



**COLORADO**

Department of Corrections

# Youthful Offender System

**CRS 18-1.3-407**

**CRS 18-1.3-407.5**

**April 16, 2019**

**(FY 2018)**

# Mission of the Youthful Offender System

- ▶ The Mission of the Youthful Offender System (YOS) is...
- ▶ *To effectively manage an age specific population; in a secured environment, offering access to meaningful programs and services that provide the opportunity for personal growth through educational, vocational and community service activities which are centered around pro-social development and individual success.*

# Vision of the Youthful Offender System

The Vision of the CDOC & of the Youthful Offender System (YOS) is ...

**“Building a Safer Colorado for Today and Tomorrow”**



# History of the Youthful Offender System

- ▶ In direct response to the summer of violence of 1993, The Youthful Offender System (YOS) was established through the Colorado Legislation passed in a special session in 1993 (CRS 18-1.3-407), SB 9 created a sentencing option for certain violent youthful (male & female) offenders under the jurisdiction, direction and control of the Executive Director of the Colorado Department of Corrections but separate from the adult prison system.
- ▶ YOS continues to adhere to the Intent of the General Assembly and to the Guiding Principals set forth, in accordance with CRS 18-1.3-407 & 18-1.3-407.5.

# Intent of the General Assembly

- ▶ YOS shall benefit the state by providing a sentencing option for certain youthful offenders (male & female) 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.
- ▶ YOS serves as an alternate and as a “middle-tier” sentencing option.
- ▶ YOS shall be limited to 256 beds.

# Intent of the General Assembly

- ▶ That necessary measures be taken by the Department of Corrections to establish separate housing for female and male offenders without compromising the equitable treatment of either.
- ▶ It is the intent of the general assembly that offenders sentenced to YOS be housed and serve their sentences in a facility specifically designed and programmed for YOS and that YOS offenders be housed separate from and not brought into **daily physical contact** with inmates sentenced to the department of corrections who have not been sentenced to the Youthful Offender System.

# Intent of the General Assembly

- ▶ It is the intent of the general assembly that offenders sentenced to the Youthful Offender System be sentenced as adults and be subject to all laws and Department of Corrections rules, regulations, and standards pertaining to adult inmates.

# YOS Guiding Principles

## As Defined by Statute, the System shall...

- ▶ Provide for teaching offenders self-discipline by providing clear consequences for inappropriate behavior
- ▶ Include a daily regimen that involves offenders in 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
- ▶ Use staff models and mentors to promote within an offender the development of socially accepted attitudes and behaviors

# YOS Guiding Principles

- ▶ Provide offenders with instruction on problem-solving skills and should incorporate methods to reinforce the use of cognitive behavior strategies that change offenders' orientation toward criminal thinking and behavior
- ▶ Promote among offenders the creation and development of new group cultures which result in a transition to pro-social behavior
- ▶ Provide offenders the opportunity to gradually reenter the community while demonstrating the capacity for self-discipline and the attainment of respect for the community

# Security Levels

- ▶ In accordance with State Statute (CRS 17-1-104.3) the Youthful Offender System is designated as a Level III Security Correctional Facility, to include:
  - ▶ A double 12' high perimeter fence, razor wire, and electric detection devices, along with continuous mobile perimeter patrol.
  - ▶ Direct staff supervision for all offender movement.
  - ▶ Movement off campus requires staff escort and direct supervision.



# Unique YOS Characteristics

YOS differs from the juvenile correctional system (DYS):

- ▶ YOS offenders have been adjudicated as adults and have a suspended adult DOC sentence.
- ▶ Because of their adult adjudication, the felony conviction becomes a part of their permanent record.
- ▶ YOS operates under the adult PREA standards for “sight and sound separation.” Juveniles may interact with YOS young adult offenders under direct staff observation (school, work, rec).

# Unique YOS Characteristics

YOS differs from the adult department of corrections:

- ▶ The courts sentence YOS offenders specifically to YOS. Permanent transfer to another adult facility is not an option.
- ▶ YOS sentences are determinate, day-for-day. No good time or earned time is granted.
- ▶ YOS offenders are not sentenced to a parole period at the conclusion of their YOS sentence.

# Age & Sentencing Criteria

- ▶ In order to sentence a juvenile or young adult offender to the Youthful Offender System, the court shall **first impose** upon such person a **sentence to the Department of Corrections** in accordance with CRS 18-1.3-401. The court shall thereafter **suspend such sentence** conditioned on completion of a **sentence to the Youthful Offender System**, including a period of community supervision.
- ▶ Suspended adult sentences are typically 2 to 3 times greater than the YOS sentence.

