

# **Colorado's Three-Year Juvenile Justice and Delinquency Prevention Plan (2018-2020)**



Submitted to the Office of Juvenile Justice and Delinquency Prevention  
By the Juvenile Justice and Delinquency Prevention Council  
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## **OVERVIEW**

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

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

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

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

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

in a vacuum, as no single system can be responsible for the myriad issues faced by our children, youth and families. Efforts will only be successful when the entire community works together to provide the resources and services that children and families need. Therefore, local community involvement in this system improvement effort is critical. Often it is local governmental and non-governmental systems that provide direct services to children, youth and families and best know them, their needs, and barriers to access to resources. Because the Council is truly committed to system change, it recognizes that it must develop partnerships with these systems to identify sustainable solutions. The Council intends to engage state and local partners to collaboratively identify issues and develop recommendations for improvement. Concerns expressed in this report about educational attainment, school discipline and truancy are not intended as an indictment of the educational system. The JJDP Council believes the burden to address these issues does not fall entirely on the education system, but instead on the community working collaboratively with the school system. Children come to school with myriad issues that educational professionals often cannot address. As described in the section on truancy, child abuse, neglect, poverty and a host of other issues have been found to contribute to truancy. Therefore, the Council's proposed legislative solution must flow from a collaborative process that brings systems with subject-matter expertise as well as schools to the table. All issues, from graduation to dropout rates, to discipline should be addressed through this collaborative model.

Please note much of the information in this three-year plan is a result of some very important work by others at the national, state and local level. We have cited those sources throughout this text and urge readers to go to those original source documents for much more complete and thorough information and data analysis.

For questions regarding this Plan, please contact Meg Williams, Manager of the Office of Adult and Juvenile Justice Assistance, Division of Criminal Justice, Colorado Department of Public Safety at [meg.williams@state.co.us](mailto:meg.williams@state.co.us) or 303-239-5717.

## SYSTEM DESCRIPTION

The first essential components of Colorado's Juvenile Justice and Delinquency Prevention System are prevention and early intervention. Prevention services target youth *prior* to entering the juvenile justice system and include proactive, interdisciplinary efforts that empower individuals to choose and maintain healthy life behaviors and lifestyles, thus fostering an environment that encourages law-abiding, pro-social behavior. Early intervention services refer to active efforts to intervene at early signs of problems. Often, these are efforts to reduce risks and change problem behaviors that begin with family-centered interventions. The state agencies most involved with the juvenile justice system at the prevention and early intervention level are the Department of Education, the Department of Human Services' Division of Child Welfare (CW), the Department of Public Health and Environment's Prevention Services Division, and Department of Human Services' Office of Behavioral Health which has oversight of both mental health and substance abuse services. All of these state agencies provide the structure and funding, rules and regulations and oversight to those who more closely work with youth and families, their counterparts in the local community. It is through the state and local partnerships that state agencies learn about trends and needs, and about barriers for providing appropriate and adequate services that can impact a child or juvenile's early trajectory that appears to be leading to potential juvenile justice involvement.

Delinquency services are also organized at both the state and local level in Colorado. Juvenile justice system involvement begins with law enforcement contact. There are three primary types of law enforcement agencies: Municipal Police Departments, County Sheriffs' Offices, and the Colorado State Patrol. Local district attorneys' offices are then responsible for juvenile delinquency filings, for cases brought to their attention by local law enforcement and the potential

diversion programming, when available. Juvenile probation officers from local probation departments in Colorado's 22 judicial districts are responsible for predisposition investigation and probation supervision. Chief probation officers, although state employees are located in each judicial district and answer to that district's Chief Judge. The Department of Human Services' Division of Youth Services (DYS) is responsible for juvenile detention, state delinquency institutions and juvenile parole. Again, DYS services are a hybrid of state and local programming with state funding providing local judicial districts with Youth Detention Continuum funding, and use of community-based placements when available and appropriate but state commitment facilities when necessary as well. Figure 1.1 (page 6) presents a conceptual framework illustrating the continuum of stakeholders, consumers, and program components that begins with delinquency prevention and flows through juvenile justice programmatic aftercare. This illustration is an attempt to summarize systems and components integral to the continuum and programs. This complex, multidisciplinary service network requires ongoing collaboration to effectively serve the state's at-risk and juvenile justice-involved youth population. Often the same agencies surface at multiple intervention points while working with this population. Likewise, a youth and his/her family can be simultaneously served by multiple systems/agencies. For a more complete description of Colorado Juvenile Justice System, see Appendix A (see page 49) of this plan.

# Figure 1-1- Colorado's Comprehensive Strategy Framework

Problem Behavior ≡ Noncriminal Behavior ≡ Delinquency ≡ Serious, Violent and Chronic Offending

Components:  <i>(Items are examples, not all inclusive)</i>	Preventing Youth from Becoming Delinquent		Improving the juvenile justice system response Accountability ■ Competency Development ■ Community Protection			
	Prevention and Early Intervention for all Youth	Immediate Intervention	Intermediate Sanction	Community Confinement/ Supervision	Institutional Confinement	Aftercare
		COLORADO'S JUVENILE JUSTICE SYSTEM				
		Arrest ≡ Screening ≡ Pretrial ≡ Diversion ≡ Case Filing ≡	Adjudication ≡ Presentence Investigation ≡ Sentencing ≡	Sentencing ≡		≡ Transition
<b>System Responsibility and Programs</b>	<p><b>Education (State and Local)</b> Drop Out Prevention Expelled and At Risk Students Program Foster Care/Education Initiative School Counselor Corps, Ascent McKinney-Vento Positive Behavioral Intervention and Supports</p> <p><b>School Safety Resource Center</b> Training</p> <p><b>Dept of Labor &amp; Employment</b> Job Corps</p> <p><b>Cooperative Extension</b> 4H</p> <p><b>Prevention Services (CDPH&amp;E)</b> CO9to25 Youth Partnership for Health</p> <p><b>Child Welfare</b> Integrated Trauma Informed Care Collaborative Management Core Services Tony Grampas Youth Services Rural Collaborative for Homeless Youth Pathways to Success Educational Stability for Youth in Foster Care</p> <p><b>Behavioral Health</b> Building Bridges CO Trauma Focused System of Care</p> <p><b>HealthCare Policy &amp; Financing</b> CO Opportunity Project</p>	<p><b>Law Enforcement</b> Community Policing Crisis Intervention School Resources Officers</p> <p><b>Juvenile Assessment Centers</b> Screening Assessment Services</p> <p><b>DA Pre-file Diversion</b> Diversion Services Restorative Justice</p> <p><b>CO Youth Detention Continuum or CYDC (previously SB 94)</b> Screening and Assessment Services (MH, Substance Abuse, Tracking, Family)</p> <p><b>DYS Detention</b></p>	<p><b>Law Enforcement</b></p> <p><b>Municipal Courts</b></p> <p><b>DAs' Post-file Diversion</b></p> <p><b>District or Juvenile Courts</b> Specialty Courts (MH, Truancy, etc) Fines Community Service Restitution</p> <p><b>Probation</b> Screening Assessment Services Supervision</p> <p><b>Community Accountability Boards</b> Community-based Placements</p> <p><b>Office of Child's Representative Public Defender</b> <b>Alternative Defense Bar</b> Legal Services</p> <p><b>DYS Detention</b></p>	<p><b>Probation</b></p> <p>Electronic Monitoring</p> <p>Intensive Supervision</p> <p>Tracking</p> <p><b>DYS – CYDC Alternatives to Incarceration</b></p> <p>Trackers</p>	<p><b>Colorado Division of Youth Services (DYS)</b></p> <p>Staff Secure facility</p> <p>Short-term detention</p> <p>Long-term Secure Incarceration</p> <p>(including programs that address education, life skills, vocational training, drug and alcohol abuse, mental health, etc.)</p>	<p><b>Juvenile Parole Board</b></p> <p><b>DYS Parole</b></p> <p>Intensive Supervision</p> <p>Electronic Monitoring</p> <p>Trackers</p> <p>Day Treatment</p> <p>Transition Services</p> <p>Independent Living</p> <p>Job Training</p> <p>Self-Sufficiency Prgms</p>

## **ANALYSIS OF JUVENILE DELINQUENCY PROBLEMS AND NEEDS**

Colorado, not unlike other states, has begun to more fully appreciate the complex needs of juveniles at risk of or involved with the juvenile justice system. In the JJDP Council's February 2017 strategic planning meeting, juvenile justice and delinquency prevention systems provided up-to-date data as well as information on state and local juvenile justice and delinquency prevention priorities for the various systems that serve children and youth. Over the course of the next 2017 Council meetings in May, August and November, the Council established its priorities for the 2018-20 State Juvenile Justice and Delinquency Prevention Plan.

OJJDP-sponsored studies have identified that educational risk factors for delinquency include academic failure beginning in late elementary school, inadequate school climate, truancy, and economic deprivation. School discipline can also contribute to school disengagement. It is therefore implicit that providing services to educationally at risk students improves the possibility of better long-term outcomes, including future employability.

Although highlighting concerns regarding educational attainment, school discipline, or truancy could appear to be an indictment of the educational system, it needs to be noted that the JJDP Council sees these concerns not as merely educational problems to fix but as community problems to address with schools. Children come to school with myriad issues that are often beyond the scope of educational professionals to address. As will be seen in the section on truancy, issues of child abuse and neglect, poverty, and a host of other issues have been found to contribute to truant behavior. For this reason, the legislative solution proposed was a collaborative process that brings other systems with the expertise in those areas to the table to partner with schools to address. It is through this same collaborative model that all issues, from graduation and dropout rates to discipline, should be addressed.

Graduation rates, using a 4-year marker after entering the ninth grade, continue to be of concern overall in Colorado but differences between racial and ethnic students is even more troublesome. Gender differences continue as well. The 2017 graduation rates show an overall rate for all students at 79.0, girls more successfully graduating at a rate of 82.8 versus boys at 75.5. There is a significant and troubling disparity in the graduation rates of males by race and ethnicity, as Native American males graduate at a rate of only 59.1 and Hispanic and Blacks at only 66.5, while White males graduate at a rate of 81.0 and Asian males at a rate of 87.0. (Source: <http://www.cde.state.co.us/cdereval/gradratecurrent>)

<b>Graduation Rates by Race/Ethnicity/Gender in Colorado Public Schools 2011-2017</b>									
<a href="https://www.cde.state.co.us/cdereval/gradratecurrent">https://www.cde.state.co.us/cdereval/gradratecurrent</a>									
	Year	White	Hispanic	Black	Asian	Native American	Males	Females	Total
<b>% Graduation</b>	2011	81.1	60.1	64.6	82.8	52.2	70.3	77.4	73.9
	2012	82.1	62.5	66.2	82.9	57.7	71.4	79.5	75.4
	2013	82.8	65.4	69.5	85.9	61.4	73.2	80.9	76.9
	2014	83.2	66.7	69.0	84.7	60.7	73.7	81.0	77.3
	2015	82.6	67.6	69.8	88.1	64.0	73.6	81.2	77.3
	2016	84.4	69.9	71.8	86.0	62.0	75.3	82.7	78.9
	2017	83.9	71.1	71.9	89.8	64.1	75.5	82.8	79.0

All racial/ethnic populations continue to have a significant number of youth who fit the criteria of a drop out (2.3%), but the rates for Hispanic youth (3.5%), Black youth (3.4%) and Native American youth (4.1%), although much improved from 2007, still suggest the need for a continued review of the reasons leading to dropping out of school for these populations.

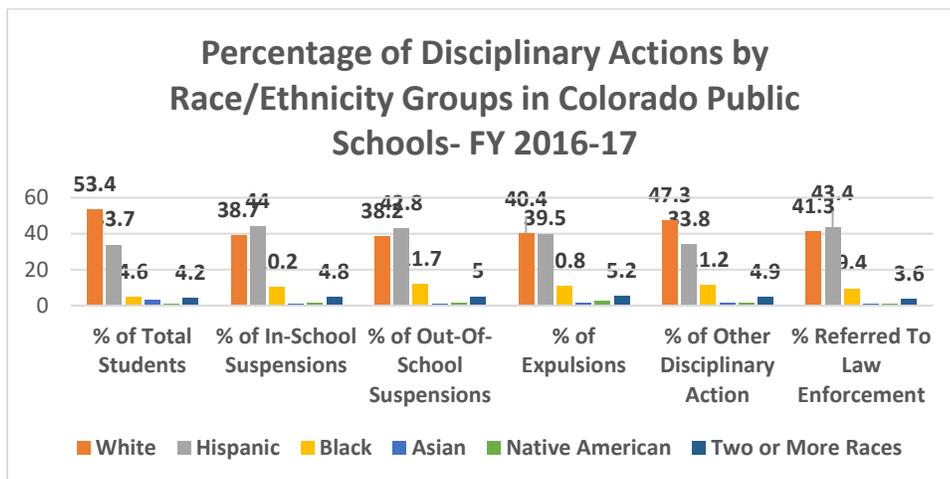
<b>Dropout Rates by Race/Ethnicity Groups in Colorado Public Schools</b>									
<a href="https://www.cde.state.co.us/cdereval/dropoutcurrent">https://www.cde.state.co.us/cdereval/dropoutcurrent</a>									
Dropout Rate	Year	White	Hispanic	Black	Asian	Native American	Males	Females	Total
	2007	2.8	8.0	5.8	2.6	7.1	4.7	4.0	4.4
	2017	1.7	3.5	3.4	1.1	4.1	2.6	2.0	2.3

Males are more likely to drop out of school (2.6%) than females (2.0%) but significant differences arise when looking across racial and ethnic groups with Hispanic males at 4.1%, Native

American males at 4.3%, and Black males at 3.6% versus White males at 1.7% and Asian males at 1.1%. (Source: <http://www.cde.state.co.us/cdereval/dropoutcurrent>)

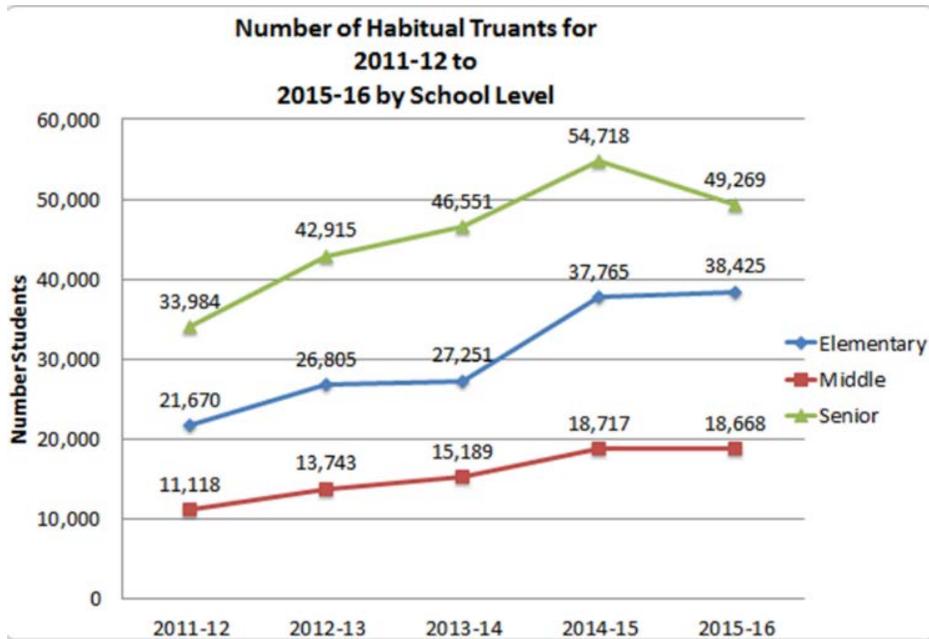
Hispanic, Black and Native American youth also continue to be over represented in the number of negative consequences and disciplinary actions taken for behavior, while White and Asian youth are underrepresented.

Disciplinary Actions by Race/Ethnicity Groups in Colorado Public Schools-2016-17						
	% of Total Students	% of In-School Suspensions	% of Out-Of-School Suspensions	% of Expulsions	% of Other Disciplinary Action	% Referred To Law Enforcement
White	53.4	38.7	38.2	40.4	47.3	41.3
Hispanic	33.7	44.0	42.8	39.5	33.8	43.4
Black	4.6	10.2	11.7	10.8	11.2	9.4
Asian	3.2	0.8	.90	1.4	1.2	1.0
Native American	0.7	1.2	1.2	2.6	1.2	1.0
Two or More Races	4.2	4.8	5.0	5.2	4.9	3.6



Truancy is an issue that has been addressed by the JJDP Council for many years and the state has seen tremendous improvements in limiting the use of detention as a court intervention for truancy. But the larger issue of why kids are truant, the conditions under which we see children and youth struggling to go to and remain in school, continues to be a challenge. As can be seen from the graph below, truancy is not just a high school or middle school concern but starts within elementary school and the need for prevention must begin there. In general, there is limited work

and funding in Colorado that intentionally and directly focuses on the reasons for truancy, especially in the elementary school years. Moreover, although there are efforts to address truancy in a multi-disciplinary fashion due to the complex needs of truants, there remains limited collaboration between the education, justice, and social service systems.



In the past year, Colorado has seen a 3.6% decrease in juvenile arrests, a decrease of 3.1% in delinquency petitions, a decrease in detention admissions of 8.1%, and a decrease in juvenile commitment rates by 1.5%.

	Colorado Juvenile Arrests			
	Population ages 10-17 (FY 2016/17)		Juvenile Arrests* (FY 2016/17)	
	#	%	#	%
<b>Total</b>	592,694	100%	25,365	100%
<b>White</b>	336,393	57%	13,162	51.9%
<b>Black</b>	27,703	5%	4,107	16.2%
<b>Hispanic</b>	197,815	33%	7,623	30.1%
<b>Asian</b>	24,432	4%	230	.9%
<b>Native American</b>	6,351	1%	86	.3%
<b>Other/Unknown</b>	--	--	227	.7%

Despite this seemingly good news, Colorado has been exploring the concern of youth penetrating its juvenile justice system, possibly less because of their criminal behavior and more because the myriad needs they present; mental health, substance abuse, child welfare history, and trauma, just to name a few. It has been estimated that in Colorado upwards of 80% of the youth committed to the division of youth services have a prior history of child welfare involvement and 60% were estimated to have experienced prior out-of-home care placement through the child welfare system.

Between October 1, 2015 and September 30, 2016, a preliminary review of records found 257 children in the state who had custody transferred from the local county department of human services to the state juvenile justice system; these are youth who are committed to the Division of Youth Services for the highest and most secure level of care for delinquents. National studies have shown that dual status youth, or those who have come into contact with both the child welfare and juvenile justice systems or other systems, have higher rates of complex trauma histories than the general youth population resulting in behavior problems which lead to juvenile justice system involvement. They are also more likely to be detained, detained for longer periods of time, and have histories of out-of-home placements with the child welfare system. In fact, last year the length of detention stays for child welfare system-involved youth were twice that of other detained youth. The level of services required to address their complex trauma needs as well as the behavior which has led to juvenile justice system involvement is costly and disruptive and results in further traumatic experiences due to multiple changes in educational settings, placements and services.

Mental health and substance abuse concerns for children and youth at risk of or involved with juvenile justice is also troublesome. In Colorado, 92% of youth utilizing the highest cost services in Colorado's child welfare system have mental health issues, and 46% have involvement in the

Division of Youth Services. Additionally, 81% of children in Residential Child Care Facilities (RCCFs) have more than one mental health diagnosis. All of these children, youth, and families have complex needs that cannot be met by a single system.

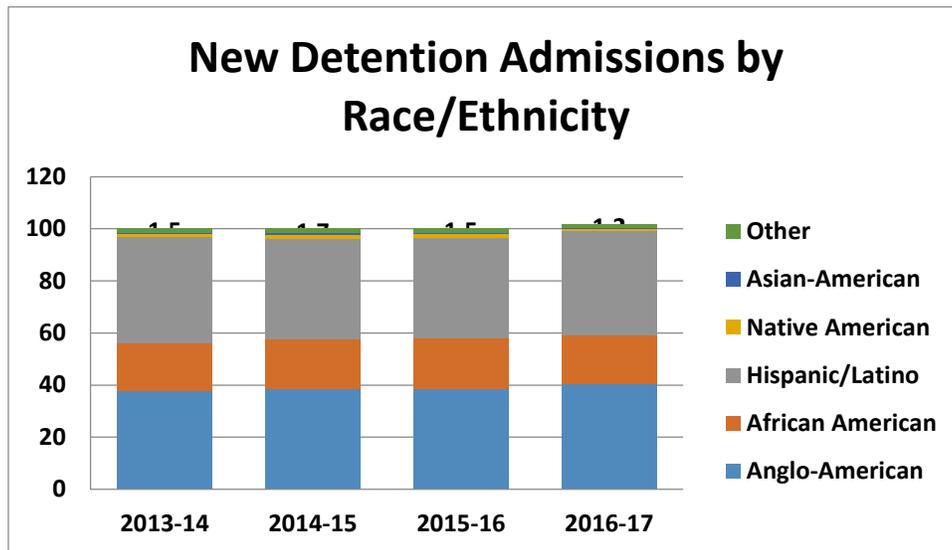
Within the population of children and youth with behavioral health challenges involved in multiple systems, there are sub-populations with even greater complexity. Colorado communities implementing High-Fidelity Wraparound Services report that approximately 25% of children and youth served in Wraparound have dual diagnoses, with intellectual/developmental disabilities (IDD) and mental health issues. Similarly, transition age youth often have co-occurring mental health and substance use issues. This population can be difficult to engage because services from either the child or adult systems may not be developmentally appropriate. These youth also struggle to maintain housing, education, and employment, and they are at increased risk of involvement with the juvenile or criminal justice systems.

There are concerns regarding the gender differences for committed youth as well. When looking at the youth committed in FY 2016-17, 83.9% of females committed had two or more prior out-of-home placements, up from the prior year (78.7%). The percentage of males with two or more out of home placements in FY 2016-17 was 68.3% which is also an increase from the prior year (63.2%). These suggest prior child welfare system involvement that included placements out of their home; either for child abuse or neglect, or beyond the control of parent concerns. Data also showed that girls are more likely to be committed on their first offense, as 72.7 % of newly committed males in FY 2016-17 had two or more prior juvenile justice adjudications compared to only 64.3% of newly committed females.

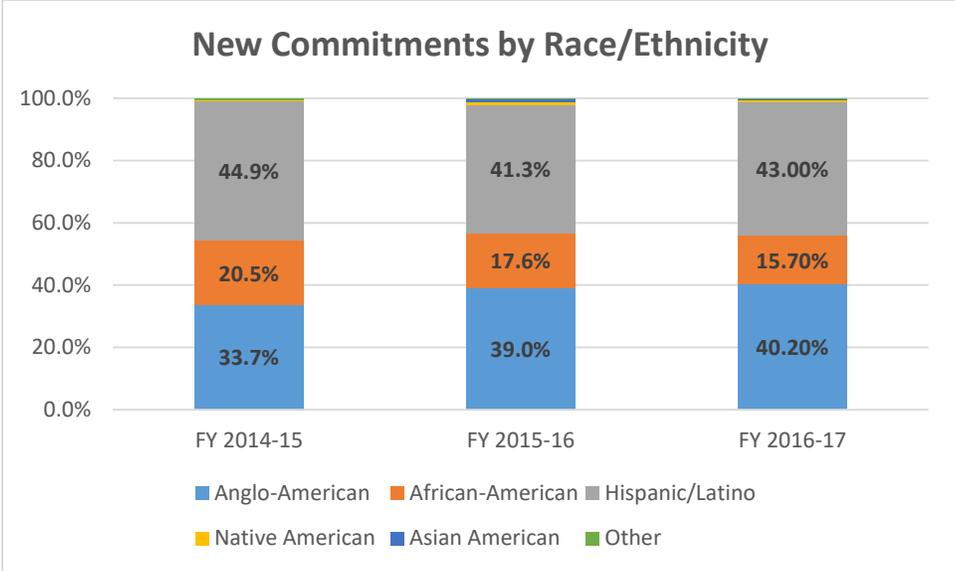
The level of substance abuse and mental health needs for committed youth also indicate a high need for intervention. The male population in need of substance abuse treatment decreased from

87.4% to 82.5%, and the female substance abuse treatment population decreased from 98.4% to 89.3% in the past year. In regard to mental health needs, during FY 2016-17 the percent of newly committed male youth assessed as “Requiring Formal Mental Health Intervention” was 59.3% up from 55.6% (CCAR data) in the prior year. In FY 2016-17, a larger percentage of females show a need for mental health intervention (88.9%) in comparison to males (59.3%).

Racial and ethnic disparities begin at the time of arrest, which is often the first point of contact between a juvenile and the justice system. Although African-American youth represent only 5% of Colorado’s juveniles between 10-17 years old, they represent 16.2% of arrests and this disparity continues as youth progress through the justice system. In this past year, White youth represented the largest ethnic group (40.3%) admitted into DYS detention facilities, followed by Hispanic/Latino youth at 39.7% and African-American youth (19%).



Finally, the majority of new commitments have historically been Anglo, Hispanic/Latino and African American youth respectively, and this holds true for FY 2016-17. This year’s ethnic distribution does show an increase from the past year for Hispanic youth (41.3% to 43%) and a decrease for African American youth (17.6% to 15.7%).



**GOALS, OBJECTIVES AND IMPLEMENTATION PLANS**

As previously stated, the JJDP Council reviewed data provided from the various youth serving systems. After careful review of past priorities and progress, The Council established Purpose Area #27 Juvenile Justice System Improvement as its priority, along with the mandatory priorities of: #19 Compliance Monitoring; #21 Disproportionate Minority Contact; #24 Indian Tribe Programs; #28 Planning and Administration; and #32 State Advisory Group.

**Purpose Area #19 Compliance Monitoring**

See 2017 Compliance Monitoring (CM) Report and 2018 CM Plan.

**Purpose Area #21 Disproportionate Minority Contact**

See 2017 Disproportionate Minority Contact (DMC) Report and 2018 DMC Plan.

**Purpose Area #24 Indian Tribe Programs**

The Division of Criminal Justice and the Juvenile Justice and Delinquency Prevention Council have enjoyed great relationships with both the Southern Ute and Ute Mountain Ute Tribes located in the Four Corners (Southwest) area of the state. Several years ago a subcommittee of the JJDP Council met with representatives from both tribes in the Four Corners area and re-established their

working relationship. Former Council member Ernest House Jr. is a member of the Ute Mountain Ute Tribe and is the former Executive Secretary for the Colorado Commission on Indian Affairs has been instrumental in this endeavor. The JJ Specialist (Meg Williams) also attended a meeting of the Colorado Commission of Indian Affairs in March of 2013 to continue the discussions about how the Council might assist the Tribes in meeting some of their identified needs for justice-involved youth. A subgroup of JJDP Council members met again with representatives from the Ute Mountain Ute Tribe in August of 2015 to encourage them to access the funds that have been set aside for their needs annually but not been accessed since 2009.

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

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

**OBJECTIVES:**

1. Work with agencies throughout the state representing or serving the Native American population to support and enhance their efforts.
2. Continue to fund at least one juvenile justice delinquency prevention or intervention program at the Southern Ute Tribe and Ute Mountain Ute Tribe, if requested.
3. Continue on-site compliance monitoring visits to measure compliance with the core requirements, and provide training and technical assistance on maintaining compliance.

**ACTIVITIES:**

1. Staff will contact non-reservation based agencies representing or serving the Native American population to determine how to support efforts of such groups in addressing juvenile justice and delinquency prevention programming for Native American youth;
2. Staff will monitor the performance of the grants at the Southern Ute to measure performance and assist with problem solving obstacles to performance; and.
3. DCJ staff and selected Council members will attend Ute Mountain Ute and/or Southern Ute meetings as requested.

**Purpose Area #28 Planning and Administration**

The planning and administration of the Formula Grant Program of Title II of the Juvenile Justice and Delinquency Prevention (JJDP) Act in Colorado continues to be accomplished through the Office of Adult and Juvenile Justice Assistance (OAJJA), at the Division of Criminal Justice (DCJ). Colorado joined the JJDP Act in 1984 and DCJ has administered this program since then. System coordination among state agencies and local programs has become an essential component of the improvement of the juvenile justice system. Proposed state legislation and agency policies

are monitored for possible conflict with the JJDP Act or possible unintended consequences that may negatively impact the juvenile justice system and its services. DCJ staff work through necessary channels to suggest needed changes when new federal statutes, rules or regulations require revisions to existing state statutes or agency policies. Accessing information and expertise through OJJDP has also become a practice of the state based on the ever-increasing sources of research published and programs documented. Reporting of information from Colorado to OJJDP is seen as both a method to share our lessons learned, and inform federal officials and Congress of the benefits of the funding and technical assistance received from OJJDP.

**GOAL:** To improve the juvenile justice system through statewide coordination and collaborative planning.

**OBJECTIVE 1:** Sustain a state advisory group (JJDP) Council that represents the full spectrum of the juvenile justice system and delinquency prevention efforts.

**ACTIVITIES:**

1. Staff will work closely with the Governor's Office to assure that appointments to the Council bring the expertise and insight needed to provide sound advice and funding decisions related to juvenile justice; and
2. Staff will track legislative activity to identify bills that may impact the juvenile justice system. This will be reported to Council during each annual session of the General Assembly. The Council will decide on any action that may need to be taken.

**OBJECTIVE 2:** OAJJA staff will actively participate in planning and program activities of other state agencies and initiatives involved with juvenile justice and delinquency prevention.

**ACTIVITIES:**

1. The Juvenile Justice Specialist and OAJJA staff will continue to serve on the Colorado Commission on Criminal and Juvenile Justice (CCJJ), Colorado Youth Detention Continuum (SB94) Advisory Board and other statewide efforts to improve the juvenile justice system, including such areas as restorative justice, mental health, prevention, substance abuse, child welfare and education; and
2. Information received from this collaborative work will be used to advise the Council on pertinent and timely juvenile justice issues and then to develop and implement system improvement projects.

**OBJECTIVE 3:** Use the formula grant funds to impact identified needs in the Colorado Juvenile Justice System.

**ACTIVITIES:**

1. Staff and Council will seek solicitation of input from state and local agencies, juvenile justice participants, rural areas, service providers, schools and others in the development and annual review of the Three-Year Plan; and
2. Staff and Council will distribute formula grant funds to support system improvement efforts at the state and local level and assess compliance with funding requirements.

**Purpose Area #32 State Advisory Group**

The State Advisory Group (JJDP Council) must have financial and other support in order to carry out its duties and responsibilities, as specified by the Governor and the JJDP Act. These

duties include providing advice to the Governor, the State General Assembly and other policy makers regarding improvements to the juvenile justice system and service provision.

**GOAL:** To maintain and enhance the Juvenile Justice and Delinquency Prevention (JJDP) Council (the State Advisory Group) ability to effectively fulfill its commitment to improve the juvenile justice system and delinquency prevention efforts in Colorado and serve as a resource to the state and local communities in their advancement of juvenile justice efforts through the development and annual update of a comprehensive 3-year plan to address the needs of the juvenile justice system.

**OBJECTIVE:** To plan the allotment of SAG allocated funds to assist in the effective performance of the JJDP Council duties and responsibilities.

**ACTIVITIES:**

1. Hold regularly scheduled meetings of the Council for planning, education and funding purposes;
2. Hold committee meetings to address particular issues the Council has prioritized;
3. Support travel and per diem costs of members to attend meetings and training conferences as necessary;
4. Purchase necessary periodicals, subscriptions or documents; and
5. Pay the annual dues to the Coalition for Juvenile Justice.

**Purpose Area #27: Juvenile Justice System Improvement**

While Colorado has a variety of agencies and initiatives at both the state and local level working to support the needs of youth and families, it faces a number of challenges that impede system functioning. First, there is a need for enhanced coordination among youth-serving agencies

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

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

1. Develop a set of state and local policy recommendations to prevent delinquency and ensure equal justice and accountability while maximizing community safety;
2. Identify areas of opportunity to further leverage partnerships and deepen strategic relationships; and

3. Identify internal and external resources that can be obtained to support the Council's goals and strategies.

In addition, the JJCP Council has developed six Juvenile Justice and System Improvement committees: Early Prevention in Education (EPE); Professional Development (PD); Children's Code Review; Evidence-Based Programs and Practices (EBPP); Research and Evaluation, and Emerging Leaders (EL). The JJDP Council supports each committee by, for example, bringing diverse perspectives, from both a state and local, as well as government and non-governmental perspective, to improve the quality of their work, identifying and linking additional partners to support the committees, and identifying opportunities to disseminate or scale the work.

