

CAGING CHILDREN IN CRISIS



**A Report from the
Colorado Juvenile Defender Coalition**

An Adult Jail is No Place for a Child

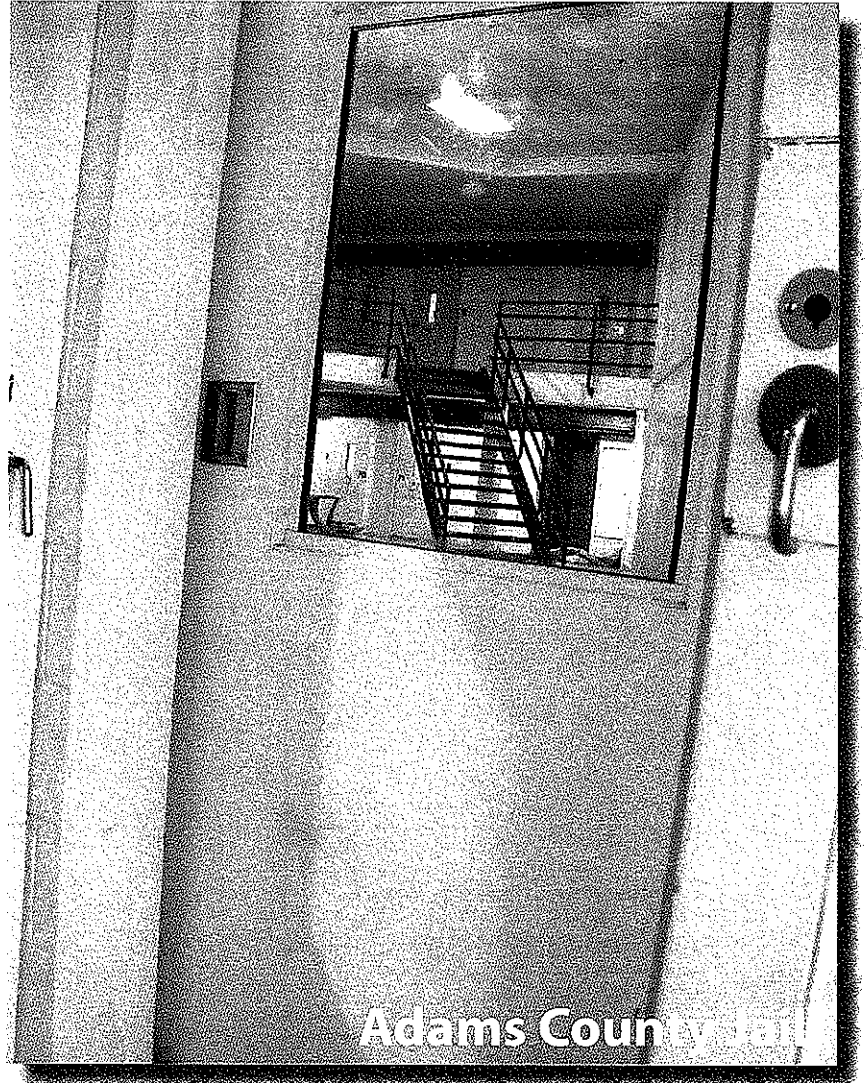
Under Colorado law, when a child is charged with a crime in adult court, they are immediately removed from the local juvenile detention facility and locked in an adult jail. There is no risk assessment or hearing conducted to determine whether restricted confinement in the adult jail is appropriate. Currently our law gives judges no discretion to keep a direct filed youth in juvenile detention if the prosecutor will not agree. There are no standards governing the prosecutor's decision to move the youth to the adult jail.

Adult jails are designed to control and contain adult inmates; they are not designed to provide high school education, pro-social behavior models, or intervention services. These children are presumed innocent, in crisis, and are often greatly in need of services.

Adult jails were not intended to house a separate juvenile population. While jail staff and administration do their best to accommodate these children, the physical limitations of these facilities and the need to ensure kids safety necessarily results in isolation and unwarranted restrictions.

Deputies and staff who work at the jails have limited to no training in adolescent development and the management of juvenile populations.

Children locked in jails experience worse conditions than the larger adult population, which has greater access to programs and recreation.



