

# **Senate Bill 94 (SB 94) Evaluation**

## **Annual Report**

**Fiscal Year 2009-10**

**July, 2009 – June, 2010**

**Colorado Department of Human Services**

Office of Children, Youth and Families

Division of Youth Corrections

 **TRIWEST GROUP**



# Senate Bill 94 Evaluation

## Annual Report

Submitted to:

Colorado Department of Human Services

Office of Children, Youth and Families

Division of Youth Corrections

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# Brief List of Acronyms

CJRA – Colorado Juvenile Risk Assessment

DYC – Division of Youth Corrections

HB-1451 – House Bill 04-1451 for collaborative management of multi-agency services  
provided to children youth and families

JDSAG – Juvenile Detention Screening and Assessment Guide

LOS – Length of Service (Stay)

SB 94 – Senate Bill 94

TRAILS – Automated data system used by DYC

YSC – Youth Services Center







# Executive Summary

Each year the Joint Budget Committee sends a letter to the Governor requesting information associated with a list of specific Long Bill line items. Those were included in Appendix C of the Long Bill (H.B. 10-1376) narrative. Item 35 in that list was specific to SB 94 and contained the following components:

1. Comparisons of trends in detention and commitment incarceration rates;
2. Profiles of youth served;
3. Progress in achieving the performance goals established by each judicial district;
4. The level of local funding for alternatives to detention; and
5. Identification and discussion of potential policy issues.

This evaluation report responds to each of the above items in presenting the findings of the evaluation of the SB 94 Program for FY 2009-10. This Executive Summary briefly presents the findings from each report section. More detail is provided in the narrative of the report and in the accompanying appendices.

**Summary.** Overall, the SB 94 Program continues to accomplish the General Assembly's vision of reducing the over use of secure detention in Division of Youth Corrections (DYC) facilities.

- Trends in detention and commitment rates have decreased over the past few years. Detention rates are at their lowest since SB 94 began, and commitment rates have dropped dramatically.
- Placement decisions are based on screening each youth referred for detention to determine the most appropriate placement and each youth's risk for reoffending. In addition, youth placement and risk profiles are used for individual youth to determine if a youth should be released from detention and in aggregate for the system to identify detention continuum needs.
- Judicial District success in achieving system wide performance goals is high, both for preadjudicated and sentenced youth. In addition, district specific goals are identified to promote programs for the priority needs in each district.
- The General Assembly's allocation of resources to the SB 94 Program, as well as Judicial District use of state funds in accord with statewide priorities to enhance screening and assessment and improve access to evidence-based services, has enabled these improvements. Additional local resources and collaborative efforts support and augment the use of DYC funds.
- The finding that, day to day, four out of five youth are served in community placements further shows that the practice of using the least restrictive setting is being followed.
- Judicial Districts continue to face issues that make the provision of services to youth and families a challenge in some cases. For example, many districts struggle to provide adequate services for youth with substance use problems.
- Judicial Districts are successfully managing their resources and the detention continuum to comply with the statewide limit of 479 detention beds passed in SB 03-286.



## SB 94 Program

During the 1991 Legislative Session, Senate Bill 91-94 was introduced and adopted<sup>1</sup> to fund services “intended to prevent the juvenile from being held in detention prior to adjudication, sentenced to detention, or committed to the Department of Human Services or to reduce the length of time the juvenile is held in preadjudication or postadjudication detention or held in a commitment facility.”

**SB 94 Context.** There are two primary contextual factors which must be considered in the analysis of SB 94 program performance in Fiscal Year (FY) 2009-10.

1. For FY 2009-10, funding for the SB 94 Program from the Colorado General Assembly was held at the same level as in the previous year, maintaining the near full restoration of prior multi-year state program reductions from FY 2002-03 through FY 2004-05.
2. The SB 94 Program has not increased available detention beds for seven years, maintaining the limit of 479 state-funded detention beds set during the 2003 Legislative Session by Senate Bill 03-286.

During the current fiscal year, DYC continued to advance the General Assembly’s directives by supporting Judicial District SB 94 program efforts using a continuum of secure detention and community-based services and in their ongoing successful implementation of the statutory limit on statewide detention bed capacity that was first instituted in FY 2003-04. Contemporaneous with the implementation of the statutory limits, DYC also initiated a systematic reorientation of its detention and commitment resources around a refined concept of a continuum of care. That is, the continuum of care process is data driven and evidence-based, with DYC seeking to employ continuum resources to respond to each youth as an individual and balance the needs of young persons with concern for the safety of all members of society.

## 1. Trends in Detention and Commitment

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The combined effect of the continuum reforms on detention and commitment use has been striking. A comprehensive assessment of DYC’s and SB 94’s success in managing limited numbers of secure detention beds (on a per population basis) as one resource within the broader detention continuum of services centers on five key indicators. Each indicator provides a perspective on detention bed use and describes performance, in some cases relative to a suggested performance standard.

1. Total client load represents the total number of youth served per day.
2. The maximum beds used at any given point during the day.
3. Days on which maximum bed use is at or above 90% of bed capacity.
4. Average length of service (LOS).
5. Average daily population (ADP) is limited to showing trends in bed use over time.

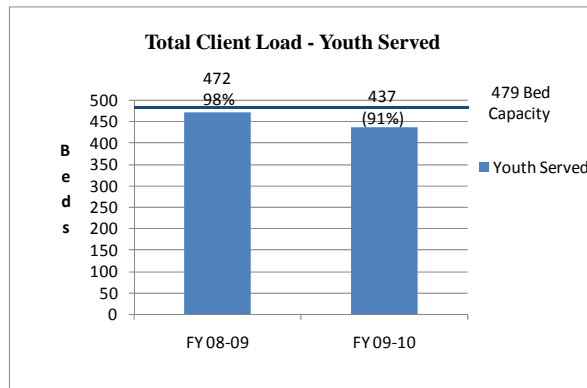
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<sup>1</sup> Senate Bill 94 Reference Manual. Colorado Department of Human Services, Division of Youth Corrections, January 2009.

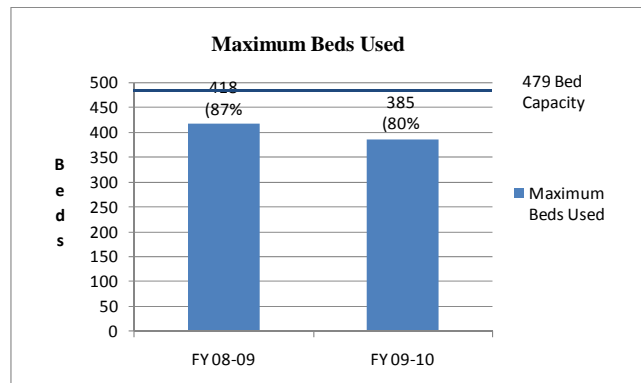


**Total Client Load.** Statewide, this indicator shows that an average of 436.8 youth required detention beds every day in FY 2009-10. As shown in the figure below from Section 1, the FY 2009-10 level represents a 7.4% decrease from the 471.9 total client load in FY 2008-09, demonstrating that detention bed use continues to decrease at an even more dramatic pace since the full implementation of the detention management resources of the CJRA, restored funding for community care options, and increased coordination with other youth-serving agencies under HB 04-1451. This reduction is noteworthy, particularly given the state’s growing population and difficult economic climate. Admissions and releases account for 11.4 percent of the total youth served on any given day (49.8/436.8).

The total client served reached an operational level on average of 91.2% (436.8/479) of the cap per day in FY 2009-10. Average clients served of approximately 85% of maximum capacity is recommended as a standard to represent an optimal balance of facility management and cost efficiency for a restrictive service program such as secure detention, in our experience. Average use over 90% would serve to indicate pressure on program managers that can interfere with optimum service delivery and safe management of youth within the facility.

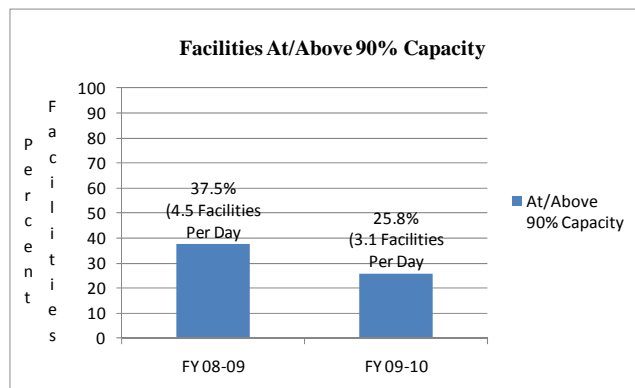


**Maximum bed use.** Analysis of maximum bed use at the statewide level shows that, through assertive management by district and facility managers across facilities, the statewide bed limit of 479 was never exceeded on any day in FY 2009-10, reaching a high of 431 twice in May to a low of 332 four times from late December to mid January. Maximum beds used at any given point in the day averaged 385, an average of 80.4% of capacity.

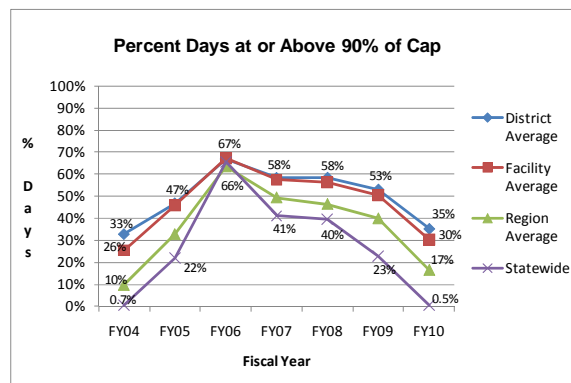


Days At or Above 90% of Capacity. This indicator was developed using the maximum bed use data, and the 90% level has been used for the past several years as a standard or indicator of capacity strain, referring to *the degree to which the detention continuum must stretch into the last reserves of its capacity to respond to the number of youth requiring placement at a given time, leaving relatively little additional capacity to meet remaining youth needs and crowding facilities to near maximum levels.*

Analysis of days at or above 90% of capacity (capacity strain) at the facility level for this fiscal year shows that on most days one or more facilities experienced high capacity strain. In FY 2009-10, on average, 3.1 facilities (25.8%) were at or above 90% capacity on any given day (see Appendix A for all facility and district specific data). As shown in the figure below from Section 1, this is down from the average of 4.5 facilities (37.5%) at or above 90% of capacity on any given day in FY 2008-09. While the overall the incidence of high use in FY 2009-10 is decreasing, on all but 12 days (353 of 365 days) there was at least one facility at 90% or higher capacity, suggesting little to no excess capacity.



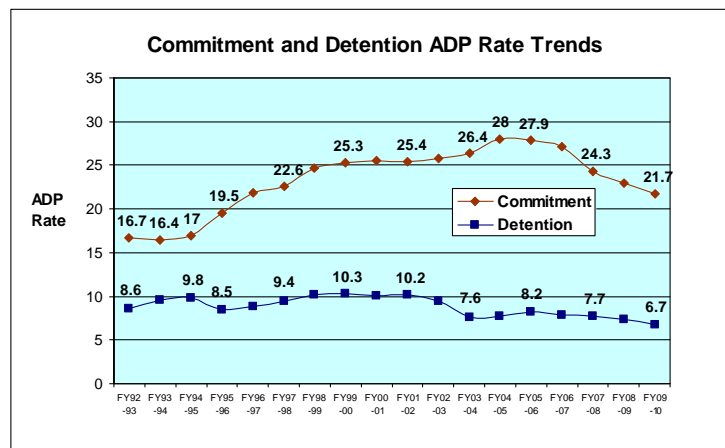
The diverging trends seen in the figure below prior to and following FY 2005-06 suggest that year presented a significant challenge in managing secure detention bed resources. The correlation of these trends with the trend in budget reductions and restoration for community alternatives is striking and underscores the importance of maintaining and prioritizing investments in community-based detention options and services across the broader youth-serving system in order to manage static secure detention capacity.



Average Length of Service (LOS). Trends in detention average length of service (LOS) in secure or staff secure detention statewide have remained stable over the past several years with an average of 14.2 days in FY 2009-10, indicating clearly that the reduction in use of secure detention has resulted from a combination of factors related to fewer youth being referred into secure detention placements, rather than shortened stays within facilities.

As was the case for detention LOS, commitment LOS has been consistent, even with the decreasing ADP, indicating that the reductions have most likely stemmed from avoided use. The average commitment LOS since FY 2005-06 has been 18.7 months, with a low of 18.2 months in FY 2005-06.

Average Daily Population (ADP). This indicator is not, by itself, a useful measure of detention bed use, but it does provide the primary point of comparison for determining longer term trends (as it was the only indicator measured for the first decade of the program's existence). The detention ADP rate for FY 2009-10 was down to 6.7 (fewer than seven full time beds used in detention each day on average for every 10,000 youth in the general population.) Over the past four years, ADP has fallen each year for a cumulative decrease of 18.3% from the post-cap high point of 8.2 ADP rate reported in FY 2005-06. Across the past 15 years of monitoring, the FY2009-10 level is the absolute and relative lowest detention rate ever achieved since the SB 94 Program was implemented statewide in 1994.



The statewide commitment ADP rate for FY 2009-10 was 21.7 (an average of fewer than 22 youth in commitment each day for every 10,000 youth in the general population). This continues a dramatic decreasing trend in commitment ADP for the fifth consecutive year, bringing the commitment ADP rate down to below the FY 1997-98 level.

## 2. Profiles of Youth Served

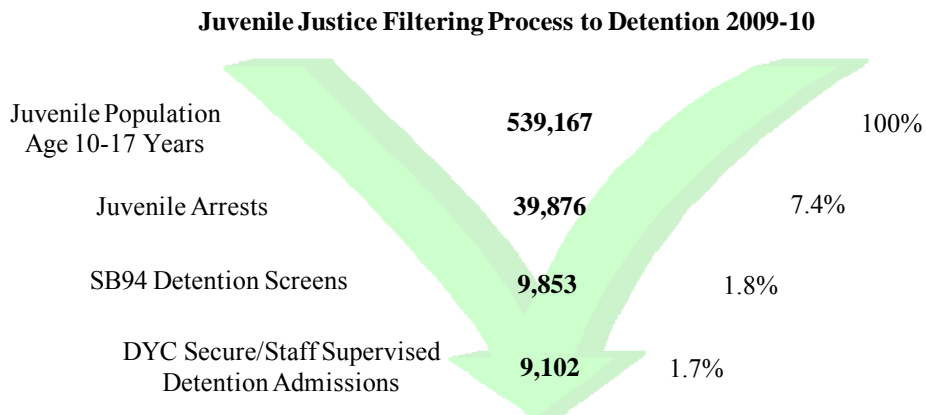
For the past two fiscal years (FY 2008-09 and FY 2009-10), DYC has had in place a comprehensive and systematic screening and assessment process for youth detained, centered on two tools:



- Juvenile Detention Screening and Assessment Guide (JDSAG), which focuses on risk to fail to appear for court dates or receive new charges, key considerations in the use of secure detention versus other detention continuum options, and
- Colorado Juvenile Risk Assessment (CJRA), a state-of-the-art tool to assess the potential of youth to re-offend and to be released from detention. At the request of Judicial District SB 94 programs, DYC completed additional training on the CJRA in FY 2009-10.

Neither the JDSAG nor the CJRA comprehensively assess the spectrum of risk to the youth and community that must be considered when making an initial or later decision regarding placement in secure detention. Each judicial district and the communities that comprise them are guided by judicial discretion and a range of local policies and procedures to manage that risk, so the JDSAG and CJRA are best viewed as informing local decision-making, not driving it.

- Youth who are screened are a small subset of youth who have been arrested (approximately a quarter in FY 2009-10: 9,853 of 39,876), and an even smaller subset of all Colorado youth (1.8%, or 9,853 of 539,167), as shown in Figure 4. This continues a gradual decrease from 2.1% in FY 2003-04.
- The figure shows that there were 9,853 youth referred for detention screens in FY 2009-10.
- Of those, there were 9,102 detention admissions.
- All youth referred (9,853) are screened using the JDSAG, and all youth admitted to secure detention (9,102) are assessed using the CJRA, as mandated.

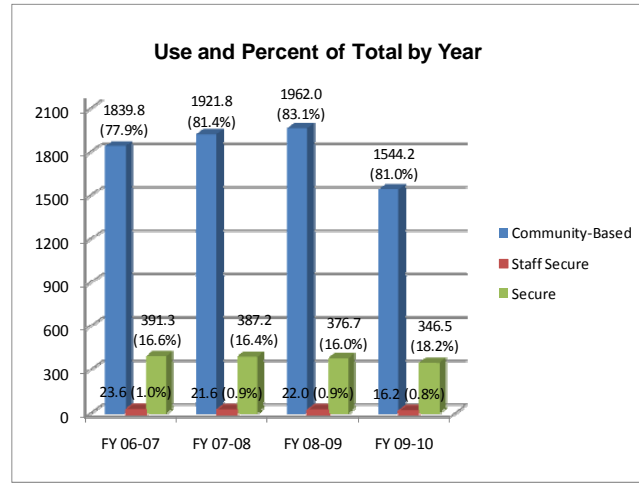


Placement data show the following:

- Overall in FY 2009-10, the most frequently used initial placement is secure detention, with 85.2% of all youth placed at that level, continuing a multi-year trend of increasing use of secure detention for initial placements.
- The next most frequently used placement level is placement at home with services at 6.9% in FY 2009-10, the lowest it has been over the past several years.
- The second largest change this year was in the percentage of youth released. That percentage fell to 5.9%, the lowest it has been for the past several years.



As shown in the figure below, on any given day, most youth are served in the community, an outcome that reflects DYC’s continued success in reducing the use of secure and staff secure detention.



At the statewide level, two general reasons together – preadjudicated youth and warrants/remands – account for 82% of all detained youth:

- Preadjudicated youth, at 39%, are youth who committed a felony or misdemeanor and who were also determined to require a secure placement.
- Warrants/remands, at 43%, include youth who failed to appear for court appearances or to comply with court ordered sanctions.
- An additional 15% of youth are directly sentenced to a detention placement.
- Less than 4% are detained for other reasons.

### 3. Progress in Achieving Local Goals and Objectives

Judicial District SB 94 programs continue to be highly successful at achieving their goals and objectives for youth to complete SB 94 services. DYC guidelines for local program goals and objectives have focused on preadjudicated youth and youth sentenced to detention or probation since FY 2005-06, when the three objectives for each goal were required for all districts. Since FY 2006-07, DYC has also required Districts to specify one or more additional goals. Progress in achieving the standardized goals and objectives is shown in the table below. Overall levels of performance were very positive.

#### Required Goals and Objectives Performance Levels

Service Area Goal	Measurable Objectives	Performance
1. <b>Preadjudicated Youth – FY 2009-10 Goal – To successfully supervise</b>	1. Percent of enrolled preadjudicated youth who complete SB 94 services <b>without FTAs</b> (Failure To Appear for Court).	97.8% of Youth had no FTAs



Required Goals and Objectives Performance Levels

Service Area Goal	Measurable Objectives	Performance
<p><b>preadjudicated youth</b> placed in community-based detention services.</p>	2. Percent of enrolled preadjudicated youth who complete SB 94 services <b>without new charges</b> .	96.4% of Youth had no new charges
	3. Percent of preadjudicated youth served through SB 94 who complete the period of the intervention <b>with a positive or neutral leave reason</b> .	92.5% of Youth had positive or neutral leave reason
<p>2. <b>Sentenced Youth – FY 2009-10 Goal</b> – To successfully supervise <b>sentenced youth</b> placed in community-based detention services.</p>	1. Percent of enrolled sentenced youth who complete SB 94 services <b>without FTAs</b> .	99% of Youth had no FTAs
	2. Percent of enrolled sentenced youth who complete SB 94 services <b>without new charges</b> .	96.8% of Youth had no new charges
	3. Percent of sentenced youth served through SB 94 who complete the period of the intervention <b>with a positive or neutral leave reason</b> .	89.9% of Youth had positive or neutral leave reason

#### 4. Program Resources and Practices

For FY 2009-10, SB94 funding was maintained at the FY 2008-09 level. The proportion of funds expended by category across years is examined in Section 4. Spending on supervision and screening and assessment (including risk assessment, additional needs assessment, case reviews and screens) continues to take up most of the available SB 94 Program budget expenditures, at 45.6% and 26.3% respectively. With funding restrictions, the use of supervision is increasing and the use of treatment services is decreasing. Treatment services (10.6%) were third highest.

In addition to state funds, many Judicial District SB 94 programs have accessed other funds or program services for SB 94 youth. Through district-specific approaches and coordination with other youth-serving agencies and resources, SB 94 programs have continued to leverage additional resources to augment their ability to meet the needs of youth and to accomplish the program’s goal of reducing reliance on secure detention placements while maintaining public safety. One of the main initiatives judicial districts participate in is the statewide initiative HB-1451 (Collaborative Management of Multi-agency Services Provided to Children and Families), which supports interagency collaboration, shared resources, and the management and integration of treatment and services provided to children and families involved with multiple agencies. Nineteen of the 22 judicial districts include counties that are now involved in this process, up from six districts in FY 2005-06.





## 5. Potential Program Practice Issues

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Each Judicial District Juvenile Services Planning Committee was required by DYC to submit their plan for FY 2010-2011 by March 5, 2010, which includes identification of critical issues facing each Judicial District SB 94 Program. They identified the following:

- Many districts expressed a need for more assessment training. Since that time, DYC has provided training Statewide in the CJRA pre-screen and the full CJRA assessment instrument. With this additional training, it is likely that screening and assessment will increase in FY 2010-11
- Collaboration was one of the primary means identified for addressing issues, such as working with other agencies, providers and collaborative efforts such as HB 1451.
- Issues related to the identification and treatment of substance use and abuse were the most common.
- Developing shelter placements in the detention continuum, as well as assessment and more efficient and effective use of the right services at the right time, were the next most common issues noted.
- Family engagement and involvement were seen as very important to support youth.
- Concerns about education and truancy were also very prevalent.

## Conclusions and Recommendations

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1. The SB 94 Program statewide continues to be successful in accomplishing the General Assembly's vision of reducing the overuse of secure detention in DYC facilities. All indicators of detention bed use show continued reduction in use statewide. Total clients served reached an average operational level of 91.2% (436.8/479) of the cap per day, down from 98.5% (471.9/479) in FY 2008-09. This is a dramatic reduction, particularly given the state's growing population and difficult economic climate. Rates of average use over time nonetheless remain above the suggested target of 85% of maximum capacity that tends to represent an optimal balance of facility management and cost efficiency for a restrictive service program such as secure detention.
2. Some detention facilities and Judicial District SB 94 programs experience a high percentage of days at or above 90% of their bed capacity.
3. Better understanding of judicial discretion and local policies and procedures at the district level and how they relate to best practices in the use of secure detention could lead to further clarification of secure detention use. Forty-six percent (46%) of those screened as needing placement at home with services received more restrictive placements and over half (51.3%) of these youth were screened by the CJRA to be at low risk to reoffend, suggesting additional opportunity to reduce use of secure detention by clarifying the decision process and the degree to which changes in judicial practices, local policies and targeting of resources are possible, especially with regard to truancy. Twenty-two percent (22%) were released without SB 94-funded services to address their indicated needs, suggesting a need to look more closely at how



local districts provide services across the entire array of youth-serving systems beyond SB 94 to learn if youth needs are met through services by other youth-serving agencies or are simply not met.

4. Judicial District SB 94 programs continue to be highly successful at achieving their goals and objectives for youth to complete SB 94 services.
5. In FY 2009-10, funding was held to the FY 2008-09 level. That coupled with planned reductions for FY 2010-11 threaten some of the gains the SB 94 Program has realized in the past few years. Analysis of trends in the types of services utilized by SB 94 programs over the years indicate that when funding is less available, supervision tends to increase as a proportion of spending while proportionate spending on treatment tends to decrease.
6. In addition to state funds, many SB 94 programs have taken the initiative to access other funds or program services for SB 94 youth. These supports are not funded through the SB 94 Program, but represent important local resources that SB 94 programs can coordinate or collaborate with to help support youth in the juvenile justice system.
7. Judicial District SB 94 programs face a wide range of critical issues. The need for services to treat substance use disorders was the most commonly identified issue. Four other sets of issues were identified by at least six districts: improving the detention continuum of services, improving family engagement and involvement, education system concerns, and truancy concerns.