### **Early Prevention in Education Committee**

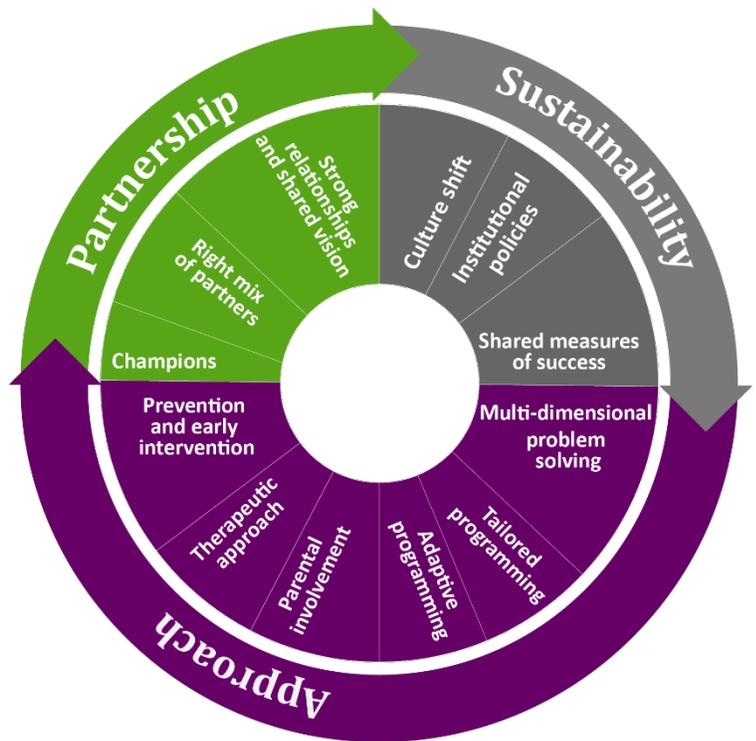
The Early Prevention and Education (EPE) committee of the JJDP Council will focus its 2018-2020 efforts on addressing the educational and social needs of youth, including academic supports, trauma, mental health, and substance use, to prevent involvement with the juvenile justice system. In general, there is limited work and funding in Colorado that intentionally and directly focuses on preventing involvement in Colorado's justice system. Although there are efforts to do so, there is limited collaboration between the education, justice, and social service systems. However, data show a great need for such efforts as seen through the educational system's data on disciplinary actions which result in school suspensions or expulsions, the level of truancy in Colorado, and the levels of need in the areas of mental health, substance abuse and trauma for youth as they progress through the juvenile justice system. Systems need to be designed to proactively provide supports, instead of reacting once a young person has displayed a problem behavior. Moreover, systems need to be designed to support a multidisciplinary approach to addressing holistic wellbeing.

The work of the EPE committee grew out of the work of the Council’s former Low Risk/High Needs committee which was established to address the needs of juveniles who may not have criminogenic tendencies but whom do have undiagnosed, unmet, or underserved needs, which may contribute to these youth’s eventual progression into and through the juvenile justice system.

During the last three-year plan cycle (2015-2017) the Low Risk/High Needs committee supported several accomplishments: using federal Juvenile Accountability Block Grant and Title II funds to support one truancy prevention program in La Plata County and three truancy problem solving courts in the 1<sup>st</sup>, 16<sup>th</sup>, and 18<sup>th</sup> Judicial Districts; and partnering with an external evaluation firm to examine pilot program accomplishments as well as supports or challenges posed by core pilot partners in the judicial, education, and community systems; and conducting an examination of the essential elements needed for sustaining or expanding truancy reduction efforts in Colorado.

Much was learned through these activities, including the development of a collaborative *Framework to Improve School Attendance* in Colorado. The framework outlines the importance of cultivating diverse partners with strong relationships; using an adaptive, tailored, multi-dimensional therapeutic approach that involves parents; and formalizing efforts by establishing shared measures of success, supporting a culture shift, and developing institutional policies.

***Framework to Improve School Attendance***



The EPE committee will build on lessons learned during the last three-year plan cycle by focusing more upstream: shifting the paradigm from “truancy prevention” to “supporting educational attainment” by implementing strategies to help all youth remain engaged in school, to identify individuals with attendance problems much earlier, and to intervene before chronic absenteeism becomes an issue. The work of the committee will build, in large part, from the successes and lessons learned of the La Plata truancy prevention pilot, a community-based collaborative response that focused on addressing students’ underlying barriers to school attendance. The committee is aiming to create formalized structures that can support prevention. The committee will focus on changing systems to address individual needs, for example; developing local multi-disciplinary teams/community navigators to link youth and families to community resources, as well as changing the broader school system dynamic, such as, identifying opportunities to improve school climate through restorative justice. Because there has been limited work in this area, the committee will need to focus first on identifying and cultivating state and local champions and building awareness about the need for a multidisciplinary, prevention-focused approach.

**GOAL:** Increase the educational system’s access to multidisciplinary supports and resources, to allow them to identify and intervene on students’ risk and protective factors.

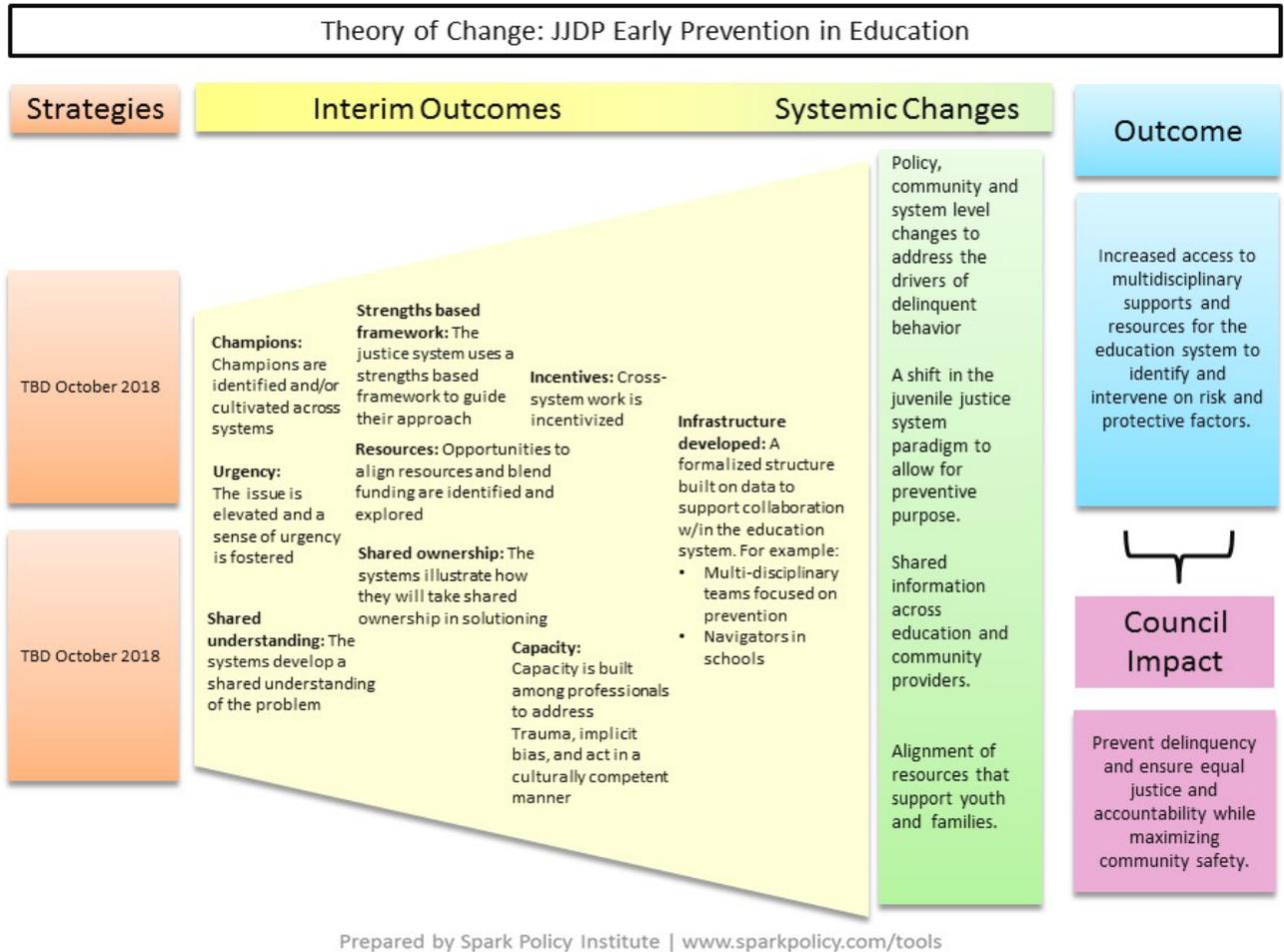
**OBJECTIVES:**

1. Policy, community, and system level changes to address the drivers of delinquent behavior.
2. A shift in the juvenile justice system paradigm to one that is intentionally preventative.
3. Shared information across education and community providers.
4. Alignment of resources that support youth and families.

**HIGH-LEVEL ACTIVITIES:**

1. Identify and cultivate champions.
2. Create a sense of urgency.
3. Develop a shared understanding of the problem.
4. Adopt a strengths-based framework.
5. Identify opportunities to align resources.
6. Illustrate what shared ownership would look like.
7. Develop incentives.
8. Build professionals' capacity.
9. Develop a collaborative infrastructure.

The EPE Theory of Change on the following page reflects discussions from preliminary meetings held of key stakeholders broadly focused on identifying the work of the EPE Committee. When the committee begins meeting in October, precise strategies will be defined and adopted. Supporting the Committee to define their strategies fosters buy-in and builds on the strengths and resources of the members around the table.



### Professional Development Committee

The Professional Development (PD) committee was first established in 2011 to implement work initiated by Denver’s Crime Prevention and Control Commission but was refined through and officially supported by the Colorado Commission on Criminal and Juvenile Justice (CCJJ) and the JJDP Council to provide consistent cross-systems training to youth-serving personnel. The work was grounded in the fact that, although many agencies in Colorado provide training to youth-serving professionals, the trainings are not centralized in a way that fosters cross-system learning. Importantly, the work of the Committee is rooted in the need for a shared vision, goals, and strategies to realize the vision. The Council and Committee believe that fostering commitment to

a shared vision will help prevent missed opportunities for collaboration between the justice, education, and child welfare systems. The known overlap of child welfare and juvenile justice-involved youth itself underscores the need for improvement in systems' abilities to work collaboratively and to collaborate successfully requires a basic but thorough understanding of the needs of these youth, and the roles and responsibilities of each system in addressing needs and risks.

During the last three-year plan cycle the PD committee supported several accomplishments, including: (1) finalizing a set of statewide juvenile professional development practices (core competencies); and (2) developing and piloting an interactive, collaborative training model. In order to foster systems-level change, the committee recognized the need to identify and address any barriers that would prevent the application of training content. Grounded in this perspective, the PD committee harnessed the knowledge and expertise of child welfare to identify a training mechanism that facilitates its system-level change goals: the ECHO training model.

The ECHO model, as the PD Committee is developing it, brings together thought leaders in the juvenile justice system with a cohort of juvenile-serving professionals who work together in the same geographic area (judges, probation officers, child welfare workers, attorneys, representatives from community organizations) into a virtual learning community. Delivered over six weeks, ECHO uses a case-based curriculum to facilitate dialogue among the learners. Describing diverse perspectives and differing system goals that may conflict with each other, and identifying opportunities for collaboration across sectors, are critical components of the training.

The PD committee will build on its first implementation of the ECHO series which occurred in February and March, 2018. The committee has contracted with an external evaluation firm to conduct a mixed-methods evaluation of the ECHO training (change in knowledge and attitudes,

changes to practices) as well as facilitators and barriers to cross-system collaboration. Results from the evaluation will be used to inform the next steps of the PD committee work, which will focus on identifying ways to scale the training model as well as opportunities to modify state or local policies and practices to further support cross-sector collaboration and help foster a share-vision.

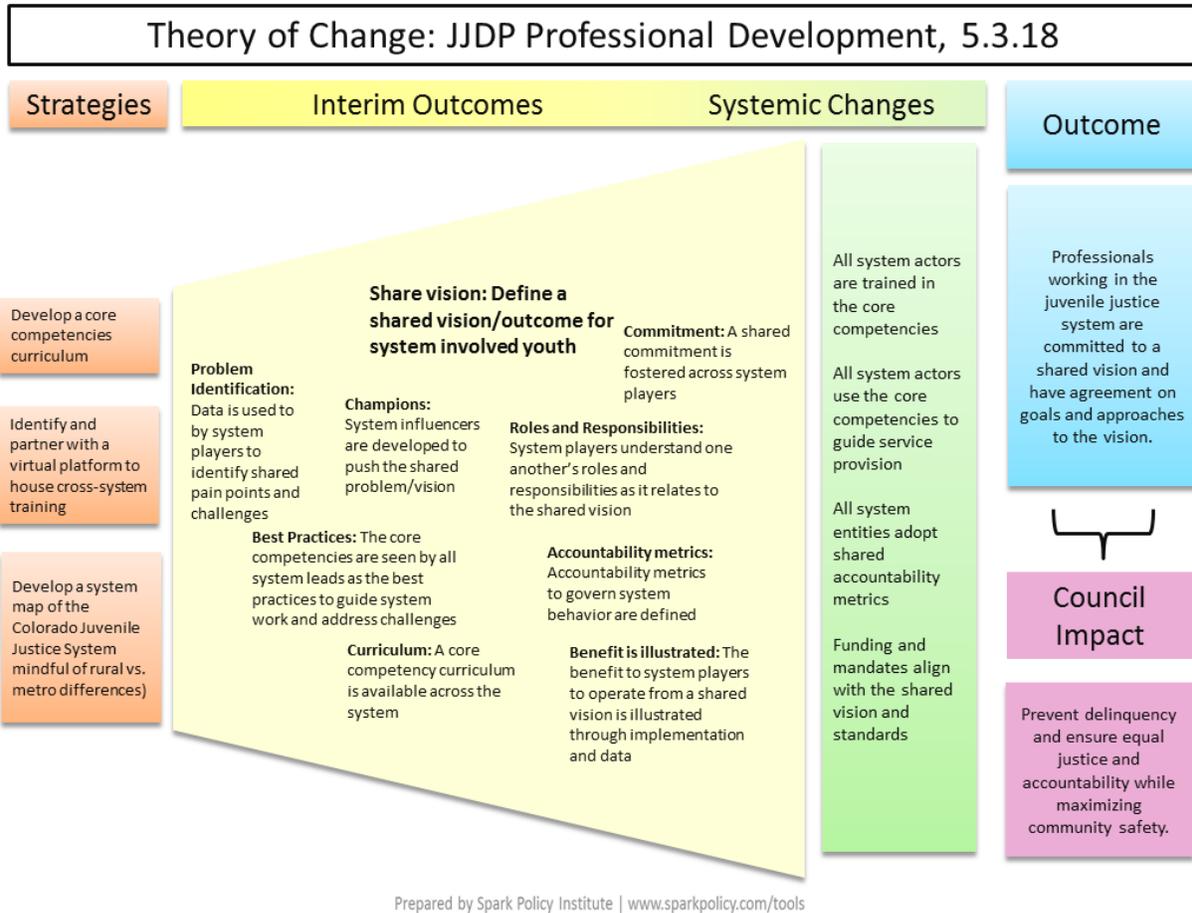
**GOAL:** Ensure that youth and family-serving professionals in the justice arena receive the cross system training and support in the Core Competencies needed to serve youth and families in the best possible manner.

**OBJECTIVES:**

1. All juvenile serving professionals can illustrate competency in the six core competency areas identified.
2. Develop a training curriculum and model that can be disseminated and sustained to reach relevant state and local agencies within the Executive and Judicial branches.
3. Identify new or existing opportunities to support delivery of the training model, for example, complementary training systems for integration or funding streams for delivery.
4. Identify a set of state and local policy and practice change strategies that would further facilitate cross-system learning.

**ACTIVITIES:**

1. Develop a core competencies curriculum.
2. Identify and partner with appropriate platform(s) to house cross-system training.
3. Develop a system map of the Colorado Juvenile Justice System which outlines all key actors and is mindful of rural and metro nuances.



### Children’s Code Committee

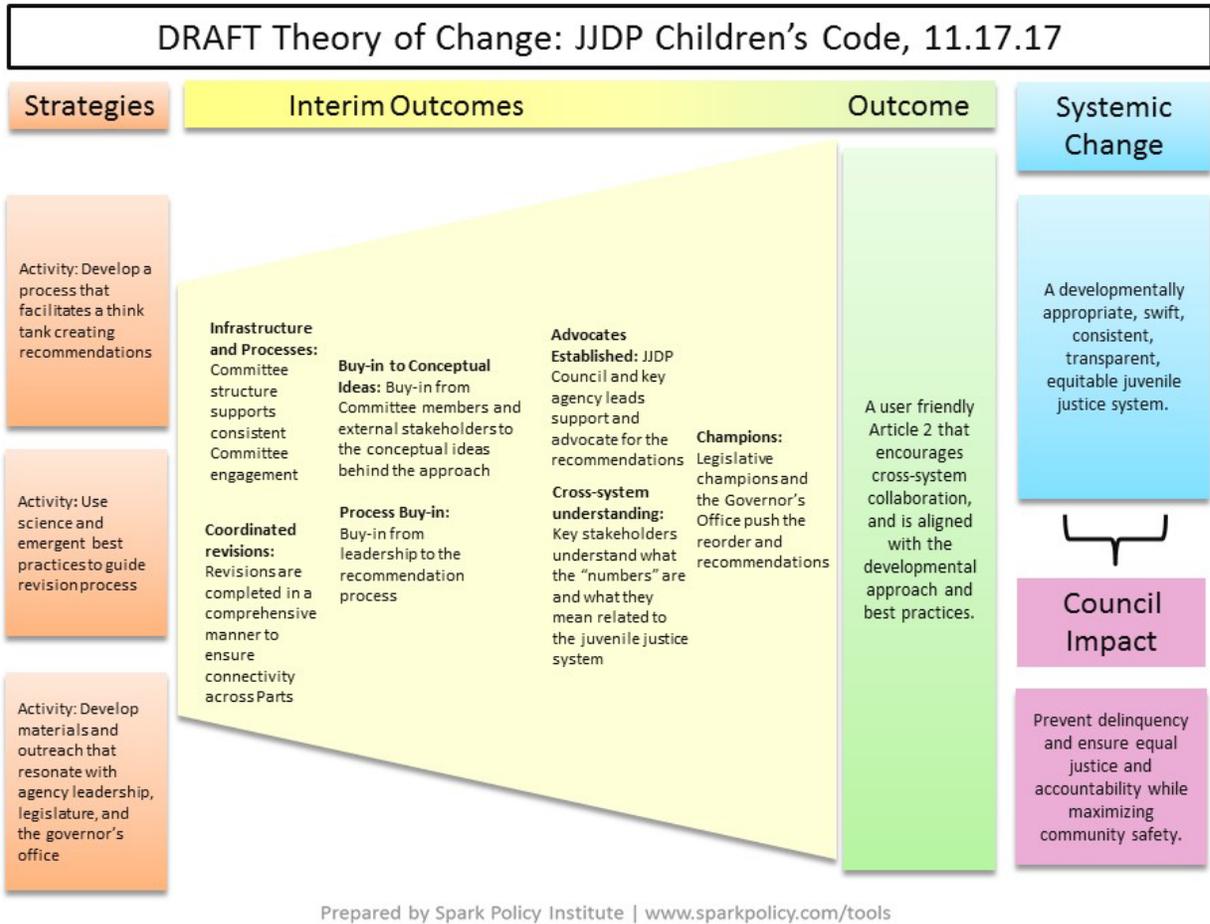
The Children’s Code committee was established in 2015 to increase the ease of use and clarity of laws regarding juvenile justice, ensuring Article 2 of the Colorado Children’s Code complies or is consistent with current research and evidence-based practices. The Committee found Article 2 ripe for contextual review given the advances in juvenile research that have occurred since it was last revised, including the increased understanding of adolescent brain development, youth development, effective public safety measures, and the need for family engagement, and the Committee believes these advances should be reflected in Colorado's laws. Overall, there is a need to ensure that the code is grounded in current research of the developmental approach - an approach that recognizes that adolescence is a period of development characterized by increased

experimentation and risk-taking, a tendency to discount long-term consequences, and heightened sensitivity to peers and other social influences - as well as state and local knowledge of the impact of current practices.

House Joint Resolution 18 1013 (see page 115) was recently passed which encourages the JJDP Council to continue this code review work to create a developmentally appropriate juvenile justice system that promotes public safety, individual accountability, juvenile rehabilitation, and positive adolescent development. In addition, it encourages the JJDP Council and the Code Review Committee to redraft article 2 of the Children's Code by August of 2020.

To date, the committee has achieved several accomplishments, including: (1) developing a proposed reorder of the Article 2 to make it easier to understand, interpret and use; (2) identifying and prioritizing topics around which to develop recommendations for revision of Article 2; and (3) using a stakeholder engaged process to develop a set of draft recommendations for youth diversion practices. The committee used a day-long, interactive and collaborative process to develop draft youth diversion recommendations as a model by which to learn and identify strategies for developing recommendations in the other prioritized areas.

The Children's Code committee will build on its successes to finalize a set of recommendations for revision to Article 2 that can better contribute to a developmentally appropriate, swift, consistent, transparent, and equitable juvenile justice system. In addition, the committee will continue to cultivate broad support for its recommendations, including among members of the Council, external agency heads, as well as legislative champions.



**GOAL:** Develop a user-friendly Article 2 that encourages cross-system collaboration, and is aligned with the developmental approach and best practices.

**OBJECTIVES:**

1. Develop the necessary infrastructure and processes to support a participatory and streamlined review of Article 2.
2. Generate buy-in from stakeholders to the conceptual ideas behind the developmental approach.
3. Gain buy-in from state leadership to the recommendation process.
4. Identify and cultivate advocates.
5. Foster cross-system understanding of the problem and the solution.

6. Develop necessary champions in the legislature and Governor's office to introduce policy.

**ACTIVITIES:**

1. Develop a process that facilitates a think tank culture to create recommendations; and
2. Use science and emergent best practices to guide the revision process. Develop materials and outreach that resonate with agency leadership, the legislature, and governor staff.

**Evidenced Based Programs and Practices (EBPP) Committee**

The Evidence-based Programs and Practices (EBPP) Committee work has focused on addressing a concern that evidence-based practices (supported by meta-analysis, cost benefit analysis, clinical trials, and applied practice) have not been identified and/or consistently implemented in Colorado's youth, children and family serving systems resulting in these populations often not being effectively set up for success (as evidenced by the unnecessary push of Low Risk High Needs (LRHN) youth into the justice system to access needed services). For this EBPP Committee project, the goal is to develop a statewide system that supports well-implemented evidence-based programs and practices matched to need at the state and local/community level focused on at-risk and system-involved youth. The long-term goal of this project is to improve outcomes for at-risk and system-involved youth and their families as evidenced by:

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

- Improved educational outcomes.

The EBPP Toolkit has been developed and piloted in 7 different communities within Colorado which have led to revisions of the kit based on the local communities' feedback. In this new three-year cycle, we will engage two newly identified communities in this multi-system focused, community-wide collaboration and EBPP planning process with local initiatives/programs focused on at-risk and/or system-involved youth and their families.

In addition to the individual work with communities, local data snapshots will be developed and produced, in collaboration with local stakeholders, for 20 judicial districts (which will then allow all 22 judicial districts in the state to have an individualized snapshot for their planning needs). The data snapshot will illustrate key characteristics and needs of at-risk and/or system-involved youth and their families. The goal of the data snapshot will be to provide information that increases understanding of where to target evidenced-based practices and/or programs in a two-page, community-friendly, accessible format. Where possible, the data snapshot will include data relevant to local systems addressing at-risk and/or systems-involved youth populations to inform required program-specific plans (i.e. CYDC, CMP, Core Services). All included data indicators are those recommended or approved by experts in the field. For example, OMNI worked with key stakeholders at the Colorado State Court Administrator's Office (CO Division of Probation Services) and the Colorado Department of Public Safety (Division of Criminal Justice) to ensure previously developed snapshots used appropriate terminology and contained the most relevant indicators to support healthy youth development and prevent delinquency.

The EBPP consultant, OMNI, will ensure that feedback and lessons learned from the work with communities continues to be used to refine and improve the EBPP Toolkit. The ongoing incorporation of learnings is foundational to the approach in developing effective community

resources and tools. OMNI will also update the EBPP Toolkit, as needed, to ensure all new and improved methods and developed resources are documented and included within the relevant modules of the toolkit. They will also make sure the website [www.coebpp.org](http://www.coebpp.org) remains updated and functional, so that it continues to serve its purpose of supporting the broad dissemination and accessibility of the EBPP toolkit and resources.

In addition, the Committee is now ready to push the EBPP Toolkit statewide through a one-day Summit as there have been improvements in local CYDC and CMP plans from several of the first pilot sites, plans that use and reflect data to justify the types of services to be implemented using a more deliberative process for service selection based on the needs they have identified. This process ensures a more comprehensive planning process that helps communities choose and support well-implemented evidence-based programs and practices, matched to need at the local/community level, focused on at-risk and system-involved youth.

The EBPP Summit will provide:

- An all day, comprehensive training session on each of the 5 EBPP Toolkit Modules designed to utilize adult learning methodologies and training techniques including experiential, interactive, and participatory methods.
- An opportunity for networking with other stakeholders and to identify regional learning communities of practitioners and ongoing supports systems, such as state level staff for continued implementation support of the EBPP Toolkit process.
- Guidance for practical application with examples of facilitation agendas, handouts, and resources and information on how to access the EBPP Toolkit, which is an available resource statewide, to ensure participants will be able to apply this information and toolkit resources to their own work and communities.

**EBPP Summit Learning Objectives:**

- Participants will leave with an increased understanding of what the work in each phase of the toolkit requires, the different outcomes associated with each phase, and community stakeholders' perspective of what is needed to successfully complete the EBPP process.
- Participants will leave with an increased ability to potentially apply this information and toolkit resources to their own work to support the selection of well-implemented evidence-based programs and practices, matched to data and needs at the local/community level.
- To further enhance their ability to implement the EBPP process if desired, participants will leave with examples of facilitation agendas, handouts, and resources and information on how to access the EBPP Toolkit, which is an available resource statewide.

In order to measure if this event is successful there is a plan to engage in both quantitative and qualitative evaluation activities. For the quantitative evaluation methods, an evaluation survey will be administered at the end of Summit with all participants to determine if the Summit learning objectives and outcomes were achieved, additionally, seeking input on what follow up may be helpful. In addition, qualitative evaluation activities will include conducting several one on one key informant interviews with Summit participants representing different regions of the state for more in-depth feedback and information regarding for the evaluation of the Summit and what follow-up participants may find most helpful. The evaluation survey data and key informant interviews will be analyzed and utilized to develop a summary report of the findings to inform follow up activities to ensure utilization and sustainability of the EBPP process.

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

**OBJECTIVE:** Use what was learned from the data collection, mapping process and Summit to refine how state and local initiatives can and should routinely use these processes when developing service arrays for youth to assure matching of risk/needs with the most appropriate evidence-based program and practices.

**ACTIVITIES:**

1. Select two new pilot sites for Toolkit implementation;
2. Develop Community Snapshots for 20 judicial districts; and
3. Hold a one-day Summit to present the EBPP Toolkit to upwards of 200 participants from local planning and advisory groups in the juvenile justice and delinquency prevention field statewide.

**Research and Evaluation Committee**

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

In addition, there is currently minimal literature examining the impact of detention on truant youth. However, research has shown that securely detaining low level offenders increases their risk of recidivism relative to low level offenders who were not securely detained. If the impact of detention is similar for truants (who have committed no criminal offense) and low risk offenders, then it is unlikely that a detention sentence will have the positive impacts desired by the courts. Therefore, the Division of Criminal Justice and the JJDP Council (using Justice Assistance Grant

and Title II funds) sought to understand through a study, whether truancy court practices, specifically secure detention utilization, supports or hinders truancy court goals, namely academic reengagement, graduation, and becoming a productive member of society.

The first phase of this study is now complete and we have begun to better understand factors predicting secure detention, whether secure detention for truancy predicted subsequent criminal filings, and whether secure detention for truancy predicted graduation. Among other things, results of the study indicate that local practices impact the likelihood of truancy detention to a greater extent than individual youth factors. Furthermore, truancy detention is a significant contributor to the likelihood of committing subsequent criminal offenses, and makes graduating from high school 14.5 times less likely to occur for detained youth than for youth found truant but not detained.

Phase 2 of the study, which began in the Spring of 2016, expands the timeframe of the initial study and addresses gaps in the first phase. The timeframe for the study now includes historic child welfare data dating back to 2003 and two additional years of data so that outcomes can be tracked through the 2014-15 SFY. To address gaps in the initial study, additional data sets have also been accessed. For example, Colorado Client Assessment Record (CCAR) data has been provided by the Office of Behavioral Health which provides information on access to community mental health services, family functioning and overall symptom severity.

Although other funds provide the primary funding for Phase 2, Title II/Formula Grant funds might be accessed if additional funds are required. For more information regarding the study, please go to: <http://dcj.oajja.state.co.us/publications-reports/truancy-and-use-of-detention>. Research protocols are followed for the Truancy Study which include several Institutional Review Board approval processes.

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

**OBJECTIVE:** Determine the greatest areas of need for research or evaluation.

**ACTIVITY:** Support research and/or evaluation projects that meet the priorities of the JJDP Council.

### **Emerging Leaders Committee**

The JJDP Council is committed to authentic youth involvement in all its work and is supportive of its youth members (Emerging Leaders or EL) by providing the support it needs as a committee to determine its priorities and provide a funding base to meet its identified priorities.

**GOAL:** To ensure youth input and participation on the Council, and to keep the Council informed of current youth issues at the state and national level.

**OBJECTIVE:**

Continue to explore other system improvement efforts to address under or un-met needs within the juvenile justice system.

**ACTIVITIES:**

1. Hold regularly scheduled meetings of the Emerging Leaders for planning, education and funding purposes;
2. Work with Youth Advocates to learn more about how Emerging Leaders can support system improvement efforts in juvenile justice systems;
3. Support time, travel and per diem costs of members to attend meetings and training conferences as necessary; and
4. Support training and technical assistance efforts as prioritized by the Emerging Leaders.

**Explain how and with what other delinquency prevention and related programs operated by entities within the state the designated agency coordinates, as required by Section 223 (a)(8).**

There has been growing momentum within Colorado to build cross-system supports and capacity to serve justice-involved youth and their families. These include ongoing efforts and accomplishments of committees spanning multiple departments and divisions. As can be seen in the list which follows, there is a multitude of cross system collaborations in place almost all of which have identified the needs for cross system planning and collaboration as well as a need for systemic integration of evidence-based principles. Many JJDP Council members and DCJ Staff, including the JJ Specialist, serve on many of these initiatives. As funds have decreased at the federal, state and local levels, the need to plan differently and more collaboratively especially because of the crossover that often occurs for juveniles who move from one system to another has increased. As the Council and its subcommittees move forward, they continue to gain information from not just state entities but local entities which allows the Council to stay aware of the needs of local entities in the juvenile justice realm.

As always, collaboration of this sort can be challenging. Because of the plethora of initiatives across the state, finding a way to connect and finding a way to develop complimentary goals and outcomes across the systems can be difficult. Each system has mandates and pre-defined outcomes that can sometime appear to be at odds with another system's goals. The challenge will always be creating outcomes that are youth- and family-focused rather than system-focused.

Key to this JJ Three Year Plan, these initiatives have several components vital to the success of the youth at risk of or involved with the juvenile justice system. What follows is a table which outlines additional committees, task forces and/or commissions active in Colorado to address the needs of children, youth and families at risk of or involved with the juvenile justice system and which JJDP Council member, JJ Staff or DCJ staff participate.

