



# Crossover Youth

## Informing an Approach to Routine and Replicable Data

### REPORT HIGHLIGHTS:

- Crossover youth who are in out-of-home care have both a Dependency & Neglect and Juvenile Delinquency court case.
- Routine and replicable data on these youth is not available because data are housed in different systems.
- A data-sharing solution that allows for expunged records to be included is necessary to generate accurate information on this population of youth and inform practice.
- This report offers insight into how to approach describing trends in the population of crossover youth.
- Trends in court case types for youth in out-of-home care are presented using the best available data. This report focuses on youth ages 10 to 20, during SFY17 through SFY21.

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## Abstract

In 2018, Congress passed the Family First Prevention Services Act authorizing new funding under Title IV-E of the Social Security Act for time-limited prevention services for mental health, substance use disorder, and in-home parent skill-based programs for many involved in the foster care system. This project has the potential to assist in the evaluation of the impact of Colorado's implementation of the Family First Prevention Services Act on the state's juvenile justice system. Furthermore, this project has relevance for more recent state legislation, such as [State Bill 21-071 Limit the Detention of Juveniles](#), [House Bill \(HB\) 23-1249 Reduce Justice Involvement for Young Children](#), and [HB23-1307 Juvenile Detention Services and Funding](#).

This project leveraged the Linked Information Network of Colorado to establish a sustainable, replicable data sharing model, bringing together previously siloed information from the Colorado Department of Human Services (CDHS) and the Colorado Judicial Branch (Judicial Branch). Bringing these data together enables the state's Title IV-E agencies to aid in federal studies and informs the policies and practices aimed at serving this unique population.

Using this novel dataset, we were able to pilot the process of identifying demographic trends among crossover youth, including age, gender, race/ethnicity, and geography, and use this information to shape evaluation efforts surrounding the lack of available congregate care placements. The most important finding is that in order to achieve this goal, legislative action is needed to authorize the use of expunged records in research and evaluation activities directed by the state. Judicial Branch data stewards estimated that for this population, 47.5% of records were expunged, and 31.5% (3,216) of the youth in this sample did not have court case information available.

The Colorado Evaluation and Action Lab, in consultation with CDHS and the Judicial Branch, found there was not a reasonable way to create estimates of the crossover youth population with these expunged data missing.

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This research was supported by the Colorado Department of Human Services. The opinions expressed are those of the authors and do not represent the views of the State of Colorado, the Colorado Evaluation and Action Lab, or the University of Denver. Policy and budget recommendations do not represent the budget or legislative agendas of state agencies, the Governor’s Office, or other partners. Any requests for funding or statutory changes will be developed in collaboration with the Governor’s Office and communicated to the legislature through regular budget and legislative processes.

## Data Sources

This study uses data from two sources that were connected through the Linked Information Network of Colorado (LINC):

This study uses data from two sources that were connected through the Linked Information Network of Colorado (LINC):

1. The Colorado Department of Human Services provided client-level demographic and child welfare involvement data. These data were extracted from Trails.
2. The Colorado Judicial Branch provided client-level information indicating a youth interacted with the juvenile justice system.

LINC is a collaborative effort of the Colorado Evaluation and Action Lab and the Colorado Governor’s Office of Information Technology that safely and securely connects and anonymizes data across state agencies and systems to fully inform solutions to specific societal challenges. The data used for this report came from a LINC project approved by participating data partners. The findings do not necessarily reflect the opinions of the Colorado Governor’s Office of Information Technology, the Colorado Evaluation and Action Lab, or the organizations contributing data.

## Suggested Citation

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## Introduction

### Crossover Youth

The term “crossover youth,” for the purposes of this project, refers to young people with two types of court cases: 1) dependency and neglect (D&N) and 2) district-level juvenile delinquency (JD). The unique needs of this population of young people have been at the forefront of Colorado’s work to coordinate information and services among state and local child welfare agencies and the court systems (e.g., State Bill [SB] 18-154). A challenge in this work has been that information about these young people is siloed in separate systems, making it difficult to take a systems-level approach to improving coordinated services.

Implementation of the Family First Prevention Services Act (FFPSA) has further necessitated the need for data on this population of young people to be routinely available for planning and evaluation purposes. FFPSA was the driving legislative reason behind this project; it likely also has relevance for more recent state legislation, such as [SB21-071 Limit the Detention of Juveniles](#), [House Bill \(HB\) 23-1249 Reduce Justice Involvement for Young Children](#), and [HB23-1307 Juvenile Detention Services and Funding](#).

The goals of this project are twofold.

The first is to identify relevant trends, including age, gender, and race/ethnicity, within the population of crossover youth, and use this information to guide evaluation efforts regarding the role of congregate care, or the lack thereof, in shaping this population.

The second is to pilot a process for generating the statewide data to aid in federal studies and inform policies and practices aimed at serving crossover youth. Learnings from this pilot can inform a long-term sustainable approach to generating these data.

The focus of this report is on crossover youth who are in out-of-home care.

### Expungement

A severe limitation to this report derives from the expungement, sealing, and suppression of JD cases received from the Colorado Judicial Branch (Judicial Branch) within the observation period per [HB17-1204](#) and [HB19-1335](#). Of the 37,103 JD cases within the study timeframe, expunged cases alone represent 47.5%, while sealed and suppressed cases combined represent an additional 0.9% of cases. This means that our analysis is limited to 19,136 district-level cases, just over half of known JD cases during this period, and our count of crossover youth and counts of juvenile justice-involved youth are much lower than the actual value. The expungement process was automatic, meaning that it occurs systematically within 42 days and therefore the process of expungement

would not occur for all demographic groups. We explored options for generating estimates in consultation with subject matter experts and determined that it was impractical.

