

Evaluation of the Colorado Youth Detention Continuum (CYDC) Program

ANNUAL REPORT

Fiscal Year 2023-2024

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

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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. All data reflect Fiscal Year (FY) 2023-24 data; comparisons of data in this report to other reports (e.g., S.B. 71) should only occur if the reporting dates are identical.

(1) TRENDS IN DETENTION AND COMMITMENT

The juvenile justice system is experiencing challenges operating under the current bed capacity of 215 beds. Strain is defined as operating at or above 90% of capacity on a given day. In FY 2023-24 strain was observed at the state, region, youth service center (YSC), and Judicial District levels. Industry best practice directs that secure facilities should only be filled to 80%-90% of a building's design capacity. This practice provides for placement needs and unexpected fluctuations in populations due to local events and/or changes of placements. Across the state, there was at least one YSC at or above 90% of the cap on 366 days. All YSCs met or exceeded their cap on at least one day. 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 2023-24 (see Figures 1 and 2 for Strain). The magnitude of strain on operating capacity during FYs 2022-23 and 2023-24 was last documented in FYs 2005-06 through 2008-09. Current trends suggest that high levels of strain will continue unless actions are taken to increase detention bed capacity or further reduce admissions to secure detention.

Strain is not due to changes in the length of stay (LOS) for the typical detained youth as median LOS remains low (see Figure 3). Between FY 2021-22 and FY 2023-24, the Colorado Judicial Branch reported a 67.7% increase in juvenile filings for homicide^{1,2,3}. Youth with serious crimes may remain in detention for the majority of the pre-trial phase resulting in unusually long detention stays. The permanent reduction of the detention bed cap to 215 and increase in filings for serious violent crimes contributed to YSC strain reaching the highest level of strain observed in over a decade.

¹ Colorado Judicial Department (2022). Colorado Judicial Branch Annual Statistical Report Fiscal Year 2022 downloaded from <https://rb.gy/wluth2>. Downloaded September 10, 2023.

² Colorado Judicial Department (2023). Colorado Judicial Branch Annual Statistical Report Fiscal Year 2023 downloaded from <https://rb.gy/9ro0m9>. Downloaded September 10, 2023.

³ Colorado Judicial Department (2024). Colorado Judicial Branch Annual Statistical Report Fiscal Year 2024 downloaded from <https://rb.gy/oi22kh>. Downloaded September 19, 2024.

Emergency beds are a new tool for managing strain. The full allocation of emergency beds was not available statewide until December 1, 2023. Emergency beds were utilized by 10 Judicial Districts on 176 days. The introduction of emergency detention beds resulted in the state reaching the 215 bed cap on 4 days and exceeding the bed cap on 9 days of the fiscal year. Figures 4 through 7 display emergency bed allocations and utilization as well as strain experienced by each catchment area/region during FY 2023-24. On numerous occasions, Regions and YSCs were above their stated detention bed cap as Judicial Districts utilized emergency beds when efforts to create detention space through bed borrowing and emergency releasing youth were unsuccessful.

The Central region experienced high levels of strain, but low emergency bed utilization. In the Central region, all detention beds must be utilized at all three YSC in the catchment area and another YSC within a 50-mile radius for an emergency bed to be accessed. Despite high strain, the Central region has difficulty utilizing emergency beds due to legislatively defined constraints. This can create pressure to release youth so that a judicial district remains at or below cap.

Strain fluctuated throughout the FY for the Northeast region with sustained strain toward the end of the FY and increasing utilization of emergency beds. In contrast, the Southern region experienced sustained strain for 11 months in the fiscal year and utilized emergency beds during nine of the ten months emergency beds were available. The Western region experienced minimal strain and did not utilize emergency beds.

The rates of both detention and commitment have declined from historic levels. Rates are calculated using detention and commitment ADP per 10,000 youth in the general Colorado population.

- ∞ Statewide detention rates have declined 30.6% from 4.9 per 10,000 youth in FY 2014-15 to 3.4 in FY 2023-24 (see Figure 8). Despite remaining very low, FY 2023-24 marks the third consecutive year with an increase in the statewide detention rate.
- ∞ Similarly, commitment rates have declined 64.1% from 12.8 per 10,000 youth to 4.6 in the same ten fiscal year period.

