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Report to the Colorado General Assembly

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**COMMITTEE ON INSTITUTIONS
AND
REHABILITATION**

Part II



COLORADO LEGISLATIVE COUNCIL

RESEARCH PUBLICATION NO. 188

November, 1972

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OF THE
COLORADO GENERAL ASSEMBLY

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* * * * *

The Legislative Council, which is composed of six Senators, six Representatives, plus the Speaker of the House and the Majority Leader of the Senate, serves as a continuing research agency for the legislature through the maintenance of a trained staff. Between sessions, research activities are concentrated on the study of relatively broad problems formally proposed by legislators, and the publication and distribution of factual reports to aid in their solution.

During the sessions, the emphasis is on supplying legislators, on individual request, with personal memoranda, providing them with information needed to handle their own legislative problems. Reports and memoranda both give pertinent data in the form of facts, figures, arguments, and alternatives.

**COMMITTEE ON INSTITUTIONS
AND REHABILITATION**

PART II

**Legislative Council
Report To The
Colorado General Assembly**

**Research Publication No. 188
November, 1972**

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LEGISLATIVE COUNCIL

ROOM 46 STATE CAPITOL
DENVER, COLORADO 80203
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AREA CODE 303

November 28, 1972

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REP. PHILLIP MASSARI

REP. CLARENCE QUINLAN

To Members of the Forty-ninth Colorado General Assembly:

As directed by House Joint Resolution No. 1033 (1971), the Legislative Council appointed a committee to consider matters relating to juvenile institutional facilities and rehabilitative practices. The Committee on Institutions and Rehabilitation submitted a report of findings from its second year of study to the Council on November 27, 1972, at which time the Council accepted this report.

The Legislative Council herewith submits for your consideration Part II of the Report of the Committee on Institutions and Rehabilitation.

Respectfully submitted,

/s/ Representative C. P. (Doc) Lamb
Chairman

CPL/mp

COLORADO GENERAL ASSEMBLY



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DENVER, COLORADO 80203
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REP. PHILLIP MASSARI

REP. CLARENCE QUINLAN

Representative C. P. (Doc) Lamb
Chairman
Colorado Legislative Council
Room 46, State Capitol
Denver, Colorado 80203

Dear Mr. Chairman:

The Committee on Institutions and Rehabilitation is concerned with the apparent fragmentation of services to juveniles. A wide variety of agencies and organizations are a part of the intricate system of juvenile justice. The Committee has explored a number of proposals to eliminate areas of fragmentation, however, recommendations have been deferred as the Committee believes that the impetus for change in the system of juvenile services must come from persons who engage daily in the delivery of these services.

An Ad Hoc Committee on Juvenile Services, which is comprised of legislators, juvenile judges, representatives of the Division of Youth Services, probation and detention officers, representatives of the Department of Social Services and the Family Law Center, has been created to provide a forum for discussion, including: detention and shelter care; intake of juvenile offenders; dispositional alternatives; probation and aftercare supervision; additional juvenile programs and facilities, etc. The Committee recommends that the appropriate committees of reference of the House and Senate coordinate with this ad hoc committee to resolve these matters.

The Committee is recommending a bill to amend the Children's Code. Although the General Assembly terminated the operations of the Colorado Youth Center in 1971, references to the Youth Center have not been deleted from appropriate sections of the Code. The proposed bill would accomplish such.

Respectfully submitted,

Senator Ruth Stockton
Chairman
Committee on Institutions
and Rehabilitation

RS/mp

FOREWORD

The Committee on Institutions and Rehabilitation conducted a two-year study of juvenile institutional facilities and rehabilitative practices. Members appointed to the Committee were:

Sen. Ruth Stockton, Chairman	Rep. Tilman Bishop
Rep. Roy H. Shore, Vice Chairman	Rep. Don Friedman
Sen. Joe Calabrese	Rep. Wayne Knox
Sen. Norman Ohlson	Rep. Phil Massari
Sen. Maurice Parker	Rep. Morton Pepper
Sen. Anthony Vollack	Rep. Lowell Sonnenberg
Sen. Christian Wunsch	

The Committee concentrated its time and efforts during the second year of study to consideration of the juvenile justice system. The Committee held five (5) meetings, and various private and governmental agencies involved in juvenile justice appeared before the Committee. Those appearing included: the Division of Youth Services; the Juvenile Judges Association; the District Attorneys' Association; the Department of Social Services; the League of Women Voters; the Colorado Commission on Children and Youth; the Citizen's Task Force for Youth; and the Colorado Coalition for Children and Youth.

The probation and parole agencies in each of the forty-nine other states were canvassed to determine the system under which aftercare supervision operates in each state. The response from these states provided the data used in preparing the appended report -- "Juvenile Probation - Parole: A Comparison of Other States' Systems".

The Committee wishes to express its appreciation to these individuals and agencies for their cooperation and assistance in the conduct of this study.

Special Committee gratitude is extended to the members of the Ad Hoc Committee on Juvenile Services for their assistance in attempting to resolve some of the issues confronting the juvenile justice system. (See Appendix A) Assisting the Ad Hoc Committee were: the State Court Administrator's Office; Denver Juvenile Court; and the Family Law Center, Legal Aide Society of Metropolitan Denver.

Bill drafting services were provided by Becky Lennahan and Mike Risner. Kay Miller, research associate on the Council staff, was primarily responsible for the preparation of the research material, with the assistance of David Morley, senior research assistant.

November, 1972

Lyle C. Kyle
Director

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COMMITTEE FINDINGS

Introduction

The Committee on Institutions and Rehabilitation devoted its efforts during this second year of interim study to completing its exploration of facilities, programs and services for juveniles. It is hoped that the observations made by this Committee will be helpful in guiding administrators of juvenile programs in making decisions in both short and long-range planning and will assist members of the General Assembly and others in decision-making positions in evaluating program proposals in light of the needs that have been identified.

Fragmentation of Services. Of primary concern to the Committee is the apparent fragmentation of services to juveniles. This fragmentation seems to exist because of the wide variety of agencies and organizations which are a part of the intricate system of juvenile services. In many cases, agencies have moved in to fill a void in services. This stopgap development has oftentimes resulted in a greater lack of coordination among agencies and services. This fragmentation of programs and services is of concern to the Committee, as it should be to others concerned with juveniles, because of the importance of continuity of services to a youth who is in trouble. Too often a youth with certain problems or needs is shunted from one agency to another.

The Committee has explored a number of proposals to eliminate areas of fragmentation. However, it has become evident that the entire system of juvenile services, particularly services provided by the courts and the Department of Institutions, requires further study by persons working in the field. The Committee believes that the impetus for change in the system of juvenile services must come from persons who engage daily in the delivery of services and have a firsthand knowledge of the problems.

Establishment of Ad Hoc Committee on Juvenile Services. For these reasons the Committee has established an Ad Hoc Committee comprised of juvenile judges, representatives of the Division of Youth Services, probation and detention officers, persons involved in the placement of youths in group and foster care, and other youth workers and advocates. The Institutions Committee has appointed three of its own legislative members to serve on this Committee. (A complete list of the membership of this Ad Hoc Committee is

contained in Appendix A.) It is intended that this group will concern itself with the broad range of services to youth including evaluation and diagnosis, probation and other types of aftercare supervision, detention, responsibility for placement in group and foster care, schools and juvenile programs and facilities, etc.

It is hoped that the findings of the Interim Study Committee which follow will provide the basis of discussion for this Ad Hoc Committee. These findings are the outcome of two years of testimony and discussion, hearings conducted throughout the state, and input from a great many individuals and groups. The Ad Hoc Committee has been selected to evaluate the merits of specific proposals, determine their feasibility for implementation, and make specific recommendations for eliminating the duplication and fragmentation which has been shown to exist. The Committee recommends that the appropriate committees of reference of the House and Senate work with the Ad Hoc Committee to resolve these matters. The Committee further recommends that an interim committee on institutions and rehabilitation be retained during the 1972 session to continue an investigation of the juvenile justice system.

