

Evaluation of the Senate Bill 91-94/Colorado Youth Detention Continuum Program

ANNUAL REPORT

Fiscal Year 2018-2019

PREPARED FOR:

Colorado Department of Human Services
Office of Children, Youth, and Families
Division of Youth Services



COLORADO
Division of Youth Services
Office of Children, Youth & Families

By *Infinite Frontier Consulting, LLC*

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Annual Report: Fiscal Year 2018-2019

Submitted to:

Colorado Department of Human Services Office of Children, Youth and Families
Division of Youth Services

By:



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LIST OF ACRONYMS

ADP	Average Daily Population
CJRA	Colorado Juvenile Risk Assessment
CYDC	Colorado Youth Detention Continuum
DHS	Department of Human Services
DYS	Division of Youth Services
FTA	Failure to Appear
FTC	Failure to Comply
FY	Fiscal Year
HB 1451	House Bill 04-1451 established collaborative management of multi-agency services provided to youth and families
JD	Judicial District
JSPC	Juvenile Services Planning Council
JDSAG	Juvenile Detention Screening and Assessment Guide
LOS	Length of Stay (Service)
RFI	Request for Information
SB 94/CYDC	Senate Bill 91 - 94/Colorado Youth Detention Continuum
TRAILS	Management information data system used by DYS

EVALUATION OF THE SENATE BILL 94 /CYDC PROGRAM

This report is in response to the request for information (RFI) submitted to the Governor by the Colorado Joint Budget Committee. This report specifically addresses Item 9; Department of Human Services, Division of Youth Corrections, Community Programs, S.B. 91-94 Programs. Item 9 reads as follows:

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.91-094; (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.

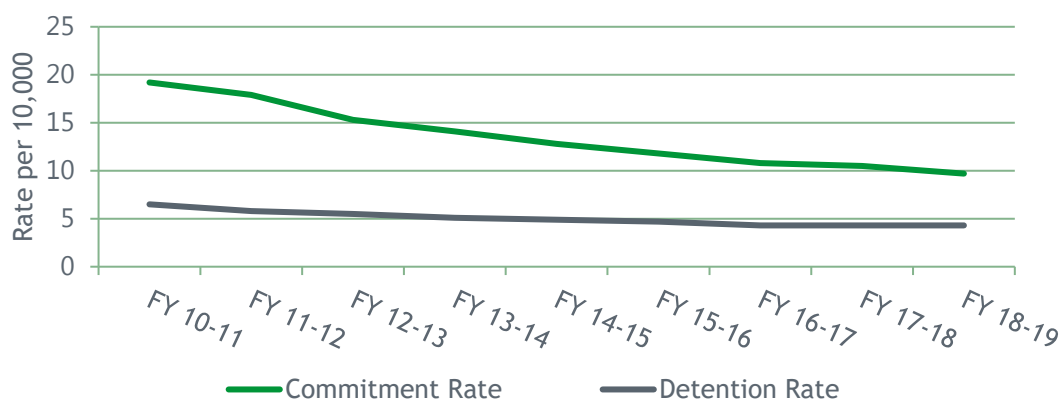
For over two decades, the S.B. 91-94/Colorado Youth Detention Continuum (CYDC) program, commonly referred to as SB 94/CYDC, has operated as an integrated and irreplaceable component of the juvenile justice detention continuum. SB 94/CYDC funding has provided for locally-appropriate, integrated, and evidence-based practices designed to serve youth in the least restrictive placements in order to achieve the most effective outcomes.

(1) TRENDS IN DETENTION AND COMMITMENT

The rates of both detention and commitment have shown a decreasing trend over the past nine years (see Appendix A and Appendix B for greater detail). Rates are calculated using detention and commitment ADP per 10,000 youth in the general population.

- ∞ Statewide detention rates have declined 33.8% from 6.5 per 10,000 youth in FY 2010-11 to 4.3 in FY 2018-19 (see Figure 1). Detention rates for the most recent three fiscal years (FY 2016-17 to FY 2018-19) have remained constant at 4.3 per 10,000 youth.
- ∞ Similarly, commitment rates have declined 49.5% from 19.2 per 10,000 youth to 9.7 in the same nine fiscal year period.

FIGURE 1. STATEWIDE COMMITMENT AND DETENTION RATES



- ∞ In FY 2018-19, detention rates ranged from 1.0 per 10,000 youth in the 14th Judicial District to 11.6 in the 3rd Judicial District (see Table 1 for rates by Judicial District).
- ∞ In FY 2018-19, commitment rates showed similar variability across Judicial Districts ranging from 1.2 per 10,000 youth in the 20th Judicial District to 22.1 in the 15th Judicial District.

