

## **Colorado Youthful Offender System (YOS)**

### **Creation:**

- YOS was established in 1994 to provide a sentencing option for certain (male and female) youthful offenders within a controlled and regimented environment.
- YOS is under the direction and control of the executive director of the Colorado Department of Corrections (CDOC).
- Offenders sentenced to YOS are housed and serve their sentences in a facility specifically designed and programmed for YOS.

### **Target Population:**

- YOS was originally designed for violent youthful offenders between the ages of 14 and 17 at the time of their offense who were direct filed or transferred as adults. Effective October 1, 2009, the eligibility criteria for sentencing to YOS was expanded to include violent young adult offenders between the ages of 18 and 19 at the time of their offense and who are sentenced prior to their 21st birthday.

### **Sentence:**

- The court will impose an adult sentence and suspend the sentence, conditional upon successful completion of a YOS sentence of 2 to 6 years with a mandatory year of community supervision.
- If a youth is revoked from YOS, the adult sentence will be imposed.
- Sentences to YOS are determinate, day-for-day. Offenders sentenced to YOS do not receive earned time or good time credit.

### **Admission & Population Characteristics**

- The number of admissions declined from 111 in fiscal year (FY) 1996 to 54 in FY05. After a sharp increase in admissions during FY10, there has been an average of 63 admissions for the past three fiscal years, with 44 admitted in FY13.
- The average age of offenders admitted to YOS in FY13 was 19 years old.
- The median sentence to YOS for FY13 admissions was 4.8 years, while the median suspended adult sentence was 11.8 years.
- Violent offenders comprised 93% of the YOS admissions in FY13.
- The majority of YOS admissions in FY13 needed career and technical education and treatment for anger management and substance abuse problems. Over a third of YOS admissions in FY13 had academic and mental health needs.

## Completion Rates

- Overall sentence completion rates were found to be high. Since YOS was first established:
  - 73% of all YOS offenders successfully discharged their YOS sentence
  - 23% of all YOS offenders negatively terminated or had their YOS sentence revoked
  - 4% of all YOS offenders received sentence reconsiderations
- In FY13, the percentage of successful completions were much higher at 87% as compared to the overall percentage (73%). For this cohort, only 7% negatively terminated or had their sentence revoked. Due to the small number of YOS offenders, yearly variations are expected and it is the overall rate of completions and release types that provides the most meaningful data on YOS offenders' success or lack thereof.

## Recidivism

- Pre-release recidivism, defined as a new conviction for an offense that occurred during an offender's YOS sentence that resulted in his or her termination from YOS, was 8% for all YOS releases through FY13.
- Post-release recidivism rates, defined as new criminal activity that results in placement in the Department of Corrections (DOC) adult prison system following successful completion of their YOS sentence, were as follows:
  - 6% returned within 1 year
  - 20% returned within 3 years
  - 29% returned within 5 years

## Criticism

The YOS program was created as an alternative for offenders direct filed in adult court, but it has been criticized for not obtaining its objectives. Specifically, critics say:

- Because the system creates a separate layer of incarceration, separate from juveniles or DOC, it is extremely expensive;
- Recidivism figures are inflated;
- Offenders who successfully complete the program still have an adult criminal record;
- Promised programming and interventions have not been made available;
- The program does not allow for earned time making it unworthwhile for some offenders.