Observations and Suggestions
of the Committee

Juvenile Facilities

Division of Youth Services Facilities - Then and Now.
One of the purposes of this interim committee was to explore the use of existing institutional facilities in light of present needs. When the committee first began looking at institutional facilities and programs in the spring of 1971, there was a general consensus being expressed about the number of facilities which were standing vacant and idle while at the same time there were evidences of need for more placement facilities for youths. At that time the Colorado Youth Center was being phased out with no plans for future use of the facility; one cottage at Mount View Girls' School had been vacant for over a year; the high school program at Mount View had closed Mountain School for Boys was being converted to a regular high school building at Mount View was being used during the day and housed only a limited evening program. Burton Cottage, one of the oldest facilities in the state was serving as a combined residential and "transitional treatment unit" for hard-to-place girls. The use of other facilities was being explored and the need for new facilities was being discussed.

declining, and only the "tough" boys were being held there creating difficulties in staffing and programming.

Use of the Colorado Youth Center. Over the course of these two years the Committee has witnessed many changes in the Division of Youth Services programs and use of facilities. While not being used for a state program, the Colorado Youth Center facilities have been leased on an annual basis to the City and County of Denver and other political or quasi-political entities for a variety of programs. Several proposals to sell this property have received consideration. During the 1972 Session, the Senate Committee on Institutions and Social Services postponed indefinitely a bill authorizing the Department to dispose of this property. The reference committee reasoned that this is a valuable piece of property to the state and a decision to sell it should not be made in haste. The Interim Committee agrees with this thinking but would urge that the Department of Institutions give careful consideration to what might be the best and most feasible use of the property in light of the institutional and program needs of all the divisions of the Department. The Committee recommends that on completion of a survey of need, the Department make a proposal to the General Assembly regarding how the facilities should be used.

Closed Adolescent Treatment Program. Many other internal changes in the Division of Youth Services have taken place. The Committee believes it was responsible, in part, for bringing some of these changes to fruition. Last year in its hearings throughout the state the Committee repeatedly heard pleas for some type of a program for emotionally disturbed adolescents. The Committee supported the Department in its efforts to obtain state and federal funds to initiate such a program. As of November 1, 1972, the Division of Youth Services, in cooperation with the Division of Mental Health, will begin operating a closed adolescent treatment program, on a pilot basis, for severely disturbed, acting-out youths. The program is housed in Barton Cottage at Mount View Girls' School which has been remodeled for this purpose. The program is being financed primarily with funds through the Law Enforcement Assistance Administration. These federal funds, which provide for a program evaluation, will terminate after two years. The Committee suggests that the General Assembly make a continual evaluation of this program as the state will be asked to pick up and possibly expand the program if it proves successful at the completion of the two year experiment.

Reception and Diagnostic Center. The Committee also supported the Division's proposal to consolidate its receiving program for committed youths. The Reception and Diagnos-

tic Program, previously in operation at the Boys' School and a less formalized program at the Girls' School, was consolidated in July of this year and is a residential program being operated at Mount View. Winton Cottage, formerly vacant, is being used to house the boys who are in the Receiving Center Program.

Centralized Administration. The high school at Mount View has been converted to use as office space for the administrative personnel of the Division. The Committee is in full support of this move as it is in concert with the Division policy of centralizing all of the administrative, maintenance, educational and other functions of the Division. Additionally, the move has facilitated improved communication in the Division by the mere fact that personnel are located in one place rather than scattered in various locations in the Capitol Complex, Fort Logan, and elsewhere, as they were previously.

Other Changes at Mount View. Other facilities at Mount View are being converted to new uses. Two small houses on the grounds of Mount View, formerly used as residences for staff, are being converted for use as pre-parole units, a concept which the Committee previously endorsed. The other cottages at Mount View have been operating at close to capacity and it would appear that if the current rate of commitment of females to the Department continues, there is little chance of any of the facilities at Mount View being under utilized.

Decentralized Facilities. Last year the Committee endorsed the concept of shifting away from large institutional facilities and concentrating on developing a network of small decentralized treatment facilities. The Committee lent its support to the Department in any efforts to accomplish this goal. The underlying philosophy for this approach to facilities is twofold: 1) there is general agreement that there need to be more treatment facilities in various parts of the State to allow youths to be served nearer their own home thus maintaining continuing court and community involvement; 2) a diverse system of treatment facilities may provide programs designed to meet the individual needs of troubled youths better than traditional large institutional facilities.

While the Division of Youth Services has not proposed the construction of any new treatment facilities as such, the Committee believes the Division is taking important steps in its existing programs to accomplish this goal of diversification and decentralization. Of primary importance has been the proposal of visiting such cottages at Mount View and look out to separate treatment units designed to meet the needs of

similarly troubled adolescents. Thus, the Division is partly answering the need for diversification but without abandoning the existing institutional facilities.

A second important approach to meeting the need for decentralization and diversification employed by the Division has been that of purchasing services from private placement facilities, particularly for CHINS who have been committed to the Department. CHINS, or Children-in-Need of Supervision, are youngsters who have committed such juvenile offenses as truancy, running away or being beyond control. Many of these youngsters were sent to the Colorado Youth Center before it was closed. The CHINS Placement Program, described in detail below, is basically designed to provide the Division with a mechanism for placing CHINS who are committed to the Department in private treatment facilities such as group homes if it is determined that their treatment needs can better be met outside the Division of Youth Services facilities. The program allows the Division to pay the per diem cost of placing the youth in a residential care facility, again enabling the Department to meet diverse treatment needs without constructing new facilities.

CHINS Placement Program

Confusion Over Closing of the Colorado Youth Center. The Committee observed a great deal of confusion around the state resulting from the General Assembly's closing of the Colorado Youth Center. One cause of confusion has been the references to CYC which remain in the Children's Code. The Committee is recommending a technical, housekeeping bill to remove these references to the Youth Center (see Bill A). The bill, however, does not amend Section 22-8-17 (2) of the Code which requires the approval of the committing court prior to institutionalizing a CHINS committed to the department.

Apparently some judges were under the impression that when the Youth Center was closed the Department no longer had any placement alternatives for CHINS and as a consequence stopped committing CHINS to the Department. The Committee hopes that this misunderstanding has been cleared up through the combined efforts of the Division of Youth Services and the Committee itself in explaining the CHINS placement program to numerous judges and youth workers.

Explanation of Program. Concurrent with closing the Youth Center, the General Assembly authorized the Department to contract with other public or private facilities for placement of CHINS. The General Assembly authorized the funding of \$200,000 for a CHINS Placement Program for 1971-72. Of this amount, \$100,000 was state General Fund money

and \$100,000 was federal money obtained through a Law Enforcement Assistance Administration (LEAA) grant. Part of these funds were used by the Division to finance placements of CHINS committed to the Department. The federal monies have been used to assist the five metropolitan courts to finance the direct placement of adjudicated, non-committed CHINS and as seed money for encouraging the development of group homes for adolescents in the metropolitan area.

Placement of Committed CHINS. CHINS who are committed to the Department go directly to the Reception and Diagnostic Center for a period of evaluation and testing. At the conclusion of this evaluation period, which usually lasts about 30 days, a placement committee meets to determine what program will best serve the youth's needs. If it is decided that the youth can best be served by a program at one of the Division of Youth Services facilities, approval of the committing court is obtained. Or, the child may be placed back in his family home, the home of a relative or on an independent vocational placement, under the supervision of the committing court or the Division of Juvenile Parole when so requested by the court. The latter types of placements are classified by the Division as "free placements" since there is no direct expenditure of CHINS placement funds. Necessary supervision expenses are absorbed in the Division's regular budget.

The third alternative available under the CHINS Placement Program is that of placing the youth in a group home or residential care facility. This type of placement is paid for directly by the Division of Youth Services through a purchase of services contract with the facility. The CHINS Services Section of the Division of Youth Services has negotiated contracts with over 30 group homes throughout the state (and one outside of Colorado) for the placement of youths. Since the inception of the program in July, 1971, through December, 1972, the CHINS Services Section has paid for the placement of 241 youths. A detailed breakdown of placement statistics and expenditures is available in Appendix B.

Metropolitan Court Direct Placements. The LEAA grant made to the Division was earmarked for use by the five metropolitan courts (Denver, Adams, Arapahoe, Boulder and Jefferson) for the placement of non-committed juveniles. Some courts have used their funds to pay for the direct placement of youths while others have used the money to assist in the development of new group homes.

