

# **Colorado's Three-Year Juvenile Justice and Delinquency Prevention Plan (2009-2011)**



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Submitted to the Office of Juvenile Justice and Delinquency Prevention

By the Juvenile Justice and Delinquency Prevention Council  
&

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# INTRODUCTION

## JJDP Council Mission

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

The Colorado Juvenile Justice and Delinquency Prevention (JJDP) Council serves as the state advisory group (SAG) as defined in Title II of the federal Juvenile Justice and Delinquency Prevention Act of 2002. One of its responsibilities in conjunction with the state planning agency, the Colorado Division of Criminal Justice (DCJ), is to supervise the preparation, administration and implementation of a three-year comprehensive state plan for the improvement of the juvenile justice system and prevention of juvenile delinquency. This plan, which is updated annually, is based on an analysis of juvenile crime problems and juvenile justice needs, and serves as the basis for the annual application for federal formula grant funds from the Office of Juvenile Justice and Delinquency Prevention (OJJDP).

The Governor, pursuant to the JJDP Act of 2002, appoints the JJDP Council and its members represent the broad scope of the juvenile justice system, including government, community-based organizations, schools and youth. The current list of members is included on page 129.

Colorado has actively participated in the JJDP Act since 1984 and through early comprehensive efforts the JJDP Council and the DCJ have brought the state into compliance with the core requirements of the Act - the removal of status offenders and non-offenders from secure juvenile detention and correctional facilities, separation of juveniles from incarcerated adults, removal of juveniles from adult jails and lock-ups, continued monitoring for compliance with these requirements, and development and implementation of a comprehensive plan to address the disproportionate representation of minority youth at all decision points of the juvenile justice system, including those confined in secure facilities.

Through 1994 the formula grant funds were used primarily to meet the first three requirements related to the appropriate holding of juveniles. The Council remains dedicated to a continued comprehensive compliance monitoring system and provides support to local law enforcement to maintain the safe and appropriate holding of juveniles. The Council and the DCJ also owe the continued success in compliance to support and assistance from law enforcement, the Division of Youth Corrections, judges, probation officers, community-based youth-serving agencies, the legislature, the Governor, and many others. Because of this success, formula grant funds are available for more wide-reaching efforts and the state maintains eligibility for additional funds through the JJDP Act Title V Delinquency Prevention Program.

The disproportionate contact of minority youth at all decision points of the juvenile justice system became a concern of the Council prior to its formal addition as a core requirement of the JJDP Act, and it continues as a priority program area for formula grant funds. It is seen as a core system improvement effort as it ensures fair and equitable treatment of all youth.

Collaboration and coordination with other state and local juvenile justice and delinquency prevention efforts are keys to the Strategic Plan presented here. The flexibility of the funds allocated under this plan, and the technical assistance available to the state through this plan, enable the Council and DCJ to address the gaps identified through input from the many players in the system, rural communities and the Native American tribes in southwest Colorado.

The Juvenile Justice and Delinquency Prevention Act requires that each state advisory group (SAG) regularly undertake an analysis of the "state of the state" of delinquency prevention and intervention programs and policies. This analysis then serves as the basis of the development of the Colorado Juvenile Justice and Delinquency Prevention Council's comprehensive strategic three-year plan. The purpose of this plan is to coordinate, develop, implement, monitor, and evaluate state and local efforts to improve outcomes for troubled youth through addressing pressing issues, gaps in services, and funding reductions that threaten the progress that has been made in the area of delinquency prevention and intervention.

In preparation for development of this three year plan, and in order to collect meaningful information directly from Colorado communities, the Division of Criminal Justice contracted with OMNI Institute on behalf of the JJDP Council to implement a web-based survey to solicit input from individuals across Colorado regarding the needs, issues and most critical areas on which to focus resources. The survey was designed to collect honest feedback on the importance of the 34 different Formula Grant program areas from a broad range of community members, juvenile justice and other systems' professionals. After two weeks of data collection, 357 responses were submitted online.

Overall the survey indicated that:

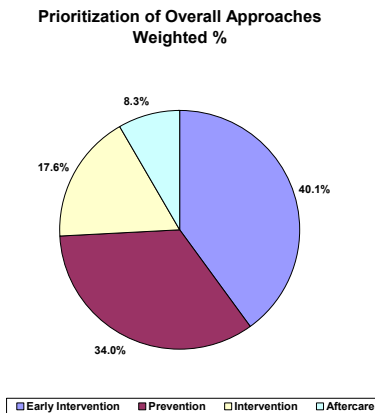
- Most of the participants lived in or represented areas that were urban (65%).
  - One quarter (25.5%) lived in rural areas.
  - 5% lived in frontier regions.
- Most participants identified as Caucasian/White (78.7%).
  - 19.7% of the sample represented individuals of color.
    - Close to 15% described themselves as Hispanic.
    - Less than 5% of the sample described themselves as African American/Black.
    - Less than 2% of the sample described themselves as American Indian/ Native American.
    - Less than 1% of the sample described themselves as Hawaiian/Pacific Islander, Asian.
- Most respondents (330 or 92.4%) cited their professional occupation as their primary lens for prioritizing these issues as they completed the survey. Few community members, parents, or youth completed the survey.
  - Of the professional respondents, 154 or 46.7% of individuals worked within the juvenile justice system and 175 or 53.3% represented other systems.
    - Close to a quarter (75 out of 330 or 22.7%) of all professionals reported working in Probation.
    - Approximately one quarter (23.0%) worked in Social Services, Mental health, or Substance Abuse.
  - Professionals served areas across Colorado.
    - Data indicates that 21 out of 22 judicial districts were represented with the majority of respondents serving in district 18.
    - A total of 43 out of 64 counties (67%) were represented, with the majority of respondents serving in Denver and Jefferson counties.
- The majority of professional respondents (70%) provided direct services (as opposed to serving in an administrative or management position).

Approaches to reducing juvenile delinquency and improving the juvenile justice system vary according to when problems surface. For this reason, the evaluation included questions to gather information on the respondent's preference of the overall approach and followed up with questions about the 34 program areas. The four approaches included:

- **Prevention:** services target youth *prior* to entering the juvenile justice system and include proactive, interdisciplinary efforts that empower individuals to choose and maintain healthy life behaviors and lifestyles, thus fostering an environment that encourages law-abiding and pro-social behavior.
- **Early Intervention:** active efforts to intervene at early signs of problems. Often, these are efforts to reduce risks and change problem behaviors that begin with family-centered interventions.
- **Intervention:** programs or services that are intended to disrupt the delinquency process and prevent a youth from penetrating further into the juvenile justice system.
- **Aftercare:** programs to prepare targeted juvenile offenders to successfully return to their communities after serving a period of secure confinement in a training school, juvenile correctional facility, or other secure institution. Aftercare programs focus on preparing juvenile offenders for release and providing a continuum of supervision and services after release.

[http://dcj.state.co.us/oajja/Boards\\_and\\_Councils/2008%20Statewide%20Survey%20of%20JJ%20Needs%20and%20Priorities.pdf](http://dcj.state.co.us/oajja/Boards_and_Councils/2008%20Statewide%20Survey%20of%20JJ%20Needs%20and%20Priorities.pdf)

As illustrated by the figure below, most respondents favored Early Intervention followed by Prevention to reduce juvenile delinquency and improve the juvenile justice system.



Respondents were also asked to choose the top three program areas that they would fund, regardless of the overall approach. Results indicated that:

- Mental Health Services was the most frequently chosen area to fund, with 34.5% of all respondents choosing this area, followed by:
  - School Programs (30.5%), Substance Abuse Programs (28.6%), Mentoring (24.1%) and Delinquency Prevention (20.7%).

**Selected Areas for Funding by All Respondents**

<i><b>If you could choose three areas to fund today, which would you select? You can choose an area you already selected or another area from the overall list.</b></i>	<b>N (357)</b>	<b>%</b>
Mental Health Services	123	34.5
School Programs	109	30.5
Substance Abuse	102	28.6
Mentoring	86	24.1
Delinquency Prevention	74	20.7
Child Abuse and Neglect Programs	62	17.4
Alternatives to Detention	54	15.1
Juvenile Justice System Improvement	53	14.8
Job Training	43	12.0
Rural Area Juvenile Programs	42	11.8
Aftercare/Reentry	38	10.6
Community Assessment Centers (CACs)	36	10.1
Diversion	36	10.1
Youth Advocacy	28	7.8
Gangs	24	6.7
Probation	23	6.4
Restitution/Community Service	18	5.0
Disproportionate Minority Contact	13	3.6
Youth Courts	11	3.1
Children of Incarcerated Parents	9	2.5
Deinstitutionalization of Status Offenders	9	2.5
Graduated Sanctions	8	2.2
Sex Offender Programs	8	2.2

The survey results were presented to and critically analyzed by the JJDP Council at their two-day retreat and follow-up meeting held in September and December of 2008. The Council, while looking at the survey results, also discussed what resources were already funded and/or available across the state, data regarding needs and after great deliberation, prioritized prevention of delinquency by focusing on the needs of high risk youth in the areas of:

- Disproportionate Minority Contact
- Mental Health Services
- Substance Abuse Services

In addition, the Council affirmed its commitment to fund Compliance Monitoring, American Indian programming beyond the required pass-through amount at both Ute Mountain Ute and Southern Ute Indian Tribes, and strengthened its support for Juvenile Justice System Improvement including training, research and evaluation efforts.

Another substantial change approved by the Council is support for a multi-year funding cycle that is in concert with this new Three Year Juvenile Justice Plan. Beginning with the FY2009 subgrant solicitation, Formula Grant applicants for the Disproportionate Minority Contact, Mental Health Services and Substance Abuse program areas will be eligible for up to three years of funding contingent upon the availability of funds and the subgrantee's performance. Prior to receipt of second and third year funding, multi-year applicants will submit an abbreviated application for review and approval. This abbreviated continuation application will include: summary of project progress, progress on goals and objectives, lessons learned, updated goals and objectives, sustainability plan and updated second-year budget. The remaining Program Areas prioritized by the Council will continue to be funded on a year-to-year basis.

This three-year plan is based upon an in-depth analysis of the juvenile justice system including a systematic review of the various agencies involved in the lives of youth with problem behaviors and their families. What follows is the analysis of Colorado's youth serving systems from prevention through aftercare including an analysis of juvenile crime problems, juvenile needs and resource availability and gaps. This review includes documentation of the impacts and potential outcomes of the budget cuts and related changes in policy and practice. This strategic plan document will begin with statewide prevention efforts that are integral to the prevention of juvenile delinquency. From there, it will provide information regarding the "state of the state" in all facets of the juvenile justice system, describing the path a juvenile takes as they penetrate further into the system. Finally it includes Colorado's plans for addressing the prioritized Formula grant Program Areas listed above as well as the plans to address compliance with the four core requirements of the JJDP Act: deinstitutionalization of status offenders; separation of juveniles from adult offenders; removal of juveniles from adult jails and lock-ups; and, the plan for compliance with the Disproportionate Minority Contact.

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



## DESCRIPTION OF SYSTEM- OVERVIEW

Colorado’s Juvenile Justice System has the legal authority over and the responsibility for handling youths who engage in delinquent behaviors. Its statutes can be found in Article 2, Title 19 of the Colorado Children’s Code (19-2-101 et. Seq., Colorado Revised Statutes) which is available at <http://www.leg.state.co.us/> (click on “CO Revised Statutes”). This three-year strategic plan begins with a description of the service network formatted to show the movement of youth through the various points of the system from prevention through treatment to aftercare/parole, and includes a description of the roles of public and private agencies, their structure, function, strengths, problems and needs.

The juvenile population subject to the delinquency statutes, ages 10 through 17, reflects the continued growth of Colorado, as seen in the chart below. It is estimated that between 2000 and 2007 the state experienced a 3.6% increase in the number of youth in the age 10-17 population and within that same period experienced shifts in the diversity of it population showing a rising Hispanic youth population, which represented 21.1% of the youth population in 2000 and estimated at 25.5% in 2007. The gender breakdown remained stable – 51.2% male and 48.8% female.

<b>Juvenile Population Estimates- Ages 10 through 17</b>							
<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>
498,598	506,528	511,556	511,622	510,079	509,975	512,778	516,436

	<b>Juvenile Population Estimates- Ages 10 through 17 by Race/Ethnicity</b>			
	<b>2000</b>		<b>2007</b>	
	<b>Number</b>	<b>%</b>	<b>Number</b>	<b>%</b>
<b>White</b>	351,904	70.6%	338,219	65.5%
<b>Hispanic</b>	105,090	21.1%	131,629	25.5%
<b>Black</b>	24,474	4.9%	27,631	5.3%
<b>American Indian</b>	4,624	.9%	4,719	.9%
<b>Asian</b>	12,506	2.5%	14,238	2.8%
<b>Total</b>	498,598	100%	516,436	100%

It is also estimated that 76.5% of youth ages 10-17 reside in the 10 largest of Colorado’s 64 counties, and 67.9% reside in what is called the Front Range area, which follows the north-south Interstate 25 corridor and stretches for approximately 97 miles from Boulder County in the north to El Paso County in the south. Colorado is a large state, with an area of more than one hundred thousand square miles and it is also important to note its unique geography, with mountain ranges which create a natural barrier both north/south and east/west and therefore make travel especially in the winter months impossible at times. (Population estimates are generated via <http://www.dola.state.co.us/demog/>; <http://ojjdp.ncjrs.gov/ojstatbb/ezapop/>)

Delinquency services are organized at both the state and local level in Colorado. Local district attorneys’ offices are responsible for juvenile delinquency filings and diversion programming when available. Juvenile probation officers from local probation departments in Colorado’s 22 judicial districts are responsible for predisposition investigation and probation supervision. Chief probation officers in each district answer to that district’s Chief Judge. The Department of Human Services, Division of Youth Corrections (DYC) is responsible for juvenile detention, state delinquency institutions and juvenile parole.

Figure 1.1 (pages 6-8) presents a conceptual framework illustrating a continuum of stakeholders, consumers, and program components that begins with delinquency prevention and flows through juvenile justice programmatic aftercare. This illustration is an attempt to summarize (1) components integral to the continuum; (2) programs; (3) funding available to address the myriad of interventions; and (4) responsible parties. This complex, multidisciplinary service network requires ongoing collaboration to effectively serve the state’s at-risk youth population. Often the same agencies surface at multiple intervention points while working with this population. Likewise, a youth and his/her family can be simultaneously served by multiple systems/agencies.

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

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

Components: <i>(Items are examples, not all inclusive)</i>	<b>Preventing Youth from Becoming Delinquent</b>			<b>Improving the juvenile justice system response</b> Accountability ■ Competency Development ■ Community Protection			
	Prevention for all Youth	Early Intervention for Youth at Risk	Immediate Intervention	Intermediate Sanction	Community Confinement/Supervision	Institutional Confinement	Aftercare
	<b>COLORADO'S JUVENILE JUSTICE SYSTEM</b>						
			<b>Arrest ° Screening° Pretrial° Diversion° Case Filing°</b>	<b>Adjudication° Presentence Investigation° Sentencing°</b>	<b>Sentencing °</b>		<b>° Transition</b>
<b>Responsibility and/or Jurisdiction</b>	Parents/Family Neighbors Churches Recreation Child Care Child Welfare Agencies Schools Health Agencies Local Gov. Businesses	Parents/Family Child Welfare Social Services Mental Health Substance Abuse Schools Special Ed Community Youth-serving agencies Recreation Civic and Faith-based Organizations	Parents/Family Schools & Community Child Welfare Social Services Mental Health Substance Abuse Tx Law Enforcement DA Pre-file Diversion Intake Screening Community Evaluation/ Assessment Teams DYC Detention	Parents/Family Schools Law Enforcement Municipal Courts DAs' Diversion District or Juvenile Courts/Probation Community Accountability Boards Defense Bar DYC Detention	Probation (Judicial) Diversion DYC - SB94 Alternatives to Detention	Colorado Division of Youth Corrections (DYC)	DYC Parole Community Youth-Serving Agencies Schools Businesses Communities
<b>Programs</b>	Arts Sports Health Screening Head Start Education Parenting Classes Home Nurse Visitation Nutritional Programs	Anger Management Conflict Resolution Mentoring Tutoring Life Skills Family Preservation and support Job Training Gang & Drug Resistance Education Programs Juvenile/Community Assessment Centers School Resource Officers Peer Counseling	Group, Family and Individual Counseling Drug & Alcohol Treatment Therapy Mediation Runaway Shelters Tutoring Child Advocacy Center Victims Assistance Community Policing Juvenile/Community Assessment Centers School Resource Officers Law Related Ed.	Suspension Expulsion Restrict Sports Participation Driver License Susp. Diversion Restorative Justice Conferencing Victim/Offender Mediation Fines Community Service Restitution Probation Supervision Teen Court Juvenile Drug/Gun Courts	Electronic Monitoring Intensive Supervision Alternatives to Incarceration Trackers Foster Homes Day Treatment Residential Treatment Centers Residential Child Care Facilities School-based Probation	Staff Secure facility Short-term detention Long-term Secure Incarceration (including programs that address education, life skills, vocational training, drug and alcohol abuse, mental health, etc.)	Intensive Supervision Electronic Monitoring Trackers Day Treatment Transition Services Independent Living Job Training Self-Sufficiency Prgms

Components: <i>(Items are examples, not all inclusive)</i>	Preventing Youth from Becoming Delinquent			Improving the juvenile justice system response Accountability ■ Competency Development ■ Community Protection			
	Prevention for all Youth	Early Intervention for Youth at Risk	Immediate Intervention	Intermediate Sanction	Community Confinement/ Supervision	Institutional Confinement	Aftercare
			COLORADO'S JUVENILE JUSTICE SYSTEM				
			Arrest ° Screening° Pretrial° Diversion° Case Filing°	Adjudication° Presentence Investigation° Sentencing °	Sentencing °		° Transition
<b>Local Funding (including State and Federal grants and allocations)</b>	City: Park and Recreation Programs; Community Centers; food banks; Housing; Police; Human Services			Municipal Court and Police Dept. Programs			Human Resource Programs
	County: Library Programs; Health and Mental Health; Social Services (Core services, family and community service centers), Child Welfare; County Cooperative Extension (4-H & youth programs); Employment and Training (Summer Youth Employment); Park and Recreation			Community Corrections Collaborative funding of Judicial District Programs: District Attorney Juvenile Prosecution and Diversion Programs; Defense Attorneys; Probation Support		County Juvenile Detention (limited)	Self-Sufficiency Programs Job Training
	School District: Counseling; health clinics; special ed; tutoring; suspension & expulsion intervention/prevention; teen courts; safe school prgms; Safe/Drug Free Schools			Educational services			Reintegration and transition services
	Private: (Offering support across all areas) Foundations, Sports Associations; Alumni Groups; Civic and Business Groups, Chambers of Commerce, Churches, United Way, Fraternal Organizations; Cultural Groups; Community-based organizations and youth-serving agencies						
<b>State &amp; Federal Funding by State Department (funds cover program needs across various areas)</b>	<b>Public Health and Environment:</b> Public Nurse Program, Home Nurse Visitation, Community and Family Health Services; Injury Prevention and Control; Abstinence Education, Suicide Prevention, Colorado Children's Trust Fund <b>Health Care Policy &amp; Financing:</b> Supplemental Security Income; Foster Children; Baby Care Program; Public School Health Services, CHIP+, Medicaid <b>Agriculture:</b> Child Nutrition; Food Stamps; WIC <b>Human Services: Child Welfare</b> - Family Preservation/Family Support, Out-of-Home Placement Care; Family Issues Cash Fund; Independent Living, Youth Development <b>Human Services: Health &amp; Rehabilitation</b> - Early intervention <b>Human Services: Division of Behavioral Health, Alcohol and Drug Abuse Services</b> - Managed care funds (prevention and intervention); detox centers; Adolescent Treatment Fund and Drug Offender Surcharge Fund. <b>Local Affairs:</b> Housing assistance; Community Services Block Grant <b>Education:</b> Suspended & Expelled services; In-home/In-school suspension; Special Education; Even Start Family Literacy Program; Education for homeless children; Child Care Development; Ch. II - needs of at risk students; Title IV Safe and Drug Free Schools and Communities; Preschool; Comp. Health Ed <b>Higher Education:</b> Vocational schools; financial aid; county extension youth programs; Colorado Community College Occupational Education System (teen parent program) <b>Public Safety;</b> DCJ: Federal Juvenile Justice funds <b>Labor and Employment:</b> Job Training <b>Revenue:</b> Enforcing Underage Drinking Laws <b>Transportation:</b> Law Enforcement Assistance Fund (DUI); <b>Military Affairs:</b> Youth Conservation Corps; Drug Demand Reduction Program <b>Natural Resources:</b> Youth in Natural Resources; Seasonal Work			<b>Human Services: Youth Corrections</b> - Alternatives to Incarceration (SB94) Programs (supervision, case management, treatment, education, mental health, etc.) Secure Detention and Commitment Facilities and programs (mental health, education, medical, job training), Parole program services, Contracted secure and non-secure beds; Intensive Aftercare Program <b>Human Services: Division of Behavioral Health, Mental Health Services</b> - Mental Health Screening and Referral for Detained Youth <b>Human Services: Division of Behavioral Health, Alcohol and Drug Abuse Services-</b> Managed care treatment funds <b>Public Safety;</b> Division of Criminal Justice: Federal Juvenile Justice <b>Education:</b> Suspended & Expelled student services; In-home and In-school suspension programs; Title I High-Risk Youth <b>Military Affairs:</b> Youth Conservation Corps; Drug Demand Reduction Law: 80% of elected district attorneys salaries <b>Judicial:</b> Probation Officers and program services (electronic monitoring, drug testing); Public defenders, Guardians Ad Litem, and alternate defense counsel (no specific amount for juveniles) <b>Corrections:</b> Youthful Offender Program and Community Transition Programs (for certain direct-file juveniles)			

Components: <i>(Items are examples, not all inclusive)</i>	Preventing Youth from Becoming Delinquent			Improving the juvenile justice system response Accountability ■ Competency Development ■ Community Protection			
	Prevention for all Youth	Early Intervention for Youth at Risk	Immediate Intervention	Intermediate Sanction	Community Confinement/ Supervision	Institutional Confinement	Aftercare
			COLORADO'S JUVENILE JUSTICE SYSTEM				
			Arrest ° Screening° Pretrial° Diversion° Case Filing°	Adjudication° Presentence Investigation° Sentencing°	Sentencing °		° Transition
<b>OJJDP Funds: JJDP Act and other Grant Programs (both direct and administered by state agencies) *Administered by the Division of Criminal Justice</b>	*Title V Delinquency Prevention		*Title II, Part B Formula Grants				
	Enforcing Underage Drinking Laws Grant Program		*Title II, Part E Challenge Grants (end FY03)				
			*Juvenile Accountability Incentive Block Grants				
	Joint Initiatives with other Federal Offices: Depts of Education; Labor; Health and Human Services; e.g. Safe Schools Initiative, Safe Schools/Healthy Communities, Reentry Grants						
<b>Other Federal Funding by Federal Depts. (both direct awards to state and local agencies, and pass through funds administered by state agencies)</b>	<p><b>Justice, Office of Justice Programs:</b>  *Corrections Program Office: Violent Offender Incarceration/Truth in Sentencing (VOI?TIS); Residential Substance Abuse Treatment for State Prisoners (RSAT)  Bureau of Justice Assistance (BJA): Byrne Justice Assistance Grant (JAG); Violent Crime Control &amp; Law Enforcement Act of 1994: COPS in Schools; Drug Courts; etc.  Omnibus Crime Control &amp; Safe Streets Act of 1968; etc. Other: Boys &amp; Girls Clubs in Public Housing; CASAs; Tribal Court Initiative; Weed and Seed; Community Policing; Community Prosecutors; etc.  <b>Labor, Employment and Training:</b> Job Training Partnership Act; Welfare-to-Work; School-to-Work; Summer Youth Program; Job Corps; Youth Opportunity Grants; Reintegration of Young Offenders; Focus on Workforce Investment, Youth Services; One-Stop Centers; Youth Councils  <b>Health and Human Services:</b> Medicaid; Substance Abuse Prevention and Treatment Block Grant; Title IV-E of the Social Security Act; Title XX Social Services Block Grant; Temporary Assistance to Needy Families (TANF) Block Grants; Mental Health Services Block Grant; Maternal and Child Health Block Grant; Preventive Health Services Block Grant; Family Support &amp; Preservation; National Youth Sports; Runaway and Homeless Youth; Head Start; Healthy Start; Tobacco Prevention; Abstinence Education; Children's Mental Health; High-Risk Youth Substance Abuse Prevention; Native American Programs; Safe Schools/Healthy Students; Programs through SAMHSA  <b>Education:</b> Safe &amp; Drug Free Schools; 21<sup>st</sup> Century Community Learning Centers (After-School Programs); Class Size Reduction; School-to-Work; Lifeskills for State and Local Inmates Program; Grants to States for Workplace and Community Transition for Incarcerated Youth Offenders Program; Workforce Investment Act; ESEA Title I - Neglected and Delinquent; IDEA-Special Education; Perkins Vocational and Technical Education Act of 1998 State Grant Program; Vocational Rehabilitation Program  <b>Housing and Urban Development:</b> Homeless Program; Community Services and Community Development Block Grants; Drug Elimination Grants; Youth Build  <b>Defense:</b> National Guard Youth Programs  <b>Agriculture:</b> School Breakfast and Lunch Programs; Child Care Food Programs; WIC</p>						

# STRUCTURE, FUNCTION AND SYSTEM FLOW- PREVENTION THROUGH PAROLE/AFTERCARE SERVICES

## PREVENTION AND EARLY INTERVENTION

The first essential components of the Comprehensive Strategy Framework (figure 1-1, pages 6-8) are prevention and early intervention. Prevention services target youth *prior* to entering the juvenile justice system and include proactive, interdisciplinary efforts that empower individuals to choose and maintain healthy life behaviors and lifestyles, thus fostering an environment that encourages law-abiding, pro-social behavior. Early intervention services refer to active efforts to intervene at early signs of problems. Often, these are efforts to reduce risks and change problem behaviors that begin with family-centered interventions. The agencies most involved with the juvenile justice system at the prevention and early intervention level are the Department of Education, the Department of Workforce Development, the Department of Human Services' Division of Child Welfare (CW), the Department of Public Health and Environment's Prevention Services Division, Department of Human Services' Alcohol and Drug Abuse Division (ADAD) and the Department of Human Services' Division of Mental Health (MH).

### Educational Services/Department of Education

Colorado has 64 counties and almost three times as many school districts, varying in size. The Colorado Board of Education and the Department of Education (CDE) have certain statewide responsibilities but local control is very strong and the subsequent decentralization of many education services has contributed to variances between school districts in services available to students. Growth in the student population has also been an issue for the state. The October 2007 Colorado public school membership (802,639) increased by 8,613 students from the October 2006 count of 794,026 students, an increase of 1.08 percent.

Public School Enrollment- % of Total by Gender, Race/Ethnicity 2001-2007								
<a href="http://www.cde.state.co.us/index_stats.htm">http://www.cde.state.co.us/index_stats.htm</a>								
Year	White	Hispanic	Black	Asian	Native American	Males	Females	Total # Students
2003	64.5	25.3	5.8	3.1	1.2	50.7	48.5	755,668
2004	63.5	26.2	5.9	3.2	1.2	51.3	48.6	766,657
2005	62.5	27.1	6.0	3.3	1.2	51.3	48.7	780,708
2006	61.9	27.6	6.0	3.3	1.2	51.3	48.7	794,026
2007	61.5	27.9	6.0	3.4	1.2	51.3	48.7	802,639

OJJDP-sponsored studies have identified that educational risk factors for delinquency include academic failure beginning in late elementary school, inadequate school climate, truancy, and economic deprivation. Adults with a high school education are more likely to participate in the labor force, according to the National Center for Education Statistics. Specifically, in 2002, only 44 percent of those 25 and older that did not complete high school were in the labor force. It is therefore implicit that providing services to at risk students improves the possibility of better long-term outcomes, including future employability.

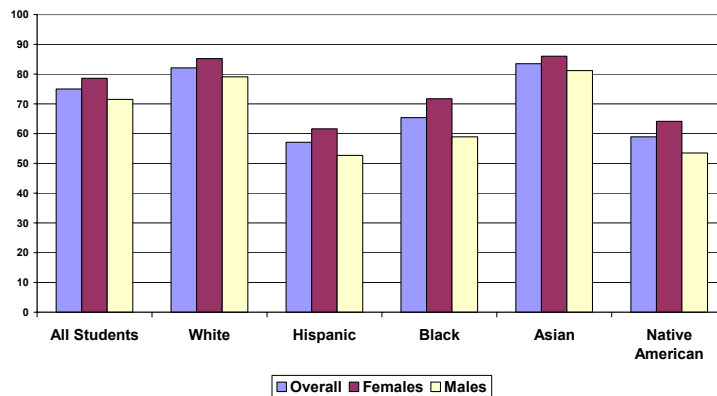
While **graduation rates** in Colorado increased in recent years, the past year saw an improvement for all youth but the rates continue to differ significantly across race/ethnic groups. The graduation rate for the Class of 2007 was 75.0 percent. This is a 0.9 percentage point increase from the Class of 2006 rate of 74.1 percent and a 5.1 percentage point decrease compared to the Class of 2005 graduation rate of 80.1 percent. But in 2007, the graduation rate was less than 60 percent for Hispanic or Native American youth in Colorado. These rates greatly differ than the graduation rates for White youth at 82.1% and Asian youth at 83.5%.

Graduation Rates by Race/Ethnicity Groups in Colorado Public Schools 2001 - 2007										
										<a href="http://www.cde.state.co.us/index_stats.htm">http://www.cde.state.co.us/index_stats.htm</a>
	Year	White	Hispanic	Black	Asian	Native American	Males	Females	Total	
% Graduation (excluding alternative schools)	2001	85.3	64.3	69.2	82.7	55.3	77.4	83.6	80.5	
	2002	86.4	65.5	73.7	86.2	58.3	78.5	85.2	81.8	
	2003	87.5	69.6	76.8	87.0	65.8	80.3	87.0	83.6	
	2004	86.4	68.7	76.2	86.9	66.6	79.1	85.6	82.3	
	2005	85.5	63.7	74.0	86.1	62.6	77.5	82.7	80.1	
	2006	80.8	56.7	62.7	82.5	56.9	70.3	78.0	74.1	
	2007	82.1	57.1	65.4	83.5	58.9	71.5	78.6	75.0	

Gender differences are quite alarming as well. The 2007 Graduation rates show an overall rate for all students at 75, girls more successfully graduating with a rate of 78.6 versus boys at 71.5. The significant reduction in the graduation rate for males is evident across all race/ethnicities but the graduation rate for Hispanic Males is only 52.7, and 58.9 for Black males, a significant and troubling difference from the graduation rates for White and Asian Males.

Graduation Rates – Class of 2007 in Colorado Public Schools						
						<a href="http://www.cde.state.co.us/index_stats.htm">http://www.cde.state.co.us/index_stats.htm</a>
	All Students	White	Hispanic	Black	Asian	Native American
Overall	75.0	82.1	57.1	65.4	83.5	58.9
Females	78.6	85.2	61.6	71.7	86.0	64.1
Males	71.5	79.1	52.7	58.9	81.2	53.5

Graduation Rates – Class of 2007  
in Colorado Public Schools



High school **drop out rates** are also of concern. Students attending Colorado’s public schools during the 2006-2007 school year had an overall dropout rate of 4.4 percent. This was a 0.1 percentage point decrease (improvement) from the 2005-2006 school year (4.5 percent) and a 0.2 percentage point increase from the 2004-2005 school year (4.2 percent).

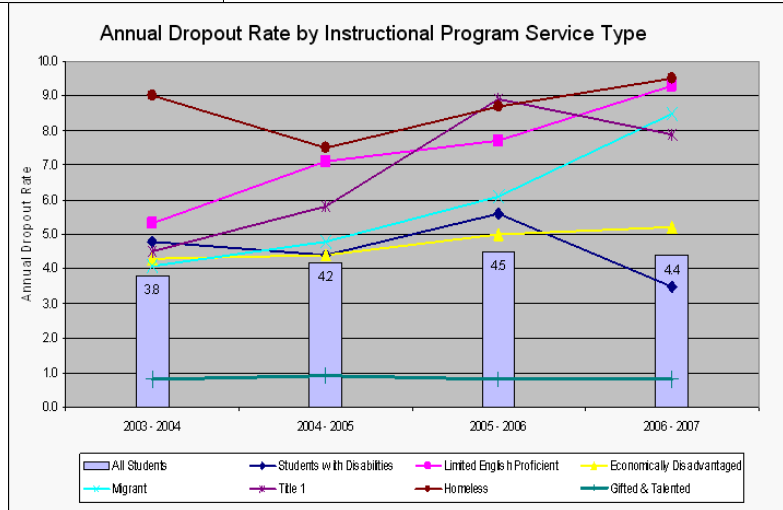
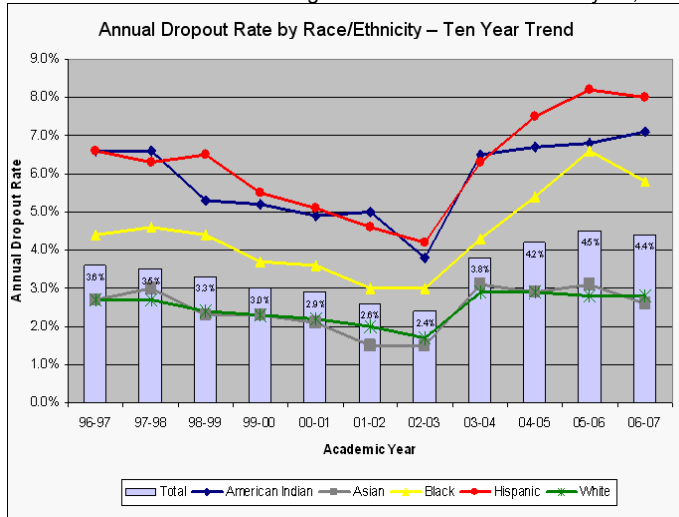
All racial/ethnic populations have a significant number of youth who fit the criteria of a drop out, but the rates for Hispanic youth (8.0%), Black youth (5.8%) and Native American youth (7.1%) and the alarming increase in their rates from 2004 to 2007, suggest the need for a review of the reasons leading to dropping out of school for these populations.

## Drop Out Rates by Race/Ethnicity Groups in Colorado Public Schools 2001 - 2007

[http://www.cde.state.co.us/index\\_stats.htm](http://www.cde.state.co.us/index_stats.htm)

	Year	White	Hispanic	Black	Asian	Native American	Males	Females	Total
<b>Dropout Rate</b>	<b>2001</b>	5.1%	2.2%	3.6%	2.1%	4.9%	3.2%	2.6%	2.9%
	<b>2002</b>	2.0%	4.6%	3.0%	1.5%	5.0%	2.9%	2.3%	2.6%
	<b>2003</b>	1.7%	4.2%	3.0%	1.5%	3.8%	2.6%	2.1%	2.4%
	<b>2004*</b>	2.3%	5.2%	3.7%	2.7%	4.7%	3.4%	2.7%	3.1%
	<b>2005</b>	2.9%	7.5%	5.4%	2.9%	6.7%	4.6%	3.8%	4.2%
	<b>2006</b>	2.8%	8.2%	6.6%	3.1%	6.8%	4.8%	4.0%	4.5%
	<b>2007</b>	2.8%	8.0%	5.8%	2.6%	7.1%	4.7%	4.0%	4.4%

\*The calculation formula changed for the 2003-2004 school year, which may account for a slight increase in the 2004 dropout rate.



Source: <http://www.cde.state.co.us/cdereval/rv2007DropoutLinks.htm>

Colorado's current Governor has established a goal of halving the state's dropout rate within 10 years. Presently, 30 percent of Colorado's students fail to graduate within four years of starting high school, and many of these students fail to finish at all. Estimates indicate that the failure of Colorado's residents to finish high school costs our state at least \$ 3.4 billion each year. The Colorado Department of Education notes that though a variety of statutes support local dropout prevention strategies and provide resources for engaging and reengaging students, the current funding allocated by the state does not sufficiently meet the total need. CDE has also recognized that a number of state statutes and school policies that appear to conflict with one another, particularly those dealing with compulsory school attendance and expulsion and existing policies may not incentivize student engagement effectively. For example, policies

developed to address truancy may result in suspension or expulsion of students, which may reduce academic progress and student engagement.

The CDE has been proactively trying to address concerns related to dropout rates and is working collaboratively with the Statewide Dropout Initiative, which is being coordinated by the Colorado Children's Campaign and aims to strengthen existing dropout prevention efforts, obtain a deeper understanding of the challenges in this area, and develop systemic solutions. More information regarding CDE efforts can be found at: <http://www.cde.state.co.us/scripts/reforms/detail.asp?itemid=465396>

Quite often disciplinary actions taken at schools are the first step into the juvenile justice system. This might be a place to begin looking for interventions to decrease the over representation of minorities in the juvenile justice system. As can be seen by the chart below, the Hispanic, Black and Native American youth are all over represented in the number of negative consequences for poor behavior, while White and Asian youth are underrepresented. The data below reflects the Race/Ethnicity and Gender of the students who were suspended and/or expelled. Because a student could be suspended more than one time in a school year or could be suspended and later expelled, this data reflects the number of students by incident.

<b>Disciplinary Actions by Race/Ethnicity Groups in Colorado Public Schools- 2006/2007</b>						
<a href="http://www.cde.state.co.us/index_stats.htm">http://www.cde.state.co.us/index_stats.htm</a>						
	<b>% of Total Students</b>	<b>% of In-School Suspensions</b>	<b>% of Out-Of-School Suspensions</b>	<b>% of Expulsions</b>	<b>% of Other Disciplinary Action</b>	<b>% Referred To Law Enforcement</b>
<b>White</b>	61.5	43.0	42.8	42.9	75.7	50.4
<b>Hispanic</b>	27.9	39.2	38.7	42.3	16.6	35.4
<b>Black</b>	6.0	14.6	15.2	11.0	4.7	10.3
<b>Asian</b>	3.4	1.5	1.6	1.5	2.1	1.8
<b>Native American*</b>	1.2	1.5	1.8	2.3	1.0	2.0

\* In 2007, of the Native American students receiving disciplinary actions statewide (1222), 15.8% (193) were from the school districts in Montezuma and La Plata counties, where the Ute Mountain Ute and Southern Ute Indian Tribes are located, an increase of 2% from the prior year.

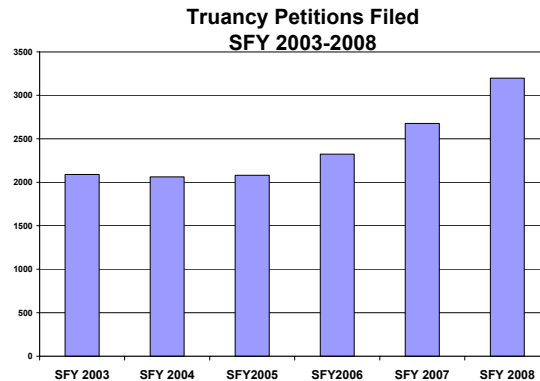
CDE remains actively involved in developing programs with federal support to meet the myriad of educational needs of its students. Other programs available include several elaborated on below.

**Truancy** is an issue of growing concern in Colorado. When reviewing the Colorado Department of Education data for 2004-05 and 2005-06, the National Center for School Engagement (NCSE) estimated that in Colorado, there were a total of 1,651,864 unexcused days in the state in 2004-2005, rising to 2,710,717 unexcused days in 2005-2006. These numbers translate to 9,717 and 15,945 years of schooling lost to unexcused absences (170 days each year) for Colorado students. Using that same methodology, in 2006-07 there were a total of 2,603,774 unexcused days in the state which would translate into 15,316 years of schooling lost. NCSE also estimated that in Colorado approximately 70% of suspended youth are chronically truant in the previous six months, 80% of dropouts were chronically truant in the past year before dropping out, a staggering 97% of expelled youth were chronically truant in the previous year, and 90% of youth in detention for delinquent acts were truants. Also knowing through research that chronic truants are 21.53 times as likely to commit serious property crimes, 12.15 times as likely to engage in a serious assault crime and are 16.06 times as likely to use marijuana by age 14, we know the potential impact of not intervening with youth on the path to chronic truancy.

With communities responding to this concern, we saw truancy petitions filed in juvenile court gradually increasing each year ultimately rising overall by 28% from 2003 to 2007, and believed that they were likely to increase as legislation (SB 50) passed in 2007 which now permitted school districts to use non-attorneys as representatives in judicial proceedings on truancy matters. It was expected that truancy petitions would increase due to the less expensive option for schools to use non-attorneys on these cases. In fact, as predicted, the number of truancy petitions rose a staggering 16.3% in this last year alone, from 2,677 to 3,197.

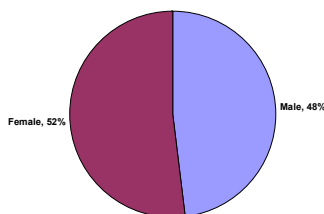


Truancy Petitions Filed in Juvenile Court 2003-2008					
<a href="http://www.courts.state.co.us/Administration/Unit.cfm/Unit/annrep">http://www.courts.state.co.us/Administration/Unit.cfm/Unit/annrep</a>					
2003	2004	2005	2006	2007	2008
2090	2062	2080	2325	2677	3197

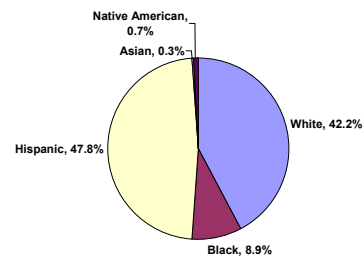


As truancy petitions increase, so also does the use of detention as a sanction for truants violating court orders, resulting in an increase in the number of violations for failure to follow the Valid Court Order process as outlined in the Colorado Rules of Juvenile Procedure (Rule 3.8). From 2005/2006 to 2007/2008, we saw an increase from 48 to 82 in the number of violations of the Deinstitutionalization of Status Offenders Core Requirement. Because these numbers are alarming, we continue to look closer and find that of the 314 status offenders sentenced to detention in 2007/2008, 291 (92.7%) were related to truancy. Of these 291 youth, 48% were females and 52% male. 42.2% were White, 8.9% Black, 0.3% Asian, 0.7% were Native American and 47.8% Hispanic. We also looked at ages of the youth at the time of their sentence and .3% were age 12, 4.1% were age 13, 6.9% were age 14, 39.2% were age 15, 47.1% were age 16 and 2.4% were age 17.

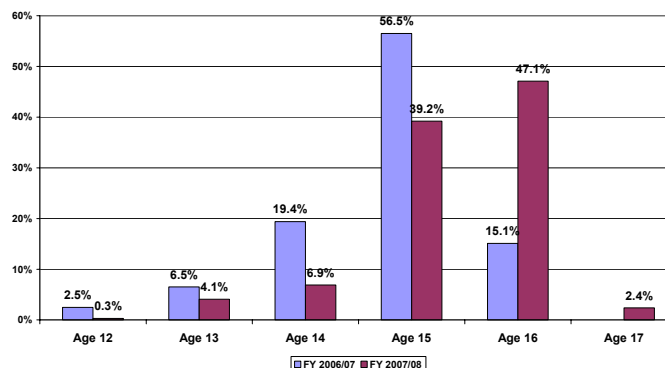
**Gender of Truants Sentenced to Detention  
FY 2007/08**



**Race/Ethnicity of Truants Sentenced to  
Detention- FY 2007/08**



**Age of Truants Held in Detention  
FY 2006/07 and FY 2007/08**



Recognizing that we needed to engage those at the local level to address these concerns, on March 6, 2008, the JJDP Council, with support from the federal Office of Juvenile Justice and Delinquency Prevention and the National Center for School Engagement (NCSE) held a Truancy Symposium attended by over eighty participants representing five pre-selected judicial districts and state agencies. The judicial districts were chosen based on their increase of violations of the federal JJDP Act due to the inappropriate holding of status offenders in secure settings, a significant portion stemming from truancy petitions. We required attendance from a core team of four to twelve members from each community to include at a minimum: courts, schools, social services and the local SB 94 Coordinator and encouraged participation from law enforcement (including the district attorney, sheriff and police departments), probation, the division of youth corrections regional director or regional staff, juvenile detention directors or key staff, parents, youth and any others the community identified as vital for this discussion. A state team was created to mirror the local teams.

The overall goal of this Symposium was to reduce truancy and delinquency in communities through the utilization of effective tools and practices and the objective was for participants to leave the symposium with a framework of a community strategic plan to address truancy. After the state's compliance monitor framed the issue using local data about the number of truants detained and the number of violations in the state, the NCSE (<http://www.schoolengagement.org/>) then facilitated an action planning process, after first providing participants with information regarding best practices. NCSE shared with participants what was published in their October 2003 report, *Saving Money, Saving Youth, the Financial Impact of Keeping Kids in School*, which highlighted the causes and dangerous consequences of truancy (this report was also supported with OJJDP funding provided through the DCJ). They noted that research has consistently shown that causes of truancy can be separated into 4 different categories: 1) student demographics (truancy is higher among males, minorities, urban youth, low income families, children in one parent households, children from large families and children whose parents do not have a high school diploma); 2) family characteristics (parental attention and involvement with school and homework); 3) student's personal or psychological factors (truant students were less likely to perceive school experiences favorably or less likely to feel competent in the classroom); and, 4) school climate including attachment to teachers, feelings of physical safety (attachment through relationships with other students, teachers or another caring adult). Through their study of three Colorado truancy reduction programs, NCSE was able to show that the best approach to truancy reduction includes a court and a case management approach and that effective truancy reduction programs save taxpayers over \$200,000 for each student that graduates instead of dropping out.

Each of the five local and one state teams attending the March symposium is eligible for an additional day of on-site technical assistance to complete a strategic plan to address truancy. We are also hoping to open this process to other communities across the state where, although the number of violations may not be as high as those original five communities, they continue to struggle with truancy.

Despite the targeted work through the Truancy Symposium and follow up activities, we again saw a rise in violations of a valid court order in 2008, most stemming from truancy petitions. As is addressed in the Compliance Monitoring Plan, the compliance monitor is now working directly with Judges from the key Judicial Districts which have contributed to the rising Valid Court Order Violations. Training is being set up for Judges, Magistrates, and other staff from the agencies responsible for completing the mandated report, and others who are integral for developing solutions.

Expulsion should be the last step taken after several unsuccessful attempts to deal with a student who has discipline problems that disrupt learning of other students or cause risk of harm to others. CDE offers a variety of programs, consultants, and schooling alternatives for those students put at-risk either by their own actions or by circumstances beyond their control. Since 1998, CDE has funded school districts across the state to provide services to expelled students and students at-risk of expulsion, under the Expelled and At Risk Student Services Grant of Amendment 23. In past years, the DCJ also provided funds to the National Center for School Engagement, an initiative of the Colorado Foundation for Children and Families (CFFC) to continue their multi-year evaluation of these grants.

According to the **Expelled and at Risk Student Services** (EARSS) Summary Report for the 2007-08 School Year, Expelled and At Risk Student Services grants were awarded to 55 programs located in 44 of Colorado's 178 school districts and representing 29 of the 64 counties in that year. These programs

served a total of 7,335 students, with 81% (6,765) being at risk of expulsion and 13.4% (982) expelled. The most common reasons for expulsions were drug violations (27%), with disobedient behavior (18%) and defiant and detrimental behavior at 16%. For at-risk students, which represented 6,353 students in the EARSS program, a majority (36%) were identified at risk because of behavior related to disobedience and defiance, 28% were at risk due to truancy and 12 percent had risk factors related to drugs and alcohol. Outcomes showed positive reports for those served in EARSS programs. Fifty-nine percent of program participants had a reduction in falling grades; 63% demonstrated other measures of academic progress, including course completion, credit recovery and raised GPA; 52% improved their social functioning; 49% improved their attendance; and there was a 45% reduction in discipline referrals. Fourteen (14) percent of the students served had an active Individual Education Plan (IEP) and were receiving Special Education Services while the overall percent of Special Education students in the state was 10.4% showing disproportion in the number of special education students in the program. In addition to the students, 6,154 parents were served and of these 62% improved their ability to support their child's learning and 41% experienced other measures of success such as improved self esteem, better family communication and increased community involvement.

Similar to past years, in 2007-08 the percent of boys served (62%) far exceeded the percent of girls served (38%). In addition, particular attention was paid to the racial/ethnic breakdown of students served in these programs as CDE has questioned whether or not students of color were overrepresented in school expulsions as in juvenile justice and adult penal systems, suggesting a precursor to overrepresentation of minorities in the justice system. In 2007-2008, Latino students, who made up 27.9% of the total student population, represented 43% of the students served in these programs.

CDE- Expelled and At Risk Student Services Grant, End of Year Report 2007-2008 School Year, Executive Summary, [http://www.cde.state.co.us/cdeprevention/download/pdf/annualreport2007\\_08summary.pdf](http://www.cde.state.co.us/cdeprevention/download/pdf/annualreport2007_08summary.pdf)

The purpose of **Even Start Family Literacy services**, through the No Child Left Behind Act, is to help break the intergenerational cycle of poverty and illiteracy by improving educational opportunities for low-income families with limited education. To accomplish this goal, the legislation requires Even Start programs to provide an integrated five-component model of family literacy. These components are supplemented and enhanced by personal family visitations. Two types of state funds were made available for Colorado family literacy services during the 2006–2007 program year. In the spring 2006 legislative session, Colorado representatives voted to allocate \$200,000 to the existing Family Literacy Education Grant Program (HB02-1303). The bill originally passed in 2001 with no state funds. The funds were administered by the Adult Education and Family Literacy Unit of the Colorado Department of Education and were dispersed through a competitive grant process for existing Even Start and AEFLA programs. The second allocation of money came from the Title I Office at the Colorado Department of Education. In response to the decrease in federal Even Start funds for 2006–2007, Title I provided \$301,000 for Colorado Even Start programs to continue operation in 2006–2007.

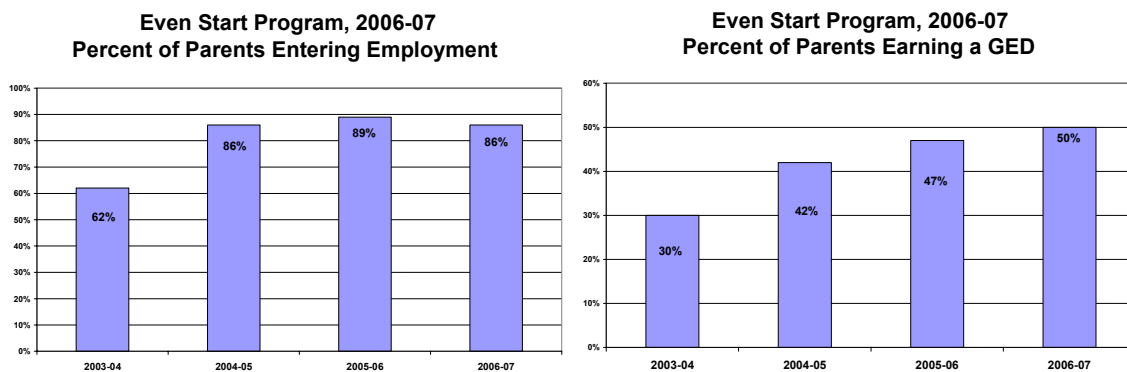
During 2006–2007, the ten Colorado Even Start programs operated sites in Alamosa, Aurora, Boulder, Carbondale, Center, Colorado Springs, Cortez, Delta, Denver, Durango, Glenwood Springs, Lafayette, Leadville, Monte Vista, Rifle and Waverly. As a result of the federal funding cuts, only six of these ten programs received federal Even Start money. The other four programs were at the end of their four year funding cycle in 2006. These four programs applied for and were awarded the Title I grants previously described.