TABLE 1. COMMITMENT AND DETENTION RATES BY JUDICIAL DISTRICT

JD	FY 13-14		FY 14-15		FY 15-16		FY 16-17		FY 17-18		FY 18-19	
	Com	Det	Com	Det	Com	Det	Com	Det	Com	Det	Com	Det
1	15.9	4.4	12.8	4.8	12.5	4.3	13.5	4.3	14.7	5.1	15.3	3.5
2	26.9	10.6	25.3	9.2	22.1	8.9	17.7	6.9	14.7	6.1	14.6	7.3
3	2.9	3.7	12.3	4.6	8.3	6.7	5.6	3.3	2.0	5.2	2.6	11.6
4	13.7	5.3	13.4	4.6	11.0	5.2	9.9	5.5	11.7	5.5	10.7	5.6
5	5.9	3.4	8.3	2.6	11.2	2.6	9.6	1.1	6.8	1.3	6.5	1.3
6	22.9	4.2	22.4	3.6	15.4	2.3	11.3	3.6	11.2	3.9	6.4	1.9
7	16.1	3.1	8.7	4.2	8.8	3.8	7.5	3.7	8.0	3.0	8.5	2.5
8	12.9	4.7	11.8	5.7	13.4	4.6	13.6	3.2	11.3	3.3	6.6	3.1
9	12.3	2.4	8.8	2.8	4.2	4.7	5.4	2.6	6.3	3.1	6.5	2.7
10	13.9	6.8	15.0	6.8	21.9	7.0	21.3	6.4	16.4	5.8	8.2	4.1
11	10.8	6.1	13.6	3.8	6.2	4.0	6.9	3.5	8.6	3.7	7.0	3.8
12	18.0	4.2	12.5	2.6	11.3	4.0	16.0	3.3	8.6	3.6	3.3	4.1
13	20.0	5.4	15.8	2.6	9.9	4.3	8.2	3.4	9.2	5.1	3.7	4.0
14	6.9	1.1	3.4	1.7	5.9	1.7	4.3	0.5	3.8	1.9	3.0	1.0
15	15.6	11.4	8.7	4.3	5.5	4.6	8.4	13.4	28.7	6.1	22.1	6.1
16	9.7	5.9	9.0	5.2	2.2	1.8	0.0	3.0	0.9	5.6	2.3	4.1
17	11.8	3.6	12.8	3.3	11.6	3.6	10.0	3.0	8.6	3.1	8.4	3.2
18	9.8	4.1	7.8	4.1	6.6	3.4	5.5	3.3	6.4	3.4	7.9	3.8
19	14.6	7.2	15.9	7.4	15.4	5.6	15.3	5.1	15.3	3.9	12.1	4.8
20	4.6	2.1	3.1	1.9	4.2	1.7	2.9	2.0	2.5	2.0	1.2	2.2
21	24.7	6.5	18.3	6.9	19.6	7.3	23.7	6.9	21.0	8.3	21.6	7.4
22	34.7	4.9	20.1	5.6	13.1	3.0	10.8	2.9	17.2	7.7	15.7	4.0
STATE	14.1	5.1	12.8	4.9	11.8	4.7	10.8	4.3	10.5	4.3	9.7	4.3

Commitment and detention rates are ADP per 10,000 youth in the general population.

In FY 2003-04, the Legislature imposed a cap (479) on the number of juvenile detention beds that can be utilized at any given moment. The cap has since been reduced two additional times; July 1, 2011 to 422, and to its current limit of 382 on April 1, 2013. The SB 94/CYDC program assists the courts in effectively managing detention bed utilization by funding community-based services (e.g., supervision, treatment, support) for youth who can be safely supervised in the community. Community-based service provision enhances the detention continuum capacity, ensuring that detention beds are available when needed. Indices of secure bed utilization suggest that capacity was successfully managed during FY 2018-19.

- ∞ The highest maximum daily count was 289 beds. This maximum occurred in October 2018 and represented 75.7% of the cap of that day's detention bed cap (382).
- ∞ Across the state, there was at least one facility at or above 90% of the cap on 284 days (77.8% of the FY). This is an 12.3% decrease over the number of days that met this criterion last fiscal year.
- ∞ During FY 2018-19, the total client load (total number of youth served each day even if only present for a portion of the day) averaged 295.3 youth per day. This is down 1.3% from last fiscal year (see Figure 2).
- ∞ On average, DYS processed 28.2 new admissions/releases per day; which is a 7.8% decrease from the prior fiscal year.
- ∞ Median length of stay (LOS) has been stable over the past nine years (see Figure 3).

FIGURE 2. DETENTION BED USE

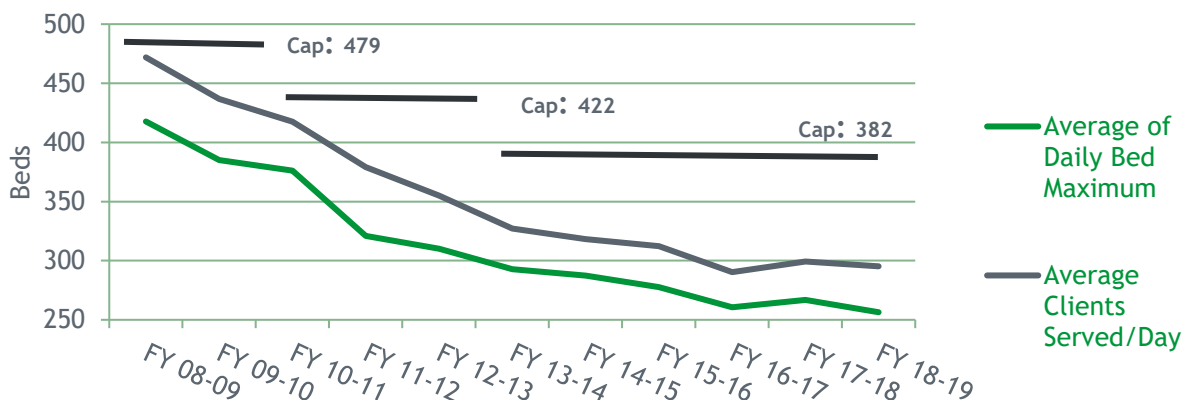
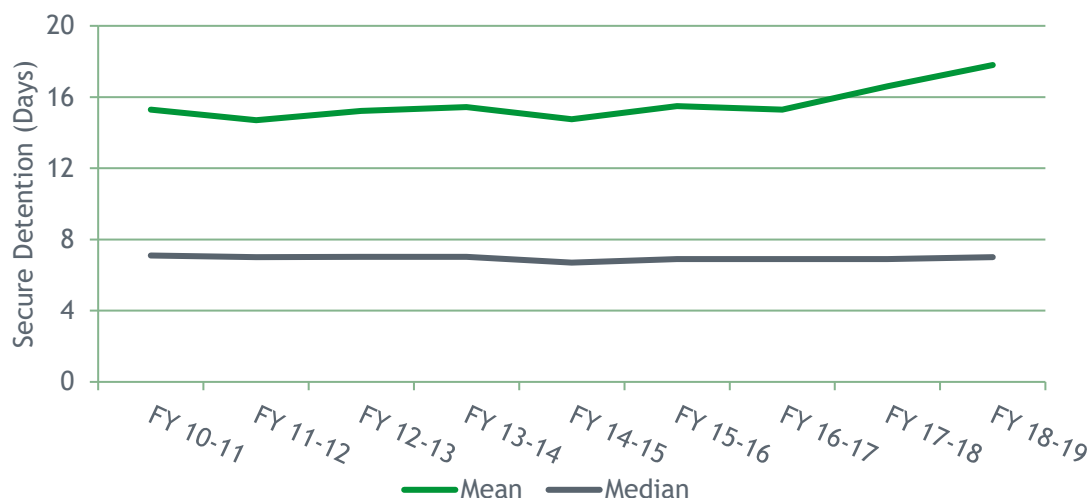


