

# EVALUATION OF THE LANCASTER COUNTY JUVENILE JUSTICE SYSTEM



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## *Guide to Using this Report*

The nature of this report does not readily lend itself to a conventional Executive Summary. The report certainly focuses on findings related to Lancaster County's Juvenile Justice System, however, the primary value of the report relates to the global strategy it outlines for Lancaster's juvenile justice coalitions. The bottom line is that Lancaster County's agencies are well aware that their system needs adjustments; little benefit comes from exhaustively documenting specific problems.

Instead, this report identifies structural and organizational obstacles which diminish the efficiency and effectiveness of the juvenile justice system. Lancaster's present system naturally evolved in response to the Nebraska Juvenile Code and the community's broader efforts to target specific problems. To make dramatic gains, the system must now be reconfigured to account for five critical influences:

1. The Nebraska Juvenile Code;
2. The fact that resources fueling the system will always be limited;
3. Resources must be prioritized to impact the largest number of juveniles in Lancaster County;
4. System processes, programs, and interventions must operate to reduce risk factors known to contribute to delinquency and anti-social behavior; and
5. The system must synchronize its operation to those times in a juvenile's development that risk factors are most vulnerable to influence.

The first step in this process requires the Lancaster Juvenile Justice System to conscientiously recognize that there are two groups of youth with which it must be concerned: those who are at-risk of entering the system and those who enter the system as delinquents. Second, the system must recognize that the traditional cadre of justice providers—law enforcement, County Attorney, Juvenile Court Judges, Probation, OJS—cannot appreciably

impact the problem of juvenile crime if they must continue to contend with youth whose patterns of misbehaviors have been allowed to grow and calcify. Similarly, these justice providers cannot continue to expend precious time and resources on youth who have committed an offense but whose overall likelihood of re-offense suggests intensive interventions are overkill. The responsibility for Lancaster County's juvenile justice issues lies with many more community members. This report outlines a strategy for activating those community elements which hold sway over a juvenile's development into a delinquent.

Standardized risk assessment instruments like the YLS/CMI, discussed in this report, clearly delineate factors known to predict that a youth will become delinquent. These risk factors reveal which members of the community have the potential to slow a youth's development into a delinquent. Lancaster County's overall response to juvenile crime becomes more efficient when members of the community beyond traditional justice providers become more sensitive to a youth's potential for delinquency. This heightened sensitivity provides an opportunity for the community to more quickly move to counteract a youth's risk factors before he or she blossoms into an offender. When the County captures the risk profiles for many youth, it can more confidently identify the types of programming and interventions that can be reasonably expected to suppress the community's overall pool of risk. In other words, the County knows which investments stand the greatest chance of reducing the community's juvenile crime rate.

The map of Lancaster County's juvenile justice system (see page 15) reorganizes the positions of community members to match the trajectory that youth follow as they develop into juvenile and then adult offenders. It illustrates which agencies are primarily positioned to detect and respond to at-risk youth and those who are legally obliged to address delinquent youth.

While Lancaster County has achieved great progress in developing data streams about its juvenile offenders, these data have not been marshaled to provide solid guidance for policy and program implementation. Appendix B outlines the connection between YLS/CMI risk factors, specific community members, and the documentation from which one could reasonably be expected to draw meaningful conclusions about those risk domains. This chart enables the County to more clearly identify which agencies are positioned to detect a youth's risk. The chart provides the County with a foundation from which it can begin to design a more orchestrated response to youth crime.

Once community members become better organized to identify risk factors, the County's challenge shifts to developing more effective responses. Two steps are required to achieve this aim:

1. Lancaster's agencies and justice providers must possess the capacity to counteract a youth's risk factors; and,
2. The County must be able to discern which interventions produce a lasting effect.

It is important to remember that the degree to which an intervention fully engages a youth determines whether that intervention has a chance of succeeding. The first push, then, must focus on increasing the certainty that youth are connected with programs/sanctions in a timely manner. Until the County can be confident in the "dosage" that a juvenile received, it is methodologically impossible to ascertain whether the treatment was effective.

Finally, while this report provides the County with the tools required to initiate systematic changes throughout its juvenile justice system, a great deal of work remains to be done. The report concludes with a Case Study illustrating how the findings of the report can be used to guide change in the County's response to youths' risks.

## ***Introduction***

The *Lancaster County Three Year Comprehensive Juvenile Services Plan* identified four priorities for county coalitions to pursue between 2006 and 2008:

1. Reduce the number of juveniles in detention by focusing on truancy and preventing runaways;
2. Increase and strengthen treatment opportunities for youth;
3. Reduce the number of minority youth entering the juvenile justice system; and
4. Evaluate the overall effectiveness of Lancaster County's juvenile justice system.

The Graduated Sanctions Committee was to focus primarily on the fourth priority. The Committee's main objective was to use the Nebraska Crime Commission's *Community Planning Tool* to "evaluate the system as both a process and product."

Towards this end, the County contracted with the Juvenile Justice Institute located within the School of Criminal Justice at the University of Nebraska at Omaha to complete the *Community Planning Tool*. In February, 2007, JJI initiated a series of meetings with justice providers to gather the necessary information. Corey Steel facilitated the process by setting up the meetings and bringing justice providers together.

During the evaluation, it gradually became clear that the *Community Planning Tool* could not produce the type of findings Lancaster County required to refine its juvenile justice system. The *Community Planning Tool* best serves counties in which a central forum, committee or coalition has not already begun to organize individual agencies and justice providers to work as one. By contrast, Lancaster County has a highly structured cooperative effort; the *Community Planning Tool* simply confirmed as much.

Similarly, the *Community Planning Tool* provides less organized justice systems with basic documentation and data recommendations. Lancaster County suffers not so much from a dearth of data, but a lack of direction about how to apply it.

Based on the interviews, research and discussion completed during the evaluation, the Institute identified the following issues within the Lancaster County juvenile justice system:

1. Gaps in the systemic coordination of processing and interventions delivered to young offenders and their families;
2. Inadequate access to risk/needs assessments for youth in general, and especially for those youth being brought to the attention of the justice system;
3. Uncoordinated documentation of youths' risks and needs throughout the course of their juvenile justice contacts; and
4. The absence of community-wide indicators through which justice and community providers can monitor and manage the juvenile justice process.

In essence, the evaluation process revealed that Lancaster County needed to address these issues through a global strategy, rather than narrow, specific directions for individual agencies. The following sections discuss the rationale for such a strategy, detail its conceptual model, and suggest recommendations to put it into effect.

### *Purpose of Systems Analysis*

Two purposes are served when counties complete the systems analysis of the Community Planning Tool. The first purpose is to determine to what extent each justice provider associated with the statutory decision points from Nebraska's Juvenile Code (NRS §§43-247 through 43-2,102) exercises their discretion in accordance with the Code. The second purpose is to reveal to what extent the decisions made at these points of discretion are orchestrated to a common end. For the Nebraska Juvenile Code and the attendant agencies operating under it, this common end is to ensure the welfare and security of youth and to promote community well-being by helping delinquent youth to exchange misbehaviors for pro-social behaviors.

If a county operates in accordance with the statutory requirements related to each discretion point, then one might ask "why is it necessary to examine the degree to which the processes of these points are integrated?"

Compliance with statutory requirements may reassure us of a system's propriety, but says little about its effectiveness in actively suppressing the misbehaviors of the youth subject to its influence. The Nebraska juvenile code and case-law provides only a loose framework within which the individual members of the justice system exercise discretion and execute authority. The "play" built into the system is critical to developing individualized responses to the offenders over which the juvenile justice system must take jurisdiction. On the other hand, since neither the code nor case-law enforce a perfect synchronization of the system's actors, different parts of the justice system may pursue alternate, even competing agendas.

For example, at the present time, Nebraska's HHSS will not open an abuse/neglect investigation for complaints centered on truancy. This decision is likely grounded in a desire to prioritize scarce agency resources in favor of more typical protection and safety cases. However,

this policy exacts a toll on several other parts of the Lancaster County juvenile justice system. First, it leaves area school districts to fend for themselves in attempts to correct parenting issues contributing to an elementary student's lack of attendance. Left inadequately addressed, these parenting issues then combine with increasingly poor school performance to produce a failing junior high student whose parents cannot control him or her. The young status offender eventually graduates to active delinquency and the Separate Juvenile Court, Probation, and Office of Juvenile Services must struggle to craft and enforce dispositional case-plans to convert the youth's misbehaviors into pro-social ones. By this point, the youth has established a network of negative peer relationships, substance use habits and attitudinal obstacles to rehabilitation or, at least compliance. From the statutory perspective, each group has responded appropriately; from a systemic standpoint, the lack of organized attack enabled potentially manageable problems to grow nearly intractable.