## **Juvenile Planning Committee Crossover Youth Plans (SB18-154)**

During the 2018 regular session, the Colorado State Legislature passed SB18-154 – Juvenile Planning Committee Crossover Youth Plans.<sup>1</sup> The bill pertains to local juvenile services planning committees, currently described in Colorado Revised Statutes Title 19 §19-2.5-302 as comprising at least “a representative from a county department of human or social services, a local school district, a local law enforcement agency, a local probation department, the division of youth services, private citizens, the district attorney's office, the public defender's office, a community mental health representative, and a representative of the concerns of municipalities.”<sup>2</sup> These committees are tasked with creating a plan to allocate resources for local juvenile services within their judicial district for the fiscal year. Following the enactment of SB18-154, this plan must account for the management of dually identified crossover youth, including descriptions and processes related to nine key objectives:

- Identifying these youth at the earliest reasonable point of contact.
- Collaborating and exchanging information with other judicial districts.
- Communicating information about the youth’s crossover status between the child welfare and juvenile justice systems.
- Identifying appropriate services or placement-based assessment.
- Sharing and gathering information in accordance with applicable laws, rules, and county policy.
- Developing a single case management plan and identifying the lead agency for case management purposes.
- Facilitating the sharing of assessments and case planning information.
- Convening a multidisciplinary group of professionals to consider decisions including youth and community safety, placement, provision of needed services, alternatives to detention and commitment, probation, parole, permanency, education stability, and case closure.
- Requiring that dually identified crossover youth placed in a secure detention facility who are deemed eligible for release by the court be placed in the least restrictive setting whenever possible to reduce the disparity between dually identified crossover youth and non-dually identified crossover youth in secure detention.

## Family First Prevention Services Act

FFPSA, included in the Bipartisan Budget Act of 2018 (House of Representatives 1892), became law in February of that year (Public Law 115-123).<sup>3</sup> FFPSA authorized new funding under Title IV-E of the Social Security Act for time-limited prevention services for mental health, substance use disorder, and in-home parent skill-based programs for a host of individuals involved with the foster care system.<sup>4</sup> Attached to these funds is a Government Accountability Office (GAO) study. The bill states that, “[i]n particular, the Comptroller General shall evaluate the extent to which children in foster care who also are subject to the juvenile justice system of the State are placed in a facility under the jurisdiction of the juvenile justice system and whether lack of available congregate care placements under the jurisdiction of the child welfare systems is a contributing factor to that result.” This clause draws attention to a group of individuals known as “crossover youth” and this project may assist in the federal evaluation.

*“The Comptroller General shall evaluate the extent to which children in foster care who also are subject to the juvenile justice system of the State are placed in a facility under the jurisdiction of the juvenile justice system and whether lack of available congregate care placements under the jurisdiction of the child welfare systems is a contributing factor to that result.”*

- Bipartisan Budget Act of 2018, Pub. L. No. 115-123, Division E, Title VII

## Description of the Project

In Colorado, information regarding crossover youth is often siloed within the relevant agencies. The Colorado Department of Human Services (CDHS) manages child welfare data in its Trails database, while the Judicial Branch retains stewardship of court system data. This partitioning of relevant information makes it difficult to take a comprehensive snapshot of the crossover youth population. This exercise can assist in the evaluation of the impact of Colorado’s implementation of the federal FFPSA on the state’s juvenile justice system and to inform the decisions of Colorado’s policymakers. This project had the following objectives:

1. Inform a routine and replicable process for generating statewide data and establish a baseline to aid a potential federal study and inform Colorado policy and practice.
2. Report on initial trends in the crossover youth population and make recommendations for how to evaluate “whether the lack of available congregate care placements under the jurisdiction of the child welfare systems is a contributing factor to [placement in a facility under the jurisdiction of the juvenile justice system]” this includes:
  - a. Demographic descriptions (e.g., age, gender, race/ethnicity).

- b. Annual numbers of youth in congregate care with a D&N case, JD case, or both (within year and concurrent); clear information on why youth are in out-of-home care at a given point in time.
- c. Annual numbers of youth in family-like placements with a D&N case, JD case, or both (within year and concurrent).

These objectives were addressed by leveraging the Linked Information Network of Colorado (LINC) to combine previously siloed child welfare and court system data. Connecting this information is essential for informing policies and practices aimed at serving crossover youth.

## Study Sample

The study sample included 10,217 youth ages 10 to 20 in out-of-home care that experienced a D&N or Expedited Permanency Planning (EPP) case, JD case, or both at some point during State Fiscal Years (SFY) 2017-2021. This sample also includes individuals in out-of-home care for whom court case information was not available. There were 21 youths that met the sampling parameters above but lacked a Removal ID in the Trails database. These youth were excluded from all analyses, as it was not possible to identify their removal or placement information.

### For the Purposes of this Report

The general population of crossover youth can be broken into the following two categories. When an individual experiences both a D&N and a JD case, they are considered a crossover youth.

- D&N and JD cases with overlapping dates are considered “Concurrent.”
- D&N and JD cases that occur within a “Time period of Interest” (e.g., same fiscal year) are also reported and are inclusive of concurrent cases.