FIGURE 3. LENGTH OF STAY - MEAN VS. MEDIAN



- ∞ Comparing LOS with the risk of the youth reveals that youth whose Colorado Juvenile Risk Assessment (CJRA; see Appendix H for a copy of the instrument) prescreen scores indicated youth with a low risk of recidivism had a median LOS of 3.7 days, while youth with moderate and high CJRA scores had median stays of 8.8 and 11.7 days, respectively.

(2) PROFILES OF YOUTH

During FY 2018-19, 5,568 unique youth were served along the detention continuum.

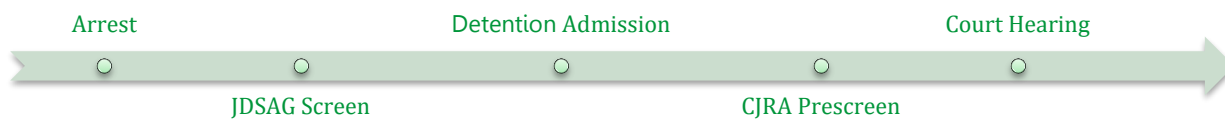
- ∞ Statewide, three-quarters of the youth served were male, and Caucasians represented the greatest percentage of any ethnic/racial group. (See Appendix E for more demographic details).
- ∞ At the Judicial District level, the proportion of youth with one or more detention admissions who were Caucasian ranged from 15.5% in the 2nd Judicial District to 100.0% in the 14th Judicial District.
- ∞ Across Judicial Districts, males represented between 58.3% and 100.0% of the youth with a secure detention admission.

The kinds of risks that youth pose to society and the kinds of services they require to prevent escalating delinquent or criminal behavior vary tremendously. SB 94/CYDC has established a system that includes objective screening and assessment at specific intervals. Youth admitted to a secure detention facility receive, at a minimum, two screens: the Juvenile Detention Screening and Assessment Guide (JDSAG) and the Colorado Juvenile Risk Assessment (CJRA) prescreen. These screens serve different purposes. The JDSAG is used to predict youths’ overall risk of failing

to appear for their court hearing and to determine whether youth, if released, would pose an immediate risk to the community. In contrast, the CJRA prescreen assesses youth risk of reoffending using two separate domains: criminal history and social history.

At the time of admission into secure detention, only the screening placement recommendation from the JDSAG is available to influence the placement decision. The CJRA prescreen is used later in the detention process. In the majority of cases, youth are placed in a secure facility because of a mandatory hold factor. Figure 4 displays the timing of screening activities in relation to the initial arrest, detention admission, and court hearing.

FIGURE 4. TYPICAL SEQUENCE OF SCREENING FOR YOUTH ADMITTED TO SECURE DETENTION¹



JDSAG (see Appendix G for a copy of the instrument) screenings resulted in 5,145 new secure detention admissions (see Appendix C for more details).

- ∞ Thirty-four percent of the youth (n = 1,313) screened with the JDSAG received more than one JDSAG screen, but they accounted for 59.4% of all completed screens (n = 6,215).
 - Youth with multiple screens were substantially more likely to be a public safety risk (78.4% vs. 42.4%), a risk to themselves (80.1% vs. 45.5%), or to have a mandatory hold (92.5% vs. 57.7%) than youth with a single JDSAG screen (n = 2,525).
 - A small proportion of youth (34.2%) who represent the highest public safety risk require significant detention resources for repeated detention screening and admission.

There were 3,137 unique youth admitted to secure detention during FY 2018-19. A substantial number of youth (n = 1,223; 39.0%) had more than one detention admission in the span of one fiscal year.

- ∞ The number of secure detention admissions per youth ranged from 1 to 10, and 39.0% of youth were placed in secure detention on more than one occasion.
- ∞ Statewide pre-adjudicated youth accounted for the greatest number of detention admissions, 50.5% of all new admissions (see Table 2).

¹ There is great variability in the way youth move along the detention continuum. Figure 4 is presented for illustrative purposes only and to show why the JDSAG is the screen score used to make placement decisions.

TABLE 2. DETENTION REASONS FOR NEW SECURE DETENTION ADMISSIONS

	FY 12 -13	FY 13-14	FY 14-15	FY 15-16	FY 16-17	FY 17-18	FY 18-19
Number of New Secure Detention Admissions	7,324	6,783	7,024	6,510	5,980	5,591	5,145
Reason²	Percent	Percent	Percent	Percent	Percent	Percent	Percent
Pre-Adjudicated	38.7	37.0	41.8	43.3	43.4	44.9	50.5
Felony	23.5	23.7	25.8	29.3	28.9	31.7	37.0
Misdemeanor	15.2	13.3	16.0	14.0	14.5	13.2	13.5
Sentence to Probation	0.9	4.6	6.2	5.9	6.5	8.3	5.4
Technical Violation	0.5	3.7	5.3	5.0	5.3	7.5	4.7
New Charges	0.4	0.9	0.9	0.9	1.2	0.8	0.7
Detention Sentence	13.1	10.1	6.2	4.2	5.7	4.5	2.8
Probation Sentence	0.5	0.2	0.0	0.0	0.0	0.0	0.0
Detention Sentence	9.7	7.8	4.6	3.8	5.2	3.4	2.5
Valid Court Order Truancy	2.8	2.0	1.5	0.3	0.3	0.2	0.0
Awaiting DHS Placement	0.1	0.1	0.1	0.1	0.2	0.9	0.3
Warrants/Remands	46.4	46.8	44.5	45.8	43.5	41.0	40.1
Failure to Appear (FTA)	10.1	11.8	11.2	11.9	11.3	9.6	8.7
Failure to Comply (FTC)	36.3	35.0	33.3	33.9	32.2	31.4	31.4
Other	0.8	1.2	0.5	0.4	0.5	0.5	0.5
DYS Committed	0.1	0.3	0.8	0.4	0.4	0.8	0.7

∞ The reason detained varied across Judicial Districts (see Table 3).

