

# Evaluation of the Youthful Offender System (YOS) in Colorado:

Report of Findings per  
18-1.3-407, C.R.S.

**December 2014**

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Despite this assistance and cooperation, any errors or omissions are ours alone.

**YOS Evaluation Team**

December 2014



# Forward

The Division of Criminal Justice is mandated by statute to conduct a bi-annual evaluation of the Youthful Offender System and present the findings and recommendations to the House and Senate Judiciary Committees. Many of the recommendations that accompanied the 2012 report were addressed by YOS leadership, resulting in important programming modifications following the publication of the report. Specifically, the start of the school day was moved from 7am to 8am to provide 8 (rather than 7) hours of sleep time for YOS inmates; policies related to visitation and telephone calls were changed to encourage family contact; the inmate co-payments for medical services was eliminated to remove this barrier to health care; and YOS-specific training for staff was expanded. Each of these changes was in response to the data collected from written surveys, focus groups and interviews during the 2012 evaluation. We appreciate the response of YOS administrators to our 2012 evaluation findings.





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# Executive summary

## **DOC/YOS response to 2012 study recommendations**

In 2012, the Division of Criminal Justice completed an evaluation of the Department of Corrections' Youthful Offender System (YOS).<sup>1</sup> Researchers administered two surveys, one to staff (with a 73% response rate) and one to residents (with a 49% response rate), and conducted 20 focus groups of residents and staff, and 10 interviews with staff and officials. Multiple themes emerged from the study which resulted in nine recommendations for improvements to the YOS program. YOS administrators were extremely responsive to the study recommendations, as discussed below.

### **2012 recommendation 1: YOS administrators should work with supervisors to identify gaps in consistency of rule enforcement while recognizing the value of individualizing the delivery of consequences.**

YOS administrators continue to recognize this as an issue. It should be noted that some inconsistency is due to the individualized nature of the program, including behavioral consequences.

### **2012 recommendation 2: Every effort should be undertaken to acquire more useable space on the current YOS campus.**

YOS administrators installed a 30'x50' covered outdoor weight lifting exercise area for Phoenix-level inmates. This has greatly increased usable space for physical activity. Further, plans are underway to extend the perimeter of the YOS campus and install a large multi-purpose building, greatly expanding the availability of useable space for a variety of purposes, including a 10,000 square foot gymnasium, library expansion (with computers, a law library room, and a work room), and an expansion of the barber shop.

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<sup>1</sup> The report may be accessed here: [http://www.colorado.gov/ccjdir/ORS2/pdf/docs/2012\\_YOS-Rpt.pdf](http://www.colorado.gov/ccjdir/ORS2/pdf/docs/2012_YOS-Rpt.pdf).

**The education staff is actively expanding existing curricula to include more college-level classes to accommodate older offenders. There has also been a concerted effort to partner with community stakeholders through job fairs and vocational training.**

**2012 recommendation 3: YOS officials should continue with the expansion of available college-level classes and vocational training.**

The education staff is actively expanding existing curricula to include more college-level classes to accommodate older offenders. There has also been a concerted effort to partner with community stakeholders through job fairs and vocational training. New classes have been offered, and teachers have been hired to expand the educational options for inmates. The administration is proactive in encouraging teachers to bring new ideas for education.

**2012 recommendation 4: YOS administrators should continue to work with stakeholders to develop a statute that would eliminate the October 1, 2012 repeal date of House Bill 09-1122.<sup>2</sup>**

This was accomplished in the 2013 legislative session.

**2012 recommendation 5: Expand programming for women.**

This continues to challenge administrators. However, a variety of activities have been made available to the women, including bead work, graphic arts, and a nail tech program. Nevertheless, the male-female separation requirement continues to limit vocational opportunities for women.

**2012 recommendation 6: YOS administrators should continue to provide the 32-hour YOS-specific training program and consider adding occasional in-service training opportunities that address effective communication strategies and skills, conflict management, and role modeling.**

YOS administrators improved on this recommendation by increasing the training programs to 40-hours annually.

**2012 recommendation 7: YOS administrators should continue the current screening and recruitment process that seems to identify staff members who would be a good fit for the YOS philosophy.**

This effort appears to be ongoing and successful. In 2014, 85% of staff who completed the study questionnaire said that their education/experience prepared them to work with this population.

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<sup>2</sup> Effective October 1, 2009, the eligibility criteria for sentencing youth to YOS was expanded as a result of House Bill 09-1122 to include offenders between the ages of 18 and 19 who commit a Felony Class 3-6 violent crime and who are sentenced prior to their 21st birthday. This bill had a repeal date of October 1, 2012.

**2012 recommendation 8: YOS officials should revisit current policies concerning sleep, fees for medical services, and food portions.**

The availability for sleep time was extended by one hour; fees for medical services were eliminated; and the daily calorie count for YOS male offenders is 3500/day compared to 2700/day in traditional DOC facilities for men.

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**2012 recommendation 9: YOS officials should review Phase II and Phase III programming and community services activities to ensure that there is an adequate focus on long term employment.**

YOS officials and staff are working to identify additional community partners and local businesses to work with YOS in Phase II, developing job fairs and awareness-building among local businesses.

## **The current evaluation**

In 2014, The Colorado Division of Criminal Justice undertook a semiannual evaluation of the Department of Correction's Youthful Offender System. This report presents recidivism rates and a broad picture of the operations of YOS as observed from the perspective of the residents, staff, and managers. Division researchers administered two surveys, one of staff (with 71% response rate) and one of inmates (with a 42% response rate), and conducted 16 focus groups of residents and staff and 8 interviews with YOS staff and officials. From these multiple data collection efforts, various themes emerged to answer the research questions that guided the study. The research questions and the findings are summarized below.

- 1. Per Colorado Revised Statute 18-1.3-407(10)(b), is the current operation of YOS consistent with statute?**
- a. Does the system provide for teaching offenders self-discipline by providing clear consequences for inappropriate behavior?**

Yes, YOS operations appear to be consistent with statute, and staff and offenders reported that there are consequences for inappropriate behavior. The warden promotes the use of immediate and meaningful sanctions for both pro-social behavior and misconduct. Beginning in IDO and through Phase II, each offender's chronological records (chrons) of behavior are reviewed weekly and monthly by staff to determine how the offender is progressing. The use of chrons is the primary method of documenting offenders' pro-social and antisocial behavior

**The warden promotes the use of immediate and meaningful sanctions for both pro-social behavior and misconduct.**

The most frequently mentioned incentives awarded to residents, according to the offender survey, pertained to visitation, phone calls, sleeping in, and watching television. Those who have earned higher level status are allowed movies, late nights, arts, access to the computer lab, additional recreational activities, and additional canteen purchases. These activities are highly valued by the offenders, according to resident survey data.

Consequences for negative behaviors range from revocation to the Department of Correction's traditional prison system, to regression to lower behavioral status levels,<sup>3</sup> to negative chronological reports. For serious types of misconduct, disciplinary measures also include regression to the Intake, Diagnostic and Orientation Unit (IDO) for offenders receiving "removal from population" and special management consequences. The use of the Code of Penal Discipline violations (COPD) as a sanction at YOS is discouraged because these are not immediate (COPDs require a hearing) and COPD convictions, along with "removal from population," interferes with school attendance.

**?** **b. Does the system include a daily regimen of physical training, self-discipline exercises, education and work programs, and meaningful interaction? Does the system include a component for a tiered system for swift and strict discipline for noncompliance?**

Yes, YOS includes a focus on physical training and self-discipline, along with education, work programs and meaningful interaction. At the Intake, Diagnostic, and Orientation (IDO) Phase, referred to as the Orientation Training Phase (OTP), which occurs during the first 30-45 days of the YOS sentence, inmates receive needs assessments and diagnostic evaluations so that an individualized progress plan is developed, re-entry challenges are identified, and offenders are acclimated to the facility.

Regarding education and work programs, as required in statute, YOS offers both GED training and a high school diploma. Those with shorter sentences are enrolled in the GED program whereas those with longer sentences are admitted to Century High School, the YOS secondary school that operates with a letter of agreement through Pueblo School District 60. Century High School operates year-round in the facility with 16-week trimesters.

The Colorado Community College System has approved the YOS career and technical education programs. All YOS career and technical instructors are credentialed in their trade and up to 45 hours of course work is transferable to a Colorado community college toward an Associate of Applied Science degree. During FY13, 108 offenders earned college credits through the YOS career and technical education program. Courses include business, business computers, electronics, multimedia production, automotive, janitorial, barber/cosmetology, and graphic arts.<sup>4</sup> Additionally, in the spring of 2013 one offender received a

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<sup>3</sup> YOS has implemented a behavioral "level" system where those with higher status have greater privileges (see Figure 3.3). This system is described later in the report.

<sup>4</sup> For a complete description of the YOS program, see *Youthful Offender System Annual Report, FY13*. (June 2014). Colorado Springs, CO: Colorado Department of Corrections, Office of Planning & Analysis.

bachelor's degree and one offender received an associate's degree. In 2014, three offenders received associates degrees.

In surveys, focus groups, and staff interviews, both residents and staff consistently stated that the education (including vocational) component of YOS is its most valuable feature. One resident stated in a focus group: "Education is the biggest strength here." In fact, 89% of YOS resident survey respondents reported that they would choose YOS again if given the opportunity, and many of the respondents cited that the reason for choosing YOS again was the educational opportunities and the reduction in the length of their sentence (compared to a prison sentence).

YOS uses the behavioral management/level system to promote a positive peer culture, and those who reach Phoenix status become role models for other YOS residents. Over one-third of the YOS population has successfully progressed through the level system to reach Phoenix status.

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**? c. Does the system use staff role models and mentors to promote pro-social behavior?**

Yes, YOS intends to use staff role models and mentors to promote pro-social behavior. Staff are required by state statute and administrative rules and expectations to act as role models and mentors to YOS offenders. The first paragraph of the *YOS Teachers Handbook* states the following: "Through your actions and spoken words, you will model the appropriate manner your students should behave and interact with others."<sup>5</sup> Most YOS employees who participated in the study seem to take this expectation seriously: 90% of staff who completed study questionnaires reported that they considered themselves role models; the remaining 10% said they "sometimes" considered themselves a role model.

**Staff are required by state statute and administrative rules and expectations to act as role models and mentors to YOS offenders.**

In focus groups and in surveys, many staff discussed their responsibilities regarding role modeling and mentoring, and many felt proud about being able and expected to accomplish this goal. Indeed, this concept seemed to be part of the YOS staff culture. However, not all staff met the expectations of the offenders participating in the study. Some offender study participants reported that while some of the staff treat them respectfully, others treat them poorly and not at all in a mentoring type of way.

<sup>5</sup> *YOS Teacher Handbook*, page 6.



**d. Does the system provide offenders with instruction on problem-solving skills and the use of cognitive behavior strategies?**

Yes, YOS offers several types of problem-solving instruction and cognitive behavioral approaches, including Guided Group Interaction (GGI),<sup>6</sup> Seven Habits of Highly Effective Teens, sex offender treatment, anger management classes, victim empathy class,<sup>7</sup> substance abuse classes, Quick Skills (cognitive skill-building techniques), Baby-Think-It-Over,<sup>8</sup> and Thinking for a Change.<sup>9</sup> Evaluating the delivery, content, and fidelity of specific program elements such as these is beyond the scope of this evaluation. While survey data revealed that some offenders valued these programs, GGI and Quick Skills require small groups and the physical plant, with 54-person pods, makes it difficult to pull together a meaningful small group. In particular, it is difficult for a small group to have the privacy necessary to deal with problems that require GGI and Quick Skills.



**e. Does the system promote pro-social behavior?**

A primary method of promoting pro-social behavior is the use of a behavioral management/level system to gain privileges, as discussed previously (see Figure 3.3). Privileges are earned under a merit system, and these increase with the offender’s status levels but can be lost due to problematic behavior or rule infractions. Behavioral expectations are articulated in the *Offender Reception and Orientation Manual* (2012). Privileges include visitation, telephone calls, television, radios, and canteen items.<sup>10</sup> Inconsistency in the application of positive and negative sanctions was a concern frequently mentioned by both staff and offenders in surveys and in focus groups. However, this inconsistency is due, in part, to the fact that YOS administrators encourage staff to use their discretion to respond to both positive and negative behavior in the context of each individual inmate. Nevertheless, YOS administrators should work with supervisors to underscore their philosophy regarding individualization while ensuring consistency when possible.



**f. Does the system provide offenders the opportunity to gradually reenter the community?**

Yes, Phase II and Phase III are designed to gradually reintegrate the offender into the community. The Phase II component of YOS is referred to as pre-release,<sup>11</sup> and it occurs

<sup>6</sup> GGI uses group dynamics and peer pressure to promote pro-social behaviors (YOS *Annual Report*, FY13, page 9). Offenders are assigned to a specific GGI group.

<sup>7</sup> The curriculum for “Victim Impact: Listen and Learn” was developed by the U.S. Department of Justice Office of Justice Programs.

<sup>8</sup> This Phase 2 program involves providing the offenders, both male and female, with computer-simulated infant dolls that cry when they need something (to be fed, changed, etc.). The women keep these dolls for a period of 4 weeks; the men keep them for one week.

<sup>9</sup> *Thinking for a Change*, developed by the National Institute of Corrections, is an evidence-based program.

<sup>10</sup> *Youthful Offender System Annual Report*, FY13. (June 2014.) Colorado Springs, CO: Colorado Department of Corrections, Office of Planning & Analysis.

<sup>11</sup> See DOC’s *Youthful Offender System Annual Report*, FY13. Pages 22-26.



during the last three months of an offender's incarceration at the Pueblo facility. Phase II includes supervised scheduled appointments and activities in the community. Phase II focuses on building on the academic skills acquired in Phase I, and offenders participate in career planning and job seeking skills. Offenders must attend classes in nutrition and food preparation, budgeting and personal safety.<sup>12</sup> An important component of Phase II is the acquisition of birth certificates, social security cards, and Colorado identification cards that are necessary for job applications and housing.

Community transition team meetings include YOS staff from Phase I, II, and III, clinical staff, the offender's educational advisor, family members and relevant community service providers. These meetings occur during Phase II to develop an individualized supervision and reentry plan for Phase III. Phase III is six to 12 months of intensive supervision in the community. According to DOC documentation, actual time in Phase III is based on (1) the duration of the offender's sentence to YOS, and (2) demonstrated and documented positive behavior and program participation (those with positive behavior are released earlier and have a longer period of time in Phase III).

Note that very few Phase II offenders participated in the current study, and resource limitations precluded including those participating in Phase III.

## **? 2. What are the current and overall (since 1994) characteristics of the YOS population? Have these changed over time?**

In large part, changes to the YOS population over time are a reflection of statutory modifications that affected the eligibility requirements. The average age at intake has increased somewhat in recent years to 18.8, which was to be expected due to changes in 2010 statute that removed most juveniles ages 14 and 15 from direct file consideration<sup>13</sup> and the 2009 statutory modification that extended the age of sentencing to include 19 and 20 year olds.<sup>14</sup>

Gang membership among YOS intakes has varied somewhat over the years. The proportion of the incoming population with *no* gang affiliation has declined in recent years (see Figure 3.5). In terms of the most serious conviction crimes, aggravated robbery, robbery, aggravated assault, and assault have been the most common offenses over the years.

In terms of the risk and need levels of the population, YOS uses the Level of Service Inventory (LSI) to identify areas of need. The LSI is a 54 question semi-structured assessment measuring risk and protective factors in the areas of criminal history, substance abuse, education/employment, family, peer relationships, accommodation, and miscellaneous issues. YOS continues to be a high-need

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<sup>12</sup> Ibid.

<sup>13</sup> C.R.S. 19-2-517.

<sup>14</sup> C.R.S. 18-1.3-407.

**YOS appears to be a unique—and serious—population based on analyses of the index crime and prior violent history of those sentenced to YOS, DOC, and the Division of Youth Corrections (DYC).**

population in terms of education and vocational training; and most have no positive and productive leisure time activities. The YOS staff have worked very hard to promote pro-social leisure time activities for offenders, including activities such as weight lifting competitions, guitar classes, fly tying, and an NCAA bracket challenge in which 67 inmates participated.

