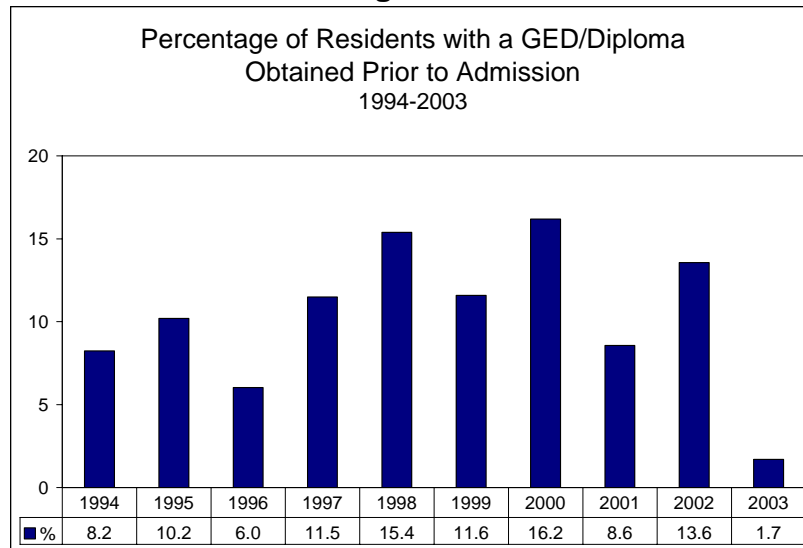
Source: DCIS, n=892

Education Level. The YOS education database recorded the date when a resident obtained a GED or high school diploma. This date was compared against YOS admission date to determine if a resident had obtained his or her GED or diploma prior to entry into YOS. Figure 5 shows that the percentage of residents with a GED or diploma prior to entry varied from year to year with 2000 having the highest proportion (16.2 percent) and 2003 having the lowest

proportion (1.7 percent). The average percentage over this time span is 10.3 percent.

In sum, residents' education background varies from year to year but in recent years the overall proportion of residents entering into YOS with a GED or diploma has remained fairly stable.

Figure 5:



Source: DCIS and YOS Education Database, n=892

The education database was also used to determine how many YOS residents discharge the program with a GED or diploma. Table 2 shows the education of discharged YOS residents.

Table 2: Education at Discharge (n=496)

EDUCATION AT DISCHARGE	PERCENT	AVERAGE LOS - YOS
GED	38.5	3.0 years
High School Diploma	30.9	4.3 years
Neither GED nor Diploma	30.6	2.6 years

Source: DCIS and YOS Education Database

As shown in Table 2, there was a statistically significant difference in length of stay (LOS) between those with a diploma, GED and no GED or diploma. Comparing residents at discharge from YOS, those who had a diploma had an average LOS of 4.3 years, those with a GED had an average LOS of 3 years, and those without a GED or diploma had an average LOS of 2.6 years. Of the forty-three residents in Phase III on August 24, 2004, 30.2 percent had a GED, 46.5 percent had a diploma and 23.3 percent had no GED or diploma.

Crime Severity Level. Felony class data were extracted from DCIS and the highest felony class for an offender was analyzed. Table 3 shows that the majority of residents are entering YOS with a felony class 2, 3 or 4 as their most serious felony class. There is no discernible trend over time in severity of felony class.

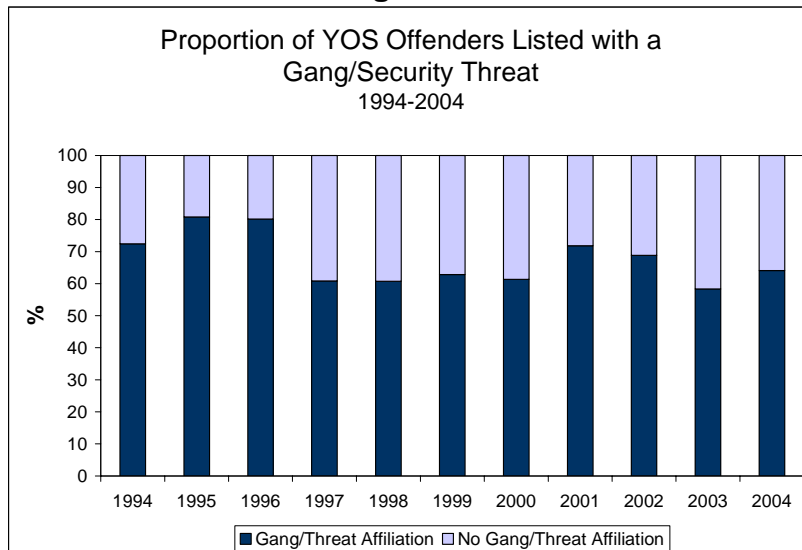
Table 3: Felony Class of Most Serious Crime of YOS Residents, by Year by Commitment (n=863)

YEAR	CLASS 2	CLASS 3	CLASS 4	CLASS 5	CLASS 6*
1994	0%	41%	38%	22%	0%
1995	0%	39%	44%	16%	1%
1996	0%	44%	44%	11%	1%
1997	0%	38%	45%	15%	2%
1998	1%	45%	40%	14%	1%
1999	0%	46%	39%	14%	0%
2000	2%	53%	41%	4%	0%
2001	0%	49%	34%	16%	1%
2002	0%	42%	40%	18%	0%
2003	2%	34%	51%	12%	2%

Source: DCIS; * There were only 7 residents that had a class 6 felony recorded in the DCIS database. Excludes 2004 because of incomplete data.

Gang Involvement. The DCIS database was used to obtain information about security threats. DCIS flags offenders with a known gang involvement/security threat. Figure 6 shows that this involvement has varied over the years but remains high, between 60 percent and 80 percent.

Figure 6:



Source: DCIS, n=892. Gang and other security threats are coded together in DCIS.

To summarize, overall the YOS population appears to have remained fairly stable over time in terms of average age at entry into YOS, education, felony class, and gang involvement. The noted increase in the resident population age is likely the result of the YOS stock population aging as they serve their sentences. This is underscored by the finding that the average age has leveled off in the past several years.

3.2 ARE THE RIGHT YOUTH GOING TO YOS?

Yes, it appears that the YOS population is a unique offender group. This was found for those sentenced in 2000 (reported in DCJ's 2002 evaluation) and again for those sentenced in 2003, reported below.

Using ICON data from the State Judicial Branch's ICON database to analyze all district court juvenile filings closed in 2003, 10,341 youths with 12,924 cases were identified.¹⁰ Table 4 summarizes placement by violent or nonviolent conviction type and shows that YOS had the largest proportion of cases (81.3 percent) sentenced for crimes of violence.

This analysis shows that YOS is being used for a specific group of serious violent offenders. Further, using the seriousness of the conviction crime to examine placement decisions, it is clear that YOS offenders most resemble the proportion of young offenders with violent convictions sentenced to DOC (73.9 percent compared to 81.3 percent of YOS commits).

¹⁰Of these cases, 4,466 were either dismissed or had missing sentencing data, leaving a remainder of 7,449 youths with 8,458 cases. Examining these cases for sentencing dispositions, we found 6,528 youths (87.6%) had only one case and 921 youths (12.4%) had 2 or more cases. Some youth had multiple sentencing dispositions that ran concurrently to their most serious ones. For instance, one youth had a YOS sentence and two other sentences - detention and the Division of Youth Corrections (DYC) - that ran concurrently. All of these cases were assigned to the sentence category, not the actual placement of the youth. Sentencing dispositions were assigned to the case with the most serious disposition (e.g., cases receiving probation and a fine were assigned to the probation category).

Table 4: Dispositions in 2003 of Cases Under 18 Years Old at the Time of Offense by Violent/Nonviolent Convictions

DISPOSITIONS	TOTAL NONVIOLENT		TOTAL VIOLENT		TOTAL
	n	%	n	%	n
YOS	9	18.8	39	81.3	48
DOC/Community Corrections	6	26.1	17	73.9	23
Detention	132	63.5	76	36.5	208
DYC	422	71.8	166	28.2	588
Probation	3,524	69.8	1,528	30.2	5,052
Work Release/Jail	19	76.0	6	24.0	25
Deferred Sentence	1,480	70.0	635	30.0	2,115
Diversion	12	48.0	13	52.0	25
Fines/Community Service/ Treatment	293	78.3	81	21.7	374
TOTAL	5,897	69.7	2,561	30.3	8,458

Further, the analysis showed that YOS offenders were, on average, older than youth sentenced to DYC but younger than the group sentenced to DOC. The average ages of DOC, YOS and DYC offenders were 17.6, 16.7 and 16.1, respectively.

These results clearly indicate that the YOS is being used primarily for younger violent youth when compared to violent cases sentenced to DOC/Community Corrections and DYC. This is indeed a unique group of offenders and it likely represents the group that policy makers targeted for YOS.

What is the Criminal History of YOS Offenders? In our resident survey, we asked offenders about their involvement with the criminal justice system. Results from the survey of 171 respondents showed the following:

- 99 or 57.9 percent had *prior convictions* and an average of 3.4 prior convictions
- 103 or 60.2 percent had *prior detentions* and an average of 1.8 prior detentions
- 91 or 53.2 percent had *prior probations* and an average of 3.2 prior probations
- 46 or 26.9 percent had *prior commitments* and an average of 1.8 prior commitments

These results show that more than half of YOS residents had significant self-reported interaction with the juvenile justice system prior to entering YOS.

3.3 RECIDIVISM

What is the Revocation Rate for YOS Offenders? Since the YOS program began in 1994, 892 offenders have entered YOS. As of August 2004, 161 (18 percent) have been revoked to prison. Some residents quit the program, others are terminated for noncompliance or lack of progress, and some are deemed unsuitable for the program (discussed below).

Note that this revocation rate is *higher* than the actual program failure rate. That is, the actual program revocation rate is something less than 18 percent. DOC's management information system combines those who fail the program with those who are found to be unsuitable for the program. For example, some youth are sent to San Carlos for a 60-day evaluation, and some are recommended back to court when they found to have characteristics that would prevent them from completing YOS.

What is the Recidivism Rate for YOS Offenders? Only those who have been discharged successfully were included in the recidivism analysis.

Recidivism was defined as a new felony filing. In 2002, only 17 youth had been discharged for 5 years and the 5-year recidivism rate (64.7 percent) was reported because the YOS statute mandated doing so. As noted in 2002, because of the few youth in the analysis, the rate was unreliable.

For the current study, 143 youth had been discharged for at least five years. Fifty-three (53.1) percent of these youth received a new felony filing. New filing rates for one year and two years were 22.2 percent and 32.9 percent, respectively. These rates are similar to those reported in 2002 (22.4 percent and 35.5 percent, respectively).

Table 5: 2004 and 2002 Recidivism Rates at Years 1, 2 and 5

	2004 EVALUATION		2002 EVALUATION	
	New Felony Filings	New Felony Convictions	New Felony Filings	New Felony Convictions
One Year Post-Discharge	22.2% (93)	19.1% (80)	22.4% (60)	18.3% (46)
Two Years Post-Discharge	32.9% (121)	29.7% (109)	35.5% (65)	26.5% (45)
Five Years Post-Discharge	53.1% (76)	50.3% (72)	64.7% (11)	41.2% (7)

Source: DCIS and Judicial's ICON database.