The fact that detention rates are declining while strain is at historically high levels is not contradictory. Rather, these are separate indices of secure detention capacity and utilization. The decline in detention rates likely reflects the decline in juvenile arrests in Colorado and nationwide since the peak in 1994⁴, as well as the impact of policy decisions that have narrowed the range of

⁴ Puzanchera, C. (2022). *Trends in Youth Arrests for Violent Crimes*. Downloaded October 29, 2024 from <https://ojjdp.ojp.gov/publications/trends-in-youth-arrests.pdf>

offenses for which a youth can be securely detained, restricted the length of time that juveniles can be detained for less serious offenses and provided funding for CYDC programming which supports safely supervising and connecting youth with services in the community while awaiting adjudication. The introduction of a statewide bed cap also provided downward pressure to reduce detention rates.

In contrast, strain reflects whether there is adequate space to securely detain youth when they must be detained. It is not optimal for a system to operate at 100% of capacity. As the state or a facility or Judicial District nears capacity, currently detained youth must be continually evaluated for releasability to ensure the cap is not exceeded when a new youth is admitted. Operating close to cap may result in youth being transferred to a different facility further from family, release of youth into the community before there is a comprehensive safety plan in place for a youth, or the inability to detain a youth who should be detained for public safety. Strain will be impacted by the detention bed cap, LOS, the number of youth detained on serious charges with unusually long LOS, changes in crime trends, and episodic spikes in crime among other factors.

(2) PROFILES OF YOUTH

During FY 2023-24, approximately 4,670⁵ unique youth were served along the detention continuum. Statewide, over 74% of the youth served were male, and White youth (38.6%) represented the greatest percentage of any ethnic/racial group, closely followed by Hispanic or Latinx youth (38.0%).

There were 2,017 unique youth admitted to secure detention during FY 2023-24. A substantial number of youth ($n = 619$; 30.7%) 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 30.7% of youth were placed in secure detention on more than one occasion.

Statewide pre-adjudicated youth accounted for the greatest number of detention admissions, 66.6% of all new admissions. The Juvenile Detention Screening and Assessment Guide (JDSAG) provides an indication of why youth were detained. The percent of youth admitted to secure detention on a crime of violence or weapons (CVW) charge increased from 24.2% in FY 2019-20 to 33.5% in FY 2023-24 indicating increasing prioritization of detaining youth who represent a risk to

⁵ Number of unique youth served more than doubled from FY 2022-23 to FY 2023-24. While some of this increase is likely real, number of youth served in the prior two fiscal years was likely an underestimate due to reporting challenges introduced with the release of modernized Trails.

the community. Across the same time period, the percent of youth admitted to secure detention due to a warrant decreased from 62.2% to 54.8% (See Figure 9).

(3) PROGRESS IN ACHIEVING JUDICIAL DISTRICT GOALS

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 90.6% for sentenced youth completing with no new charges to a high of 96.8% for sentenced youth completing without failing to appear at court hearings. 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

The appropriation for CYDC during FY 2023-24 was \$13,062,408 from the general fund, \$3,288,686 was appropriated to CYDC from marijuana tax revenue (MTR) (SB 14-215), HB 23-1307 also added \$200,004, and \$182,568 was added for shelter bed utilization. Total funding that was allocated to the Judicial Districts ranged from \$119,342 to \$2,597,768 (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.

(5) SUCCESSFUL UTILIZATION OF THE DETENTION CONTINUUM

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 2023-24, screening recommendations and actual placement were identical for 78.4% of youth with a completed JDSAG. When screening recommendation and actual placement were not consistent, youth were more likely to have a less secure placement (18.1%) than a more secure placement (3.5%).

(6) POTENTIAL POLICY ISSUES

The trend of youth requiring higher levels of intervention, both while in secure detention and in community-based settings necessitates the CYDC program to provide more intensive and subsequently more expensive services.