A significant challenge exists for YOS administrators and teaching staff: Approximately half the population has a high school diploma or GED at entry while the other half is functionally illiterate (27.7% in 2014) or illiterate in English (12.8% in 2014). Those with lower academic needs likely already received their GED or high school diploma and consequently require more college classes or non-academic activities. Meanwhile, those with higher needs require an intense academic environment at much lower grade levels.

**? 3. Are YOS offenders more serious than those sentenced to the Division of Youth Corrections (in the juvenile justice system) and less serious than those sentenced to prison? (That is, is the YOS population unique?)**

Yes, YOS appears to be a unique—and serious—population based on analyses of the index crime and prior violent history of those sentenced to YOS, DOC, and the Division of Youth Corrections (DYC). YOS offenders are much more likely to be convicted of a violent or sex crime compared with similarly aged offenders entering DOC and DYC, and YOS offenders are equally likely as prison inmates to have a prior conviction for a violent crime.

**? 4. What is the program completion rate of YOS participants? What is the new filing rate of individuals released from YOS since 1995?**

*What is the program completion rate of YOS participants?* In FY14, 90% of those who terminated from YOS did so successfully, the highest success rate in the 20 years YOS has been in operation (see Figure 3.7 for termination rates since 2000). Historically, successful termination rates have been between 70% and 80%, but these rates have increased in the last few years.

*What is the new filing rate of individuals released from YOS since 1995?* Of 881 individuals who successfully discharged from YOS between 1996 and June 2014 with at least two years of time at risk in the community, 52.4% received a new felony or misdemeanor filing within two years; about half of these were convicted of a felony (24.7%) (see Table 3.9). About one in ten (10.3%) of those released from YOS were convicted of a new violent felony crime.

## Additional Findings

### Strong staff and administration

Most staff expressed extremely positive perceptions toward the YOS leadership team. Further, the YOS administration was viewed almost unanimously by staff study participants as being open to new ideas and supportive of staff efforts. Between 2001 and 2006 YOS had three different wardens, leading to difficulty in the expression and implementation of a clear direction and set of values. Since 2006, YOS has had only two wardens, with Mike Romero, formerly associate warden, becoming warden in 2014. Staff reported a smooth transition to the new leadership team in 2014, and credited promoting from within as a key to consistency.

Today, the YOS written guiding principles are steeped in the language of the enabling statute.<sup>15</sup> The YOS management team provides direct training to staff about the YOS philosophy and expectations of staff. As noted earlier, nearly every staff member who participated in the survey said they considered themselves role models and mentors to the residents. More than 3 out of 4 (77%)<sup>16</sup> of staff survey respondents reported that there is a consistent or somewhat consistent philosophy between facility administrators and line staff who work directly with residents (see Table 3.10). While there remains a keen focus on security, YOS operates with a very different philosophy compared to a traditional prison facility. This philosophical consistency may be linked to the perception of positive morale among YOS staff respondents. Nearly two thirds (63.4%) of the staff respondents stated that the morale among YOS employees was either good or very good; less than 10% said that moral was poor or very poor.

**The YOS administration was viewed almost unanimously by staff study participants as being open to new ideas and supportive of staff efforts.**

### Physical space and activities

In DCJ's 2012 evaluation of YOS, data from surveys, focus groups, and interviews consistently indicated a lack of sufficient space for offenders and activities. In fact, this was among the most consistent findings from the study. However, these concerns were mentioned considerably less often in the current evaluation. Nevertheless, in an open-ended question that asked about ways to improve YOS, 25% of staff respondents stated "more space."

YOS administrators have installed a 30'x50' covered outdoor weight lifting exercise area for Phoenix-level inmates and this has greatly increased usable space for physical activity. Further, plans are underway to extend the perimeter of the YOS campus and install a large multipurpose building, greatly expanding the availability of useable space for a variety of

<sup>15</sup> *Youthful Offender System Employee Handbook, 2011-2012*; *YOS Drill Instructor Manual* (March 2012); DOC Administrative Regulation 1600-01; *YOS Offender Reception and Orientation Manual* (January 2012).

<sup>16</sup> This compares to 86% of staff respondents who participated in the 2012 evaluation.

purposes, including a 10,000 square foot gymnasium, library expansion (with computers, a law library room, and a work room), and an expansion of the barber shop. Plans include breaking ground for the new building in the spring/summer of 2015.

## Safety

One question in the resident survey asked “Do you feel safe at YOS?” Eighty-six percent (86.1%) of the survey respondents reported that they felt safe or somewhat safe at YOS<sup>17</sup> (see Table 3.13). The survey asked the reasons for the answer selected.

**Eighty-six percent (86.1%) of the survey respondents reported that they felt safe or somewhat safe at YOS.**

In open-ended responses, 26.2% of respondents said that some staff made them feel safe. When asked in another open-ended question about what made them feel unsafe, 17.7% said “some residents” and 13.9% said “some staff.” In focus groups, few residents mentioned concerns about safety.

Some YOS staff reported that they believe crowded conditions lead to a greater number of fights among residents, especially those in 8-men rooms. Stairwells were also mentioned as places that fights occur, even though cameras were installed in 2012. Concerns were voiced in focus groups and interviews about areas that had little or no line-of-sight supervision. Some staff reported safety concerns resulting from the lack of use of COPD violations. In fact, as shown in Figure 3.1, COPD violations have declined significantly in recent years. This is intentional, as YOS administrators want to keep inmates in programming rather than using COPD sanctions that separate them from the general population.

## Inconsistency

As mentioned previously, inconsistency across staff was among the most frequently mentioned problem at YOS and so will be summarized briefly again here. Staff and residents noted inconsistency across units and shifts, and within shifts, and that this causes confusion for offenders. In particular, both staff and residents mentioned the inconsistency in the delivery of positive and negative sanctions. Staff noted inconsistency across and within units and shifts, and that this causes confusion for offenders. This inconsistency can directly and immediately affect a resident’s status level because staff document positive and negative behavior by offenders (in chronological records, or “chrons”), and these are important determinants of status movement (up or down). Because status is linked to privileges, the perceived inconsistency is critically important to offenders since it affects their daily activities.

Inconsistency in the use of chrons to document positive behavior is a particular source of frustration. Some staff give positive chrons for expected behavior; some give positive chrons for exceptional behavior only. However, administrators believe that positive and negative chrons need to be provided in the context of an individual offender. It may be

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<sup>17</sup> This compares to 80% in 2012 and 69% in 2004.

impactful to recognize “normal” behavior by a recalcitrant inmate, for example. Many YOS staff in focus groups and interviews discussed their commitment to individualizing the YOS experience, and this can only occur by understanding, and rewarding, behavior that may be new or positive for a specific inmate.

The individualized nature of YOS means that staff have substantial discretion to reward positive behavior and sanction negative behavior. The administration expects that sanctions for misbehavior will not be arbitrary but rather will be linked to the problem behavior. This means that sanctions can vary considerably

DCJ’s 2012 evaluation also noted this issue with inconsistency. However, the discretion provided to YOS staff to respond to both positive and negative behavior on an individual basis means that the inmates’ perception of inconsistency by staff is likely to continue. Communicating well with inmates and other staff about the rationale behind the (positive or negative) sanction may improve understanding and decrease frustration. Supervisors at YOS may want to work together to ensure that they are providing clear direction to employees about the use of chrons as sanctions, and that they are clearly communicating their expectations about the use of meaningful sanctions.

**The individualized nature of YOS means that staff have substantial discretion to reward positive behavior and sanction negative behavior. The administration expects that sanctions for misbehavior will not be arbitrary but rather will be linked to the problem behavior.**

### **Mental health services**

In prior evaluations (2002, 2004), DCJ found a lack of mental health services at YOS. While this was not a finding of the 2012 evaluation, the topic came up in several focus groups with staff in 2014. YOS administrators have struggled to fill a vacant position for six years. Currently, three mental health professionals work at YOS. Those offenders with serious mental health needs are monitored at least monthly. Those with serious acute problems are seen at least weekly.

### **Programming for females**

A common criticism of YOS is the differential programming available to the female offenders. Women constitute less than 4% of the YOS population and, during the 2014 evaluation, there were seven women at the YOS facility.

The separation of men and women is a fundamental safety decision; comingling of males and females requires the supervision of both male and female staff. But this separation leads to inequities, and makes female-only programming cost inefficient. The women residents voiced concern about the inequities, including limited access to vocational programming and many of the college classes, and the library.

The men are able to go from classroom to classroom during the day; it has the feel of a high school. The women have a single classroom and it has the feel of home schooling.

Nevertheless, the GED and high school programming is similar for men and women. Participation in electives and vocational/technical training is where the major differences in opportunities appear. Additionally, because of the low number of female residents and the need for basic cost efficiencies, the women vote (majority rule) on their programming, regardless of individual desires. The women also expressed frustration that the only jobs available to them pay 30 cents per day, and the few jobs that pay 60 cents per day are only available to the men. Interest in earning 60 cents per day was typically accompanied with concerns about the cost of phone calls.

**The few numbers of women sentenced to YOS will always pose a significant challenge regarding their programming.**

The few numbers of women sentenced to YOS will always pose a significant challenge regarding their programming. Discussions with YOS officials during this study confirmed awareness—a longstanding awareness—of this issue, and an openness to considering ways to expand programming. YOS officials are exploring streaming video of classes currently offered to the men into the building where the women reside.

## Section 1:

# Introduction

### Fourth evaluation in a series

This report represents the fourth evaluation of the Colorado Department of Correction's (DOC) Youthful Offender System (YOS) conducted by the Colorado Division of Criminal Justice (DCJ). The Division is mandated to evaluate the program semiannually and submit the findings to the General Assembly on November 1 of even numbered years. However, this mandate is not funded by the General Assembly, and evaluations are completed as resources become available.

The first report was delivered on November 1, 2002. This report focused on recidivism rates, funding levels, comparisons of legislative intent to actual implementation, and characteristics of the YOS population. The second report, delivered on November 1, 2004, focused on these topics and also attempted to provide information on the perspectives of residents, staff, and administrators involved in the program. The third report, prepared for November 1, 2012, followed a similar approach. Each report included recommendations based on the study findings.<sup>18</sup>

The current report reflects data collected during the spring and summer of 2014. DOC currently produces an annual report of YOS that includes funding levels and characteristics of the YOS population, and this evaluation does not replicate the information in that report. Rather, the evaluation compares legislative and DOC intent to actual implementation, presents the perceptions of residents and staff on a variety of topics, compares the arrest and conviction histories of youth committed to YOS with those placed in other sentencing options (probation, Division of Youth Corrections, and prison), and analyzes program failure and recidivism rates (refilling and reconviction rates for new felonies).

**The current report reflects data collected during the spring and summer of 2014.**

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<sup>18</sup> Please see the Forward of this report regarding recommendations made in 2012.

## Important recent changes

In 2006, the YOS moved from a larger facility that was not filled to capacity to a smaller one with a capacity of 256 and an average daily population of approximately 225. The warden position turned over many times in the past but between 2006 and 2013 was filled by Steve Hager. Mike Romero became interim warden in 2013; he became the permanent warden in 2014.

Eligibility for the YOS program was modified on October 1, 2009 to include individuals who are 18 and 19 years old at the time of the offense but less than age 21 at the time of sentencing. This eligibility provision was repealed on October 1, 2012 but was reinstated during the 2013 legislative session. In 2010, statute modifications precluded juveniles 14 and 15 years of age from direct file consideration with the exception of 1st degree murder, any felony sex offense, and habitual juvenile offenders. With these changes, the average age of the YOS population at admission increased to 18.8 in FY 2014.

## Organization of this report

Section One provides a brief overview of YOS and the enabling statute. Section Two specifies the research questions and describes the research methods employed for this study. Section Three presents the findings to the research questions including additional findings, and recommendations for change are included in Section Four.

## Background and description of YOS

The Youthful Offender System (YOS) was established two decades ago by a special session of the Colorado General Assembly. The special session was called specifically to address youth violence, following a series of high profile crimes committed by juveniles. YOS opened in 1994 on the grounds of the Department of Corrections' Reception and Diagnostic Center in Denver, and became a sentencing option for juveniles who were convicted as adults and sentenced on or after June 3, 1994 for offenses committed on or after September 13, 1993. In 1998, YOS moved to Pueblo, and in 2006 it moved to its current location on the grounds of the Colorado Mental Health Institute.

**The Youthful Offender System (YOS) was established two decades ago by a special session of the Colorado General Assembly.**

YOS is an alternative to a traditional adult prison, and it exists as a separate entity inside the Department of Corrections, with a separate facility and a specially designed system of programming. The statute describing YOS specifies that the state must provide a sentencing option for "certain youthful offenders" who would serve up to seven years day-for-day (meaning no good/earned time would apply) while a lengthier sentence to DOC would be suspended for the duration of the YOS sentence. According to statute, YOS offenders are to serve time 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.”<sup>19</sup> The statute directs DOC to develop a program that provides “separate housing for female and male offenders who are sentenced to [YOS] without compromising the equitable treatment of either.”<sup>20</sup> The statute mandates that program participants be housed separate “from and not brought into daily physical contact with adult offenders” and that these offenders be “subject to all laws and DOC rules, regulations, and standards pertaining to adult offenders....”<sup>21</sup>

The original target population for YOS was youth between the ages of 14 and 18 at the time of the offense who were direct filed or transferred to adult court and convicted as adults.<sup>22</sup> In 2009, the General Assembly expanded the eligibility criteria for sentencing to YOS (H.B. 09-1122) to include those who were 18 and 19 at the time of the offense (limited to Felony 3-6 violent crimes) and who were sentenced prior to their 21st birthday.<sup>23</sup> Determinant YOS sentences range from two to six years except that someone convicted of a class 2 felony may be sentenced for seven years.

The statute describes 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....”<sup>24</sup> YOS staff are to be mentors and role models to promote socially acceptable attitudes and behaviors, and programming is to include problem-solving skills and cognitive behavioral strategies that have the potential to change criminal thinking and behavior.<sup>25</sup>

According to statute, the YOS program is intended to promote among offenders a pro-social culture and provide an opportunity for offenders to gradually reenter the community. In addition, the enabling statute specifies that DOC officials will staff the YOS with individuals “who are trained in the treatment of youthful offenders...trained to act as role models and mentors....”<sup>26</sup> To this end, the statute requires the following specific program components (descriptions of phases were obtained from YOS documents):

- **Orientation Training Phase.** During this 30-45 day period, offenders undergo a comprehensive battery of intake assessments. Orientation includes explanations of the full scope of YOS activities and behavioral expectations. When not involved in orientation or diagnostic activities, the offender participates in highly structured and regimented physical activities.<sup>27</sup> This is a high security unit where

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<sup>19</sup> C.R.S. §18-1.3-407(1)(a)

<sup>20</sup> C.R.S. §18-1.3-407(1)(b)

<sup>21</sup> C.R.S. §18-1.3-407(1)(d)

<sup>22</sup> C.R.S. §19-2-517 (direct file), §19-2-518 (court transfer)

<sup>23</sup> C.R.S. §18-1.3-407.5

<sup>24</sup> C.R.S. §18-1.3-407(3)(b)

<sup>25</sup> C.R.S. §18-1.3-407(3)(d)

<sup>26</sup> C.R.S. § 18-1.3-407(3.5)

<sup>27</sup> See *Youthful Offender System Annual Report: FY13*. (2014). Colorado Springs, CO: Colorado Department of Corrections, Office of Planning & Analysis. See pages 19-21.

all new arrivals to YOS are assigned. This unit is also used for placement of YOS offenders assigned to punitive segregation, remediation,<sup>28</sup> removal from population, and special management. This unit includes the Orientation Training Phase of YOS, which is a no-privilege, strict, and highly structured 28-day phase of YOS.<sup>29</sup>

- **Phase I.** This is the longest YOS phase, lasting from approximately eight to 75 months during which time a range of intense core programs, supplementary activities, and educational and prevocational programs and services are provided to offenders. Living units are staffed with multidisciplinary teams and security, discipline, education, treatment, and behavior modification is the shared responsibility of each staff member.<sup>30</sup> Job assignments exist in food service, maintenance, janitorial service, teacher aide, library aide, recreation and laundry. Offenders attend education courses in conjunction with having a work assignment. At any point in time, the majority of YOS offenders are in Phase I.
- **Phase II.** This component occurs during the last three months of institutional confinement; offenders remain under 24-hour supervision while on scheduled appointments and community service activities<sup>31</sup> in the community. All offenders participate in a monthly employment seminar which focuses on career planning, labor market information, interviewing skills, and job seeking skills. Phase II staff assist offenders in obtaining birth certificates, social security cards, and identification cards that will be necessary when offenders transition to the community.<sup>32</sup>
- **Phase III.** This final component of a YOS sentence consists of a period of six to 12 months of community supervision when the offender is monitored during reintegration into society. An offender's eligibility for movement from Phase II to Phase III is based on (1) the duration of the offender's sentence to YOS, and (2) demonstrated and documented positive behavior and program participation.<sup>33</sup> Programming in Phase III includes education, employment, community service, drug and alcohol interventions, mental health treatment, restitution, and other activities as specified in the offender's transition plan. According to DOC's Administrative Regulation 250-06, caseloads of YOS Community Supervision Officers should not exceed 1:10, and supervision level is designed to focus resources on offenders who are at greater risk.

