



November 1, 2023

The Honorable Rachel Zenzinger  
Chair, Joint Budget Committee

Senator Zenzinger:

The Colorado Department of Human Services, in response to the Long Bill FY 2023-24 Request for Information #4, respectfully submits the attached information concerning the Departments' S.B. 91-094 Programs.

*“Department of Human Services, Office of Children, Youth and Families, Division of Youth Services, Community Programs, S.B. 91-094 Programs -- The Department is requested to submit to the Joint Budget Committee no later than November 1 of each fiscal 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.”*

If you have any questions, please contact Angelica Granados, CDHS' Legislative Analyst, at 303-877-0562.

Sincerely,

**Kevin Neimond**

Kevin Neimond  
Interim Co-Executive Director



# Evaluation of the Colorado Youth Detention Continuum (CYDC) Program

ANNUAL REPORT

Fiscal Year 2022-2023

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*

# LEGISLATIVE REPORT

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 4; Department of Human Services, Division of Youth Services (DYS), Community Programs, Senate Bill 91-94 (SB 94) Programs. The report will briefly address the following five required elements:

- ∞ *comparisons of trends in detention and commitment incarceration rates;*
- ∞ *profiles of youth served by SB 94;*
- ∞ *progress in achieving the performance goals established by each judicial district;*
- ∞ *the level of local funding for alternatives to detention; and*
- ∞ *identification and discussion of potential policy issues with the types of youth incarcerated, length of stay, and available alternatives to incarceration.*

## **(1) TRENDS IN DETENTION AND COMMITMENT**

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The rates of both detention and commitment have consistently declined over the past ten years. Rates are calculated using detention and commitment ADP per 10,000 youth in the general Colorado population.

- ∞ Statewide detention rates have declined 39.2% from 5.1 per 10,000 youth in FY 2013-14 to 3.1 in FY 2022-23 (see Figure 1). Despite remaining very low, FY 2022-23 marks the second consecutive year with an increase in the statewide detention rate.
- ∞ Similarly, commitment rates have declined 68.1% from 14.1 per 10,000 youth to 4.5 in the same ten fiscal year period.

Indices of secure bed utilization suggest the juvenile justice system is experiencing challenges operating under the current bed capacity of 215 beds. In FY 2022-23 strain was observed at the state, facility, and Judicial District level.

Across the state, there was at least one youth services center (YSC) at or above 90% of the cap on 365 days (100.0% of the FY). This is a 9.9% increase over the number of days that met this criterion last fiscal year. Five of the 22 Judicial Districts (22.7%) operated at or above 90% of their bed capacity for at least 75% of the days in FY 2022-23 (see Figures 2 and 3 for Strain). During FY 2022-23, the total client load (total number of youth served each day, even if only present for a portion of the day) averaged 198.5 youth per day. This is an increase of 9.7% from last fiscal year.

## **(2) PROFILES OF YOUTH**

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During FY 2022-23, approximately 4,396 unique youth were served along the detention continuum. Statewide, nearly 70% of the youth served were male, and Caucasians represented the greatest percentage (37.9%) of any ethnic/racial group.

There were 1,973 unique youth admitted to secure detention during FY 2022-23. A substantial number of youth ( $n = 603$ ; 30.6%) 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 9, and 30.6% of youth were placed in secure detention on more than one occasion.

JDSAG items provide some insight on why youth were detained<sup>1</sup>. The percent of youth admitted to secure detention on a charge of violence or weapons (CVW) increased from 12.9% in FY 2013-14 to 36.5% in FY 2022-23 indicating increasing prioritization of detaining youth who represent a risk to the community. Across the same time period, the percent of youth admitted to secure detention due to a warrant decreased from 66.9% to 54.7% (See Figure 4).

## **(3) PROGRESS IN ACHIEVING JUDICIAL DISTRICT GOALS**

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Historically, CYDC programs have consistently performed well in meeting the three common goals measured for all JDs: percent of youth with no failure to appear in court, percent of youth with no new charges during their case and the percent of youth with a positive or neutral termination reason. Statewide, performance on the goals ranged from a low of 90.3% for pre-adjudicated and sentenced youth completing with positive or neutral leave reasons to a high of 97.8% for sentenced youth completing with no new charges. Data for the common goals are presented in the main report for the state as well as for each Judicial District.

## **(4) LEVEL OF LOCAL FUNDING FOR ALTERNATIVES TO DETENTION**

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The appropriation for CYDC during FY 2022-23 was \$12,643,595 and \$3,183,690 from Marijuana Tax Revenue funding. Total (CYDC + MTR) funding that was allocated to the Judicial Districts ranged from \$112,953 in the 3<sup>rd</sup> Judicial District to \$2,491,213 in the 18<sup>th</sup> Judicial District (see Table 1). Statewide, the largest proportion of spending occurred in the Direct Support category which includes case management, the most frequent service provided to CYDC youth.