Symptomatic of the juvenile justice system's focus on its statutory responsibilities versus its systemic obligations are the ways in which agencies explain their actions. Agencies looking to 'survive' their statutory responsibilities answer challenges about the sufficiency of their work with, "the statute doesn't require us to do that" or "we've done everything that the statute requires." Justice providers attempting to break the cycle of social dynamics which repeatedly produce offenders with the same risk and needs factors express themselves differently. They attempt to capitalize on their available discretion at every point. These agencies say things like, "the statutes allow us to ..." and "we want to do this even if we don't have to."

One of Lancaster County's odder manifestations of this is the County Attorney's policy that it does not have to attend Disposition Hearings. NRS § 43-286 provides the statutory framework for dispositional hearings. It does not specify that the County Attorney participate.

At the same time, the Court's dispositional order will contain the post-adjudicative conditions attached to a youth. Since the County Attorney exercised its discretion to file the case originally, it seems the office would have an abiding concern in the disposition of the case. Even in terms of stark self-interest, the County Attorney should want to ensure that the disposition plan addresses the individualized risks and needs of the youth; this is the only strategy likely to minimize the need for a future revocation hearing, forestall additional law violations (which would require another prosecution), and provide the office with insight into whether the agency charged with supervising the youth is sufficiently exerting itself from the beginning. The current practice pre-dates the present County Attorney, but its continuation illustrates the tension between statutory minimums and systemic requirements.

Overall, the statutory analysis of the Community Planning Tool for Lancaster County shows that every agency appears to be meeting the letter of Nebraska's Juvenile Code. Where the Code is silent, however, silos of activity and policy have emerged which undermine the aspirations contained in the County Plan for 2006-2008. Many key elements are in place, though, and the County is well positioned to move forward in its effort to refine its response to juvenile issues.

## *Restructuring the Juvenile Justice System*

Lancaster County's juvenile justice system was not created by random accident. Two things promoted the system's present structure: the Nebraska Juvenile Code and community efforts to target specific problems. On the positive side, the County's current juvenile justice system meets statutory requirements and demonstrates pockets of innovation and collaboration. By themselves, the juvenile code and strategic problem solving are not sufficient, however, to maximize the overall system's effectiveness in combating juvenile delinquency and status offending.

The easiest way to illustrate the structural problem with the current system is to imagine that the County is trying to build a new system from scratch, rather than trying to refine the system it currently has. This strategizing depends on the County initially deciding what it wants the new system achieve.

First, the Nebraska Juvenile Code establishes the minimum responsibilities the County must meet. Clearly the new juvenile justice system must comply with the relevant statutory requirements.

Second, the new system must reflect the practical limitations of County resources. This means clear, careful priorities must be set to deliver the biggest "bang" out of the County's "buck". If this bed-rock principle is not applied, then the county's youth will not be adequately served and the problem of youth crime, misbehavior, and substance abuse will worsen. As the County faces several legitimate, yet competing, options in which to place its money and resources, it must discern the predicted result of each potential investment. The County must be able to anticipate the contribution of each option individually, but also the overall effect produced by different constellations of programs.

Third, the new system will be cost-effective only if it applies its limited resources in a way calculated to achieve particular results. Unclear objectives lead to scattershot efforts which undermine the County's ability to deliver broad, sustained effect over time. For the local juvenile justice system, Nebraska's Juvenile Code clearly encapsulates the desired result: "To remove juveniles . . . from the criminal justice system whenever possible and to reduce the possibility of their committing future law violations through the provision of social and rehabilitative services to such juveniles and families."

Fourth, justice providers' interventions must be designed to target and reduce the risk-factors known to increase a youth's likelihood of delinquency. Risk/needs assessments like the YLS/CMI (Appendix A) have been carefully calibrated to reveal which factors in a juvenile's life lead deeper into the juvenile and adult justice systems. Lancaster County programs must ascertain the constellation of risk factors attaching to a particular youth then provide counteractive support and resources.

Finally, the new system must account for the fact that the vast majority of youth "develop" into juvenile offenders. Putting this in terms of risk factors, young kids have small sets of risk factors. As a child ages, two things happen: 1) his/her original risk factors grow more entrenched when left unchecked, and 2) the child's collection of risk factors grows. Eventually, the protective factors suppressing the juvenile's expression of delinquent behavior prove insufficient to overcome the risk factors. The scale of the juvenile's acting out increases and lands them in the formal juvenile justice system. If the design of Lancaster County's new juvenile justice system accounts for this developmental dynamic, then it will attempt to deploy its resources at the point where the juvenile's risk factors are most susceptible to change or even eradication.

To summarize, Lancaster County's present juvenile justice system relies on a loose coalition of specialized agencies and programs which does not realize its full potential for effectiveness. Many elements of the current system share common aspirations and are fully committed to reducing juvenile delinquency and status offending. This system is the product of two primary influences, the Nebraska Juvenile Code and problem-oriented capacity expansion.

**To achieve a higher level of effectiveness and efficiency, Lancaster's system must be restructured to account for five influences:**

- 1. The Nebraska Juvenile Code**
- 2. The fact that resources fueling the system will always be limited**
- 3. Resources must be expended to achieve those priorities identified to impact the largest number of juveniles in Lancaster County**
- 4. System processes, programs, and interventions must operate to reduce risk factors known to contribute to delinquency and anti-social behavior**
- 5. The system must synchronize its operation to those times of a juvenile's development that risk factors are most vulnerable to influence.**

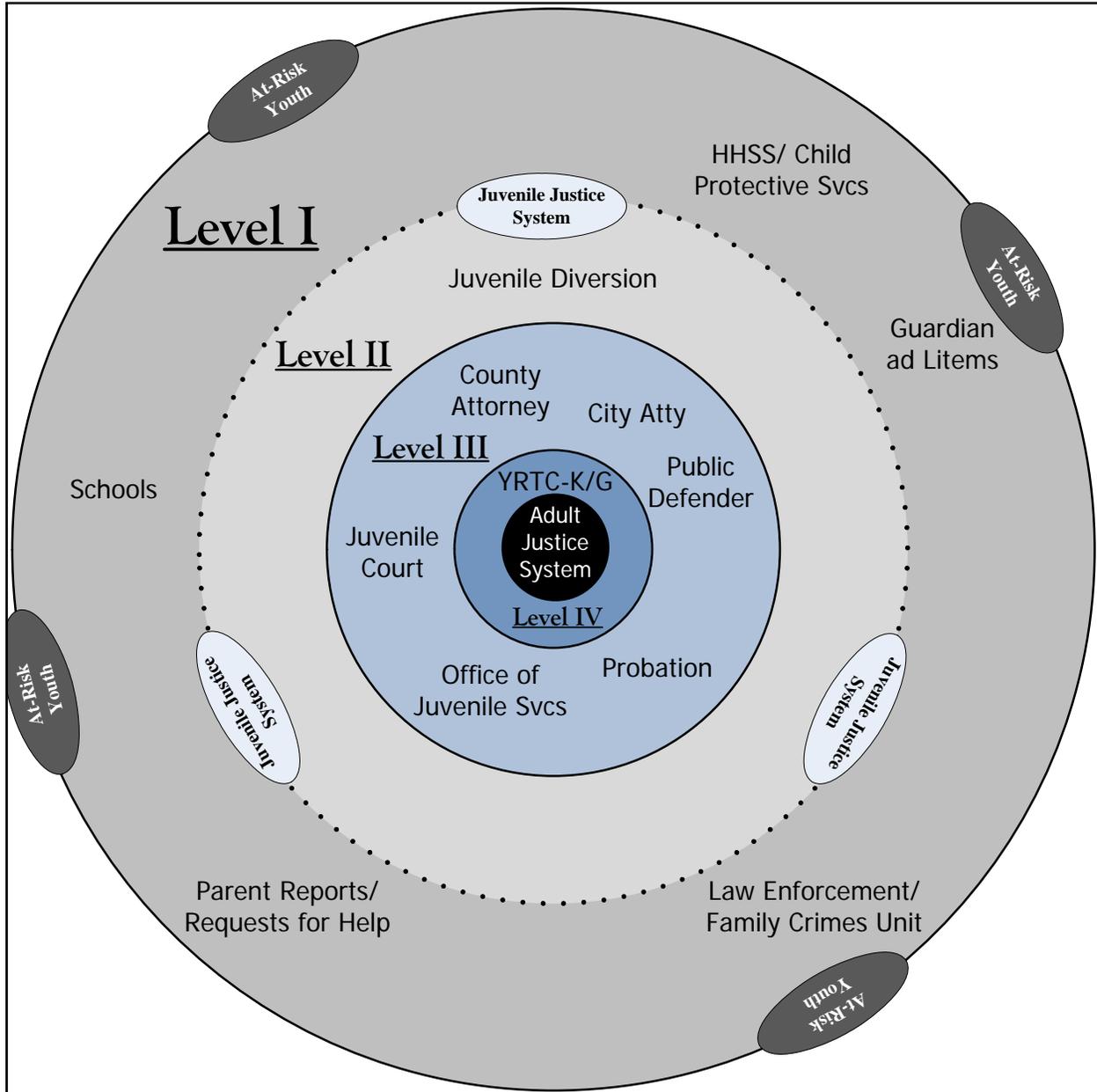
The following discussion outlines the steps needed to embed these five considerations in the structure of Lancaster County's Juvenile Justice System.