EPP cases are combined with the D&N cases category for all analyses. Courts make a distinction within the category of D&N cases for children under the age of 6. These are known as “expedited permanency planning” cases and require that adjudication occur within 45 days of the service petition, as opposed to the 60- to 90-day window for conventional D&N cases.<sup>5</sup> If there are multiple children involved in a case, and any of them qualifies for EPP treatment, all children in the case receive EPP status, regardless of age.

## Key Findings

- The percentage of expunged records and the lack of legislative authority to include those records in research and evaluation studies severely limits the ability to generate statewide data and establish a baseline for the number of crossover youth.



- The pathways for a routine and replicable process of generating data on the population of crossover youth are: 1) legislative action to allow for the inclusion of expunged records in research and evaluation when there are appropriate precautions to ensure those data and youth privacy are protected (e.g., leveraging LINC partnership for identity resolution); and 2) CDHS conducting analyses internally using an existing data sharing agreement with the Judicial Branch.
- Trends in the available sample described below can be used as a model for how to approach future studies aimed at describing the crossover youth population and evaluating “whether the lack of available congregate care placements under the jurisdiction of the child welfare systems is a contributing factor to **[placement in a facility under the jurisdiction of the juvenile justice system]**” as required under FFPSA.

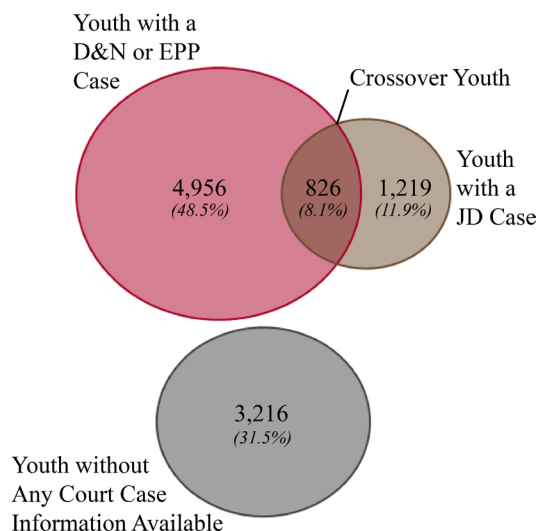
## Overall Findings Related to Course Case Type

One of the objectives of this study was to determine the number and percent of court case types of youth in out-of-home care.

- There were at least 826 youth (8.1%) ages 10 to 20 who had both a D&N and a JD court case at some point during SFY17-21.
- The actual number is likely to be significantly higher because 47.5% of JD court cases were expunged.

The youth whose court case types are illustrated in Figure 1 represent the full study sample. The youth were between the ages of 10 and 20 years at the time of the court case(s) and were in out-of-home care (i.e., child welfare removal episode) within the period spanning from SFY17-21. “Crossover Youth” in this figure is the unduplicated count of youth who experienced both types of court cases at any point during the study period.

**Figure 1. Venn Diagram of Case Type for Each Youth in Study Sample**



### Court Case Information Not Available

When information on the type of court case is not available, it could be because of an expungement or because child welfare placement was voluntary. Furthermore, youth may have multiple court cases during a removal episode. Thus, it cannot be inferred if youth are only involved in a child welfare case, only involved in a JD case, or if they are dually involved and part of the “crossover youth” population.

## Trends in the Sample

The objective of this report was to describe initial trends in the crossover youth population and make recommendations for how to evaluate “whether the lack of available congregate care placements under the jurisdiction of the child welfare systems is a contributing factor to **[placement in a facility under the jurisdiction of the juvenile justice system].**”

### Sample Versus Population Trends

Throughout this report, the term “Sample” is used rather than the “Population” of crossover youth when referencing results of this study. This is because the results are limited by a large number of expunged records. The population of crossover youth in Colorado is inclusive of those with expunged records and in this study, no estimates or generalizing of data to the full population were made.

- The most appropriate use of the data on trends in the sample is as a model for how to approach future studies that describe the population of crossover youth.
- The goal of obtaining clear information on why youth are in out-of-home care (i.e., abuse/neglect and/or juvenile justice involvement) requires complete information on court case type.

### Approaches for Defining “Crossover”:

- Crossover in “Any Year”: At least one D&N (or EPP) and at least one JD case during any year in the study period.
- Crossover in “Fiscal Year”: Youth who experienced both types of cases within the same year, whether or not these cases overlapped.
- Crossover is “Concurrent”: Youth that experienced both types of cases simultaneously, meaning the dates of the court cases overlapped.

These approaches are not mutually exclusive, rather, the “Any Year” approach includes all youth listed in the “Fiscal Year” approach, which in turn includes all “Concurrent” youth. The decision as to what approach(es) to use should be informed by the goal of a study.

- For example, evaluating whether the lack of available congregate care placements under the jurisdiction of the child welfare systems is a contributing factor to the trends in the crossover youth population may be designed to align with how data on availability of congregate care placements are recorded.

For the purposes of this report, all three approaches are displayed in the tables below. Each approach to counting “Crossover” youth are displayed in a separate column and these data are not mutually exclusive. The “Youth with a D&N or EPP Case” column, “Youth with a Juvenile Delinquency Case” column, “Any Year Crossover Youth” column, and “Court Case Information Not Available” column are, however, mutually exclusive and the values in these columns sum to the values presented in the “Total” column.

### **Overall Counts: SFY17 through SFY21 Combined**

Our sample included 10,217 youth ages 10 to 20 in out-of-home care that experienced a D&N or EPP case, JD case, or both at some point during SFY17-21. This sample also includes individuals for whom court case information was not available.