Youth charged with serious offenses often experience longer detention stays and may remain in detention until the final resolution of their case. The longer lengths of stay for these youth necessitate the development of programming not typically seen for short periods of secure detention. This programming could play a crucial role in intervening with youth facing weapons charges and crimes of violence, aiming to reduce their risk of further involvement in violent and weapons-related crimes.

CYDC has in place a robust case management component that connects youth to an array of services. Youth in the CYDC program have access to services that are paid for by CYDC and can be linked to additional community-based services provided by other agencies. This approach ensures that youth are receiving services tailored to their unique risks and needs. However, the increasing acuity and complexity of youths' needs make obtaining appropriate services more challenging. CYDC staff may not have the expertise to provide all the services needed, therefore, contracting with specialized providers is imperative. These services are often expensive, not readily available in all areas of the state, and difficult to procure due to the substantial administrative requirements to contract with the CYDC program.

While the Colorado Youth Detention Continuum (CYDC) successfully provides community-based services to youth at risk of secure detention, rising needs, high staff turnover, and strain on the secure detention portion of the system continue to pose significant challenges.

SUPPORTING FIGURES AND TABLES

FIGURE 1. PERCENT OF FY DAYS AT LEAST ONE YSC EXPERIENCED STRAIN AND PERCENT OF JUDICIAL DISTRICTS EXPERIENCING STRAIN AT LEAST 75% OF FY DAYS