### ***Re-“mapping” the Lancaster County Juvenile Justice System***

Lancaster County’s juvenile justice system is presently composed of several different agencies charged with specific responsibilities for youth who stray from the social norm. The statutory backbone of Lancaster County’s juvenile justice system distributes authority across agencies and systems. When this statutory backbone is the sole, or even primary tool structuring the juvenile justice system, it is only natural that agency systems become oriented towards their specific points of discretion, rather than a community’s over-arching intent to produce a particular outcome.

To better understand how these agencies can become integrated, it is helpful to recast them as multiple tiers of response. When the actors in any level effectively address the problems contributing to a child’s risks and needs, they eliminate the need for more aggressive and typically more expensive, responses from the levels above it. The notion of graduated sanctions (increasingly aggressive interventions to sustained misbehavior) taps into this idea. Graduated sanctions programs tend to be centralized within a single program, however, and what Lancaster County requires is a graduated *response* system.

Reconfigured as a graduated response system, the juvenile justice process looks like this:



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Once the statutory structure of Lancaster County’s Juvenile Justice System is reorganized, or “re-mapped” to the levels illustrated above, one can more clearly see that the system is concerned with two types of juveniles: those *at-risk of becoming delinquent* and those who *are delinquent*.

The system breaks into the following components:

**Level I:** These front-line responders tend to have the earliest contact with a youth and family. Level I agencies include, law enforcement, schools, and Child Protective Services. Level I also includes Parents because they frequently recognize problems with their children before the attention of institutional components has been triggered. Guardian Ad Litem fall within Level I because their oversight of an abused/neglected child can reveal the need for interventions to address risk factors predicting juvenile delinquency in the future.

**Level II:** The juvenile diversion services operating subject to the oversight and control of the County Attorney.

**Level III:** These are often viewed as the core of juvenile justice systems and include the County/City Attorney, Public Defender, Separate Juvenile Court of Lancaster County, Probation and the Office of Juvenile Services.

**Level IV:** The extreme point of the juvenile justice system, the Youth Treatment and Rehabilitation Centers in Geneva and Kearney and the residential treatment centers on which the system relies for the most intensive interventions.

**Level V:** The adult justice system. Though not an explicit component of the juvenile justice system, it constitutes the final systemic response to juvenile offenders who prove ultimately resistant to the best efforts of the juvenile process.

Shuffling the juvenile justice system in this way begins to match the justice system's response to the natural progression of events which produces a juvenile offender. This is necessary because of the conceptual conflict between the emergence of a youth/family's problems and the segregated, specialized organization of the current justice system.

Families' problems are historical and continuous. That is, they start out small enough to be below the radar of the juvenile justice system and perhaps within the coping skills of the family. In the absence of interventions which slow the problems' progress, however, they gradually, perhaps even in fits and starts, grow to pose an increasing challenge to the family's coping resources.

The new map does more than simply rearrange the elements of the justice system. It also reveals how Lancaster County's Juvenile Justice System must be oriented to respond to the particular stage of risk or need that a youth or family is in at a given time. As an example, the map shows that for the vast majority of youth, Level I agencies are the ones most likely to be drawn into a family's difficulties early. Similarly, for those youth whose problems prove ultimately resistant to the overall justice system, the Adult Justice System is the exit point at which the influence of the Juvenile Justice System largely ends.

Why do we refer to this diagram of Lancaster County's Juvenile Justice System as a map? Why don't we refer to it as a chart or logic model? As it is commonly used, drawings identified as a "map" illustrate things like position and distance. The critical thing that distinguishes maps from other drawings is that *maps serve the functional purpose of navigation*.

Does this diagram provide Lancaster County with a tool for getting somewhere? And if so, where?

First, this new arrangement anchors the position and relative distance of Lancaster's juvenile justice system agencies to each other. More importantly, it recasts the "formal" or "legal" arrangement of the system to match the trajectory that youth and family take as they navigate their way from personal struggles to the Adult Justice System.

Second, this bird's eye view reveals how the juvenile justice system is arranged to provide barriers in the path of that youth's journey. It identifies which agencies stand between that youth and the Adult Justice System. Best of all, it shows the order in which each agency is triggered to act. For example, risk factor research says that low academic achievement increases the likelihood that a youth will engage in delinquent behavior. Lancaster County's map shows that schools are the primary barrier to keep youth from becoming a responsibility of the Level III justice providers as a result of low academic achievement.

A juvenile justice system mapped along these lines becomes an integrated juvenile justice system when it recognizes that each agency possesses two unique characteristics: 1) the agency's ability to detect that a youth is in trouble, and 2) the agency's ability to respond to that youth's problems. The juvenile justice system achieves full integration when the specialized capacity of all agencies is *orchestrated* to produce the maximum impact on a youth's problem. The system orchestrates agencies when it recognizes that at any given point in time a particular agency is best positioned to detect that a youth is trouble and to respond, it actively monitors whether that agency fulfills its responsibility to juveniles, and leverages the system resources to strengthen ineffective agencies.

The new arrangement of Lancaster County's Juvenile Justice System is a map because it shows how the primary agencies must be deployed to more capably respond to the personal and social problems which result in delinquency, court involvement, and, in the worst cases, a youth's conviction as an adult. Where does it promise to take the present system?

**This map points the way to move Lancaster County from a loose coalition of agencies focused on their specific responsibilities to an integrated system of specialized resources deliberately arrayed against a community of troubled youth.**

Maps like this are very useful for figuring out where you are and where you need to go, but it takes more than a piece of paper to actually make the journey. The next section builds the toolkit and strategy that Lancaster County will need to integrate its system and more efficiently achieve greater impact.

### *Points on the Map*

Some agencies are responsible for youth in the juvenile justice system because the law requires them to be. For example, Probation and the Office of Juvenile Services are responsible for all youth the Juvenile Court places under their supervision.

Other agents of the system are responsible to youth for reasons not directly related to the juvenile justice system. The types of things for which these agencies are responsible, however, influence risk factors that contribute to delinquency. Schools are perhaps the best example. Of the 42 risk factors captured in the YLS/CMI, six of the valid predictors for delinquency relate directly to a youth's school experience:

- Disruptive classroom behavior
- Disruptive behavior on school property
- Low achievement
- Problems with peers
- Problems with teachers, and
- Truancy.

In Nebraska, approximately 70-80% of all juvenile offenders score positive for "Low Achievement". Only one other cluster of risk factors, "Personality and Behavior", increases Nebraska juveniles' risk of offending more than the six school-related factors above. Moreover, a positive, successful school experience directly counteracts 9 of the other 36 non-school related risk factors of the YLS/CMI. Even though laws do not explicitly include schools as members of the juvenile justice system, schools exert tremendous influence on the likelihood that a juvenile will become an offender. That means, whether schools like it or not, a well-designed juvenile justice system recognizes schools as important constituents.

The map identifies the major agencies responsible for some area of a youth's life which relates either to the juvenile's direct involvement with the formal justice system or the risk

factors associated with delinquency. These agencies make up only half of the juvenile justice equation, however. There would be no need for the juvenile justice system if there were no juveniles.

Most youth under the age of 18 are never brought to the attention of the juvenile justice system. Some youth are never delinquent. Some youth are delinquent, but are never detected by the formal system. Generally speaking, this leaves that portion of Lancaster County's total juvenile population who are in the juvenile/criminal justice system. In order to craft a graduated response system to juvenile delinquency, however, the system must not only respond to the youth who have entered it, but also to those youth who are at risk of entering it.

Remember, youth accumulate risk factors over time until the degree of their misbehaviors demands a response from police, the County Attorney, Courts, etc. If the Lancaster County juvenile justice system is to realize optimal efficiency, then it must find a way to reach youth when their constellation of risk factors is most susceptible to change.

To summarize the points on the map:

- **Agencies are included primarily because the law requires them to respond to juvenile delinquency.**
  - **Some agencies are drawn into a community's juvenile justice process because they influence risk factors which increase or decrease the likelihood of delinquency.**
- **The portion of Lancaster County's population with which the juvenile justice system is most concerned are those youth at risk of entering the formal justice process and those youth have entered that process.**

Up to this point, the discussion has not explicitly addressed those community service providers on whom the juvenile justice system heavily relies for assistance. Examples include mental health and substance abuse treatment providers, shelters and other out of home placements, agencies like YMCA, mentoring groups, Boys and Girls Clubs, Camp Fire and Big

Brothers/Big Sisters. These types of agencies are discussed later because they do not meet either of the two criteria used above. For example, even though Cedars Home for Children administers the juvenile diversion process in Lancaster County, it has no statutory obligation to do so. Arguably, it exerts influence over critical risk factors associated with a youth's potential delinquency; however, it does so as an extension of the County Attorney. In other words, it is a contractor rather than an institutional spoke in the wheel of local government. In this respect, it is an "asset" within the system, not an "agency" in the sense defined above. This will be explained more clearly in the discussion of agency resources, below.

