

POLICY AND PROCEDURES  
of the  
EL PASO COUNTY JUVENILE COMMUNITY REVIEW BOARD  
  
REGARDING THE SCREENING OF JUVENILE OFFENDERS  
FOR COMMUNITY PLACEMENT  
adopted April 25, 2005

A. Purpose

It is the purpose herein to describe screening criteria, procedures, meeting guidelines and voting procedures of the El Paso County Juvenile Community Review Board (EPC JCRB) to be used in screening juveniles being considered by the Department of Human Services Division of Youth Corrections (DYC) for community placement pursuant to CRS 19-2-210 et seq. effective April 1, 2005 or when approved by the El Paso County Board of Commissioners by Resolution.

B. Staff

The Community Corrections Division of the Department of Justice Services shall act as staff to the Juvenile Community Review Board.

C. Meetings

1. The Board shall hold at least two regular meetings every month in order to meet the requirements of C.R.S. 18-2-210 et seq. to review the case file of the juvenile within fifteen days of the scheduled receipt of that file.
2. Meetings may be cancelled by the Chair upon consultation with the staff upon showing that there is no official business to be conducted.
3. Agenda for the upcoming meeting and draft minutes of the previous meeting will be sent by staff to the voting membership within ten (10) days of the next meeting. Meetings will be held on the first and third Thursdays of every month unless there is no business to conduct.
4. Agendas to the voting membership will include the names and date of birth of all juveniles being considered for placement in the community. Agendas posted to comply with the Colorado Sunshine Act of 1972 shall include only the date of birth of the offenders identified by number to be in compliance with the C.R.S. 19-2-210 which states that names, addresses regarding juveniles are confidential except to the Juvenile Community Review Board, CBI and any law enforcement agency.
5. Notices of meetings shall comply with the "Colorado Sunshine Act of 1972" and amendments thereto so long as it or derivative legislation remains in effect.
6. Notices of meetings shall include the time and place of the meetings.
7. All meeting attendees, unless DHS DYC staff, service providers, the voting membership of the JCRB or staff to the JCRB, shall sign a Confidentiality Agreement at each meeting attended and that information shall be kept by the JCRB with the minutes of the meeting. (Attachment A.)

D. Quorum

1. A simple majority of the membership of the Board shall constitute a quorum.
2. Where a regular member is absent at any meeting and that member's designated alternative is present, the alternate may be counted for purposes of a quorum and may vote on all questions properly brought at the meeting.
3. In the absence of a quorum, a majority of the members present may adjourn the meeting from time to time until a quorum is present.

E. Voting

1. A simple majority (51%) voting to accept a placement will constitute an acceptance.
2. A tie vote will constitute a rejection.
3. Except as herein provided, proxy ballots or votes will not be permitted.
4. Distribution of Information for Screening

Ten days prior to the regularly-scheduled Thursday meetings, by 5 p.m., unless cancelled by the Chair or staff or moved to accommodate a holiday, and beginning May 6, 2005, information on any proposed placement will be provided to the JCRB staff. Cases and incomplete case information received after that deadline will be reviewed at the next regularly scheduled screening.

Seven days prior to the regularly-scheduled Thursday meetings, by 5 p.m., unless cancelled by the Chair or staff or moved to accommodate a holiday, and beginning May 6, 2005, JCRB staff will mail out case materials to Board members and Board members will be asked to return their confidential CDs at the next meeting for re-use.

F. Criteria

The EPC JCRB shall consider the following criteria for the screening of juvenile offenders for placement in the community from the DHS DYC:

1. that the juvenile is appropriate for community placement based on the information in the juvenile's case file and history;
2. that placement of the juvenile in El Paso County will not present a danger to the approved facility or the community-at-large;
3. that a reasonable basis exists to believe the juvenile may substantially benefit from the available treatment programs of the approved facility; and
4. that rejection of the juvenile would impose a hardship not outweighed by the considerations of 1., 2. and 3. above.

G. Procedures

1. The EPC JCRB shall review the case file of the juvenile within fifteen days of the scheduled receipt of that file.
2. The EPC JCRB shall withhold as confidential all names, addresses, and information regarding a juvenile reviewed by the Board and not disclose any information except to

the Board or its designees without express written permission of the juvenile and the legal custodian.