## **Recommendations**

1. Many factors come into consideration in determining the need for secure detention bed capacity. As presented, five main indicators are employed to assess changes, all presenting different perspectives on detention bed use. All five indicators are important to consider, but in particular, total client load appears useful as an indicator of the level of bed need because it considers the actual number of beds used on a given day. For that indicator, a standard of 85% total client load has been suggested to represent an optimal balance of facility management and cost efficiency within a restrictive service program such as secure detention. The goal should be to continue to reduce average total client load from the FY 2009-10 level of 91.2% of the bed cap toward a target of 85%. More trend data is necessary to associate changes in total client load with factors such as resources, resource use and placement decisions.

Determination of the need for secure detention bed capacity also requires thoughtful consideration of available state and local resources and community services and safety needs. In particular, efforts to understand judicial discretionary decisions and local policies and practices within individual judicial districts are important in order to clarify where opportunities exist to reduce instances of inappropriate or unnecessary secure detention bed use.

2. The appropriate balance of detention continuum placements and services should be assessed. Two suggested complementary approaches are offered.



- a. An exploratory case study project could examine key decision points and processes related to placement, services and resource allocation for youth moving through the detention continuum of care.
  - b. Examine the relationship between initial placement, the use of community-based treatment options (both those funded through SB 94 and those funded through other youth-serving systems), and local policies and practices to try to definitively determine the extent to which individual judicial districts could further reduce the use of secure detention for reasons that are contrary to national best practices (for example, as sanctions, particularly for truancy). Recommendations for the development of community based options for the court to consider in lieu of such dispositions could be an important component of that analysis.
3. Assess the need for further training in the CJRA full assessment instrument; with an emphasis on use of the CJRA results to guide case planning.



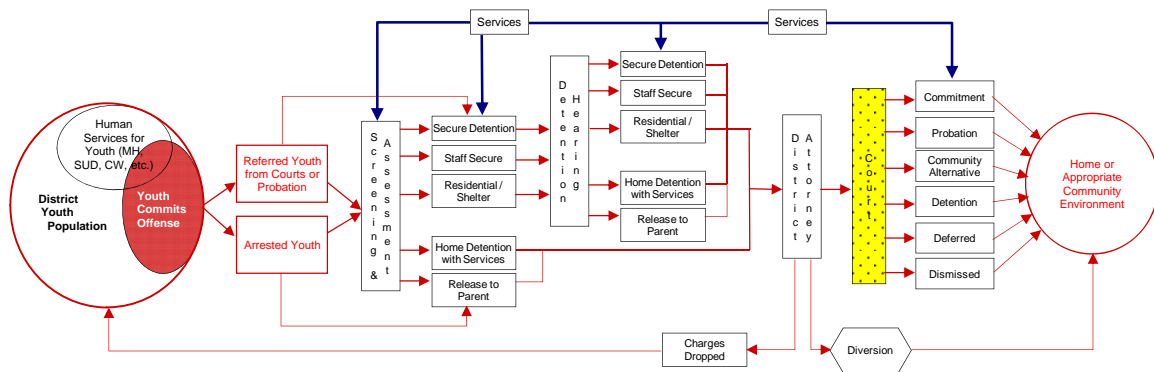


# Introduction

Contents: SB 94 Evaluation Requirements ■ SB 94 Context ■ Structure of the Report

**The Senate Bill 94 Program.** Prior to the 1991 Legislative Session, the projections for future Division of Youth Corrections (DYC) populations were indicating the need for approximately 500 additional beds in the DYC detention system. Discussions among the Executive Director of the Department of Institutions, DYC Staff, Legislators and Joint Budget Committee Staff began to explore the possibility of developing local community-based service options as a viable alternative to building additional state facilities. These discussions culminated in the development of Colorado Senate Bill 91-94 (SB 94), which was introduced and adopted during the 1991 Legislative Session.<sup>2</sup> That bill and subsequent modifying bills provided resources to local Judicial District SB 94 programs to fund services “intended to prevent the juvenile from being held in detention prior to adjudication, sentenced to detention, or committed to the Department of Human Services or to reduce the length of time the juvenile is held in preadjudication or postadjudication detention or held in a commitment facility.” A schematic of the referral of youth and the placement and services and process is shown below.

**Figure 1.** SB 94 Referral, Placements and Services



Youth receive services at many points along the process, from initial screening and assessment services, to services across the detention continuum (some in facilities, many more in the community), both at the point of initial contact and after detention hearings, and post-adjudication. Services differ from district to district, but can include case management, electronic monitoring, juvenile supervision programs, work programs, multi-disciplinary assessment and case planning, mentoring, gender and ethnic specific counseling, parenting classes, referral to mental health and drug/alcohol services, and staff secure detention. In addition, SB 94 programs work with other human services systems to complete case reviews and referrals and to blend funds to meet youth and family needs as efficiently as possible.

<sup>2</sup> Senate Bill 94 Reference Manual. Colorado Department of Human Services, Division of Youth Corrections, January 2009.



SB94 services are tailored based on criminogenic and psycho-social assessment and include the following types of assessment, services and support efforts:

- Assessment, screening and/or evaluation are completed for the following purposes:
  - Risk and need assessment
  - Court reports (detention hearing, bond revocation, progress reports)
  - Mental health screening and assessment for psychiatric or psychological conditions
  - Medical screenings or assessments for medical conditions
- Interagency evaluation and staffing include collaborative efforts to staff a youth using an interagency staffing approach such as a Community Evaluation Team (CET), multi-disciplinary team decision making (MDT), Wraparound coordination and planning, family group conferencing and mediation.
- Substance abuse assessment and treatment include inpatient or outpatient drug treatment in both individual and group drug settings, urinalysis or other drug testing and monitoring.
- Mental health treatment includes individual counseling and cognitive behavioral interventions; family treatments including Multisystemic Therapy (MST) and Functional Family Therapy (FFT), Aggression Replacement Training (ART), Dialectical Behavior Therapy (DBT); Offense specific Treatment; Psychiatric treatment; and Day Treatment.
- Targeted Intervention Programs include:
  - Anger management
  - Domestic violence treatment
  - Gang Intervention
  - Life skills and independent living skills
  - Pregnancy prevention and intervention
  - Cognitive restructuring
  - Day and evening reporting
- Educational/ vocational support programs include help with tuition, books, GED fees, academic tutoring, credit recovery, vocational assessments and programs, vocational tools and supplies.
- Community support and supervision include mentoring and tracking services, case management and electronic monitoring
- Beyond services provided directly to the youth, SB94 programs offer Family Assistance encompassing help with transportation, food, clothing, medical, telephone, housing costs and respite care.
- Finally, community placements are available through SB94 including temporary holding for reasons such as screening or hold until moved to another placement, residential placements, transitional living, home detention and day and evening reporting.

The 2010 Long Appropriations Bill (H.B. 10-1376), Appendix C, Item 35, as well as the overall SB 94 Program goals, provide the background and content requirements for the SB 94 Annual Evaluation Report. DYC, Judicial District SB 94 Programs and Colorado TRAILS provide the data. The required content areas, context and evaluation methods employed are described briefly in this section.



## **SB 94 Evaluation Requirements**

In prior years, the Colorado Long Bill required that an evaluation of the effectiveness of the SB 94 Initiative be submitted to the Legislative Joint Budget Committee. Beginning in 2008, as a result of House Bill 08-1321, the Long Bill no longer included footnotes with requests for information. In lieu of such footnotes, the Joint Budget Committee sent a letter to Governor Ritter requesting information associated with a list of specific Long Bill line items. Those were included in Appendix C of the Long Bill (H.B. 10-1376) narrative. Item 35 in that list was specific to SB 94 and is shown below.

*Item 35 of The House Bill 10-1376 (Long Appropriations Bill) Narrative, Appendix A. Department of Human Services, Division of Youth Corrections, Community Programs, S.B. 91-94 Programs -- The Department is requested to submit to the Joint Budget Committee no later than November 1 of each year a report that includes the following information by judicial district and for the state as a whole: (1) Comparisons of trends in detention and commitment incarceration rates; (2) profiles of youth served by S.B. 91-94; (3) progress in achieving the performance goals established by each judicial district; (4) the level of local funding for alternatives to detention; and (5) identification and discussion of potential policy issues with the types of youth incarcerated, length of stay, and available alternatives to incarceration.*

In responding to the General Assembly's request for information, evaluation activities also seek to support DYC state and regional management efforts and local program management in each of the 22 Judicial Districts. As applicable, the findings of this evaluation are intended to be used to improve the SB 94 Program at all levels.

## **SB 94 Context**

There are two primary contextual factors which must be considered in the analysis of SB 94 program performance in Fiscal Year (FY) 2009-10.

First, funding levels are still below levels that existed prior to the major funding cuts made in FY 2002-03 through FY 2004-05, despite increases since then. For FY 2009-10, funding for the SB 94 Program from the Colorado General Assembly was held at the same level as in the previous year. Prior to that, funding had increased over the previous four years to help offset substantially the prior multi-year state program reductions totaling approximately 35% in decreased funding for the SB 94 Program from FY 2002-03 through FY 2004-05. Trending forward the pre-reduction FY 2002-03 level by a conservative 1% per year (an amount likely well below actual programmatic cost increases), the FY 2009-10 funding level remained below pre-cut levels. To ensure that the funding which has been restored is invested optimally to achieve the goals of the SB 94 Program, DYC has specified general guidelines for new funding for the past two years to target four priorities: 1) statewide implementation of the Colorado Juvenile Risk Assessment (CJRA) for Senate Bill 94 to inform emergency release decisions; 2) a focus on evidence-based programming demonstrated to reduce recidivism; 3) expansion of the scope of Senate Bill 94 services to include services intended to prevent commitment to DYC; and 4) further development of the detention continuum.



Second, the SB 94 Program has not increased available detention beds for seven years. The second critical factor affecting operation of the SB 94 Program involves statutory limits on the number of detention beds. In the 2003 Legislative Session, the Colorado General Assembly passed Senate Bill 03-286. This legislation established a limit of 479 state-funded detention beds available for use by the 22 Judicial Districts. The number of beds allocated statewide has remained at 479 for the seven years since the initial statutory limits were enacted, despite growth in the statewide youth population. Specific allocations of beds across Judicial Districts and Regions have changed somewhat on a year to year basis as a result of the Working Group's formal allocation process.<sup>3</sup> While the specific impact of the statutory limit on statewide secure and staff secure detention capacity is not evaluated separately in this report, its continued impact is addressed where relevant, especially in Section One (Trends in Detention & Commitment).

Despite resource limitations, across multiple years the SB 94 Program has consistently demonstrated success in accomplishing the General Assembly's vision of reducing prior levels of over use of secure detention in DYC facilities and maintaining those reductions despite a growing statewide population. During the current fiscal year, DYC continued to advance the General Assembly's directives by supporting Judicial District SB 94 programs in their ongoing successful management of the statutory limit on statewide detention bed capacity and a broader, systematic reorientation of its detention and commitment resources toward a continuum of care. DYC's redeployment of resources within its continuum of care is data-driven and evidence-based, with DYC seeking to employ continuum resources to ensure that each youth receives the "right service at the right time." This emphasis on risk-based assessment, individualized planning and targeted treatment responds to each youth as an individual, consistent with the State of Colorado's Children's Code<sup>4</sup> that seeks to balance the needs of individual youth with concern for the safety of all members of society. Over the past six years, DYC has also embarked on a process to examine and realign internal operational practices to be more consistent with the principles of evidence-based practice in order to offer the most effective programs possible to reduce recidivism and re-victimization by juvenile offenders.

The continuum of care has been deployed in multiple stages since FY 2003-04, as follows:

- In support of implementation of statutory limits on secure and staff secure detention in the context of shrinking state revenue and reductions in funding for the broader detention continuum, DYC drew on the findings from its 2003 review of national best practices<sup>5</sup> to promote ongoing detention reform through efforts to broaden and promote more appropriate use of the detention continuum by focusing on two key concepts. The first is that detention is a status, and not a place, and the second is that detention consists of a continuum of options, only one of which is secure detention.

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<sup>3</sup> SB 94 Bed Allocation Letter. June 12, 2009 to the Senate Bill 94 Advisory Board, JSPC Chairpersons, Senate Bill 94 Coordinators, and DYC Senior Management Group.

<sup>4</sup> Colorado Statutes, Title 19 Children's Code/Article 1 General Provisions/Part 1 General Provisions/19-1-102. Legislative Declaration.

<sup>5</sup> TriWest Group. (2003). Colorado in Context: State Detention Systems and Best Practices in Juvenile Detention Alternatives. Boulder, Colorado.





- In FY 2006-07, DYC implemented the full version of the state-of-the-art Colorado Juvenile Risk Assessment (CJRA) with committed youth, and in FY 2007-08 extended implementation of the pre-screen component of the CJRA to the detention continuum and SB 94 Program. Use of the CJRA pre-screen for youth entering detention allows DYC to effectively assess each youth's risk to reoffend and make empirically-based decisions about the level of restrictiveness and intensity of treatment appropriate for each youth. In addition to the pre-screen, many SB 94 districts have implemented the full assessment which identifies each youth's unique criminogenic needs through a series of questions that probe the domains of a youth's life that have been proven to predict anti-social behavior and recidivism: family, relationships, use of free time, attitudes, behaviors, alcohol and drugs, education, employment, mental health, aggression, and skills. This report documents district progress in implementing the CJRA pre-screen and presents initial CJRA data regarding risk of reoffense.
- Beginning in FY 2005-06 and continuing through the current fiscal year, reinstatement of funding for the extended detention continuum began, allowing DYC to target investment of these resources to reinforce the use of treatment and evidence-based approaches in the detention continuum. Since FY 2004-05, spending on treatment within the SB 94 Program has more than doubled, with new resources targeted by DYC in collaboration with districts in support of the continuum concept.
- The statewide initiative HB 04-1451 (Collaborative Management of Multi-agency Services Provided to Children and Families), implemented in that same period, complemented DYC's efforts to support the continuum concept by facilitating increased interagency collaboration across youth-serving agencies. This initiative promotes uniform systems of collaboration to help agencies at the state and local levels to share resources, as well as manage and integrate the treatment and services provided to children and families involved in multi-agency services, corresponding with a dramatic increase since FY 2005-06 in the number of districts involved in that process (from six in FY 2005-06 to 19 this year).

## Structure of the Report

The report is structured to respond to specific domains of the General Assembly's request for information noted above. Each section begins with a condensed summary. Section content and data sources for each section are briefly described below. Included at the end of the report are conclusions and recommendations regarding possible courses of action to improve the ability of the SB 94 Program to achieve its goals, based on the evaluation results. The five primary sections of the report include:

1. **Trends in Secure Detention and Commitment** – This section analyzes detention bed use information for both detention and commitment beds, including trends over time. TRAILS data was summarized by DYC's Research and Evaluation Unit and provided to TriWest Group for further analysis and reporting. Reduction of previous levels of overuse of secure detention beds was the primary impetus leading to the establishment of the SB 94 Program. Maintaining lower levels of use while managing secure detention as one level within the broader detention continuum of services continues to be an important goal. As a result, this report analyzes secure detention use trends comprehensively with a focus on the flow of



youth and the workload involved in managing these resources.

- 2. Profiles of Youth Screened** – All of the data presented here, including CJRA data, was extracted from TRAILS and provided by NYC’s Research and Evaluation Unit. In addition to the analysis in this report, NYC provided monthly and annual management reports of detention and commitment data, as well as screening, profile and placement data that contributed to the preparation of this report.
- 3. Progress in Achieving Goals and Objectives** – This section analyzes information about district and statewide progress in achieving performance goals. It is based on information obtained from TRAILS for standardized goals and objectives for preadjudicated youth and sentenced youth. Data for district-specific goals was collected by NYC and TriWest Group directly from districts in August 2010.
- 4. Program Resources and Practices** – This section reviews the FY 2009-10 Judicial District SB 94 Program budget allocations and changes over time. It also presents and discusses local program resources as identified from district plans and from a brief two question survey included as an addendum to their plans. Expenditure data tracked and reported by NYC is also presented.
- 5. Potential Program Issues** – This section summarizes critical issues reported by districts in their annual plans that their programs are facing, and implications for ongoing improvement.



# 1. Trends in Detention & Commitment

Contents: Bed Use Indicators ▪ Total Client Load ▪ Maximum Beds Used  
▪ Days at or above 90% of bed capacity ▪ Average Daily Population

The original SB 94 Program goal that served as the impetus to the program's establishment was to reduce prior high levels of unneeded secure detention in DYC facilities, a goal that has been achieved very successfully and that continues to be maintained, as briefly summarized in the Summary box below and demonstrated in more detail throughout this section. In keeping with the development of the broader continuum of care for DYC-involved youth, DYC's focus has shifted from safely reducing the use of secure detention to managing limited numbers of secure detention beds as but one resource within the broader detention continuum of services. As a result, it is important to understand how detention bed use fits within the broader flow of youth and the District-level workload to manage the overall detention continuum.

**Summary:** Statewide, detention and commitment use is decreasing.

- DYC and judicial districts have continued to decrease detention bed use since FY 2005-06.
- Use of secure detention is now at the lowest point ever achieved since the Senate Bill 94 Program began, as populations have grown and DYC continues to manage a continuum with a static number of secure detention resources.
- A range of factors, including DYC's implementation of the continuum of care model across its detention and commitment programs over the last five years, combined with the targeted rebuilding of resources for priority community services through the SB 94 Program and allied youth-serving programs (usually through the interagency collaboration supports of HB-1451) and coinciding decreased levels of arrests, all appear to have contributed directly to these accomplishments.
- Bed use indicators point clearly to an associated reduction in capacity strain for many districts and most but not all facilities, with some facilities continuing to experience strain in managing within statutory caps.
- Commitment bed use has decreased for the fifth consecutive year, down dramatically from the level in FY 2005-06.
- Length of stay for both detention and commitment has remained consistent, so the reductions have stemmed entirely from decreased use of secure detention and improved management of the broader detention and commitment continuum.

## Bed Use Indicators

This comprehensive assessment of DYC's success in managing increasingly limited numbers of secure detention beds (on a per population basis) as one resource within the broader detention



continuum of services centers on five key indicators. Each indicator provides a perspective on detention bed use and describes performance, in some cases relative to a suggested performance standard. The indicators and what they contribute to our understanding of detention bed use include the following:

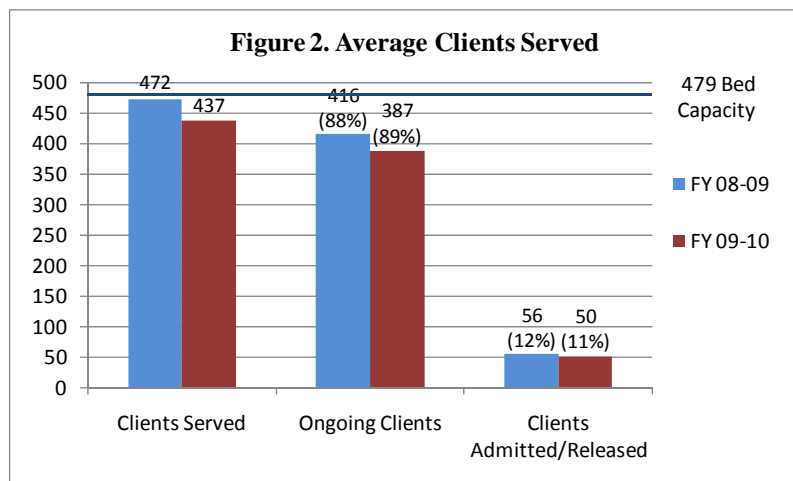
1. Total client load represents the total number of youth served per day, a measure of the flow of youth into and out of detention and the workload of processing those youth as they enter and leave the facility. A level of 85% of maximum capacity is suggested as reflective of an optimal balance of facility management and cost efficiency for a restrictive service program such as secure detention. Average use over 90% generally is associated with levels of pressure on program managers that can interfere with optimum service delivery and safe management of youth within the facility.
2. The maximum beds used at any given point during the day describes day-to-day variability in bed use.
3. Days on which maximum bed use is at or above 90% of bed capacity serves as an indicator of the level of strain facilities and districts experience in managing detention bed capacity.
4. Average length of service (LOS) measures differences in the time that youth spend in detention between the point of admission and release, allowing comparisons in how long youth stay in such settings.
5. Average daily population (ADP) serves as the historical indicator of detention bed use, when the focus was primarily on reducing previously high levels of use. The use of this indicator within the current environment is limited, as explained in more detail below. Going forward, ADP will only be presented as an indicator to document trends over time in the use of secure detention, since past reporting was limited to this indicator. The broader assessment of the ability of DYC and judicial districts to manage secure detention within the broader continuum will center on the previous four variables.<sup>6</sup>

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<sup>6</sup> The FY 2003-04 Annual Evaluation Report first identified the need for more comprehensive analysis of detention bed use in order to document the level of utilization and workload districts experience in managing to a hard detention bed limit. The bed limit or cap is applied to use at any point in time and requires active management to remain below the limit at all times. As a result, a measure such as ADP, which adds the actual time beds are occupied and divides this into 24 hour units or equivalents, does not capture the range of utilization of these beds as districts manage day-to-day variability in the need for secure detention beds given the statutory prohibition of placing more than 479 youth in secure or staff secure detention at any point in time. In addition, ADP is limited as a measure of how fixed capacity is used, because it counts only the time each day during which a youth physically occupies a detention bed space. Time during which a detention bed space is held for a youth away for the day at a court appearance who will later return, or the time spent preparing a detention bed space after a release for a later admission that same day, is not counted. To illustrate that point, if a hotel calculated ADP for a person checking in at 6:00pm and checking out the next day at noon, the hotel would count that as 0.75 beds (18 hours divided by 24 hours = 0.75) rather than one bed occupied, even though that bed was not available to any other guest. Additionally, ADP does not adequately represent the number of youth served per day. If one youth is in detention for all 24 hours of one day, that is equivalent to one ADP. If two youth are in detention for 12 hours each on that same day, that also is equivalent to one ADP. As a result, reliance on ADP alone under-counts the workload and utilization pressure associated with managing each detention bed within the broader detention continuum. The SB 94 Program evaluation has continued to track ADP over the past few years as a bed use indicator primarily to document continued reductions from historically high levels of secure detention us. However, ADP provides only a limited perspective on bed use and should not serve in isolation as the only bed use indicator.



**Total Client Load.**<sup>7</sup> In the 2008-09 report, **total client load** was added as an indicator in order to more specifically look at clients served. The analysis of total client load is very revealing and provides an important perspective in terms of documenting the overall utilization of detention beds and the workload involved in managing those beds. Statewide, this indicator shows that an average of 436.8 youth used detention beds every day, either all day or for a portion of the day (due to being admitted or released at some point during the day). As shown in Figure 2 below, the FY 2009-10 level represents a 7.4% decrease from the 471.9 total client load in FY 2008-09, demonstrating that detention bed use continues to decrease at an even more dramatic pace since the full implementation of the detention management resources of the CJRA, restored funding for community care options, and increased coordination with other youth-serving agencies under HB 04-1451.