# Age & Sentencing Criteria

- ▶ To be eligible for YOS sentencing consideration, the offender must be 14, 15, 16, 17, 18 or 19 at the time of the offense, and must be sentenced prior to their 21<sup>st</sup> birthday.
- ▶ Sentences are determinate and range from 2 to 7 years.
- ▶ Three Sentencing Avenues: **Direct File, Transfer, Direct Sentence**, CRS 18-1.3-407.5 \*All through District Court.
- ▶ CRS 18-1.3-407 & CRS 18-1.3-407.5 requires a Warden's Determination prior to sentencing.
- ▶ The average age of offender at YOS is 20.8 and the average age at admission is 18.8 years old.

# Statutes Which Affected YOS Sentencing Eligibility

- ▶ **SB09 – CRS 18–1.3–407**
  - 14, 15, 16, 17 sentenced prior 19<sup>th</sup> birthday
  - F2 – F6
  - 2 to 7 year sentence
- ▶ **HB09–1122/SB13–216 – CRS 18–1.3–407.5**
  - **Added 18 and 19 sentenced prior to 21<sup>st</sup> birthday**
  - **F3 – F6**
  - **2 to 6 year sentence**
- ▶ **SB15–182 – CRS 18–1.3–407**
  - Allows the DOC to transfer certain offenders age 24 or under into and out of YOS.

# Statutes Which Affected YOS Sentencing Eligibility

- ▶ **HB10-1413 - CRS 19-2-517**
  - Removed 14 or 15 year old except for First Degree Murder (F1), or sex offense from direct file consideration.
    - 14 and 15 year old offenders are still subject to Transfer Hearings in order to be charges as adults in District Court.
  
- ▶ **HB12-1271 - CRS 19-2-517**
  - Limits direct file to juveniles age 16 or 17 for F1, F2, crime of violence felonies or sex offenses. Limits YOS sentencing option to F2.

# Warden Determination Process

CRS 18-1.3-407

- ▶ Either the prosecution or the defense can request a Warden Determination for YOS eligibility. (PSIR is required)
- ▶ When making a determination, the Warden shall consider the nature and circumstances of the crime; the age and criminal history of the offender; the available bed space and any other appropriate considerations.
  - Criminogenic Needs
  - Statute Comparison (Criteria for offense CRS 18-1.3-407.5)
- ▶ Warden Determination information is then sent back to Probation to complete the PSIR.

# Youthful Transfer Eligibility

AR 1600-01

- ▶ Offender age 24 or under sentenced to DOC, transferred to YOS to participate in age appropriate programming.
- ▶ Required to complete OTP and Participate in all required YOS programming .
- ▶ Screening process very similar to Warden Determination to include interviews with potential offenders and contract signatures.
- ▶ Transfer offenders who do not meet the terms and conditions set forth in AR Form 1600-01A, Youth Transfer Agreement will be reviewed and transferred back to a DOC facility.

# YOS Phases – OTP

- ▶ Intake, Diagnostic, and Orientation Phase:
- ▶ Referred to as the Orientation Training Phase (OTP) – first 30–45 days of the YOS sentence.
- ▶ Highly regimented, controlled environment that serves as the initial intake assessment, diagnostic and orientation of all offenders sentenced to YOS. Provides the foundation for YOS cognitive programming and Phase I knowledge.

# Intake Mental Health Assessment

- ▶ During the first 7 to 10 days, a thorough mental health and medical assessment is completed to determine the level of care the offender needs. Assessment includes:
  - Clinical interview
  - Brief Psychiatric Rating Scale
  - CDOC Mental Health Screening Form and Mental Health Appraisal Form

# Individualized Evaluation & Assessments

During the remaining time in OTP an individualized progress plan is developed for each offender through an intensive diagnostic component which evaluates and assesses each offender in the following areas/needs:

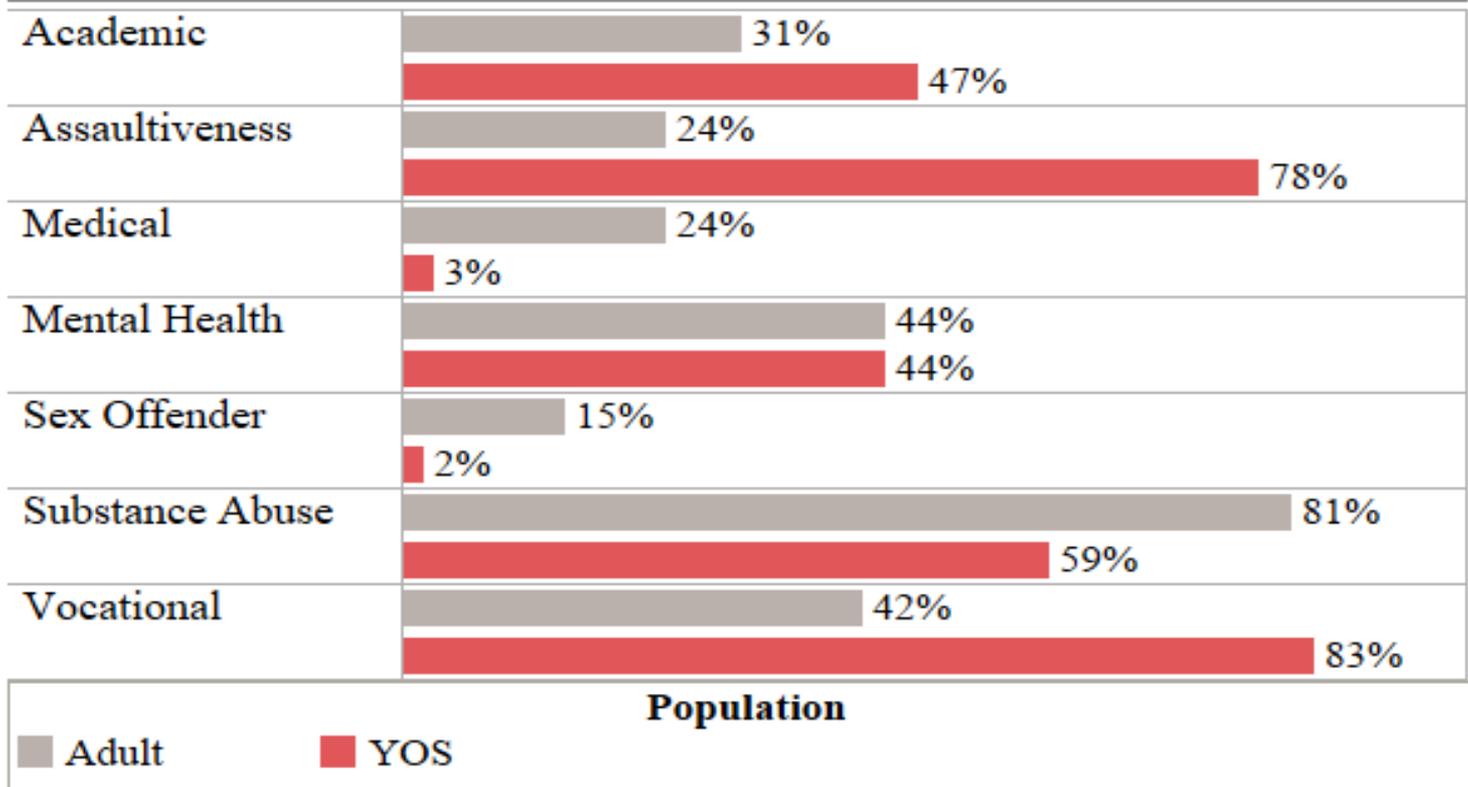
1. Mental Health / Medical
2. Substance Abuse
3. Violence / Impulse Control
4. Interpersonal Deficits.
5. Developmental Stage (chronological age/functional age)
6. Degree of Gang/Criminal Involvement
7. History of Assaultive Behaviors
8. History of Escape
9. Educational Testing (TABE)

# OTP transition to Phase I

- ▶ Upon completion of all assessments and OTP expectations, the group will have a graduation ceremony acknowledging the completion of the first phase of the YOS program.
  - ▶ This provides an opportunity for a family reunification event and encourages continued involvement / support.
  - ▶ A multi-disciplinary staffing will be held within 10 days, to discuss the offenders assessment info, goals and track moving forward.
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# YOS Needs Level FY18

Percentage of FY 2018 YOS and Adult Admissions with Needs



# Phase I – Institutional

- ▶ Phase I (Institutional): During which time a range of core programming, supplemental activities, treatment services, and educational and prevocational programs and services are provided to the offenders
  - Offenders spend the majority of their sentence in this phase of the YOS program.

# Phase I Status Levels

During any period of incarceration under the Youthful Offender System, privileges including, but not limited to, televisions, radios, and entertainment systems, shall not be available for an offender unless such privileges have been earned under a merit system.

- ▶ Orientation Level – two week period upon
- ▶ Peer Level
- ▶ Positive Peer Level
- ▶ Pledge I, II, III, and IV Status
- ▶ Phoenix



# Phase I Multi-Disciplinary Progress Team Reviews



Progress Team Reviews are conducted on the first Thursday of each month. Offenders that have exhibited good behavior, at their current status level, for a minimum of 28 days are eligible to progress at the monthly Progress Team Review. Negative behavior or lack of positive progress can result in regression to an appropriate level.