Even Start family literacy services are provided to participants on a voluntary basis that are of sufficient intensity in terms of hours, and of sufficient duration, to make sustainable changes in a family, and that integrate the following four components:

- 1) Help break the cycle of poverty and illiteracy by improving the educational opportunities of the state's low-income families, through the integration of adult literacy (e.g., Adult Basic Education or English Language Learning), early childhood education, and parenting support into a unified family literacy program.
- 2) Assist parents in gaining the literacy and parenting skills they need to become full partners in the educational development of their children, birth to age seven, through family-centered education programming.
- 3) Help children in reaching their full potential as learners.
- 4) Support the implementation of the Colorado Basic Literacy Act.

The program's outcome measures show important progress. For the past ten years, the CDE has supported a statewide evaluation of Colorado Even Start programs. The following findings are highlights from the 2006-2007 Even Start progress report:

- Colorado Even Start programs met 85% of the targeted goals contained in the state performance measures, no change from 2006-07.
- Colorado Even Start programs served 431 families with 567 children.
- Of the 32 parents studying to pass the GED examination, 19% began taking subtests, and 50% passed.
- Of the parents working to pass the GED examination and teen parents working toward high school graduation, 72% were successful this year. This is a 17 point increase from two years ago and the highest completion rate since the statistic has been calculated.
- This year, 26% of Even Start parents were employed prior to entering the program. Eighty-six percent of the unemployed parents, who wanted a job, obtained a job during this program year. This is lower than last year when 89% of unemployed parents found work.



In FY 2006-07 year the average cost of serving an **Even Start** family in Colorado was \$2,854 (based only on the state allocation of Even Start federal funds to six local programs excluding the four programs that continued with Title I funds). The previous two years, the average cost per family was \$4,698 and \$4,363, \$1,844 less than FY 2006-07, a decrease of 40%. The reduction in costs is partially due to new state requirements for serving children. As a result of these changes, some programs stopped providing early care and education for infants, the most costly age group of children to serve. As a cost comparison, Head Start's national average cost for serving one child is \$7,209. The complete Even Start 2006-07 Report can be viewed at <http://www.cde.state.co.us/cdeadult/download/ES/PDF/ESProgressRpt07.pdf>.

The **Safe and Drug-Free Schools and Communities** program (SDFSC) support activities that prevent violence in and around schools and the illegal use of alcohol, tobacco, and drugs. These programs involve parents, and program officials coordinate these program efforts and resources with other federal, state, and community entities. Allocations are based on poverty rate and the size of the student population. Funds are made available to local school districts to provide only research-based prevention and intervention activities to students within the district. Strategies, often implemented in collaboration with other community agencies and groups, include but are not limited to alcohol, tobacco and drug education; violence prevention and conflict resolution programs; youth leadership and peer counseling programs; student assistance counselors and teams; character education; and alternatives to suspension. The program also supports technical assistance to school districts through individual consultations, workshops, and trainings. Program officials also collaborate with other agencies and groups to provide training in statewide conference settings.

Of the funds allocated to the State of Colorado, 80% go to the Colorado Department of Education. These funds are granted directly to school districts (based on poverty rate and student population) to establish, operate, and improve local programs of school drug and violence prevention, early intervention, rehabilitation referral, and education in elementary through secondary schools. Twenty percent (20%) of the funds go to the Governor's office and beginning in 2008, the Governor's portion of the SDFSC will be administered by the Division of Behavioral Health Services, Alcohol and Drug Abuse Services. The 2009-2011 JJDP Plan & Report - CO Updated March 2009

priorities for the governor's portion of the funds are to serve children and youth who are not normally served by state and local education agencies, or populations that need special services or additional resources (such as youth in juvenile detention facilities, runaway children or homeless youth, pregnant and parenting teens, or school dropouts and those at-risk of dropping out.

[http://www.cde.state.co.us/cdeprevention/download/pdf/2006\\_07\\_Performance\\_Report.pdf](http://www.cde.state.co.us/cdeprevention/download/pdf/2006_07_Performance_Report.pdf).

The **Education of Homeless Children and Youth Program** is funded to implement the requirements of the McKinney-Vento Homeless Assistance Act. The primary intent of this federal law is to remove state and local barriers to the enrollment and academic success of homeless children and youth. At the state level, the Colorado Department of Education provides technical assistance to individuals who are homeless, local school agencies and homeless service providers in areas related to compliance with the law, and issues of homelessness as it relates to the education of children and youth who experience homelessness. The Department also provides technical assistance to school districts in program design, grant writing and networking of resources.

At the local level, funded school districts provide direct educational and support services to enroll and educate homeless students. Strategies implemented include the following: tutoring, direct provision of school supplies and basic need items, translation/interpretation services, collaboration with other school programs (Title I, Migrant Education, Special Education), support of AmeriCorps programs, direct outreach to help families adjust to new school and community environments, referral services, provision of out-of-school time programs and staff development and training.

The Colorado Department of Education's goal for this program is to remove state and local barriers to the enrollment and academic success of homeless children and youth.

The 2004-2007 Title X (No Child Left Behind Act) Grant Cycle includes fifteen funded projects scattered throughout six educational regions. The Colorado Department of Education (CDE) anticipates federal funding in July 2007 to support a new Homeless Education grant opportunity. For the 2007/08 school year, grants up to \$40,000 will be made available to local School Districts and/or BOCES to ensure access and academic success in school for homeless children and youth. This competitive funding opportunity will begin a new three year funding period from July 1, 2007-June 30, 2010, contingent upon annual funding available and continuing evidence that the homeless education program in the District/BOCES has met the grant requirements.

<b>Education for Homeless Children and Youth</b>	<b>FY01-02</b>	<b>FY02-03</b>	<b>FY03-04</b>	<b>FY04-05</b>	<b>FY05-06</b>	<b>FY06-07</b>
Appropriated	\$273,757	\$281,804	\$456,964	\$405,858	\$474,575	\$507,000
Number of Students Served	2,733	2,826	7,664	7,653	10,599	*NA

\* Totals served not available

**School-wide Positive Behavior Support (SW PBS)** is an effective research-based approach that is being adopted by education systems around the country. This approach improves student behavior by reinforcing desired behaviors and eliminating inadvertent reinforcers for problem behavior. School-wide PBS has emerged as a successful strategy to prevent school violence, the use of alcohol and drugs, possession of firearms and general disruptive behavior. The literature summarizing studies of school-wide PBS suggest that, on average, PBS schools see improvements in social climate and academic performance and experience 20-60 percent reductions in disciplinary incidents. Furthermore, the improved behavior enables teachers to use classroom time for education and allows building administrators the opportunity to devote more time to being educational leaders in their schools.

Major Components of School-wide Positive Behavioral Support (PBS):

- common approach to discipline,
- positively stated expectations for all students and staff,
- procedures for teaching these expectations to students,
- a continuum of procedures for encouraging demonstration and maintenance of these expectations,
- a continuum of procedures for discouraging rule-violating behavior, and

- procedures for monitoring and evaluating the effectiveness of the discipline system on a regular and frequent basis.

Colorado began to strategically implement SW PBS in two school districts 2002-2003 school year. Data from the first two school districts reflects five years of growth both academically as well as in improved school climate. The School-wide Positive Behavior Support Initiative is developing a common language and forming partnerships with community and state agencies to better address the needs of students with the most challenging behaviors. Creating a systemic approach to meeting the behavioral and mental health needs of students continues to remain a long-term goal of the Colorado Department of Education. Most of these agencies share common values to reduce truancy and criminogenic behavior, suspensions, expulsions, and school failure. In contrast, desirable outcomes include increased graduation rates, improved school safety and student achievement, as well as access to needed Mental Health services. Similarly, these outcomes are consistent with what families and policy-makers value most for school-age children.

Parents trained in PBS techniques by the CDE and PEAK Parent Center in the past three years total 1,236. One parent commented that, "Thank you for the wonderful information. It made me really think about how important it is to acknowledge good behaviors. Not to focus on bad behaviors all the time. It is okay to say thank you and good job."

Average in-school and out-of-school suspensions in PBS Schools have dropped after one year of implementing PBS practices. Data from the 2006-07 school year reflects overall rates of suspensions in PBS Schools is significantly below those of other Colorado Schools. Overall, Colorado Schools implementing SW PBS in grades K-6th have seen a drop in "out-of-school" suspensions from 4.3 per 100 students in 2003-04 to 3.5 per 100 students in 2006-07.

As of January 2008, 638 schools in 68 school districts in Colorado are implementing PBS, over a third of the schools in this state. In future years, PBS will continue to be offered to all public schools.

<b>Growth of PBS in Colorado</b>						
	<b>2002-2003</b>	<b>2003-2004</b>	<b>2004-2005</b>	<b>2005-2006</b>	<b>2006-2007</b>	<b>2007-2008</b>
<b>Districts</b>	2	9	22	32	48	68
<b>Coaches</b>	3	9	25	35	64	78
<b>Schools</b>	16	60	141	250	405	638

<http://www.cde.state.co.us/pbs/historyColoradoPBS.htm>

In November 2006, the Colorado Department of Public Health and Environment (CDPHE) conducted a survey of over 150 school-based psychologists, social workers and counselors to understand their perspective on services, barriers and opportunities in Colorado. According to the survey's results, mental health services were the most frequently identified need by these professionals. Yet, schools and community mental health systems struggle to meet that need in Colorado because of inadequate resources (e.g. waiting lists, limited space and staff availability); lack of funding for personnel, financial constraints of families; and inadequate community mental health resources. Other identified challenges include the lack of understanding about the need for school mental health services, in particular among school administrators who may fail to understand how mental health problems relate to school success and among teachers who may fail to understand how and when to refer students for mental health services. The stigma associated with mental health challenges often prevents students from accessing and receiving necessary services. Also, cultural and linguistic differences place a significant role in limiting local access to appropriate services.

Survey participants, however, identified several effective strategies to meet the needs of students with mental health issues and co-occurring disorders in school settings: partnering with the community; school-wide or classroom-wide approaches, including PBS; location of mental health staff in schools; implementing screening, identification, and referral processes; and increasing teacher awareness and support for mental health services.

Using the information garnered from that CDPHE survey, and understanding the significant needs for youth with mental health disorders, in 2008, the CDE was successful in securing federal funds to

implement *Building Bridges for Children's Mental Health Project in Colorado (Building Bridges)* which is designed to build a statewide system to support and sustain the integration of public schools and local mental health systems that will lead to increased access and improved outcomes for school-aged children. *Building Bridges* is based on integrating two complementary approaches currently in place in many Colorado communities: PBS and System of Care (SOC) from the mental health system, which has focused on children and youth with serious mental health issues and those with co-occurring disorders. Building Bridges is a collaborative project with the Department of Human Services' Behavioral Health Services (the state's mental health authority and substance abuse authority), the State's Judicial Department (Colorado's juvenile justice authority overseeing the probation system), and a cross-system state leadership team that has a statewide family advocacy organization and other key stakeholders on it.

## **Employment Services/Department of Labor & Employment**

The Department of Labor and Employment (CDLE), and its affiliated Office of Workforce Development, reported in the Colorado State Plan for 2007-2009, May 2007 Revision, that it and other state agencies were successful in meeting Colorado youth's needs, especially youth with disabilities. There is also a deep, collaborative association among the agencies that serve these populations, both at the state and local level. See <http://www.coworkforce.com/cwdc/news.asp> for the full plan including a listing and description of funded programs.

In October of 2003, Colorado was awarded an Innovative State Alignment for Improving Transition Outcomes for Youth with Disabilities, a five-year renewable grant to serve youth in transition, from ages 14-25. This grant from the Office of Disability Employment Policy (ODEP) of the U. S. Department of Labor provided over \$2 million in funding over 5 years much of which was distributed locally. Initially, the grant focused on statewide resource mapping of the funding streams and responsible agencies that provide services to this population. At the same time, the grant was being administered through six local prototype sites (workforce regions). Since grant implementation in October 2003, the state has successfully mapped the resources available to youth at a state level, and has conducted dozens of focus groups of parents of youth with disabilities, youth with disabilities, and employers. This work was also conducted locally in six workforce regions (Alamosa, Boulder, Jefferson, Weld, Denver, and Arapahoe/Douglas counties). The goal of the grant is systems change framed around the operating guideposts identified by ODEP. Each region has developed and implemented their own strategies to address the gaps and challenges identified in their research, and have done innovative work-based projects, developed youth resource rooms, created independent living curriculum and programs, resource guides, and have greatly improved the collaboration and infrastructure in these communities. One region also developed a team that conducts a training "road show" to reach parents, youth, and employers that are spread throughout their vast rural region.

Colorado has also been implementing a project funded by the National Governor's Association to improve transition outcomes for youth, particularly youth with disabilities. Goals of this project include collaboration and education, policy development, and data sharing/warehousing. The project is closely linked with the State Alignment Grant listed above, as well as by the State Youth Council and Project TRAIN. Under the auspices of this National Governor's Association Policy Academy, Colorado state leaders were given the opportunity to identify weaknesses in current policies and practices and develop/implement realistic strategies for improving the outcomes for youth with disabilities. Colorado's goals for the Policy Academy were to: enhance statewide policy, facilitate data sharing and build collaboration. One of the major accomplishments of the Policy Academy was the development of "Youthnet" ([www.dola.colorado.gov/youthnet](http://www.dola.colorado.gov/youthnet)), a searchable database and website created to provide information about services available to Colorado's youth, especially youth with disabilities who are transitioning to adulthood. Youth, parents, and service providers are able to search for services based on needs, geographic location, the age of the youth, or by several other criteria. Youthnet will continue to evolve and improve, and content will be added continually.

The State Youth Council (SYC) was awarded additional funding from the state Workforce Investment System sub-committee of the CWDC in 2006 to provide an additional \$497,000 to the local regions for youth projects. The SYC awarded projects that targeted the hardest to serve populations (out-of-school youth, youth exiting the corrections and foster care systems, homeless youth, and youth with disabilities) and met the local demand driven industries identified by the local workforce boards. These projects



focused on career exploration, work based experiences, community/service work, leadership development, independent living skills, and transition to adulthood.

The SYC also sponsors an annual "Think Big Youth Forum", which brings together a statewide audience to participate in training and workshops for youth service providers from workforce centers, local youth councils, School to Work Alliance Program staff, counselors from the Division of Vocational Rehabilitation, local school district representatives, the youth corrections system (state and local), community-based and faith-based organizations, and many others. The 2007 Think Big Youth Forum was attended by over 230 individuals, and 35 workshops featured a diverse array of topics addressing workforce development, Colorado's diverse youth, business & education pipelines for youth, and agency partnership strategies. Workshops addressed many new topics such as the use of labor market information, case management skills, grant writing, electronic resources in Colorado, gang behavior/awareness, suicide prevention, teen parents & their barriers and obstacles, disability topics, homeless youth, apprenticeship programs, labor laws, foster care, and gay/lesbian/bisexual/transgender/questioning youth, and featured the recognition of 5 promising practices, which will be forwarded to the National Collaborative on Workforce & Disability for inclusion in the Probank database of promising practices.

In December 2008, the Division of Criminal Justice in partnership with the Colorado Department of Labor & Employment, and a multitude of state and local partners submitted a State/Local Juvenile Offender Implementation Grant request for over \$3 million to the federal Department of Labor. The state/local implementation grant proposal entitled "Going the Distance: Achieving Education and Employment for Youth Offenders," is aligned with the Governor's "Promise" to reduce recidivism, increase employment and promote self-sufficiency for youth offenders by providing youth offenders with the education and training needed to work in high- growth, high-wage industries will build a pipeline of skilled workers who will earn a livable wage, and meet the demands of the 21<sup>st</sup> century workforce. Colorado's proposal for youth returning to the Denver area is two fold: first, providing individualized pre- release employment, educational and training services to better prepare youth to re-enter society, and second, to provide a variety of post-release services that will ease the transition from juvenile corrections to Denver's communities by creating a multi-disciplined, Youth Re-Entry Center operated by a faith- or community-based partner.

## **4-H Programming/Cooperative Extension Offices & Colorado State University**

4-H began a century ago as an educational program for the nation's rural youth. Today, 4-H engages young people in positive youth development experiences. These experiences are based on the idea that young people should be regarded as resources to be developed. The projects and activities provided by 4-H lead youth to report that they:

- succeed in school, getting more A's than other youth,
- are involved as leaders in their school and the community,
- are looked up to as role models by other youth,
- and help others in their community.

In Colorado, Colorado State University through local Cooperative Extension Offices offers 4-H and other youth development activities. Nationally, about 2.5 percent of potential 4-H-age youth are members of organized 4-H clubs. In Colorado participation is below one percent although most rural areas of the state have five- to 15- percent of their 4-H age youth involved in organized 4-H clubs. Due to this, the Colorado 4-H program is planning to expand 4-H enrollment in the more urban areas of the state.

In addition to the youth participation, Colorado's Cooperative Extension Office also strives to engage parents to be actively involved with their children's lives. Colorado Organizing Children, Youth, and Families at Risk (CO-CYFAR) is a program which supports parents in taking primary responsibility for meeting their children's physical, social, emotional, and intellectual needs and providing moral guidance and direction; and further supports families in promoting positive, productive, and contributing lives for all family members. It is established in several Colorado communities which have been struggling with issues such as mobility, immigration, employment, housing, and drugs. CO-CYFAR-NCP resources to the communities in each area support collaboration among and resource development for child and family



services providers through the County Cooperative Extension offices. Goals for the program include: parents taking primary responsibility for meeting their children's physical, social, emotional, and intellectual needs and providing moral guidance and direction; families promoting positive, productive, and contributing lives for all family members; and strengthening of internal and external community assets.

Another Cooperative Extension effort is promotion and support of the *DARE to be You* (DTBY) program, which is 15-20 hour training and curriculum that is provided for working with youth ages two through 18. *DARE to be You* can be used to enhance existing programs or build new youth programs.

The DTBY program builds on the strengths of youth and develops individual assts and builds skills in

- Decision making/problem solving
- Assertiveness/communication/social skills
- Responsibility/role modeling
- Esteem for self and others/empathy development

Research regarding DTBY has found that:

- 300 8 to 12 year-old youth in community youth groups showed significant increases in their internal locus of control, assertiveness, communication, and problem solving skills. The onset of alcohol and tobacco use also was significantly delayed when compared to control peers.
- Teachers involved with *DARE to be You* showed significant decreases in "burn-out;" increases in personal teaching efficacy, satisfaction, and sense of competence in the teacher role. Control teachers showed the opposite pattern.
- In a five-year study of 800 families, parents showed lasting increases in parental competence and satisfaction, increases in appropriate control techniques (discipline) and decreases in harsh punishment.
- Preschool youth showed a doubling of development attainment over control peers.

(Source: <http://www.4h.colostate.edu/>)

## **Child Welfare Services/Department of Human Services**

In 2004, the Colorado Department of Human Service (CDHS) was restructured and created the Office of Children, Youth and Family Services, which included the Divisions of Child Welfare, Youth Corrections and Child Care. This restructuring provided for the first time, an office where two major youth serving organizations, corrections and child welfare, work in concert to meet the needs of a population that often spans both agencies.

Child welfare services in Colorado are delivered locally through 64 county agencies. The Division of Child Welfare oversees local activities and offers technical assistance and funding opportunities. Child welfare constitutes a specialized set of services that are intended to provide safety, permanency and well-being to youth by strengthening the ability of families to protect and care for their own children, minimize harm to children and youth, and ensure timely permanency planning. Services are aimed at stabilizing the family situation and strengthening the family's capacity to care for their children. When safety is not possible within the family, services are focused on the child's need for a stable, permanent home as quickly as possible.

The role of child welfare in delinquency prevention and intervention is very clear. Studies have shown that children who are victims of or witnesses to domestic violence, child abuse, or other child maltreatment are at significantly higher risk of experiencing behavior problems and penetrating the juvenile justice system. In addition, in Colorado the courts have child welfare services as a part of the sentencing menu for delinquents. When a juvenile is adjudicated as delinquent, the juvenile court judge can order a juvenile to be placed out-of-home. The youth is put in the custody of the local department of social/human services, which is responsible to find the most appropriate placement. The court must set a review hearing within 90 days of placement to determine if continued placement is necessary and in the best interest of the juvenile and community. In times of scarce resources these placements for delinquent youth are difficult to find.

As can be seen below, the number of children and families in the state who are touched by the child welfare system are staggering, making the case to appropriately address children's needs more compelling.

**Division of Child Welfare Facts  
July 1, 2007 - June 30, 2008**

**Number of Colorado's Child and Adolescent Population ages 0-17**

1,244,134

**Number of Referrals**

74,740

**Number of Children in Open Assessments**

62,495

**Number of Children in Open cases**

41,607

**Number of Children in Core Services Programs**

17,880

**Number of Children in Out-of-Home Placement**

12,743

**Number of Children in Foster/Group Homes**

6,675

**Number of Children in Residential Care**

2,449

**Number of Finalized Adoptions**

1,036

In 2008, Colorado's child welfare system was engaged in several system improvement efforts established to address deficiencies within the child welfare system from investigations of abuse/neglect to out-of-home care and adoption. Due in part to a spike in the number of child fatalities, in April 2008, Colorado's Governor issued an Executive Order creating a **Child Welfare Action Committee** charged with providing recommendations on how to improve the Colorado child welfare system. These recommendations, delivered in the October 2008 Interim Report of the Committee, which were wide-ranging and addressed such issues as training of child welfare staff, lack of data analysis and evaluation activities necessary for properly addressing the needs of children and families, among others. One area of focus that overlaps with the juvenile justice system is the need to address the over-representation of minorities within the child welfare system. In the Child Maltreatment Report 2007, it was noted that a large percentage of child maltreatment fatality victims over the past five years were of Hispanic ethnicity (ranging from 27% to 39%) and the Committee recommended that the child welfare system show leadership and accountability in cultural competency by developing performance measures to reduce cultural disparities and review cases at critical intervals to address disparity and delivery of culturally appropriate services.

In 2008, a **Foster Care and Permanence Task Force** was legislatively created to examine the state of Colorado's system for the care of children who are removed from their biological parents due to concerns for the safety and well-being of the child(ren). This was accomplished by examining the state's foster care and adoption system and resulted in a total of sixteen diverse recommendations, again, some of which are in concert with initiatives related to juvenile justice such as provision of mental health screening, assessment and treatment, the need for appropriate educational services to children and youth, and the need to adequately prepare foster youth for emancipation.. The full Foster Care and Permanence Task Force Report, completed in May 2008, is available at: [http://www.cdhs.state.co.us/childwelfare/PDFs/SB-64\\_Final\\_Report\\_Foster\\_Care\\_and\\_Permanence.pdf](http://www.cdhs.state.co.us/childwelfare/PDFs/SB-64_Final_Report_Foster_Care_and_Permanence.pdf).

Recognizing the importance of cross-disciplinary treatment and services for children involved in the child welfare system, in 2004 the state legislature passed HB 1451 which created the "**Collaborative Management Program**". Now law, 24-1.9, C.R.S., the Collaborative Management Program allows for the voluntary development of collaborative management of multi-agency services provided to children and families by county departments of human/social services and other mandatory agencies including local judicial districts, including probation; the local health department, the local school district(s), each

community mental health center and each Mental Health Assessment and Service Agency. The Collaborative Management Programs (CMPs) are to use the input, expertise and active participation of parent or family advocacy organizations to reduce duplication and eliminate fragmentation of services provided; increase the quality, appropriateness and effectiveness of services provided; encourage cost-sharing among service providers; and ultimately lead to better outcomes and cost reduction for services provided to children and families in the child welfare system. Local collaboratives can receive incentives for meeting identified outcomes, request waivers of state rules, and can reinvest any general fund savings into additional services to children and families that would benefit from multi-agency services. In 2008, the Division of Youth Corrections was added as a mandatory partner agency on the Collaborative.

The process calls for a Memorandum of Understanding (MOU) that may include other community stakeholders. Children and families may be invited to participate in addition to mandatory agencies. The MOU must include the following:

- a definition of population to be served;
- services and funding sources;
- the creation of an Interagency Oversight Group;
- the development of collaborative management processes;
- the development of Individualized Service and Support Teams;
- clear authorization to contribute resources and funding;
- description of the process to reinvest moneys saved;
- performance based measures; and,
- a confidentiality compliance section.

There is an annual meeting that includes Department Directors of the various state agencies outlined in the legislation to identify barriers and effect solutions to the barriers to achieve greater efficiencies and better outcomes for the state, location communities and persons who would benefit from multi-agency services. A State Steering Committee composed of the state representatives identified in the legislation and including a community/consumer representative and the Juvenile Justice Specialist has developed the operating parameters of the program along with outcome areas and associated incentives. The outcomes that have been developed touch on the four collaborative areas (judicial/probation, mental health/public health, education, human services). As of January 2009, there are twenty-two counties participating in this program.

In SFY 2007-08, seventeen CMP counties served 10,290 children (versus 9,557 children served by ten counties in the prior year). These 17 counties also estimated a reinvestment into child and family services in excess of \$5,000,000 in moneys that were reinvested for services to children or families who would benefit from integrated multi-agency services. They do note that these reinvestment/cost savings figures across the participating agencies were difficult to ascertain due to different accounting procedures, assorted categorical funding streams as well as data systems that do not interact in a way that permits uniform measurement.

In addition to reporting of outcomes, counties are asked to communicate any barriers to the state or counties to provide effective services to persons who receive multi-agency services. As will be addressed later in this report (see Collecting and Sharing Juvenile Justice Information section, pages 106-108). counties have identified individual agency data systems that cannot “talk” to each other; lack of uniform cross system child and family information sharing; lack of overall cross system program evaluation capacity; inadequate understanding of roles and responsibilities for participating agencies; reluctance of counties to enroll in the program due to anticipated start-up costs; low level of family participation at governance and operational levels; lack of unitary definition of “collaborative” and “collaboration”. For more information regarding the CMP go to: <http://www.cdhs.state.co.us/childwelfare/1451CMP.htm>.

**Colorado Trails**, a statewide client/server network links all state and county child welfare caseworkers, supervisors, and support staff as well as Division of Youth Corrections staff. The system provides case management support for direct client workers across counties, decision-making support tools for managers, and access to client information across all child welfare and youth corrections populations in the state. It provides information that supports case management such as: electronic forms, timely policy updates, case activity for child welfare and youth corrections visible at a single point of entry and single

information system, and statewide e-mail communication. This information sharing system assists in effective case planning for all youth entering the juvenile justice system, leading to better decision-making when a history of maltreatment is seen.

Colorado Revised Statutes (C.R.S) 26-5.3-103 defines "family preservation services" as providing assistance that focuses on family strengths. The legislation specifies the use of services that empower a family by providing alternative problem-solving techniques, child-rearing practices, and responses to living situations creating stress for the family. This includes resources that are available as support systems for the family. The **Core Services Program** operates to meet these legislative mandates. In FY 2007-08, the statewide Core Services appropriation was \$49,848,548. This figure encompasses all statewide county and tribal expenditures, including additional funding requests made beyond the original funding allocation, the use of Temporary Assistance to Needy Families (TANF) dollars and county money to supplement the Core Services Program allocation. Overall, Core Services funding was supplemented by an additional \$874,484 to meet basic needs. These supplemental funds helped to fill serious gaps in services to the un-served and underserved, as well as services by culturally and linguistically competent service providers. This remains a persistent challenge in preventing OOH placements.

<b>Core Services Program</b>	<b>FY04</b>	<b>FY05</b>	<b>FY06</b>	<b>FY07</b>	<b>FY08</b>
Appropriated	\$44,742,812	\$46,242,811	\$43,402,097	\$45,379,414	\$49,848,548

C.R.S. 26-5.3-103(2) states such services are to be provided to children "at imminent risk of being placed out-of-home." A child at imminent risk is immediately provided with services to address the issues putting that child at-risk of out-of-home placement. The Core Services program is required to have nine basic services available statewide.

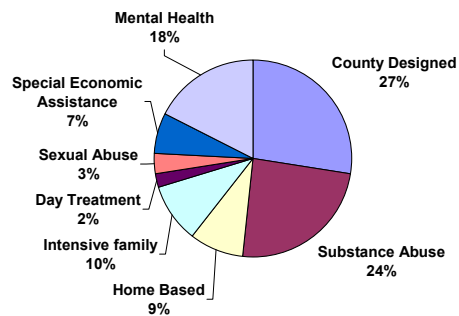
- Home based interventions,
- Intensive family therapy,
- Life skills
- Day treatment,
- Sexual abuse treatment,
- Special economic assistance,
- Mental health services,
- Substance abuse treatment services, and
- County-designed services (optional).

The numbers of Core Services provided to Colorado's children increased significantly over the years from 35,127 served in FY 2005 in to 50,814 in FY 2008 for several reasons the first of which was the \$4,028,299 in funding earmarked to serve adolescents in evidence-based programs. Another reason was the fluctuation in Colorado Trails reporting from county departments where data conversion and the learning curve for the newest Trails version may have increased reporting of services to children. The third factor was the Counties' active pursuit of preventive, step-down, and reunification services for those children who would have otherwise been placed in the former Residential Treatment Center (RTC) program. Finally, increased collaboration of the Core Services Program, Promoting Safe and Stable Families and the Family to Family and HB 1451 initiatives statewide may have contributed. (Core Services Program Evaluation Annual Report FY 2007-08 by the TriWest Group for the Colorado Department of Human Services, Division of Child Welfare)

<b>Core Services</b>	<b>FY 2003-04</b>	<b>FY 2004-05</b>	<b>FY 2005-06</b>	<b>FY 2006-07</b>	<b>FY 2007-08</b>
<b>Total Number of Core Services Provided</b>	32,712	35,1278	46,394 <sup>1</sup>	50,090 <sup>2</sup>	50,814

<sup>1</sup>This number represents 19,006 children as some received multiple services based on the needs of the children and/or family. (Family Preservation Program Commission Report FY05-06) <sup>2</sup>This number represents 19,152 children/youth (unduplicated count). (Family Preservation Program Commission Report FY06-07) <sup>3</sup>This number represents 17,793 children/youth (unduplicated count). (Core Services Program Evaluation Annual Report FY 2007-08)

## Distribution of Core Services FY 2007-08



The FY08 statewide monthly average cost per child for providing Core Services statewide was \$294; \$285 for the 10 large counties and \$321 for the balance of state counties. It is expected that the average cost per child would be higher in the balance of state counties due partly to the smaller population in the rural area and smaller counties cannot offset the operating costs with a smaller volume. Transportation costs are also higher in these areas. There were 13,042 children in out-of-home placements for FY 2007 with a statewide average cost of \$988 per child per month. The cost efficiency on a per case basis shows a high potential cost avoidance by using Core Services prior to needing out-of-home placement. (Source: Core Services Program Evaluation Annual Report FY 2007-08)

For the FY 2007-08 Core Services Evaluation Annual Report, counties were asked about gaps and needs in services and these were described across all regions of the state, were not specific to any particular county size (e.g. rural vs. urban), or region of the state. While there were no specific need patterns across these breakdowns, some types of services were more commonly identified as a need than others. Twenty-one (21) counties reported that there are some needed services that are currently not available in their county. The most commonly reported services issue related to specialized services or special populations. Fourteen (14) counties discussed this issue in relation to Spanish-speaking providers, special needs populations, domestic violence and sexual assault services as well as substance abuse treatment. More than half (7 of the 12; 58%) primarily urban or urban and rural mixed counties discussed existing service needs in their communities. There was a significant range of needs expressed within these counties, these needs include:

- More intensive family therapy and family group conferencing
- More Spanish-speaking providers
- Domestic violence programs
- Trauma recovery services
- Substance abuse treatment services

Sixty percent (60%) of rural counties reported existing unmet service needs. As was the case in urban areas, these needs varied across counties. The needs in rural counties often reflected those specified in urban or urban/rural mixed areas. Since more counties in the state are classified as rural counties, more patterns of needs emerged, with many counties sharing a need for a specific type of service.

The service area where the most need was expressed was in the area of substance abuse treatment. Nine of the rural counties (as opposed to only one urban/mixed county) identified some kind of need in this area. Specifically, counties cited few certified substance abuse treatment providers spread over a wide geographic area. This created an inadequate access to these services. A similar issue was identified in mental health services, (seven counties) particularly related to psychiatric services for children. (Source: Core Services Program Evaluation Annual Report FY 2007-08)

As stated above, the Core Services Program is appropriated \$4 million in order to fund evidenced-based services, which assist counties in providing services to adolescents in both in-home and community-

based settings, thus avoiding or reducing the length of costly out-of-home placement when appropriate. To continue to receive the evidence-based services, the county must submit a complete program needs assessment, County Design description and determine projected outcomes. They must also document historical outcomes with regard to how these specific County Designed services demonstrate effectiveness in reducing the need for higher costs of more restrictive or residential services.

**Family to Family (F2F)** is a child welfare initiative that promotes family-centered, community-based approaches to casework practice. The initiative believes that a child's safety is paramount, children belong in families, families need strong communities and public child-welfare systems need partnerships with the community and with other systems to achieve strong outcomes for children. Supported by the Annie E. Casey Foundation, these practices include strengthening the network of families available to care for abused and neglected children in their own communities; building partnerships with at-risk neighborhoods; and tracking outcomes for children and families, so that child welfare systems can better learn from their experiences. Seven Colorado counties have fully implemented Family to Family.

The Division of Child Welfare promotes Family to Family principles as a best practice model for out-of-home placements and foster care reform. The Division proposes a phased implementation engaging 11 new counties each year for the next three years (achieving coverage for 95% of the children in the state). It will incorporate the remaining counties through county-to-county knowledge transfer.

Individual County Family Commission Reports indicate that 12 counties had implemented Family-to-Family by FY 2007-2008, up from seven counties last year. (Source: Core Services Program Evaluation Annual Report FY 2007-08)

Community partnership is an underlying strategy of Family to Family. Family to Family engages many different community organizations from neighborhoods where referral rates to the child welfare system are high, in order to create environments that support families involved in the child welfare system. These partners have been (and are expected to be) as broadly diverse as county departments of social services, family based grass roots community programs and agencies, local employers and schools, youth in placement, biological and foster parents, parent partners, and tandem families (who link to the at-risk child and support the child's family in the community). In recognition of heightened health needs of children in placement, partnerships will expand to routinely invite collaboration with local clinics, health departments, and medical outreach workers. The Division's technical assistance supports county collaboration with community partners to identify and build working relationships toward the goal of supporting families within neighborhoods.

Colorado's **Promoting Safe and Stable Families Program (PSSF)** seeks to secure safety, permanency and well-being for all children by providing support to families in a flexible, family-centered manner through collaborative community efforts. PSSF programs target three specific populations: adoptive families and families planning to adopt, time-limited reunification families and other at-risk families and children. The purpose of PSSF Programs is to: prevent unnecessary separation of children from their families, to improve the quality of care and services to children and their families, and to ensure permanency for children by reuniting them with their parents, by adoption, or by another permanent living arrangement. PSSF is both family and community driven and all services/structures reflect the unique needs of each community. Local PSSF projects utilize the strengths within their neighborhood, city, county, and/or region, to address the needs of families and children. Forty counties have implemented the Promoting Safe and Stable Families Program. In FY 2007-08, a total of 36 counties reported implementing the PSSF Program. Ten (10) of these counties also reported being Family-to-Family sites. (Source: Core Services Program Evaluation Annual Report FY 2007-08)

In July of 2008, the Colorado Department of Human Services, Division of Child Welfare did a brief analysis to address the question of how many youth served by the Division of Youth Corrections (DYC) had previously been served in Child Welfare foster care. This analysis included both DYC Commitment and Detention admission.

The commitment analysis began with a file of 2,855 SFY 2007 Committed DYC youth. Using removal data, which provided the most direct measure of involvement in foster care, they identified a total of

1,779 youth who were served in foster care prior to their DYC Commitment, or 62.3%. This includes some commitments with foster care involvement many years earlier.

Of the 1,779 DYC youth who had been in Child Welfare prior to the commitments, 1,383 (77.7%) were those who were considered “recently from Child Welfare” (i.e. within 5 years of the DYC Commitment period). Thus, 396 (22.3%) of 1,779 CW children who later were committed to DYC had older removals, more than 5 years previous to SFY 2007.

The detention analysis began with a file of 6,658 SFY 2007 Detained DYC youth. Again, using removal data, they identified a total of 1,891 youth (28.4%) who were served in foster care prior to their DYC detention admission. Of the 1,891 DYC youth who had been in Child Welfare prior to detention, 1,444 (76.4%) were those who were considered “recently from Child Welfare” (i.e. within 5 years of the DYC Detention admission). Thus, 447 (23.6%) of 1,891 CW children who later were admitted to DYC detention had older removals, more than 5 years previous to SFY 2007.

Combining DYC Detention and Commitment data with CW Foster Care data allowed a preliminary statement concerning youth who were in both DYC Detention and Commitment in SFY 2007, and previously in CW Foster Care. There were 452 clients meeting these criteria, 25.4% of all 1,779 DYC committed youth who had been in foster care, and 23.9% of all 1,891 DYC detained youth who had been in foster care. Due to a limited (12 month) time frame for this analysis, the Division of Child Welfare believes these numbers are likely an underestimate of the total number of clients who experience foster care, detention and commitment.

## **Prevention Services/Department of Health & Environment**

The Prevention Services Division, under the Colorado Department of Public Health and Environment (CDPHE) oversees health promotion and disease and injury prevention programs for children, youth, and adults. In May 2000, the Colorado legislature passed HB00-1342, the Prevention, Intervention, and Treatment Services for Children and Youth Act, now Colorado Revised Statute § 25-20.5. The overall purpose of the legislation was to create a more unified, effective and efficient approach to the delivery of state and federally funded prevention, intervention and treatment services for children and youth in Colorado. This Division identified over 35 state and federally funded programs in Colorado which provide and/or fund prevention and early intervention services for children and youth. These programs provide a range of services designed to help children and youth avoid problem behaviors and choose healthy lifestyles. Examples of programs and services include: nutrition education, parenting classes, youth mentoring, safe and drug free school programs, suicide and injury prevention, family advocacy programs and many more.

To meet statutory obligations outlined in the legislation, the **Interagency Prevention Systems Project** at CDPHE works with prevention, treatment intervention programs/staff from the Departments of Education, Human Services, Public Health and Environment, Public Safety, and Transportation. Representatives of these state agencies make up the membership of the **Prevention Leadership Council**. The Colorado Prevention Leadership Council has identified the following goals or major areas of focus:

- Coordinate and streamline state-level processes for distributing resources and administering programs.
- Enhance the capacity of local communities and prevention, intervention and treatment providers through a coordinated system of training and technical assistance.
- Enhance prevention, early intervention and treatment services through the application of standards for providers and service delivery, promoting “best practices/best processes,” and fostering rigorous program evaluation.
- Assure that user-friendly data are available to local communities to assist in local planning and decision-making processes.

- Develop and maintain mechanisms to ensure collaborative planning and decision-making among local service providers, community groups and state agencies.
- Promote prevention, intervention and treatment services for children and youth by reporting program outcomes and accomplishments to key decision-making groups.

A State Plan for Prevention, Intervention and Treatment Services for Children and Youth, approved by the Governor in August 2005, outlines specific objectives and benchmarks for each of the above goals. A new plan will be written in 2009 covering 2010 through 2014. For an electronic copy of the most current State Plan, go to <http://www.cdphe.state.co.us/ps/ipsp/index.html>. Currently, several larger projects of the Prevention Leadership Council include:

- Sustaining the system change work that has occurred through the implementation of the Strategic Prevention Framework Grant, a grant overseen by the Prevention Leadership Council to enhance the state prevention infrastructure and awarded to the Governor's Office by CSAP.
- Implementing a single web-based reporting and evaluation system for multiple state agencies that fund prevention and intervention services (EPIC).
- Collaborating across state departments with OMNI Research and Training on the development of an on-line Prevention Resource and Indicator Database that provides information to local communities on over 40 state/federal programs and funding sources and listing over 1500 local prevention and intervention programs in communities across the state, as well as a single place for accessing data from multiple state agencies.
- Developing a toolkit to assist local communities and the state with existing early childhood needs assessment processes. The toolkit will help to compile early childhood data as well as identify missing data.
- Implementing a standard assessment tool and protocols to be used to monitor subgrant recipients across five state departments based on Uniform Minimum Standards. The Uniform Minimum Standards were approved in 2004 and apply to all prevention and intervention programs managed by five state departments.
- Collaborating with the Coordinated School Health Initiative, the Early Childhood State Systems Team and the Colorado Systems of Care Collaborative on interagency efforts to coordinate and streamline state processes.
- Coordinating on a single state survey process for collecting youth health and behavioral health data.
- Coordinating on updating the 'Best Practices' Website, which contains information on over 200 effective, evidence-based prevention programs in forty-six topic areas ([www.co.gov/bestpractices](http://www.co.gov/bestpractices)).
- Collaborating on a state violence prevention strategic plan (for additional details see below, Child and Adolescent Violence Prevention Grant).
- Coordinating and collaborating with state agencies and private partners on children and youth mental health issues.

In October 2008, the Prevention Leadership Council and the Collaborative Management Program (CMP) held a follow-up meeting with the Executive Directors of eight state departments [CDHS (human services), CDPHE (health), CDE (education), CDOT (transportation), CDPS (public safety), HCPF (Medicaid), Law, & Revenue] and representatives of State Judicial, the Attorney General's Office, the Lt. Governor's Office, and the Office of the Governor. At this meeting, the state leaders were updated on the progress of activities since the last meeting in November 2007 and given a sense of direction for the PLC in the coming year. The accomplishments for 2008 included:

- The Governor signed the revised State Plan for Prevention, Intervention and Treatment Services for Children and Youth;
- The PLC added members from Health Care Policy and Finance (HCPF) which administers Medicaid for the state, the Department of Revenue, and State Judicial as voluntary member of the Prevention Leadership Council;
- Formation of the Colorado Data Sharing and Utilization Group;
- Initiated the development of Youth Councils for Colorado Department of Human Services and Colorado Department of Transportation;



- Updated the Best Practice Web-site ([www.colorado.gov/bestpractices](http://www.colorado.gov/bestpractices));
- Created the Uniform Minimum Standards Assessment Tool for use by state program managers and contractors/grantees;
- Revised the Program Review protocols;
- Upgraded the ASPIRE System for entering Annual Report data;
- Accepted the Strategic Prevention Framework by the State Methamphetamine Task Force; and
- Convened the 2008 Prevention Summit which involved 225 participants.

Of great importance to the DCJ and the JJDP Council, the Prevention Leadership Council continues to truly provide leadership in several key areas that serve to improve the juvenile justice and delinquency prevention service delivery system.

In addition to the Interagency Prevention Project, the Prevention Services Division also administers grant programs that target youth who are at-risk for delinquency. Listed below is a brief description of the programs for at-risk youth managed by the Prevention Services Division.

The **Tony Grampas Youth Services (TGYS) Program** is a statutory program within the Colorado Department of Public Health and Environment, Prevention Services Division. The TGYS Program is intended to provide funding to local organizations that serve youth and their families with programs designed to reduce youth crime and violence. In addition, the TGYS Program focuses on funding programs that prevent or reduce child abuse and neglect. The four funding categories that TGYS supports include violence prevention, early childhood care and education, mentoring programs, and student dropout prevention programs.

<b>Tony Grampas Youth Services (TGYS) Program</b>	<b>FY03-04</b>	<b>FY04-05</b>	<b>FY 05-06</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
<b>Appropriated</b>	\$4,000,000	\$3,491,558	\$3,487,921	\$3,495,654	\$3,602,098

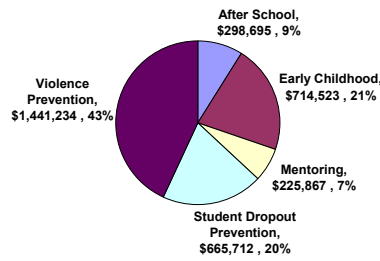
For fiscal year 2007-08, the TGYS Program was appropriated \$3,602,098 in Master Settlement Agreement Tobacco funds and \$300,000 in Before and After School Cash Funds. The TGYS Board allocated \$3,346,032 to 117 local TGYS providers through 58 grants. The following information was extracted from the Tony Grampas Youth Services Program Report, 2007-08 located at: <http://www.cdphe.state.co.us/ps/tgys/2007-2008AnnualReportFINAL.pdf>.

In FY 2006-07, TGYS-funded programs served 52 out of the 64 Colorado counties and served 29,361 children, youth and adults. Of this total, 25,042 of the individuals served were children and youth, and 4,319 of the individuals were parents or caregivers. TGYS-funded programs also served disparate populations in Colorado. The racial/ethnic breakdown of individuals served is as follows: 54% Hispanic, 30% White, 8% African-American, 1% Native American, 1% Asian, and 6% other. Also, the 37 grantees reported that 9,782 of the youth served qualified for free and reduced school lunch. Fifty-eight percent of these children and youth were eligible for free and reduced lunch, 45% of the total youth served by the programs. According to the Colorado Department of Education, in the Fall 2007, the average rate of K-12 students qualifying for free and reduced lunch among Colorado school districts was 35%.

In fiscal year 2007-08, 117 TGYS-funded programs projected they would serve 23,619 individuals. At fiscal year end, TGYS programs actually served 29,361 children, youth and parents. This represents increase of over 20 percent from the projected numbers of individuals served by TGYS dollars. Of this total, 25,042 (85%) of the individuals served were children and youth, and 4,319 (15%) of the individuals were parents. The TGYS Program serves a diverse population: the percentages of African-American and Hispanic youth in the program are at least double the percentages of children in these racial/ethnic groups in the state. Of those served, 54 percent were female and 46 percent were male.

According to statute, at least 20 percent of the appropriated funds must support early childhood programs, and at least 20 percent must support student dropout prevention programs. In fiscal year 2007-08, 21 percent of TGYS funds supported early childhood programs, and 20 percent supported student dropout prevention programs.

### TGYS Funding Categories FY 2007-08



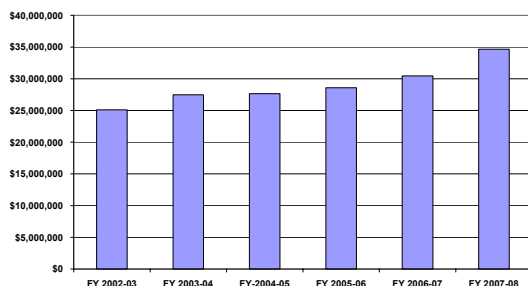
The Colorado Department of Public Health and Environment received an \$85,384 grant to improve the health of Colorado's children and adolescents by preventing violence. Colorado is one of eight states to receive funding from the Centers for Disease Control and Prevention for this two-year **Child and Adolescent Violence Prevention Grant** that will work to support change in societal norms and environmental conditions contributing to violence. The grant supported development of a strategic plan integrated recommendations that address shared risk and protective factors for multiple types of child and adolescent violence across all domains of influence. Through collaborative partnerships, universal and selected prevention strategies, and research-based approaches, the plan presents steps to most effectively reduce the rates of child and adolescent violence throughout Colorado. The full plan is available at: <http://www.cdphe.state.co.us/ps/YVPP/StrategicPlan-BoldSteps.pdf>.

### Drug and Alcohol Services/Department of Human Services

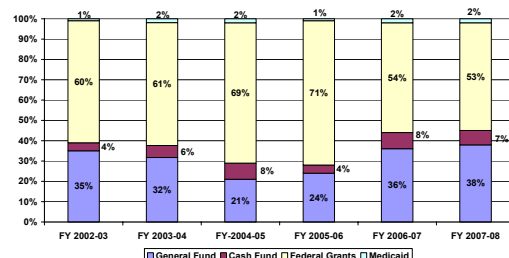
In 2008, the Colorado Department of Human Services Alcohol and Drug Abuse Division and Division of Mental Health were consolidated into the Division of Behavioral Health (DBH). Both agencies were also physically located together within the same building. The mission of DBH is as follows: "We are dedicated to strengthening the health, resiliency, and recovery of Coloradans through quality and effective behavioral health prevention, intervention, and treatment." Reducing the social and economic consequences of untreated substance use disorders requires a planned investment in evidence-based prevention, intervention, and treatment. Although funding to DBH/ADAD has not decreased as dramatically as most of the state and federal juvenile programs, their ability to serve youth is still affected as DBH/ADAD providers receive funding from multiple sources, many of which were simultaneously reduced. As funds are being cut to DBH and across most of the juvenile justice serving agencies, service providers are reporting closures of youth serving programs, less services and resources available for youth including lack of available interventions prior to a youth being placed, lack of intervention when a youth is returned to a community and staff layoffs.

The next two charts\* demonstrate the funding trends for fiscal years 2003 through 2008 in the following three areas: DBH's funding history for substance abuse treatment, from fiscal years 2003 through 2008; the proportion of different funding sources; and detail of DBH's General Fund dollars. \*Funding for adult and juveniles is not tracked separately so the numbers represent funding for both populations.

**DBH Substance Abuse Treatment & Detox Funding History**



**DBH Substance Abuse Treatment & Detox Funding by Source FY 2003-FY 2008**



The funding available for intervention and treatment services in Colorado does not adequately address the level of need in the state. It is estimated that substance abuse costs in the U.S. exceed \$168 billion per year with Colorado's share being approximately \$4.4 billion. For every \$100 spent on the problems caused by substance abuse in Colorado (criminal, medical, etc.), only \$0.06 is spent on treatment or prevention. The average for other states is \$3.70 per \$100. That lack of investment in adequately funding services results in a significant service delivery gap.

DBH is responsible for monitoring the Federal Block Grant-funded contracts that subcontract with 42 treatment providers with over 200 sites in 54 of Colorado 64 counties. They are also responsible for writing and enforcing substance use disorder treatment rules for the over 700 treatment programs across the state, which includes the 200 funded program sites. Of these 700 programs, approximately 350 sites are licensed to treat minors. All programs licensed by DBH must follow all the requirements of the treatment rules.

The Access to Recovery Grant (ATR), awarded to Colorado in late 2007, began providing services in the Spring of 2008 continues to focus on adolescents and young adults, ages 12–25, as they represent the population with the greatest unmet need in the state. For FY 2007-08, the juvenile population, age 10-17 was approximately 529,435. Using the national estimate for past month use of an illicit drug by individuals 12 and older (13.4%), Colorado ranks as the 6th highest in adolescent illicit drug use in the nation. Colorado had the highest rate (4.7%) in the nation for past month use of an illicit drug other than marijuana among persons 12 or older. ATR has served 1,047 additional youth, 25 and under since the start of the grant. Of this number, 459 youth received treatment for Methamphetamine. In FY 2008, Colorado's Drug/Alcohol Coordinated Data System reported 109,926 admissions to treatment, DUI, and detoxification; 2,421 of these treatment admissions represents ages 17 and under and 6,447 represented the 18-25 year old age group.

By applying the 13.4% national estimate to the 597,097 adolescents in Colorado, it can be estimated that there are about 80,010 adolescents currently using drugs. Based on the number of youth (2,412 in FY 2008) admitted to treatment services, it appears approximately 77,466 adolescents are still in need of some level of substance abuse intervention or treatment. Overall, many youth are still at an experimental stage where the risks are primarily overdose or accident related, however, a substantial number are further down the path to abuse and dependency, and are not receiving any intervention or treatment. The lack of treatment providers in Colorado licensed to serve adolescents has contributed to a de-emphasis on this population. There are 20 counties (out of a total of 65) in Colorado that lack even a single program licensed to treat minors and 22 counties with only one provider for the entire county, which is licensed to provide adult services.

The lack of capacity in current systems to provide services in urban areas, the lack of providers in rural areas, and the cost for treatment reflect significant barriers for accessing treatment. Additional barriers that occur when a person decides to get treatment include lack of childcare, transportation, and access to continued recovery-oriented support services to address underlying issues that can interfere with the recovery process.

DBH and the State, have done several things to address the lack of services in the rural communities as well as the lack of funding for adolescent services. Effective January 2006, Medicaid amended their state plan to provide outpatient services for substance abuse. This will provide additional options for families in need of services that can't afford to pay for it. Also in 2006 Senate Bill 122 passed which created the Adolescent Substance Abuse Prevention and Treatment Fund, which collect's a surcharge from Minor in Possession (MIP) citations which is appropriated to the Division of Behavioral Health for dissemination to adolescent substance abuse prevention and treatment programs. In 2009 programs licensed to treat minors will have the option of an additional license level of care specific to providing services for youth that have received an MIP. These dollars may also be used to create additional services at programs that currently do not serve adolescents, but would like to begin delivering these services, thus expanding the capacity across the state to fill in the gaps. These dollars are for both prevention and treatment services.