Recidivism Rates Have Improved Since the 2002 Study. As we wrote in 2002, basing a recidivism rate on only 17 cases was unreliable, yet reporting the five-year rate is required in the evaluation portion of the YOS statute. The 53 percent recidivism rate reported in Table 5 provides a much more reliable finding on the

proportion of cases that received a new felony filing. This recidivism rate is approximately the same as the five-year recidivism rate for DOC inmates as reported in the DOC 2003 annual report (Rosten, 2003:65).

However, DOC defines recidivism as return to prison; since not all felony filings and convictions result in a prison sentence, the DOC rate is likely to be lower due to this less stringent measure of recidivism. Further, the YOS population is a more serious group overall compared to the DOC population. By comparison, then, the YOS recidivism findings reflect an important and positive difference in long-term outcome for offenders sentenced to YOS and those sentenced to prison.

This Is Important In Terms of Public Safety. The similarity in recidivism rates between the YOS and DOC populations is unexpected given the very serious nature of those sentenced to YOS. In fact, the YOS population represents the most serious criminal justice population: young, violent offenders with a long history of illegal behavior beginning at a young age. Compared to other criminal populations, those sentenced to YOS are at the highest risk to reoffend. Despite these characteristics, 47 percent remained crime-free after five years.

3.4 PROGRAM FINDINGS

Review of the YOS Statute. As an introduction to this section, let us review the legislative mandate and recommendations concerning the operation of the Youthful Offender System.

Section 18-1.3-407 (1)(a), C.R.S. states:

It is the intent of the general assembly that the youthful offender system established pursuant to this section 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 the value of work and self-discipline, and develops useful skills and abilities through enriched programming.

Further, 18-1.3-407, C.R.S (3) and (3.3) recommend the use of “educational and work programs, and meaningful interaction”.... “staff models and mentors to promote”... “socially accepted attitudes and behaviors;” ... “problem solving skills”.... “cognitive behavior strategies”... “opportunity to gradually reenter the community....”

It is important to note that, except in the declaration of legislative intent quoted above, the statute uses the language “should” rather than “shall” regarding the use of specific programming.

Organization of this Section. The findings presented here represent the perceptions of study participants (see Chapter 2 for a description of the methods). The presentation of this section is organized in the following way: first we provide findings on the “prison versus program” issues (described below). This discussion then leads into the findings regarding the lack of program services at the YOS facility. Next we address perceptions by some YOS staff regarding the personnel process and staff qualifications and how common practices can lead to the view that the overriding philosophy at YOS is not program-oriented. Then we report perspectives regarding the inconsistent application—or understanding—of sanctions and behavioral controls.

A Word about the Data. Let us reiterate that the study design was built on the recommendations that concluded DCJ’s 2002 evaluation of the YOS.¹¹ Eighty-one percent of the current residents returned a completed questionnaire, reflecting a response rate considered extremely good.¹² A high response rate is one way of determining that the information is probably unbiased because so many of the potential respondents did, in fact, return questionnaires.

However, the response rate for the staff survey was disappointingly low at 29.1 percent despite multiple efforts to collect completed instruments. Fortunately, YOS focus group participants were randomly selected and therefore likely represent viewpoints from across all staff. Further, only data found to be consistent across the focus groups, interviews and surveys is presented here as research findings. That is, the following findings represent themes and patterns obtained from all data collection methods.

As stated in the methods chapter, actual quotes represent statements from study participants that represent a particular finding. Phrases such as “discussions about ...” in the context of presenting study findings mean that the information may have come from any or all of the data collection sources. We use “staff” to describe the full range of personnel working at the YOS, “administrators” to refer to those who set policy, program direction and practice, and “residents” to reflect the young men and women serving sentences at the YOS facility.

Finally, data were collected in the summer of 2004, and the findings presented here represent the perspectives and opinions of residents and staff only for that

¹¹ DCJ research staff met with DOC YOS administrators in March of 2004 to finalize the study design.

¹² The overall response rate is one guide to the representativeness of the sample, according to M. G. Maxfield and E. Babbie, *Research Methods for Criminal Justice and Criminology*, vol. 3, 2001:261), who go on to state: “...a response rate of 70 percent is very good.”

period of time. When the findings here are consistent with those reported by DCJ in the 2002 evaluation report, this consistency will be noted.

A. “PROGRAM versus PRISON.”

Echoing our Findings from the 2002 Study. Data from the surveys, interviews and focus groups once again found an overriding tension between what was often referred to as “the Prison versus Program” and “DOC versus YOS.” This was also a finding in our 2002 YOS evaluation report.

This tension reflects a decades-old debate in the field of penology.

Prisons have two widely acknowledged goals: custody and treatment. Often practitioners and penologists alike view these goals as conflicting. Custody is the legal or physical control of a person. Prison authorities are responsible for the legal and physical control of inmates.... Perhaps the greatest point of divergence between custodial prison staff and treatment staff is a philosophical one. To do their job effectively, treatment staff must nurture mutual trust between them and inmates. ...The coercion used by treatment staff, therefore, must be low and the trust expressed toward inmates must be high. It is on these points that treatment and custody staff may part company.¹³

Although this conflict is common in the field of corrections, it presents a particular problem for DOC administrators. YOS was intended to integrate programming for community reintegration and security. The YOS statutory mandate requires that DOC integrate programming and security. The lack of integration presents confusion or leads to conflict among staff and residents and it ultimately reflects the lack of full implementation as described in the statute.

We refer to this philosophical tension as the “prison/program” conflict. The data from surveys, interviews, and focus groups consistently pointed to concerns that security overrides efforts to implement programming. The data from all sources represent the perspective that there is not a cohesive program at YOS and that the programmatic components that remain are colored by an overriding impediment to complete program implementation: the unresolved and ongoing conflict between the philosophies of custody and treatment.

¹³ Mays and Winfree, *Contemporary Corrections*, 2nd ed., Wadsworth Group, 2002, pp. 124-5. See also Street, Vinter and Perrow, *Organization for Treatment*, The Free Press, 1966 and Gottfredson and Tonry, *Prediction and Classification: Criminal Justice Decision Making*, Vol. 9, University of Chicago Press, 1987.

In the 2002 evaluation findings, this divide was framed around the program's move from Denver to Pueblo, but that was probably because researchers were specifically asked by policy makers to focus on whether and how the program changed when the location changed.¹⁴ While the move itself is fading into the history of the program, the conflict between security and treatment that was once summarized by "the move to Pueblo" is now holding its own regardless of location.

According to the perspectives of study participants, the differences in philosophy vary from building to building, and according to one participant, the differences also exist "within buildings—pod to pod, shift to shift, officer to officer." Other respondents provided comments akin to the following: "One unit really works with youth while another is ready to revoke them for slight infractions of the norms." Referring to this issue of philosophical tension, one interviewee said that the security and program staff were without a common goal.

While the tension between custody and programming is present, many staff reported that YOS was very different from prison:

- "YOS helps teach individuals things before reintegration. DOC keeps offenders locked up for the protection and safety of the public and manages offenders."
- "DOC is there to manage inmates. YOS wants to change them."
- "YOS prepares, educates, influences, and guides. DOC provides security, housing."
- "More education, opportunities, programs, and interaction with staff at YOS to better promote rehabilitation and opportunities for youth offenders. DOC is geared toward housing, not rehabilitation."
- "YOS offers opportunities for change, and DOC is adult prison."
- "DOC manages inmates by class of crime and behavior. Its mission is to manage and control."
- "YOS has a mission to educate, provide opportunity for change, and growth, and prepare youth for society through self worth and development while teaching discipline."
- "DOC is simply management of inmates. YOS is about teaching, changing outlooks on life, morals, and preparing offenders for the future."

Interviews with administrative staff found the perspective that YOS is "very program oriented," and is a "good mix of programs with security." Others that were lower in the chain of command had a different perspective. These staff

¹⁴See *Evaluation of the Youthful Offender System (YOS) in Colorado: A Report of Findings per C.R.S. 18-1.3-407*, November 1, 2002, available at <http://dcj.state.co.us/ors/pdf/doc/YOSfinalreport2.pdf>

consistently reported that all or most of the programmatic components discussed in the enabling legislation were weak or absent.

From the hundreds of pages of data collected and analyzed for this study, it is clear that the perspective of the philosophical conflict between custody and programming continues and may undermine the effectiveness of the overall YOS program. Below, this philosophical tension surfaces in discussions of the bootcamp, staff qualifications, and the use of sanctions/consequences for residents' negative behaviors. The examples reflect the extent to which the philosophical division is present in these program areas.

Bootcamp. Bootcamp is the first programmatic component experienced by the YOS offenders, lasting a minimum of four weeks. This component was found to be operating adequately during our 2002 evaluation of YOS, yet it was a source of concern during the current study. Some said that the time residents were required to devote to bootcamp training had been reduced: "How can we effectively train with so little time to do it?" Also, there appeared to be some question about the purpose of bootcamp: "These inmates don't know what real prison is like. There should be some way to take them and show them what they would be dealing with in real prison. This should be done during boot camp."¹⁵

Program Progress and Community Reintegration: The philosophical divide surfaced when staff and youth lamented the lack of community reintegration time spent during Phase II. Survey respondents indicated that there were no real differences at this time between Phase I and II. They stated that "outings" into the community that they had done in the past were no longer being done even though staff state that these were done at very little cost. These "outings" had served many purposes such as conducting job-searches and engaging in recreational activities. YOS residents continue to undertake 100 hours of community service before the end of their sentence, but this activity is not focused on reintegration. In addition, both youth and staff respondents stated that there was no real preparation for living independently upon departure from the facility, like acquiring cooking and budgeting skills.

Administrators informed researchers that there were two reasons that the outings had been restricted. First, not all of the outings were considered to be linked to building transition skills. Administrators decided that all outings should be targeted to obtain very specific outcomes for the youth, such as going to the Division of Motor Vehicles to obtain identification cards (as the girls did in October). Second, outings are resource-intensive, and reductions in staffing have decreased opportunities for outings.

¹⁵ Numerous studies have concluded that deterrence programs actually increase the probability of recidivism (see "Effective intervention for serious juvenile offenders by Mark Lipsey and David Wilson, in *Serious and Violent Juvenile Offenders: Risk Factors and Successful Interventions*, R. Loeber and D.P. Farrington, Eds., Sage Publications, 1998).

Those who referred to the elimination of the outings expressed concern that offenders needed to be given opportunities to be responsible in the actual environment in which they were preparing to return. Some of these study participants felt this program component was not only a critical aspect to community reintegration but that it served as an important “reward” for positive and productive behavior and for program compliance.¹⁶ According to one interviewee, the “current thinking is that we don’t reward them, they are criminals.” Nevertheless, many staff mentioned that the loss of these activities is an example of the prison/program conflict. In fact, it may be an excellent example of the treatment versus security tension: according to YOS and DOC administrators, outings were terminated years ago after a YOS resident used the outing as an opportunity to escape.

Apart from community outings, both staff and youth agreed that there was a need for incentives to reward progress in the program. Staff recognized a need to keep youth motivated to progress through all the Phases of YOS. Administrators agreed that there was a need for incentives and rewards for residents: “We can do better, especially with Phase II.”

Discussions with administrators in the fall of 2004 reflected that, in general, the outings were not considered rewards but rather were to reflect a gradual increase in targeted reintegration activities and responsibilities that were earned by residents.

It seems that the outings reflect specific differences in purpose and that this, combined with fewer staff, may have led to this difference in perspective on the part of YOS staff.