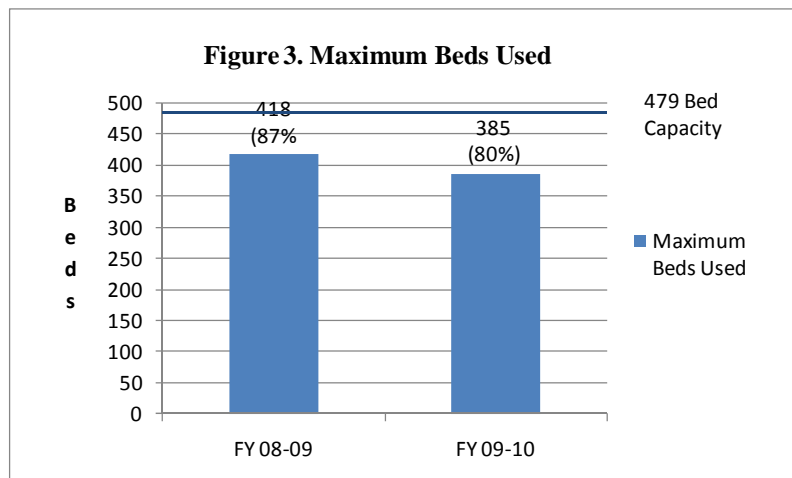
- This indicator shows that the total client served reached an operational level on average of 91.2% (436.8/479) of the cap per day, down from 98.5% (471.9/479) in FY 2008-09. This is a dramatic reduction, particularly given the state’s growing population and difficult economic climate. Rates of average use over time of approximately 85% of maximum capacity tend to represent an optimal balance of facility management and cost efficiency for a restrictive service program such as secure detention, in our experience. Average use over 90% generally is associated with levels of pressure on program managers that can interfere with optimum service delivery and safe management of youth within the facility.
- The number of admissions and releases is not captured as part of any other indicator and, at an average of 49.8 per day, accounts for 11.4 percent of the total youth served on any given day (49.8/436.8). Identifying this component of the utilization spectrum is important, because admissions and releases reflect a higher level of district and facility-level workload than do ongoing stays. Monitoring this level over time adds additional understanding of the impact on facilities and districts in managing detention capacity.

<sup>7</sup> Total client load represents the total number of youth served by a facility on a given day. In the above example of two beds occupied, one by one youth for 24 hours and one by two youth for 12 hours each, three youth in total were served.



Maximum bed use.<sup>8</sup> Analysis of maximum bed use at the statewide level shows that, through assertive management by district and facility managers across facilities, the statewide bed limit of 479 was never exceeded on any day in FY 2009-10, reaching a high of 431 twice in May to a low of 332 four times from late December to mid January. This is an important factor to monitor, because secure detention capacity needs to be adequate to manage fluctuating demand over time. An average is a statistical construct that represents the weighted mid-point between highest and lowest levels of demand, so average use is meaningless as a measure of practical variability. The need for secure detention varies by district and facility on a daily basis and capacity must be sufficient to manage the high points of need, as well as the lower points. And in this area, district and facility-level managers were successful in managing the secure end of the detention continuum.

- Maximum beds used at any given point in the day averaged 385, an average of 80.4% of capacity. As shown in Figure 3 below, the FY 2009-10 average maximum bed use represents a decrease from the FY 2008-09 level of 417.7, 87.2% of the 479 detention bed capacity.
- Not only was the bed limit never exceeded, statewide the 90% bed use level was exceeded only on 2 days (0.5%).



Maximum beds used serves as an indicator of not only day-to-day bed use but also the varying level of workload over time in managing to bed capacity.<sup>9</sup>

<sup>8</sup> Maximum beds used represents the maximum number of youth in detention at any given point during the day. In the above example, the maximum beds used at any given point during the day was two. This indicator has been reported in the last five evaluation reports.

<sup>9</sup> Since the implementation of detention bed limits, strain on the system’s capacity to manage within secure detention bed limits has emerged as an important concept when discussing and evaluating detention bed use. In addition to ADP (beds used) and maximum bed use, reporting of the number of days at or above 90% of bed capacity has been and continues to be utilized in this report to inform that discussion and to provide additional quantitative indicators of detention bed use and capacity strain. TriWest Group’s evaluations of multiple inpatient and residential service programs over the past decade have suggested two relevant benchmarks against which to measure use of program capacity. The first benchmark is an indicator of program strain, with use of 90% or more of existing capacity established as a benchmark above which program efficacy



Days at or Above 90% of Bed Capacity.

Analysis of capacity strain at the facility level for this fiscal year shows that on most days one or more facilities experienced capacity strain.

The days that maximum bed use is at or above 90% has been defined as an indicator of capacity strain, referring to the degree to which the detention continuum must stretch into the last reserves of its capacity to respond to the number of youth requiring placement at a given time, leaving relatively little additional capacity to meet remaining youth needs and crowding facilities to near maximum levels.

- In FY 2009-10, on average, 3.1 facilities (25.8%) were at or above 90% capacity on any given day (see Appendix A for all facility and district specific data). As shown in Figure 4 below, this is down from the average of 4.5 facilities (37.5%) at or above 90% of capacity on any given day in FY 2008-09.
- Looked at another way, while the overall incidence of high use in FY 2009-10 is decreasing, on all but 12 days (353 of 365 days) there was at least one facility at 90% or higher capacity, suggesting little to no excess capacity .

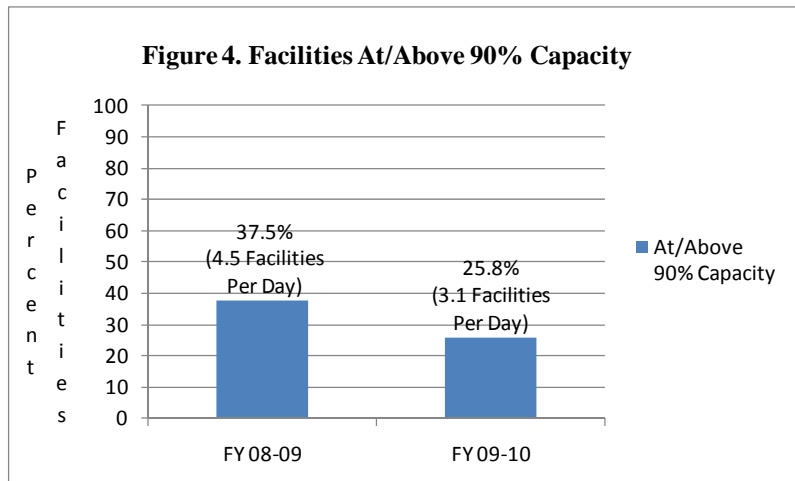


Figure 5 on the next page illustrates the relative impact of capacity strain within the system as it compares days at or above 90% at the district, facility, region and statewide levels.<sup>10</sup> The figure shows the utility of looking at days at or above 90% capacity because it illustrates how each level serves to insure that the statewide bed cap is never exceeded.

- In terms of levels of bed use, districts are usually higher than facilities, and facilities are usually higher than regions. This is the case because there is coordination between districts

begins to be affected by crowding. The second benchmark is 80%, the point below which efficiency of facility use begins to come into question. Optimal use should fall between these two benchmarks.

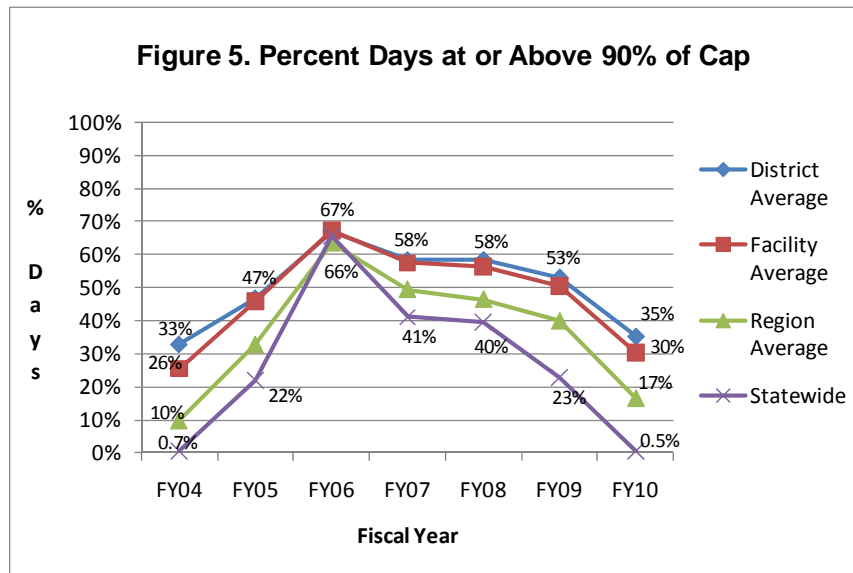
<sup>10</sup> Weighted averages are shown at the district, facility and region levels so that each value included in the average was representative of its contribution to the overall average. For example, District 3, with 68.5% of days at or above 90% capacity, was weighted by its cap (3) so that it did not skew the average compared with a district like the 4<sup>th</sup>, which was at or above 90% of capacity (58 beds) on 34.2% of the days.



in placing youth in facilities. That coordination includes borrowing and loaning beds, which can increase the level of bed use at the district level while maintaining a limit at the facility level.

- The same process applies for facilities within regions. Facilities are required to remain at or below their cap and do so successfully. The successful management of facilities adds up at the region level to result in fewer days at or above 90%.
- The same phenomenon occurs across regions, resulting in the statewide level being lower than at any other.

The diverging trends prior to and following FY 2005-06 suggest that year presented a significant challenge in managing secure detention bed resources. Insufficient secure detention capacity to manage an excess need resulted from the cumulative loss of community resources in that year and the two prior fiscal years (see FY04 to FY06 trends). Even though FY 2005-06 also corresponded to the beginning of the restoration of funding for the SB 94 Program, as well as community-based services in other youth-serving systems, the trends below clearly show that recovery was not observable until DYC’s implementation of detention continuum reforms that began in FY 2006-07, and full recovery has taken until the current fiscal year (FY10) to return to pre-reduction levels. The correlation of these trends with the trend in budget reductions and restoration for community alternatives is striking and underscores the importance of maintaining and prioritizing investments in community-based detention options and services across the broader youth-serving system in order to manage static secure detention capacity.



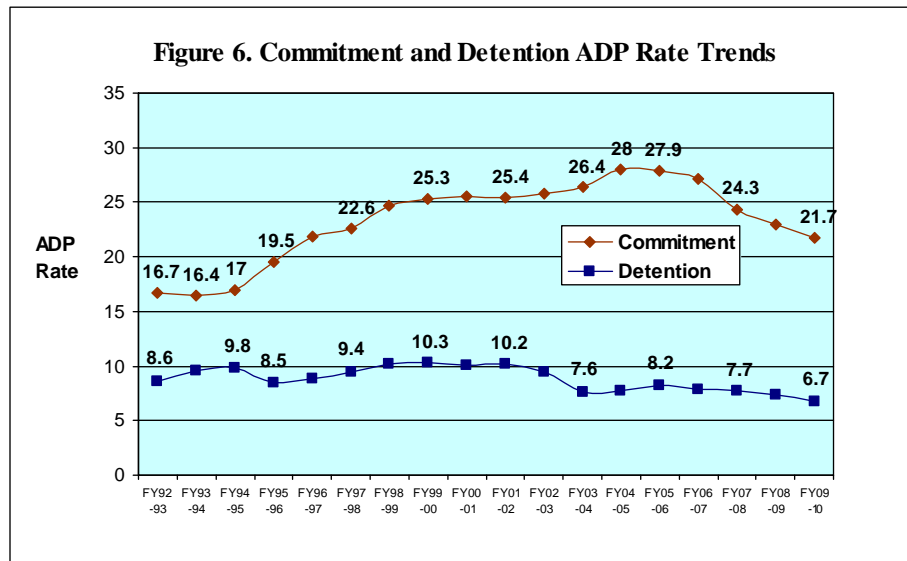
Detention and Commitment Average Daily Population (ADP). As noted above, while this indicator is not, by itself, a useful measure of detention bed use, it does provide the primary point of comparison for determining longer term trends (as it was the only indicator measured for the first decade of the program’s existence). In reporting over time, ADP has been reported as a rate based on the number of detention beds used for every 10,000 youth in the general population ages 10-17. The ADP rate has been measured since the beginning of the SB 94 Program and historical trends in





that use are presented below in Figure 6. TRAILS data provided by DYC’s Research and Evaluation unit shows that the detention ADP rate for FY 2009-10 was down to 6.7 (fewer than seven full time beds used in detention each day on average for every 10,000 youth in the general population.). Looking at trends over time, we see that:

- Over the past four years, ADP has fallen each year for a cumulative decrease of 18.3% from the post-cap high point of 8.2 ADP rate reported in FY 2005-06.
- Across the past 15 years of monitoring, the FY2009-10 level is lowest detention rate in both absolute (in terms of beds used) and relative (as a proportion of youth population) terms ever achieved since the SB 94 Program was implemented statewide in 1994 (see Figure 6 below).



The statewide commitment ADP rate for FY 2009-10 was 21.7 (an average of fewer than 22 youth in commitment each day for every 10,000 youth in the general population). This continues a dramatic decreasing trend in commitment ADP for the fifth consecutive year, bringing the commitment ADP rate down to below the FY 1997-98 level.

Detention average length of service (LOS).<sup>11</sup> Trends in average length of service (LOS) in secure or staff secure detention statewide have remained stable over the past several years with an average of 14.2 days in FY 2009-10. Had LOS increased, detention bed use would have been higher proportionately. However, the fact that detention LOS has remained stable indicates clearly that all of the reduction in use of secure detention placements, rather than shortened stays within facilities. Factors correlated with this trend include DYC’s implementation of the continuum of care model across its detention and commitment programs over the last five years, combined with the targeted rebuilding of resources for priority community services through the SB 94 Program and

<sup>11</sup> Average length of service (LOS) measures differences in the time that youth spend in detention between the point of admission and release, allowing comparisons in how long youth stay in such settings.



allied youth-serving programs (usually through the interagency collaboration supports of HB-1451) and coinciding decreased levels of arrests. One factor that could result in an increase to detention LOS is the placement of direct filed youth. This factor is discussed below.

For the period of FY 2005-06 through FY 2009-10, when bed use has been decreasing, the Statewide LOS ranged minimally from 13.7 to 14.2, with an average of 14 days across those years. However, this is not the case for all districts, and, as with other variables, district LOS changes may raise questions for some districts, but should be considered individually within the context of regional and statewide trends.

Direct Filed Youth. The discussion of length of time youth are detained in secure detention should include mention of youth whose cases are filed in criminal courts to be tried as adults, even though they are still juveniles. This practice has an impact on the use of detention beds because the LOS of direct filed youth is longer on average than other youth in secure detention.

HB 09-1321 was passed in 2009 and specifies that youth sent to detention as a result of a direct file qualifying offense shall not be released until after a hearing. Such instances occur when a law enforcement agency has requested that a detention hearing be held to determine whether the juvenile's immediate welfare or the protection of the community requires that the juvenile be detained.

Once the hearing has been held, the youth may then not be held at any facility intended to be utilized by juvenile offenders, unless the district attorney and the defense counsel agree otherwise. The law specifies that the following factors shall be considered: the youth's age, the seriousness of the alleged offense, criminal history, whether the youth's admittance would negatively impact the operation of a juvenile facility, the ability of either an adult or juvenile facility to meet the needs of the youth, risk of harm to him or herself or others, the physical maturity of the youth, current state of mental health, or other factors.

In the FY 2009-10, the number of direct-filed youth who were held in a NYC secure detention facility was 62. This was a decrease from FY 2008-09, when 96 direct-filed youth were held in a NYC detention facility. In FY 2009-10, there were a total of 68 direct-filed youth, but 6 did not spend time in a detention facility.

Although the total number of direct-filed youth who were held in a NYC detention facility was not large, the average length of time they stayed increased dramatically. In FY 2008-09, the overall average LOS for a direct-filed youth was 21.4 days. In FY 2009-10, average LOS increased to 68.5 days statewide. However, 16 of the 62 youth stayed in detention one day or less. The average LOS for the 46 youth who stayed more than one day was 92 as shown in Table 1 on the following page. Given the rather substantial growth in the LOS for direct-filed youth in NYC detention facilities, it is possible that district attorneys and defense counsels are exercising their discretion and deciding more frequently that it is in the best interest of the youth to remain in a NYC detention facility. Currently the number of direct filed youth is small and, unless the number increases, the impact on overall bed use may not be noticeable except possibly for smaller districts as discussed below.



Placement in a youth detention facility is in agreement with the emerging consensus that youth detention placement rather than an adult facility results in better outcomes for youth and society.<sup>12</sup>

To determine the potential impact on Judicial District SB 94 program bed use, the distribution of cases and their LOS was reviewed for all Judicial Districts, as shown in the following table. LOS at times has a large impact on bed use, depending on the Judicial District and its bed allocation, particularly if both the number of direct-filed youth and their LOS is high.

Table 1 shows that direct-filed youth with long LOS in districts with a larger bed allocation, such as the 18<sup>th</sup> would seem unlikely to affect bed use trends dramatically. However, youth with long LOS in Judicial Districts with relatively small numbers of beds might negatively affect bed use trends, such as in the 22<sup>nd</sup> Judicial District that has three beds allocated and one youth taking up a bed for 197 days in FY 2009-10 (over one-sixth of its total allocation). Indeed, use of secure detention was at or above 90% of capacity on 90% of days for that Judicial District, as shown in Table A1 in Appendix 1.

Table1. Direct Filed Youth and Average LOS Excluding 1-Day Stays.

Judicial District	Direct Files	Average LOS (days)
1 <sup>st</sup>	1	102.0
2 <sup>nd</sup>	2	3.0
4 <sup>th</sup>	2	72.0
5 <sup>th</sup>	1	120.0
6 <sup>th</sup>	1	52.0
7 <sup>th</sup>	1	9.0
12 <sup>th</sup>	2	144.0
17 <sup>th</sup>	3	31.0
18 <sup>th</sup>	21	121.4
19 <sup>th</sup>	2	12.5
20 <sup>th</sup>	3	27.7
21 <sup>st</sup>	6	94.2
22 <sup>nd</sup>	1	197.0
<b>Total</b>	<b>46</b>	<b>92.0</b>

Commitment average length of service (LOS). As was the case for detention LOS, commitment LOS has been consistent, even with the decreasing ADP, indicating that the reductions have most likely stemmed from avoided use. The average commitment LOS since FY 2005-06 has been 18.7 months, with a low of 18.2 months in FY 2005-06. For the four years since FY 2005-06, the LOS has been 19, 18.4, 19 and 18.9. Individual district LOS change over time and the relationship between LOS and use should be considered individually and within the context of regional and statewide trends.

<sup>12</sup> Juvenile Transfer Laws: An Effective Deterrent to Delinquency? (June, 2010). Office of Juvenile Justice and Delinquency Prevention (OJJDP), *Juvenile Justice Bulletin*.



## 2. Profiles of Youth Screened

Contents: Youth screening and assessment improvements ▪ youth screened ▪ CJRA risk profiles ▪ placement profiles ▪ reasons detained ▪ placement agreement ▪ special focus on youth placed in secure detention who were screened to be home with services

For the past two fiscal years (FY 2008-09 and FY 2009-10), DYC has had in place a comprehensive and systematic screening and assessment process for youth detained, centered on two tools:

- Juvenile Detention Screening and Assessment Guide (JDSAG), which focuses on risk to fail to appear for court dates or receive new charges, key considerations in the use of secure detention versus other detention continuum options, and
- Colorado Juvenile Risk Assessment (CJRA), a state-of-the-art tool to assess the potential of youth to re-offend and to be released from detention.<sup>13</sup>

Since the implementation of SB 03-286 in FY 2003-04, DYC has required all districts to screen every referred youth prior to placement in secure detention using the JDSAG. Following training in FY 2007-08, DYC added the Colorado Juvenile Risk Assessment (CJRA) Pre-screen to both assess the risk of re-offending and further inform decisions regarding which youth are appropriate for both planned and emergency releases. While both tools have the word “assessment” in their names, they serve very different functions. The JDSAG is a placement decision tree based on Colorado statute. The CJRA is a standardized, validated risk assessment that identifies a young person’s risk to re-offend based on multiple, proven criminogenic factors. By adding the CJRA to the assessment of youth, DYC has gone above and beyond the JDSAG placement screening to expand its ability to plan for the most effective use of secure detention and detention continuum services.

However, neither tool is intended to, or capable of, comprehensively assessing the spectrum of risk to the youth and community that must be considered when making an initial or later decision regarding placement in secure detention. For example, the CJRA pre-screen is designed to predict the overall likelihood of future offending and does not predict the nature of that offending or the level of immediate risk posed by a given youth. Each Judicial District and the communities that comprise them have a range of local policies and procedures and judicial discretion to manage that risk, so the JDSAG and CJRA are best viewed as informing local decision-making, not driving it.

Given the need to manage detention bed limits and other local resources available to districts, screening information helps districts utilize secure detention placements for the youth most in need of those placements. Following the brief summary below, this section provides information about:

- The youth assessment process, including the JDSAG and the CJRA,
- The numbers of youth screened and the placement profiles of those youth,
- The reasons youth are detained,
- The agreement between placement recommendations and actual placements, and

<sup>13</sup> House Bill 07-1161. Concerning Training for Juvenile Risk Assessment.



- A focus on youth placed in detention who were screened to go home with services.

**Summary.** About one in four youth arrested in Colorado are referred for secure detention screening.

- 9,853 JDSAG screens were completed statewide in FY 2009-10. As in past years, agreement is high (80.6%) between the placement suggested by the screening assessment and actual initial placements.
- Secure placements are the most frequently recommended (79.6%) and used (85.4%) for initial placement.

When considering all youth served (both initial and ongoing placements):

- About 81% of youth are in community-based continuum placements on any given day.
- Four times more youth are served in the community on any given day compared with the number served in secure and staff-secure facilities.

A closer look at the areas where the actual initial placement does not match the screen indicates a need to look more closely and comprehensively in future evaluations at how local policies and practices drive detention placement decisions. Findings include:

- One important change this year was in the percent of youth released without services, which fell to 5.9% from 6.7% in FY 2008-09 and 12.0% in FY 2007-08. This rate is the lowest it has been for the past several years, suggesting that many more youth are receiving services rather than simply being released home.
- Only 32% of those screened as needing placement at home with services actually received that level of placement. Forty-six percent (46%) received more restrictive placements and over half (51.3%) of these youth were determined by the CJRA to be at low risk to reoffend, suggesting additional opportunity to reduce use of secure detention through changes to local policies and targeting of resources. Twenty-two percent (22%) were released without SB94-funded services to address their indicated needs, suggesting a need to look more closely at how local service arrays provide services across the entire array of youth-serving systems beyond SB94.

CJRA pre-screens are being completed by SB 94 programs and used by the courts in placement and emergency release decisions.

### **Improvements to the Process of Youth Screening and Assessment**

Colorado's use of standardized screening and assessment instruments represents an exemplary practice, especially with the addition of the research-based CJRA. Such screening and assessment helps to inform district-level decision-making so that youth recommended for placement at a given level of restrictiveness along the detention continuum can receive both the level of supervision and the level of service needed. Furthermore, in an environment that emphasizes a continuum of secure and community-based detention services, assessment tools can help avoid an inadvertent widening of the net for youth being placed in detention, particularly secure detention placements. The screening and placement process helps make the most effective use of community resources, and



results also point out that the most appropriate placement and services is not always available. These and related issues are presented and discussed throughout this section, as follows:

- To continue to improve the assessment of youth and in response to House Bill (HB) 07-1161, in FY 2007-2008 DYC, the SB 94 Advisory Board and SB 94 Coordinators began implementation of the CJRA by local juvenile assessment screening teams.<sup>14</sup> The Colorado General Assembly has mandated risk assessment to inform detention and emergency release decisions, and the CJRA has been selected to fulfill this mandate and be used to assess all youth admitted to detention.
- The CJRA also provides the added benefit of reliable and specific information regarding a youth's likelihood of reoffending to inform decisions regarding detention, release to the community and service delivery.
- Additional stakeholders can benefit through better access to specific and reliable information pinpointing risk factors to address in order to provide services and supports targeted to reduce the risk of re-offending, maximize the youth's chances for success, and most effectively use limited resources.

### **The Number of Youth Screened**

The screening process for detention continuum services is initiated after a youth is arrested and referred for detention screening.

- Youth who are screened are a small subset of youth who have been arrested (approximately a quarter in FY 2009-10: 9,853 of 39,876), and an even smaller subset of all Colorado youth (1.8%, or 9,853 of 539,167), as shown in Figure 7. This continues a gradual decrease from 2.1% in FY 2003-04.
- The figure shows that there were 9,853 youth referred for detention screens in FY 2009-10.
- Of those, there were 9,102 detention admissions.