DBH has a dedicated staff member to serve as the state's senior authority on effective substance abuse treatment and related services for substance-abusing minor, adolescents and juvenile offenders. This position is responsible for ensuring that all programs licensed to treat minors are implementing evidenced

based curriculums and screening and assessment instruments. In 2009, programs licensed to provide DUI services will have access to a curriculum designed specifically for the adolescent DUI offender, which is the first youth DUI curriculum available in the country. Currently there are approximately 350 programs across the state licensed to treat minors, and this includes 7 Division of Youth Corrections facilities.

Many Coloradoans lack sufficient insurance to cover the cost for substance abuse treatment. Health insurance plans that normally include mental health and substance abuse benefits are being reduced or cut by employers due to the rising cost of health insurance. For those who still do receive benefits there are an increasing number of restrictions on the number of days of inpatient care or outpatient visits, reduced coinsurance levels, and maximum dollar amounts.

The number of youth with unmet substance abuse treatment needs is troubling when looking at potential ramifications to the juvenile justice system. Of the youth committed to the Division of Youth Corrections (DYC) in FY 2007/2008 66% of the females and 58.9% of the males were assessed as in need of treatment level services. Many of these youth have documented substance abuse disorders that had they been properly treated within reasonable time frames, may have prevented involvement with the Division of Youth Corrections. Studies show drug treatment reduces drug use by 40 to 60% and significantly decreases criminal activity during and after treatment. Although substance abuse treatment can significantly reduce further penetration into the juvenile justice system; recent reductions in these services will likely increase the need for more costly programs in future years.

In FY2007/2008 commitment of one youth in Colorado's Division of Youth Corrections costs an estimated \$84,596 per year (\$232/day). In that year, the average daily population (ADP) for commitments at the Division of Youth Corrections was 1,287 juvenile offenders costing Colorado \$108,951,253 per year. For simplicity, these costs are based on youth in state facilities; in reality, these costs would be lower as the cost per day for youth in private residential settings is \$161, which encompasses much of the 1,287 ADP, mentioned above.

DBH prevention funding distributed SAMHSA Prevention Block Grant dollars during fiscal years 2005-2006, 2006-2007, 2007-2008, which reflect three of a five-year funding cycle to approximately 52 grantees, which reflect 94 various programs and strategies.

- **Universal** strategies address the entire population with messages and programs aimed at preventing or delaying substance use.
- **Selective** strategies serve subsets of the population who are deemed to be at risk for substance use or behavioral disorders, such as students who are failing academically.
- **Indicated** strategies are designed to prevent the onset of substance use among those individuals identified as being high-risk.
- There are four general areas for the grants that are either direct or indirect services:
  - Youth
  - Family
  - Community
  - Statewide

During this funding period the primary youth target populations were youth between the ages of 7-17 years, who along with their parents/families were experiencing multiple risk factors and, therefore, may be considered to be at high risk for substance use. Even though this targeted approach is focused on high-risk individuals, individuals may still range in their level of risk upon entry into prevention programming.

Any participant that reported 30 day use of at least one substance (alcohol, marijuana, inhalants, other drugs) at pre-test, with the exception of cigarettes, were categorized into the "high-risk" group. Participants who reported no substance use in the 30 days prior to pre-test or who reported cigarette use but no other substances were categorized into the "low-risk" group.

Past 30-day ATOD use was measured by the 30-day Use scale taken from the *Monitoring the Future Survey* (1996). The measure assesses an adolescent's substance use within the 30 days prior to entering

the program and within the 30 days prior to the end of the first year of services. The results show the number of substances used in the past 30 days significantly decreased from pre-test to post-test in the high-risk group. The low-risk group, despite showing a significant change in the wrong direction, demonstrated ceiling effects, with near maximally desirable scores at both pre-and post-test.

DBH has also been actively working on the **Strategic Prevention Framework Grant** which was made available through the Center for Substance Abuse Prevention (U.S. Department of Health and Human Services/Substance Abuse and Mental Health Administration) which provides funding of approximately \$2.3 million a year for five years. The main intent of the grant is to enhance coordinated planning, implementation and evaluation of quality prevention services for children youth and families in Colorado. The Prevention Leadership Council, housed under the Department of Health's Prevention Division, serves as the grant Advisory Council and the Division of Behavioral Health- Prevention Services at the Department of Human Services serves as the manager of the funds.

As a part of this grant, an epidemiology work group was established to review statewide data related to substance abuse indicators. Based on analysis of this data, fourteen counties/communities were recommended for invitation to participate in the Colorado Prevention Partners Project:

Urban: Denver, Mesa, Pueblo, Weld

Rural: Alamosa, Garfield, Prowers, Rio Grande

Frontier: Costilla, Gunnison, Kit Carson, Las Animas, Saguache

Tribal Community: Ute Mountain Ute Tribe

Because of the comprehensive data review and community planning activities by communities participating in the SPF/SIG process, Colorado's 2006-2008 Title V grant processes were opened up to two collaborations which completed their community planning and were not previous Title V grant recipients. These communities include a Montezuma and Dolores County ("Montelores") and a Grand, Routt and Moffat County collaboration.

Colorado continues to participate with the University of Washington based study along with six other states. In Colorado, an experimental community has been chosen to study the prevention of youth substance abuse through the development and funding of the **Communities That Care** operating system. Outcomes will be compared with a similar control community that is not implementing that system of training and technical assistance. Prevention staff participate in regularly scheduled conference calls, annual meetings and in the Advisory Committee that provides assistance to 12 community action plans in the seven states to ensure both the experimental and control communities participate in student surveys.

## **Enforcing Underage Drinking Laws (EUDL)/Department of Revenue**

*The following is an excerpt from the 2009-11 application for EUDL funding submitted by the CO Department of Revenue to the Office of Juvenile Justice and Delinquency Prevention.*

For the past four years, the Colorado Department of Revenue, Liquor Enforcement Division (LED), has been designated as the state government unit responsible for administration of the Enforcing Underage Drinking Laws (EUDL) program. The LED has primary responsibility for enforcing State liquor statutes and regulations, and licensing beer and liquor establishments throughout the State of Colorado. The LED conducts both routine and investigative compliance checks on these establishments with 13 full time investigators, who have responsibility for overseeing more than 12,000 active liquor licenses. Approximately 9,500 of these are stores, restaurants, hotels, pubs and taverns that routinely sell alcoholic beverages to the public.

Colorado has more than 100,000 square miles of total area. Several of its urban counties are rated nationally among those with the highest rates of growth, while rural communities struggle with limited resources and geographic remoteness that act as barriers to interagency cooperation. All levels of government have been affected by the current recession and, consequently, the availability of funding for enforcing laws against underage drinking.

Underage drinking in Colorado is a problem that received little public notice until the deaths of two college students at leading state institutions in 2005. These tragic deaths focused attention on the problem of underage drinking. Colorado's 2005-07 EUDL award focused on state colleges and universities, resulting in a number of policy changes by those institutions and increased enforcement of underage drinking laws.

In 2005 and 2006, public attention was focused on underage drinking and driving among high school students as a result of several fatal car crashes involving teen drivers. This resulted in tightening state laws that govern licensing and permit requirements for 15 and 16-year-olds. Still, there is a lot to do. Levels of enforcement of underage drinking laws vary considerably between jurisdictions and parental attitudes toward drinking often send mixed messages to youth.

From FY 2006 through FY 2008, LED has more than doubled its number of arrests for minors in possession, sales to minors, and use of false identification. During that time frame, LED also increased the number of compliance checks conducted from approximately 400, with a 71% compliance rate, to more than 1300, with a 78% compliance rate. Currently, the compliance rate is 86%. LED believes that the success of the compliance checks is attributable to the increased training of liquor licensees.

There is a continued need for enforcement at both statewide and local levels. The LED has contracted with local law enforcement agencies to conduct enforcement and to coordinate activities with community based organizations. These sub-grants have been highly successful.

Some notable outcomes from 2005/07 and 2006/08 EUDL sub-grants in Colorado include:

- EUDL grants can reduce the negative consequences of underage drinking on college campuses. The University of Northern Colorado saw a decrease of 45% in the number of hospitalizations for alcohol poisoning (from 20 to 11) during the 13-month sub-grant period, and a decrease of 10.1% in the number of transports for involuntary detoxification (from 58 to 52).
- Success with patrols at home football games was improved when:
  - There was a high rate of attendance by students (as opposed to alumni);
  - Law enforcement did preventive activities in neighborhoods near the stadium by contacting party hosts and patrolling during the games.
  - Signage and pre-game media releases created public awareness of increased enforcement and zero tolerance for underage possession and consumption.
- Success with non-alcohol events occurred when the events were sponsored by the college, well advertised in advance, included freebies for attendees, and coordinated with other campus events such as home games or alcohol prevention activities such as social norming campaigns. Pre and post event surveys measured changes in student attitudes and likelihood of repeating risky behaviors.
- Enforcement does discourage underage drinking. The effects are greater when:
  - The enforcement efforts are well advertised;
  - Coordinated with alcohol education and prevention efforts;
  - Data is collected and tracked for tickets for a wide range of alcohol-related violations that include noise violations (parties), possession and consumption by minors, fighting and public nuisance.
- One measure of success of a grant program is the rate at which the activities and programs funded by the grant are continued after the grant has ended. All 2005/07 EUDL sub-grantees were asked during the final contract monitoring visit which activities and programs would continue at full or partial levels, using available community resources for continuing funding, personnel and materials. They indicated that 36 out of 61 activities and programs will continue after the end of the 2005/07 EUDL grant, a 62% continuation rate.

The focus of EUDL grant activities for 2009/11 will continue to be on enforcement, with additional emphasis on coordination between law enforcement agencies, cooperation with community based programs, and local advertising. To enable this, the Liquor Enforcement Division (LED) will focus on the following efforts:

1. Enforcing underage drinking laws statewide. The LED has statewide jurisdiction over liquor licenses, and maintains satellite offices in several locations. LED investigators will continue its 2008/10 level of activity throughout the state, conducting operations on its own initiative and in cooperation with local law enforcement agencies. The LED has been able to greatly expand its local presence as a result of the federal EUDL awards.
2. Maintaining a EUDL support emphasis for local law enforcement agencies by providing training and assistance. The LED is the lead agency at the state level with responsibility for enforcement of underage drinking laws, and receives requests from local law enforcement agencies for training, assistance with party patrols, and assistance with compliance checks. The LED's continued emphasis on supporting enforcement of underage drinking laws has enabled the LED to increase underage enforcement and training activities and assistance to local law enforcement agencies.
3. Providing sub-grants to local law enforcement agencies to enforce compliance with underage drinking laws. The sub-grants will continue to focus on enforcement, requiring collaboration of enforcement with community based programs such as colleges, schools, community coalitions, and alcohol prevention and treatment programs. Sub-grantees will not be allowed to discriminate against faith based organizations when subcontracting elements of their EUDL awards. The purpose of this collaboration is to strengthen and support the compliance efforts by law enforcement and to provide avenues for community change in the way underage drinking is viewed and processed. In addition, each sub-grant will provide discretionary funding for local advertising.

Application and funding for these sub-grants will be limited to Colorado law enforcement agencies as primary contractors. This includes municipal police departments, sheriff's offices, campus and tribal police departments.

## **Mental Health Services/Department of Human Services**

A growing crisis in Colorado and across the country has been the influx of youth with serious mental illnesses and emotional disorders entering the juvenile justice system. A growing need for families with youth in crisis is access to services to help them cope with the youth within the home environment or, if necessary, within a community-based non-secure treatment setting. Earlier identification of mental health, substance abuse and co-occurring disorders has the potential to address youth needs before delinquent behavior presents itself. Services to determine this early need and to provide adequate treatment of mental health and other presenting needs are not available in all parts of Colorado. Youth who are not Medicaid eligible or those who do not have the adequate health insurance are often unable to access quality mental health services.

In 2005, an estimated 19.7 million Americans were classified as current illicit drug users, and 126 million individuals aged twelve or older were current drinkers (HJR07-1050). Nationally, approximately 57.7 million people aged eighteen or older suffer from a diagnosable mental health disorder in a given year. In addition, mental health disorders are the leading cause of disability in the United States for individuals ages fifteen through forty-four. In Colorado, six out of ten people receiving mental health services receive them outside of the mental health system but rather through other systems such as Corrections and Human Services/Social Services. For example, in FY 2006 43% of youth receiving mental health treatment were referred by the justice system. Further, Colorado spends just over \$64 dollars per capita on publicly funded mental health care, which is 21% below the national average. Due to a lack of appropriated resources in FY 2006, 17,300 individuals with serious mental illness did not receive treatment (HJR07-1050). Nationwide, \$27 dollars per United States resident is spent on publicly funded substance abuse treatment compared to \$7.50 spent per resident in Colorado. Yet, Colorado ranks 19% higher than the national average in per capita consumption of alcoholic beverages and an estimated 30,000 youth living in Colorado are substance abusers (HJR07-1050). [Colorado HJR 07-1050 Behavioral Health Task Force Report, McHugh, D., Lynn, J., Portman-Marsh, N., Kahn, R., 2008. Denver, CO: Colorado State Leg](#)

Colorado's public mental health system is comprised of 17 community mental health centers and 6 specialty clinics (including 3 that serve linguistically diverse populations) funded and overseen by the Colorado Division of Behavioral Health and Housing (OBHH) within the Department of Human Services



and the behavioral health organizations which provide necessary mental health services for Medicaid-eligible individuals under contract with and overseen by the Department of Health Care Policy and Financing (HCPF). Administration and program oversight of the public mental health system was officially bifurcated in 2004 by a statutory initiative whereby most community mental health programs funded with Medicaid dollars are now directly administered and managed by HCPF, the single state Medicaid agency. Beginning in 2006, OBHH began to integrate the Division of Mental Health and the Alcohol and Drug Abuse Division by creating what is now known as the Division of Behavioral Health. As the delegated State Mental Health Authority (SMHA) pursuant to 27-1-206 of the Colorado Revised Statutes, the Division remains responsible for funding program approval and monitoring of community mental health centers (Centers), clinics and 27-10 designated facilities and their services. The Division also continues to administer the Child Mental Health Treatment Act (HB 99-1116) program, which serves families with children in need of intensive mental health services when a dependency and neglect action is neither appropriate nor warranted. Through SB 07-230, the Act now supports a broader array of services for eligible youth, including intensive community-based care. SB 09-30 seeks to reauthorize the Act until 2019.

The vision for public mental health in Colorado is of an integrated, efficient, quality conscious, consumer and family focused system, which includes both inpatient and community-based programs, and incorporates numerous allied services and systems. Increased focus is directed toward integrative and collaborative efforts with other systems, such as correctional, juvenile justice, education, substance abuse and child welfare systems, which are serving increasing numbers of individuals with serious mental illnesses and emotional disturbances. Moreover, this vision includes the growing dedication to program evaluation and the implementation of evidence based and promising practices that produce positive outcomes. The vision encourages creative and collaborative approaches to organization, financing and service planning in restructuring existing programs, and is based on the belief that local communities are the preferred location for the delivery of most mental health services.

In the last several years Colorado has witnessed significant changes and improvements in the delivery of services to children and adolescents with serious emotional disturbances. Further, a system of care approach based on the work of Stroul and Friedman, 1986 has been implemented. In 1999, Colorado received funding from the federal Substance Abuse and Mental Health Services Administration (SAMHSA), through its Comprehensive Community Mental Health Services for Children and Their Families Program, to develop a system of care for youth with serious emotional disturbances who are involved, or at risk of involvement, with juvenile justice systems and their families in Clear Creek, Denver, Gilpin, and Jefferson counties. The project's goals included implementing a broad array of community-based and family-focused services, helping communities integrate child- and family-serving agencies, and evaluating the system of care. The Colorado initiative, known as Cornerstone, achieved these goals through a partnership among families, agencies, and communities. In 2002, Colorado received a second SAMSHA system of care grant, Project Bloom, for children 0-5 and their families in four additional counties. And in 2003, Jefferson County received a system of care grant through the Administration on Children and Families focusing on the child welfare population.

In 2007, the Colorado Legislature passed House Joint Resolution 07-1050, creating a task force for the study of behavioral health funding and treatment in Colorado ("1050 Task Force"). The 1050 Task Force's charge was to study mental health and substance abuse services in order to coordinate state agency efforts, streamline services provided, and maximize federal and other funding sources. The 1050 Task Force focused its efforts on the public systems that provide behavioral health services and did not address behavioral health services through the private insurance system. According to the Behavioral Health Task Force Report, the recommendations create opportunities for significant changes in many key areas. Though they do not address all possible issues in the envisioned behavioral health system, collectively these eleven recommendations would bring Colorado closer to an integrated system. The first recommendation is to create a Behavioral Health Commission ("Commission") with leadership from the three branches of state government, adult and youth consumers and families, providers, and communities. Recommendations 2 through 6 specifically describe alignment opportunities for Colorado's integrated behavioral health system and 7-11 focusing on financing reform; electronic cross-system data collection, sharing, and evaluation; cultural competency; adult, youth, and child consumer and family involvement, and workforce development. The full report can be downloaded at: <http://www.csi-policy.org/1050taskforce/index.htm>



In June 2001, the Colorado Committee on Adolescents with Substance Abuse and Mental Health Disorders completed an Assessment of the Needs of Colorado Adolescents with Co-occurring Disorders. One part of this study included a survey distributed to professionals and community members throughout the State. The survey contained various services that were rated by respondents regarding service availability, services needed and potential barriers adolescents with co-occurring substance abuse and mental health disorders may face when trying to access needed services. The other part of the study consisted of 10 focus groups conducted across the State. Five of the groups consisted of adolescents, four with parents of adolescents and one with both parents and adolescents. These focus groups identified available and needed services as well as barriers to service access. These combined efforts have resulted in recommendations formulated by the Committee.

**A community-based mental health pilot program** authorized by **HB 00-1034** funded an urban and rural project to provide community-based intensive treatment, supervision and management services to high-risk juveniles with serious emotional disturbances that are involved in juvenile justice system. Although it is no longer supported through State funds, the program continues to provide a number of services to at-risk youth and their families. An evaluation of the 65 youth who had completed the program for at least 12 months as of June 30, 2004, showed that the youth who completed the program cost taxpayers approximately \$5,850 (on average) in the 12 months following the program compared to \$24,317 for non-completers, a savings of approximately \$18,000.

In 2000, the state legislature passed **SB 00-47** also called the **Mental Health Screening bill**, which was recommended to the Legislative Oversight committee. The bill stipulated the development and implementation of a standardized process and tool for screening mental health issues for adults and juveniles in the criminal justice system. The screening tool that was adopted for use with juveniles was the MAYSI-2 (Massachusetts Youth Screening Instrument). The Division of Youth Corrections field tested the MAYSI-2 and implemented its use in all of its detention and commitment facilities. The MAYSI is also administered to juvenile probationers in all of the 22 judicial districts. Needing to better understand the needs of its juvenile populations, in FY 2006-07 DYC implemented the Colorado Juvenile Risk Assessment (CJRA) with committed youth, and in FY 2007-08 began its use within the detention continuum and SB 94 program. The CJRA is a standardized, validated risk assessment that identifies a juvenile's risk to re-offend based on multiple, proven criminogenic factors. Using the CJRA, each youth's unique criminogenic needs are identified by a series of questions that probe all the areas of a youth's life that have been proven to predict pro- or anti-social behavior: family, relationships, use of free time, attitudes, behaviors, alcohol and drugs, education, employment, mental health, aggression, and skills. *(Source: SB 94 Annual Report FY 2007-08 by the TriWest Group for the CDHS/Division of Youth Corrections)*

In the 2000 legislative session, **HB 00-1033** also created the **Legislative Task Force for Persons with Mental Illness in the Justice System (MIJS)**. The Task Force was charged with studying the critical issue of treatment of persons with mental illness who are involved in the criminal and juvenile justice systems and to make recommendations to the Legislative Oversight Committee for the development of legislative proposals related to this issue. In 2006, the Oversight Committee supported passage of SB 06-005 which prohibited private, commercial insurance plans from denying payment for an otherwise covered mental health benefit solely because the treatment is court ordered which had been identified as a barrier to juveniles receiving appropriate services when involved in the juvenile justice system.

The **Colorado System Of Care Collaborative (SOC)** consists of stakeholders statewide, including families, youth, public agency partners, advocacy organizations, projects and initiatives focusing on system-building, membership organizations and others committed to assisting Colorado in providing children, youth, and families access to comprehensive, integrated and cost effective supports and services across sectors and within communities. They believe that this access will reduce unnecessary and costly overall health problems, school failure, violence, incarceration, child abuse, substance abuse, and out of home placements for children and youth. They also believe that this access is essential for: healthy living, learning, succeeding in school, working and participating fully in the community and that access will promote a healthier community through healthier children, youth, and families and better meet the social mandates of the agencies involved. Over the past several years the SOC has researched SOC initiatives across the nation and in the spring of 2003 established its own set of goals and principles

upon which SOC projects, new or existing, are measured. At a minimum it is believed that SOC programming should be family focused, community focused and culturally competent.

In addressing the need to coordinate the various efforts that have been initiated to address the needs of mentally ill youth, the JJDP Council merged its **Mental Health Subcommittee** with the Juvenile Justice subcommittee of the MIJS Task Force and individual members from the System of Care (SOC) Collaborative also joined. This committee meets monthly to work toward a comprehensive framework for system improvement. As a result of these committees, in 2005, a bill was introduced in the Colorado Legislature, passed and was signed into law establishing a process for addressing the competency of juveniles to stand trial. This sub-committee also developed a framework for addressing the needs of youth who have mental health and/or co-occurring disorders involved in the juvenile justice system, with a primary goal to develop a seamless way for the system to provide services to these youth.

In July of 2006, **Colorado's Juvenile Justice State Plan for Youth with Mental Health Issues and Co-Occurring Disorders** was published. The Plan was developed in partnership with the Juvenile Justice and Mental Health Subcommittee; the Juvenile Justice and Delinquency Prevention Council, the Colorado Department of Human Services – Division of Mental Health, the Colorado Department of Public Safety – Division of Criminal Justice, State Judicial Branch – Office of the State Court Administrator, the Federation of Families for Children's Mental Health ~ Colorado Chapter, the 22 Judicial Districts in Colorado, the Mental Health Centers of Colorado, the House Bill 04-1451 coordinators (some of whom are also the family preservation core services coordinators), and participants at regional community, family, and youth meetings around the state.

The Plan was built upon the 2005 Framework process and incorporated research and engagement that focused on solutions to the juvenile justice system's problems in meeting the needs of youth with mental health issues and co-occurring disorders. The Plan contains 21 recommendations related to planning, policy, and financing at the state level. The recommendations cover key policy and financing issues that relate to the broader system infrastructure, programmatic issues addressing specific strategies, and capacity building recommendations to increase state capacity for systems change. The recommendations provide guidance and direction toward statewide improvement of the juvenile justice system including creating more equitable and comparable services and court processes across jurisdictions. In essence, the intent of the recommendations is to provide direction to the state in the development of statewide infrastructure to enable local improvement through the strategies.

The Plan contains a collection of 47 strategies that address the systemic infrastructure and financing, service delivery approaches, court processes, entry into and transition out of the system, and other key issues within the juvenile justice system. The strategies are intended to help local communities enhance their current juvenile justice systems through incremental steps that will lead to better outcomes for youth, families, and communities. The strategies were identified as a result of a comprehensive interview and community meeting process and every strategy in the Plan is already successfully underway in a number of Colorado communities. The strategies are backed-up by national research including evaluations of similar programs around the country.

The Plan provides a comprehensive snapshot of the successful and innovative strategies being used in Colorado to meet the needs of this population of youth and while the intent of the Plan is to provide a clearly defined picture of the best of "what" the juvenile justice system could be in Colorado, the specifics of "how" to accomplish this still needs to be determined. The MIJS Task Force must provide leadership to ensure the plan helps to inspire and support capacity building and systems change at the state level that may then enable local communities to better meet the needs of these youth. To accomplish this, the Task Force, in partnership with state, local community, and consumer leaders, is working to prioritize the recommendations and strategies in the Plan and work to develop an action plan that ensures the successful implementation and sustainability of the vision in the Plan. Leadership is critical to the implementation of all of the strategies and recommendations and to enabling systems change to better meet the needs of youth with mental health issues and co-occurring disorders at risk of involvement and/or involved in the juvenile justice system in Colorado. (*Colorado's Juvenile Justice State Plan for Youth with Mental Health Issues and Co-Occurring Disorders*, <http://www.csi-policy.org/documents/JJMHFinalPlanOct2006.pdf>)

In 2007, based largely on the groundwork set by the Plan, Colorado was selected to become one of four new **Models for Change- Juvenile Justice/Mental Health Action Network** states through a grant from the MacArthur Foundation. Through this grant Colorado is working on two fronts. The first is the systematic incorporation of a research-based mental health screening protocol within all juvenile justice agencies in Denver. This includes pilot-testing the MAYSI-2 within the Denver Juvenile Probation Department to collect information and data that will be used to develop a juvenile justice-system wide mental health screening protocol. This protocol, which will be used to train intake staff from a variety of juvenile justice agencies in Denver, will include procedures for the application of the MAYSI-2 as well as for communication and information-sharing across agencies.

The second front involves working to reduce the number of youth with mental health needs who are referred by the schools to the juvenile justice system. Colorado will explore various approaches for reducing the number of school referrals to the juvenile justice system involving youth with mental health with a specific focus on addressing truancy. To this end, the Colorado Department of Education received a federal grant to support integrated school and community health services for at-risk youth. Entitled “**Building Bridges**”, this project is based in Mesa County on Colorado’s Western Slope and linked with the Positive Behavioral Supports (PBS) model of school-wide prevention and intervention.

In 2007, the **Family Advocacy Demonstration Program (HB 07-1057)** was enacted, with support from the MICJS Task Force and family organizations. This program funds family advocacy services in an urban, suburban, and rural community, providing supports to youth with mental health and co-occurring disorders who are at risk of juvenile justice involvement and their families. Managed by the Division of Behavioral Health and evaluated by the Division of Criminal Justice, each project is based on a partnership between a family organization and the local system of care focused on preventing further involvement in justice systems.

The Division of Behavioral Health, in collaboration with the Division of Youth Corrections, manages the State-funded “TurnAbout” program which provides mental health services to youth in detention as well as those who require that level of care but remain in the community. The two program sites are Mt. View Youth Services Center/Jefferson Center for Mental Health in the Denver metro area, and Grand Mesa Youth Services Center/Colorado West Regional Mental Health Center on the Western Slope. Services are provided in the detention centers and the community. In both sites the mental health centers provide Functional Family Therapy (FFT) in addition to other forms of intervention and care management.

Colorado **LINKS for Mental Health** (Linking Interagency Networks for Kids’ Services) is an initiative seeking to create partnerships between state agencies and community groups working in the kids’ mental health system. In 2006, the initiative brought together key stakeholders who collectively identified over thirty different interagency planning groups working on kids’ mental health, health, substance abuse, and other youth issues. The LINKS Guidebook, published in December of 2006, is one of the outcomes of that meeting. Participants expressed an interest in knowing more about the different entities working on similar issues and the guidebook enables organizations *to identify other planning groups* working on youth health, mental health and co-occurring issues, so as to create opportunities to collaborate and avoid duplication in efforts. (<http://www.csi-policy.org/documents/LINKSGuidebookFinal012607.pdf>)

The Budget, Funding, and Finance Leadership Team of the LINKS Project is developing a white paper on fiscal coordination. It includes recommended first steps for addressing fiscal recommendations from many previous efforts including HJR 08-1050 Behavioral Health Task Force, Colorado’s Juvenile Justice State Plan for Youth with Mental Health Issues and Co-Occurring Disorders, the Prevention Leadership Council, and the Bazelon Center for Mental Health Law, a leading national organization with a focus on fiscal reform. A combination of fiscal and programmatic staff from multiple state agencies are working together to move forward with fiscal coordination efforts around youth with mental health and co-occurring needs.

# IMMEDIATE INTERVENTIONS

## Law Enforcement

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

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

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

Appendix A, found on pages 132-134, contains a template showing the juvenile justice system flow from arrest through parole.

Juveniles may be taken into temporary custody by law enforcement when a lawful warrant has been executed or without a court order if reasonable grounds exist to believe that a juvenile has committed a delinquent act. A delinquent act is defined as a violation of any federal or state law, county or municipal ordinance, or lawful order of the court; but does not include non-felony state traffic violations, violations of game and fish, and park and recreation laws or regulations. Temporary custody does not constitute an arrest or initiate a police record. Once a juvenile is taken into temporary custody, a parent, guardian or legal custodian must be notified in a timely manner by the law enforcement officer. Juveniles cannot be held at a law enforcement agency for more than six hours, and then only for purposes of process and release. If a formal screening for possible detention is not warranted, the juvenile may be released to the parent or guardian, accompanied by a "lecture and release" or summons to appear in court at a later date.

Colorado Juvenile Arrest Data	FY 2006 (July 1, 2005- June 30, 2006)			
	Population 10-17*		Juvenile Arrests**	
	#	%	#	%***
<b>Total</b>	534,258	100%	47,596	100%
<b>White</b>	362,595	67.9%	19,627	41.2%
<b>Black</b>	26,814	5.0%	10,244	21.5%
<b>Hispanic</b>	124,919	23.4%	16,386	34.4%
<b>Asian</b>	14,165	2.7%	232	.5%
<b>Native American</b>	5,765	1.0%	275	.6%
<b>Other/Unknown</b>	--	--	832	1.7%

\* Source: Colorado Department of Labor, State Demography Office

\*\* Source: Colorado Bureau of Investigation, Crime in Colorado 2005

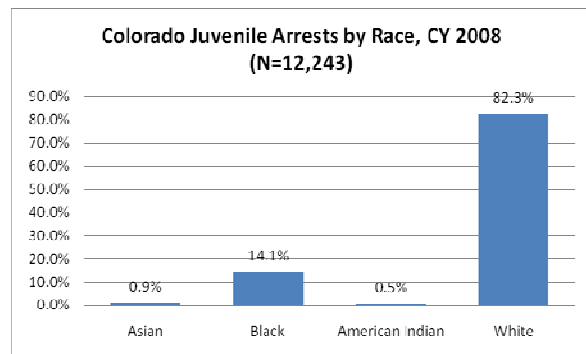
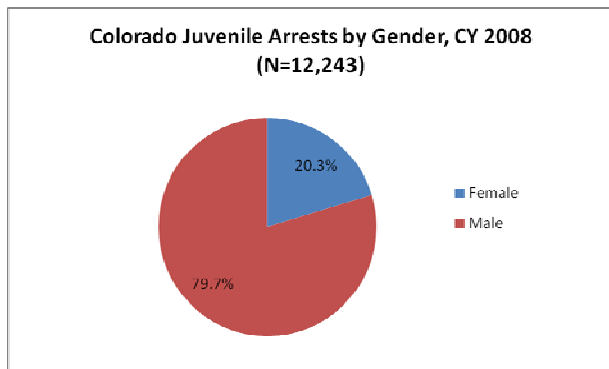
\*\*\* Racial Breakouts estimated using Race/Ethnicity data extracted from the Colorado Criminal History database. These percentages very closely match the racial distribution in the 2006 NIBRS data, which are incomplete at this time.

What do we know about juvenile crime in general? According to the 2004 Crime and Justice in Colorado Report, published by the DCJ Office of Research and Statistics, we know that:

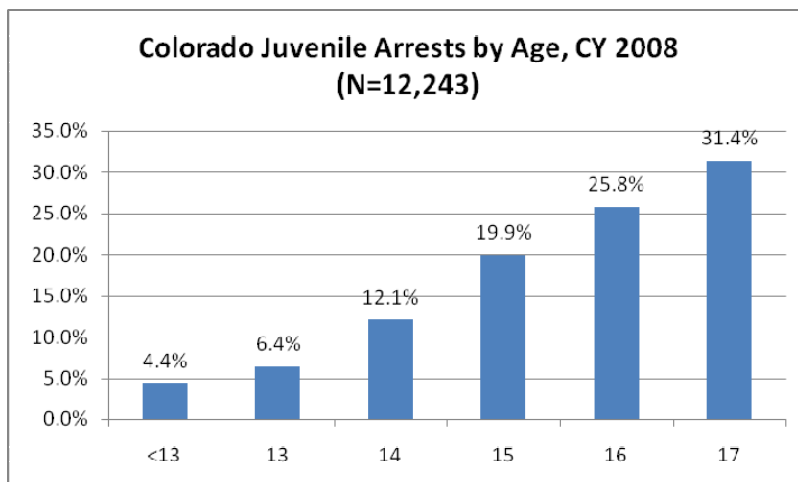
- Serious violent crimes by juveniles occur most frequently in the hours immediately following the close of school on school days.
- About half of the days in a year are school days. The other days fall in summer months, on weekends, and on holidays. Despite this, 57 percent of all violent crimes by juveniles occur on school days.
- Juvenile violence peaks in the after school hours on school days and in the evenings on non-school days.
- On non-school days, the incidence of juvenile violence increases through the afternoon and early evening hours, peaking between 8 p.m. and 10 p.m.

What do we know about juvenile crime in Colorado? The arrest data below was extracted from the Colorado Bureau of Investigation's Colorado Criminal History database by means of the Colorado Justice Analytics Support System (CJASS). This data source differs from that used to compile CBI's annual *Crime in Colorado* report statistics, and include only arrests in which a fingerprint was taken, which will generally include only arrests involving more serious crimes.

The demographic characteristics of juveniles arrested during calendar year 2008 reflect those of adults. Most arrested youth are male (79.7 percent), and 82.3 percent are white (including youth of Hispanic ethnicity). Black youth represent 14.1 percent of all juvenile arrests, with only 1.4 percent made up of other minority groups. (Source: Colorado Justice Analytics Support System).



The average age of juveniles arrested is 15.5, with a median of 16. Over half (57.2 percent) of juvenile arrestees are 16 or 17 years of age, with increasing age corresponding with increasing proportions of arrests. (Source: Colorado Justice Analytics Support System).



An important resource to law enforcement officers is the local **Juvenile Assessment Centers**. Several communities have established assessment centers for youth and families by using federal Juvenile Accountability Incentive Block Grant (JABG) Funds. Where these centers are in place, law enforcement officers have the option of taking troubled youth directly to the JAC for a thorough risk/needs assessment. The JACs use the assessment information to identify appropriate interventions and social supports for the youth and his or her family to prevent or decrease future problem behavior.

These multidisciplinary centers are staffed by professionals from schools, social services, mental health, substance abuse, diversion, prosecution and probation. JACs often serve as the single point of entry for families seeking assistance with troubling behavior of their children. Colorado currently has five fully operational Juvenile Assessment Centers around the state that operate on a combination of state funds for alternatives to detention, federal JABG funds and local support, including city and county funds.

Law enforcement agencies have been affected by local and federal budget cuts in the areas of training and recruitment assistance. The consequences of these cutbacks has been, according to anecdotal information provided by officers, a significant reduction in their perceived capacity to serve youth with whom they come into contact. Specifically, at the law enforcement level, the officer's options for responding to problem behavior by youth have decreased.

Law enforcement agencies report the need for capacity in the following areas:

- rural non-secure, temporary holding and placement options;
- access to rural and suburban juvenile alcohol and drug detoxification and substance abuse treatment services;
- funds for transportation of juveniles for rural law enforcement; and
- information sharing capacity among law enforcement agencies to track and better identify the activities and needs of juvenile offenders.

Community partnerships and involvement with law enforcement are increasing in Colorado. **School Resource Officers (SRO)** can be found in primary and secondary schools throughout the state, either on a full or part-time basis. They not only deter would-be offenders and provide a rapid response to threatened violence on school property, but also serve as mentors, counselors, educators and role models.

**Community policing collaborations** are also expanding due in part to the training and technical assistance provided by the Colorado Regional Community Policing Institute, housed in the Division of Criminal Justice. These collaborations enhance citizen participation in problem solving and crime prevention efforts. Many youth-focused projects have been initiated as early intervention to problem behavior. The Juvenile Justice and Delinquency Prevention (JJDP) Council has provided funding for the last six years for innovative, youth-focused community policing projects both through direct grants to law enforcement and by supporting the Institute's Line Officer Grant Program. These short-term, small grants help police officers and community members establish recreation and art programs, as well as other youth-focused projects to decrease delinquent behavior.

In Colorado, the lack of access to psychiatric care and treatment is progressively leading to an increase in law enforcement interactions and interventions with people suffering from mental illness and emotional disorders. The increase in incarceration and detention rates for this population is especially alarming: since 1990, the percentage of persons with serious mental illness in the Colorado adult prison population has grown from 4% to 16%; while 20.8% of the males and 29.5% of the females committed to the Colorado Division of Youth Corrections in FY 2006/07 were assessed as having high moderate to severe mental health needs.

This phenomenon is not unique to Colorado. Indeed, it mirrors the same experience of many states and reflects the growing concern of national mental health advocacy groups – namely, our systems are resulting in the criminalization of the emotionally disturbed youth and mentally ill adults. About 20% of youth in the general population have a diagnosable mental health disorder but only 1 out of 5 of those needing treatment actually receive it from the mental health system.

Indeed, in many communities, law enforcement personnel have become the primary mental health intervention responders and detention centers and jails have become the solution for insuring persons in crisis will receive medical and psychiatric care, regardless of their ability to pay.

Unfortunately, police officers are not trained clinicians and are now “first responders” to mental health crisis calls. Officers are not prepared by training academies to begin to recognize how mental illness symptoms impact individuals, what adolescent mental illness may look like, and they do not have the knowledge and skills needed to effectively respond to juveniles in mental health crisis calls. Additional skills are necessary for officers to deal with these calls in an effective manner.

In recent years, Colorado law enforcement agencies have committed to training a portion of officers to respond to citizen calls regarding individuals suffering from mental illness. This specialized training for police officers called **Crisis Intervention Team (CIT) Training**. CIT training gives police officers new strategies and tools for handling mental health crisis calls. CIT decreases arrest and injury rates for people with mental illness, increases officer and citizen safety, and enhances public involvement in law enforcement efforts. Colorado is one of only three states in the country that are striving to make CIT a statewide initiative. Colorado has trained more than 2800 officers -- more than any other state since inception of the program in 2002. Fourteen counties and 76 law enforcement agencies have adopted CIT.

- Approximately 76% of CIT calls have resulted in transport to treatment, including hospitals, detoxification centers and mental health centers.
- Only 4% of mental health calls involving a CIT officer have resulted in an arrest.
- Over 96% of CIT calls resulted in no injuries to officer or citizens.

CIT in Colorado has received awards from the Denver Regional Council of Governments (Local Government Innovations, 2004) and the Jefferson County Good News Coalition (Building Bridges, 2005). The CIT Colorado program model was presented at the 1st National CIT Conference (2005), and at the 2007 CIT National Conference, the Colorado Coalition for the Homeless Conference (2004), the Women in Law Enforcement Conference (2005), the Colorado District Attorney's Council Conference (2004), and two of Colorado's Council for Behavioral Health Care Conferences (2004, 2005). Numerous articles have published about the program in local newspapers as well as The Denver Post and Rocky Mountain News. In November of 2005, the Division of Criminal Justice (DCJ's) Colorado Regional Community Policing Institute (CRCPI) piloted *Children in Crisis (CIC): Intervention Skills and Strategies for Law Enforcement Officers* training. The curriculum was developed through Colorado's Formula grant and is an expansion of Crisis Intervention Team (CIT) training for law enforcement officers. *Children in Crisis* targets school resource officers, school administrators and other youth-serving agencies with a two-fold purpose: 1) train officers on how to skillfully de-escalate and solve crisis calls involving children and teens with mental health, behavioral, emotional and co-occurring disorders; and, 2) foster partnerships between local police/sheriffs departments and their local mental health and human services agencies. As of December 31, 2007, six CIC classes have been held, training 109 officers and 27 school personnel. In 2006, the CIC program was presented at the National CIT conference in Orlando, Florida which created interest from several states. A school representative from Texas attended the April, 2007 course. One officer from Alaska attended the October, 2007 course and the CIT Manager has received numerous inquiries from other states. In 2007 the CIC course received POST certification. Three local law enforcement agencies have expressed an interest in offering the course as part of their training calendar in 2008 thus potentially expanding the statewide presence of the program. During the 2008 National CIT Conference the CIC program was presented with a focus on conditions children and adolescents experience as well as responses by personnel in the school environment.

In 2007, CRCPI received a Formula subgrant to continue the CIC training and to support development of a course manual for the CIC training program allowing for the course to be replicated across the state.

In 2008, CRCPI received grant funding from the MacArthur Foundation to participate in the Models for Change: Mental Health/Juvenile Justice Action Network project. Colorado will join Louisiana and Pennsylvania in creating a national delivery model now titled CIT for Youth. Curriculum is being developed through collaborative efforts and the stakeholders have been expanded to further include

families and service providers present in the environment of children and adolescents who may have a mental illness or face crisis conditions. Rollout of the curriculum is planned for the first quarter of 2009 with pilot courses to follow.

## **Diversion/District Attorneys**

The District Attorney (DA) is elected to a four-year term in each of the 22 judicial districts in Colorado. Judicial districts vary in the number of counties they cover, from one to seven. Larger DA offices may have a separate juvenile division that is often the “learning ground” for new prosecutors. The state pays a base salary to the elected district attorney while other salaries and operating expenses are provided by the county (ies) that make up the district. All delinquent offenses can be handled by the DA, however; there is some combined jurisdiction with municipal attorneys. More minor delinquent offenses are being handled at the municipal court level.

Local district attorneys' offices are responsible for the decisions regarding filing of delinquency charges. The intake section of the district attorney's office reviews law enforcement or probation officer referrals and decides whether to divert the case from formal filing, file charges, request an informal adjustment or deferred adjudication, and/or direct file to the criminal court. If further detention has been ordered by the court at the detention hearing, the DA must file a petition within 72 hours alleging the delinquency and the facts that bring the juvenile under court jurisdiction. The DA also has the discretion to file charges directly in adult court based on the offense and age of the juvenile. This is the method by which most juveniles enter the adult system.

Diversion is defined in the Colorado Children's Code (§19-1-103(44), C.R.S.) as “a decision made by a person with authority or a delegate of that person in which the result is that a specific official action of the legal system is not taken against the youth in lieu of participating in individually designed services provided by a specific program.” The goal is to prevent further involvement of the youth in the formal legal system. Some “diversion” programs provide services to diverted youth and do not function in the legal role of diverting cases from being filed. These are private non-profit agencies that serve a broader population of juveniles in hopes of “diverting” them from further penetration into the juvenile justice system. Services by the non-profit sector include, but are not limited to, diagnostic needs assessment, restitution, community service, victim/offender mediation, job training and placement, specialized tutoring, constructive recreational activities, general counseling, counseling during a crisis situation, and follow-up activities.

Diversion of a juvenile or child may take place either at the pre-filing level as an alternative to filing of a petition pursuant to C.R.S. 19-2-512 or at the post adjudication level as an adjunct to probation services following an adjudicatory hearing pursuant to C.R.S. 19-3-505 or a disposition as a part of sentencing pursuant to C.R.S. 19-2-907. For the **pre-adjudicated** youth population, juvenile diversion focuses on the diversion of non-violent and youth first appearing at the district court level from the court system and probation caseload by supporting the formal pre-file diversion processes and programs in district attorneys' offices (or delegated to local non-profit youth service agencies) that reduce the number of cases that appear before the court; case management and services to youth who receive a deferred adjudication, informal adjustment, or an adjudication dismissed without prejudice, in coordination with probation to reduce their caseload responsibilities; and for those youth on formal probation, the provisions of accountability (restitution, community service, victim/offender mediation), competency and treatment services to lower risk-level youth to insure their successful completion of short-term probation thus preventing further penetration into the system.

For the **post-adjudicated** youth population, local agencies, both district attorneys' offices and non-profit youth serving agencies, use state juvenile diversion funded services to assist lower-risk probation youth meet the conditions of probation such as restitution and community service (as well as other competency and treatment services) that cannot be met financially by probation funds. SB94 (alternatives to detention) efforts are accessed at the higher-risk end of probation youth, those at risk of revocation due to re-offending or failing to meet more intense conditions of probation. According to local practice and criteria, charges against the juvenile are filed by the district attorney's office. However, based either on the prosecutor's request or action by the court, the juvenile is offered an informal adjustment or deferred adjudication, after admission of guilt and agreement to comply with court conditions. Although the

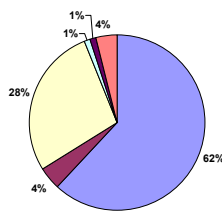


juvenile may technically be on probation, a formal agreement from the court delegates supervision and other diversion services to either the district attorney's juvenile diversion program or a community-based agency.

After 20 years of stable funding, in FY 2002-03, state funding of \$2.5 million for juvenile diversion was vetoed from the state appropriations bill and reverted to the state General Fund to help address the state budget shortfall. Although juvenile diversion programs in district attorneys' offices and community-based agencies were supported in part with local funds, state funding assistance had been critical in maintaining this early intervention component of the juvenile justice system. In FY 2006-07, juvenile diversion funding was partially restored. Using a competitive grant process, where 25 applicants requested \$1.7 in funding, the Division of Criminal Justice (DCJ) awarded \$1.2 million in state funds to 22 Juvenile Diversion programs located in 18 judicial districts across the state. A three-year funding cycle was established beginning with the July 1, 2008-June 30, 2009 Diversion program awards allowing applicants to focus more on the programming they provide.

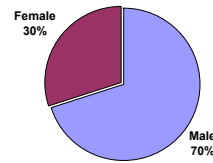
From July 2007 through June 2008, a total of 3,703 youth were served by a Juvenile Diversion program, of which 70% were male and 30% female. Of the youth served, 47% were age 16 or older at the time of referral, 34% were ages 14 or 15, and 19% were under the age of 14. Of the youth served, 62% were White/Caucasian, 28% Hispanic/Latino, 4% Black/African American, 1% Native American, 1% Asian/Pacific Islander, and 4% Other/Unknown.

**Diversion Program Participants**  
July 1, 2007- June 30, 2008



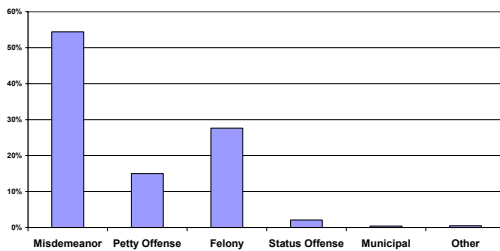
White Black Hispanic Native American Asian/Pacific Islander Other/Unknown

**Diversion Program Participants**  
July 1, 2007- June 30, 2008

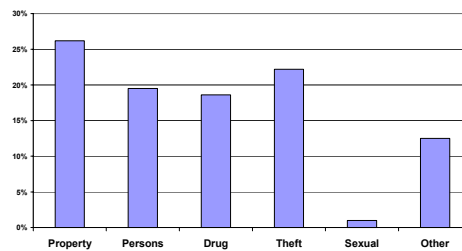


The most prevalent level of charge for which youth were referred were misdemeanors (54.4%), followed by felonies (27.6%), petty offenses (15%), and status offenses (2.1%). Property offenses were the leading type of charge (26.2%) followed by theft (22.2%), person crimes (19.5%) and drug crimes (19.5%).

**Juvenile Diversion Program**  
Most Serious Level of Charge at Intake  
July, 1 2007- June 30, 2008

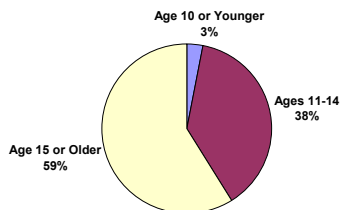


**Juvenile Diversion Program**  
Most Serious Type of Charge at Intake  
July, 1 2007- June 30, 2008



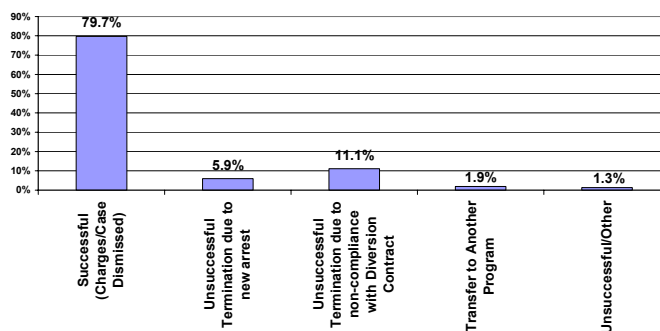
Most participants (59%) were age 15 or older at their first contact with police, with 38% between the ages of 11-14, and 3% age 10 or under at first contact.

**Juvenile Diversion Program  
Age at First Contact with Law Enforcement  
July, 1 2007- June 30, 2008**



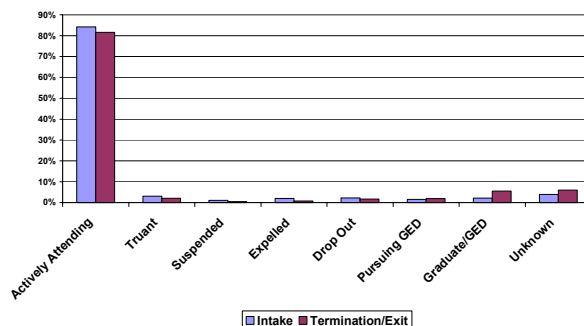
A total of 1,949 youth exited a diversion program during the reporting period, with 79.7% being successful, 2% transferring to another program, 5.9% unsuccessfully terminating due to an arrest on a new offense, and 11.1% unsuccessfully terminating due to non-compliance with their diversion contract. A total of 47,817 community service hours (average of 27.2 hours per participant) were completed by diversion program participants and \$192,142 (average of \$430 per participant) in restitution collected.

**Juvenile Diversion Program  
Status At Termination/Exit from Program  
July, 1 2007- June 30, 2008**



Educational outcomes for youth exiting the Diversion programs appear to be improved overall as programs reported increases in the number of youth actively attending school at exit versus at intake (from 84.2% to 81.56%), those pursuing their GED (1.5% to 1.9%), graduating or receiving their GED (2.1% to 5.5%). Diversion programs also reported reductions in the percent of youth reported as truants (3.1% at intake to 2.1% at exit), or suspended (1.1% to .46%), dropped out (2.2% to 1.69). Programs did see an increase in the percent of youth expelled which rose from 1.8% at intake to 2.2% at exit.

**School Status at Intake and Termination/Exit  
FY 2007-08**



While sixteen of Colorado's twenty-two judicial districts were able to access these state funds in FY 2007-08 and continue to reestablish lost programs, resources and infrastructure to successfully implementation diversion in Colorado, there are still three unmet needs that remain:

1. State diversion funds cannot be used for programs for youth referred by law enforcement to municipal or county level courts due to statutory language;
2. State diversion funds were reinstated at half of the previous funding available thus leaving a gap in resources for diversion programming across the state; and
3. Diversion is not appropriate for all youth thus other accountability-based sanctions still need to be available.

Based on the above gaps, the priority established by the JJDP Council for the 2009-11 Juvenile Accountability Block Grant (JABG) funds from OJJDP is to support implementation of accountability-based programs, which can include Diversion program at the Municipal, County and State levels.

## **Detention/Senate Bill 94- Alternatives to Detention**

Certain crimes require the detention of accused juveniles to maintain public safety and that of the juvenile. A **statewide detention screening** procedure is in place to verify the need for secure detention or to find appropriate community-based services. Colorado Senate Bill 91-94 (SB 94) was signed into law on June 5, 1991 as the Colorado State General Assembly recognized the increasing demands for secure detention and commitment capacity for delinquent youth. This became the impetus for the Division of Youth Corrections (DYC) SB 94 Program. The General Assembly determined that developing a broader array of less restrictive, community-based services would be more cost effective than a narrow approach of building and maintaining additional state-run facilities. Additionally, serving youth as appropriate in their communities and thus closer to home can result in better outcomes for youth and the communities. Detention screening provides the initial information to determine whether a juvenile should be held in secure detention. The chief judge in each of the 22 judicial districts appoints an individual, team or agency to perform the intake screening function for juveniles taken into temporary custody. The screener uses a statewide detention screening and assessment tool, the Juvenile Detention Screening and Assessment Guide (JDSAG). The guide uses a decision tree format that is based on the identification of factors that contribute to a juvenile's risk of out-of-home placement and on criteria that matches youth needs with the most appropriate placements.