<b>Statewide Initiatives Promoting Juvenile Justice System Improvement</b>	
<b>Board/Council/Commission/Committee</b>	<b>JJDP Member or DCJ/OAJJA Staff Contacts/Participants</b>
<b>JJDP Council (SAG) Committees</b>	
<ul style="list-style-type: none"> <li>• <b>CMYE</b> serves as the State Advisory Committee on DMC to the JJDP Council. Makes recommendations related to DMC to the Council based on data and member expertise and assists the state in developing the annual plan to address DMC.</li> </ul>	Jane Flournoy (JJDP Council), Anna Lopez (OAJJA Staff)
<ul style="list-style-type: none"> <li>• <b>Research and Evaluation Committee</b> formed to provide guidance for the data collected from the Formula and State Juvenile Diversion funded grantees and future research projects which are considered by the JJDP Council.</li> </ul>	Jerry Evans (JJDP Council), Meg Williams (JJ Specialist)
<ul style="list-style-type: none"> <li>• The <b>Evidence Based Programs and Practices (EBPP) Committee</b> work is focused on addressing concerns that evidence-based practices (supported by meta-analysis, cost benefit analysis, clinical trials, and applied practice) have not been identified and/or consistently implemented in Colorado’s youth, children, and family serving systems resulting in these populations often not being effectively set up for success (as evidenced by the unnecessary push of Low Risk High Needs (LRHN) youth into the juvenile justice system to access services).</li> </ul>	Anna Lopez (OAJJA Staff) and Meg Williams (JJ Specialist)
<ul style="list-style-type: none"> <li>• The <b>Professional Development Committee</b> was created as efforts to improve the juvenile justice system outlined above rely on a work force that truly understands and appreciates the value for collaborative, quality, timely and appropriate interventions for our children and youth. This effort will not be successful unless system professionals, including judges/magistrates, district attorneys, etc., view juvenile justice as a chosen field rather than an assignment to be endured.</li> </ul>	Stacie Colling (JJDP Council), Meg Williams (JJ Specialist)
<ul style="list-style-type: none"> <li>• <b>The Early Prevention in Education (EPE) Committee</b> focuses on addressing the educational and social needs of youth, including academic supports, trauma, mental health, and substance use, to prevent involvement with the juvenile justice system. The committee is aiming to create formalized structures that can support prevention. The committee will focus on changing systems to address individual needs, for example, developing local multi-disciplinary teams and community navigators to link youth and families to community resources, as well as changing the broader school system dynamic, for example, identifying opportunities to improve school climate through restorative justice. Because there has been limited work in this area, the committee will need to focus first on identifying and cultivating state and local champions and building awareness about the need for a multidisciplinary, prevention-focused approach.</li> </ul>	Will Hays (JJDP Council), Chris Harms, (JJDP Council) Linda Nordin (JJDP Council), Meg Williams (JJ Specialist) and Anna Lopez (OAJJA Staff)
<ul style="list-style-type: none"> <li>• The <b>Emerging Leaders Committee’s</b> purpose is to ensure youth input and participation on the Council, and to keep the Council informed of current youth issues at the state and national level.</li> </ul>	Crystal Murillo, Lerissa Garcia, Nicholas Turco, Jack Storti, Malaysia Atwater, Ciara Benner, Paige Brown (JJDP Council members)
<ul style="list-style-type: none"> <li>• The <b>Code Review Committee’s</b> task is to promote improvements to Article 2 of the Colorado Children’s Code, increasing the ease of use and clarity of laws regarding juvenile justice, ensuring the Code complies, or is consistent, with current research and evidence-based policies and practices.</li> </ul>	Stacie Colling, Rebecca Gleason. Al Estrada, Michelle Brinegar, Susie Walton, Will Hayes (JJDP Council members)
<b>Juvenile Services Planning Committees</b> are located in all 22 judicial districts	Al Estrada, Rebecca Gleason,

<b>Statewide Initiatives Promoting Juvenile Justice System Improvement</b>	
<b>Board/Council/Commission/Committee</b>	<b>JJDP Member or DCJ/OAJJA Staff Contacts/Participants</b>
and assist localities in developing a continuum of services for delinquent youth and their families including planning for local Colorado Youth Detention Continuum (formerly called SB 94) programming	Linda Nordin (JJDP Council)
<b>Colorado Youth Detention Continuum (CYDC) State Advisory Board</b> which assists the Division of Youth Services in oversight of the Colorado Youth Detention Continuum funding (formerly call SB 94) which are allocated to the 22 judicial districts for developing a detention continuum.	Meg Williams (JJ Specialist), Al Estrada (JJDP Council)
<b>The School Attendance Taskforce</b> is a cross-sector team of leaders in education across the state of Colorado working to answer the question: How might we improve school attendance in Colorado?	Meg Williams (JJ Specialist), Kevin West (JJDP Council)
<b>DYS Providers Council</b> which is a group of residential and nonresidential contractors and division leadership that meets quarterly to inform DYS policy, provide feedback, and engage in joint problem-solving.	Will Hays, Al Estrada (JJDP Council)
<b>Colorado Restorative Justice Council</b> which has responsibility to “support the development of restorative justice programs, serve as a central repository for information, assist in the development and provision of related education and training, and provide technical assistance to entities engaged in or wishing to develop restorative justice programs.”	Carolina Thomasson, DCJ
<b>Collaborative Management Program/HB 1451 State Steering Committee</b> whose charter is to accelerate system reform that results in improved chosen outcomes for children and their families that receive services from multiple state-funded agencies. Such system reform shall facilitate collaborative work including: creating incentives and minimizing disincentives to collaborative work; information sharing and legal avenues to share confidential information; accessing, utilizing, and interpreting data to inform decision making; strategic planning for multiple stakeholders; developing common outcomes and performance based measures that meet the integrity of the legislation and individual community needs; developing capacity to deliver technical assistance; balancing a unified approach with a desire to maintain flexibility at the local level; and ensuring family engagement and participation at the governance and operational level.	Meg Williams (JJ Specialist)
<ul style="list-style-type: none"> <li>• <b>Local CMP/1451 Interagency Oversight Groups (IOG)</b></li> </ul>	Michelle Brinegar (JJDP Council)
<b>Colorado Commission on Criminal and Juvenile Justice (CCJJ)</b> was created by House Bill 2007-1358 with specific mandates for the Commission. The "CCJJ" was re-authorized during the 2013 legislative session by Senate Bill 2013-007. These mandates may be found in C.R.S., 16-11.3-101 through 16-11.3-105 and C.R.S., 24-1-128.6. In addition, other bills signed into law contain specific mandates for the Commission. The Commission also receives other requests and directives from the Executive and/or Legislative Branches for action. Juvenile Justice improvement has been designated a priority by the CCJJ for 2016.	Joe Thome (DCJ Director), Meg Williams (JJ Specialist), Bill Kilpatrick (JJDP Council)
<b>Colorado Sex Offender Management Board</b> which is charged with developing standards and guidelines for the evaluation, treatment, and behavioral monitoring of adult and juvenile sex offenders.	Joe Thome (DCJ Director)
<b>The Task Force for the Examination of the Treatment of Persons with Mental Illness in the Criminal Justice System (MICJS)</b> which includes issues regarding the diagnosis, treatment and housing of adults and juveniles.	Joe Thome (DCJ Director)

<b>Statewide Initiatives Promoting Juvenile Justice System Improvement</b>	
<b>Board/Council/Commission/Committee</b>	<b>JJDP Member or DCJ/OAJJA Staff Contacts/Participants</b>
<b>Crossover Youth Initiative</b> is focused on youth involved in both the Dependency and Neglect (D & N) and the delinquency systems. Looking at how best to identify the unique needs and serve this population.	Michelle Brinegar (JJDP Council)
<b>Advisory Committee for Homeless Youth (ACHY)</b> is a committee consisting of representatives from agencies both government and non-profits that largely focus on serving homeless youth in Colorado. The committee works on collaborating efforts to serve youth, and policy in government that allow agencies to better serve youth in need.	
<b>Rural Collaborative for Homeless Youth</b> is a multi-rural site collaboration which includes the support, technical assistance and project management from specific urban partners who are experts in the youth serving field. The urban partners are grantees of funding streams that support these rural sites efforts, through purchase orders, to serve homeless and runaway youth in areas that lack an array of supportive services that urban locations typically possess.	
<b>Pathways to Success</b> began with a two-year Youth-Shared Practice Model funded by the Children's Bureau through a planning grant. The goal is to develop a model youth system to prevent foster youth from being at-risk for homelessness by improving the pathways to the protective factors of permanency, well-being, housing, education and employment.	Anna Lopez (OAJJA Staff), Meg Williams (JJ Specialist)
<b>Colorado 9to25</b> is a collective, action-oriented group of Colorado youth and adults working in partnership to align efforts to achieve positive outcomes for all youth, ages 9-25, so they can reach their full potential. This youth system-building effort aims to ensure that: <ol style="list-style-type: none"> <li>1. All youth are safe.</li> <li>2. All youth are physically and mentally healthy.</li> <li>3. All youth receive a quality education.</li> <li>4. All youth are connected to caring adults, school and their communities.</li> <li>5. All youth are contributing to their community (e.g. volunteering, working)</li> </ol> The PYD professional development team is currently exploring a partnership with Denver University which is offering to provide trainings on youth engagement, youth/adult partnerships, PYD (continuing education for teachers and social workers across the state). Co9to25 hopes to share training opportunities likely start this fall which is in alignment with the JJDP Council's Professional Development goals.	Anna Lopez (OAJJA Staff)
<b>COACT Steering Committee</b> members advise and make recommendations to the Executive Committee based on their subject matter expertise. The committee provides guidance on crucial issues such as the Cross-Systems Training Institute and workforce development, the Trauma-informed Theory of Change work, cross system integration, and the expansion of the service array. The Steering Committee provides members with the opportunity to connect with colleagues who have similar aims and to learn about other efforts that are happening throughout the state. Steering Committee members also serve as ambassadors for system of care values and efforts at their own agency. Key features of Colorado's system of care framework include individualized and culturally and linguistically relevant services and supports facilitated by an intensive care coordination model known as high fidelity wraparound. Colorado will be developing trauma-informed services and family advocates to assist families whose children are experiencing difficulties.	Meg Williams (JJ Specialist)
<b>The Behavioral Health Transformation Council</b> was established by the Colorado legislature in 2010 through S.B. 10-153. The Department of Human Services in collaboration with staff from the departments of corrections,	Peggy Heil (DCJ)

<b>Statewide Initiatives Promoting Juvenile Justice System Improvement</b>	
<b>Board/Council/Commission/Committee</b>	<b>JJDP Member or DCJ/OAJJA Staff Contacts/Participants</b>
education, health care policy and financing, labor and employment, local affairs, public health and environment, and public safety, shall participate on the Council and provide technical assistance, data and other guidance as needed. The mission of the Council is to reduce the economic and social costs of untreated behavioral health disorders through the systemic transformation of the behavioral health system from one that is fragmented and siloed into one that is streamlined, efficient and effective for Colorado citizens.	
The mission of the <b>Colorado School Safety Resource Center (CSSRC)</b> is to assist educators, emergency responders, community organizations, school mental health professionals, parents and students to create safe, positive and successful school environments for Colorado students in all pre K-12 and higher education schools. The CSSRC creating legislation (C.R.S. 24-33.5-1801, et seq.) outlined formation of an Advisory Board for the School Safety Resource Center to recommend policies for the Center. The legislation also identified the membership and terms of office.	Meg Williams (JJ Specialist)
HB14-1273 mandates the Division of Criminal Justice (DCJ) to develop and staff a 28-30 member <b>Colorado Human Trafficking Council (Council)</b> . This Council is designed to bring together leadership from local law enforcement, community-based organizations, and statewide anti-trafficking efforts to: 1) build and enhance collaboration among communities and counties within the state; 2) establish and improve comprehensive services for victims and survivors of human trafficking; 3) suggest statutory changes that will result in the successful prosecution of human traffickers; and, 4) help prevent human trafficking in Colorado.	Maria Trujillo (DCJ)
<b>Domestic Violence Offender Management Board</b> is staffed by the Division of Criminal Justice. A fundamental assumption of the Colorado Domestic Violence Offender Management Board Standards for Treatment of Court-Ordered Domestic Violence Offenders is that domestic violence is a crime and not the result of or response to a failing relationship.	Jesse Hansen (DCJ)
With House Bill 2013-1239, the Colorado General Assembly mandated a comprehensive statewide youth development plan in order to quantify existing and needed services for youth ages 9-21 and to align existing limited resources to help promote positive youth development. The charge of the <b>Colorado Statewide Youth Development Plan Committee</b> is to guide the completion of the youth development plan in accordance with the requirements of HB13-1239. Committee members represent a broad spectrum of disciplines with representatives of state government-funded youth services and programs, nonprofit statewide youth organizations, youth representatives, and county human services programs.	Anna Lopez (OAJJA Staff)
The Colorado <b>Juvenile Parole Board</b> , composed of nine members, including five citizen members and four state agency representatives, is authorized to grant, deny, modify, suspend, or revoke, and specify conditions of parole for all juvenile delinquents adjudicated to the Department of Human Services. The youth's parole time is established pursuant to Colorado Revised Statutes; the standard mandatory parole period is six months, with options to extend under certain circumstances. The parole decisions must be made in accordance with the best interest of the juvenile and the public.	Meg Williams (JJ Specialist)

**Population-specific plans.**

## 1) Gender-specific services for the prevention and treatment of youth delinquency.

Colorado is very sensitive to the need for gender-specific services. Over the last year, the proportion of new admissions to detention for females has slightly increased. In FY 2015-16, females represented 22.7% of new admissions to detention and rose to 25.4% in FY 2016-17. Females represent 14.7% of all youth committed in FY 2016-17, a slight decrease from FY 2015-16 at 15.8%. The percent of females with a history of running away was 91.1% in FY 2016-17; the percent of males with a runaway history was, 78.5% in FY 2016-17. The Division of Youth Services contracts with the Rights of Passage who runs the Betty Marler program, a 40 bed program for the Division's highest risk and highest need girls. Also, Human Trafficking although not exclusively a female issue, is more heavily a concern for girls versus boys in Colorado. The DYS has seen a tremendous growth in the number of girls being detained and subsequently committed who have experienced victimization through human trafficking. In 2014, a Colorado Human Trafficking Council (Council) was established legislatively in Colorado to address this very issue and sits within the Division of Criminal Justice in its Office for Victims Programs.

## 2) Services for the prevention and treatment of youth delinquency in rural areas.

Colorado truly supports the belief that local control is a vital component for any systems work that needs to occur. This is imperative due to the incredible diversity across the state. The needs of localities vary greatly depending on geography, population, and diversity of population, among other things. Because of this we see a great need to address specific concerns of rural communities who often lack local resources to address their needs. They also often suffer from the inability to create resources due to economy of scale concerns; not enough youth to develop and fund evidence based programs which often carry higher implementation costs. The Rural Collaborative for

Homeless Youth and the Collaborative Management Program (CMP) are both good examples of how the state works to address specific concerns for local communities including the specific differences required for rural and non-rural communities.

3) Mental health services to youth in the juvenile justice system.

There are several cross system collaborative initiatives which are attempting to address systemic mental health issues for children, youth and families. The COACT Steering Committee is a system of care initiative, where members advise and make recommendations to the Executive Committee based on their subject matter expertise. The committee provides guidance on crucial issues such as the Cross-Systems Training Institute and workforce development, the Trauma-informed Theory of Change work, cross system integration, and the expansion of the service array. The Collaborative Management Program/HB 1451 State Steering Committee's charter is to accelerate system reform that results in improved chosen outcomes for children and their families that receive services from multiple state-funded agencies. Such system reform shall facilitate collaborative work including: creating incentives and minimizing disincentives to collaborative work; information sharing and legal avenues to share confidential information; accessing, utilizing, and interpreting data to inform decision making; strategic planning for multiple stakeholders; developing common outcomes and performance based measures that meet the integrity of the legislation and individual community needs; developing capacity to deliver technical assistance; balancing a unified approach with a desire to maintain flexibility at the local level; and ensuring family engagement and participation at the governance and operational level. Finally, the Behavioral Health Transformation Council was established by the Colorado legislature in 2010 through S.B. 10-153. The Department of Human Services in collaboration with staff from the departments of corrections, education, health care policy and financing, labor and employment,

local affairs, public health and environment, and public safety, shall participate on the Council and provide technical assistance, data and other guidance as needed. The mission of the Council is to reduce the economic and social costs of untreated behavioral health disorders through the systemic transformation of the behavioral health system from one that is fragmented and siloed into one that is streamlined, efficient and effective for Colorado citizens.

### **Consultation and participation of units of local government.**

As can be seen in the Table on pages 39-42, the JJ Specialist, DCJ's juvenile justice staff and JJDP Council members sit on a variety of Boards, Task Forces and Collaborations all striving to address needs which are linked with juvenile justice involvement. Most if not all of these projects are heavily reliant on local partners who also sit on the steering committees to ensure that the local perspective is not lost. The Council and JJ specialist use these meetings to learn of and address local needs by bringing them back to Council meetings as well as committee meetings which can address the concerns.

### **Non-Juvenile Justice System Partners.**

Several of the collaboratives/initiatives noted above are led by non-juvenile justice systems partners who understand the need for influencing, enhancing, and expanding their work to address critical issues within the juvenile justice system. For example, the Collaborative Management Program serves children, youth and families who have multiple systems involvement. This collaborative which is administered within the child welfare system understands that such youth are highly at risk of future justice system involvement and works to address concerns before (and during) systems involvement.

**Collecting and sharing juvenile justice information.**

Colorado's Three-Year Juvenile Justice Plan is a collaborative venture with many state agencies actively engaged in its development. This is done in various ways, often through requests via e-mail and/or phone by the Juvenile Justice Specialist to the research and evaluation divisions within those other youth-serving systems. Data is also mined from various state systems' annual reports available on the agencies' webpages as evidenced by the numerous internet citations in this three-year plan. After the data has been analyzed for inclusion in the plan, the agencies which supplied the source data complete a final review to assure appropriate interpretation and representation. This information is then used by the JJDP Council (SAG) in determining or confirming its priorities and becomes the basis for Colorado's Three-Year Juvenile Justice Plan. The Plan and its annual updates are posted on the Division of Criminal Justice webpage for access by others.

The study currently underway regarding use of detention for truants has been tremendously successful in terms of sharing data for cross system analysis. The systems which are providing access include the Office of Behavioral Health for CCAR data (assessment of needs data), Department of Education (education data), Department of Human Services, Child Welfare Division (history of child welfare interventions data), Judicial (history of justice system involvement data), and Division of Youth Services (juvenile justice system intervention and use of detention or commitment data).

**Identify specific barriers the state encounters with the sharing of juvenile information on at-risk youth among state agencies, where state statute, regulation, or policy prohibits the sharing of this information.**

Information sharing for justice involved cases is aided by the Colorado Integrated Criminal Justice Information System (CICJIS) which is a single program that facilitates the sharing of critical data among five state-level criminal justice computer systems at key decision points in the

criminal justice process. CICJIS is an independent program that relies on the equal participation of the five CICJIS agencies. Each agency has its own “business”, business models, and strategies, yet each has a vested interest in and gains benefits from the CICJIS program. The agencies (primary stakeholders) and integrated systems include:

- Colorado Department of Public Safety, Colorado Bureau of Investigation (CCIC)
- Colorado Judicial Branch (ICON)
- Colorado Department of Corrections (DCIS)
- Colorado Department of Human Services, Division of Youth Services (TRAILS)
- Colorado District Attorneys Council (ACTION)

Sharing information across systems related to school safety is also facilitated by the development of an on-line School Violence Prevention and School Discipline Manual which provides guidance about information sharing requirements related to school safety. This manual developed by the Colorado’s Attorney General outlines in detail the extensive requirements for information sharing per Colorado Statute. For more information, see <https://coag.gov/about-us/office-sections/office-community-engagement/foster-school-safety/information-sharing-and>.

Finally, although Colorado does have information sharing protocols for child welfare and the courts/probation and school safety and school violence prevention as seen above, the state also recognizes that it still struggles to integrate other youth-serving systems, especially those with information regarding subjects that have extended federal protections such as mental health, substance abuse and educational services. In 2009, the Colorado Children and Youth Information Sharing (CCYIS) Initiative was created as a result of many state and local children-, youth- and family-serving agency representatives hearing concerns about the lack of guidelines about sharing of confidential information across systems. It is well known that youth who penetrate the juvenile

justice system frequently come with a multitude of issues. They and their families have often traversed through a variety of other youth serving systems by the time they reach the delinquency system - education, child welfare, mental health, substance abuse - sometimes simultaneously. It is also well known that providing services through a system of care approach yields positive results for youth and their families but a system of care implies that systems can share critical information expeditiously and appropriately.

Over the course of several years, the CCYIS secured the commitment of multiple state agencies including the Department of Human Services, State Court Administrator's Office, Department of Public Safety, Department of Public Health & Environment, and Department of Education to make information sharing across systems a priority. The CCYIS, using national and state experts on privacy and confidentiality laws and practices, developed an Authorization/Consent to Release Information Form and provided regional training summits across the state to multi-disciplinary audiences on the use of the form, the laws which guide releasing of confidential information and how local communities could work collaboratively together to make sharing information a seamless practice for them as professionals and for the families they serve. More in-depth training on FERPA, HIPAA and other federal laws that impact information sharing in a child, youth and family collaboration was also provided at participants' request. Materials developed are available of the OAJJA webpage for download at: <https://www.colorado.gov/pacific/dcj/ccyis>. Concerns regarding information sharing continue for the state and CCYIS committee members remain actively engaged in conversations at state and local venues.

## APPENDIX A

### Detailed System description: Structure and function of the juvenile justice system.

#### Prevention and Early Intervention Systems

##### Education

Colorado has 64 counties and almost three times as many school districts, varying in size. The Colorado State Board of Education and the Colorado Department of Education (CDE) have certain statewide responsibilities, but local control is very strong and the subsequent decentralization of many education services has contributed to variances between school districts in the range of programs and services available to students. OJJDP-sponsored studies have identified that educational risk factors for delinquency include academic failure beginning in late elementary school, inadequate school climate, truancy, and economic deprivation. It is therefore implicit that providing services to at risk students improves the possibility of better long-term outcomes, including future employability.

Graduation rates, using a 4-year marker after entering the ninth grade, continue to be of concern overall in Colorado but differences between racial and ethnic students is even more troublesome. Gender differences continue as well. The 2017 graduation rates show an overall rate for all students at 79.0, girls more successfully graduating at a rate of 82.8 versus boys at 75.5.

<b>Graduation Rates by Race/Ethnicity/Gender in Colorado Public Schools 2011-2017</b>									
<a href="https://www.cde.state.co.us/cdereval/gradratecurrent">https://www.cde.state.co.us/cdereval/gradratecurrent</a>									
	Year	White	Hispanic	Black	Asian	Native American	Males	Females	Total
<b>% Graduation</b>	2011	81.1	60.1	64.6	82.8	52.2	70.3	77.4	73.9
	2012	82.1	62.5	66.2	82.9	57.7	71.4	79.5	75.4
	2013	82.8	65.4	69.5	85.9	61.4	73.2	80.9	76.9
	2014	83.2	66.7	69.0	84.7	60.7	73.7	81.0	77.3
	2015	82.6	67.6	69.8	88.1	64.0	73.6	81.2	77.3
	2016	84.4	69.9	71.8	86.0	62.0	75.3	82.7	78.9
	2017	83.9	71.1	71.9	89.8	64.1	75.5	82.8	79.0

There is a significant and troubling disparity in the graduation rates of males by race and ethnicity, as Native American males graduate at a rate of only 59.1 and Hispanic and Blacks at only 66.5, while White males graduate at a rate of 81.0 and Asian males at a rate of 87.0. (Source: <http://www.cde.state.co.us/cdereval/gradratecurrent>)

All racial/ethnic populations continue to have a significant number of youth who fit the criteria of a drop out, but the rates for Hispanic youth (3.5%), Black youth (3.4%) and Native American youth (4.1%), although much improved from 2007, still suggest the need for a continued review of the reasons leading to dropping out of school for these populations.

<b>Dropout Rates by Race/Ethnicity Groups in Colorado Public Schools</b>									
<a href="https://www.cde.state.co.us/cdereval/dropoutcurrent">https://www.cde.state.co.us/cdereval/dropoutcurrent</a>									
Dropout Rate	Year	White	Hispanic	Black	Asian	Native American	Males	Females	Total
	2007	2.8	8.0	5.8	2.6	7.1	4.7	4.0	4.4
	2017	2017	1.7	4.1	3.6	1.1	4.1	2.0	2.3

Males are more likely to drop out of school (2.6%) than females (2.0%) but significant differences arise when looking across racial and ethnic groups with Hispanic males at 4.1%, Native American males at 4.3%, and Black males at 3.6% versus White males at 1.7% and Asian males at 1.1%. (Source: <http://www.cde.state.co.us/cdereval/dropoutcurrent>)

<b>Dropout Rates by Race/Ethnicity and Gender in Colorado Public Schools 2016-17</b>							
<a href="https://www.cde.state.co.us/cdereval/dropoutcurrent">https://www.cde.state.co.us/cdereval/dropoutcurrent</a>							
Dropout Rate		White	Hispanic	Black	Asian	Native American	Total
	Female	1.3	3.0	3.0	.7	3.9	2.0
	Male	1.7	4.1	3.6	1.1	4.3	2.6

Hispanic, Black and Native American youth also continue to be over represented in the number of negative consequences and disciplinary actions taken for behavior, while White and Asian youth are underrepresented.

<b>Disciplinary Actions by Race/Ethnicity Groups in Colorado Public Schools-2016-17</b>						
	<b>% of Total Students</b>	<b>% of In-School Suspensions</b>	<b>% of Out-Of-School Suspensions</b>	<b>% of Expulsions</b>	<b>% of Other Disciplinary Action</b>	<b>% Referred To Law Enforcement</b>
<b>White</b>	53.4	38.7	38.2	40.4	47.3	41.3
<b>Hispanic</b>	33.7	44.0	42.8	39.5	33.8	43.4
<b>Black</b>	4.6	10.2	11.7	10.8	11.2	9.4
<b>Asian</b>	3.2	0.8	.90	1.4	1.2	1.0
<b>Native American</b>	0.7	1.2	1.2	2.6	1.2	1.0
<b>Two or More Races</b>	4.2	4.8	5.0	5.2	4.9	3.6

The issue of truancy has been a priority for the state over many years. "Habitually truant" is defined by state statute and pertains to students of compulsory school attendance age (6-through 17) who have had 4 unexcused absences in one month or 10 unexcused absences in one school year. Since 2012, there has been a 42 percent increase in the number of habitual truants. Local education agencies reported that 115,054 students were habitually truant in 2016-17. In 2013, as a direct result of the work of the Colorado JJDP Council and the Colorado Commission on Criminal and Juvenile Justice (CCJJ), HB 13-1021 was passed. This bill addressed several key issues which when unaddressed led to increased court intervention on truancy cases. Changes which were made included:

- Boards of Education are encouraged to establish attendance procedures to identify students who are chronically absent and to implement best practices and research-based strategies to improve attendance.
- The policies and procedures must include provisions for development of a plan which must be developed with the goal of assisting the child to remain in school.

- Appropriate school personnel are encouraged to work with the local community services group to develop the plan.
- Schools can file a truancy petition only as a last resort approach and only after the plan developed has been created and implemented and child continues to be habitually truant.
- Before initiating court proceedings, the school district shall give the child and parent written notice that the schools district will initiate proceedings if the child does not comply with attendance requirements.
- School must at a minimum submit to court 1) attendance record of student before and after the student was identified as habitually truant, 2) whether the child was identified as chronically absent and if so, the strategies the school district used to improve the child's attendance, 3) the interventions and strategies used to improve the student's attendance before the school created the plan and efforts by the child, child's parent and school or school district personnel to implement the plan.
- The court may issue an order against the child, the child's parent, or both compelling the parent to take reasonable steps to assure the child's attendance. The order must require the child and parent to cooperate with the school district in complying with the plan created for the child.
- If the child does not comply with the court order, the court may order an assessment for neglect be conducted by departments of social services.
- If the court finds the child has refused to comply with the plan approved by the court, the court may impose on the child as a sanction for contempt of court a sentence of detention for no more than five days in a juvenile detention facility.

In the 2015 legislative session, SB 15-184 was passed which further focused on truancy detention reduction. Colorado's General Assembly, concerned about the use of detention for truants involved in juvenile court, acknowledged improvements in reducing use of detention across but noted continued concerns about any use of detention. In SB 15-184, Chief Judges in each of the 22 Judicial Districts were mandated to convene a meeting of community stakeholders to create policies for addressing truancy focusing on alternatives to the use of detention as a sanction for truancy. The Colorado Supreme Court Chief Justice then actively engaged all 22 Judicial District Chief Judges across the state in addressing truancy court issues which we believe significantly contributed to the reduction in the use of detention over the past years as described below. It is believed that their efforts were instrumental in the data showing the drastic reduction in the use of detention in truancy and other cases involving status offenses.

Since 2009, Colorado truancy filings have decreased by 42.8% and detention sentences for truants who failed to abide by a court order have been reduced by 96.5% with 84.5% of that reduction just since 2015.

<b>Truancy Filings and Use of Detention</b>									
	<b>2009 7/1/08 to 6/30/09</b>	<b>2010 7/1/09 to 6/30/10</b>	<b>2011 7/1/10 to 6/30/11</b>	<b>2012 7/1/11 to 6/30/12</b>	<b>2013 7/1/12 to 6/30/13</b>	<b>2014 7/1/13 to 6/30/14</b>	<b>2015 1/1/15 to 12/31/15</b>	<b>2016 10/1/15 to 9/30/16<sup>3</sup></b>	<b>2017 10/1/16 to 9/30/17</b>
<b>Truancy Filings<sup>1</sup></b>	3,215	2,942	2,867	2,647	2,718	1,944	1,957	2,021	1,838
<b>Status Offenders Sentenced to Detention<sup>2*</sup></b>	426	482	363	376	275	205	97	15	15
<b>% of court-involved truants sentenced to detention</b>	13.3%	14.4%	13.0%	14.0%	11.0%	10.4%	5.2%	.74%	.81%

<sup>1</sup> Data provided by the Colorado State Court Administrator's Office, Evaluation Unit, captured for a July-June annual period. <sup>2</sup> Data provided by the Division of Criminal Justice Compliance Monitor. \*Beginning in 2013 the status offenders held in detention was aggregated on a calendar year basis. <sup>3</sup>The timeline for federal reporting changed to a federal fiscal year October 1- September 30.

Despite the gains made over the past few year, the Council remained concerned about the use of detention for any truant. In 2018, HB 18 1156 (see page 124) was passed making it even more clear

about the General Assembly's position on the use of detention for truants. Through this bill, it was clarified that the court shall not sentence a child or youth to detention as a sanction for contempt of court in a truancy proceeding unless it determines such detention is in the best interest of the child or youth as well as the public. In making such a finding, the court is required to consider several factors related to the child or youth, truancy, and the use of

A judge or magistrate may issue a warrant authorizing the taking into temporary custody of a child or youth who has failed to appear for a court hearing for a truancy or contempt action. Any such warrant must allow for release of the child or youth from temporary custody on an unsecured personal recognizance bond, cosigned by the child's or youth's parent or legal guardian or, if applicable, a representative of the department of human services. In the alternative, the warrant may, if the court is in session, direct that the child or youth be arrested and taken directly to court for an appearance. Finally, this legislation further limits the use of detention for truants to 48 hours.

The Division of Criminal Justice and the JJDP Council, with the use of Justice Assistance Grant and Title II Formula Grant funds, have been conducting a truancy study looking at the outcomes of juveniles who were subject to juvenile court proceedings for truancy and detained for violating a valid court order. The first phase of this study is now complete and we have begun to better understand factors predicting secure detention, whether secure detention for truancy predicted subsequent criminal filings, and whether secure detention for truancy predicted graduation. Among other things, results of the study indicate that local practices impact the likelihood of truancy detention to a greater extent than individual youth factors. Furthermore, truancy detention is a significant contributor to the likelihood of committing subsequent criminal offenses and makes graduating from high school 14.5 times less likely to occur for detained youth than for youth found truant but not detained. Phase 2 of the study, which began in the Spring of

2016, expands the timeframe of the initial study and address gaps that may undercut the impact of the study. The timeframe for the study was expanded to include:

- Historic child welfare, dating back to 2003; and
- Two additional years of data so that outcomes can be tracked through the 2014-15 SFY.

<https://www.colorado.gov/pacific/dcj/node/192551>

### **Human Services- Child Welfare, Mental Health and Substance Abuse Services**

The Colorado Department of Human Services is one of the largest departments within Colorado state government whose span of control and responsibilities includes child welfare, behavioral health (mental health and substance abuse), youth services, early childhood services, and adult (elderly) protection, just to name a few.

Colorado's child welfare system is a state supervised but county administered system focused on the safety, permanency and well-being of Colorado's children and young people. Its success is dependent on the collaborative relationship between the state and counties and its successes or failures can have a direct impact for juvenile justice. The state Division of Child Welfare oversees child welfare practice, provides policy direction, and provides 80% of the funding for services with counties contributing approximately 20% of the funding through local revenues.

The child welfare system provides services in 4 different program areas:

- Program Area 3: Program Area 3 provides prevention and intervention services for children, youth, and families at risk of involvement with child welfare.
- Program Area 4: Youth in Conflict services reduce or eliminate conflicts between youth and their family members or the community when conflicts affect the youth's well-being, the normal functioning of the family, or the well-being of the community.