# Cognitive Intervention Treatment Modules

- ▶ Core Cognitive Redirection Modules / Cognitive Intervention Programming
  - Quick Skills
  - Guided Group Interaction (Positive Peer Culture)
  - Thinking for a Change
  - Supplementary Cognitive (PTR, Placement Committee, Transition Meetings, role modeling)
- ▶ Addiction Recovery Programs – Drug/Alcohol
- ▶ Life / Living Skills
- ▶ Victim Impact & Awareness
- ▶ Seven Habits of Highly Effective Teens

# Mandatory Programs

- ▶ All offenders sentenced to YOS will be required to participate in the following programs:
  - Anger Management
  - Victim Impact
  - Thinking for a Change
  - Substance Abuse
  - Pre-Release
  - Parents on a Mission

# Mental Health Treatment Modules

- ▶ Crisis Contacts
  - ▶ Individual Contacts
  - ▶ Psychiatric Treatment
  - ▶ Bio-Feedback
  - ▶ Monitoring of Offenders with Mental Illness
  - ▶ Grief and Loss (Individual)
  - ▶ Trauma (Individual)
  - ▶ Availability for 60 day Evaluation
- CBT, DBT and Educational treatment modalities

# Cognitive/Mental Health Treatment Modules

- ▶ Anger Management
  - ▶ Victim Impact
  - ▶ Parenting Skills (Individual)
    - Parents on a Mission
  - ▶ Relationship Skills
  - ▶ Substance Abuse Treatment
  - ▶ Relapse Prevention
  - ▶ SOTMP (Underlying Factual / Previous)
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# Prior to Phase II Placement

- A Placement Committee, which consists of various staff from all areas of the facility to include Phase III community supervision staff, will meet with the offender to discuss and develop their Phase III placement plans.
- The Committee will consider the offenders progress, highest status, DTT days, completed programming, continued needs and his overall transitioning plan.

# Phase II

## Transitional Pre-Release

- ▶ **Phase II (Pre-Release)**: Administered during the last three months (90 days) of the period of institutional confinement, continuing the re-entry focus and providing a foundation for an effective and well-planned transition to Phase III. Statutorily driven.
  - Participation in pre-release classes.
  - Designed to continue services in the areas of education, meaningful community services, job readiness, life skills and pro-social activities.

# Phase II

## Transitional Pre-Release

- ▶ Phase II Components Include:
  - Career & Technical: Completion within three month period.
  - College Planning: Admission/financial aid process & campus visits.
  - Community Service Outings
  - Community Placement Plans
  - Apartments Searches
  - Job Applications / Job Searches
  - Obtaining Colorado ID and Social Security Card
  - Transitional meetings with offender and their family

# Phase II Community Service



# Phase III

## Community Supervision

- ▶ Phase III (Community Supervision): Which is administered for the period of community supervision during which time the offender is closely monitored during reintegration into society. This phase is the final 6 to 12 months of a YOS sentence.
  - ▶ Family Preservation
  - ▶ Independent Living
  - ▶ Transitional Housing – Turning Point

# Phase III

## Community Supervision

- ▶ Six to 12 months of intensive supervision in Phase III and re-entry services that decrease in intensity as offenders positively respond to this setting and become productively established in the community. This phase is mandatory for each offender who successfully completes Phases I and II.
- ▶ Allows for the transition of YOS offenders back to the community with community based support networks.
- ▶ This phase is committed to teach the YOS offender self-discipline by confronting non-compliant behavior immediately and offering a gradual extension of earned privileges and freedoms designed to prepare the offender for release from their YOS commitment.

# Phase III

## Community Supervision

- ▶ Phase III offender supervision is managed by the Director of Prisons.
- ▶ This transition is to *Community Supervision* and *NOT* Community Corrections *NOR* is it considered Parole.

# Break Down of a Six (6) Year YOS Sentence

- ▶ OTP                      30/45 days
- ▶ Phase I                4 years / 8 months (Eligibility)  
                              5 years / 2 months (Mandatory)
- ▶ Phase II                3 months
- ▶ Phase III              12 months (Eligibility)  
                              6 months (Mandatory)

# Academic Opportunities

- ▶ All offenders entering YOS without a high school diploma or GED are required to attend educational programming.
- ▶ YOS no longer offers a High School curriculum.
- ▶ Offenders are placed in GED courses to allow more time for Vocational Training and Post Secondary Education.
- ▶ Elective Class—fly tying, OSHA, Flagging, Forklift, CDL, Heavy Equipment Simulators, Core Curriculum Courses



