

Arvada City Council Meeting Workshop, March 28, 2016

Notes taken by Susan Shirley

All Councilmembers were present. Public attendance was nine people.

The first item was presented by Utilities Director Jim Sullivan.

The HOA of the Tennyson Park development, which was built starting in 2001, has requested the City's assistance. Some of the homes within Tennyson Park are technically within the district boundaries of the Crestview Water District, but they don't receive services from that district, they receive services from the City of Arvada. In other words, they are paying taxes for a district they don't receive services from. The boundary map needs to be redone to exclude those properties which are receiving water from the City, and there are a small number of properties which need to be added into the Crestview district which aren't there now. Because all this requires court action, the easiest way is to have the City petition the court.

The second discussion for this workshop was presented by Judge David Cooke and his guest, Judge Anne Stavig, presiding judge of the Lakewood Municipal Court.

At issue is the formation of a probation department, which Arvada currently does not have, an unusual circumstance for a city of this size in Colorado. Initially, and possibly permanently, Cooke envisions the mission of the probation department as screening and monitoring of juvenile offenders only.

Here's Cooke's case: Currently, the Arvada municipal court hears about 250 juvenile cases a year. These range from shoplifting, through drug or alcohol charges, to assault cases. Some of the kids, about 40 percent, are known to be low-risk, but at present the Arvada court has nearly no way of knowing which kids are low, medium, or high-risk. There simply isn't the staff time, or in some cases, expertise, to do that right now. But in the case of low-risk juvenile offenders, the best approach is to require as little involvement with the system as possible; for them a good option might be deferred sentencing. A probation officer can put a finer point on all this, with expertise in identifying which kids truly are low-risk and which are simply gaming the system.

Medium to high risk juveniles would receive monitoring by a probation officer, something our current staff is also nowhere near equipped to do at present. But, says Cooke, a probation officer who talks with the kids can quickly identify which are higher-risk. Further, during the time the community service, classes, and/or counseling are supposed to be happening, currently there is no ability to monitor that, as would be the case with a probation department. So there could be immediate consequences for non-compliance, if there was someone to monitor the kids.

Judge Stavig spoke briefly about the way the probation department works in Lakewood. She recalled the past, when "Scared Straight" was considered the best way to prevent juveniles from re-offending. However, it became clear that the kids who were subjected to that treatment actually came out of it more prone to commit further crimes, than kids who'd received no intervention. So a more positive, more involved approach was deemed more effective. "Assessments are the key," said Stavig, both because damage can be done to low risk kids by intervening too much, and also because some kids

really need intervention and providing that to those kids is the most efficient action to take. About 40% of the juveniles who go through the Lakewood system are low-risk. The ones with issues, she said, benefit from a relationship with the person or persons supervising them. With this system in place, Stavig said their juvenile crime went way down. She said she is convinced that a large part of what Lakewood is doing well, it does because of their very excellent probation department.

Councilmember Mark McGoff asked about an item of information Judge Cooke had provided, showing the number of juvenile cases trending downward statewide but an alarming trend in the severity of the cases becoming sharply worse. Cooke said that five to ten years ago, it was very rare to see offenders under age fourteen. Now, he says, he sees behaviors changing--assault becoming more common, for one--and the age of the offenders has dropped. He said he sees twelve-year-olds every day, and ten-year-olds, the youngest the law allows to be charged, every couple of weeks.

Councilmember Nancy Ford wondered why there is no shared reporting database among cities, so there's no way to see which juvenile offenders are doing what, where. Not surprisingly, it comes down to budgets as well as to the wide variety of computer systems, which is currently being addressed. However, additional very good help with that shortfall often is provided by the probation officers, who Cooke refers to as a very "tight-knit group," who communicate well amongst themselves.

Councilmember Bob Fifer expressed support for a probation officer. He asked Stavig what she thought Lakewood might be able to improve on. She said there isn't enough money for treatment. As an example, some domestic violence defendants say they can't afford the classes or counseling, and if there were grants to be able to provide those it would be clear which defendants were just making excuses, and which ones really were unable to afford the help. Cooke added that Wheat Ridge has a pretty substantial budget for providing assistance to defendants for whom money is an issue.

Toward the end of the workshop, Mayor Marc Williams pointed out that there were some Walmart non-supporters in the back of the chambers. He asked Judge Stavig if Lakewood has had a drain on their resources due to their Walmarts, and, in the case of additional shoplifting, whether probation takes on an even greater importance because of it. Stavig said yes, she saw the television news piece and was surprised to hear that the Colfax and Wadsworth Walmart is one of the top three locations, statewide, for police calls. She added that, while Lakewood does probation with juvenile shoplifters, there is less success with giving probation to adults who are chronic shoplifters.

Williams continued, saying he doesn't want to see mission creep, and that while he understands the value of a probation department, Lakewood has seven probation officers, but "we're not Lakewood, thank--ah, I've said to Lakewood mayors, the difference is Colfax. We don't have Colfax."

The next step is for City Manager Mark Deven to identify sources of funding and for Judge Cooke to submit a new position request as part of the 2017 budget. Cooke prefers to have the new position in the fall, and said that as far as mission creep, Deven and the City Council will be looking over his shoulder. Councilmembers appeared generally supportive of the idea.

The next City Council workshop, April 11, will feature an update on Urban Renewal.

Adjournment was at 7:30.