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<sup>28</sup> Remediation is a temporary classification for YOS offenders who have behaved inappropriately, and is available as a sanction from Phase 1 until discharge of sentence. Remediation may include a return to IDO, treatment intervention, restricted activities, house arrest, and up to 7 days of detention. It may be achieved by the Code of Penal Discipline process or as a YOS sanction (see DOC Administrative Regulation 250-11).

<sup>29</sup> This description is from DOC's Administrative Regulation 250-11.

<sup>30</sup> This description is from *Youthful Offender System Annual Report, FY13*. (2014). Colorado Springs, CO: Colorado Department of Corrections, Office of Planning & Analysis.

<sup>31</sup> All offenders sentenced to YOS are required to complete 100 hours of community service.

<sup>32</sup> Ibid.

<sup>33</sup> Note that those offenders with ICE detainers are ineligible for Phase III.

The statute specifies that the YOS include the following program elements:

- a. Provide for teaching offenders self-discipline by providing clear consequences for inappropriate behavior;
- b. Include a daily regimen of physical training, self-discipline exercises, educational and work programs, and meaningful interaction, with a component for a tiered system for swift and strict discipline for noncompliance;
- c. Use staff models and mentors to promote the development of socially accepted attitudes and behaviors;
- d. Provide instruction on problem-solving skills including methods to reinforce the use of cognitive behavior strategies that change offenders' orientation toward criminal thinking and behavior;
- e. Promote new group cultures which result in a transition to pro-social behavior; and
- f. Provide offenders the opportunity to gradually reenter the community.<sup>34</sup>

Finally, as stated previously, the YOS statute mandates that the Division of Criminal Justice (DCJ) "independently monitor and evaluate"<sup>35</sup> YOS and present the findings to the House and Senate Judiciary Committees. This report presents the findings of the fourth YOS evaluation conducted by DCJ.

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<sup>34</sup> C.R.S. § 18-1.3-407(3)(a-f)

<sup>35</sup> C.R.S. § 18-1.3-407(10)(b)



## Section 2:

# Research questions and study design

## Research questions

The following questions guided the current evaluation (the methods of data collection are included in italics):

1. Per Colorado Revised Statute §18-1.3-407(10)(b), is the current operation of YOS consistent with statute?
  - a. Does the system provide for teaching offenders self-discipline by providing clear consequences for inappropriate behavior?  
*- Interviews, focus groups*
  - b. Does the system include a daily regimen of physical training, self-discipline exercises, education and work programs, meaningful interaction? Does the system include a component for a tiered system for swift and strict discipline for noncompliance?  
*- Interviews, focus groups, questionnaires*
  - c. Does the system use staff role models and mentors to promote pro-social behavior?  
*- Interviews, focus groups, questionnaires*
  - d. Does the system provide offenders with instruction on problem-solving skills and the use of cognitive behavior strategies?  
*- Interviews, focus groups, questionnaires*
  - e. Does the system promote pro-social behavior?  
*- Interviews, focus groups, questionnaires*
  - f. Does the system provide offenders the opportunity to gradually reenter the community?  
*- Interviews, focus groups*

2. What are the current and overall characteristics of the YOS population? Have these changed over time?  
– *DOC electronic data set*
3. Are YOS offenders more serious than those sentenced to the Division of Youth Corrections (in the juvenile justice system) and less serious than those sentenced to prison? (That is, is the YOS population unique?)  
– *DOC electronic data set and Judicial Branch filing and conviction data*
4. What is the new filing rate of individuals released from YOS since 1994?  
– *DOC electronic data set and Judicial Branch filing and conviction data*

## **Institutional Review Board approval**

Researchers obtained permission from an independent Institutional Review Board (IRB) to conduct interviews with YOS staff and focus groups with both staff and offenders. The process of gaining approval for face-to-face contact with research subjects ensures that adequate steps will be taken to guarantee voluntary participation in the study and that privacy protections are in place.

## **Data collection**

Data were collected between May and July 2014, and were obtained from multiple sources. Quantitative data were obtained from the Department of Corrections and the Judicial Branch (case comparison information, and filing and conviction data). Qualitative data were collected from interviews with staff, focus groups with residents and staff, written questionnaires for residents and staff, a limited amount of on-site observations, and document reviews.

## **Quantitative data**

Recidivism and offender profile information required quantitative data. Recidivism was defined as a new felony or misdemeanor filing within two years of release from the YOS. Recidivism data were obtained from the Judicial Branch. Additionally, to compare those sentenced to YOS with those sentenced to DOC and the Division of Youth Corrections' commitment population, case information at sentencing was obtained from the Judicial Branch. DOC's Office of Planning and Analysis provided information on all YOS admissions through June of 2014.

## Qualitative data

Face-to-face semi-structured *interviews* lasting between one and two hours were conducted with 8 YOS administrators and staff.<sup>36</sup> Administrative officials were selected purposefully whereas other staff were selected randomly and stratified by shift and assignment. Over 60 pages of interview notes were analyzed to identify patterns and themes. Interview questions explored a number of program goals, policies and procedures, the impact of the program on residents, staff work experiences, and questions specific to staff roles. Interview guides may be found in Appendix A.

Face-to-face semi-structured interviews lasting between one and two hours were conducted with 8 YOS administrators and staff.

Researchers convened a total of 16 *focus groups* ranging in size from two to eight participants and consisting of staff or residents. Staff participants were selected randomly after stratification by assignment and shift. Offender participants were selected randomly after stratification by housing unit. One offender focus group for women was purposefully selected.

Like the interviews, focus groups were an important source of information: “Focus groups... work particularly well to determine the perceptions, feelings, and manner of thinking of consumers about products, services, or opportunities.”<sup>37</sup> Focus groups involve the use of predetermined, open-ended questions that are asked in real-life situations. This type of research has the advantage of being low in cost and can provide “speedy results.”<sup>38</sup> Focus group notes were analyzed to identify patterns and themes. Focus group guides may be found in Appendix B. The following list describes the focus groups:

Researchers convened a total of 16 focus groups ranging in size from two to eight participants and consisting of staff or residents.

### Offenders

- 1 group of 7 female residents
- 1 group of 2 IDO male residents
- 3 groups of Phase I male residents

### Staff

- 1 group of 6 security staff/day shift
- 1 group of 5 security staff/swing shift
- 1 group of 3 security staff/graveyard
- 2 groups of education staff (8/2)
- 1 group of 5 housing staff – Phase I /day shift
- 1 group of 5 housing staff – Phase I/swing shift

<sup>36</sup> Semi-structured interviews are guided by the research questions and allow the interview to occur as a discussion. This type of interview is appropriate for questions concerning process, and allows questioning about the reasoning and resources involved in the program, the conditions necessary to sustain change, and so forth. Interview data reflect individual perceptions and experiences, and researchers analyze these data for themes and to provide context for other information obtained for the evaluation (Pawson and Tilley, 1997).

<sup>37</sup> Richard A. Krueger in *Focus Groups: A Practical Guide for Applied Research*, Sage Publications (1988:29).

<sup>38</sup> Ibid.

- 1 group of 4 housing staff/IDO
- 1 group of 6 lieutenants
- 1 group of 2 mental health staff
- 1 group of 3 maintenance staff
- 1 group of 2 recreation staff

**Two survey instruments were also used to collect information about perceptions and concerns of both YOS administrators/staff and offenders.**

Two *survey instruments* were also used to collect information about perceptions and concerns of both YOS administrators/staff and offenders. The instruments were self-administered paper/pencil questionnaires. Resident questionnaires were three pages in length with 23 questions. Seventy-nine offenders participated in the survey, establishing a response rate of 42%.<sup>39, 40</sup> Staff questionnaires had 16 questions and were two pages in length. One hundred and sixteen (116)<sup>41</sup> staff participated in the survey for a response rate of 71%. The questionnaires are available in Appendix C.

## Analysis

Descriptive and inferential statistical analyses were performed using the statistical software package SPSS.

## Limitations of this study

Anything short of a 100% response rate for study participants raises questions of sample bias. Approximately half (42%) of the offender population and 71% of the YOS staff agreed to participate in the study. Those not participating may be a select group that is unlike those from whom data were obtained, and the extent of bias remains unknown. Offender study participants were slightly older, on average, compared to the entire population, and slightly less likely to be white.

**Approximately half (42%) of the offender population and 71% of the YOS staff agreed to participate in the study.**

Additionally, time and resource constraints precluded researchers observing routine activities in the YOS setting including program groups and program participants. Also, carefully evaluating the specific program components, such as Guided Group Interaction (GGI), Quick Skills and vocational training would require all of the staff and inmates to consent to the study, yet is central to the understanding of how YOS works to impact the lives of offenders. Finally, Phase III was not included in this evaluation.

<sup>39</sup> Surveys were not administered to YOS Phase III offenders.

<sup>40</sup> In DCJ's 2012 evaluation of YOS, 99 offenders participated in the study for a response rate of 49%.

<sup>41</sup> In DCJ's 2012 evaluation of YOS, 128 staff participated in the study for a response rate of 73%.



## Section 3:

# Findings

This section begins with the research questions that were enumerated in Section 2 and that were derived from the YOS statute. Additional findings are included at the end of the section.

1. **Per Colorado Revised Statute 18-1.3-407(10)(b), is the current operation of YOS consistent with statute?**
- a. **Does the system provide for teaching offenders self-discipline by providing clear consequences for inappropriate behavior?**

Yes, YOS operations appear to be generally consistent with statute, and staff and offenders reported that there are consequences for inappropriate behavior. The warden promotes the use of immediate and meaningful sanctions for both pro-social behavior and misconduct. Beginning in IDO and through Phase II, each offender's chronological records (chrons) of behavior are reviewed weekly and monthly by staff to determine how the offender is progressing. The use of chrons is the primary method of documenting offenders' pro-social and antisocial behavior. One staff member, referring to behavioral learning theory,<sup>42</sup> said this:

*Currently one negative for four positives chrons is the goal.*

Another staff person said this:

*We have a process called the Seven Levels of Confrontation. We start with the least intrusive way to deal with a situation, and then progress up as needed.*

The most frequently mentioned incentives awarded to residents, according to the offender survey, pertained to visitation, phone calls, sleeping in, and watching television. Those who have earned higher level status are allowed movies, late nights, arts, access

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<sup>42</sup> See Andrews, D.A., & Bonta, J. (2006). *The psychology of criminal conduct*. (4th Ed.). Los Angeles: Anderson Publishing; Andrews, D.A. (1979). *The dimensions of correctional counseling and supervision process in probation and parole*. Toronto: Ontario Ministry of Correctional Services; and Trotter, C. (1999). *Working with involuntary clients: A guide to practice*. Thousand Oaks, CA: Sage.

**COPD violations have declined significantly in the past two years.**

**This is reflective of administrators' intentional effort to prioritize school attendance, and to ensure that, whenever possible, consequences are individualized, meaningful, and linked to the specific behavior.**

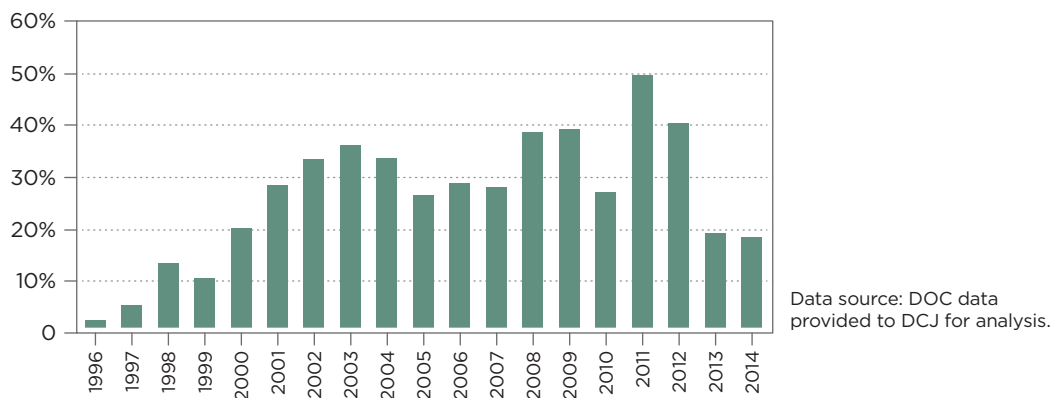
to the computer lab, additional recreational activities, and additional canteen purchases. These activities are highly valued by the offenders, according to resident survey data.

Consequences for negative behaviors range from revocation to the Department of Correction's traditional prison system, to regression to lower behavioral status levels,<sup>43</sup> to negative chronological reports. For serious types of misconduct, disciplinary measures also include regression to the Intake, Diagnostic and Orientation Unit (IDO) for offenders receiving "removal from population" and special management consequences. The use of the Code of Penal Discipline violations (COPD) as a sanction at YOS is discouraged because these are not immediate (COPDs require a hearing) and COPD convictions, along with "removal from population," interferes with school attendance.

*There are not enough 'teeth' in consequences anymore. Before with RFP (removal from population) they used to be removed for 28 days. Now they go to IDO for 3-7 days and come back. Very often, they are ok with that because they can sleep at IDO. You have to be creative with what you do with them.*

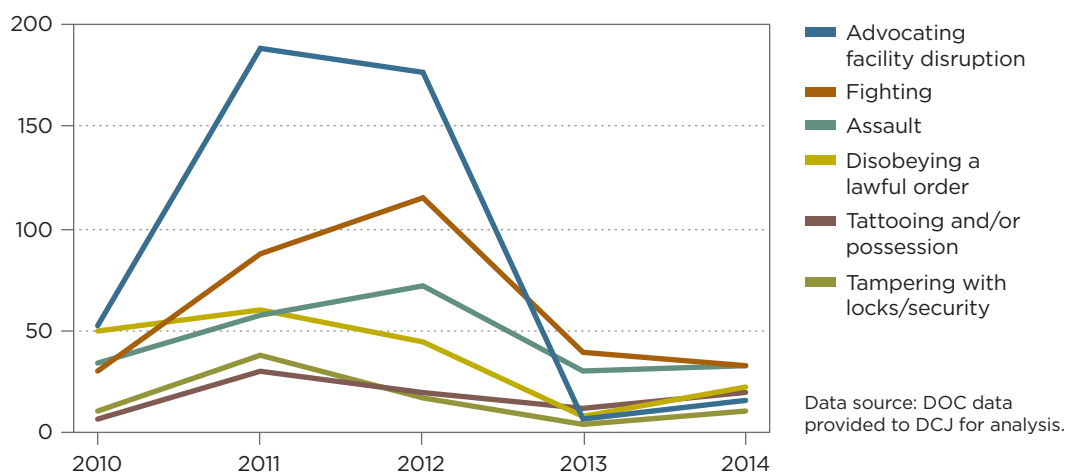
COPD violations have declined significantly in the past two years, as shown in Figure 3.1. This is reflective of administrators' intentional effort to prioritize school attendance, and to ensure that, whenever possible, consequences are individualized, meaningful, and linked to the specific behavior. Figure 3.2 shows the most common types of COPD violations in the last five years. Note that the large increase in "advocating facility disruption" in 2011 occurred over a single weekend that revolved around a New Year's Eve episode which resulted in the revocation of 14 offenders who were then sentenced to DOC to serve their original DOC sentence.