### ***Detect and Respond***

Lancaster County's juvenile justice system map denotes the key justice providers and agencies involved. More than simply identifying them, however, it designates the order in which they are positioned to detect and respond to juveniles pushing through the system. This permits the County to quickly identify which justice providers have difficulty meeting their responsibility to youth and the rest of the system. Even in the ideal world, the best efforts of the Level I agencies and justice providers will not be adequate to keep some youth from becoming delinquents. The critical question is whether those agencies or the justice providers from any other level are successfully intercepting *as many youth as they should*. The more youth who pass through the hands of a provider and on to a higher level of the justice system, then the more those youth exert a disproportionate tax on the entire system. To better understand whether agencies are meeting their responsibility to youth and, correspondingly, to the County's juvenile justice system, we must examine what every agency has to accomplish.

Every agency performs two general functions: 1) it detects situations for which it is responsible, and 2) it responds. In Lancaster County's juvenile justice system, agencies detect youth are at risk of entering, or have already entered, the justice system and then respond with the objective to push those juveniles back out of the justice system. Some agencies are responsible to youth because of statutory criteria. Other agencies are responsible to youth, from a juvenile justice standpoint, because their work touches on risk factors known to predict delinquency.

#### **Sensitivity**

The degree to which an agency detects juveniles for whom it is responsible corresponds to its "sensitivity". Agencies that accurately identify most of the youth to whom they need to

respond demonstrate a higher sensitivity. Justice providers whose processes limit their ability to detect youth to whom they are obliged to respond exhibit lower sensitivity. One measure of the juvenile justice system's effectiveness, then, is whether the sensitivity of each agency is fine-tuned to detect the youth to whom it should be responding.

Justice providers with glitches in their detection systems will not respond very well to juveniles' needs. When that happens, the risk factors and behaviors which should have triggered action by that agency will go unaddressed. That means the youth's problems will get worse and the system's eventual response will have to be more intense and expensive.

Sometimes agencies and providers deliberately calibrate their sensitivity to detect only the youth to whom they wish to respond. When the Governor directed CPS not to investigate truancy cases, he was attempting to prioritize the strained resources responsible for children suffering from physical abuse and the neglect of their physical well-being. By this reasoning, if CPS does not prioritize cases, then it risks that the time spent on a case of "educational neglect" may cause it to miss a child being physically abused. The department does not investigate cases of educational neglect because it is not going to respond to those cases.

Whether it is by intention or accident, a justice provider's sensitivity reflects its ability to quickly and accurately identify which community youth for whom it is responsible. Lancaster County needs to begin tracking sensitivity indicators for the different agencies of its juvenile justice system. As illustrated above, agencies' sensitivity strongly corresponds to sources of inefficiencies within Lancaster's overall juvenile justice system. To gauge the sensitivity of an agency on the map, the following question should be asked:

1. Does the agency or justice provider attempt to *systematically* detect all the juveniles to whom it is responsible?

- a. If the answer is yes, then that agency satisfies the first expectation that the rest of the system holds for that agency
- b. If the answer is no, then that agency is a point of inefficiency within the greater system because it produces one of three negative results:
  - i. A youth's problems grow worse because they are not addressed;
  - ii. Responsibility for the juvenile shifts to other agencies who may not be as well-equipped to intervene, thereby decreasing the potential for successful interventions; or
  - iii. Other agencies must redirect resources to the youth which prevents them from concentrating their full effort on the juveniles for whom they are primarily responsible.

In Lancaster County's juvenile justice system, how does one determine which youth an agency or justice provider should be sensitive to?

For some agencies, the answer is easy: the ones mandated by state statute or local ordinance. The Juvenile Court bears responsibility for every juvenile whom the County Attorney has brought to the Court's attention. Probation is responsible to all juveniles for whom the Court has requested a Pre-sentence Investigation or ordered Probation to supervise. The Public Defender's Office is responsible to every juvenile it has been ordered to represent.

Inefficiencies related to agency sensitivity are centered elsewhere in Lancaster County's juvenile justice system. They revolve around those agencies which influence delinquency risk factors, but are not necessarily mandated to address those risk factors, specifically, Lancaster County Schools, HHSS-CPS and Guardian ad Litem.

For example, Nebraska law requires that schools must make certain responses to students with excessive absences and empowers schools to refer cases to the County Attorney for prosecution. Risk factor research says *it is the missed school*, however, *not the truancy prosecution* that predicts delinquency. Schools can discover a student's poor school attendance

earlier than any other agency in the juvenile justice chain. As a result, the Lancaster juvenile justice system should aspire for area school districts to be as sensitive to school absenteeism as possible. Are they?

Nebraska law requires school districts to file truancy referrals after a student misses “twenty days cumulative per year”, but also says, “School districts may use excused and unexcused absences for purposes of the policy”. NRS Section 79-209. Only one district in the state is known to have every level of its school system count all absences, whether excused or unexcused, towards a truancy referral; the vast majority of Nebraska school districts count only unexcused absences. This means that by the time most districts refer a case to the County Attorney, the student has missed more than twenty days of school.

The problem is made worse because most Nebraska districts interpret twenty days “per year” to mean “per *school-year*”. This leads to the absurd result that a student can miss 18 days of school during the second semester of a school year and, a mere three months later, start the fall semester with a perfect attendance record. Rather than referring the student to the County Attorney after his or her second absence of the fall semester (the 20<sup>th</sup> absence of the year), when the student can still salvage the benefit of that school year, districts delay the referral for months waiting until another 18 unexcused absences are documented. By the time the referral finally hits the County Attorney’s desk, the student’s academic record is in shambles, there is no real avenue by which the student can salvage credits, and the Court’s insistence that the juvenile must attend school serves no purpose but to further alienate the youth and increase the likelihood that he/she is about to plunge headlong into deeper involvement with the juvenile justice system.

The main point of this lengthy aside about truancy is to illustrate that when the primary reason for an agency to attend to a juvenile comes from risk factors, rather than statutory

mandate, that agency is far less likely to be sensitive to those risk factors. The first step towards restructuring the Lancaster juvenile justice system to respond more quickly and effectively to risk factors is to determine which agencies are well-positioned to detect the influence of those risk factors as early as possible and scrutinize whether they are tuned into the possibility that one of their juvenile subjects may carry that risk factor. Since the schools, HHSS-CPS, and Guardian ad Litem have contact with juveniles for reasons unrelated to offending, they are the only agencies whose sensitivities to delinquency risk factors are probably incomplete; they do not ordinarily consider themselves responsible to youth for delinquency.

### **Response**

To gauge how well the Lancaster County juvenile justice system responds to delinquency, one must first understand what generally makes a system's response to problems effective and efficient. The quality of a system's response is indicated by the degree to which from among all the problems with which it might be presented,

1. The system identifies those problems it can solve, scales its collective response to the minimum expenditure of resources believed necessary to correct the problem, and
2. The system quickly passes the problems which it cannot solve to a different system presumably authorized and equipped to correct that problem.

Based on these two assumptions, it follows that system of responses achieves maximum *efficiency* when for all problems presented to that system:

- the system matches problems to the agencies authorized and best equipped to solve that problem;
  - the system minimizes redundancy because multiple agencies only focus on the same problem when their combined authority and resources are required to solve the problem;
- agencies commit their full authority and resources to solving the problems for which the system has made them responsible;

- the system rejects problems for which its collective agencies lack the authority or resources to solve; and
- the correction of a problem terminates the system's obligation to further respond.

A system achieves maximum *effectiveness* when:

- the system possesses a response for every problem that larger external systems have deemed to be within its collective authority and resources to solve, and
- the responses to every problem correct the problem.

### **Optimizing Efficiency**

Lancaster County's juvenile justice system identifies youth as falling within its influence when a member agency within the system determines that a youth is either at-risk of entering the formal justice system or has committed an offense which places it under the jurisdiction of the Juvenile Code agencies. To efficiently process the juvenile, the system must assign responsibility for that youth to an agency or justice provider authorized and equipped to address the risk factors associated with his/her delinquency. There are two strategies by which Lancaster County can achieve this objective. It can ensure that agencies adopt common screening and assessment tools or it can provide centralized screening and assessment services for the benefit of all agencies within the County's systems.

Presently, each agency on Lancaster County's juvenile justice map either utilizes screening and assessment tools which have been adopted for that agency's purposes or relies on the experienced judgment of agency personnel to ferret out the nature of a youth's problems. This situation raises doubt that the agencies accurately prioritize their response to juvenile offenders or efficiently coordinate joint responses to juvenile offenders based on a common consensus. This mix and match approach undermines the efficiency of the overall system

because the system cannot monitor the degree to which youth are accurately matched to services based on their individual risks and needs.