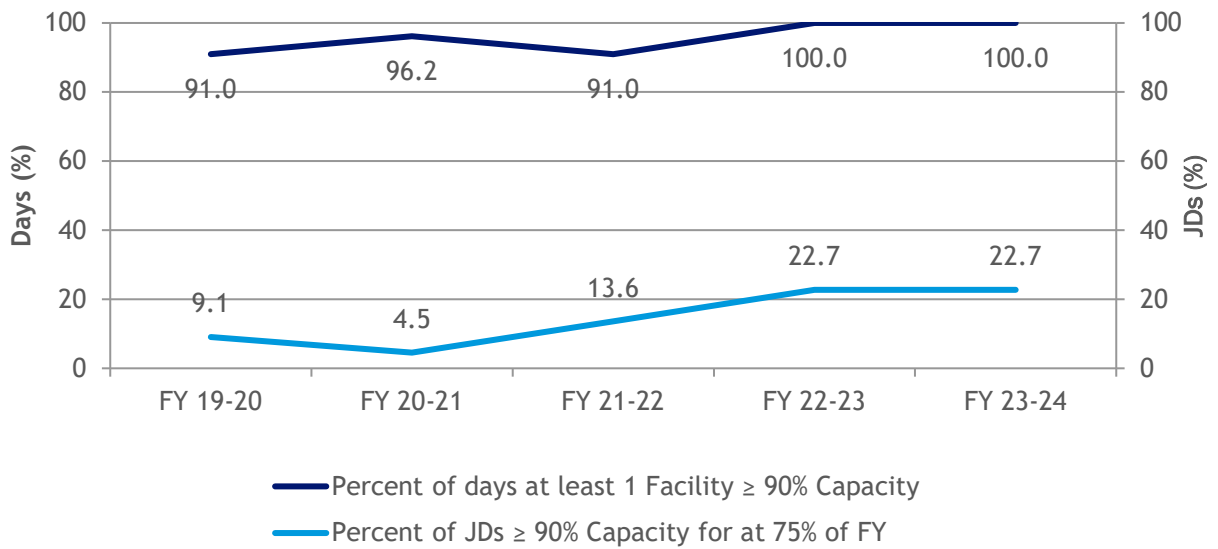


FIGURE 2. PERCENT OF DAYS AT OR ABOVE 90% OF CAP FOR DISTRICTS, YSC, REGIONS, AND STATEWIDE

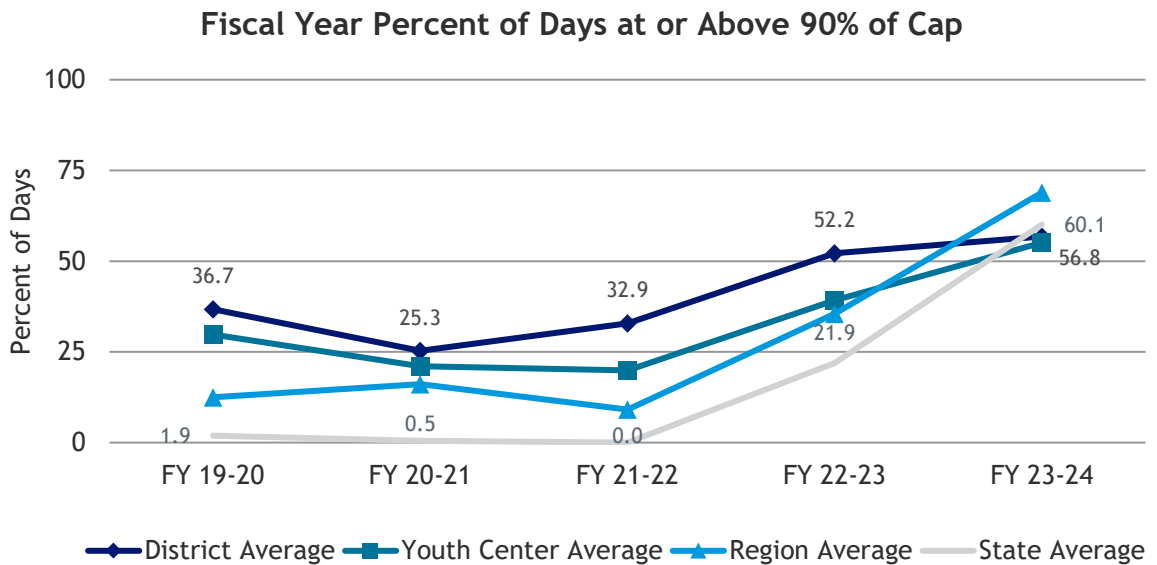


FIGURE 3. LENGTH OF STAY - MEAN VS. MEDIAN

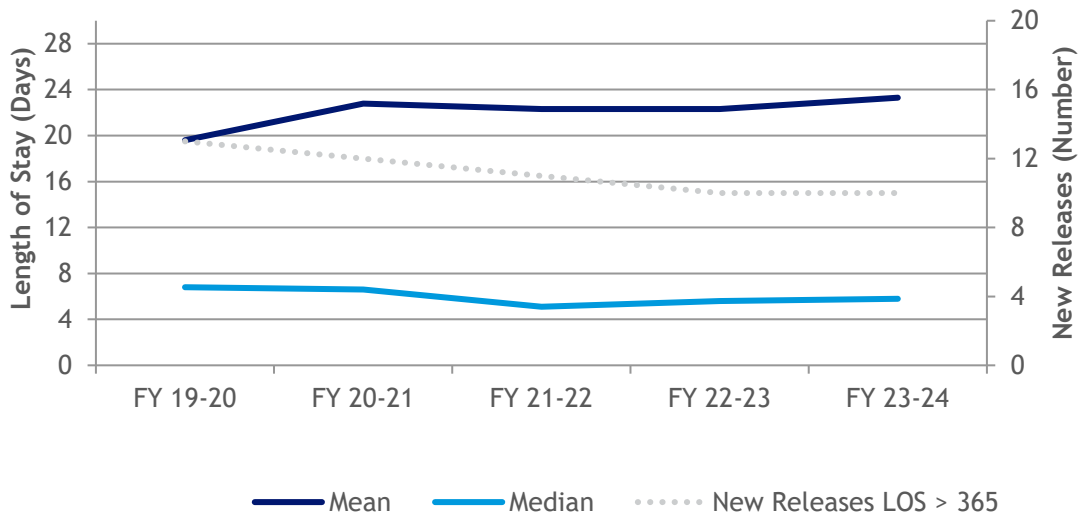