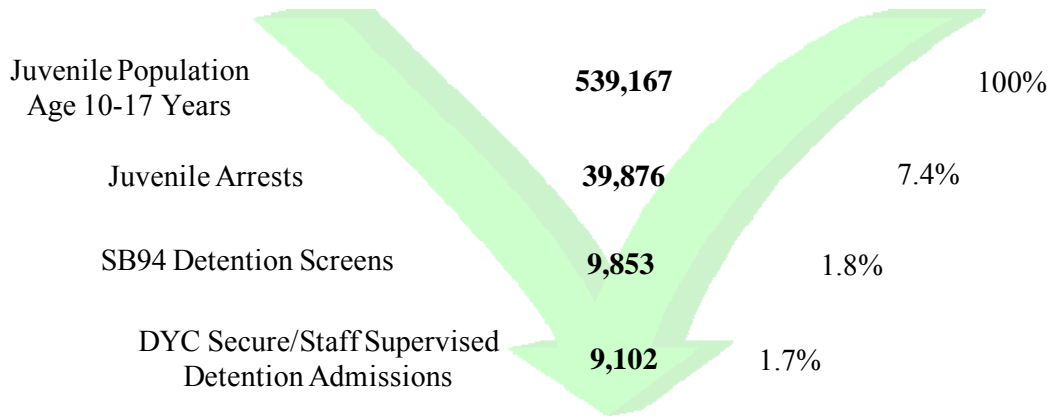
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<sup>14</sup> Consistent with DYC's broader efforts to systematically pursue and utilize the most advanced strategies available for juvenile rehabilitation through its multi-year continuum of care redesign, the CJRA implementation by local screening teams extends the use of this state-of-the-art criminogenic risk assessment from the DYC's commitment continuum to its detention continuum. The instrument has been validated in Washington State as highly predictive of future offending. Its effectiveness has been proven through research and practice and it has become one of the leading juvenile risk assessment tools in the country. Through the CJRA, each youth's unique criminogenic needs are identified by a series of questions that probe the areas of a youth's life that have been proven to predict pro- or anti-social behavior. It is designed to make the assessment and case planning process more interactive and productive, and identifies the strengths that help the youth overcome adversity in addition to delineating risk factors. Implementation of the comprehensive CJRA risk assessment tool is a multi-year process. In FY 2007-08, DYC successfully trained local screening teams and began implementation. Use of the CJRA was in the process of being standardized over FY 2008-09, with DYC providing oversight and quality assurance, and monitoring the progress of the implementation. These efforts seek to consolidate the incorporation of CJRA pre-screening results into local placement and treatment decision-making, and baseline trends as implementation continues. Over multiple years, it is hoped that the evaluation will be able to document trends in changing risk and protective factors, as well as the responsiveness of system resources to those factors identified.



All youth referred (9,853) are screened using the JDSAG for placement decisions, and all youth admitted to secure detention (9,102) are assessed using the CJRA, as mandated. The CJRA information is to be used to determine which youth can be released from detention.

**Figure 7. Juvenile Justice Filtering Process to Detention 2009-10**



**CJRA Pre-Screen Risk Profiles**

FY 2009-10 was the second full year of use of the mandated CJRA assessment and the use of TRAILS to capture that data. Table 2 shows the percent of youth at high, moderate and low levels of risk to re-offend for the past two years; the number of youth assessed with the CJRA, overall; and the proportion of the total number of youth admitted by the district to secure detention.

The number of youth assessed is lower than the number of youth admitted, primarily due to the fact that, while SB 94 programs have implemented the CJRA, some districts have additional progress to make in terms of consistently completing all CJRA items and entering data into TRAILS. For example, besides the 7,471 CJRAs summarized in Table 2 for FY 2009-10, an additional 1,631 CJRAs were partially completed. In addition, when a youth is moved from one detention facility to another, the admission to the second facility does not require the completion of a new CJRA.

The data below suggest that the small subset of youth detained in the most recent year (FY 2009-10) are at slightly greater risk of re-offending than those detained in the previous year. Rates of CJRA completion remain stable.

**Table 2. CJRA Pre-Screen Risk Levels.**

Fiscal Year	High	Moderate	Low	CJRAs Completed	Total Admissions	Percent of Total
	Percent	Percent	Percent	Number	Number	Percent
<b>FY 2009-10</b>	36.3%	32.4%	31.3%	7,471	9,102	82.1%
<b>FY 2008-09</b>	35.0%	31.4%	33.6%	8,445	10,295	82.0%



Statewide, the breakdown of the CJRA pre-screens shows that about 36% of youth were at high risk to reoffend, 32% were of moderate risk, and 31% were at low risk. As the CJRA continues to become an integral part of the decision making process within each district, it will be important to provide additional feedback to inform placement decisions. For example, one would expect that the CJRA risk profile of youth actually placed in secure detention should show higher percentages of high and moderate risk youth. The increase in the percentage of high and moderate risk youth in FY 2009-10 indicates movement in that direction. Convergence of the CJRA risk data and a secure detention admission would be an indicator of a number of aspects of the placement decision, including the availability of placement and treatment resources. Below, CJRA data is compared with JDSAG placement screening data and actual placement data to evaluate how youth are being placed and treated, and to help identify detention continuum resource needs.

### Youth Placement Screens and Profiles

The numbers of youth screened with the JDSAG are shown in Table 3. To standardize comparisons of these numbers across population, they were converted to rates per 10,000 youth using the population data for youth ages 10 to 17 years in each district. Statewide, about 183 youth were screened per 10,000. This table demonstrates the following:

- Statewide, 9,853 screens were completed<sup>15</sup> in FY 2009-10, the lowest number of screens and the lowest screening rate per 10,000 youth population over the last several years.
- The number of screens and the screening rate have been decreasing, and mirror the gradual decrease in secure detention bed use over the last five years.

**Table 3.** Youth Screened & Rate Per 10,000 Population

Fiscal Year	Youth Screened	Youth Population	Screened Per 10k Pop
	Number	Population	Rate
<b>FY 2009-10</b>	9,853	539,167	182.7
<b>FY 2008-09</b>	10,987	535,446	205.2
<b>FY 2007-08</b>	12,008	529,435	226.8
<b>FY 2006-07</b>	11,842	525,713	225.3
<b>FY 2005-06</b>	12,453	521,508	238.8
<b>FY 2004-05</b>	12,607	518,930	242.9
<b>FY 2003-04</b>	12,147	520,797	233.2

Completion of the JDSAG screening tree provides feedback to guide decisions about appropriate levels of placement along the detention continuum. One of five possible detention placement levels is identified from the pattern of item responses of completed JDSAG.<sup>16</sup>

<sup>15</sup> This number includes all screens administered and may contain more than one screen for some youth.

<sup>16</sup> The five JDSAG placement levels are:

- Level 1, Secure Detention – This refers to a physically secure and locked facility.
- Level 2, Staff Secure Detention – This refers to a residential facility where each youth is under continuous staff supervision and where all services, such as education and treatment, are provided at that location.





Table 4 below shows the percent of youth initially placed in each of the detention continuum placement levels. Since this represents only the youth’s initial placement, it suggests a higher level of secure detention use than is actually the case overall, given that youth often quickly step down to lower levels of restrictiveness (see the discussion with regard to Figure 8 later in this section for the use of secure detention compared to more community-based placements). However, the data in Table 4 does provide a useful indicator of trends in initial placement, a critical decision point as youth move through the juvenile justice system.<sup>17</sup>

- Overall, the most frequently used initial placement is secure detention, with 85.2% of all youth placed at that level. This represents an increase from FY 2008-09 when it was 82.7% and continues a trend of increasing use of secure detention for the initial placement.
- The next most frequently used placement level is placement at home with services. The use of this placement decreased from 8.0% in FY 2008-09 to 6.9% in FY 2009-10, and was the lowest it has been over the past several years.
- The second largest change this year was in the percent of youth released. That percentage fell to 5.9% from 6.7% in FY 2008-09 and 12.0% in FY 2007-08, and is the lowest it has been for the past several years, suggesting that many more youth are receiving services rather than simply being released home.

**Table 4.** Detention Continuum Youth Placements by Percent

<b>Fiscal Year</b>	<b>Secure</b>	<b>Staff Secure</b>	<b>Residential /Shelter</b>	<b>Home / Services</b>	<b>Release</b>
	Percent	Percent	Percent	Percent	Percent
<b>FY 2009-10</b>	85.2%	1.4%	0.5%	6.9%	5.9%
<b>FY 2008-09</b>	82.7%	1.8%	0.7%	8.0%	6.7%
<b>FY 2007-08</b>	77.6%	1.4%	1.2%	7.8%	12.0%
<b>FY 2006-07</b>	76.1%	1.4%	1.4%	7.9%	13.1%
<b>FY 2005-06</b>	75.9%	1.3%	1.4%	8.5%	13.0%
<b>FY 2004-05</b>	75.9%	1.4%	1.6%	7.5%	13.6%
<b>FY 2003-04</b>	75.3%	1.6%	1.1%	7.9%	14.1%

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- Level 3, Residential or Shelter Placement – This refers to a placement in the community in a non-secure living situation outside the home.
  - Level 4, Home and Community Detention/Services – This refers to the release of a youth to the custody of his or her parents or guardians with needed supervision and services, as an alternative to placement outside the home.
  - Level 5, Release – This refers to the release of a youth to the custody of parents or guardians with little or no external supervision or service supports.

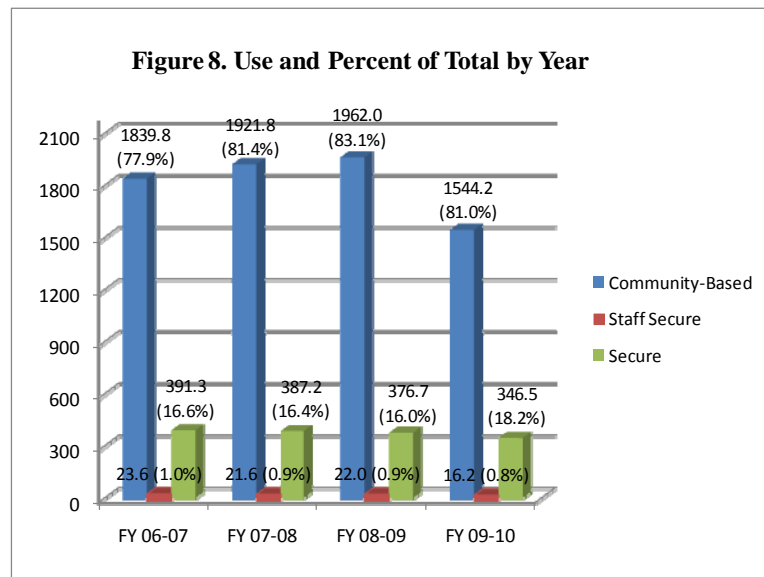
<sup>17</sup> TriWest Group. (2003). Colorado in Context: State Detention Systems and Best Practices in Juvenile Detention Alternatives. Boulder, Colorado.



When viewed in conjunction with the CJRA data showing an increase in the propensity to re-offend among those placed in secure detention, this suggests that the overall reductions in rates of youth referred for screening have been among those youth less likely to re-offend – a higher proportion of the youth arrested go initially to secure detention, but this is among an overall smaller group that both includes fewer youth released (5.9% of total in FY 2009-10 versus 14.1% of total in FY 2003-04) and more higher risk youth (for re-offense) in secure detention. Thus, a smaller overall group of youth are referred for screening, but a higher proportion of those youth are in need of a higher level of detention security.

Although a smaller overall group of youth are referred for screening, a higher proportion of those youth are in need of a higher level of detention security.

It should also be kept in mind that, because initial placement is only one point along the continuum of services provided by NYC to youth through SB 94 and the broader detention continuum, as youth are served beyond their initial placement, many more are provided services in the community than in secure detention placements, as noted earlier. This trend is shown in Figure 8 below.<sup>18</sup> Secure and staff secure use over time reflects the decreasing detention utilization trends discussed in Section 1. The reduction in community based detention was a change in FY 2009-10, decreasing about 21% from the past year. This compares to the 8% reduction in secure detention from FY 2008-09 to FY 2009-10.



Although community-based utilization decreased in FY 2009-10 (consistent with the overall reduction in the number of youth coming into the system), that part of the detention continuum remains the most used, at about 81% of the services provided to youth on any given day (1544.2 / [1544.2 + 16.2 + 346.5]). These services add a great deal of value to the SB 94 Program by enabling youths’ needs to be met in the community.

<sup>18</sup> Data and Figures 5 and 6 supplied by the NYC Research and Evaluation Section.



## Reasons Youth are Placed in Secure Detention

As shown above, most youth are served in the community, an outcome that reflects DYC's continued success in the last four years in reducing the use of secure and staff secure detention and matching level of supervision and service to each youth's needs. To better understand the dynamics of that success, DYC's Research and Evaluation Section has collected data about the reasons youth are detained, to clarify how secure and staff secure detention beds are being utilized. DYC began collecting that data in fiscal year 2007-08, when the SB 94 program took one-day "snapshots" of youth in detention.<sup>19</sup> Since then, reasons detained data has been collected in TRAILS. As a result of these differing approaches in data collection, only FY 2008-09 data is presented for comparison to FY 2009-10.<sup>20</sup>

There were six general reasons for detaining youth that are tracked. These included:

- Preadjudicated – This category included youth who committed a felony or misdemeanor who were also determined to require a secure placement. Current national best practices in the juvenile justice system contend that detention resources should focus primarily on this population, if there is an associated risk of failure to appear or further offenses.
- Sentenced to Probation – This category included youth who had a technical violation of probation or new charges while on probation. DYC's 2003 review of national best practices in detention documented that the use of detention as a sanction for this population is not in line with current best practices (see Colorado in Context: State Detention Systems and Best Practices in Juvenile Detention Alternatives).<sup>21</sup>
- Detention Sentence – This category included youth who were sentenced to detention as part of their probation sentence or were just sentenced to detention. It also includes youth sentenced because of truancy or youth who were sent to detention while awaiting a social services placement. Such use is also contrary to the national best practices observed in the 2003 report.
- Warrants/Remands – This category includes youth who failed to appear for court appearances or to comply with court ordered sanctions.
- Other – This category includes holds of various kinds such as immigration holds or no bond holds. It also includes out of county warrants.
- DYC Committed – Reasons detained in this category related to youth who were committed or on parole.

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<sup>19</sup> Executive Summary of the *Detention Snapshot: 12 Month Summary* for FY 2007-08, DYC.

<sup>20</sup> DYC began collecting this data in fiscal year 2007-08, when the SB94 program took one-day "snapshots" of youth in detention. For each snapshot, a list of youth in detention was generated (using TRAILS data) for each Judicial District, and those lists were sent to the SB 94 Coordinators. The Coordinators were then asked to indicate the most serious reason for which each youth was detained. In FY 2008-09, the collection of reasons detained data was improved greatly by being entered into TRAILS, enabling the analysis of much more in depth data. Since the two methods of data collection differed between the snapshots in FY 2007-08 and the TRAILS data in FY 2008-09, only FY 2008-09 data is presented here to look at change over time.

<sup>21</sup> TriWest Group. (2003). *Colorado in Context: State Detention Systems and Best Practices in Juvenile Detention Alternatives*. Boulder, Colorado.



These general categories provide a useful overarching framework for understanding how detention bed allocations are being utilized. As shown in Table 5, at the statewide level two general reasons – preadjudicated youth and warrants/remands, both of which are generally consistent with national best practices for the use of secure detention – together account for about 82% of all detained youth, a combined rate identical to that of FY2008-09. Breakdowns include:

- Preadjudicated youth, at 38.8%, are youth who committed a felony or misdemeanor and who were also determined to require a secure placement.
- Warrants/remands, at 42.7%, include youth who failed to appear for court appearances or to comply with court ordered sanctions. This is a slight increase from FY 2008-09.

Other youth, however, are placed for reasons that do not conform with national best practices in the use of secure detention, including an additional 15.4% of youth who are directly sentenced to a detention placement (up from 12.7% in the previous year).

Table 5. Reasons Detained Categories

Reason Category	FY 2009-10	FY 2008-09
<b>1) Preadjudicated</b>	<b>38.8%</b>	<b>39.7%</b>
Felony	23.7%	26.9%
Misdemeanor	15.1%	12.8%
<b>2) Sentence to Probation</b>	<b>2.4%</b>	<b>3.4%</b>
Technical Violation	1.4%	2.1%
New Charges	1.0%	1.3%
<b>3) Detention Sentence</b>	<b>15.4%</b>	<b>12.7%</b>
Probation Sentence	2.1%	1.8%
Detention Sentence	8.7%	7.4%
Valid Court Order Truancy	4.3%	3.3%
Awaiting DSS Placement	0.3%	0.2%
<b>4) Warrants/Remands</b>	<b>42.7%</b>	<b>42.0%</b>
Failure to Appear (FTA)	9.9%	10.3%
Failure to Comply (FTC)	32.8%	31.7%
<b>5) Other</b>	<b>0.5%</b>	<b>1.6%</b>
<b>6) NYC Committed</b>	<b>0.3%</b>	<b>0.6%</b>

While the six general categories of juvenile detention provide a useful overall summary of secure detention bed utilization, a more specific breakdown helps inform decisions and potential policy development at the state and local level. This specific breakdown is provided below in Table 6.

This data provides a valuable overview about why or how youth are detained. However, any given Judicial District SB 94 Program may vary considerably from the statewide profile because of judicial discretion and the local policies and procedures that govern use of secure detention. Decisions to place youth in secure detention made prior to the detention hearing are often guided by judicial discretion, in particular with youth who are alleged to have committed a felony offense or have a warrant out against them. At the time of the detention hearing, the court has additional information, including screening information, on which to base a placement decision.



Each Judicial District develops policies or orders to guide the screening of youth for secure detention placement or other placements along the detention continuum. These orders often specify conditions under which decisions for individual youth may be overridden to either a more or less secure level of placement. As these policies or orders differ from district to district, the reasons detained profiles and the types of overrides will also differ. Also of importance is the array of service from other youth-serving systems available in the district, as well as the specific circumstances of each youth’s case, such as the nature of the charge, the youth’s history, the ability and willingness of parents and legal guardians to supervise the youth, and the degree to which less secure placements are available.

### Initial Placement Agreement

While the previous subsection examined the reasons for placement in secure detention, we were also able to examine how well the recommended youth placements suggested by the results of the JDSAG screen compared with actual initial placements. Table 6 below shows the agreement between the screening tree and the actual placement for those 9,044 youth for whom both screening and actual placement information was available. The combination of the numbers of youth in the five agreement cells on the diagonal reflects an overall agreement of 80.9%, which is a very high level of agreement.<sup>22</sup> The five agreement cells begin with the 6,806 youth screened to secure detention and placed there and extend down the diagonal to the 122 youth who were screened to be released and actually were released.

**Table 6.** Screening Tree Suggested Placement and Actual Initial Placement. Number (N) and Percent (%) of youth screening level actually placed there. Overrides to more secure placements are the lower left part of the table (light yellow) and overrides to less secure in the upper right (pink).

Screening Tree	Actual Initial Placement Types											
	Secure		Staff Secure		Residential / Shelter		Home Det. W. Services		Release		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
Secure	6,806	94.5	108	1.5	22	0.3	146	2.0	119	1.7	7,201	79.6
Staff Secure	228	89.8	6	2.4	4	1.6	10	3.9	6	2.4	254	2.8
Residential / Shelter	92	48.9	6	3.2	12	6.4	41	21.8	37	19.7	188	2.1
Home Detention With Services	514	44.7	7	0.6	9	0.8	371	32.3	248	21.6	1,149	12.7
Release	81	32.1	1	0.4	0	0.0	48	19.0	122	48.4	252	2.8
Screening Total	7,721	85.4	128	1.4	47	0.5	616	6.8	532	5.9	9,044	100

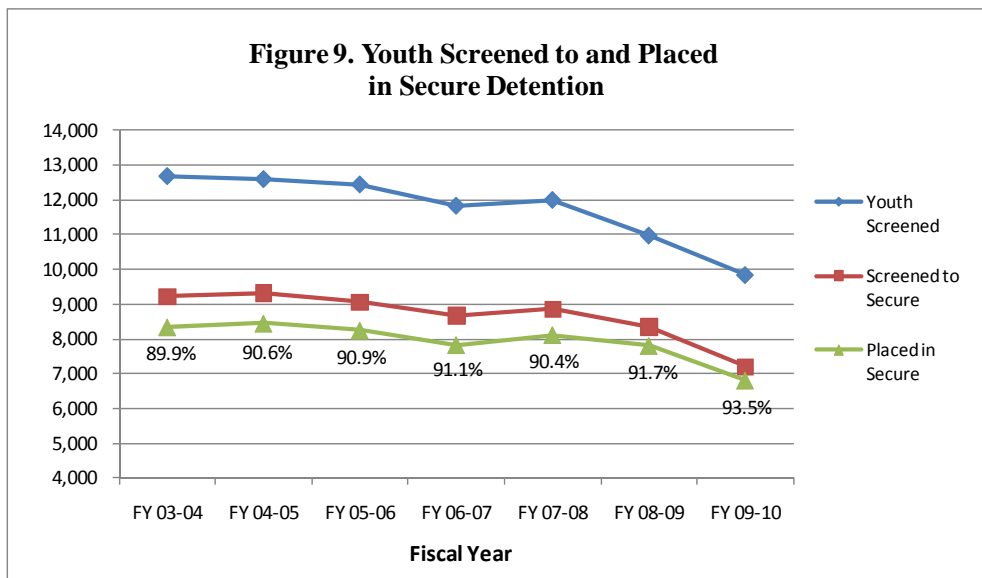
<sup>22</sup> The sum of the five diagonal pairs of cells is 7,317 (6,806 + 6 + 12 + 371 + 122), which is 80.9% of the overall number of 9,044.



While initial placements agree in most cases, they did not agree with the placement decision recommended by the JDSAG in 19.1% of cases. The disagreement group can be divided, approximately equally, into two subgroups:

- **Youth whose actual placements were more secure** than that suggested by the screening tree accounted for 10.9% (986/9,044) of all youth in the initial placement data set. This is a slight increase from 10.4% in FY 2008-09. Those youth are shown in the cells (shaded in light yellow) in the above table that fall below and to the left of the diagonal.<sup>23</sup>
- **Youth whose actual placements were less secure** than what was suggested by the screening tree accounted for 8.2% (741/9,044) of all youth in the initial placement data set. This is a slight decrease from 9.0% in FY 2008-09. Those youth are shown in the cells (shaded in pink) in the table above and to the right of the diagonal.<sup>24</sup>

Of the 7,201 youth screened to secure detention, 94.5% (6,806) were placed in secure detention. This proportion is the highest in the past seven years, consistent with the hypothesis noted above that, as overall rates of youth using secure detention decrease, the remaining youth include both a lower absolute number, but also a higher proportion relatively, of higher risk youth. Figure 9 below shows this clearly. The high level of screening and placement agreement signifies that a somewhat larger majority of youth screened are seen as initially needing secure detention and are placed there, but that overall fewer youth are ending up in secure detention. It should be kept in mind that this data focuses only on the initial placement, and, as noted previously in Figure 8, the proportions reverse for placements overall, with 81% of youth on any given day receiving detention-related services in community programs instead of secure detention.



<sup>23</sup> The sum of the ten yellow shaded pairs of cells is 986 (228 + 92 + 6 + 514 + 7 + 9 + 81 + 1 + 0 + 48), which is 10.4% of the overall number of 9,044.

<sup>24</sup> The sum of the ten pink shaded pairs of cells is 741 (108 + 22 + 146 + 119 + 4 + 10 + 6 + 41 + 37 + 248), which is 8.2% of the overall number of 9,044.