From a system wide perspective, there are two instances where County justice providers are trying to migrate towards common, standardized risk assessment and screening processes. Over the past 18 months, Probation and the Office of Juvenile Services have trained their staff to assess juveniles' risk factors using the YLS/CMI. While the agencies continue to wrestle with implementation issues, Probation and OJS have taken a huge step towards aligning their review of a juvenile's case. As a result, Probation and OJS are at the forefront of enabling Lancaster County to determine whether rehabilitative case-plans address the risk factors predicted to sustain an offenders' delinquency.

The second place where assessments have been formalized are the Comprehensive Child and Adolescent Assessments that Juvenile Court Judges can request to determine the behavioral health and substance abuse treatment needs of an offender. As OJS continues to refine the nature and contents of this assessment, it reinforces a common vocabulary for discussing behavioral health and substance abuse needs, it standardizes the diagnostic process of treatment providers, and it increases the system's confidence that treatment recommendations mean the same thing even when different treatment providers conduct the assessments. As with the YSL/CMI, implementation issues remain with the CCAA, but at least OJS and Lancaster County are moving closer to the day when a youth's behavioral and substance abuse risk factors are more precisely matched to the services most suited to correct them.

By contrast, one of the more critical decision points in the Lancaster County system has failed to adopt standardized risk assessments to determine the best way to respond to a juvenile's

risk of delinquency. Neb. Rev. Stat. § 276 mandates that when considering the appropriate prosecutorial response to a juvenile's behavior, the County Attorney shall consider:

1. The type of treatment such juvenile would most likely be amenable to;
2. Whether there is evidence that the alleged offense included violence or was committed in an aggressive and premeditated manner;
3. The motivation for the commission of the offense;
4. The age of the juvenile and the ages and circumstances of any others involved in the offense;
5. The previous history of the juvenile, including whether he or she had been convicted of any previous offenses or adjudicated in juvenile court, and, if so, whether such offenses were crimes against the person or relating to property, and other previous history of antisocial behavior, if any, including any patterns of physical violence;
6. The sophistication and maturity of the juvenile as determined by consideration of his or her home, school activities, emotional attitude and desire to be treated as an adult, pattern of living, and whether he or she has had previous contact with law enforcement agencies and courts and the nature thereof;
7. Whether there are facilities particularly available to the juvenile court for treatment and rehabilitation of the juvenile;
8. Whether the best interests of the juvenile and the security of the public may require that the juvenile continue in secure detention or under supervision for a period extending beyond his or her minority and, if so, the available alternatives best suited to this purpose;
9. Whether the victim agrees to participate in mediation;
10. Whether there is a juvenile pretrial diversion program established pursuant to sections 43-260.02 to 43-260.07; and
11. Such other matters as the county attorney deems relevant to his or her decision.

With this statute, the Nebraska Legislature has essentially directed County Attorneys to balance the need for community security and accountability against the likelihood that juveniles will continue to commit further offenses or endanger themselves. Against the backdrop of the Juvenile Code's mandate to rehabilitate and support juveniles, the Legislature has authorized the

County Attorney to ascertain the likelihood that a youth will continue to offend and craft a prosecutorial strategy intended to counteract the risk factors contributing to that potential.

Keeping in mind that the Lancaster County juvenile justice system operates most efficiently when offender's risk factors are matched to interventions designed to mediate those factors, prosecution decisions dramatically increase the system's efficiency when the County Attorney folds the individualized risks and needs of an offender into the decision to prosecute. The main gains in efficiency come from diverting low and moderate risk offenders to programming rather than prosecuting them. Efficiency suffers in the current system when juveniles who are unlikely to persist in offending or who pose a manageable threat to community safety are prosecuted. Such cases unnecessarily tax the time and resources of the Juvenile Court, Public Defender, Guardian ad Litem, and possibly Probation and OJS.

Standardized risk/need assessments do not substitute for the experience and intuition of agency personnel and justice providers in the Lancaster County system, they exploit it. Tools like the YLS/CMI free staff from poring over reams of information which may or may not indicate the nature and severity of a juvenile's problems and empower them to spend that time constructing case plans, identifying service providers, and connecting families with supportive services.

For example, the Family Crimes Unit of the Lincoln Police Department does not presently have access to assessment services, so its officers cannot reasonably be expected to determine the risk factors for the children with whom it must work. Because the officers do not have access to these services, they must speculate about the types of interventions to which a youth and his/her family should be referred. When they guess incorrectly, the referral becomes wasted motion within the system because it is unlikely to correct the juvenile's "real" problem.

Even though the Family Crime Unit fits perfectly with the County's need to address young offenders at a point when their risk factors are most susceptible to rehabilitation, their inability to rely on standardized assessment results reduces the overall system's efficiency.

Many times parents know that they are losing the struggle to manage their children's behavior. Lancaster's current juvenile system offers few options beyond a "resource directory" to assist these parents. If the county could provide a venue through which parents could obtain an inexpensive risk/needs assessment, even at their own expense, Lancaster's system would empower parents to gain invaluable insight to a child's problems. This would greatly increase parents' ability to seek out appropriate assistance without having to wait until their child has become a runaway, chronic truant, developed chronic substance abuse issues, or committed a law violation.

The purpose of Lancaster County's juvenile justice system is to reduce the community's overall incidence of delinquency. The cornerstone on which this can be efficiently accomplished is to consistently match youth with appropriate services, regardless of when the need for the assessment arises. The quickest way to increase the system's overall efficiency is to pursue centralized risk/needs assessment services which can be accessed by parents and justice providers. The least expensive route to accomplishing this objective is probably to invest in expanding the assessment capacity of the County's existing assessment center and diversion process. Since Probation and OJS have already adopted the YLS/CMI as the tool around which those agencies will individualize case plans, its adoption at other points of the juvenile justice process will standardize the overall system's approach to assessment.

In the aggregate, the assessment results of the County's youth reveal what types of programming are needed to counteract the influence of juveniles' risk factors. This sets the stage for the County to become more effective at reducing delinquency.

### **Optimizing Effectiveness**

Theoretically, the Lancaster County juvenile justice system can never achieve complete effectiveness. To be 100% effective, the system would have to successfully rehabilitate every juvenile offender who came within its reach. The goal, then, is to ensure:

1. Lancaster's agencies and justice providers possess the capacity to respond to those risk factors which contribute most to juveniles' delinquency risk, and
2. That the County can determine whether interventions are achieving reasonable success in counteracting those risk factors.

Even in the absence of standardized risk assessment data for the Lancaster juveniles passing through the current justice system, it is not difficult for the County to reasonably anticipate its need for specific programming capacity. YLS/CMI assessment results have been collected in the last five years for Nebraska juveniles who were first time offenders, juveniles under the supervision of Probation and OJS, and most recently, juveniles committed to YRTC-Geneva and Kearney. Although slight discrepancies can be found in the results of each study, the findings have been relatively stable across all populations.

The non-offense related risk domains are listed below. Those risk domains in which youth scored the highest risk appear at the top of the list:

1. Education/Employment
2. Leisure/Recreation
3. Peer Relations
4. Personality/Behavior
5. Substance Abuse
6. Attitudes and Orientation

## 7. Family Circumstances and Parenting

Results indicating that a substantial portion of Nebraska juveniles score at high or moderate risk for a particular domain signal a need for interventions which effectively reduce that risk. Based on past results, more youth are in need of support services for education, unstructured time, and ways to disassociate from negative peer relations than the remaining domains.

This is an example of how capacity expansion based on intuition and anecdote, rather than standardized predictors of delinquency, can be misleading. Many of the most troublesome juvenile cases involve youth with serious substance abuse issues and dysfunctional family situations. Because they are so frustratingly difficult to correct, these cases seem to beg for the juvenile system to expand treatment options and compensate for “inadequate” parenting.

Lancaster’s juvenile system optimizes its efficiency, however, when its programming suppresses the most risk factors for the largest number of youth. While it cannot ignore the specialized treatment needs of its extreme cases, it undermines the effectiveness of the overall system when the prominence of such cases misleads it to invest in capacity which serves only a small number of the total population of at risk and delinquent youth.

It is important to remember that the vast majority of youth “develop” into a juvenile offender. They accumulate risk factors over time and the most common risk factors which juveniles pick up early are those associated with school, unstructured, unsupervised time, and bad peer influences. These are the gateway factors that lead to more serious risk factors such as substance abuse. If Lancaster’s juvenile services aggressively work to correct these risk factors when a youth is first detected as being at risk of delinquency, then the system has interrupted that youth’s progression to more resistant, more difficult risk factors.