- Nearly 1 in 3 youths (31.5%) in the study did not have court case information available.
- Nearly half of the youth in the sample (48.5%) only had a D&N or EPP case during this time period.
- 11.9% of youth in the sample only had a JD case during this time period.
- The remaining 8.1% had both a D&N (or EPP) and JD case at some point within these 5 years. Of the youth with both types of cases, 71.3% experienced both cases within the same fiscal year and 58.2% experienced both cases simultaneously.

**Table 1. Youth by Court Case Type**

	Youth with a D&N or EPP Case		+	Youth with a Juvenile Delinquency Case		=	Crossover Youth						+	Court Case Information Not Available		=	Total	
	Count	Percent		Count	Percent		Any Year		Fiscal Year		Concurrent			Count	Percent			Count
							Count	Percent	Count	Percent	Count	Percent						
Overall	4,956	48.5%		1,219	11.9%		826	8.1%	589	5.8%	481	4.7%		3,216	31.5%		10,217	

Note: Youth in the “Any Year” column experienced both types of cases at any point from SFY17-21. Youth in the “Fiscal Year” column experienced both case types within the same fiscal year, whether or not these cases occurred simultaneously. Youth in the “Concurrent” column experienced both cases simultaneously. These categories are not mutually exclusive.

**Table 2. Youth by Court Case Type and State Fiscal Year**

	Youth with a D&N or EPP Case		+	Youth with a Juvenile Delinquency Case		=	Crossover Youth				+	Court Case Information Not Available		=	Total	
	Count	Percent		Count	Percent		Fiscal Year		Concurrent			Count	Percent			Count
							Count	Percent	Count	Percent						
2017	1,215	35.5%		544	15.9%		97	2.8%	88	2.6%		1,568	45.8%		3,424	
2018	1,783	38.8%		680	14.8%		167	3.6%	126	2.7%		1,971	42.8%		4,601	
2019	1,866	37.8%		811	16.4%		161	3.3%	133	2.7%		2,098	42.5%		4,936	
2020	1,844	37.9%		817	16.8%		181	3.7%	149	3.1%		2,025	41.6%		4,867	
2021	1,749	38.0%		721	15.7%		168	3.6%	153	3.3%		1,967	42.7%		4,605	

Note: Youth in the “Fiscal Year” column experienced both case types within the same fiscal year, whether or not these cases occurred simultaneously. Youth in the “Concurrent” column experienced both cases simultaneously and are also included in the counts presented in the “Fiscal Year” column. These categories are not mutually exclusive.

## Gender

The study sample was composed of 4,754 (46.5%) youth identified as female and 5,463 (53.5%) youth identified as male. Both the Trails child welfare database and judicial records default to a binary variable for gender, limiting values to male or female.

- 27.5% of male youth (1,501) in the sample had a JD case (JD alone or Crossover), compared to just 11.4% of female youth (544).
- Female youth in the sample were most likely to have a D&N or EPP case alone (56.2%; 2,671), compared to 41.8% (2,285) of male youth in the sample).

**Table 3. Youth by Gender and Court Case Type**

	Youth with a D&N or EPP Case		+	Youth with a Juvenile Delinquency Case		=	Crossover Youth						+	Court Case Information Not Available		=	Total	
	Count	Percent		Count	Percent		Any Year		Fiscal Year		Concurrent			Count	Percent			Count
							Count	Percent	Count	Percent	Count	Percent						
<b>Female</b>																		
Overall	2,671	56.2%		257	5.4%		287	6.0%	186	3.9%	137	2.9%		1,539	32.4%		4,754	
<b>Male</b>																		
Overall	2,285	41.8%		962	17.6%		539	9.9%	403	7.4%	344	6.3%		1,677	30.7%		5,463	

## Overall Counts: Within a Fiscal Year

**Table 4. Youth by Gender, Court Case Type, and State Fiscal Year**

	Youth with a D&N or EPP Case		+	Youth with a Juvenile Delinquency Case		=	Crossover Youth				+	Court Case Information Not Available		=	Total	
	Count	Percent		Count	Percent		Fiscal Year		Concurrent			Count	Percent			Count
							Count	Percent	Count	Percent						
<b>Female</b>																
2017	623	41.3%		114	7.6%		38	2.5%	32	2.1%		732	48.6%		1,507	
2018	913	45.3%		135	6.7%		46	2.3%	32	1.6%		920	45.7%		2,014	
2019	980	44.9%		175	8.0%		49	2.2%	30	1.4%		978	44.8%		2,182	

	Youth with a D&N or EPP Case		+	Youth with a Juvenile Delinquency Case		=	Crossover Youth				+	Court Case Information Not Available		=	Total	
	Count	Percent		Count	Percent		Fiscal Year		Concurrent			Count	Percent			Count
							Count	Percent	Count	Percent						
2020	972	44.6%		192	8.8%		53	2.4%	39	1.8%		962	44.1%	2,179		
2021	963	45.0%		186	8.7%		42	2.0%	38	1.8%		949	44.3%	2,140		
<b>Male</b>																
2017	592	30.9%		430	22.4%		59	3.1%	56	2.9%		836	43.6%	1,917		
2018	870	33.6%		545	21.1%		121	4.7%	94	3.6%		1,051	40.6%	2,587		
2019	886	32.2%		636	23.1%		112	4.1%	103	3.7%		1,120	40.7%	2,754		
2020	872	32.4%		625	23.3%		128	4.8%	110	4.1%		1,063	39.5%	2,688		
2021	786	31.9%		535	21.7%		126	5.1%	115	4.7%		1,018	41.3%	2,465		

## Race and Ethnicity

The tables below present court case types for youth in the study disaggregated by race/ethnicity.

