

OPPOSITION TO HOUSE BILL 10-1274

Bad Policy for Colorado's Children

The *Colorado Juvenile Defender Coalition* strongly opposes House Bill 1274, which purports to successfully transition children who have been removed from home back into a public school.

In fact, the bill provides no services or funding for children in already cash-strapped schools and works against successful transition by promoting push-out, drop-out, and increased recidivism.

House Bill 10-1274 creates a school-to-prison pipeline

- The definition of “identified juvenile” is vague and overbroad, including whether the child has “exhibited behavior detrimental to the welfare or safety of the identified juvenile and others” in the last 12 months they have been in an out-of-home placement.
- A child will be labeled an “identified juvenile” simply by getting into a fight with another kid, which could be self-defense or merely a hiccup prior to ultimate progress in treatment and the child has no ability to challenge this label that is code for “dangerous.”
- The bill excludes troubled children of affluent parents who are treated privately.
- Children of color are disproportionately represented in the juvenile justice system and will experience disparate treatment in being labeled as “identified juveniles.”
- The bill allows schools to appeal a child’s enrollment and direct the child into an alternative school setting which is detrimental to the child’s educational future.
- It requires the Department of Human Services to disclose information without protective orders or confidentiality guarantees, and will lead to revocation of waivers and releases.

House Bill 10-1274 is contrary to studies on successful re-entry and transition

“Meeting the Educational Needs of Youth Exposed to the Juvenile Justice System,” a 2008 report by the *National Evaluation and Technical Assistance Center for the Education of Children and Youth, who are Neglected, Delinquent, and At-Risk*, states the following:

- Resistance to reintegration from community schools impedes successful transition.
- *Inadequate funding* and inadequate specialized transition training leads to ineffective and potentially harmful practices.
- Effective programs are *strength based* to build on the strengths of children and families.

“Back on Track: Supporting Youth in Re-Entry from Out of Home Placement to the Community” a 2009 report by the *Youth Reentry Task Force of the Juvenile Justice and Delinquency Prevention Coalition*, recommends children attend traditional schools so they have access to pro-social peers and activities, with tutoring and planning for higher education.

Successful reintegration wraps services --not red flags-- around children.