To optimize the Lancaster County juvenile justice system's effectiveness in combating community-wide delinquency, it must support capacity that :

1. Reinforces or restores a juvenile's engagement with school;
2. Pulls the youth into activities that minimize the amount of time they are left unsupervised and unoccupied; and
3. Fosters relationships with positive peers and adults whose example and attention make it more difficult for negative influences to steer to undesirable behavior.

## ***Documentation and Data***

The agencies of Lancaster County's juvenile justice system are awash in data. The problem is that this data is not organized in a way that permits the County to monitor how well the system works.

To tell whether the system operates efficiently and effectively, three categories of data elements need to be developed. The three categories of data elements are: 1) Sensitivity Measures, 2) Engagement Measures, and 3) Outcome Indicators. The documentation required to produce these data elements needs to relate to justice providers' ordinary operations. The data elements on which the larger system depends needs to coincide with indicators on which well-run agencies should be relying to manage their programs. If the resulting data elements meet these two conditions, then the juvenile justice system can assess the quality of its overall process and it will ensure that each agency or justice provider possesses the ability to monitor the efficiency and effectiveness of its individual operations.

### **Sensitivity Measures**

Sensitivity measures refer to indicators reflecting an agency's ability to systematically detect youth who are at risk of entering the juvenile justice system or who have become delinquent. Since agencies within the system are uniquely positioned in relation to each other, the system's overarching goal is to activate the agency's individual potential to detect juveniles in trouble. From a systems standpoint, this increases the likelihood that a youth will be discovered before they have accumulated many risk factors or before those risk factors have become entrenched.

The dimensions along which the overall juvenile justice system should reasonably expect an agency to be sensitive to at risk youth depend on the relevancy of delinquency risk factors to

that agency's primary course of business. The two primary agencies on the Lancaster County juvenile justice system map which can be expected to detect at risk youth are the schools and HHSS-CPS.

Schools maintain attendance, disciplinary reports, and academic performance records for their students. Schools track these data to better identify students to whom they must respond in order to meet educational objectives. These three areas directly intersect with the Education/Employment domain of the YLS/CMI (Truancy, Disruptive classroom behavior, Disruptive behavior on school property, Problems with peers, Problems with teachers, and Low achievement). Lancaster's juvenile justice system has a vested interest in monitoring whether schools adequately document a student's difficulty with attendance, behavior, and achievement: truancy and misbehaviors can lead directly to prosecution. Even when a student's absenteeism, misbehavior and poor achievement does not rise to the level at which state statutes authorize the formal justice system to act, however, the juvenile may still be demonstrating the presence of risk factors predicting eventual delinquency.

HHSS-CPS documents when parents are impaired or ineffectual, that a juvenile's personal life may be complicated by out of home placement or that competent parents are straining to meet a juvenile's behavioral needs. Such situations potentially overlap with the Family Circumstances/Parenting, Peer Relations, Personality/Behavior, and Attitudes/Orientation domains of the YLS/CMI. As discussed with schools, Lancaster's juvenile justice system has reason to monitor whether HHSS-CPS are identifying youth who could benefit from interventions aimed at suppressing these risk factors.

In general, any agency on Lancaster County's juvenile justice map may detect a youth is at risk of delinquency due to a parent's request for assistance. The current system does not

contain a particular process by which such inquiries can be meaningfully documented. If the County can figure out a way to refer these parents to centralized risk-assessment services, sensitivity measures can be built for the agency responsible for those assessments.

With regard to the remaining justice providers, their detection process is straightforward: juveniles are referred to them as a result of ticket or arrest. The evaluation did not reveal that any of these justice providers faced special difficulty in discovering that a juvenile has been directed to their attention. Each of these justice provider's sensitivity measure should coincide with the number of referrals, petitions, etc., for which they were made responsible.

### **Engagement Measures**

Engagement measures indicate how well an agency reacts to an at-risk or delinquent youth. Engagement measures include:

- Documentation reflecting the lag period between the date an agency detected or was referred a juvenile and the date when the agency completed intake or a critical decision;
- Data substantiating the efforts the agency took to connect a juvenile to interventions;
- The length of time it took to complete the process or intervention; and
- The lag period between the date of the juvenile's referral and the final completion of his/her process or intervention.

### **Outcome Measures**

Outcome measures reveal the impact an agency's programs have had on counteracting a youth's risk factors for delinquency. Outcome measures vary across agencies and justice providers depending on what could be considered a desirable consequence of the juvenile's interaction with that agency. For justice providers oriented towards processing juveniles,

outcome indicators will reflect whether the juvenile was successfully matched or referred to a downstream agency which was authorized and equipped to address the youth's unique risk factors. Agencies charged with delivering interventions to counteract risk factors and diminish a youth's likelihood of re-offense should be assessed for indicators that those services suppressed different types of delinquent behaviors, reinforced protective factors, and otherwise stabilized the juvenile.

## **Mapping Measures**

An example set of sensitivity, engagement, and outcome measures will be developed as a supplemental attachment to this evaluation report. It is not expected that agencies and justice providers will be immediately thrilled or prepared to open their operations to the potential scrutiny of these reporting recommendations. Over time, however, those bodies responsible for managing or funding the comprehensive efficiency and effectiveness of the entire system (e.g., the Graduated Sanctions Committee) should find these measures a crucial tool. With growing familiarity and experience, both the Lancaster County oversight entities and respective agencies will hopefully recognize the leverage these measures provide to effectively coordinate the system's global response to delinquency.

### *Case Study: Community Intake Process*

Based on the information gleaned from the evaluation process, agencies and providers within the Lancaster County Juvenile Justice System do not have adequate access risk/needs assessments. This hampers the efficiency and effectiveness of the overall system in three ways. The inability of agencies and providers to repeatedly capture assessment findings for a youth over time prevents the system from being able to detect whether any progress has been made as the juvenile touches different parts of the justice process. At the level of individual juveniles, the lack of standardized assessments like the YLS/CMI makes it difficult to ascertain whether the interventions being deployed stand a good chance of reducing a youth's risk of offense. The third problem with this deficiency is that the system cannot gauge the nature and severity of the community's environment of risk for all juveniles.

Put differently, without standardized assessments for a particular youth, agencies cannot establish base-line and historical risk data for a juvenile. The lack of standardized, validated risk data diminishes their ability to develop solid case-plans. When these assessments are not consistently generated for all juveniles associated with the justice system, the community cannot develop broad strategies to suppress sources of risk through out the County.

The basic question, then, is: **How does Lancaster County increase access to screening and assessment resources?**

One of the initial tasks is to determine which agencies or providers need these services. The map of the juvenile justice system shows that two groups would benefit the quickest: parents and law enforcement. A case could be made that every point on the map needs these types of assessments, but the evaluation indicates that these two groups intersect with a large number of juveniles likely to become delinquents if some type of response is not generated.

## **Parents**

It is commonly asserted (and usually accepted) that neglectful and/or inadequate parents pose particular difficulty in the effort to reduce juvenile delinquency. While considerable evidence exists to substantiate this belief, the fact that nearly all parents struggle with one or more of their children is frequently overlooked. One of the ironies about Nebraska's juvenile justice system is how poorly it is designed to provide parents with help before their child has been ticketed or arrested. County Attorneys and police officers from around the state speak to the frustration they face when a parent solicits assistance with a troublesome child and officials lack a sound means by which they can connect that parent with supportive services.

One of the corner-stone recommendations this report makes is for Lancaster County to activate community members beyond the juvenile justice system. Consider parents. While some may actively contribute to a child's developing misbehaviors, many others recognize that their son or daughter:

- has inadequate supervision
- overwhelms the parent's ability to control their behavior
- exhibits disruptive behaviors at school
- has problems with peers and teachers
- struggles to achieve educational progress
- skips school
- has begun to run with negative influences
- uses drugs or alcohol
- seems to lack any positive personal interest
- throws tantrums
- is physically aggressive
- is verbally aggressive

- demonstrates antisocial/procriminal attitudes
- defies all authority
- demonstrates little concern for others

Parents probably do not know that each of these fifteen items is a specific risk-factor from the YLS-CMI, but their intuition is correct that such a child is in trouble.

This report argues that to reduce juvenile crime the system must detect and respond to at-risk kids before they become delinquents. When parents contact police, schools, HHSS, or the County Attorney, they are basically telling the system that they have detected their child is at-risk and that they do not know what else to do. Even when they have resources, it is often unclear how to best direct their efforts.

The juvenile justice system has a vested interest in empowering such parents to more effectively react to their child. To the extent that a parent gains valuable guidance, the risk that their child will become the system's next juvenile offender diminishes. Presently, Lancaster County lacks a systematic, consistent means for exploiting such opportunity.

Concerns over "net-widening", or pulling youth into the juvenile justice who have not committed crimes, have been used as one rationale for avoiding a system response. These fears set up a false dilemma; they imply that the justice system must either look past these cases or commit to a full-blown prosecution. In fact, there are a range of possible responses which fall well short of a juvenile court case.