The placement patterns shown above, and described in more detail below, suggest that the detention continuum is continuing to improve its ability to provide the placements needed by youth. The pattern can be summarized to draw the following conclusions:

- The **largest group of youth** placed in settings other than those suggested by the JDSAG screening tree involves youth screened to home with SB 94-funded services.
  - Of the 1,149 youth recommended at this level, only slightly less than one-third of the cases (371 or 32.3%) received such a disposition. This is a decrease from FY 2008-09, when 36.5% of youth screened to home with SB 94-funded services received that placement.
  - Of the 1,149 youth screened to go home with services, the largest percentage ended up in more secure placements (46.1%). There are a number of factors that could contribute to the decision to place youth in a more secure placement, depending on the district, the most frequent of which is a local policy requiring secure detention placement prior to a hearing (see the focused analysis below). While it may be that many of these youth do in fact need more secure placements, the detailed data on placement reasons summarized previously suggests that at least some youth placed in secure detention are placed there for reasons that best practices suggest should be addressed in the community.
  - Furthermore, the 248 youth (21.6%) identified as in need of treatment who are simply sent home without SB 94-funded services require more careful scrutiny. It was noted above that fewer youth overall are sent home without SB 94-funded services, reflecting steady increases in available SB 94-funded services. For the remaining youth sent home without SB 94-funded services, it's unclear if this is because they in fact received no services or if they received services from another youth-serving agency.
- The vast majority (89.8%) of the 254 youth screened to staff secure detention are placed in secure detention (228), a consistent finding for multiple years.
- The 188 youth screened to residential/shelter placements are most likely to be released (19.7%) or placed in secure detention (48.9%). This is also a consistent finding across years.

The above conclusions point out the need for additional analysis to help districts to continue to improve in their ability to provide appropriate placements to youth when they need them. In particular, the largest group of youth who are placed in more secure placements than recommended are the group of youth screened as best served at home receiving services. Districts should examine whether or not these youth are in fact receiving no services at all or, rather, if they are simply accessing other services, for example, from other youth-serving systems through interagency planning mechanisms such as those supported by HB-1451. Given that there has been a consistent finding for many years that a proportion of youth screened as needing services at home are placed elsewhere, despite substantial increases in funding for community-based services in recent years (and static funding over the last two), there is a need for closer examination of the status of these youth.

### **Focused analysis on youth screened to be placed at home with services and recommendations**

In an effort to better understand this group of youth, additional analysis was carried out. In the following tables, this group is compared with all detained youth on the reasons they were detained in Table 7 and on their CJRA re-offense risk levels in Table 8. Table 7 shows that the primary areas of difference on reasons detained are that youth screened to be placed at home with services are



much more likely to be preadjudicated and much less likely to have a warrant for failing to appear or to comply with court conditions. Youth screened to be placed at home with services are also more likely to be at low risk for reoffending when assessed with the CJRA. Note that the national best practices cited above regarding the use of secure detention limit that use to preadjudicated youth at risk for failing to appear or further offenses.

In Table 7, the CJRA data suggest that over half (51.3%) of the youth screened to be placed at home but nonetheless placed in secure detention are at low risk to reoffend. It seems unlikely that such a high proportion would be at significant risk to fail to appear, however local policies seem to dictate that in many cases these youth are placed in more secure placements. Districts should look closely at their policies to determine if the rates of secure detention for these youth are in all cases warranted.

Finally, the average LOS for these youth is 8.5 days as compared to 14.2 days for all youth placed in secure detention. This suggests that secure detention on average for these youth serves a somewhat different purpose than is typically the case, again depending on local policy. The majority of districts (15 of 22) were at or below the 8.5 day average.

Table 7. Comparison of Reasons Detained: All youth and youth screened to go home with services but who were placed in secure detention.

Reason Category	All Youth	Home With Services
1) Preadjudicated	38.8%	67.0%
Felony	23.7%	45.4%
Misdemeanor	15.1%	21.6%
2) Sentence to Probation	2.4%	1.2%
Technical Violation	1.4%	0.2%
New Charges	1.0%	1.0%
3) Detention Sentence	15.4%	16.1%
Probation Sentence	2.1%	0.5%
Detention Sentence	8.7%	9.4%
Valid Court Order Truancy	4.3%	6.2%
4) Warrants/Remands	42.7%	13.9%
Failure to Appear (FTA)	9.9%	3.5%
Failure to Comply (FTC)	32.8%	10.4%
5) Other	0.5%	1.7%

Table 8. Comparison of CJRA Risk Levels: All youth and youth screened to go home with services but who were placed in secure detention.

CJRA Risk Level	All Youth	Home With Services
<b>Low</b>	31.4%	51.3%
<b>Medium</b>	32.4%	30.7%
<b>High</b>	36.3%	18.0%





Statistically, the number of overrides to secure detention for this group was significantly correlated with the number of screens for each Judicial District (that is, the greater the number of screens, the greater number of overrides;  $r=.76$ ,  $p<.05$ ). However, there were a couple districts whose policies appear to lead them to override these youths' suggested placement to a more secure placement at a higher rate than others (such as the 1<sup>st</sup> and the 10<sup>th</sup> Judicial Districts). It is instructive to look more closely at the critical issues raised by these two districts in their FY 2010-11 SB 94 plans.

One need identified by the 1<sup>st</sup> Judicial District in their annual plan is to conduct an evaluation of subsets of their youth population (a separate evaluation from this report with more focus on the policies and trends within the 1<sup>st</sup> Judicial District). One component of this evaluation could be designed to include examination of the situations that result in overrides for the group of youth screened home with services. From the discussion in their plan, it is possible that this particular override could be occurring in one or more of the groups they are interested in learning more about: females, youth under the age of thirteen, and youth sentenced to detention as a violation of a court order for non-compliance from truancy court. As part of their evaluation, it would be instructive to learn whether the youth could have been safely placed elsewhere, the policy changes or resources that would have been necessary to support that placement, and the feasibility of making these changes or resource allocations.

The 10<sup>th</sup> Judicial District is the other district with the highest number of overrides to secure detention for youth in this group. One of the issues identified in their FY 2010-11 SB 94 plan was the placement of truant youth in secure detention, similar to the 1<sup>st</sup> Judicial District. They are attempting to work with their Court and the schools to find alternatives to the use of secure detention for truant youth. One solution they are implementing is the use of Family Preservation Services to build on family strengths. It may be instructive to ask the 10<sup>th</sup> Judicial District to provide feedback on the use of overrides to secure detention for youth screened to be placed at home for services, and to learn more about the nature of the issues that result in the overrides.



### 3. Progress in Achieving Local Goals and Objectives

Contents: Planning process ■ progress in achieving goals and objectives ■ Judicial District progress.

All Judicial District SB 94 programs are required to submit an annual program plan for approval each year (the SB 94 Alternatives to Incarceration Juvenile Services Plan). Following the brief summary below, the remainder of this section presents information about the planning process and the success of districts at achieving their goals and objectives.

**Summary.** In FY 2009-10 DYC worked with Judicial District SB 94 programs to track progress on a standard set of three objectives each for the 10,464 preadjudicated and for sentenced youth served. Combining preadjudicated and sentenced youth for those objectives shows that SB 94:

- (1) Attained low rates of youth who fail to appear for court hearings; 98.3% of youth were successful.
- (2) Attained low rates of youth with new charges; 96.6% of youth did not receive new charges.
- (3) Achieved a high rate of positive or neutral reasons for youth leaving SB 94 programs; 91.3% of youth achieved positive or neutral leave reasons.

In addition, each district specified and reported on unique goals and associated objectives specific to their own SB 94 Program, described in this section.

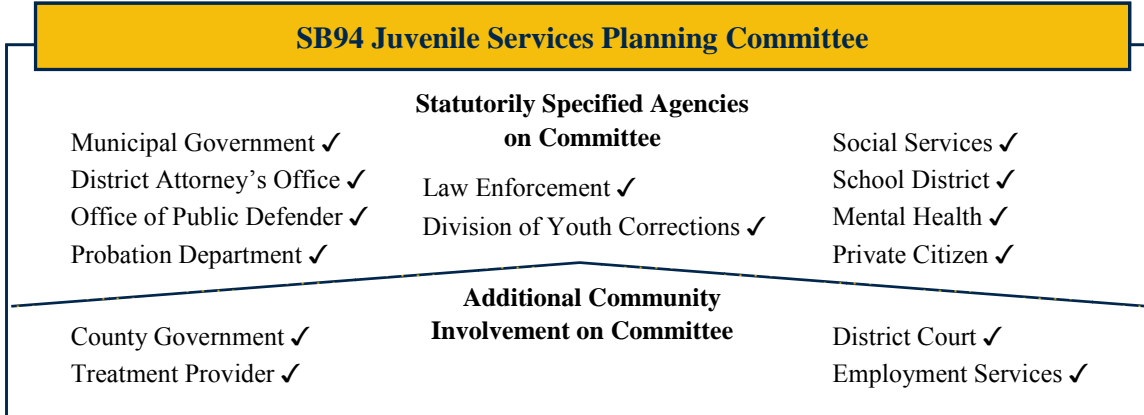
#### Planning Process

Each district's plan for Fiscal Year 2009-10 was completed in February, 2009. Local Judicial District Juvenile Services Planning Committees are responsible for developing the annual SB 94 plans. The committees' broader mandate is to coordinate each local program, the services provided by the program, and resources used to accomplish SB 94 goals and objectives. To facilitate coordination and collaboration, each Juvenile Services Planning Committee includes a comprehensive group of statutorily specified agencies,<sup>25</sup> as well as a range of additional community involvement suggested by DYC. An example of a typical planning committee is shown in Figure 10.

<sup>25</sup> Colorado Statutes/Title 19 Children's Code/Article 2 The Colorado Juvenile Justice System/Part 2 Administrative Entities – Agents/19-2-211. Local Juvenile Services Planning Committee – Creation – Duties.



**Figure 10.** Typical Local SB 94 Juvenile Services Planning Committee



In the context of other states and what is known about effective approaches, Colorado’s local planning teams are an exemplary practice that has been in place for many years. Local planning and control within Colorado’s SB 94 system increases the likelihood that programs across the detention continuum are responsive and relevant to local needs. This collaborative local planning approach has been identified as a best practice component because this type of local leadership has been shown to lead to positive program outcomes and sustainability (for examples, see the Annie E. Casey Juvenile Detention Alternatives Initiative referenced in DYC’s 2003 best practice report<sup>26</sup>).

The Chief Judge of each Judicial District is responsible for appointing the Juvenile Services Planning Committee and ensuring participation. The Juvenile Services Planning Committee and the SB 94 Coordinator oversee the administration of the plan and the program for their district. SB 94 Coordinators work with their planning committees to develop goals and objectives.

The process and guidelines for specifying goals and objectives has evolved over the past several years to the point where it is now required for districts to report on progress in achieving standard goals and objectives for two detention populations, defined as follows:

1. **Preadjudicated youth** – Youth receiving any SB 94 funded services due to being at imminent risk of being placed in detention after arrest or remaining in detention after a detention hearing, but who are not sentenced to detention, probation, parole or committed.
2. **Youth sentenced to detention or on probation** – Youth receiving SB 94 services as an alternative to a sentence to detention and/or youth on probation who are at imminent risk of revocation or in danger of reoffending that would result in detention without the use of intervention services. This category includes youth sentenced to detention for contempt of court or as a condition of probation. This may also include services targeted to reduce the length of stay of sentenced youth in detention.

<sup>26</sup> TriWest Group. (2003). Colorado in Context: State Detention Systems and Best Practices in Juvenile Detention Alternatives. Boulder, Colorado



The nature of these two youth populations is different in that preadjudicated youth are more likely to be first time offenders and new to the juvenile justice system. The second group of youth has already been adjudicated or sentenced to detention or are on probation. They are also more likely to be at higher risk of reoffending and may include youth for whom supervision on probation has not been successful.

For FY 2009-10, three standardized objectives were specified by NYC for each of the two goals, as shown in Table 9 below. Each Judicial District’s SB 94 Program is thus required to track and report on six standardized objectives, but the level of performance targeted for each objective is left to be determined by the district SB 94 Program through its local planning process. Districts are also required to specify one or more additional goals, related objectives and performance outcomes for additional aspects of their programs.

**Progress Summary: Achieving Goals and Objectives.**

Table 9 shows that, statewide, the level of youth success was high.

- Across districts, 97.8% of all preadjudicated youth served did not have FTAs (Failure to Appear for Court) and 96.4% of all youth served did not have new charges.
- The objective for youth to complete or leave services for a positive or neutral reason also was successful. Overall, 92.5% of youth left services for a positive or neutral reason.
- Across districts, 99% of all sentenced youth served did not have FTAs and 96.8% of all youth served did not have new charges.
- Overall, the performance for sentenced youth with positive or neutral leave reasons was also successful, averaging 89.9%.

**Table 9.** Required Goals and Objectives Performance Levels

Service Area Goal	Measurable Objectives	Performance
<b>1. Preadjudicated Youth – FY 2009-10 Goal – To successfully supervise preadjudicated youth placed in community-based detention services.</b>	1. Percent of enrolled preadjudicated youth who complete SB 94 services <b>without FTAs</b> (Failure To Appear for Court).	97.8% of Youth had no FTAs
	2. Percent of enrolled preadjudicated youth who complete SB 94 services <b>without new charges</b> .	96.4% of Youth had no new charges
	3. Percent of preadjudicated youth served through SB 94 who complete the period of the intervention <b>with a positive or neutral leave reason</b> .	92.5% of Youth had positive or neutral leave reason
<b>2. Sentenced Youth – FY 2009-10 Goal – To successfully supervise sentenced youth placed in community-based detention services.</b>	1. Percent of enrolled sentenced youth who complete SB 94 services <b>without FTAs</b> .	99% of Youth had no FTAs
	2. Percent of enrolled sentenced youth who complete SB 94 services <b>without new charges</b> .	96.8% of Youth had no new charges
	3. Percent of sentenced youth served through SB 94 who complete the period of the intervention <b>with a positive or neutral leave reason</b>	89.9% of Youth had positive or neutral leave reason



## Judicial District Progress in Achieving Goals and Objectives

The ability of the SB 94 Program and individual Judicial Districts to monitor and report on performance in achieving goals and objectives has progressed to the point where this is a well established feature. FY 2009-10 was the sixth year that a standard set of goals and objectives were required by DYC. Within each standardized goal area, individual districts set their own performance levels as criteria for success in achieving their objectives. Each district's goals and objectives are reviewed as part of the annual planning and funding process and are approved prior to the beginning of the fiscal year.

Preadjudicated youth – Table 10 shows the results for the three required objectives under the preadjudicated youth goal. For each district, the level of youth success set for the objective is shown followed by the measured performance for the year (the result) using TRAILS data. Comparing each district's percentage of successful youth to stated objectives shows that 90.9% of the districts (20 of 22) met their FTA objective, 86.4% (19 of 22) met their objective for new charges, and 68.2% (15 of 22) met their objective for positive or neutral leave reasons.

Although a district may not have met their performance objective, the percentage of successful youth was high in many cases. For example, the positive and neutral leave reason objective for the 18<sup>th</sup> Judicial District was 90%. They did not meet this objective, but 88% of their youth were successful, a high level of success. This perspective is important because it shows that the percentage of successful youth is actually higher than the percentage of successful districts.

- Across districts, 97.8% of all youth served did not have FTAs and 96.4% of all youth served did not have new charges.
- The objective for youth to complete or leave services for a positive or neutral reason also was successful. Overall, 92.5% of youth left services for a positive or neutral reason.



**Table 10.** Achievement of Plan Objectives for Preadjudicated Youth by Each District<sup>27</sup>. The results are for youth completing SB 94 Services in FY 2009-10.

District*	Youth Completing Without Failing to Appear for Court Hearings		Youth Completing Without New Charges		Youth With Positive or Neutral Leave Reason	
	Objective	Result	Objective	Result	Objective	Result
1 <sup>st</sup> Jefferson	90%	98%	90%	98%	90%	91%
2 <sup>nd</sup> Denver	95%	98%	95%	95%	90%	95%
3 <sup>rd</sup> Huerfano	90%	100%	90%	75%	90%	75%
4 <sup>th</sup> El Paso	90%	98%	90%	99%	90%	95%
5 <sup>th</sup> Summit	90%	100%	90%	100%	90%	100%
6 <sup>th</sup> La Plata	95%	92%	90%	98%	90%	93%
7 <sup>th</sup> Montrose	90%	94%	90%	95%	90%	85%
8 <sup>th</sup> Larimer	95%	98%	93%	94%	90%	91%
9 <sup>th</sup> Garfield	95%	100%	95%	98%	90%	93%
10 <sup>th</sup> Pueblo	90%	100%	90%	100%	90%	97%
11 <sup>th</sup> Fremont	90%	98%	90%	90%	90%	96%
12 <sup>th</sup> Alamosa	90%	89%	90%	89%	90%	89%
13 <sup>th</sup> Logan	95%	98%	90%	98%	90%	93%
14 <sup>th</sup> Routt	95%	100%	85%	100%	90%	100%
15 <sup>th</sup> Prowers	96%	100%	85%	100%	96%	100%
16 <sup>th</sup> Otero	85%	91%	85%	86%	85%	86%
17 <sup>th</sup> Adams	95%	98%	95%	95%	95%	94%
18 <sup>th</sup> Arapahoe	90%	98%	90%	97%	90%	88%
19 <sup>th</sup> Weld	90%	99%	85%	98%	90%	96%
20 <sup>th</sup> Boulder	98%	100%	98%	95%	90%	82%
21 <sup>st</sup> Mesa	94%	98%	94%	96%	92%	88%
22 <sup>nd</sup> Montezuma	90%	94%	80%	92%	90%	86%
<b>Statewide Average</b>	<b>92.2%</b>	<b>97.8%</b>	<b>90%</b>	<b>96.4%</b>	<b>90.4%</b>	<b>92.5%</b>

Sentenced youth – Table 11 below shows the results for the three required objectives for sentenced youth, demonstrating that SB 94 programs were very successful in meeting their objectives in all three target areas. The reported performance levels for ensuring that sentenced youth appeared for court hearings and for minimizing new charges for youth while providing services were impressive.

- Across reporting districts, 99% of all youth served did not have FTAs and 96.8% of all youth served did not have new charges.
- Individually, 100% of districts (all 22) met their FTA objective.
- 72.8% (16 of 22) met their objective for new charges.

<sup>27</sup> The information shown in Tables 14 and 15 was obtained from TRAILS reports. The evaluation team worked with NYC to obtain data for each District's unique goal and objective(s).



- Overall, the performance for sentenced youth with positive or neutral leave reasons was also successful, averaging 89.9% of youth served successfully, with 50% (11 of 22) of districts meeting their objective.

**Table 11.** Achievement of Plan Objectives for Sentenced Youth by Each District.  
The results are for youth completing SB 94 Services in FY 2008-09.

District	Youth Completing Without Failing to Appear for Court Hearings		Youth Completing Without New Charges		Youth With Positive or Neutral Leave Reason	
	Objective	Result	Objective	Result	Objective	Result
1 <sup>st</sup> Jefferson	90%	99%	90%	100%	90%	90%
2 <sup>nd</sup> Denver	90%	99%	90%	99%	90%	91%
3 <sup>rd</sup> Huerfano	90%	100%	90%	77%	90%	77%
4 <sup>th</sup> El Paso	90%	99%	90%	97%	90%	95%
5 <sup>th</sup> Summit	80%	90%	80%	72%	90%	79%
6 <sup>th</sup> La Plata	90%	100%	90%	90%	90%	90%
7 <sup>th</sup> Montrose	90%	96%	80%	76%	90%	69%
8 <sup>th</sup> Larimer	95%	99%	93%	92%	90%	83%
9 <sup>th</sup> Garfield	90%	100%	90%	97%	90%	77%
10 <sup>th</sup> Pueblo	90%	100%	90%	98%	90%	89%
11 <sup>th</sup> Fremont	90%	98%	90%	92%	90%	94%
12 <sup>th</sup> Alamosa	90%	98%	90%	100%	90%	96%
13 <sup>th</sup> Logan	90%	100%	90%	100%	90%	100%
14 <sup>th</sup> Routt	90%	100%	90%	100%	95%	100%
15 <sup>th</sup> Prowers	90%	95%	85%	88%	85%	80%
16 <sup>th</sup> Otero	85%	91%	85%	88%	85%	91%
17 <sup>th</sup> Adams	75%	99%	75%	95%	50%	82%
18 <sup>th</sup> Arapahoe	90%	100%	90%	100%	90%	88%
19 <sup>th</sup> Weld	80%	99%	90%	97%	90%	97%
20 <sup>th</sup> Boulder	98%	98%	98%	92%	90%	86%
21 <sup>st</sup> Mesa	94%	99%	94%	97%	92%	87%
22 <sup>nd</sup> Montezuma	90%	93%	80%	79%	90%	86%
<b>Statewide Average</b>	<b>89%</b>	<b>99.0%</b>	<b>88.2%</b>	<b>96.8%</b>	<b>88%</b>	<b>89.9%</b>

Unique district goals and objectives - NYC requires each district to identify an additional goal unique to their respective district.

- All of the twenty-two districts set additional goals, identifying a total of 41 objectives, 29 related to serving preadjudicated youth and 12 related to serving sentenced youth.
- Twenty-two (22) of the 29 objectives (75.9%) for preadjudicated youth were accomplished.
- Seven (7) of the twelve objectives (58.3%) for serving sentenced youth were accomplished.



The objectives addressed a range of services implementation and performance, including pretrial services of various types, services to accomplish educational objectives, services for alcohol and drug problems, services for minority youth, and restorative services to assist victims.

Planning and reporting progress - In FY 2003-04, only 17 districts set goals and objectives for youth sentenced to detention or placed on probation. In FY 2004-05, DYC required standard goals for both preadjudicated and sentenced populations for all 22 districts. In FY 2005-06, DYC added one more objective for each goal. Since FY 2006-07, goals and objectives unique to each district have been included in the annual planning and reporting efforts. As evidenced by the content of the goals and objectives and their performance levels, these efforts have resulted in districts introducing new programming to assist specific youth needs, which in turn have led to some successes and ongoing improvement for the SB 94 Program.

The standardization of goals and objectives that began in FY 2004-05 has facilitated improvements in the reporting process and accountability to DYC and the State of Colorado. This, coupled with the availability of TRAILS data, clearly has enabled districts and DYC to report more specifically on progress in achieving goals and objectives within individual districts and statewide. It is clear from this monitoring that districts overall have been very successful in working with the youth they serve, as evidenced by their performance in achieving goals and objectives.





## 4. Program Resources and Practices

Contents: State funding ■ quality improvement efforts ■ expenditures and local resources

Following the brief summary below, this section presents information about state funding, efforts to improve the quality of services, how funds were expended and the patterns of those expenditures, and the resources utilized through local efforts to enhance their ability to provide services to youth and families.

**Summary.** Funding in FY 2009-10 was held constant at the FY 2008-09 level.

Expenditures of those funds reveal that:

- Supervision remains the primary means of youth oversight. However, the relative emphasis on supervision has begun to increase. The percent of expenditures for supervision increased in FY 2009-10 to 45.6%, up from 42.1% in FY 2008-09.
- Spending on screening and assessment and treatment has begun to decrease with the increase in spending on supervision.

It is the current plan of Governor Ritter and the Department of Human Services that funding and district allocations for FY 2010-11 will be at a level 2% less than in FY 2009-10, in order to respond to continuing state revenue shortfalls while minimizing negative impacts on key programs such as SB 94.

### State Funding

The SB 94 budget allocation process takes place in January and February of each year and results in Judicial District SB 94 Program allocations for the coming fiscal year. The SB 94 Allocation Committee, a subcommittee of the SB 94 Advisory Board, recommends an allocation approach and a budget allocation for each Judicial District. The plan is then discussed, approved by the Board, and forwarded to NYC leadership for final consideration. Since the overall budget was held constant for FY 2009-10, the allocation approach for the FY 2009-10 budget was to maintain consistency with regard to the district level budget and hold the allocation for each Judicial District at the FY 2008-09 level.<sup>28</sup>

<sup>28</sup> The factors utilized in the FY 2009-10 budget allocation model and review process were:

1. Juvenile Population Projections by Judicial District for 2008 (data provided by the Colorado Department of Local Affairs);
2. Average of New Unduplicated Juvenile Probation Intakes for FY 2005-2007 (data provided by the Colorado Judicial Department);
3. Average of Juvenile Delinquency Filings for FY 2005-2007 (data provided by the Colorado Judicial Department); and



As noted above, the Division of Youth Corrections indicated to the Governor's Office<sup>29</sup> and to the Joint Budget Committee that a portion of the additional funds would be directed towards evidence-based programs and programs that incorporate evidence-based principles, as these have been shown to provide better outcomes for youth. To support this use, SB 94 programs were required to submit an amendment to their plans to demonstrate how the additional funding fits into either an established evidence-based program, or how a particular program incorporates evidence-based principles into its design. A guide for evidence-based principles<sup>30</sup> was provided along with the letter. DYC is currently in the process of developing an approach for determining the extent to which programs are evidenced-based and analyzing the expenditures related to those programs.