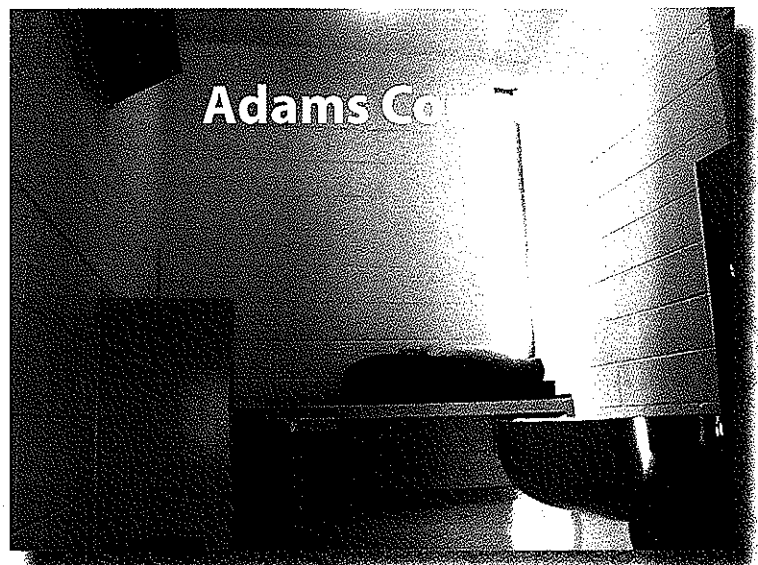
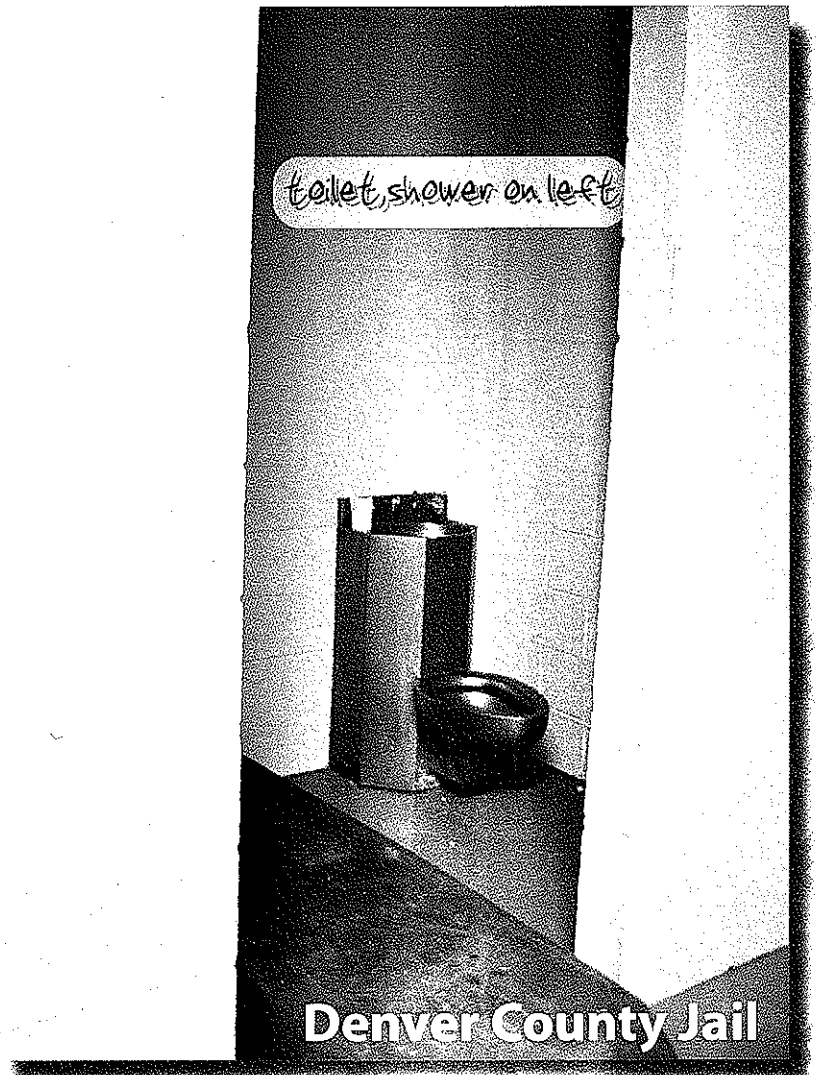
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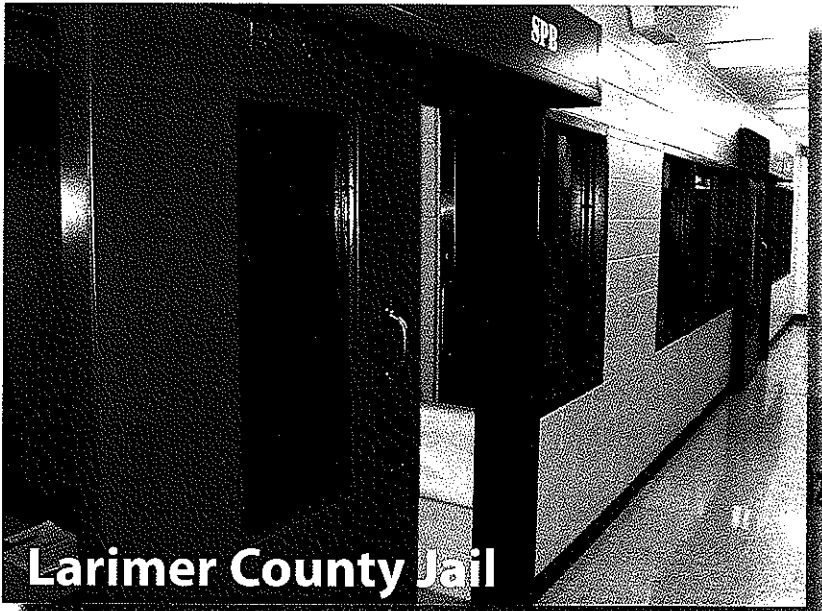
At juvenile detention facilities kids are busy all day long. They wake up, eat breakfast in the cafeteria, go to school, eat lunch in the cafeteria, go back to school, return to their pod for guided feedback sessions with staff, engage in organized recreation outside or in a gym, eat dinner in the cafeteria, participate in AA, NA or other community group activities, shower and go to bed. Certified teachers provide regular and special high school education. Kids are grouped by age and risk, and there are strict rules regarding behavior, allowing for increased privileges or consequences. There is always adult staff present in the pod.