# Career & Technical Opportunities

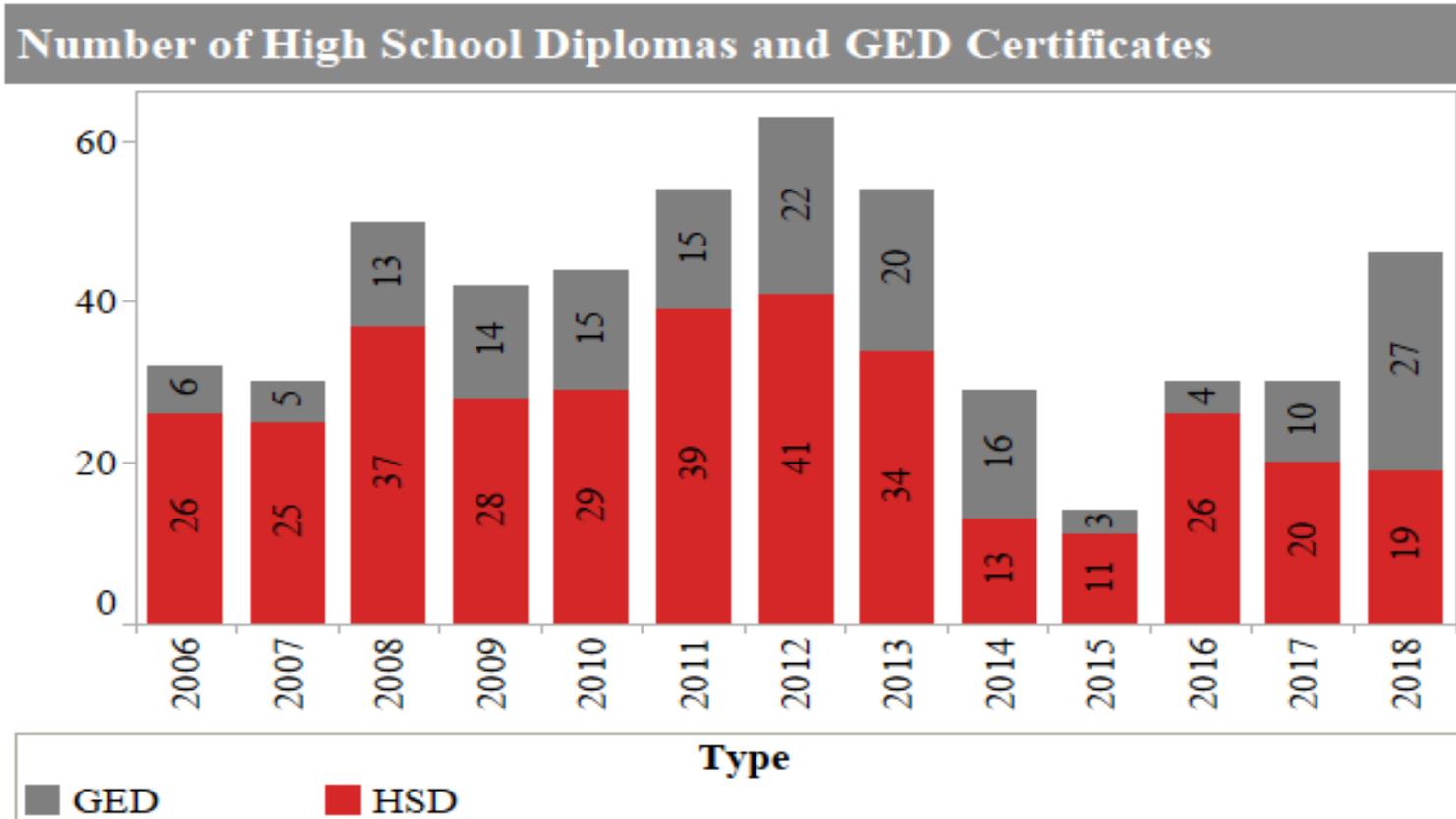


- ▶Automotive/Small Engine
- ▶Barbering/Hair Styling
- ▶Business / Entrepreneur
- ▶Construction Trades
- ▶Graphic Arts
- ▶Gladiator Program

- ▶ Driving and Heavy Equipment Simulators
- ▶ YOS Welding Program
- ▶ PCC Mobile Labs – Machining, Electrical
- ▶ Customer Service