Despite statewide budget shortfalls, Governor Ritter and the Department of Human Services have protected the SB 94 budget allocation and the allocations to individual judicial districts so that funding level decreases will be held to 2% in FY 2010-11 as shown in Table A1 in Appendix A.

### **Quality Improvement Efforts**

In order to continue to enhance the use of resources to improve SB 94 programs and their effectiveness, in FY 08-09 the DYC SB 94 office developed a SB 94 monitoring process. DYC has contracted for a SB 94 "monitor" who visits individual districts to ensure contract compliance. This DYC monitor reviews each district in three main subject areas: client files, employee files, and financial records. The monitor reviews client files to ensure that youth receiving SB 94 services are in fact SB 94 eligible (imminent risk to be detained, remain detained, or be committed to DYC). The monitoring process for employment files is to select a sample of employees working with SB 94 youth for review. The files are examined to insure that all documents required by State Policy are maintained. The required documents include verification that the TRAILS Database was searched for individuals identified as abusing or neglecting children; a criminal background search from the Colorado Bureau of Investigations (CBI); results of drug screening; evidence of HIPAA training; and completed I-9's. Financial records are reviewed to ensure that generally accepted accounting principles are being employed and that supporting documentation is in place for all SB 94 expenditures. Financial records, including bank statements, cash receipts, cash disbursement and transaction registers, are reviewed to ensure that SB 94 funding was properly accounted for and that procedures were in place to safeguard SB 94 funds.

During FY 2009-10, Senate Bill 94 monitoring procedures were performed for eight Judicial Districts: 2<sup>nd</sup>, 7<sup>th</sup>, 18<sup>th</sup>, 17<sup>th</sup>, 3<sup>rd</sup>, 16<sup>th</sup>, 22<sup>nd</sup>, and 13<sup>th</sup>. This review process also involves working with each judicial district to improve practices by requiring follow up to any concerns by the district as well as identification of exemplary practices that can be replicated statewide.

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4. Population below Poverty (Weight = 0.5) (data provided by the Colorado Department of Local Affairs).  
<sup>29</sup> SB 94 COLA and Allocation Increase for FY 07-08. June 13, 2008. Memorandum to SB 94 Advisory Board, Coordinators and Chairpersons.

<sup>30</sup> CDHS, Division of Youth Corrections, Evidence Based Practice Monograph Series. June 2008. Division of Youth Corrections Evidence Based Practice Guide for SB 94.



## Expenditures of FY 2009-10 Funds

Table 12 shows funds expended by category and change in expenditure categories between FY 2002-03 and FY 2009-10. This is shown by district in Table B2 in Appendix B. Throughout the years of budget decrease and then recovery there has been differential change across the service categories.

- Supervision has remained the highest percentage of expenditures, at 45.6%. In past years, spending on supervision had reached as high as 50% of expenditures in FY 2004-05, when funding was at the lowest. This relationship with funding is generally true across years with the relative percentage of supervision increasing when funding restrictions become necessary.
- Screening and assessment (including risk assessment, as well as additional needs assessment, case reviews and screens) remains the second highest proportion of all expenditures, at about 26% of spending. The FY 2008-09 level represented the highest actual percentage ever measured for this category of expenditure. Even though the percentage decreased back to previous levels in FY 2009-10, it is likely because the number of youth screened decreased as well. It is obvious from the issues identified by the districts (see Section 5 below) that a high level of importance is attached to screening and assessment. This is consistent with legislative directives to increase the investment in the screening process, as well as with the increased experience of districts in the use of the CJRA to improve decision support to courts regarding youth placement and treatment needs.
- Treatment services were third highest in percentage of expenditures, at 10.6%. This category has shown the opposite trend as supervision over time. That is, in times of decreased funding (for example, FY04 thru FY06), the proportion of expenditures for treatment is lower.

Table 12. Categories of Expenditures

Fiscal Year	Supervision	Screen. & Assess.	Treatment	Restorative Services	Direct Support	Clients & Families
	Percent	Percent	Percent	Percent	Percent	Percent
<b>FY 2009-10</b>	45.6	26.3	10.6	5.2	2.1	1.7
<b>FY 2008-09</b>	42.1	28.3	11.5	5.6	2.4	1.6
<b>FY 2007-08</b>	42.3	26.1	11.2	6.7	3.1	2.3
<b>FY 2006-07</b>	44.6	25.2	11.7	7.4	1.4	2.5
<b>FY 2005-06</b>	48.3	25.1	8.7	6.4	1.2	1.8
<b>FY 2004-05</b>	50.3	25.2	7.0	5.4	1.7	1.3
<b>FY 2003-04</b>	46.8	26.0	7.6	6.8	1.4	1.9
<b>FY 2002-03</b>	45.4	23.6	10.1	7.9	2.0	1.9

## Local Resources

In addition to state funds, many SB 94 programs have taken the initiative to access other funds or program services for SB 94 youth. These supports are not funded through the SB 94 Program, but represent important local resources that SB 94 programs can coordinate or collaborate with to help support youth in the juvenile justice system. Through district-specific approaches and collaboration with other youth-serving agencies, SB 94 programs have continued to leverage needed resources to



augment their ability to meet the needs of youth and to accomplish the program’s goal of reducing reliance on secure detention placements. The overall degree to which SB 94 programs report being successful in these attempts varies. These approaches are summarized in Table 13 below.

All SB 94 programs also develop formal and informal collaborations with agencies in their communities to share resources, a best practices approach promoted by the Annie E. Casey Juvenile Detention Alternatives Initiative (JDAI).<sup>31</sup> Such collaborations may include applying with other agencies for grants such as Juvenile Accountability Block Grant (JABG), Division of Criminal Justice Wraparound Program (WRAP) or Justice Assistance Grants (JAG) (that increased in FY 2009-10), or serving in an oversight capacity for local funds through other agencies or programs. One of the most effective mechanisms for blending funds or utilizing grant funds is the implementation of interagency case review teams, referred to by a variety of names such as Community Evaluation Teams and Interagency Staffing Committees. We refer to these in this report generically as Community Evaluation Teams (CET) in Table 13 below. In FY 2009-10, a total of 17 districts had CETs (77.3%), up from 16 last fiscal year.

The statewide initiative HB 04-1451 (Collaborative Management of Multi-agency Services Provided to Children and Families) also supports interagency collaboration. This initiative is an effort to develop a uniform system of collaboration which will allow agencies at the state and local levels to share resources, or manage and integrate the treatment and services provided to children and families who benefit from multi-agency services. Nineteen (19) of the 22 districts now have counties that are involved in this process. This reflects markedly increased involvement from the six districts that were involved when community services funding was at its recent lowest point in FY 2005-06. Some of the agencies that are involved in closer working relationships with DYC through this process include county departments of social services, local judicial districts (including probation services), health departments, local school districts, and community mental health centers.

Table 13<sup>32</sup>, on the next page, shows which of the many resources just described are used by Judicial District SB 94 programs. Each district has a “yes” or “no” in the table for each resource category and the percentage of all districts with additional resources in each category is shown at the bottom of the table for the past three fiscal years.

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<sup>31</sup> <http://www.aecf.org/initiatives/jdai>

<sup>32</sup> Mechanisms for local resource enhancements detailed in Table 12 are described here.

- Blended funds from one or more other community agencies to place and treat SB 94 youth. The mechanism for the use of blended funds is often an interagency team working collaboratively to review youth needs and assist in meeting those needs.
- The Colorado Department of Public Safety provides Diversion funds through the Division of Criminal Justice (DCJ). Some counties also provide local diversion resources.
- DCJ Wrap Around Program (WRAP) funds are used by local, interagency Community Evaluation Teams (CETs) to staff youth cases and identify, recommend, and fund joint strategies to divert youth from secure detention or other out-of-home placement. This category also includes other similar grants from other sources.
- Federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) Juvenile Accountability Block Grant (JABG) funds are also provided through the DCJ with the advice of the Governor’s Juvenile Justice and Delinquency Prevention Council. Districts act locally to pursue these funds through short term grants that may be used in a variety of ways to encourage accountability-based reforms at the local level.



**Table 13. FY 2009-10 SB 94 Local Resources**

District*	Comm. Eval. Team	Juvenile Diversion	WRAP or Other	JABG	Blended Funds	Initiative 1451
	Yes/No	Yes/No	Yes/No	Yes/No	Yes/No	Yes/No
1 <sup>st</sup> Jefferson	Yes	No	No	Yes	No	Yes
2 <sup>nd</sup> Denver	Yes	Yes	Yes	Yes	Yes	Yes
3 <sup>rd</sup> Huerfano	Yes	Yes	Yes	No	Yes	Yes
4 <sup>th</sup> El Paso	Yes	Yes	Yes	Yes	No	Yes
5 <sup>th</sup> Summit	Yes	Yes	Yes	No	Yes	Yes
6 <sup>th</sup> La Plata	No	Yes	Yes	Yes	No	No
7 <sup>th</sup> Montrose	Yes	Yes	Yes	No	Yes	Yes
8 <sup>th</sup> Larimer	Yes	Yes	Yes	Yes	No	Yes
9 <sup>th</sup> Garfield	Yes	Yes	Yes	No	No	Yes
10 <sup>th</sup> Pueblo	No	Yes	No	Yes	No	Yes
11 <sup>th</sup> Fremont	Yes	Yes	Yes	Yes	No	Yes
12 <sup>th</sup> Alamosa	No	Yes	Yes	Yes	No	Yes
13 <sup>th</sup> Logan	Yes	No	No	No	No	Yes
14 <sup>th</sup> Routt	Yes	Yes	Yes	No	Yes	Yes
15 <sup>th</sup> Prowers	No	No	No	No	No	No
16 <sup>th</sup> Otero	Yes	No	No	No	No	No
17 <sup>th</sup> Adams	Yes	Yes	No	Yes	No	Yes
18 <sup>th</sup> Arapahoe	Yes	Yes	No	Yes	No	Yes
19 <sup>th</sup> Weld	No	Yes	No	Yes	No	Yes
20 <sup>th</sup> Boulder	Yes	No	Yes	Yes	Yes	Yes
21 <sup>st</sup> Mesa	Yes	Yes	No	Yes	Yes	Yes
22 <sup>nd</sup> Montezuma	Yes	No	Yes	Yes	Yes	Yes
Statewide FY10	17 (77.3%)	16 (72.7%)	13 (59.1%)	14 (63.6%)	8 (36.4%)	19 (86.4%)
Statewide FY09	16 (72.7%)	16 (72.7%)	7 (31.8%)	15 (68.2%)	6 (27.3%)	19 (86.4%)
Statewide FY08	14 (68.2%)	16 (72.7%)	6 (27.3%)	14 (63.6%)	6 (27.3%)	17 (77.3%)
Statewide FY07	16 (72.7%)	7 (31.8%)	6 (27.3%)	7 (31.8%)	7 (31.8%)	13 (59.1%)
Statewide FY06	15 (68.2%)	8 (36.4%)	8 (36.4%)	11 (50.0%)	5 (22.7%)	6 (27.3%)

\* The information in table was provided by districts in their FY 2008-09 District Plan Addendum: Fiscal Year 2009-2010. In addition, awards through DCJ for JABG and Juvenile Diversion were also reviewed.



## 5. Potential Program Practice Issues

Contents: Judicial District critical issues and solutions to those issues

Each Judicial District Juvenile Services Planning Committee was required by NYC to submit their plan for FY 2010-2011 by March 5, 2010. Recognizing that Judicial District SB 94 programs face a variety of local issues, opportunities and challenges, NYC asked in the very first section (I) of the plan for a description of critical issues facing each Judicial District SB 94 Program. Even though they were asked to identify issues for FY 2010-2011, the responses in the plans provide the most up to date information about issues the districts are aware of and in many cases were already facing. Following the brief summary below, those issues and the districts' plans for dealing with those issues are presented in this section using information summarized from Section I of the plans.

Part A of Section I of each district's annual plan asked for the following information:

- A. Please identify and explain the three most critical juvenile justice issues currently facing your Judicial District (e.g., substance use disorders, lack of a complete detention continuum, etc.) that can be addressed by Senate Bill 94 services.

Part B of Section I asked how the district intends to address the identified issues, as follows:

- B. How will proposed services in this plan address the issues listed above?

**Summary.** NYC asked Judicial District SB 94 programs to identify and describe critical issues facing them and how they would address those issues using SB 94 services.

- In identifying issues and ways to address them, many districts expressed a need for more assessment training.
- Collaboration was one of the primary means identified for addressing issues, by working with other youth-serving agencies through collaborative efforts such as HB 1451.
- Issues related to the identification and treatment of substance use disorders were the most common needs noted.
- Developing shelter placements in the detention continuum and assessment and more efficient and effective use of the right services at the right time were next most common.
- Family engagement and involvement were seen as very important to support youth.
- Concerns about youth lack of involvement in school and the use of secure detention for truant youth were also very prevalent.



## Summary of Issues Facing Judicial District SB 94 Programs

Critical issues identified by Judicial District SB 94 programs in their FY 2010-2011 plans were reviewed and grouped in Table 14 below with extensive examples provided in Appendix D. The number of districts identifying each type of issue is listed for each overall set of issues identified. Examples of how districts presented issues and possible solutions to address these issues are also included.

It is clear that Judicial District SB 94 programs face a wide range of critical issues. Some, like treating substance use disorders, are more common than others. A couple of themes are common to the way districts presented all issues and solutions proposed. One was the focus on individual youth. Districts seem to view assessment as critical to accurately understanding youth problems and needs and the services to meet those needs. As a result, many mentioned the need to be trained in the use of the CJRA full screen for that purpose and in how to use it to develop case plans. Since that time, DYC has provided training statewide in the CJRA pre-screen and the full CJRA assessment instrument. With this additional training, it seems likely that screening and assessment may increase in FY 2010-11.

A second noticeable common approach was collaboration. It seems clear that collaboration is seen as a means for SB 94 programs to achieve more than would be possible as a standalone program with limited resources. Collaboration with schools, other human services programs, providers and other efforts such as HB 1451 is clearly given high priority and has clearly been beneficial to the successful operation of SB 94 programs.

**Table 14. Judicial District Identified Critical Issues**

Categories of Critical Issues	Number of districts identifying issue
Services for youth who use/abuse substances	15
Assessment and better use of services	10
Improving detention continuum services	9
Family engagement and involvement	8
School involvement concerns	6
Use of secure detention for truant youth	6
Specific youth populations such as females and sex offenders	5
Youth with mental health issues	5
Payment of probation costs and restitution	3



# Conclusions and Recommendations

## Conclusions

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1. The SB 94 Program statewide continues to be successful in accomplishing the General Assembly's vision of reducing the overuse of secure detention in DYC facilities.

Section 1. All indicators of detention bed use show continued reduction in use statewide. Total clients served reached an average operational level of 91.2% (436.8/479) of the cap per day, down from 98.5% (471.9/479) in FY 2008-09. This is a dramatic reduction, particularly given the state's growing population and difficult economic climate. Rates of average use over time nonetheless remain above the target of 85% of maximum capacity that tends to represent an optimal balance of facility management and cost efficiency for a restrictive service program such as secure detention.

2. Some detention facilities and Judicial District SB 94 programs experience a high percentage of days at or above 90% of their bed capacity.

Section 1. Detention facilities and Judicial Districts vary in their need for and use of detention beds and some experience a high percentage of days at or above 90% of their bed capacity. This is particularly the case for the 8<sup>th</sup> and the 19<sup>th</sup> Judicial Districts and Platte Valley Youth Services Center.

3. Better understanding of the local policies and procedures at the district level and how they relate to best practices in the use of secure detention could lead to further reductions in secure detention use. Enhanced understanding of how youth discharged to home access SB 94-funded and other services could also help better support families and communities, as well as better address factors associated with risk of future offenses.

Section 2. About 81% of youth are in community-based continuum placements on any given day. The other 19% are in secure detention. Youth screened to be placed in secure detention are placed there in 94.5% of cases. Youth screened to be placed in other continuum placements are much less likely to be placed there. Forty-six percent (46%=521/1,149) of those screened as needing placement at home with services received more restrictive placements and over half (51.3%) of these youth were screened by the CJRA to be at low risk to reoffend, suggesting additional opportunity to reduce use of secure detention through changes to local policies and targeting of resources. Twenty-two percent (22%=248/1,149) were released without SB 94-funded services to address their indicated needs, suggesting a need to look more closely at how local service arrays provide services across the entire array of youth-serving systems beyond SB 94 to learn if youth needs are either met through services by other youth-serving agencies or are simply not being met. Focused analysis of this group indicates that local policies, especially with regard to truancy, may be contributing to higher rates of use of secure detention.





4. Judicial District SB 94 programs continue to be highly successful at achieving their goals and objectives for youth to complete SB 94 services.

Section 3. 1) Over 97% of preadjudicated and sentenced youth appeared as scheduled for court hearings, 2) over 96% of youth did not receive new charges, and 3) Over 89% of youth had positive or neutral reasons for leaving SB 94 programs. In addition, all Judicial Districts set goals and objectives to address a range of issues related to services, implementation and performance, including pretrial services of various types, services to accomplish educational objectives, services for alcohol and drug problems, services for minority youth, and restorative services to assist victims. A majority of these goals were achieved.

5. In FY 2009-10, funding was held to the FY 2008-09 level. That coupled with planned reductions for FY 2010-11 threaten some of the gains the SB 94 Program has realized in the past few years.

Section 4. Analysis of trends in the types of services utilized by SB 94 programs over the years indicate that when funding is less available, supervision tends to increase as a proportion of spending while proportionate spending on treatment tends to decrease. With funding in FY 2009-10 held to the FY 2008-09 level, supervision increased in proportionate use and the use of treatment services decreased, when compared with the previous three years.

6. In addition to state funds, many SB 94 programs have taken the initiative to access other funds or program services for SB 94 youth. These supports are not funded through the SB 94 Program, but represent important local resources that SB 94 programs can coordinate or collaborate with to help support youth in the juvenile justice system.

Section 4. All SB 94 programs have developed formal and informal collaborations with agencies in their communities to share resources, a best practices approach promoted by the Annie E. Casey Juvenile Detention Alternatives Initiative (JDAI). Such collaborations include applying with other agencies for grants or serving in an oversight capacity for local funds through other agencies or programs. Seventy-seven percent (77%) of districts participate in interagency case review teams, referred to by a variety of names such as Community Evaluation Teams (CET), and 19 of 22 Judicial Districts now include counties that are involved in the statewide initiative HB 04-1451 to develop a uniform system of collaboration which will allow agencies at the state and local levels to share resources, or manage and integrate the treatment and services provided to children and families who benefit from multi-agency services.

7. Judicial District SB 94 programs face a wide range of critical issues. Some, like treating substance use disorders, are more common than others. Districts see a focus on individual youth as being central to what they do, and thus see assessment as being critical to accurately understanding youth problems and needs and the services required to meet those needs. As a result, many mentioned the need to be trained in the use of the CJRA full screen for that purpose and for developing case plans, training that was offered later in FY 2009-10 subsequent to these plans being written.



Section 5. The need for services to treat substance use disorders was the most commonly identified issue, identified by 15 of 22 districts (68.2%). Four other categories of issues were each identified by at least six districts, including: improving the detention continuum of services (9 districts), improving family engagement and involvement (8 districts), education system concerns (6 districts), and truancy concerns (6 districts).

## Recommendations

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1. Many factors come into consideration in determining the need for secure detention bed capacity. As presented, five main indicators are employed to assess changes, all presenting different perspectives on detention bed use. All five indicators are important to consider, but in particular, total client load appears useful as an indicator of the level of bed need because it considers the actual number of beds used on a given day. For that indicator, a standard of 85% total client load has been suggested to represent an optimal balance of facility management and cost efficiency within a restrictive service program such as secure detention. The goal should be to continue to reduce average total client load from the FY 2009-10 level of 91.2% of the bed cap (437 clients served on average per day for 479 beds) toward a target of 85%. More trend data is necessary to associate changes in total client load with factors such as resources, resource use and placement decisions.

Total client load should be the metric, as it captures total census, including new youth admitted to detention, as well as youth in the process of being released who are transitioning out of a bed. A five percent (5%) window to each side of 85% (average use between 80% and 90%) would generally represent an acceptable level of deviation from optimum, but 85% would be the target. This target could also be applied to individual facilities in an effort to reduce district- and facility-level days at or above 90% of capacity. The days at or above 90% of bed capacity indicator has shown very positive decreases over the past few years, and has reached a district level of 35% of days at or above 90% of cap and a facility average of 30% of days at or above the cap. However, a couple individual districts (8<sup>th</sup> and 19<sup>th</sup>) in the Central Region and Platte Valley Youth Services Center in the Central Region are much higher than the statewide level, indicating a need to target management efforts and possible reassignment of available beds across district.

In the process of determining the need for secure detention bed capacity thoughtful consideration should be given to the availability of state and local resources, community services and safety needs. In particular, efforts should be undertaken to clarify the role of judicial discretionary decisions and local policies and practices within individual judicial districts, as these are important factors that will help point to where opportunities exist to reduce instances of inappropriate or unnecessary secure detention bed use.

2. The appropriate balance of detention continuum placements and services should be assessed. Two suggested complementary approaches are offered.



- a. Carry out additional case studies. An exploratory case study project could examine key decision points and processes related to placement, services and resource allocation for youth moving through the continuum of care, from involvement with detention and SB 94 through commitment residential services, parole (non-residential) services, and discharge. Goals for this project could include: 1) isolating key decision points; 2) developing questions regarding how decisions are made and services/resources allocated for each decision point; 3) looking for patterns around cost variations across cases; 4) understanding the actual experiences of youth across the Continuum; and 4) exploring the data available and framing research questions for more targeted, quantitative analysis (such as examining the fit between CJRA and services, client manager patterns in service utilization, and the effects of external factors such as family participation).
- b. Examine the relationship between initial placement, the use of community-based treatment options (both those funded through SB 94 and those funded through other youth-serving systems), judicial discretion and local policies and practices to try to definitively determine the extent to which individual Judicial Districts could further reduce the use of secure detention for reasons that are contrary to national best practices (for example, as sanctions, particularly for truancy). The aggregate analysis of this report and its focus on SB 94 funding only limits our ability to illuminate the complex interactions within judicial districts related to the use of secure detention. Despite several years of increased funding for SB 94 services, there has been little change in the proportion of youth initially assessed through the JDSAG as needing placement at home with services (1,149) compared with the number of youth in that group (371) who were actually placed at home with services. The plurality of these youth (521 or 45.3% of those screened to home) were not placed at home with services and were instead placed in secure detention or staff secure detention. An additional 248 (21.6%) are released to home without SB 94-funded services. Changing this pattern to provide services at home for more of these youth could further reduce unnecessary use of secure detention beds, but it will require a more detailed understanding of the decision points, judicial discretion, policies, procedures, and local service delivery patterns. For example, it could be that many of the 248 youth released to home without SB 94-funded services instead receive services from other youth-serving agencies (child welfare, mental health, etc.). Or they may receive no services and therefore be at elevated risk for reoffending. Without additional study, it will be difficult to understand and, thereby, determine the potential and best options for achieving further improvements.