Other Program Concerns. Other aspects of the prison-program debate included discussions of program deficits including a weak vocational training effort, the lack in variety of college classes, and significant problems with the positive peer culture (problems with implementation and staff buy-in). There was also frustration expressed that YOS offenders were not penalized for non-performance: “There should be a three strikes and you are out rule for inmates.” Other study participants said that certain staff who were “DOC-minded” did not “cut them any slack” referring to YOS offenders.¹⁷

¹⁶ Criminologists have found that rewarding positive behavior is more effective than punishing negative behavior. See F.T. Cullen and B. K. Applegate, eds., *Offender Rehabilitation: Effective Correctional Intervention*, Ashgate/Dartmouth, 1998; Andrews, Zinger, Hoge, Bonta, Gendreau and Cullen, "Does correctional treatment work: A psychologically informed meta-analysis, *Criminology*, 1990; and Whitehead and Lab, "A meta-analysis of juvenile correctional treatment, *Journal of Research on Crime and Delinquency*, 1989.

¹⁷ The 2002 YOS evaluation study found that staff perceived significant inconsistencies in the understanding and application of sanctions in what was intended to be a treatment setting. Sanctions were not integrated into the larger issue of treatment compliance and behavior modification.

Program Staff. Not surprisingly, perceptions of the prison/program divide permeated discussions of the YOS program components and services delivered to youth. Invariably, this topic about philosophy led to the issues of staff qualifications and descriptions of two types of staff: “There are those who are DOC-minded and others that are programmatic.”

The legislation requires that YOS employees have special qualifications to work with juvenile offenders.¹⁸ Our 2002 evaluation report identified the lack of specially qualified staff as problematic, and we again found that many staff perceive other staff to be unqualified to work with the YOS population. For example, the implementation of a positive peer culture requires the participation of all staff that interact with youth. However, this comment reflects a common theme: “Many of the staff just come from other DOC facilities and have no juvenile experience; they come with the mentality that these residents are just inmates.”

YOS residents who participated in the study also described the split in philosophy. One youth said, in part, “...and you can tell the difference. The way I know is that you consider the ones that come here, they try to work with you. The other ones, everything is punishment. Everything is punishment.” One interesting response frames the tension between prison and programs: “We get consequences for the prison rules and the program rules. We got the best of both worlds and the worst. We got prison rules we got to follow and we got program rules we got to follow.” Rather than working in tandem to ensure consistent structure, consequences and facility safety, the program rules and prison regulations are not integrated, reflecting the lack of integration of the philosophies of security and rehabilitation.

All data sources described the prison-minded (rather than program-minded) staff as working at YOS primarily because of personal convenience (i.e. the facility was conveniently located) rather than an interest in this special population or the programs YOS was intended to deliver. Also, administrators consistently noted that Pueblo was viewed as an excellent living environment by many employees.

During the time we were collecting data for this study, the YOS facility director retired, and naturally this transition period was filled with discussions about the past and the future of YOS. Most study participants agreed that the facility was currently operating more like a traditional prison rather than a special program for juvenile offenders transferred to adult court. Anticipation about the new warden led program-minded staff to believe that either YOS would become “more program-oriented, or stay the same.” A similar sentiment about the new facility

¹⁸ The YOS statute 18-1.3-407, C.R.S. (3.5) states that DOC “...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, are trained to act as role models and mentors...and are best equipped to enable the youthful offender system to meet the principles specified in subsection (3) of this section.”

director was expressed like this: "We need someone that can see this isn't just another DOC prison."

Consequences. Since the inconsistent application of sanctions was a finding in the 2002 evaluation report, we included questions on this topic in the surveys, focus groups and interviews.

YOS residents are subject to the prison's Code of Penal Discipline regulations and YOS-specific rules and consequences. According to the information collected, there seemed to be frustration on the part of staff that sometimes, especially during Phase 1, personnel were quick to sanction someone rather than "take the time to work the program." But there was also the opposite concern. One survey respondent wrote: "Need to get rid of the residents who refuse to do the program. They shouldn't be there; they should be revoked."

The YOS Operating Manual specifies how disciplinary actions are to be handled. Although the consequences are described clearly, the application requires the implementation of the peer culture and the program team. The general perception is that peer culture is weak and that the program team may be in conflict. Therefore it is not known how this policy is applied in practice.

Discipline Level (D.L.): An offender can be dropped to this level from any other level based on documented negative behavior, rule or norm violations, or failure to meet expectations of other levels. Offenders on D.L. must comply with the following expectations:

a. Must wear a DL bracelet:

- 1) Affixed to the offender's right wrist at the conclusion of the Program Team Review.*
- 2) Denotes the dates of DL status, the offender's name, and assigned living unit.*
- 3) Tampering or removal by a offender will result in a Program Team Review and/or COPD charge.*
- 4) After completion of DL status, the bracelet will be removed by the chairperson of the Program Team.*

b. Must be escorted by a Peer Shadow (Pledge or above).

c. Must perform 30 minutes of physical training per day, supervised by staff.

d. No talking without permission from staff or Peer Shadow.

e. Must complete D.L. packet.

f. Must sit at desk and read/study during free time.

g. Must side step in living unit and chow hall.

h. Males shall receive a haircut utilizing the "0" blade and females shall receive a "bobbed style" haircut.

D.L. will last in duration from a minimum of seven days to a maximum of 28 days, depending on the Program Team's decision.

Residents reported in the questionnaires that they can receive the following consequences for poor behavior:

- Dropped in status levels
- Regressed to IDO (bootcamp)
- Removed from population and put in segregation
- Put on DL (Disciplinary Level)

Residents also mentioned a variety of other consequences that we categorized in the following way:

- **Written assignments or essays**
- **General consequences:** “Power clean,” “hall monitor,” “probation,” and attend “motivational training.”
- **Loss of privileges:** “Loss of free time, TV, phone, gym, library and church services.” Or “loss of privileges such as visits, telephone, gym, yard, library and canteen.”
- **Physical:** “Physical chores,” “physical restraint,” “marching in circles,” “made to sit in a corner,” “physically disciplined,” “running around the pod.”
- **Other:** This would include anything like being “cussed at and sent to the mud pit,” “ridiculous consequences that degrade individuals,” “...abusive language followed by a write-up.”

The perceptions of residents and many staff are that consequences are being applied inconsistently. There was a common concern voiced that this behavior contributes to a decline in program effectiveness and is degrading to residents.

Conversations with administrators in the fall of 2004 included discussions of two options for sanctions. One option followed the DOC administrative process and the other represented a programmatic response. According to administrators, consequences are driven by the behavior of the youth, and staff have the discretion to apply a sanction based on the single incident or to consider whether the incident is part of a larger pattern of behavior for which the offender may have previously been sanctioned.

Further, as mentioned previously, the YOS Operating Manual describes the application of sanctions in terms of the peer culture and program team. The perception that these aspects of the YOS program are weak may result in problems and miscommunication in the area of sanctions.

B. SAFETY

The 2004 resident questionnaire inquired about issues of safety. Almost half (43.3 percent) of the residents reported that they feel safe at YOS. Another 26 percent feel somewhat safe (see Table 6). Below we explore further responses from those who said they felt safe and those who said that they did not.

Table 6: Resident Survey: Do you Feel Safe? (n=171)

	FREQUENCY	PERCENT
No	27	15.8
No Answer	1	0.6
Not Really	25	14.6
Somewhat	44	25.7
Yes	74	43.3

Residents who Reported Feeling Safe. These residents attributed this in large part to “good staff.” These respondents provided the following descriptions of why staff were central to their experience of safety: “Staff who don’t bring in contraband...and staff who are willing to learn the program.” One resident said, “Knowing staff are close by and will work with you at any time.” Another wrote: “Because staff made an effort to intervene in confrontations between residents. Some staff really care what happens.”

Residents also credited their own efforts as adding to their sense of safety: “Knowing I want to change my life and do good;” “Keeping to myself and not finding trouble.” One resident said, “I’m in a good environment and no one wants to go to prison for a sudden impulse of anger.” Likewise, “No one wants to do anything stupid and get revoked so everyone behaves;” “Because everyone has their head on straight and trying to do what they have to do.”

Residents who Reported Feeling Unsafe. Twenty-seven resident respondents experienced an unsafe facility environment. “If staff don’t like you, watch out.” Another mentioned that doors were not locked and that there are “times where no one is around that you could be hurt.” Another respondent said that “there isn’t enough security in the pods and anything can happen in the big rooms.”

Further, we received reports of problematic behavior by YOS staff. A consistent theme from all sources of data collection (i.e. the surveys, focus groups and interviews) pertained to specific behavior by some staff members against residents. The behaviors mentioned included the use of obscene and abusive language, ridiculing residents with degrading comments, bullying behavior, and a specific practice called “slamming.” Slamming was described as a term for throwing and sometimes pinning a resident to the ground. “Slamming” was mentioned by both residents and staff. This topic is discussed in further detail in Chapter 4.

Conclusion. This section on the “prison/program” philosophical conflict concludes here. Examples of the conflict included: the bootcamp, staff qualifications, and inconsistent consequences. This conflict has permeated the corrections industry for most of the 20th century, and so this is not a surprising finding.¹⁹ Yet it continues to surface as one of the single most concerning problems perceived by YOS staff and residents. The lack of adequate programming at YOS—that is, programming that is consistent with the intent of the legislative intent—was noted in the 2002 study and before that in the 1999 Report of the State Auditor on the YOS.

C. LACK OF SERVICES

Specific Programs. In DCJ’s 2002 report, we recommended reinstatement of the relapse prevention program (recommendation #9) as well as the gang program (recommendation #15). These programs were not reinstated.

However, YOS decision makers are actively reviewing other methods for addressing the gang problem. The prior gang problem focused on educational approaches that seemed to have little impact on the youth, according to staff. Efforts are underway to find a treatment-oriented approach, and officials are awaiting the outcomes of inmates who participated in an innovative gang intervention program at a midwestern state.

According to interviews, surveys and focus groups, services at the YOS facility have been significantly reduced. This reflects the curtailing of budget expenditures, according to interviews with YOS administrators.

Clinical staff estimated that more than 90 percent of the YOS population has a serious substance abuse problem, but treatment for substance abuse has been folded into a single group that also addresses anger management and cognitive education. This group meets for one semester (approximately 16 weeks), for one hour 4 days per week. This translates into 15 to 20 hours of group time for each of the three topics addressed in this combined group.²⁰ Most YOS staff believed this type of intervention to be inadequate given the high-need and high-risk nature of the YOS population.

Further, there is a waiting list for offenders to get into this group and, according to study data, admission is based on mandatory release date.

¹⁹ Mays and Winfree, *Contemporary Corrections, 2nd Ed.*, Chapter 2, Wadsworth Publishing, 2002.

²⁰ As a point of reference for the level of this particular intervention, several staff noted that in at least two of the adult facilities, prior to the budget shortfall, the anger management class involved 190 hours of group work.

Additional services offered in the YOS program include Guided Group Interaction (GGI) and Quickskills groups. These are interventions designed to promote pro-social behaviors through a positive peer culture and to provide offenders with cognitive tools to make the necessary changes for success in their lives. Despite the purpose of these programs, there seemed to be a general consensus that the group leaders were unqualified or untrained or both. One youth reported that the Quickskills program was, "...being taught by a correctional officer. They don't even try. They just read off the paper and hope you understand it."

The staff survey data found concerns about the loss of cognitive education, drug and alcohol, gang issues, living skills, anger management, victim awareness, relapse prevention and grief and loss counseling. One staff commented that "cognitive education is nonexistent."