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<sup>1</sup> Unexpected changes to Trails Mod impacted the ability to report on reason detained in a manner consistent with previous reports. Accurate data should be available for FY 2023-24.

## **(5) SUCCESSFUL UTILIZATION OF THE DETENTION CONTINUUM**

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Using empirically validated screening and assessment tools is an evidence-based practice that both DYS and CYDC have implemented statewide. A positive indicator of appropriate placement decisions utilizing the Juvenile Detention Screening Assessment and Guide (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 2). In FY 2022-23, screening recommendations and actual placement were identical for 81.1% of youth with a completed JDSAG.

## **(6) POTENTIAL POLICY ISSUES**

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The CYDC advisory board accepted the performance standards and outcome measures recommended by the working group convened in response to Senate Bill 21-071, at their October 2022 quarterly meeting. The adoption of these standards and measures will impact the way data are collected and presented in future fiscal years.

The accuracy of data reporting is an area of concern and one that should be addressed in the next fiscal year. The Senate Bill 21-071 report recommends training for CYDC staff on data process, quality, and consistency. It seems clear that this type of training will be critical in the next fiscal year to restore confidence in the data quality for many CYDC program components.

The CYDC program has demonstrated a proactive approach to addressing the challenges posed by increasing LOS and strained bed capacity by implementing flex beds, statewide bed borrowing, and emergency detention beds authorized in the passage of HB 23-1307. Continued monitoring and evaluation of these initiatives will be essential to ensure that they effectively address the needs of the youth in the system while maintaining the integrity of the secure detention system.

# SUPPORTING FIGURES AND TABLES

FIGURE 1. STATEWIDE COMMITMENT AND DETENTION RATES<sup>1</sup>

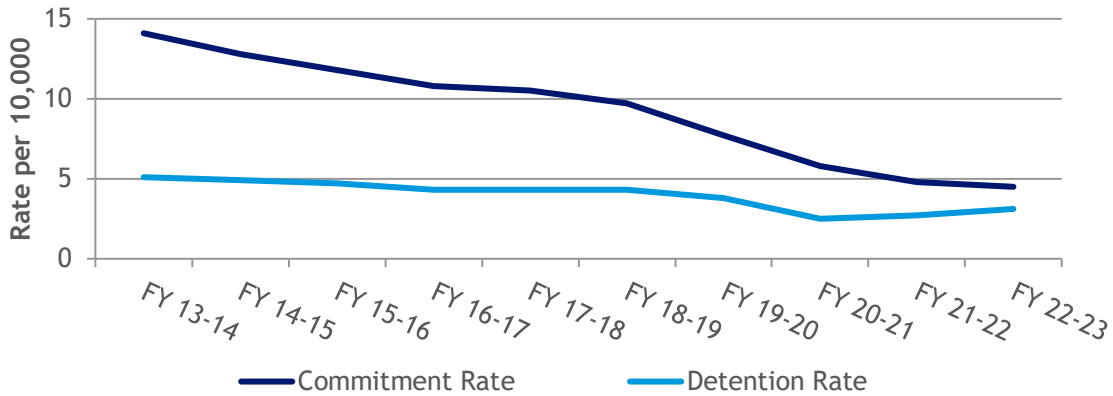


FIGURE 2. PERCENT OF FY DAYS AT LEAST ONE FACILITY EXPERIENCED STRAIN AND PERCENT OF JUDICIAL DISTRICTS EXPERIENCING STRAIN AT LEAST 75% OF FY DAYS