In the adult jail there is nothing to do but sit around and wait. There might be GED classes for an hour a few times a week, but there is no high school or special education. There is no adult staff inside the pod to supervise or redirect the kids. There may be a chaplain visit but there are no community programs.

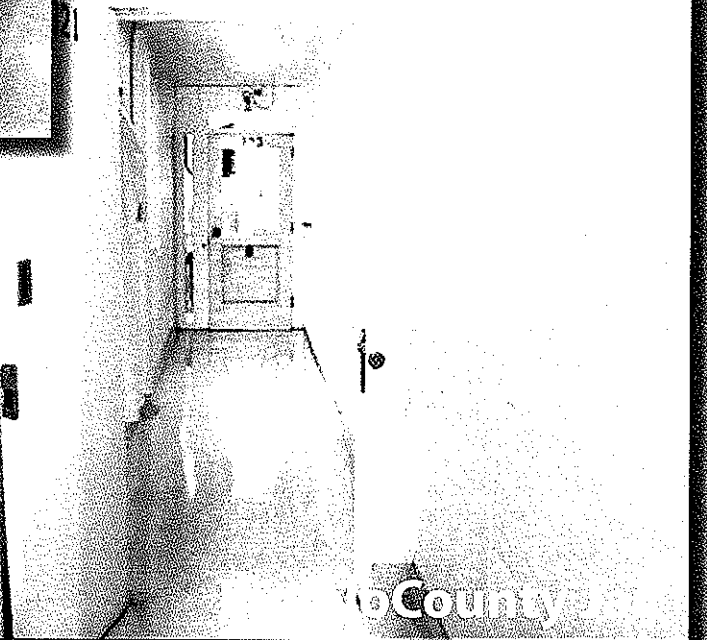
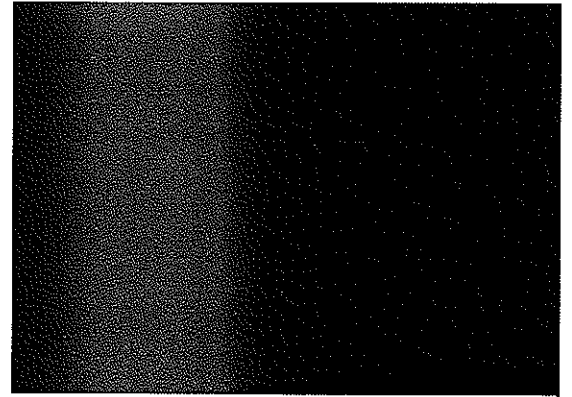
For boys and girls in adult jails, there is little recreation and no organized gym. In the Denver County Jail, kids never go to the outside yard. In the Adams County Jail, kids may get an hour in a cement enclosed area covered by a chain-link fencing, if weather permits and staff is available. There is no indoor gym.