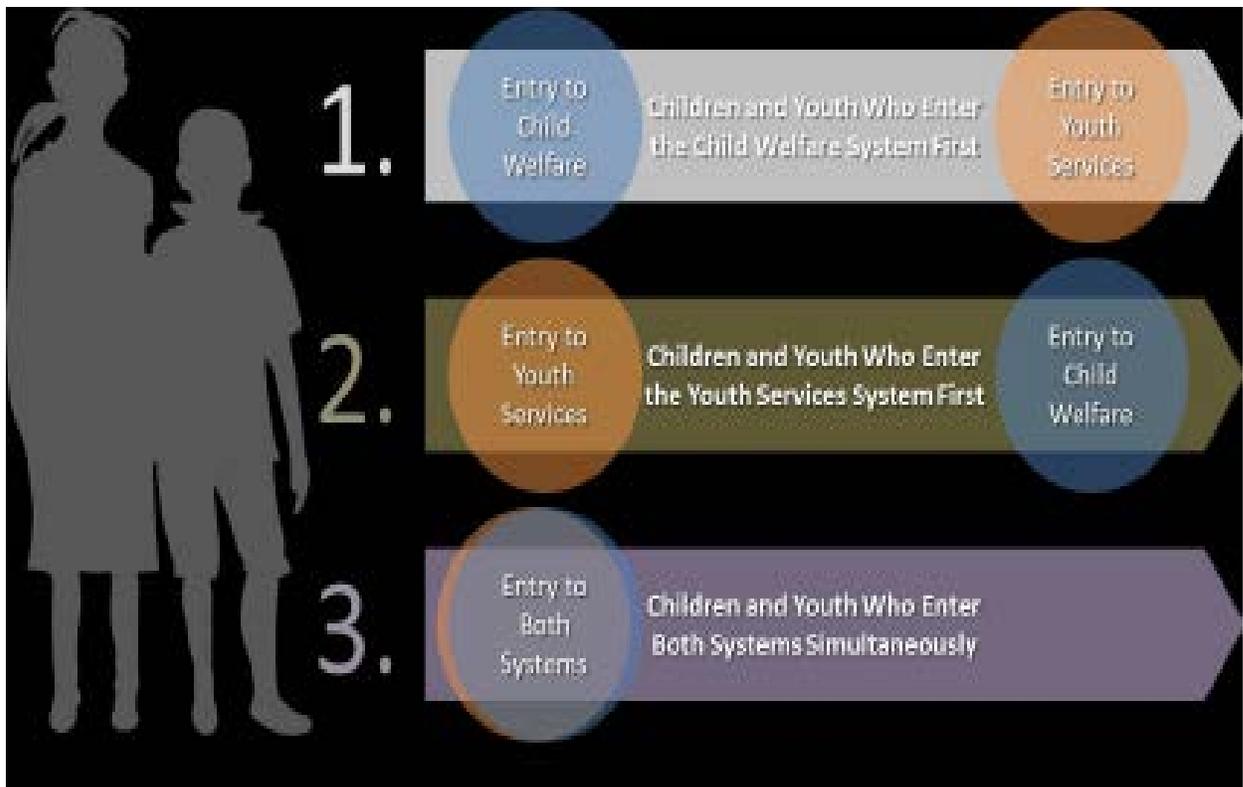
- Program Area 5: Child Protection services are provided to protect children whose physical, mental, or emotional well-being is threatened by the actions or omissions of parents, legal guardians, custodians, or persons responsible for providing out-of-home care, including a foster parent, an employee of a residential child care facility, and a provider of family child care or center-based child care. permanency.
- Program Area 6: Children or Youth in Need of Specialized Services are statutorily authorized services to specified children and families when the primary focus of services is no longer protective or Youth in Conflict.

One of several goals for the CDHS, Office of Children Youth and Families which includes both the Child Welfare and Youth Services systems, was addressing issues faced by youth that cross multiple systems, often referred to as crossover youth. Between October 1, 2015 and September 30, 2016, a preliminary review of records found 257 children in the state who had custody transferred from the local county department of human services to the state juvenile justice system. National studies have shown that dual status youth, or those who have come into contact with both the child welfare and juvenile justice systems or other systems, have higher rates of complex trauma histories than the general youth population resulting in behavior problems which lead to juvenile justice system involvement. They are also more likely to be detained, detained for longer periods of time, and have histories of out-of-home placements with the child welfare system. The level of services required to address their complex trauma needs as well as the behavior which has led to juvenile justice system involvement is costly and disruptive and results in further traumatic experiences due to multiple changes in educational settings, placements and services. In Colorado, it has been estimated that upwards of 80% of the youth committed to the Division of Youth Services have a prior history of child welfare involvement and 60% were

estimated to have experienced prior out-of-home care placement through the child welfare system. In Colorado, the length of stay in detention in the past year for child welfare-involved youth who were dually involved in the juvenile justice system was found to be double that of juvenile justice-only involved youth.

Because of the known concerns for youth crossing over from one system to another, Colorado recognized a need to find ways to improve outcomes for these youth. In 2017 CDHS undertook another study to better understand the factors that may contribute to youth crossing over between the child welfare and juvenile justice systems.

### Three Pathways of System Entry



By identifying predictive risk factors to crossover, CDHS was hoping to develop targeted interventions to mitigate the risk of crossover and improve the outcomes of all system-involved

youth. It is important to note that the data shown above only incorporates Division of Youth Services data (both detention and commitment), which only accounts for a portion of the full juvenile justice system; information on juvenile court probation was not included. This study analyzed crossover youth based on their pathway of system entry. For this study, youth involved in either the child welfare or youth services systems were categorized into three cohorts based on their system of first entry.

Case and client data were extracted from the State data system and a regression analysis was conducted to determine which case and demographic factors were predictive of youth crossover.

1. <span style="background-color: #4F81BD; color: white; border-radius: 50%; padding: 2px 5px;">Entry to Child Welfare</span> Children and Youth Who Enter the Child Welfare System First <span style="background-color: #C85A3D; color: white; border-radius: 50%; padding: 2px 5px;">Entry to Youth Services</span>		2. <span style="background-color: #C85A3D; color: white; border-radius: 50%; padding: 2px 5px;">Entry to Youth Services</span> Children and Youth Who Enter the Youth Services System First <span style="background-color: #4F81BD; color: white; border-radius: 50%; padding: 2px 5px;">Entry to Child Welfare</span>	
Risk or Protective Factor	Estimated Effect on Risk of Crossover	Risk or Protective Factor	Estimated Effect on Risk of Crossover
<b>1 Client Case Path</b> (Reference: Traditional & FAR)		<b>1 Gender: Female</b> (compared to Male)	No significant effect
Previously Adopted and No Subsequent Involvement	<b>Decreases</b> by 71.8%	<b>2 Race/Ethnicity: Black</b> (compared to White)	<b>Increases</b> by 88.3%
Previously Adopted and Subsequently Re-Involved	<b>Increases</b> by 64.7%	<b>3 Received SB-94 Prior to First Detention</b>	<b>Increases</b> by 99.9%
Medicaid Only	<b>Increases</b> by 195.7%	<b>CIRA Pre-Screen</b>	
<b>2 Gender</b> (Reference: Male)		<b>4 Age of First Offense 13+</b> (compared to under 13)	<b>Increases</b> by 51.2%
Female	<b>Decreases</b> by 58.4%	<b>5 School conduct problems reported by teacher or calls to parents</b>	<b>Increases</b> by 46.5%
<b>3 Race/Ethnicity</b> (Reference: White)		<b>6 Runaway history / kicked out</b>	
Hispanic	<b>Increases</b> by 67.1%	1 Instance of being running away	<b>Increases</b> by 66.9%
Black	<b>Increases</b> by 46.1%	2 or three instances of running away	<b>Increases</b> by 92.0%
Other	<b>Decreases</b> by 50.1%	4 or more instances of running away	<b>Increases</b> by 167.8%
<b>4 Client Age at First Involvement</b>	For each additional year older, <b>Increases</b> by 23.8%	<b>7 Older Sibling History of Jail</b>	<b>Increases</b> by 91.2%
<b>Prior to 13th Birthday</b>		<b>8 Some history of mental health problem(s)</b>	<b>Increases</b> by 41.3%
<b>5 Child Behavioral Problem</b>	<b>Increases</b> by 117.5%	<b>9 Law Abiding: does not abide by conventions/values</b>	<b>Increases</b> by 52.5%
<b>6 Highest Level of Care</b> (Reference: Family-Like Out-of-Home)		<b>MAYSI Screen</b>	
In-Home Only	<b>Increases</b> by 24.4%	<b>10 Angry Score</b>	For each 1 point increase, <b>increases</b> by 11.0%
Congregate Care	<b>Increases</b> by 127.4%	<b>11 Somatic Score</b>	For each 1 point increase, <b>decreases</b> by 15.1%
<b>7 Number of Prior Involvements</b>	For each additional involvement, <b>increases</b> by 16.2%		
<b>8 Number of Prior Referrals</b>	For each additional referral, <b>increases</b> by 10.4%		
<b>9 Termination of Parental Rights</b>	<b>Decreases</b> by 63.4%		

As a result of the study findings above and after a thorough review of crossover youth issues, recommendations from the Juvenile Justice Task Force of the Colorado Commission on Criminal and Juvenile Justice (CCJJ), the Colorado Department of Human Services secured legislative support and SB18 154 (see page 118) was introduced and passed in 2018 to address the two issues for identifying and serving crossover youth: 1) defining crossover youth and crossover plan in statute and require each local Juvenile Services Planning Committee to devise a crossover plan for the identification and notification of cases involving crossover youth and 2) authorizing the utilization of existing marijuana tax revenue distributed to local Colorado Youth Detention Continuum Programs (formerly called SB91-94 or SB 94) to allow these funds to be used to support the development and implementation of local crossover youth plans and services. At this time, there are 9 sites in Colorado that have a Colorado Youth Practice Model (CYPM) in place, these sites range in size as well as rural vs. urban. For more information, see: [https://www.courts.state.co.us/Administration/Custom.cfm?Unit=polprogpra&Page\\_ID=574](https://www.courts.state.co.us/Administration/Custom.cfm?Unit=polprogpra&Page_ID=574).

Since 2004, when the Colorado General Assembly passed House Bill 04-1451 (referred to as HB 1451 or the Collaborative Management Program) to establish collaborative management programs at the county level that would improve outcomes for children, youth, and families involved with multiple agencies, CDHS Child Welfare has been working to address the concerns of youth crossing over from multiple systems, not just child welfare and juvenile justice. This multi-system involved population is considered to be at higher risk for negative outcomes in the juvenile justice, child welfare, mental health, and education systems. For example, in 2016 the reentry rate for Program Area 4 (youth in conflict) children/youth, which comprise a majority of dually involved children/youth was 35% as compared with 15% for Program Area 5 (child protection), which comprise children/youth involved only in the child welfare system.

Furthermore, 64% of Program Area 4 (PA4) children/youth in out-of-home placement were in congregate care, as compared with 7% of Program Area 5 (PA5) children/youth.

The General Assembly determined that the “development of a uniform system of collaborative management is necessary for agencies at the state and county levels to effectively and efficiently collaborate to share resources or to manage and integrate the treatment and services provided to children and families who benefit from multi-agency services.” The legislative intent of HB 1451 was to address the increasing number of families served by more than one agency or system, which has placed significant demands on agencies’ resources. The program was voluntary at the local county departments of social services. County participation in the CMP has increased significantly since it was established, growing from six counties in its first year to 41 counties (representing 32 CMPs) in SFY16

In 2015, the Colorado Department of Human Services contracted with the Social Work Research Center (SWRC) in the School of Social Work at Colorado State University (CSU) and IMPAQ International to serve as the evaluation team to conduct a process evaluation of the HB1451 or Collaborative Management Program (CMP). They also conducted a limited outcome evaluation to examine service improvements and child and family outcomes consisting of 19 standard performance measures across the following four domains: Child Welfare, Juvenile Justice, Education, and Health/Mental Health. For the full report (from which this information was drawn), go to: <https://drive.google.com/file/d/0B5G5k6It2hLCRjJpWGxaTU1ITkU/view>. The overall evaluation was to examine three key topic areas related to CMP implementation: (1) collaborative structures and processes; (2) system integration; and (3) family engagement. The design for the process evaluation consists of primary and secondary data collection and analysis to track process measures and metrics for the mandatory Interagency Oversight Group (IOG) and

also mandatory Individualized Services and Support Teams (ISST) implementation, system integration, coordinated service provision, interagency collaboration, and family engagement.

With caution about the evaluation limitations, preliminary finding shows that for this higher risk population of children, youth, and families, the program appears to have a high level of success in placement stability (as evidenced by a 99.6% achievement rate for increasing the placement stability of children/youth) and safety outcomes (as evidenced by an 83.5% achievement rate for increasing the safety of children/youth). The program appears to have experienced more moderate success in improving outcomes associated with the other three performance measures. Among these other three outcomes, the program was associated with the highest rate of success in increasing the number of clients that remained home (69%), followed by increasing the permanency of clients (60%), and decreasing the number of clients involved with the child welfare system (60%). The program also appears to be associated with high levels of success in juvenile justice involvement (as evidenced by a 94.6% achievement rate of preventing involvement with the juvenile justice system) and Division of Youth Services (DYS) commitment outcomes (as evidenced by an 87.1% achievement rate for decreasing commitment to DYS). However, the program appears to have had a considerably lower level of success in increasing successful involvements with the juvenile justice system (with 32% of CMP clients who were involved with the system successfully completing probation).

The Tony Grampas Youth Services Program (TGYS), also located within the CDHS/Division of Child Welfare, is a state-funded program to provide funding to community-based organizations that serve children, youth, and their families with programs designed to 1) reduce youth crime and violence, 2) prevent youth marijuana use, and 3) prevent child abuse and neglect. Eligible TGYS applicants include local governments, schools, nonprofit organizations, state agencies and

institutions of higher education. Funded programs strive to reduce the risk factors and enhance the protective factors among youth and parents that are inherent to meeting the objectives mentioned above. Types of programs include before and after school programs, in-school programs, mentoring programs, and restorative justice programs, to name a few. TGYS contracted with Colorado State University Evaluation Team (CSU) to manage a statewide outcome evaluation of the direct, measurable impacts among individuals served through the TGYS program. Full results of the program evaluation are available online at: <https://www.colorado.gov/pacific/cdhs/tony-grampsas-youth-services-program> but taken together, results indicate that an emphasis on specific types of programming may be helpful to the overall group, including efforts aimed at:

- Preventing substance use
  - Emphasize a prevention focus in middle school youth
- Addressing the high acceptability/low perceived risk of marijuana use
  - Enlist peer educators with life experience around risks associated with use
- Bolstering life skills that cultivate healthy attitudes toward substance use
  - Focus on conflict management, healthy risk-taking, and effective decision-making
- Addressing bullying and victimization
  - Train parents or other ‘askable’ adults to communicate with and instrumentally assist youth engaged in these behaviors

The Colorado Department of Human Services is also home to the Office of Behavioral Health (OBH) which is responsible for the oversight of mental health and substance abuse services for the state. Services for both mental health and substance abuse disorders (or SUD) are made available through 17 Designated Community Mental Health Centers serving 64 counties (also

Licensed), 28 Designated Specialty Mental Health Clinics, 660 Licensed SUD sites, (314 main sites). Approximately 300 sites are licensed for Adolescent SUD services. Various Funding Streams, both Federal and State, are managed by OBH. Health Care Policy and Financial (HCPF) funds (Medicaid) which also support mental health and SUD services are managed through 5 Behavioral Health Organizations (BHO's) and 4 Managed Services Organizations (MSO's).

In its “Making the Wise Investment: Statewide Needs Assessment of Primary Prevention for Substance Abuse” Report published in February of 2018, the Colorado Health Institute (CHI) provided the following statistics regarding adolescent illicit drug use. See report for more detail information: (<https://drive.google.com/file/d/1p03Ip4RBpZcCAKtxkZhgTHSTb2cEu0k5/view>).

- About one of three Colorado high school students (30.2 percent) reports currently drinking alcohol, similar to the national average of 32.8 percent. And nearly three of five (59.2 percent) report having at least one drink of alcohol during their life.
- Even though Colorado began legal retail sales of marijuana to adults in 2014, Colorado's youth aren't using marijuana at higher rates, with insignificant change between 2013 and 2015. The story varies by region and grade, but youth marijuana use overall is on par with U.S. averages. One of five Colorado high schoolers say they use marijuana regularly. Still, the data show a definite swing in the percentage of Colorado youth who don't think marijuana is harmful. In 2013, 54 percent of young people thought regular use of marijuana would be harmful, but that rate fell by six percentage points to 48 percent in 2015. the percentage of Colorado youth who don't think marijuana is harmful. In 2013, 54 percent of young people thought regular use of marijuana would be harmful, but that rate fell by six percentage points to 48 percent in 2015.

- Colorado youth are using cocaine, methamphetamines, ecstasy and other illicit drugs at about the same rate as their peers nationally. There was little change in usage for these substances between 2013 and 2015. Meanwhile, one of seven (13.7 percent) report using prescription drugs like Oxycontin, Xanax or Adderall without a prescription. One of four (25.0 percent) say they think prescription drugs would be easy to get without a prescription if they wanted.
- For Coloradans ages 12 and above, prescription opioid use and overdose deaths are leveling off, while heroin use and related overdose deaths are heading higher. These troubling trends are driven by adults. Only two percent of high school students report ever using heroin, in line with national averages.

CHI also noted the need for improvements in the primary substance use prevention field. Although the state enjoys \$32 million in funding for primary prevention, most of which (\$25 million) is state funding, most of the funds (79%) address universal risk factors serving entire schools or communities rather than targeted to at-risk youth. In addition, they noted a lack of coordination among statewide funders which can weaken prevention efforts. Finally, community members also cited underlying social factors, such as poverty, housing shortages and transportation difficulties, as threats to current prevention efforts as these factors keep kids from accessing prevention programs, after-school activities.

The Office of Behavioral Health, through its SAMHSA-funded Bridges Project, found similar systemic issues as CHI when looking at the funding streams for intervention and treatment services for adolescents. In its “A Profile of the State of Colorado’s Youth and Young Adult Substance Use Disorder Expenditures” and “The Bridges Project: Key Informant Interviews Regarding Colorado Youth Substance Use and Co-Occurring Disorder, Policy Landscape, and Future Opportunities”

Reports ([https://drive.google.com/file/d/1VCq6ChQrjb4N\\_GgA6J\\_RGscdCirocPSG/view](https://drive.google.com/file/d/1VCq6ChQrjb4N_GgA6J_RGscdCirocPSG/view)), OBH identified multiple funding streams for treatment and intervention services provided through several state agencies including itself (OBH), the Division of Youth Services, and the Division of Child Welfare, all of which are under the Department of Human Services; Medicaid, administered by the Department of Health Care, Policy and Financing; and the Division of Probation Services in the Judicial Department. Despite the numerous funding sources, families struggled with eligibility criteria (especially with Medicaid and even with private health insurance) and the ability to seamlessly receive treatment services. In addition, these five agencies all have their own data systems for data collection, even those located under a single department, and some agencies are able to break out and stratify their data by age group or service type; others are not. One concrete recommendation noted in the report was to have common data sharing agreements/software across state agencies for more seamless data collection processes as without being able to compare population-focused data, it is difficult to create change or plan strategically for years to come.

Colorado's Trauma Informed System of Care, or COACT Colorado, work is supported by a cooperative agreement between the Colorado Department of Human Services and the Substance Abuse and Mental Health Services Administration (SAMHSA), administered by the Office of Behavioral Health in partnership with the Office of Children, Youth, and Families, and other local partners. The system of care in Colorado builds on existing infrastructure such as the Collaborative Management Program. All child and youth serving agencies are involved, including the public mental health system, child welfare, juvenile justice, and education.

The focus of COACT is working with children and youth with complex behavioral health issues (mental health and substance use), and their families (see <https://coactcolorado.org/providers>). In Colorado, ninety-two percent of youth utilizing the highest cost services in

Colorado's child welfare system have mental health issues, and 46% have involvement in the Division of Youth Services. Additionally, 81% of children in Residential Child Care Facilities (RCCFs) have more than one mental health diagnosis. All of these children, youth, and families have complex needs that cannot be met by a single system. Within the population of children and youth with behavioral health challenges involved in multiple systems, there are sub-populations with even greater complexity. Colorado communities implementing High-Fidelity Wraparound report that approximately 25% of children and youth served in Wraparound have dual diagnoses, with intellectual/developmental disabilities (IDD) and mental health issues. Similarly, transition age youth often have co-occurring mental health and substance use issues. This population can be difficult to engage because services from either the child or adult systems may not be developmentally appropriate. These youths also struggle to maintain housing, education, and employment, and they are at increased risk of involvement with the juvenile or criminal justice systems.

In 2016, a COACT retreat was held to gather input and guidance from cross-system stakeholders at the state and local level and to gather information about how to provide guidance to state and local agencies on seven key areas for integrating care for multi-system involved children, youth, and young adults. The ultimate goal was to work toward developing an infrastructure that better supports integrated care for Colorado families. At the retreat, participants were asked to weigh in on the following key concepts needed to integrate care for children, youth, and young adults in Colorado's systems:

- Building on Existing Collaborative Structures
- Family Meetings Across Agencies
- Funding Strategies

- Outcomes and Evaluation
- Care Coordination and Peer Support
- Services Array
- Training Institute

As previously stated, a statewide goal for the system of care is to develop a sustainable infrastructure to coordinate and fund services for families of children and youth with complex needs. Colorado is now piloting its first care management entity (CME) in El Paso County. A CME is a centralized organization that blends funding, organizes services and supports, and serves as a hub of accountability across agencies. Further, COACT Colorado is currently supporting 15 Communities of Excellence in a total of 17 counties throughout the state. Each Community of Excellence receives funding to support wraparound facilitators, family advocates, infrastructure development, and flexible funding services for families. All Communities of Excellence receive technical assistance in family engagement, youth engagement, cultural competency, and lesbian, gay, bisexual, transgender, and questioning (LGBTQ) responsiveness. Cross-system trainings are also available on other topics such as trauma informed care and serving youth with both mental health and substance abuse disorders.

## **Juvenile Justice Systems**

### **Law Enforcement**

Colorado's Juvenile Justice System has the legal authority over and the responsibility for handling youths, ages 10 through 17, who engage in delinquent behaviors. Its statutes can be found in Article 2, Title 19 of the Colorado Children's Code (19-2-101 et. Seq., Colorado Revised Statutes) which is available online at [CO Revised Statutes](#) (click on Title 19). Although delinquency prevention and intervention services are organized at both the state and local level in

Colorado, the state's juvenile justice system is largely state-funded and supervised but locally administered.

In Colorado, juvenile justice system involvement begins with **law enforcement** contact. There are three primary types of law enforcement agencies: Municipal Police Departments, County Sheriffs' Offices, and the Colorado State Patrol. Most cities and towns in Colorado have a police department to answer calls within their geographic boundaries. Police chiefs are hired by city managers or city councils and, therefore, are not elected officials. Police departments are not responsible for housing prisoners, although many have lock-up capacity for short periods of time pending release or transfer longer-term facilities. There are 177 municipal police departments in Colorado.

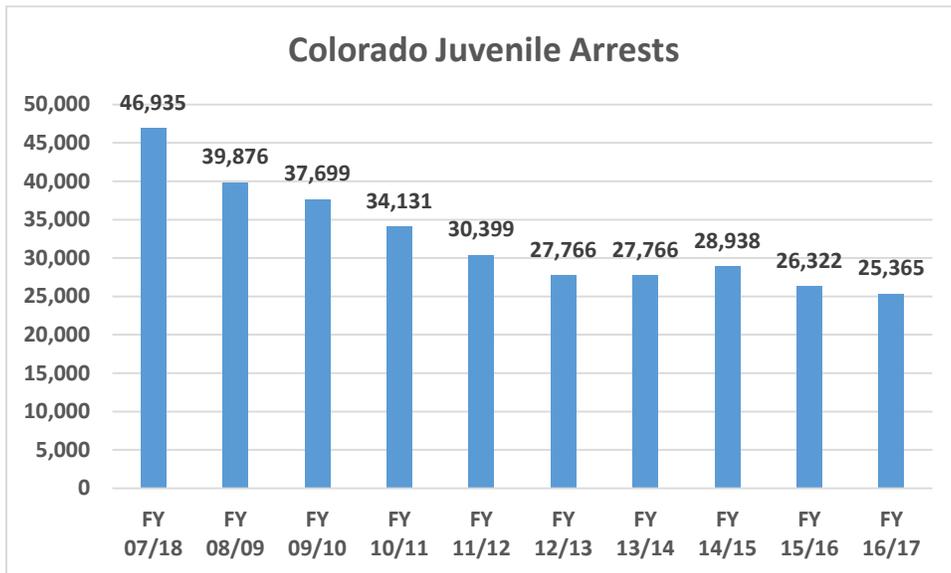
Per state statute each of the 64 counties in Colorado has a sheriff who is elected every four years. The sheriff is responsible for maintaining a county jail, providing civil and criminal paper service, transportation for the courts, responding to requests for service in the county outside municipalities who have their own law enforcement departments, and investigating criminal cases. The county provides funding for its sheriff's office.

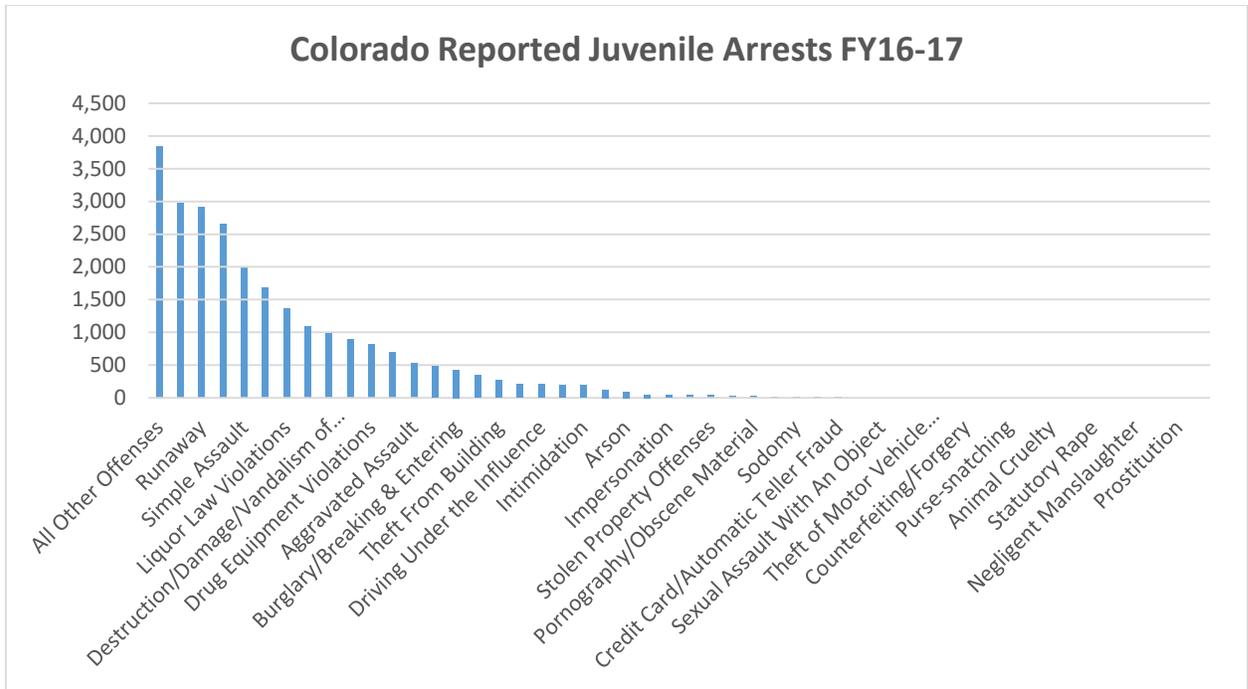
The Colorado State Patrol (CSP) is a division of the Colorado Department of Public Safety. Its major responsibilities are to patrol state highways for traffic violations, provide accident assistance and conduct investigations. The administrative office is located in Denver with additional command sub-stations located throughout the state. The CSP routinely turns juvenile cases over to local police or sheriffs for processing, but in rural areas of the state may provide additional services in the absence of local law enforcement.

Juveniles may be taken into temporary custody by law enforcement when a lawful warrant has been executed or without a court order if reasonable grounds exist to believe that a juvenile has

committed a delinquent act. A delinquent act is defined as a violation of any federal or state law, county or municipal ordinance, or lawful order of the court; but does not include non-felony state traffic violations, violations of game and fish, and park and recreation laws or regulations. Temporary custody does not constitute an arrest or initiate a police record. Once a juvenile is taken into temporary custody, a parent, guardian or legal custodian must be notified in a timely manner by the law enforcement officer. Juveniles cannot be held at a law enforcement agency for more than six hours, and then only for purposes of process and release. If a formal screening for possible detention is not warranted, the juvenile may be released to the parent or guardian, accompanied by a “lecture and release” or summons to appear in court at a later date.

Colorado like other states across the nation is experiencing lower numbers in its juvenile justice system. Over the last 10 years, arrests have decreased by 46%. In the past year, Colorado has seen a 3.6% decrease in juvenile arrests, a decrease of 3.1% in delinquency petitions, a decrease in detention admissions of 8.1%, and a decrease in juvenile commitment rates by 1.5%.





What continues to be a concerns is the racial and ethnic disparities at arrest. While black youth represent 5% of the state juvenile population ages 10-17, they represent 16.2% of the arrests.

	Colorado Juvenile Arrests			
	Population ages 10-17 (FY 2016/17)		Juvenile Arrests* (FY 2016/17)	
	#	%	#	%
<b>Total</b>	592,694	100%	25,365	100%
<b>White</b>	336,393	57%	13,162	51.9%
<b>Black</b>	27,703	5%	4,107	16.2%
<b>Hispanic</b>	197,815	33%	7,623	30.1%
<b>Asian</b>	24,432	4%	230	.9%
<b>Native American</b>	6,351	1%	86	.3%
<b>Other/Unknown</b>	--	--	227	.7%

Data Sources: Population and Arrest data from CBI Perspective System. Extracted 2017 and analyzed by DCJ.

Community partnerships and involvement with law enforcement are increasing in Colorado. **School Resource Officers (SRO)** can be found in primary and secondary schools throughout the state, either on a full or part-time basis. They not only deter would-be offenders and provide a

rapid response to threatened violence on school property, but also serve as mentors, counselors, educators and role models. Pursuant to Senate Bill 11-133, the use of school resource officers in school settings, was one focus of a Legislative Interim Committee to Study School Discipline which was directed in part to consider the use of law enforcement on school grounds and at school activities. Many members of the task force expressed concern that students who are arrested or ticketed in school face serious consequences not only within the justice system, but also when applying for college, the military, or a job. After thorough discussions, the Legislative Committee recommended that Colorado's Peace Officer Standards and Training (P.O.S.T.) Board provide training for school resource officers, and specifies that schools may not accept the assignment of an officer who has not completed the P.O.S.T. training after a certain date.

In 2015, legislation was passed which mandated that local law enforcement agencies and district attorney offices annually report specific information to the Division of Criminal Justice (DCJ) within the Colorado Department of Public Safety concerning every incident that resulted in a student's arrest, summons or ticket during the academic year for an offense that occurred on school grounds, in a school vehicle, or at a school activity or event sanctioned by public elementary schools, middle or junior high schools, or high schools. In its most recent *Summary of Law Enforcement and District Attorney Reports of Student Contacts*, the Division of Criminal Justice's Office of Research and Statistics reported that in the 2016/17 academic year, one hundred forty (140) law enforcement agencies provided data to DCJ for this study (out of an expected 240 law enforcement agencies). Of these, forty-nine (49) law enforcement agencies reported no incidents. Thus, 91 agencies reported more than 6,295 incidents in 549 public schools. Not all district attorney offices offer pre-filing diversion opportunities. Twenty of the 22 district attorney offices

submitted information to DCJ for the 2016-2017 academic year. Four of these reported no incidents.

Over 78% of the incidents reported by law enforcement agencies occurred in six judicial districts: the 1st, 2nd, 4th, 10th, 17th, and 18th. The majority (80%) of the 6,295 incidents resulted in law enforcement officers issuing a ticket or summons and 14% resulted in an arrest. In terms of race/ethnicity, 47% of the students involved in the incidents reported by law enforcement were White, 35% were Hispanic, and 13% were Black (for 5% of incidents, race/ethnicity was coded “other or unknown”). Weapons were reported to be present in 23% of incidents, however, this figure includes 912 (64%) instances when the weapon was a leg or fist (personal weapon) and another 361 (25%) where the weapon was unknown or something other than the common weapons listed in the data collection instrument. Twenty-five, or 0.4% of all incidents analyzed, involved a firearm.

Two-thirds (65%) of incidents reported by law enforcement agencies involved male students and 35% involved female students. Fourteen and 15 year olds were more likely than those in the other age categories to be involved in the incidents reported here. Five percent (5%) of cases fell into the 10- 11 age category and another 4% fell into the 18-19 age category. Six percent of the incidents occurred in elementary schools, 29% occurred in middle schools, and 65% occurred in high schools. Female students were more likely to receive a summons/ticket than were males, at 88% and 85% respectively and, conversely, males were more likely to get arrested (15% for males compared to 12% for females). Those younger than age 18 were somewhat more likely to receive a summons compared to those between the ages of 18 and 19. Based on school level, the incident resulted in arrest for 18% of elementary school students, 11% of middle school students, and 14% of the high school students.

Marijuana-related offenses, disorderly conduct and assault were the most frequently occurring offenses. While White students were involved in 47% of incidents overall, Whites were represented in 57% of dangerous drug violations, and 70% of liquor/alcohol offenses. Hispanic students, involved in 35% of incidents overall, were more likely to be involved in disorderly conduct (48%), and in public peace violations (45%). Black students, involved in 13% of incidents overall, were more likely to be involved in trespassing (28%), and public peace violations (23%).