FIGURE 4. CENTRAL REGION STRAIN AND EMERGENCY BED ALLOCATION AND UTILIZATION BY MONTH

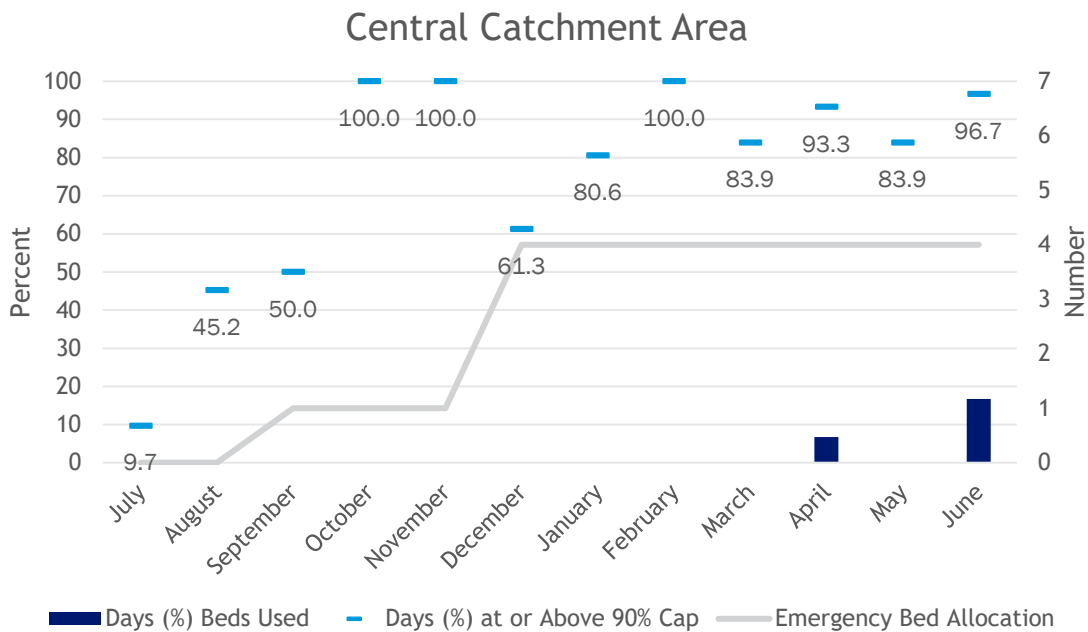


FIGURE 5. NORTHEAST REGION STRAIN AND EMERGENCY BED ALLOCATION AND UTILIZATION BY MONTH