Both the staff and resident surveys mentioned that gangs are a problem at YOS. Indeed, the information presented in Figure 6 shows that between 60 and 80 percent of incoming YOS offenders have been identified by the DOC as being a member of a gang or otherwise involved in gang activity. One resident mentioned: "They arrive gang banging." Gang behavior, while not tolerated by the administration, nevertheless occurs via handshakes, sagging clothing, and fighting and intimidation, according to some of the residents.

However, according to staff, YOS is attempting to address the gang problem. Although the gang group program has been eliminated, a gang coordinator works at the facility, and the residents are monitored for gang activity or behavior. When these behaviors are found, the resident receives consequences related to the severity of the behavior, according to staff.

Mental Health Treatment. The 2002 YOS evaluation found a paucity of mental health treatment at the YOS facility. To follow up on this program deficit, we asked about counseling in the resident survey. The following table reflects the frequency of counseling reported by YOS residents.

Table 7: Resident Survey: How Often do you Meet One on One with a Psychologist/ Counselor/ Psychiatrist?

	RESIDENTS
Never	69
As Needed	62
Daily	3
Weekly	27
Monthly	8
Not Applicable	2
TOTAL	171

YOS mental health staff included two mental health workers, two interns and a part-time sex offender therapist. Interviews with clinical staff found that there are

approximately 35 YOS residents with an identified mental illness. Psychological evaluations and meetings with the psychiatrist frequently occur through the use of a teleconference.

Some staff found this to be an ineffective method for conducting evaluations and staffing cases. For staff and residents, time with the psychiatrist was limited so that it was difficult to cover all the necessary issues and questions, for example, concerning medication. Evaluations via teleconference were a concern to both staff and youth because sometimes rapport could not be established. Also, the technology remains less than perfect: sometimes the teleconferencing equipment failed.

Furthermore, many of the study participants noted the lack of individualized treatment. While it was mentioned that this was the result of having too few clinical personnel, the 2002 YOS evaluation also reported a lack of individualized treatment, along with a lack of mental health services.

Evaluations of youth contain significant information but efforts to develop and implement an individualized intervention plan do not transpire. The result, according to at least two staff respondents, is a “cookie cutter approach with the residents.” In fact, at least three respondents mentioned that the YOS mission statement had been modified to omit the mention of an individualized treatment plan.²¹

Staff mentioned their efforts to see youth with mental health needs more frequently than once per quarter. Although efforts are being made to see these offenders on a monthly basis, it is very difficult to accomplish with the limited number of available clinicians. Policy also mandates that each youth be assigned an individual counselor within the program who meet weekly, but the above table indicates that it does not seem to be happening on a regular basis for most youth.

The exception to this occurs during the community portion of the YOS program, Phase III. Researchers were told during both focus groups and interviews that youth can access services when they need assistance. Further, researchers were informed that Phase III develops and uses individualized treatment plans.

Program Assessment Summaries (PAS). These summaries are developed with the intention of a semi-annual review to discuss the residents’ progress. Many respondents stated that the current PAS is not a useful tool because it is

²¹ According to Administrative Regulation 100-18 for the Pueblo Minimum Center and the YOS, the YOS mission statement is: “The mission of the Youthful Offender System (YSO) is to provide a controlled, regimented, and secure environment which ensures public safety. The Youthful Offender System promotes the value of education (academic and vocational), self-discipline, and develops pro-social skills and abilities through an individualized phased program which includes supportive aftercare.” (Last reviewed on June 7, 2004).

“cumbersome” and rather than being individualized, the summaries are too boilerplate, too “cut and paste.” Moreover, staff and residents reported that the residents have no input into their goals, and that the PASs are not regularly reviewed.

However, resident surveys reflected that 147 (86 percent) of the respondents had a PAS, and over three quarters (76.4 percent) of them knew what their goals on the PAS were. The residents reported that the PAS is not integrated into their YOS experience; several of them mentioned that staff “just make a copy of the last one.” Residents also said that they are sometimes told to sign the PAS without reviewing it.

The staff questionnaire asked if the PAS was useful, and half of the respondents did not answer the question. Of those who did, only about 17 percent said they found it useful or somewhat useful. Of those that said they were NOT REALLY useful or NO, they felt this way because the language of the PAS was very difficult for both staff and residents to understand, making it hard for staff to complete. Staff also mentioned that there wasn’t any room for individualized comments. One staff wrote that the PAS was simply not a good assessment of the resident and for that reason, they were just “pieces of paper in the file” that satisfied a paperwork requirement. The PAS is perceived by some staff to be too rigid because, “no details can be added to the PAS;” and “you just have to circle the best choice.”

Table 8: Staff Survey: Did They Find the PAS Useful?

	FREQUENCY	PERCENT
No Response	27	50.94
No	10	18.87
Not Really	7	13.21
Somewhat	7	13.21
Yes	2	3.77

Program Teams. Staff expressed some concern about the lack of consistency in the use of program teams. The use of these teams apparently varies according to YOS building. The findings presented here about the program teams appear to underscore the lack of individualized and meaningful (i.e. “cookie cutter”) treatment of the offender.

Program teams meet monthly to discuss how the offender is progressing through the YOS program. Survey and interview data suggest that the use of these teams could be improved by encouraging greater participation by all relevant staff. Apparently it is not uncommon for meetings to be held without the presence of teachers, mental health workers, job supervisors or others who can provide input about the offender’s activities. Also, sometimes these meetings are held for only a few minutes, communicating to the offender that his or her progress is not very important, according to a respondent.

When team meetings are truncated or conducted without all the necessary members, important components of an offender's progress might not be addressed, decreasing the value of the program teams. Further, sometimes the teams of professionals do not function effectively. In other studies, DCJ researchers have found that gaps in communication and tension among treatment team members can undermine the goals of the larger program in addition to diminishing the value of the intervention for the offender.

Researchers were informed during a meeting with YOS officials that the problems identified here will be addressed when supervisors for each of the three main buildings are hired on November 1, 2004.

Phase II. The original design of YOS placed the focus on assisting the offender in the transition from confinement to the community in Phase II. Given the description of diminished programming detailed thus far in this chapter, and given the intention to deliver the most intense residential reintegration programming in Phase II, it is not surprising that the findings presented here focus on the lack of programming in Phase II.

Limited Physical Separation Between Phase I and II. The data all categories of study participants resoundingly expressed concern about the integration of Phase I and II residents. The lack of separation affected the residents' motivation and stalled or interrupted the process of "concentrating on the living skills they should be attaining."

The comments about the integration and "intermingling" of offenders in Phase I and Phase II ranged from the disappointing loss of Phase II operating as a community-based program (when YOS was located in Denver) to descriptions of the day-to-day difficulties caused by mixing residents with different privileges and assignments. Often, those who earned greater privileges were required to relinquish those in order to maintain structure in the environment.

Progression to Phase II is Limited by the Number of Available Beds. DCJ researchers found a problem with "program flow" between Phases I and II during our 2002 evaluation of YOS. At that time, it appeared that the waiting list for Phase II was the result of housing non-YOS inmates in the same facility, reducing the space available for Phase II residents. Again, the *de facto* capitation of Phase II seems related to constraints posed by the facility itself.

Rather than detailing the problems associated with the intermingling of Phase I and Phase II residents and the constraints (i.e. the capitation issue) associated with assigning offenders Phase II status, it seems most productive to summarize this important observation from YOS administration officials: Residents and YOS staff need to give suggestions to the administration on how best to solve the myriad of problems in Phase II.

We reiterate that the staff repeatedly returned to the need for outings in Phase II that assist with building life skills. The loss of this aspect of Phase II is seen by many staff as a crack in the foundation of the YOS effort. The value of this programmatic tool is seen as fundamental to residents' successful transition back to society: to "interact with people outside the walls of YOS," to "get them acclimated to the community," and "expose them to the community and see what types of problems they encounter and work with them on those issues."

Advocates of the community activities firmly believe that the residents were more prepared as they left Phase II and entered Phase III. This issue—the loss of community activities—remains as important to staff today as it was three years ago when we began the first YOS evaluation. We recommend that DOC administrators revisit the elimination of this program component in Phase II and work with YOS staff, including Phase III staff, to develop a program component that minimizes the security risks and captures the benefits of the original activity. Future evaluations of YOS could focus on this program activity to empirically assess the extent to which it contributes to community reintegration and long-term success.

The new YOS administration has expressed a willingness to reconsider a return to certain types of outings such as job fairs, meaningful community service and use of the local library.

Progression to Phase II is driven by Mandatory Release Date. According to the program design, progression through Phase I should determine when the offender is placed in Phase II. According to staff, however, current placement in Phase II is driven by release mandatory date. Given the reduction in actual programming, this finding is not unexpected, but it reflects inmate movement decision making in the general adult population.

Not only does this procedure mirror DOC, it may undermine transition planning and execution: "YOS holds them back, then doesn't prepare them for Phase III;" and then "waiting until their mandatory date doesn't allow them enough time in Phase III." These two issues are addressed below.

The lack of proper implementation and operation of Phase II creates important problems for Phase III. These problems surfaced in DCJ's 2002 evaluation and appear unresolved: "There's been a steady decline in preparation due to lack of services in Phase II"; "[the youth are] particularly less prepared than in the past for social interaction and with cognitive abilities"; "One of the problems ... is they are not getting their ID's when they come out... They can't get a job without an ID or apply for jobs."²²

²² Researchers were informed by YOS officials that DOC is working with the Department of Revenue to resolve impediments associated with getting all residents, including YOS residents, a government-issued identification.

When transition between program phases is driven by the mandatory discharge date, the time in Phase III is reduced to approximately six months. According to interview data, the average length of stay in Phase III is seven months. Phase III officials and service providers who participated in this study reported that six and even 12 months in Phase III is too short to stabilize the offender and provide them with services. These are serious offenders—youth with long histories of criminal behavior—leading one interviewee to explain: “coming out on their mandatory, we only have six months to work with them. These guys are the ones that we really need to work with out in the community.” Study participants who discussed Phase III reported that “ideally” this phase should last 12 to 18 months. In part, this time is necessary because it takes “on average three or four months to connect offenders with the necessary service providers and assistance.”

Phase III: Resources Declining. In DCJ’s 2002 evaluation report, Phase III was YOS’ “shining star.” While program deficiencies in the facility created some problems for Phase III, it was a strong and service-rich aspect of the larger YOS effort. Two years later it remains the strongest programmatic component of YOS. However, important positions have been lost. The Community Parole Officers (CPO) now have mixed caseloads with both adults and YOS offenders, whereas they used to specialize with only YOS offenders on their caseloads. Naturally, with larger caseloads, CPO’s cannot devote as much time with the residents.

According to interviewees, Phase III has contracts with three strong service providers (Savio House in Denver and Colorado Springs and Turning Point in Ft Collins). These programs provide the following services to YOS offenders who release to Phase III:

- Life Skills (including acclimation to the community)
- Budgeting
- Quickskills
- Mental Health
- Drug and alcohol abuse; UA monitoring
- Employment help
- Education needs
- Living arrangements
- Daily Monitoring
- Case management of the resident

One service provider reported that the level of communication with their CPO has dropped dramatically over the past year due to the overload of cases the CPO carries: “Now they (CPO’s) have YOS plus multiple adult parolees. Their time is so limited that we are not getting what we used to get in terms of communication, support and back up.”