Future Expansion of the Placement Program. The Committee believes that the CHINS Placement Program has filled a serious gap in programs for CHINS that might have been achieved

pated with the closing of the CYC. Through the use of federal assistance funds, the Program has also supplemented the resources available to the metropolitan courts in finding and developing programs for adjudicated youngsters in their own community. The Division would like to extend this assistance to the remaining judicial districts in the state. However, the expansion of the program to the courts once the federal funding terminates raises a number of legal and policy questions. For example, it should be determined if it is desirable to provide state assistance to the courts for the placement of non-committed youths and, if so, whether the law should be amended to provide a mechanism for funding these placements.

Single State Placement Agency. An additional policy question, which is dealt with in greater detail in the section which follows, also needs to be resolved. This question relates to whether it would be preferable to have a single state agency responsible and funded for all placements of adolescents. Traditionally, welfare departments have been charged with this responsibility. With the inception of the CHINS Placement Program, the Division of Youth Services has become increasingly involved in this effort. And finally, courts themselves, presumably out of frustration and dissatisfaction with the welfare placement programs in some areas, have done their own placing directly when funds were available. Perhaps it would lessen the confusion over funding and fragmentation that may result to mandate and fund a single agency to do all placements.

This question has been directed to the Ad Hoc Committee for their consideration and recommendations. However, until the above-stated questions have been resolved, the Committee suggests that state funding of the CHINS Placement Program be continued at the level requested by the Division of Youth Services. The Committee believes the administrators of this program have the distinct advantage of being able to contract with group homes throughout the state (and even outside) for placement of CHINS. Since this is their sole function, they can become knowledgeable about the programs offered by the facilities and match programs with the individual needs of the youngsters they serve.

County Welfare Department Placement of Youths in Child Care Facilities

Statutory Authority. The Children's Code, in the section dealing with court alternatives for disposition of dependent and neglected children authorizes the court to place legal custody in the county department of welfare for place-

ment in a foster home or other child care facility (Section 22-3-11 (1) C.R.S. 1963, as amended). Generally, dependent and neglected children are younger children and county welfare departments have adequate foster home and other child care placement alternatives available for these youngsters. Courts may also place legal custody of adjudicated CHINS and delinquents in county welfare departments for placement in foster homes or child care facilities (Sections 22-3-12 (1) and 22-3-13 (1), C.R.S. 1963, as amended). These youngsters are generally older and harder to place and it is with these placements that the Committee has observed a problem that deserves discussion and comment.

Pending of Placements. Child welfare services, which include foster and group home placements, are among those social services for which the county share is 20 percent. In those cases when the child is in a family receiving welfare assistance (ADC, AFD, etc.) the federal government pays part of the expense of child care. In non-welfare cases, the expense is totally a county-state responsibility. The 20 percent county share has been identified as a roadblock in some counties to prompt placement of adolescents placed in the custody of the welfare departments by the courts. CHINS and delinquents referred to the welfare departments by the courts usually require placement in a group home rather than a foster home. Many of them, because they are troubled and hard-to-handle, need placement in facilities with specialized, professionally staffed treatment programs. These types of placements are expensive and the per diem cost is considerably higher than for foster care.

As a consequence, some county welfare departments, pressured by county commissioners and budgetary limitations, have placed these expensive adolescent placements low on their priority in their child care budgets. Younger children are placed quickly in foster care, while these court-referred adolescents wait for weeks or occasionally months to be placed in an appropriate child care facility. Pending placement, they are held in detention or returned to their family home which may have been the initial root of their problem. Neither of these temporary solutions are acceptable and as a result, courts are frustrated and the immediate needs of the youths are not being met.

Possible Solution. The Committee on Public Welfare is recommending that counties be given financial relief, either by making permanent the basic reimbursement formula enacted in 1972 in House Bill 1025 or by state assumption of the counties' present share of social services costs. Under the first alternative, the cost to many counties of placing all youths, whether or not their families received welfare assist-

ance, would be reduced; under the second alternative, the state and federal governments would share the cost of child care placements for youths from welfare assisted families and the state would finance 100 percent of the cost of non-welfare related placements. If the financial burden were removed from the counties, perhaps this would remove a major obstacle in getting court referred adolescents placed in appropriate facilities with much less delay than is now the case in some counties.

Welfare Department Authority. A further deterrent to immediate placement of juveniles placed in the custody of welfare departments occurs when welfare departments question the orders of the court for placement in foster or group care. The Committee has heard testimony from child welfare workers that occasionally they feel that a youth may be able to continue to live at home under welfare supervision even though the court has ordered placement. Some welfare departments believe that courts should merely place custody in the welfare department and the department case workers should then be able to do a home study, etc., to determine whether the youth requires placement or could continue living at home under supervision, be placed in the home of a relative, etc.

The Children's Code appears to be clear on this issue. The court, in 22-3-12 (1) (CHINS disposition) and 22-3-13 (1) (disposition of delinquents), has a number of alternatives available in entering a decree of disposition, including placing "legal custody" in the county department of public welfare...for placement in a foster home or child care facility" (22-3-12 (1) (c) C.R.S. 1963, as amended). (Emphasis added.). Other options are available to the court if the court does not desire that the child be placed in a child care home or facility. For example, the court may place legal custody with the parents or a relative or other suitable person but under protective supervision. This protective supervision may be provided by the court, the welfare department or some other agency designated by the court.

Agency Cooperation Prior to Disposition. The probation department or other agency designated by the court is required to prepare a social study on each child coming before the court unless the requirement is waived by the court (Section 22-1-8 C.R.S. 1963, as amended). The Committee understands that in most judicial districts fairly extensive social studies are accomplished on juveniles prior to disposition. Based upon such studies the court is provided with recommendations for disposition. For this reason, the Committee believes it is duplicative for the welfare department to conduct its own investigation and home study prior to determining if placement is appropriate. However, while the Committee be-

believes that the statute clearly authorizes the court to order the welfare department to place a child in its discretionary custody. The Committee believes that the welfare department and any other agency which may be involved in the care or supervision of the child be involved in the decision-making process under a stipulation. In this way all agencies would have input into determining the most appropriate disposition of a juvenile. The Committee contends that such a stipulation involvement would be useful in eliminating the delay, expense, and frustration that results when an agency questions an order of the court.

Parental Responsibility. A further matter regarding juvenile placement which troubled the Committee is that of those parents who are financially able but do not contribute to the support of their children placed outside of their homes. The children's lives are especially jeopardized the court to order enforcement of such parental obligation of support (Section 119-15-2 G.S., 1963, as amended). A parent who fails to meet his obligation can be held in contempt of court. However, as a practical matter such a proceeding may not result in the desired financial support but rather only increase the burden on the state by the incarceration of the parent.

A second legal source of enforcement of parental support in this state is found in 119-15-2 G.S., 1963 (1971 Supp.), which authorizes the State Board of Social Services to establish a fee schedule for child welfare services, based on ability to pay, requiring those persons legally responsible for the child to pay for all or a portion of the service. The Committee believes that county departments should strictly enforce this fee schedule and that the state and county should not be paying for placements when parents are financially able.

State of the State in Developing Child Placement Facilities. The Committee believes that the primary cause of the problem is the lack of secure child care facilities for delinquents, particularly in some geographic areas of the state. There has been an expression of need for more secure care facilities in the northeastern and southwestern parts of the state and throughout the state there is a need for secure care with professional personnel trained to meet the specialized treatment needs of highly troubled youth.

Some care facilities are for the most part operated by non-profit organizations and groups and individuals interested in youth care. The need for this type of service is a necessity. As the need for this service increases, the responsibility must be exercised on behalf of the state.

facilities for profit. Whether non-profit or profit-making, group care facilities are expensive and difficult to administer, particularly in the early stages of operation. It has been suggested that since it is in the interest of the state to have a network of these facilities across the state with which welfare and other agencies can contract for services, perhaps the state could design a program to provide incentives or start-up funds to help these organizations keep their heads above water for the first few months of operation. The Committee believes this suggestion is worthy of further consideration. The Colorado Law Enforcement Assistance Administration has lent a great deal of financial support to group homes across the state. Perhaps there is merit in the state continuing in this endeavor once federal funds are no longer available for this purpose.