² Charges associated with each unique detention admission were not available for all cases. To enable comparisons with prior years, only valid percent values are reported in Table 2.

TABLE 3. DETENTION REASONS FOR SECURE DETENTION NEW ADMISSIONS BY JUDICIAL DISTRICT

Secure Detention: Reason Detained (Valid Percent ³) by Judicial District							
JD	Pre-Adjudicated	Sentence to Probation	Detention Sentence	Warrants/Remands	Other	DYS Committed	Total
1	41.0	20.5	7.2	31.0	0.3	0.0	100.0
2	55.6	0.1	0.3	42.1	1.4	0.5	100.0
3	76.4	11.8	0.0	11.8	0.0	0.0	100.0
4	56.2	3.4	1.5	35.3	0.0	3.6	100.0
5	53.3	6.7	16.7	20.0	3.3	0.0	100.0
6	66.7	20.0	0.0	13.3	0.0	0.0	100.0
7	69.5	0.0	2.2	28.3	0.0	0.0	100.0
8	37.0	0.0	4.6	57.6	0.0	0.8	100.0
9	48.2	11.1	0.0	40.7	0.0	0.0	100.0
10	46.6	1.4	4.3	47.2	0.0	0.5	100.0
11	68.0	0.0	2.7	29.3	0.0	0.0	100.0
12	63.9	0.0	2.8	33.3	0.0	0.0	100.0
13	73.6	0.0	0.0	26.4	0.0	0.0	100.0
14	66.6	16.7	0.0	16.7	0.0	0.0	100.0
15	7.1	0.0	7.1	85.8	0.0	0.0	100.0
16	53.4	13.3	13.3	20.0	0.0	0.0	100.0
17	44.4	0.5	0.7	54.4	0.0	0.0	100.0
18	52.4	0.0	1.7	43.7	1.5	0.7	100.0
19	48.7	27.1	1.6	22.6	0.0	0.0	100.0
20	41.5	8.5	25.5	24.5	0.0	0.0	100.0
21	41.9	0.5	1.8	55.8	0.0	0.0	100.0
22	58.3	16.7	0.0	25.0	0.0	0.0	100.0
State	50.5	5.4	2.8	40.1	0.5	0.7	100.0

As mentioned above, SB 94/CYDC utilizes the CJRA prescreen to assess youth risk of reoffending using two separate domains: criminal history and social history. CJRA prescreening occurs as part of the admission process for secure detention. In interpreting the CJRA prescreen result categories, it is important to remember that “Low” risk is a relative term that simply describes an individual’s risk of reoffending relative to other delinquent youths’ risk of reoffending. The CJRA prescreen is a short, initial screen that does not cover all domains associated with risks of youth reoffense.

³ Charges associated with each unique detention admission were not available for all cases. To enable comparisons with prior years, only valid percent values are reported in Table 3.

- ∞ Approximately one-third of youth fall into each of the low, moderate and high risk of reoffending categories (see Table 4).

TABLE 4. CJRAS COMPLETED AND LEVELS OF RISK OF REOFFENDING

Fiscal Year	Total Admissions	CJRAs Completed	Percent of Total	High Risk	Moderate Risk	Low Risk
FY 2010-11	8,435	7,577	89.8	34.0	29.5	36.5
FY 2011-12	7,751	6,793	87.6	32.4	33.0	34.6
FY 2012-13	7,324	6,022	82.2	32.3	33.2	34.5
FY 2013-14	6,783	5,965	87.9	30.3	33.2	36.5
FY 2014-15	7,024	6,196	88.2	31.7	32.7	35.6
FY 2015-16	6,510	5,677	87.2	33.0	32.3	34.7
FY 2016-17	5,980	5,173	86.5	31.7	32.8	35.5
FY 2017-18	5,591	4,996	89.4	32.3	33.0	34.7
FY 2018-19	5,145	4,669	90.7	34.2	30.8	35.0

- ∞ Distribution of youth across the risk of reoffending categories varies widely by Judicial District (see Table 5). The proportion of high-risk youth ranges from 10.0% in the 5th Judicial District to 75.0% in the 22nd Judicial District.

TABLE 5. CJRA RISK LEVEL BY JUDICIAL DISTRICT

		CJRA Risk Level		
JD	New Admissions	Low	Moderate	High
1	440	30.0	38.7	31.3
2	803	31.2	27.9	40.9
3	18	47.1	17.6	35.3
4	713	54.5	31.0	14.5
5	34	63.3	26.7	10.0
6	26	33.3	33.3	33.4
7	55	15.2	23.9	60.9
8	280	17.9	27.9	54.2
9	30	22.2	37.0	40.8
10	212	36.1	17.3	46.6
11	89	33.8	18.9	47.3
12	44	23.5	53.0	23.5
13	79	59.7	26.4	13.9
14	7	50.0	0.0	50.0
15	16	14.3	35.7	50.0
16	16	20.0	40.0	40.0
17	534	44.9	32.8	22.3
18	937	29.5	30.3	40.2
19	433	38.2	38.0	23.8
20	124	19.8	28.3	51.9
21	232	19.4	33.6	47.0
22	23	16.7	8.3	75.0
State	5,145	35.0	30.8	34.2

(3) PROGRESS IN ACHIEVING JUDICIAL DISTRICT GOALS

The intent of the SB 94/CYDC legislation is to reduce the reliance on secure detention and commitment and provide a greater proportion of services in the community. SB 94/CYDC is achieving this objective by serving 86.2% of youth involved in Colorado’s detention continuum in community settings. In addition, since FY 2006-07, the use of secure detention has consistently declined.