### Cell Suppression Size Considerations:

- When leveraging data across multiple agencies, the best practice is to adopt a cell suppression policy that aligns with the agency guidelines that are most restrictive. For this project, the cell suppression policy for data provided by CDHS is 16 and for the Judicial Branch it is 5, resulting in a project-level cell suppression limit of 16.
- When making decisions about how to combine categories so that data are masked consistent with cell suppression policies, consider the decision-making uses of the study results and how best to combine data so results are as actionable as possible.

For this study, we took the pragmatic approach of combining several of the race/ethnicity categories with the fewest members were collapsed into an “Other” category, including Asian/Pacific Islander, Indigenous, Other, Multiracial, and those for whom race/ethnicity data was unavailable.

### Race/Ethnicity: SFY17 through SFY21 Combined

In the study sample of youth in out-of-home care:

- 42.3% (4,323) of the youth in the sample were White, 39.7% (4,052) were Hispanic, 10.6% (1,081) were Black, and the remaining 7.4% (761) fell into the Other category.
- White youth were underrepresented in the sample compared to their proportion within the state population, while Hispanic and Black youth were overrepresented.
- Black youth had the highest rates of justice involvement, with 29.9% (323) of Black youth in the sample having a JD case at some point within the study timeframe, compared to 20.6% (834) of Hispanic youth and 17.5% (757) of White youth.
- While Black youth were far more likely to have a JD case alone, they exhibited crossover rates similar to the other race/ethnicity categories in the sample.

**Table 5. Youth by Race/Ethnicity and Court Case Type**

	Youth with a D&N or EPP Case		+	Youth with a Juvenile Delinquency Case		=	Crossover Youth						+	Court Case Information Not Available		=	Total	
	Count	Percent		Count	Percent		Any Year		Fiscal Year		Concurrent			Count	Percent			Count
							Count	Percent	Count	Percent	Count	Percent						
<b>Black</b>																		
Overall	425	39.3%		227	21.0%		96	8.9%	67	6.2%	56	5.2%		333	30.8%		1,081	
<b>Hispanic</b>																		
Overall	1,990	49.1%		503	12.4%		331	8.2%	226	5.6%	185	4.6%		1,228	30.3%		4,052	
<b>White</b>																		
Overall	2,186	50.6%		421	9.7%		336	7.8%	247	5.7%	198	4.6%		1,380	31.9%		4,323	
<b>Other</b>																		
Overall	355	46.6%		68	8.9%		63	8.3%	49	6.4%	42	5.5%		275	36.1%		761	

*Note:* "Other" includes individuals that identify as Asian/Pacific Islander, Indigenous, Other, Multiracial, and those for whom race and ethnicity data was missing. Race and ethnicity data is from Trails.

**Race/Ethnicity: By Fiscal Year**
**Table 6. Youth by Race/Ethnicity, Court Case Type, and State Fiscal Year**

Youth with a D&N or EPP Case		+		Youth with a Juvenile Delinquency Case		=		Crossover Youth				+		Court Case Information Not Available		=	Total
Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	
<b>Black</b>																	
2017	133	30.1%	107	24.2%	*	*	*	*	*	*	*	206	42.7%	442			
2018	180	32.8%	139	25.3%	*	*	*	*	*	*	*	*	*	549			
2019	156	26.7%	166	28.4%	*	*	*	*	*	*	*	*	*	584			
2020	160	29.7%	149	27.6%	*	*	21	3.9%	*	*	*	*	*	539			
2021	134	27.8%	120	24.9%	22	4.6%	19	3.9%	22	4.6%	19	3.9%	206	42.7%	482		
<b>Hispanic</b>																	
2017	454	34.3%	232	17.5%	35	2.6%	31	2.3%	601	45.5%	1,322						
2018	721	38.8%	289	15.6%	69	3.7%	51	2.7%	777	41.9%	1,856						
2019	735	37.3%	347	17.6%	69	3.5%	57	2.9%	819	41.6%	1,970						
2020	735	37.7%	358	18.4%	70	3.6%	61	3.1%	787	40.4%	1,950						
2021	764	41.0%	301	16.1%	56	3.0%	51	2.7%	743	39.9%	1,864						
<b>White</b>																	
2017	553	38.6%	176	12.3%	44	3.1%	39	2.7%	658	46.0%	1,431						
2018	745	39.8%	211	11.3%	67	3.6%	50	2.7%	849	45.4%	1,872						
2019	831	41.0%	257	12.7%	61	3.0%	49	2.4%	879	43.3%	2,028						
2020	804	40.3%	257	12.9%	78	3.9%	60	3.0%	857	42.9%	1,996						
2021	757	39.5%	254	13.2%	70	3.7%	65	3.4%	836	43.6%	1,917						
<b>Other</b>																	
2017	75	32.8%	29	12.7%	*	*	*	*	*	*	*	229					
2018	137	42.3%	41	12.7%	*	*	*	*	*	*	*	324					
2019	144	40.7%	41	11.6%	*	*	*	*	*	*	*	354					
2020	145	38.0%	53	13.9%	*	*	*	*	*	*	*	382					
2021	94	27.5%	46	13.5%	20	5.8%	18	5.3%	182	53.2%	342						

Note: "Other" includes individuals that identify as Asian/Pacific Islander, Indigenous, Other, Multiracial, and those for whom race and ethnicity data was missing. Race and ethnicity data is from Trails. The "\*" denotes cells that were suppressed because they



contained fewer than 16 individuals or were suppressed for complementary suppression.