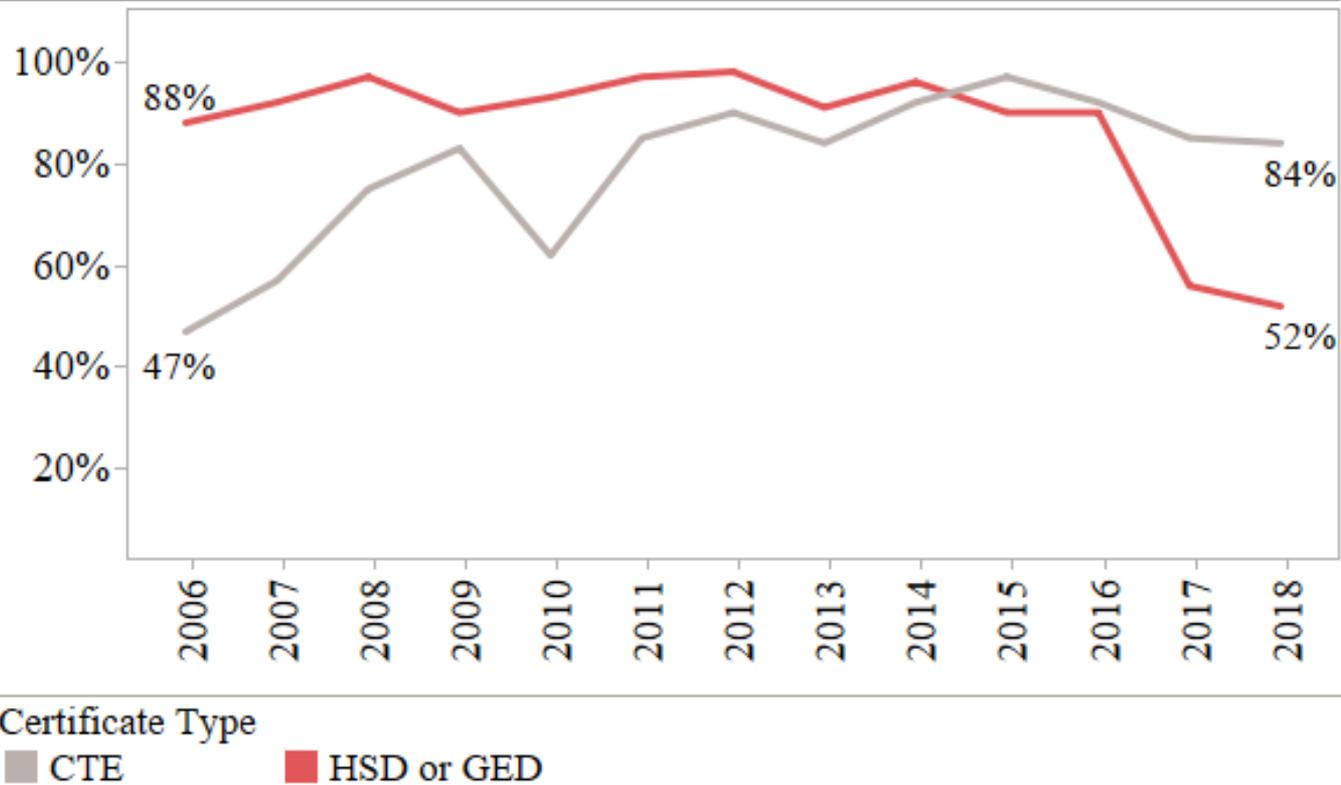


# Offenders Releasing to Phase III with Certificates



# 2018 Annual Report

## Offenders Releasing with Certificates



# Employment Opportunities

- ▶ Offenders are required to be employed if they are not enrolled in educational programs.
- ▶ Employment Opportunities are:
  - Food Service
  - Janitorial
  - Laundry
  - Library Aid
  - Maintenance
    - General
    - Grounds
  - Teacher's Aid



# Recreational Opportunities



# Recreational Opportunities



# Leisure Time Activities

## ▶ Library Services

- Main Campus
  - Legal Library / DOC Policy
  - Media (DVD / CD)
  - Interlibrary Loan Program
  - Both staff instructed and individual offender creativity projects
  - Read to the Children Program
- Satellite and Deposit Collection available in all units.



## ▶ YOS Parents Association Sponsored Activities:

- Family BBQ's
- Family Reunification Events
- Holiday Packages/Gifts
- Donated Recreational items



# Volunteer Services Programs

- ▶ Religion (Yard Events/Music/Iron Man)
  - ▶ Sunday Non-Denominational Worship Services
  - ▶ Religious Studies
  - ▶ Special Seminars
  - ▶ Monthly Calendar
  - ▶ Guest Speakers
- 
- ▶ Pueblo Complex has Over 200 Volunteers.



# YOS Staffing

- ▶ YOS employees are comprised of a community of concerned individuals, committed to the principles of adolescent development and through modeling, mentoring and other planned interventions, provide opportunities for youthful / young adult offenders to acquire the necessary skills and pro-social abilities that will enable them to grow and develop into successful, productive citizens.