Staffing of Group Homes. Group homes, particularly those designed with specialized treatment programs for adolescents, generally require round-the-clock professional staffing. Working with troubled adolescents is demanding and staff people must be given relief time to remain effective in these programs. Because of these requirements of professional and round-the-clock staffing, the cost of child care in specialized group homes is high. For this reason, per diem payments by state and local agencies to such facilities should be reviewed frequently to determine if payments are adequate to insure the full-time professional staffing that is necessary. On occasion, perhaps agencies should perform cost studies to determine if it would be more economical for the agency itself to operate a program than purchase the service from a private corporation or individual. If this occurs, a reevaluation of the purchase of services concept may need to be considered.

Responsibility for Detention and Shelter Care

One of the most pressing questions which requires immediate resolution is that of clarifying or reassigning responsibility for juvenile detention. Juvenile detention facilities are places of confinement where juveniles are held in temporary custody pending a preliminary court hearing, prior to disposition, or pending commitment or placement after disposition. A juvenile is to be held in detention only if required for "his immediate welfare or the protection of the community" (22-2-2 (2) C.R.S. 1963, as amended). Otherwise a youth taken into custody is to be placed in short-term shelter care if he needs protection but does not require physical restriction, or he may be released to the care of his parents or other responsible adult.

Juvenile Detention. In most areas of the state the only confined juvenile is a juvenile who is detained in the county jail. However, five counties -- DeWitt, Adams, Lincoln, Elbert and Jefferson -- have established separate juvenile detention facilities. The Children's Code specifically authorizes county establishment of detention facilities and requires that counties with a population of 100,000 or more establish such facilities. (see Section 22-3-4, C.R.S. 1963, as amended). There has been considerable dispute over defining areas of state and county responsibility in operating and maintaining these five facilities and the matter of clarifying this responsibility became more pressing as other counties approach the 100,000 population and begin planning for the establishment of facilities. There is considerable discussion currently going on in Larimer, Pueblo, Boulder and Weld Counties regarding this matter. (Pueblo currently operates a detention facility in conjunction with the jail but is contemplating building a separate facility.)

General Allocation of Responsibility. The financial responsibility questions surrounding juvenile detention facilities are similar to those concerning other court facilities which have arisen since the state takeover of the District Courts. Based on decisions and Attorney General opinions regarding other court facilities, the Office of the Court Administrator has adopted the policy that counties are responsible for establishing and maintaining juvenile detention facilities, while the state is responsible for the operation. Basically, operation entails personnel salaries, the meals program, etc. School boards of districts served by a juvenile detention facility are required to furnish the teachers, books and equipment for the educational program in the facility (Section 22-3-2 (4) C.R.S. 1963, as amended).

Questions have arisen primarily in regard to what constitutes "maintenance" and "operation". For example, is air-conditioning a factor of maintenance or operation? Who is responsible for replacement of permanent and movable furnishings and fixtures? Bickering over these kinds of troublesome questions has plagued the Joint Budget Committee, the Office of the Court Administrator, county commissioners, and has interfered with the smooth operation of the programs.

The Committee believes that these matters must be resolved in the near future but recognizes that these questions lead logically into more broader and more far-reaching questions which must also be addressed:

(1) Should the state or the counties assume full responsibility for the operation, maintenance and future establishment of detention facilities? If the state, what money should be charged with this responsibility?

(2) If the state were to obligate itself to assuming full responsibility for detention, would existing facilities built by the counties become the property of the state? Would the state reimburse the counties if this were the case?

(3) If the state assumed responsibility for juvenile detention, should the operation of school programs continue to be a responsibility of local school districts or should the responsible state agency conduct approved educational programs in the detention facilities?

(4) As a practical matter, would detention employees become a part of the state personnel system?

(5) The Denver juvenile detention facility, known as Juvenile Hall, is established by statute (37-19-28 C.R.S. 1963 (1965 Supp.)). Should the Denver facility be given any special consideration due to this statutory recognition?

(6) Shelter care and detention are integrally related in that a youth who is taken into custody is often taken initially to a detention facility until it is determined that he does not need to be held in a secure setting. Then he is taken to a shelter care facility if one is available. Would it improve coordination and placement if the same agency responsible for detention were responsible for shelter care? (Shelter care is generally a responsibility of county departments of welfare.)

(7) Shelter care is generally arranged for by county welfare departments purchasing services from private facilities. In some cases these facilities may be the same facilities that are used for post dispositional placements. In the metropolitan area particularly, is there any difficulty in finding shelter care placements on short notice through the purchase of service method that is used? If so, might there be a necessity for or economy in a state agency operating such facilities directly rather than purchasing the service?

Other Policy Considerations. Beyond these practical questions revolving around responsibility for detention and shelter care, the Committee believes there are other policy questions which also need to be considered. These are questions that ought to be dealt with whether the state assumes responsibility for these operations or it remains with the counties. Among these issues, which fundamentally deal with the role and use of such facilities, are:

(1) Should different kinds of criteria apply to rural detention and shelter care facilities than apply to facilities in more populous areas? Are regional detention and

shelter facilities a viable alternative to county or community-based operations?

(2) Can detention facilities be used as multi-purpose facilities to house other programs in addition to detention? For example, the Children's Code, in Section 22-3-12 (d), allows a child to be assigned to a supervised work program and placed in a detention facility for a period not to exceed 180 days as a condition of probation. Is this use compatible with the original intent of a detention facility?

(3) Should evaluation and diagnosis be a function of a detention facility? If so, should the detention staff be trained to provide this service or should an outside agency such as the community mental health center be brought in to perform this function?

(4) Should there be an absolute maximum time limit a youth may be held in a detention facility or is there need for flexibility in this area?

(5) If detention facilities were to be truly limited to short-term confinement of juveniles awaiting a court hearing, what type of program is adaptable and appropriate for a youth in this type of short-term setting? Should the program attempt to provide treatment, diagnosis and evaluation? Depending on the programs that are prescribed for detention facilities, what should be the ratio and qualifications of staff?

Ad Hoc Committee. At the time of writing this report, the Ad Hoc Committee on Juvenile Services, created by this Interim Committee and described earlier in this report, was involved in deliberations concerning these questions relating to detention and shelter care. It is hoped that this group will have recommendations to submit to the General Assembly specifically relating to this issue or as part of a package concerning the entire realm of juvenile services.

Consolidation of Additional Juvenile Services

Policy Question. Is it desirable to have a single agency responsible for all services for court-involved youths (i.e., detention, placement, probation, investigations, after-care, etc.), or are there certain benefits and advantages to a system in which different agencies are responsible for providing functions and services? Making one state agency responsible for some of the juvenile services, rather than having numerous agencies responsible for different services, is viewed as one way of reducing problems of duplication,

fragmentation and duplication. However, the Committee recognizes that there are arguments for and against greater centralization and consolidation of services. Many believe, for example, that the state could get the most mileage for its dollars by making grants to local communities to be spent in whatever way the local community decides can best serve the needs of their youth and prevent delinquent behavior and possible institutionalization.

Services that Might be Centralized

Probation, Parole and Other Types of Aftercare Supervision. One area that the Committee identified that would appear to readily lend itself to consolidation is that of the various types of aftercare supervision of juveniles including probation, parole and aftercare of CHINS. Under the current structure, juveniles on probation are supervised by the probation departments of the juvenile courts; adolescents who are paroled from Division of Youth Services institutions are under the supervision of the Division of Juvenile Parole in the Department of Institutions. Until recently there was no specific aftercare programs for CHINS released from a Division of Youth Services facility. However, when requested by the committing court, the Division of Juvenile Parole supervises these youths as well as those on parole.

The Committee believes that these programs serve a similar function and could thus be easily administered by a single agency. This concept appeared to have merit particularly in less populous areas of the state where one officer or youth worker might handle the aftercare supervision for all youths in the area whether they be on probation, parole, etc.

Again there are a number of underlying policy questions that must be confronted prior to any decision being made to combine these services. For example, a basic decision needs to be made as to whether probation is necessarily a function of the courts or whether it could be conducted by an administrative agency separate from the courts. This and other questions dealing with practical considerations revolving around consolidation have been referred to the Ad Hoc Committee for their review and comment.

The Committee requested the Legislative Council staff to survey the other states as to how their probation and parole services are administered. The results of this survey and a brief summary are included as Appendix C. The survey makes it evident that many different systems have been designed to provide this supervision and diverse agencies have

been assigned the functions of probation and parole. No particular trends are evident and thus the Committee believed that any proposal for change should be based on the adaptability of existing services and program needs that are unique to Colorado.