Although standardized screening criteria have been developed, overrides are allowed by the screener or court. Local screeners are on call 24 hours a day, 7 days a week. Through phone or face-to-face interviews with the juvenile, law enforcement and other involved persons and agencies, screeners collect and review all relevant information possible and if secure detention is not warranted, locate the least restrictive environment for the juvenile while still providing for the safety of the juvenile and the community.

If secure detention is warranted, either law enforcement or assessment center staff transport the juvenile to the appropriate juvenile detention facility, and the parent or guardian must be informed that the juvenile has a right to a detention hearing within 48 hours. Based on the screening, law enforcement may also be asked to transport a juvenile to a staff-secure facility, temporary holding facility, or shelter.

There are several pre-trial placement options available that include:

- Except in the case of a mandatory felony hold, the intake screener, based on local policy may be authorized to **release** a juvenile to a parent, guardian or other legal custodians. The release of the juvenile may be made without restriction or upon a written promise that the juvenile will appear in court. Electronic monitoring or trackers may also be used to maintain supervision. This is often done with SB-94-funded services.
- A **shelter or non-secure facility** provides temporary care of a juvenile in a physically unrestricted facility. Juveniles placed there are those whom the screener or court has assessed must be removed from, or are unable to return to their homes, but do not require physical restriction.
- A **staff-secure facility** is one in which egress from the facility is controlled by staff rather than architectural barriers. These types of facilities are privately operated and provide 24-hour line-of-sight

supervision of youth. The Division of Child Welfare in the Colorado Department of Human Services provides state-level services and licensing functions.

- A **temporary holding facility** provides a holding area for juveniles from the time the juvenile is taken into custody until a detention hearing is held (within 48 hours, excluding weekends and holidays). This option is used if it has been determined that the juvenile requires a staff-secure or physically secure setting. This area is separated by sight and sound from any area that may house adult offenders. Rural areas without detention facilities are in need of this capacity.
- Secure detention in a **juvenile detention facility** is the temporary care of a juvenile in a physically restrictive facility. A juvenile may be held if the intake screener determines that the juvenile's immediate welfare or the protection of the community requires physical restriction. A juvenile may also be admitted to a detention facility on an active warrant or mandatory hold or if a law enforcement agency requests that the juvenile be detained because the alleged act would constitute a serious or violent felony if committed by an adult.

If an intake screener has assessed that a juvenile is to be securely detained after the arrest, the court must hold a **detention and shelter hearing** within 48 hours, excluding weekends or holidays, from the time the juvenile is taken into temporary custody. The hearing is held to determine whether the juvenile should be released or detained further. Screeners often provide the assessment information from the screening tool at this hearing. This more in-depth information has been gained and verified since the initial detention. At the close of the detention hearing, one of the following orders would be issued:

1. Release to the custody of a parent, guardian, or legal custodian without posting bond.
2. Release to the custody of a parent, guardian, or legal custodian upon posting bond.
3. Release from secure detention with community-based supervision services.
4. Placement in a shelter, non-secure facility or staff-secure facility.
5. Secure detention after finding that he/she is a danger to himself/herself or the community.

Over the last several years, there have been several efforts to promote system change and detention reform. In 2003, Senate Bill 286 established a "cap" or limit of 479 on the number of state-funded detention beds. In FY 2000-01, the detention average daily population (ADP) was 583.0 and in Fiscal Year 2007-08, the fourth fiscal year of implementation of the statutory cap, the detention ADP was 408.8, a 1.5% decrease from the prior year. At the same time that ADP decreased, in this past year detention admissions rose by 1.9%, an increase after an 18-year low in FY 2006-07 and disrupting a five year period of decline. Although DYC continues to operate successfully within the detention bed caps, at the local level, there continues to be evidence of increased capacity strain across detention facilities and judicial districts in the state. While there were some positive indications that strain might be decreasing in some facilities and districts, capacity strain continues to be a concern for other facilities and districts. While the statewide bed cap of 479 was never exceeded on any day in FY 2007-08, every day one or more facilities experienced high capacity strain (defined as bed occupancy of 90% or higher). On any given day the system averaged about five (42%) facilities at or above 90% capacity.

In addition to the legislatively imposed detention cap, DYC also vigorously promotes ongoing detention reform through efforts to inform the understanding and development 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, which the SB 94 program seeks to reduce. In carrying out these concepts, the SB 94 Program also supports the State's Children's Code that seeks to balance the needs of young persons with the concern for the safety of all members of society. Their work was further supported when the Colorado General Assembly authorized DYC to engage in a demonstration of enhanced flexibility in treating and transitioning committed youth from residential to non-residential settings that became known as the Continuum of Care Initiative.

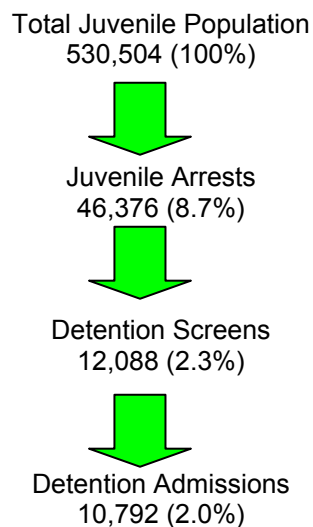
For FY 2007-08, SB94 received both a cost of living increase of 1.5% and an increased allocation. This increase moved the SB 94 Program to within 1.7% of the FY 2002-03 allocation (not adjusted for inflation), partially reversing the reductions made since then. In addition, the Division's response to how the additional funding would be utilized contained four elements 1) 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 was based on minimizing the “capacity strain” identified.

This past year, DYC began collecting and analyzing monthly snapshots of reasons for placement into detention which identified aspects of the youth placement process that could be improved to more effectively use the limited detention continuum resources. DYC found that a large proportion of youth in secure and staff secure detention placements on any given day are either being held in detention as a sanction in response to new charges or technical violations while on probation (25%) or they are directly sentenced to a detention placement (13%). Neither use of detention is in line with current national best practices or emerging standards from the federal Office of Juvenile Justice and Delinquency Prevention, suggesting that continued reforms may be able to result in further reductions in secure detention use. When looking at youth screened as requiring secure detention, 91.7% were placed there. In contrast, of the 14.2% of youth screened as requiring placement at home with services, 36.3% (589) were actually placed there. About 30% were released to home without services, and the remaining 36% instead went to secure, staff secure or residential/shelter placements. Further analysis of the fit between placements recommended by the required screening tree and actual initial placements suggests that community-based detention continuum resources are lacking. Despite the more than doubling of SB 94 resources dedicated to community-based treatment as funding has been restored in the past three years, this placement pattern suggests that the community-based end of the detention continuum is not yet adequate to serve all youth screened as able to go home with services.

Needing to better understand the needs of its juvenile populations, in FY 2006-07 DYC implemented the Colorado Juvenile Risk Assessment (CJRA) with committed youth, and in FY 2007-08 began its use within the detention continuum and SB 94 program in addition to the JDSAG, a placement decision tree based on Colorado statute. The CJRA is a standardized, validated risk assessment that identifies a juvenile’s risk to re-offend based on multiple, proven criminogenic factors. Using the CJRA, each youth’s unique criminogenic needs are identified by a series of questions that probe all the areas of a youth’s life that have been proven to predict pro- or anti-social behavior: family, relationships, use of free time, attitudes, behaviors, alcohol and drugs, education, employment, mental health, aggression, and skills. (Source: SB 94 Annual Report FY 2007-08 by the TriWest Group for the CDHS/Division of Youth Corrections)

### Juvenile Justice Filtering Process to Detention- FY 2007-2008

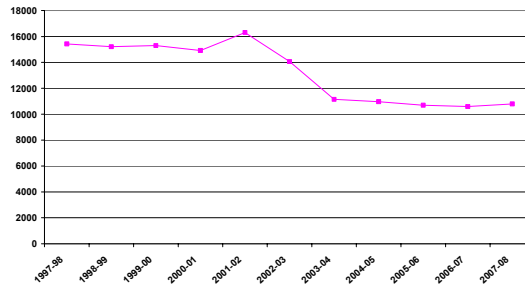


Youth Held in Detention (including staff secure)							
	FY 01-02	FY 02-03	FY 03-04	FY 04-05	FY 05-06	FY 06-07	FY 07-08
New Admissions	16,310	14,059	11,148	10,970	10,698	10,591	10,792
Average Length of Stay (days)	15.7	15.3	12.8	13.1	14.1	14.0	13.7
Average Daily Population (ADP)	545.0	497.1	396.2	402	426.3	414.9	408.8
Number of Youth Served (unduplicated)	8,916	8,242	7,290	7,252	7,215	7,195	6,589

Source: Division of Youth Corrections Research and Evaluation Unit, FY 2007-08 Management Reference Manual

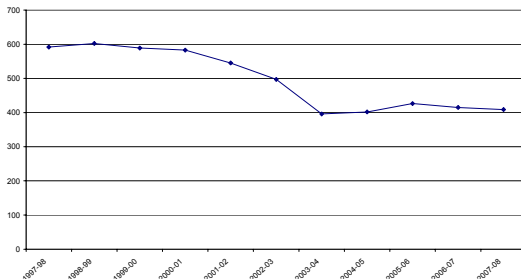
In FY 2007-08, there were 10,792 new admissions to detention. One year prior, new admissions were at an eighteen year low. Declines in detention admissions were expected following the implementation of the statewide capping legislation. Prior to the cap, local jurisdictions were given substantial discretion as to which youth could be admitted into detention. Currently, local jurisdictions still have this level of discretion, but now it must be balanced by the reality of a finite number of allocated beds. As a result, detention is now experiencing a marked reduction in usage particularly in the admission of truants, status offenders, and other less serious offenders. (Source, Division of Youth Corrections, Research and Evaluation Unit, Management Reference Manual, FY 2007-08)

Trends in Detention- New Admissions  
FY 1997-98 to FY 2007-08

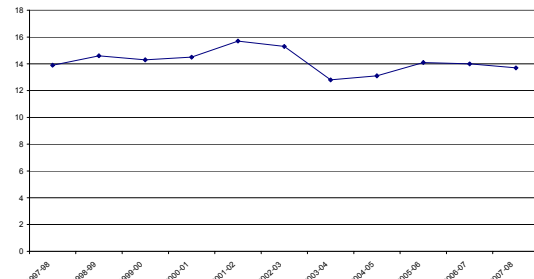


Since FY 2003-04, when detention Average Daily Population (ADP) reached a ten-year low, detention Length of Stay (LOS) has not seen much change and ADP experienced some slight changes. The average LOS for a youth in detention remains relatively stable at 13.7 days in FY 2007-08, a decrease of 2.1% from last year's 14.0 days. Detention ADP decreased 1.5% from FY 2006-07 to 408.8, which marks the second year of decline following 2 years of growth. (Source, Division of Youth Corrections, Research and Evaluation Unit, Management Reference Manual, FY 2007-08)

Trends in Detention-ADP  
FY 1997-98 through FY 2007-08



Trends in Detention-LOS  
FY 1997-98 through FY 2007-08



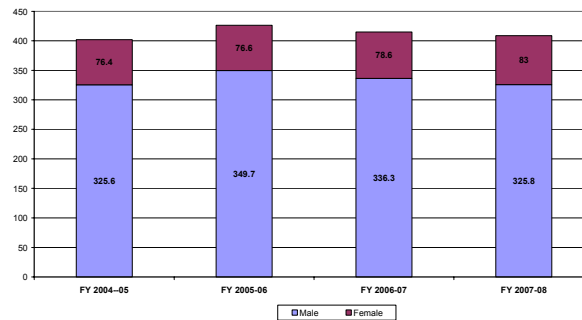
What else do we know about the juveniles being served in detention?

Twenty-five percent (25%) of youth are placed into detention by the courts as a result of technical violations of probation (17% of all youth detained). (Source: SB 94 Annual Report FY 2007-08 by the TriWest Group for the CDHS/Division of Youth Corrections)

The percent of male admissions slightly increased to 76.6% of the total detention population, a .6% increase in the number of male new admissions between FY 2006-07 to FY 2007-08. The percent of female admissions slightly decreased to 23.4% of the total detention population, a .6% decrease from the number of female new admissions last year. (Source, Division of Youth Corrections, Research and Evaluation Unit, Management Reference Manual, FY 2007-08)

Detention Trends	FY 2006-07				FY 2007-08			
	New Admits	%	ADP	LOS*	New Admits	%	ADP	LOS*
Male	8082	76%	336.3	14.9	8270	76.6%	325.8	14.3
Female	2509	24%	78.6	11.2	2522	23.4%	83	12.0

**Detention ADP by Gender**  
FY 2004-05 through FY 2007-08

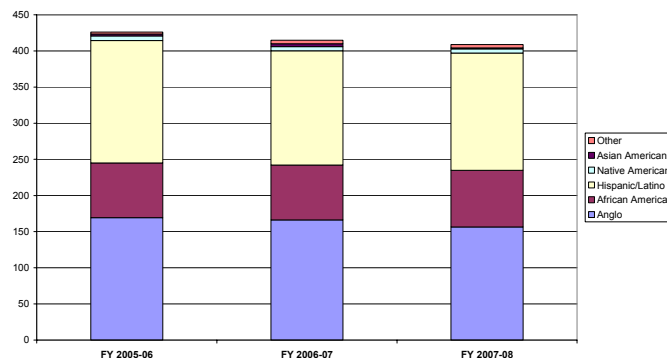


Although white youth, ages 10-17 are estimated to represent 66.3% of the Colorado youth population, they represent only 41.6% of the detention population in FY 2007-08. Alternatively, Hispanic youth who are estimated to represent 24.9% of the Colorado youth population represent 39.6% of the detained population and black youth who represent 5.2% of the Colorado youth population represent 16.0% of the detained population. Three-year trends show the percent of Hispanic/Latino and African American male new admits steadily increasing. Length of stay is highest for Native American youth at 16.0 days. (Source, Division of Youth Corrections, Research and Evaluation Unit, Management Reference Manual, FY 2007-08)

Detention Trends	FY 2006-07				FY 2007-08			
	New Admits	%	ADP	LOS*	New Admits	%	ADP	LOS*
White	4514	42.6%	166.1	13.1	4487	41.6%	156.5	12.6
African American	1724	16.3%	75.9	15.9	1727	16.0%	78.4	16.3
Hispanic	4012	37.9%	158.2	14.1	4277	39.6%	162.2	13.8
Native American	117	1.1%	5.9	17.9	133	1.2%	5.8	16.0
Asian-American	107	1.0%	3.9	13.3	57	0.5%	1.4	9.0
Other	117	1.1%	4.8	13.8	111	1.0%	4.5	15.5

Length of Stay expressed in days. Source: Division of Youth Corrections, Research and Evaluation Unit

**Detention ADP by Race/Ethnicity**  
FY 2005-06 through FY 2007-08



## Filing/District Attorneys

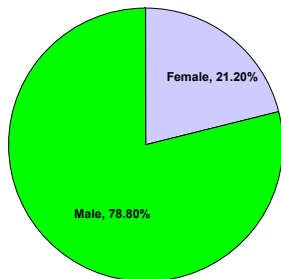
Either at intake or after failure on diversion, the DA can proceed with a formal **filing of a delinquency charge** in district court. Juvenile delinquency cases filed statewide have decreased in number:

Who gets **prosecuted**? The number of juvenile delinquency cases filed statewide in Colorado decreased over the past six years. The most common single crime filed in juvenile delinquency cases in SFY 2008 theft (2,160 or 15.0%) followed by assault (1,678 or 12.0%).

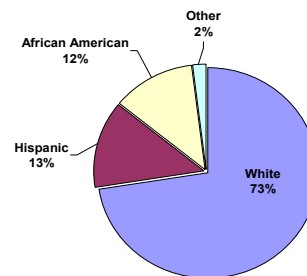
District Court Juvenile Delinquency Filings					
SFY 2003	SFY 2004	SFY 2005	SFY 2006	SFY 2007	SFY 2008
17,179	15,981	15,156	14,926	14,389	14,106

Source: Judicial Department Annual Reports FY 2003-2008

Juvenile Delinquency Petitions Disposed in 2006 by Gender



Prosecutions by Race, Juvenile Delinquency Cases Closed SFY 2006



Of the juvenile delinquency court cases closed in SFY 2006, the majority of prosecutions were on male (78%) and white (72.6%) offenders. Hispanic juveniles represented 13.2 percent of court cases. Black juveniles represented 12.2 percent. The average age of juveniles filed on was 15, with a median age of 16. Six percent of juveniles in court in 2006 were under age 13. Two thirds (66.5%) of juveniles filed on were between the ages of 15 and 17. There is very little difference in the age distribution of male and female delinquents in court. (Source: Crime and Justice in Colorado, 2006)

The Judicial Department classifies the filings by the most serious charge filed and their data shows that the types of juvenile filings have not significantly changed over the past three years.

Highest percentages of delinquency filings by type of case

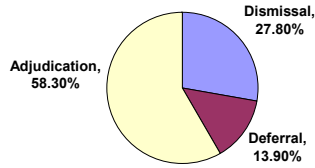
Case Type	SFY 2005/06		SFY 2006/07		SFY 2007/08	
	# of Cases	% of Total Cases	# of Cases	% of Total Cases	# of Cases	% of Total Cases
Assault	1934	12.96	1863	12.9	1678	12.0
Burglary	1323	8.86	1217	8.5	1227	9.0
Criminal Mischief	1199	8.03	1140	7.9	1150	8.0
Drugs	1139	7.63	1092	7.6	1204	9.0
Theft	2396	16.05	2233	15.5	2160	15.0
Trespass	788	5.28	915	6.3	874	6.0
Other	6147	41.19	5929	41.3	5813	41
Total	14926	100%	14389	100%	14106	100%

Source: Judicial Dept Annual Reports FY 2004-FY2008

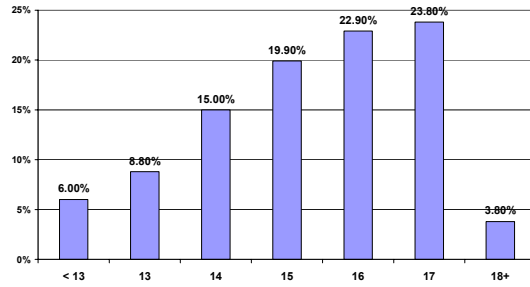
Who gets **adjudicated**? The outcome of juvenile delinquency cases prosecuted is most often adjudication (58.3%), followed by dismissals (27.8%). Relatively few cases result in deferrals (13.9%). (Source: Crime and Justice in Colorado, 2006)



**Disposition of Juvenile Delinquency Cases Closed in 2006 (N=16,961)**

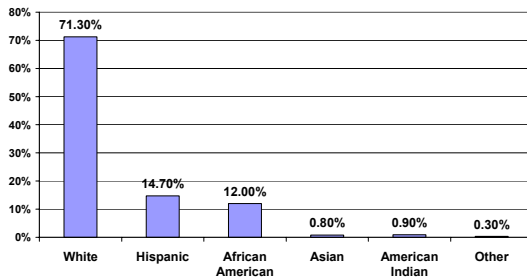


**Adjudications and Deferred Adjudications in 2006 By Age (N= 12,131)**

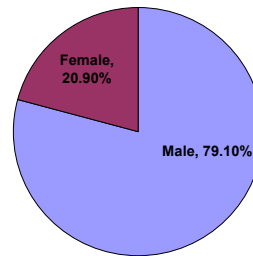


The majority of juveniles adjudicated were male (79.1%) and white (71.3%). Hispanic juveniles represented 14.7 percent of adjudication, while black juveniles represented 12 percent. The average age at the time of filing of juveniles adjudicated was 15.4 years. Six percent of juveniles convicted were under 13 while over two-thirds (67.6%) were ages 15 through 17. (Source: Crime and Justice in Colorado, 2006)

**Adjudications by Race, Cases Closed 2006 (N=11,989)**



**Adjudications by Gender, Cases Closed 2006 (N=11,979)**



# INTERMEDIATE SANCTIONS

## Adjudication/Colorado Courts

The Colorado Court System is the Judicial Branch of Government and consists of the Supreme Court, an intermediate Court of Appeals, district courts and county courts. Each county has both a district court and a county court. Special probate and juvenile courts created by the Colorado Constitution exist in the City and County of Denver. There are 22 judicial districts in Colorado. The map can be found at: <http://www.courts.state.co.us/distmap.htm>.

**District Court** is a court of general jurisdiction; therefore, district judges preside over felony criminal matters, civil claims in any amount, juvenile matters (including adoption, dependency and neglect matters, juvenile delinquency, and paternity actions), probate, mental health, divorce proceedings, and water cases. They also preside over jury trials, handle appeals from municipal and county courts and review decisions of administrative boards and agencies. There is no formal family court model in Colorado, but some districts are piloting this model.

**County Court** is a court of limited jurisdiction, handling misdemeanors, traffic infractions, small claims, felony complaints (which may be sent to District Court) and civil cases of under \$15,000.

Colorado statutes also authorize locally-funded **municipal courts** with jurisdiction limited to municipal ordinance violations and traffic infractions occurring within the town or city, however these courts are subject to Supreme Court rules and procedures. Jurisdiction over juveniles varies depending on the particular municipal code. Codes may prohibit minors purchasing or possessing tobacco products or alcoholic beverages; and may have curfews for minors. Offenses such as shoplifting, possession of small amounts of marijuana, minor assaults, domestic violence, graffiti and criminal mischief may be handled by some municipal courts; however, these can also be filed in district court.

The **State Public Defender's Office** is in the Judicial Department. Public defenders can be appointed by the district court to represent juveniles who are indigent or whose parents are indigent. If a conflict is noted, an Alternative Defense Counsel may be appointed. Although juveniles have a right to access to counsel, there is concern that the quality of that counsel may be hindered by caseload or lack of experience. Colorado has used its Challenge Grant funds to support juvenile law training for defense counsel, and to fund interns in the Denver Public Defender's Office who assist public defenders by gathering information to better prepare the defense, and to appear at detention hearings. The Challenge grant developed and piloted a training on cultural competency for legal representatives for juveniles.

Recognizing that effective legal representation and advocacy is a critical element in giving children a voice in the court system, Colorado's General Assembly adopted legislation in 2000 creating the **Office of the Child's Representative (OCR)**, Section 13-91-101, C.R.S. This office is one of the few state agencies in the nation whose sole purpose is to protect and ensure that children have a competent and effective voice in the courtroom. The OCR is mandated to establish minimum training requirements and minimum practice standards for all attorneys representing children; to provide statewide training for attorneys, judges, magistrates, and Court Appointed Special Advocates (CASA); establish fair and realistic compensation for state-appointed Guardians Ad Litem (GALs); provide oversight of the practice of GALs; develop CASAs in all counties; serve as a resource; and develop measurement instruments to assess and document the effectiveness of various models of representation.

The OCR developed local oversight committees in each judicial district to assist the OCR in ensuring that the attorneys selected within each community have the necessary training, competency and commitment to provide high quality legal representation to children. In April 2002, the OCR began a new selection process for attorneys representing children that gave equal weight to a number of variables, including information received in the application, quality of job interview, attorney's litigation skills, experience and education concerning children's issues, years of experience as an attorney, and the applicant's philosophy concerning how to best represent the child's interest. Judges do not have the discretion to appoint attorneys who have not been screened and included on the OCR appointment list. (Office of the Child's Representative, 2002 Report; [www.coloradochildrep.org](http://www.coloradochildrep.org))

In delinquency cases, a **Guardian ad Litem (GAL)**, child's representative or court appointed special advocate is appointed if it is necessary to serve the child's best interest. This may happen when the judge feels there is a lack of parental support. In FY 2004, a Guardian ad Litem was paid on 2,673 delinquency cases and 369 truancy cases. In 2005, the number of delinquency cases where a GAL was paid increased (OCR tracks the number of cases paid by the agency) by 26.2% to 3,374 and the number of truancy cases declined by 23.8% to 281.

## **ADJUDICATION PROCESS**

The **advisement hearing** is the first hearing after a petition has been filed. At this time, the court advises the juvenile and the responsible person of their constitutional and legal rights. The juvenile and his/her legal guardian may request counsel or the court may appoint counsel.

The **preliminary hearing** is conducted to determine whether probable cause exists to believe that the delinquent act declared in the petition was committed. The DA or the juvenile accused of the delinquent act may request and be granted a preliminary hearing if the act is a Class 1,2, or 3 felony, a Class 4, 5, or 6 felony where the felony requires mandatory sentencing or constitutes a crime of violence as defined in 18-1.3-406, or constitutes certain sexual offenses. A written motion for hearing must be filed not later than ten days after the advisement hearing and scheduled within 30 days of the filing of the motion. If a juvenile is being held, a hearing is scheduled as promptly as the court's calendar permits. If the court determines that probable cause exists, the finding is recorded and an adjudicatory trial is scheduled. If probable cause does not exist, a delinquent petition is dismissed and the juvenile is discharged.

The DA may request the court, before, during, or after the filing of a delinquency petition, to handle the case as an **informal adjustment or deferred adjudication**. The purpose of the informal adjustment is to promote rehabilitation of a juvenile without a formal adjudication. An adjustment may extend up to six months. During this period, the juvenile and parent/guardian are counseled and provided guidance to promote rehabilitation through a contract similar to diversion. If the conditions of the contract are successfully completed, the judge dismisses the case. A juvenile who has previously had an informal adjustment, or who was charged with a delinquent act in the preceding twelve months, is not eligible for another informal adjustment.

At the **adjudicatory trial** the court considers whether the allegations of the petition are supported by evidence beyond a reasonable doubt. Jury trials are granted by special request and only in cases where commitment is a sentencing option. If the juvenile is found not guilty, the court dismisses the petition and discharges the juvenile from any previous detention or restrictions. If the juvenile is found guilty, the court then proceeds to sentencing or directs that a separate sentencing hearing be scheduled within 45 days of the adjudicatory trial.

## **SENTENCING**

**Pre-sentence investigations** are required only for youth with felony adjudications, but can be requested for other adjudications. Local probation offices are responsible for these investigations. The reports may include details of the offense; victim statements; amount of restitution requested; criminal, education, employment, and substance abuse history; description of family and peer relationships; programs available in the juvenile's judicial district; review of placement and commitment criteria; and disposition and treatment recommendations.

The court will hear evidence, including the pre-sentence investigation report, to determine the disposition which best serves the interests of the juvenile and the public. Any sentence may also include conditions for the parent/guardian, pursuant to Sections 19-1-114 and 19-2-919, C.R.S. (See sample *Parental Responsibility Advisement* in the Appendices.) If the sentence includes school attendance, a notice to the school is required.

The court may enter a decree imposing any or a combination of the following **sentencing options**, as appropriate:

- Commitment to the Division of Youth Corrections for a period up to 7 years (19-2-909, C.R.S.). Specific sentences for special offenders are required by statute (19-2-908, C.R.S.).
- Sentence to a county jail if the juvenile is at least 18 at the time of sentencing (19-2-910, C.R.S.).

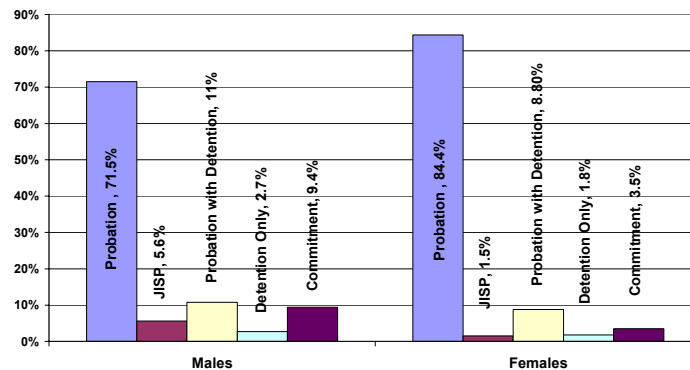
- Sentence to a secure detention facility for no more than 45 days, typically as a condition of probation (19-2-911, C.R.S.).
- Placement of custody with a relative or suitable person, with conditions imposed (19-2-912, C.R.S.)
- Probation supervision with standard and special conditions (19-2-913, C.R.S.).
- Placement with social services in a community setting (19-2-915, C.R.S.).
- Placement in a hospital (19-2-916, C.R.S.).
- Order a fine be paid (19-2-917, C.R.S.).

Characteristics of who goes where after adjudication:

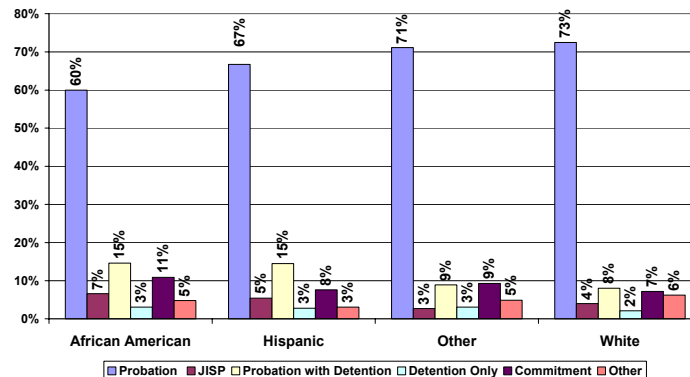
- The majority of youth adjudicated in 2006 received probation sentences.
- The average age of adjudicated juveniles varied little by placement. Those sentenced to the Division of Youth Corrections (DYC) tended to be oldest at 15.8 years. Those sentenced to regular probation averaged 15.3 years.
- In 2006, adjudicated female juvenile offenders were more likely to get a probation sentence than males. Males were more likely to receive a residential placement than females.
- Adjudicated African American juveniles in 2006 were most likely to be sentenced to juvenile intensive supervision probation (JISP) and long-term confinement than regular probation.
- Overall in 2006, white juveniles offenders were the most likely to receive community sentences than sentences of confinement.
- Hispanic males in 2006 were just as likely to be sent to detention as African American males, but Hispanic females were much less likely than African American females to receive this sentence.

Source: Crime and Justice in Colorado 2006

**Gender of Offenders by Select Placements for 2006 Delinquency Adjudications (N=10,618)**



**Race of Juvenile Offenders by Placement for 2006 Delinquency Adjudications (N=11,213)**



## Community Supervision/Probation Services

Probation is the responsibility of the Colorado Judicial Branch, excluding county and municipal probation. Managed by the Chief Probation Officer in each judicial district, probation officers provide assessments and pre-sentence information to the courts, supervise the offenders sentenced to community programs and provide special program services to aid those under their jurisdiction. Probation officers have the authority of a peace officer and although many officers carry juvenile specific caseloads, officers in rural districts may also supervise adult offenders. The number of juveniles annually on probation supervision has remained relatively stable and probation projections through FY 2112 indicate that caseloads will slightly increase.

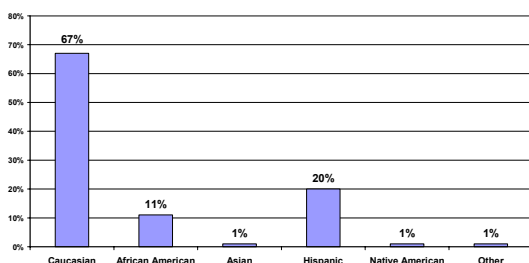
**Levels of probation supervision** are determined through the use of the CYO-LSI (Colorado Youthful Offender – Levels of Supervision Inventory), a statewide, mandated classification instrument that is used for all juveniles on probation. The CYO-LSI is an automated, standardized assessment that was developed in Colorado to assist in determining level of probation supervision, risk, and treatment needs. The assessment measures risk of re-offending, identifies needed services, and is also used as a re-assessment tool to measure juveniles' progress while on probation. The CYO-LSI, in conjunction with a case-planning model, is also used to develop case supervision plans, which supplement the conditions of probation set forth by the juvenile court.

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

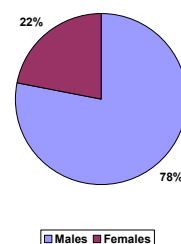
Regular Juvenile Probation					
	FY 03-04	FY 04-05	FY 05-06	FY 06-07	FY 07-08
<b>New probation cases</b>	<b>6,823</b>	<b>5,983</b>	<b>7,550</b>	<b>6,030</b>	<b>5,924</b>

Source: Regular Juvenile Monthly Statistical Reports submitted by probation districts for July 2007- June 2008

**New Juvenile Probation Clients  
by Ethnic Group  
FY 2007-08**



**New Juvenile Probation Clients  
by Gender  
FY 2007-08**



The number of new clients accepted into regular juvenile probation numbered 5,924 in FY 2007-08 a slight decrease from the prior year. Most new juvenile probationers were males (78%) and Caucasian (67%) and ages 16 (23%) or 17 (24%) years of age at the time of intake.

Juvenile Probation New Clients by Age FY 2007-08					
10-14 Years	15 year	16 Years	17 Years	18 Years	Unknown
1,269	1,129	1,338	1,428	758	2
21%	19%	23%	24%	13%	0%

A majority of new juvenile probationers were adjudicated on a misdemeanor charge (55%), followed by felony charge (32%).

Juvenile Probation New Clients by Offense Type FY 2007-08					
Felony	Misdemeanor	Petty Offense	Traffic	Other	Total
1,910	3,232	321	7	454	5,924
32%	55%	5%	0%	8%	100%

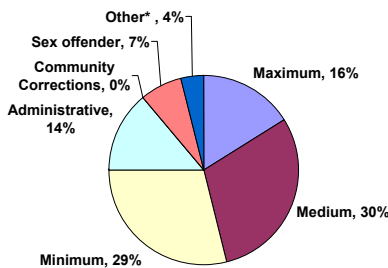
Source: Regular Juvenile Monthly Statistical Reports submitted by probation districts for July 2007- June 2008

Of the 7,205 juvenile probationers having an active case in FY 2007-08 , 16% were assessed as having a maximum level of risk, 30% as medium level of risk and 29% as minimum level of risk.

Juvenile Probation Active Clients Risk Levels on June 30, 2008							
Maximum	Medium	Minimum	Administrative	Community Corrections	Sex offender	Other*	Total
1,146	2,173	2,096	990	13	470	317	7,205
16%	30%	29%	14%	0%	7%	4%	100%

\* Includes probationers within their first 30 days of supervision start date and Interstate Transfers to Another State Source: Regular Juvenile Monthly Statistical Reports submitted by probation districts for July 2007- June 2008

Juvenile Probation Active Clients Risk Levels  
on June 30, 2008



Successful termination rates have improved slightly. For FY2006-07 and FY 2007-08, 72% of juveniles terminated successfully from regular supervision, representing an increase of 2% from the FY2005-06 rate of 69.6%. It appears that the time a juvenile is under supervision has slightly increased but a majority (55%) terminates within the first 12 months of supervision.

Regular Juvenile Probation- Termination Status				
	FY 04-05	FY 05-06	FY 06-07	FY 07-08
<b>Total Terminations</b>	<b>5,258</b>	<b>5,106</b>	<b>4,623</b>	<b>4,705</b>
<b>Successful Probation Terminations</b>	<b>68%</b>	<b>70%</b>	<b>72%</b>	<b>72%</b>
<b>Revoked – Unsuccessful Probation Terminations</b>	<b>24%</b>	<b>23%</b>	<b>22%</b>	<b>21%</b>
<b>Absconded- Unsuccessful Probation Terminations</b>	<b>8.0%</b>	<b>8.0%</b>	<b>7.0%</b>	<b>6.0%</b>

Source: Regular Juvenile Monthly Statistical Reports submitted by probation districts for July 2004- June 2008

Length of Stay on Probation at Termination			
	0-12 months	13-24 months	More than 24 months
<b>03/04</b>	60%	28%	12%
<b>05/06</b>	57%	30%	13%
<b>06/07</b>	58%	29%	12%
<b>07/08</b>	55%	32%	14%

Source: Regular Juvenile Monthly Statistical Reports submitted by probation districts for July 2007- June 2008

Looking closer at terminations, 69% of those juveniles who were revoked from probation were revoked for a technical violation while 15% were revoked for a new felony and 16% for a new misdemeanor. Revocations for a technical violation are based on non-compliance with probation conditions and include failure to report to the probation officer, failure to attend and/or complete treatment, failure to attend school, etc.

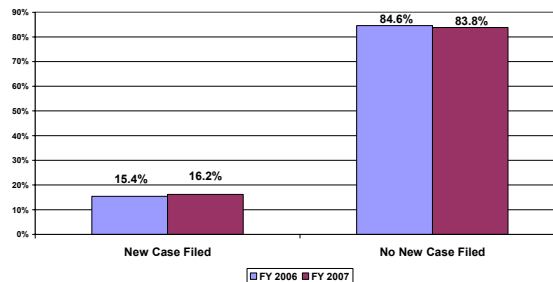
In the annual recidivism report, terminations are analyzed and reported slightly differently and therefore do not match the above termination percentages. The table below shows that for all terminations in FY 2006-07, 21.5% of the cases, were terminated for a technical violation, reflecting a decrease from the previous year's rate of 23.8%. These pre-release recidivism rates have remained relatively stable. In FY 2006-07, juveniles were terminated from probation for the commission of a new crime in 6.8% of the cases, which is slightly higher than the 6.6% rate from FY 2005-06.

<b>Regular Probation- Juvenile Terminations FY 2005-06 and FY 2006-07 Comparisons</b>		
<b>Termination Type</b>	<b>FY 2005-06</b>	<b>FY 2006-07</b>
<b>Successful</b>	69.6% (3,553)	71.7% (3,315)
<b>Failure: Technical</b>	23.8% (1,217)	21.5% (995)
<b>Failure: New Crime</b>	6.6% (336)	6.8% (313)
<b>Total</b>	100% (5,106)	100% (4,623)

Source: Pre-Release Termination and Post-Release Recidivism Rates of Colorado's Probationers: FY 2007 Release, Division of Probation Services, Evaluation Unit, Colorado Judicial Branch

Of juveniles who successfully completed regular probation supervision, 16.2% received a new filing one year after termination in FY 2006-07 compared to 15.4% in FY 2005-06. These juveniles were placed in detention 13.9% of the time while a larger percentage, 17.9%, were placed back on probation supervision. The percentage of those juveniles who had successfully completed the JISP program (program description is below) and had a new filing within one year, 16.6%, were also most likely to be placed back in the supervision program.

**Juvenile Successful Terminations and  
Proportion with New Case Filed,  
FY 2006 and FY 2007**



Source: Pre-Release Termination and Post-Release Recidivism Rates of Colorado's Probationers: FY 2007 Release, Division of Probation Services, Evaluation Unit, Colorado Judicial Branch

<b>Placement of Juvenile Probationers Who Successfully Completed Probation and had a New Filing Post Release- FY 2006-07</b>		
	<b>Regular Probation</b>	<b>Intensive Supervision Probation</b>
<b>Incarceration (DYC)</b>	1.9% (10)	4.2% (1)
<b>Detention/County Jail</b>	13.9% (75)	4.2% (1)
<b>Supervised probation</b>	17.9% (96)	16.6% (4)
<b>Alternate Sentence</b>	1.4% (8)	0% (0)
<b>Not Yet Sentenced or Case Dismissed</b>	64.8% (348)	75.0% (18)
<b>Total</b>	100% (537)	100% (24)

Source: Pre-Release Termination and Post-Release Recidivism Rates of Colorado's Probationers: FY 2007 Release, Division of Probation Services, Evaluation Unit, Colorado Judicial Branch

Funding cuts in FY 2002 affected the probation departments' ability to specialize services and provide innovative programming such as restorative justice, gender-specific programs, and community service and work programs. However, in FY 2007 the Colorado Legislature appropriated funds for additional new probation officers. This influx of new officers has reduced caseload size and has allowed the probation departments to provide those services that were previously eliminated. Districts are beginning to re-establish specialized caseloads (i.e. gender-specific and mental health) and provide probation officer facilitation of cognitive behavioral groups. Despite the increase in staff, probation departments continue to struggle with the capacity of services available and meeting the treatment needs of juveniles on probation. Further, Colorado continues to lack sentencing alternatives which limits the options an officer can access when considering an intermediate sanction or revocation of a probation sentence.

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

The JISP Program was implemented in FY 1993 as a community sentencing option for selected high risk juvenile offenders. As a result of its proven effectiveness the General Assembly approved expansion of the program sufficient to allow its existence in all 22 judicial districts. The program is designed to deliver intensive case management to include monitoring of school progress, referral for remedial educational assistance, home visits, electronic monitoring, drug testing, skill building and treatment services, as required.

In FY 2008, a total of 479 new clients entered the JISP Program; a majority being transferred from regular probation.

<b>Juvenile Intensive Supervision Probation (JISP) New Clients by order Type FY 2004-05 through FY 2007-08</b>										
	<b>Direct Sentence</b>		<b>Transfer from Regular Probation</b>		<b>Change of Venue</b>		<b>Interstate Transfer to Colorado</b>		<b>Total New Clients</b>	
	<b>Number</b>	<b>%</b>	<b>Number</b>	<b>%</b>	<b>Number</b>	<b>%</b>	<b>Number</b>	<b>%</b>	<b>Number</b>	<b>%</b>
<b>FY 2004-05</b>	187	33%	334	60%	39	7%	0	0%	560	100%
<b>FY 2005-06</b>	105	36%	176	60%	12	4%	0	0%	293	100%
<b>FY 2006-07</b>	153	32%	304	63%	23	5%	0	0%	480	100%
<b>FY 2007-08</b>	160	33%	291	61%	28	6%	0	0%	479	100%

Source: Regular Juvenile Monthly Statistical Reports submitted by probation districts for July 2004-July 2008

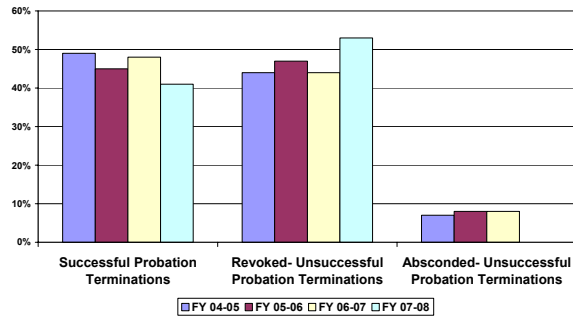
In FY 2007-08, 204 juveniles successfully completed the JISP Program who might otherwise have served sentences in the Division of Youth Corrections. But at the same time, out of a total of 497 clients who exited the JISP Program, 53% were revoked for a technical violation; a new felony or a new misdemeanor; a 9% increase from the prior year.

<b>Juvenile Intensive Supervision Program (JISP) Successful/Unsuccessful Terminations FY 2004-05 through FY 2007-08</b>								
	<b>FY 04-05</b>		<b>FY 05-06</b>		<b>FY 06-07</b>		<b>FY 07-08</b>	
	<b>Number</b>	<b>%</b>	<b>Number</b>	<b>%</b>	<b>Number</b>	<b>%</b>	<b>Number</b>	<b>%</b>
<b>Successful Probation Terminations</b>	227	49%	223	45%	246	48%	204	41%
<b>Revoked- Unsuccessful Probation Terminations</b>	206	44%	236	47%	228	44%	261	53%
<b>Absconded- Unsuccessful Probation Terminations</b>	33	7%	41	8%	40	8%	32	6%
<b>Total Terminations</b>	466	100%	500	100%	514	100%	497	100%

Source: Regular Juvenile Monthly Statistical Reports submitted by probation districts for July 2004-July 2008



**Juvenile Intensive Supervision Program (JISP)  
Successful/Unsuccessful Terminations  
FY 2004-05 through FY 2007-08**

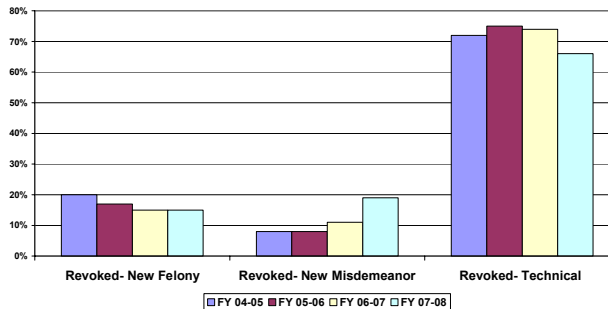


Looking at the type of revocations from the JISP Program, we see 66% of those revoked in FY 2007-08 were due to technical violations of probation; a decrease from prior years. Increases in the revocations were largely a result of new misdemeanor crimes which increased from 11% in FY 2006-07 to 19% in FY 2007-08.

Juvenile Intensive Supervision Program (JISP) Type of Revocation FY 2004-05 through FY 2007-08								
	FY 04-05		FY 05-06		FY 06-07		FY 07-08	
	Number	%	Number	%	Number	%	Number	%
Revoked- New Felony	41	20%	39	17%	35	15%	40	15%
Revoked- New Misdemeanor	16	8%	19	8%	24	11%	50	19%
Revoked- Technical	149	72%	178	75%	169	74%	171	66%
<b>Total Revocations</b>	<b>206</b>	<b>100%</b>	<b>236</b>	<b>100%</b>	<b>228</b>	<b>100%</b>	<b>261</b>	<b>100%</b>

Source: Regular Juvenile Monthly Statistical Reports submitted by probation districts for July 2004-July 2008

**Juvenile Intensive Supervision Program (JISP)  
Type of Revocation  
FY 2004-05 through FY 2007-08**



# INSTITUTIONAL CONFINEMENT/AFTERCARE

## Commitment/Division of Youth Corrections

The Division of Youth Corrections (DYC) is responsible for the placement, supervision, care and treatment of youth who are committed upon sentencing. Commitments are dispositions of juvenile cases resulting in the transfer of legal custody to the Colorado Department of Human Services by the court as a result of an adjudicatory hearing held on charges of delinquent acts committed by a youth.

Youth can be sentenced by the court to spend time in a detention center as the result of a new adjudication and/or as a condition of probation. **Sentences to detention** cannot exceed 45 days. The SB-94 Alternatives to Detention Initiative described earlier also focuses on this population. Community-based sanctions can shorten the length of stay in detention for these youth or can be accepted by the court as an alternative sentence. Accountability programs such as victim/offender mediation, community service, restitution and other restorative practices are used as alternatives. Closer supervision and tracking are also funded.

DYC does not have legal custody of these youth who have received short-term sentences to detention as a condition of probation, or due to contempt of juvenile and municipal court orders, but is responsible for providing temporary physical custody. Screenings and initial assessments are completed but service provision is limited due to the short period of time the juveniles are held. However, educational, crisis intervention, counseling and medical services are provided. Youth who have been adjudicated or sentenced to detention or are on probation are more likely to be higher risk youth and may include youth for whom supervision on probation alone was not successful.

In 1997, DYC used a mental health screening instrument to sample 189 detained youth and found that 24% exhibited severe/extreme overall problem severity, 65% demonstrated moderate/severe severity, and 11% were identified in the non/moderate range of severity. Other reported indicators included family problems (91%), substance abuse (75%), depression (70%), violent tendencies (57%), and a history of abuse (44%). These percentages remain disturbingly high. Enhanced mental health services are a priority of the JJDP Council and other statewide efforts.

The Division of Youth Corrections (DYC), Department of Human Services, administers youth corrections in Colorado. **Commitment** to the Colorado Department of Human Services, Division of Youth Corrections can be ordered by the court as a result of a juvenile's delinquent behavior. DYC uses 11 state-operated facilities and more than 80 privately operated programs or facilities which include intensive secure facilities, medium care units, secure detention, staff secure facilities, and non-secure community residential programs.

The decision as to where committed juveniles are placed lies with the DYC. Within 30 days of commitment, juveniles are examined and evaluated. Assessment instruments include the (Colorado Juvenile Risk Assessment (CJRA) a validated risk assessment; the Woodcock-Johnson educational assessment; the Massachusetts Youth Screening Instrument, a mental health screening; the SUS-1A (Substance Use Survey), CCAR (Colorado Client Assessment Record), and other instruments. In addition to these evaluations, evidence, reports, examinations, and studies from the sentencing hearing may be used to determine placement.

The Department of Human Services can contract with governmental agencies or private providers for placement options. Placements for committed youth include state-operated facilities, privately contracted residential facilities, training schools, conservation camps, diagnostic and evaluation centers, halfway houses (youth are not placed in halfway houses, adults only), nonresidential transitional programs, community alternative programs and day reporting/treatment centers (day treatment programs). Juveniles committed to the DYC in a community placement are supervised by client managers/parole officers.

Generally, the court may sentence an adjudicated delinquent to the Division of Youth Corrections for a determinate period of up to 2 years. Longer periods are allowed for special offenders (see 19-2-907 through 19-2-919, C.R.S). The DYC may not transfer custody or control over the juvenile during the determinate period; however, the juvenile may be granted parole during that time. The juvenile court

retains jurisdiction until the completion of the terms of the dispositional order, regardless of type of commitment.

The Division of Youth Corrections has embarked upon an initiative to redesign its assessment and classification services, with the goal of developing a comprehensive, state-of-the-art assessment, diagnostic and classification system that is founded in evidence based theory and principles. Effective June 2006, every youth committed to the Division has been assessed for actuarial risk using the Colorado Juvenile Risk Assessment Instrument (CJRA). This instrument measures criminogenic risk, needs and protective factors both from a static and dynamic perspective. The CJRA replaced the Colorado Young Offender Level of Service Inventory (CYO-LSI) that the Division utilized for over a decade. Unlike the CYO-LSI, the CJRA also incorporates protective factors scales that are valuable when developing case-plans and referring youth to specific residential placements. The CJRA also has a built-in pre-screen, a 27-item questionnaire that can be quickly utilized in making screening decisions.

- There were 795 new commitments to DYC in FY 2007-08, representing 0.1% of the 10-17 year old Colorado population and 5.6% of Colorado's 14,091 juvenile filings.
- The commitment rate (15.0 youth per 10,000 youth in the Colorado population) has remained fairly constant for the past 10 years.
- In FY 2007-08, there was an Average Daily Population (ADP) of 1,287.9 committed youth, a 137.0 decline from last year.
- Commitment ADP has increased steadily over the past 10 years; however, this is the second year of decline.
- The committed population experienced a decline across four discrete categories in FY 2007-08. Commitment ADP experienced a 10% decrease from the previous year; clients served decreased by 14%; new commitments decreased by 4%; and commitment Length of Stay (LOS) decreased by 3%.

What do we know about the youth committed to DYC?

Ethnicity

- The majority of new commitments have historically been Anglo, Hispanic/Latino and African American youth respectively, and this holds true for FY 2007-08. This year's ethnic distribution was 42.5% Anglo, 35.6% Hispanic and 19.6% African American.

Commitment Trends	FY 2006-07		FY 2007-08	
	Males	Females	Males	Females
Anglo-American	44.9%	48.0%	41.3%	49.2%
African American	16.7%	12.2%	20.4%	15.3%
Hispanic	35.0%	35.7%	36.4%	31.5%
Native American	1.6%	1.0%	1.2%	2.4%
Asian-American	0.8%	1.0%	0.4%	0.0%
Other	1.0%	2.0%	0.3%	1.6%

Source: DYC, Management Reference Manual, 2007-08

Gender

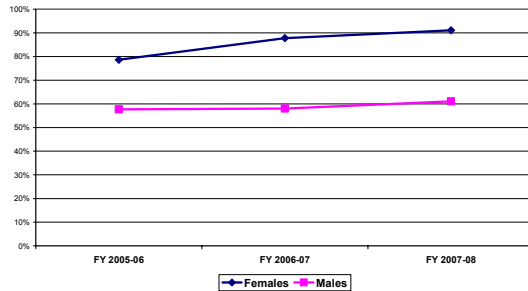
- The percentage of male new commitments decreased from 88% in FY 2006-07 to 84% in FY 2007-08 while the number of female commitments increased from 12% in FY 2006-07 to 16% in FY 2007-08.
- Females represent approximately 12% of the ADP and males represent 88% of the ADP in FY 2007-08.

