



## Truancy and the Use of Detention

---

Youth with low risk of criminal offending but high needs (LRHN) for behavioral services, along with their families, are entering the juvenile justice system in order to receive services. Prior to entry into the juvenile justice system they are frequently subjected to a maze of disconnected and conflicting services that often require higher than necessary levels of care, stigmatizing labels, and ultimate criminalization that weaken the permanent supportive connections that are the foundations for pro-social adult development.

Based on the above concerns, the Colorado Juvenile Justice and Delinquency Prevention Council developed a Low-Risk/High-Needs (LRHN) committee to address the needs of juveniles who may not have high criminogenic tendencies but have high needs in the areas such as trauma, mental health or substance abuse. It is believed that undiagnosed, unmet or underserved needs in these areas significantly contribute to their eventual progression into and through the juvenile justice system. Beginning with the educational system, children and youth have significant repercussions for behavior possibly connected to these unmet needs. For example, truant behavior which research suggests is strongly associated with child abuse, neglect, poverty, family disorganization and trauma, leads to juvenile court filings (1,944 in SFY 2014) and for some leads to detention for violating a court order to attend school (204 or 10.4% of those filed on in SFY 2014). Recognizing truants as mostly low risk/high needs, the LRHN Committee selected this as the first area to address.

### Truancy and Use of Detention Study

Colorado is one of approximately 30 states where judges and magistrates can invoke a valid court order exception to the Deinstitutionalization of Status Offenders core requirement in the federal Juvenile Justice and Delinquency Prevention Act of 2002. This exception allows judges to place a juvenile in a secure detention facility if the youth has violated a valid court order. Not only does Colorado utilize this exemption, it uses it more often than most states. According to data from 2013, Colorado had the fourth highest use of the valid court order exemption, trailing only Washington, Arkansas, and Kentucky.

Currently, there is minimal literature examining the impact of detention on truant youth. However, research has shown that securely detaining low level offenders increases their risk of recidivism relative to low level offenders who were not securely detained. If the impact of detention is similar for truants (who have committed no criminal offense) and low risk offenders, then it is unlikely that a detention sentence will have the positive impacts desired by the courts. Therefore, the Division of Criminal Justice and the JJDP Council sought to understand whether truancy court practices, specifically secure

detention utilization, supports or hinders truancy court goals, namely academic reengagement, graduation, and becoming a productive member of society. The first phase of this study is now complete and we have begun to better understand factors predicting secure detention, whether secure detention for truancy predicted subsequent criminal filings, and whether secure detention for truancy predicted graduation. Among other things, results of the study indicate that local practices impact the likelihood of truancy detention to a greater extent than individual youth factors. Furthermore, truancy detention is a significant contributor to the likelihood of committing subsequent criminal offenses and makes graduating from high school 14.5 times less likely to occur for detained youth than for youth found truant but not detained. A [Truancy Detention Fact Sheet](#) describes Phase 1 of the Truancy Detention Study and findings and the full report, "[The Impact of Secure Detention for Truancy on Educational and Juvenile Justice Outcomes: A Cross System Analyses in Colorado](#)", is now available in *The Journal of Applied Juvenile Justice Services*.

## Truancy Prevention and Problem Solving Court Pilots in Colorado

To address the concerns of truant youth entering the Colorado juvenile court system, the JJDP Council in collaboration with the Colorado State Court Administrator's Office supported one Truancy Prevention and three Truancy Problem Solving Court Pilots. As a part of the projects, each of the applicants was to develop policy and procedures ensuring incorporation of Section 3 of the Coalition for Juvenile Justice's [National Safety, Opportunity & Success \(SOS\) Standards of Care for Non-Delinquent Youth](#). In addition, knowing this population has multiple system needs, applicants were to secure letters of commitment from high ranking officials from the collaborative members at a minimum schools, child welfare, juvenile justice, mental health treatment provider, and substance abuse treatment provider (or co-occurring treatment provider). The LRHN Committee continues its strong work with the truancy court pilots of the 1st, 16th and 18th Judicial Districts (JD) and the truancy prevention pilot in La Plata County. All the projects are currently operational and the LRHN committee overseeing this project has started to collect and document the learnings from the pilot sites in order to share the information and resources broadly across the state.

Case Studies for the [Truancy Prevention Pilot](#) and the 3 [Truancy Problem Solving Court Pilots](#) have been created in an effort to document the process and experiences of the pilots, presenting similarities and differences across the four sites, highlighting lessons learned, and offering guidance to others interested in the use or exploration these models. Finally, Spark Policy Institute, in collaboration with committee members of the JJDP Council's Low-Risk/High-Needs Committee, conducted an evaluation to inform the Council, Committee, and other relevant audiences about strategies to prevent truancy and improve school attendance. The evaluation sought to understand both the pilot programs' and the broader fields' level and nature of collaboration and identify catalysts and challenges to fostering new and productive partnerships. This [Truancy Pilot Evaluation](#) focused on identifying emerging lessons and promising practices for reducing truancy and key elements of the system that support or act as barriers to truancy prevention or intervention implementation.

## Next Steps

Phase II of the study which began in Spring 2016 expands the timeframe of the initial study and addresses gaps that may undercut the impact of the study. The timeframe for the study included:

- historic child welfare, dating back to 2003.
- two additional years of data so that outcomes can be tracked through the 2014-15 SFY.

All studies have limitations and it is anticipated that the initial study may be criticized because there were no indications of the severity of attendance problems or child and family problems. Some might argue that those who went to detention were the most severe cases and that is why they tended to go to detention and to have poorer outcomes. To address gaps in the initial study, we will request permission to add to additional data sets:

- Colorado Client Assessment Record (CCAR) data will be requested from the Office of Behavioral Health which will provide information on access to community mental health, family functioning and overall symptom severity.
- School district level data will be requested for a subset of students. These data could include attendance, grades, GPA, disciplinary actions, and parent engagement.

Please contact Meg Williams for more information: [meg.williams@state.co.us](mailto:meg.williams@state.co.us) or (303)239-5717.