

JUVENILE JUSTICE AND DELINQUENCY

It is important to provide prevention services for youth prior to entering the juvenile justice system and include coordinated efforts across multiple service systems in order to assist youth with choosing and maintaining healthy life behaviors/lifestyles thus fostering an environment that encourages law-abiding, pro-social behavior. Juvenile justice involvement is only appropriate when a youth's behavior (not his or her needs or disabilities) is the primary reason for confinement.

Unnecessarily exposing young people to the juvenile justice system can encourage future criminal activity rather than deter it. Institutionalizing young people must be a last resort option reserved only for those who pose such a serious threat that no other solution would protect the public's safety.

From July 2012 through June 2013, a total of 1,297 youth were served through 19 state-funded juvenile diversion programs located in 15 Judicial Districts across the state. Eight programs were located within District Attorneys' Offices, two were county-based programs, two were municipal programs, and seven were community-based programs.

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

NATIONAL AND COLORADO DATA

National

Disproportionate Minority Contact:

According to the United States Office of Juvenile Justice and Delinquency Prevention:

- Juvenile arrests in 2011 per 1,000 youth in the population was 36% white, 78.8% black, 31.2% American Indian or Alaskan Native, and 10.5% for Asian, Hawaiian or Pacific Islander (and 59.7% for all minority youth).
- In 2011, 51% of juvenile arrests for violent crime involved black youth in comparison to 47% white, 1% Asian and 1% Native American.

Colorado

Disproportionate Minority Contact:

- Arrest: African-American youth are three times more likely than Caucasian youth to be arrested. There is no significant difference between Caucasian and Hispanic youth.
- Pre-adjudication Detention: Both African-American and Hispanic youth are almost two times more likely to be detained than Caucasian youth.
- Sentencing and Commitment to Youth Corrections: African American youth are two times more likely to be committed and Hispanic youth are more than four times more likely to be committed than Caucasian youth.

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Native American Population:

- Although the Native American youth population that is non-reservation based is estimated at 1.1% of the state's total youth population and .7% of the Colorado school population, they represent 4.4% of school dropouts, 2.0% of the youth who had received in-school suspension, 95% of the youth receiving out-of-school suspension, and 1.0% of youth who were expelled in 2012.

2013 Truancy and Detention:

- 315 youth who were status offenders were held in detention for violating a court order to attend school during 2012 to 2013. Of these, 45 youth were picked up on warrants. Almost 70% were youth of color and yet, youth of color only represents 38% of the entire school population.
- Truancy petitions being filed in juvenile court have increased by 33% from 2005 to 2013. These petitions continue to increase as does the use of detention as a sanction for violating court orders. From 2005 to 2006 and from 2012 to 2013, there was a 17% increase in the use of detention for status offenders who failed to obey a court order to attend school.
- There has also been an increased number of youth being served by child welfare and held in detention either because of running away or awaiting placement.

GAPS

Disproportionate Minority Contact:

- There is need to determine if systems are appropriately serving youth of color with services that can prevent them from entering the juvenile justice system.
- There is a need to determine what disparities may exist in the treatment of youth of color, especially when they are struggling with issues related to school discipline or conduct issues in school and when in and out of home care.
- There is a need for service systems to examine minority overrepresentation, or perhaps more importantly, the underrepresentation of youth of color.

Holding Youth in Secure Settings:

- Much harm begins with removing youth from their families and communities, which consequently prohibits youth from developing the strong social network and support system necessary to transition successfully from adolescence to adulthood.
- For youth who have committed status offenses, detention is ill-equipped to address the underlying causes of the initial status offense as well as failing to act as a deterrent to subsequent status-offending behavior.
- Placing youth who commit status offenses in locked detention facilities jeopardizes their safety and well-being, and may actually increase their likelihood of committing unlawful acts.
- Evidence-based Practices and Principles (EBPP) is supported by meta-analysis, cost benefit analysis, clinical trials and applied practice. It has not been identified and/or consistently implemented in Colorado's youth, children and family serving systems resulting in these populations often not being effectively set up for success as evidenced by the unnecessary push of low-risk/high-needs youth into the justice system to access needed services.

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PRIORITIES

- Addressing disproportionate minority overrepresentation in the juvenile justice system.
- Addressing alternatives to holding of juvenile status offenders in secure settings.
- Native American Programming: Working with the Southern Ute Indian Tribe and the Ute Mountain Ute Tribe to meet their identified needs. Also addressing the needs of Native American youth who live in the Metro area.
- Juvenile Justice System Improvement:
 - Low-risk/high-needs youth are those who are at low risk for criminal offending, but high needs for behavioral health and other services. These youth are being funneled into the juvenile justice system in order to receive services.
 - Strategy: First focus on youth who are truant. There are currently two prevention pilots in the tenth and twelfth Judicial Districts (Pueblo and San Luis Valley areas). In addition, there are Model Truancy Court pilots in the first, sixteenth, and eighteenth Judicial District for youth who are truant and are before the court.
 - The Professional Development Committee is working with the Juvenile Task Force of the Colorado Commission on Criminal and Juvenile Justice to advance a sustainable professional development collaborative among all sectors that will work with justice-involved youth and their families.
 - Recommended strategies are: 1) agencies commit to and participate in the creation of a statewide juvenile professional development plan including core training standards and an achievable implementation plan (Phase 1: 7/2014 – 9/2015); and 2) implement the plan and institutionalize core professional development standards in administrative practice (Phase 2: 10/2015 – 9/2018).
 - The Evidence-Based Principles and Practices (EBPP) Committee’s goal is to improve outcomes for youth and families by promoting evidence-based practices and approaches.
 - Strategy: Work with the EPIS Center in Pennsylvania to inform Colorado’s efforts in strengthening an EBPP infrastructure across youth serving systems. Survey stakeholders in order to understand the barriers to implementation, and define EBPPs by incorporating a broader definition including promising practices that are evidence informed and aligned with a continuum of care.

PROPOSED SOLUTIONS

- Reduce the disproportionate minority overrepresentation in the juvenile justice system, particularly in regard to youth who are not placed in detention for criminal reasons but for failure to comply with a valid court order (most especially those related to truancy). Develop solutions to the overrepresentation of youth of color in the number of youth arrested in the state.
- Reduce the number of youth, ages 10 to 17, held in detention due to a non-criminal charge such as truancy and other status offenses.
- Institute a cross systems evidence-based programs and practices infrastructure to address barriers to the implementation of evidence-based practices, and incorporate a broader definition that includes evidence informed and promising practices aligned with a continuum of care.

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ADDITIONAL INFORMATION

JUVENILE JUSTICE DELINQUENCY PREVENTION COUNCIL

The [Juvenile Justice and Delinquency Prevention \(JJDP\) Council](#) serves as the state advisory group as required by Title II of the federal Juvenile Justice and Delinquency Prevention Act of 2002. The JJDP Council along with the Colorado Division of Criminal Justice supervises the preparation, administration, and implementation of a three-year state plan created to improve the juvenile justice system and to further prevent juvenile delinquency.

The JJDP Council consists of 28 diverse members representing juvenile justice and delinquency prevention systems, with youth representing 20% of its membership. The JJDP Council is required to develop a three-year plan, and the current plan is called the Colorado Juvenile Justice and Delinquency Prevention Three Year Plan and will last from 2012 to 2014. The JJDP Council has begun planning for its 2015 to 2017 Plan. The most recent [Annual Report to the Governor from the Colorado Juvenile Justice and Delinquency Prevention Council](#) is from September 2014.