Diagnosis and Evaluation. In its 1971 interim report to the General Assembly, the Committee expressed concern that there appeared to be duplication of effort by the courts and other agencies and the Division of Youth Services in the diagnosis and evaluation of juveniles. The Committee directed a letter to the Department of Institutions and the Court Administrator requesting that a plan be devised to eliminate duplication and streamline this process. While no specific proposal was forthcoming, the Committee has learned that better coordination and sharing of information between the courts and the Division of Youth Services Reception and Diagnostic Center is being promoted. The Committee encourages any efforts to improve the utilization of existing diagnostic and evaluative data whenever possible and applicable.

Role of Mental Health Centers in Diagnosis and Evaluation. Last year the Committee also directed letters to the Joint Budget Committee and the Department of Institutions asking them to explore the role of community mental health centers and clinics in providing services such as diagnosis and evaluation to the juvenile courts and discuss the funding of such services. The Committee believes that this is a subject that warrants consideration particularly in light of the discussion regarding the role of detention centers in evaluation and diagnosis. Unquestionably, mental health centers can assist in providing direct services and in augmenting services that are already available. But a decision must be made as to how community mental health programs fit into the total picture of juvenile services.

Breaking Down Barriers to Flexibility. While one solution to eliminating duplications in some areas may be through defining and reassigning responsibility, much can be done to maximize the use of existing facilities and programs by breaking down artificial and sometimes legal barriers which hinder flexibility. For example, an agency, such as the Division of Youth Services, may have programs which could serve multi-agency but is limited to serving committed youths. The Committee was told that juveniles were sometimes held in temporary custody for the courts at Lathrop Park Youth Camp when no other suitable place of detention was available. This program was discontinued because technically there is no statutory authority for such an arrangement. The Committee believes such arrangements which may serve to fill a need should be explored and if determined to be of value and desirable the law

essary legal and administrative changes should be made to allow them to operate.

The terms of commitment to the Division of Youth Services programs and facilities could be made more flexible to meet expressed needs. Under current provisions a youth is committed to the Department for an indeterminate period, not to exceed two years. Juvenile judges have expressed the need for short-term programs to which a youth might be committed or assigned for six months or less. Some courts, such as Denver, have developed short-term programs operated in conjunction with their detention programs, which is not always a satisfactory arrangement. Perhaps the Division should be allowed to fill these types of program needs as they are identified by the courts and other agencies.

These are but two examples of barriers which might be removed to allow more flexible programming. A continual evaluation of present programs and exploration of innovative uses has the support and encouragement of the Committee.

Miscellaneous Items

Funds for the Return of Runaways. Last year the Committee recommended that the General Assembly appropriate some funds to enable the courts, welfare and other responsible agencies to return runaways to their state of residence when there are no other funds available to pay for their transportation home. The Committee believes it would be less of a financial burden for Colorado to pay for transportation back to the state of residence than to continue to hold a child in a place of detention for any length of time.

For these reasons, the Committee is renewing its recommendation that the Joint Budget Committee and the General Assembly make a small fund available for the return of runaways from other states. The Committee believes the fund could be administered by the Division of Juvenile Parole which is charged with the administration of the Interstate Compact on Juveniles. Juvenile Parole could then make monies available to the courts or welfare departments which have assumed responsibility for the juvenile.

Juvenile Parole Revocation Procedures. A recent decision of the United States Supreme Court in Morrissett v. Brewer, 40 U.S.L.W. 5016 (U.S. June 29, 1972), has prompted the Committee on Criminal Justice to recommend an amendment to the statutes governing adult parole revocations to insure that procedures provide the elements of due process spelled out in the Supreme Court decision. The Committee has directed an

inquiry to the Colorado Attorney General asking if this decision applies as well to juvenile parole revocation proceedings and if so whether the Children's Code needs to be amended in this regard. If the Attorney General responds that changes must be made in the Children's Code, the Committee will be introducing a bill directly in 1973 to provide the compliance that is required.

SUMMARY

The Committee, in this report, identifies several major areas of concern which need to be received by the General Assembly and the appropriate administrative agencies. An Ad Hoc Committee on Juvenile Services composed of professional youth workers will be working with the 1973 General Assembly to find solutions to these issues.

1) How can fragmentation of services to juveniles be eliminated? The Committee has suggested such devices as consolidation of services, greater interagency cooperation, removing legal and institutional barriers to flexibility, etc. All these methods deserve further consideration.

2) Who should be responsible for the administration of detention and shelter services and what should be the purpose and function of detention and shelter care? The answers to these questions require the establishment of definitive policies and they may have statutory as well as budgetary implications.

3) Currently, several agencies are involved in the placement of adjudicated and committed juveniles in child care facilities such as group homes. County welfare departments are responsible for placement of most of the youngsters who are adjudicated delinquents, CHINS, or dependent and neglected; the Division of Youth Services has funds for the placement of youths committed to the Department; the courts in the metropolitan areas have some federal funds for the direct placement of youths who are adjudicated but not committed. Having so many agencies involved has sometimes resulted in confusion and frustration and has presented problems in budgeting and clarifying lines of authority. Would it be preferable to have a single agency responsible and funded for all such placements? If so, what agency would be most appropriate for this task?

4) What new programs need to be developed or how can existing programs be better utilized to meet the demand for diversified, decentralized facilities? How should these programs be administered and financed?

BILL A

A BILL FOR AN ACT

1 AMENDING THE "COLORADO CHILDREN'S CODE" TO DELETE REFERENCES TO
2 THE COLORADO YOUTH CENTER.

3 Be it enacted by the General Assembly of the State of Colorado:

4 SECTION 1. 22-1-15, Colorado Revised Statutes 1963 (1967
5 Supp.), is amended to read:

6 22-1-15. Existing state institutions and agencies - change
7 of name. Those state institutions and state agencies in
8 existence on July 1, 1967, and reestablished by articles 8 and 9
9 of chapter 22, C.R.S.---1963, as reenacted, shall continue as
10 organized and existing on July 1, 1967, except as the same are
11 changed or modified by the provisions of said chapter 22, as
12 reenacted. ~~The change of name of the "state children's home" to~~
13 ~~the "Colorado youth center" shall not impair property rights~~
14 ~~acquired and obligations incurred by said institution before July~~
15 ~~1, 1967, under any name or title by which said institution was~~
16 ~~formerly designated.~~

17 SECTION 2. 22-3-12 (1) (h) (i), Colorado Revised Statutes
18 1963 (1967 Supp.), is amended to read:

19 22-3-12. Child in need of supervision - disposition. (1)
20 (h) (i) The court may commit the child to the department of
21 institutions for placement in the Colorado youth center; any

1 other group care facility or other disposition as may be
2 determined by the department, as provided by law.

3 SECTION 3, 22-3-14 (2) (a), Colorado Revised Statutes 1963
4 (1969 Supp.), is amended to read:

5 22-3-14. Commitment to department of institutions. (2)

6 (a) Unless and until otherwise changed by the department of
7 institutions, the Colorado youth center, the Lookout Mountain
8 school for boys and the Mount View girls' school are designated
9 as the receiving centers for children in need of supervision
10 committed to the department, and the Lookout Mountain school for
11 boys and the Mount View girls' school are ALSO designated as
12 receiving centers for delinquent children committed to the
13 department.

14 SECTION 4, 22-8-2 (1), Colorado Revised Statutes 1963 (1969
15 Supp.), is amended to read:

16 22-8-2. Receiving centers - designation. (1) Unless and

17 until otherwise changed by the department of institutions, the
18 Colorado youth center, the Lookout Mountain school for boys and
19 the Mount View girls' school are designated as the receiving
20 centers for children in need of supervision committed to the
21 department under section 22-3-12, as amended, and the Lookout
22 Mountain school for boys and the Mount View girls' school are
23 ALSO designated as receiving centers for delinquent children
24 committed to the department under section 22-3-13, as amended.

25 SECTION 5, 22-8-11 (1) and (2) (a), Colorado Revised
26 Statutes 1963 (1967 Supp.), are amended to read:

27 22-8-11. Directors - duties. (1) A director of each

1 facility established by section 22-8-1 and sections 22-8-6
2 through--22-8-9 TO 22-8-8 shall be appointed by the director of
3 institutions pursuant to article XII, section 13, of the state
4 constitution.