	FY 2006-07			FY 2007-08		
	New Admits	%	ADP	New Admits	%	ADP
Male	729	88.1%	1266.9	671	84.4%	1136.1
Female	98	11.9%	158.0	124	15.6%	151.8

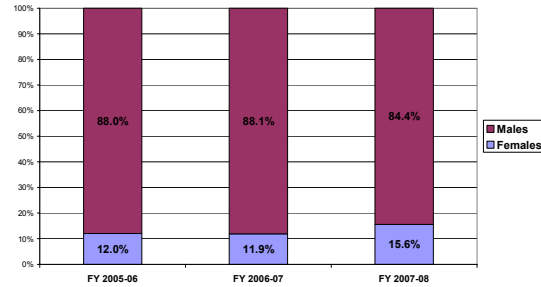
Source: DYC, Management Reference Manual, 2007-08

- The percent of females with a runaway history has been rising over the past few years: 78.6% in FY 2005-06, 87.8% in FY 2006-07 and 91.1% in FY 2007-08. The percent of males with a runaway history has remained fairly steady at 57.7% in FY 2005-06, 58% in FY 2006-07 and 61.1% in FY 2007-08.
- The average age of females at time of commitment in FY 2007-08 was 16.5 years and average for males was 16.7 years.

**History of Runaway  
FY 2005-06 to FY 2007-08**

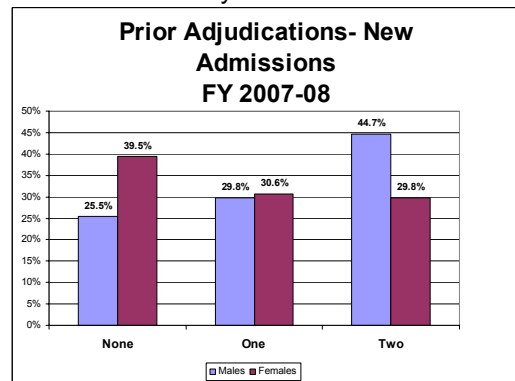
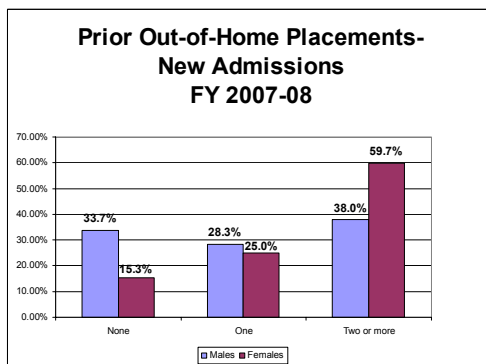


**New Commitments by Gender  
FY 2005-06 to FY 2007-08**



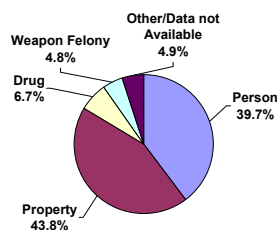
Source: DYC, Management Reference Manual, 2007-08

- While 69.2 percent of youth had one or more out-of-home placements in FY 2007-08, a 2.5% decrease from FY 2006-07, as in prior years one can again see a gender difference as only 15.3% of females had no prior out-of-home placements versus 38.9% of the boys committed in FY 2007-08.

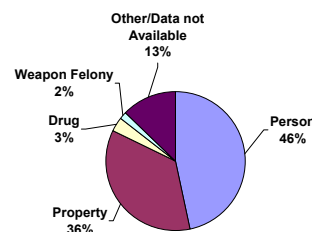


- 72.3 percent of newly committed youth had one or more prior adjudications in FY 2007-08, a decrease from the 76% in FY 2006-07. But, there is a gender difference with only 25.5% of the males being committed on their first adjudication versus 39.5% of females. If such a large percentage of the girls were committed on their first adjudication, was the offense type more serious? Females were more likely to be committed than males on a misdemeanor persons charge- 33.1% versus 16.5%- and more likely to be committed for a misdemeanor property charge- 14.5% versus 9.2%.

**Commitment Offense Type- Male  
FY 2007-08**



**Commitment Offense Type- Females  
FY 2007-08**



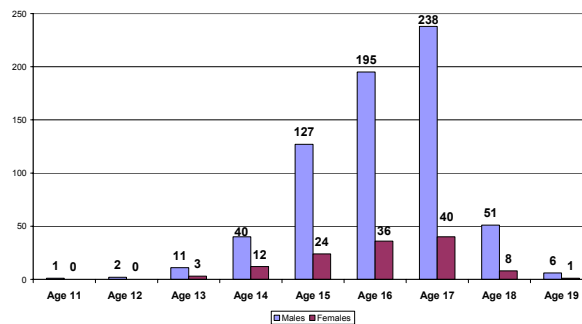
Commitment Offense FY 2007-08									
	Person		Property		Drug		Weapon		Other/NA
	Misd.	Felony	Misd.	Felony	Misd.	Felony	Misd.	Felony	
<b>Juvenile Females</b>	33.1%	13.7%	14.5%	21.0%	.8%	2.4%	0.8%	0.8%	12.9%
<b>Juvenile Males</b>	16.5%	23.2%	9.2%	34.6%	0.3%	6.4%	1.8%	3.0%	4.9%

Source: DYC, Management Reference Manual, FY 2007-08

### Age

- The average age at commitment was 16.7 for males and 16.5 for females in FY 2007-08, averaging 16.7 overall, up from 16.5 last year. This figure has fluctuated between 16.5 and 16.7 over the past several years.
- Thirty-five (35) percent of youth were 17 years old at commitment in FY 2007-08, 29.1% were 16 years old, 19% were 15 years old, 6.5% were 14 years old and 1.8% were 13 years old.

Age at Commitment  
FY 2007-08



Source: DYC, Management Reference Manual, 2007-08

### Other Characteristics

- Twenty-nine percent of newly committed youth received mandatory sentences.
- Sentences for repeat offenders increased from 4.6% in FY 2006-07 to 5.8% in FY 2007-08.

### Mental Health

- The percent of males assessed as having "High-Moderate to Severe" mental health needs increased from 20.8% in 2006-07 to 21.3% in FY 2007-08. The percent of females assessed as having "High-Moderate to Severe" mental health needs decreased from 29.5% in FY 2006-07 to 25.0% in FY 2007-08. Conversely the females assessed with "Low Moderate/None to Slight" mental health needs increased from 70.5% in FY 2006-07 to 75.0% in FY 2007-08.

Assessed Mental Health Needs of Committed Youth <sup>1</sup>						
	Males			Females		
	FY 2005-06	FY 2006-07	FY 2007-08	FY 2005-06	FY 2006-07	FY 2007-08
<b>High Moderate to Severe</b>	60.2%	20.8%	21.3%	52.7%	29.5%	25.0%
<b>Low Moderate/ None to Slight</b>	39.8%	79.2%	78.7%	47.3%	70.5%	75.0%

<sup>1</sup> Colorado Client Assessment Record (CCAR) used to assess mental health needs within one month of commitment. Percentages based on total CCARs given and do not include missing data. (Source: DYC Management Reference Manual, FY 2007-08.)

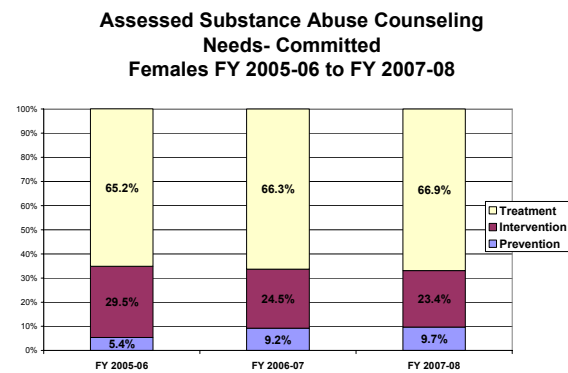
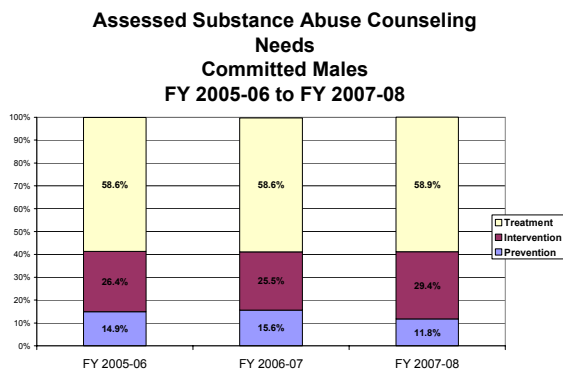
### Substance Abuse

- The percent of newly committed youth in need of treatment level substance abuse services remained the same as last year at approximately 60%. The female population in need of treatment increased slightly from 65.2% to 66.3%.

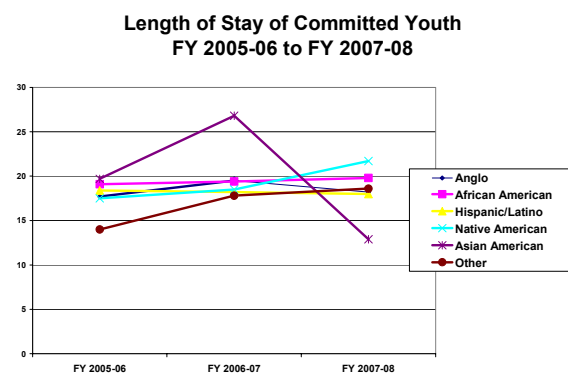
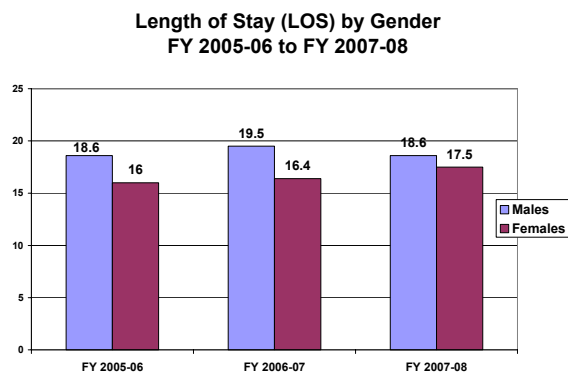
- The percent of males requiring intervention level substance abuse services rose from 25.5% in FY 2006-07 to 29.4% in FY 2007-08 and the percent of males requiring prevention level services decreased from 15.6% in FY 2006-07 to 11.8% in FY 2007-08.

Assessed Substance Abuse Counseling Needs of Committed Youth <sup>2</sup>						
	Males			Females		
	FY 2005-06	FY 2006-07	FY 2007-08	FY 2005-06	FY 2006-07	FY 2007-08
<b>Prevention</b>	14.9%	15.6%	11.8%	5.4%	9.2%	9.7%
<b>Intervention</b>	26.4%	25.5%	29.4%	29.5%	24.5%	23.4%
<b>Treatment</b>	58.6%	58.6%	58.9%	65.2%	66.3%	66.9%

<sup>2</sup>Substance Abuse history and treatment needs are assessed within one month of commitment. Youth with minimal substance abuse history and/or treatment needs are identified for prevention services whereas those reporting the greatest history of abuse and treatment needs are targeted for substance abuse treatment services. (Source: DYC, Management Reference Manual, FY 2007-08)



While lower than for males, the average length of stay for females committed to the Department of Youth Corrections has been steadily rising over the past several years, most recently 17.5 months. Native American Youth have a significantly higher LOS as well, 21.7 months versus 12.9 for Asian youth and 18.2 for Anglo-American youth.



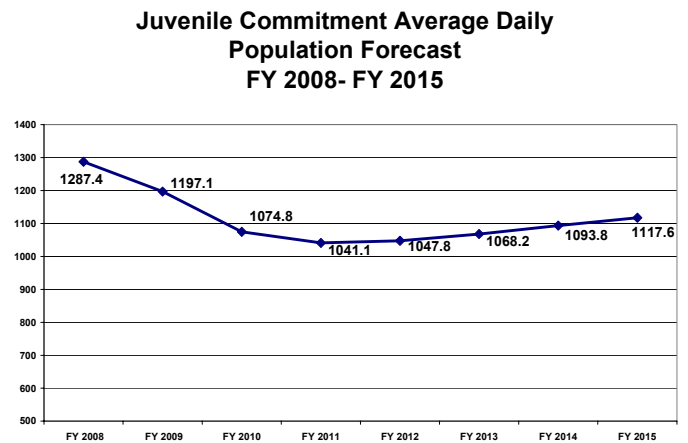
Commitment Length of Stay*- FY 2005-06 to FY 2007-08			
	FY 2005-06	FY 2006-07	FY 2007-08
<b>Gender</b>			
Male	18.6	19.5	18.6
Female	16.0	16.4	17.5
<b>Ethnicity</b>			
Anglo-American	17.7	19.5	18.2
African American	19.1	19.4	19.8
Hispanic/Latino	18.4	18.2	18.0
Native American	17.5	18.5	21.7
Asian-American	19.7	26.8	12.9
Other	14.0	17.8	18.6

\*Length of Stay Expressed in months

According to the Division of Criminal Justice's Office of Research and Statistics which publishes annual **prison population projections**, growth in the ADP of juveniles committed to DYC has reversed over the past two fiscal years, coinciding with the implementation of the Continuum of Care Initiative. In FY 2006, growth in the year-to-date (YTD) ADP barely exceeded zero percent. Over FY 2007, the YTD ADP dropped by 2.0%. The ADP continued to fall by another 9.6% throughout FY 2008. Juvenile delinquency filings have declined consistently over the past six years, by between 1.5 and 7.0% per year. Delinquency filings declined by 2.2% over the most recent year, FY 2008. Along with juvenile delinquency filings, new commitments to DYC have declined. In FY 2004, commitments increased by 12.1%. During the following year, FY 2005, commitments increased by only 2.6%. In FY 2006 new admits began to fall, by 3.0% the first year, followed by a 10.6% decline in FY 2007. During the most recent year, new commitments dropped by 3.7%. If the numbers of new admits during the first 5 months of FY 2009 are extrapolated through the end of the year, this indicator could fall by 13.2% by year-end. (For full Population Projections for Adult Prison and Parole, Community Corrections, and Juvenile Commitment and Parole Report published in December 2008, go to <http://dcj.state.co.us/ors/>)

### DYC Juvenile Commitment Average Daily Population (ADP) Forecast, FYE 2008-2015

Juvenile Commitment Year-End ADP Forecast FY 2008-FY 2005		
Fiscal Year	Year to Date Average Daily Population (ADP) Forecast	Percent Growth
<b>2008*</b>	1287.4	-9.62%
<b>2009</b>	1197.1	-7.01%
<b>2010</b>	1074.8	-10.21%
<b>2011</b>	1041.1	-3.14%
<b>2012</b>	1047.8	0.65%
<b>2013</b>	1068.2	1.94%
<b>2014</b>	1093.8	2.40%
<b>2015</b>	1117.6	2.18%



\* Actual data: CDHS DYC Monthly Population Report, June 2008

A component of the DCJ juvenile commitment projection model has been developed to obtain estimates of future new commitments. Annual projected new commitments are shown below for the four DYC management regions as well as statewide.

Projected New DYC Annual Commitments Statewide FY 2008 through FY 2015								
	FY 2008*	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
<b>Central Region</b>	310	306	307	314	321	328	336	343
<b>Northeast Region</b>	243	235	236	241	246	252	258	264
<b>Southern Region</b>	177	156	156	159	163	167	170	174
<b>Western Region</b>	93	82	82	84	86	88	90	92
<b>Statewide</b>	<b>823</b>	<b>779</b>	<b>782</b>	<b>798</b>	<b>816</b>	<b>835</b>	<b>854</b>	<b>873</b>

\* Actual Data

Source: ORS' Population Projections for Adult Prison and Parole, Community Corrections, and Juvenile Commitment and Parole Report, published December 2008

## **Parole and Aftercare/Division of Youth Corrections**

**Release** from commitment decisions are made in several ways in Colorado. The release date can be determined by court order through mandatory sentencing; in this case, the juvenile can't be released until the sentence is completed. Also, discretionary release is possible, in which a set of behavioral criteria is used to determine if a juvenile should be released. Finally, the juvenile may come before the Juvenile Parole Board, which interviews the juvenile and reviews his/her record when deciding whether to grant parole. The Juvenile Parole Board has the authority to grant, deny, modify, suspend, or revoke, and specify conditions of parole. The board also determines the conditions of parole for those youth who completed their commitment in placement and are subject to mandatory parole. The Board is made up of nine part-time members who are appointed by the Governor and confirmed by the Senate. Members are chosen from the Department of Human Services, the Department of Public Safety, the Department of Education, and the Department of Labor and Employment. One member is a local elected official and four members are citizens. The CJRA is currently being used to assist in making release decisions.

Client-Managers from the Division of Youth Corrections supervise juveniles on **parole**. By law, all juveniles released from commitment must be provided with a period of mandatory services and supervision to aid in their transition back into the community. In 2001, the mandatory parole period was decreased from twelve to nine months for juveniles committed for less serious offenses; however, the Juvenile Parole Board was able to extend the period of parole to 12 months for juveniles committed for a felony person offense, or up to 15 months if special circumstances exist. Then in 2003-2004, SB 03-284 shortened the mandatory parole length from nine to six months, effective May 1, 2003. (For youth paroled on or after May 1, 2003, the mandatory parole period is six months; however, the law authorizes the Board to extend the parole for some categories of serious offenders up to a maximum of 21 months.) (Source: Management Reference Manual, Division of Youth Corrections, FY 2003-2004, Division of Youth Corrections)

In the past several years, the DYC identified transition services as a priority and increased the resources available to youth on parole. In FY 2005-06 the State Legislature allowed DYC some flexibility to spend up to 10% of its residential funding on transition services for youth returning to the community. This effort is referred to as the Continuum of Care Initiative. The Division identified a sample of youth who could potentially benefit from increased services on parole and began utilizing the funding flexibility allowed by the Legislature to increase transition services to youth. Pre-discharge recidivism outcomes for these youth were positive, however post-discharge results are not yet available, due to the one-year follow up period. (Source: Fiscal Year 2005-06 Recidivism Report, Division of Youth Corrections)

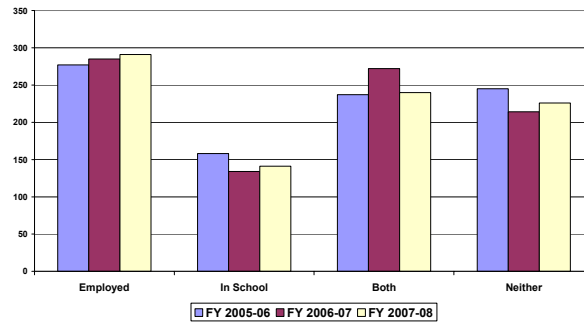
In December 2007, Legislative Council Staff (LCS) and the DCJ released their FY 2007-08 projections. At that time, LCS and DCJ both projected substantial decreases in ADP, with the DCJ predicting ADP levels lower than LCS. One of the expected outcomes of the Continuum of Care Initiative was the gradual reduction of commitment ADP as youth transition from commitment placements into the community on parole. The impact of the Continuum of Care is reflected in the decrease of commitment ADP for the past two years. The average daily population decreased by 28.5 from FY 2005-06 to FY 2006-07, and then ADP decreased even more substantially, by 137.0 (-9.6%), in FY 2007-08. This population decrease may also be related to the decline in the number of new commitments for the past two fiscal years. (Source: DYC, Management Reference Manual, 2007-08)

What do we know about the youth paroled from DYC?

- Parole Average Daily Population (ADP) experienced a decrease in FY 2007-08 at 509.4. This represents a 2.5% decrease from last year's Parole ADP.
  - Parole Length of Stay (LOS) decreased slightly from 6.8 months in FY 2006-07 to 6.7 in FY 2007-08.
  - In FY 2007-08, a total of 927 youth were discharged from DYC placement.
  - Eighty three (83) percent of the youth were discharged into their homes (including foster homes, step parents, spouses, single parents, etc) during FY 2007-08.
  - Ten percent were discharged directly into Adult Jails/Corrections. This statistic has remained relatively stable over the past few years.
- 
- At discharge, it is hoped that youth are either employed or in school. Of the youth discharged in FY 2007-08, 72.5% were employed, employed and in school, or enrolled in school only.



**School/Employment Status at Discharge  
FY 2005-06 to FY 2007-08**

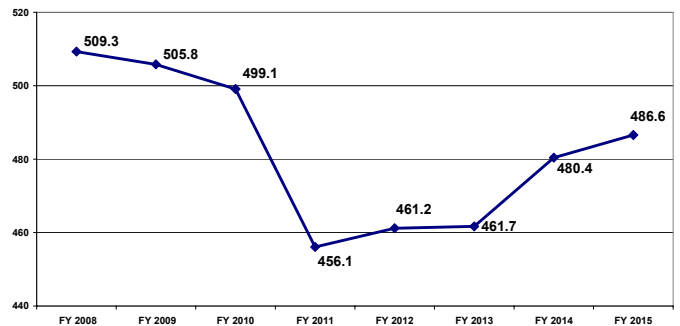


(Source: DYC, Management Reference Manual, 2007-08)

According to the Division of Criminal Justice's Office of Research and Statistics which publishes annual **prison and parole population projections**, the juvenile parole population has experienced widely varied growth over the past ten years due to multiple factors, including the policy changes that decreased the length of mandatory parole and the Continuum of Care Initiative. Prior to 1997, parole ADC was relatively stable with a slight decline. In 1997, mandatory one-year parole terms were implemented. Subsequently, ADC grew at a rapid rate through July 2001. In 2001, the mandatory parole term was lowered to nine months, after which ADC declined rapidly through August 2002. In 2003 the mandatory parole term was further lowered to six months, resulting in a continuing decline. The ADC dropped significantly until May 2004 at which point it began to grow again at a very moderate rate. The implementation of the Continuum of Care Initiative coincided with increasing growth initially. However, with the decline in the commitment population observed over the past few years and expected over the upcoming three years, the juvenile parole ADC is also predicted to drop over the upcoming three fiscal years. (For full Population Projections for Adult Prison and Parole, Community Corrections, and Juvenile Commitment and Parole Report published in December 2008, go to <http://dcj.state.co.us/ors/>)

<b>Juvenile Parole Year-End ADC Forecast FY 2008-FY 2015</b>		
<b>Fiscal Year</b>	<b>Year to Date Average Daily Population (ADP) Forecast</b>	<b>Percent Growth</b>
<b>2008*</b>	509.3	-2.38%
<b>2009</b>	505.8	-0.68%
<b>2010</b>	499.1	-1.34%
<b>2011</b>	456.1	-8.62%
<b>2012</b>	461.2	1.12%
<b>2013</b>	461.7	0.12%
<b>2014</b>	480.4	4.04%
<b>2015</b>	486.6	1.30%

**Juvenile Parole Year-End  
Average Daily Population Forecast  
FY 2008- FY 2015**



**RECIDIVISM**

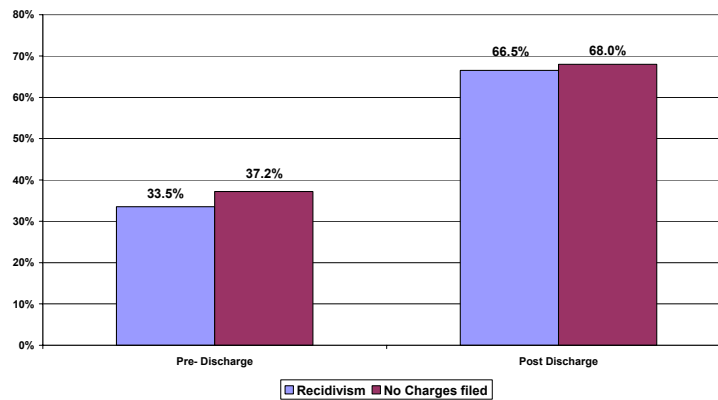
In its *Recidivism Evaluation of Committed Youth Discharged in Fiscal Year 2006-07 Report*, published in January 2009, (<http://www.cdhs.state.co.us/dyc/PDFs/Recid2008.pdf>) the Division of Youth Corrections (DYC) explains that recidivism is a measure that is often utilized in determining the level of effectiveness for juvenile justice agencies; however, the definition of recidivism can vary greatly among states and even among justice agencies within a single state. In response to recommendations resulting from a Legislative audit of the criminal justice system, Colorado established a common definition of recidivism in FY 1999-00. The definition that was adopted and is used for their report is as follows:

**Pre-Discharge Recidivism:** A filing for a new felony or misdemeanor offense that occurred prior to discharge from Division of Youth Corrections.

**Post-Discharge Recidivism:** A filing for a new felony or misdemeanor offense that occurred within one year following discharge from Divisions of Youth Corrections.

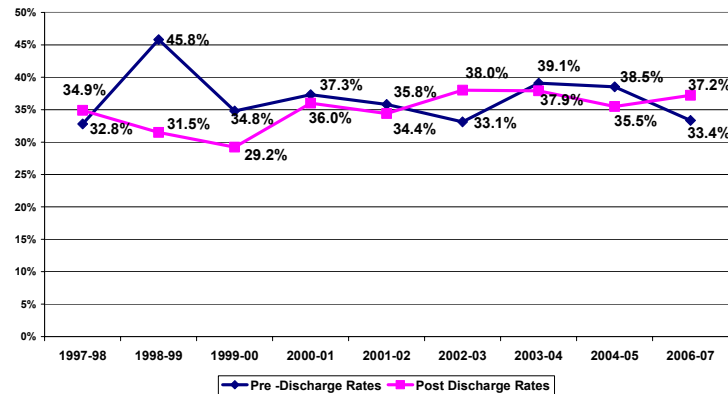
For their most recent Recidivism Report, DYC analyzed pre-discharge and post-discharge recidivism rates using a number of demographic and risk factors (risk of re-offending) for 944 youth discharged from DYC between July 1, 2006 and June 30, 2007. Thirty-four percent (33.5%) of youth discharged in FY 2006-07 received a new felony or misdemeanor filing prior to discharge (pre-discharge recidivism). Thirty-seven percent (37.2%) of youth discharged in FY 2006-07 received a new felony or misdemeanor filing within one year following discharge from the Division (post-discharge recidivism). (Source: Recidivism Evaluation of Committed Youth Discharged in Fiscal Year 2006-07, Published in January 2009 by the Division of Youth Corrections)

**Recidivism Rates  
FY 2006-07 Discharges**



Trend data show that pre-discharge recidivism rate (33.5%) is the second lowest in the past five years (33.1% for youth discharged in FY 2003-04). (Source: Recidivism Evaluation of Committed Youth Discharged in Fiscal Year 2006-07, Published in January 2009 by the Division of Youth Corrections)

**Pre- and Post Discharge Recidivism Rates  
FY 1997-98 through FY 2006-07**



Post-discharge recidivism rates have remained fairly stable over the last four discharge cohorts, ranging between 36% and 38% since FY 2003-04. (Source: Recidivism Evaluation of Committed Youth Discharged in Fiscal Year 2006-07, Published in January 2009 by the Division of Youth Corrections)

### General Findings re Recidivism

What do we know about recidivism for DYC youth?

- Half of the pre-discharge recidivism filings (50.9%) were for criminal offenses, and 49% were delinquency (juvenile) filings. Youth receiving a delinquency filing maybe re-committed to the Division of Youth Corrections.

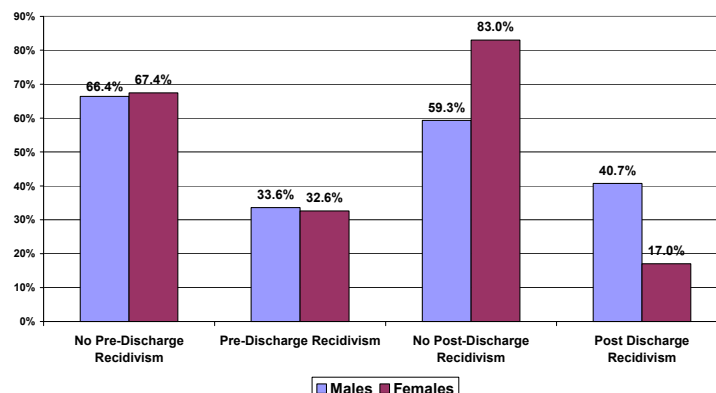
- Eighty-three percent (82.6%) of post-discharge recidivism filings were for criminal (adult) offenses; adult offenders are not eligible for sentencing to NYC, and if adjudicated guilty would move on to an adult probation or Department of Corrections sentence.
- The Southern Region had the highest rate of pre-discharge recidivism (43.8%) when compared with the other three NYC management regions. Risk scores for the Southern Region showed a significantly greater number of youth at a high risk for recidivism, helping to explain the elevated rates.
- Post-discharge recidivism rates by NYC management region were highest in the Northeast (45.1%) and Western (45.3%) regions.
- The number of escapes and recommitments was significantly higher for youth who recidivated (pre-discharge and post-discharge) than for youth who did not.
- Fifty-seven percent of youth who received a new filing prior to discharge committed at least one of their offenses while in residential placement, while 54.7% committed at least one offense on parole status.
- Youth with prior out-of-home placements were more likely to recidivate pre-discharge (36.7%) than youth with no prior out of home placements (25.7%).
- A prior commitment to the Division of Youth Corrections significantly increased the likelihood of a youth receiving a new filing for a felony or misdemeanor charge prior to discharge from the Division.
- Common factors for risk of recidivism, including the number of prior detention admissions, number of prior adjudications, age at first adjudication, and a composite risk score obtained at the time of commitment were all positively related to the likelihood of a youth receiving a new filing prior to discharge as well as within one year following discharge.
- Receiving a pre-discharge filing was not found to be a predictor of post-discharge recidivism with this discharge cohort, potentially indicating a certain degree of success in the treatment practices employed by NYC. Forty percent (39.6%) of pre-discharge recidivates received a post-discharge filing, compared with 36% of youth who did not recidivate prior to discharge.
- An analysis of time to first post-discharge offense found that the average amount of time to first offense was just less than 5 months. Youth recidivated at a higher rate for the first five months than in the last 7 months following discharge.

(Source: Recidivism Evaluation of Committed Youth Discharged in Fiscal Year 2006-07, Published in January 2009 by the Division of Youth Corrections)

### Recidivism and Gender

Over the past several years, NYC made efforts to increase the quantity and quality of female-responsive options, including the construction of a new facility for female offenders, the Betty K. Marler Youth Services Center. Eighty-five percent of the FY 2006-07 discharge cohort was male and 15% was female. Males (40.7%) were significantly more likely to receive a new filing for a felony or misdemeanor offense within one year following discharge than females (17.0%). Postdischarge recidivism rates for female offenders (17.0%) were lower than reported in the past three years. Surprisingly, pre-discharge recidivism rates were not statistically different by gender. (Source: Recidivism Evaluation of Committed Youth Discharged in Fiscal Year 2006-07, Published in January 2009 by the Division of Youth Corrections)

**Recidivism Rates by Gender  
FY 2006-07**



## Recidivism and Prior Out-of-Home Placements

Out-of-home placements can include inpatient mental health or substance abuse treatment facilities, Child Welfare placements, as well as any prior DYC placements. In prior recidivism studies youth with more prior out-of-home placements were found to have higher rates of recidivism prior to discharge as well as within one year of discharge. In this year's recidivism study, analyses of prior placement history shows that youth who received a pre-discharge filing for a felony or misdemeanor offense had, on average, a significantly higher number of prior placements (2.9) as compared with youth that did not receive a new filing (1.8 prior placements). Post-discharge recidivism differences were not statistically significant for prior-out-of-home placements. (Source: Recidivism Evaluation of Committed Youth Discharged in Fiscal Year 2006-07, Published in January 2009 by the Division of Youth Corrections)

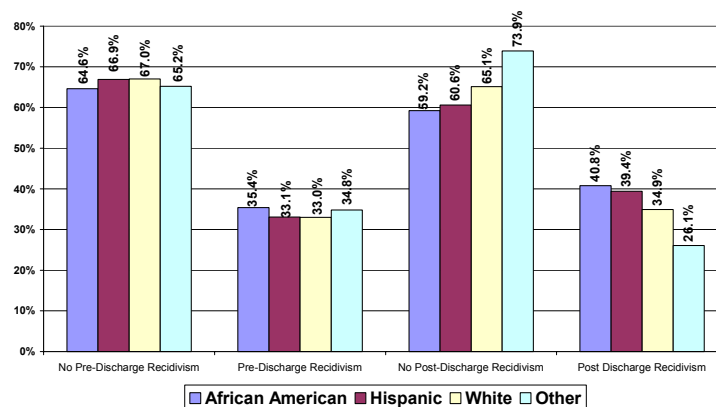
A categorical breakdown of recidivism rates by the number of prior out-of-home placements shows that having one or more prior out-of-home placements increases the likelihood of recidivism prior to discharge for youth in this census. Youth with one or more prior placements received a filing for a new offense during their commitment 36.7% of the time, compared with 25.7% for youth with no prior placements. There was no significant change in post-discharge recidivism rates by number of prior placements. (Source: Recidivism Evaluation of Committed Youth Discharged in Fiscal Year 2006-07, Published in January 2009 by the Division of Youth Corrections)

## Recidivism and Primary Ethnicity

The chart below shows differences in recidivism rates by ethnicity. The 'other' category includes Native American and Asian American youth, as well as those officially identified as other. These categories are combined not because of commonalities among them, but because the numbers of youth in each category are too small when taken alone to make valid statistical comparisons. Pre-discharge recidivism results show all four groups with similar rates of recidivism (33.0% to 35.4%). While some small differences are noted in the post-discharge recidivism findings (African- American youth had slightly higher recidivism rates than other ethnic groups and the youth categorized as 'other' had the lowest recidivism rates), these results were not statistically significant. Results for the youth in the 'other' category should be interpreted cautiously because of the small census size (n=23). (Source: Recidivism Evaluation of Committed Youth Discharged in Fiscal Year 2006-07, Published in January 2009 by the Division of Youth Corrections)

When comparing recidivism rates between all ethnic minorities and white youth in the sample, there were also no significant differences found in either pre-discharge or post discharge recidivism rates. The juvenile justice system has been working on addressing the issue of minority over-representation, also referred to as disproportionate minority confinement. The small differences in recidivism results presented in this section are likely an artifact of local policy and practice, not actual differences in rates of re-offense. (Source: Recidivism Evaluation of Committed Youth Discharged in Fiscal Year 2006-07, Published in January 2009 by the Division of Youth Corrections)

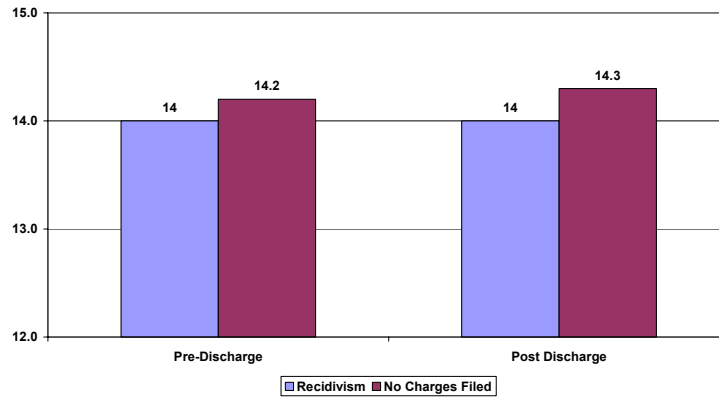
**Recidivism Rates by Primary Ethnicity  
FY 2006-07**



## Recidivism and Age at First Adjudication

Another primary risk factor associated with recidivism is the age at the time of a youth's first adjudication. Juvenile justice research has shown that youth who become involved with the criminal justice system at younger ages are more likely to recidivate than youth who are older at the time of their first contact with the system (Andrews and Bonta, p. 165). The average age at time of first adjudication by pre-discharge recidivism and post-discharge recidivism is shown in Figure 13. Although the differences in age for youth who received a new filing and those who did not were small for both types of recidivism, the differences were statistically significant. (Source: Recidivism Evaluation of Committed Youth Discharged in Fiscal Year 2006-07, Published in January 2009 by the Division of Youth Corrections)

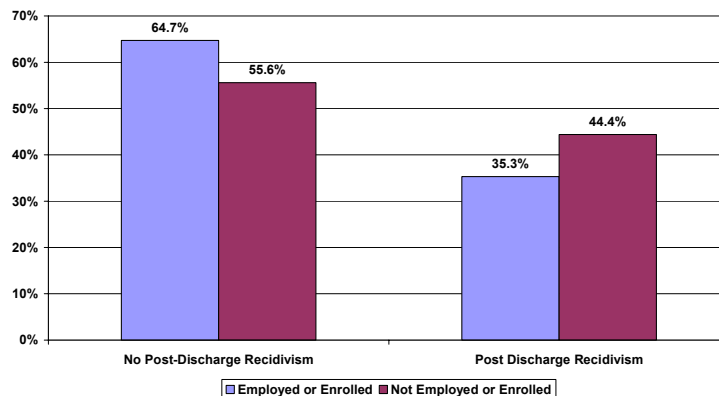
**Recidivism and Age at First Adjudication  
FY 2006-07**



**Recidivism and School/Job Status**

Youth who were employed or enrolled in school at the time of discharge were less likely to receive a new filing for a felony or misdemeanor offense within one year of discharge (35.3%), when compared with youth that were not in school or employed (44.4%). Gainful employment and school enrollment are an indication of 'buying into' a pro-social lifestyle. While this is only one element of a pro-social lifestyle, over the years it has proven to be a reliable predictor for post-discharge recidivism. The Division targets dynamic (changeable) protective factors such as employment and school enrollment in an attempt to mitigate a youth's risk of re-offending after they leave the Division's supervision. (Source: Recidivism Evaluation of Committed Youth Discharged in Fiscal Year 2006-07, Published in January 2009 by the Division of Youth Corrections)

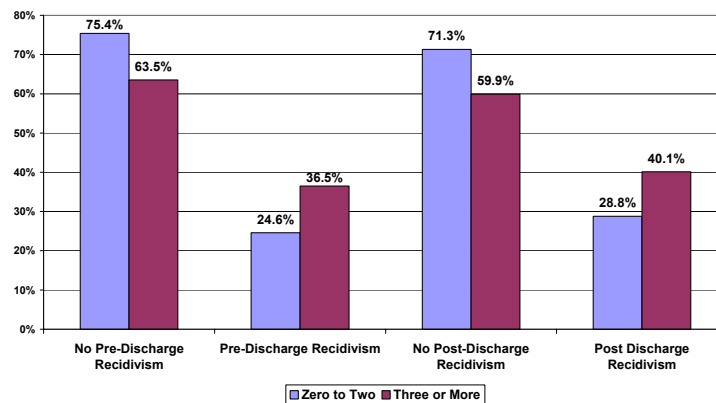
**Post Discharge Recidivism by Job/School Status- FY 2006-07**



### Recidivism and Prior Detention Admissions

The number of detention admissions prior to commitment for this discharge cohort ranged from zero up to one youth with eighty-five prior detention admissions. On average, all committed youth discharged in FY 2006-07 had 4.4 detention admissions prior to their commitment. Statistically, youth who received a filing for a new felony or misdemeanor offense prior to discharge were more likely to also have had more detention admissions than youth who did not recidivate during their commitment. Youth who received a new filing within one year following their discharge date had slightly more detention admissions than youth who did not recidivate (4.6 prior admissions compared with 4.3 prior admissions), however, this difference was not statistically significant. Breaking the data down into categories of youth with a relatively low level of prior involvement with the Division of Youth Corrections (zero to two prior detention admissions) and youth with more of a history with DYC (three or more prior detention admissions) did show significant differences in recidivism rates for both pre-discharge and post-discharge measures. (Source: Recidivism Evaluation of Committed Youth Discharged in Fiscal Year 2006-07, Published in January 2009 by the Division of Youth Corrections)

**Recidivism Rates by Prior Detention Admissions  
FY 2006-07**



### Recidivism and Special Populations

The Division of Youth Corrections is responsible for treating a number of special populations. Increasing numbers of youth with special treatment needs, including sex offenders, substance abusers, and youth with severe mental health issues are committed to the Division each year. Recidivism analyses on these three sub-groups of youth did not show any significant differences in pre-discharge or post-discharge recidivism rates in this year's analysis. (Source: Recidivism Evaluation of Committed Youth Discharged in Fiscal Year 2006-07, Published in January 2009 by the Division of Youth Corrections)

# DIRECT FILE IN ADULT CRIMINAL COURT

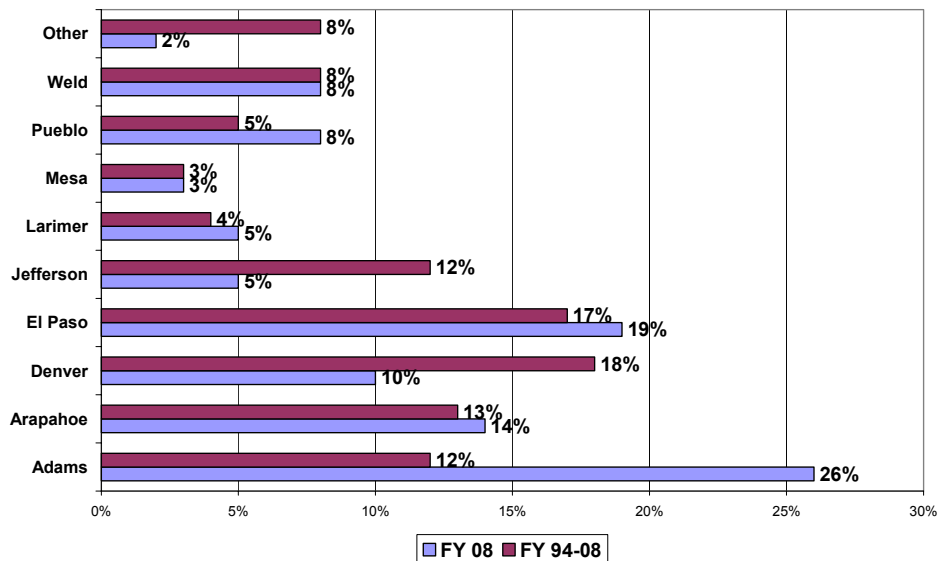
## Youthful Offender System/Department of Corrections

The Youthful Offender System (YOS) enabling legislation, 18-1.3-407, C.R.S., requires that the state provide a sentencing option for “certain youthful offenders” in a “controlled and regimented environment that affirms dignity of self and others, promotes the value of work and self-discipline, and develops useful skills and abilities through enriched programming.” It directed the Department of Corrections (DOC) to develop a program that provides equitable treatment and separate housing for both male and female offenders. The statute mandated that the program participants be housed separate “from and not brought into daily physical contact with adult inmates.” It also stated that these offenders be “subject to all laws and DOC rules, regulations, and standards pertaining to adult inmates....” The statute described a three-phase program based on “self-discipline, a daily regime of exercise, education and work programs, and meaningful interaction, with a component for a tiered system for swift and strict discipline for noncompliance....” In 1999, the statute was expanded to require YOS to make available sex offender treatment services for residents that have a history of sex crimes, and to provide 24-hour custody of youthful offenders in Phase II. The statute also directed DOC to “...provide reintegration support services to a youthful offender placed in an emancipation house. In the YOS statute, the General Assembly stated that district attorneys would maintain records regarding juveniles sentenced to YOS and, since 2000, the court has been required to order a pre-sentence investigation for youth sentenced to YOS. (Source: *Evaluation of the Youthful Offender System in Colorado, November 1, 2004* completed by the Division of Criminal Justice’s Office of Research and Statistics. The full report is available at: <http://dcj.state.co.us/ors/>.)

The Youthful offender system first opened its doors in 1994 and is now located in Pueblo on the grounds of the Colorado Mental Health Institute of Pueblo. YOS is designed for violent youthful offenders who are between the ages of 14 and 18 at the time of their offense; who commit class II thru class VI felony offenses; who are direct filed as adults in accordance with CRS 19-2-517 & CRS 18-1.3-407; and who would otherwise be sentenced to and placed within one of the Department of Corrections adult facilities.

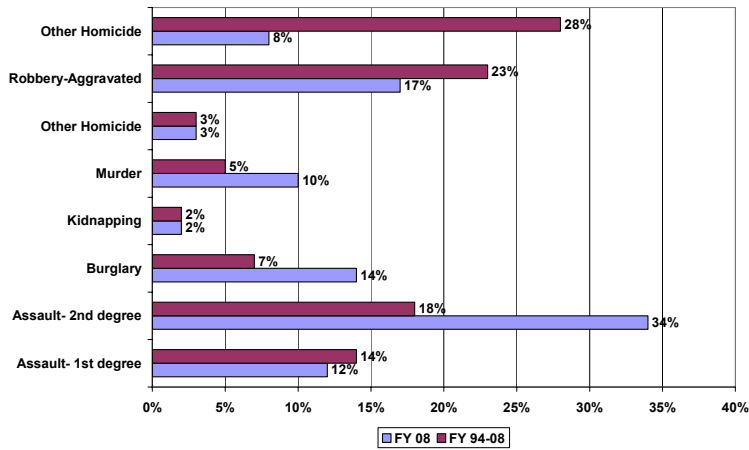
From its inception in 1994 through 2008, a total of 1,124 offenders have been sentenced to YOS, including 47 (4%) female offenders. The number of admissions declined from 111 in FY 96 to a low of 54 in FY 05. YOS admissions increased to 59 in FY 08. IN FY 08, Adams and El Paso counties had the highest utilization of YOS. Compared to past years, Denver and Jefferson Counties had lower utilizations. (Source: *YOS Annual Report: FY 2007-08*)

### YOS Commitments per County



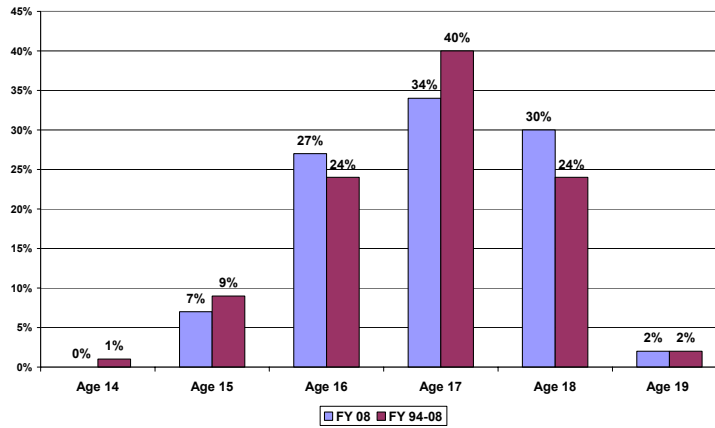
The most frequent crime categories in FY 08 were 2<sup>nd</sup> degree assault and aggravated robbery. (Source: *YOS Annual Report: FY 2007-08*)

### YOS Index Offenses



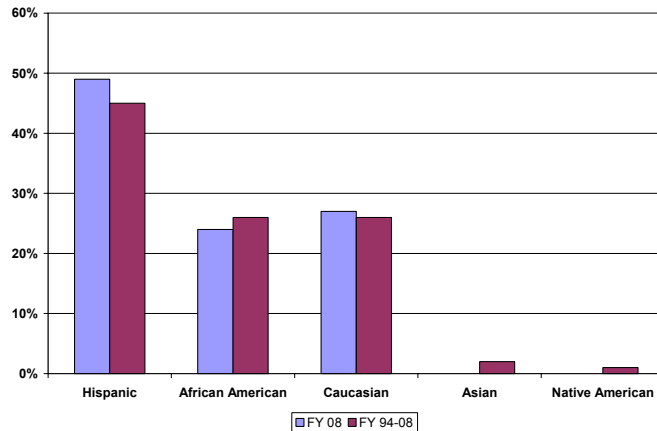
The average age of offenders sentenced to YOS is 16.8 years old. (Source: YOS Annual Report: FY 2007-08)

### Age at Admission to YOS



Youthful offenders are primarily ethnic minorities. In FY 08, Hispanics represent the largest ethnic group at 49% followed by the white population at 27%. (Source: YOS Annual Report: FY 2007-08)

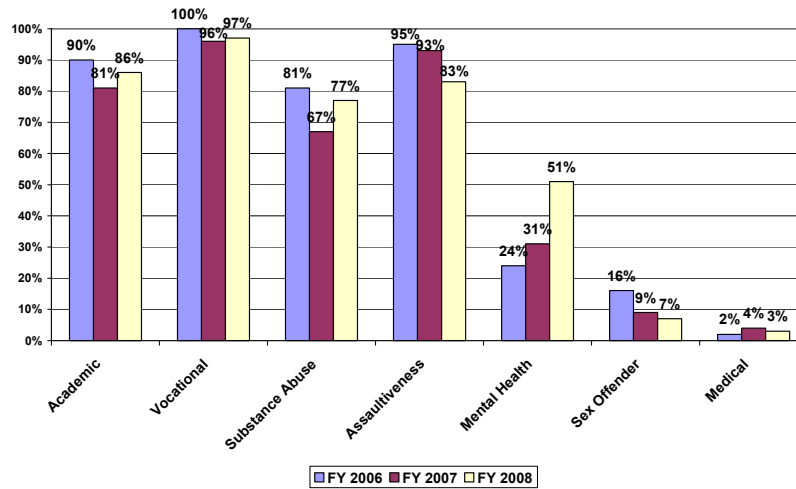
### YOS Admissions by Race/Ethnicity





The majority of YOS offenders have academic, career and technical education, and substance abuse treatment needs. Mental health and substance abuse needs rates are similar to those in the adult population. (Source: YOS Annual Report: FY 2007-08)

### Need Levels at Admission to YOS



From inception through FY 08, YOS releases totaled 905 leaving 219 offenders still serving their sentences in YOS. There are four primary release types: successful discharge, termination/revocations, reconsideration, and deceased. In FY 08, of the offenders who were released from YOS:

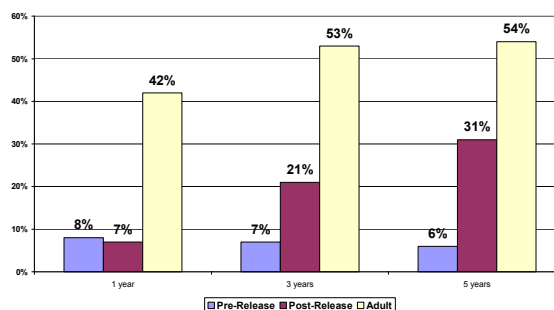
- 63% successfully discharged their YOS sentences;
- 29% negatively terminated or had their YOS sentence revoked; and
- 8% had sentence reconsiderations.

For YOS, pre-release recidivism is defined as a new conviction for an offense that occurred during an offender's YOS sentence that resulted in his or her termination from YOS. Post release recidivism is defined as a new criminal activity that results in placement in the adult prison system following successful completion of their YOS sentence. Recidivism rates among program completers were substantially lower than those found for adult offenders.

Cumulative Recidivism Rates- YOS							
Time At Risk	Release Cohort	Pre-Release Recidivism			Post-Release Recidivism		
		# at risk	# returns	% returns	# at risk	# returns	% returns
1 year	FY 95-07	856	70	8%	651	45	7%
3 year	FY 95-05	726	54	7%	551	117	21%
5 year	FY 95-03	585	34	6%	442	137	31%

(Source: YOS Annual Report: FY 2007-08)

### Comparison of YOS and Adult Recidivism Rates



For more information on the Youthful Offender System including the full FY 2007-08 YOS Report, go to: [https://exdoc.state.co.us/secure/combo2.0.0/userfiles/folder\\_30/OPYOSRPT08.pdf](https://exdoc.state.co.us/secure/combo2.0.0/userfiles/folder_30/OPYOSRPT08.pdf).

## COLORADO'S JUVENILE JUSTICE NEEDS/PROBLEM STATEMENTS

### Problem Statement #1:

**Despite years of attention focused on addressing Disproportionate Minority Contact in the juvenile justice system, both African American and Hispanic youth are seriously overrepresented in various parts of the justice system.**

The Relative Rate Index (RRI) for African American youth at arrest is alarmingly high and has been for the last four years. Although we see a dramatic decrease in the past year (6.21 to 4.47), the formula used to establish these rates was changed for FY 07-08, thus direct correlations from FY 06-07 and 07-08 should not be made. There has been an improvement at the pre-adjudication detention level where African American youth are now less likely than whites to be placed into detention. It should be noted that two years ago, local communities were asked to discuss their efforts at addressing minority overrepresentation in their annual SB 94 (Alternatives to Detention) Plans.