This could be accomplished by working with Judicial Districts to complete an analysis of youth screened to be placed at home with services. Critical issues identified by Judicial Districts could also be examined, such as the need for services for youth with substance use problems and for engaging parental involvement. One possibility to begin to address this recommendation would be to work with specific Judicial Districts (or possibly through the above proposed case study approach) to complete an analysis of the balance of detention continuum resources. This approach could shed light on Judicial District efforts related to the placement of youth in secure detention who were screened to be placed at home with services. In particular this would add information about the extent to which these decisions result from local policies or practices and the degree to which the availability of service resources is a factor. For example, two districts, the 1<sup>st</sup> and the 10<sup>th</sup>, overrode the suggested placement at home with services at a higher level than other districts. The 1<sup>st</sup> Judicial District intends to conduct an evaluation of subsets of their



youth population. One component of this evaluation that NYC could work with them to complete would be to examine the nature of the situation that resulted in overrides for the group of youth screened to home with services. From the discussion in their plan, it is possible that this particular override could be occurring in one or more of the groups they are interested in learning more about: females, youth under the age of thirteen, and youth sentenced to detention as a violation of a court order for non-compliance from truancy court. A similar analysis could be undertaken of circumstances in the 10<sup>th</sup> Judicial District. As part of an evaluation in these two districts, it would be instructive to learn where the youth would have been placed, the resources necessary for that placement and whether or not the resources are available.

4. Assess the need for further training in the CJRA full assessment instrument; with an emphasis on use of the CJRA results to guide case planning. Currently, all judicial districts complete the CJRA pre-screen for all youth in secure detention in order to determine their risk to reoffend. The full CJRA allows for documentation of youth needs and protective factors in order to inform service planning. In their Detention Continuum Juvenile Services Plans for FY 2010-11, ten (10) Judicial Districts identified a need to be trained on the CJRA full assessment instrument (even though it is not required to be used), and in particular for use in the case consultation model developed by NYC in collaboration with the districts. They observed that this would facilitate a more refined assessment of youth needs and protective factors, which, in turn, would allow them to make youth referrals to specific services, such as when youth are released to home with services. In addition, the statewide use of this instrument would allow NYC to assess the mix of needs in each community for which community-based services should be developed and targeted. Such information could help NYC prioritize future resource allocations to improve the responsiveness and capacity of the detention continuum.



# Appendices

**Appendix A. Detention Bed Use: Percent of Days At or Above 90% of Cap**

**Appendix B. Budget Allocations and Expenditures**

**Appendix C. Detention Bed Allocation**

**Appendix D. Judicial District Critical Issues**





# Appendix A

## Detention Bed Use

**Percent Days at or Above 90%.** Table A1 presents Judicial District, Facility and Region days when maximum bed use was at or above 90% of cap, from FY 2003-04 through FY 2009-10.





**Table A1.** Percent Days at or Above 90% of Cap for Districts, Facilities and Regions. The bed cap and the percent days are used to obtain a weighted average for Districts and Regions.

District, Facility And Region	Percent Days At Or Above 90% of Cap													
	FY04		FY05		FY06		FY07		FY08		FY09		FY10	
	Cap	% Days	Cap	% Days	Cap	% Days	Cap	% Days	Cap	% Days	Cap	% Days	Cap	% Days
Central Region	56	35.0%	56	31.0%	56	66.8%	56	57.5%	55	14.5%	55	19.2%	55	0.8%
1st Jefferson	92	32.5%	92	65.5%	92	72.6%	91	63.6%	82	91.5%	73	85.2%	73	44.1%
2nd Denver	5	16.4%	5	22.7%	5	52.9%	5	42.7%	5	32.0%	5	34.5%	5	8.5%
5th Summit	73	23.4%	73	39.7%	73	80.8%	74	77.8%	80	56.6%	84	55.5%	84	34.8%
District Weighted Average		29.8%	226	47.7%	226	73.4%	226	66.3%	222	58.5%	217	55.8%	217	28.7%
Gilliam YSC	70	37.6%	70	58.1%	70	68.8%	70	60.3%	73	82.2%	73	79.2%	73	30.4%
Marvin Foote YSC	96	20.4%	96	42.2%	96	77.5%	96	74.0%	96	60.4%	92	56.4%	92	31.5%
Mount View YSC	60	16.4%	60	29.6%	60	57.5%	60	44.7%	60	15.3%	60	17.3%	60	0.0%
Facility Weighted Average		24.7%	226	43.8%	226	69.5%	226	62.0%	229	55.5%	225	53.4%	225	22.7%
Central Region	226	7.7%	226	31.5%	226	73.7%	226	58.1%	229	48.6%	225	49.6%	225	6.8%
Northeast Region														
8th Larimer	20	56.9%	20	71.0%	20	68.5%	20	72.1%	20	88.5%	20	90.1%	20	99.2%
13th Logan	9	32.1%	9	57.5%	9	66.3%	8	69.9%	8	67.5%	7	80.8%	7	44.9%
17th Adams	32	17.9%	32	54.0%	32	62.2%	33	56.4%	36	71.8%	36	54.3%	36	27.7%
19th Weld	24	60.9%	24	86.3%	24	95.6%	25	89.0%	28	92.3%	29	81.6%	29	72.9%
20th Boulder	21	0.7%	21	14.0%	21	56.4%	21	46.0%	21	39.3%	21	39.2%	21	31.5%
District Weighted Average		32.8%	106	56.9%	106	70.2%	107	65.9%	113	73.5%	113	66.5%	113	53.7%
Adams YSC	28	25.2%	28	63.0%	28	71.5%	29	62.5%	29	66.6%	29	50.1%	29	22.7%
Platte Valley YSC	69	26.3%	69	58.1%	69	89.6%	69	86.0%	69	92.1%	69	86.8%	69	82.7%
Remington	9	16.4%	9	37.5%	9	41.4%	9	42.5%	8	50.3%	8	46.8%	8	41.4%
Facility Weighted Average		25.2%	106	57.6%	106	80.7%	107	76.0%	106	82.0%	106	73.7%	106	63.2%
Northeast Region	106	11.7%	106	50.7%	106	77.8%	107	66.0%	106	79.5%	106	59.2%	106	57.0%





Table A1 Cont.	FY04		FY05		FY06		FY07		FY08		FY09		FY10	
	Cap	% Days	Cap	% Days	Cap	% Days	Cap	% Days	Cap	% Days	Cap	% Days	Cap	% Days
Southern Region	2	99.6%	2	65.2%	2	98.6%	3	80.0%	3	83.9%	3	68.5%	3	67.4%
3rd Huerfano	58	31.8%	58	31.0%	58	50.1%	58	23.6%	58	31.0%	58	34.2%	58	28.2%
10th Pueblo	25	24.8%	25	33.4%	25	49.9%	24	28.8%	22	60.4%	22	28.5%	22	16.2%
11th Freemont	8	40.5%	8	79.7%	8	82.2%	9	47.7%	9	59.8%	11	31.0%	11	21.8%
12th Alamosa	6	6.9%	6	48.5%	6	29.9%	6	40.0%	6	48.6%	6	23.0%	6	47.7%
15th Prowers	3	78.1%	3	54.8%	3	67.9%	2	98.9%	2	99.7%	2	89.0%	2	72.3%
16th Otero	4	27.4%	4	8.2%	4	67.2%	4	63.8%	4	58.7%	5	55.9%	5	22.7%
District Weighted Average		31.8%	106	36.7%	106	53.4%	106	32.3%	104	44.6%	107	35.1%	107	27.8%
Pueblo YSC	36	17.2%	36	28.5%	36	47.1%	42	18.9%	40	48.1%	42	11.2%	42	3.3%
Spring Creek YSC	66	23.0%	66	38.9%	66	57.8%	58	37.0%	58	32.2%	58	35.3%	58	29.9%
Staff Secure	4	54.7%	4	81.4%	4	78.1%	6	45.5%	6	44.3%	6	22.7%	6	34.0%
Facility Weighted Average		22.2%	106	37.0%	106	54.9%	106	30.3%	104	39.0%	106	25.0%	106	19.6%
Southern Region	106	7.7%	106	21.1%	106	40.5%	106	17.3%	104	19.4%	106	4.9%	106	1.9%
Western Region														
6th La Plata	6	45.1%	6	24.9%	6	58.4%	6	64.7%	6	83.6%	6	56.4%	6	56.2%
7th Montrose	6	69.7%	6	39.7%	6	45.2%	6	73.2%	6	52.7%	6	87.4%	6	64.9%
9th Garfield	7	41.6%	7	18.9%	7	54.2%	6	32.6%	6	25.4%	6	61.9%	6	15.6%
14th Rout	4	27.4%	4	24.9%	4	78.1%	4	91.2%	4	45.4%	4	52.1%	4	6.8%
21st Mesa	15	59.5%	15	61.9%	15	52.3%	15	58.4%	15	44.5%	17	21.9%	17	30.7%
22nd Montezuma	3	66.8%	3	72.6%	3	98.1%	3	85.2%	3	86.3%	3	87.1%	3	89.9%
District Weighted Average		53.2%	41	43.1%	41	58.3%	40	63.0%	40	52.0%	42	49.4%	42	39.0%
Grand Mesa YSC	24	39.8%	24	49.6%	24	57.8%	24	52.3%	24	24.6%	24	34.2%	31	4.4%
Denier YSC	9	27.4%	9	53.2%	9	61.4%	9	58.9%	9	87.2%	9	75.1%	9	46.3%
Staff Secure	8	50.0%	8	40.5%	8	20.5%	7	55.6%	7	24.9%	9	21.4%	2	74.8%
Facility Weighted Average		39.1%	41	48.6%	41	51.3%	40	54.4%	40	38.7%	42	40.2%	42	16.7%
Western Region	41	21.5%	41	23.3%	41	28.8%	40	40.8%	40	16.9%	42	27.7%	42	3.8%

# Appendix B

## Budget Allocations and Expenditures

### Budget Allocations

Table B1 presents Judicial District budget allocations from FY 2002-03 through FY 2010-11. To facilitate year-to-year analysis of district baseline allocations, performance incentive numbers have been removed from the budgets of those districts receiving incentives in FY 2002-03 (incentives were eliminated mid-way through FY 2002-03). Incentive dollars are included in the overall program (statewide) totals in order to depict changes in overall funding levels. Not shown in the table is the revised budget following the reduction of 5.79% that became effective during the second half of FY 2002-03. That reduction was a result of mid-year legislative efforts to address the decreased availability of funds for all state funded programs. The state budget shortfalls in FY 2003-04 resulted in another 21% reduction in funds to SB 94 programs, for a total budget reduction over that time frame of nearly 25%.

In FY 2004-05, the allocation process felt the effects of continuing revenue shortfalls in the State of Colorado, with an additional 10.6% reduction from the FY 2003-04 budget. That change reduced the FY 2004-05 funding level to approximately two-thirds of the initial FY 2002-03 budget. The SB 94 Advisory Board again recommended a proportional reduction of 10.83% for all districts, with the exception that district budgets were not to be less than \$55,000.

In FY 2005-06, the Colorado State Legislature provided a \$1 million (14.5%) increase in the appropriation for the SB 94 Program, compared to FY 2004-05 levels. This increase did not completely reverse the reduction since FY 2002-03, with the reduction between FY 2002-03 and FY 2005-06 still amounting to over 23%; however, it did result in an increase in district programs' ability to provide additional services such as treatment and supervision. In allocating the additional \$1 million, districts were asked to propose how the additional resources would be used, and they placed a higher emphasis on funding treatment and restorative services compared with the pattern of expenditures over the previous couple of years.

For fiscal year 2006-07, SB 94 received both a cost of living increase of 3.25% and an additional \$1 million to restore more of the previous program reductions. A revised allocation for each district was then determined based on the SB 94 funding formula and applied to the additional \$1 million.<sup>33</sup> In addition, the "funding floor" was increased from \$55,000 to \$75,000. As was the case for the FY 2005-06 funding process, each district developed a plan for their allocation of the increase in resources.

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<sup>33</sup> SB 94 COLA and Allocation Increase for FY 06-07. May 18, 2006. Memorandum to SB 94 Advisory Board, Coordinators and Chairpersons.



Allocation of the increased funding for fiscal year 2007-08 underwent a process similar to that employed in the FY 2006-07 allocations. There were some differences, such as the cost of living increase being less at 1.5% and an increase in the “funding floor” from \$75,000 to \$80,000. In addition, the Division’s response<sup>34</sup> to how the additional funding would be utilized contained four elements: 1) support of statewide implementation of the Colorado Juvenile Risk Assessment (CJRA) for Senate Bill 94, 2) a focus on evidence-based programming which is shown to reduce recidivism, 3) allowing districts to expand the scope of Senate Bill 94 services to include services intended to prevent a commitment to DYC, and 4) further development of the detention continuum. The focus on the detention continuum targeted minimizing the “capacity strain” identified in the previous two Senate Bill 94 Evaluation Annual Reports. The Senate Bill 94 evaluation results for FY 2006-07 suggested that capacity strain could be mitigated if sufficient resources existed along a detention continuum to match the needs and risk of the youth who enter the system. While the specific programs developed to address capacity strain differ by judicial district, SB 94 programs were strongly encouraged to assess areas in the detention continuum where capacity strain was occurring and develop programs and practices which focused on the appropriate placement of youth within their particular detention continuum. Districts were authorized to use funds for services intended to prevent commitment, as long as those funds were not used for Juvenile Intensive Services Probation (JISP) officers for services to prevent commitment.

The SB 94 budget allocation for FY 2008-09 was increased to \$13,297,406 by the State Legislature. The increase included both a cost of living increase of 1.58% and an additional \$666,308 in new funding. This funding level also reflects a level 8.5% above the FY 2002-03 funding level, just prior to the previous reduction of funding that carried through to FY 2004-05. Individual district allocations for FY 2008-09 were determined by the funding approach described above.

Funding and district allocation for FY 2009-2010 remained the same as for FY 2008-09. Funding and district allocation for FY 2010-2011 were decreased by 2% overall and for each district while maintaining a district allocation floor of \$80,000.

## **Expenditures**

Throughout the years of budget decrease and then recovery there has been differential change across the service categories, as shown in Table B2. For example, supervision has remained the highest percentage of expenditures and reached 50% of expenditures in FY 2004-05 when funding was at the lowest. With increasing funding since FY 2004-05, the proportion of expenditures for supervision has decreased so that in FY 2007-08 and FY 2008-09 supervision was just over 42%, lower even than in FY 02-03 when it was 45.4%. However, with the funding restrictions in FY 2009-10 and the decrease in FY 2010-11, supervision has begun to increase in use and can be expected to increase in FY 2010-11.

Although screening and assessment (including risk assessment, as well as additional needs assessment, case reviews and screens) has begun to decrease in relative use, this category of services remains the second highest proportion of all expenditures at about 26% of expenditures in

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<sup>34</sup> SB 94 Allocation Letter. May 23, 2007 letter to JSPC Chairpersons and SB 94 Coordinators.



FY 2009-10. The decrease also reflects the drop in the numbers of youth screened in FY 2009-10. Treatment services were third highest in proportion of expenditures and continue to show the opposite trend as supervision over the years. That is, with decreasing funding, the proportion of expenditures for treatment goes down.

Restorative services, direct support and training for clients and families are fourth through sixth in percentage of expenditures. These show a different trend than treatment services expenditures over time. With decreases in expenditures in all three areas in FY 2009-10, all three services are either lower than or approaching the same level as in FY 02-03.

Expenditures for plan administration, as a percentage of total spending, remained at about 8.5% in FY 2009-10, lower than in FY 2002-03.





**Table B1.** FY 2002-03 to FY 2009-10 Judicial District SB 94 Budget Allocation and Total Appropriation.

Judicial District	FY 02-03 Budget Allocation <sup>3</sup>	FY 03-04 Budget Allocation	FY 04-05 Budget Allocation	FY 05-06 Budget Allocation	FY 06-07 Budget Allocation	FY 07-08 Budget Allocation	FY 08-09 Budget Allocation	FY 09-10 Budget Allocation	FY 10-11 Budget Allocation
1 <sup>st</sup> Jefferson	\$1,173,652	\$893,779	\$796,907	\$950,499	\$1,064,355	\$1,265,209	\$1,345,829	\$1,345,829	\$1,318,913
2 <sup>nd</sup> Denver	\$1,713,018	\$1,290,698	\$1,150,806	\$1,236,916	\$1,338,409	\$1,511,435	\$1,606,109	\$1,606,109	\$1,573,987
3 <sup>rd</sup> Huerfano	\$81,143	\$60,606	\$60,606	\$61,823	\$75,000	\$85,661	\$94,829	\$94,829	\$92,933
4 <sup>th</sup> El Paso	\$1,497,290	\$1,110,322	\$989,980	\$1,022,715	\$1,174,351	\$1,413,258	\$1,504,808	\$1,504,808	\$1,474,712
5 <sup>th</sup> Summit	\$144,198	\$107,940	\$96,241	\$139,274	\$160,773	\$199,367	\$206,478	\$206,478	\$202,349
6 <sup>th</sup> La Plata	\$144,837	\$107,828	\$96,141	\$100,890	\$109,765	\$125,571	\$136,740	\$136,740	\$134,006
7 <sup>th</sup> Montrose	\$186,030	\$143,169	\$127,652	\$171,154	\$186,972	\$210,974	\$221,275	\$221,275	\$216,850
8 <sup>th</sup> Larimer	\$535,180	\$396,831	\$353,820	\$445,613	\$527,963	\$636,783	\$710,493	\$710,493	\$696,284
9 <sup>th</sup> Garfield	\$144,452	\$110,493	\$98,518	\$113,091	\$125,019	\$156,742	\$176,782	\$176,782	\$173,247
10 <sup>th</sup> Pueblo	\$603,310	\$448,657	\$400,029	\$408,061	\$421,323	\$443,353	\$467,268	\$467,268	\$457,923
11 <sup>th</sup> Fremont	\$204,190	\$151,598	\$135,167	\$196,809	\$243,917	\$294,971	\$320,778	\$320,778	\$314,363
12 <sup>th</sup> Alamosa	\$160,635	\$119,372	\$106,434	\$124,283	\$144,901	\$175,667	\$202,532	\$202,532	\$198,482
13 <sup>th</sup> Logan	\$190,646	\$141,372	\$126,049	\$145,851	\$166,696	\$201,086	\$215,338	\$215,338	\$211,032
14 <sup>th</sup> Routt	\$110,607	\$82,239	\$73,325	\$86,577	\$95,594	\$113,948	\$123,942	\$123,942	\$121,464
15 <sup>th</sup> Prowers	\$68,512	\$55,000	\$55,000	\$56,100	\$75,000	\$80,000	\$81,261	\$81,261	\$80,000
16 <sup>th</sup> Otero	\$129,668	\$96,659	\$86,183	\$87,913	\$92,522	\$109,148	\$122,173	\$122,173	\$119,730
17 <sup>th</sup> Adams	\$1,105,058	\$852,975	\$760,525	\$848,699	\$948,425	\$1,117,000	\$1,168,312	\$1,168,312	\$1,144,945
18 <sup>th</sup> Arapahoe	\$1,660,466	\$1,306,457	\$1,164,857	\$1,350,529	\$1,544,479	\$1,873,422	\$2,024,843	\$2,024,843	\$1,984,347
19 <sup>th</sup> Weld	\$521,041	\$409,865	\$365,442	\$534,549	\$692,102	\$855,822	\$895,411	\$895,411	\$877,503
20 <sup>th</sup> Boulder	\$707,292	\$526,019	\$469,006	\$519,610	\$562,785	\$672,200	\$714,890	\$714,890	\$700,593
21 <sup>st</sup> Mesa	\$338,030	\$251,056	\$223,845	\$263,665	\$321,164	\$390,801	\$415,880	\$415,880	\$407,563
22 <sup>nd</sup> Montezuma	\$63,892	\$55,000	\$55,000	\$61,029	\$75,000	\$80,000	\$90,715	\$90,715	\$88,901
<b>Districts Total</b>	\$11,704,539	\$8,717,935	\$7,791,533	\$8,925,650	\$10,146,514	\$12,012,419	\$12,846,686	\$12,846,686	\$12,590,127
<b>Total Appropriation</b>	\$12,255,883	\$8,966,324	\$7,966,324	\$9,125,650	\$10,422,234	\$12,463,139	\$13,297,406	\$13,297,406	\$13,031,528

<sup>1</sup> Judicial District budget allocation figures provided by DYC and by the SB 94 Advisory Board.

<sup>2</sup> Approximately \$221,000 of FY 2001-02 and FY 2002-03 budgets were allocated based on Judicial District Performance. That amount is included in the statewide total, but not in the district totals. Performance incentives were eliminated with the FY 2002-03 mid-year budget reduction.

<sup>3</sup> Due to revenue shortfalls, the actual amount appropriated in FY 2002-03 was \$11,026,445.

**Table B2.** FY 2002-03 to FY 2009-10 Judicial District SB 94 Expenditures of Funds.

Service Categories	FY 02-03	FY 03-04	FY 04-05	FY 05-06	FY 06-07	FY 07-08	FY 08-09	FY 09-10	Change FY 02-03 to FY 09-10
	Percent of Total	Percent of Total	Percent of Total	Percent of Total	Percent of Total	Percent of Total	Percent of Total	Percent of Total	
Supervision	\$5,015,765.5	\$3,814,877.1	\$3,920,159.32	\$4,161,057.07	\$4,293,770.27	\$4,841,536.47	\$5,656,414.63	\$5,521,468.99	10.1%
	45.4%	46.8%	50.3%	48.3%	44.6%	42.3%	42.1%	45.6%	
Screening & Assessment	\$2,612,230.5	\$2,120,499.7	\$1,959,661.8	\$2,161,975.87	\$2,424,673.57	\$2,994,458.32	\$3,804,456.98	\$3,183,140.02	21.8%
	23.6%	26.0%	25.2%	25.1%	25.2%	26.1%	28.3%	26.3%	
Treatment	\$1,120,636.2	\$621,743.8	\$548,610.46	\$752,144.62	\$1,129,585.58	\$1,287,783.93	\$1,543,685.72	\$1,283,511.69	14.5%
	10.1%	7.6%	7.0%	8.7%	11.7%	11.2%	11.5%	10.6%	
Restorative Services	\$874,056.3	\$555,560.6	\$418,050.28	\$554,298.14	\$713,105.67	\$762,887.41	\$750,017.82	\$632,970.55	-27.5%
	7.9%	6.8%	5.4%	6.4%	7.4%	6.7%	5.6%	5.2%	
Direct Support	\$224,424.8	\$116,356.9	\$132,992.49	\$100,024.70	\$131,954.98	\$350,075.60	\$317,770.38	\$256,664.24	14.3%
	2.0%	1.4%	1.7%	1.2%	1.4%	3.1%	2.4%	2.1%	
Training Clients & Families	\$204,803.0	\$155,415.5	\$102,673.52	\$159,271.67	\$238,429.10	\$259,710.99	215,747.82	\$204,000.62	-0.4%
	1.9%	1.9%	1.3%	1.8%	2.5%	2.3%	1.6%	1.7%	
Plan Administration	\$996,850.3	\$773,665.4	\$706,633.30	\$728,120.03	\$686,063.15	\$959,953.34	\$1,133,387.63	\$1,024,894.42	2.8%
	9.0%	9.5%	9.1%	8.5%	7.1%	8.4%	8.4%	8.5%	
Total <sup>1</sup>	\$11,704,539	\$8,717,935	\$7,791,533	\$8,925,650	\$10,146,514	\$12,012,419	\$13,297,406	\$13,297,406	14.7%
	100.0%	100.0%	100.0%	100.0%	100%	100%	100%	100%	

<sup>1</sup> The Statewide Total amounts reflect the total SB 94 allocation as shown in Table B1.