SB 94/CYDC programs have consistently performed well on three identified objectives:

- ∞ Statewide, high rates of youth complete services without failing to appear at court hearings (Pre-Adjudicated 95.0%; Sentenced 96.3%).
- ∞ Statewide, high rates of youth complete services without incurring new charges (Pre-Adjudicated 93.9%; Sentenced 94.5%).
- ∞ Statewide, high rates of youth complete services with positive or neutral reasons for leaving SB 94/CYDC programming (Pre-Adjudicated 92.2%; Sentenced 93.7%).
- ∞ However, there are a few Judicial Districts that struggle with achieving these goals (see Table 6). Two Judicial Districts did not meet their positive/neutral termination reason goal for both pre-adjudicated and sentenced youth and four Judicial Districts did not meet their no new charges goal for both pre-adjudicated and sentenced youth (see Appendix D for more detail on both common and unique goals).

It should be noted that the three program objectives are independent and need not be consistent for any given youth. While failing to appear at court hearings and incurring new charges are discrete events, completing services with positive or neutral leave reasons are based on the assessment of the individual supervising the case. In determining the leave reason, most Judicial Districts examine the totality of the case (i.e., participation in all services). A new charge filing while participating in SB 94/CYDC would not require a negative leave rating. For example, a youth may have committed an offense that resulted in a new charge prior to participating in SB 94/CYDC programming or a new charge could result from the same event that led to SB 94/CYDC participation. Neither of these scenarios would indicate poor participation in SB 94/CYDC programming.

TABLE 6. COMMON GOALS AND ACCOMPLISHMENTS BY JUDICIAL DISTRICT

JD	Youth Completing Without Failing to Appear at Court Hearings				Youth Completing Without New Charges				Youth With Positive or Neutral Leave Reasons			
	Pre-Adjudicated		Sentenced		Pre-Adjudicated		Sentenced		Pre-Adjudicated		Sentenced	
	Obj	Result	Obj	Result	Obj	Result	Obj	Result	Obj	Result	Obj	Result
1	90	96.2	90	100.0	90	95.1	90	100.0	90	90.9	90	94.7
2	90	90.5	90	88.2	90	86.6	90	78.6	90	88.8	90	93.7
3	90	100.0	90	100.0	90	100.0	90	92.3	90	93.3	90	84.6
4	90	98.8	90	99.5	90	98.5	90	98.4	90	98.5	90	98.4
5	90	100.0	90	94.7	90	95.5	90	78.9	90	95.5	90	84.2
6	90	100.0	90	100.0	90	81.0	90	100.0	90	95.2	90	100.0
7	90	94.4	90	96.2	90	80.6	90	84.6	90	97.2	90	88.5
8	90	98.1	90	100.0	90	93.0	90	100.0	90	97.5	90	98.9
9	90	97.3	90	88.2	90	97.3	90	88.2	90	97.3	90	94.1
10	90	95.3	90	97.1	90	96.9	90	95.7	90	95.8	90	85.7
11	90	100.0	90	100.0	90	100.0	90	100.0	90	98.2	90	94.7
12	90	100.0	90	100.0	90	100.0	90	100.0	90	86.8	90	93.3
13	90	98.5	90	92.3	90	89.7	90	76.9	90	95.6	90	92.3
14	90	100.0	90	100.0	90	100.0	90	100.0	90	100.0	90	100.0
15	90	100.0	90	94.4	90	87.5	90	88.9	90	75.0	90	83.3
16	90	100.0	90	100.0	90	92.3	90	100.0	90	100.0	90	100.0
17	90	96.8	90	96.3	90	97.2	90	96.3	90	83.0	90	74.1
18	90	89.2	90	90.1	90	91.6	90	98.4	90	88.2	90	97.3
19	90	97.1	90	100.0	90	94.6	90	98.0	90	93.8	90	93.1
20	90	100.0	90	100.0	90	100.0	90	100.0	90	98.5	90	100.0
21	90	96.3	90	96.3	90	93.6	90	95.4	90	91.7	90	87.0
22	90	97.6	90	85.7	90	92.7	90	57.1	90	97.6	90	71.4
Total		95.0		96.3		93.9		94.5		92.2		93.7

*Obj. = Objective

Judicial Districts also develop their own goals which are presented and approved in their annual plans. Goals range from meeting reporting requirements to youth’s success in specific aspects of local programming. Details of the unique goals can be found in Appendix D.

(4) LEVEL OF LOCAL FUNDING FOR ALTERNATIVES TO DETENTION

The appropriation for SB 94/CYDC during FY 2018-19 was \$13,101,857. While there is collaboration between SB 94/CYDC programs and other initiatives such as the Collaborative Management Program (HB 1451), only the SB 94/CYDC program is evaluated in this report because it is the only funding that focuses specifically on juvenile justice involvement.

- ∞ SB 94/CYDC funding that was allocated to the Judicial Districts ranged from \$85,361 in the 22nd Judicial Districts to \$1,970,032 in the 18th Judicial District (see Table 7; also see Appendix F).
- ∞ Statewide, the largest proportion of spending occurred in the Direct Support category which includes case management, the single greatest service provided to SB 94/CYDC youth.