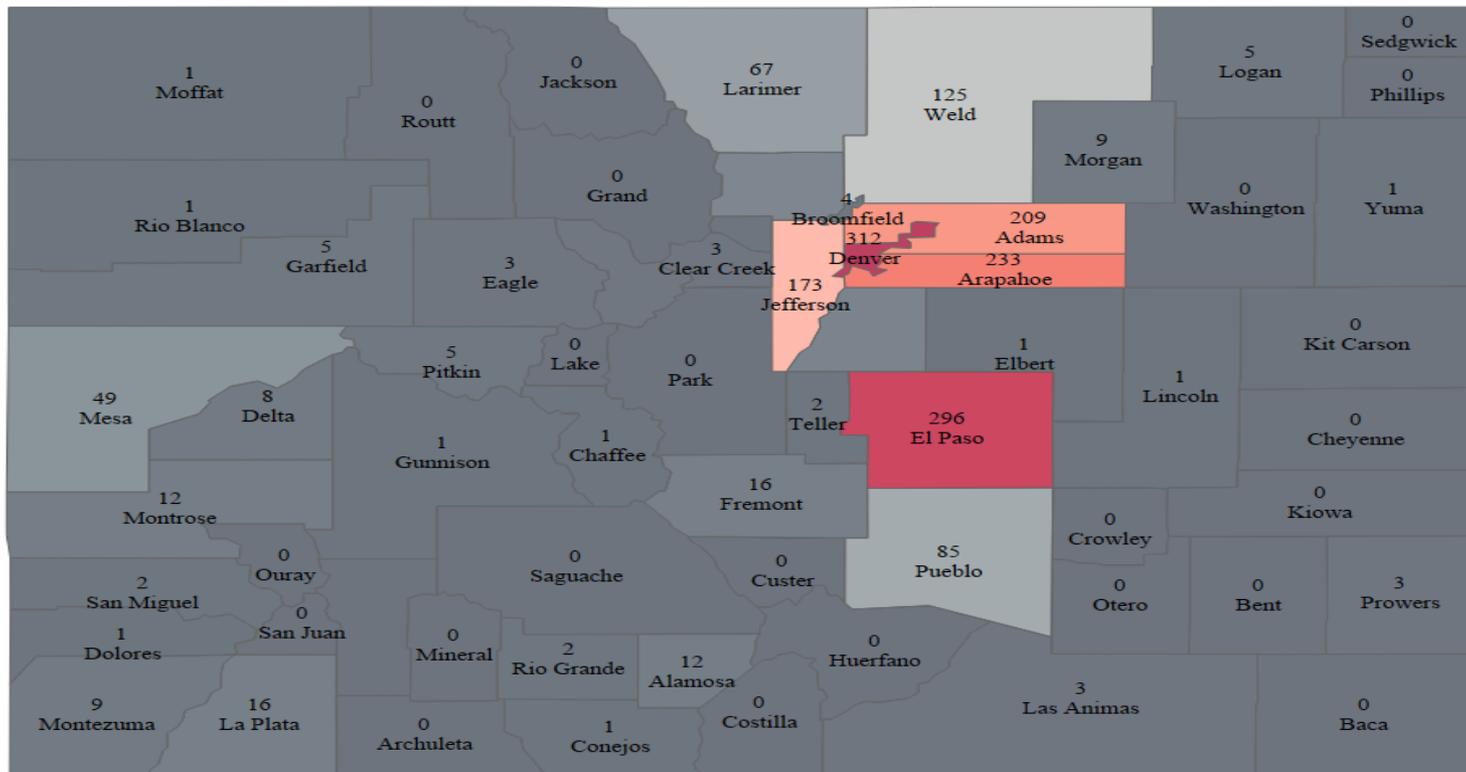
# Revocation Process

Upon the successful completion of the YOS sentence, including the mandatory period of supervision, the (suspended) sentence to the CDOC shall have been completed.

- ▶ Offenders who cannot successfully complete their YOS sentence, or who fail to comply with the terms or conditions of their sentence shall be returned to the district court for revocation, the court shall impose the original (suspended) sentence following the revocation of the YOS sentence.
- ▶ Sentencing to YOS is considered a privilege. Continued refusal to participate, intractability, or failure to progress may result in a suitability staffing for revocation and the consequent transfer to an adult DOC facility.
- ▶ Revocation from YOS can be considered at any time during OTP, Phase I, Phase II, or Phase III.