At a minimum, such parents seek insight into the nature and degree of their child's problems. Connecting a parent to screening and assessment services provides them with information they cannot otherwise obtain. If the County supplements the screening and assessment results with a proposed strategy for addressing the child's problems, parents suddenly have access to case-planning expertise. When the proposed case-plan can be backed up with

referral brokerage services, the County dramatically increases the likelihood that the child will be matched to community service providers well-suited to accommodate the youth's intervention needs and the parent's resources for sustaining the intervention long enough to produce positive results.

These efforts do not transfer the responsibility for the child's needs from the parent to the County. Instead, this type of response reinforces the parent's ability to ultimately re-establish critical influence over their son or daughter. It operates to stabilize the family and the child.

### **Police**

Police have a number of contacts with youth and families which do not result in tickets or arrest. For the past several years, the Family Crimes Unit of the Lincoln Police Department has served as a sort of diversion program for younger juveniles whose age and offenses do not merit a typical prosecution in Juvenile Court. As part of their ordinary patrol and enforcement operations, police are among the first members of the community to detect that youth's behavior is beginning to push them towards significant justice involvement.

Many times officers' responses to these youth are limited to lectures, warnings, or attempts to steer parents towards community resources. The majority of officers have very brief interactions with youth. It is unrealistic to expect that such short encounters can produce lasting results.

One way to activate law enforcement to better respond to at-risk youth is to provide them with a trusted source for assessment services. This enables the community to leverage an officer's contact with a youth towards achieving a better level of response. If law enforcement can connect a parent to assessment services, then officers become an avenue through which the County strengthens parents' ability to govern behavior.

Second, when law enforcement contact results in a youth's referral to the Family Crimes Unit, access to assessment services enables the Unit to meet the three critical objectives discussed here: base-line risk data on a particular child, better case-plans, and one more point of standardized data collection.

### **Community Intake Process**

The above discussions clearly illustrate that by providing assessment services to parents and police, the County activates two important bulwarks against at-risk youth unnecessarily entering the justice system.

There is only one strategy likely to meet the practical difficulties of expanding assessment access: a centralized Community Intake Process. Given that resources are limited, it makes sense to consider ways to piggy-back such a service on existing programs; even if funding for additional personnel or assessment licenses are required, this option minimizes the cost of infrastructure beneath the program. A Community Intake Process also enables the County to cultivate a point of screening and assessment expertise which can meet the needs of a wide range of offenders. This ensures that as screening and assessment instruments evolve, the County's process can capitalize on such advances.

If the capacity for the Community Intake Process is in place, implementation is relatively straight-forward. For example, parents are already contacting justice providers for assistance with their children. Instead of vaguely referring them to community providers, they could be directed to the centralized assessment services. The County's deliberate investment in these services ensures that every concerned parent who actually commits to the Community Intake Process is guaranteed the opportunity to obtain a quality review of their child's circumstances.

Over time, the Process will develop a list of community service providers acquainted

with the screening and assessment process who prove reliable at enrolling and engaging families in the intervention programs provided. As that occurs, the Community Intake Process will become increasingly effective at developing case-plans built on the assessment results and directly linking parents to community service providers.

Eventually, it will become increasingly clear which service providers meet parents' (as well as the system's) needs. Put simply, providers who successfully keep youth from developing into offenders will be seen as effective, those who do not will reveal themselves as ineffective. The Community Intake Process will stabilize referral streams because effective providers will naturally be called upon more often. The ineffectiveness of other providers will provide a legitimate basis for the community to challenge those providers to improve or face the loss of referrals.

Similarly, the Community Intake Process provides a means for law enforcement to leverage their authority against parents and youth who are not especially interested in addressing troublesome behavior. Officers will have the ability to negotiate with parents to seek out the assistance of the Community Intake Process. In some instances, matters will escalate to the point that a parent and youth must answer to the Family Crimes Unit. The Community Intake Process provides the Unit with an objective tool by which it can obtain the information it needs to develop restorative case-plans or, if necessary, justify the more intensive involvement of the broader juvenile justice system.

The Community Intake Process plainly improves that ability of parents and police to react to at-risk youth. Just as importantly, however, it accounts for the reality that some of these youth will gradually increase the severity of their behaviors and become offenders. When that occurs, a reliable risk history will have already been initiated. For these youth, prosecutors,

defense counsel, judges, Probation, and OJS will no longer have to conduct archaeological investigations into scattered documentation from the police, schools and HHSS. Formal justice cases can be processed more quickly because base-line information about the youth has already been captured.

While improving the response to juveniles on an individual basis, governance of Lancaster County's juvenile justice system becomes more straightforward. The Community Intake Process becomes a systematic sampling of which risk factors predominate. In addition to the added ability to monitor and drive the effectiveness of community service providers, the resulting data reveal where other community members need to become more innovative in their response to youth. For example, suppose the data demonstrate that Lancaster youth consistently appear at risk because they have limited organized activities and few personal interests (YLS/CMI risk factors). This supports a basis for County leadership to explore how community members such as the YMCA, Boys and Girls Club, 4-H, and others can establish stronger outreach efforts.

### **Case Study Summary**

This case-study illustrates how the findings from this report can be used to better orchestrate the parts of Lancaster County's juvenile justice system. The case study for a Community Intake Process directly addresses the main deficiencies found during the evaluation process. It is important to remember, however, that this case-study is simply the tip of the iceberg. There are opportunities for innovation at every point on the juvenile justice system map. The broader, generalized analysis for refining Lancaster's system does not give the County packaged solutions, but explains how the hard work that remains can be done.

## Appendix A-Youth Level Service/Case Management Inventory

Youth Level of Service/Case Management Inventory (YLS/CMI) represents the youth version of Level of Service Inventory-Revised (LSI-R). LSI-R was developed by D. A. Andrews and James Bonta as a structured tool for evaluating criminogenic risk and need factors in adult offenders. LSI-R is a psychometrically sound measure that is widely used to assist in a wide range of criminal justice and correctional decisions.

The present version of YLS/CMI is a result of evaluative research on several pilot instruments developed from LSI-R. The risk and need items in Part 1 of the measure are those shown by the research to be the strongest predictors of youth crime. They are also the variables identified in contemporary theory and research as the major determinants of adolescent antisocial behavior. YLS/CMI was developed in consultation with experienced probation officers and other juvenile justice professionals to ensure that the instrument would be a practical assessment tool.

It should be emphasized that although YLS/CMI can assist professionals in assessing risks and needs in adolescents and in case planning and management, it is not designed to replace professional judgment or to dictate decisions. For this reason, a professional override feature is built into the measure.

This manual and scoring key provide detailed guidance in the completion of YLS/CMI. It is recommended, however, that personnel be provided with expert training prior to using the instrument. It is important that the use of YLS/CMI be monitored by the organizations that employ it, thereby ensuring that the instrument is used in the prescribed manner.

A number of individuals and organizations contributed to the development of YLS/CMI. These include David Robinson, Marilyn Van Dieten, David Swanson, Lynda Robertson, Alan Leschied, Brendon Stacey, Penny Faulkner, Mary Ann Robblee, and Suzanne Bell. Funding for various phases of development was provided by the Children's Services Branch of the Ontario Ministry of Community and Social Services, Carleton University, and the London Family Court Clinic.

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*April, 2002*

Figure 3.1  
Sally's YLS/CMI Form Part I

YLS/CMI

By Robert D. Hoge, Ph.D., D. A. Andrews, Ph.D., & Alan W. Leschied, Ph.D.

Name of Assessed: <u>Sally</u>	Gender: M <input type="radio"/> F <input checked="" type="radio"/>	Age: <u>15</u>
Date of Birth: <u>02</u> / <u>11</u> / <u>1987</u>	Today's Date: <u>05</u> / <u>13</u> / <u>2002</u>	
<small>mm dd yyyy</small>	<small>mm dd yyyy</small>	

**Part I: Assessment of Risks and Needs**

YLS/CMI is a quantitative screening survey of attributes of juvenile offenders and their situations relevant to decisions regarding level of service, supervision, and programming. Within each subscale, use an "X" to mark all items that apply to the juvenile being assessed. If the subscale is considered to be an area of strength for the juvenile, indicate with a checkmark ✓ in the "Strength" box. The items are explained in Appendix A of the User's Manual.