**Figure 3.1. Proportion of YOS offenders with one or more COPD violation, FY 1996-2014**



<sup>43</sup> YOS has implemented a behavioral "level" system where those with higher status have greater privileges (see Figure 3.3). This system is described later in the report.

**Figure 3.2. Most common types of COPD violations, FY 2010-2014 (n=1,292)**



When questioned about sanctions and rewards available to staff for immediate responses to resident behaviors, staff focus group participants reported that many more sanctions than rewards are available to them. Staff reported that the primary reward—and often the only reward—available to them in-the-moment was a positive chron, which has the power to affect offenders' status, as discussed below.

Among the most reliable findings, however, in reports from both staff and residents, was inconsistency in the delivery of both positive and negative sanctions. This inconsistency was a source of frustration for both staff and offenders. Staff noted inconsistency across units and shifts and within shifts, causing confusion for offenders. Offenders frequently noted “the rules keep changing” and that some staff appeared to follow the rules while others did not. One staff person stated the following:

*There is a problem with consistency here. Consequences vary from shift to shift. Lots of times, when you give consequences, you have to follow up yourself and make sure your consequence lasts only during your shift. There's no way to ensure the consequence you give on your shift is going to be followed up on consistently across shifts.*

Inmates also mentioned inconsistency among staff members as a problem. Three residents made the following statements in focus groups:

*We don't know what to expect from the officers. There are ones we know are solid every time, and ones we just don't know what to expect.*

*One officer tells you something one day, but tells you something different on a different day. If an officer is in a bad mood they take it out on you.*

*One day you may be joking around with staff and everything is fine, the next day they say you're being disrespectful. This is where the inconsistency comes from.*

The inconsistency in rule enforcement has important consequences for the offenders' status in YOS. Apart from the offenders' educational activities, their status level seems

**While inconsistency was a commonly reported problem, staff frequently mentioned that they valued the discretion afforded to them to tailor their response to each offender.**

to be each offender's primary focus, based on survey responses. Positive behavior is rewarded with increases in status and accompanying privileges; higher status offenders have many more privileges. Frustrated offenders reported the ease with which status can be lost due to staff discretion: Status levels and the accompanying privileges take months to establish but can be lost quickly with what some residents perceive as the sometimes arbitrary enforcement, or lack of enforcement, of rules. A primary way of moving up the level system is to accumulate positive chron entries; conversely, the accumulation of negative chrons can lead to reductions in status.

For example, it is not uncommon for offenders to request documentation with a written chron to reflect positive behavior, but some staff view offenders' requests for positive chron reports as manipulative behavior and so do not respond to the request. Other staff tend to look for opportunities to reward prosocial behavior; these staff document a positive chron even if requested by the offender. Additionally, some staff do not believe in rewarding offenders with positive chrons for behaviors that staff believe should be part of the offender's regular responsibilities, while other staff believe in rewarding as much positive behavior as possible. Inconsistency in the application of sanctions and incentives means inconsistent access to increasing status and the accompanying privileges.

While inconsistency was a commonly reported problem, staff frequently mentioned that they valued the discretion afforded to them to tailor their response to each offender. This discretion allows staff to make consequences meaningful, and many YOS staff discussed their commitment to individualizing the sanctioning experience. As one staff focus group participant stated:

*At YOS you cannot always be consistent with how you deal with offenders because it is an individual-based structure. What works for one offender may not work for another – so we have to tailor our interactions.*

**It will remain a challenge for YOS administrators to address inconsistency while also promoting the use of discretion in providing meaningful responses to offenders' behaviors.**

This perspective is indeed aligned with DOC Administrative Regulation 1600-01 which reads, in part, as follows: There will be privilege levels which individual offenders must earn; infractions will be followed by immediate and *logical consequences* with opportunities to re-earn the privileges by rule compliance and goal attainment (emphasis added).

It will remain a challenge for YOS administrators to address inconsistency while also promoting the use of discretion in providing meaningful responses to offenders' behaviors.



**b. Does the system include a daily regimen of physical training, self-discipline exercises, education and work programs, and meaningful interaction? Does the system include a component for a tiered system for swift and strict discipline for noncompliance?**

- ▶ *Does the system include a daily regimen of physical training, self-discipline exercises, education and work programs, and meaningful interaction?*

Yes, YOS includes a focus on physical training and self-discipline, along with education, work programs and meaningful interaction. At the Intake, Diagnostic, and Orientation (IDO) Phase, referred to as the Orientation Training Phase (OTP), which occurs during the first 30-45 days of the YOS sentence, inmates receive needs assessments and diagnostic evaluations so that an individualized progress plan is developed, re-entry challenges are identified, and offenders are acclimated to the facility. One administrator put it this way:

*We want to build a road map for offenders so that when they first arrive - they pick a track and then everything we do with them while they're here helps keep them focused on that end result. We start by saying "You are going to be with us for 6 years, what is your plan?" All offenders have individual tracks. [They] all have different needs, different personalities.*

Another staff person said this about the "road map:"

*Now we put them on a path from the beginning and then everything they do is relevant.*

Regarding education and work programs, as required in statute, YOS offers both GED training and a high school diploma. Those with shorter sentences are enrolled in the GED program whereas those with longer sentences are admitted to Century High School, the YOS secondary school that operates with a letter of agreement through Pueblo School District 60. Century High School operates year-round in the facility with 16-week trimesters.

The Colorado Community College System has approved the YOS career and technical education programs. All YOS career and technical instructors are credentialed in their trade and up to 45 hours of course work is transferable to a Colorado community college toward an Associate of Applied Science degree. During FY13, 108 offenders earned college credits through the YOS career and technical education program. Courses include business, business computers, electronics, multimedia production, automotive, janitorial, barber/cosmetology, and graphic arts.<sup>44</sup> Additionally, in the spring of 2013 one offender received a bachelor's degree and one offender received an associate's degree. In 2014, three offenders received associates degrees.

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<sup>44</sup> For a complete description of the YOS program, see Youthful Offender System Annual Report, FY13. Colorado Springs, CO: Colorado Department of Corrections, Office of Planning & Analysis.

**In surveys, focus groups, and staff interviews, both residents and staff consistently stated that the education (including vocational) component of YOS is its most valuable feature. One resident stated in a focus group: “Education is the biggest strength here.”**

According to DOC’s FY14 annual report on YOS, participation in academic and career and technical education courses is very high. Enrollments in FY13 were as follows: 82 enrollments in academic courses, 108 enrollments career and technical education courses, and 35 enrollments in college courses. YOS offenders took advantage of the library services available to them. In FY13, there were 8,307 library books checked out of the YOS library and 985 interlibrary loan requests. There were a total of 34 High School Diplomas and 20 GED Certificates awarded during graduation exercises held at Century High School in 2013.<sup>45</sup>

In surveys, focus groups, and staff interviews, both residents and staff consistently stated that the education (including vocational) component of YOS is its most valuable feature. One resident stated in a focus group: “Education is the biggest strength here.” In fact, 89%

of YOS resident survey respondents reported that they would choose YOS again if given the opportunity, and many of the respondents cited that the reason for choosing YOS again was the reduction in time (compared to their prison sentence) and the educational opportunities. When asked about things they are learning at YOS, focus group participants stated the following:

*I got my GED, construction core curriculum and 11 college credits.*

*I learned how to talk to people and cope with people, learned to be able to be around people and have positive conversations.*

*I’m studying business classes, entrepreneurship, human resources, html class, website coding.*

*Business and art classes have taught me patience and how to allow more time to get things done.*

*Learned how to not make the mistakes that got us here, how to change our lives.*

*Being able to express your anger in positive ways, anger management.*

*Coping and communicating with people, not just in here but out there as well.*

*You can express yourself on the weights, to take your anger out, relieve your anger. Basketball and handball are good too.*

*The library has music. It’s like time away from everyone to put headphones on. You can draw or read with the headphones on and have private time for yourself.*

*Victim impact – I didn’t know I was affecting people like that!*

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<sup>45</sup> Ibid, page 14.

## Positive peer culture

Regarding meaningful interaction, as required by statute, YOS uses positive peer culture as a fundamental method of teaching offenders pro-social behavior. Because peers are one of the most influential aspects of a young person's life, they can both encourage and discourage antisocial behaviors.<sup>46</sup> Social learning theory states that youth can develop self-worth, significance, dignity, and responsibility through commitment to the positive values of helping and caring for others<sup>47</sup> and can learn how to behave appropriately or inappropriately through the observation of peers that they respect and look to for guidance.<sup>48</sup> Positive peer culture was developed with the assumption that as peers learn to trust, respect and take responsibility for the behaviors of others in the group they can influence each other in a manner that will decrease antisocial behavior and increase pro-social attitudes, beliefs and behaviors.<sup>49</sup> If delinquency is influenced by one's peer group, individuals will respond to peer pressure for change, positive or negative.<sup>50</sup> Within the construct of positive peer culture, peers will develop and maintain positive behaviors and characteristics including:

- A sense of belonging;
- A code of conduct that assures a safe environment and promotes pro-social behavior;
- Individual members responding positively to the influences of the group;
- Each member has a sense that they can significantly contribute in a positive manner to the group;
- Individuals demonstrate social responsibility to the group and the group assists in reinforcing pro-social behavior; and
- Criticism of maladaptive behavior.<sup>51</sup>

YOS uses the behavioral management/level system to promote a positive peer culture, and those who reach Phoenix status become role models for other YOS residents. It should be noted, however, that implementing a positive peer culture is difficult with delinquent youth because, as researchers have found, juveniles are in fact learning from and being reinforced by the "leaders" in their community, and the behaviors may not be the positive, pro-social behaviors intended by therapists and correctional personnel.<sup>52</sup> Thus, involvement and supervision/intervention of staff is necessary to ensure that positive behaviors are being displayed and encouraged by the peer community.<sup>53</sup> It is in this context of instilling a positive peer culture that staff consistency, then, becomes especially important.

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<sup>46</sup> Brown, B., Clasen, D., & Eicher, S. (1986). Perceptions of peer pressure per conformity dispositions, and self-reported behavior among adolescents. *Developmental Psychology*, 22, 521-530.

<sup>47</sup> Brendtro, L.K. & Vorrath, H.H. (1985). *Positive peer culture* (2nd Ed.). Piscataway, NJ: Aldine Transaction.

<sup>48</sup> Bandura, A. (1977). *Social learning theory*. Englewood Cliffs, NJ: Prentice Hall; Bandura, A. (1986). *Social foundations of thought and actions: A social-cognitive theory*. Englewood Cliffs, NJ: Prentice Hall.

<sup>49</sup> Ryan, J.P. (2006). Dependent youth in juvenile justice: Do positive peer culture programs work for victims of child maltreatment? *Research on Social Work Practice*, 16(5), 511-519; Zimpfer, D.G. (1992). Group work with delinquents. *The Journal Specialist in Group Work*, 17(2), 116-126.

<sup>50</sup> Harstad, C.D. (1976). Guided group interaction: Positive peer culture. *Child Care Quarterly*, 5(2), 109-120.

<sup>51</sup> <http://www.troubledteenblog.com/2008/07/positive-peer-culture-adolescent-residential-treatment-philosophy/>.

<sup>52</sup> Dishion, T.J., McCord, J., & Poulin, F. (1999). When interventions harm: Peer groups and problem behavior. *American Psychologist*, 54(9), 755-764.

<sup>53</sup> Ibid.

The older population<sup>54</sup> may pose additional challenges to the positive peer culture that YOS seeks to develop. Staff said the following:

*I have noticed a difference working with the older group of youths. It is tougher to work with older group because they are more set in their ways.*

*It takes more time to get them to change. In adult facilities, you often hear "I am going to go back to prison anyway" - it's starting to feel that way at times now here too. "Thuggery" is reinforced by pressure of peers.*

*Before with the younger population there was more peer to peer confrontation to work on behavior. Now it's more staff and resident one on one when there's an issue. The peer to peer way of managing behavior is difficult with this older age group - they don't want to do it.*

*Older offenders who have been in gangs...influence the new guys. There is nothing youthful about a 26 years-old man. For a lot of gang members it is a family business. They should not be here. They are inmates and have bad influence for the rest of population.*

► Does the system include a component for a tiered system for swift and strict discipline for noncompliance?

Yes, a core component of YOS is the nine-level behavioral management system which links behavioral expectations to privileges. Please see Figure 3.3 for a partial description

**A core component of YOS is the nine-level behavioral management system which links behavioral expectations to privileges.**

of the expectations and privileges associated with the behavioral management system. To progress in the level system, individuals are required to behave according to YOS norms and expectations. These norms and expectations are posted in the housing units and articulated in the staff and YOS *Offender Reception and Orientation Manual*: "We confront in order to maintain these expected behaviors and, therefore, help one another." In addition, the following normative behaviors are listed:

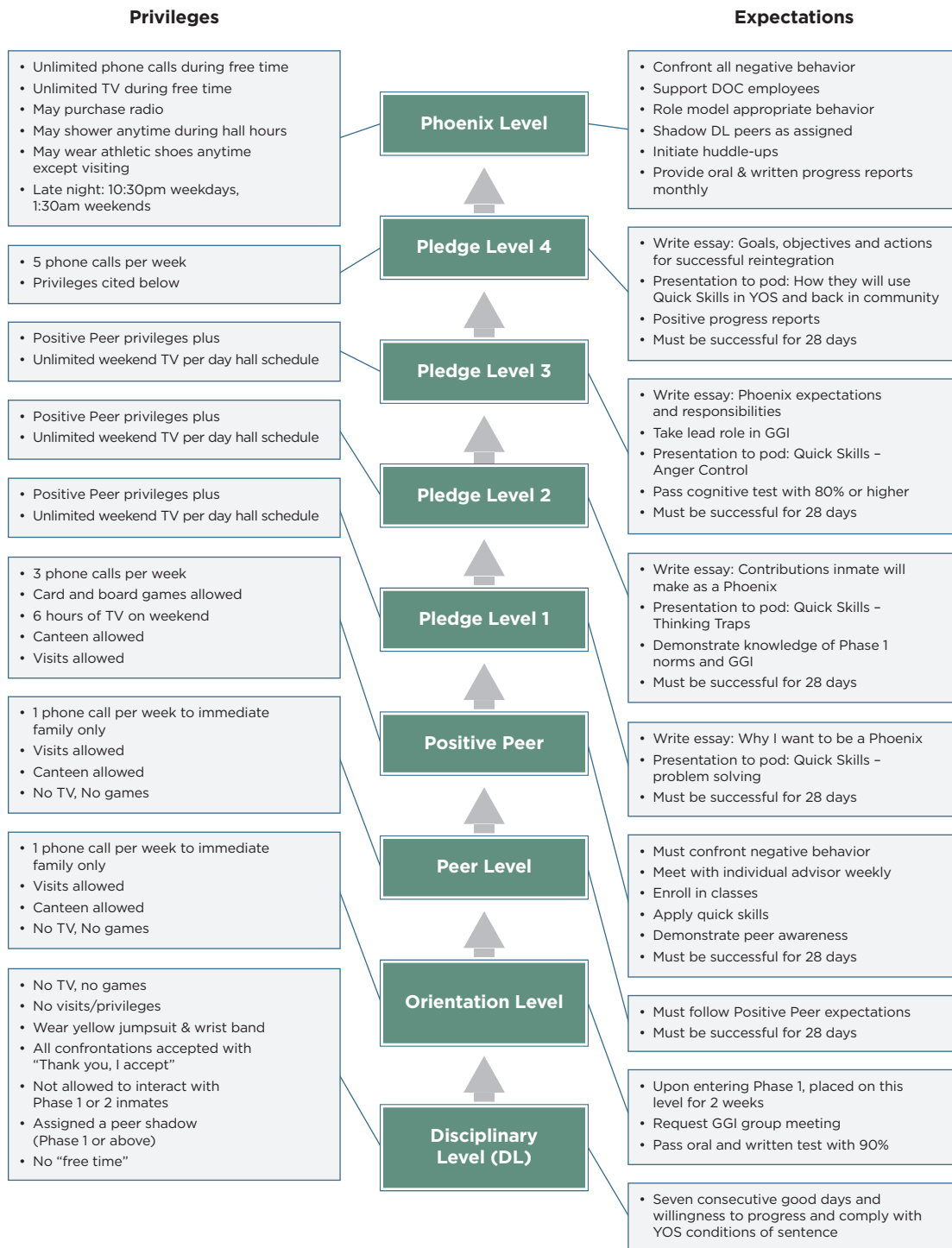
1. We do not engage in or support any gang activities.
2. We respect ourselves, others, and property.
3. We maintain order and respect all safety issues.
4. We do not violate the security of this facility.
5. We maintain cleanliness and hygiene at all times.
6. We consider school sacred and promote the value of education.
7. We consider GGI (Guided Group Interaction) sacred.
8. We do not engage in any sexual or inappropriate relationships.<sup>55</sup>

<sup>54</sup> As a consequence of legislation that changed the age of YOS eligibility, the average age at intake has increase from 16.6 years in 1994 to 18.8 in 2014.