## Age

The tables below present summary statistics on age for youth in the sample with each type of court case.

- In each given state fiscal year, youth ranged from 10 to 20 years of age.
- The median age was 15 years across each year in the study timeframe.
- Youth with D&N or EPP cases only, meaning no justice involvement, were typically younger than their justice-involved counterparts, with a median age of 13 to 14, compared to median ages of 15.5 to 17 for youth with JD cases only.
- Crossover youth tended to be older, with their median ages ranging from 15 to 16 depending on the fiscal year.

**Table 7. Summary Statistics on Age for Youth with Court Cases by State Fiscal Year**

	Youth with a D&N or EPP Case	+	Youth with a Juvenile Delinquency Case	=	Crossover Youth		+	Court Case Information Not Available	=	Total
					Fiscal Year	Concurrent				
<b>Median</b>										
2017	13		15.5		15	15		15		15
2018	13		16		16	16		15		15
2019	13		16		15	15		15		15
2020	13		16		16	16		14		15
2021	14		17		16	16		14		15
<b>Mean</b>										
2017	13.5		15.4		15.2	15.2		14.9		14.5
2018	13.5		15.9		15.5	15.5		14.7		14.4
2019	13.5		16.2		15.2	15.2		14.6		14.5
2020	13.6		16.3		15.4	15.4		14.4		14.5
2021	13.7		16.5		15.6	15.5		14.4		14.5



	Youth with a D&N or EPP Case	+	Youth with a Juvenile Delinquency Case	=	Crossover Youth		+	Court Case Information Not Available	=	Total
					Fiscal Year	Concurrent				
<b>Minimum</b>										
2017	10		10		11	11		10		10
2018	10		10		10	11		10		10
2019	10		10		10	10		10		10
2020	10		10		11	11		10		10
2021	10		10		11	11		10		10
<b>Maximum</b>										
2017	18		19		18	18		20		20
2018	19		19		18	18		20		20
2019	20		20		19	19		20		20
2020	20		20		19	19		20		20
2021	20		20		20	20		20		20

Note: Years reported correspond to Colorado State Fiscal Years, which begin on July 1 and end on June 30.

## Annual Counts of Youth by Placement Types

This section of the report includes breakdowns of youth court case types by placement. Youth in the congregate care section had placements in group homes, residential facilities, or hospital/psychiatric facilities in the fiscal year of interest. Youth in the family-like placement section had placements in foster care (including child placement agencies [CPA] and county certified), with kin (certified and uncertified), and trial home visits in the fiscal year of interest. Because youth can, and often do, have multiple placements over the course of a removal episode, these categories are not mutually exclusive. This means that an individual can appear in multiple categories within an overarching placement type (e.g., congregate care) or across placement types (congregate care and family-like placements). Overall, the study sample was far more likely to experience placements in a family-like setting than in congregate care. Youth in congregate care were far more likely to be justice-involved compared to youth in family-like placements. For instance, 44.6% (1,279) of youth in residential facilities had a JD case in the same fiscal year, compared to just 10.0% (569) of youth in uncertified kinship placements.

### Youth in Congregate Care

As noted above, youth in the sample that were in congregate care placements had more justice involvement than their peers in family-like placements, making them more likely to experience crossover as well, with concurrent crossover rates more than double the sample average.

- Youth in residential facilities had the highest rates of justice involvement of any group in the study.
- Youth in hospital/psychiatric facilities had relatively low rates of justice involvement compared to other congregate care types, perhaps due to the settings designed to meet their specific needs.



**Table 8. Youth in Congregate Care by Court Case Type and Placement Type**

	Youth with a D&N or EPP Case		+	Youth with a Juvenile Delinquency Case		=	Crossover Youth						+	Court Case Information Not Available		=	Total	
	Count	Percent		Count	Percent		Any Year		Fiscal Year		Concurrent			Count	Percent			Count
							Count	Percent	Count	Percent	Count	Percent						
<b>Residential</b>																		
Overall	773	27.0%		769	26.8%		510	17.8%	371	12.9%	305	10.6%		813	28.4%		2,865	
<b>Group</b>																		
Overall	534	37.0%		237	16.4%		257	17.8%	178	12.3%	142	9.8%		414	28.7%		1,442	
<b>Hospital / Psychiatric</b>																		
Overall	254	39.4%		79	12.3%		127	19.7%	81	12.6%	65	10.1%		184	28.6%		644	

**Table 9. Youth in Congregate Care by Court Case Type, Placement Type, and State Fiscal Year**

	Youth with a D&N or EPP Case		+	Youth with a Juvenile Delinquency Case		=	Crossover Youth				+	Court Case Information Not Available		=	Total	
	Count	Percent		Count	Percent		Fiscal Year		Concurrent			Count	Percent			Count
							Count	Percent	Count	Percent						
<b>Residential</b>																
2017	362	26.8%		352	26.0%		64	4.7%	38	2.8%		575	42.5%		1,353	
2018	412	24.4%		440	26.1%		109	6.5%	53	3.1%		725	43.0%		1,686	
2019	369	21.9%		514	30.5%		112	6.6%	51	3.0%		692	41.0%		1,687	
2020	320	21.2%		526	34.8%		111	7.3%	51	3.4%		556	36.7%		1,513	
2021	243	19.5%		447	35.8%		96	7.7%	55	4.4%		463	37.1%		1,249	
<b>Group</b>																
2017	243	33.5%		134	18.5%		35	4.8%	*	*		314	43.3%		726	
2018	321	33.4%		147	15.3%		61	6.4%	21	2.2%		431	44.9%		960	
2019	277	28.3%		187	19.1%		50	5.1%	*	*		465	47.5%		979	
2020	221	27.3%		169	20.9%		50	6.2%	16	2.0%		370	45.7%		810	
2021	127	20.6%		160	25.9%		34	5.5%	*	*		296	48.0%		617	