5 (2) (a) It shall be the duty of the director of each
6 facility established by section 22-8-1 and sections 22-8-6
7 through-22-8-9+ TO 22-8-8:

8 SECTION 6. 22-8-17 (2) and (3), Colorado Revised Statutes
9 1963 (1971 Supp.), are amended to read:

10 22-8-17. Alternate placement. (2) After evaluation has
11 been completed as required by section 22-8-3, children committed
12 to the custody of the department of institutions under section
13 22-3-12 shall be placed in public or private facilities with
14 which the executive director of the department of institutions
15 has entered into agreements or contracts under the provisions of
16 section 22-8-10. ~~instead-of-being-placed-in--the--Colorado--youth~~
17 ~~center.~~ If it is determined by the department of institutions
18 that a child so evaluated requires institutional placement in
19 Lookout Mountain school for boys or Munt View girls' school,
20 approval of the committing court shall be obtained prior to such
21 disposition.

22 (3) The executive director of the department of institutions
23 may assign any child placed by the department of institutions in
24 any facility established under sections 22-8-1, 22-8-6, OR 22-8-7
25 ~~or-22-8-9,~~ to any other facility established under sections
26 22-8-1, 22-8-6, OR 22-8-7 ~~or-22-8-9~~ for educational training,
27 treatment, or rehabilitation programs. The assignment and the

1 transportation of a child to and from such program as a daily
2 basis shall not constitute a transfer or change of placement of
3 the child.

4 **SECTION 7. Legal.** 3-21-4 (1) (1), 3-22-12 (1) (1), 22-6-3
5 (1), 22-6-4 (1) (c) and (3), 22-6-9, and 22-6-17 (1), as amended,
6 are repealed.

7 **SECTION 8. Emergency clause.** The general assembly hereby
8 finds, determines, and declares that this act is necessary for
9 the immediate preservation of the public peace, health, and
10 safety.

APPENDIX A

AD HOC COMMITTEE ON JUVENILE SERVICES

Gerald Agee, Chairman
Chief, Division of Youth Services

Senator Ruth Stockton
Chairman, Committee on Institutions & Rehabilitation

Representative Phil Massari
Member, Committee on Institutions & Rehabilitation

Representative Tilman Bishop (Alternate)
Member, Committee on Institutions & Rehabilitation

Judge John Evans
Denver Juvenile Court

Judge John Gallagher
Fourth Judicial District

Judge James Delaney (Alternate)
Seventeenth Judicial District

Larry Grauberger
Youth Development Planning Officer
Division of Youth Services

Dick Stewart
Chief Probation Officer, Eighteenth Judicial District

Will Foxworth, Superintendent
Zebulon Pike Juvenile Detention Center

Dave Lillie
Foster Care Consultant - Department of Social Services

Milton C. Hanson, A.C.S.W. (Alternate)
Supervisor, Special Services
Family & Children's Services
Department of Social Services

Lynne Hufnagel
Attorney-at-Law, Juvenile Advocacy Division
Legal Aid Society of Metropolitan Denver

Legislative Council Staff
Mrs. Kay Miller
Mr. Dave Morley

APPENDIX B

DEPARTMENT OF INSTITUTIONS DIVISION OF YOUTH SERVICES CHINS SERVICES SECTION

PLACEMENT STATISTICS

Period of Report: July 1, 1971 through September 30, 1972

SUMMARY

<u>Total Placements:</u>	557
Free Placements:	316
Paid Placements:	<u>241</u>
Total	557
<u>Total Number of Children Placed:</u>	354
Boys:	204
Girls:	<u>150</u>
Total	354

COSTS

State Funds:	\$128,742.
Federal Funds:	<u>79,986.</u>
Total	\$208,728.

Total Number of New Facilities Developed:	6
Total Bed Capacity:	57

DEPARTMENT OF INSTITUTIONS
 DIVISION OF YOUTH SERVICES
 CHINS SERVICES SECTION

PLACEMENT STATISTICS
PAID PLACEMENTS

FROM:

Youth Services Reception Center	84
Lookout Mountain School for Boys	5
Mount View Girls' School	15
Golden Gate Youth Camp	1
Lathrop Park Youth Camp	2
Courts (Direct)	119
Community Placements	<u>15</u>
Total	241

TO:

Boys World	17
Savio House	3
Griffith Hall	1
Neuville Center	8
Glasier House	10
Arizona Ranch School	8
Teen Acres	2
Frontier Boys Village	1
Community Group Home	91
Colorado Boys Ranch	2
Longmont Attention Homes	11
Boulder Attention Homes	52
Double M Boys Ranch	6
El Dorado Heights	2
Cenikor	2
Third Way House	1
Denver Children's Home	2
Crittenton	2
Brockhurst Boys Ranch	2
Omar Nichols Home	1
Our House	3
Parks	2
Casa Vista	1
Owl House	<u>11</u>
Total	241

DEPARTMENT OF INSTITUTIONS
DIVISION OF YOUTH SERVICES
CHINS SERVICES SECTION

PLACEMENT STATISTICS

FREE PLACEMENTS

Total Number of Placements: 316

Foster Home	10
Parents	93
Relatives	7
Vocational - Independent	5
Golden Gate Youth Camp	24
Lathrop Park Youth Camp	24
Mount View Girls' School	66
Lookout Mountain School for Boys	32
Youth Services Reception Center	38
Fort Logan Mental Health Center	3
Lakewood Boys Home	4
Holland House	6
Monument #1	1
Detention Centers	2
Crittenton	<u>1</u>
Total	316

APPENDIX C

Juvenile Probation-Parole: A Comparison of Other States' Systems

A study of the probation and parole systems of other states was accomplished, focusing upon the administration of probation and parole in the various states. For purposes of comparison, the states have been divided into three categories: those states in which probation and parole are administered by separate agencies; those states in which the administration of probation and parole is governed by a single agency; and those states in which the administration of probation and parole is shared by two agencies.

Of the 30 states which reported that the administration of probation and parole is governed by separate agencies, as is the case in Colorado, a consensus of those responding indicates that probation is generally handled as a judicial function and is governed most usually by county juvenile courts or a juvenile section of the court. Parole, on the other hand, is operated by all 30 states in this category as an administrative function which is usually governed by an agency of a corrections department, although several states responded that a Department of Welfare or Social Services is entrusted with the supervision of parole. Only two of the 30 states (Maine and New Hampshire) in this category conduct probation as an administrative function while North Carolina is the only state operating under a system whereby probation is supervised by both judicial and administrative agencies.

Six states responded that the administration of probation and parole is governed by a single agency and, of those states operating under such a consolidated system, the administration of probation and parole is an administrative function in four of the states; a judicial function in the remaining two states.

The remaining 13 states responded that the administration of probation and parole is shared by two agencies. An example of such a situation occurs in the state of Tennessee, where the Division of Juvenile Probation provides probation and parole services for the entire state, except in the jurisdictions of seven special courts in which parole is still a function of the division but probation services are provided by the courts themselves. The consensus of these states operating under this shared system indicates that probation and parole are the functions of a state-wide administrative agency except in certain counties or judicial districts, where the local court staff provides probation services (i.e., the situation as described above in the state of Tennessee). Only two states, Virginia and Alabama, responded that parole, as well as probation, is a judicial and an administrative function.

Summation of 49 State Survey on Probation and Parole*
(November 15, 1972)

Category			Probation Agency			Parole Agency		
<u>Separate</u>	<u>Comb.</u>	<u>Shared</u>	<u>Admin.</u>	<u>Judicial</u>	<u>Adm./Jud.</u>	<u>Admin.</u>	<u>Judicial</u>	<u>Adm./Jud.</u>
30			2	27	1	30 ^{1/}	0	0
	6		4	2	0	4	2	0
		13 ^{2/}	0	0	13	11	0	2

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- ^{1/} Washington and North Carolina parole systems are unclear as to supervising agency. However, data received infers that the parole systems in those states are an administrative function.
- ^{2/} Kentucky and Louisiana responded that probation is both a state and a county function while parole is solely a state function. However, neither state identified the agencies which govern the administration of these programs. For purposes of this comparative study, probation was classified as both a judicial and an administrative function while parole was classified as an administrative function.