Phase III has also lost the PAL program (Personalized Assistance Living). This was temporary housing for YOS offenders who were unable to reside with their families. Phase III respondents also reported the disconnect felt to the overall mission of YOS. Several respondents noted the difficulties in transition from the facility to the community due to the vacancy in the transition position that used to exist in Phase II.²³ They also stated that they are not as involved in the overall direction of YOS as they had been in the past. These changes in Phase III, while minimal compared to programming deficits in the facility, could impact the proportion of cases that succeed in Phase III and afterward.

Program Findings Conclusion: The need for Quality Control. Given the reduction in programming resources and the problems with the quality of services delivered inside the facility, some staff recommended that a method of ongoing quality control to monitor the implementation and delivery of services and case management in the facility be developed. As one staff said, “without quality control, anyone can do anything.” Several staff mentioned that quality control and oversight should be provided by non-DOC entities.

3.5 EDUCATION/VOCATIONAL

59.1 Percent of YOS Discharges Receive a High School Diploma/GED While in the Program. Since its inception, approximately 10 percent of residents entered YOS with a GED or high school diploma. In that same period another 59.1 percent of YOS residents obtained a GED or diploma while in the program.

This is an extremely important finding, and is consistent with the intent of those who first envisioned a program that would provide very high risk youth with educational opportunities. Further, many more offenders improved their education level while at YOS although they may not have completed their secondary education.²⁴ For example, offenders who enter YOS at a 4th grade level can progress several grade levels each year, but may not obtain a GED or diploma. Likewise, youth who require special education may not complete high school.

Education was perceived by nearly every respondent to be one of the most important facets of the YOS program. Both staff and residents consistently reported the value of this aspect of YOS. From the resident survey, 122 out of 171 respondents mentioned education as a vital component to future success.

²³ Researchers were told this position would be filled November 1, 2004.

²⁴ At the time of this study, data were not available to measure educational progress that did not result in completion of secondary education. In future evaluations, DCJ hopes to identify intermediate measures to indicate educational improvement.

Education is Needed by YOS Offenders. As presented earlier, 10.3 percent of the YOS residents entered the facility with a GED or a high school diploma, and another 59.1 percent of the YOS discharges obtained their GED or diploma while in the program. This leaves approximately 30 percent who still need educational and vocational opportunities at discharge.

Education and Public Safety. For the residents who discharged from YOS, analyses were performed to explore the relationship between having a high school diploma or GED following release from YOS and post-release risk of recidivism. The results of these analyses showed that there was a statistically significant relationship between possession of a GED or diploma and revocation from YOS to prison; new felony filings within the first two years of discharge; and return to prison with a new conviction. Those who did not obtain a GED or diploma were found to be, as follows:

- 3.8 times more likely to be revoked from YOS to prison
- 1.6 times more likely to have a felony filing within 2 years of discharge
- 2.7 times more likely to return to prison with a new conviction following discharge

Nearly 31 percent of residents who have discharged from YOS program between 1994 and 2003 did not obtain a GED or diploma and 23.3 percent of YOS phase III offenders in August 2004 did not have a GED or diploma. Not all offenders will complete their secondary education since many enter YOS at very low education levels.²⁵

These results show the importance of education to the future success of residents as measured by new involvement with the criminal justice system. A 2001 study²⁶ by the Correctional Educational Association found that “In every category (re-arrest, re-conviction, re-incarceration) for every state, correctional education participants had lower recidivism rates.

This is an extremely important empirical finding. The need to assist YOS offenders in learning to concentrate, focus and pass examinations in order to attain a GED or diploma, then, clearly is a critical public safety component of the YOS program. This aspect of the program is clearly a success and is required to enhance the likelihood that these high-risk youth are redirected and no longer present a threat to the public.

Data obtained from the interviews, focus groups and surveys suggest that the education effort may not be prioritized by all staff and administration. It also may suffer from a lack of integration with other YOS services. One staff member

²⁵ YOS educators estimated that up to 30 percent of the youth require special education.

²⁶ S. Steurer, L. Smith, and A. Tracy. “Three State Recidivism Study.” Prepared for the Office of Correctional Education, U.S. Department of Education. Lanham, MD: Correctional Education Association, September 30, 2001

observed, “education does their thing and then the living units and any other aspect of the program is separate.”

Vocational Training. Both staff and residents felt that vocational training was limited but necessary for future success because it provided residents with hireable skills in the community. One resident noted the lack of quality vocational programs by stating, “If I was to get out right now and get me a job, if anything, all the education I’ve gotten here, I’d be a dishwasher. They don’t teach you nothing.”

Skills acquired through the small engine repair program do not translate into jobs in the community. The skills learned are inadequate for residents to become auto mechanics or to obtain employment in oil change shops. Efforts are underway to expand the vocational training opportunities and staff working in this area are dedicated to assisting the youth in becoming employable upon release.

This criticism of the vocational program activities at YOS repeats the findings in the 2002 evaluation report. In 2002, we reported that the vocational programming activities at YOS did not translate into the skills necessary to assist offenders locate jobs in the community.

Length of Stay in YOS. Finally, staff in all phases and components of the YOS program felt that shorter sentences (less than 2 years) were ineffective because they do not have enough time to work with the youth. Teachers felt particularly strongly about this, stating that that they can assist the residents’ in raising their rank of education “about two grade levels a year.” When residents start at a particularly low level—5th grade, for example—it is not reasonable to assume that these residents can achieve a GED or diploma in one or two years.

Longer sentences served in the facility when adequate programming is available can increase the probability that YOS residents will obtain the education and vocational skills they need to reintegrate into the community. The empirical finding that links educational attainment to recidivism makes this an important consideration.

CHAPTER 4: ADMINISTRATION AND PERSONNEL

4.1 ADMINISTRATIVE ISSUES

The Perception of Unfair Practices. Many staff perceived a lack of fairness in how individuals were selected to fill positions at YOS. This unfairness was described as rooted in systemic problems in the YOS hiring and promoting practices. Data obtained from interviews, focus groups and staff surveys consistently pointed to a perception that hiring practices and promotions were based on long-term relationships rather than the specialized qualifications necessary for the YOS program. Respondents perceived the practices to be sanctioned by department human resource officials, and many staff believed these activities intentionally and significantly undermined the efforts of both residents and YOS staff to “work the program.”

Additional study findings are presented below. However, it is important to report here that researchers met with DOC officials and discussed these findings in detail. Many of the practices described by YOS study participants fall well within the discretion granted by the state personnel rules to the “hiring authority.” These responsibilities are commonly delegated to department division directors and, in the case of the DOC, wardens. It is within the discretion of the hiring authority to transfer employees and fill positions without a competitive process. Members of the new YOS administration expressed concern about the perception of the lack of promotional opportunities.

Unfortunately, this study finding “intersects” with another finding: that the YOS administration in the summer of 2004 lacked specialized knowledge of the juvenile population (i.e. child and adolescent development) and were unfamiliar with the intent and operation of YOS. Many staff questioned the process under which new staff without juvenile experience had been transferred to YOS from adult DOC facilities. They expressed disappointment and frustration at the lack of promotions of staff within the facility. One said “You move here and you move there based on your relationship with the administrative heads or your bosses, if they like you or don’t like you.” Another staff member mentioned “once you crack the good old boy system you are in. And then there is nothing that you can’t do...” These issues are discussed in greater detail below.

Lack of Qualified Staff. Because this issue also surfaced in the 2002 DCJ evaluation, the staff questionnaire asked about their prior juvenile experience. Few reported prior work experience with at-risk youth or experience obtained by working at treatment or juvenile detention facilities. Most (33 out of 53 responses) indicated non-professional experience with juveniles, i.e., coaching. Also, many of the staff indicated on the questionnaire that they had worked at other DOC facilities and few mentioned prior juvenile residential experience. Staff observed that in the past—since the program moved to Pueblo—few YOS officials had the necessary juvenile experience to gain the confidence of many study respondents.

Interviews with administrators during the summer of 2004 revealed that several of them came from the adult side of DOC and had never worked with juveniles prior to YOS. One study participant summarized this common sentiment with the following statement: “Administration staff should be knowledgeable of the program implementation, program modules, mission, and intervention strategies.”

When researchers met with DOC and YOS administrators in October of 2004 to discuss the study findings, officials confirmed that indeed juvenile experience has not been incorporated into YOS job descriptions. As mentioned above, requiring special qualifications falls to the appointing authority.

Upon learning of the concerns described here during the October 2004 meeting, with DCJ researchers, YOS administrators decided to review the staffing complement in light of past practices pertaining to transfers, promotions and special qualifications.

Further, YOS administrators reiterated that all staff received specialized YOS training upon hire, and a variety of additional, youth-focused training opportunities are regularly offered to YOS staff. In large part, researchers were informed, this training activity has been in response to DCJ’s 2002 evaluation recommendations pertaining to the need for additional training. However, staff must plan at least 30 days in advance for these trainings, and supervisors must ensure that shifts are adequately covered. Finally, these trainings are offered and not required, so it is possible that some who need it most do not pursue it.

Lack of Contact with Administration. Analysis of study data found a perception by both youth and staff that the administration was too removed from the day-to-day operations of YOS, and this distance hindered the overall program because decisions were made in the absence of a “hands-on” understanding of YOS and the accompanying impact important decisions would have on the program. One staff member noted that “administrators rarely come to the unit to see how it works on a daily basis.” This lack of involvement results, in part, in feelings that the YOS administration is uncaring and distant, and therefore poorly suited to manage a program-oriented facility.

When these findings were discussed with YOS administrators in October of 2004, officials discussed the value of frequent contact between YOS employees, including administrators, and residents. The following were identified as upcoming changes in the operation of YOS: Encouraging staff and officials to eat meals with residents; setting aside time to specifically increase communication between administrators and staff; and expanding the YOS management team to include leadership from the mental health, housing, security, programming, education, medical, budget and Phase III components.

4.2 COMMUNICATION

Problems with Communication. Data from surveys and focus groups consistently revealed concerns about communication among staff. Only eight out of 53 staff respondents felt that there was adequate or good communication across shifts, buildings, and Phases; conversely 45 out of 53 respondents (85 percent) felt that communication was inadequate or poor and needed improvement. One staff survey respondent mentioned the following: “We often hear news from the residents first.”

Several other themes appeared in the surveys, including staff conflicts that were left unresolved and an ongoing sense of mistrust that existed between persons working on different shifts and between line staff and supervisors. Ultimately such conflicts undermine programmatic efforts. Further, as one staff observed, “residents use that to their advantage.”

General Concerns. Budget cuts and staff reductions, and anxiety that YOS was becoming “just another DOC prison” were mentioned under the overall theme of YOS administration. These issues are discussed in detail in Chapter 3, yet it seems important to mention again that the lack of qualified or committed staff was often mentioned in terms of perceptions of inconsistent management practices and the lack of administrative support for programs and the staff. One survey respondent summarized the concern of many in the following statement: “YOS is a program in name only. There are very few people who know the program and fewer still who work the program.” Many of those who felt the program suffered from unqualified staff mentioned that a common reason YOS appealed to employees is that it was located in Pueblo rather than the fact that it housed a special population and operated a specialized program. Indeed, one survey respondent’s comment summarized this sentiment, “Most people are just happy to be working in Pueblo.”

Researchers discussed these concerns with members of the newly appointed YOS administration. As mentioned above, when researchers met with DOC officials in October 2004 to review the study findings, YOS administrators stated they would undertake a review of practices pertaining to transfers, promotions and special qualifications.

Staff Training. Another survey question asked staff about the training available to them. Most indicated that the minimum training required was the mandatory DOC training, an extended YOS orientation, and annual refresher courses. As mentioned earlier in this chapter, YOS employees have undergone many hours of training, and training was considerably expanded after DCJ's 2002 evaluation which recommended additional training be made available to staff.