Although jails have juveniles physically segregated from adults, at most jails kids can hear and see adult inmates throughout the day and night. For instance, in the Adams County Jail, kids reported hearing an adult inmate in the next pod screaming throughout the night. They also said they slept with a light on, or would be woken every 30 minutes throughout the night when the guard shined a flashlight in their cell.

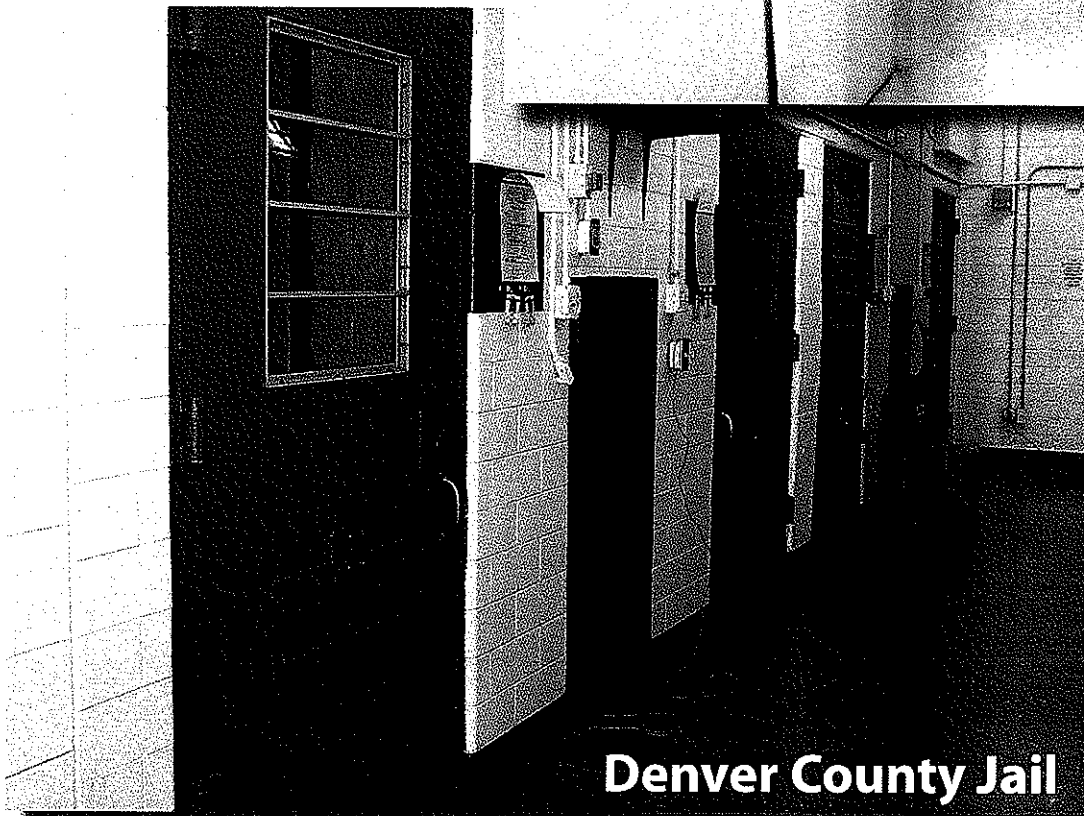