*NOTE: The state of Alaska reported there is not an established system of juvenile parole. Thus, data concerning Alaska was excluded from the above table.

Prepared by
Legislative Council Staff

STATE SURVEY OF PROBATION AND PAROLE

State	Source of Information	Parole/Probation		Juvenile Probation Agency	Adm./Jud.		Juvenile Parole Agency	Adm./Jud.		Annual Cost per Juvenile		Comments and Observations
		Comb.	Sep.		Probation	Parole						
Alabama	Dept. of Pen- sions and Security	X (See explanation under juvenile parole)	X	16 counties -- court employed prob. staff 51 counties -- Dept. of Pen- sions & Secur- ity appointed as probation officer	X	X	Board of Trustees of Juvenile In- dustrial Schools grant parole. Parole super- vision is conducted by probation of- ficers in each county.	X	X	Not Available	Not Available	Current system is highly fragmented. Respondent suggests solution is to create State Dept. of Youth Services or make existing Dept. of Pen- sions & Security respon- sible for all services relative to juvenile delin- quency, i.e., preven- tion, probation, deten- tion, institutions, af- tercare, etc.
Alaska	Dept. of Health and Social Ser- vices, Div. of Correc- tions and Alaska Stat. 47.10.200	Not Applicable		Dept. of Health and Social Ser- vices	X		No system of juvenile parole.		Not Applica- ble	\$250	Not Applicable	Source suggests combin- ing responsibility for field supervision and in- stitutions in one agency
-6-												
Arizona	Dept. of Corrections & Arizona Statutes		X	Juvenile Court, however in coun- ties of less than 250,000, the court may con- tract with the Dept. of Correc- tions to provide prob. services.		X	State Dept. of Correc- tions		X	Not Available	\$600	Two years ago an attempt to transfer probation to the Department of Correc- tions failed.
Arkansas	Arkansas Juvenile Serv., Aftercare Parole Section		X	Courts, Munici- pal and Local		X	Juvenile Service Agency		X	\$210	\$350	
California	Dept. of the Youth Author- ity		X	County probation departments		X	California Youth Author- ity		X	\$250 (\$500 inc. investi- gation, detention & super- vision)	\$658	Committed to a program that delivers services thru county government, therefore the state sub- sidizes many local pro- grams.

State	Source of Information	Parole/Probation Comb.	Sep.	Juvenile Agency		Adm./Jud.	Juvenile Parole Agency	Adm./Jud.	Annual Cost		Comments and Observations
				Probation Agency	Adm./Jud.				Probation	Parole	
Colorado			X	Juvenile Division of District Courts	X	Division of Juvenile Parole	X				
Connecticut	Dept. of Children and Youth Services		X	Juvenile Court	X	Dept. of Children & Youth Services	X	\$813	\$640		Source thought if combined, should be a function of Department of Children & Youth Service
Delaware	Division of Juvenile Corrections		X	Family Court	X	Div. of Juv. Corrections, Dept. of Health and Social Services	X	Not Available	\$545		Source thought that probation and aftercare would be ideally combined under one administrative structure -- the Division of Juvenile Corrections.
Florida	Division of Youth Services	X		Div. of Youth Services	X	Div. of Youth Services	X	\$551	\$551		As of Oct. 1, 1971, Div. was made responsible for providing juvenile intake and probation services state-wide.
Georgia	Division of Youth Services	X	X	Div. of Youth Services and Juvenile Court	X	Court Services of Div. of Youth Services	X	\$115	\$115		In only 17 counties do juvenile courts supervise juvenile probation. In the remaining 142 counties the Div. of Youth Service is the supervising agency
Hawaii	Juv. Parole, Dept. of Corrections, Statute		X	Family Court	X	Dept. of Soc. Services, Corrections Division	X	Not Available	\$588 (1969 figure)		Source would place both functions under administration of a Youth Division.
Idaho	Youth Rehabilitation Division, Statute	X	X	Courts have own probation officers or contract with Board of Health Rehabilitation Counselors (16-1820, 1971 Supp.)	X	Board of Health, Div. of Youth Rehabilitation	X	\$275	\$275		Source indicated he would set up an administrative agency to run total youth program separate from judicial branch.
Illinois	Dept. of Corrections and Statute		X	Courts	X	Dept. of Corrections	X	\$727	\$1,000		Source indicated that direct services ought to be administered under appropriate entity of local government -- municipality, county, region, etc.

State	Source of Information	Parole/Probation		Juvenile Probation Agency	Adm./Jud.	Juvenile Parole Agency	Adm./Jud.	Annual Cost per Juvenile		Comments and Observations	
		Comb.	Sep.					Probation	Parole		
Indiana	Dept. of Corrections, Div. of Probation		X	Juvenile Court	X	State Dept. of Corrections	X	\$223-450	\$445	Question of combining probation and parole currently under discussion.	
Iowa	Bureau of Family and Childrens Services, Supt., Iowa Training School for Boys, Chief Probation Officer and Statutes		X	Juvenile Court	X	Parole granted by Training School Supt.; supervision by area Social Worker under Div. of Field Services	X	N/A	N/A	From three responses, three suggestions: 1) establish separate Dept. of Corrections with a Youth Division responsible for all youth services. 2) set up state administered program with local offices relative to judicial districts. 3) combine probation & parole under the juvenile court.	
Kansas	Statute and telephone conversation	X		Juvenile Court (38-814)	X	Juvenile Court	X				
Kentucky	Dept. of Child Welfare	X	X	State function (Agency responsible unclear) Four counties provide own probation services.	X	X	State function (agency responsible unclear)	X	\$575	\$575	Source indicated that all probation, residential care and aftercare services ought to be combined under one agency.
Louisiana	Dept. of Corrections and Dept. of Public Welfare	X	X	State Dept. of Public Welfare, except in some of the larger parishes which have their own probation staff.	X	X	State Dept. of Public Welfare	X	\$120	\$120	Even though Louisiana has a combined system, the source listed advantages of having services provided by different agencies, i.e., giving juvenile courts continuing jurisdiction to exercise some control over other agencies. NOTE: Welfare responsible for probation and parole. Corrections operates institutions.
Maine	Div. of Prob. and Parole, Dept. of Mental Health and Corrections		X	Div. of Prob. & Parole	X	Juvenile institutions	X	\$196 (1968-69 figure)	\$196	Expected that this year Div. of Prob. & Parole will assume responsibility for parole supervision.	

State	Source of Information	Parole/Probation		Juvenile Probation Agency	Adm./Jud.		Juvenile Parole Agency	Annual Cost per Juvenile		Comments and Observations	
		Comb.	Sep.					Probation	Parole		
Maryland	Commissioner of Corrections Director of Juvenile Services and Statutes	X	X	Dept. of Juvenile Services provides (Art. 52A) officers who are under direct supervision of juvenile judge.	X	X	Dept. of Juv. Services	X	\$325	\$325	Source indicated that Youth Services should operate as an independent agency furnishing probation, parole and institutional services to the courts but should be absolutely independent of any administrative control by the courts.
Massachusetts	Commissioner of Probation and Statute		X	Judicial Branch - Office of the Comm. of Probation.		X	Dept. of Youth Services	X	\$164 (based on prob. off salaries only)	N/A	Respondent thought the two functions could be administered under the judicial branch but that judges themselves should be free from all administrative responsibilities
Michigan	Office of Youth Services, Community Services Div.		X	Juvenile Court		X	Office of Youth Services, Dept. of Social Services	X	\$1,000	\$1,000	Source would place both programs in administrative agency, either local with strong state standard-setting and monitoring role, or in a State agency such as Youth Services with services provided by locally-based units. Comment to restrict court to "appropriate" judicial functions
Minnesota*	Dept. of Corrections	X	X	Juv. Court or by contract through Dept. of Corrections. All agents supervised by field supervisors from Dept. of Corrections	X	X	Dept. of Corrections State parole Agents	X	\$350	\$350	Although unclear, appear that metropolitan counties maintain their own system of probation and parole and the Dept. of Corrections does not supervise their agents nor contract with them for services. When Dept. of Corrections provides the service, the youth has the same field agent whether he is on probation or parole.
Mississippi	Statute		X	Family Court (§ 7187-22)		X	Trustees of State Training Schools	X			Statute unclear on parole supervision.