Staff were asked to note the additional trainings they would like to have. Researchers categorized the training topics as follows:

- Juvenile-specific training
 - o how to work with juveniles
 - o adolescent behavior
 - o juvenile psychology
 - o adolescent development and needs

- Programmatic training
 - o positive peer culture
 - o gangs
 - o cognitive/mental health counseling
 - o mentoring
 - o group facilitation
 - o anger management
 - o substance abuse

- Staff development
 - o stress management
 - o team building
 - o communication skills

Troublesome Behavior by Staff. A consistent theme from all sources of data (i.e. the surveys, focus groups and interviews) pertained to specific behavior by some staff members against residents. The behaviors were described as the use of obscene language, ridiculing residents with degrading comments, bullying behavior, and a specific practice called "slamming." Slamming is a YOS term for throwing and sometimes pinning a resident to the ground. "Slamming" was mentioned by both residents and staff. One resident mentioned, "There is a staffer that slams people. He likes doing that." In this particular focus group, the rest of the participants indicated that they all knew who the one youth was talking about.

From the focus groups, it is clear that the youth are aware that physical force is occasionally necessary in a secure facility. But they also knew that force was prohibited until a "Level 6" confrontation. Residents reported that slamming occurs prior to an incident reaching that level. Information about slamming came

from multiple sources and since it did not appear to be an isolated event, researchers reported this finding to YOS administrators.

Upon learning of “slamming” activity from researchers, DOC officials immediately referred the allegations to DOC’s Inspector General’s Office. This matter is currently under active investigation by IG staff.

Reports of bullying and degradation of residents came from both staff and residents. One staff member mentioned bullying, saying “some staff in my building, they like to find a resident and they will pick on that resident.” Youth mentioned general degrading comments such talking to them like they are inmates, telling them to shut up, and making fun of sexual orientation (individually and generally). One participant in the staff focus groups mentioned that a youth reported that, when he transitioned from YOS into Phase III, a staff member said to him, “see you in a week, you’ll be back.”

Residents reported that certain staff tried to provoke them to anger so that they would lash out and then be sanctioned. Regarding this issue, one staff member reported that staff actions can powerfully influence youth behavior, stating “staff behavior causes kids to regress.” Remarks about such staff behavior permeated the staff and resident focus groups and questionnaire responses.

Conclusion. The concerns enumerated in this section were discussed at length with DOC and YOS administrators at a meeting in October 2004 when researchers presented the findings from this study. DOC representatives brainstormed ideas to address many of the research findings and invited researchers to continue to monitor the program in the next six months as a new YOS administration establishes itself.

CHAPTER 5: SPECIAL ISSUES

5.1 SEPARATION OF FEMALES

DCJ's 2002 evaluation found inadequate separation of the young men and women inmates at YOS. We also found that gender-specific programming was unavailable, and the women reported that they did not feel safe in the facility. We recommended that the girls be removed from the facility and transferred to programs out-of-state where they could receive improved services.

In the spring of 2003, the women were transferred to the women's facility in Canon City but they were eventually returned to the Pueblo facility so they could receive more targeted programming.

YOS officials stated that protecting the female residents is a priority. The female YOS residents were completely separated from the men at the time of the current study. The women are confined to a single gated area and are escorted when movement in the facility is required.

The advantages to this arrangement in the facility are noted in Table 9, as perceived by YOS staff. Most respondents said that they thought the separation of the men and women had the advantage of improving security, reducing the chance of pregnancies and sexually transmitted diseases. Some reported that the separation ensures that YOS is more able to focus on female-specific needs and issues because, according to one staff member, the women can "receive specific programming for a variety of issues not needed by males, such as physical and sexual abuse, traumatic events, sexism, and family dysfunction." Some staff members reported that "the females are a distraction to the male residents and staff". With so many males and so few females, "it is not good to put them in the middle of over 100 males." The lack of distraction improves concentration for both the men and women.

Further, according to staff, the separation has had the effect of enabling the girls to be "more creative and able to express themselves more." It was stated, "A lot of what they [the girls] think about themselves is defined by the group [of guys and girls]." Staff concluded that the women can focus on their issues and are able to find out who they are without male judgment or criticism.

In the past, the female youth attended class along with the male youth, but this practice was terminated nearly two years ago, and separate programming is now

offered. Table 9 outlines advantages voiced by staff members regarding this separation.

Table 9: Staff Survey: Advantages Regarding the Separation of Male and Female Inmates (multiple responses for 53 questionnaires)

	FREQUENCY
Addresses Female-Only Issues	4
Don't Know/Wasn't Here	1
The Females are a Distraction & Unwise Use of Resources	3
Keeps Males or Females Focused	15
Reduces Sexual Activity/Pregnancies	25
Reduces Staff Concerns/Security Problems	15
Not applicable/missing/other	6

While a quarter of the staff respondents reported no disadvantages to the separation of the men and women, some staff noted several disadvantages. These are outlined in Table 10. While the lack of contact with the men was seen as having advantages, it was also seen as having disadvantages, and these seemed to be related to the perception of unequal programming. For example, the expertise of all the teaching staff is not available to the women since only female teachers are allowed to work with them.

Because the women are confined to a single area, the campus environment is lost. Recreational options are limited. In addition, the separation “eliminates normal socialization that is part of the development process of adolescence” and impedes the development of “social skills needed to function with the opposite sex in the real world.” The young men are similarly affected by this lack of contact, but there was the additional concern that the female inmates needed exposure to positive male role models. One staff member mentioned that the girls “need a strong male, positive role model and they are not getting it.” The female inmates have female-only staff and if a male enters the pod he needs to be accompanied by a female staff. However, female staff can interact with the male residents.

Table 10: Staff Survey: Disadvantages Regarding the Separation of Male and Female Inmates (multiple responses for 53 questionnaires)

	FREQUENCY
Extra Staff/Resources	9
Females Affected by Lack of Contact/Programs	22
Males Affected by Lack of Contact	7
None	16
Not Applicable	7
Offenders	7

The extra staff and resources dedicated to providing separate services to the females are considered expensive. One staff person said it was “pretty ridiculous

staffing for these 10 or so female offenders.” And escorting the females consumes resources, such as keeping males and females separated during visits and medical appointments.

There is a perceived need by some staff for more gender-specific programming and programming in general. One staff member commented “the programs and education available to the female inmates is more limited.” Another said, “they probably really, really need some of this [anger management] treatment.” As previously discussed in this report, many staff expressed concerns about the elimination of cognitive education classes, anger management, substance abuse treatment and life skills training. Many said that reinstating a therapist for the females is a necessity.

There was considerable concern about the extent to which the females were isolated. One comment reflected a common sentiment: “I see the girls as prisoners within a prison.” Another expressed a common concern about the mental health of the female population: “Their levels of anxiety and depression are already increasing just being housed like they are, isolated.” Currently there are 10 females at YOS, but soon half of these women will reach the ends of their sentences, and will go to Fort Collins for Phase III where they will receive gender specific programming.

5.2 CHALLENGES PRESENTED BY THE ACCEPTANCE OF SEX OFFENDERS

The program was not originally designed to include sex offenders but the legislation was modified to include this population. However, the program has few sex offenders and treatment delivery has been difficult due to a lack of understanding by past administrations about the particular need for treatment focused on offender accountability.

YOS follows the juvenile sex offender management standards, as required by the statute and the state Sex Offender Management Board. However, the application of these standards is perplexing for YOS, because the offenders committed the crimes as juveniles, but many are adults by the time they engage in programming at YOS.

Data from surveys, interviews and focus groups also identified transition issues concerning this population. Like the adult population, staff members and service providers have observed employment and housing difficulties with the sex offender population. These transition issues create a significant barrier to successful discharge, according to staff.

5.3 ICE RESIDENTS AT YOS

In August, 2004, there were thirteen offenders in YOS with Immigration and Customs Enforcement (ICE) detainees. These residents are not U.S. citizens and ICE will most likely deport the offenders upon release to Phase III. Given the relationship between education and later involvement in the criminal justice system, efforts to educate this population should continue. Programming related to community reintegration should be minimized since they will not participate in Phase III.

5.4 MOVE TO THE NEW FACILITY

The Pueblo YOS facility has been too large for the projected YOS population since it opened in 1999. Budget problems exacerbated the pressure to resolve the issue of unused bed capacity. The budget shortfall combined with the 2004 YOS' statutory sunset provision placed the program in significant jeopardy of closure according to DOC officials. A smaller facility has been targeted for renovation and once the renovation is complete and funding is made available to fully staff the current facility, it is anticipated that the YOS facility will house the female population and the youth will move to a smaller nearby facility.

Staff were informed about the potential for swapping facilities early in the summer of 2004, just weeks before researchers began collecting data for this study. The data from the surveys, focus groups and interviews found that the planned move represents a significant change, and many staff voiced concerns about the extent to which the new space will be adequate. Most staff and many residents had strong opinions about the move, but few felt that they had good information. According to staff, there is limited space for housing, classrooms, vocational programs, the dining hall, recreation and the library. Many believe that a gym will not be constructed for two or three years, and this was considered a significant population management problem. Many staff voiced apprehension that there will be more fighting among residents, noting that the line of sight down the hallways is obstructed.

YOS administrators explained to researchers that the move, while still in the planning stages, represents DOC's efforts to save the program in the context of a budget environment that severely limits government's options.

CHAPTER 6: RECOMMENDATIONS

Based on the information obtained for this study and presented in this report, researchers make the following recommendations to better align YOS operations with the legislative intent.

1. Because safety is paramount in confinement facilities, we recommend that DOC investigate allegations of abusive staff behavior. It is important to note that YOS administrators immediately referred to the Inspector General concerns of abuse that were identified in the course of this study. Efforts must be made to encourage reporting of abuse or potential abuse to DOC authorities.
2. YOS policies regarding the immediate response to serious program violations are clearly in place. However, it is not clear whether and if less serious violations are consistently handled. Holding program participants accountable is an important component of any offender management approach. Additional training for both residents and staff on this topic might increase understanding and consistency.
3. As reported in the 2002 evaluation study findings, DOC does not require staff at YOS to have special qualifications for working with at-risk youth. We encourage the new YOS administration to implement its plan to review historical practices involving transfers, promotions and special position qualifications, and to work with staff to develop a transparent process that meets the needs of the administration and staff members who are deeply committed to working with this population.
4. This study found that education is clearly linked to positive outcomes for youth in YOS. Accomplishing educational goals is associated with length of stay in the facility. Given these findings, educational achievement should drive progress through the program and should remain an emphasis during Phase III. Shorter sentences, credit for time served, possible backlogs in local jails, and mandatory release dates may result in insufficient programming time. Therefore, not including the time needed for the above occurrences, we recommend that sentences to YOS permit residents at least two and a half years in the program (Phase I through III) to enhance residents' opportunities to attain educational goals.