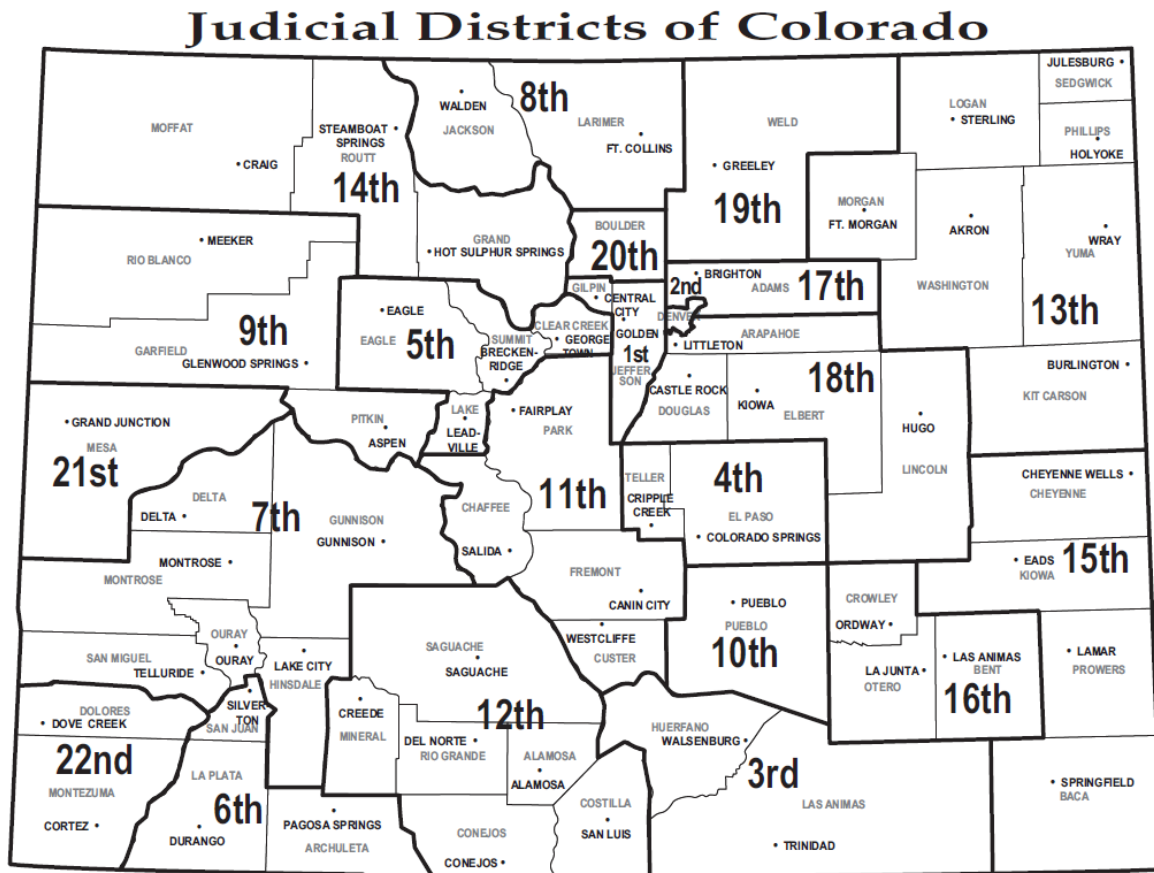




# Appendix C

## DYC Detention Bed Allocations

The SB 03-286 implementation plan presented the detention bed allocations for each DYC regional catchment area. Bed allocations are reviewed annually and changes made as necessary. The statewide bed allocations for FY 2009-10 were provided by DYC and are included on the following pages. The map of Judicial Districts is shown here from the DYC SB 94 web site at <http://www.cdhs.state.co.us/dyc/SB94.htm>.



**Table C1. FY 2008-2011 Detention Bed Allocations by Region, Facility, and Judicial District**

Central Region	Judicial District	FY 08	FY 09	FY 10	FY 11
Gilliam YSC	2 <sup>nd</sup> JD	73	73	73	73
	Total	73	73	73	73
Marvin Foote YSC	2 <sup>nd</sup> JD	9	0	0	0
	17 <sup>th</sup> JD	7	7	7	10
	18 <sup>th</sup> JD	80	84	84	78
	11 <sup>th</sup> JD	0	1	1	1
	Total	96	92	92	89
Mount View YSC	1 <sup>st</sup> JD	55	55	55	55
	5 <sup>th</sup> JD	5	5	5	5
	Total	60	60	60	60
<b>Central</b>	<b>Total</b>	<b>229</b>	<b>225</b>	<b>225</b>	<b>222</b>

Southern Region	Judicial District	FY 08	FY 09	FY 10	FY 10
Pueblo YSC	3 <sup>rd</sup> JD	3	3	3	2
	10 <sup>th</sup> JD	22	22	22	20
	11 <sup>th</sup> JD	9	10	10	11
	15 <sup>th</sup> JD	2	2	2	2
	16 <sup>th</sup> JD	4	5	5	6
	Total	40	42	42	41
Spring Creek YSC	4 <sup>th</sup> JD	58	58	58	59
	Total	58	58	58	59
Staff Secure	12 <sup>th</sup> JD	6	6	6	5
	Total	6	6	6	5
<b>Southern</b>	<b>Total<sup>35</sup></b>	<b>104</b>	<b>106</b>	<b>106</b>	<b>105</b>

<sup>35</sup> The 11<sup>th</sup> Judicial District was allocated 1 bed at Marvin Foote YSC in the Central Region.



**Table C1** Continued. FY 2008-2011 Detention Bed Allocations by Region, Facility, and Judicial District

Northeast Region	Judicial District	FY 08	FY 09	FY 10	FY 11
Adams YSC	17 <sup>th</sup> JD	29	29	29	29
	Total	29	29	29	29
Platte Valley YSC	8 <sup>th</sup> JD	18	18	18	20
	13 <sup>th</sup> JD	8	7	7	6
	19 <sup>th</sup> JD	25	26	26	26
	20 <sup>th</sup> JD	18	18	18	16
	Total	69	69	69	68
Staff Secure	8 <sup>th</sup> JD	2	2	2	2
	19 <sup>th</sup> JD	3	3	3	3
	20 <sup>th</sup> JD	3	3	3	3
	Total	8	8	8	8
<b>Northeast</b>	<b>Total<sup>36</sup></b>	<b>106</b>	<b>106</b>	<b>106</b>	<b>105</b>

Western Region	Judicial District	FY 08	FY 09	FY 10	FY 10
Grand Mesa YSC	7 <sup>th</sup> JD	4	4	4	4
	9 <sup>th</sup> JD	5	5	6	7
	14 <sup>th</sup> JD	3	3	4	4
	21 <sup>st</sup> JD	12	12	17	18
	Total	24	24	31	33
Denier YSC	6 <sup>th</sup> JD	6	6	6	7
	22 <sup>nd</sup> JD	3	3	3	4
	Total	9	9	9	11
Staff Secure	7 <sup>th</sup> JD	2	2	2	3
	9 <sup>th</sup> JD	1	1	0	0
	14 <sup>th</sup> JD	1	1	0	0
	21 <sup>st</sup> JD	3	5	0	0
	Total	7	9	2	3
<b>Western</b>	<b>Total</b>	<b>40</b>	<b>42</b>	<b>42</b>	<b>47</b>

<sup>36</sup> The 17<sup>th</sup> Judicial District was allocated 7 beds at Marvin Foote YSC in the Central Region.



# Appendix D

## Judicial District Critical Issues

Categories of critical issues identified by Judicial Districts in their Detention Services Plans are presented along with district examples for each.



Table D1. Critical Issue Categories and Judicial District Examples.

<b>Issue:</b> Services for youth who use substances	15 districts
<p>Examples:</p> <p>5<sup>th</sup> Judicial District - All counties in the 5<sup>th</sup> Judicial District have identified that the majority of juveniles have some type of drug involvement even if their crime is not drug related. <u>Solution Examples</u> - In three of the four counties we are using groups such as Pathways and MRT. In Clear Creek we are addressing this by establishing working relationships with Jefferson County treatment providers. We offer to help pay for group sessions, urinalysis, and meeting with clients in the community rather than have them also travel to our offices. A new cognitive group in Summit County is being utilized in coordination with individual drug and alcohol treatment. In Lake County we have in-house cognitive groups provided by one of our probation officers. Our district has used the SCRAM device for the past year and a half; reports were mainly positive as the use of this device deterred our juveniles from alcohol use while wearing it. All probation officers who supervise youth on probation and preadjudication have been trained and are implementing Motivational Interviewing in everyday practice.</p> <p>22<sup>nd</sup> Judicial District – This Judicial District states that many times substance abuse issues are closely intertwined with violent crimes. Over 80% of youth receiving SB 94 services were intoxicated at the time of their offense or have received evaluations indicating a need for treatment for alcohol and/or drug use. <u>Solution Examples</u> - The JSPC is identifying gaps in services and mapping these gaps with available funding sources. The priorities for filling the gaps include underage drinking, substance abuse, and violence prevention. There are concerted efforts in the community to address these issues, such as a Students Against Underage Drinking (STUDS) group in the Dolores area, the Regional Substance Abuse Prevention Program (RSAPP) focused on underage drinking, the School Community Youth Coalition, and numerous efforts by members of HB1451 collaboratives and the Prevention Policy Network. The JSPC wants to address this issue with evidence-based programs that have been proven effective for both prevention and intervention services.</p>	
<b>Issue:</b> Detention Continuum	9 districts
<p>Examples:</p> <p>3<sup>rd</sup> Judicial District - The 3<sup>rd</sup> Judicial District is trying to locate a suitable place for juveniles who are screened at level 3 (residential/shelter). We continue the practice of overriding initial screens and placing the juvenile in the detention facility or releasing the juvenile home with services that are available (i.e., electronic home monitoring, day reporting, anger management). A suitable licensed foster family has been located that is willing to provide a secure location for juveniles who fit into that category, however, there continues to be a delay in opening the facility due to financial difficulties. <u>Solution Examples</u> - Collaboration, program development - continue to work with the Huerfano DSS and a potential foster family to develop a Residential Shelter Care Program. This will help complete the detention continuum by providing an alternative placement for juveniles who screen in at level 3, as well as a placement for alternative sentencing available to local judges and probation for intermediate sanctions.</p> <p>14<sup>th</sup> Judicial District - There is a lack of foster homes or shelter bed capacity within the three counties that will provide alternatives to detention. The 14<sup>th</sup> Judicial District currently has approximately five licensed foster homes that will accept adolescents. We continue to lack any form of shelter bed capacity. This results in two issues: 1) youth screened into level 3 (shelter care) have to be either overridden up to a more secure facility or released home with services,</p>	



and 2) the district is unable to step youth down from secure detention. Youth are sometimes left in detention for long periods of time because we lack any reasonable alternative placement. Solution Examples - The 14<sup>th</sup> JSPC has explored purchasing shelter bed capacity at Hilltop in Grand Junction, but that has turned out to be cost prohibitive and did not address our desire to keep at-risk youth within the district. We may use HB 1451 to discuss how we can support DSS and DHHS in recruiting additional foster homes and/or developing some shelter bed capacity. HB 1451 has also been utilized to help provide support services to some of these families with some success.

2<sup>nd</sup> Judicial District – There are a finite number of secure detention beds available to the juvenile justice system. Due to the location of the 2nd Judicial District, the serious nature of criminal offenses, and the requirement to hold youth from outside the judicial district on temporary basis, it continues to be difficult to manage the cap. Review of the cases and recommendations as to which juvenile may be moved, if needed, has been limited by both a lack of transportation and placement options. Over the last year much improvement has been made to reduce the number of youth sitting in detention awaiting placement. However, we are still finding that at times youth linger for a long period of time waiting for placement or services to be put into place in the community before they can be released. Solution Examples - Paramount Youth Services continues using the Emergency Release process to identify juveniles who are appropriate to be released back into the community on an emergency basis. Paramount Youth Services does this by working with other agencies to get appropriately identified juveniles placed in placement facilities, referred to probation release, or placed on the DRP program, thus reducing the number of juveniles physically incarcerated in the 2<sup>nd</sup> Judicial District. Although the primary interest is in sustaining the detention bed cap, all juveniles are reviewed as to how and when they will be removed from custody, transported to appropriate placements, and supervised while criminal cases or placement matters keep them under on-going court approved supervision.

**Issue:** Assessment & Better Use of Services

10 districts

Examples:

4<sup>th</sup> Judicial District - With an increasing demand for intervention services for court-involved youth, the 4th Judicial District is continuously dialoguing about and problem-solving how to use the district's limited adolescent resources efficiently and effectively. SB 94 in the district has been at capacity in the majority of its line items, and has generally had to stop referring youth to EBPs three to four months prior to year end. Solution Examples - *Focus on the offender rather than offense and EBP services*. This assists SB 94 in linking youth and their families with the appropriate services rather than the common practice of "prescribing" services based on the alleged offense. SB 94 utilizes two processes that assist the district in addressing efficient and effective use of SB 94 resources: CJRA - determining a youth's risk of recidivism and ranking them as low, medium or high helps the district better identify which youth should be considered for SB 94 services; High Fidelity Wraparound training – this training and associated processes have been implemented, including implementation of Family Support Partners.

21<sup>st</sup> Judicial District - Due to the loss of Turnabout funding, SB 94 has struggled to provide the same access, services and funding to replace services previously offered for screened juveniles. Use of the pre-screen CJRA and the brief mental health contact for detained juveniles is not resulting in enough information to make competent recommendations. The assessments range from \$200-\$300 per juvenile and quickly eat away at the monies left to pay for the recommended treatment. The right services cannot be offered at the right time due to funding constraints.



<p><u>Solution Examples</u> - The full CJRA will be completed on the higher risk juveniles (levels 1-2) and will be offered or strongly recommended for levels 3-5. This will enable the completion of appropriate case planning and placement in the right services at the right time. SB 94 will access funding support through HB 1451 and the Juvenile Assistance Grants (JAG).</p>	
<p><b>Issue:</b> Family engagement &amp; involvement</p>	<p>8 districts</p>
<p>Examples:</p> <p>6<sup>th</sup> Judicial District - Many of the youth we serve are lacking a supportive and structured home life. Seldom do parents of these youth have the skills to adequately supervise and support their children. <u>Solution Examples</u> - Our program strives to address not only the needs of the individual, but also the needs of the family. Families may be referred for family therapy or, in some cases, Multi-Systemic Therapy, which offers in-kind services to families we serve.</p> <p>7<sup>th</sup> Judicial District - A critical issue impacting youth receiving SB 94 services is the challenge of engaging parents in youths' lives, goals and treatment plans. Parents sometimes refuse services or, in the other direction, request that their child remain in detention or even refuse to allow them to return home. Sometimes older children have to take care of younger children, a role that can interfere with school attendance, appointment keeping or court. Parents look to the SB 94 Trackers or Case Managers to enforce rules, rather than there being consequences at home that the Tracker can support. <u>Solution Examples</u> - They have begun to ask the court to specify conditions that are tied to the parents. The needs of parents are reviewed by the Family Advocacy Support Team (FAST) and the Community Evaluation Team (CET). Various services are available depending on the needs of the youth and family.</p> <p>11<sup>th</sup> Judicial District - Youth in the 11th Judicial District find it difficult to find positive role models that will support them in making good choices for their lives. There is an increasing influence of gangs on the youth of the district. <u>Solution Examples</u> - Mentoring services that are paid for with SB 94 funds are targeted to supporting youth in making choices that will help them avoid reoffending and returning to the legal system with new charges.</p>	
<p><b>Issue:</b> School concerns</p>	<p>6 districts</p>
<p>Examples:</p> <p>9<sup>th</sup> Judicial District - The district has seen an increase in the number of youth who are not involved in school or are facing suspension or expulsion. Many of the youth who do not have a stable school environment have failed out of a variety of schooling options. In addition, many of the young people have no desire for any schooling and do not see it as essential to their wellbeing. <u>Solution Examples</u> - The district has a truancy court which is addressing educational issues at an earlier stage of intervention. The 1451/FACET assessment team works closely with schools on educational programming. Within the district, GED services have been made more available to youth, an expulsion school is in place, and most school districts are working on having on-line curriculum so suspended and expelled youth are not falling behind in schooling. School districts are working in cooperation with the community on after school programming.</p> <p>12<sup>th</sup> Judicial District - Many of the juveniles who qualify for SB 94 services do not function well in the traditional school setting. Because of this, alternatives must be in place so that these juveniles receive an adequate education. <u>Solution Examples</u> - Schooling has been addressed in the last couple of years and will continue to be addressed by placing a large amount of money in the education line item. For those juveniles who are not successful in the traditional school setting, SB 94 assists with funds for the Day Treatment Program, online schooling, books, fees to pay for GED testing as well as other educational expenses. SB 94 has also been working in conjunction</p>	



with the Probation Department and the Monte Vista School District to utilize peer tutors in the Monte Vista High School. Honor students are paid by SB 94 to tutor SB 94 eligible students in an after school program which is run by probation officers and SB 94 staff.

<b>Issue:</b> Truancy concerns	6 districts
<p>Examples:</p> <p>4<sup>th</sup> Judicial District – This district is facing an increased use of juvenile detention for status offenders (truants). A recent Division of Criminal Justice Report, titled "2009 Monitoring Report," details the number of status offenders detained by the district in the juvenile detention setting. According to the report, the district detained 196 status offenders in detention, or 27% of the total number of status offenders statewide in 2008-09. This practice challenges SB 94's ability to manage detention beds and stresses the overall juvenile justice system. <u>Solution Examples - Information sharing and recommending alternatives.</u> SB 94 in the district continues to dialogue with the juvenile bench and school districts on this issue by sharing relevant data, suggesting policy and practice changes, and considering the funding of "early release from detention" services or pilot to reduce the number of truants detained in the detention setting.</p> <p>15<sup>th</sup> Judicial District - In the 15th Judicial District, truancy filings with the court have had a serious impact on the Lamar High School. Along with truancy filings, there has been an increase in violence between students that has resulted in out of school suspension and assault charges. <u>Solution Examples</u> - This issue is being addressed in a variety of ways, including increased contact with the schools and monitoring grades, attendance, and participation of students who are at risk of dropping out or failing school. If a student with a truancy case is found to be in contempt of court, SB 94 will evaluate and provide services necessary to empower and address the issues regarding the truancy on a case by case basis. For students with an increased need of educational and vocational services, SB 94 is collaborating with Lamar Community College and other agencies in the community to provide a seamless program that is designed to empower students. The program will provide GED, Life Skills and Job Skill opportunities for educational and vocational success. This program will provide an evidence-based continuum of services for youth who are at risk of expulsion, dropping out or failing school.</p>	
<b>Issue:</b> Needs of specific populations: females, youth under the age of 13, and minority youth	5 districts
<p>Examples:</p> <p>1<sup>st</sup> Judicial District - The 1st Judicial District JSPC determined an evaluation should be completed on three specific types of youth by gathering data on these youth that will be utilized for data-informed decision making. The evaluation will employ qualitative and quantitative information to update the committee's knowledge, attitudes, and behaviors. It will then develop their awareness about the needs of girls, youth under thirteen and youth involved in truancy. <u>Solution Examples</u> - We will be developing and conducting a systematic evaluation that requires a structured and consistent method of analyzing the information. First, we will assemble an evaluation team including members of the Committee, 1st Judicial District SB 94 staff, other stakeholders and an outside independent evaluator who can help with planning and executing the evaluation. Then the Committee will be able to make data-informed decisions about goals for next year based on the results. Addressing this critical juvenile justice issue of data-informed decision making, with the assistance of locals and a consultant, should enhance understanding on how to move forward by using best practice for program effectiveness for the Juvenile Services Planning Committee, as well as possibly for the Senate Bill 94 Statewide Advisory Board.</p>	





22<sup>nd</sup> Judicial District - According to the Colorado Department of Education website (www.cde.state.co.us), the demographics of the 22nd Judicial District for youth in school are 21% Native American, 1% Asian, 1% Black, 14% Hispanic, and 64% White (non-Hispanic). The SB 94 FY 2008-09 Detention ADP report reflects that Native Americans are 36% of the detention population compared to 21% of the population in the 22nd Judicial District (TriWest Group, 2009). The SB 94 JSPC wants to understand the reasons behind this disparity and provide solutions. Solution Examples - The JSPC is planning to gather additional data and develop stronger relationships with the tribes to determine how we could best work with them to decrease minority over-representation in detention and commitment. Individuals have been identified as potential representatives from the Native American community to be members of the JSPC. These individuals include leaders from the local human relations commission, leaders from the Inter-Tribal Voices, and Council Members from the Ute Mountain Ute Tribe. These potential JSPC members will be recruited through face-to-face meetings with designated JSPC leaders.

<b>Issue:</b> Mental health services	5 districts
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**Examples:**

1<sup>st</sup> Judicial District - Our critical issue has been an increase in the severity of needs of these youth and a decrease in appropriate resources, such as the closing of the adolescent unit at the Colorado Mental Health Institute at Fort Logan. An additional critical issue for the courts has been the increase in determination of competency of adolescents with mental health issues. Youth are incarcerated in the Mount View Detention Facility until the determination about their competency is made. Solution Examples - The 1st Judicial District established a Juvenile Mental Health Court in 2005, recognizing that those youth with serious mental health disorders should be diverted from the juvenile justice system. Diverting appropriate youth from the juvenile justice process - whether at first contact with law enforcement officials, at intake, or at some other point prior - to formal adjudication can reduce the growing number of these youth entering the juvenile justice system and reduce the likelihood that their disorders will go untreated. Emphasis on treatment, however, requires a multidisciplinary partnership involving justice and treatment systems and a comprehensive range of services to which you can divert youth. The tools used to provide this assistance are mandated treatment, rigorous court supervision, sanctions, and the dedication of caring and knowledgeable collaborative team members, who provide intensive, coordinated, wraparound services.

18<sup>th</sup> Judicial District - Youth with mental health needs are first identified during the Screening and Assessment process at our Juvenile Assessment Center. Once a need has been identified, accessing services still can be a lengthy process. Accessing services can be delayed by the need to staff the case at our Pathways meetings for funding approval, identifying if a youth is covered by Medicaid or Private Insurance, finding available professionals that can meet the set deadlines, and assuring they are accessible to the youth and families. Once youth and families are approved for services, they may be placed on a wait list. These youth often remain in detention while awaiting services, thus increasing the length of stay. Solution Examples - The 18th Judicial District JAC administers the MAYSI 2 on youth entering detention. If a youth scores high on the MAYSI 2, a mental health professional will follow up at the detention center to assess for services. The SB 94 Detention Case Manager will also be notified of youth who score high on the MAYSI 2 so they can arrange any additional assessments/evaluations. SB 94 Detention Case Managers and Pre-Trial Release Case Managers have the ability to pay for assessments and evaluations from our



evaluations and flex funds line items. The 18th Judicial District SB 94 is actively expanding their provider list. We have contracted with several new providers this year and hope to continue to build our options in the community. The 18th Judicial District SB 94 has been asked to participate in the local Mental Health Committee in response to House Bill 08-1016. This bill requires the presiding Judicial Officer to order a mental health screen on a juvenile when a member of the party states that the juvenile can benefit from mental health services.

<b>Issue:</b> Probation: payment of costs and restitution	3 districts
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**Examples:**

11<sup>th</sup> Judicial District - Youth in the 11th Judicial District are having a difficult time paying their court ordered restitution. Fremont County has one of the highest unemployment rates for adults in the state. This directly impacts juvenile offenders who find it difficult to find jobs to pay restitution and court fees. Additional challenges are experienced as youth attempt to fit jobs around school, treatment and sometimes detention sentences. Solution Examples - The restitution program has enabled youth to earn funds for their court ordered restitution fees. This program has a positive effect on the youth of the community as well as the victims. During the past year a number of youth were able to complete this final probation requirement of paying their restitution fees to their victims. In some cases this final requirement has been the only thing that has held a youth back from being terminated from a probation sentence. The community as a whole is working well together to provide services to as many families as possible.

16<sup>th</sup> Judicial District - Many youth entering the judicial system lack the basic discipline for being accountable for their actions and this contributes to technical violations. While juveniles do not typically have probation revoked solely for non-payment of costs associated with their case, it is at times listed with other violations of probation. Being able to be responsible in some manner for costs remains important, however, as gaining meaningful employment not only has the immediate benefit of monetary income to payoff costs, it is also a productive use of idle time, provides greater feelings of self worth, provides opportunities for more positive reinforcement, and teaches valuable life skills necessary to succeed later in life. Solution Examples - The SB 94 Program plans to continue to fund the Workshop to Work Program, which is designed to provide juveniles with the information and skills to help obtain and keep employment. The SB 94 Coordinator facilitates a series of educational modules designed to provide juveniles with the information necessary to seek, obtain, and keep gainful employment. Job placement and subsequent supervision is done through Rocky Mountain SER. Upon successful completion of the education modules and a mock job interview, juveniles are placed at a work site and paid an hourly rate. Juveniles are encouraged to apply a percentage of their earnings toward court fines, restitution, and treatment services.