Larimer County Jail

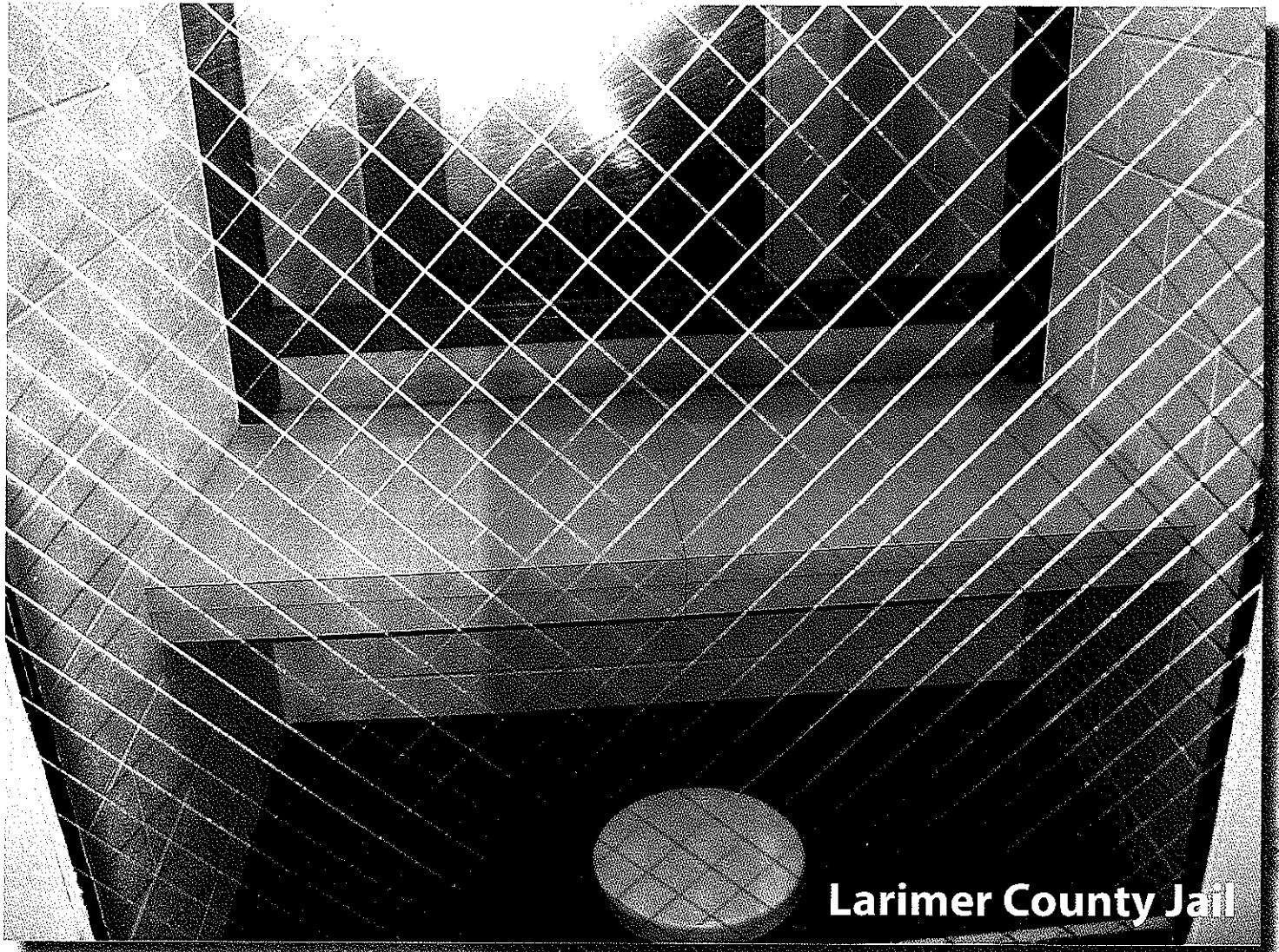


Denver County Jail



Denver County Jail

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Juvenile facilities have rooms available for contact visits, where a child can have a parent or a loved one and hold their hand during a visit. Kids who behave well are even allowed to have contact visits with chaperoned friends. The youth describe these visits as critically important to them.