5. The reduced programming at YOS requires the attention of the new administration. The YOS statute mentions many different types of programs, yet these are minimally implemented. As recommended in 2002, the gang and the relapse prevention programs should be reinstated. Further, substance abuse and anger management programming should be significantly expanded. A comprehensive cognitive education program should be available to YOS residents and instructors should be specially trained counselors.
6. In 2002 we recommended a review of Phase II programming because it appeared that the residents had significant amounts of idle time. Again, we make the following recommendations regarding Phase II:
 - a. Reinstate privileges and incentives (i.e. outings, movies, food, tennis shoes, more recreation time, home passes, etc).
 - b. Separate Phase II residents from Phase 1.
 - c. Increase the capacity of Phase II.
 - d. Examine the practice of progressing residents through the program based on mandatory release date; use release eligibility date if youth have progressed in the program, to motivate youth and encourage them to earn their release to the community earlier.
 - e. Focus on intensive reintegration skill building, such as living skill groups, budgeting, and job seeking with the community parole officer.
 - f. Focus on reintegration into the communities where they intend to return.
 - g. Ensure residents obtain identification before they are released to Phase III.

The elimination of the community-based activity in Phase II remains a source of significant concern among many YOS staff. Many staff strongly believed that these activities are extremely important to the success of residents. We recommend that the new administration work with a committee of various YOS representatives and explore ways that this activity might be undertaken for residents who have progressed to a necessary level of security.

7. We recommend that the new administration examine YOS' implementation of telemedicine with the psychiatrist. Although this has been found to be a cost effective tool in the medical field, it requires reliable and secure equipment, access to complete records at both locations, and verification of the offender's self-report to the psychiatrist. Both youth and staff perceived this method to be ineffective, particularly for assessments that result in prescriptions for medications.

8. The proportion of YOS intakes that arrive with a GED or high school diploma has averaged about 10 percent since 1994. Although 59.1 percent of YOS residents complete their secondary education while in the program, approximately 25 to 30 percent of YOS residents discharge from the program without having obtained a GED or high school diploma. Statistical analyses presented in this report showed that the lack of attaining either of these significantly increased the probability of program revocation and, within two years of discharge from the program, a new felony filing and return to prison. Given this empirical link between the YOS population, education, program failure and recidivism, efforts should continue to be made to ensure that YOS participants complete their secondary education, if possible. The need for special education services should be reviewed to ensure adequate staffing in this area.
9. In August 2004, there were thirteen offenders in YOS with ICE detainers. These residents are not U.S. citizens and representatives from the Bureau of Immigration and Customs Enforcement will most likely deport the offenders upon release to Phase III. Given the relationship between education and later involvement in the criminal justice system, efforts to educate this population should continue. Programming related to community reintegration should be minimized since these youth will not participate in Phase III.
10. We recommend that the new YOS administration meet with therapists from the sex offender treatment and management program (SOTMP) to better understand how administrative policies can reinforce sex offender accountability and improve sex offender programming.
11. As in 2002, we again recommend that vocational programming target realistic and available job opportunities in the community. The skills learned in the YOS vocational education program should translate into skills needed for actual occupations in the community. Vocational training staff should meet regularly with Phase III contractors and staff to discuss ways to reach their shared goals of ensuring the youth have employable skills and can obtain jobs upon release.
12. The presence of so few females in the YOS continues to challenge efforts to provide separate but equal programming. Further, the isolation of the females is considered by many staff to be the special price these inmates pay for their few numbers. We recommend that programming for the females be reevaluated by the new administration since many staff believe that they need more recreation time, more program and activity time, and more female-only programming to address relationships and trauma (see DCJ's 2002 report for a discussion of gender-specific programming). Finally, with proper security administrators should consider the value of allowing all the teachers, including the men, to deliver education

programming since the men are specialized in teaching certain subject areas and the young women would benefit from exposure to positive male role models.

13. Ensuring adequate communication represents a challenge for all complex organizations. We recommend that the new YOS administration make specific and ongoing efforts to regularly communicate with both staff and residents. At a minimum, this communication should address the following topics:

- a. Facility safety
- b. Programming gaps and successes
- c. Hiring, transfer and promotion practices
- d. The need to integrate the security and program philosophies
- e. Role modeling and creating a prosocial environment
- f. Training needs
- g. Operational consistency and the application of sanctions
- h. Performance measures and quality control

14. The 2002 evaluation report identified staff training as an important area needing attention from DOC administrators. In 2002, researchers listed a range of training specific to at-risk youth and adolescent development. Indeed, efforts were undertaken to expand training for YOS staff. For this evaluation, staff provided researchers with additional types of training they feel they need to perform their jobs:

- Juvenile-specific training
 - o how to work with juveniles
 - o adolescent behavior
 - o juvenile psychology
 - o adolescent development and needs
- Programmatic training
 - o positive peer culture
 - o gangs
 - o cognitive/mental health counseling
 - o mentoring
 - o group facilitation
 - o anger management
 - o substance abuse
- Staff development
 - o stress management
 - o team building
 - o communication skills
 - o de-escalation skills

15. We support the development of an expanded “leadership team,” as described by YOS administrators during meetings with researchers. This team will be comprised of representatives from housing, medical, mental health, education, security, programming, budgeting, and Phase III.
16. The current effort to document needs and program progress, i.e., the PAS, is considered by many to be inadequate to address the individual needs of youth. This may be the result of a loss of staff and perhaps insufficient understanding of the instrument. We recommend that either the PAS be replaced with an individual treatment plan or that training specific to the ways the PAS can be expanded be prioritized and required. Both residents and staff need a meaningful method to identify individual goals and progression toward those goals. The PAS or individual treatment plan should be developed early in the offender’s stay at YOS and should be used as a community reintegration document that follows the offender throughout the program. This instrument should drive placement and program regression decisions.
17. In 2002 and again in 2004 we found Phase III to be operating according to the legislative declaration specified in the YOS statute. However, programming deficits in the earlier phases combined with the loss of positions and services in Phase III may ultimately weaken even this stable program component. We recommend that efforts be undertaken to address the following issues:
 - a. Placement in Phase III should be driven by progress and not just by mandatory release date
 - b. Reinstate specialized caseloads where possible; consider reducing the caseload size for CPOs
 - c. Efforts should be undertaken to operationally integrate Phase III into the overall goals of YOS, thereby increasing the integration of services
18. This study found that many staff and residents are anxious about the potential move to a different facility in 2006 or 2007. We recommend that the new administration encourage tours of the new facility during the remodeling period and identify several committees to work with administrators during the next 18 months to accomplish the following:
 - a. Replace rumors about the impending move with information, perhaps using a monthly memo from the committee or developing a regular newsletter for staff and residents
 - b. Address concerns that surface regarding the delivery of services in a significantly smaller space

- c. Develop methods to ensure safety of staff and residents in the new housing arrangements where populations will be more concentrated
- d. Assist in planning for the actual move
- e. Develop an ongoing feedback mechanism between staff and officials regarding the move and institutionalize this method so that it continues after the move is accomplished

19. Finally, we recommend that YOS officials develop a method to continually assess the delivery of programs and services. This process would require the clear identification of the YOS mission, goals and objectives. This would include the development of meaningful performance measures clearly linked to specific objective-driven activities. This process requires collaboration between administrators and line-staff that deliver services. It also requires the development of a data collection system designed to provide regular quantitative feedback to administrators and staff.

APPENDICES

APPENDIX A: YOS RESIDENT QUESTIONNAIRE

YOS Residents Questionnaire

Instructions: Please fill out the survey to the best of your knowledge and also please write as neatly and clearly as you can.

1. Gender:

- 1. ___ Male
- 2. ___ Female

2. Age: _____

3. Race:

- 1. ___ African American
- 2. ___ Asian
- 3. ___ Caucasian
- 4. ___ Hispanic
- 5. ___ Native American
- 6. ___ Other

4. What crime(s) were you convicted of for your current incarceration?

5. Have you had prior:

	No	Yes	How Many?
Convictions/Adjudications:	_____	_____	_____
Probation Placements:	_____	_____	_____
Detention Placements:	_____	_____	_____
Commitment Placements:	_____	_____	_____

6. How long have you been in YOS? (_____ Years _____ Months)

7. What phase are you currently in?

- 1. ___ Intake/Diagnostic/Orientation (IDO/Bootcamp)
- 2. ___ Phase I
- 3. ___ Phase II

8. How long did you spend in each phase? (Put N/A if you haven't been in a phase yet)

	Amount of Time
Intake/Diagnostic/Orientation(IDO/Boot Camp):	_____
Phase I:	_____
Phase II:	_____

YOS Residents Questionnaire

9. Have you ever been regressed?

___ Yes ___ No

10. Have you ever been disciplined in any other ways?

___ Yes ___ No

10a. If yes, how have you been disciplined?

11. What convinced you to choose YOS over adult prison?

12. What did you hear about YOS before you were sentenced?

13. If you could choose over again, would you still choose YOS?

___ Yes ___ No

13a. What is the reason for your answer above?

YOS Residents Questionnaire

14. Are you currently in contact with your family?

Yes No

14a. If yes, how are you in contact with and how often do you contact them?

14b. If *no*, were you in contact prior to being sentenced to YOS?

15. Does your family participate in the program?

Yes No

15a. If yes, in what way(s)?

16. Does your family support the program?

Yes No

16a. If yes, in what way(s)?

17. How often do you meet one on one with a Psychiatrist/ Psychologist/ counselor?

Never Daily Weekly Monthly As Needed

YOS Residents Questionnaire

18. How often do you attend treatment groups? _____

19. What groups have you attended in the *past*? Please Check:

- | | |
|--|--|
| 1. ___ Cognitive Intervention | 15. ___ Quickskills |
| 2. ___ Substance Abuse | 16. ___ Guided Group Interaction (GGI) |
| 3. ___ Gang Education | 17. ___ Education |
| 4. ___ Victim Awareness | 18. ___ Recreation |
| 5. ___ Living Skills | 19. ___ Community Service |
| 6. ___ Stress Management | 20. ___ Family Services |
| 7. ___ Relationship Skills | 21. ___ Boot Camp |
| 8. ___ Parenting Skills | 22. ___ Girl Scouts |
| 9. ___ Assertiveness Skills | 23. ___ Mental Health Treatment |
| 10. ___ Communication Skills | 24. ___ Sex Offender Treatment |
| 11. ___ Health Maintenance | 25. ___ Advance Anger Management |
| 12. ___ Recreation/Leisure Skills | 26. ___ Vocational training |
| 13. ___ Substance Abuse Relapse Prevention | 27. ___ Religious Studies |
| 14. ___ Grief and Loss Groups | 28. ___ Other(_____) |

20. What groups are you attending *now*? Please Check:

- | | |
|--|--|
| 1. ___ Cognitive Intervention | 15. ___ Quickskills |
| 2. ___ Substance Abuse | 16. ___ Guided Group Interaction (GGI) |
| 3. ___ Gang Education | 17. ___ Education |
| 4. ___ Victim Awareness | 18. ___ Recreation |
| 5. ___ Living Skills | 19. ___ Community Service |
| 6. ___ Stress Management | 20. ___ Family Services |
| 7. ___ Relationship Skills | 21. ___ Boot Camp |
| 8. ___ Parenting Skills | 22. ___ Girl Scouts |
| 9. ___ Assertiveness Skills | 23. ___ Mental Health Treatment |
| 10. ___ Communication Skills | 24. ___ Sex Offender Treatment |
| 11. ___ Health Maintenance | 25. ___ Advance Anger Management |
| 12. ___ Recreation/Leisure Skills | 26. ___ Vocational training |
| 13. ___ Substance Abuse Relapse Prevention | 27. ___ Religious Studies |
| 14. ___ Grief and Loss Groups | 28. ___ Other(_____) |

YOS Residents Questionnaire

21. What groups or parts of the YOS program have been most important/useful for you?

22. Do you have a Program Assessment Summary (PAS)? ___ Yes ___ No

22a. If yes, do you know what the goals of your PAS are?