<b>AFRICAN AMERICAN YOUTH</b>				
<b>Decision Points</b>	<b>FY 04-05</b>	<b>FY 05-06</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
<b>Arrest</b>	<b>3.99</b>	<b>7.06</b>	<b>6.21</b>	<b>4.47</b>
<b>Pre Adjudicated Detention</b>	<b>1.27</b>	<b>.76</b>	<b>.89</b>	<b>1.29</b>
<b>Misdemeanor Filing</b>	<b>.43</b>	<b>.07</b>	<b>.09</b>	<b>.13</b>
<b>Misdemeanor Adjudication</b>	<b>.97</b>	<b>** .80</b>	<b>.35</b>	<b>** 1.24</b>
<b>Felony Filing</b>	<b>.65</b>	<b>.32</b>	<b>** 1.07</b>	<b>.53</b>
<b>Felony Adjudication</b>	<b>1.06</b>	<b>** 1.11</b>	<b>** 1.12</b>	<b>1.04</b>
<b>Probation Supervision</b>	<b>.84</b>	<b>.96</b>	<b>1.24</b>	<b>1.14</b>
<b>Probation Sentence to Detention</b>	<b>1.8</b>	<b>** 2.39</b>	<b>1.43</b>	<b>1.82</b>
<b>Commitment NYC</b>	<b>2.3</b>	<b>2.12</b>	<b>1.97</b>	<b>3.31</b>

\*\*Numbers bolded are statistically significant. The numbers not bolded (and marked with \*\*) were not statistically significant and cannot be used to analyze or make assumptions about the RRI at that decision point. FY 04-05, FY 05-06 and FY 06-07 arrest rates were calculated based on the number of youth fingerprinted. FY 07-08 arrest rates were calculated based on a formula of the ethnic and racial representation of the number of youth screened applied to the numbers of youth arrested.

An assessment of the arrest decision point will be undertaken in this next year. This assessment will look at geographic differences in disparity, possible contributors such as arrests at schools, malls, types of crime, etc. Because the JJDP Council has prioritized prevention of delinquency through targeting mental health, substance abuse and disproportionate minority contact, the ultimate goal is to address risk factors associated with future delinquency thus avoiding arrest completely. As such, a focus of the Council's work will be to evaluate efforts funded with Formula Grant funds and see if there was a discernable impact on the minority arrest rates where there were funded programs; a great example of the Council's shift to data driven planning.

African American youth who represent approximately 5.3% of the Colorado youth population represent 16% of the newly detained population with the highest length of stay at 16.3 days. This higher length of stay may be a result of the higher ratio of probation sentences to detention (RRI of 1.82) made by the court versus the earlier pre-adjudication detention (RRI of 1.29) where one might expect shorter stays as detention at this stage is used primarily for determining the immediate need for detention based on level of risk to the community and these youth are eligible to receive SB 94 services if it is determined that such services would permit them to remain in the community.

African American youth also represent 19.6% of the newly committed population and are more than three times as likely as white youth to be committed to the Division of Youth Corrections (RRI of 3.31). In addition, according to the Division of Youth Corrections African American youth have the second highest length of stay (LOS) at 19.8 months (highest LOS is for American Indian youth at 21.7 months) for committed youth, a slight rise from 19.4 in FY 2006-07.

HISPANIC YOUTH				
Decision Points	FY 04-05	FY 05-06	FY 06-07	FY 07-08
Arrest	*2.46	*2.42	*2.02	2.36
Pre Adjudicated Detention	1.11	1.12	1.34	1.17
Misdemeanor Filing	.15	.09	.16	.16
Misdemeanor Adjudication	1.4	1.17	1.27	1.34
Felony Filing	.29	.21	.30	.25
Felony Adjudication	N/A	N/A	N/A	N/A
Probation Supervision	1.05	1.06	1.20	1.21
Probation Sentence to Detention	1.35	1.77	1.29	1.19
Commitment NYC	3.53	1.31	1.07	3.52

\* In FY 04-05, FY 05-06 and FY 06-07 the State rate for Hispanic arrest data was calculated by applying a formula based on the percentage of arrests that Hispanic youth represent in jurisdictions where we have Hispanic arrest data and where a large portion of the state's youth population and Hispanic youth population reside. FY 07-08 arrest rates were calculated based on a formula of the ethnic and racial representation of the number of youth screened applied to the numbers of youth arrested.

Although not as alarming as for African American youth and noting its decline since FY 2004/05, the Relative Rate Index at arrest for Hispanic youth must be addressed (RRI of 2.36 in FY 2006/07) as Hispanic youth are still over twice as likely to be arrested as White youth and there was a slight rise in this past year. There has also been a dramatic increase in the RRI for Hispanic youth at commitment which rose from 1.07 in FY 2006-07 to 3.52 in FY 2007-08

In the next three years, the state (the Division of Criminal Justice, the JJDP Council and the CMYE) will focus efforts based on data-driven planning and the analysis of the arrest decision point. The DMC Coordinator will develop an announcement of funds to solicit an agency or organization to analyze the arrest decision point. This analysis at a minimum should identify which judicial districts are contributing to the high index rate for arrest, what types of crimes are involved and if there are certain locales such as schools where the arrests are occurring. The Coordinator will be involved in developing the solicitation and overseeing the agency performing the analysis. The DMC Coordinator and the JJ Specialist will focus efforts on better data for the matrix specifically related to arrest data. Because the data reported for arrest is not broken out by ethnicity the issue of not having arrest data for Hispanic youth continues to be a problem.

### **Problem Statement #2:**

**Colorado has a growing crisis with the influx of youth with serious mental illnesses and emotional disorders entering the juvenile justice system.**

A growing crisis in Colorado and across the country has been the influx of youth with serious mental illnesses and emotional disorders entering the juvenile justice system. A growing need for families with youth in crisis is access to services to help them cope with the youth within the home environment or, if necessary, within a community-based non-secure treatment setting. Earlier identification of mental health, substance abuse and co-occurring disorders has the potential to address youth needs before delinquent behavior presents itself. Services to determine this early need and to provide adequate treatment of mental health and other presenting needs are not available in all parts of Colorado. Youth who are not Medicaid eligible or those who do not have the adequate health insurance are often unable to access quality mental health services.

In Colorado, six out of ten people receiving mental health services receive them outside of the mental health services programs in such systems as Corrections and Human Services/Social Services. For example, in FY 2006 43% of youth receiving mental health treatment were referred by the justice system. Further, Colorado spends just over \$64 dollars per capita on publicly funded mental health care, which is 21% below the national average. Due to a lack of appropriated resources in FY 2006, 17,300 individuals with serious mental illness did not receive treatment. [Colorado HJR 07-1050 Behavioral Health Task Force Report, McHugh, D., Lynn, J., Portman-Marsh, N., Kahn, R., 2008. Denver, CO: Colorado State Leg](#)

In the last several years Colorado has witnessed significant changes and improvements in the delivery of services to children and adolescents with serious emotional disturbance. Further, a system of care approach based on the work of Stroul and Friedman, 1986 has been implemented. Despite this the

percent of males committed to the Division of Youth Corrections assessed as having “High-Moderate to Severe” mental health needs increased from 20.8% in 2006-07 to 21.3% in FY 2007-08. The percent of females committed to DYC assessed as having “High-Moderate to Severe” mental health needs decreased from 29.5% in FY 2006-07 to 25.0% in FY 2007-08. Conversely the females assessed with “Low Moderate/None to Slight” mental health needs increased from 70.5% in FY 2006-07 to 75.0% in FY 2007-08.

<b>Assessed Mental Health Needs of Committed Youth<sup>1</sup></b>						
	<b>Males</b>			<b>Females</b>		
	<b>FY 2005-06</b>	<b>FY 2006-07</b>	<b>FY 2007-08</b>	<b>FY 2005-06</b>	<b>FY 2006-07</b>	<b>FY 2007-08</b>
<b>High Moderate to Severe</b>	60.2%	20.8%	21.3%	52.7%	29.5%	25.0%
<b>Low Moderate/ None to Slight</b>	39.8%	79.2%	78.7%	47.3%	70.5%	75.0%

<sup>1</sup>Colorado Client Assessment Record (CCAR) used to assess mental health needs within one month of commitment. Percentages based on total CCARs given and do not include missing data. (Source: DYC Management Reference Manual, FY 2007-08.)

Concerns about the lack of mental health services for children and youth were confirmed in a survey, conducted by the Division of Criminal Justice on behalf of the JJDP Council, to solicit input from individuals across Colorado regarding the needs, issues and most critical areas on which to focus resources. The survey was designed to collect honest feedback on the importance of the 34 different Formula Grant program areas from a broad range of community members, juvenile justice and other systems’ professionals. After two weeks of data collection, 357 responses were submitted. In this survey, respondents were asked which of the four approaches (of prevention, early intervention, intervention, and aftercare) to reduce juvenile delinquency and improve the juvenile justice system were preferred. Respondents favored early intervention and prevention efforts, and furthermore mental health was one of the highest rated program areas across all four approach areas and was the most frequently selected area for funding.

**Problem Statement #3:**

**Due to significant increases in violations over the past year, Colorado must continue vigilant monitoring of the three core requirements of sight and sound separation, deinstitutionalization of status offenders and removal of juveniles from adult jails and lockups.**

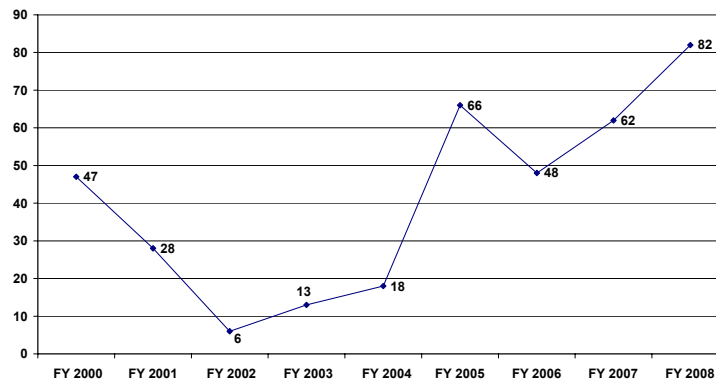
Colorado has emphasized and supported comprehensive compliance monitoring since 1987. In 1988, a system improvement component was added to the compliance monitoring job responsibilities to enhance the effort of reaching and maintaining compliance by providing education, training, technical assistance and on-site support to the law enforcement and juvenile justice system personnel. Legislation regarding the holding of juveniles in compliance with the core requirements of the JJDP Act was passed during Colorado’s 2006 legislative session which is of great assistance in maintaining compliance which must be supported through the system improvement efforts of the compliance monitor as listed above.

Despite this vigilance, the number of adjudicated status offenders held in juvenile detention centers has significantly increased since 2001. There are several barriers to compliance. First, the Colorado Division of Youth Corrections (DYC) is responsible for the Trails database that generates the “roster” of juveniles held in detention and has provided this list to the Compliance Monitor annually, in the Fall and covering a July- June period. In the past the DYC has been unable to generate the list more frequently, in part because the data must be “cleaned” and that process only takes place once a year. Therefore, the lag time between a violation and when the Compliance Monitor becomes aware of the violation can be almost a full year. If the violations were known more immediately, the Compliance Monitor would be able to expeditiously train the offending judge/magistrate and hopefully prevent future violations. Recognizing the seriousness of these violations which have steadily risen over the past 7 years, the DYC has revised its processes and this data will now be made available on a more frequent basis to the Compliance Monitor.

A second barrier is the increased use of the Valid Court Order. When Colorado first began using the Valid Court Order in 1998 it was envisioned that it would be the last recourse for judges dealing with youth who would continually not follow orders of the court. As schools increased their filings of truancy cases in district court, use of the Valid Court Order as well as the number of violations increased. In 2008 there were 232 Valid Court Orders in Colorado and 100 violations of the VCO. Each year new Judges who have not yet been trained on the Valid Court Order sentence status offenders to detention – without

benefit of the appropriate Valid Court Order process and paperwork despite it being contained in Colorado Judicial Rule 3.8 and State law.

**Number of Adjudicated Status Offenders held without benefit of the Valid Court Order in Juvenile Detention Centers**



A third barrier is the increasing use of sentencing runaways to detention when they violate a court order. In Colorado runaways are considered to be dependent and neglected children, however, it is not a violation of State law to sentence these youth to detention and based on guidance from OJJDP it is not a violation of the federal Act to sentence them either.

**Problem Statement #4:**

**Colorado has two Native American Tribes located in the southwest corner of the state and are often forced to send their youth to distant federal facilities. Non-reservation based Native American youth are disproportionately represented in the commitment population, especially females.**

Colorado has two Native American Tribes in the southwest corner of the state: the Southern Ute Tribe and the Ute Mountain Ute Tribe. Both tribes are working closely with state efforts to appropriately hold juvenile offenders and improve their tribal juvenile justice system. Because Native American youth are often held in distant federal facilities, the tribes are anxious to develop alternative programs in their communities. Colorado's Native American juvenile population that is non-reservation based continues to need culturally appropriate services. Although the Native American juvenile population that is non-reservation based is estimated at .90% of the State's total juvenile population, Native American represent 1.2% of the Division of Youth Corrections (DYC) detained population. Furthermore- Native American males represented 1.2% and females 2.4% of the DYC committed population in FY 2007-08.

**Problem Statement #5:**

**It has been estimated that only 15% of the adolescents in need of substance abuse treatment are able to receive it. Lack of treatment is due both to lack of funding but also lack of treatment providers skilled in the treatment of adolescents.**

By applying a 13.4% national estimate to the 597,097 adolescents in Colorado, it can be estimated that there are about 80,010 adolescents currently using drugs. Based on the number of youth (2,412 in FY 2008) admitted to treatment services, it appears approximately 77,466 adolescents are still in need of some level of substance abuse intervention or treatment. Overall, many youth are still at an experimental stage where the risks are primarily overdose or accident related, however, a substantial number are further down the path to abuse and dependency, and are not receiving any intervention or treatment. The lack of treatment providers in Colorado licensed to serve adolescents has contributed to a de-emphasis on this population. There are 20 counties (out of a total of 65) in Colorado that lack even a single program licensed to treat minors and 22 counties with only one provider for the entire county, which is licensed to provide adult services.

The lack of capacity in current systems to provide services in urban areas, the lack of providers in rural areas, and the cost for treatment reflect significant barriers for accessing treatment. Additional barriers

that occur when a person decides to get treatment include lack of childcare, transportation, and access to continued recovery-oriented support services to address underlying issues that can interfere with the recovery process.

The number of youth with unmet substance abuse treatment needs is troubling when looking at potential ramifications to the juvenile justice system. Of the youth committed to the Division of Youth Corrections (DYC) in FY 2007/2008 67% of the females and 58.9% of the males were assessed as in need of treatment level services. Many of these youth have documented substance abuse disorders that had they been properly treated within reasonable time frames, may have prevented involvement with the Division of Youth Corrections. Studies show drug treatment reduces drug use by 40 to 60% and significantly decreases criminal activity during and after treatment. Although substance abuse treatment can significantly reduce further penetration into the juvenile justice system; recent reductions in these services will likely increase the need for more costly programs in future years.

**Problem Statement #6:**

**Budget cuts across federal, state and local agencies have created a dearth of delinquency prevention, diversion, treatment and intervention programming for youth. The remaining funds must be used efficiently and effectively and on evidence-based programming and the state must work to improve the juvenile justice system to respond to the needs of youth and families.**

A common problem heard from the courts and child welfare system is the lack of a unified integrated prevention and treatment system for youth and families. Often the fragmented service delivery system exacerbates the needs of the youth and families it tries to serve and youth and families fall through the cracks of the system. These are the youth that are then seen later in the juvenile justice system when the problems escalate to delinquent acts. If resources and collaboration were available to aide in the communication, delivery of services to youth, and efforts to keep families intact the juvenile justice system would see a decrease of these youth in the juvenile justice system.

In order to address this lack of funding in communities the State of Colorado has been working to ensure that the remaining prevention and other children, youth and family-focused funds are used in the most effective and efficient way possible. To accomplish this, state agencies have been working together through the legislatively established "Prevention Leadership Council" (PLC) to develop and implement Uniform Minimum Standards (UMS) for all prevention programs regardless of the funding source. These standards are also being used to monitor programs across state agencies so that community programs, which often have multiple funding streams, will begin to see uniformity amongst the state agencies. One of the Uniform Minimum Standards relates to the provision of programs, policies and practices that are evidence-based.

# Plan for Compliance with the First Three Core Requirements of the JJDP Act and State Plan for Compliance Monitoring FY 2009 Update

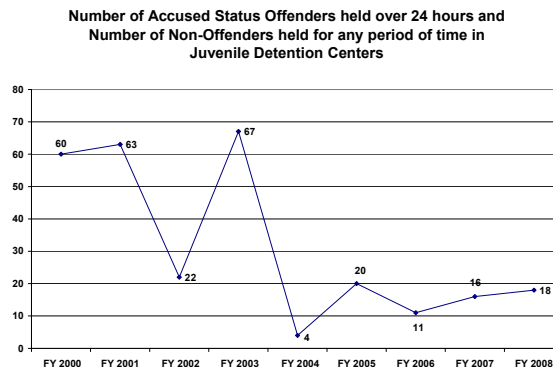
The Division of Criminal Justice employs a 90% time employee, whose responsibilities include compliance monitoring, the implementation of the Native American pass through and managing the Rural Law Enforcement Block subgrants (Justice Assistance Grant from BJA). She has been a DCJ employee since 1993 and has a thorough understanding of the core requirements and federal regulations. She attends OJJDP Compliance Monitoring Conferences and at times serves as a consultant for OJJDP through Development Services Group on compliance monitoring issues in other states.

## Plan for Deinstitutionalization of Status Offenders (Removal of Status Offenders from Secure Detention and Correctional Facilities)

Pursuant to Section 223(a)(11) of the JJDP Act, the state must develop a plan that ensures status offenders and nonoffenders are not placed in secure detention or secure correctional facilities, except as allowed by OJJDP's Guidance Manual for Monitoring Facilities Under the Juvenile Justice and Delinquency Prevention Act of 2002 (revised January 2007).

The following chart shows the number of violations and the rate of violations by facility type and type of violation for an eight year period beginning in 2001 and ending in 2008 (the last report submitted to OJJDP).

Violations/Year	2001	2002	2003	2004	2005	2006	2007	2008
<b>Juvenile Detention Centers</b>								
Accused Status Offenders held over 24 hours	63	22	67	4	20	11	16	18
Adjudicated Status Offenders	28	6	13	18	66	48	62	82
<b>Adult jails and Lockups</b>								
Accused and Adjudicated Status Offenders Held for Any Period of Time	17	26	22	20	40	34	49	46
<b>Total Violations</b>	<b>108</b>	<b>54</b>	<b>102</b>	<b>42</b>	<b>126</b>	<b>93</b>	<b>127</b>	<b>146</b>
<b>DSO Rate of Compliance</b>	<b>9.7</b>	<b>4.9</b>	<b>8.9</b>	<b>3.7</b>	<b>11.5</b>	<b>7.8</b>	<b>10.7</b>	<b>12.3</b>



### Juvenile Detention Centers: Accused Status Offenders

Since 2001, the number of accused status offenders held over the 24 hour reporting exception has decreased dramatically. There are 11 juvenile detention centers in the state; each center had an average of 1.6 violations in 2008, which is a realistic average number of violations. The primary reason for this type of violation is if the juvenile is placed in detention pending a detention and placement hearing and due to scheduling conflicts the detention hearing is not held within 24 hours (excluding weekends and holidays). This type of violation has decreased in part due to "detention capitation", where there are now a finite number of beds available to each judicial district, thus greater discretion is used about which youth will be detained. DCJ has also trained staff at each center on what constitutes a violation and therefore

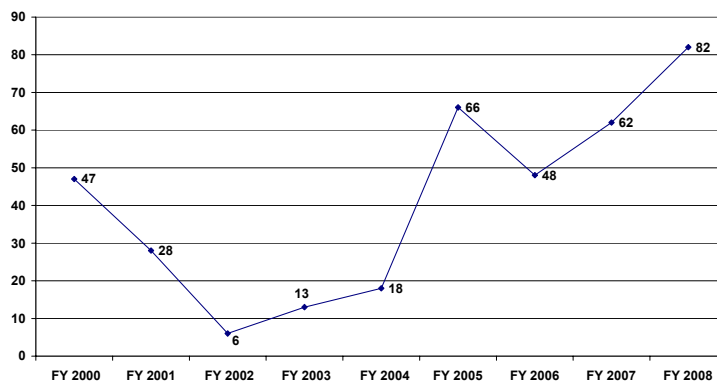
staff are prepared to make arrangements to release this type of youth if a detention hearing cannot be scheduled within the 24-hour time frame.

### Juvenile Detention Centers: Adjudicated Status Offenders

Despite concerted efforts to address the secure holding of status offenders, the number of adjudicated status offenders held in juvenile detention centers has significantly increased since 2001. There are several barriers to compliance. First, the Colorado Division of Youth Corrections (DYC) is responsible for the Trails database that generates the “roster” of juveniles held in detention and has provided this list to the Compliance Monitor annually, in the Fall and covering a July- June period. In the past the DYC has been unable to generate the list more frequently, in part because the data must be “cleaned” and that process only takes place once a year. Therefore, the lag time between a violation and when the Compliance Monitor becomes aware of the violation can be almost a full year. If the violations were known more immediately, the Compliance Monitor would be able to expeditiously train the offending judge/magistrate and hopefully prevent future violations. Recognizing the seriousness of these violations which have steadily risen over the past 7 years, the DYC has revised its processes and this data will now be made available on a more frequent basis to the Compliance Monitor.

A second barrier is the increased use of the Valid Court Order. When Colorado first began using the Valid Court Order in 1998 it was envisioned that it would be the last recourse for judges dealing with youth who would continually not follow orders of the court. As schools increased their filings of truancy cases in district court, use of the Valid Court Order as well as the number of violations increased. In 2008 there were 232 Valid Court Orders in Colorado and 100 violations of the VCO. Each year new Judges who have not yet been trained on the Valid Court Order sentence status offenders to detention – without benefit of the appropriate Valid Court Order process and paperwork despite it being contained in Colorado Judicial Rule 3.8 and State law.

**Number of Adjudicated Status Offenders held without benefit of the Valid Court Order in Juvenile Detention Centers**



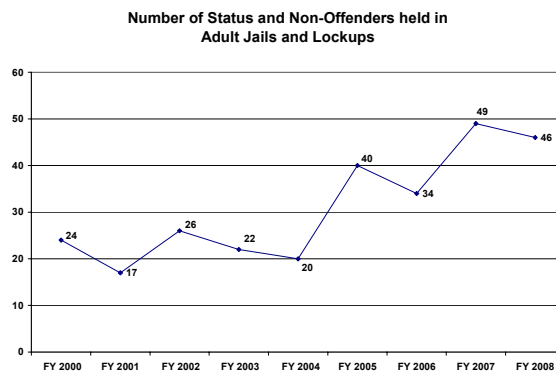
A third barrier is the increasing use of sentencing runaways to detention when they violate a court order. In Colorado runaways are considered to be dependent and neglected children, however, it is not a violation of State law to sentence these youth to detention and based on guidance from OJJDP it is not a violation of the federal Act to sentence them either.

### Adult Jails and Lockups: Accused and Adjudicated Status Offenders

The numbers of accused and adjudicated status offenders held in adult jails and lockups rose from 17 in 2001 to a high of 49 in 2007 and then down to 46 in 2008; representing less than .5% of all the juveniles held securely during any given time period. There are multiple reasons for these violations. In 2008, 37% of the violations were “accused” status offenders and 63% were “adjudicated” status offenders. Of the 29 adjudicated status offenders, 14 (or 48%) were juveniles arrested on a Failure to Appear warrant where the original offense was underage drinking. As more communities address underage drinking, and receive grants to address this problem in their community, there will always be a percentage of youth that fail to appear in court and have warrants issued. DCJ continues to train law enforcement that it is a violation to securely detain a juvenile arrested for a warrant where the original charge is a status offense. It is still hard for law enforcement to wrap their arms around warrants that are non-detainable.



Colorado is in compliance with D.S.O.; in 2008 the rate was 12.3.



### **Colorado's Strategy for Maintaining Compliance with D.S.O.**

#### **Juvenile Detention Centers: Adjudicated Status Offenders**

In 2006, the DCJ and a Judicial member of the SAG met with Colorado's State Court Administrator's Office and requested they send a memo to all Judges in the State advising them about Colorado Rule 3.8 (it mirrors the OJJDP 1996 Valid Court Order requirement regulation) and the number of violations reported to OJJDP in 2006.

In 2007 the number of violations increased. DCJ and the Judicial member of the SAG met again with the State Court Administrator's Office and requested they make the use of the Valid Court Order forms contained in Rule 3.8 mandatory. Although they determined that they could not make the use of the forms mandatory, they did issue another memo encouraging use of the forms.

In 2008 the violations again increased. Each year a chart of the violations is mailed to all Chief District Court Judges, the Juvenile Judges and DYC administration and juvenile detention center directors.

During the December 2008 SAG meeting this compliance issue was discussed again and a solution developed. The compliance monitor will request individual lunch meetings in each of the 22 Judicial Districts in the State focusing first on the Districts with the most violations. Because of the full dockets experienced by the Judiciary, it is difficult to find time for meetings but by using the lunch hour, it is believed we will have increased success in getting the right participants to the table. The DCJ will provide the lunch for this informal meeting and the Compliance Monitor will provide a brief training on the Act, core requirements, the Valid Court Order process, proper use of the forms, and consequences of non-compliance. The lunch trainings will begin in February 2009.

No legislative changes are required as current legislation is comparable to the Act and regulations.

#### **Juvenile Detention Centers: Accused Status Offenders**

The numbers of violations where accused status offenders are held securely over the 24-hour reporting exception are small in relationship to the total number of youth held securely each year at juvenile detention centers. DCJ will continue to focus on training detention center staff and administration on how to avoid these violations during annual on-site visits. In addition, DCJ will make sure the screening staff (SB 94) are made aware of these violations and problem solve with them on ways to reduce the total numbers statewide.

#### **Adult Jails and Lockups**

The majority of status offenders held securely in adult jails or lockups are those arrested on warrants where the original charge was a status offense. The Compliance Monitor trains law enforcement during on-site visits on how to avoid this type of violation and will continue to work with law enforcement in developing non-secure areas within their facilities for this type of juvenile. The Compliance Monitor inspects and trains all secure facilities at a desired rate of 100% a year and all non-secure facilities every other year. All facilities receive *Colorado's Guide for Implementing the Core Protections of the Juvenile Justice and Delinquency Prevention Act of 2002: Safe and Appropriate Holding of Juveniles in Secure*

*Settings and Facilities.* This notebook contains information that mirrors the federal Act and regulations. In addition, Colorado State law is comparable to the Act and regulations.

## **Plan for Separation of Juveniles from Adult Offenders (Separation)**

**Pursuant to Section 223(a)(12) of the JJDP Act, the state must develop a plan that ensures juveniles alleged to be or found to be delinquent and status offenders shall not have contact with adult inmates who are incarcerated because they have been convicted of a crime or are awaiting trial on criminal charges.**

**This plan should include trend analysis of the State’s separation rates in preceding years (i.e. are rates increasing or decreasing and why?). In addition, it should provide a discussion of the nature of separation violations the state has typically experienced (e.g. problems with adult trustees, physical plant issues in older facilities, etc.). The State’s plan for achieving or maintaining compliance with separation must relate directly to this analysis of violations.**

The following chart shows the number of violations by facility type for an eight-year period beginning in 2001 and ending in 2008 (the last report submitted to OJJDP).

	2001	2002	2003	2004	2005	2006	2007	2008
<b>Juvenile Detention Centers</b>								
Separation Violations	0	0	0	0	0	0	0	0
<b>Adult Jails and Lockups</b>								
Separation Violations	1	4	0	0	1	0	0	0
<b>Total Violations</b>	<b>1</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>

The 2001 violation occurred at a police department where a juvenile and adult who committed a crime together, were arrested together and because the department had only one cell, were placed in the same cell. This department built a new facility in 2006 and now has separate housing for juveniles and adults.

The four violations in 2002 occurred at one sheriff’s department. On three separate occasions a female juvenile was brought to the facility pending a court hearing, on each occasion the jail staff misread her file and assumed she was an adult and therefore was placed in a holding cell with adult inmates who were women. When staff discovered that she was a juvenile they reported three violations to DCJ. The last violation occurred when a female juvenile was placed in a cell that was occupied by a male adult inmate who was hiding under the bed covered by a blanket. This was also reported to DCJ by the facility. The deputy was reprimanded and the facility changed their written policies to prevent this from happening again.

The violation in 2005 occurred at one sheriff’s department in Southern Colorado. The sheriff arrested a female juvenile and placed her in the adult male bullpen to “teach her a lesson.” It was reported to DCJ by the local police department who also reported it to social services. DCJ investigated the case and reported it to the State Attorney General.

All separation violations are also violations of Colorado State law.

Colorado is currently in compliance with the separation requirement.

### **Colorado’s Strategy to Maintain Compliance with Separation**

The DCJ compliance monitor conducts on-site visits at a desired rate of 100% at secure law enforcement and juvenile facilities and at a desired rate of 50% at non-secure law enforcement facilities. During each on-site visit the facility is reviewed for sight and sound separation. A facility layout is included in each Facility File. A sight and sound separation checklist is completed, or updated, during each inspection. The separation standards are contained in *Colorado’s Guide for Implementing the Core Protections of the Juvenile Justice and Delinquency Prevention Act of 2002: Safe and Appropriate Holding of Juveniles in Secure Settings and Facilities*. Each facility receives a copy of this notebook.

At juvenile detention centers, staff are interviewed regarding any adult inmate movement on or near their facility or grounds.

DCJ interviews the Department of Corrections annually to make sure no Shape Up or Scared Straight Programs are being offered. Recently, a federal Bureau of Prisons SUPERMAX facility located in Florence, CO, developed a program where juveniles would meet with adult inmates. Since this is a federal program DCJ has no authority. DCJ did notify OJJDP that this program was being developed and asked for assistance in shutting it down.

In ongoing discussions regarding compliance with our Division of Youth Corrections (DYC), the DCJ Compliance Monitor and Juvenile Justice Specialist identified an area of concern that may cause an issue with separation compliance in 2009. Colorado's age of extended jurisdiction is 21. Therefore, juveniles, adjudicated by the juvenile court, can remain in Division of Youth Correction facilities until they turn 21. Recently, the DYC identified that there are young adults, sentenced as juveniles under the juvenile court, who subsequently turn 18 and allegedly commit a crime while serving their sentence in a juvenile facility. Because they committed this act after their 18<sup>th</sup> birthday, they are charged as adults. If these young adults are not immediately removed from the juvenile facility, these may then be considered a violation of the sight and sound separation requirement.

Currently, when the crime is serious the young adult is immediately moved to an adult jail pending trial. In these situations, because of the seriousness of these offenses, the adult sentence on the new crime surpasses the juvenile sentence and thus the juvenile sentence is vacated. But, in cases where the new offense is not as egregious, and when the DYC sees therapeutic value in keeping the offender in their facility, the young adult may remain in the juvenile facility. In these situations, upon conviction of the adult offense, the offender may complete their juvenile sentence and then be transferred to an adult jail or prison to serve the adult sentence or the juvenile sentence could be vacated and the offender immediately placed into the adult system.

Once notified of these potential violations, the DCJ requested from DYC a list of the offenders and the situations where this may have occurred in the past year for inclusion in the 2008 Compliance Monitoring Report. The DCJ was unsuccessful in obtaining the data, as DYC does not currently have a process for collecting this data. Discussions have begun between the DCJ and DYC about how this data can be collected. Because of the recent change in how the definition of an adult offender is being interpreted, a request for a formal opinion regarding this concern was submitted to OJJDP in December 2008.

**Collocated Facilities.** Colorado has one collocated facility, the Chief Ignacio Juvenile Detention Center, located in Towaoc on the Ute Mountain Ute reservation. This facility is owned and operated by the Bureau of Indian Affairs (BIA). The DCJ and Compliance Monitor are provided access to inspect and certify the facility annually and collect data. At this facility, there is a division of duties such that staff either work with adults or juveniles but not both. This is written into their policies and procedures. Consequently, Colorado does not have a policy requiring certification of staff that works with both juveniles and adults in collocated facilities.

### **Plan for Removal of Juveniles from Adult Jails and Lockups (Jail Removal)**

**Pursuant to Section 223(a)(13) of the JJDP Act, the state must develop a plan that ensures no juvenile shall be detained or confined in any adult jail or lockup, except as OJJDP's Guidance Manual for Monitoring Facilities Under the Juvenile Justice and Delinquency Prevention Act of 2002 (revised January 2007) allows.**

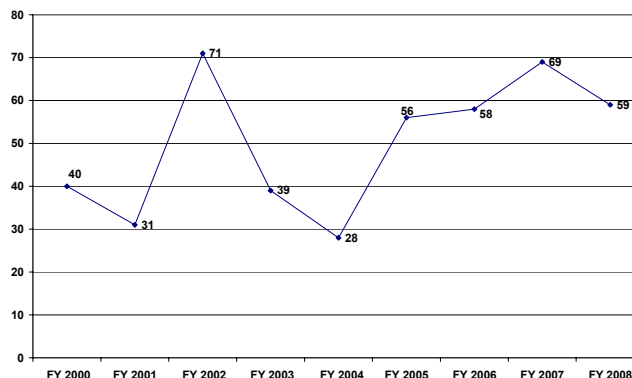
**This plan should include trend analysis of the State's jail removal rates in preceding years (i.e. are rates increasing or decreasing and why?). In addition, it should provide a discussion of the nature of jail removal violations the state has typically experienced (e.g. status offenders held securely in adult facilities, 6 hour rule violations, incorrect or inappropriate usage of the rural**

exception, etc.). The State's plan for achieving or maintaining compliance with jail removal must relate directly to this analysis of violations.

The following chart shows the number of violations and the rate of violations by facility type for an eight-year period beginning in 2001 and ending in 2008 (the last report submitted to OJJDP).

	2001	2002	2003	2004	2005	2006	2007	2008
<b>Adult Jails and Lockups</b>								
Accused and Adjudicated Status Offenders held for any period of time	17	26	22	20	40	34	49	46
Accused delinquents held over 6 hours	14	45	17	8	15	24	20	13
Accused delinquents hold unrelated to processing	0	0	0	0	0	0	0	0
Delinquents held over 6 hours before or after a court appearance or held unrelated to court appearance	0	0	0	0	0	0	0	0
<b>Total Violations</b>	<b>31</b>	<b>71</b>	<b>39</b>	<b>28</b>	<b>55</b>	<b>58</b>	<b>69</b>	<b>59</b>
<b>Jail Removal RATE of Compliance</b>	<b>2.8</b>	<b>6.4</b>	<b>3.9</b>	<b>2.5</b>	<b>5.0</b>	<b>4.4</b>	<b>5.8</b>	<b>5.0</b>

Total Jail Removal Violations



Colorado has been in compliance with Jail Removal since 1993. The number of violations represents less than .5% of the total number of youth held securely. The majority of violations are status offenders arrested on warrants. It is difficult for law enforcement to grasp that some warrants are not detainable and for that reason, training is ongoing. Due to staff turnover, new officers and manpower shortages, it is anticipated that a percentage of all arrested youth will continue to be violations. All required facilities are compliant with our reporting requirements in Colorado and the Juvenile Holding Cell logs are located next to or near the holding cells for ease of access and completion. We are confident that our data is complete and for that reason alone more violations are expected.

Colorado is in compliance with Jail Removal. The 2008 rate was 5.0.

### Strategy for Compliance with Jail Removal

The DCJ compliance monitor conducts on-site visits to all secure law enforcement and juvenile detention facilities at a desired rate of 100% every year. Non-secure law enforcement facilities are monitored at a desired rate of 50% a year. During each on-site visit the compliance monitor makes sure Juvenile Holding Logs are being maintained and that these records are accurate and reflect the data needed for the annual OJJDP Compliance Monitoring Report. The compliance monitor makes sure that each facility has a copy of *Colorado's Guide for Implementing the Core Protections of the Juvenile Justice and Delinquency Prevention Act of 2002: Safe and Appropriate Holding of Juveniles in Secure Settings and Facilities*. This notebook contains information on Colorado Statutes and federal regulations. Facilities that report violations every year may be visited more than once a year. Training is offered during each visit, the compliance monitor is available to attend shift meetings to provide training or technical assistance. Many facilities mail or fax their Juvenile Holding Logs monthly so the compliance monitor can address violations

immediately after they have occurred. The SAG is kept abreast of Colorado's compliance status at their meetings through a compliance monitor report. Legislative changes are not needed, as Colorado's statutes are comparable compliance with federal regulations.

**Removal Exception or Rural Exception.** Colorado does not use this exception.

## **Plan for Compliance Monitoring for the First Three Core Requirements of the JJDP Act**

**Pursuant to Section 223(a)(14) of the JJDP Act, the State must provide for an adequate system of monitoring jails, lockups, detention facilities, correctional facilities, and nonsecure facilities to ensure that the core protections are met.**

**Please provide a plan describing how the State's system for compliance monitoring meets each of the following ten elements of an adequate compliance monitoring system:**

**(1) Policy and Procedures:** Colorado's Policy and Procedure Manual is attached (Attachment A).

**(2) Monitoring Authority:** In 2006, Colorado obtained legislative authority to monitor and collect data. Colorado Revised Statute 24-33.5-503. "Duties of Division (Division of Criminal Justice) (1) the division has the following duties: (r) to inspect secure juvenile facilities and collect data on juveniles that are held in secure juvenile facilities, jails, and lockups throughout the state." See page 18 of the Policy and Procedure Manual (Attachment A).

**(3) Monitoring Timeline:** Colorado's timeline for 2008 is attached (Appendix B). The process used to develop the yearly timeline is contained in the Policy and Procedure Manual, pages 16 - 17 (Appendix A).

**(4) Violation Procedures:** Colorado's violation policy, procedure and form is contained in the Policy and Procedure Manual, page 10 (Appendix A). Also note that legislative authority to civilly fine a Sheriff or Police Chief that willfully violates either Deinstitutionalization of Status Offenders, Jail Removal or Sight and Sound Separation is addressed in Colorado Statute, C.R.S. 19-2-508 (II), 19-2-508 (8)(b), 25-1-310 (1)(b) and 27-10-105 (1.1)(b).

**(5) Barriers and Strategies:** Colorado's policy addressing the annual process to identify barriers and strategies to address those barriers are contained in the Policy and Procedure Manual, page 8 (Appendix A). In 2008 DCJ and the SAG identified four barriers. A separate memo detailing the barriers and strategies to address the barriers is attached (Appendix C).

**(6) Definition of Terms:** Colorado uses federal definitions exclusively for all monitoring activities. Please see Colorado's policy on the use of federal definitions in the Policy and Procedure Manual, page 21 (Appendix A).

**(7) Identification of the Monitoring Universe.** The identification of the monitoring universe is an annual process in Colorado. It is detailed in the Colorado Policy and Procedure Manual, page 30 (Appendix A).

**(8) Classification of Monitoring Universe.** The classification of the monitoring universe is an annual process in Colorado. It is detailed in the Colorado Policy and Procedure Manual, page 37 (Appendix A).

**(9) Inspection of Facilities.** Colorado's inspection policy and process is detailed in the Policy and Procedure Manual, page 41 (Appendix A).

**(10) Data Collection and Verification.** DCJ has statutory authority to collect data on all youth held securely in jails, lockups and juvenile detention or correctional facilities. DCJ annually collects Juvenile Holding Cell logs at all jails and lockups classified as being secure. There are no jails or lockups that do not comply with data collection; therefore at this point in time the DCJ does not have a statistically valid procedure to project data for non-reporting facilities. No facility in Colorado "self-reports" data, it is all reviewed personally by the compliance monitor for accuracy and to determine if there are violations. All

secure facilities receive an annual on-site inspection. At that time the method of collecting information on the Juvenile Holding Cell log is discussed and cases with missing information are researched. In addition, prior to counting an entry as a violation it is verified personally by the compliance monitor.

Facilities that have been classified as being non-secure are inspected every other year to ensure they are still non-secure. If a facility is non-secure, a Non-Secure Certification Form is completed and placed in the Facility File. A non-secure facility reports holding zero (0) juveniles each year.

No other agency, other than the DSA, which is the DCJ, collects and verifies data.

A detailed description of the data collection process and policy can be found in the Policy and Procedure Manual, page 53 (Appendix A).

The DCJ is solely responsible for the compliance monitoring activities.

# **Colorado's Plan for Compliance with the Disproportionate Minority Contact (DMC) Core Requirement and State Plan for DMC Compliance FY 2009**

## **Phase I: Identification**

### **A. Update DMC Identification Spreadsheets**

Colorado's DMC spreadsheets are Attachment 2.

### **B. DMC Data Discussion**

#### **1. Plan of Action for Collecting Data if no Data is Available or Incomplete**

Colorado's DMC Data is located in Attachment 2.

#### **2. Discussion on Relative Rate Indexes**

Colorado has spent the past six years focusing on the State's data needs and subsequently concluded that the data provided in the past for the DMC Matrix had serious limitations, especially at arrest. In the prior years, Colorado used a different formula to calculate race/ethnicity at arrest but upon review, it was determined that this led to gross underrepresentation of arrest numbers for all ethnic and racial categories. Arrest data collected by the State's Uniform Crime Reporting (UCR) Repository, the Colorado Bureau of Investigations (CBI), is limited to race, therefore the number of Hispanic youth arrested are included within the number of White youth arrested leading to inaccurate reports for both White and Hispanic arrests. Because the DMC matrix is dependent on an accurate reporting of the number of youth arrested by race and ethnicity which then is used to establish the rates at the proceeding decision points, there was concern about the State's ability to draw accurate and complete conclusions regarding DMC throughout the juvenile justice system. Recognizing that the CBI arrest data is incomplete, Colorado determined that an alternate decision point that included data on Hispanic youth was required to use for the DMC matrices.

In lieu of CBI arrest ethnicity data, the State chose to use data on youth arrested and screened for potential placement in pre-adjudication detention. This data includes both race and ethnicity and thus includes both White and Hispanic categories. This data point is still suspect and thus may not be the ideal proxy for arrest data. First, not all youth arrested are at risk of detention and thus sent in for a screening. The decision to have a youth screened for detention is at the discretion of law enforcement. In Colorado, there are only two communities where every youth arrested is screened; the 1<sup>st</sup> and 18th Judicial Districts as each use their Juvenile Assessment Center for all juvenile arrests. The second concern is missing data. Many youth who were screened had missing information in the race/ethnicity section, up to 30% in some judicial districts. Despite these concerns, it was determined that the need to have a breakout for the Hispanic population overrode the other concerns and this race/ethnicity data became the proxy for race/ethnicity percentages for juvenile arrests in the State's DMC Matrix. Because screening data did not account for all the youth arrested in the state but did give us an indication of the ethnic/racial representation of the youth being arrested, the ethnicity/race percentages from this screening point were then applied to the actual arrest data provided by CBI.

Colorado utilizes a customized RRI excel spreadsheet developed by Dr. Feyerherm to allow the State to analyze more data points than possible using the standard on-line system. This expanded information is also entered on-line and attached to this federal application. Please note the data from the previous years was not derived in the same fashion as this year. Despite this, the data still shows that the two areas of concern for the State continue to be arrest and commitment to the Division of Youth Corrections (DYC) which represent entrance to the juvenile justice system and the most restrictive setting. This year the data also shows that the RRI for African American youth sentenced to detention has risen from 1.43 last year to 1.82 this year. This increase will be a point of discussion at the next meeting of the Coalition for

Minority Youth Equality (CMYE), which serves as Colorado's DMC committee. Although the rate of African American youth being arrested has declined from a high in FY 05-06 of 7.6, African American youth are still almost four and a half times more likely to be arrested than their White counterparts. Equally disturbing, the arrest rate for Hispanic remains high at 2.36.

An assessment of the arrest decision point will be undertaken in this next year. This assessment will look at geographic differences in disparity, possible contributors such as arrests at schools, malls, types of crime, etc. Because the JJDP Council has prioritized prevention of delinquency through targeting mental health, substance abuse and disproportionate minority contact, the ultimate goal is to address risk factors associated with future delinquency thus avoiding arrest completely. As such, a focus of the Council's work will be to evaluate efforts funded with Formula Grant funds and see if there was a discernable impact on the minority arrest rates where there were funded programs; a great example of the Council's shift to data driven planning.

**Comparison of past data to current fiscal year**

As related above, the Relative Rate Index (RRI) for African American youth at arrest is alarmingly high and has been for the last four years. Although we see a dramatic decrease in the past year (6.21 to 4.47), the formula used to establish these rates was changed for FY 07-08, thus direct correlations from FY 06-07 and 07-08 should not be made. There has been an improvement at the pre-adjudication detention level where African American youth are now less likely than whites to be placed into detention. It should be noted that two years ago, local communities were asked to discuss their efforts at addressing minority overrepresentation in their annual SB 94 (Alternatives to Detention) Plans.

<b>AFRICAN AMERICAN YOUTH</b>				
<b>Decision Points</b>	<b>FY 04-05</b>	<b>FY 05-06</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
<b>Arrest</b>	<b>3.99</b>	<b>7.06</b>	<b>6.21</b>	<b>4.47</b>
<b>Pre Adjudicated Detention</b>	<b>1.27</b>	<b>.76</b>	<b>.89</b>	<b>1.29</b>
<b>Misdemeanor Filing</b>	<b>.43</b>	<b>.07</b>	<b>.09</b>	<b>.13</b>
<b>Misdemeanor Adjudication</b>	<b>.97</b>	<b>** .80</b>	<b>.35</b>	<b>** 1.24</b>
<b>Felony Filing</b>	<b>.65</b>	<b>.32</b>	<b>** 1.07</b>	<b>.53</b>
<b>Felony Adjudication</b>	<b>1.06</b>	<b>** 1.11</b>	<b>** 1.12</b>	<b>1.04</b>
<b>Probation Supervision</b>	<b>.84</b>	<b>.96</b>	<b>1.24</b>	<b>1.14</b>
<b>Probation Sentence to Detention</b>	<b>1.8</b>	<b>** 2.39</b>	<b>1.43</b>	<b>1.82</b>
<b>Commitment NYC</b>	<b>2.3</b>	<b>2.12</b>	<b>1.97</b>	<b>3.31</b>

\*\*Numbers bolded are statistically significant. The numbers not bolded (and marked with \*\*) were not statistically significant and cannot be used to analyze or make assumptions about the RRI at that decision point. FY 04-05, FY 05-06 and FY 06-07 arrest rates were calculated based on the number of youth fingerprinted. FY 07-08 arrest rates were calculated based on a formula of the ethnic and racial representation of the number of youth screened applied to the numbers of youth arrested.

African American youth who represent approximately 5.3% of the Colorado youth population represent 16% of the newly detained population with the highest length of stay at 16.3 days. This higher length of stay may be a result of the higher ratio of probation sentences to detention (RRI of 1.82) made by the court versus the earlier pre-adjudication detention (RRI of 1.29) where one might expect shorter stays as detention at this stage is used primarily for determining the immediate need for detention based on level of risk to the community and these youth are eligible to receive SB 94 services if it is determined that such services would permit them to remain in the community.

African American youth also represent 19.6% of the newly committed population and are more than three times as likely as white youth to be committed to the Division of Youth Corrections (RRI of 3.31). In addition, according to the Division of Youth Corrections African American youth have the second highest length of stay (LOS) at 19.8 months (highest LOS is for American Indian youth at 21.7 months) for committed youth, a slight rise from 19.4 in FY 2006-07.



HISPANIC YOUTH				
Decision Points	FY 04-05	FY 05-06	FY 06-07	FY 07-08
<b>Arrest</b>	<b>*2.46</b>	<b>*2.42</b>	<b>*2.02</b>	<b>2.36</b>
<b>Pre Adjudicated Detention</b>	<b>1.11</b>	<b>1.12</b>	<b>1.34</b>	<b>1.17</b>
<b>Misdemeanor Filing</b>	<b>.15</b>	<b>.09</b>	<b>.16</b>	<b>.16</b>
<b>Misdemeanor Adjudication</b>	<b>1.4</b>	<b>1.17</b>	<b>1.27</b>	<b>1.34</b>
<b>Felony Filing</b>	<b>.29</b>	<b>.21</b>	<b>.30</b>	<b>.25</b>
<b>Felony Adjudication</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
<b>Probation Supervision</b>	<b>1.05</b>	<b>1.06</b>	<b>1.20</b>	<b>1.21</b>
<b>Probation Sentence to Detention</b>	<b>1.35</b>	<b>1.77</b>	<b>1.29</b>	<b>1.19</b>
<b>Commitment NYC</b>	<b>3.53</b>	<b>1.31</b>	<b>1.07</b>	<b>3.52</b>

\* In FY 04-05, FY 05-06 and FY 06-07 the State rate for Hispanic arrest data was calculated by applying a formula based on the percentage of arrests that Hispanic youth represent in jurisdictions where we have Hispanic arrest data and where a large portion of the state's youth population and Hispanic youth population reside. FY 07-08 arrest rates were calculated based on a formula of the ethnic and racial representation of the number of youth screened applied to the numbers of youth arrested.

Although not as alarming as for African American youth and noting its decline since FY 2004/05, the Relative Rate Index at arrest for Hispanic youth must be addressed (RRI of 2.36 in FY 2006/07) as Hispanic youth are still over twice as likely to be arrested as White youth and there was a slight rise in this past year. There has also been a dramatic increase in the RRI for Hispanic youth at commitment which rose from 1.07 in FY 2006-07 to 3.52 in FY 2007-08

Due to the high rates at arrest and commitment for Hispanic and African American youth, Colorado will focus its DMC efforts at these decisions points with a goal to reduce both rates within 5 years. We will continue to monitor other decisions points, adding Diversion since state funding was appropriated beginning in 2006 after a several year lapse due to budgetary concerns.

## Phase II: Assessment/Diagnosis

### 1. Brief Summary of DMC Assessment

Colorado has not undertaken an assessment study of DMC since 2000. Although Colorado has conducted two studies, the first in 1998 by OMNI Research and Training, Inc. titled *An Identification and Assessment Study of Disproportionate Minority Confinement (DMC) in Colorado*. This 1998 study focused on the arrest and pre-adjudication decision points. The second study, completed in 2000 was a policy assessment looking at what could be done in Colorado to address DMC. The study called *Minority Over Representation in the Colorado Juvenile Justice System: Option and Opportunities for Action* was conducted by Dr. Michael Cortés, Ph.D., University of Colorado, Denver, Graduate School of Public Affairs.

Both studies were used to determine the steps needed to intervene in Colorado and were incorporated in subsequent DMC plans.

### 2. Plan for Completing Assessment

Colorado is beginning the process of developing a request for proposal to solicit an organization or agency to conduct an analysis of the arrest decision point. After the Juvenile Justice and Delinquency Prevention (JJDP) Council (state SAG) and the DMC Committee looked over the trend information from last year a decision was made to support intervention strategies related to arrest. After trying unsuccessfully to engage law enforcement in applying for funds to conduct an intervention strategy, the JJDP Council and DMC Committee took a step back and concluded there was not enough information about what is leading to the high arrest rates for both the African American and Hispanic populations to further engage law enforcement in meaningful dialogue. It was decided that in order to make sound decisions about intervention strategies an analysis of the arrest decision point was necessary. The timeline for this project is as follows:

Develop Announcement of Funds to Solicit Proposals.....	March 2009
Post Announcement on Web.....	April 1, 2009
Proposals Due.....	May 6, 2009
Review Proposals.....	Week of May 18, 2009
SAG Approval.....	August 21, 2009
Project Date.....	October 1, 2009 - December 30, 2010

**Phase III: Intervention**

**1. Progress Made in FY 2008**

**(a) Activities Implemented/Specific Progress Made**

**GOAL 1: Research and Data: Improve the data collection and analysis system in Colorado to measure disproportionate minority contact and the impact of interventions on DMC.**

**OBJECTIVE 1:** Improve use of the OJJDP required data collection including the RRI Matrix.

**ACTIVITIES:**

- Examine existing RRI data by Judicial Districts and identify which judicial districts are affecting the high Relative Rate Index (RRI) for African-American and Hispanic Youth arrests.
- Develop a Report Card for each Judicial District using their RRI data.