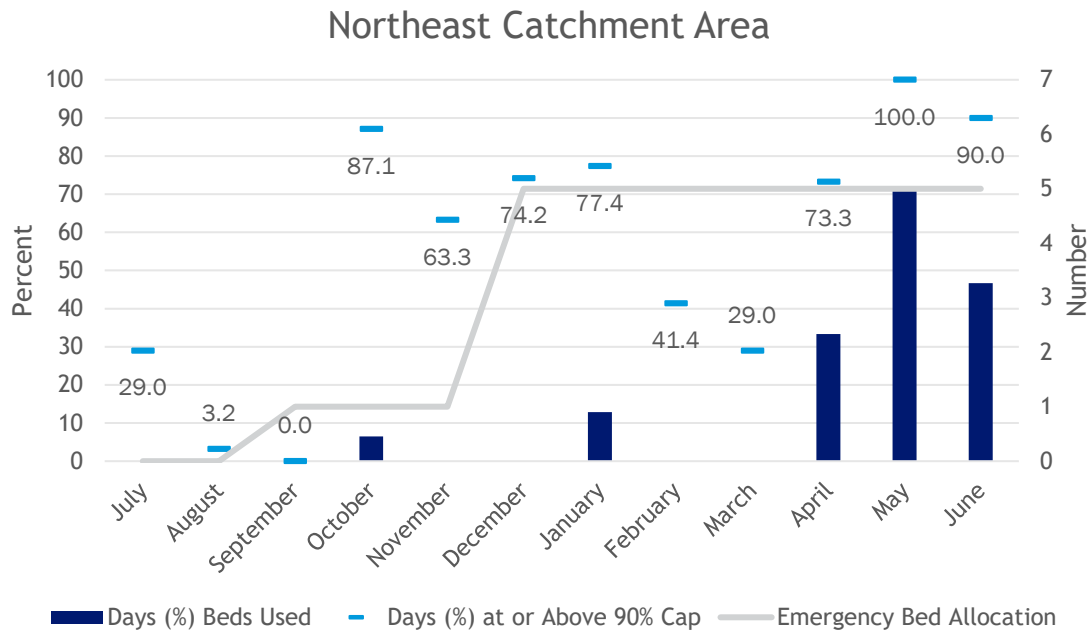


FIGURE 6. SOUTHERN REGION STRAIN AND EMERGENCY BED ALLOCATION AND UTILIZATION BY MONTH

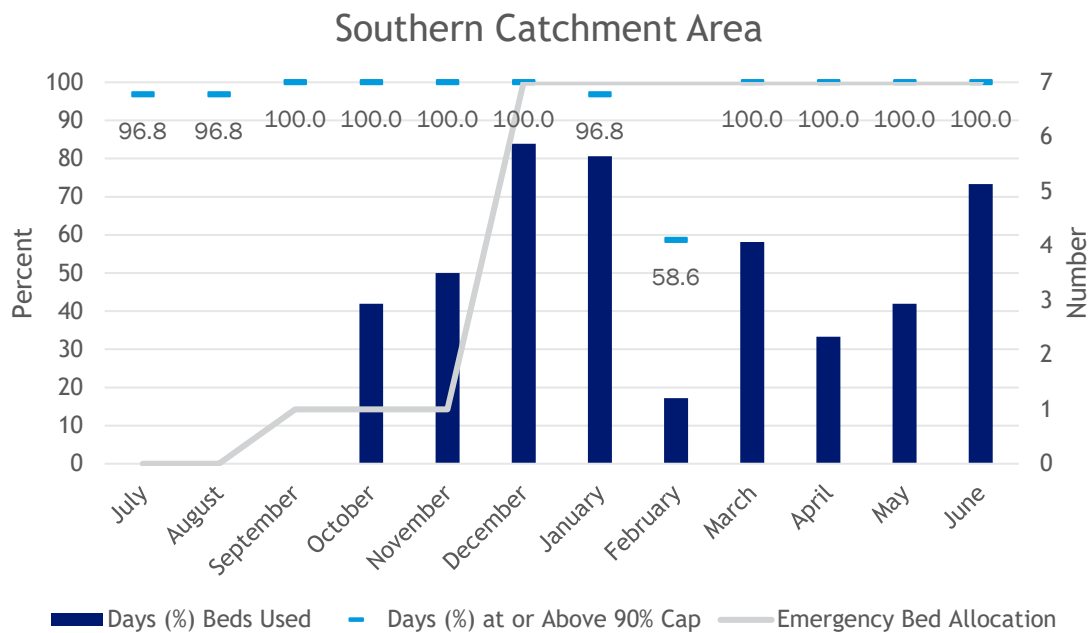


FIGURE 7. WESTERN REGION STRAIN AND EMERGENCY BED ALLOCATION AND UTILIZATION BY MONTH