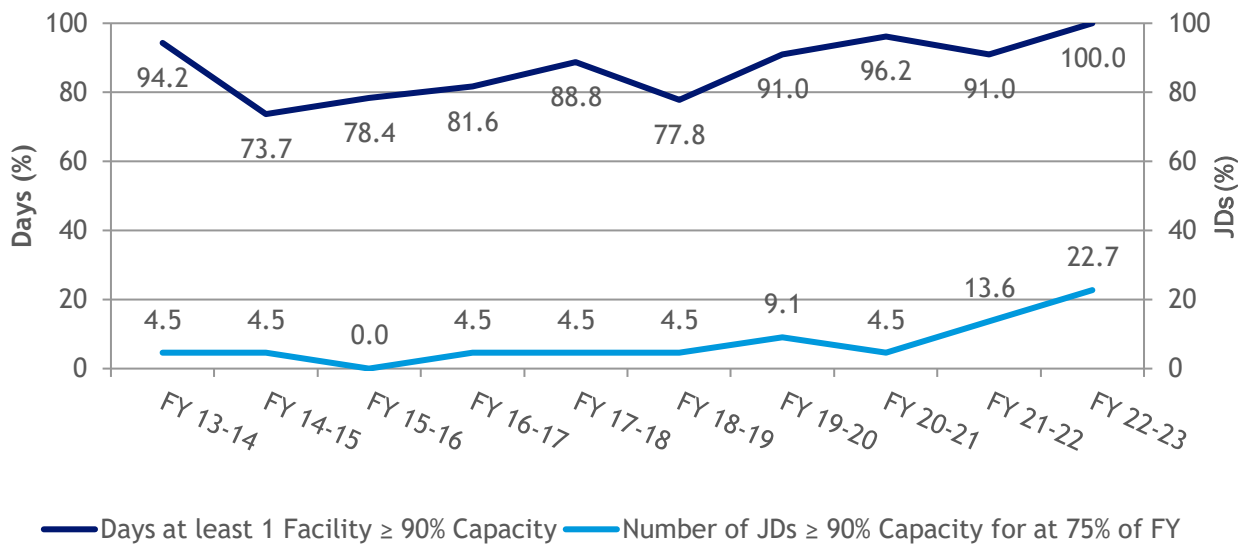


FIGURE 3. PERCENT OF DAYS AT OR ABOVE 90% OF CAP FOR DISTRICTS, YOUTH CENTERS, REGIONS, AND STATEWIDE

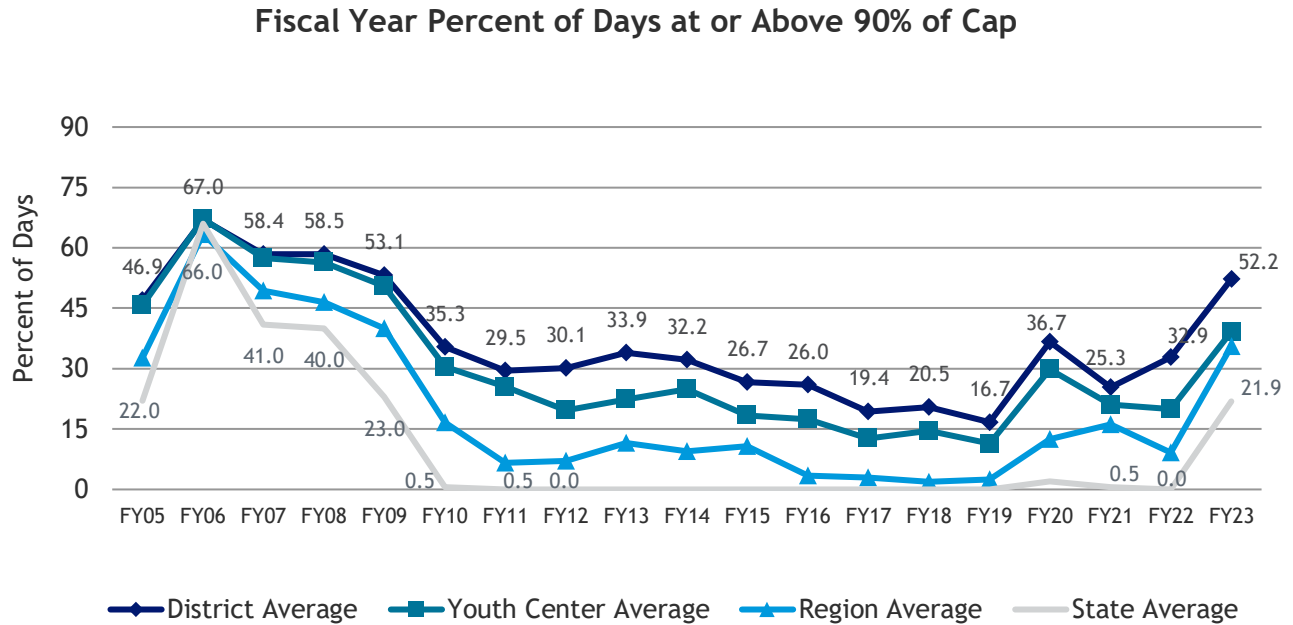


FIGURE 4. PERCENT OF NEW SECURE DETENTION ADMISSIONS WITH A CRIME OF VIOLENCE OR WEAPONS (CVW) CHARGE OR WARRANT OVER TIME