**FY 2008:** Colorado continued to work on this area in FY 2008. There has been significant progress in improving the analysis of data through the assistance of Colorado’s Statistical Analysis Center (SAC) and because of the increased knowledge of the DMC Coordinator in this area. This has allowed the state to look at trends to present to the JJDP Council for use as they establish priorities for the three year plan. Trend data, which showed increases in arrest rates for both African American and Hispanic youth over the last five years, led the JJDP Council to set aside \$40,000 to conduct a more thorough assessment study of the arrest decision point.

**OBJECTIVE 2:** Provide data driven recommendations to the JJDP Council related to DMC reduction to include in their 2008 Retreat where the next three year plan will be developed.

**ACTIVITIES:**

- Use the RRI arrest information and past Research Committee work to develop and present a recommendation to the JJDP Council. Include recommendations related to resources (money, training and technical assistance, etc).

**FY 2008:** As mentioned above because Colorado had data highlighting the increasing arrest rate increasing, the JJDP Council set aside funding for an assessment of the arrest decision point. Also, because the data shows that the highest rate of over representation of minority youth is at the arrest stage another recommendation to the Council was to change the focus of the current funds from pre-adjudication to an earlier point in the system, perhaps even before youth enter the system through arrest. At the Council's planning retreat in December 2008 they prioritized delinquency prevention, a shift in the use of formula funds which were focused on intervention in prior years.

**OBJECTIVE 3:** Improve the DMC-related data by expanding it beyond what is currently collected and analyzed within the juvenile justice system.

**ACTIVITIES:**

- Identify additional information/data available in Colorado that may be used to analyze factors which contribute to DMC and factors which mitigate DMC.
- Use information currently collected through COKIT to inform CMYE on the impact of currently funded programs on DMC.

**FY 2008:** Colorado has identified a way to get additional data related to DMC through collaboration with OMNI Institute. The OMNI Institute created a web-based data system designed to store and manage indicator and resource data that can be queried to meet the user's needs. ASPIRE contains indicator data within numerous domains such as demographics, early care and education, community and civic involvement, mental health, and substance abuse and treatment. The new, interactive GIS Mapping feature allows the creation of images that illustrate the distribution of indicators and resources across Colorado. Additionally, the ASPIRE system contains community and coalition assessment tools and a reporting function that organizes output in a strategic plan document. All Formula grant applicants are required to perform a thorough risk and needs analysis based on the program area and community for which they are applying for funds. By using data specific to the geographic area and target population the project intends to serve, including data on poverty levels, number and rates for juvenile arrest, substance abuse, school suspensions and drop outs, homelessness, domestic violence, lack of access to resources, etc. specific needs can be identified.

Colorado is working with OMNI to include additional or improve current data sets that would be most useful in looking at areas related to DMC such as poverty, school achievement and access to opportunities. The Council has used information from the current OMNI Aspire data set, data collected regarding DMC performance measures from currently funded projects and information garnered from a Formula grant evaluation of funded projects when setting priorities for the 2009-2011 juvenile justice three year plan.

**GOAL 2:** **Policy: Improve the juvenile justice system response to minority youth and their families**

**OBJECTIVE 1:** Establish relationships with other statewide initiatives/systems to educate them about DMC and assist them in developing a process for tracking DMC-related data, if appropriate, encouraging them to use CMYE as a resource.

**ACTIVITIES:**

- Meet with representatives of the recently established Colorado Criminal and Juvenile Justice (CCJJ) Commission to discuss how the CMYE, the JJDP Council and staff can assist the Commission in meeting its legislative mandates as they relate to DMC.
- Establish connections with juvenile justice system professionals and organizations such as the Colorado District Attorneys' Council (CDAC), Public Defender's Office, judges, SB94 State Advisory Board, etc.
- Formalize relationships with other initiatives such as System of Care, CO LINKS, PLC, Collaborative Care Management (HB1451), Access to Recovery, etc.

**FY 2008:** In 2008, legislation was passed in Colorado requiring the CCJJ Commission (which includes a JJDP Council member) to include issues related to DMC as they develop recommendations for improving the criminal and juvenile justice systems. The DMC Coordinator assisted the Commission staff when they began collecting information related to DMC in the juvenile justice system. The CMYE has also made connections with other initiatives resulting in members of those initiatives joining as members of the CMYE. An MOU has been signed between the JJDP Council and the CO LINKS project,

which includes the CMYE. Both the DMC Coordinator and the JJ Specialist participate on several cross-system initiatives.

**OBJECTIVE 2:** Provide DMC-related policy, practice or funding recommendations developed by CMYE to the JJDP Council.

**ACTIVITIES:**

- DMC Coordinator will assist the CMYE in developing a research proposal to bring forward to the JJDP Council for consideration.

**FY 2008:** The research proposal was developed and presented to the JJDP Council resulting in a request for proposals for an analysis of the arrest decision point.

**GOAL 3: Training and Technical Assistance: Provide technical assistance to programs/communities addressing minority over representation and provide education to targeted audiences, i.e. Judges, District Attorney's, Public Defenders, other systems such as mental health and substance abuse treatment and prevention.**

**OBJECTIVE 1:** Provide programs/communities the tools necessary to address DMC appropriately.

**ACTIVITIES:**

- Present on Colorado's DMC efforts at a minimum of two conferences each year.
- Provide on-site technical assistance to three state or local programs/communities each year

**FY 2008:** In 2008, DMC presentations were provided on a smaller scale than in prior years. The DMC Coordinator provided technical assistance on-site to one community to assist them in using their data to plan their DMC activities. The Coordinator also assisted in obtaining technical assistance from NTTAC to provide a one-day symposium on DMC in collaboration with the Colorado chapter of the National Association of Blacks in Criminal Justice. This symposium was attended by over 75 people and was very successful as participants left the symposium with information about DMC and tools to address DMC in their own agencies or communities.

**OBJECTIVE 2:** Provide staff support to the CMYE membership assisting them in their DMC planning and work.

**ACTIVITIES:**

- DMC Coordinator will provide staff support to the CMYE as permitted under the DMC Staff support Formula subgrant.

**FY 2008:** The DMC Coordinator provided staff support to the CMYE. This included meeting coordination, agenda development, and all correspondence. The Coordinator also focused on recruitment, resulting in twelve new members for the CMYE who were trained and attended their first Coalition meeting January 2009. The new members brought a wider scope of knowledge to the table. The CMYE gained representation from two more communities addressing DMC, bringing representation to four communities, the probation system, and grass roots organizations addressing DMC in the educational and law enforcement settings. Future efforts will be focused on retaining members and engaging all of the Coalition for Minority Youth Equality members. The Coordinator also assisted four of the seven current subgrantees with data, information or training when requested.

**GOAL 4: Programs and Practices: Fund and support programs and intervention strategies that have been proven effective in addressing disproportionate minority contact.**

**OBJECTIVE 1:** Continue to fund and expand Minority Family Advocacy Programs in communities with high rates of DMC.

## ACTIVITIES:

- Use data and information to assist in expanding Minority Family Advocacy Program to other Colorado communities.

**FY 2008:** The JJDP Council continued to fund communities that wanted to implement the Minority Family Advocacy Program; currently there are seven subgrants. The data from a Formula grant evaluation of current subgrantees study showed great progress in increasing youth's school achievement and assisting in the completion of court ordered requirements of youth served. The evaluation also showed that youth with an individualized case plan did better than those without. This information was presented to the JJDP Council and incorporated in the 2009 Request for Applications for Formula Grant funds.

**OBJECTIVE 2:** Use data and best practice information to drive DMC funding decisions.

## ACTIVITIES:

- CMYE will use available data, information and resources to make funding recommendation to the JJDP Council annually.

**FY 2008:** As mentioned in the previous objective the JJDP Council was presented with data and information related to successful elements of programs which were incorporated into the 2009 Announcement of Available Funds for Formula Grant funds.

### (b) Activities Not Implemented/Reason Why

Goal 1, Obj. 1: Colorado did not develop a tool (Report Card) to represent the RRI data and distribute it to the local judicial districts due to significant problems with arrest data. Because the DMC matrix is dependent on an accurate reporting of the number of youth arrested by race and ethnicity which then is used to establish the rates at the proceeding decision points, there was concern about the State's ability to draw accurate and complete conclusions regarding DMC throughout the juvenile justice system. Colorado will continue to work at improving its ability to collect meaningful and accurate DMC data at all decision points. JJDP Council has set aside \$40,000 to conduct a more thorough assessment study of the arrest decision point.

## 2. DMC Reduction Plan for FY 2009- 2011 (Activities and Timelines)

**GOAL 1: Research and Data: Improve the data collection and analysis system in Colorado to measure disproportionate minority contact and the impact of interventions on DMC.**

**OBJECTIVE 1:** Improve use of the OJJDP required data collection including the RRI Matrix.

### ACTIVITIES

- Examine existing RRI data by Judicial Districts and identify which judicial districts are affecting the high Relative Rate Index (RRI) for African-American and Hispanic Youth arrests.
- Look at the barriers related to the collection/availability of data for the RRI spreadsheets.
- Develop a user friendly document for each Judicial District to represent their RRI data.
- Distribute the data through the local Senate Bill 94 coordinators.

**FY 2009:** The state (the Division of Criminal Justice, the JJDP Council and the CMYE) will focus efforts based on data-driven planning and the analysis of the arrest decision point. The DMC Coordinator will develop an announcement of funds to solicit an agency or organization to analyze the arrest decision point. This analysis at a minimum should identify which judicial districts are contributing to the high index rate for arrest, what types of crimes are involved and if there are certain locales such as schools where the arrests

are occurring. The Coordinator will be involved in developing the solicitation and overseeing the agency performing the analysis. The DMC Coordinator and the JJ Specialist will focus efforts on better data for the matrix specifically related to arrest data. Because the data reported for arrest is not broken out by ethnicity the issue of not having arrest data for Hispanic youth continues to be a problem.

**FY 2010:** The DMC Coordinator will focus on developing a user friendly presentation of the RRI data to be distributed to each judicial district. The focus this first year will be developing a method for representing the data. This will not be distributed until the state believes it has an accurate and complete method of collecting the data at arrest.

**FY 2011:** Once the analysis is complete, the information will be used to determine effective intervention strategies based on the identified contributing factors and geographic indicators. It is anticipated that the analysis will provide more reliable arrest data by race and ethnicity allowing us to provide this information to local jurisdictions through their Senate Bill 94 efforts (Detention Continuum) and law enforcement.

**OBJECTIVE 2:** Provide data driven recommendations to the JJDP Council related to DMC reduction.

### **ACTIVITIES**

- Use all available research, data and other information to develop and present recommendations to the JJDP Council. Include recommendations related to resources (money, training and technical assistance, etc).

**FY 2009:** The Council looks to the DMC Coordinator as the expert in this area. The Coordinator will continue to use the RRI data and any other data developed through the analyses to provide the best data driven information to the Council.

**FY 2010:** The Coordinator will focus efforts on Objective 3 below so that data from other sources can be used to augment the JJDP Council's data-driven decision making.

**FY 2011:** The Coordinator will develop a presentation for the next Council strategic planning session so that the data and information derived from the DMC activities of years 2009-11 will be used to assist the Council in determining its priorities for 2012-2014.

**OBJECTIVE 3:** Improve the DMC-related data by expanding it beyond what is currently collected and analyzed within the juvenile justice system.

### **ACTIVITIES**

- Identify additional information/data available in Colorado that may be used to analyze DMC- both factors which contribute to DMC and factors which mitigate DMC.
- Use information currently collected through COKIT to inform CMYE on the impact of currently funded programs on DMC.

**FY 2009:** The DMC Coordinator will work with other initiatives specifically with OMNI Institute to gather and present additional data related to DMC to the JJDP Council. This will include at the minimum, geographic information for minority youth and risk and protective factor information such as poverty, school achievement, and access to opportunities. OMNI Institute is collecting this data from many state agencies and compiling it in an on-line searchable data-base ASPIRE. The Coordinator will work with OMNI so that this data can be sorted and presented to the JJDP Council in a useful way. Information from the evaluation of formula grant funded DMC programs will also be presented to the JJDP Council.

**FY 2010:** On-going from 2009.

**FY 2011:** On-going from the previous two-years and any additional information will be provided as available. This information will also be used in the development of the next three-year plan.

**GOAL 2: Policy: Improve the juvenile justice system response to minority youth and their families**

**OBJECTIVE 1:** Establish relationships with other statewide initiatives/systems to educate them about DMC and assist them in developing a process for tracking DMC-related data, if appropriate, encouraging them to use CMYE as a resource.

**ACTIVITIES**

- Establish connections and coordination efforts with other initiatives and agencies such as the Commission on Criminal and Juvenile Justice, Restorative Justice Council, CO LINKS, Prevention Leadership Council, Collaborative Care Management (HB1451), Access to Recovery, SB 94, etc.

**FY 2009:** CMYE members and the DMC Coordinator will continue work on forming relationships with existing entities, organizations and multi-systemic initiatives which should be natural partners in addressing DMC. The goal will be to fuse efforts with others working to establish new or improved services for youth and families to assist them in meeting the needs of minority youth and their families.

**FY 2010:** This work will be continuous.

**FY 2011:** This work will be continuous.

**OBJECTIVE 2:** Provide DMC-related policy and practice information to the JJDP Council.

**ACTIVITIES**

- DMC Coordinator will keep abreast of DMC policies and practices in other states to keep both the CMYE and the JJDP Council informed.
- CMYE will make policy/practice recommendations to the JJDP Council when appropriate.

**FY 2009:** The DMC Coordinator will continue to participate on the DMC Coordinator calls, and take other opportunities to learn what is going on in other states related to DMC policies and practices. The Coalition for Minority Youth Equality along with the DMC Coordinator will continuously make recommendations about DMC issues to the JJDP Council. This will be done at the JJDP Council's quarterly meetings.

**FY 2010:** This work will be continuous.

**FY 2011:** This work will be continuous.

**GOAL 3: Training and Technical Assistance: Provide technical assistance to programs/communities addressing minority over representation and provide education to targeted audiences, i.e. Judges, District Attorney's, Public Defenders, other systems such as mental health and substance abuse treatment and prevention.**

**OBJECTIVE 1:** Provide programs/communities the tools necessary to address DMC appropriately.

**ACTIVITIES**

- Present on Colorado's DMC efforts at juvenile justice conferences each year.
- Provide on-site technical assistance to two or more state or local programs/communities each year

**FY 2009:** In 2008 the DMC Coordinator gained better knowledge on where to focus training and technical assistance efforts. The Coordinator will provide training at conferences as well as provide on-site technical assistance. The Coordinator will focus on communities that previously had formula grant funds but may not have been funded in 2009 due to budget cuts. The goal of the technical assistance will be to assist them in continuing their efforts without formula grant funds.

**FY 2010:** The Coordinator will provide technical assistance to communities with a local DMC coalition to assist them in data driven planning appropriate to their community. Training at conferences will continue.

**FY 2011:** Training at conferences and technical assistance to communities will continue this year.

**OBJECTIVE 2:** Provide staff support to the CMYE membership to assist in DMC planning and work.

#### **ACTIVITIES**

- DMC Coordinator will provide staff support to the CMYE as permitted under the DMC Staff support Formula subgrant.

**FY 2009:** The DMC Coordinator will continue to staff the DMC Committee and their efforts. Tasks will include meeting support such as scheduling, meeting set up, minutes, etc. The DMC Coordinator will also continue to solicit new members as deficits in membership are identified. In 2008, 12 new members were recruited and the Coordinator will make all efforts necessary to engage and retain them. The focus of the Coalition has shifted slightly from having a Coalition to support state efforts to a dual purpose of supporting communities in their local efforts as well as the Coalition supporting state efforts.

**FY 2010:** The Coordinator will continue to focus the CMYE meetings on meeting the needs of local community efforts to address DMC and the state's need to meet the core requirements of the JJDP Act.

**FY 2011:** The Coordinator will continue to build the capacity of CMYE members so that they can use the knowledge they gain at CMYE meetings to better their local DMC efforts or their agencies' work.

**GOAL 4: Programs and Practices: Fund and support programs and intervention strategies that have been proven effective in addressing disproportionate minority contact.**

**OBJECTIVE 1:** Assist the JJDP Council when making funding decisions for minority over representation programs to ensure they are funding effective programs to address DMC.

#### **ACTIVITIES**

- Provide information to the JJDP Council to use when reviewing applicants for Minority Over Representation programs.
- Provide technical assistance to programs so they understand the difference between a program that serves minorities and a program that is addressing DMC.
- Research programs that are proven effective in addressing DMC (Model Program Guide) to determine if they can be implemented in Colorado.
- Ensure information from data driven processes and policies and practices is presented to Council to use when making funding priorities and decisions.

**FY 2009:** Provide information to the JJDP Council when reviewing applications for Minority Over Representation. This will be the first year of a three-year funding cycle so decisions made this year will carry over the following two years. The Coordinator will



research programs that are proven effective in addressing DMC (Model Program Guide) to determine if they can be implemented in Colorado.

**FY 2010:** The Coordinator will provide technical assistance to programs so they understand the difference between a program that serves minorities and a program that is truly addressing DMC. This will be done to prepare them for applying for other funding sources as well as for formula grant funds in 2012. The Coordinator will continue to research programs that are proven effective in addressing DMC (Model Program Guide) to determine if they can be implemented in Colorado.

**FY 2011:** The Coordinator and the JJ Specialist will ensure information from best practice research, data driven processes and policies and practices is presented to Council to use when making funding priorities and decisions.

**c. Budget for Implementation of FY 2009 Plan:**

- Support for DMC-specific program interventions through Formula subgrants- unknown until grants are awarded
- Support for DMC Coordinator at 50%, for CMYE support and implementation of the action plan- \$70,000
- Support for the Assessment Study- up to \$40,000

## **Phase IV: Evaluation**

### **Performance measure information and any evaluation undertaken**

The DMC Coordinator works closely with the Formula Grant Manager to ensure that the State is collecting all of the necessary performance measures along with other information that will show program success in addressing DMC. In 2008, this information was used in a formal evaluation of Formula Grant funded programs conducted by OMNI Institute. Below are the highlights of that research pertinent to items shown to be correlates of success in formula grant programs as well as items that were shown NOT to be correlates.

The JJDP Council worked with OMNI Institute to evaluate all of the formula grantees from 2007 and 2008. The data used for this analysis came from the performance measure data and from some additional data required of all subgrantees. Data is collected on "Intake/Exit" forms, which track characteristics of youth, their crimes and criminal histories, completion of their program, and academic performance. Until recently, OMNI had provided grantee-level summaries and frequencies of each variable collected on the forms, but had not been able to provide any analyses of relationships between factors at the aggregate level.

Grantees are expected to deliver strength-based programs with clear and focused objectives and MOR grantees are expected to address and ultimately reduce, the disproportionate contact of minority youth with the juvenile justice system by: implementing plans to assist minority youth and their families in navigating the court process, providing access to resources needed to successfully meet probation or supervision requirements, and to reduce the length of incarceration stays.

The large majority of characteristics assessed were not substantial correlates of successful completion of DCJ programs. The following factors were examined in relation to program success and NO relationship was found:

- Gender
- Ethnicity
- Child Welfare Involvement
- Age
- Number of Prior Arrests
- Sexual abuse
- Domestic violence
- Whether or not program attendance was mandatory
- Medicaid eligibility
- Pre-existing mental health diagnosis

Conversely, there were areas identified as strong correlates of program success: 1) the two indicators of academic profile which include school status and passing grades, and 2) criminal compliance during the program including failure to appear (FTA), re-offenses, probation violations, probation revocations and completed court sanctions. There was also a significant association between having an individual plan and program success. Ninety-one percent of youth who had an individual plan were successful whereas only 66% of youth who did not have an individual plan were successful. The lack of plan development may contribute uniquely to being unsuccessful in the program if it means that there is less structure and less goal-direction during the youth's time in Formula Grant funded services. Thus, it appears that plan development is helpful and may be worthy of consideration as a required element of program participation.

#### Recommendations:

The JJDP Council adopted the recommendation for requiring all programs to develop an individual plan for all youth served, which is now included in the 2009 solicitation for Formula Grant applications. The Division of Criminal Justice is also working with OMNI to include these relevant factors on all Intake/Exit forms (performance measures and other information)

- Individual Plan development and completion
- Age at first contact with the law
- Add categories to "successful completion" question so program staff can track
- Add reasons why, e.g., "non-compliant with plan", "continuing in program", "moved out of area"
- Add more common categories to "Disposition" question to avoid so many "Other" responses
- Add finer-grained categories to "criminal history" question, e.g., first-time offender, 1 prior offense, 2 prior offenses, 3-4 prior offenses, more than 4 prior offenses.
- Track the severity (misdemeanor or felony) of both presenting offense as well as criminal history.
- On "Plan Completion" question, add response possibility "Plan not complete due to the continuation of agreement past the end of program".

Information gathered from the evaluation of the MOR grantees will be used to improve the programs funded with formula grant funds and also to show program success. An evaluation of the new subgrants awarded in 2009 for a three-year funding cycle will also be evaluated.

## Phase V: Monitoring

### 1. **Monitoring and tracking changes in DMC trends over time.**

The DMC Coordinator and the JJ Specialist continuously look at trend data so that better decisions can be made related to Colorado's DMC efforts. Also of great assistance in these efforts is the State's Statistical Analysis Center (SAC), which assists us in collecting the RRI matrix data and providing us technical assistance when we have data questions.

### 2. **Responsibility for monitoring activities**

The DMC Coordinator is responsible for the monitoring activities. DMC-related responsibilities are currently funded at .25 FTE but will increase to .50 as of October 1, 2009.

### 3. **Timeline for current and/or future monitoring activities.**

The goal is to continuously look at the data on at least an annual basis and utilize the information from monitoring activities in all of our state's DMC decision making. We know that this is a process that is continuous and simultaneous with other steps and so we will continue to monitor so that we can show areas of improvement and identify areas of need.

## COORDINATION OF CHILD ABUSE & NEGLECT AND DELINQUENCY RECORDS

**Reducing the Caseload of Probation Officers.** In Colorado, Juvenile Probation duties fall under the Judicial Department. Based on a staffing model, probation officers are assigned to 22 of the state's judicial districts throughout the state. Budget cuts in prior years resulted in the loss of a number of officers statewide although some restoration of probation officers has occurred during the last several fiscal years through the budget process for FY 2008. However, due to current budget constraints, it is not anticipated, in fiscal year 2010, that the Judicial Department will continue to receive funding from the General Assembly for the hiring of additional officers. Currently, statewide probation departments are staffed at approximately 81%. To increase the number of cases staffed, the Judicial Department will need to continue requesting appropriation from the State General Fund for additional staff in the coming years. Although there is no specific focus on probation caseloads with Formula Grant funds, many local jurisdictions use their JABG funds to address this need. Indirectly through Formula Grant funds, the case work of probation officers is relieved by treatment, advocacy, mentoring and case management services under the following Program Areas: Disproportionate Minority Contact, Gender-Specific Services, Substance Abuse and Mental Health Services.

**Sharing Public Child Welfare Records with the Courts in the Juvenile Justice System.** Colorado has two statewide databases that support decision-making in the juvenile justice system. One is the *Colorado Trails System* housed in the Colorado Department of Human Services.

Congress, concerned about inadequate data regarding children in adoptions and foster care, enacted legislation that requires states to collect reliable and consistent information. The federal government made funding available to states to develop and implement automated systems to enable states to meet federal reporting requirements. Colorado Trails was a statewide effort to automate services in Child Welfare and the Division of Youth Corrections. The project streamlined both record keeping and service delivery through the installation of new hardware and customized software in all of Colorado's counties, regions, and facilities.

Now fully implemented, the statewide client/server network links all state and county child welfare caseworkers, supervisors, and support staff, as well as, Division of Youth Corrections staff. The system also provides case management support for direct client workers, decision-making support tools for managers, and access to client information across all Child Welfare and Division of Youth Corrections populations in the state. It contains information on all child welfare cases from all 64 county departments of social/human services as well as detention screening and admission information for delinquency actions from all judicial districts and detention facilities. Local detention screeners are able to query the database and determine whether the juvenile or the family is involved in a child welfare (protection) case and further investigate to provide relevant information to the court for establishing a pre-trial release and treatment plan. The system is designed to meet federal requirements for statewide automated child welfare information systems (SACWIS) and Adoption and Foster Care Analysis and Reporting System (AFCARS) requirements. Meeting federal requirements is critical to obtain federal funds for child welfare programs. (Source: <http://www.cdhs.state.co.us/trails/General.htm><http://www.cdhs.state.co.us/trails/General.htm>)

The other database, *ICON*, is housed in the Judicial Department and is accessible to all judges, magistrates and probation offices. This database contains all court records - Dependency and Neglect, Relinquishment and Adoption, Support Proceedings, Delinquency, Civil and Criminal. This allows pre-trial and pre-sentence access to other legal actions in which the juvenile and family may be involved. With these two automated information-sharing tools; decision makers are able to incorporate a bigger picture.

The Court Improvement Program (CIP) was created as a result of the Omnibus Budget Reconciliation Act of 1993 (also known as the Family Preservation and Support Act). The Act required an original assessment on how Colorado handles its cases involving children, in particular dependency and neglect cases. Numerous recommendations were made as to how to improve the cases, and the Court Improvement Program was created to oversee the implementation of these recommendations.

The CIP is primarily concerned with improving the way the individual courts in Colorado handle dependency and neglect cases in order to improve the safety, permanency and well-being outcome for the children and families the court serves.

In October 2006, the Colorado Supreme Court was awarded the Court Improvement Program basic, data collection and analysis, and training grants from the Administration of Children and Families. The funding required Colorado's Court Improvement Program to develop strategic plans for each grant. Each grant application included an integrated strategic plan and work plan. The 2008 Colorado Court Improvement Program Assessment Report sets forth the progress and outcomes of the basic, technology, and training grant strategic planning activities during the grant reporting period of October 2007 – September 2008. The primary outcome achieved during this reporting period was the implementation of Colorado's strategic plans for each of the grants. The overall goal of the strategic plan is to improve the safety, permanency, and well-being of children in foster care. The strategic plan is designed to create ongoing and sustainable systems change across the child welfare system by developing an infrastructure for the delivery of training and technical assistance to all child welfare stakeholders. The activities included in the strategic plan are designed to institutionalize this infrastructure and delivery system over approximately a five year period of time that began in October 2007.

The integration of the basic, technology and training grants resulted in four main programmatic components of which one was the Family Justice Information System (FAMJIS) Program. Colorado's Court Improvement Project (CIP) continues to oversee the development and implementation of the FAMJIS project. The FAMJIS is a system that supports the sharing, collection and electronic transfer of child welfare information between the Judicial Department and Colorado Department of Human Services. This process makes critical information more readily available to both agencies in order to enhance the quality of decision making and safety for children while reducing redundant data entry. This program currently provides outcome-based management reports for courts and a Centralized Information Screen that contains comprehensive court, placement, and treatment history for individuals. FAMJIS assists judicial decision-making or advocacy efforts. As several judicial officers have reported, FAMJIS "provides judicial officers with succinct information to make decisions in the best interests of the children" on a case-specific or aggregate basis. For more information regarding the CIP or its related FAMJIS Project, go to: [http://www.courts.state.co.us/Courts/Supreme\\_Court/Committees/Committee.cfm/Committee\\_ID/8](http://www.courts.state.co.us/Courts/Supreme_Court/Committees/Committee.cfm/Committee_ID/8).

**Establishing policies and systems to incorporate relevant child protective services records into juvenile justice records for the purposes of establishing treatment plans for juvenile offenders.** Compliance with Sections 223(a)(27) and (28) of the JJDP Act of 2002 are accomplished statutorily, through Title 19 (Colorado Children's Code), Article 2 of the Colorado Revised Statutes (CRS) which addresses the Juvenile Delinquency System and Article 3 which addresses the Dependency and Neglect (Child Welfare) system.

**Compliance with Section 223(a)(27) of the JJDP Act of 2002 through Colorado Statute:**

§19-2-905, CRS, Pre-sentence Investigations. (1) (a) Prior to the sentencing hearing, the juvenile probation department for the judicial district in which the juvenile is adjudicated shall conduct a pre-sentence investigation unless waived by the court on its own determination or on recommendation of the prosecution or the juvenile. The pre-sentence investigation shall take into consideration and build on the intake assessment performed by the screening team. The pre-sentence investigation may address, but is not limited to, the following:

- (I) The details of the offense;
- (II) Statements made by the victims of the offense;
- (III) The amount of restitution, if any, that should be imposed on the juvenile or the juvenile's parent, guardian, or legal custodian;
- (IV) The juvenile's previous criminal record, if any, if the juvenile has not been adjudicated for an act that constitutes unlawful sexual behavior as defined in section 16-22-102 (9), C.R.S.;
- (V) Any history of substance abuse by the juvenile;

- (VI) The juvenile's education history, including any special education history and any current individual education program the juvenile may have pursuant to section 22-20-108, C.R.S.;
- (VI.5) The juvenile's employment history;
- (VII) The juvenile's family;
- (VIII) The juvenile's peer relationships;
- (IX) The status of juvenile programs and community placements in the juvenile's judicial district of residence;
- (X) Other related material;
- (XI) Review of placement and commitment criteria adopted pursuant to section 19-2-212, which shall be the criteria for any sentencing recommendations included in the pre-sentence investigation;
- (XII) Assessment of the juvenile's needs; and
- (XIII) Recommendations and a proposed treatment plan for the juvenile.

**Compliance with Section 223(a)(28) of the JJDP Act of 2002 through Colorado Statute:**

**§19-2-210. Juvenile community review board.** (3) (a) Prior to placement of a juvenile in a residential community placement, the juvenile community review board shall review the case file of the juvenile. It is the responsibility of the department of human services to provide accurate information regarding the juvenile and the proposed placement to the juvenile community review board. Such information shall include, but not be limited to, a history of delinquent adjudications, a social history, an educational history, a mental health treatment history, a drug and alcohol treatment history, and a summary of institutional progress. Each juvenile referred to the board shall be reviewed within fifteen days from the date the referral is received.

**§19-3-701. Petition for review of need for placement.** (5) For purposes of determining proper placement of the child, the petition for review of placement or social study shall be accompanied by an evaluation for placement prepared by the department or agency which recommends placement or with which the child has been placed. The evaluation for placement shall include an assessment of the child's physical and mental health, developmental status, family and social history, and educational status. The petition shall also be accompanied by recommended placements for the child and the monthly cost of each and a treatment plan which contains, at a minimum, the goals to be achieved by the placement, the services which are to be provided, their intensity, duration, and provider, and identification of the services which can be provided only in a residential setting, and the recommended duration of the placement. The petition or social study shall also be accompanied by the required fee to be charged the parents pursuant to section 19-1-115 (4) (d). In addition, if a change in legal custody is recommended, the evaluation for placement shall include other alternatives which have been explored and the reason for their rejection, and the evaluation for placement shall contain an explanation of any particular placements which were considered and not chosen and the reason for their rejection.

## COLLECTING AND SHARING JUVENILE JUSTICE INFORMATION

**Describe the state's process for gathering juvenile justice information and data across state agencies—i.e. state departments of education and welfare, mental health services, local law enforcement—and how the state makes this information available across agencies and incorporates the data into its comprehensive 3-year plan and annual plan updates.**

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

**Identify specific barriers the state encounters with the sharing of juvenile information of at-risk youth among state agencies, including local law enforcement, i.e. where state statute, regulation, or policy prohibits the sharing of this information.**

Information sharing is aided by the Colorado Integrated Criminal Justice Information System which is a single program that facilitates the sharing of critical data among five state-level criminal justice computer systems at key decision points in the criminal justice process. CICJIS is an independent program that relies on the equal participation of the five CICJIS agencies. Each agency has its own "business", business models, and strategies, yet each has a vested interest in and gains benefits from the CICJIS program. The agencies (primary stakeholders) and integrated systems include:

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

Although the juvenile justice system is represented in the CICJIS system, it is important to note that improvements are still necessary. State and local youth-serving systems and agencies are currently in discussion about developing a collaborative research project which could serve to inform the state about how and what youth are entering the juvenile justice system, what services are being provided and the success rate. Ultimately it is believed this project can provide information regarding the trajectory of youth entering the juvenile justice system and help us to identify what services can best meet the needs of our system-involved youth. Although this project was initiated for a particular research plan, because this is a multi-disciplinary endeavor and would require sharing of information across multiple state systems, it is anticipated that it will assist future research endeavors as protocols for sharing information among the various databases, including CICJIS, will be developed assuring the appropriate privacy protections are in place.

Sharing information across systems is also facilitated by the development of an on-line School Violence Prevention and School Discipline Manual (<http://www.ago.state.co.us/schoolvio/svpm2006.pdf>) which provides guidance about information sharing requirements related to school safety. What is uniquely helpful with this manual developed by the Colorado's Attorney General published is that it not only outlines in detail the extensive requirements for information sharing per Colorado Statute it also dispels myths about what information can and cannot be shared and under what circumstances. The manual further provides concrete guidance about how information sharing can be accomplished through a 16-page quick *Outline of the Colorado Information Exchange Law* and a template for a *Model Inter-Agency Agreement for Information Sharing* (<http://www.ago.state.co.us/dynamicPage.cfm?cpyID=237>).

Finally, although Colorado does have information sharing protocols for child welfare and the courts/probation and school safety and school violence prevention as seen above, the state also recognizes that it still struggles to integrate other youth-serving systems, especially those with information regarding subjects that have extended federal protections such as mental health, substance abuse and educational services.

### **Current Information Sharing Improvement Efforts**

The Colorado Prevention Leadership Council (PLC) and the Collaborative Management Program State Steering Committee (CMP-SSC) - both groups where the state Juvenile Justice Specialist and/or her staff are key members- are interagency collaborative groups addressing coordination, collaboration and integration of children and youth prevention, intervention and treatment services. One of the priorities identified by both groups is the need for data sharing agreements across state departments in order to enhance long-range integrated and comprehensive planning around common priorities at the state and local levels, to improve resource utilization, and to improve the assessment of the impact of services on social and health indicators. Between the two interagency groups there are representatives of eight state departments, including the Colorado Department of Education, Colorado Department of Human Services, Colorado Department of Health Care Policy and Finance, Colorado Department of Law, Colorado Department of Public Health and Environment, Colorado Department of Public Safety, Colorado State Judicial, and the Colorado Department of Transportation. In addition, each group meets with local partners to discuss common issues related to coordination, collaboration and integration as related to services for children, youth and families. One of the issues discussed between state and local partners has been that of data sharing and utilization.

In November 2007, an unprecedented joint meeting of Executive Directors of the above state agencies representatives of State Judicial, the Attorney General's Office, the Lt. Governor's Office, and the Office of the Governor was held. At this meeting, the PLC and CMP-CSS presented recommended action steps on several priorities, including cross-systems data coordination and data sharing and it was the consensus of this group that data sharing and utilization is a priority issue in line with priorities of the current executive administration. It was proposed that an umbrella group be formed as a steering committee of the Colorado Prevention Leadership Council, the "Colorado Data Sharing and Utilization Group" (CDSUG). This group consists of individuals, including the Juvenile justice Specialist, with a vested interest in policy issues related to data sharing and utilization, and serves as a steering committee to help develop objectives, oversee workgroup activities, provide general support and feedback, and promote efforts and recommendations to the Colorado Prevention Leadership Council, State Agency Directors, and other key policy makers.

To begin, the CDSUG has four primary focus areas, described below.

1. Develop a data sharing workgroup of the CDSUG to explore barriers and opportunities related to the sharing, exchange and analysis of state and local data sets.

Increased interest has emerged related to improving the access and sharing of state and local data sets in two distinct areas:

- i. Sharing of data in the aggregate between agencies and systems; and
- ii. Examining client level information that flows between different agencies and management information systems.

Problems in these two areas exist for a number of reasons including: institutional and policy barriers, management information systems, confidentiality concerns, data publication and reporting, etc. However, given the opportunity these data hold for supporting multi-agency problem assessment and collaborative efforts, it is important that a group be convened to explore and recommend methods, purposes and policies that might guide and support greater data sharing at the aggregate and individual levels. For this work to be successful there must also be a group of policy-level actors that is invested and supportive of this workgroup's activities and helps establish its mission and objectives.

2. Develop a workgroup of the CDSUG with the objective of furthering alignment between state and local priorities through the development of data profiles that relate to key objective areas of selected state initiatives.

As more data become available, it becomes increasingly difficult for state agencies and funding efforts to prioritize subsets of key indicators that might help focus assessment, funding and evaluation efforts over the long term. In addition, community groups are being provided with increased access to large and diverse data sets, but without sufficient guidance on how best to make use of these data and for what purposes. This workgroup would explore issues of data use at the community level broadly and also work with selected funding efforts to develop a set of prioritized indicators and related data profiles.

3. Convene an epidemiological workgroup of the CDSUG, develop bi-annual reports of substance abuse and discuss emerging trends with a group of key stakeholders.

While a current State Epidemiological Workgroup (which is the precursor to this proposed CDSUG) has worked to meet the needs of the Colorado Prevention Partners effort to address underage substance use and those of other groups (e.g., the Methamphetamine Task Force and the Violence Prevention Advisory Group), there is a need to conduct ongoing epidemiological data collection and analysis to examine, discuss, and plan around emerging substance abuse issues. While much of the required data has been collected, additional efforts need to be implemented to focus on the reporting of data and the selection of state individuals who are most relevant to discussions of substance abuse trends.

4. Provide reactive data analysis support to identified commissions, committees or other interagency group efforts.

The state is in need of a body that can provide data analysis and reporting support to various policy-related efforts. At the same time, the resources of any one state agency's funding is limited in terms of the number of staff it can assign to the provision of this service. Efforts should be made to proactively identify one or more groups for which the CDSUG could provide meaningful and long-term data analysis and reporting support.



# PROGRAM DESCRIPTIONS

## PROGRAM AREA # 23: PLANNING AND ADMINISTRATION

**PROBLEM STATEMENT:** The planning and administration of the Formula Grant Program of Title II of the Juvenile Justice and Delinquency Prevention (JJDP) Act in Colorado continues to be accomplished through the Office of Adult and Juvenile Justice Assistance (OAJJA), at the Division of Criminal Justice (DCJ). Colorado joined the JJDP Act in 1984 and DCJ has administered this program since then. System coordination among state agencies and local programs has become an essential component of the improvement of the juvenile justice system. Proposed state legislation and agency policies are monitored for possible conflict with the JJDP Act or possible unintended consequences that may negatively impact the juvenile justice system and its services. When new federal statutes, rules or regulations require revisions to existing state statutes or agency policies, DCJ staff work through necessary channels to suggest needed changes. Accessing information and expertise through OJJDP has also become a practice of the state based on the ever-increasing sources of research published and programs documented. Reporting of information from Colorado to OJJDP is seen as both a method to share our lessons learned, and inform federal officials and Congress of the benefits of the funding and technical assistance received from OJJDP.

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

**OBJECTIVE 1:** Sustain a state advisory group [Colorado Juvenile Justice and Delinquency Prevention (JJDP) Council] that represents the full spectrum of the juvenile justice system and delinquency prevention efforts.

**ACTIVITIES:**

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

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

**ACTIVITIES:**

- The Juvenile Justice Specialist and OAJJA staff will continue to serve on the State SB94 Advisory Board and on other statewide efforts to improve the juvenile justice system, including such areas as restorative justice, mental health, prevention, substance abuse, child welfare and education.
- Information received from this collaborative work will be used to advise the Council on pertinent and timely juvenile justice issues and then to develop requests for applications to meet the identified needs.

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

**ACTIVITIES:**

- Staff and Council will seek solicitation of input from state agencies, juvenile justice participants, rural areas, service providers, schools and others in the development and annual review of the Three-Year Plan.
- Staff and Council will distribute formula grant funds to support programming at the state and local level.

**OUTPUT PERFORMANCE MEASURES:**

- Amount of Formula grant funds allocated for planning and administration
- Number of FTEs funded with FG funds
- Number of subgrants awarded
- Number of RFPs developed that support programming identified in the Plan
- Number and percent of programs monitored
- Number and percent of programs using evidence-based models

**OUTCOME PERFORMANCE MEASURES:**

- Average time from receipt of subgrant application to date of award
- Number and percent of programs funded directly in-line with the 3-year plan

**BUDGET:**

<b>FISCAL YEAR</b>	<b>FORMULA GRANT FUNDS</b>	<b>STATE/LOCAL/PRIVATE FUNDS</b>	<b>TOTAL</b>
<b>2009</b>	\$92,400	\$92,400	\$184,800
<b>2010</b>	\$92,400	\$92,400	\$184,800
<b>2011</b>	\$92,400	\$92,400	\$184,800

### **PROGRAM AREA #3: STATE ADVISORY GROUP ALLOCATION**

**PROBLEM STATEMENT:** The State Advisory Group (JJDP Council) must have financial and other support in order to carry out its duties and responsibilities, as specified by the Governor and the JJDP Act. These duties include providing advice to the Governor, the State General Assembly and other policy makers regarding improvements to the juvenile justice system and service provision.

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

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

**ACTIVITIES:**

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

**OUTPUT PERFORMANCE MEASURES:**

- Number of SAG committee meetings held
- Number of SAG subcommittee meetings held
- Annual Report submitted to the Governor
- Number of grants funded with Formula Grant funds
- Number and percent of programs using evidence-based models
- Number of grant applications review and commented on
- Number and percent of activities/meetings that involve youth
- Percent of SAG allocation used

**OUTCOME PERFORMANCE MEASURES:**

- Number and percent of plan recommendations implemented
- Number and percent of SAG members who show increased knowledge regarding the identified priorities areas of Colorado's 3-year plan as well as the core requirements

**BUDGET:**

<b>FISCAL YEAR</b>	<b>FORMULA GRANT FUNDS</b>	<b>STATE/LOCAL/PRIVATE FUNDS</b>	<b>TOTAL</b>
<b>2009</b>	\$30,000	\$0	\$30,000
<b>2010</b>	\$30,000	\$0	\$30,000
<b>2011</b>	\$30,000	\$0	\$30,000

## **PROGRAM AREA # 10: DISPROPORTIONATE MINORITY CONTACT**

**PROBLEM STATEMENT:** Colorado has spent the past six years focusing on the State's data needs and subsequently concluded that the data provided in the past for the DMC Matrix had serious limitations, especially at arrest. In the prior years, Colorado used a different formula to calculate race/ethnicity at arrest but upon review, it was determined that this led to gross underrepresentation of arrest numbers for all ethnic and racial categories. Arrest data collected by the State's Uniform Crime Reporting (UCR) Repository, the Colorado Bureau of Investigations (CBI), is limited to race, therefore the number of Hispanic youth arrested are included within the number of White youth arrested leading to inaccurate reports for both White and Hispanic arrests. Because the DMC matrix is dependent on an accurate reporting of the number of youth arrested by race and ethnicity which then is used to establish the rates at the proceeding decision points, there was concern about the State's ability to draw accurate and complete conclusions regarding DMC throughout the juvenile justice system. Recognizing that the CBI arrest data is incomplete, Colorado determined that an alternate decision point that included data on Hispanic youth was required to use for the DMC matrices.

In lieu of CBI arrest ethnicity data, the State chose to use data on youth arrested and screened for potential placement in pre-adjudication detention. This data includes both race and ethnicity and thus includes both White and Hispanic categories. This data point is still suspect and thus may not be the ideal proxy for arrest data. First, not all youth arrested are at risk of detention and thus sent in for a screening. The decision to have a youth screened for detention is at the discretion of law enforcement. In Colorado, there are only two communities where every youth arrested is screened; the 1<sup>st</sup> and 18th Judicial Districts as each use their Juvenile Assessment Center for all juvenile arrests. The second concern is missing data. Many youth who were screened had missing information in the race/ethnicity section, up to 30% in some judicial districts. Despite these concerns, it was determined that the need to have a breakout for the Hispanic population overrode the other concerns and this race/ethnicity data became the proxy for race/ethnicity percentages for juvenile arrests in the State's DMC Matrix. Because screening data did not account for all the youth arrested in the state but did give us an indication of the ethnic/racial representation of the youth being arrested, the ethnicity/race percentages from this screening point were then applied to the actual arrest data provided by CBI.

Colorado utilizes a customized RRI excel spreadsheet developed by OJJDP to allow the State to analyze more data points than possible using the standard on-line system. This expanded information is also entered on-line and attached to this federal application. Please note the data from the previous years was not derived in the same fashion as this year. Despite this, the data still shows that the two areas of concern for the State continue to be arrest and commitment to the Division of Youth Corrections (DYC) which represent entrance to the juvenile justice system and the most restrictive setting. This year the data also shows that the RRI for African American youth sentenced to detention has risen from 1.43 last year to 1.82 this year. This increase will be a point of discussion at the next meeting of the Coalition for Minority Youth Equality (CMYE), which serves as Colorado's DMC committee. Although the rate of African American youth being arrested has declined from a high in FY 05-06 of 7.6, African American youth are still almost four and a half times more likely to be arrested than their White counterparts. Equally disturbing, the arrest rate for Hispanic remains high at 2.36.

An assessment of the arrest decision point will be undertaken in this next year. This assessment will look at geographic differences in disparity, possible contributors such as arrests at schools, malls, types of crime, etc. Because the JJDP Council has prioritized prevention of delinquency through targeting mental health, substance abuse and disproportionate minority contact, the ultimate goal is to address risk factors associated with future delinquency thus avoiding arrest completely. As such, a focus of the Council's work will be to evaluate efforts funded with Formula Grant funds and see if there was a discernable impact on the minority arrest rates where there were funded programs; a great example of the Council's shift to data driven planning.

The Relative Rate Index (RRI) for African American youth at arrest is alarmingly high and has been for the last four years. Although we see a dramatic decrease in the past year (6.21 to 4.47), the formula used to establish these rates was changed for FY 07-08, thus direct correlations from FY 06-07 and 07-

08 should not be made. There has been an improvement at the pre-adjudication detention level where African American youth are now less likely than whites to be placed into detention. It should be noted that two years ago, local communities were asked to discuss their efforts at addressing minority overrepresentation in their annual SB 94 (Alternatives to Detention) Plans.

<b>AFRICAN AMERICAN YOUTH</b>				
<b>Decision Points</b>	<b>FY 04-05</b>	<b>FY 05-06</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
<b>Arrest</b>	<b>3.99</b>	<b>7.06</b>	<b>6.21</b>	<b>4.47</b>
<b>Pre Adjudicated Detention</b>	<b>1.27</b>	<b>.76</b>	<b>.89</b>	<b>1.29</b>
<b>Misdemeanor Filing</b>	<b>.43</b>	<b>.07</b>	<b>.09</b>	<b>.13</b>
<b>Misdemeanor Adjudication</b>	<b>.97</b>	<b>** .80</b>	<b>.35</b>	<b>** 1.24</b>
<b>Felony Filing</b>	<b>.65</b>	<b>.32</b>	<b>** 1.07</b>	<b>.53</b>
<b>Felony Adjudication</b>	<b>1.06</b>	<b>** 1.11</b>	<b>** 1.12</b>	<b>1.04</b>
<b>Probation Supervision</b>	<b>.84</b>	<b>.96</b>	<b>1.24</b>	<b>1.14</b>
<b>Probation Sentence to Detention</b>	<b>1.8</b>	<b>** 2.39</b>	<b>1.43</b>	<b>1.82</b>
<b>Commitment NYC</b>	<b>2.3</b>	<b>2.12</b>	<b>1.97</b>	<b>3.31</b>

\*\*Numbers bolded are statistically significant. The numbers not bolded (and marked with \*\*) were not statistically significant and cannot be used to analyze or make assumptions about the RRI at that decision point. FY 04-05, FY 05-06 and FY 06-07 arrest rates were calculated based on the number of youth fingerprinted. FY 07-08 arrest rates were calculated based on a formula of the ethnic and racial representation of the number of youth screened applied to the numbers of youth arrested.

African American youth who represent approximately 5.3% of the Colorado youth population represent 16% of the newly detained population with the highest length of stay at 16.3 days. This higher length of stay may be a result of the higher ratio of probation sentences to detention (RRI of 1.82) made by the court versus the earlier pre-adjudication detention (RRI of 1.29) where one might expect shorter stays as detention at this stage is used primarily for determining the immediate need for detention based on level of risk to the community and these youth are eligible to receive SB 94 services if it is determined that such services would permit them to remain in the community.

African American youth also represent 19.6% of the newly committed population and are more than three times as likely as white youth to be committed to the Division of Youth Corrections (RRI of 3.31). In addition, according to the Division of Youth Corrections African American youth have the second highest length of stay (LOS) at 19.8 months (highest LOS is for American Indian youth at 21.7 months) for committed youth, a slight rise from 19.4 in FY 2006-07.

<b>HISPANIC YOUTH</b>				
<b>Decision Points</b>	<b>FY 04-05</b>	<b>FY 05-06</b>	<b>FY 06-07</b>	<b>FY 07-08</b>
<b>Arrest</b>	<b>*2.46</b>	<b>*2.42</b>	<b>*2.02</b>	<b>2.36</b>
<b>Pre Adjudicated Detention</b>	<b>1.11</b>	<b>1.12</b>	<b>1.34</b>	<b>1.17</b>
<b>Misdemeanor Filing</b>	<b>.15</b>	<b>.09</b>	<b>.16</b>	<b>.16</b>
<b>Misdemeanor Adjudication</b>	<b>1.4</b>	<b>1.17</b>	<b>1.27</b>	<b>1.34</b>
<b>Felony Filing</b>	<b>.29</b>	<b>.21</b>	<b>.30</b>	<b>.25</b>
<b>Felony Adjudication</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
<b>Probation Supervision</b>	<b>1.05</b>	<b>1.06</b>	<b>1.20</b>	<b>1.21</b>
<b>Probation Sentence to Detention</b>	<b>1.35</b>	<b>1.77</b>	<b>1.29</b>	<b>1.19</b>
<b>Commitment NYC</b>	<b>3.53</b>	<b>1.31</b>	<b>1.07</b>	<b>3.52</b>

\* In FY 04-05, FY 05-06 and FY 06-07 the State rate for Hispanic arrest data was calculated by applying a formula based on the percentage of arrests that Hispanic youth represent in jurisdictions where we have Hispanic arrest data and where a large portion of the state's youth population and Hispanic youth population reside. FY 07-08 arrest rates were calculated based on a formula of the ethnic and racial representation of the number of youth screened applied to the numbers of youth arrested.

Although not as alarming as for African American youth and noting its decline since FY 2004/05, the Relative Rate Index at arrest for Hispanic youth must be addressed (RRI of 2.36 in FY 2006/07) as Hispanic youth are still over twice as likely to be arrested as White youth and there was a slight rise in this past year. There has also been a dramatic increase in the RRI for Hispanic youth at commitment which rose from 1.07 in FY 2006-07 to 3.52 in FY 2007-08

In the next three years, the state (the Division of Criminal Justice, the JJDP Council and the CMYE) will focus efforts based on data-driven planning and the analysis of the arrest decision point. The DMC Coordinator will develop an announcement of funds to solicit an agency or organization to analyze the arrest decision point. This analysis at a minimum should identify which judicial districts are contributing to the high index rate for arrest, what types of crimes are involved and if there are certain locales such as schools where the arrests are occurring. The Coordinator will be involved in developing the solicitation and overseeing the agency performing the analysis. The DMC Coordinator and the JJ Specialist will focus efforts on better data for the matrix specifically related to arrest data. Because the data reported for arrest is not broken out by ethnicity the issue of not having arrest data for Hispanic youth continues to be a problem.

The DMC Coordinator works closely with the Formula Grant Manager to ensure that the State is collecting all of the necessary performance measures along with other information that will show program success in addressing DMC. In 2008, this information was used in a formal evaluation of Formula Grant funded programs conducted by OMNI Institute. Below are the highlights of that research pertinent to items shown to be correlates of success in formula grant programs as well as items that were shown NOT to be correlates.

The JJDP Council worked with OMNI Institute to evaluate all of the formula grantees from 2007 and 2008. The data used for this analysis came from the performance measure data and from some additional data required of all subgrantees. Data is collected on "Intake/Exit" forms, which track characteristics of youth, their crimes and criminal histories, completion of their program, and academic performance. Until recently, OMNI had provided grantee-level summaries and frequencies of each variable collected on the forms, but had not been able to provide any analyses of relationships between factors at the aggregate level.