**1. Prior and Current Offenses/Dispositions:**

- a. Three or more prior convictions
- b. Two or more failures to comply
- c. Prior probation
- d. Prior custody
- e. Three or more current convictions

**2. Family Circumstances/Parenting:**

- a. Inadequate supervision
- b. Difficulty in controlling behavior
- c. Inappropriate discipline
- d. Inconsistent parenting
- e. Poor relations (father - youth)
- f. Poor relations (mother - youth)

Strength

**3. Education/Employment:**

- a. Disruptive classroom behavior
- b. Disruptive behavior on school property
- c. Low achievement
- d. Problems with peers
- e. Problems with teachers
- f. Truancy
- g. Unemployed/not seeking employment

Strength

**4. Peer Relations:**

- a. Some delinquent acquaintances
- b. Some delinquent friends
- c. No/few positive acquaintances
- d. No/few positive friends

Strength

<p><b>Comments:</b> First offense (assault)</p> <p><b>Source(s) of information:</b> Parents ; youth</p>
<p><b>Comments:</b> Positive and supportive family environment Recent parental separation</p> <p><b>Source(s) of information:</b></p>
<p><b>Comments:</b> No performance / behavior problems Participates in activities Well liked</p> <p><b>Source(s) of information:</b> School ; parents</p>
<p><b>Comments:</b></p> <p><b>Source(s) of information:</b> Parents ; youth</p>

Figure 3.2  
Sally's YLS/CMI Form Part I (Continued)

YLS/CMI

By Robert D. Hoge, Ph.D., D. A. Andrews, Ph.D., & Alan W. Leschied, Ph.D.

Within each subscale, use an "X" to mark all items that apply to the juvenile being assessed. If the subscale is considered to be an area of strength for the juvenile, indicate with a checkmark ✓ in the "Strength" box.

Part I: Assessment of Risks and Needs (Continued)

5. Substance Abuse:

- a. Occasional drug use
- b. Chronic drug use
- c. Chronic alcohol use
- d. Substance abuse interferes with life
- e. Substance use linked to offense(s)

Strength

6. Leisure/Recreation:

- a. Limited organized activities
- b. Could make better use of time
- c. No personal interests

Strength

7. Personality/Behavior:

- a. Inflated self-esteem
- b. Physically aggressive
- c. Tantrums
- d. Short attention span
- e. Poor frustration tolerance
- f. Inadequate guilt feelings
- g. Verbally aggressive, impudent

Strength

8. Attitudes/Orientation:

- a. Antisocial/procriminal attitudes
- b. Not seeking help
- c. Actively rejecting help
- d. Defies authority
- e. Callous, little concern for others

Strength

<p><b>Comments:</b></p> <p>Source(s) of information: Parents; youth</p>
<p><b>Comments:</b> Active girl Interest in sports and church activities</p> <p>Source(s) of information: Parents; youth</p>
<p><b>Comments:</b> Recent depression over parents' break-up, otherwise intelligent Mature young woman</p> <p>Source(s) of information: Parents; school; victim</p>
<p><b>Comments:</b> Displays prosocial values and beliefs; willing to accept help</p> <p>Source(s) of information: Parents; youth</p>

Figure 3.3  
Sally's YLS/CMI Form Part II

YLS/CMI

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**Part II: Summary of Risks and Needs**

Sum the total number of items marked with an "X" within each subscale and mark the risk level for each. Then sum the number of Xs in Column A and in Column B. Use the combined total to complete the Overall Total Risk Level, at the bottom of the page. Checkmarks in the boxes labelled "S" indicate a strength. The table below can be used for a summary.

Scores	Prior and Current Offenses	Family	Education	Peers	Substance Abuse	Leisure/Recreation	Personality/Behavior	Attitudes/Orientation
Low	<input checked="" type="checkbox"/>							
Moderate								
High								
Strength		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Column A Column B

**1. Prior and Current Offenses/Dispositions**

**Risk Level:**  
Low (0)   
Moderate (1-2)   
High (3-5)

**5. Substance Abuse**

**Risk Level:**  
Low (0)   
Moderate (1-2)   
High (3-5)

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**2. Family Circumstances/Parenting**

**Risk Level:**  
Low (0-2)   
Moderate (3-4)   
High (5-6)

**6. Leisure/Recreation**

**Risk Level:**  
Low (0)   
Moderate (1)   
High (2-3)

**3. Education/Employment**

**Risk Level:**  
Low (0)   
Moderate (1-3)   
High (4-7)

**7. Personality/Behavior**

**Risk Level:**  
Low (0)   
Moderate (1-4)   
High (5-7)

**4. Peer Relations**

**Risk Level:**  
Low (0-1)   
Moderate (2-3)   
High (4)

**8. Attitudes/Orientation**

**Risk Level:**  
Low (0)   
Moderate (1-3)   
High (4-5)

Overall Total Risk Level:	
Sum of Column A and Column B Totals=	0
Low: (0-8) <input checked="" type="checkbox"/>	Moderate: (9-22) <input type="checkbox"/>
High (23-34) <input type="checkbox"/>	Very High (35-42) <input type="checkbox"/>

Column A  
Total

0

0

Column B  
Total

## Appendix B

### Correspondence between Risk Factors, Detection Points and Documentation/Instruments

Risk Domain Risk Factor	Detection Point	Documentation/Instrument
<b>Prior &amp; Current Offenses</b>		
Three or more prior convictions Two or more failures to comply Prior probation Prior detention Three or more current convictions	County Attorney Probation OJS	Probation Detention Intake Records Detention Records from other Counties YLS/CMI CCAA
<b>Family Circumstances/Parenting</b>		
Inadequate supervision Difficulty in controlling behavior Inappropriate discipline Inconsistent parenting Poor relations/father-child Poor relations/mother-child	<i>Parent Reports/Requests for Help HHS/CPS Guardian Ad Litem Police Dept Family Crimes Unit</i> County Attorney Probation OJS	<i>Community Intake Process* Abuse/Neglect Complaints Juv. Court Abuse/Neglect Case Reviews Law Enforcement Contacts</i> YLS/CMI CCAA
<b>Education/Employment</b>		
Disruptive classroom behavior Disruptive behavior on school property Low achievement Problems with peers Problems with teachers Truancy Unemployed/not seeking employment	<i>Parent Reports/Requests for Help Schools Police Dept Family Crimes Unit</i> County Attorney Probation OJS	<i>Community Intake Process* School Disciplinary Reports Academic Performance Reports School Attendance Records Law Enforcement Contacts</i> YLS/CMI CCAA
<b>Peer Relations</b>		
Some delinquent acquaintances Some delinquent friends No or few positive acquaintances No or few positive friends	<i>Parent Reports/Requests for Help Schools Police Dept Family Crimes Unit</i> County Attorney Probation OJS	<i>Community Intake Process* School Disciplinary Reports Law Enforcement Contacts</i> YLS/CMI CCAA

*Italicized Detection Points have the authority to detect youth at-risk of entering the juvenile justice system.*  
Non-italicized Detection Points have only the authority to identify the risk factors for youth already in the juvenile justice system.

*Italicized documentation sources can be used to identify youth at-risk of entering the juvenile justice system.*  
Non-italicized documentation sources relate primarily to capturing the risk factors of youth in the juvenile justice system.

\*A robust Community Intake Process does not presently exist in Lancaster County's system.

<b>Risk Domain</b> Risk Factor	<b>Detection Point</b>	<b>Documentation/Instrument</b>
<b>Substance Abuse</b>		
Occasional drug use Chronic drug use Chronic alcohol use Substance abuse interferes with life Substance use linked to offense(s)	<i>Parent Reports/Requests for Help</i> <i>Police Dept</i> County Attorney Probation OJS	<i>Community Intake Process*</i> <i>Law Enforcement Contacts</i> Diversion Reports from other Counties YLS/CMI CCAA
<b>Leisure/Recreation</b>		
Limited organized activities Could make better use of time No personal interests	<i>Parent Reports/Requests for Help</i> <i>Police Dept</i> County Attorney Probation OJS	<i>Community Intake Process*</i> <i>School Disciplinary Reports</i> <i>Law Enforcement Contacts</i> YLS/CMI CCAA
<b>Personality/Behavior</b>		
Inflated self-esteem Physically aggressive Tantrums Short attention span Poor frustration tolerance Inadequate guilt feelings Verbally aggressive, impudent	<i>Parent Reports/Requests for Help</i> <i>HHS/CPS</i> <i>Guardian Ad Litem</i> <i>Schools</i> <i>Police Dept</i> <i>Family Crimes Unit</i> County Attorney Probation OJS	<i>Community Intake Process*</i> <i>Abuse/Neglect Complaints</i> <i>Juv. Court Abuse/Neglect Case Reviews</i> <i>School Disciplinary Reports</i> <i>Law Enforcement Contacts</i> YLS/CMI CCAA
<b>Attitudes/Orientations</b>		
Antisocial/procriminal attitudes Not seeking help Actively rejecting help Defies authority Callous, little concern for others	<i>Parent Reports/Requests for Help</i> <i>HHS/CPS</i> <i>Guardian Ad Litem</i> <i>Schools</i> <i>Police Dept</i> <i>Family Crimes Unit</i> County Attorney Probation OJS	<i>Community Intake Process*</i> <i>Abuse/Neglect Complaints</i> <i>Juv. Court Abuse/Neglect Case Reviews</i> <i>School Disciplinary Reports</i> <i>Law Enforcement Contacts</i> YLS/CMI CCAA

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