# Commitments per County Since Program Inception - FY18

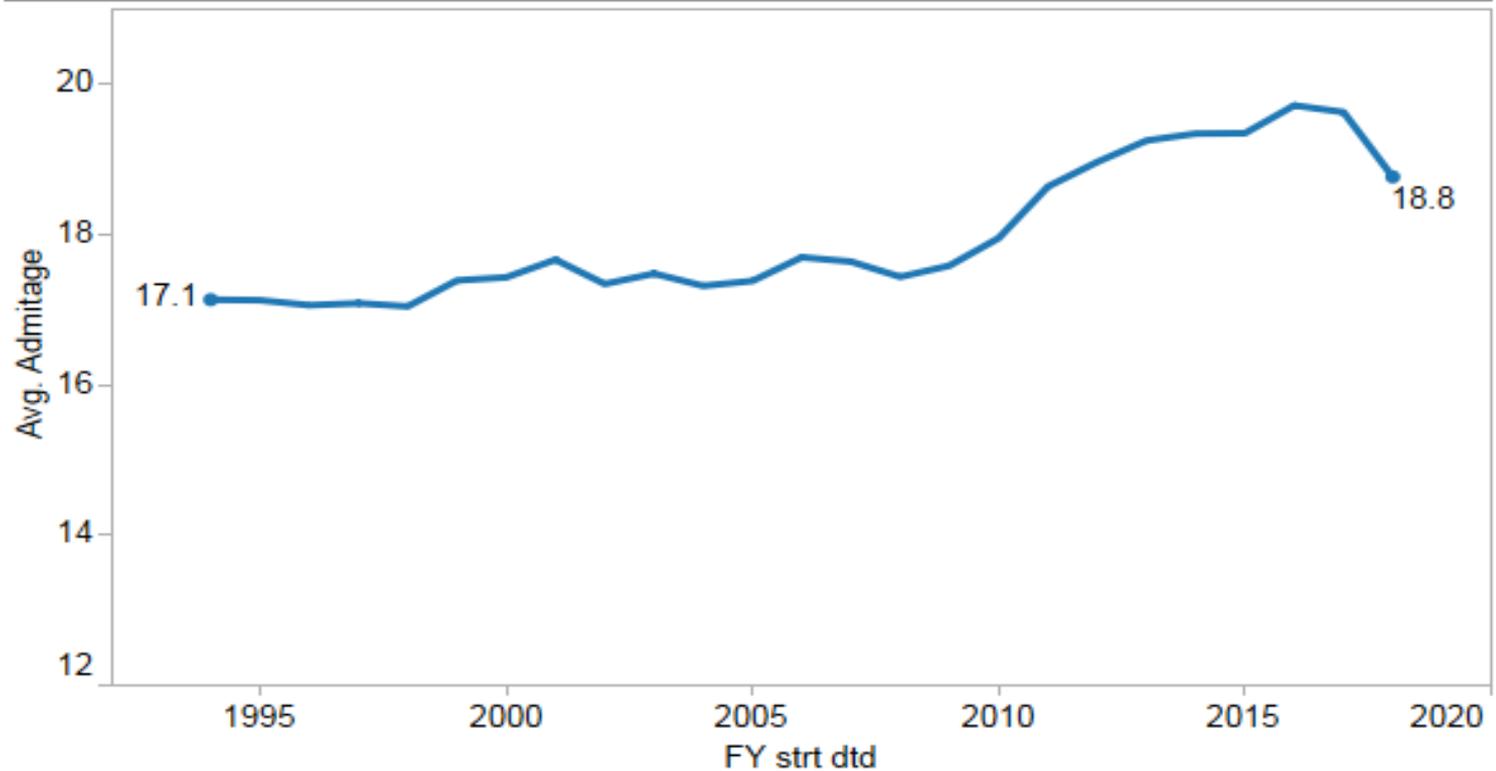
County Commits Since YOS Inception





# Age At Admission

Average Age at Admission (FY 2018= 18.8)



# Recidivism Rates 2018 Annual Report

## Table 6

### Cumulative Recidivism Rates

#### Pre-Release Recidivism

FY 1995-2018 -	1,510	88	5.8%
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#### Post-Release Recidivism

1 year	1,087	51	4.7%
3 year	968	195	20.1%
5 year	854	276	32.3%

# YOS Cost–FY18

	Facility Cost Per Day	Clinic Services Cost Per Day	Administrative Costs Per Day	Total Cost Per Day
IDO, Phase I & II	\$223.81	\$4.22	\$11.81	\$239.84
Phase III (Community Supervision)	\$102.93	\$0	\$3.65	\$106.58
External Capacity (Jail Backlog)	\$53.64	\$0	\$0	\$53.64

While some individuals question the costs associated with incarcerating youthful offenders, the Youthful Offender System believes that the decision to “pay now rather than pay later” is supported by the on-going success and low recidivism rates that have been experienced by YOS.

# Contact Information

- ▶ Warden Currently Vacant
  
- ▶ David Sligar, Associate Warden
  - [david.sligar@state.co.us](mailto:david.sligar@state.co.us)
  - 719-583-5709
  
- ▶ David Bergman, Admin. Services Manager
  - [david.bergman@state.co.us](mailto:david.bergman@state.co.us)
  - 719-583-5719
  
- ▶ James Larimore, Operations Manager
  - [james.larimore@state.co.us](mailto:james.larimore@state.co.us)
  - 719-583-5781
  
- ▶ YOS Annual Report is available on-line at:  
<https://www.colorado.gov/pacific/cdoc/departamental-statistics-and-reports>

# THE END!!