State	Source of Information	Parole/Probation Comb.	Parole/Probation Sep.	Juvenile Probation Agency	Adm./Jud.	Juvenile Parole Agency	Adm./Jud.	Annual Cost per Juvenile	Probation	Parole	Comments and Observations
Missouri	Board of Probation and Parole	X	X	Court appointed Juv. Probation officers	X	Board of Training Schools field staff	X				State has had considerable discussion concerning consolidation of services on a state-wide level.
Montana	Dept. of Institutions	X	X	Juvenile Courts	X	Aftercare Division, Dept. of Institutions	X	\$139.31			Source would maintain program as is: state supervision and payment of parole, county payment for probation. Source also indicated that, if combined, the Dept. of Institutions should be governing agency.
Nebraska	Nebraska State Probation Administrator	X	X	State prob. Admin. appointed by Nebraska District Court Judges Assn.	X	Div. of Corrections, Dept. of Public Institutions	X	\$125.00		Unknown	Sources indicated that probation and parole should remain separate.
Nevada	Superintendent, Youth Training Center	X	X	County Juvenile Departments	X	Adm. by Supt. of two youth Training Centers. Each has own parole staff	X	Unknown		\$372	Source would combine probation and parole as an administrative agency. Source also would divide agency into pre and post court programs.
New Hampshire	N.H. Dept. of Probation	X	X	N.H. Probation Board	X	N.H. Parole Board	X	\$135		\$300	
New Jersey	Dept. of Institutions & Agencies and Administrative office of the courts	X	X	County prob. officer of juv. and Domestic Relations Courts	X	Dept. of Institutions & Agencies	X	less than \$500		\$414	Sources were content with present separated system. Court Administrator favored a state-level probation system, with the director appointed by, and responsible to, the Chief Justice of the Supreme Court (state).
New Mexico	N.M. Statutes	X	X	District Courts	X	Either adult probation and parole Div., any other state agency, or by contractual arrangement	X	Unknown		Unknown	

State	Source of Information	Parole/Probation		Juvenile Probation Agency	Adm./Jud.		Juvenile Parole Agency	Annual Cost per Juvenile		Comments and Observations	
		Comb.	Sep.					Probation	Parole		
New York	Director, Bureau of Children's Institution Services, Div. for Youth		X	County Family Courts		X	Div. for Youth	X	\$1,100-1,400 (Depending on county)	down-state \$701.05 upstate \$609.08 Div. for Youth \$368.59	Source indicated there seems to be no benefit combining these service under one central state administration in the state of New York, except in establishing state-wide standards in administration.
North Carolina	Director of Probation, Dept. of Soc. Rehabilitation & Control		X	District courts, Social Services Dept., & Adult Prob. Dept.	X	X	Unclear	Unknown	Unknown	Unknown	A proposal has been presented to the Governor, urging that a unified probation/parole system be established. The main thought behind the proposal is to provide uniformity in treatment services. Unclear as to the current system. There perhaps a consolidated system administered by various local and state agencies.
North Dakota	Director, State Youth Authority, Dept. of Soc. Serv.	X	X	Juvenile courts with authority to delegate to State Youth Authority	X	X	State Industrial School which delegates most parole services to St. Youth Authority	X	Unknown	Unknown	Source indicated that greater emphasis should be given to working with the youth in his own community, including monetary incentives.
Ohio	Ohio Youth Commission		X	Juvenile Courts		X	Ohio Youth Commission	X	Unknown	\$500	Source did not favor combining probation and parole.
Oklahoma	Dept. of Corrections and Dept. of Soc. Services		X	Juvenile Bureau of District Courts		X	State Welfare Department	X	@\$600	\$390	Ideally, the source favored unifying probation and parole under the State Welfare Dept. Probation and parole services would be purchased from the counties, or regions of counties. Monetary incentives should be offered to encourage counties to work with youth at the local community level.

State	Source of Information	Parole/Probation		Juvenile Probation Agency	Adm./Jud.		Juvenile Parole Agency	Annual Cost per Juvenile		Comments and Observations	
		Comb.	Sep.					Probation	Parole		
Algon	Children's Services Division	X	X	Juvenile Courts and Children's Services Div.	X	X	Children's Services Div.	X	Unknown	\$936	Source indicated discontent by the judiciary and State Bar with present system whereby probation officers are responsible to juvenile judge. They feel this relationship impinges on the judge's ability to maintain an unbiased judicial opinion.
Pennsylvania	Board of Probation & Parole, Penn. Statutes & Office of Children & Youth, Bureau of Youth Serv.	X		Juvenile courts or juvenile sections of county courts		X	Juvenile courts or juvenile sections of county courts	X	\$150	Unknown	Probation and Parole are combined at the county level. Source favored a state-level system. Source also emphasized community placement of youth.
Delaware	Dept. of Adult Probation and Parole	X		Juvenile Probation & Domestic Relations	X		Juvenile Probation and Domestic Relations	X	Unknown	Unknown	Under the consolidated probation-parole system, fewer officers are serving the respective cases.
North Carolina	S.C. Prob., Parole, and Pardon Bd., S.C. statutes, and Bureau of Juvenile Placement & Aftercare		X	Family Court		X	Dept. of Juvenile Placement & Aftercare	X	Unknown	\$350	Source emphasized that placement and aftercare should be completely separated from corrections.
South Dakota	Bd. of Pardons & Parole		X	Prob. Offices of District County Courts		X	State Board of Pardons & Paroles	X	Unknown	\$390	
Tennessee	Div. of Juvenile Prob., Dept. of Corrections	X	X	7 special courts and Div. of Juvenile Probation	X	X	Div. of Juvenile Prob.	X	\$300	\$300	Source favored creation of a Div. of Probation & Parole under a Dept. of Corrections or a Youth Authority.
Texas	Texas Youth Council		X	County Juvenile Court		X	Texas Youth Council	X	Unknown	\$325	Source believed opposition of Juvenile Judges too strong to make probation an administrative function.
Utah	St. Juv. Ct. Adm. & Law Enf. Plan. Pgm.		X	St. Juvenile Court		X	St. Industrial School	X	\$300-400	\$300	

State	Source of Information	Parole/Probation		Juvenile Probation Agency	Adm./Jud.		Juvenile Parole Agency		Annual Cost per Juvenile		Comments and Observations
		Comb.	Sep.				Adm./Jud.	Probation	Parole		
Vermont	Dept. of Corrections	X		Dept. of Corrections	X		Dept. of Corrections	X	\$400	\$400	Source favored a probation/parole div. as an autonomous unit of Dept. of Corrections, with a separate budget and the director responsible only to Commissioner of the department.
Virginia	Div. of Youth Services	X	X	Dept. of Welfare & Institutions or local juvenile & Domestic Courts	X	X	Dept. of Welfare & Institutions or local juvenile & Domestic courts	X	@\$700	@\$700	Dept. of Welfare & Institutions provides probation & parole services (after July 73) to local courts in most counties. If local Juvenile & Domestic Courts provide probation & parole services, they will have to adhere to state standards regarding such.
Washington	Juv. Correctional Serv., Dept. of Soc. & Health Serv.		X	County function (most likely Juv. Sec. of county courts)	Unknown		State function (most likely Juv. Correctional Serv.)	Unknown		Unknown	Answers by source incomplete. Search of Washington statutes was equally inconclusive.
West Virginia	Bd. of Prob. & Parole, Dept. of Corrections & W. Vir. Statutes	X	X	Dept. of Public Welfare, county court, or Div. of Correction	X	X	Division of Correction	X	Unknown	Unknown	State provides juvenile probation services, through Dept. of Public Welfare, to those counties which do not maintain their own probation office.
Wisconsin	Div. of Corrections, Bureau of Probation & Parole	X	X	County probation systems and Bureau of Probation and Parole	X	X	Bureau of Probation and Parole	X	\$400	\$400	Some counties provide probation services. Probation & parole also provided by Div. of Corrections, for both adults & juveniles.
Wyoming	Dept. of Probation and Parole	X		Dept. of Probation and Parole	X		Dept. of Probation and Parole	X	\$348	\$348	Source indicated adult & juvenile probation & parole services provided dept. He favored retaining the basic administrative & clerical functions of adult & juvenile services under one agency, but noted that separate philosophies and duties of officers must be defined.

* Two sources listed because of conflicting data.