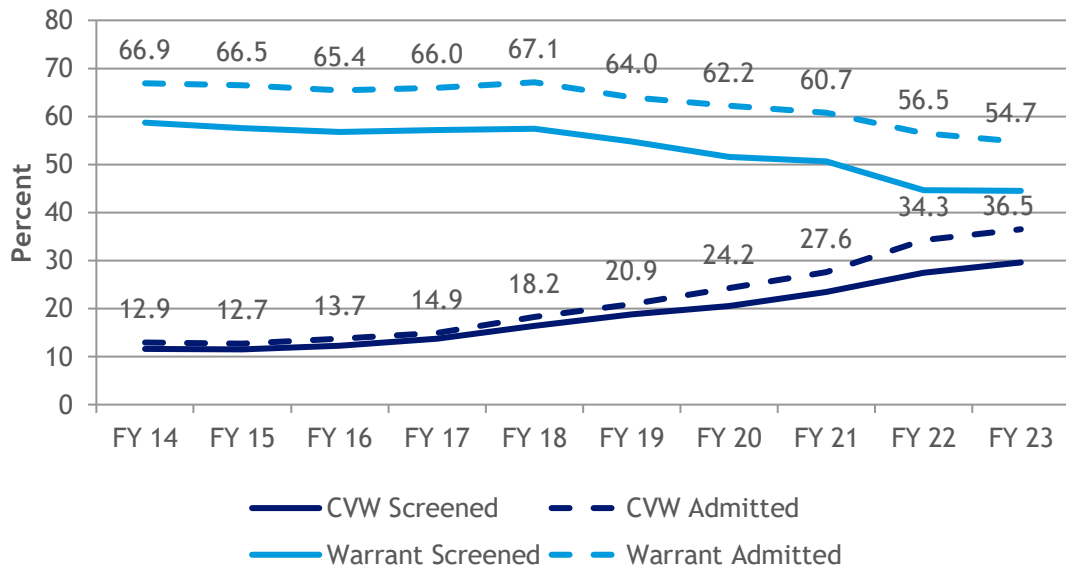


TABLE 1. ALLOCATIONS AND EXPENDITURES BY JUDICIAL DISTRICT

Percent of Allocation by Expenditure Category							
JD	Annual Allocation	Client Assessment	Treatment	Direct Support	Supervision	Restorative Services	Local Plan Admin
1	\$1,332,196	34.0	3.5	33.7	19.2	0.0	9.6
2	\$1,802,683	36.0	4.8	28.1	21.9	0.0	9.2
3	\$112,953	34.8	1.4	27.4	27.3	0.0	9.1
4	\$1,997,053	18.2	5.7	56.8	9.4	0.0	9.9
5	\$225,784	5.1	30.0	22.3	33.9	0.0	8.7
6	\$138,933	26.2	10.8	48.8	9.5	0.0	4.7
7	\$246,365	12.9	0.4	65.7	8.7	3.3	9.0
8	\$1,023,248	14.7	14.1	36.7	25.0	0.0	9.5
9	\$220,470	21.9	6.3	36.5	20.2	4.3	10.8
10	\$520,005	11.9	1.2	53.5	24.3	0.0	9.1
11	\$220,378	15.5	3.9	54.0	7.9	4.9	13.8
12	\$175,140	23.3	0.6	33.6	34.4	0.0	8.1
13	\$256,728	9.4	0.0	40.4	40.3	0.0	9.9
14	\$122,723	16.9	3.4	15.6	54.3	0.0	9.8
15	\$115,407	7.8	1.0	49.8	33.2	0.0	8.2
16	\$116,304	7.9	0.0	41.8	29.9	0.0	20.4
17	\$1,541,746	8.8	2.8	46.5	31.9	0.0	10.0
18	\$2,491,213	21.4	3.2	37.8	28.4	0.0	9.2
19	\$1,176,246	15.9	7.8	43.8	22.9	0.0	9.6
20	\$784,573	20.1	10.4	40.2	17.5	3.8	8.0
21	\$469,108	18.5	8.5	28.7	31.5	3.9	8.9
22	\$115,827	12.0	9.8	34.3	34.2	0.0	9.7
State	\$15,205,083	20.6	5.7	40.7	23.1	0.5	9.4
	\$15,205,083	Total Allocation to Districts					
	\$622,202	CYDC Statewide Plan Administration					
	\$15,827,285	Total Funding					

TABLE 2. AGREEMENT BETWEEN JDSAG SCREENING LEVEL AND ACTUAL INITIAL PLACEMENT

Screening Level	Percent Placed In:		
	Match	More Secure	Less Secure
Secure Detention - Level 1	89.4	---	10.6
Staff Secure Detention - Level 2	0.0	81.3	18.8
Residential/Shelter - Level 3	0.0	21.3	78.7
Home Services - Level 4	60.9	12.8	26.3
Release - Level 5	46.7	53.3	---
Total	81.1	4.6	14.3