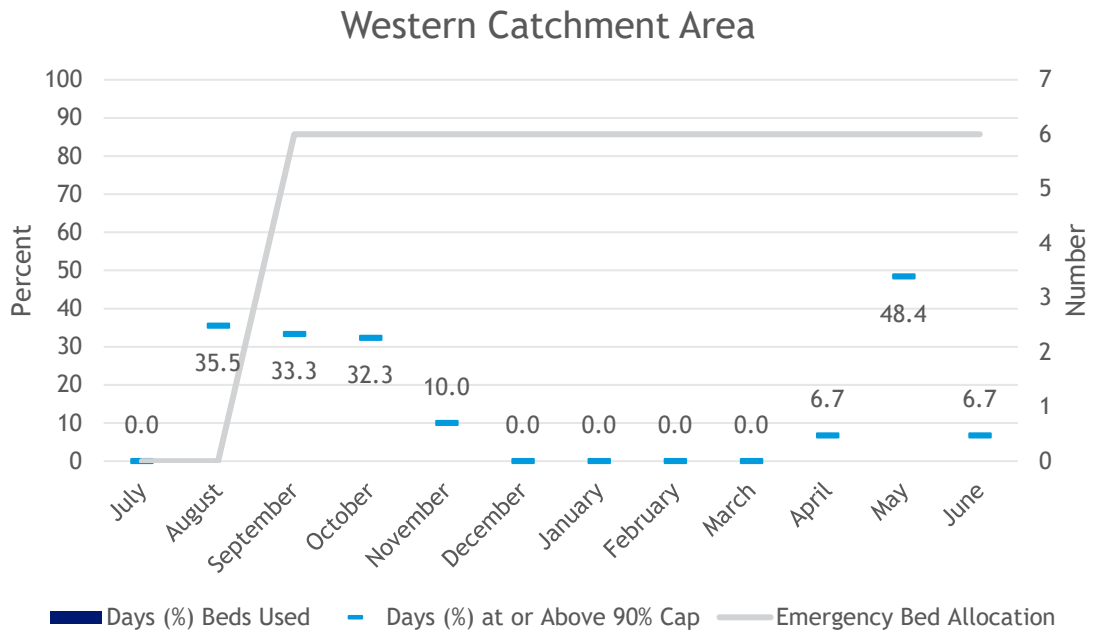


FIGURE 8. STATEWIDE COMMITMENT AND DETENTION RATES

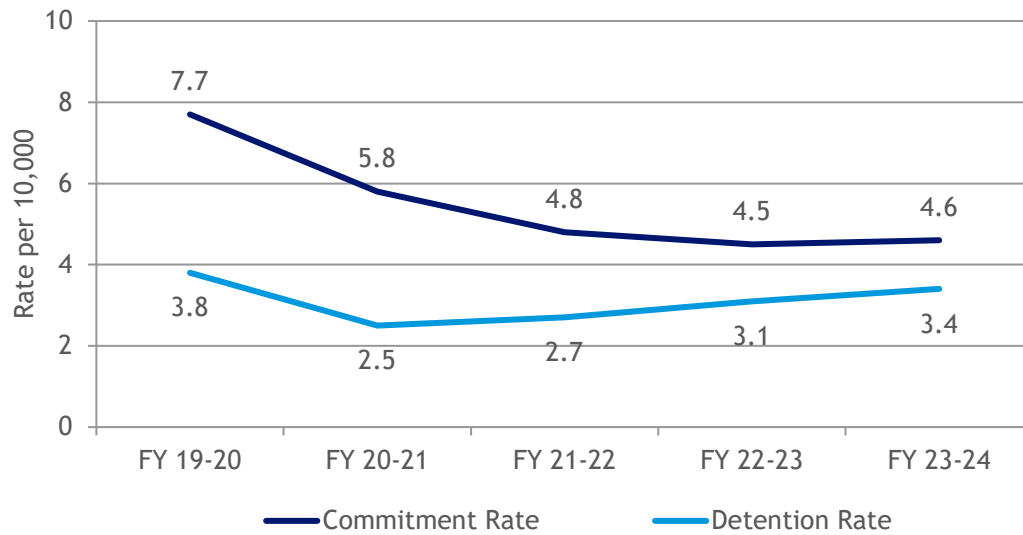


FIGURE 9. PERCENT OF NEW SECURE DETENTION ADMISSIONS WITH A CRIME OF VIOLENCE OR WEAPONS (CVW) CHARGE OR WARRANT OVER TIME