TABLE 7. ALLOCATIONS AND EXPENDITURES BY JUDICIAL DISTRICT

Percent of Allocation by Expenditure Category							
JD	Annual Allocation	Client Assessment	Treatment	Direct Support	Supervision	Restorative Services	Local Plan Admin
1	\$1,204,252	31.1	6.8	29.2	20.0	2.6	10.3
2	\$1,461,325	32.7	4.0	25.9	22.1	5.9	9.4
3	\$85,407	32.0	2.2	26.7	26.9	0.1	12.1
4	\$1,517,748	12.1	4.8	54.6	18.3	0.0	10.2
5	\$209,291	4.0	15.6	24.9	32.1	13.5	9.9
6	\$127,684	27.2	2.6	51.1	10.4	0.2	8.5
7	\$228,985	16.8	0.9	59.1	11.2	2.8	9.2
8	\$923,437	20.3	12.8	36.1	23.5	0.0	7.3
9	\$194,300	29.2	1.9	36.5	23.2	0.0	9.2
10	\$409,603	16.3	5.5	37.9	31.5	0.0	8.8
11	\$209,063	20.4	9.6	50.8	5.7	1.8	11.7
12	\$165,002	27.9	0.6	35.9	27.3	0.1	8.2
13	\$233,078	18.8	1.5	28.1	41.7	0.0	9.9
14	\$106,140	18.0	2.9	12.3	56.9	0.0	9.9
15	\$85,407	5.5	11.0	42.9	25.0	0.1	15.5
16	\$102,168	8.1	1.4	51.5	26.9	0.0	12.1
17	\$1,245,739	12.1	2.0	47.1	29.1	0.0	9.7
18	\$1,970,032	25.6	5.9	32.1	29.0	0.0	7.4
19	\$1,067,294	21.9	12.8	33.8	20.8	2.2	8.5
20	\$652,545	24.4	11.1	19.3	35.3	0.0	9.9
21	\$371,612	22.3	1.9	25.0	35.5	5.0	10.3
22	\$85,361	8.1	1.6	41.3	38.7	0.0	10.3
State	\$12,655,473	21.8	6.3	36.0	25.2	1.6	9.1
\$12,655,473		Total Allocation to Districts					
\$446,384		SB 94/CYDC Statewide Plan Administration					
\$13,101,857		Total Funding					

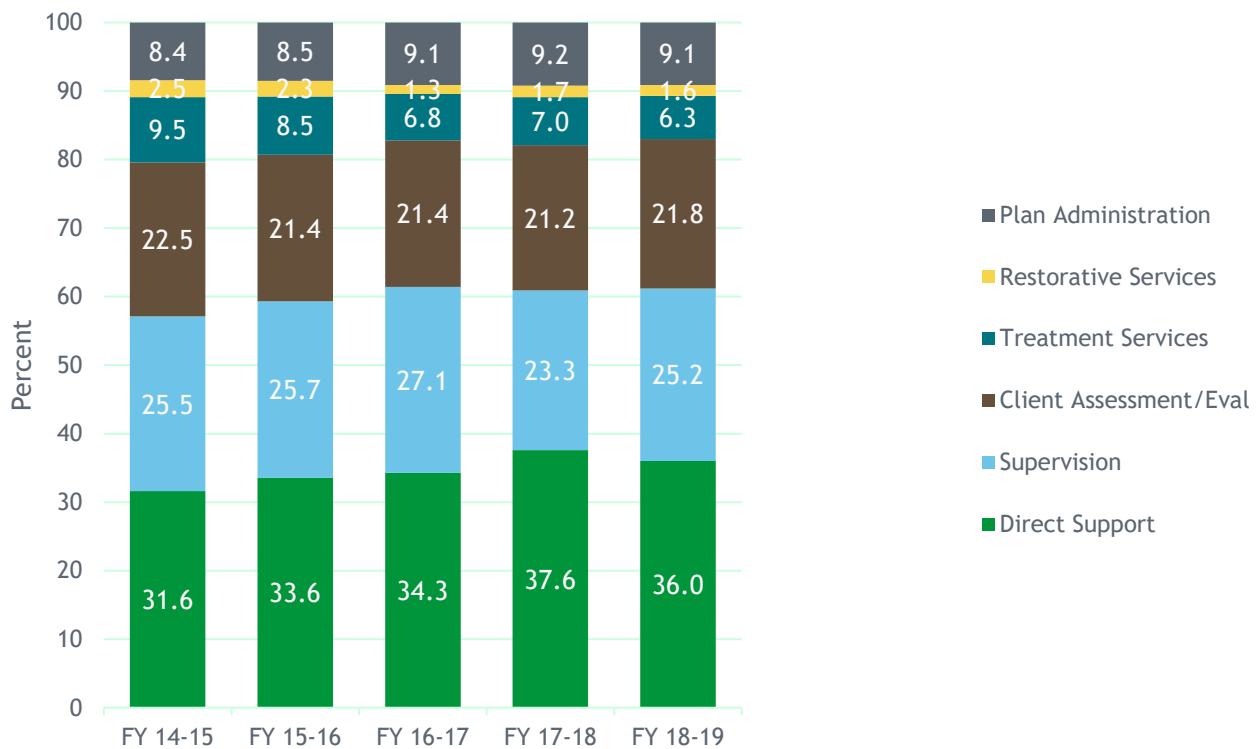
In FY 2018-19, the legislature allocated an additional \$2,048,317 to SB 94/CYDC with funding covered by marijuana revenue taxes (SB 14-215). These additional dollars are not included in the allocations and expenditures in Table 7, nor are services paid for by the additional appropriation covered within the report. This report narrowly addresses the items requested in the RFI.

SB 94/CYDC Funding by Category

For the past seven years all 22 Judicial Districts have participated in a Uniform Reporting project. This project’s aim has been to standardize the way services are reported and categorized. As part of this project, budget categories were aligned with service definitions to more consistently and accurately report the types of services paid for with SB 94/CYDC funds. There are now five categories of service: Direct Support, Supervision, Client Assessment and Evaluation, Treatment, and Restorative Services.