Using data from the Judicial ICON data system (which does not include Denver County Court data or municipal court data), court case records were found for 1,043 of law enforcement records. About half of these cases resulted in a conviction. Charges were dismissed in 33% of cases. Charges were dismissed more frequently for White students and Blacks students (36% and 40% respectively) and less frequently for Hispanic students (28%).

Sentencing information was available for 439 of cases. Of these, 58% received probation/deferred judgment or intensive supervision, whereas 33% of these cases received a fine or a fee. Hispanics or those in the “other/unknown” race/ethnicity category were more likely to receive probation/deferred judgment or intensive supervision compared to White students and Black students. Whites were more likely to receive a fine or a fee. Seven cases resulted in a sentence to the Division of Youth Services.

Twenty **district attorney offices** reported 659 pre-filing diversion cases involving 215 females and 439 males. Blacks represented 6% of the cases, Hispanics represented 30%, and Whites represented 59% of the cases; for the remaining five percent of cases, race/ethnicity was “other or unknown.” Offense type was found for 213 cases after matching district attorney cases with law enforcement records. Among these cases, marijuana was the most common offense (20%)

followed by assault (15%), and disorderly conduct/fighting offenses (12%). (Source: <http://cdpsdocs.state.co.us/ors/docs/reports/2018-HB15-1273-StudentContacts.pdf>)

When juveniles are arrested that may pose a risk to the community, law enforcement contacts their local **Colorado Youth Detention Continuum (CYDC)** Program screeners. CDYC (previously named SB 94), is operated by the Colorado Division of Youth Services (DYS) which allocates funding to all 22 judicial districts to implement a statewide detention screening process to verify the need for secure detention or to find appropriate community-based services. The screener uses a statewide detention screening tool, the Juvenile Detention Screening and Assessment Guide (JDSAG). The screening process is available 24/7 and can be conducted by phone or the screeners can meet with the juveniles at the law enforcement agency or other location, such as a local Juvenile Assessment Center. There are only seven such centers across the state which are located in the more densely populated sections of the state.

Juveniles screened as not needing secure detention at arrest can be provided pre-trial services by the local CYDC program through which they receive a Colorado Juvenile Risk Assessment (CJRA) which drives the development of plan for services and community supervision.

If an intake screener has assessed that a juvenile is to be securely detained after the arrest, juveniles can be placed into one of eight secure juvenile detention centers operated by the DYS or three staff-secure/secure detention facilities operated by community based providers. The court must hold a detention and shelter hearing within 48 hours, excluding weekends or holidays, from the time the juvenile is taken into temporary custody. The hearing is held to determine whether the juvenile should be released or detained further. Each detained juvenile is assessed using the CJRA; the findings are often provided to the court at this hearing to use for planning purposes.

If further detention has been ordered by the court at the detention hearing, the District Attorney (DA) must file a petition within 72 hours alleging the delinquency and the facts that bring the juvenile under court jurisdiction. The DA also has the discretion to request direct file or transfer hearings to charge juveniles in adult court based on the offense and age of the juvenile.

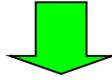
In FY 2003-04, the Legislature imposed a cap (479) on the number of juvenile detention beds that can be utilized at any given moment. The cap has since been reduced two additional times; July 1, 2011 to 422, and to its current limit of 382 on April 1, 2013. The SB 94 program assists the courts in effectively managing detention bed utilization by funding community-based services (e.g., supervision, treatment, support) for youth who can be safely supervised in the community. Community-based service provision enhances the detention continuum capacity, ensuring that detention beds are available when needed. Indices of secure bed utilization suggest that capacity was successfully managed during FY 2016-17.

Statewide detention rates have declined 33.8% from 6.5 per 10,000 youth in FY 2010-11 to 4.3 in FY 2016-2017. In this past year, there were 24,871 juvenile arrests across the state of Colorado. Almost one third (29.9%) of arrests resulted in the youth being screened for detention placement and 81.4% of those screens resulted in a secure detention admission. The number of secure detention admissions per youth ranged from 1 to 16 and slightly more than one-third of admitted youth were placed into secure detention on more than one occasion.

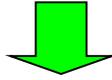
During FY 2016-17, 6,544 unique youth were served along the detention continuum; 7,342 detention screens resulted in 6,510 detention admissions. A total of 3,521 unique youth were detained with 1,539 youth having more than 5,980 detention admission. Statewide, almost three-quarters of the youth served were male, and Anglo Americans represented the greatest percentage of any ethnic/racial group. Source: DYS, Management Reference Manual, 2016-17.

### Juvenile Justice Filtering Process to Detention- FY 2016-17

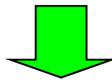
Total Juvenile Population, ages 10-17  
602,944 (100%)



Juvenile Arrests  
24,871 (4.1%)



CYDC Detention Screens  
7,342 (1.2%)



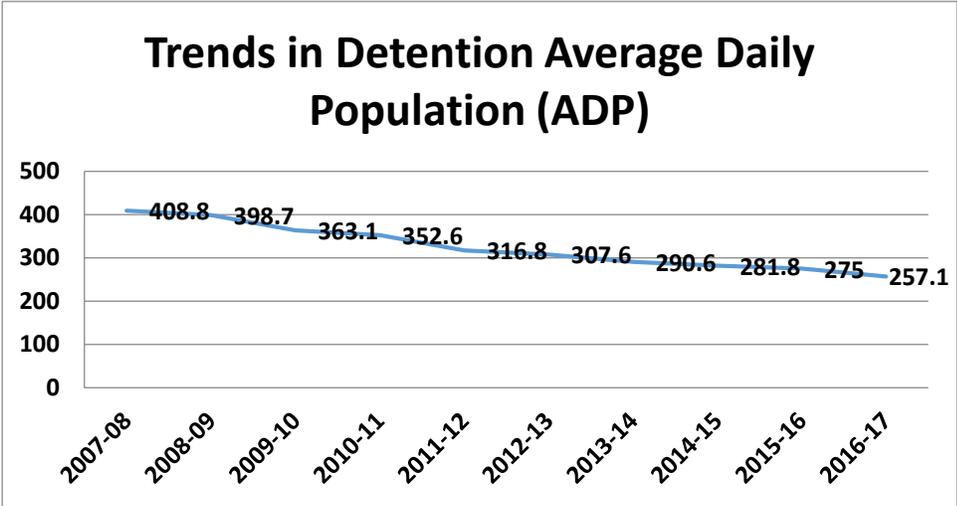
DYS Detention Admissions  
5,980 (1.0%)

As can be seen from the chart below, during FY 2016-17, statewide warrants and remands accounted for the greatest number of detention admissions at 43.5% of all admissions. Pre-adjudicated detention admissions accounted for 43.4% of secure detention admissions up from 37% in FY 2013-14.

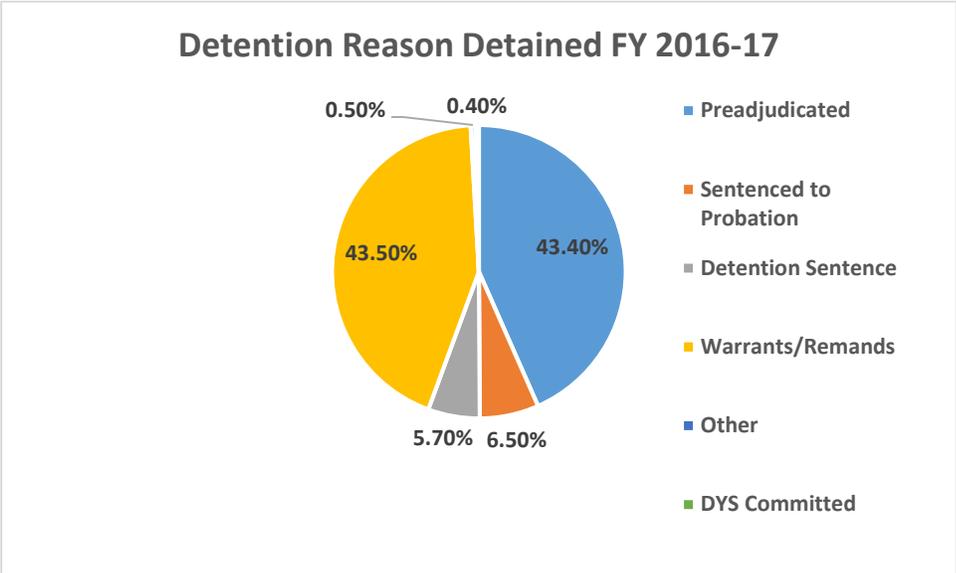
Detention Reason for Secure Detention Admissions FY 2013-14 to 2016-17				
Reason	FY 2013-14	FY 2014-15	FY 2015-16	FY 2016-17
Number of Secure Detentions	6,783	7,024	7,024	7,024
<b>Preadjudicated</b>	<b>37.0</b>	<b>41.8</b>	<b>42.9</b>	<b>43.4</b>
Felony	23.7	25.8	29.0	29.0
Misdemeanor	13.3	16.0	13.8	14.4
<b>Sentence to Probation</b>	<b>4.6</b>	<b>6.2</b>	<b>6.1</b>	<b>6.5</b>
Technical Violation	3.7	5.4	5.3	5.3
New Charges	0.9	0.9	0.8	1.2
<b>Detention Sentence</b>	<b>10.1</b>	<b>6.2</b>	<b>5.3</b>	<b>5.7</b>
Probation Sentence	0.2	0.0	0.0	0.0
Detention Sentence	7.8	4.6	4.9	5.2
Valid Court Order Truancy	2.0	1.5	0.3	0.3
Awaiting DSS Placement	0.1	0.1	0.1	0.2
<b>Warrants/Remands</b>	<b>46.8</b>	<b>44.5</b>	<b>45.0</b>	<b>43.5</b>
Failure to Appear (FTA)	11.8	11.3	11.4	11.3
Failure to Comply (FTC)	35.0	33.3	33.5	32.2
<b>Other</b>	<b>1.2</b>	<b>0.5</b>	<b>0.4</b>	<b>0.5</b>
<b>DYS Committed</b>	<b>0.3</b>	<b>0.8</b>	<b>0.4</b>	<b>0.4</b>

Source: DYS, Management Reference Manual, 2016-17

Fiscal Year 2016-17 was the fourth full year of detention operation under the new statewide cap of 382 youth that went into effect on April 1, 2013. Detention ADP follows an eleven-year decline, with a decrease of 6.5% from the previous year.

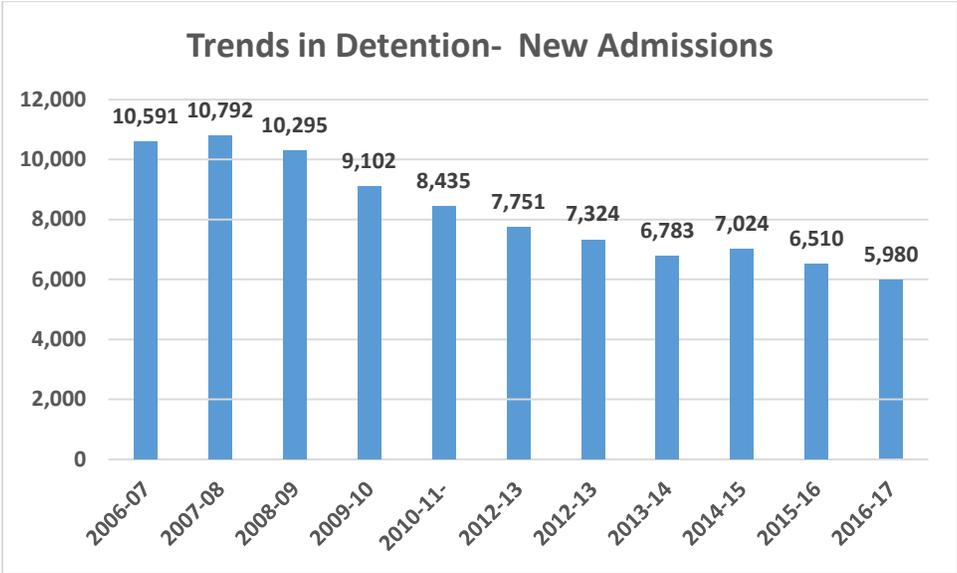


When reviewing the reasons juveniles are detained, 43.4% are detained at preadjudication and 43.5% on a warrant or remands including Failure to Appear (FTA) and Failure to Comply (FTC).



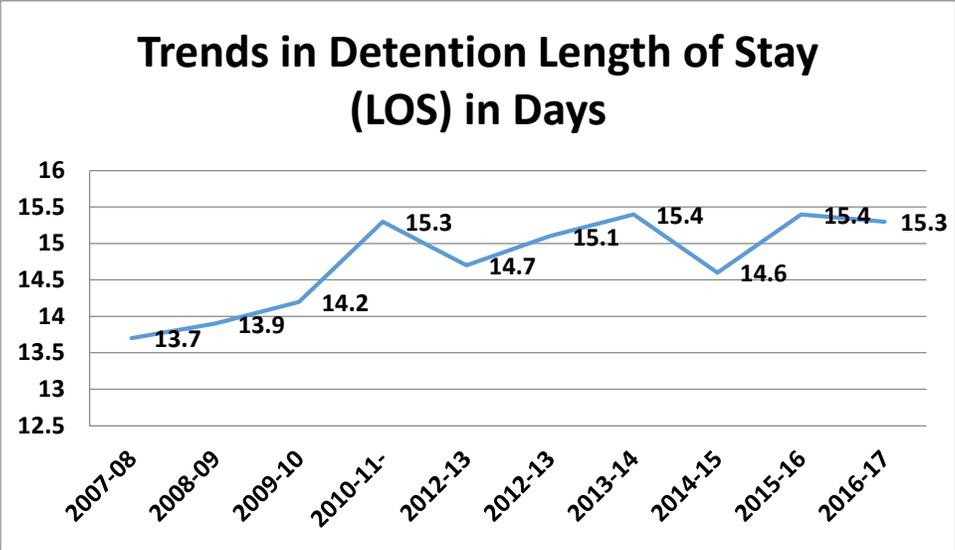
The number of clients served followed a 15-year trend of decline, with a decline of 7.5% from FY 2015-16. The number of new admissions decreased by 8.1% in FY 2016-17. Ninety-eight

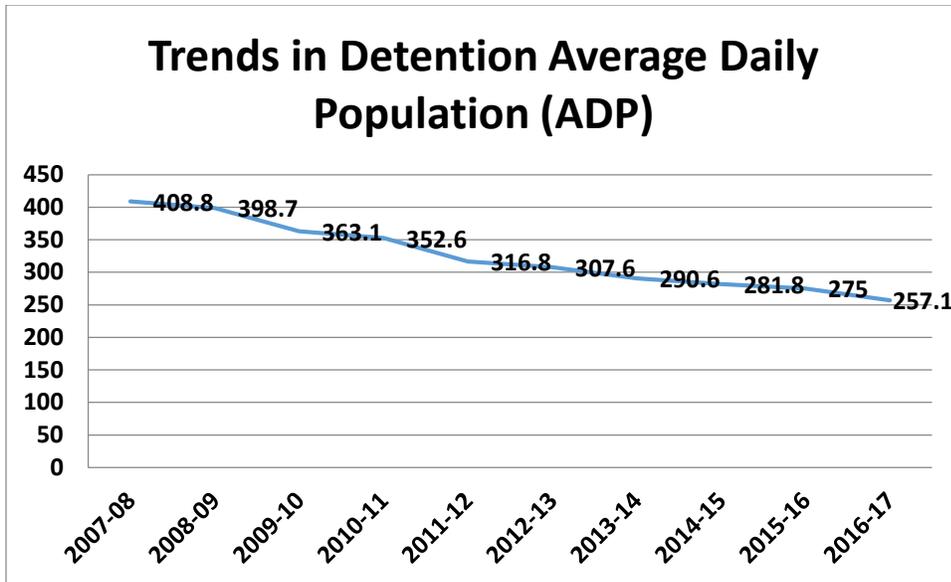
percent (98%) of detained youth were held in state-operated facilities, while only 2% of this year's new admissions were detained in a contracted secure or staff-secure facility.



Source: DYS, Management Reference Manual, 2016-17

The average length of stay (LOS) for youth in detention remained just above 15 days.





Source: DYS, Management Reference Manual, 2016-17

According to Infinite Frontier Consulting, the evaluator of CYDC program, assessment services collect information about the status or functioning of youth (and their families) to determine which services the youth and/or family may need. Domains addressed include but are not limited to physical and mental health, substance abuse, criminal risk, and offense specific treatment needs. It is anticipated that most youth served through SB 94 will receive at least one assessment as these assessments should guide planning for service provision. However, there are legitimate reasons why some youth would not be screened during a FY in which services are received. (Source: FY2016-17 Uniform Reporting Statewide Report, November 2017, Infinite Frontier Consulting)

There are 14 broad assessment categories used to document CYDC practices. In general, DYS anticipates a high proportion of youth will receive the following assessments:

- JDSAG: screening tool required prior to any detention admission
- CJRA pre-screen: required for all youth admitted to detention and often used for case planning for youth who do not go to detention

- SB 94 Initial Evaluation: category indicates both the JDSAG and the CJRA pre-screen were completed on the same day by the same provider and
- GAIN: screening tool required for all cases receiving marijuana revenue funding.

In its SB 94 16-17 Legislative Report, Infinite Frontier Consulting, the evaluator of CYDC program also noted that since FY 2008-09, JDs have been required to use the CJRA Prescreen for every youth admitted to a secure detention facility. The CJRA assigns a risk level of low, moderate, or high to each youth. In interpreting the Prescreen result categories, it is important to remember that “Low” risk is a relative term that simply describes an individual’s risk of reoffending relative to other delinquent youths’ risk of reoffending. It is also important to remember that the CJRA Prescreen is a short, initial screen that does not cover all domains associated with risks of youth re-offense.

<b>CJRA’s Completed and Level of Risk</b>						
<b>Fiscal Year</b>	<b>Total Admissions</b>	<b>CJRA’s Completed</b>	<b>Percent of Total</b>	<b>High Risk</b>	<b>Moderate Risk</b>	<b>Low Risk</b>
<b>FY 2011-12</b>	7,751	6,793	87.6	32.4	33.0	34.6
<b>FY 2012-13</b>	7,324	6,022	82.2	32.3	33.2	34.5
<b>FY 2013-14</b>	6,783	5,965	87.9	30.3	33.2	36.5
<b>FY 2014-15</b>	7,024	6,196	88.2	31.7	32.7	35.6
<b>FY 2015-16</b>	6,510	5,677	87.2	33.0	32.3	34.7
<b>FY 2016-17</b>	5,980	5,173	86.5	31.7	32.8	35.5

(Source: SB94 16-17 Legislative Report, Infinite Frontier Consulting)

Approximately one third of youth fall into each of the low, moderate and high risk of reoffending categories. (Source: SB94 16-17 Legislative Report, Infinite Frontier Consulting)

There were 3,521 unique youth admitted to secure detention during FY 2016-17. A large number of youth (n = 1,375; 39.1%) had more than one detention admission in the span of one fiscal year.

- The number of secure detention admissions per youth ranged from 1 to 13, and 39.1% of youth were placed in secure detention on more than one occasion.

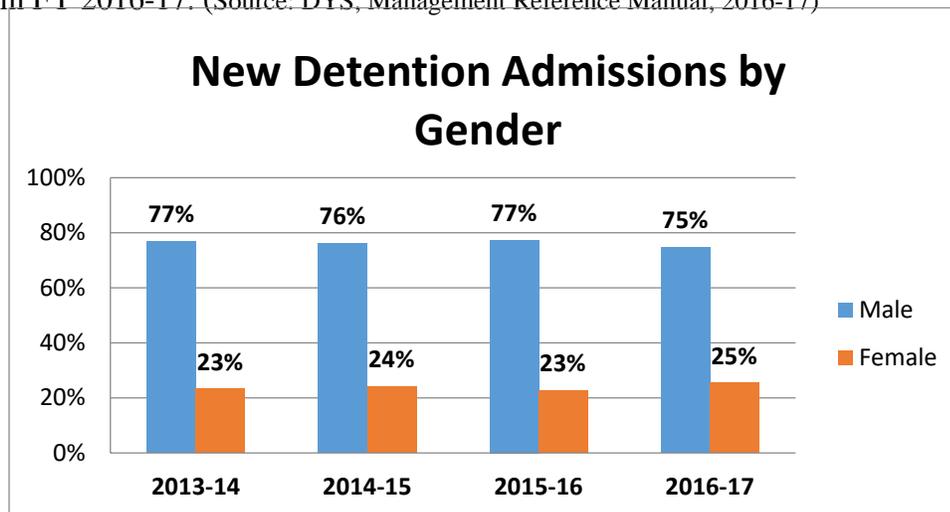
- Statewide warrants and remands accounted for the greatest number of detention admissions, 43.5% of all new admissions.

Detention Reasons For New Secure Detention Admissions							
	FY 10-11	FY11-12	FY12-13	FY13-14	FY14-15	FY15-16	FY16-17
<b>Number of New Secure Detentions</b>	<b>8,435</b>	<b>7,751</b>	<b>7,324</b>	<b>6,783</b>	<b>7,024</b>	<b>6,510</b>	<b>5,980</b>
<b>Reason</b>	<b>Percent</b>						
<b>Preadjudicated</b>	<b>37.7</b>	<b>37.5</b>	<b>38.7</b>	<b>37.0</b>	<b>41.8</b>	<b>43.3</b>	<b>43.4</b>
Felony	23.2	23.5	23.5	23.7	25.8	29.3	28.9
Misdemeanor	14.5	14.0	15.2	13.3	16.0	14.0	14.5
<b>Sentence to Probation</b>	<b>1.9</b>	<b>1.1</b>	<b>0.9</b>	<b>4.6</b>	<b>6.2</b>	<b>5.9</b>	<b>6.5</b>
Technical Violation	1.1	0.8	0.5	3.7	5.3	5.0	5.3
New Charges	0.8	0.3	0.4	0.9	0.9	0.9	1.2
<b>Detention Sentence</b>	<b>13.8</b>	<b>15.2</b>	<b>13.1</b>	<b>10.1</b>	<b>6.2</b>	<b>4.2</b>	<b>5.7</b>
Probation Sentence	1.0	1.6	0.5	0.2	0.0	0.0	0.0
Detention Sentence	8.9	10.4	9.7	7.8	4.6	3.8	5.2
Valid Court Order Truancy	3.9	3.1	2.8	2.0	1.5		0.3
Awaiting DSS Placement	0.0	0.1	0.1	0.1	0.1	0.3	0.2
<b>Warrants/Remands</b>	<b>45.9</b>	<b>45.4</b>	<b>46.4</b>	<b>46.8</b>	<b>44.5</b>	<b>0.1</b>	<b>43.5</b>
Failure to Appear (FTA)	10.2	9.2	10.1	11.8	11.2	45.8	11.3
Failure to Comply (FTC)	35.7	36.2	36.3	35.0	33.3	11.9	32.2
<b>Other</b>	<b>0.5</b>	<b>0.7</b>	<b>0.8</b>	<b>1.2</b>	<b>0.5</b>	<b>33.9</b>	<b>0.5</b>
<b>DYS Committed</b>	<b>0.2</b>	<b>0.1</b>	<b>0.1</b>	<b>0.3</b>	<b>0.8</b>	<b>0.4</b>	<b>0.4</b>

(Source: SB94 16-17 Legislative Report, Infinite Frontier Consulting)

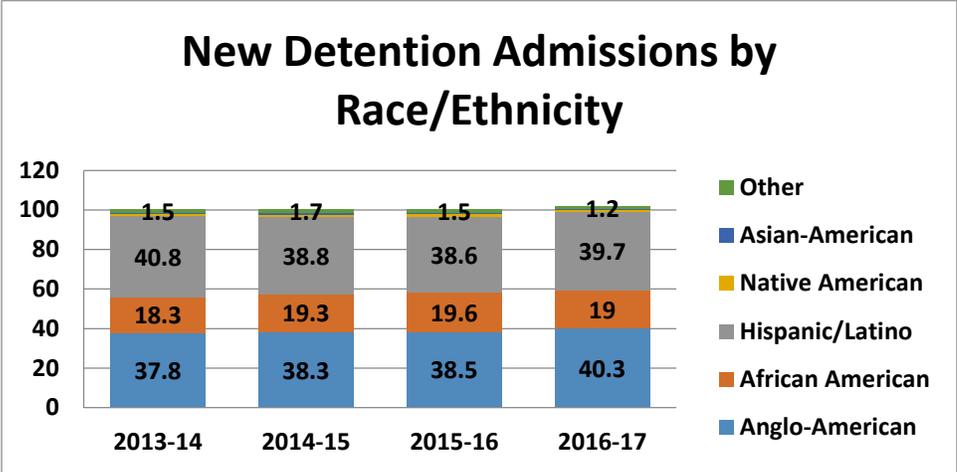
Gender

- Over the last year, the proportion of new admissions to detention for females has slightly increased. In FY 2015-16, females represented 22.7% of new admissions to detention and rose to 25.4 % in FY 2016-17. (Source: DYS, Management Reference Manual, 2016-17)



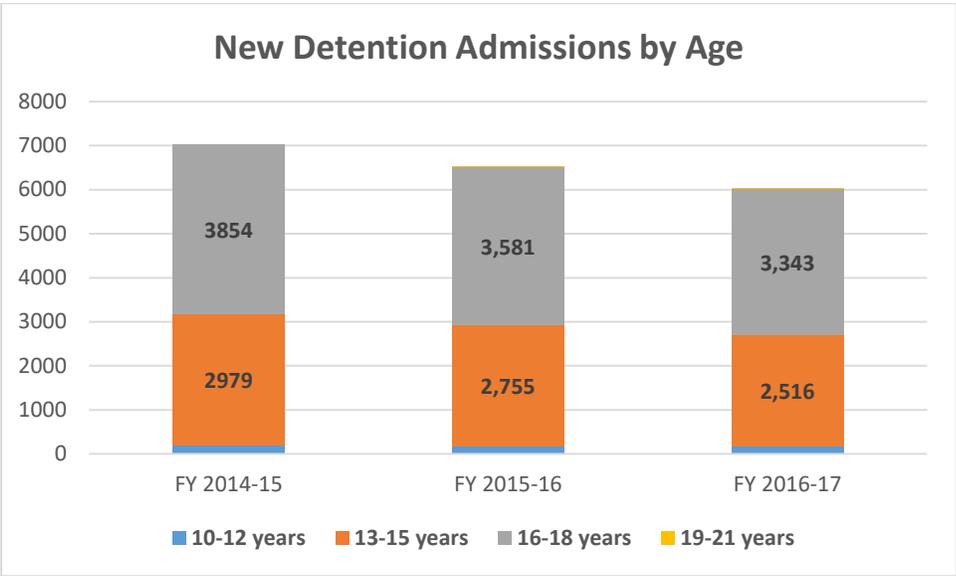
Ethnicity

- In this past year, White youth represented the largest ethnic group (40.3%) admitted into DYS detention facilities, followed by Hispanic/Latino youth at 39.7% and African-American youth (19%). Source: DYS, Management Reference Manual, 2016-17



Age

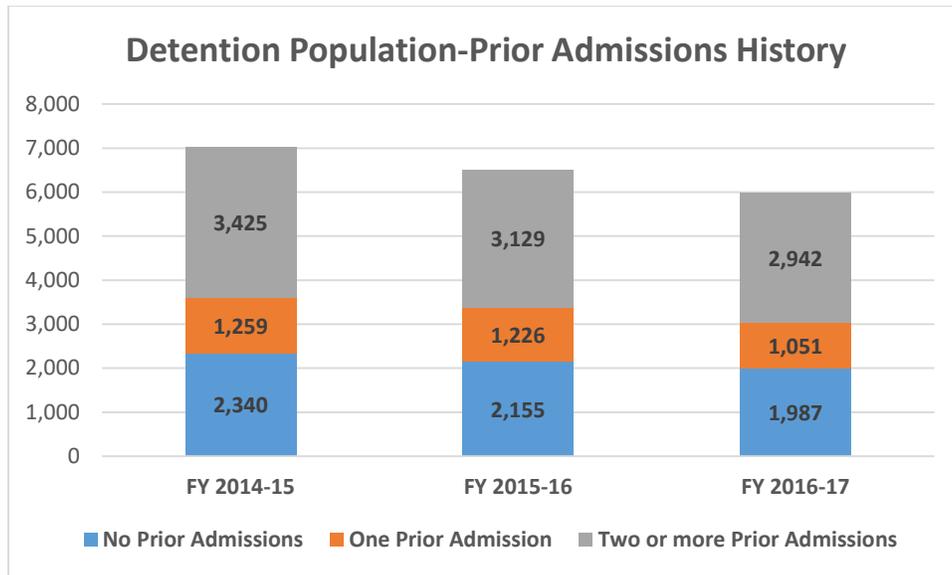
- The average age at admission in FY 2016-17 was 16.0 years, which is the same as the last six years (16.0-16.1).



Source: DYS, Management Reference Manual, 2016-17

Prior Admissions

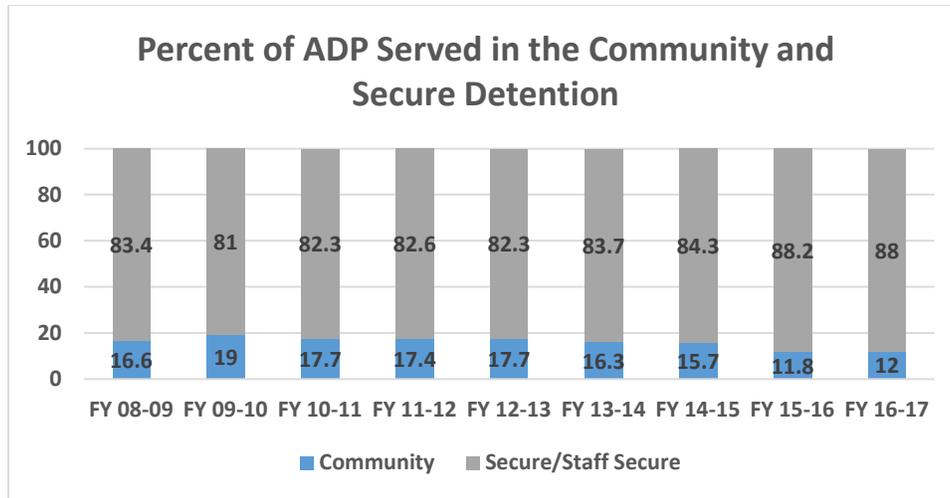
- Over two-thirds (66.8%) of the youth admitted to detention in FY 2016-17 had one or more prior detention admissions. This percentage has been consistent for the past few years.



Source: DYS, Management Reference Manual, 2016-17

Has CYDC been successful? The utilization of a continuum of services rather than primary dependence on secure detention is supported by a large body of juvenile justice and adolescent behavioral research. Since FY 2003–04, the SB 94 program has instituted programmatic changes which resulted in a dramatic shift in the provision of community-based services for youth who also have secure detention stays. On an average day, 88% of youth are provided with community based service while only 12% are securely detained. (Source: SB94 16-17 Legislative Report, Infinite Frontier Consulting)

- Nearly all youth (99.2%) who enter the detention continuum receive some community-based services funded by SB 94. These services are either in lieu of detention or in addition to a secure detention admission to aid the transition back to the community.



- While the percent of youth receiving community services without a secure detention stay has remained stable, the percent of youth with secure detention stays who did not receive SB 94 community-based services decreased from 24.2% in FY 2003–04 to 0.8% in FY 2016–17.
- This shift reflects a growing reliance on the evidence-based principle that dictates the inclusion of community-based support for all youth in effective juvenile justice practice.

**District Attorneys (DA)** are elected to four-year terms in each of the 22 judicial districts in Colorado. Judicial districts vary in the number of counties they cover, from one to seven. All delinquent offenses can be handled by the DA, however; there is some combined jurisdiction with municipal attorneys. Local district attorneys' offices are responsible for the decisions regarding filing of delinquency charges. The district attorney's office reviews law enforcement or probation officer referrals and decides whether to divert the case from formal filing, file charges, request an informal adjustment or deferred adjudication, and/or direct file to the criminal court.

One option provided in statute (19-2-512 C.R.S.) for first time offenders in a jurisdiction that has **restorative justice** programming available, is for the district attorney or his or her designee to determine whether a juvenile is suitable for restorative justice practices. In all such deliberations,

the district attorney shall consider whether the victim, having been informed about restorative justice practices is requesting consideration of restorative justice practices as an alternative to formal prosecution; the seriousness of the crime; the crime's impact on the victim; the best methodology to involve the victim; whether the juvenile accepts responsibility for, expresses remorse for, and is willing to repair the harm caused by his or her actions; whether the juvenile's parent or legal guardian is willing to support the juvenile in the process; and other programmatic support available.

