



# 9 THINGS LEAP WANTS GALS, CFY, AND JUDICIAL OFFICERS TO KNOW ABOUT DELINQUENCY ADJUDICATIONS AND COMMITMENTS

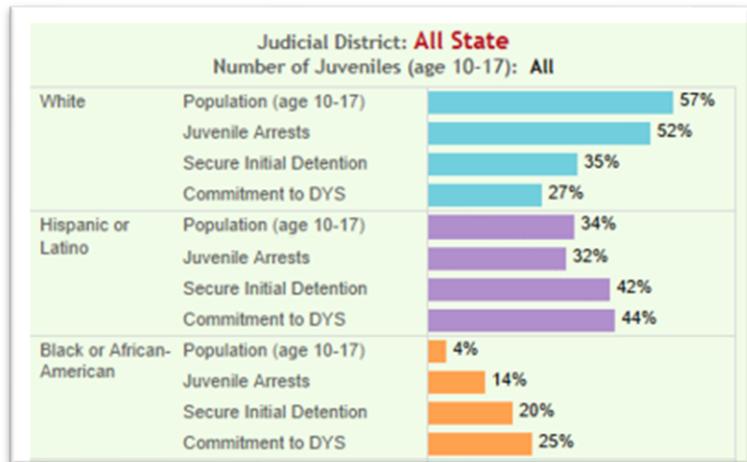
We are OCR's Lived Experts Action Panel - young people who have had a Dependency and Neglect, Foster Youth in Transition Program, Delinquency, and/or Truancy case who participate in OCR's efforts to create and improve laws, policies, and practice in ways that serve the best interests of young people. We created this document to share our experiences of the delinquency system with guardians ad litem (GALs), Counsel for Youth (CFY), and judicial officers.

## 1. BRAIN DEVELOPMENT

- Young people's brains are very different than adults' brains. Our prefrontal cortex is not fully developed until we are in our mid-20s; this is the part of the brain that controls our impulses, and our ability to reflect, think about consequences, and resist peer pressure.
- LEAP says: "Why does it make sense to sentence children whose brains are not fully developed?" "I was facing a transfer to adult court at 15."

## 2. RACIAL DISPROPORTIONALITY

- Hispanic/Latino and Black/African American young people are significantly more likely to be detained and/or committed to DYS.
- LEAP says: "I was the only white kid on my unit for four months." "This is very eye-opening to me. It is unfair."



## 3. REQUIREMENTS OF DYS COMMITMENTS

- Young people committed to DYS are given time to serve and treatment domains to complete. Some young people committed to DYS must complete their sentence in a locked facility even after they complete their treatment domains.
- LEAP states: "No matter how good I did on my treatment domains, it would not make a difference. I still had to complete my sentence. It reinforced that even if I did my best, it would not be recognized." "I finished my treatment goals two years ago, but have been stuck serving out my time without any additional services, without my family, and with few educational opportunities."

#### 4. COLLATERAL CONSEQUENCES

- Young people experience “collateral consequences” from adjudications and some adjudications cannot be expunged. Check out *The Consequences of Adjudication: Sanctions Beyond the Sentence for Juveniles Under Colorado Law* at [www.coloradodefenders.us/juvenile/consequences-of-juvenile-adjudication/](http://www.coloradodefenders.us/juvenile/consequences-of-juvenile-adjudication/).
- LEAP says: “How can I be expected to move on as an adult when my juvenile past/reputation is constantly following me?” “My restitution is over \$3,000,000.” “My record from when I was 15 shows up in my background checks shows up as an adult.” “Colleges can see my record.”



#### 6. FAMILY TIME

- DYS facilities are only required to provide 1 visit per week with family members to youth in custody. Similarly, DYS facilities are only required to provide one 10-minute telephone call per work with approved family members to youth in custody.
- LEAP says: “I have a kid. My parole officer told me I had to reach a level before I could visit with my own kid.” “It was really hard to go from 24/7 contact with my mom to one 10-minute call a week.”

#### 7. ACCESS TO HYGIENE PRODUCTS AND OPPORTUNITIES

- DYS policy requires facilities to provide adequate shower access and hygiene products such as soap and shampoo, but it often doesn’t feel like enough.
- LEAP says: “The minimum shower time at my facility is 7 minutes. That includes getting undressed, showering, and getting dressed. Showering time can go up to 10 minutes with good behavior.” “We use hand soap as shampoo.” “Bar soap isn’t meant for everything.”

#### 8. ACCESS TO TECHNOLOGY

- DYS policy says DYS “is committed to ensuring that all youth in DYS custody have the technological skills necessary to succeed as they transition into education and workforce opportunities within the community.” At the same time, limits on what materials youth can access on assigned computers can be a barrier to advancement.
- LEAP says: “My post-secondary classes for college and vocational work had syllabuses that required me to look up things on the internet. I couldn’t meet those requirements because I didn’t have access to Google.”

#### 9. ACCESS TO THE OUTDOORS

- DYS policy requires facilities to provide 1 hour of outside time 4 times a week, which may be prohibited by weather conditions and safety concerns. Young people express concerns about the quality and quantity of outdoor time.
- LEAP says: “Outside time was on a slab of hot concrete with a small patch of grass.” “Being inside all day affects my mental health. It makes me feel depressed. It makes me feel trapped.” “I spend most of my time outside, I can’t imagine what it would be like to have so little time outside.”