3. The EPC JCRB, in considering the above criteria, shall require for review one copy of:

- a. a Standard Referral Form (Attachment B.)

and the supporting information listed below in order to approve the placement of a juvenile in El Paso County;

- |    |   |                                      |
|----|---|--------------------------------------|
| b. | History of delinquent adjudications       | <u>Placement Review Form</u>         |
| c. | Social history                            | <u>Placement Review Form</u>         |
| d. | Educational history                       | <u>Placement Review Form</u>         |
| e. | Mental health treatment history           | <u>Placement Review Form</u>         |
| f. | Drug and alcohol treatment history        | <u>Placement Review Form</u>         |
| g. | Summary of institutional progress         | <u>Institutional Progress Report</u> |
| h. | Results of DHS' objective risk assessment | <u>Placement Review Form</u>         |

4. The EPC JCRB shall review any plans formulated to address:

- |    |   |  |
|----|---|--|
| a. | the juvenile's needs as reflected in available history; and | <u>Placement Review Form</u><br>(Service Plan) |
| b. | the best interest of the community.                         |  |

5. The DYC will provide the names, dates of birth, committing county, and recommended placement of those juveniles to be reviewed to the Board staff at least ten days prior to the EPC JCRB meeting at which the juvenile will be considered Placement Review Form.

6. All juveniles who do not have the Placement Review Form and supporting documentation will not be considered for placement in El Paso County until all information is made available.

7. The Department of Human Services Division of Youth Corrections staff shall present all cases to the EPC JCRB with the client managers or program managers available for questions and additional information as needed. DHS DYC staff will compile the necessary referral form and packet of information.

8. A representative of the recommended placement will be present to answer any questions from the EPC JCRB about the proposed plan of treatment.

9. Juvenile offenders with pending charges or awaiting sentencing on a felony or class I misdemeanor shall not be screened by the EPC JCRB.

10. If a juvenile offender is approved for community placement, that approval shall be for a specific facility or placement. The Board may, at its discretion, approve an alternate facility or placement. Board approvals are valid for a period of 30 days. If the juvenile is not transferred to the approved or alternate placement within 30 days, the DHS DYC Client Manager may request in writing a 30 day extension of the Board approval. (Attachment C.)

11. As allowed by C.R.S. 18-2-210, the JCRB may establish additional criteria based on the interests of the community. Therefore, requests for approval for school release or work

release shall be submitted in writing to the EPC JCRB at least ten days prior to the EPC JCRB meeting at which the release shall be considered. These requests should include the name of the juvenile, the date of birth, the juvenile's committing charges, the current placement of the juvenile, details of the work or school placement, and a summary of the juvenile's recent adjustment. Board approval is required before the school/work release plan is put into effect. (Attachment C.)

12. As allowed by C.R.S. 18-2-210, the JCRB may establish additional criteria based on the interests of the community. Therefore, DHS DYC's placement agencies will provide a written Status Report on a monthly basis (due the first meeting of the month for the previous month) outlining the current status of the juveniles approved for placement in the previous month – if they received an approval for placement or had a pending placement. The report shall include the following categories: placed, pending, rescinded, and other (which shall be explained). If a juvenile is in a pending status on any report, that juvenile must be carried forward to the following month's Status Report. (Attachment D.)

H. Victim Testimony Procedure adopted September 10, 2001

When the Board is notified by the Victim Notification Office of the Division of Youth Corrections Department of Human Services that the victim or victim's family member wishes to testify, the following procedure will take place.

1. The only cases where testimony will be allowed are those that fall under the Victim Notification Law and have asked to testify.
2. The hearing will be scheduled as the last one for that particular day.
3. The victim or victim's family who are testifying will sign a Confidentiality Agreement (Attachment A).
4. The testimony will take place prior to the case presentation by the client manager.
5. The only people present will be the person testifying, Board members and Board staff.
6. The person testifying will be notified of the time of the hearing and informed that there is a 15 minute time limit for testimony and any subsequent questions from the Board.