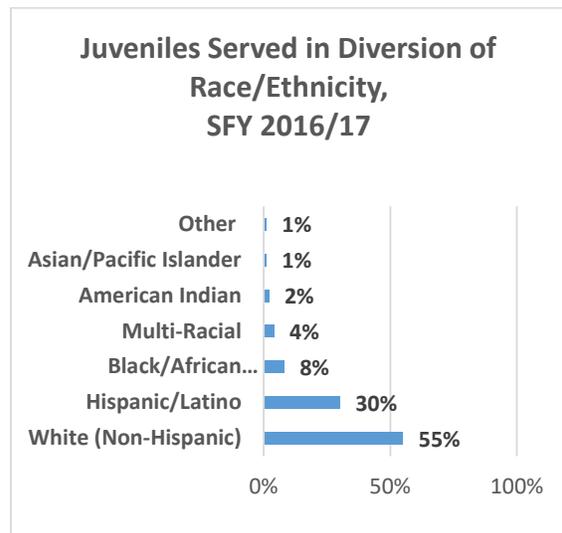
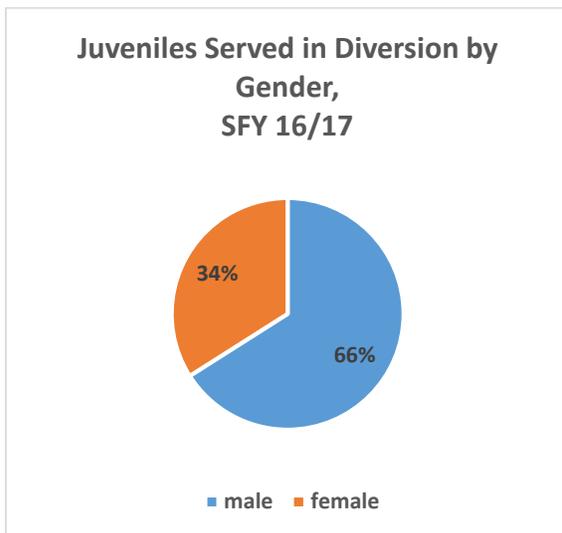
If a juvenile wants to participate in restorative justice practices, the juvenile must make the request to the district attorney or the law enforcement agency administering the program and may not make the request to the victim. If requested by the juvenile, restorative justice practices may only be conducted after the victim is consulted by the district attorney and offered an opportunity to participate or submit a victim impact statement. If a victim elects not to attend, a victim-offender conference may be held with a suitable victim surrogate or victim advocate, and the victim may submit a victim impact statement. The district attorney may offer dismissal of charges as an option for the successful completion of these and any other conditions imposed and designed to address the harm done to the victim and the community by the offender, subject to approval by the court.

Another option to filing is **Juvenile Diversion** and is defined in the Colorado Children's Code as "a decision made by a person with authority or a delegate of that person in which the result is that a specific official action of the legal system is not taken against the youth in lieu of participating in individually designed services provided by a specific program." This person is generally a District Attorney or his/her designee. Diversion of a juvenile may take place either at the pre-filing level as an alternative to filing of a petition or at the post adjudication level as an

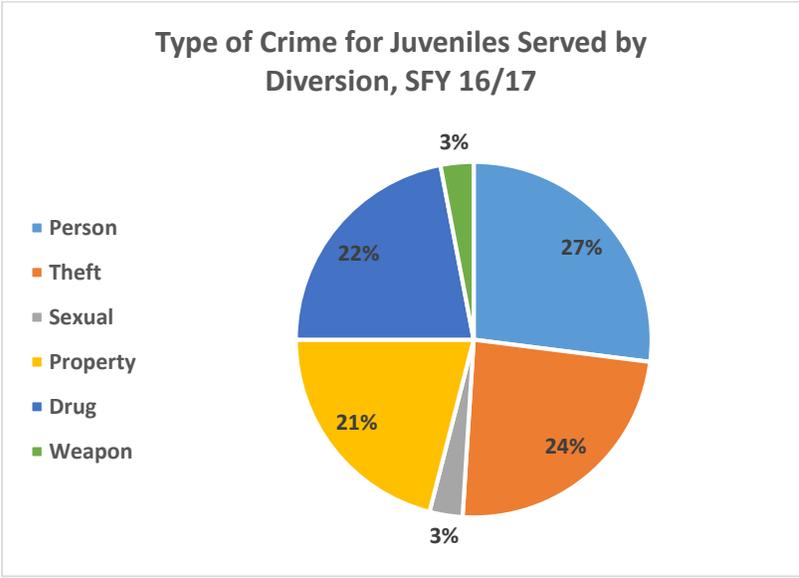
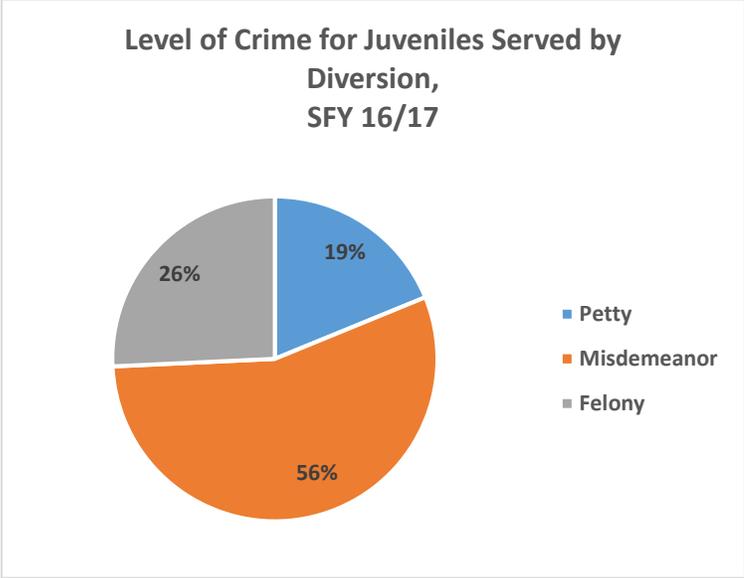
adjunct to probation services following an adjudicatory hearing or a disposition as a part of sentencing. The goal is to prevent further involvement of the youth in the formal legal system.

The Division of Criminal Justice is responsible for administering the state-funded Juvenile Diversion program. There are 18 state-funded Juvenile Diversion programs located in 15 Judicial Districts: 7 at District Attorney’s (DA) Offices, 7 at Community-Based Organizations; 1 Municipality and 3 Counties; awards made to an entity other than a DA’s office requires an MOU with that District Attorney. In addition, marijuana tax funding provides additional support for state-funded diversion programs youth to address substance and co-occurring issues, these programs are located within 7 different judicial districts: two to District Attorney’s Offices, four to Community Based Organizations; and one County. Several other DA’s Offices self-fund Juvenile Diversion programs and are not reflected in the numbers above.

From July 2016 through June 2017, a total of 2,550 youth were served through the then 19 state-funded juvenile diversion programs. Seven programs were located within District Attorneys’ Offices, 4 were county based programs, 1 was a municipal program and 7 were community-based programs. Of the youth served, 66% were male, 55% White/Caucasian, 30% Hispanic/Latino, 8% Black/African American, 2% American Indian, 1% Asian/Pacific Islander, and 4% multi-racial.



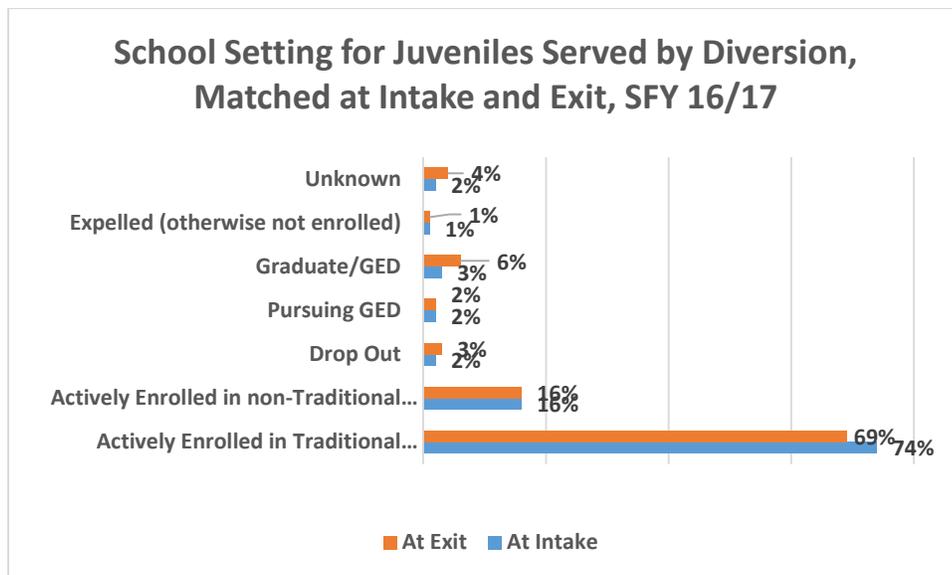
The most prevalent level of charge for which youth were referred was misdemeanors (56%), felonies (26%), and petty offenses (19%) and the type of most serious charge includes person (27%), theft (24%), drug (22%) and property (21%).



The stage at which juveniles were being accepted into Diversion included: 37% as an alternative to filing a petition, 9% as an alternative to a summons or arrest, 5% as a deferred adjudication, 13% at filing but with option to dismiss without prejudice, 20% as a DA diversion

contract, 1% as a deferred sentence, 10% at post-adjudication (on probation) and 5% at pre-adjudication/informal adjustment.

Understanding the nexus between educational success and delinquency, educational engagement and progress/improvement is of great importance to Colorado’s Diversion programs. Educational outcomes for youth exiting the Diversion programs appear to be improved overall as programs reported increases in the number of youth actively attending school at exit versus at intake (from 85% to 90%) and those graduating or receiving their GED (3% to 6%).



A total of 1,207 youth exited a diversion program during the reporting period, with 83% being successful, 17% unsuccessfully terminating either due to an arrest on a new offense or due to non-compliance with their diversion contract. Youth who exited juvenile diversion programs from July 1, 2016 through June 30, 2017 completed a total of 16,652 community service hours and earned \$75,681 in restitution.

Colorado’s standard criteria for recidivism is a filing or filings for a new offense (criminal, misdemeanor, or juvenile delinquency) either while the juvenile was in the program or up to one year after they have exited the program. Enough time has passed that OMNI is now able to

complete a more comprehensive recidivism study that included individuals who were accepted into the Diversion program, had successfully or unsuccessfully completed a Diversion program during the 2015-2016 fiscal year, and had been exited from the program for at least one year as of June 30th, 2017. Individuals with missing or 'neutral' outcomes (n=11) such as having chosen court, moved to a different area, or been transferred, were not included. The total sample size for this subset of youth was 1,221 individuals.

Of all youth who had exited from a Diversion program for at least one year (N=1,221), 15.6 percent had recidivated during their participation in Diversion and/or within the one year after their participation, a slight improvement from the prior year recidivism rate of 15.9%. Of those who had exited Diversion successfully (n=1,049), 13.4% percent had recidivated during their participation in Diversion or within the one year after their participation. Of those who exited Diversion unsuccessfully (n=172), 30.8% had recidivated during their participation in Diversion or within the one year after their participation.

In FY 2016-17, eight of the then 19 state funded Diversion programs also received Juvenile Diversion Marijuana Tax funding. Evaluation of outcomes for juveniles served with Marijuana Tax fund support is imperative to the Division of Criminal Justice so the Division immediately developed an evaluation process with OMNI and the programs. The Division was hoping to see an increase in the numbers of diversion youth who are screened for and provided assessment and treatment as indicated for substance use; increase in the numbers of youth showing significant improvement pre-survey (intake) to post survey (discharge); and reductions in the overall state program's recidivism rate including improving successful completion rates. Because of the known prevalence for co-occurring disorders, the evaluation also tracked information regarding the need for and provision of mental health services.

Although the numbers served in the first year of marijuana tax funding were small, DCJ and OMNI began to analyze data:

- Of youth that indicated a need for a substance use assessment, *all* youth also indicated a need for a mental health assessment (n=126)
- Of youth that indicated a need for substance use treatment (n=74), 78% also indicated a need for mental health treatment
- Of youth receiving substance use treatment (n=66), 70% were also receiving individual mental health treatment, 20% were also receiving group mental health counseling/treatment, and 26% were receiving family mental health counseling/treatment
- Previous analyses on the statewide juvenile diversion data have suggested that a decrease in risky behavioral intentions, and higher post-scores on the outcomes of connection to community and sense of accountability are predictive of a reduced rate of recidivism. To further explore the impact of the Marijuana Tax Cash Fund grantees, this evaluation examined whether there was any change in risky behavioral intentions and the post-scores of connection to the community and sense of accountability from Fiscal Year 2015-2016 and Fiscal Year 2016-2017 for the eight grantees. In Fiscal Year 2016-2017 the Marijuana Tax Cash Fund grantees show higher post-scores on connection to community and sense of accountability than they did in Fiscal Year 2015-2016. However, statistically significant change was not observed for risky behavioral intentions.
- Youth referred to diversion on a drug charge were significantly more likely to have used alcohol, marijuana or other illegal drugs in the past 30 days.
- Youth who had been expelled in the past year, were significantly more likely to have used marijuana or other illegal drugs in the past 30 days prior to juvenile diversion.

- Youth attending a nontraditional school were significantly less likely to have used alcohol in the past 30 days.
- Youth that were currently expelled (not attending school) were significantly more likely to have used other illegal drugs in the past 30 days.
- Older youth were significantly more likely to report having used alcohol or marijuana during the past 30 days.

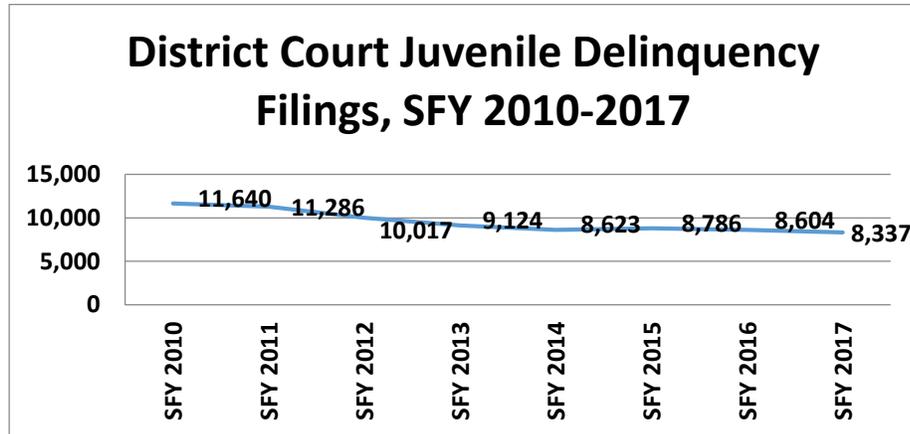
The Division of Criminal Justice is committed to assist in developing community capacity to address the needs for diversion-involved youth, especially those who could benefit from substance use or co-occurring services. To that end, it will continue to fund the evaluation of these services and determine the following:

- *Needs and Gaps*
  - What resources (staff, training, space, technology) must Diversion programs have to achieve positive effects with their substance abusing youth?
- *Programs*
  - Which interventions have the most promise with substance using Diversion-enrolled youth?
- *Community Involvement*
  - What capacity is needed in community organizations to provide for substance-using Diversion youth with serious and complex treatment needs?

As previously stated, either at intake or after failure on diversion, the District Attorney can proceed with a formal **filing of a delinquency charge in** district court. Colorado has experienced a 28.3 percent reduction in filings since 2010, 11,640 in SFY 2010 to 8,337 in SFY 2017, a 3.1% reduction just in the last year.

District Court Juvenile Delinquency Filings							
SFY 2010	SFY 2011	SFY 2012	SFY 2013	SFY 2014	SFY 2015	SFY 2016	SFY 2017
11,640	11,286	10,017	9,124	8,623	8,786	8,604	8,337

Source: Judicial Department Annual Reports FY 2010-2017



The Judicial Department classifies the filings by the most serious charge filed and their data shows that the types of juvenile filings have not significantly changed over the past three years. The most common single crime filed in juvenile delinquency cases in SFY 2016-17 was assault (1,397 or 17.0%) followed by theft (1,329 or 16.0%).

Highest percentages of delinquency filings by type of case						
Case Type	SFY 2014-15		SFY 2015-16		SFY 2016-17	
	# of Cases	% of Total Cases	# of Cases	% of Total Cases	# of Cases	% of Total Cases
Assault	1,291	15.0	1,335	16.0	1,397	17.0
Burglary	746	8.0	718	8.0	661	8.0
Criminal Mischief	545	6.0	485	6.0	483	6.0
Drugs	862	10.0	742	9.0	721	9.0
Theft	1,598	18.0	1,515	18.0	1,329	16.0
Trespass	634	7.0	624	7.0	580	7.0
Other	853	10.0	963	10.0	999	12.0
<b>Total Filings</b>	<b>8,786</b>		<b>8,604</b>		<b>8,337</b>	

Source: Judicial Dept. Annual Reports FY 2014-15 to FY 2016-17

The **Colorado Court System** is within the Judicial Branch of Government and consists of the Supreme Court, an intermediate Court of Appeals, district courts and county courts. Each county has both a district court and a county court. Special probate and juvenile courts created by the

Colorado Constitution exist in the City and County of Denver. There are 22 judicial districts in Colorado. District Court is a court of general jurisdiction; therefore, district judges preside over felony criminal matters, civil claims in any amount, juvenile matters (including adoption, dependency and neglect matters, juvenile delinquency, and paternity actions), probate, mental health, divorce proceedings, and water cases. They also preside over jury trials, handle appeals from municipal and county courts and review decisions of administrative boards and agencies. County Court is a court of limited jurisdiction, handling misdemeanors, traffic infractions, small claims, felony complaints (which may be sent to District Court) and civil cases of under \$15,000. Colorado statutes also authorize locally-funded municipal courts with jurisdiction limited to municipal ordinance violations and traffic infractions occurring within the town or city, however these courts are subject to Supreme Court rules and procedures.

Representation for juveniles charged with delinquency is an ever present concern as well as the need for additional representation for certain youth to assure their best interest, especially in cases where family members may be victims of their delinquent actions. The **State Public Defender's Office** is comprised of 21 regional trial offices and employs 491 lawyers and a total staff of 811. Public defenders can be appointed by the district court to represent juveniles who are indigent or whose parents are indigent. If a conflict is noted, an **Alternative Defense Counsel** may be appointed. Two pieces of legislation in 2014 addressed critical needs in the juvenile system. The first addressed the need for early appointment of counsel at detention hearings, better access to counsel before first appearances, safeguards on the waiver of counsel, and clarifies that a Guardian ad Litem is not a substitute for defense counsel. The second allowed social workers to be hired at the Public Defender's Office in juvenile cases.

Further recognizing that effective legal representation and advocacy is a critical element in giving children a voice in the court system, the **Office of the Child's Representative** (OCR) is one of the few state agencies in the nation whose sole purpose is to protect and ensure that children have a competent and effective voice in the courtroom. In delinquency cases, a Guardian ad Litem (GAL), child's representative or **court appointed special advocate** (CASA) is appointed if it is necessary to serve the child's best interest. This may happen when the judge feels there is a lack of parental support as evidenced by: 1) if a parent is not present, 2) if there is a conflict of interest between the child and parent and 3) appointment is in the best interest of the child. The GAL must not remain on the case indefinitely; that appointment terminates upon sentencing when the child is returned home.

Of great importance and much discussion over the past years was the issue of competency to proceed for juveniles in the juvenile justice arena. A bill addressing juvenile competency, HB 18-1050, became law on March 22, 2018. It applies to acts committed on or after July 1, 2018 and recognizes that mental incapacity, in addition to developmental or mental disability, may render a juvenile incompetent to proceed. Mental incapacity cannot be established by age alone; the court must find that the juvenile lacks the relevant capacities for competence. The bill empowers the following people to raise the question of a juvenile's competency: Defense lawyers; Prosecutors; Parents; GALs; Probation officers; and the court on its own motion.

When **competency** is raised, the court may either make a preliminary finding on the question or order an evaluation. If the court makes a preliminary finding, both the prosecution and defense have the right to timely demand a hearing. If the court orders a competency evaluation, it must take place in the least restrictive setting commensurate with public safety and the best interests of the child. The bill specifically recognizes that such an evaluation may occur at the juvenile's home

or in a community placement. Only those psychiatrists or psychologists who meet the law's requirements may perform a juvenile competency evaluation. If the evaluation opines that the juvenile is not competent but capable of restoration, the court must stay the proceedings and order restoration services, which must be reviewed every 90 days if the juvenile is at liberty and every 30 days if the juvenile is detained. However, the bill allows a court to find that the proposed restoration services are not justified. Following a hearing and finding that the juvenile is restored to competency, the delinquency case progresses. The court may refuse to credit any time spent in custody during restoration to any sentence ultimately imposed (see <http://cjdc.org/wp/> for more information).

**Probation** is the responsibility of the Colorado Judicial Branch, excluding county and municipal probation. Managed by the Chief Probation Officer in each judicial district, probation officers provide assessments and pre-sentence information to the courts, supervise the offenders sentenced to community programs and provide special program services to aid those under their jurisdiction. Probation officers have the authority of a peace officer and although many officers carry juvenile specific caseloads, officers in rural districts may also supervise adult offenders.

The probation department in each judicial district is to use all suitable methods, including counseling, to aid each juvenile under their supervision to comply with conditions set by the court, and to perform other duties in connection with the care and custody of juveniles as the court may direct. The probation office may refer the juvenile to community-based services, and may operate or refer a juvenile to a community service or work program. A graduated sanction framework is followed when a juvenile violates or fails to comply with conditions of probation. Probation officers work closely with the local Colorado Youth Detention Continuum (CYDC) programs to lessen the sentencing of non-compliant juveniles to secure detention or commitment.

There are four major components of probation services:

- **Pre-Sentence Investigation (PSI) Reports:** local policy determines if the bench is in need of PSI or if there is a need for more immediate sentencing. Judges often have collateral information from various sources to assist them in making their decisions. In 2017, a total of 759 PSIs completed by juvenile probation, 780 were completed in FY 2016. In addition, probation completed 170 sex offender evaluations for juveniles in 2017 (172 in FY 2016)
- **Victim Services;** Victim Services Officers are responsible for victim notification of critical events – probationer terminations, revocations, change in residence.
- **Community Supervision:** The number of new clients accepted into regular juvenile probation numbered 2,891 in FY 2016-17, an 8.8% decrease from the prior year and a 39% decline over the past seven years.

<b>Regular Juvenile Probation</b>							
	<b>FY 10-11</b>	<b>FY 11-12</b>	<b>FY 12-13</b>	<b>FY13-14</b>	<b>FY14-15</b>	<b>FY15-16</b>	<b>FY 16-17</b>
<b>New probation cases</b>	4,746	4,637	3,992	3,458	3,290	3,172	2,891

Source: Colorado Judicial Branch, Annual Statistical Report, Fiscal Year 2017

Over the years, Colorado has many discussions about the challenges for addressing minority overrepresentation and/or disproportionate minority contact because of the lack of quality data at the probation level. Because they are reliant on the information reported by law enforcement at the time of arrest which historically has not included ethnicity, we have an underreporting for the Hispanic population.

In FY 2016-17, race and ethnicity for new juvenile probationers was reported as 70% Caucasian, 12% African American, 14% Hispanic, 1% Asian, 0% Native American and 3% Other.

As of June 30, 2017, there were 3,549 open juvenile probation cases (regular and specialty probation cases). Of these 27% were classified as minimum risk, 31% classified as medium risk, 19% classified as maximum risk and 17% on administrative probation.

<b>Juvenile Probation Active Clients Risk Levels on June 30, 2017</b>						
<b>Maximum</b>	<b>Medium</b>	<b>Minimum</b>	<b>Administrative</b>	<b>Other</b>	<b>New*</b>	<b>Total</b>
19%	31%	27%	17%	4%	3%	100%

The age distribution for new probationers has remained relatively stable over the years. In FY 17, 20% of the probation cases were for juveniles aged 10-14, 18% were age 15, 22% were age 16, 23% age 17 and 17% ages 18 and above.

<b>Juvenile Probation New Clients by Age FY 2016-17</b>				
<b>10-14 Years</b>	<b>15 year</b>	<b>16 Years</b>	<b>17 Years</b>	<b>18+ Years</b>
566	519	648	674	482
20%	15%	22%	23%	17%

Source: Colorado Judicial Branch, Annual Statistical Report, Fiscal Year 2017

A majority of new juvenile probationers were adjudicated on a misdemeanor charge (61%) an increase of 4% from the previous year, followed by felony charge (30%).

<b>Juvenile Probation New Clients by Offense Type FY 2016-17</b>					
<b>Felony</b>	<b>Misdemeanor</b>	<b>Petty Offense</b>	<b>Traffic</b>	<b>Other</b>	<b>Total</b>
969	1,882	301	6	14	3,290
30%	61%	9%	0%	0%	100%

Source: Colorado Judicial Branch, Annual Statistical Report, Fiscal Year 2017

Successful termination rates have increased slightly from 70% in FY 2014-15 to 71% in FY 2015-16 and 72% in FY 2016-17.

<b>Regular Juvenile Probation- Termination Status</b>					
	<b>FY 12-13</b>	<b>FY 13-14</b>	<b>FY 14-15</b>	<b>FY 15-16</b>	<b>FY 16-17</b>
<b>Total Terminations</b>	<b>3,473</b>	<b>3,152</b>	<b>2,785</b>	<b>2,548</b>	<b>2,550</b>
<b>Successful Probation Terminations</b>	<b>72%</b>	<b>73%</b>	<b>70%</b>	<b>71%</b>	<b>72%</b>
<b>Revoked – Unsuccessful Probation Terminations</b>	<b>23%</b>	<b>22%</b>	<b>25%</b>	<b>24%</b>	<b>24%</b>
<b>Absconded- Unsuccessful Probation Terminations</b>	<b>5.0%</b>	<b>5%</b>	<b>5%</b>	<b>6%</b>	<b>4%</b>

Source: Colorado Judicial Branch, Annual Statistical Report, Fiscal Year 2017

A majority (60%) of juvenile probation clients terminate within the first 12 months of supervision.

<b>Length of Stay on Probation at Termination</b>			
	<b>0-12 months</b>	<b>13-24 months</b>	<b>25+ months</b>
<b>11/12</b>	57%	30%	14%
<b>12/13</b>	58%	28%	14%
<b>13/14</b>	56%	31%	13%
<b>14/15</b>	58%	29%	13%
<b>15/16</b>	60%	29%	11%
<b>16/17</b>	52%	27%	11%

Source: Colorado Judicial Branch, Annual Statistical Report, Fiscal Year 2017

The goal of the Judicial Department's **Juvenile Intensive Supervision Probation (JISP) Program** is to provide an additional sentencing option for the adjudicated juvenile offenders who represent a high risk of future placement at correctional or residential facilities. The goal of the program is to balance community protection with the juvenile's needs, through a continuum of services which emphasize assessment, probationer accountability, and competency development.

Juvenile Intensive Supervision Programs represent the most complex and difficult offenders to supervise and JISP is the only statutorily designated programs with capped caseloads where offenders receive more intensive supervision and services. The JISP Program was implemented in FY 1993 as a community sentencing option for selected high risk juvenile offenders. As a result of its proven effectiveness the General Assembly approved expansion of the program sufficient to allow its existence in all 22 judicial districts. The program is designed to deliver intensive case management to include monitoring of school progress, referral for remedial educational assistance, home visits, electronic monitoring, drug testing, skill building and treatment services, as required. The number of juveniles assigned to a JISP officer is capped at 18.

In FY 2016-17, a total of 165 new clients entered the JISP Program; a majority being transferred from regular probation.

<b>Juvenile Intensive Supervision Probation (JISP) New Clients by order Type FY 2010-11 through FY 2016-17</b>										
	<b>Direct Sentence</b>		<b>Transfer from Regular Probation</b>		<b>Change of Venue</b>		<b>Interstate Transfer to Colorado</b>		<b>Total New Clients</b>	
	<b>Number</b>	<b>%</b>	<b>Number</b>	<b>%</b>	<b>Number</b>	<b>%</b>	<b>Number</b>	<b>%</b>	<b>Number</b>	<b>%</b>
<b>FY 2010-11</b>	131	33%	249	62%	22	5%	0	0%	402	100%
<b>FY 2011-12</b>	124	35%	217	61%	13	4%	-	-	354	100%
<b>FY 2012-13</b>	107	35%	177	58%	20	7%	-	-	304	100%
<b>FY 2013-14</b>	102	42%	141	58%	1	0%	0	-	244	100%
<b>FY 2014-15</b>	63	37%	109	63%	0	0%	0	-	172	100%
<b>FY 2015-16</b>	73	44%	94	56%	0	0%	0	0%	167	100%
<b>FY 2016-17</b>	83	50%	82	50%	0	0%	0	0%	165	100%

Source: Colorado Judicial Branch, Annual Statistical Report, Fiscal Year 2017

In FY 2016-17, 74 juveniles successfully completed the JISP Program who might otherwise have served sentences in the Division of Youth Services. Out of a total of 162 clients who exited the JISP Program, 46% successfully completed the program while 55% terminated for a technical violation, a new felony, a new misdemeanor, or absconded from supervision.

Juvenile Intensive Supervision Program (JISP) Successful/Unsuccessful Terminations FY 2013-14 through FY 2016-17								
	FY 13-14		FY 14-15		FY 15-16		FY 16-17	
	Number	%	Number	Number	%	Number	%	Number
<b>Successful Probation Terminations</b>	50%	144	96	43%	41%	77	46%	74
<b>Revoked- Unsuccessful Probation Terminations</b>	46%	166	118	53%	54%	102	49%	79
<b>Absconded- Unsuccessful Probation Terminations</b>	3%	12	10	4%	5%	10	6%	9
<b>Total Terminations</b>	100%	332	224	100%	100%	189	100%	162

Source: Colorado Judicial Branch, Annual Statistical Report, Fiscal Year 2017

Looking at the type of revocations from the JISP Program, we see 54% of those revoked in FY 2016-17 were due to technical violations of probation; a decrease increase from the prior year (69%).

Juvenile Intensive Supervision Program (JISP) Type of Revocation FY 2013-14 through FY 2016-17								
	FY 13-14		FY 14-15		FY 15-16		FY 16-17	
	%	Number	%	Number	%	Number	%	Number
<b>Revoked- New Felony</b>	20%	31	19%	23	21%	21	33%	26
<b>Revoked- New Misdemeanor</b>	15%	23	13%	15	11%	11	13%	10
<b>Revoked- Technical</b>	66%	104	68%	80	69%	70	54%	43
<b>Total Revocations</b>	100%	158	100%	118	100%	102	100%	79

Source: Colorado Judicial Branch, Annual Statistical Report, Fiscal Year 2017

Juveniles terminating from JISP were twice as likely to be committed to DYS or DOC as those juveniles failing regular probation – not necessarily surprising since the JISP clients are the highest risk juveniles who may also have more extensive criminal histories. Services may also have been exhausted on this population.

The Division of Youth Services (DYS) is also responsible for the placement, supervision, care and treatment of youth who are committed upon sentencing. **Commitments** are dispositions of juvenile cases resulting in the transfer of legal custody to the Colorado Department of Human

Services by the court as a result of an adjudicatory hearing held on charges of delinquent acts committed by a youth. Statute mandates that DYS provide a comprehensive assessment for all youth within the first 30 days of their commitment. The assessment includes criminogenic risk and needs, mental health, education and vocation, medical, and in some cases psychological/ neuropsychological evaluation.