Budget line items were adjusted to accurately reflect the proportion of staff time and contracted services dedicated to each category. Furthermore, a great deal of feedback and quality control was provided to the individual Judicial Districts to ensure that there was universal adoption of the new definitions and reporting procedures. Because of the adoption of the new categories, Figure 5 below depicts the spending by category for FYs 2014-15 through 2018-19; where budget categories are comparable.

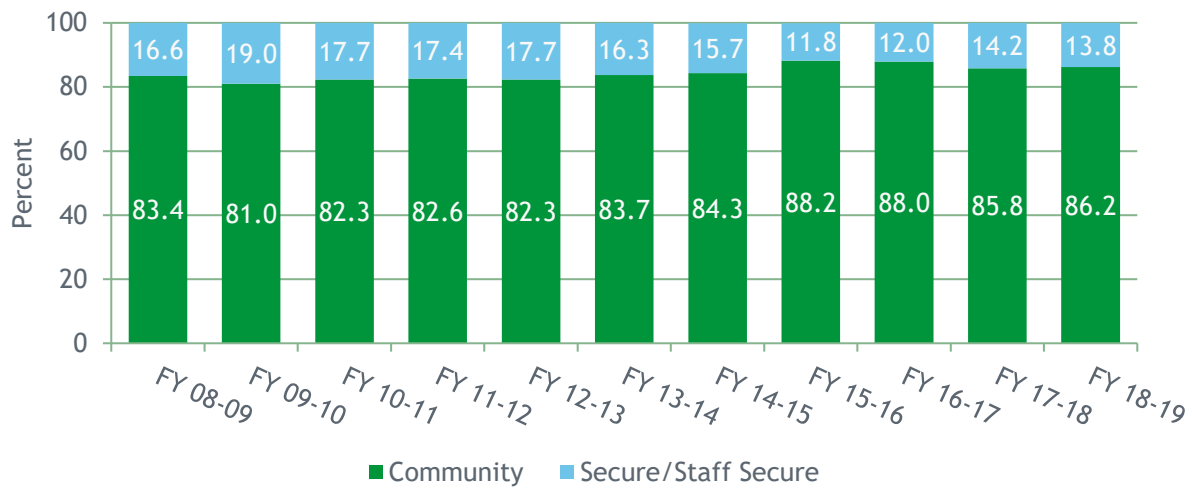
FIGURE 5. PERCENT OF SPENDING BY CATEGORY



(5) SUCCESSFUL UTILIZATION OF THE DETENTION CONTINUUM

The utilization of a continuum of services rather than primary dependence on secure detention is supported by a large body of juvenile justice and adolescent behavioral research⁴. Since FY 2003-04, the SB 94/CYDC program has instituted programmatic changes which resulted in a dramatic shift in the provision of community-based services for youth who also have secure detention stays. On an average day, 86.2% of youth are provided with community-based service, while only 13.8% are securely detained (see Figure 6).

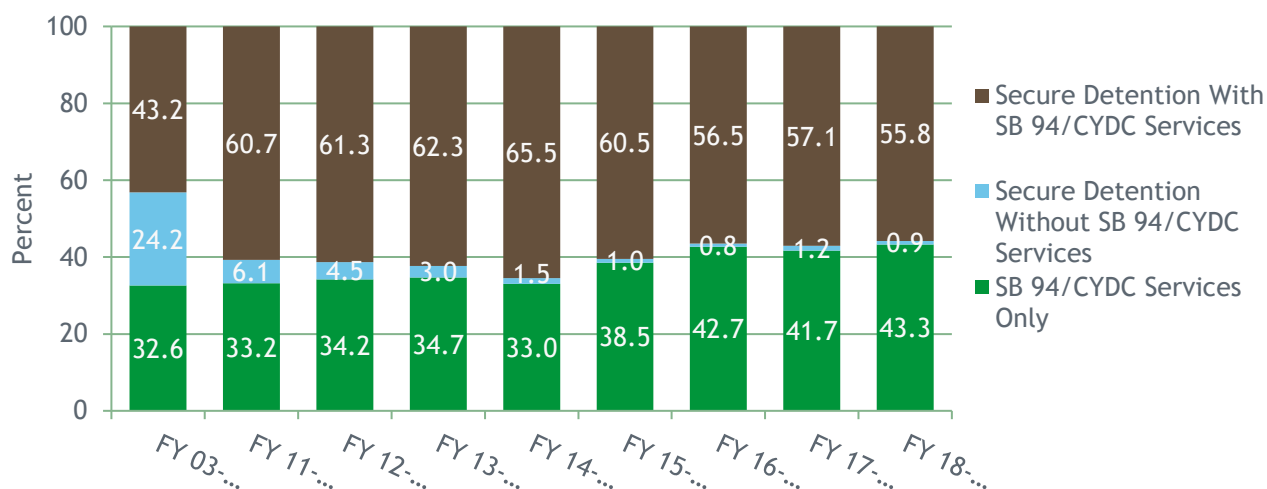
FIGURE 6. PERCENT OF ADP SERVED IN THE COMMUNITY AND SECURE DETENTION



- ∞ Nearly all youth (99.1%) who enter the detention continuum receive some community-based services funded by SB 94/CYDC. These services are either in lieu of detention or in addition to a secure detention admission to aid the transition back to the community (see Figure 7).
- ∞ While the percent of youth receiving community services without a secure detention stay has remained stable (see Figure 7), the percent of youth with secure detention stays who did not receive SB 94/CYDC community-based services decreased from 24.2% in FY 2003-04 to 0.9% in FY 2018-19.
- ∞ This shift reflects a growing reliance on the evidence-based principle that dictates the inclusion of community-based support for all youth in effective juvenile justice practice.

⁴ Gatti, U, Tremblay, R.E., & Viatro, F. (2009). Iatrogenic effect of juvenile justice. *The Journal of Child Psychology and Psychiatry*, 50:8, pp 991-998.