Youth with a D&N or EPP Case			+		Youth with a Juvenile Delinquency Case				=		Crossover Youth				+		Court Case Information Not Available		=	Total
Count	Percent		Count	Percent	Fiscal Year		Concurrent		Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count			
					Count	Percent	Count	Percent									Count			
<b>Hospital / Psychiatric</b>																				
2017	81	33.5%		35	14.5%	*	*	*	*		*	*		*	*		242			
2018	130	37.0%		39	11.1%	16	4.6%	*	*		166	47.3%		192	46.6%		351			
2019	130	31.6%		67	16.3%	23	5.6%	*	*		183	44.1%		178	46.4%		412			
2020	121	29.2%		82	19.8%	29	7.0%	*	*		183	44.1%		178	46.4%		415			
2021	89	23.2%		91	23.7%	26	6.8%	*	*		178	46.4%					384			

### Youth in Family-Like Placements

Compared to sample youth in congregate care settings, sample youth in family-like placements had lower rates of justice involvement, meaning that they were far more likely to experience D&N or EPP cases alone during the fiscal years of their family-like placements. Within the family-like placement category, however, there was a range of justice involvement.

- Youth in trial home visits had far more justice involvement than any other family-like placement type—23.7% (308) of these youth were justice-involved, compared to just 10.0% (569) of youth in uncertified kinship placements.
- Youth in foster care experienced the second highest rates of justice involvement, and did not differ substantially if their care was CPA or county certified.

**Table 10. Youth in Family-Like Placements by Court Case Type and Placement Type**

Youth with a D&N or EPP Case			+		Youth with a Juvenile Delinquency Case				=		Crossover Youth						+		Court Case Information Not Available		=	Total
Count	Percent		Count	Percent	Any Year		Fiscal Year		Concurrent		Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count			
					Count	Percent	Count	Percent	Count	Percent									Count			
<b>Kinship – Uncertified</b>																						
Overall	3,549	62.0%		199	3.5%	370	6.5%	239	4.2%	187	3.3%		1,607	28.1%					5,725			
<b>Kinship – Certified</b>																						
Overall	484	56.3%		*	*	*	*	*	*	*	*	*		316	36.7%				860			



Youth with a D&N or EPP Case		+		Youth with a Juvenile Delinquency Case		=		Crossover Youth				+		Court Case Information Not Available		=	Total
Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	
<b>Foster – CPA</b>																	
Overall	1,388	55.4%	121	4.8%	207	8.3%	133	5.3%	109	4.4%	788	31.5%	2,504				
<b>Foster – County Certified</b>																	
Overall	930	52.8%	99	5.6%	137	7.8%	81	4.6%	66	3.7%	595	33.8%	1,761				
<b>Trial Home Visit</b>																	
Overall	687	52.9%	153	11.8%	155	11.9%	110	8.5%	82	6.3%	303	23.3%	1,298				

Table 11. Youth in Family-Like Placements by Court Case Type, Placement Type, and State Fiscal Year

Youth with a D&N or EPP Case		+		Youth with a Juvenile Delinquency Case		=		Crossover Youth				+		Court Case Information Not Available		=	Total
Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count	Percent	Count			
<b>Kinship – Uncertified</b>																	
2017	784	52.2%	89	5.9%	35	2.3%	*	*	595	39.6%	1,503						
2018	1,245	53.3%	109	4.7%	58	2.5%	21	0.9%	922	39.5%	2,334						
2019	1,334	50.6%	161	6.1%	67	2.5%	25	0.9%	1,074	40.7%	2,636						
2020	1,328	48.0%	199	7.2%	83	3.0%	30	1.1%	1,154	41.8%	2,764						
2021	1,241	46.0%	223	8.3%	75	2.8%	31	1.1%	1,158	42.9%	2,697						
<b>Kinship – Certified</b>																	
2017	118	43.7%	*	*	*	*	*	*	136	50.4%	270						
2018	170	41.4%	*	*	*	*	*	*	223	54.3%	411						
2019	201	40.5%	*	*	*	*	*	*	266	53.6%	496						
2020	192	37.0%	*	*	*	*	*	*	298	57.4%	519						
2021	159	34.2%	*	*	*	*	*	*	278	59.8%	465						