**Juvenile Justice Filtering Process to Commitment- FY 2016-17**

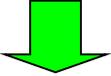
**Total Juvenile Population, ages 10-17 years**

**602,944 (100%)**



**Juvenile Arrests**

**24,871 (4.1%)**



**Juvenile Filings**

**8,377 (1.4%)**



**Detention Admissions**

**5,980 (1.0%)**



**Probation Cases**

**3,065 (0.5%)**

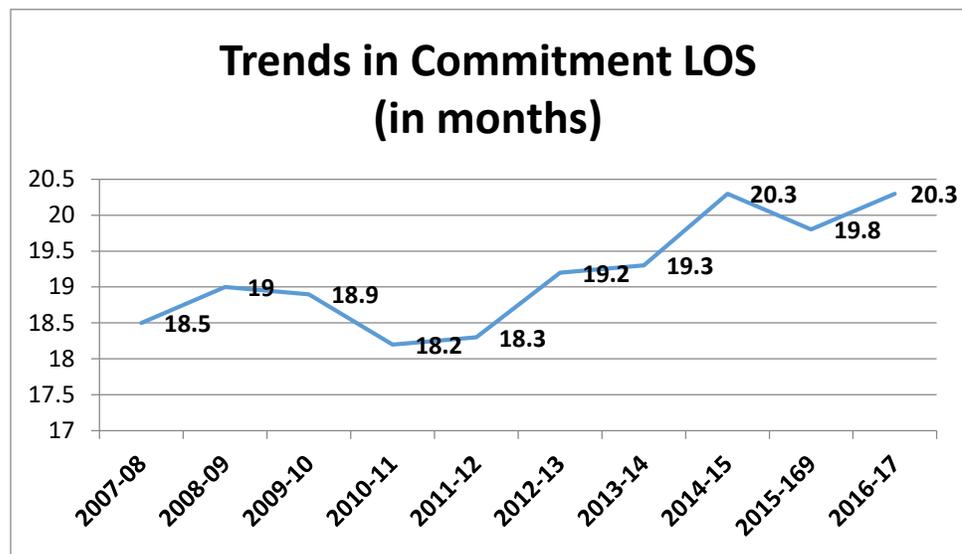


**Juvenile Commitments**

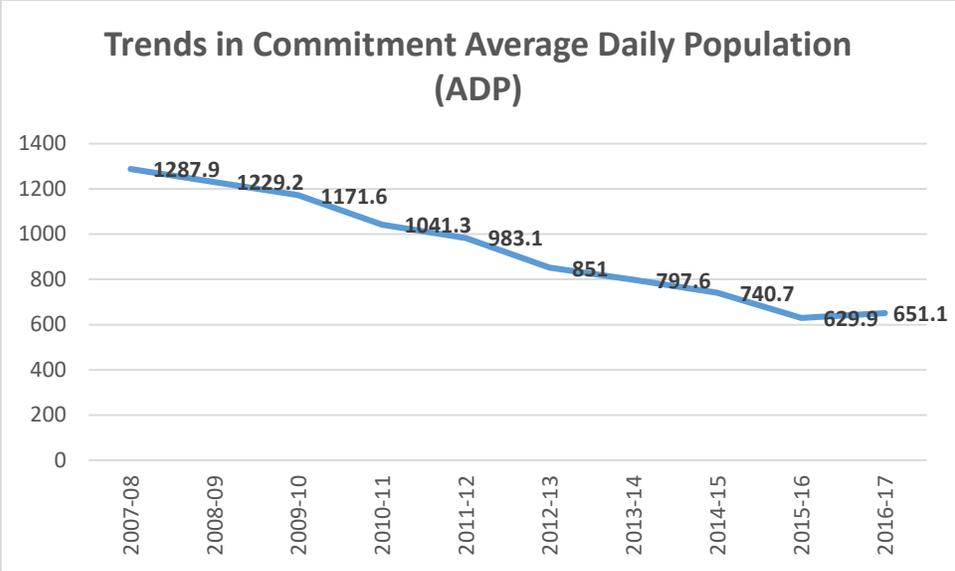
**381 (0.1%)**

Following the completion of the assessment, a multi-disciplinary team meets to discuss the youth and family’s needs, placement type, and future transition plan. Almost without exception, youth are moved to a permanent placement following the assessment staffing within one month. DYS provides residential treatment services to committed youth in either State-operated secure programs or private contract placements. Individualized treatment and transition plans are developed for each youth. Counties may create a **Juvenile Community Review Board (CRB)** to approve DYS community level placements.

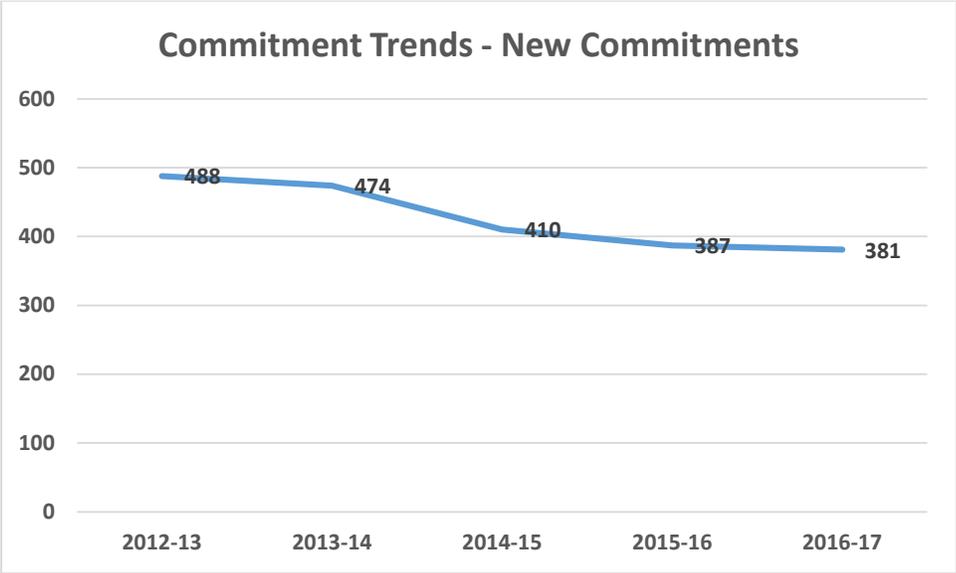
Commitment rates have declined 43.8% from 19.2 per 10,000 youth to 10.8 from FY 2010-11 to FY 2016-17. During this last year, the committed population experienced declines in all areas, with the exception of length of service. Commitment length of service (LOS) for youth who discharged during FY 2016-17 was 20.3 months, an increase of 2.6% from the FY 2015-16 LOS of 19.8.



Commitment ADP decreased by 6% to an ADP of 651.1. The number of clients served decreased by 5.1%, which marked the 11th consecutive year of decline in unique youth served.



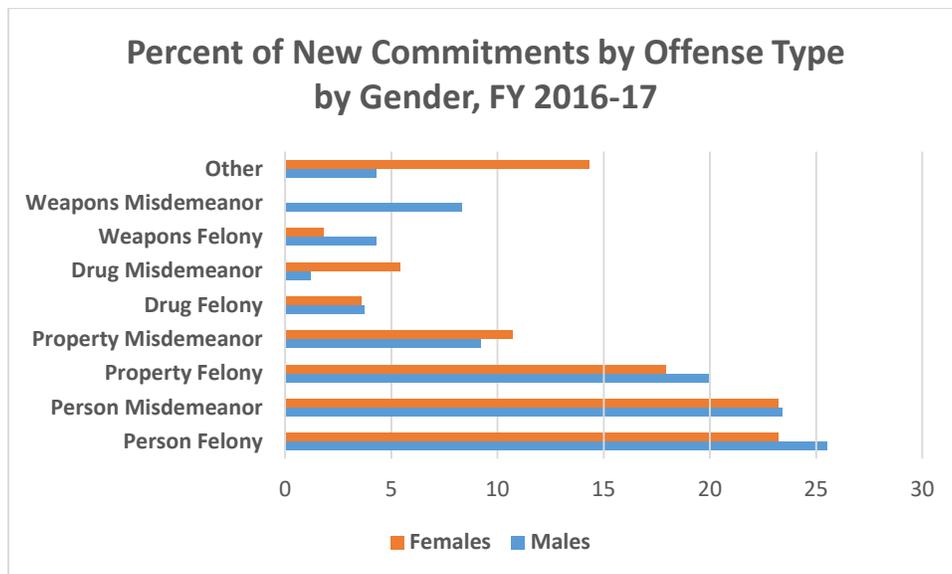
The number of new commitments also decreased in FY 2016-17 with a small decline of 1.6% to 381. New commitment figures have not been this low since FY 1981-82 (n = 404).



- Sixty-four percent of newly committed youth had a prior history of probation involvement, 14% had diversion/informal adjustment histories and 1% had a deferred or “reserved” adjudication history (with concurrent probation cases as well).
- The percentage of newly committed youth with a history of probation has ranged from 83% in FY 2012-13 to 75% in FY 2016-17.

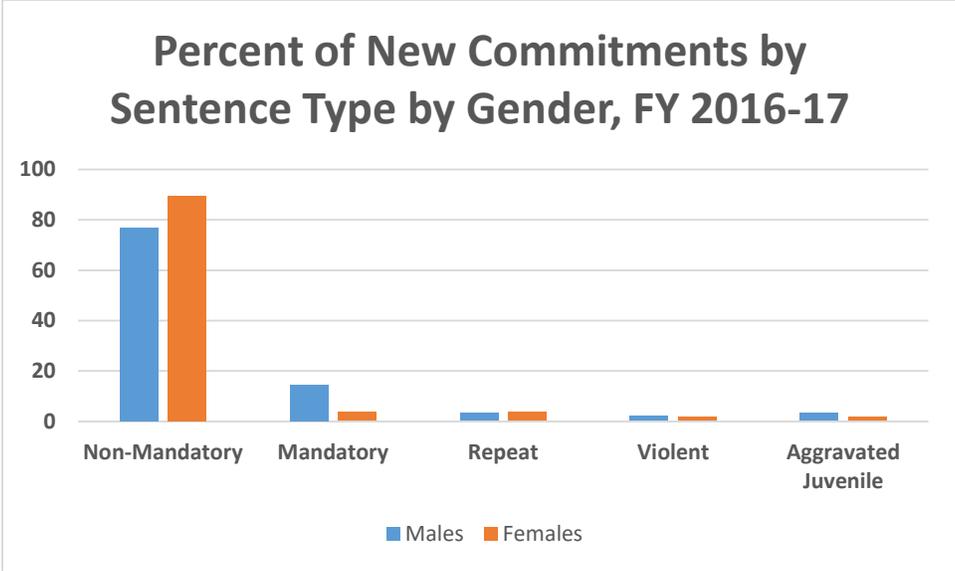
What are the committing offense types for youth committed in FY 16-17?

Percent of New Commitments by Offense Type by Gender, FY 2016-17		
	Males (n=325)	Females (n=56)
Person Felony	25.5	23.2
Person Misdemeanor	23.4	23.2
Property Felony	20	17.9
Property Misdemeanor	9.2	10.7
Drug Felony	3.7	3.6
Drug Misdemeanor	1.2	5.4
Weapons Felony	4.3	1.8
Weapons Misdemeanor	8.3	0
Other	4.3	14.3



- In FY 2016-17, 14.2% of newly committed males and 3.6% of females received mandatory sentences. Mandatory sentences include repeat offenders, violent offenders and aggravated offenders as well as sentences mandated by the courts.

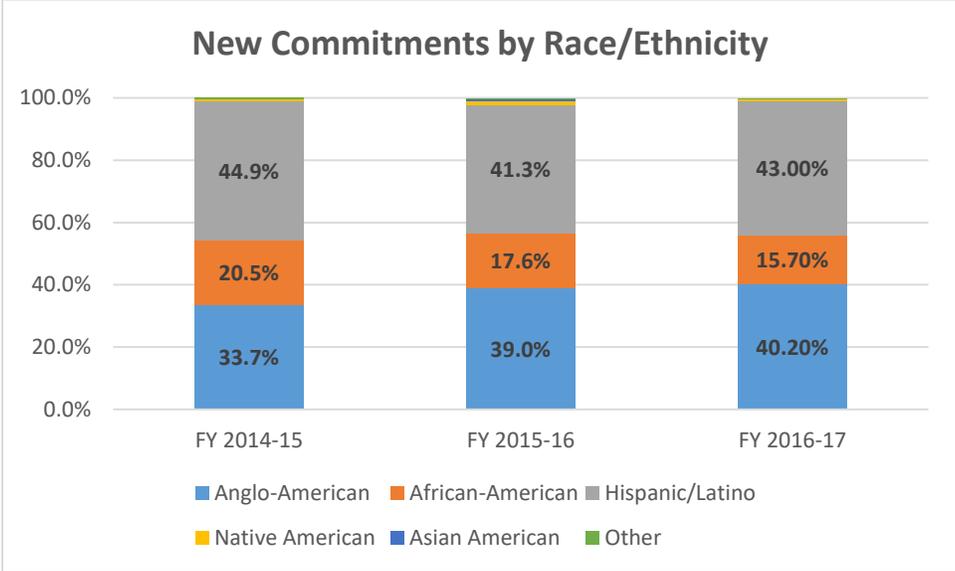
Percent of New Commitments by Sentence Type by Gender, FY 2016-17		
	Males	Females
Non-Mandatory	76.9	89.3
Mandatory	14.2	3.6
Repeat	3.4	3.6
Violent	2.2	1.8
Aggravated Juvenile	3.4	1.8



What else do we know about the youth committed to DYS?

Ethnicity

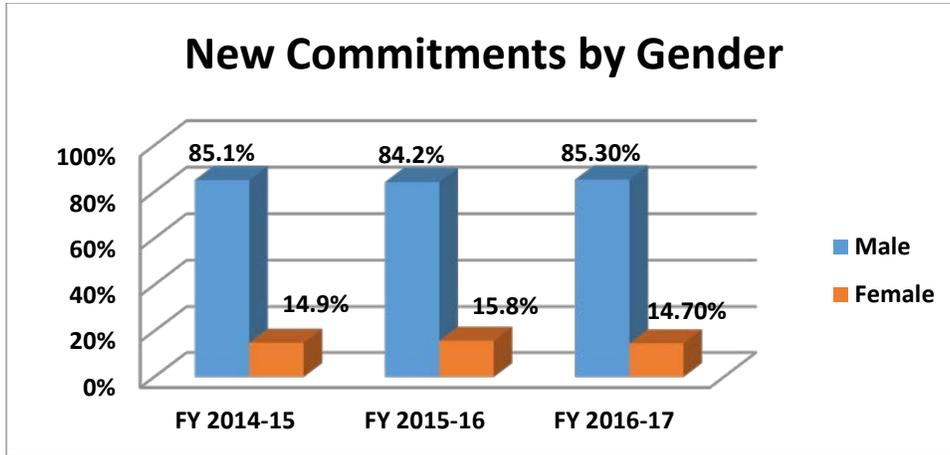
- The majority of new commitments have historically been Anglo, Hispanic/Latino and African American youth respectively, and this holds true for FY 2016-17. But, this year’s ethnic distribution does show an increase in the past year for Hispanic (41.3% to 43%) and a decrease for African American (17.6% to 15.7%).



Source: DYS, Management Reference Manual, 2016-17

Gender

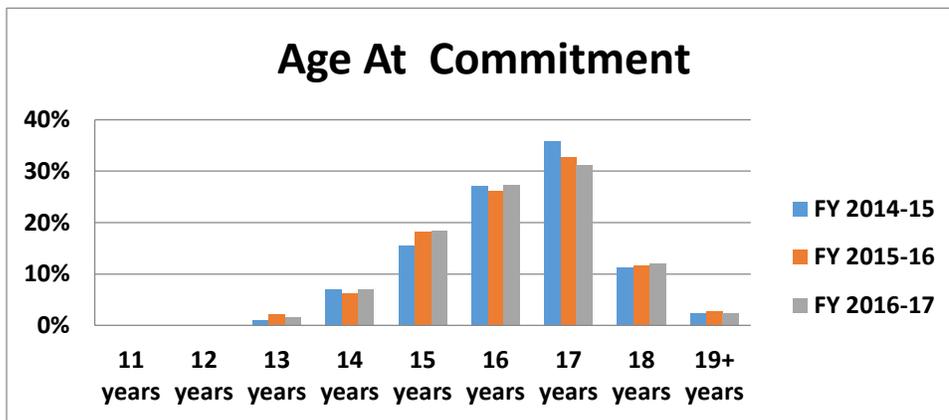
- Females represent 14.7% of all youth committed in FY 2016-17, a slight decrease from FY 2015-16 at 15.8%.
- The percent of females with a history of running away was 91.1% in FY 2016-17. The percent of males with a runaway history was, 78.5% in FY 2016-17.



Source: DYS, Management Reference Manual, 2016-17

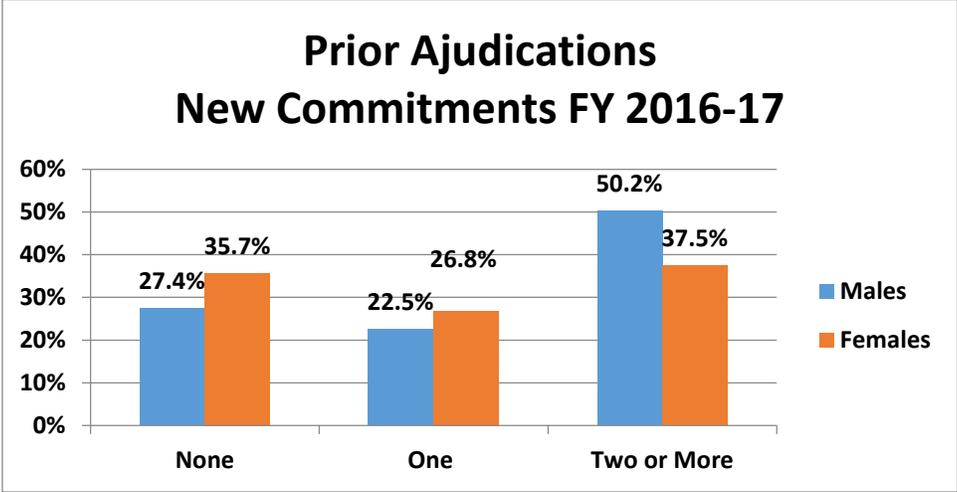
Age

- The average age at commitment has remained stable over the last three fiscal years, at 16.8 years of age in FY 2016-17.
- In FY 2016-17, the majority of youth were 16 or 17 years old when committed (26.5% and 30.7%, respectively), and 20.1% were 15 years old.



Prior Adjudications

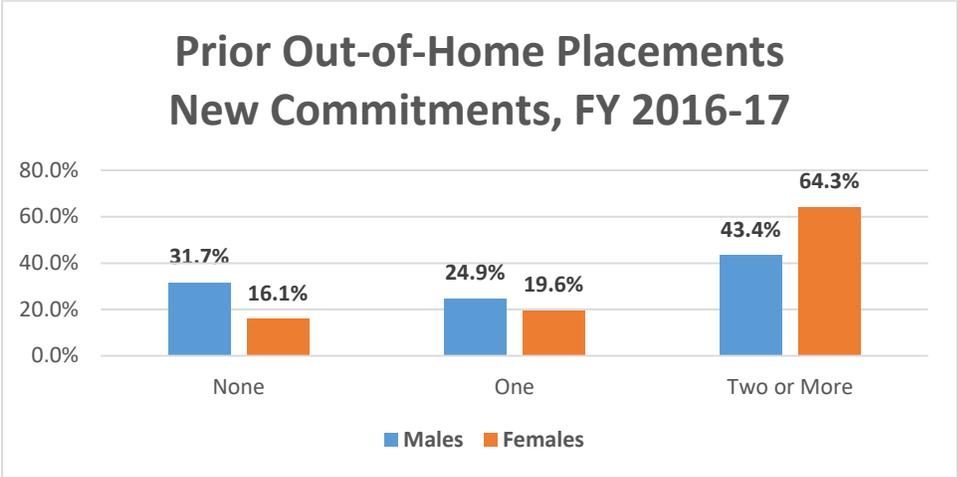
- 72.7 % of newly committed males in FY 2016-17 had 2 or more prior adjudications compare to 64.3% of newly committed females.



Source: DYS, Management Reference Manual, 2016-17

Prior Out of Home Placements

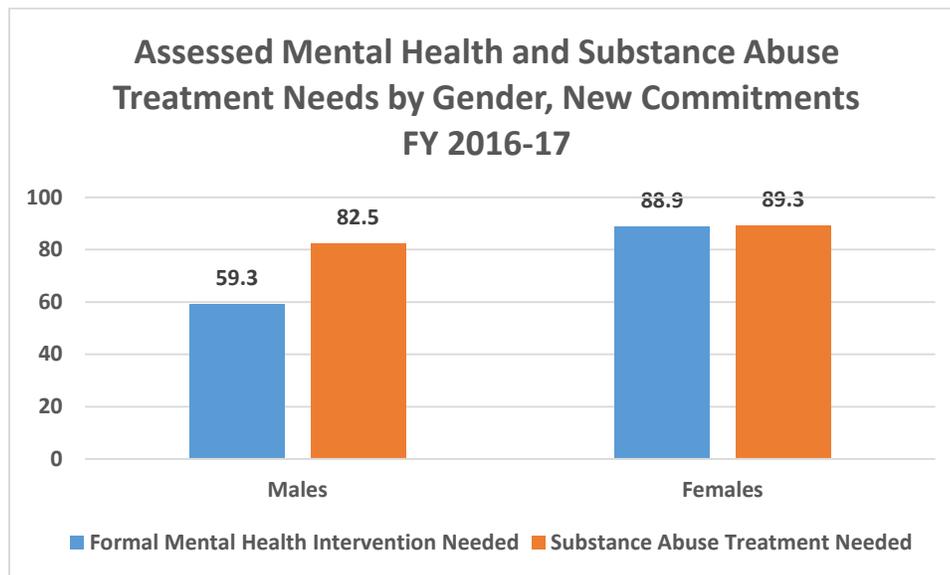
- In FY 2016-17, 83.9 percent of females committed had two or more prior out-of-home placements, up from the prior year (78.7%). The percentage of males with 2 or more out of home placements in FY2016-17 was 68.3% which is also an increase from the prior year (63.2%).



Source: DYS, Management Reference Manual, 2016-17

### Behavioral Health/Mental Health/Substance Abuse

- The male population in need of substance abuse treatment has decreased from 87.4% to 82.5%, and the female substance abuse treatment population has decreased from 98.4% to 89.3% in the past year.
- In regard to mental health needs during FY 2016-17, the percent of newly committed male youth assessed as “Requiring Formal Mental Health Intervention” was 59.3% up from 55.6% (CCAR data) in the prior year. In FY 2016-17, a larger percentage of females show a need for mental health intervention (88.9%) in comparison to males (59.3%).



In their December 2017 forecast estimates, Legislative Council Staff (LCS) projected that DYS' commitment population will continue to decline over the next three fiscal years, reaching 637 ADP by FY 2018-19. Similarly, population projections released in January 2017 by the Division of Criminal Justice (DCJ) also indicate a decline in DYS commitment levels, reaching 558.9 ADP by the end of FY 2018-19. (Source: DYS MRM Manual, FY2016-17)

By law, all juveniles released from commitment must be provided with a 6-month period of mandatory services and supervision to aid in their transition back into the community. All

committed juveniles come before the **Juvenile Parole Board**, which interviews the juvenile and reviews his/her record. The Juvenile Parole Board has the authority to grant, deny, modify, suspend, or revoke, and specify conditions of parole. The board also determines the conditions of parole for those youth who completed their commitment in placement and are subject to mandatory parole.

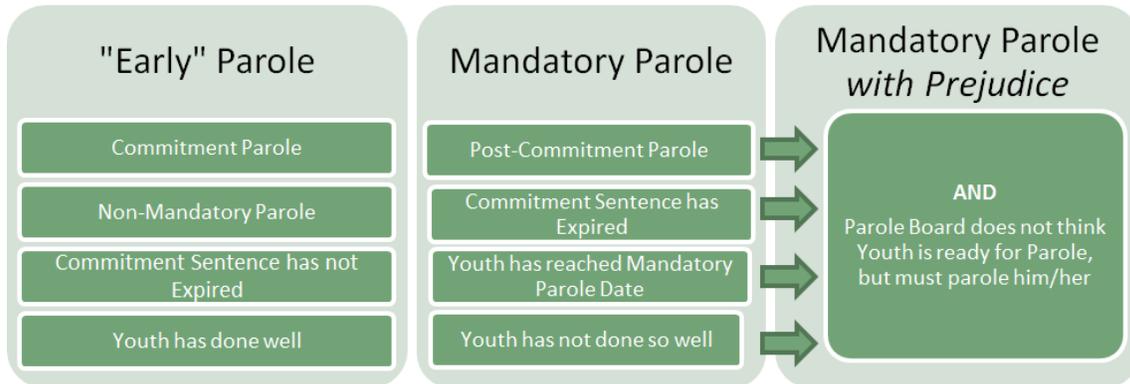
**Release** from commitment decisions are made in several ways in Colorado. The release date can be determined by court order through mandatory sentencing; in this case, the juvenile can't be released until the sentence is completed. Also, discretionary release is possible, in which a set of behavioral criteria is used to determine if a juvenile should be released. Finally, the juvenile may come before the Juvenile Parole Board, which interviews the juvenile and reviews his/her record when deciding whether to grant parole.

The Juvenile Parole Board has the authority to grant, deny, modify, suspend, or revoke, and specify conditions of parole. The board also determines the conditions of parole for those youth who completed their commitment in placement and are subject to mandatory parole. The Board is made up of nine part-time members who are appointed by the Governor and confirmed by the Senate. Members are chosen from the Department of Human Services, the Department of Public Safety, the Department of Education, and the Department of Labor and Employment. One member is a local elected official and four members are citizens. The CJRA is currently being used to assist in making release decisions.

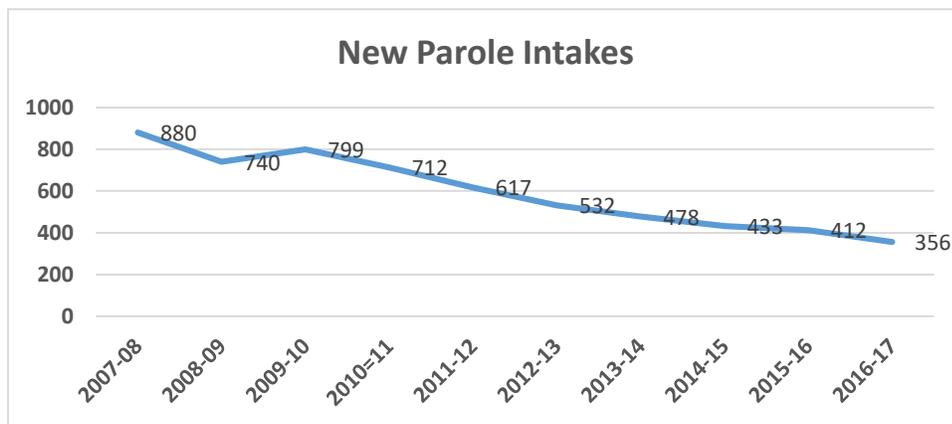
Client-Managers from the Division of Youth Services supervise juveniles on **parole**. By law, all juveniles released from commitment must be provided with a period of mandatory services and supervision to aid in their transition back into the community. In 2001, the mandatory parole period was decreased from twelve to nine months for juveniles committed for less serious offenses;

however, the Juvenile Parole Board was able to extend the period of parole to 12 months for juveniles committed for a felony person offense, or up to 15 months if special circumstances exist. Then in 2003-2004, SB 03-284 shortened the mandatory parole length from nine to six months, effective May 1, 2003. (For youth paroled on or after May 1, 2003, the mandatory parole period is six months; however, the law authorizes the Board to extend the parole for some categories of serious offenders up to a maximum of 21 months.) (Source: Management Reference Manual, Division of Youth Corrections, FY 2003-2004, Division of Youth Corrections)

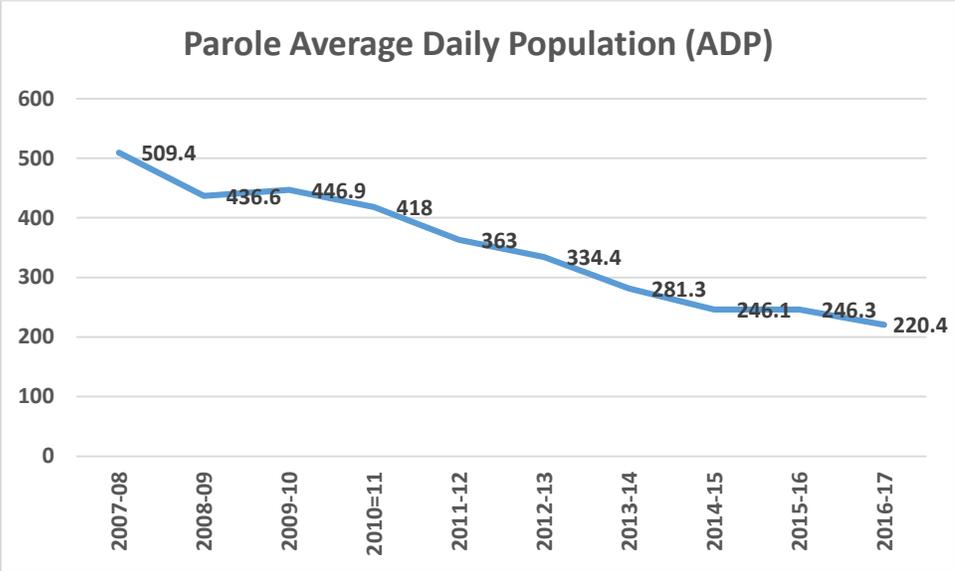
Types of Parole



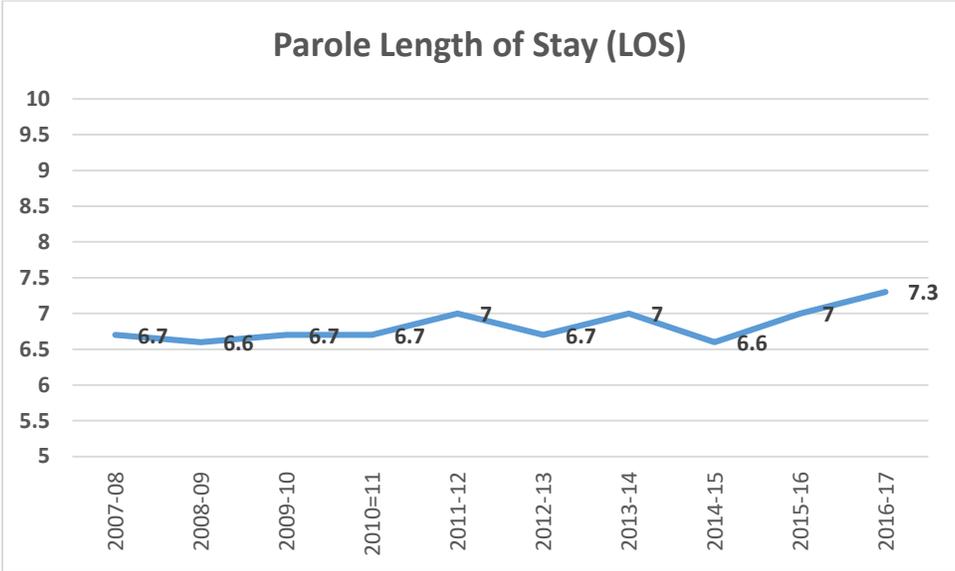
During Fiscal Year 2016-17, the parole population experienced the seventh straight year of population decline; clients served decreased by 9.4%, new intakes decreased by 13.6%.



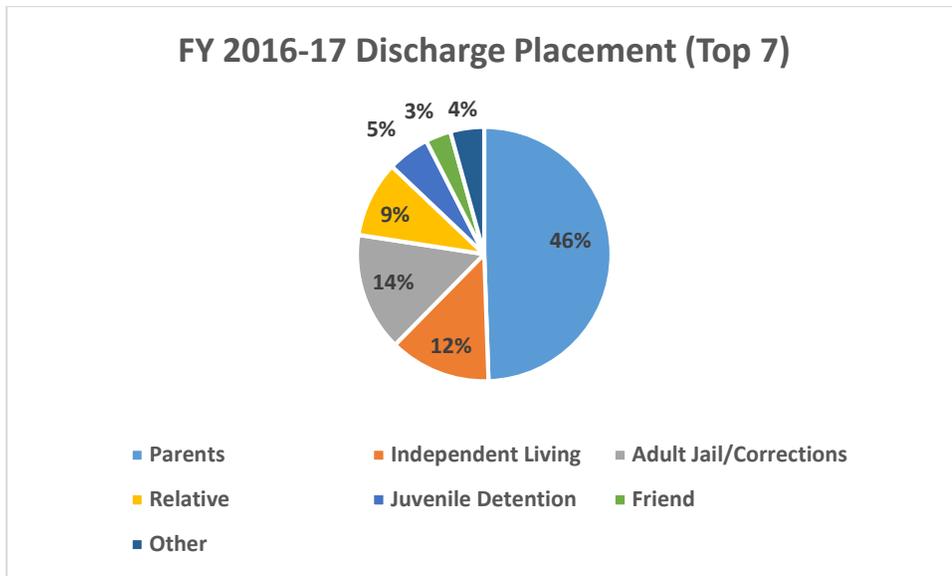
During FY 2016-17, the average daily population also decreased by 10.5%.



The Length of Service (LOS), however, increased by 3.9%, and was approximately nine days longer for FY 2016-17 discharges (7.3 months) than the prior fiscal year's Parole LOS of 7.0 months.



The average age at discharge from parole was 19.1 years in FY 2016-17 with 46% of youth discharging to a parental setting.



Program Status at Discharge included 34.6% working, 31.9% with no program, 19% in school and working, and 9,6% with school only.

**Recidivism**

In its *Recidivism Evaluation of Committed Youth Discharged in Fiscal Years 2011-12, and 2013-14, 2014-15* published in January of 2017, the Division of Youth Corrections (now the Division of Youth Services or DYS) reported on three discrete cohorts of discharged youth. DYS defines recidivism as a new adjudication or conviction of a misdemeanor or felony offense, within the specified period of time. This definition was changed in FY 2012-13 from defining recidivism as a new filing. Readers of this Three Year Plan are highly encourages to read the full report (<https://www.colorado.gov/pacific/cdhs/publications-reports>) which offers a much greater analysis than can be provided here.