FIGURE 7. PROVISION OF COMMUNITY-BASED SERVICES AND SECURE DETENTION



Using empirically validated screening and assessment tools is an evidence-based practice that both DYS and SB 94/CYDC have implemented statewide. The Juvenile Detention Screening and Assessment Guide (JDSAG) is used to determine the appropriate level of detention continuum placement. Screening decisions from the JDSAG are based on a number of policy decisions and best practice research.

- ∞ Local override of JDSAG placement recommendations provides local communities the flexibility to adapt the recommendation to individual youth needs and local resources.
- ∞ A positive indicator of appropriate placement decisions utilizing the JDSAG would be a high degree of agreement between the screening level and actual placement. High agreement suggests that local overrides are conservatively utilized and that the screening tool typically drives placement decision making (see Table 8).
- ∞ In FY 2018-19, screening recommendations and actual placement were identical for 81.2% of youth with a completed JDSAG.

TABLE 8. AGREEMENT BETWEEN JDSAG SCREENING LEVEL AND ACTUAL INITIAL PLACEMENT⁵

Screening Level	Percent Placed In:		
	Match	More Secure	Less Secure
Secure Detention - Level 1	92.4	---	7.6
Staff Secure Detention - Level 2	3.8	89.9	6.3
Residential/Shelter - Level 3	4.5	42.2	53.2
Home Services - Level 4	42.8	27.7	29.5
Release - Level 5	51.7	48.3	---
Total	81.2	7.8	11.0

⁵ See Appendix Table C2 for more information, including number of youth screened at each level.

(6) POTENTIAL POLICY ISSUES

Since the introduction of SB 94/CYDC, the program’s role throughout the juvenile justice system in Colorado has steadily increased in importance. On April 1, 2013, a new secure bed cap of 382 was instituted in response to falling juvenile arrests and detention rates. This was a 40 bed reduction from the previous cap of 422 beds. The system has responded well, due in large part to the local management of SB 94/CYDC and the adoption of the system-wide philosophy of serving youth in the community rather than in secure detention. Effective July 1, 2019 the cap was further reduced to 327 beds statewide. Senate Bill 19-210 not only reduced the secure detention bed cap but also set forth a requirement for DYS to submit a report to the Joint Budget Committee outlining the statutory and rule changes and the financial resources necessary to implement a flexible allocation option for juvenile detention beds to be shared among judicial districts. The goal of flexibly allocating secure detention beds across facilities and judicial districts is to reduce strain on the system, decrease the necessity of emergency release, and provide the opportunity for judicial districts to utilize secure detention beds that may be closer their communities.

While the system has been able to stay below the cap and anticipates continuing to do so; there has been operational strain within the system for certain judicial districts and facilities throughout the year. Strain occurs when the population of an individual facility approaches its design capacity even though the statewide detention population capacity may still be well below the cap. As an example, throughout the year, the statewide population in detention rarely exceeds 90% of available beds, which in Colorado is the preferred operational norm in any given facility. But for any single Judicial District or detention facility, it has been historically common to approach 100% of bed use. Architects recommend 85% to 90% of bed capacity as the preferred operational capacity for juvenile facilities. This level is considered an industry standard and recommended for new facility construction by design experts.⁶

The new lower cap on secure detention will keep many facilities below the preferred operational capacities on a daily basis. These lower operating capacities provide the flexibility to temporarily increase bed utilization in an individual detention facility. This temporary increase would require that the facility increasing capacity would need to “virtually” borrow a bed from another facility that is operating below their allocated capacity to ensure that the overall state secure detention

⁶ Leading architects and design firms that have worked on Colorado projects which recommend this standard include: RNL Design (Denver, CO), Ricci Greene Associates (New York), and Michael McMillan, AIA (Champaign, IL).

bed cap is not exceeded. With the new lower cap, DYS has the opportunity to explore many options for flexibly allocating secure detention beds that will likely improve system efficiency.

Policy Issues and Recommendations Related to the Types of Youth Served

Senate Bill 19-108 was also passed in the 2019 legislative session. This bill requires the adoption of a validated risk and needs assessment tool or tools to be used statewide to assist: juvenile courts in determining the actions to be taken by the court, DYS in the development of case and reentry plans and supervision levels, and juvenile probation in the development of case plans and supervision levels of youth placed on probation. The adoption of new or revised tools to determine placement and services could greatly impact the types of youth served along the detention continuum. It will be critical to continue evaluation efforts to monitor how this change affects the different types of youth served in secure detention, as well as in community settings, to ensure that appropriate services are being offered to each youth and their families.

Policy Issues and Recommendations Related to LOS

The median LOS in secure detention has remained constant for many years. The collaboration between DYS and SB 94/CYDC has successfully managed secure detention bed use under the detention cap. The lower detention cap in FY 2019-20, coupled with the adoption of a new or revised risk and needs assessment may lead to a narrowing of the youth served in secure detention to those with the highest risks. This selection of youth with only the highest risk may lead to longer LOS for securely detained youth. This is another trend that will need to be closely monitored to ensure best practices are followed while the youth are securely detained, and that access to appropriate services is facilitated when youth are released from secure detention.

Policy Issues and Recommendations Related to Available Alternatives to Detention

As described above, the introduction of a lower detention cap and a new risk/needs assessment will likely increase the need for services in the community. While it is clear that SB 94/CYDC programming is effective, it is also likely, given the diversity of options available to serve youth, that some practices may be more effective than others. Each local Judicial District makes decisions about the services they provide as well as how much of their SB 94/CYDC budget is spent on each type of service (assessment, direct support, supervision, and treatment). Since the inception of the uniform reporting project in FY 2014-15 all JDs across the state are reporting their service delivery in a consistent and comprehensive way. This reporting makes it possible to compare service delivery and cost across JDs of similar size as well as state-wide practices. These comparisons could be useful for SB 94/CYDC stakeholders to help align services across the state. Knowing the amount of a particular service a youth receives and how much other JDs pay for similar services could be a powerful tool for both JSPCs and SB 94/CYDC coordinators.