<sup>55</sup> *Phase I Orientation Manual* (January 2012). Pages 26-27.



**Figure 3.3. YOS status levels, privileges, and expectations**



**Residents are expected to confront the negative behavior of their peers, using skills they acquire.**

The positive peer culture and the status level system both require that individuals become proficient in GGI, Quick Skills,<sup>56</sup> and anger management techniques. These are all cognitive-behavioral learning strategies. Proficiency in these techniques is required for upward movement in the level system. In addition, residents are expected to confront the negative behavior of their peers, using skills they acquire. A staff member, commenting on the positive peer culture and the expectation that offenders will confront each other, described offenders confronting each other:

*I work... [with Phoenix Level inmates] to ensure that they understand they are models and that they have to keep working.... They earned this status and I am making sure they follow the rules so they are a model for all....I make sure they understand the norms (shoe laces tied, hair brushed, close shave, etc.). I tell them, this [Phoenix Level] is not free. It is designed for that.*



**c. Does the system use staff role models and mentors to promote pro-social behavior?**

**Staff are required by state statute and administrative rules and expectations to act as role models and mentors to YOS offenders.**

Yes, YOS intends to use staff role models and mentors to promote pro-social behavior. Staff are required by state statute and administrative rules and expectations to act as role models and mentors to YOS offenders. The first paragraph of the YOS *Teachers Handbook* states the following: “Through your actions and spoken words, you will model the appropriate manner your students should behave and interact with others.”<sup>57</sup> Most YOS employees who participated in the study seem to take this expectation seriously: 90% of staff who completed study questionnaires reported that they considered themselves role models; the remaining 10% said they “sometimes” considered themselves a role model. This expectation is made clear by YOS officials. One administrator stated:

*I tell the staff: “You are a coach, teacher and a role model regardless of your title.”*

Three staff put it this way during focus groups:

*It is all about communication and to treat other people how you want to be treated. You get a lot with that.*

*Our job is to assist them and help them to succeed. You have ownership. We are supposed to be role models.*

<sup>56</sup> Quick Skills is a cognitive-behavioral skill building package that is taught in discrete units or combined into more comprehensive training. Units include, among others, Thinking Traps, Problem Solving, Anger Control, and Aggression Replacement, Employment Skills, Parenting Skills, and Financial Management.

<sup>57</sup> YOS *Teacher Handbook*, page 6.

*The program is all about them and if you are not here for them, you should not be here. It changed me. It's the best reward to see them succeed.*

In focus groups and in surveys, many staff discussed their responsibilities regarding role modeling and mentoring, and many felt proud about being able and expected to accomplish this goal. Indeed, this concept seemed to be part of the YOS staff culture. However, not all staff met the expectations of the offenders participating in the study. Some offender focus group participants reported that while some of the staff treat them respectfully, others treat them poorly and not at all in a mentoring type of way.

**In focus groups and in surveys, many staff discussed their responsibilities regarding role modeling and mentoring, and many felt proud about being able and expected to accomplish this goal. Indeed, this concept seemed to be part of the YOS staff culture.**

**d. Does the system provide offenders with instruction on problem-solving skills and the use of cognitive behavior strategies?**

Yes, YOS offers several types of problem-solving instruction and cognitive behavioral approaches, including Guided Group Interaction (GGI),<sup>58</sup> Seven Habits of Highly Effective Teens, sex offender treatment, anger management classes, victim empathy class,<sup>59</sup> substance abuse classes, Quick Skills (cognitive skill-building techniques), Baby-Think-It-Over,<sup>60</sup> and Thinking for a Change.<sup>61</sup> Evaluating the delivery, content, and fidelity of specific program elements such as these is beyond the scope of this evaluation. While survey data revealed that some offenders valued these programs, GGI and Quick Skills require small groups and the physical plant, with 54-person pods, makes it difficult to pull together a meaningful small group. In particular, it is difficult for a small group to have the privacy necessary to deal with problems that require GGI and Quick Skills.

**e. Does the system promote pro-social behavior?**

A primary method of promoting pro-social behavior is the use of a behavioral management/level system to gain privileges, as discussed previously (see Figure 3.3). Privileges are earned under a merit system, and these increase with the offender's status levels but can be lost due to problematic behavior or rule infractions. Behavioral expectations are articulated in the *Offender Reception and Orientation Manual* (2012). Privileges include visitation, telephone calls, television, radios, and canteen items.<sup>62</sup> Inconsistency in rule enforcement,

<sup>58</sup> GGI uses group dynamics and peer pressure to promote pro-social behaviors (YOS Annual Report, FY13, page 9). Offenders are assigned to a specific GGI group.

<sup>59</sup> The curriculum for "Victim Impact: Listen and Learn" was developed by the U.S. Department of Justice Office of Justice Programs.

<sup>60</sup> This Phase 2 program involves providing the offenders, both male and female, with computer-simulated infant dolls that cry when they need something (to be fed, changed, etc.). The women keep these dolls for a period of 4 weeks; the men keep them for one week.

<sup>61</sup> *Thinking for a Change*, developed by the National Institute of Corrections, is an evidence-based program.

<sup>62</sup> *Youthful Offender System Annual Report, FY13*. (June 2014.) Colorado Springs, CO: Colorado Department of Corrections, Office of Planning & Analysis.

and inconsistency in general practice, was a concern frequently mentioned by both staff and offenders on surveys and in focus groups. These inconsistencies, as discussed previously, can have important consequences for the residents' status/privileges, making loss of privileges or lack of progress dependent on staff behavior as much as offender behavior.

**?** **f. Does the system provide offenders the opportunity to gradually reenter the community?**

Yes, Phase II and Phase III are designed to gradually reintegrate the offender into the community. The Phase II component of YOS is referred to as pre-release,<sup>63</sup> and it occurs during the last three months of an offender's incarceration at the Pueblo facility but it includes supervised scheduled appointments and activities in the community. Phase II focuses on building on the academic skills acquired in Phase I, and offenders participate in career planning and job seeking skills. Offenders must attend classes in nutrition and food preparation, budgeting and personal safety.<sup>64</sup> An important component of Phase II is the acquisition of birth certificates, social security cards, and Colorado identification cards that are necessary for job applications and housing.

Community transition team meetings include YOS staff from Phase I, II, and III, clinical staff, the offender's educational advisor, family members and relevant community service providers. These meetings occur during Phase II to develop an individualized supervision and reentry plan for Phase III. Phase III is six to 12 months of intensive supervision in the community. According to DOC documentation, actual time in Phase III is based on (1) the duration of the offender's sentence to YOS, and (2) demonstrated and documented positive behavior and program participation (those with positive behavior are released earlier and have longer periods of Phase III).

Note that very few Phase II offenders participated in the current study, and resource limitations precluded including those participating in Phase III.

**?** **2. What are the current and overall (since 1994) characteristics of the YOS population? Have these changed over time?**

In large part, changes to the YOS population over time are a reflection of statutory modifications that affected the eligibility requirements. The average age at intake has increased somewhat in recent years to 18.8, which was to be expected due to changes in 2010 statute that removed most juveniles ages 14 and 15 from direct file consideration<sup>65</sup> and the 2009 statutory modification that extended the age of sentencing to include 19 and 20 year olds.<sup>66</sup>

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<sup>63</sup> See DOC's *Youthful Offender System Annual Report, FY13*. Pages 22-26.

<sup>64</sup> Ibid.

<sup>65</sup> C.R.S. 19-2-517.

<sup>66</sup> C.R.S. 18-1.3-407.

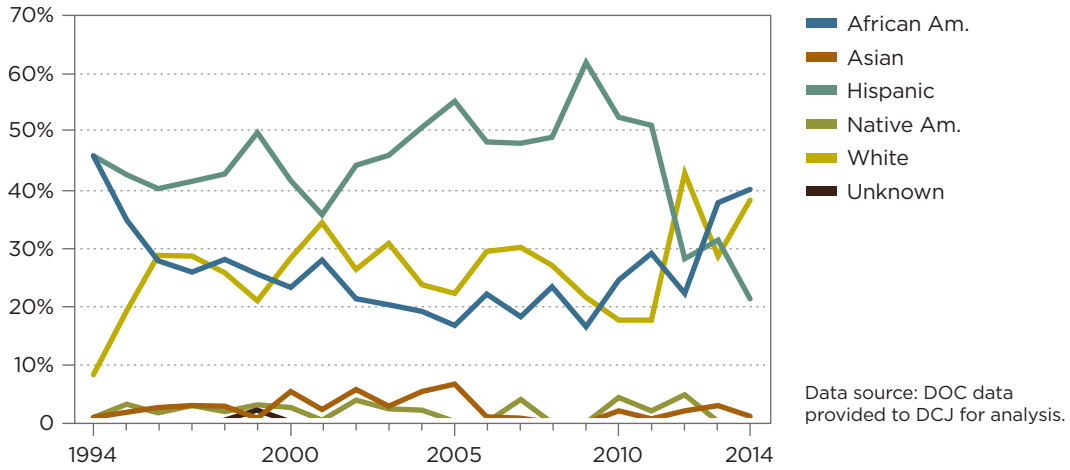
**Table 3.1. Age at intake, FY 1994-2014**

FY	N	Age at intake								Total
		14	15	16	17	18	19	20	21	
1994	24	0.0%	4.2%	41.7%	45.8%	8.3%	0.0%	0.0%	0.0%	100.0%
1995	107	1.9%	9.3%	24.3%	47.7%	16.8%	0.0%	0.0%	0.0%	100.0%
1996	111	2.7%	17.1%	24.3%	35.1%	18.9%	1.8%	0.0%	0.0%	100.0%
1997	108	0.9%	13.0%	27.8%	41.7%	13.9%	2.8%	0.0%	0.0%	100.0%
1998	89	4.5%	11.2%	27.0%	32.6%	24.7%	0.0%	0.0%	0.0%	100.0%
1999	86	1.2%	7.0%	23.3%	36.0%	31.4%	1.2%	0.0%	0.0%	100.0%
2000	99	2.0%	6.1%	26.3%	39.4%	22.2%	4.0%	0.0%	0.0%	100.0%
2001	78	0.0%	3.8%	19.2%	35.9%	35.9%	5.1%	0.0%	0.0%	100.0%
2002	65	1.5%	7.7%	23.1%	50.8%	13.8%	3.1%	0.0%	0.0%	100.0%
2003	59	0.0%	3.4%	20.3%	50.8%	25.4%	0.0%	0.0%	0.0%	100.0%
2004	67	0.0%	14.9%	17.9%	37.3%	28.4%	1.5%	0.0%	0.0%	100.0%
2005	54	3.7%	5.6%	18.5%	40.7%	31.5%	0.0%	0.0%	0.0%	100.0%
2006	58	0.0%	3.4%	17.2%	36.2%	43.1%	0.0%	0.0%	0.0%	100.0%
2007	60	0.0%	6.7%	16.7%	38.3%	31.7%	6.7%	0.0%	0.0%	100.0%
2008	59	0.0%	6.8%	25.4%	35.6%	30.5%	1.7%	0.0%	0.0%	100.0%
2009	61	1.6%	4.9%	13.1%	45.9%	32.8%	1.6%	0.0%	0.0%	100.0%
2010	84	2.4%	4.8%	11.9%	26.2%	35.7%	16.7%	2.4%	0.0%	100.0%
2011	68	0.0%	1.5%	10.3%	19.1%	29.4%	22.1%	14.7%	2.9%	100.0%
2012	77	0.0%	0.0%	3.9%	14.3%	31.2%	33.8%	16.9%	0.0%	100.0%
2013	45	0.0%	0.0%	0.0%	4.4%	33.3%	35.6%	26.7%	0.0%	100.0%
2014	52	0.0%	0.0%	1.9%	7.7%	32.7%	28.8%	26.9%	1.9%	100.0%
<b>Total</b>	<b>1,511</b>	<b>1.3%</b>	<b>7.1%</b>	<b>19.3%</b>	<b>34.9%</b>	<b>26.7%</b>	<b>7.2%</b>	<b>3.4%</b>	<b>0.2%</b>	<b>100.0%</b>

Data source: DOC data provided to DCJ for analysis. The darker the color, the greater the proportion of individuals in the cell.

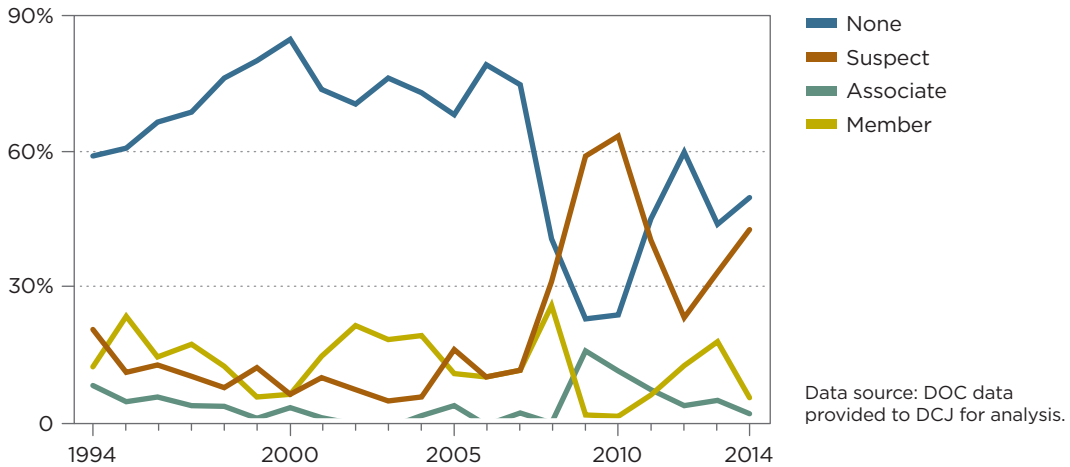
The largest proportion of the YOS population is Hispanic, followed by Caucasians and African Americans. In recent years, Hispanic admissions have declined while African American and White admissions have increased, as shown in Figure 3.4.

**Figure 3.4. Race and ethnicity of YOS population at intake, FY 1994-2014**



Gang membership among YOS intakes has varied somewhat over the years. The proportion of the incoming population with *no* gang affiliation has declined in recent years (see Figure 3.5).

**Figure 3.5. Gang membership of YOS intakes, FY 1994-2014**



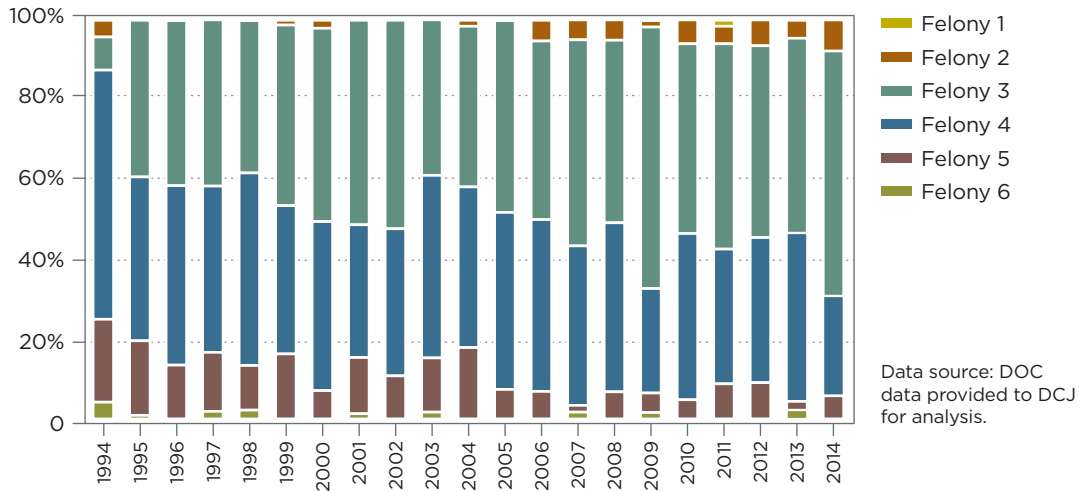
In terms of the most serious conviction crimes, aggravated robbery, robbery, aggravated assault, and assault have been the most common offenses over the years (see Table 3.2). In terms of felony class, Felony 3s and Felony 4s are the most common; the use of YOS for offenders with Felony 5s as the most serious conviction crime has declined significantly since 2004 (see Figure 3.6).

**Table 3.2. Most serious conviction charge, 2008-2014**

	2008	2009	2010	2011	2012	2013	2014
N	59	61	84	68	77	45	52
Accessory to a crime	0.0%	0.0%	0.0%	1.5%	0.0%	0.0%	1.9%
Arson	0.0%	0.0%	4.8%	1.5%	0.0%	0.0%	0.0%
Assault	0.0%	0.0%	2.4%	0.0%	0.0%	0.0%	1.9%
Assault 1st	11.9%	21.3%	15.5%	10.3%	11.7%	15.6%	17.3%
Assault 2nd	33.9%	21.3%	26.2%	17.6%	18.2%	24.4%	3.8%
Burglary	13.6%	6.6%	1.2%	4.4%	13.0%	2.2%	9.6%
Controlled substance abuse	0.0%	0.0%	2.4%	2.9%	2.6%	2.2%	1.9%
Court and corrections	0.0%	0.0%	0.0%	0.0%	1.3%	0.0%	0.0%
Escape	0.0%	1.6%	1.2%	4.4%	3.9%	0.0%	3.8%
Ethnic intimidation	0.0%	0.0%	0.0%	1.5%	0.0%	0.0%	0.0%
Haras stalking w/ rest ord	0.0%	0.0%	0.0%	1.5%	0.0%	0.0%	0.0%
Kidnapping	1.7%	0.0%	0.0%	2.9%	0.0%	0.0%	3.8%
Menacing	1.7%	0.0%	1.2%	2.9%	6.5%	0.0%	1.9%
Motor vehicle theft	1.7%	0.0%	0.0%	1.5%	0.0%	0.0%	0.0%
Murder	10.2%	4.9%	10.7%	4.4%	5.2%	2.2%	9.6%
Other homicide	0.0%	0.0%	0.0%	0.0%	1.3%	0.0%	0.0%
Other related homicide	3.4%	4.9%	2.4%	1.5%	0.0%	2.2%	0.0%
Public peace	0.0%	0.0%	0.0%	0.0%	0.0%	2.2%	0.0%
Robbery (aggravated)	16.9%	27.9%	26.2%	36.8%	29.9%	35.6%	34.6%
Robbery	1.7%	4.9%	3.6%	1.5%	2.6%	8.9%	5.8%
Sexual assault	0.0%	0.0%	0.0%	2.9%	1.3%	0.0%	1.9%
Theft	0.0%	0.0%	1.2%	0.0%	1.3%	0.0%	0.0%
Weapons	1.7%	1.6%	1.2%	0.0%	0.0%	2.2%	0.0%
Wrongs to children	1.7%	4.9%	0.0%	0.0%	1.3%	2.2%	1.9%
<b>Total</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

Data source: DOC data provided to DCJ for analysis. The darker the color, the greater the proportion of individuals in the cell.

**Figure 3.6. Felony class of most serious conviction crime for YOS intakes, FY 1994-2014**



In terms of the risk and need levels of the population, YOS uses the Level of Service Inventory (LSI) to identify areas of need. The LSI is a 54 question semi-structured assessment measuring risk and protective factors in the areas of criminal history, substance abuse, education/employment, family, peer relationships, accommodation, and miscellaneous issues. Table 3.3 shows the average subscores for ten domains assessed by the LSI (the higher the score, the greater the need). It is important to note that the YOS recreation staff has worked very hard to promote pro-social leisure time activities for offenders, including activities such as weight lifting competitions, guitar classes, fly tying, and an NCAA bracket challenge in which 67 inmates participated. As one YOS staff member said in a focus group:

*They're in school for 8 hours, they sleep for 8 hours, and then it's leisure for 8 hours. It's that last 8 hours that we're really starting to work on. The offender is figuring out that if what he's learning is relevant to his success after YOS, he'll buy in. Our big push now is on those 8 leisure hours and teaching them productive activities during that time, so that have pro-social productive activities to fall back on when they're out of here. Playing the guitar, fly tying, and things like that are helping with the leisure rec time.*



**Table 3.3. Average subscores on the LSI\* for YOS intakes, FY 2012-2014**

Scale	2012	2013	2014
N	45	45	51
Criminal history	48.1	43.6	38.2
Education/employment	59.3	73.6	74.1
Financial	38.9	36.9	57.8
Family/marital	41.7	63.0	31.0
Accommodation	26.6	39.2	72.1
Leisure/recreation	85.6	92.2	93.1
Companions	71.1	63.2	62.7
Alcohol/drug	52.8	42.0	41.9
Emotional/personal	38.7	26.6	18.7
Attitude/orientation	75.6	60.1	54.4
LSI total score**	29.2	28.1	27.9

\* Level of Supervision Inventory. Prior to 2012, the Colorado Youthful Offender-Level of Supervision Inventory (CYO-LSI) was used to assess YOS intakes. Therefore, only assessments since 2012 are included here. The higher the score, the greater the need level.

\*\* For the total LSI score, DOC considers 0-12 low risk/need, 13-25 medium risk/need, and 26-54 high risk/need.

Other assessment instruments used by YOS also describe a high-need population. Table 3.4 reflects a significant challenge for YOS administrators and teaching staff: Approximately half the population has a high school diploma or GED while the other half is functionally illiterate (27.7% in 2014) or illiterate in English (12.8% in 2014). Those with lower academic needs likely already received their GED or high school diploma and consequently require more college classes or non-academic activities. Meanwhile, those with higher needs require an intense academic environment at much lower grade levels.

**Table 3.4. Academic needs of YOS intakes, FY 2008-2014**

FY	N	At least associates degree	High school diploma or GED	Needs GED	Functional illiterate	Illiterate in English	Total
2008	52	0.0%	46.2%	5.8%	34.6%	13.5%	100.0%
2009	58	0.0%	60.3%	1.7%	19.0%	19.0%	100.0%
2010	80	1.3%	52.5%	6.3%	20.0%	20.0%	100.0%
2011	67	0.0%	70.1%	9.0%	13.4%	7.5%	100.0%
2012	72	0.0%	50.0%	12.5%	20.8%	16.7%	100.0%
2013	45	0.0%	66.7%	2.2%	17.8%	13.3%	100.0%
2014	47	0.0%	53.2%	6.4%	27.7%	12.8%	100.0%
<b>Total</b>	<b>421</b>	<b>0.2%</b>	<b>56.8%</b>	<b>6.7%</b>	<b>21.4%</b>	<b>15.0%</b>	<b>100.0%</b>

Data source: DOC data provided to DCJ for analysis. The darker the color, the greater the proportion of individuals in the cell.

**3. Are YOS offenders more serious than those sentenced to the Division of Youth Corrections (in the juvenile justice system) and less serious than those sentenced to prison? (That is, is the YOS population unique?)**

Yes, YOS appears to be a unique—and serious—population based on analyses of the index crime and prior violent history of those sentenced to YOS, DOC, and the Division of Youth Corrections (DYC). YOS offenders are much more likely to be convicted of a violent or sex crime compared with similarly aged offenders entering DOC and DYC, and YOS offenders are equally likely as prison inmates to have a prior conviction for a violent crime.

**Conviction for a violent or sex crime**

An analysis of all individuals 17 years of age or less sentenced between 2007 and 2013 to DOC, DYC, and YOS shows that those sentenced to YOS were more likely to have a violent/sex conviction crime compared to the other placements (see Table 3.5): 85.2% of YOS offenders were convicted of a violent/sex offense compared to 26.7% of those sentenced to DYC and 69.1% of those sentenced to DOC. A similar analysis of all individuals 18 and 19 years old shows a much greater proportion of the YOS sentences (72.7%) with a violent/sex crime conviction compared to 30.0% of those sentenced to DYC and 38.6% of those sentenced to DOC (see Table 3.6).

**Table 3.5. Cases sentenced CY 2007-2013, Ages 10-17, index crime is violent\***

Sentence	N	Violent crime	Not violent crime	Total
Dept of Corrections	94	69.1%	30.9%	100.0%
Division of Youth Corrections	1,582	26.7%	73.3%	100.0%
Youthful Offender System	270	85.2%	14.8%	100.0%
<b>Total</b>	<b>1,946</b>	<b>36.9%</b>	<b>63.1%</b>	<b>100.0%</b>

Data source: Court records were extracted from Judicial Branch’s Integrated Colorado Online Network (ICON) information management system via the Colorado Justice Analytics Support System (CJASS) and analyzed by DCJ.

\* Crimes included are Murder, Other Homicide, Felony Assault, Kidnapping, Robbery, Sexual Assault, and Other Sex Crimes.

**Table 3.6. Cases sentenced CY 2007-2013, Ages 18-19, index crime is violent\***

Sentence	N	Violent crime	Not violent crime	Total
Dept of Corrections	1,373	38.6%	61.4%	100.0%
Division of Youth Corrections	10	30.0%	70.0%	100.0%
Youthful Offender System	143	72.7%	27.3%	100.0%
<b>Total</b>	<b>1,526</b>	<b>41.7%</b>	<b>58.3%</b>	<b>100.0%</b>

Data source: Court records were extracted from Judicial Branch’s Integrated Colorado Online Network (ICON) information management system via the Colorado Justice Analytics Support System (CJASS) and analyzed by DCJ.

\* Crimes included are Murder, Other Homicide, Felony Assault, Kidnapping, Robbery, Sexual Assault, and Other Sex Crimes.

### Prior violent or sex crime conviction

In terms of prior convictions for violent/sex crimes, a comparison of the same cases aged 17 or less shows a similar conviction history across DOC and YOS intakes (nearly 14% had a prior violent crime conviction compared with 9.4% for NYC intakes [see Table 3.7]). However, for those aged 18 and 19, the proportion with a violent/sex conviction history of those sentenced to YOS (15.4%) and DOC (18.9%) exceeded the 10.0% of NYC admissions.

**Table 3.7. Cases sentenced CY 2007-2013, ages 10-17, prior convictions\* for violent\*\* offenses**

Sentence	N	Prior conviction for violent offenses	No prior conviction for violent offenses	Total
Dept of Corrections	94	13.8%	86.2%	100.0%
Division of Youth Corrections	1,582	9.4%	90.6%	100.0%
Youthful Offender System	270	13.7%	86.3%	100.0%
<b>Total</b>	<b>1,946</b>	<b>10.2%</b>	<b>89.8%</b>	<b>100.0%</b>

Data source: Court records were extracted from Judicial Branch's Integrated Colorado Online Network (ICON) information management system via the Colorado Justice Analytics Support System (CJASS) and analyzed by DCJ.

\* Prior convictions are found by searching name, date of birth, and state identification number if available, backwards in time from the filing date of the index offense.

\*\* Crimes included are Murder, Other Homicide, Felony Assault, Kidnapping, Robbery, Sexual Assault, and Other Sex Crimes.

**Table 3.8. Cases sentenced CY 2007-2013, ages 18-19, prior convictions\* for violent\*\* offenses**

Sentence	N	Prior conviction for violent offenses	No prior conviction for violent offenses	Total
Dept of Corrections	1,373	18.9%	81.1%	100.0%
Division of Youth Corrections	10	10.0%	90.0%	100.0%
Youthful Offender System	143	15.4%	84.6%	100.0%
<b>Total</b>	<b>1,526</b>	<b>18.5%</b>	<b>81.5%</b>	<b>100.0%</b>

Data source: Court records were extracted from Judicial Branch's Integrated Colorado Online Network (ICON) information management system via the Colorado Justice Analytics Support System (CJASS) and analyzed by DCJ.

\* Prior convictions are found by searching name, date of birth, and state identification number if available, backwards in time from the filing date of the index offense.

\*\* Crimes included are Murder, Other Homicide, Felony Assault, Kidnapping, Robbery, Sexual Assault, and Other Sex Crimes.

In sum, YOS admissions between 2007 and 2013 were more likely than DOC or NYC to have a violent/sex index offense (this was especially the case for 18-19 year olds), and were equally likely as DOC admissions to have a prior violent/sex convictions. YOS is indeed a unique population compared to DOC and NYC on index offense and serious prior convictions.

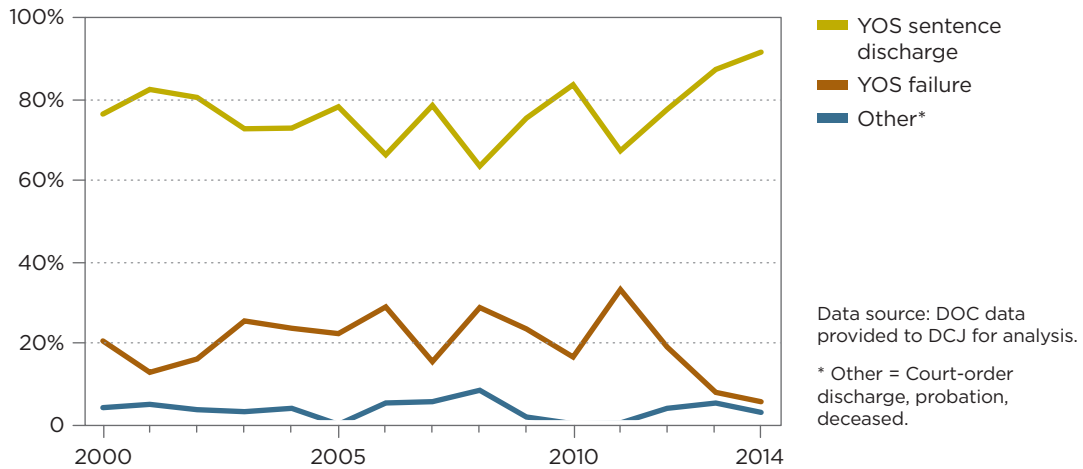
**4. What is the program completion rate of YOS participants? What is the new filing rate of individuals released from YOS since 1995?**

► *What is the program completion rate of YOS participants?*

**In FY14, 90% of those who terminated from YOS did so successfully, the highest success rate in the 20 years YOS has been in operation.**

In FY14, 90% of those who terminated from YOS did so successfully, the highest success rate in the 20 years YOS has been in operation (see Figure 3.7 for termination rates since 2000). Historically, successful termination rates have been between 70% and 80%, but these rates have increased in the last few years.

**Figure 3.7. YOS termination types, FY 2000-2014 (N=1,040)**



► *What is the new filing rate of individuals released from YOS since 1995?*

**About one in ten (10.3%) of those released from YOS were convicted of a new violent felony crime within two years.**

Of 881 individuals who successfully discharged from YOS between 1996 and June 2014 with at least two years of time at risk in the community, 52.4% received a new felony or misdemeanor filing within two years; about half of these were convicted of a felony (24.7%) (see Table 3.9). About one in ten (10.3%) of those released from YOS were convicted of a new violent felony crime within two years.

**Table 3.9. Successful YOS releases 2-year post-release recidivism (n=881)**

	New misdemeanor or felony filing*		New felony conviction		New violent felony conviction**	
	N	Percent	N	Percent	N	Percent
No	419	47.6%	663	75.3%	790	89.7%
Yes	462	52.4%	218	24.7%	91	10.3%
<b>Total</b>	<b>881</b>	<b>100.0%</b>	<b>881</b>	<b>100.0%</b>	<b>881</b>	<b>100.0%</b>

Data source: Court records were extracted from Judicial Branch’s Integrated Colorado Online Network (ICON) information management system via the Colorado Justice Analytics Support System (CJASS) and analyzed by DCJ.

\* Denver County Court filings not included. Includes misdemeanors such as DUI/DWAI found in traffic cases. Prior YOS evaluations did not include these types of cases because of system capacity limitations; therefore the new filing rate reported here is higher than prior reports.

\*\* Crimes included are Murder, Other Homicide, Felony Assault, Kidnapping, Robbery, Sexual Assault, and Other Sex Crimes.

It is important to note that these recidivism rates are very encouraging, particularly the 10.3% rate of new violent crime convictions within two years, given that most YOS offenders were sentenced there for a violent offense, and considering the very high need level of the population.

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## Additional findings

### Strong staff and administration

Most staff expressed extremely positive perceptions toward the YOS leadership team. Further, the YOS administration was viewed almost unanimously by staff study participants as being open to new ideas and supportive of staff efforts. Between 2001 and 2006, YOS had three different wardens over a five year period, leading to difficulty in the expression and implementation of a clear direction and set of values. Since 2006, YOS has had only two wardens, with Mike Romero, formerly associate warden, becoming warden in 2014. Staff reported a smooth transition to the new leadership team in 2014, and credited promoting from within as a key to consistency.

Today, the YOS written guiding principles are steeped in the language of the enabling statute.<sup>67</sup> The YOS management team provides direct training to staff about the YOS philosophy and expectations of staff. As noted earlier, nearly every staff member who

<sup>67</sup> *Youthful Offender System Employee Handbook, 2011-2012; YOS Drill Instructor Manual (March 2012); DOC Administrative Regulation 1600-01; YOS Offender Reception and Orientation Manual (January 2012).*

participated in the survey said they considered themselves role models and mentors to the residents. More than 3 out of 4 (77%)<sup>68</sup> of staff survey respondents reported that there is a consistent or somewhat consistent philosophy between facility administrators and line staff who work directly with residents (see Table 3.10). While there remains a keen focus on security, YOS operates with a very different philosophy compared to a traditional prison facility. As four YOS staff observed the following about their tenure at YOS:

*When I came to YOS, I was confused because of the way things are done here. It was new for me to think about the philosophy of changing my way of thinking and acting toward offenders. I had to learn how to do things to make a difference. Now I feel that I am more of a professional. Not only do we teach these guys to utilize better language and communication skills but it then changes how we act as well.*

*I watched the people around here and after a while, things started to make sense to me. These offenders are so young and very hyper, they're active and want to talk to you about everything. It took time to get used to actually talking with offenders rather than to them.*

*With this type of program here, I am exhausted every day. Someone always has a problem. The bigger thing, and the good thing, is to see the change in somebody: "When the light goes on." I do enjoy it and wouldn't want to go anywhere else.*

*What is unique at YOS is that we cultivate a professional relationship with the youth and that's not the case with adult offenders*

**Table 3.10. Do you think there is a consistent philosophy between facility administrators and line staff (staff survey)? (n=116)**

Yes	42.1%
Somewhat	35.1%
Not really	15.8%
No	7.0%
<b>Total</b>	<b>100.0%</b>

This philosophical consistency may be linked to the perception of positive morale among YOS staff respondents. Nearly two thirds (63.4%) of the staff respondents stated that the morale among YOS employees was either good or very good; less than 10% said that moral was poor or very poor (see Table 3.11).

<sup>68</sup> This compares to 86% of staff respondents who participated in the 2012 evaluation.

**Table 3.11. YOS staff perceptions of morale (staff survey) (n=116)**

Very good	19.1%
Good	44.3%
OK	27.0%
Poor	8.7%
Very poor	0.9%
<b>Total</b>	<b>100.0%</b>

Since 2006, YOS screening and recruitment methods have intentionally targeted staff who were willing to adopt the YOS philosophy, an approach that is fundamentally different from other DOC facilities. Prior to 2006, it was not uncommon for staff to apply to work at YOS because they wanted to live in Pueblo, not because they had the skills, education, or background appropriate to work with this young, high risk population. As one administrator stated:

*As for new staff here, I primarily consider hiring staff who want to work here not those who want to be in Pueblo because it is "home." I am thankful for staff at YOS. They are the greatest resource here and if they did not believe in the mission, we would all be struggling.*

This careful recruitment strategy may explain why a large majority of YOS staff (85.2%) respondents stated that they felt their education or experience adequately prepared them to work with this population (see Table 3.12). This is an extremely important finding, given the problems in hiring practices identified in DCJ's 2004 YOS evaluation.<sup>69</sup>

**Table 3.12. Do you feel that your education/experience adequately prepared you for working with this population (staff survey)? (n=116)**

Yes	47.8%
Somewhat	37.4%
Not really	7.8%
No	7.0%
<b>Total</b>	<b>100.0%</b>

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<sup>69</sup> Hiring practices and qualifications of staff were identified as significant problems in the 2004 YOS evaluation report, available at [http://www.colorado.gov/ccjdir/ORS2/pdf/docs/YOS\\_REPORT\\_2004.pdf](http://www.colorado.gov/ccjdir/ORS2/pdf/docs/YOS_REPORT_2004.pdf).

## Physical space and activities

In the 2012 evaluation of YOS, a finding from surveys, focus groups, and interviews indicated a lack of sufficient space for offenders and activities. In fact, this was among the most consistent findings from the study. However, these concerns were mentioned considerably less often in the current evaluation. Nevertheless, in an open-ended question that asked about ways to improve YOS, 25% of staff respondents stated “more space.”

**YOS administrators installed a 30’x50’ covered outdoor weight lifting exercise area for Phoenix-level inmates. This has greatly increased usable space for physical activity. Further, plans are underway to extend the perimeter of the YOS campus and install a large multipurpose building.**

YOS administrators installed a 30’x50’ covered outdoor weight lifting exercise area for Phoenix-level inmates. This has greatly increased usable space for physical activity. Further, plans are underway to extend the perimeter of the YOS campus and install a large multipurpose building, greatly expanding the availability of useable space for a variety of purposes, including a 10,000 square foot gymnasium, library expansion (with computers, a law library room, and a work room), and an expansion of the barber shop. Plans include breaking ground for the new building in the spring/summer of 2015. Staff are looking forward to the expansion:

*The best change is to come with the multi-purpose building and the indoor gymnasium.*

A theme from prior DCY evaluations of YOS was a very strong concern about a lack of activities for inmates, especially on the weekends. This concern was not apparent from the data collected for the 2014 evaluation. Significant efforts have been made to expand programming and educational/vocational opportunities, and many staff mentioned efforts to teach offenders leisure time activities.

*Everybody still loves the football league in the fall. And we’re starting soccer this week. We’re always trying to incorporate new physical activities.*

## Safety

One question in the resident survey asked “Do you feel safe at YOS?” Eighty-six percent (86.1%) of the survey respondents reported that they felt safe or somewhat safe at YOS<sup>70</sup> (see Table 3.13). The survey asked the reasons for the answer selected. In open-ended responses, 26.2% of respondents said that some staff made them feel safe. When asked in another open-ended question about what made them feel unsafe, 17.7% said “some residents” and 13.9% said “some staff.” In focus groups, few residents mentioned concerns about safety. When asked directly about safety concerns, four inmates made these comments:

**Eighty-six percent (86.1%) of the survey respondents reported that they felt safe or somewhat safe at YOS.**

<sup>70</sup> This compares to 80% in 2012 and 69% in 2004.



*Some staff try to provoke anger in the residents who have anger issues.*

*There are some staff that just don't like you and set you up for failure. They provoke you and then come back with a punishment – they do whatever they want to do because they know they can.*

*Some staff will help you, they try to benefit you in some ways. Some staff just comes here to make the day harder.*

*No physical safety issues here. But sometimes you mentally feel unsafe. It's not abusive physically. Sometimes you can feel mentally drained.*

**Table 3.13. Do you feel safe at YOS (offender survey)? (n=79)**

Yes	64.6%
Somewhat	21.5%
Not really	10.1%
No	3.8%
<b>Total</b>	<b>100.0%</b>

Some YOS staff reported that they believe crowded conditions lead to a greater number of fights among residents, especially those in 8-men rooms. Stairwells were also mentioned as places that fights occur, even though cameras were installed in 2012. Concerns were voiced in focus groups and interviews about areas that had little or no line-of-sight supervision. Some staff reported that the time between 2-10pm seems understaffed since maintenance and teachers leave the facility at 3 and 5, respectively. This is leisure time for offenders and that, coupled with fewer staff, results in a situation where inmates have more opportunity to misbehave. One staff member summed it up like this:

*There's often fighting between offenders--that will never go away. There are no cameras in their rooms and these guys will find a way to fight and beat each other up even with body checks. They beat the crap out of each other. Staff do a body search every day at 8 am. There are two blind spots in the design of the staircase and there are also fights in their rooms.*

Some staff reported safety concerns resulting from the lack of use of COPD violations. In fact, as shown in Figure 3.1, COPD violations have declined significantly in recent years. This is intentional, as YOS administrators want to keep inmates in programming rather than using COPD sanctions that separate them from the general population.

In sum, the majority of YOS offenders reported that they felt safe in the facility; many had both compliments and complaints about some staff regarding their feelings of safety. It is important to note that the offenders who mentioned not feeling safe because of staff did

not report physical abuse but rather described not feeling emotionally safe with certain staff members.

## **Inconsistency**

As mentioned previously, inconsistency across staff was among the most frequently mentioned problem at YOS and so will be summarized briefly again here. Staff and residents noted inconsistency across units and shifts, and within shifts, and that this causes confusion for offenders. In particular, both staff and residents mentioned the inconsistency in the delivery of positive and negative sanctions. This inconsistency can directly and immediately affect a resident's status level because staff document positive and negative behavior by offenders (in chronological records, or "chrons"), and these are important determinants of status movement (up or down). Because status is linked to privileges, the perceived inconsistency is critically important to offenders since it affects their daily activities. Inmates made the following comments in focus groups and the written questionnaires:

*The worst thing here is staff isn't always on the same page.*

*One day they tell us to do stuff this way, the next day they want us to do it another way.*

*One day you may be joking around with staff and everything is fine, the next day you're being disrespectful. This is where the inconsistency comes from.*

*The main thing that causes problems is how staff handles situations. Staff takes their anger out on us. Make them more consistent.*

**Inconsistency in the use of chrons to document positive behavior is a particular source of frustration. Some staff give positive chrons for expected behavior; some give positive chrons for exceptional behavior only. However, administrators believe that positive and negative chrons need to be provided in the context of an individual offender.**

Inconsistency in the use of chrons to document positive behavior is a particular source of frustration. Some staff give positive chrons for expected behavior; some give positive chrons for exceptional behavior only. However, administrators believe that positive and negative chrons need to be provided in the context of an individual offender. It may be impactful to recognize "normal" behavior by a recalcitrant inmate, for example. Many YOS staff in focus groups and interviews discussed their commitment to individualizing the YOS experience, and this can only occur by understanding, and rewarding, behavior that may be new or positive for a specific inmate. When discussing inmate behavior and consistency, staff made the following comments during focus groups:

*At YOS you cannot always be consistent with how you deal with offenders because it is an individual-based structure. What works for one offender may not work for another - so we have to tailor our interactions.*

*Positive chrons have an impact and residents take pride in having positive chrons, but we have to be cautious about giving too many as well.*

*With the Phoenix, we expect role model behavior, all the time.*

The individualized nature of YOS means that staff have substantial discretion to reward positive behavior and sanction negative behavior. The administration expects that sanctions for misbehavior will not be arbitrary but rather will be linked to the problem behavior. This means that sanctions can vary considerably. Additionally, sanctions may be enforced for only a single work shift, as the study participant explained below during a focus group:

*There is a problem with consistency here. Consequences vary from shift to shift. Lots of times, when you give consequences, you have to follow up yourself and make sure your consequence lasts only during your shift. There's no way to ensure the consequence you give on your shift is going to be followed up on consistently across shifts.*

Our 2012 evaluation also noted this issue with inconsistency. However, the discretion provided to YOS staff to respond to both positive and negative behavior on an individual basis means that the inmates' perception of inconsistency by staff is likely to continue. Nevertheless, communicating well with inmates and other staff about the rationale behind the (positive or negative) sanction may improve understanding and decrease frustration. Supervisors at YOS may want to work together to ensure that they are providing clear direction to employees about the use of chrons as sanctions, and that they are clearly communicating their expectations about the use of meaningful sanctions.

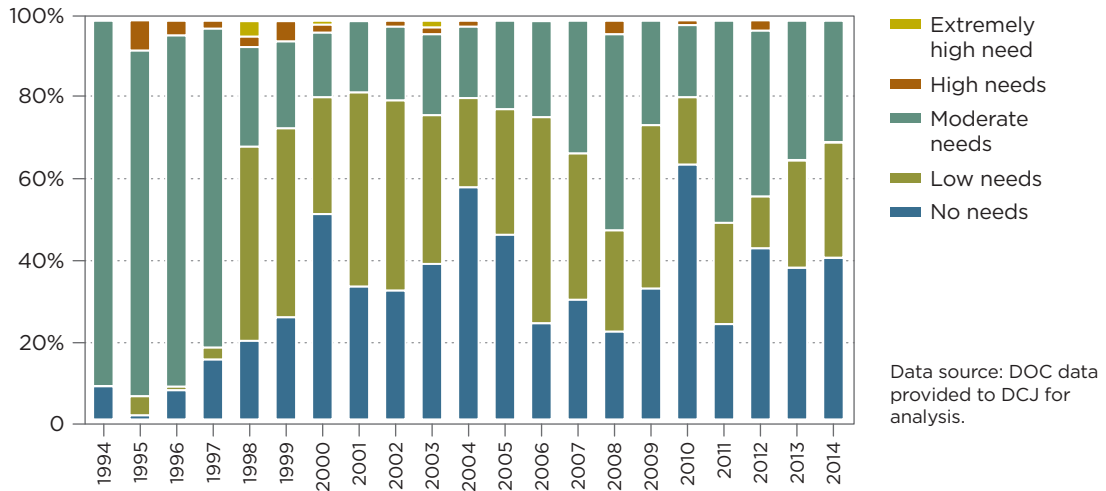
### **Mental health services**

In prior evaluations (2002, 2004), DCJ found a lack of mental health services at YOS. While this was not a finding of the 2012 evaluation, the topic came up in several focus groups with staff during the 2014 evaluation. One staff stated:

*Everybody here would agree that there is a need for more mental health care.*

When asked on the resident survey how often they meet one-on-one with mental health staff, one-fourth (24.1%) of the responses said they had never met with a psychiatrist or psychologist, 8.9% said they met monthly with mental health staff, 11.4% said they met weekly with a psychiatrist or psychologist, and 55.7% said they met with mental health staff on an "as needed" basis. These responses are consistent with the information in Figure 3.8 showing the mental health needs of the YOS intake population over time. Over 30% of the population has moderate needs, indicating a need for treatment, but the majority of the incoming population has low needs, or no need related to mental health treatment.

**Figure 3.8. Mental health needs of YOS intakes, FY 1994-2014**



Nevertheless, some staff felt strongly about the need for expanded mental health treatment for YOS residents:

*I think the critical component here is the need for more mental health treatment. It would be a big improvement if we could get more psychiatrists and mental health professionals here. For example, consultations with the psychiatrist have been cancelled for the last two weeks. There's no consistent 'go to' person.*

*Most of these guys are here because of their mental health conditions so there should be more mental health attention. But the problem is that mental health professionals and psychiatrists make a lot more money outside than in here. There is a huge gap.*

Two residents put it this way:

**Some staff felt strongly about the need for expanded mental health treatment for YOS residents.**

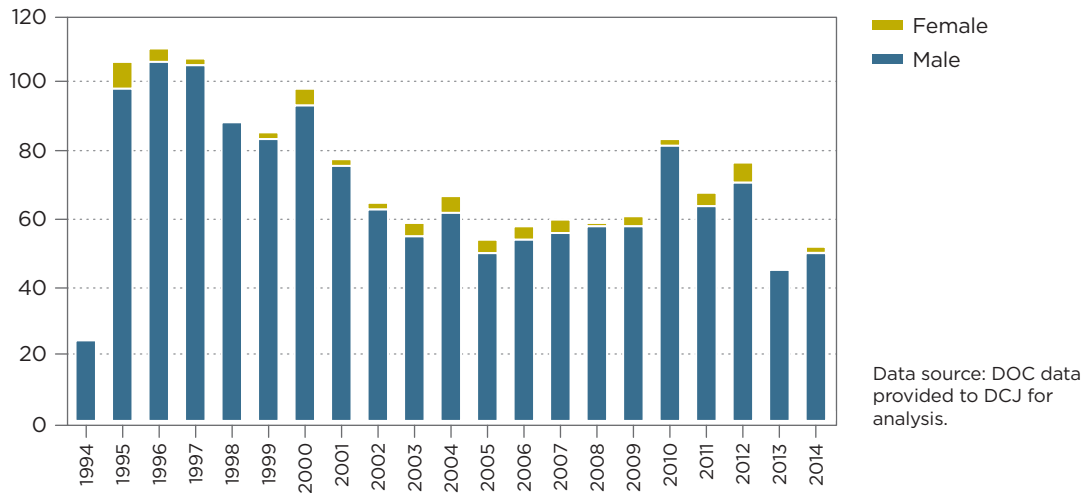
*I feel like there should be more mental health opportunities. Sometimes I feel like I need help in a situation, there's no one there to help. And if I do ask for help, I am either told not to worry about it or we'll deal with it closer to Phase II.*

*There should be mandatory mental health check-ins for everyone on a behavioral contract.*

## Programming for females

A common criticism of YOS is the differential programming available to the female offenders. Women constitute less than 4% of the YOS population; Figure 3.9 shows the number of females at admission to YOS over time. During the evaluation, there were seven women at the YOS facility.

**Figure 3.9. Gender of incoming population (count), FY 1994-2014**



The separation of men and women is a fundamental safety decision; comingling of males and females requires the supervision of both male and female staff. But this separation leads to inequities, and makes female-only programming cost inefficient. The women residents voiced concern about the inequities, including limited access to vocational programming and many of the college classes, and the library. Two women, one in a focus group and one in the questionnaire, said this:

*We don't get the same access to the barbershop and mechanics. The staff say we're lucky because we're getting licensed to be nail techs. I don't want nail stuff; I want what the guys get.*

*As females we do not receive the same or equal opportunities in schooling. We are left on the back burner with slim to no options for college or vocational classes. The boys have countless classes available and we only get a few classes. WE DESERVE EQUAL EDUCATIONAL OPPORTUNITIES!!*

The men are able to go from classroom to classroom during the day; it has the feel of a high school. The women have a single classroom and it has the feel of home schooling. Nevertheless, the GED and high

**The men are able to go from classroom to classroom during the day; it has the feel of a high school. The women have a single classroom and it has the feel of home schooling.**

**The few numbers of women sentenced to YOS will always pose a significant challenge regarding their programming.**

school programming is similar for men and women. Participation in electives and vocational/technical training is where the major differences in opportunities appear. Additionally, because of the low number of female residents and the need for basic cost efficiencies, the women vote on their programming, regardless of individual desires. One woman reported the following:

*We should have more female staff so the offenders that want to go to the yard can. Sometimes we do not go outside for days because the majority of the population does not want to go.*

The women also expressed frustration that the only jobs available to them pay 30 cents per day, and the few jobs that pay 60 cents per day are only available to the men.

*Female offenders have no opportunities to earn 60 cents a day but male offenders have several.*

Interest in earning 60 cents per day was typically accompanied with concerns about the cost of phone calls.

*Phone calls to family are way too expensive on what we make.*

The few numbers of women sentenced to YOS will always pose a significant challenge regarding their programming. Discussions with YOS officials during this study confirmed awareness—a longstanding awareness—of this issue, and an openness to considering ways to expand programming. YOS officials are exploring streaming video of the men’s educational classes into the building where the women reside.

## Conclusion

In sum, the YOS operations are consistent with statute and likely represent the intent of the drafters of the original YOS legislation.<sup>71</sup> Nevertheless, inconsistency in the application of rewards and sanctions, across staff and across units, will continue to challenge YOS administrators who have provided staff with significant discretion in developing individualized responses to residents’ behaviors. The majority of inmate respondents reported that they felt safe at YOS, yet concerns about fighting (especially in the 8-man rooms and the stairwells) suggest that administrators must continue to address this issue. The new covered weight pile and the plans underway to expand the perimeter and build a large multipurpose building—to include an indoor gym—seems an important way of reducing management problems by way of providing additional activities. Programming for women continues to be problematic. Because YOS is not a traditional prison, and because staff interactions with inmates are a fundamental strategy for promoting a pro-social environment and meeting the objectives of

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<sup>71</sup> Prior DCJ evaluations in 2002 and 2004 did not make this finding.

the YOS enabling statute, in-service staff training on topics related to adolescent development and communication techniques is an ongoing need, as recognized by the administration. The aging of the incoming population means that YOS needs to provide even more post-GED/high school education and vocational opportunities.

With a strong staff and administration, positive morale, and the expansion of programs and activities, the YOS is positioned to positively impact the lives of many offenders. Indeed, 90% of YOS participants successfully completed their sentence in FY14. The 2-year felony reconviction rate after program completion is 25%; only 10% were reconvicted of a violent felony crime within 2 years. These are very positive outcomes, especially given the very serious nature of the YOS population.

**With a strong staff and administration, positive morale, and the expansion of programs and activities, the YOS is positioned to positively impact the lives of many offenders. Indeed, 90% of YOS participants successfully completed their sentence in FY14. The 2-year felony reconviction rate after program completion is 25%; only 10% were reconvicted of a violent felony crime within 2 years.**





## Section 4:

# Recommendations

Based on the findings presented in this report, the following recommendations are presented:

1. Inconsistency in the delivery of sanctions and rewards, especially as these relate to the documentation of chrons, is frustrating for both staff and residents, and leads to dissention among both staff and offenders. Administrators encourage staff to be creative with consequences for misbehavior so that the consequence is meaningful and linked to the behavior. This individualized approach requires significant discretion on the part of staff, and can have the appearance of inconsistency. **YOS administrators should continue to be mindful of gaps in the consistency of rule enforcement while recognizing the value of YOS staff individualizing the delivery of consequences. YOS administrators should work with supervisors to clarify the use of chrons for “expected” and “extraordinary” behavior. Further, staff should be encouraged to remind offenders of the YOS focus on individualization and when possible explain the context leading to a specific positive or negative consequence.**
2. **Every effort should be made to fill the vacant mental health position.**
3. **Efforts should continue to build educational and vocational programming opportunities for the women.** Administrators should explore streaming video of the men’s educational classes into the building where the women reside.
4. **YOS administrators should continue to provide the 40-hour YOS-specific training program and consider adding occasional in-service training opportunities that address youth development, communication, and conflict management.**
5. **YOS administrators should continue the current screening and recruitment process that seems to identify staff who are a good fit for the YOS philosophy.** This approach, combined with appropriate training and leadership, has helped resolve the “prison versus program” tension that was found in DCJ’s 2002 and 2004 evaluations of YOS. Most staff who participated in this study reported that they felt had the education/experience necessary to work at YOS; high morale and efforts to act as a mentor and role model are likely the result of current recruitment and training approach adopted by the YOS management team.



Appendix A:  
**Interview guides**



## Interview/focus group guide: Staff

1. What made you want to work at YOS?
2. Have there been changes to programming, morale and/or interactions with youth due to administrative changes and legislative changes<sup>72</sup> over the past 18 months?
3. How do you think YOS is different from prison?
4. Do you have enough tools at your disposal to deal with misbehavior? Please describe the options.
5. How are incentives and rewards handled? Are the incentives that are available sufficient?
6. Please describe the programming for residents with an ICE/INS hold?
7. Regarding the Program Assessment Summary (PAS)<sup>73</sup>
  - a. What are they?
  - b. What is contained in them?
  - c. Are they useful?
8. What is the current practice regarding separating the females?
  - a. What would be the ideal practice to best serve the needs of females?
9. What vocational programming is available to the females?
10. After intake, when are youth allowed to begin class work toward their diploma/GED?
11. What education is available for those who complete high school or GED?
12. Do you have adequate access to translators for Spanish-speaking youth and their families?
13. Has YOS changed since it began to take older offenders in January 2011?
14. Do you have any safety concerns? For the females? For the males?
15. How are you using Evidence-Based Correctional Practices?
16. What suggestions do you have for improving YOS?

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<sup>72</sup> In January 2011, older youth ages 18-20 became YOS-eligible, per statute.

<sup>73</sup> This is an assessment of the data quality of the PAS.



## **Interview guide: Administration/education/medical**

1. What made you want to work at YOS?
  - a. Previous experience with youth?
2. Have you observed changes to the program over time?
3. What are your thoughts about...
  - a. The separation of the female residents from the male residents?
  - b. Staff/youth interactions?
  - c. Staff morale?
  - d. The case flow from facility to community (from Phase 2 to Phase 3)?
  - e. The vocational programs available to
    - i. Males
    - ii. Females
  - f. Program waiting lists?
4. Do you feel you have an adequate number/kind of incentives/consequences to manage the behavior of residents?
5. Is there equal access to programming for both males and females?
6. Do you have concerns about safety for staff or residents?
7. Is the offender involved in the development of the PAS and/or their individual treatment plan?
8. Has YOS changed since it began to accept older offenders in January 2011?
9. If you could, what changes would you make to YOS?





Appendix B:  
**Focus group guides**



## Focus group guide: Residents

1. Why did you make the decision to come to YOS instead of opting for a regular prison sentence?
2. What skills have you acquired during your time at YOS?
3. What are the strengths of the program?
4. What are the weaknesses of the program?
  - a. Missing anything?
  - b. Ideas for improvements?
5. What changes have you seen in the program over time?
  - a. Incentives?
  - b. Programming?
  - c. Punitive Segregation?
  - d. Since older residents began being accepted into YOS?
6. Tell us about the interactions between staff and residents.
7. Do feel safe here at YOS? Do you think others feel safe at YOS? (Describe)
8. Are there areas where you can go where the staff can't see you and you can kind of retreat there?
9. If you are having a tough time, or if you are feeling sick or hurt, do you feel like you have access to services that could help you?
10. How is YOS preparing you to go out into the community?
11. (Program Team Reviews?) Program Assessment Summary (PAS)
  - a. What are these?
  - b. What is contained in them?
  - c. Are they useful?
  - d. Do they clearly map out what you need to do to progress in the program?
  - e. How
12. Program Team Reviews?
13. Family participation/family support
  - a. Is it encouraged?
14. How many here residents are bilingual? Do the staff every make use of your bilingual skills? If so, how?

### **Additional Questions for Females**

1. When are you together with the males and when are you separated? How does that work? How do you feel when you are/are not separated from the males?
2. Were you able to start school as soon as you got here? How long did you have to wait?
3. Can you take college courses if you want to?
4. Do you feel safe in your living arrangement?

## Focus group guide: Younger residents

1. Why did you make the decision to come to YOS instead of opting for a regular prison sentence?
2. What skills have you acquired during your time at YOS?
3. \*Do you feel you are treated differently because you are younger (either by staff or YOS offenders)?
4. What are the strengths of the program?
5. What are the weaknesses of the program?
  - a. Missing anything?
  - b. Ideas for improvements?
6. What changes have you seen in the program over time?
  - a. Incentives?
  - b. Programming?
  - c. Punitive Segregation?
  - d. Since older residents began being admitted to YOS?
7. Tell us about the interactions between staff and residents.
8. Do feel safe here at YOS? Do you think others feel safe at YOS? (Describe)
9. Are there areas where you can go where the staff can't see you and you can kind of retreat there?
10. If you are having a tough time, or if you are feeling sick or hurt, do you feel like you have access to those kinds of services?
11. How is YOS preparing you to go out into the community?
12. Program Assessment Summary (PAS)
  - a. What are these?
  - b. What is contained in them?
  - c. Are they useful?
  - d. Do they clearly map out what you need to do to progress in the program?
13. Program Team Reviews?
14. Family participation/family support
  - a. Is it encouraged?



Appendix C:  
**Questionnaires**





## Questionnaire: Resident

Please fill out the survey to the best of your knowledge and also please write as neatly and clearly as you can. Please circle the correct answer.

1. Gender    a. Male    b. Female
  
2. Age \_\_\_\_\_
  
3. I am (please circle)
  - a. White
  - b. Hispanic
  - c. Black
  - d. Asian
  - e. Native American
  - f. Other
  
4. How long have you been in YOS? \_\_\_\_\_ Years    \_\_\_\_\_ Months
  
5. What Phase are you currently in? (please circle the correct answer)
  - a. Intake/Diagnostic/Orientation/IDO/Bootcamp
  - b. Phase 1
  - c. Phase 2
  
6. How long did you spend in each phase (Put N/A—for not applicable—if you haven't been in a phase yet)  
  
Amount of time:
  - a. \_\_\_\_\_ Intake/Diagnostic/Orientation/IDO/Bootcamp
  - b. \_\_\_\_\_ Phase 1
  - c. \_\_\_\_\_ Phase 2
  
7. Have you ever been regressed?    a. Yes    b. No
  
8. Have you ever been put into Punitive Segregation?    a. Yes    b. No  
If yes, for how long? \_\_\_\_\_
  
9. Have you ever been disciplined in any other ways:    a. Yes    b. No
  
10. If yes, how have you been disciplined?

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11. What convinced you to choose YOS over adult prison?

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12. If you could choose over again, would you still choose YOS? a. Yes b. No

13. What is the reason for your answer in 12, above?

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14. Does your family participate in the program? a. Yes b. No

15. If yes, in what way does your family participate in YOS?

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16. How often do you meet one-on-one with a psychiatrist/psychologist/counselor?

- a. Never
- b. Daily
- c. Weekly
- d. Monthly
- e. As needed

17. What groups or YOS programs have been most useful or important to you?

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18. Do you have a Program Assessment Summary (PAS)? a. Yes b. No

- a. If yes, do you know what the goals of your PAS are? a. Yes b. No
- b. Does the PAS clearly map out what is expected of you so that you can progress in the program? a. Yes b. Somewhat c. Not really d. No

19. Do you feel safe at YOS? a. Yes b. Somewhat c. Not really d. No

a. What makes you feel safe at YOS?

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b. What makes you feel unsafe at YOS?

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20. What parts of YOS are helping you to prepare for your future after YOS?

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21. What do you feel are the BEST THINGS about YOS?

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22. What do you feel are the WORST THINGS about YOS?

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23. What suggestions do you have for improving YOS?

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**Thank you very much for your time completing this survey!**



## Questionnaire: YOS staff

**Instructions:** Please complete the survey to the best of your knowledge. If a question does not pertain to you, please write N/A (not applicable) next to the question. If you need more room to write, feel free to use the back of the page.

1. Job title \_\_\_\_\_
2. Employment status:    a. State employee    b. Contract employee
3. Work shift:    a. Day    b. Swing    c. Graveyard    d. Administrative
4. Gender    a. Male    b. Female
5. Highest education
  - a. High school diploma
  - b. GED
  - c. Some college
  - d. College degree
  - e. Some graduate school
  - f. Graduate school
6. How long have you been working with Colorado DOC?    \_\_\_\_years    \_\_\_\_months
7. How long have you been working at YOS?    \_\_\_\_years    \_\_\_\_months
8. Prior to this job, did you have experience working with juveniles, including juvenile offenders?    a. Yes    b. No
9. Do you feel that your education/experience adequately prepared you for working with this population?    a. Yes    b. Somewhat    c. Not really    d. No
10. Do you expect to finish your career at YOS?
  - a. Yes    b. Probably    c. Maybe    d. No
11. Would you like to have additional training?    a. Yes    b. No
  - a. If so, what type of training would you find valuable?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
12. Do you see yourself as a role model for the YOS residents?
  - a. Yes    b. Sometimes    c. Not really

13. How would you describe the current level of morale at YOS?

- a. Very poor   b. Poor   c. OK   d. Good   e. Very good

Please explain your answer:

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12. Do you think there is adequate communication across shifts and phases?

- a. Yes   b. somewhat   c. not really   d. No

Please explain your answer:

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14. Do the goals and philosophies of YOS differ from those of DOC?   a. Yes   b. No

- a. If yes, please describe how they differ:

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15. Do you think there is a consistent philosophy between facility administrators and line staff who work directly with residents?

- a. Yes   b. Somewhat   c. Not really   d. No

Please explain your answer:

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16. If you could improve YOS, what would you change?

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**Thank you for taking the time to complete this survey!**