Youth with a D&N or EPP Case			+		Youth with a Juvenile Delinquency Case		=				Crossover Youth				+		Court Case Information Not Available		=	Total
Count	Percent		Count	Percent	Count	Percent	Fiscal Year		Concurrent		Count	Percent	Count	Percent	Count	Percent	Count			
																			Count	
<b>Foster – CPA</b>																				
2017	329	40.9%	67	8.3%	20	2.5%	*	*	388	48.3%	804									
2018	515	45.0%	61	5.3%	30	2.6%	*	*	539	47.1%	1,145									
2019	550	40.9%	78	5.8%	30	2.2%	*	*	686	51.0%	1,344									
2020	565	39.7%	88	6.2%	47	3.3%	16	1.1%	724	50.8%	1,424									
2021	530	37.1%	115	8.1%	53	3.7%	*	*	729	51.1%	1,427									
<b>Foster – County Certified</b>																				
2017	224	44.7%	*	*	*	*	*	*	221	44.1%	501									
2018	340	43.8%	53	6.8%	16	2.1%	*	*	367	47.3%	776									
2019	370	39.2%	81	8.6%	24	2.5%	*	*	468	49.6%	943									
2020	341	33.5%	93	9.1%	28	2.7%	*	*	557	54.7%	1,019									
2021	315	33.5%	86	9.1%	32	3.4%	*	*	508	54.0%	941									
<b>Trial Home Visit</b>																				
2017	154	40.1%	69	18.0%	*	*	*	*	*	*	384									
2018	275	45.2%	91	14.9%	37	6.1%	*	*	206	33.8%	609									
2019	301	42.5%	121	17.1%	30	4.2%	*	*	257	36.2%	709									
2020	289	42.9%	127	18.8%	30	4.5%	*	*	228	33.8%	674									
2021	226	40.1%	108	19.1%	26	4.6%	*	*	204	36.2%	564									

## Methods

### Linking Child Welfare and Court System Data

LINC data scientists established master data sharing agreements with CDHS and the State Court Administrator's Office, enabling them to connect and anonymize the client-level child welfare and court data necessary to meet project objectives. LINC data scientists used the Senzing software to match individuals across administrative databases through an iterative process using all of the common identifiers available in the data (e.g., first name, last name, date of birth, SSN, etc.). Once individuals are matched and deduplicated across the data sets, a unique LINC ID is assigned to each individual and all identifiable information not needed for the analysis is removed. Any date-based information needed for the analysis is masked to the month and year.

### Descriptive Analysis

Upon receiving the anonymized LINC dataset, the researcher prepared the various tables for descriptive analysis. This preparation included dropping individuals with missing removal IDs in Trails, as placement information would not be available for these individuals and using the first placement start date and last placement end date as removal episode boundaries for individuals who lacked removal information. The researcher then created a series of state fiscal year flags based on removal, placement, and court case dates. For age analyses, the researcher calculated an individual's age in each state fiscal year based on their age on the last day of the state fiscal year, June 30. For demographic analyses, the researcher relied on information from the child welfare Trails database. This information was complete for dates of birth (masked to the month) and gender. For some individuals, race/ethnicity information was missing in Trails, and this information was supplemented with demographic information from the judicial data when available.

### Limitations

The most significant limitation in this study was the expungement, sealing, and suppression of JD cases received from the Judicial Branch within the observation period. Of the 37,103 JD cases within the study timeframe, expunged cases alone represent 47.5%, while sealed and suppressed cases combined represent an additional 0.9% of cases. This limited our analysis to just over half of known JD cases during this period, meaning that our count of crossover youth and counts of juvenile justice-involved youth are much lower than the actual value.

The exclusion of these cases led to additional challenges in reporting and disaggregating counts of youth by case type. Many of the cells in the tables disaggregating youth by race/ethnicity or placement type needed to be suppressed because they were below the cell suppression threshold. We had initially planned on conducting a geographic analysis of court case types, but, largely due to expungements, this was not feasible, as counts of youth in nearly every county outside of the Denver metropolitan area were below the cell suppression threshold. Additionally, due to the severe incompleteness of the data, we declined to pursue an analysis of case sequencing. This analysis would have examined the order in which different case types are experienced by youth, perhaps informing future services and prevention work.



Lastly, the usefulness of the demographic analyses presented involving disaggregation by gender and race/ethnicity hinge on the accuracy of these data. As with many administrative datasets, data around client gender, race, and ethnicity can be subject to reporting and entry error. As noted earlier, gender is reported as a binary in both administrative data sets leveraged in this study, failing to capture the breadth of possible gender identifications within this population of youth. Similarly, race/ethnicity categories needed to be collapsed due to cell suppression requirements, but even the more detailed values in these administrative data systems may not accurately represent the racial and ethnic identities of all participants.

## Conclusion

This study functioned as a pilot, to learn how to approach generating routine and replicable information about the crossover youth population. In order to achieve this goal, more complete data on court case type is needed. That can be accomplished through legislative action to allow the Judicial Branch to share data on expunged records for research and evaluation purposes or through the existing data sharing agreement between the Judicial Branch and CDHS. The existing data sharing agreement between the Judicial Branch and CDHS does allow for CDHS to receive information on expunged records, but it does not allow for CDHS to use a third-party contractor to conduct identity resolution or analysis.

## Endnotes

- <sup>1</sup> S.B.18-154, 2018 Regular Session (Col. 2018). <https://leg.colorado.gov/bills/sb18-154>
- <sup>2</sup> CO Rev Stat § 19-2.5-302 (2018). <https://leg.colorado.gov/sites/default/files/images/olls/crs2023-title-19.pdf>
- <sup>3</sup> H.R.1892 - Bipartisan Budget Act of 2018, 115th Congress (2017). <https://www.congress.gov/bill/115th-congress/house-bill/1892>
- <sup>4</sup> U.S. Department of Health & Human Services, Administration for Children and Families, Children's Bureau. (2023). *Title IV-E Prevention Program*. <https://www.acf.hhs.gov/cb/title-iv-e-prevention-program>
- <sup>5</sup> Colorado Judicial Branch. (2001). *Answers to your questions about dependency & neglect* [Brochure]. <https://www.courts.state.co.us/userfiles/File/Media/Brochures/d&nweb.pdf>