Post-discharge refers to new offenses after a youth is fully discharged from DYS oversight. Post-discharge recidivism is the main outcome measure utilized by most juvenile justice agencies

across the nation. Post-discharge recidivism is the one measure that gauges how well a youth is able to re-integrate into the community, and remain crime-free, without a justice agency's oversight and services.

### **One-year recidivism rate**

Fiscal Year 2014-15: Four hundred seventy-six (476) youth discharged from DYS. Among these discharged youth, 86% were male, and 14% were female. This cohort was used to determine a one-year recidivism rate.

- For youth who discharged in FY 2014-15, **30.9%** (147 out of 476 youth) had recidivated within one year of their discharge from DYS.
- There were 411 males in the one-year post-discharge cohort. Of these 411 males, 138 had recidivated within the one-year follow-up period (**33.6%**).
- There were 65 females in the one-year post-discharge cohort. Of these 65 females, 9 had recidivated within the one-year follow-up period (**13.8%**).

### **Two-year recidivism rate**

Fiscal Year 2013-14: Five hundred fifty-six (556) youth discharged from DYS. Among these discharged youth, 86% were male, and 14% were female. This cohort was used to determine a two-year recidivism rate.

- For youth who discharged in FY 2013-14, **46.2%** (257 out of 556 youth) were guilty of one or more recidivist acts within two years of their discharge from DYS.

### **Three-year recidivism rate**

Fiscal Year 2012-13: Six hundred sixty-six (666) youth discharged from DYS. Among these discharged youth, 87% were male, and 13% were female. This cohort was used to determine a three-year recidivism rate.

- For youth who discharged in FY 2012-13, **53.9%** (359 out of 666 youth) were guilty of one or more recidivist acts within three years of their discharge from DYS.

**Data Sources for Colorado’s 2018-2020 Juvenile Justice and Delinquency Prevention Plan**

Division of Behavioral Health/COACT: <https://coactcolorado.org/>

Division of Child Welfare: <https://www.colorado.gov/pacific/cdhs/publications-reports>

Division of Criminal Justice: <https://www.colorado.gov/pacific/dcj/node/192551>

Department of Education: <http://www.cde.state.co.us/cdereval>

Division of Probation Services: <https://www.courts.state.co.us/Administration/Unit.cfm?Unit=annrep>

Division of Youth Services: <https://www.colorado.gov/pacific/cdhs/publications-reports>

2018



## HOUSE JOINT RESOLUTION 18-1013

**BY REPRESENTATIVE(S) Kraft-Tharp and Lee, Arndt, Becker J., Becker K., Beckman, Benavidez, Bridges, Buck, Buckner, Carver, Catlin, Coleman, Covarrubias, Danielson, Esgar, Everett, Exum, Foote, Garnett, Ginal, Gray, Hamner, Hansen, Herod, Hooton, Humphrey, Jackson, Kennedy, Landgraf, Lawrence, Leonard, Lewis, Liston, Lontine, Lundeen, McKean, McLachlan, Melton, Michaelson Jenet, Neville P., Pabon, Pettersen, Rankin, Ransom, Reyher, Roberts, Rosenthal, Saine, Salazar, Sandridge, Sias, Singer, Thurlow, Valdez, Van Winkle, Weissman, Willett, Williams D., Wilson, Winkler, Winter, Wist, Young, Duran;**  
**also SENATOR(S) Gardner and Martinez Humenik, Aguilar, Baumgardner, Cooke, Coram, Court, Crowder, Donovan, Fenberg, Fields, Garcia, Guzman, Hill, Holbert, Jahn, Jones, Kagan, Kefalas, Kerr, Lambert, Lundberg, Marble, Merrifield, Moreno, Neville T., Priola, Scott, Smallwood, Sonnenberg, Tate, Todd, Williams A., Zenzinger, Grantham.**

**CONCERNING RECOGNITION OF THE WORK OF THE COLORADO JUVENILE JUSTICE AND DELINQUENCY PREVENTION COUNCIL, AND, IN CONNECTION THEREWITH, DIRECTING THE COUNCIL TO REDRAFT ARTICLE 2 OF THE COLORADO CHILDREN'S CODE.**

WHEREAS, The Colorado Juvenile Justice and Delinquency Prevention Council (JJDP Council) provides statewide leadership and advocacy to improve the juvenile justice system, prevent delinquency, and ensure equal justice and accountability for all youth while maximizing community safety; and

WHEREAS, The Children's Code Committee (Committee) of the JJDP Council has established two primary reasons for recodifying article 2 of the Children's Code (Code) of the Colorado Revised Statutes: The

first is to improve the clarity of the laws for those who implement them, as well as those who are affected by them, and the second is to ensure that any future changes or modifications to the Code are in line with established best practices and current research; and

WHEREAS, The Committee has found that article 2 of the Code is ripe for contextual review given the advances in juvenile research that have occurred since it was last revised, including the increased understanding of adolescent brain development, youth development, effective public safety measures, and the need for family engagement, and the Committee believes these advances should be reflected in Colorado's laws; and

WHEREAS, To achieve these goals, the Committee has developed a two-phase approach: The first was to reorder article 2 of the Code based on how a juvenile proceeds through the system; now, in phase two, the Committee continues to work to improve article 2 of the Code by developing and proposing recommendations that are informed by the hallmarks of the developmental approach and existing Colorado practices and that are based on a series of strategic questions, research, and the foundational work completed by the Committee; and

WHEREAS, The important work of the Committee and the JJDP Council is paramount to creating a developmentally appropriate juvenile justice system that promotes public safety, individual accountability, juvenile rehabilitation, and positive adolescent development; now, therefore,

*Be It Resolved by the House of Representatives of the Seventy-first General Assembly of the State of Colorado, the Senate concurring herein:*

That we, the General Assembly:

(1) Recognize that a developmental and evidence-based approach to reforming juvenile justice in Colorado begins with both the Juvenile Justice and Delinquency Prevention Council and the Children's Code Committee; and

(2) In accordance with these principles, encourage the JJDP Council and the Committee to redraft article 2 of the Children's Code by August of 2020.

*Be It Further Resolved*, That copies of this Joint Resolution be sent to the Juvenile Justice and Delinquency Prevention Council; the members of the Children's Code Committee; the Executive Director of the Department of Public Safety; the Executive Director of the Colorado Department of Human Services; the Director of the Division of Youth Services; the Director of the Division of Child Welfare; the Director of the Office of Behavioral Health; the Colorado District Attorneys' Council; the State Public Defender; the Director of the Office of Alternate Defense Counsel; the Director of the Office of the Child's Representative; the State Court Administrator; the Chair of the Colorado State Board of Education; the Colorado Commissioner of Education; the Colorado Association of Chiefs of Police; Denise Maes, Public Policy Director of the ACLU of Colorado; Rebecca Wallace, staff counsel at the ACLU of Colorado; Judge David Miller, 4th Judicial District Judge; Stephanie Villafuerte, Child Protection Ombudsman; Director of Probation Services at State Judicial; Chair of the Juvenile Parole Board; and the County Sheriffs of Colorado, so they can be informed and develop a process for involvement with the JJDP Council for involvement in this Code review and work.

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Crisanta Duran  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Kevin J. Grantham  
PRESIDENT OF  
THE SENATE

---

Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

---

Effie Ameen  
SECRETARY OF  
THE SENATE

# An Act

SENATE BILL 18-154

BY SENATOR(S) Fields, Aguilar, Court, Donovan, Garcia, Jahn, Jones, Kagan, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Todd, Williams A., Zenzinger;  
also REPRESENTATIVE(S) Salazar, Arndt, Coleman, Exum, Herod, Hooton, Kennedy, Kraft-Tharp, Lee, Lontine, Melton, Michaelson Jenet, Rosenthal, Weissman, Young, Duran.

CONCERNING A REQUIREMENT FOR A LOCAL JUVENILE SERVICES PLANNING COMMITTEE TO DEVISE A PLAN TO MANAGE DUALY IDENTIFIED CROSSOVER YOUTH.

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** In Colorado Revised Statutes, 19-1-103, **amend** (34.7); and **add** (34.8) and (44.7) as follows:

**19-1-103. Definitions.** As used in this title 19 or in the specified portion of this title 19, unless the context otherwise requires:

(34.7) ~~"Custodial adoption", as used in part 2 of article 5 of this title, means an adoption of a child by any person and such person's spouse, as required under section 19-5-202 (3), who:~~ "CROSSOVER YOUTH PLAN" MEANS THE PORTION OF THE ANNUAL PLAN AS SET FORTH IN SECTION

*Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

19-2-211 DEVISED IN EACH JUDICIAL DISTRICT BY THE JUVENILE SERVICES PLANNING COMMITTEE THAT OUTLINES IDENTIFICATION AND NOTIFICATION OF DUALY IDENTIFIED CROSSOVER YOUTH AS DESCRIBED IN SECTION 19-2-211 (2).

~~(a) Has been awarded custody or allocated parental responsibilities by a court of law in a dissolution of marriage, custody or allocation of parental responsibilities proceeding, or has been awarded guardianship of the child by a court of law in a probate action, such as pursuant to part 2 of article 14 of title 15, C.R.S.; and~~

~~(b) Has had physical custody of the child for a period of one year or more.~~

(34.8) "CUSTODIAL ADOPTION", AS USED IN PART 2 OF ARTICLE 5 OF THIS TITLE 19, MEANS AN ADOPTION OF A CHILD BY ANY PERSON AND SUCH PERSON'S SPOUSE, AS REQUIRED UNDER SECTION 19-5-202 (3), WHO:

(a) HAS BEEN AWARDED CUSTODY OR ALLOCATED PARENTAL RESPONSIBILITIES BY A COURT OF LAW IN A DISSOLUTION OF MARRIAGE, CUSTODY OR ALLOCATION OF PARENTAL RESPONSIBILITIES PROCEEDING, OR HAS BEEN AWARDED GUARDIANSHIP OF THE CHILD BY A COURT OF LAW IN A PROBATE ACTION, SUCH AS PURSUANT TO PART 2 OF ARTICLE 14 OF TITLE 15; AND

(b) HAS HAD PHYSICAL CUSTODY OF THE CHILD FOR A PERIOD OF ONE YEAR OR MORE.

(44.7) "DUALY IDENTIFIED CROSSOVER YOUTH" MEANS YOUTH WHO ARE CURRENTLY INVOLVED IN THE JUVENILE JUSTICE SYSTEM AND THE CHILD WELFARE SYSTEM OR HAVE A HISTORY IN THE CHILD WELFARE SYSTEM THAT INCLUDES, BUT IS NOT LIMITED TO, A FAMILY ASSESSMENT RESPONSE SERVICE PLAN OR AN OPEN CASE.

**SECTION 2.** In Colorado Revised Statutes, **amend** 19-2-211 as follows:

**19-2-211. Local juvenile services planning committee - creation - duties - identification and notification of dually identified crossover youth.** (1) If all of the boards of commissioners of each county or the city

council of each city and county in a judicial district agree, there may be created in the judicial district a local juvenile services planning committee that is appointed by the chief judge of the judicial district or, for the second judicial district, the presiding judge of the Denver juvenile court from persons recommended by the boards of commissioners of each county or the city council of each city and county within the judicial district. The committee, if practicable, must include, but need not be limited to, a representative from the county department of HUMAN OR social services, a local school district, a local law enforcement agency, a local probation department, the division of youth services, private citizens, the district attorney's office, and the public defender's office and a community mental health representative and a representative of the concerns of municipalities. The committee, if created, shall meet as necessary to develop a plan for the allocation of resources for local juvenile services within the judicial district for the fiscal year. The committee is strongly encouraged to consider programs with restorative justice components when developing the plan. The plan must be approved by the department of human services. A local juvenile services planning committee may be consolidated with other local advisory boards pursuant to section 24-1.7-103.

(2) THE PLAN MUST INCLUDE FOR THE MANAGEMENT OF DUALY IDENTIFIED CROSSOVER YOUTH. THE PLAN MUST CONTAIN DESCRIPTIONS AND PROCESSES TO INCLUDE THE FOLLOWING:

(a) A PROCESS FOR THE IDENTIFICATION OF DUALY IDENTIFIED CROSSOVER YOUTH AT THE EARLIEST REASONABLE POINT OF CONTACT;

(b) A METHOD FOR COLLABORATING AND EXCHANGING INFORMATION WITH OTHER JUDICIAL DISTRICTS, INCLUDING WITH THE COLLABORATIVE MANAGEMENT PROGRAM DESCRIBED IN SECTION 24-1.9-102 AND CONSISTENT WITH THE DATA-SHARING POLICIES OF THE COLLABORATIVE MANAGEMENT PROGRAM;

(c) A PROCESS FOR PROMPTLY COMMUNICATING INFORMATION ABOUT THE YOUTH'S CROSSOVER STATUS BETWEEN THE CHILD WELFARE AND JUVENILE JUSTICE SYSTEMS AND TO NOTIFY EACH OTHER OF THE NEW INVOLVEMENT IN THE RESPECTIVE SYSTEM OR INFORMATION THAT MAY AID IN THE IDENTIFICATION OF DUALY IDENTIFIED CROSSOVER YOUTH. THE FOLLOWING PARTIES SHOULD BE NOTIFIED OF A JUVENILE'S STATUS AS A DUALY IDENTIFIED CROSSOVER YOUTH IF APPLICABLE: PUBLIC DEFENDERS,

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DISTRICT ATTORNEYS, LOCAL JUVENILE SERVICES PLANNING COMMITTEE COORDINATORS, HUMAN OR SOCIAL SERVICES REPRESENTATIVES, PROBATION REPRESENTATIVES, JUVENILE COURT REPRESENTATIVES, PARENTS, AND GUARDIANS AD LITEM.

(d) A PROCESS FOR IDENTIFYING THE APPROPRIATE SERVICES OR PLACEMENT-BASED ASSESSMENT FOR A DUALY IDENTIFIED CROSSOVER YOUTH;

(e) A PROCESS FOR SHARING AND GATHERING INFORMATION IN ACCORDANCE WITH APPLICABLE LAWS, RULES, AND COUNTY POLICY;

(f) A PROCESS FOR THE DEVELOPMENT OF A SINGLE CASE MANAGEMENT PLAN AND IDENTIFICATION OF THE LEAD AGENCY FOR CASE MANAGEMENT PURPOSES AND THE ENGAGEMENT OF DUALY IDENTIFIED CROSSOVER YOUTH AND THEIR CAREGIVERS;

(g) A PROCESS THAT FACILITATES THE SHARING OF ASSESSMENTS AND CASE PLANNING INFORMATION AND INCLUDES POLICIES AROUND SHARING INFORMATION WITH OTHER JUDICIAL DISTRICTS;

(h) A PROCESS FOR A MULTIDISCIPLINARY GROUP OF PROFESSIONALS TO CONSIDER DECISIONS THAT INCLUDE: YOUTH AND COMMUNITY SAFETY, PLACEMENT, PROVISION OF NEEDED SERVICES, ALTERNATIVES TO DETENTION AND COMMITMENT, PROBATION, PAROLE, PERMANENCY, EDUCATION STABILITY, AND CASE CLOSURE; AND

(i) A REQUIREMENT THAT DUALY IDENTIFIED CROSSOVER YOUTH PLACED IN A SECURE DETENTION FACILITY WHO ARE DEEMED ELIGIBLE FOR RELEASE BY THE COURT BE PLACED IN THE LEAST RESTRICTIVE SETTING WHENEVER POSSIBLE TO REDUCE THE DISPARITY BETWEEN DUALY IDENTIFIED CROSSOVER YOUTH AND NONDUALY IDENTIFIED CROSSOVER YOUTH IN SECURE DETENTION.

**SECTION 3.** In Colorado Revised Statutes, 24-1.9-102, **amend** (1)(e) as follows:

**24-1.9-102. Memorandum of understanding - local-level interagency oversight groups - individualized service and support teams - coordination of services for children and families -**

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**requirements - waiver.** (1) (e) Nothing shall preclude the agencies specified in ~~paragraphs (a) and (a.5) of this subsection (1)~~ SUBSECTIONS (1)(a) AND (1)(a.5) OF THIS SECTION from including parties in addition to the agencies specified in ~~paragraphs (a) and (a.5) of this subsection (1)~~ SUBSECTIONS (1)(a) AND (1)(a.5) OF THIS SECTION in the memorandums of understanding developed for purposes of this section, AND WHICH MAY INCLUDE THE JUVENILE SERVICES PLANNING COMMITTEE AS DESCRIBED IN SECTION 19-2-211.

**SECTION 4.** In Colorado Revised Statutes, 39-28.8-501, **amend** (2)(b)(IV)(M) and (2)(b)(IV)(N); and **add** (2)(b)(IV)(O) as follows:

**39-28.8-501. Marijuana tax cash fund - creation - distribution - legislative declaration.** (2) (b) (IV) Subject to the limitation in subsection (5) of this section, the general assembly may annually appropriate any money in the fund for any fiscal year following the fiscal year in which it was received by the state for the following purposes:

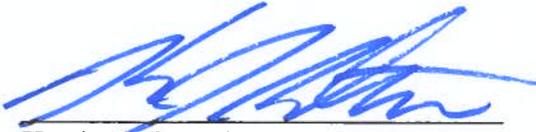
(M) For the expenses of the department of education and the department of public health and environment in developing and maintaining the resource bank for educational materials on marijuana and providing technical assistance as required in section 22-2-127.7; **and**

(N) For housing, rental assistance, and supportive services, including reentry services, pursuant to section 24-32-721; **AND**

(O) FOR THE DEVELOPMENT OF LOCAL DUALY IDENTIFIED CROSSOVER YOUTH PLANS AND SERVICES AS DESCRIBED IN SECTION 19-2-211 (2).

**SECTION 5. Safety clause.** The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.



Kevin J. Grantham  
PRESIDENT OF  
THE SENATE



Crisanta Duran  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES



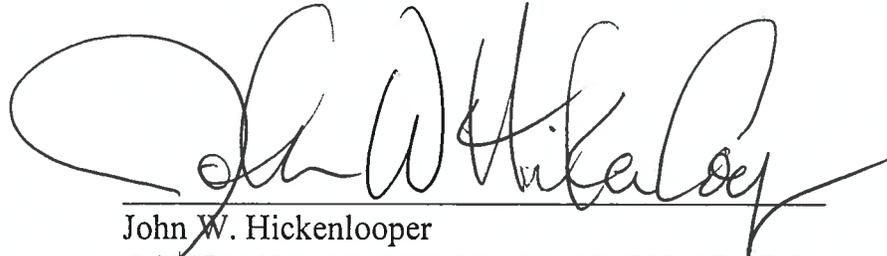
Effie Ameen  
SECRETARY OF  
THE SENATE



Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

APPROVED

3:18 PM 4/25/18



John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO

**NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**



HOUSE BILL 18-1156

BY REPRESENTATIVE(S) Lee, Lundeen, Arndt, Becker K., Benavidez, Bridges, Buckner, Coleman, Exum, Garnett, Gray, Hamner, Hansen, Herod, Hooton, Humphrey, Jackson, Kennedy, Lontine, McLachlan, Melton, Michaelson Jenet, Pabon, Pettersen, Roberts, Rosenthal, Saine, Salazar, Singer, Valdez, Weissman, Winter, Young, Duran, Kraft-Tharp, Neville P.; also SENATOR(S) Holbert, Kagan, Kefalas, Moreno, Todd.

CONCERNING LIMITATIONS ON PENALTIES FOR TRUANCY.

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1. Legislative declaration.** (1) The general assembly finds and declares that:

(a) The general assembly has previously declared, in House Bill 11-1053, enacted in 2011, that "[t]he best practice for addressing truancy is a graduated approach that includes early intervention", and that youth who are truant and "who have committed no criminal offense . . . may be physically and emotionally unprepared for the stress" of the juvenile justice system;

(b) Yet, in 2017, youth who were truant were held in secure confinement in a facility more than forty times;

(c) National and Colorado studies clearly demonstrate that placing a youth in secure confinement for truancy alone is counterproductive and harmful to the youth and the community for the following reasons:

(I) A youth who was detained for truancy is 14.5 times less likely to graduate from high school than a youth who was found truant but not detained; and

(II) Detention for truancy increases the likelihood of future criminal behavior. Youth who are truant are not charged with any criminal conduct, but placing these youth in secure confinement with youth who are charged with criminal conduct increases the likelihood the truant youth will subsequently engage in criminal behavior.

(d) The state has a strong interest in preserving limited and costly youth detention beds for youth who have been accused of or adjudicated for dangerous criminal conduct; and

(e) Truancy by a youth does not pose an inherent or immediate threat to the safety of the youth or the community.

(2) The general assembly therefore finds that youth in Colorado should not be placed in secure confinement for truancy alone. The general assembly further finds that the power of the court to sanction youth for contempt, including sanctions of detention and incarceration, is an inherent power of the court that may not be abrogated by the legislature, pursuant to article III of the state constitution.

**SECTION 2.** In Colorado Revised Statutes, 22-33-102, **amend** the introductory portion and (5); and **add** (3.5) as follows:

**22-33-102. Definitions.** As used in this ~~article~~ ARTICLE 33, unless the context otherwise requires:

(3.5) "CHILD WHO IS HABITUALLY TRUANT" MEANS A CHILD WHO IS SIX YEARS OF AGE ON OR BEFORE AUGUST 1 OF THE YEAR IN QUESTION AND IS UNDER SEVENTEEN YEARS OF AGE AND WHO HAS FOUR UNEXCUSED ABSENCES FROM PUBLIC SCHOOL IN ANY ONE MONTH OR TEN UNEXCUSED ABSENCES FROM PUBLIC SCHOOL DURING ANY ACADEMIC YEAR. ABSENCES

DUE TO SUSPENSION OR EXPULSION OF A CHILD ARE CONSIDERED EXCUSED ABSENCES FOR PURPOSES OF THIS ARTICLE 33.

(5) "Delinquent act" ~~has the same meaning as set forth in section 19-1-103 (36), C.R.S.~~ MEANS A VIOLATION OF ANY STATUTE, ORDINANCE, OR ORDER ENUMERATED IN SECTION 19-2-104 (1)(a). IF A JUVENILE IS ALLEGED TO HAVE COMMITTED OR IS FOUND GUILTY OF A DELINQUENT ACT, THE CLASSIFICATION AND DEGREE OF THE OFFENSE IS DETERMINED BY THE STATUTE, ORDINANCE, OR ORDER THAT THE PETITION ALLEGES WAS VIOLATED. "DELINQUENT ACT" DOES NOT INCLUDE TRUANCY OR HABITUAL TRUANCY.

**SECTION 3.** In Colorado Revised Statutes, 22-33-104.5, **amend** (3) introductory portion and (3)(b) as follows:

**22-33-104.5. Home-based education - legislative declaration - definitions - guidelines.** (3) The following guidelines ~~shall~~ apply to a nonpublic home-based educational program:

(b) A child who is participating in a nonpublic home-based educational program ~~shall~~ IS NOT BE subject to compulsory school attendance as provided in this ~~article~~ ARTICLE 33; except that any child who is habitually truant, as defined in ~~section 22-33-107 (3)~~ SECTION 22-33-102 (3.5), at any time during the last six months that the child attended school before proposed enrollment in a nonpublic home-based educational program may not be enrolled in the program unless the child's parents first submit a written description of the curricula to be used in the program along with the written notification of establishment of the program required in ~~paragraph (e) of this subsection (3)~~ SUBSECTION (3)(e) OF THIS SECTION to any school district within the state.

**SECTION 4.** In Colorado Revised Statutes, 22-33-107, **amend** (3)(b) introductory portion and (4); and **repeal** (3)(a)(I) as follows:

**22-33-107. Enforcement of compulsory school attendance - definitions.** (3) (a) As used in this subsection (3):

(I) ~~"Child who is habitually truant" means a child who has attained the age of six years on or before August 1 of the year in question and is under the age of seventeen years and who has four unexcused absences~~

~~from public school in any one month or ten unexcused absences from public school during any school year. Absences due to suspension or expulsion of a child are considered excused absences for purposes of this subsection (3).~~

(b) The board of education of each school district shall adopt and implement policies and procedures concerning elementary and secondary school attendance, including but not limited to policies and procedures to work with children who are habitually truant. The policies and procedures must include provisions for the development of a plan. The plan must be developed with the goal of assisting the child to remain in school and, when practicable, with the full participation of the child's parent, guardian, or legal custodian. Appropriate school personnel shall make all reasonable efforts to meet with the parent, guardian, or legal custodian of the child to review and evaluate the reasons for the child's truancy. The appropriate school personnel are encouraged to work with the local community services group to develop the plan. THE PLAN MUST BE IN COMPLIANCE WITH SECTION 22-33-108 (7) AND INCLUDE APPROPRIATE SANCTIONS OTHER THAN PLACEMENT IN A JUVENILE DETENTION FACILITY FOR A CHILD WHO IS HABITUALLY TRUANT AND WHO HAS REFUSED TO COMPLY WITH THE PLAN. The policies and procedures may also include but need not be limited to the following:

(4) On or before September 15, 2010, and on or before September 15 each year thereafter, the board of education of each school district shall report to the department of education the number of ~~students identified as~~ CHILDREN WHO ARE habitually truant, as defined in ~~paragraph (a) of subsection (3) of this section~~ SECTION 22-33-102 (3.5), for the preceding academic year. The department shall post this information for each school district on its website for the public to access and may post additional information reported by school districts related to truancy.

**SECTION 5.** In Colorado Revised Statutes, 22-33-108, **amend** (7) as follows:

**22-33-108. Judicial proceedings.** (7) (a) If the child OR YOUTH does not comply with the valid court order issued against the child OR YOUTH or against both the parent and the child OR YOUTH, the court may order that an assessment for neglect as described in section 19-3-102 (1) ~~C.R.S.~~, be conducted as provided in section 19-3-501. ~~C.R.S.~~ In addition, the court may order the child OR YOUTH to show cause why he or she should

not be held in contempt of court. WHEN INSTITUTING CONTEMPT OF COURT PROCEEDINGS PURSUANT TO THIS SUBSECTION (7), THE COURT SHALL PROVIDE ALL PROCEDURAL PROTECTIONS MANDATED IN RULE 107 OF THE COLORADO RULES OF CIVIL PROCEDURE, OR ANY SUCCESSOR RULE, CONCERNING PUNITIVE SANCTIONS FOR CONTEMPT.

(a.5) A JUDGE OR MAGISTRATE OF ANY COURT MAY ISSUE A WARRANT THAT AUTHORIZES THE TAKING INTO TEMPORARY CUSTODY OF A CHILD OR YOUTH WHO HAS FAILED TO APPEAR FOR A COURT HEARING FOR A TRUANCY OR CONTEMPT ACTION; EXCEPT THAT ANY SUCH WARRANT MUST PROVIDE FOR RELEASE OF THE CHILD OR YOUTH FROM TEMPORARY CUSTODY ON AN UNSECURED PERSONAL RECOGNIZANCE BOND THAT IS COSIGNED BY THE CHILD'S OR YOUTH'S PARENT OR LEGAL GUARDIAN OR, IF THE CHILD OR YOUTH IS IN THE CUSTODY OF THE DEPARTMENT OF HUMAN SERVICES, COSIGNING MAY BE ACCOMPLISHED BY A REPRESENTATIVE OF THE DEPARTMENT OF HUMAN SERVICES. IN THE ALTERNATIVE, THE WARRANT MAY DIRECT THAT THE CHILD OR YOUTH MUST ONLY BE ARRESTED WHILE COURT IS IN SESSION AND THAT HE OR SHE BE TAKEN DIRECTLY TO COURT FOR AN APPEARANCE RATHER THAN BOOKED INTO SECURE CONFINEMENT.

(b) The court may impose sanctions after a finding of contempt that may include, but need not be limited to, community service to be performed by the child OR YOUTH, supervised activities, participation in services for at-risk students, as described by section 22-33-204, and other activities having ~~goals that shall ensure~~ THE GOAL OF ENSURING that the child OR YOUTH has an opportunity to obtain a quality education.

(c) (I) If the court finds that the child OR YOUTH has refused to comply with the plan created for the child OR YOUTH pursuant to section 22-33-107 (3), the court may impose on the child OR YOUTH, as a sanction for contempt of court, a sentence of detention for no more than ~~five days~~ FORTY-EIGHT HOURS in a juvenile detention facility operated by or under contract with the department of human services pursuant to section 19-2-402 ~~C.R.S.~~, and any rules promulgated by the Colorado supreme court. THE COURT SHALL NOT SENTENCE A CHILD OR YOUTH TO DETENTION AS A SANCTION FOR CONTEMPT OF COURT UNLESS THE COURT FINDS THAT DETENTION IS IN THE BEST INTEREST OF THE CHILD OR YOUTH AS WELL AS THE PUBLIC. IN MAKING SUCH A FINDING, THE COURT SHALL CONSIDER THE FOLLOWING FACTORS, INCLUDING THAT:

(A) THE CHILD OR YOUTH HAS VIOLATED A VALID COURT ORDER;

(B) NATIONAL AND COLORADO-SPECIFIC EVIDENCE SHOWS THAT DETAINING CHILDREN AND YOUTH FOR TRUANCY ALONE IS COUNTERPRODUCTIVE AND HARMFUL TO CHILDREN AND YOUTH;

(C) THE LEGISLATIVE INTENT IS THAT A CHILD OR YOUTH WHO IS TRUANT MUST NOT BE PLACED IN SECURE CONFINEMENT FOR TRUANCY ALONE;

(D) DETENTION IS LIKELY TO HAVE A DETRIMENTAL EFFECT ON THE CHILD'S OR YOUTH'S SCHOOL ATTENDANCE; AND

(E) DETENTION IS LIKELY TO HAVE AN EFFECT ON THE CHILD'S OR YOUTH'S FUTURE INVOLVEMENT WITH THE CRIMINAL JUSTICE SYSTEM.

(II) THERE IS A REBUTTABLE PRESUMPTION THAT A CHILD OR YOUTH MUST RECEIVE CREDIT FOR TIME SERVED IF HE OR SHE IS SENTENCED TO DETENTION PURSUANT TO SUBSECTION (7)(c)(I) OF THIS SECTION FOR VIOLATING A VALID COURT ORDER TO ATTEND SCHOOL. IF THE COURT REBUTS THIS PRESUMPTION, IT SHALL EXPLAIN ITS REASONING ON THE RECORD.

**SECTION 6.** In Colorado Revised Statutes, 19-1-103, **amend** (36) as follows:

**19-1-103. Definitions.** As used in this title 19 or in the specified portion of this title 19, unless the context otherwise requires:

(36) "Delinquent act", as used in article 2 of this ~~title~~ TITLE 19, means a violation of any statute, ordinance, or order enumerated in section 19-2-104 (1)(a). If a juvenile is alleged to have committed or is found guilty of a delinquent act, the classification and degree of the offense ~~shall be~~ IS determined by the statute, ordinance, or order that the petition alleges was violated. "DELINQUENT ACT" DOES NOT INCLUDE TRUANCY OR HABITUAL TRUANCY.

**SECTION 7.** In Colorado Revised Statutes, 19-2-503, **amend** (3) as follows:

**19-2-503. Issuance of a lawful warrant taking a juvenile into custody.** (3) A warrant for the arrest of a juvenile for violation of the conditions of probation or of a bail bond may be issued by any judge of a court of record or juvenile magistrate upon the report of a juvenile probation officer or upon the verified complaint of any person, establishing to the satisfaction of the judge or juvenile magistrate probable cause to believe that a condition of probation or of a bail bond has been violated and that the arrest of the juvenile is reasonably necessary. The warrant may be executed by any juvenile probation officer or by a peace officer authorized to execute warrants in the county in which the juvenile is found. IF THE WARRANT IS FOR A JUVENILE FOUND IN CONTEMPT OF COURT IN A TRUANCY PROCEEDING, THE COURT SHALL FOLLOW THE PROCEDURES SET FORTH IN SECTION 22-33-108 (7).

**SECTION 8.** In Colorado Revised Statutes, 19-2-310, **amend** (2) as follows:

**19-2-310. Appropriations to department of human services for services to juveniles - definition.** (2) For the purposes of this section, a "juvenile" also includes a youth ten years of age and older but less than ~~thirteen~~ SEVENTEEN years of age who ~~received a district court filing and who otherwise could not be detained~~ IS HABITUALLY TRUANT, AS DEFINED IN SECTION 22-33-102 (3.5), AND WHO THE COURT HAS ORDERED TO SHOW CAUSE WHY HE OR SHE SHOULD NOT BE HELD IN CONTEMPT OF COURT PURSUANT TO SECTION 22-33-108 (7), WHEN FUNDS ARE EXPENDED FOR SERVICES THAT ARE INTENDED TO PREVENT THE YOUTH FROM BEING HELD IN DETENTION OR SENTENCED TO DETENTION.

**SECTION 9. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2018 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

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Crisanta Duran  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Kevin J. Grantham  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Effie Ameen  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO