Improving Outcomes for Youth in Colorado

First Presentation to Task Force: IOYouth Process and System Overview
May 14, 2018

CSG Justice Center Presenters:
Nancy Arrigona, Research Manager
Shanelle Johnson, Policy Analyst
Nina Salomon, Project Manager
About The Council of State Governments (CSG) Justice Center

National nonprofit, nonpartisan, membership association of state government officials that engages members of all three branches of state government

Provides practical, nonpartisan research-driven strategies and tools to increase public safety and strengthen communities
About the National Reentry Resource Center

- Authorized by the passage of the Second Chance Act in April 2008
- Launched by The Council of State Governments (CSG) Justice Center in October 2009
- Administered in partnership with the U.S. Department of Justice’s Bureau of Justice Assistance and the Office of Juvenile Justice and Delinquency Prevention
The CSG Justice Center has partnered with numerous states to provide technical assistance.
01  Background
02  IOYouth in Colorado
03  System Overview
States’ juvenile incarceration rates have declined dramatically over the past decade.

PERCENT CHANGE IN STATE JUVENILE INCARCERATION RATES (1997-2015)

Texas case study: system improvements contributed to over 60 percent decline in juvenile incarceration rates.

REFORM HIGHLIGHTS and AVERAGE DAILY POPULATION IN STATE-RUN SECURE JUVENILE FACILITIES

2007 LEGISLATURE
Prohibited commitment to state-run secure facilities for misdemeanor offenses; age of state jurisdiction reduced from 21 to 19; $60 million in new funding for counties

2009 LEGISLATURE
$45 million for Commitment Reduction Program, with incentive funding for counties and community supervision

2011 LEGISLATURE
Merged former Texas Youth Commission and Texas Juvenile Probation Commission to form Texas Juvenile Justice Department (TJJD)

2013 LEGISLATURE
Mandated TJJD to close one additional state-run secure facility; $25 million designated for community mental health services
CSG Justice Center used more than 1.3 million records to analyze recidivism rates for similar groups of youth.

<table>
<thead>
<tr>
<th>Juvenile Probation and Secure Confinement Data</th>
<th>Criminal History and Prison Admission Data</th>
<th>Two Closer-to-Home Study Cohorts</th>
</tr>
</thead>
<tbody>
<tr>
<td>• 899,101 records</td>
<td>• 408,312 records</td>
<td>• Pre-reform cohort: 27,131 juveniles</td>
</tr>
<tr>
<td>• 452,751 juveniles</td>
<td>• 242,541 juveniles</td>
<td>• Post-reform cohort: 31,371 juveniles</td>
</tr>
<tr>
<td>• Dispositions and secure releases</td>
<td>• Arrests and incarcerations</td>
<td></td>
</tr>
</tbody>
</table>

“Apples to apples” comparison of youth eligible for incarceration:
• Youth supervised in the community
• Youth released from state-run secure facilities
Youth kept closer to home have better outcomes.

One-Year Probability of Rearrest

- Released from State-Run Secure Facilities: 41%
- Supervised in the Community: 34%

21% more likely to be rearrested

First Recidivism Offense a Felony

- Released from State-Run Secure Facilities: 49%
- Supervised in the Community: 17%

3x more likely to commit a felony when recidivating
Per capita funding for county juvenile probation departments increased significantly after system improvements.

<table>
<thead>
<tr>
<th>Per capita expenditures for local juvenile probation departments</th>
<th>FY2005</th>
<th>FY2012</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>$3,555</td>
<td>$7,023</td>
<td>98%</td>
<td></td>
</tr>
</tbody>
</table>

Expenditures adjusted for inflation to 2014 dollars

<table>
<thead>
<tr>
<th>Expenditures adjusted for inflation to 2014 dollars</th>
<th>FY2005</th>
<th>FY2012</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>$4,337</td>
<td>$7,304</td>
<td>68%</td>
<td></td>
</tr>
</tbody>
</table>

Percentage of local juvenile probation department expenditures contributed by county

<table>
<thead>
<tr>
<th>Percentage of local juvenile probation department expenditures contributed by county</th>
<th>FY2005</th>
<th>FY2012</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>77%</td>
<td>71%</td>
<td>-8%</td>
<td></td>
</tr>
</tbody>
</table>
Rearrest rates for youth on probation were comparable regardless of intervention and did not improve after changes.

<table>
<thead>
<tr>
<th>INTERVENTION TYPE</th>
<th>PRE-REFORM STUDY GROUP</th>
<th>POST-REFORM STUDY GROUP</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Incarceration</td>
<td>41%</td>
<td>41%</td>
</tr>
<tr>
<td>Skill-Based Program</td>
<td>29%</td>
<td>27%</td>
</tr>
<tr>
<td>Treatment Program</td>
<td>28%</td>
<td>30%</td>
</tr>
<tr>
<td>Surveillance Program</td>
<td>31%</td>
<td>29%</td>
</tr>
<tr>
<td>Secure County Placement</td>
<td>33%</td>
<td>34%</td>
</tr>
<tr>
<td>Non-Secure County Placement</td>
<td>35%</td>
<td>35%</td>
</tr>
<tr>
<td>No Intervention</td>
<td>33%</td>
<td>32%</td>
</tr>
</tbody>
</table>
A significant percentage of low risk youth received supervision and services.

<table>
<thead>
<tr>
<th>County</th>
<th>% of Low-Risk Youth on Supervision in Programs</th>
<th>Low-Risk Youth on Supervision in Programs</th>
<th>% High Need</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tarrant</td>
<td>44%</td>
<td></td>
<td>11%</td>
</tr>
<tr>
<td>Travis</td>
<td>71%</td>
<td></td>
<td>22%</td>
</tr>
<tr>
<td>Victoria</td>
<td>91%</td>
<td></td>
<td>35%</td>
</tr>
<tr>
<td>Harris</td>
<td>80%</td>
<td></td>
<td>4%</td>
</tr>
<tr>
<td>Lubbock</td>
<td>43%</td>
<td></td>
<td>19%</td>
</tr>
<tr>
<td>Cameron</td>
<td>40%</td>
<td></td>
<td>20%</td>
</tr>
<tr>
<td>Dallas</td>
<td>55%</td>
<td></td>
<td>18%</td>
</tr>
<tr>
<td>El Paso</td>
<td>77%</td>
<td></td>
<td>4%</td>
</tr>
</tbody>
</table>
Low risk youth in most counties stayed longer in programs than high risk youth.

<table>
<thead>
<tr>
<th>County</th>
<th>Low Risk Youth</th>
<th>High-Risk Youth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tarrant</td>
<td>105</td>
<td>77</td>
</tr>
<tr>
<td>Travis</td>
<td>115</td>
<td>112</td>
</tr>
<tr>
<td>Victoria</td>
<td>125</td>
<td>69</td>
</tr>
<tr>
<td>Harris</td>
<td>75</td>
<td>104</td>
</tr>
<tr>
<td>Lubbock</td>
<td>167</td>
<td>118</td>
</tr>
<tr>
<td>Cameron</td>
<td>193</td>
<td>135</td>
</tr>
<tr>
<td>Dallas</td>
<td>94</td>
<td>124</td>
</tr>
<tr>
<td>El Paso</td>
<td>136</td>
<td>133</td>
</tr>
</tbody>
</table>
Youth were not sufficiently matched with services that addressed their needs and with research-based services.

<table>
<thead>
<tr>
<th>County</th>
<th>Number of Youth</th>
<th>Percent of Youth with Substance Abuse Need</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tarrant</td>
<td>659</td>
<td>2%*</td>
</tr>
<tr>
<td>Travis</td>
<td>497</td>
<td>27%</td>
</tr>
<tr>
<td>Victoria</td>
<td>0</td>
<td>0%*</td>
</tr>
<tr>
<td>Harris</td>
<td>3,731</td>
<td>12%</td>
</tr>
<tr>
<td>Lubbock</td>
<td>131</td>
<td>32%</td>
</tr>
<tr>
<td>Cameron</td>
<td>287</td>
<td>25%</td>
</tr>
<tr>
<td>Dallas</td>
<td>1,835</td>
<td>23%</td>
</tr>
<tr>
<td>El Paso</td>
<td>518</td>
<td>0%**</td>
</tr>
</tbody>
</table>

*Percentages may not sum to 100% due to rounding.

Source: Council of State Governments Justice Center
Texas case study has implications for all states:

• States can **reduce the number of incarcerated youth** without compromising public safety.

• Youth supervised closer to home have **lower rearrest rates** than similar youth released from state-run secure facilities.

• Increased **resources are not sufficient** to reduce recidivism and improve outcomes for youth on community supervision and leaving incarceration. Resources must be used efficiently to **match youth with the appropriate level and type of research-based supervision and services**.
01 Background
02 IOYouth in Colorado
03 System Overview
Colorado leadership requested technical assistance from the CSG Justice Center through IOYouth.

STATE OF COLORADO

March 17, 2018

Ms. Nina Salomon
Council of State Governments Justice Center
444 North Capitol St., NW
Washington, DC 20001

Dear Ms. Salomon:

On behalf of the entire state of Colorado, please accept this letter as our commitment to the Council of State Governments Justice Center (CSGJC) Statewide Juvenile Justice Improvement Initiative Technical Assistance Opportunity.

During our administration, we have made great progress to change the policy and culture of the Division of Youth Services (DYS), formerly Youth Corrections, in Colorado. In partnership with the General Assembly and stakeholders, we continue to implement programs that change how we rehabilitate youth and improve public safety. We would like to outline some of the significant strides that DYS has made in a short period, in our efforts to enhance our overall culture. Here are just a few of the changes implemented:

- Working with the Center for Juvenile Justice Reform at Georgetown University and the University of Cincinnati Correctional Institute, we have conducted a full assessment of DYS services. This will have a strong focus on the effective delivery of evidence-based practices, the appropriate length of care for youth in our care, and ensuring that appropriate transitions and aftercare services are in place upon release.
- DYS continues to move forward with the full implementation of the Sanctuary Model, a trauma responsive model geared towards a positive culture change for both youth and staff within DYS.
- Established a pilot program utilizing the consulting services of Masonic Youth Services Institute to further move our system towards a therapeutic environment.
- In July 2017, DYS retired the position of “Correctional Youth Security Officer” to “Youth Service Specialist” and has already started marketing and recruiting for this newly identified role. This change alone has started to actualize a new type of candidate prepared to work with at-risk youth congruent with our culture change and new direction.
- Eliminated pressure point pain compliance and offense strikes as of August 1, 2017. This is a significant milestone the DYS put considerable effort behind accomplishing.
- Eliminated the use of the Safe Restraint Wrist device for all young people ages 10-13 across all DYS state-operated youth centers as of July 1, 2017.
- Further eliminated the Safe Restraint Wrist device for youth ages 14-20 across all DYS state-operated youth centers November 2018.
- Effective September 1, 2017, we implemented a forward-thinking youth search process that eliminated routine strip searches and instead implemented a procedure that preserves youth’s dignity while also maintaining effective safety and security practices.
- DYS continues to be a leader in the nation in the limited use of seclusion. Seclusion use averages less than one hour per episode, which is well below the national average of 16 hours per episode.

February 21, 2018

Ms. Nina Salomon
Project Manager, Juvenile Justice Improvement Initiative
The Council of State Governments Justice Center
444 N. Capitol St. NW
Washington, D.C. 20001

Dear Ms. Salomon:

Please accept this letter as our commitment and support to actively participate in the Council of State Governments (CSG) Justice Center Statewide Juvenile Justice Improvement Initiative. If the State of Colorado is accepted, we will:

- Participate in a bipartisan, inter-branch leadership task force to guide the effort;
- Share available juvenile justice and other service system data; and
- Assist and support CSG in assessing the juvenile justice system’s current law, policy and practice to help identify ways to reduce recidivism and improve outcomes for Colorado youth.

Despite many comprehensive policy, program and legislative changes, Colorado still faces challenges. While our successes have been many, there is still plenty of room for improvement and work to be done. Fortunately, we have dedicated professionals and community members across our great State that are passionate about improving the quality of life and the success of our youth. We are committed to reaching across any borders of government to work together in finding real solutions to support children, youth, and families in need.

We look forward to hearing from you soon and thank you for your consideration.

Sincerely,

[Signature]

Speaker of the House Crisanta Duran

[Signature]

President of the Senate Kevin Grantham
IOYouth assists states to answer the following questions:

- How well do our resources, policies, and practices **align with what the research says works** to reduce recidivism and improve other youth outcomes?

- To what extent are **leaders from the three branches of state government working together** and in partnership with local governments to improve outcomes for youth under juvenile justice system supervision?

- **What recidivism and other outcome data does our state track** for youth under the supervision of the juvenile justice system?
IOYouth can build upon Colorado’s recent efforts to strengthen the juvenile justice system.

• Passage of 2017 legislation aimed at improving conditions of confinement in Department of Youth Services facilities

• Expansion of the Collaborative Management Program, which provides funding programs for children, youth, and families involved with multiple agencies in 45 counties

• Reduction of Colorado’s juvenile detention admissions by decreasing bed availability and creating alternatives through the efforts of SB 94 (detention bed cap at 382)
Governor Hickenlooper supported the formation of a statewide task force to identify ways to strengthen public safety and improve outcomes for youth.

Senator Bob Gardner, Cochair
Colorado General Assembly

Rep. Pete Lee, Cochair
Colorado General Assembly

Reggie Bicha
Colorado Department of Human Services

Justice Brian Boatright
Supreme Court of Colorado

Stacie Nelson Colling
Office of the Alternate Defense Council

Jeff Cuneo
Colorado Juvenile Defender Center

Sheri Danz
Office of the Child Representative

Julie DeNicola
Stepping Stones Advocacy

Hon. Leslie J. Gerbracht
3rd Judicial District Court

Rebecca Gleason
18th Judicial District

Arnold Hanuman
Colorado District Attorney’s Council

Will Hays
Hilltop Community Resources, JJDPC

Emily Humphrey
8th Judicial District

Anders Jacobson
Division of Youth Services

Bill Kilpatrick
City of Golden Police Department

Elizabeth (Elise) Logemann
Colorado Bar Association

Rep. Paul Lundeen
Colorado General Assembly

Daniel Makelky
Douglas County Department of Human Services

Hon. Ann Gail Meinster
1st Judicial District Court

Lanie Meyers-Mireles
Prowers County Department of Human Services

Rep. Dafna Michaelson-Jenet
Colorado General Assembly

Jenifer Morgen
17th Judicial District

Barrie Newberger-King
Office of the Colorado State Public Defender

Mike O’Rourke
11th Judicial District

Chris Ryan
Colorado Judicial Branch

Lindsey Sandoval
Office of the Colorado State Public Defender

Rebecca Wallace
ACLU of Colorado

Meg Williams
Office of Adult and Juvenile Justice Assistance & Juvenile Parole Board

Adam Zarrin
Office of Governor John Hickenlooper
IOYouth has four phases designed to identify and advance policies, practices, and funding to improve outcomes for youth.

1. Analyze data and review policy and practice
2. Present system-improvement recommendations
3. Adopt new policies
4. Implement new policies

12 month process

6-12 month process
Assessment findings will be based on detailed case-level data from many sources.

<table>
<thead>
<tr>
<th>Data</th>
<th>Source</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Diversions</td>
<td>Multiple sources</td>
<td>Requested</td>
</tr>
<tr>
<td>Detentions</td>
<td>Colorado Department of Human Services, Division of Youth Services</td>
<td>Received</td>
</tr>
<tr>
<td>Court Filings</td>
<td>Colorado Judicial Branch, Office of the Court Administrator</td>
<td>Requested</td>
</tr>
<tr>
<td>SB94 Records</td>
<td>Colorado Department of Human Services, Division of Youth Services</td>
<td>Requested</td>
</tr>
<tr>
<td>Probation Records</td>
<td>Colorado Judicial Branch, Office of the Court Administrator</td>
<td>Requested</td>
</tr>
<tr>
<td>Commitments</td>
<td>Colorado Department of Human Services, Division of Youth Services</td>
<td>Received</td>
</tr>
</tbody>
</table>
Assessment findings will also reflect feedback from extensive interviews and focus groups with system stakeholders.

- **February**
  - Statewide Initial Visit
  - Governor’s Office
  - State legislators
  - State agency leadership and staff
  - Probation chiefs and officers
  - District attorneys/public defenders
  - Judges

- **April**
  - Grand Junction
  - Grand Mesa leadership, staff, youth, parents
  - Residential and non residential service providers
  - District attorneys/public defenders
  - Probation chiefs and officers
  - Judges
  - Law Enforcement

- **May**
  - Denver/Colorado Springs
  - Judges
  - Probation chiefs and officers
  - District attorneys/public defenders
  - Residential and non residential service providers
  - Facility leadership, staff, youth, parents
  - County Departments of Human Services
The assessment process is guided by the core principles shown by research to improve outcomes for youth in the juvenile justice system.

**Principle 1**
Base supervision, service, and resource-allocation decisions on the results of validated risk and needs assessments.

**Principle 2**
Adopt and effectively implement programs and services demonstrated to reduce recidivism and improve other youth outcomes, and use data to evaluate the results and direct system improvements.

**Principle 3**
Employ a coordinated approach across service systems to address youth’s needs.

**Principle 4**
Tailor system policies, programs, and supervision to reflect the distinct developmental needs of adolescents.
Common challenges to improving youth outcomes include:

Matching youth to the most appropriate **level and length of supervision** and **employing graduated responses** to youth’s behavior

Using **resources efficiently** across systems to provide the **right youth with the right services** based on risk and needs

Implementing research-based programs and practices with **fidelity**

**Evaluating system and program effectiveness and youth outcomes** in a systematic way
The task force oversees the initiative and is responsible for determining how best to improve Colorado’s juvenile justice system.

**TASK FORCE RESPONSIBILITIES**

- Oversee initiative and scope of work
- Provide strategic direction on policy option development
- Reach consensus on policy options

**CSG JUSTICE CENTER RESPONSIBILITIES**

- Identify juvenile justice system priorities
- Pass package of reforms in 2019 session and identify other mechanisms for policy change
- Provide dedicated staff to Colorado
- Analyze system data and conduct extensive interviews/focus groups
- Deliver findings, present recommendations, and assist with translation into policy adoption
IOYouth can have a substantial impact on public safety, the efficient use of resources, and youth outcomes when:

1. Initiative is state- rather than CSG Justice Center- led

2. Transformation rather than incremental improvement is the primary objective

3. Communication within and between taskforce members, other stakeholders, and the CSG Justice Center is open, active, and collaborative around key themes, best practices, and potential concerns

4. Data is shared in a timely fashion and a trusted source for understanding system functioning and performance
Through IOYouth, Nevada adopted legislation and appropriation changes to transform its juvenile justice system:

- Requires adoption of statewide validated risk assessment tool and mental health screening tools.
- Requires that all state funding is used for evidence-based practices and establishes an evidence-based resource center to provide technical assistance.
- Establishes performance measures and reporting requirements and strengthens state/local agency data capacity.
- Aligns corrections policies and practices with Risk Need Responsivity principles and requires annual facility assessments.
Through assistance from the CSG Justice Center and Pew Charitable Trusts, Utah overhauled its juvenile justice system:

Expand effective pre-court interventions, focus pre-adjudication detention on higher-risk youth, and develop local detention alternatives statewide.

Prioritize space in state facilities and community supervision for those who pose the highest risk while reinvesting in evidence-based programs to hold youth accountable and reduce recidivism.

Support performance-based contracting for programs delivered to juveniles, increase training for staff, and improve system accountability.

<table>
<thead>
<tr>
<th>Program Closures/Reductions</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Work Camps</td>
<td>$2.8 million</td>
</tr>
<tr>
<td>Residential O&amp;A’s</td>
<td>$6.0 million</td>
</tr>
<tr>
<td>Community Placements</td>
<td>$3.4 million</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$12.2 million</strong></td>
</tr>
</tbody>
</table>

**Reinvestment**

- Youth Services and Receiving Centers
- School-Based Outreach
- Brief Community Interventions
- Home Detention
- In-Home O&A
- Day Skills Intervention
- Performance-Based Contracts
- Residential and Secure Care Programs
- Aftercare and Reentry
Colorado’s juvenile justice system is complex, with multiple entities responsible for different points of the continuum.

- **Diversion**: County, school, LE, and grant funded
- **SB 94**: 22 Judicial Districts
- **Detention**: 22 Judicial Districts
- **Probation**: State funded through CJD/offender fees, HB 1451
- **Placement**: 23 Probation departments
- **Commitment**: DYS facilities and contract providers

*Source: Council of State Governments Justice Center*
Colorado spends over $130 million annually on the juvenile justice system.

### Juvenile Justice Budget FY2017-2018

<table>
<thead>
<tr>
<th>Agency</th>
<th>Funding Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>DYS</td>
<td>Agency Appropriation including $10 million for SB94</td>
<td>$125 million</td>
</tr>
<tr>
<td>DYS</td>
<td>Marijuana Tax Revenue</td>
<td>$2 million</td>
</tr>
<tr>
<td>DAs (Diversion)*</td>
<td>State General Fund</td>
<td>$1.2 million</td>
</tr>
<tr>
<td>DAs (Diversion)</td>
<td>Marijuana Tax Revenue</td>
<td>$400,000</td>
</tr>
<tr>
<td>Judicial (Probation)</td>
<td>Agency Appropriation</td>
<td>$7 million</td>
</tr>
</tbody>
</table>

* Does not include local funding for diversion
Recidivism is reported annually though differences exist in how rates are calculated.

**Probation Recidivism Rates**

*Pre-Release: Adjudication or conviction for a felony or misdemeanor offense or a technical violation while on supervision.*

- FY 2016: 71%
  - New Crime: 28.1%
  - Violation: 8%
  - Successful: 21%

*Post-Release: A filing for a felony or misdemeanor offense within one year of termination.*

**DYS Recidivism Rates**

*New adjudication or conviction for a misdemeanor or felony offense after discharge.*

**Recidivism Rate for Discharges**

- FY 2014: 55.2%
- FY 2016: 31.5%

**Rate for FY2016 Terminations**

- 15%
Between FY2012-2016, juvenile arrests declined by 18 percent while juvenile delinquency petitions decreased by 9 percent.
Between FY2012-2016, DYS detention admissions and new commitments also decreased.
Average daily population in both detention and DYS custody also decreased over the same time period.
Juvenile probation starts and active clients have declined; the majority of youth are on probation for a misdemeanor offense.

*Active Clients as of 6/30
Several issue areas have emerged from initial conversations, which will be explored in more depth through the assessment.

- System Complexity and Coordination
- Diversion Criteria and Process
- Use of Risk and Needs Screening and Assessment Tools
- Service Use, Matching, and Availability
- Tracking System Performance and Youth Outcomes
Questions for discussion

What are your priorities for this initiative?

What are potential barriers/challenges to success?

Are there other people/organizations that we should talk as part of this process?
IOYouth timeline and next steps

- **Project Launch**
- **Task Force Meeting #1**
- **Task Force Meeting #2**
- **Task Force Meeting #3**
- **Task Force Meeting #4**

### April
- **Initial Data Analysis**

### May
- **Detailed Data Analysis**

### June
- **Final Data Analysis**

### July
- **Impact Analysis**

### Sep
- **Stakeholder Engagement**

### Oct
- **Policy Option Development**

### Nov
- **Bill Drafting**

### Dec
- **Policy Rollout and Bill Introduction**

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