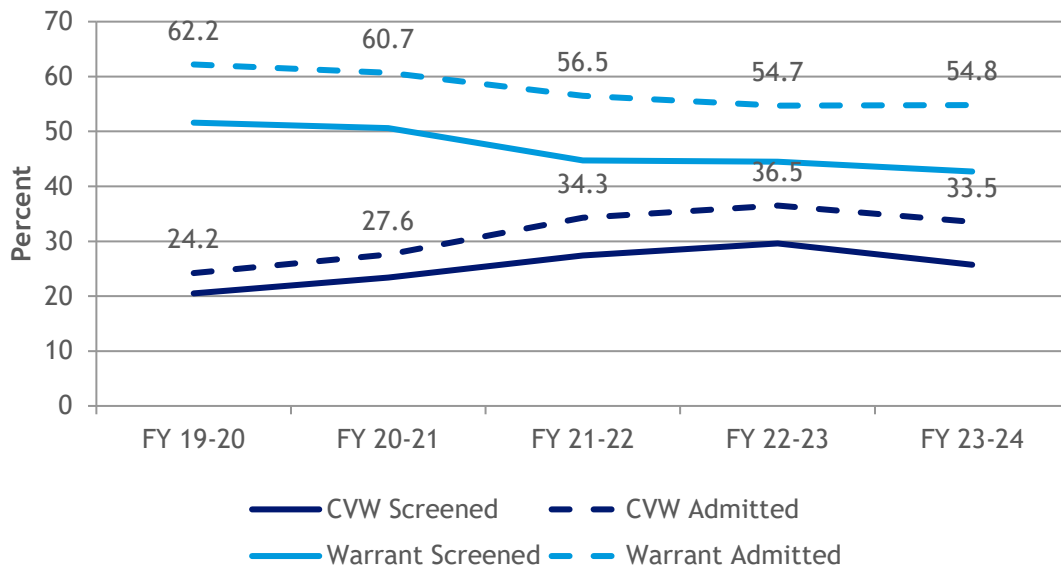


TABLE 1. ALLOCATIONS AND EXPENDITURES BY JUDICIAL DISTRICT

Percent of Allocation by Expenditure Category							
JD	Annual Allocation	Client Assessment	Treatment	Direct Support	Supervision	Restorative Services	Local Plan Admin
1	1,387,304	35.1	4.4	32.2	19.0	0.0	9.3
2	1,877,988	27.5	1.8	39.3	21.3	0.0	10.1
3	119,342	32.2	3.1	31.2	24.3	0.0	9.2
4	2,085,496	17.5	9.5	53.2	10.7	0.0	9.1
5	235,557	8.5	50.0	9.6	26.2	0.0	5.7
6	146,101	27.7	11.1	49.4	7.4	0.5	3.9
7	256,819	21.4	0.0	40.4	25.2	3.2	9.8
8	1,065,082	16.0	11.0	37.7	26.0	0.0	9.3
9	230,084	22.7	6.6	32.3	23.4	5.6	9.4
10	541,767	5.6	0.8	48.6	35.9	0.0	9.1
11	229,989	19.8	0.6	53.3	9.9	3.3	13.1
12	183,394	12.0	0.0	36.7	44.1	0.0	7.2
13	267,430	18.0	0.0	35.4	36.9	0.0	9.7
14	129,404	19.7	2.4	21.9	46.7	0.0	9.3
15	121,870	10.3	1.2	47.8	32.4	0.0	8.3
16	122,793	7.2	0.1	44.0	32.9	0.0	15.8
17	1,606,243	14.5	1.5	44.0	30.3	0.0	9.7
18	2,597,768	20.8	3.7	38.0	28.6	0.0	8.9
19	1,227,353	12.0	10.1	38.8	30.4	0.0	8.7
20	816,071	25.2	10.2	35.7	17.1	3.8	8.0
21	491,081	21.4	5.7	35.3	27.3	0.8	9.5
22	122,303	8.1	10.8	34.5	37.7	0.0	8.9
State	15,861,239	20.2	5.7	40.4	24.1	0.4	9.2
\$15,861,239							
\$689,859		CYDC Statewide Plan Administration					
\$16,551,098		Total Funding⁶					

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	87.3	---	12.7
Staff Secure Detention - Level 2	0.0	47.2	52.8
Residential/Shelter - Level 3	0.0	8.8	91.2
Home Services - Level 4	59.3	7.0	33.7
Release - Level 5	55.6	44.4	---
Total	78.4	3.5	18.1

⁶ The figures in Table 1 include CYDC, MTR and HB 23-1307 funding. Shelter bed funding did not fall into the same service categories so was excluded from Table 1.