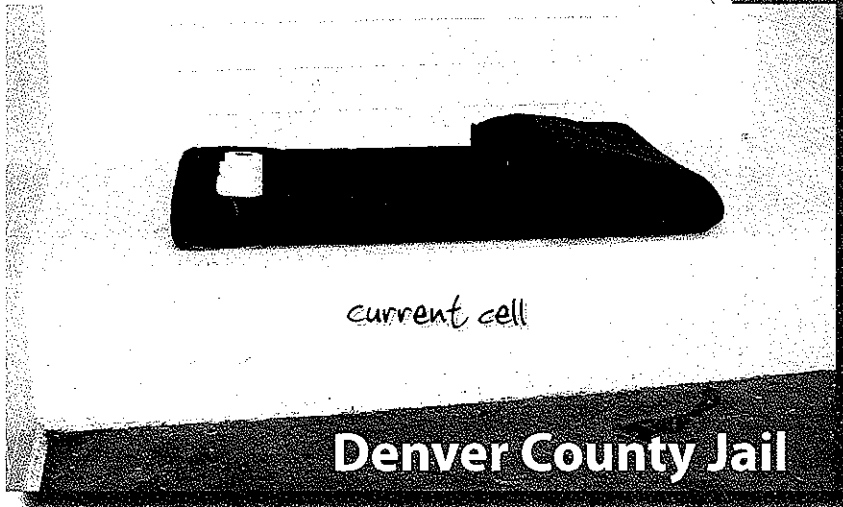
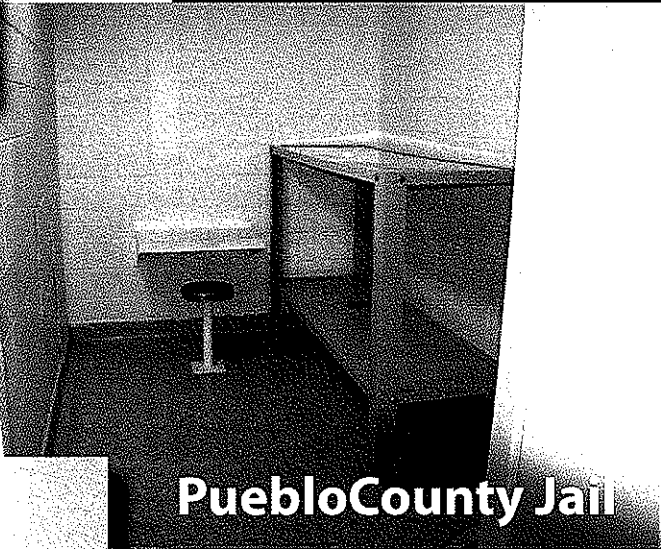
Kids in adult jails have no physical contact with visiting family members, when visits are permitted. Visitation occurs through a glass wall or while sitting at a video screen and talking over a telephone. For the duration of their child's stay at the jail — be it weeks, months, or more than a year — families have no ability to touch, hold, or comfort their child in crisis.

Solitary Confinement

In the Denver County Jail, kids are locked down in their cell 22 hours a day. Every meal is served through a slot in the door. It was in this jail that a 17 year-old boy named James Stewart was locked in the cell by himself, despite his pleas for company. Within an hour, he committed suicide by suffocating himself.

Most adult jails have teenage boys in their juvenile pods. If a girl must be held in an adult jail, she faces additional isolation due to the need to keep her segregated from the adults and from the boys.

While jails are ill-equipped to hold juveniles in general, they are particularly ill-equipped to hold girls.



The Colorado Juvenile Defender Coalition was created in 2008 to improve the quality of juvenile representation and the treatment of youth in Colorado's Juvenile Justice System.

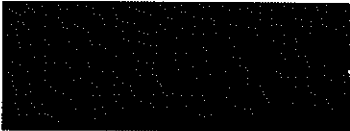

The Coalition works in partnership with the Colorado Criminal Defense Bar, juvenile advocates, and organizations that serve at-risk youth.

The Coalition created a direct file committee to examine the legal issues and conditions experienced by youth who are charged in adult court.

In support of House Bill 09-1321, direct file committee members toured adult jails in Denver, Adams, Larimer, Mesa, and Pueblo counties.

Staff at every facility expressed frustration at their limited ability to provide services for direct filed youth and the challenges their presence impose on day-to-day jail operations.

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**The Colorado Juvenile Defender Coalition thanks
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