Grantees are expected to deliver strength-based programs with clear and focused objectives and MOR grantees are expected to address and ultimately reduce, the disproportionate contact of minority youth with the juvenile justice system by: implementing plans to assist minority youth and their families in navigating the court process, providing access to resources needed to successfully meet probation or supervision requirements, and to reduce the length of incarceration stays.

The large majority of characteristics assessed were not substantial correlates of successful completion of DCJ programs. The following factors were examined in relation to program success and NO relationship was found:

- Gender
- Ethnicity
- Child Welfare Involvement
- Age
- Number of Prior Arrests
- Sexual abuse
- Domestic violence
- Whether or not program attendance was mandatory
- Medicaid eligibility
- Pre-existing mental health diagnosis

Conversely, there were areas identified as strong correlates of program success: 1) the two indicators of academic profile which include school status and passing grades, and 2) criminal compliance during the program including failure to appear (FTA), re-offenses, probation violations, probation revocations and completed court sanctions. There was also a significant association between having an individual plan and program success. Ninety-one percent of youth who had an individual plan were successful whereas only 66% of youth who did not have an individual plan were successful. The lack of plan development may contribute uniquely to being unsuccessful in the program if it means that there is less structure and less goal-direction during the youth's time in Formula Grant funded services. Thus, it appears that plan development is helpful and may be worthy of consideration as a required element of program participation.

The JJDP Council adopted a recommendation requiring all programs to develop an individual plan for all youth served, which is now included in the 2009 solicitation for Formula Grant applications. The Division of Criminal Justice is also working with OMNI to include these relevant factors on all Intake/Exit forms (performance measures and other information)

- Individual Plan development and completion
- Age at first contact with the law
- Add categories to “successful completion” question so program staff can track
- Add reasons why, e.g., “non-compliant with plan”, “continuing in program”, “moved out of area”
- Add more common categories to “Disposition” question to avoid so many “Other” responses
- Add finer-grained categories to “criminal history” question, e.g., first-time offender, 1 prior offense, 2 prior offenses, 3-4 prior offenses, more than 4 prior offenses.
- Track the severity (misdemeanor or felony) of both presenting offense as well as criminal history.
- On “Plan Completion” question, add response possibility “Plan not complete due to the continuation of agreement past the end of program”.

Information gathered from the evaluation of the MOR grantees will be used to improve the programs funded with formula grant funds and also to show program success. An evaluation of the new subgrants awarded in 2009 for a three-year funding cycle will also be evaluated.

**GOAL 1:** Improve the data collection and analysis system in Colorado to measure disproportionate minority contact and the impact of interventions on DMC.

**OBJECTIVE 1:** Improve use of the OJJDP required data collection including the RRI Matrix.

**ACTIVITIES:**

- Examine existing RRI data by Judicial Districts and identify which judicial districts are affecting the high Relative Rate Index (RRI) for African-American and Hispanic Youth arrests.
- Look at the barriers related to the collection/availability of data for the RRI spreadsheets.
- Develop a user friendly document for each Judicial District to represent their RRI data.
- Distribute the data through the local Senate Bill 94 coordinators.

**OBJECTIVE 2:** Provide data driven recommendations to the JJDP Council related to DMC reduction.

**ACTIVITIES:**

- Use all available research, data and other information to develop and present recommendations to the JJDP Council. Include recommendations related to resources (money, training and technical assistance, etc).

**OBJECTIVE 3:** Improve the DMC-related data by expanding it beyond what is currently collected and analyzed within the juvenile justice system.

**ACTIVITIES:**

- Identify additional information/data available in Colorado that may be used to analyze DMC- both factors which contribute to DMC and factors which mitigate DMC.
- Use information currently collected through COKIT to inform CMYE on the impact of currently funded programs on DMC.

**GOAL 2:** Improve the juvenile justice system response to minority youth and their families.

**OBJECTIVE 1:** Establish relationships with other statewide initiatives/systems to educate them about DMC and assist them in developing a process for tracking DMC-related data, if appropriate, encouraging them to use CMYE as a resource.

**ACTIVITIES:**

- Establish connections and coordination efforts with other initiatives and agencies such as the Commission on Criminal and Juvenile Justice, Restorative Justice Council, CO LINKS, Prevention Leadership Council, Collaborative Care Management (HB1451), Access to Recovery, SB 94, etc.

**OBJECTIVE 2:** Provide DMC-related policy and practice information to the JJDP Council.

**ACTIVITIES:**

- DMC Coordinator will keep abreast of DMC policies and practices in other states to keep both the CMYE and the JJDP Council informed.
- CMYE will make policy/practice recommendations to the JJDP Council when appropriate.

**GOAL 3:** Provide technical assistance to programs/ communities addressing minority over representation and provide education to targeted audiences, i.e. Judges, District Attorney's, Public Defenders, other systems such as mental health and substance abuse treatment and prevention.

**OBJECTIVE 1:** Provide programs/communities the tools necessary to address DMC appropriately.

**ACTIVITIES:**

- Present on Colorado's DMC efforts at juvenile justice conferences each year.
- Provide on-site technical assistance to two or more state or local programs/communities each year

**OBJECTIVE 2:** Provide staff support to the CMYE membership to assist in DMC planning and work.

**ACTIVITIES:**

- DMC Coordinator will provide staff support to the CMYE as permitted under the DMC Staff support Formula subgrant.

**GOAL 4:** Prevention of delinquency by addressing contributing factors that may lead minority youth to enter the juvenile justice system.

**OBJECTIVE:** Provide funding to state and local entities to address the needs of minority youth at high risk of entering the juvenile justice system.

Examples of Services for which funds may be requested

- School-based programs and/or services.
- Family Advocacy programs and/or services.
- Community-based programs and/or services (i.e., mentoring).

Essential Components:

- Must show the link between proposed program and the prevention of minority youth entering the juvenile justice system.
- Applicant must demonstrate knowledge of the Disproportionate Minority Confinement phenomenon.
- Individual case plans are strongly encourage.
- Applicants must demonstrate how the proposed plan addresses risk factors that lead to overrepresentation of minority youth in the juvenile justice system.



**ACTIVITIES:**

- Solicit applications for funding from projects which will address the needs of minority juveniles to prevent them from entering the juvenile justice system
- Fund programs and services based on the essential components

**OUTPUT PERFORMANCE MEASURES:**

- Number of program youth served.
- Number of program materials developed.
- Number of service hours completed.
- Number and percent of program staff trained
- Number of hours program staff training provided
- Number of planning activities conducted
- Number of assessment studies conducted
- Number of data improvement projects implemented
- Number of objective-decision-making tools developed

**OUTCOME PERFORMANCE MEASURES:**

- Number of minority staff hired
- Number of program youth exhibiting desired change in behavior in one of the following targeted areas: substance use, school attendance, family relationships or antisocial behavior
- Number and percent of program youth completing program requirements
- Number and percent of youth satisfied with program.
- Number of youth who offend or reoffend

**BUDGET:**

<b>FISCAL YEAR</b>	<b>FORMULA GRANT FUNDS</b>	<b>STATE/LOCAL/PRIVATE FUNDS</b>	<b>TOTAL</b>
<b>2009</b>	\$164,000	\$0	\$164,000
<b>2010</b>	\$164,000	\$0	\$164,000
<b>2011</b>	\$164,000	\$0	\$164,000

## PROGRAM AREA # 20: MENTAL HEALTH SERVICES

**PROBLEM STATEMENT:** A growing crisis in Colorado and across the country has been the influx of youth with serious mental illnesses and emotional disorders entering the juvenile justice system. A growing need for families with youth in crisis is access to services to help them cope with the youth within the home environment or, if necessary, within a community-based non-secure treatment setting. Earlier identification of mental health, substance abuse and co-occurring disorders has the potential to address youth needs before delinquent behavior presents itself. Services to determine this early need and to provide adequate treatment of mental health and other presenting needs are not available in all parts of Colorado. Youth who are not Medicaid eligible or those who do not have the adequate health insurance are often unable to access quality mental health services.

In Colorado, six out of ten people receiving mental health services receive them outside of the mental health services programs in such systems as Corrections and Human Services/Social Services. For example, in FY 2006 43% of youth receiving mental health treatment were referred by the justice system. Further, Colorado spends just over \$64 dollars per capita on publicly funded mental health care, which is 21% below the national average. Due to a lack of appropriated resources in FY 2006, 17,300 individuals with serious mental illness did not receive treatment. *Colorado HJR 07-1050 Behavioral Health Task Force Report, McHugh, D., Lynn, J., Portman-Marsh, N., Kahn, R., 2008. Denver, CO: Colorado State Leg*

In the last several years Colorado has witnessed significant changes and improvements in the delivery of services to children and adolescents with serious emotional disturbance. Further, a system of care approach based on the work of Stroul and Friedman, 1986 has been implemented. Despite this the percent of males committed to the Division of Youth Corrections assessed as having “High-Moderate to Severe” mental health needs increased from 20.8% in 2006-07 to 21.3% in FY 2007-08. The percent of females committed to DYC assessed as having “High-Moderate to Severe” mental health needs decreased from 29.5% in FY 2006-07 to 25.0% in FY 2007-08. Conversely the females assessed with “Low Moderate/None to Slight” mental health needs increased from 70.5% in FY 2006-07 to 75.0% in FY 2007-08.

Assessed Mental Health Needs of Committed Youth <sup>1</sup>						
	Males			Females		
	FY 2005-06	FY 2006-07	FY 2007-08	FY 2005-06	FY 2006-07	FY 2007-08
<b>High Moderate to Severe</b>	60.2%	20.8%	21.3%	52.7%	29.5%	25.0%
<b>Low Moderate/ None to Slight</b>	39.8%	79.2%	78.7%	47.3%	70.5%	75.0%

<sup>1</sup>Colorado Client Assessment Record (CCAR) used to assess mental health needs within one month of commitment. Percentages based on total CCARs given and do not include missing data. (Source: DYC Management Reference Manual, FY 2007-08.)

Concerns about the lack of mental health services for children and youth were confirmed in a survey, conducted by the Division of Criminal Justice on behalf of the JJDP Council, to solicit input from individuals across Colorado regarding the needs, issues and most critical areas on which to focus resources. The survey was designed to collect honest feedback on the importance of the 34 different Formula Grant program areas from a broad range of community members, juvenile justice and other systems’ professionals. After two weeks of data collection, 357 responses were submitted. In this survey, respondents were asked which of the four approaches (of prevention, early intervention, intervention, and aftercare) to reduce juvenile delinquency and improve the juvenile justice system were preferred. Respondents favored early intervention and prevention efforts, and furthermore mental health was one of the highest rated program areas across all four approach areas and was the most frequently selected area for funding.

The survey results were presented to and critically analyzed by the JJDP Council at their two-day retreat and follow-up meeting held in September and December of 2008, respectively. The Council, while looking at the survey results, also discussed what resources were already funded and/or available across the state, data regarding needs and after great deliberation, prioritized prevention of delinquency by focusing on the needs of high risk youth in the area of mental health.

**GOAL 1:** Prevention of delinquency by addressing the needs of juveniles with mental health issues to prevent them from entering the juvenile justice system and, when possible, fully

engaging the youth and family in planning and monitoring mental health services and supports.

**OBJECTIVE 1:** Provide funding for programs that assist in the provision of mental health services that incorporate the Principles for Systems Integration adapted from Colorado System of Care which include: Safety; Youth-Centered; Family-Focused; Individualized; Culturally Responsive; Strengths-Based; Community-Based; and Outcome-Based and Cost Responsible.

**ACTIVITIES:**

- Solicit applications for funding for projects which will address the needs of juveniles with mental health issues to prevent them from entering the juvenile justice system
- Fund programs and services based on the principles of practice

**GOAL 2:** Children and youth and their families receive quality behavioral health care that is individualized and coordinated to meet their changing needs through a comprehensive integrated system. They also have timely access through multiple points of entry to a full continuum of culturally responsive services, including prevention, early intervention, crisis response, treatment, and recovery provided by the integrated system.

**OBJECTIVE 2:** Provide support for systems improvement efforts which address the need for an integrated behavioral health system for the children and youth of Colorado and their families.

**ACTIVITIES:**

- Council members and OAJJA staff will continue to be members of interagency collaborations which address mental needs of youth at risk of entering the juvenile justice system
- Solicit applications for funding which are targeting effective ways to improve the behavioral health system.

**OUTPUT PERFORMANCE MEASURES:**

- Number of program youth served
- Number of youth referred
- Number of youth screened/assessed
- Number of program youth with formal psychological/psychiatric evaluations

**OUTCOME PERFORMANCE MEASURES:**

- Number and percent of program youth completing program requirements.
- Number and percent of program youth who have exhibited a desired change in antisocial behaviors
- Number and percent of families satisfied with program
- Number and percent of youth satisfied with the program
- Number of youth who offend or reoffend

**BUDGET:**

FISCAL YEAR	FORMULA GRANT FUNDS	STATE/LOCAL/PRIVATE FUNDS	TOTAL
2009	\$164,000	\$0	\$164,000
2010	\$164,000	\$0	\$164,000
2011	\$164,000	\$0	\$164,000

## PROGRAM AREA #6: COMPLIANCE MONITORING

**PROBLEM STATEMENT:** Colorado has emphasized and supported compliance monitoring since 1987. In 1988, a system improvement component was added to the compliance monitoring job responsibilities to enhance the effort of reaching and maintaining compliance by providing education, training, technical assistance and on-site support to the law enforcement and juvenile justice system personnel. Despite this vigilance, from 2004 to 2008, Colorado more than tripled the number of violations for deinstitutionalization of status offenders (42 to 146) and experienced a 61% rise in the number of delinquents held in adult jails or lockups over six hours (8 to 13). Legislation regarding the holding of juveniles in compliance with the core requirements of the JJDP Act was passed during Colorado's 2006 legislative session which is of great assistance in maintaining compliance which must be supported through the system improvement efforts of the compliance monitor as listed above.

**GOAL 1:** Maintain compliance with Deinstitutionalization of Status Offenders, Separation of Juveniles from Adult Inmates and the Removal of Juveniles from Adult Jails and Lockups.

**OBJECTIVE 1:** To provide training, technical assistance and monitoring in the juvenile justice arena, specifically as it relates to the JJDP Act and the activities of DCJ, Office of Adult and Juvenile Justice Assistance.

### ACTIVITIES:

- Identify and classify all facilities within the monitoring universe that may hold juveniles pursuant to public authority.
- Develop a list for inspection of facilities that are securely and non-securely holding juveniles.
- Conduct on-site inspection of facilities and collect/verify data on juveniles held securely throughout the year.
- Prepare and submit the OJJDP Compliance Monitoring report documenting the number of compliance violations no later than December 1.
- Research the possibility of using a statewide electronic data reporting system.
- Continue to train all District Court Judges and Magistrates on the proper use of the federal and state Valid Court Order.
- Continue to work with local communities and state agencies on addressing truancy which has contributed to the rise in the DSO rate for the state.

### OUTPUT PERFORMANCE MEASURES:

- Amount of funds allocated to adhere to Section 223(A)(14) of the JJDP Act of 2002.
- Number of activities that address compliance with Section 223(A)(14) of the JJDP Act of 2002.
- Number of facilities receiving technical assistance.
- Number of materials developed
- Number and percent of program staff trained
- Number of hours program staff training provided

### OUTCOME PERFORMANCE MEASURES:

- Submission of complete annual monitoring report to OJJDP.

### BUDGET:

FISCAL YEAR	FORMULA GRANT FUNDS	STATE/LOCAL/PRIVATE FUNDS	TOTAL
2009	\$110,000	\$0	\$110,000
2010	\$110,000	\$0	\$110,000
2011	\$110,000	\$0	\$110,000

## **PROGRAM AREA #22: AMERICAN INDIAN PROGRAMS**

**PROBLEM STATEMENT:** Colorado has two Native American Tribes in the southwest corner of the state: the Southern Ute Tribe and the Ute Mountain Ute Tribe. Both tribes are working closely with state efforts to appropriately hold juvenile offenders and improve their tribal juvenile justice system. Because Native American youth are often held in distant federal facilities, the tribes are anxious to develop alternative programs in their communities. The compliance monitor, serving in her role as liaison to the tribes, DCJ and the JJDP Council (SAG) have made great strides in building relationships, soliciting tribal input, and providing technical assistance.

The Southern Ute Tribe sends youth to New Mexico facilities primarily on underage drinking sentences. Shelter and non-secure placements are needed within the community. Southern Ute officers have the use of one secure room and one non-secure room for juveniles within their police department. They use a Juvenile Holding Cell log for the secure room and are monitored for compliance with the JJDP Act core requirements. The need for juvenile detox continues to be a huge challenge in this community. This need has been discussed with the state Division of Behavioral Health- Substance Abuse Services, Adolescent Services Coordinator who serves on Colorado's SAG and has been active in previous years working with both tribes on comprehensive service delivery. The Southern Ute Tribal Council has approved funds for a new juvenile detention center located on tribal lands within Ignacio. The DCJ compliance monitor met with the facility design team in the fall of 2008 and trained the judicial and social services staff on the use of this facility once it is operational. It is expected that the facility will be open in late 2010. The Southern Ute Tribal Court intends to use the facility for delinquents and for violations of Valid Court Orders. They currently transport all youth to facilities in New Mexico that they will discontinue once their facility is operational.

The SAG currently funds a court diversion program for Native American youth at the Southern Ute Tribal Court that serves up to 25 youth a year. The program, called The Juvenile Violence Intervention Program, is evidence-based group and individual program for Native American youth. The program focuses on individual and group counseling for youth referred by the court, law enforcement or the school who are exhibiting delinquent behavior. Detailed evaluation records are maintained. The program has always met or exceeded their goals and objectives. The program recently began to focus on "Historical Trauma" that still exists in the Native American culture.

The Ute Mountain Ute Tribe has a collocated facility operated by BIA called the Chief Ignacio Juvenile Facility and they also maintain a Juvenile Holding Cell log which the compliance monitor reviews annually during the required annual facility certification. Only BIA agencies are permitted to use this facility, Southern Ute is not a BIA agency and is therefore their youth are denied admission. Staff have been trained on juvenile issues and procedures and have developed an internal Policy and Procedure Manual. The facility director has been working closely with the DCJ compliance monitor to ensure only appropriate juveniles are placed in this, and other BIA, facilities.

The SAG currently funds an educational program for Native American youth residing on the Ute Mountain Ute reservation (Towaoc) who have been expelled, suspended or are at risk of dropping out of school. Up to 12 youth can be served annually. Program staff meets with each student and their parents to develop an education plan. Students report to the Ute Mountain Ute Education Department daily to complete their schoolwork. Their school provides the schoolwork; program staff tutors the students, grades their work and keeps a notebook for each student documenting their completed work and grades. When the expulsion or suspension is over, program staff provide the school with the completed work so the student can resume their education at the point they were expelled or suspended.

Colorado's Native American juvenile population that is non-reservation based continues to need culturally appropriate services. Although the Native American juvenile population that is non-reservation based is estimated at .90% of the State's total juvenile population, Native American represent 1.2% of the Division of Youth Corrections (DYC) detained population. Furthermore- Native American males represented 1.2% and females 2.4% of the DYC committed population in FY 2007-08.

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

**OBJECTIVES:**

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

**ACTIVITIES:**

- Staff will contact agencies representing or serving the Native American population to determine how to support efforts of such groups in addressing juvenile justice and delinquency prevention programming for Native American youth.
- Staff will monitor the performance of the grants at the Southern Ute and Ute Mountain Ute tribe to measure performance and assist with problem solving obstacles to performance.
- DCJ staff and selected SAG members will attend Ute Mountain Ute Juvenile Justice Issues group meetings as requested.

**OUTPUT PERFORMANCE MEASURES:**

- Number of program youth served.
- Number of FTE's funded by Formula Grant dollars.
- Average length of stay in program

**OUTCOME PERFORMANCE MEASURES:**

- Number and percent of youth who offend or re-offend.
- Number and percent of program youth completing program requirements.
- Number of youth committed to a correctional facility.
- Percent of program youth who exhibit a desired change in anti-social behavior

**BUDGET:**

FISCAL YEAR	FORMULA GRANT FUNDS	STATE/LOCAL/PRIVATE FUNDS	TOTAL
2009	\$50,000	\$0	\$50,000
2010	\$50,000	\$0	\$50,000
2011	\$50,000	\$0	\$50,000

## PROGRAM AREA # 32: SUBSTANCE ABUSE SERVICES

**PROBLEM STATEMENT:** Reducing the social and economic consequences of untreated substance use disorders requires a planned investment in evidence-based prevention, intervention, and treatment. Although funding to Colorado's Division of Behavioral Health (DBH) - Substance Abuse Services has not decreased as dramatically as most of the state and federal juvenile programs, their ability to serve youth is still affected as substance abuse treatment providers receive funding from multiple sources, many of which were simultaneously reduced. As funds are being cut to DBH and across most of the juvenile justice serving agencies, service providers are reporting closures of youth serving programs, less services and resources available for youth including lack of available interventions prior to a youth being placed, lack of intervention when a youth is returned to a community and staff layoffs.

By applying the 13.4% national estimate to the 597,097 adolescents in Colorado, it can be estimated that there are about 80,010 adolescents currently using drugs. Based on the number of youth (2,412 in FY 2008) admitted to treatment services, it appears approximately 77,466 adolescents are still in need of some level of substance abuse intervention or treatment. Overall, many youth are still at an experimental stage where the risks are primarily overdose or accident related, however, a substantial number are further down the path to abuse and dependency, and are not receiving any intervention or treatment. The lack of treatment providers in Colorado licensed to serve adolescents has contributed to a de-emphasis on this population. There are 20 counties (out of a total of 65) in Colorado that lack even a single program licensed to treat minors and 22 counties with only one provider for the entire county, which is licensed to provide adult services.

The lack of capacity in current systems to provide services in urban areas, the lack of providers in rural areas, and the cost for treatment reflect significant barriers for accessing treatment. Additional barriers that occur when a person decides to get treatment include lack of childcare, transportation, and access to continued recovery-oriented support services to address underlying issues that can interfere with the recovery process.

The number of youth with unmet substance abuse treatment needs is troubling when looking at potential ramifications to the juvenile justice system. Of the youth committed to the Division of Youth Corrections (DYC) in FY 2007/2008 67% of the females and 58.9% of the males were assessed as in need of treatment level services. Many of these youth have documented substance abuse disorders that had they been properly treated within reasonable time frames, may have prevented involvement with the Division of Youth Corrections. Studies show drug treatment reduces drug use by 40 to 60% and significantly decreases criminal activity during and after treatment. Although substance abuse treatment can significantly reduce further penetration into the juvenile justice system; recent reductions in these services will likely increase the need for more costly programs in future years.

<b>Assessed Substance Abuse Counseling Needs of Committed Youth</b>						
	<b>Males</b>			<b>Females</b>		
	<b>FY 2005-06</b>	<b>FY 2006-07</b>	<b>FY 2007-08</b>	<b>FY 2005-06</b>	<b>FY 2006-07</b>	<b>FY 2007-08</b>
<b>Prevention</b>	14.9%	15.6%	11.8%	5.4%	9.2%	9.7%
<b>Intervention</b>	26.4%	25.5%	29.4%	29.5%	24.5%	23.4%
<b>Treatment</b>	58.6%	58.6%	58.9%	65.2%	66.3%	66.9%

(Source: DYC, Management Reference Manual, FY 2007-08)

Similarly to mental health, concerns about the lack of substance abuse services for children and youth were confirmed in a survey, conducted by the Division of Criminal Justice on behalf of the JJDP Council, to solicit input from individuals across Colorado regarding the needs, issues and most critical areas on which to focus resources. The survey was designed to collect honest feedback on the importance of the 34 different Formula Grant program areas from a broad range of community members, juvenile justice and other systems' professionals. After two weeks of data collection, 357 responses were submitted. In this survey, respondents were asked which of the four approaches (of prevention, early intervention, intervention, and aftercare) to reduce juvenile delinquency and improve the juvenile justice system were preferred. Respondents favored early intervention and prevention efforts, and furthermore substance abuse was one of the highest rated program areas across all four approach areas.

The survey results were presented to and critically analyzed by the JJDP Council at their two-day retreat and follow-up meeting held in September and December of 2008, respectively. The Council, while looking at the survey results, also discussed what resources were already funded and/or available across the state, data regarding needs and after great deliberation, prioritized prevention of delinquency by focusing on the needs of high risk youth in the area of substance abuse.

Colorado's Interagency Advisory Committee on Adult and Juvenile Correctional Treatment developed nine principles related to substance abuse treatment and criminal and juvenile justice. Three principles will be the basis upon which the treatment services provided with Formula grant funds will be based. The primary components upon which this work will be rooted include: that treatment must be age, gender and culturally responsive, evidenced-based, based upon comprehensive assessment of risk, provided by qualified trained professionals and implemented in partnership with other community services.

**GOAL:** Prevention of delinquency by addressing youth's substance use and abusing behaviors to prevent them from entering the juvenile justice system.

**OBJECTIVE:** Provide funding for programs that assist in the provision of mental health services that incorporate the nine principles related to substance abuse treatment and criminal and juvenile justice developed by Colorado's Interagency Advisory Committee on Adult and Juvenile Correctional Treatment and endorsed by the Division of Behavioral Health.

**ACTIVITIES:**

- Solicit applications for funding for projects which address needs of youth with substance abuse issues to prevent them from entering the juvenile justice system.
- Fund applications which show evidence of collaboration with the appropriate agencies as well as families to create an efficient continuum of substance abuse treatment services for the youth and their families, which may include relapse prevention groups. Agencies must also demonstrate their use of Division of Behavioral Health approved substance use screening and assessment instruments designed and developed for adolescents. Applicants must specifically address what type of treatment will be provided and what curriculum will be utilized.

**OUTPUT PERFORMANCE MEASURES:**

- Number of program youth served
- Number and percent of youth screened
- Number and percent of youth assessed

**OUTCOME PERFORMANCE MEASURES:**

- Number and percent of program youth completing program requirements
- Number and percent of program youth exhibiting desired change in substance use
- Number and percent of program youth satisfied with the program
- Number of youth that offend or reoffend
- Number and percent of youth exhibiting a desired change in targeted behaviors

**BUDGET:**

FISCAL YEAR	FORMULA GRANT FUNDS	STATE/LOCAL/PRIVATE FUNDS	TOTAL
2009	\$163,600	\$0	\$163,600
2010	\$163,600	\$0	\$163,600
2011	\$163,600	\$0	\$163,600



## **PROGRAM AREA # 19: JUVENILE JUSTICE SYSTEM IMPROVEMENT**

**PROBLEM STATEMENT:** The Colorado Juvenile Justice and Delinquency Prevention Council again reaffirms its commitment to providing leadership to the state in addressing juvenile justice issues. As Colorado's juvenile justice data was reviewed, the Council committed to addressing those issues which bring youth into the system and to support appropriate treatment for these youth. In order to best meet these challenges, the Council must rely on quality data analysis by the state and local agencies planning programs. The Council proposes support for programs, research, and other initiatives designed to examine issues or improve practices, policies, or procedures on a system wide basis (e.g., examining problems affecting decisions from arrest to disposition, detention to corrections, etc.).

Additionally, as Colorado has struggled with budget deficits for several years resulting in cuts to vital services at all levels from prevention through intervention, many systems appear to be stretched to maximum capacity forcing interagency dialogue about the state's ability to meet its youth's needs. There are several initiatives currently in process that can serve to improve the juvenile justice and delinquency prevention system. It is vitally important that systems participating in these initiatives remain committed to discussing practical solutions such as cost sharing but remain cautious and observant that cost shifting, forcing youth into other systems for fiscal reasons, does not occur. For this reason Council also commits to being active in the various initiatives, offering support when it can further the work of meeting the needs of Colorado youth and their families.

Council also recognized that because of the budget cuts suffered over the years, programs struggle to continue with service provision and often do not have the resources to produce quality evaluations. Council is therefore also committed to financially assisting programs in receiving the evaluation necessary to be deemed a promising or best practice. Finally, because transfer of knowledge and dissemination of information is vitally important to improving Colorado's juvenile justice and delinquency prevention systems, the Council is also committed to financially supporting state-wide training and conferences bringing together experts in the various fields with those who are providing the service.

Recognizing the importance of youth involvement in any system improvement efforts and therefore the need to encourage positive youth development activities for youth, the JJDP Council has set aside a portion of its system improvement funds for youth members of the Council to administer. The goal of these funds is to support the implementation of community activities that are identified planned, developed, and implemented by Youth Boards in order to encourage and support the development of youth leadership.

**GOAL:** Support trainings, programs, research, and other initiatives designed to examine issues or improve practices, policies, or procedures on a system wide basis.

**OBJECTIVE:** To improve the organizational capacity and improve planning and development activities in the state of Colorado to adequately address juvenile justice and delinquency prevention issues.

**ACTIVITIES:**

- Provide training and technical assistance on best practices
- Conduct research and evaluation on areas of concern in the juvenile justice system
- To implement community activities that are identified planned, developed, and implemented by Youth Boards in order to encourage and support the development of youth leadership.

**OUTPUT PERFORMANCE MEASURES**

- FG funds awarded (for JJ system improvement)
- Number of programs implemented
- Number of planning activities conducted
- Number of system improvement initiatives
- Number research studies conducted

**OUTCOME PERFORMANCE MEASURES:**

- Number of agencies sharing automated data
- Number of recommendations implemented
- Number and percent of non-program personnel with increased knowledge of program area
- Average length of time between initial court appearance and disposition

**BUDGET:**

<b>FISCAL YEAR</b>	<b>FORMULA GRANT FUNDS</b>	<b>STATE/LOCAL/PRIVATE FUNDS</b>	<b>TOTAL</b>
<b>2009</b>	\$150,000	\$0	\$150,000
<b>2010</b>	\$150,000	\$0	\$150,000
<b>2011</b>	\$150,000	\$0	\$150,000

## SMART

The following text has been inserted in to Colorado's Formula Grant (Title II) application for funds.

**All applicants are required to perform a thorough risk and needs analysis based on the program area and community for which they are applying for funds. Use data specific to the geographic area and target population the project intends to serve, including data on poverty levels, number and rates for juvenile arrest, substance abuse, school suspensions and drop outs, homelessness, domestic violence, lack of access to resources, etc. There are two primary resources for such an analysis, ASPIRE and SMART.**

*Developed by the OMNI Institute (A Non-Profit 501(c)(3)), ASPIRE (Assessment of Prevention Indicators and Resources) is a web-based data system designed to store and manage indicator and resource data that can be queried to meet the user's needs. ASPIRE contains indicator data within numerous domains such as demographics, early care and education, community and civic involvement, mental health, and substance abuse and treatment. The new, interactive GIS Mapping feature allows the creation of images that illustrate the distribution of indicators and resources across Colorado. Additionally, the ASPIRE system contains community and coalition assessment tools and a reporting function that organizes output in a strategic plan document.*

*The Division of Criminal Justice and the Juvenile Justice and Delinquency Prevention Council have partnered with OMNI Institute to create ASPIRE modules specifically tailored to their funding priorities. If you would like more information about creating an ASPIRE Toolkit to support the strategic planning of your grant recipients, please contact Michele Lovejoy at (303) 239-5712 or [Michele.lovejoy@cdps.state.co.us](mailto:Michele.lovejoy@cdps.state.co.us).*

*The Office of Juvenile Justice and Delinquency Prevention's (OJJDP's) Socioeconomic Mapping and Resource Topography (SMART) system is a free, Web-accessible application that communities can use to position local resources to help stop crime and delinquency. Users can connect SMART maps of crime locations with maps of local intervention programs and community resources. New users who access the SMART system can quickly locate a map of their community that contains crime data; census data; and the locations of national resources like YMCAs, Boys and Girls Clubs of America, police stations, and Weed and Seed programs. They can upload information from their own system into the resulting map.*

*To learn more about SMART go to: <http://ojjdp.ncjrs.gov/pubs/222504.pdf> and to logon to the SMART system go to <http://smart.gismapping.info>.*

*Additional resources:*

- Colorado Bureau of Investigation's Crime in Colorado database with Colorado crime statistics available at [http://cbi.state.co.us/dr/docs\\_reports.asp](http://cbi.state.co.us/dr/docs_reports.asp);
- OJJDP's Statistical Briefing Book that is designed to find basic statistical information on juvenile offending, victimization of juveniles, and involvement of youth in the juvenile justice system available at <http://ojjdp.ncjrs.org/ojstatbb/>.
- Division of Youth Corrections which has multiple reports regarding SB 94 programming, juvenile corrections population and the continuum of care initiative, all available at: <http://www.cdhs.state.co.us/dyc/Research.htm> and <http://www.cdhs.state.co.us/dyc/SB94.htm>; and
- State Probation which provides annual statistics for courts and probation at <http://www.courts.state.co.us/Administration/Unit.cfm/Unit/annrep> and <http://www.courts.state.co.us/Administration/Division.cfm/Division/prob>.

## SUBGRANT AWARD ASSURANCES

**SUBAWARD SELECTION.** Pursuant to Section 223(a)(21)(A) and (B) of the JJDP Act of 2002, Colorado shall, to the extent practicable, give priority in funding to evidence-based programs and activities. Further, Colorado shall not continue to fund a program if the subgrant recipient who carried out that program during the preceding 2-year period fails to demonstrate that the program achieved substantial success in meeting the goals specified in the original grant application.

The formula subgrant application instructions include the following language:

*Priority for funding will be given to those applicants who are requesting funding to implement research or evidence-based programs and activities. **If you have stated that you are using a research or evidence-based program on page one of this application, you must provide the source from which your model program was cited.** Describe how the program was selected, how it links to your contributing factors and identified outcomes, and that it is appropriate for your target population. If it is not located in one of the sources below, please cite where the information can be found, including if you are using local/state data or research showing a program's effectiveness.*

*For additional information regarding **research or evidence-based programming**, there are several resources listed below including the Model Programs Guide (MPG) website at [http://www.dsgonline.com/mpg2.5/mpg\\_index.htm](http://www.dsgonline.com/mpg2.5/mpg_index.htm), which has been developed for the Office of Juvenile Justice and Delinquency Prevention. This website is designed to assist practitioners and communities in implementing evidence-based prevention and intervention programs that can make a difference in the lives of children and communities. The MPG database of evidence-based programs covers the entire continuum of youth services from prevention through sanctions to re-entry. The MPG can be used to assist juvenile justice practitioners, administrators, and researchers to enhance accountability, ensure public safety, and reduce recidivism. The MPG is an easy-to-use tool that offers the first and only database of scientifically proven programs across the spectrum of youth services.*

*Other resources for evidence-based programs include:*

Source	Web address
Blueprints for Violence Prevention	<a href="http://www.colorado.edu/cspv/blueprints/">http://www.colorado.edu/cspv/blueprints/</a>
CASEL (Collaborative for Academic, Social, and Emotional Learning)	<a href="http://www.casel.org/programs/index.php">http://www.casel.org/programs/index.php</a>
Centers for Disease Control and Prevention	<a href="http://www.cdc.gov/node.do/id/0900f3ec8000e539">http://www.cdc.gov/node.do/id/0900f3ec8000e539</a>
Community Guide for Helping America's Youth	<a href="http://www.helpingamericasyouth.gov/">http://www.helpingamericasyouth.gov/</a>
Department of Education Safe, Disciplined, and Drug Free Schools	<a href="http://www.ed.gov/about/offices/list/osdfs/index.html">http://www.ed.gov/about/offices/list/osdfs/index.html</a>
Drug Strategies, Inc.	<a href="http://www.drugstrategies.org/">http://www.drugstrategies.org/</a>
Making the Grade	<a href="http://www.healthinschools.org/home.asp">http://www.healthinschools.org/home.asp</a>
Hamilton Fish Institute	<a href="http://hamfish.org/cms/">http://hamfish.org/cms/</a>
Institute of Medicine	<a href="http://www.iom.edu/">http://www.iom.edu/</a>
NIDA Preventing Drug Abuse	<a href="http://www.nida.nih.gov/Prevention/Prevopen.html">http://www.nida.nih.gov/Prevention/Prevopen.html</a>
National Institute of Justice What Works Report	<a href="http://www.ncjrs.gov/works/">http://www.ncjrs.gov/works/</a>
OJJDP Model Programs Guide	<a href="http://www.dsgonline.com/mpg2.5/mpg_index.htm">http://www.dsgonline.com/mpg2.5/mpg_index.htm</a>
Promising Practices Network	<a href="http://www.promisingpractices.net/">http://www.promisingpractices.net/</a>
Surgeon General's Youth Violence Report	<a href="http://www.surgeongeneral.gov/library/youthviolence">http://www.surgeongeneral.gov/library/youthviolence</a>
National Registry of Evidence-based Programs and Practices	<a href="http://www.nrepp.samhsa.gov/">http://www.nrepp.samhsa.gov/</a>

## STATE ADVISORY GROUP MEMBERSHIP COLORADO'S JUVENILE JUSTICE AND DELINQUENCY PREVENTION (JJDP) COUNCIL- 2009 UPDATE

The Colorado Juvenile Justice and Delinquency Prevention Council (JJJPC) is appointed by the Governor as the State Advisory Group pursuant to the federal Juvenile Justice and Delinquency Prevention Act and is charged under the Act to advise and make recommendations to the Governor and the Legislature on juvenile justice issues. The Council reviews and approves applications for federal grant funding through the JJDP Act, monitors and evaluates projects funded, and oversees compliance with the core requirements of the JJDP Act. In December 2005, during the strategic planning process for the three year plan the Council reviewed and revised its mission which now reads:

**“The Colorado juvenile justice and delinquency prevention council provides state-wide leadership and advocacy to improve the juvenile justice system, prevent delinquency, ensure equal justice and accountability for all youth while maximizing community safety.”**

Per Executive Order B 015 07, signed December 31, 2007, Governor Bill Ritter continued the State Juvenile Justice and Delinquency Prevention Council and reauthorized its authority and responsibility which includes:

- a. Advise the Governor and the Division of Criminal Justice on juvenile justice issues;
- b. Review and approve the State Juvenile Justice and Delinquency Prevention Plan as required by the Juvenile Justice and Delinquency Prevention Act;
- c. Review and approve applications from state, local, and private agencies for grant funding; and
- d. Make recommendations for coordinating and maximum utilization of existing juvenile delinquency programs and other related programs, such as education, health, and welfare within the State.

The JJDP Council currently has 27 members of which eleven (41%) are full-time govt. employees, 22.2% (6) are youth (Y), and 3 admitted to prior juvenile justice jurisdiction.

	Name	Affiliation	FT Govt	Date of Appt	Residence
1	Dianne A. Van Voorhees, Chair	Metro Volunteer Lawyers, Director		07/04	Denver
2	Katie Wells, Vice-Chair	Behavioral Health Division/CDHS (ATOD)	X	12/99	Denver
3	Donia Rae Amick	Lakewood Police Department	X	05/08	Lakewood
4	Katy Avila (Y)	Youth- Community Member		07/04	Denver
5	Bill Bane	Behavioral Health Division/CDHS (MH)	X	12/99	Denver
6	Michelle Brinegar	District Attorney's Office, 8 <sup>th</sup> JD	X	08/08	Fort Collins
7	Steve Brittain	Dir. of Social Services, So. Ute Indian Tribe		12/99	Ignacio
8	Alison Bujanovich (Y)	Youth- Community Member		07/05	Granby
9	Susan Colling	State Court Administrator's Office	X	09/01	Denver
10	Jim Covino	Attorney at Law		02/97	Englewood
11	Bob Coulson	Division of Child Welfare- Adolescent Services	X	08/08	Denver
12	Kayla Duran (Y)	Youth- Community Member		07/05	Denver
13	Alisha Encinias (Y)	Youth- Community Member		11/06	Las Animas
14	Regis Groff	Community Member/Retired Legislator		06/94	Denver
15	Joe Higgins	Mesa County Partners		02/89	Grand Junction
16	Larry Hudson	Community Member		07/04	Denver
17	Michelle Molinar-Dominguez (Y)	Youth- Community Member		08/08	Denver
18	Gerry Oyen	Sheriff, Bent County	X	07/04	Las Animas
19	Stan Paprocki	Behavioral Health Division/CDHS (ATOD)	X	05/06	Denver
20	Bob Pence	Community Member		06/92	Littleton
21	Bonnie Saltzman	Defense Attorney		05/08	Denver
22	David Shakes	Judge	X	05/05	Colorado Springs
23	Lindi Sinton	Volunteers of America		06/94	Denver
24	Deborah Leah Staten	Principal, Jefferson County Schools	X	05/08	Golden
25	Pam Wakefield	Chief Deputy District Attorney, 17 <sup>th</sup> JD	X	08/96	Englewood
26	Debbie Wilde	YouthZone		04/04	Glenwood Springs
27	Jeremy Wilson (Y)	Youth- Community Member		05/05	Denver

## STAFF OF THE JJDP FORMULA GRANT PROGRAM 2009 UPDATE

**STATE PLANNING AGENCY:** Division of Criminal Justice (DCJ), Colorado Department of Public Safety; (Jeanne M. Smith), Director of the Division of Criminal Justice (Authorized Official)

**Office of Research and Statistics** (6.8 FTE), BJS Statistical Analysis Center (SAC)

**Office of Community Corrections** (6.40 FTE), administers the state community corrections programs

**Office of Victims Programs** (10.5 FTE) Administers VOCA Victims Assistance and Victim Compensation funds, and Violence Against Women Act (VAWA) funds

**Administration**, Budget, Accounting and Administrative Support (6.4 FTE)

**Colorado Regional Community Policing Institute** (CRCPI) (2.55 FTE)

**Office of Domestic Violence and Sex Offender Management** (State-funded 6.35 FTE)

**Office of Adult and Juvenile Justice Assistance** – This office administers eight major federal and state criminal and juvenile justice funding programs. There are 8.80 FTE in OAJJA of which 1.20 FTE were charged to Formula Grant Administration from 1/1-12/31/08.

The Office of Adult and Juvenile Justice Assistance administers three grants from the federal Office of Juvenile Justice and Delinquency Prevention. These include the Formula or Title II Grant, Juvenile Accountability Block Grant (JABG) and the Title V or Prevention Block Grant which provide dollars to communities to assist in local efforts designed to enhance or respond to a variety of juvenile justice and delinquency issues from prevention through aftercare. The 2009-2011 funding priorities include: Deinstitutionalization of Status Offenders; Jail Removal; Separation of Juveniles from Adult Inmates; Native American Programming; Juvenile Justice System Improvement; and prevention of delinquency by focusing on the needs of high risk youth in the areas of Disproportionate Minority Contact, Mental Health and Substance Abuse programming. The monies are used for program development, policy design, research and other activities. In FFY 2009/10 these grant programs totaled approximately \$1.76 million. Beginning in the 2006 legislative session, the Colorado General Assembly also appropriated \$1.2 million in funding to DCJ for re-establishing the Juvenile Diversion program.

OAJJA also administers the Anti-Gang, Prisoner Reentry Initiative and Justice Assistance Grants from the federal Bureau of Justice Assistance; the Stalking and Domestic Violence Records Improvement and National Criminal History Improvement Program (NCHIP) available through the federal Bureau of Justice Statistics; and the Paul Coverdell Forensic Science Improvement Grant Program available through the National Institute of Justice.

The Formula Grant planning and administrative costs cover:

- Salaries/indirect costs for 1.2 FTE, including the juvenile justice specialist.
- Travel costs for staff for the following:
  - Attendance at national conferences such as the OJJDP-sponsored national and regional trainings
  - Attendance at the Coalition for Juvenile Justice Conferences, as appropriate
  - Other regional and local conferences related to juvenile justice and delinquency prevention
  - Subgrant monitoring and site reviews
- Supplies and operating costs to administer the federal formula grant program

## OAJJA STAFF

Meg Williams

Title: Manager of OAJJA and Juvenile Justice Specialist

State Classification: GP VI

FTE: 1.0

% of salary from Formula Grant Admin= 8.6%

% of time dedicated to Juvenile Justice= 51%

Tammy Russ

Title: Lead Staff of OAJJA

State Classification: GP V

FTE: 1.0

% of salary from Formula Grant Admin= 12%

% of time dedicated to Juvenile Justice=50%

Susan Davis

Title: Compliance Monitor

State Classification: GP IV

FTE: .90

% of Salary from Formula Grant Admin = 0%

% of Time dedicated to Juvenile Justice = 90%

Anna Maria Lopez

Title: Project Manager - DMC/Title V

State Classification: GP IV

FTE: .95

% of Salary from Formula Grant Admin = 8.75%

% of Time dedicated to Juvenile Justice = 97%

Michele Lovejoy

Title: Program Grant Manager

State Classification: GP IV

FTE: 1.0

% of Salary from Formula Grant Admin = 27.5%

% of Time dedicated to Juvenile Justice = 100%

Deb Ristow

Title: Grant Finance Officer

State Classification: GP III

FTE: 1.0

% of Salary from Formula Grant Admin= 30.25%

% of Time dedicated to Juvenile Justice = 95%

Sue Bradley

Title: Administrative Assistant

State Classification: Admin Assistant II

FTE: 1.0

% of Salary from Formula Grant Admin= 32.5%

% of Time dedicated to Juvenile Justice = 50%

Cindy Johnson

Title: Grant Finance Officer

State Classification: GP III

FTE: .95

% of Salary from Formula Grant Admin = 0%

% of Time dedicated to Juvenile Justice = 0%

Kenya Lyons

Title: Program Grant Manager

State Classification: GP IV

FTE: 1.0

% of Salary from Formula Grant Admin = 0%

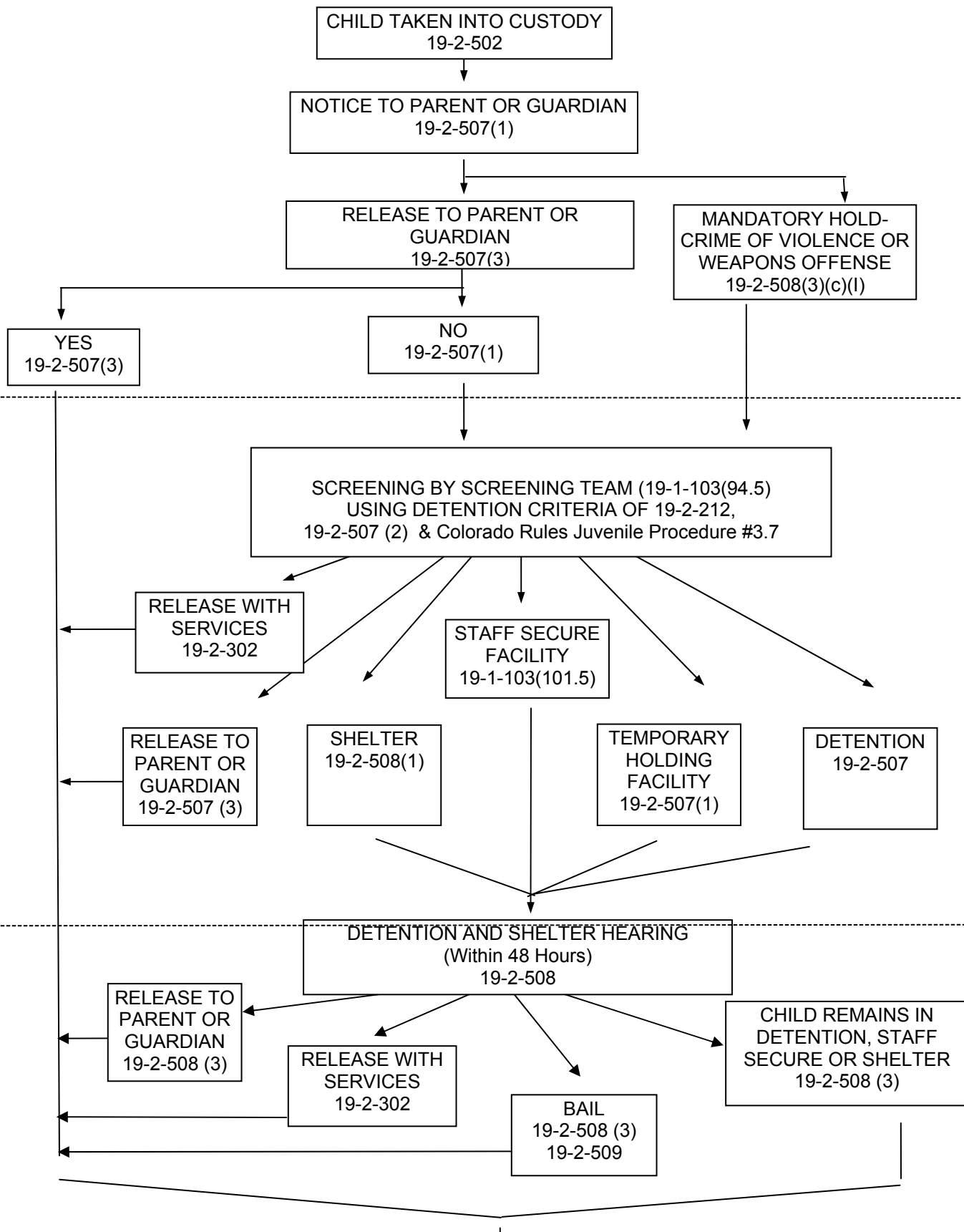
% of Time dedicated to Juvenile Justice = 0%

## STATE OF COLORADO JUVENILE JUSTICE SYSTEM FLOWCHART

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PRELIMINARY INVESTIGATION  
BY DISTRICT ATTORNEY  
19-2-510

INFORMAL  
ADJUSTMENT  
19-2-703

DIVERSION  
19-2-303 & 19-2-704

FILING OF PETITION  
[Within 72 hours if in custody  
or in PTR Program-19-2-  
508(3)(E)(V)]  
19-2-512

DIRECT FILING  
IN DISTRICT COURT  
19-2-517

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MOTION TO  
TRANSFER TO  
DISTRICT COURT  
19-2-518

INVESTIGATION &  
HEARING ON TRANSFER  
19-2-518

TRANSFER TO DIST. CT.  
19-2-518(7)

PLEA OF GUILTY  
19-2-708

ADVISEMENT  
19-2-706

PRELIMINARY HEARING  
19-2-705

ENTRY OF PLEA  
19-2-708

PLEA OF NOT GUILTY  
19-2-708

ADJUDICATORY TRIAL  
(Within 60 days)  
19-2-708 & 801-805

FINDING OF GUILT

SENTENCE AS  
AN ADULT OR  
A YOUTHFUL OFFENDER  
19-2-517(3)(a)

NOT GUILTY

DEFERRED ADJUDICATION  
19-2-709

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19-2-905

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SENTENCING HEARING  
(Within 45 Days of Adjudicatory  
Trial [19-2-804(3)]  
19-2-906

- SENTENCING OPTIONS  
19-2-907
- (1) Court may enter decree imposing any or a combination, as appropriate:
    - (a) Commitment to DHS (19-2-909)
    - (b) County Jail (19-2-910)
    - (c) Detention (19-2-911)
    - (d) Placement of custody with a relative or suitable person (19-2-912)
    - (e) Probation (19-2-913) (19-2-925 through 19-2-926)
    - (f) Community Accountability Program (19-2-914)—unfunded option
    - (g) Placement with social services (19-2-915)
    - (h) Placement in hospital (19-2-916)
    - (i) Fine (19-2-917)
    - (j) Restitution (19-2-918)
    - (k) Anger management treatment or any other appropriate treatment program (19-2-918.5)
  - (2) Judge may sentence as special offender (19-2-908)
    - (a) Mandatory sentence offender
    - (b) Repeat juvenile offender
    - (c) Violent offender
    - (d) Aggravated juvenile offender
  - (3) Sentence may include parent conditions (19-2-919)
  - (4) If sentence includes school attendance-notice to school is required
  - (5) If placement out of the home-court to consider criteria of 19-2-212, evaluation of 19-1-107, and 19-3-701(5).

IF COMMITMENT

COMMUNITY REFERRAL  
AND REVIEW  
19-2-210

COMMUNITY  
PLACEMENT

JUVENILE PAROLE  
[Mandatory 6 months  
parole-  
19-2-909(1)(b)]  
19-2-1002 through 1004

PAROLE DISCHARGE  
19-2-1002(9)

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