___ Yes ___ No

22b. If yes, is your relationship with your family part of your PAS?

___ Yes ___ No

23. Do you feel safe at YOS?

___ Yes ___ Somewhat ___ Not Really ___ No

23a. What makes you feel *safe* at YOS?

23b. What makes you feel *unsafe* at YOS?

23c. If you feel unsafe, do you address your feelings of being unsafe with staff?

___ Yes ___ No

YOS Residents Questionnaire

24. Are there any gang problems at YOS?

Yes Somewhat Not Really No

24a. If yes or somewhat, please describe the gang problems:

25. Do you have contact with any non-YOS adult inmates?

Yes No

25a. If yes, how often and under what circumstances?

26. Do you have any contact with YOS inmates of the opposite sex?

Yes No

26a. If yes, how often and under what circumstances?

27. What parts of YOS are helping you prepare for your future after YOS?

YOS Residents Questionnaire

28. What do you feel are the *best things* about YOS?

29. What do you feel are the *worst things* about YOS?

30. What suggestions do you have for improving YOS?

APPENDIX B: YOS STAFF SURVEY

YOS Staff Survey

Instructions: Please fill out the survey to the best of your knowledge. If a question does not pertain to you, please write N/A next to the question. If you need more room to write, feel free to use the back of the page.

1. Job Title: _____

2. Employee Status:

- 1. ___ State Employee
- 2. ___ Contract Employee

4. Gender:

- 1. ___ Male
- 2. ___ Female

3. Work Shift:

- 1. ___ Day
- 2. ___ Swing
- 3. ___ Graveyard
- 4. ___ Admin (8AM-5PM)

5. Education:

- 1. ___ High School Diploma
- 2. ___ GED
- 3. ___ Some College
- 4. ___ College Degree
- 5. ___ Some Graduate School
- 6. ___ Graduate Degree

6. How long have you been working with Colorado DOC?

(____ Years ____ Months)

7. How long have you been working at YOS?

(____ Years ____ Months)

8. Prior to this job, did you have experience working with juveniles, including juvenile offenders?

___ Yes ___ No

8a. If yes, how long and what type of experience?

YOS Staff Survey

9. Do you feel your education/experience adequately prepared you for working with this population?

Yes Somewhat Not Really No

10. Do you have additional training/credentials that are relevant for this position? Yes No

10a. If yes, please describe:

11. What ongoing training is available to you at YOS?

12. How often do you attend training sessions? _____

13. Please list the training topics you have attended:

14. What additional training would you like to have available to you at YOS?

YOS Staff Survey

15. How would you describe the current level of morale at YOS?

Very Poor Poor Ok Good Very Good

15a. Please explain your answer:

16. How would you describe *your* current level of morale?

Very Poor Poor Ok Good Very Good

16a. Please explain your answer:

17. Have you observed changes in morale during your employment at YOS?

Yes Somewhat Not Really No

17a. Please explain your answer:

18. Is there adequate communication across shifts and phases?

Yes Somewhat Not Really No

18a. Please explain your answer:

YOS Staff Survey

19. Do you feel support from your supervisor when difficult situations arise?

Yes Somewhat Not Really No

19a. Please explain your answer:

20. What are the goals and/or philosophy of YOS?

21. Do these differ from the goals and/or philosophy of DOC?

Yes No

21a. If yes, please describe how they differ:

22. Do you think there is a consistent philosophy between facility administrators and line staff who work directly with kids?

Yes Somewhat Not Really No

22a. Please explain your answer:

YOS Staff Survey

23. Which components of the program do you feel seem most important for a resident's future success?

- | | |
|--|--|
| 1. ___ Cognitive Intervention | 15. ___ Quickskills |
| 2. ___ Substance Abuse | 16. ___ Guided Group Interaction (GGI) |
| 3. ___ Gang Education | 17. ___ Education |
| 4. ___ Victim Awareness | 18. ___ Recreation |
| 5. ___ Living Skills | 19. ___ Community Service |
| 6. ___ Stress Management | 20. ___ Family Services |
| 7. ___ Relationship Skills | 21. ___ Boot Camp |
| 8. ___ Parenting Skills | 22. ___ Girl Scouts |
| 9. ___ Assertiveness Skills | 23. ___ Mental Health Treatment |
| 10. ___ Communication Skills | 24. ___ Sex Offender Treatment |
| 11. ___ Health Maintenance | 25. ___ Advance Anger Management |
| 12. ___ Recreation/Leisure Skills | 26. ___ Vocational training |
| 13. ___ Substance Abuse Relapse Prevention | 27. ___ Religious Studies |
| 14. ___ Grief and Loss Groups | 28. ___ Other(_____) |

23a. Please select your top three from above and explain your choices:

24. Do you see any components missing from the program?

___ Yes ___ No

24a. If yes, please describe what components are missing:

YOS Staff Survey

25. Are you involved in reviews of residents' Program Assessment Summary (PAS)? ___ Yes ___ No

25a. If yes, do you find the PAS useful in your daily work at YOS?

___ Yes ___ Somewhat ___ Not Really ___ No

25b. Please explain your answer:

26. Are there any gang problems within the facility?

___ Yes ___ Somewhat ___ Not Really ___ No

26a. If yes or somewhat, please describe the gang issues and if/how they have been addressed:

27. Please describe the *advantages* of the separation of female offenders:

28. Please describe the *disadvantages* of the separation of female offenders:

YOS Staff Survey

29. What proportion of residents do you feel have families involved in some way?

Less than 25 percent 25 percent to 50 percent 51 percent to 75 percent 76 percent to 100 percent

30. Are there services available for families?

Yes No

30a. If yes, please describe these services:

31. What do you feel are the *best things* about YOS?

32. What do you feel are the *worst things* about YOS?

33. What suggestions do you have for improving YOS?

APPENDIX C: INTERVIEW AND FOCUS GROUP GUIDES

Residents Focus Group Guide

1. Describe your experiences as YOS?
2. Changes seen the in program over time?
 - a. Incentives
 - b. Staff/youth interactions
3. Program Assessment Summary (PAS)
 - a. What are they?
 - b. What are contained in them?
 - c. Are they useful?
4. Concerns about your safety in the facility?
5. Family participation/Family Support
 - a. Is it encouraged by the program?
6. Prepared to go out in the community?
7. Skills acquired during your time at YOS? (education, vocational, cognitive, etc)
8. Strengths of the program?
9. Weaknesses of the program
 - a. Missing components?
 - b. Improvements?

Additional Question for the Females:

10. How do you feel about being separated from the males?

Staff Interview and Focus Group Guide

1. What made you want to work at YOS?
2. Differences in job duties between Security, YC and CO?
3. New facility
 - a. Pros and Cons?
4. Changes to programming, morale, and interactions with youth due to administrative changes?
5. Program Assessment Summary (PAS)
 - a. What are they?
 - b. What are contained in them?
 - c. Are they useful?
6. Pros and cons of separation of females?
7. How is YOS different than prison?
8. Do you have enough tools in your tool-belt to deal with misbehavior?
 - a. Describe the options.
9. Privileges and rewards
 - a. Current and changes to?
10. Suggestions for improvement?

Additional Questions for the YC's

11. Why still here at YOS?
12. Why are they getting rid of the YC title?
13. Promotions for you: opportunities and/or lack thereof?

Administration Interview Guide

1. What made you want to work at YOS?
 - a. Previous experience with youth?
2. How will they minimize disruption and enhance adjustment to new facility (mitigate the impact)?
 - a. Female separation?
 - b. Education?
 - c. Safety given smaller facility?
3. Overall changes to program over time.
 - a. Incentives?
 - b. Staff/youth interactions?
4. Differences from other DOC or DYC facilities.
 - a. Cost effectiveness of YOS
 - b. What makes it more expensive?
5. Does the current state selection process effect your ability to get qualified staff (as defined by statute-those with prior youthful experience)?
 - a. Experience parameters used to select staff?
 - b. Does the appointing authority exercise statutory authority to approve and classify positions or has that been delegated elsewhere?
 - c. If so, to who and under what circumstances has it been used?
 - d. Getting rid of the YC job class?
6. Pros and cons of separation of females?
7. Current state of staff morale.
 - a. Impacts on this?
 - b. If anything negative, what has been their response?
8. Flow from facility to community?
9. If they had a say, what would YOS look/be like? What would their priorities be?

Education Interview and Focus Group Guide

1. Move to new facility
 - a. Impact to educate?
2. Changes to program over time
 - a. How it effects morale?
 - b. According to survey responses, direction, goals, and program components missing. Talk more about this.
3. Program Assessment Summary (PAS)
 - a. What are they?
 - b. What are contained in them (especially education related)?
 - c. Are they useful?
4. Survey indicated lack of support from admin and lack of communication.
 - a. Are they integrated into YOS or are they isolated?
5. Pros and cons of separation of females?
6. Student to staff ratio?
7. Approx how many graduate or get GED? (Progress from entrance to exit)
 - a. Barriers?
8. Suggestions for improvement?

Clinical Interview and Focus Group Guide

1. Roles and involvement with residents.
 - a. How often

2. Groups
 - a. Sizes?
 - b. Length?
 - c. How often?
 - d. Psych-ed or process?
 - e. Homework?

3. Missing program components.
 - a. Eliminations of program components and their effects?
 - b. Any helpful additions?

4. Services for Seriously Emotionally Disturbed (SED) identified population.

5. Program Assessment Summary (PAS)
 - a. What are they?
 - b. What are contained in them (especially MH related)?
 - c. Are they useful?

6. What assessments are done throughout stay and at discharge?
 - a. Gaps?

7. Adequate staff to service youth?
 - a. If not, what is effect on youth?

8. Suggestions for improvement?

Phase 3 Community Parole Officers Interview and Focus Group Guide

1. How long have you been working with YOS?
2. Caseload (# of YOS and adults)?
3. What does Phase 3 look like?
 - a. How often do they have contact with Phase 3 offenders?
 - b. UA's-how used and how often?
 - c. What do the service providers do?
 - d. How often communicate or transfer info from the facility?
4. Are they prepared to be released out into the community?
 - a. Are there any skills learned at YOS that help them succeed in the community?
5. Youth returning to previous environment.
 - a. Is this a factor in level of progress?
6. How often do they remediate to YOS IDO? Or Revoke offenders?
 - a. What other options are there?
7. Difficulties with sex offenders?
8. Any difficulties seen with the female offenders?
9. What is average LOS?
 - a. What should it be?
10. Biggest barriers to success.
11. Suggestions for improvement/Magic Wand

Phase 3 Service Providers Officers Interview and Focus Group Guide

1. Caseload (# of YOS/others)?
2.
 - a. What services do you provide?
 - b. How often do they have contact with offenders?
 - c. UA's-how used and how often?
 - d. How often communicate or transfer info from the facility when the youth come out and ongoingly with the po?
 - e. What do you do with a youth who is not progressing or is getting into trouble?
3. Are they prepared to be released out into the community?
 - a. What skills are learned at YOS that help them succeed in the community? Has this changed over time?
 - b. What else should they get, ie, what would prepare them better?
4. Have you noticed any differences in YOS population over time?
5. Youth returning to previous environment.
 - a. Is this a factor in level of progress?
6. How often do they remediate to YOS IDO? Or Revoke offenders?
 - a. What other options are there?
7. Difficulties with sex offenders?
8. Any difficulties seen with the female offenders?
9. What is average LOS?
 - a. What should it be?
10. Biggest barriers to success.
11. Suggestions for improvement/Magic Wand

