

Juvenile Justice Policy and Data Board

CBI Subcommittee

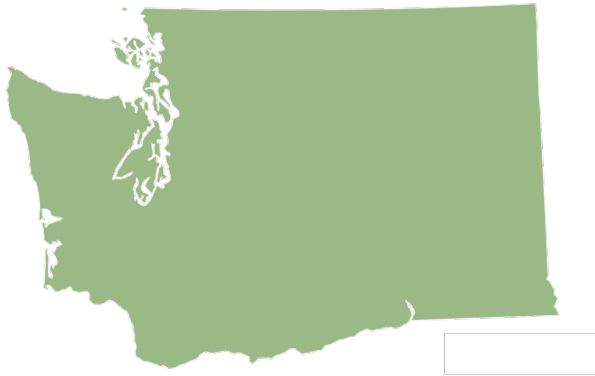
Virtual Meeting
September 16, 2021
1:00-2:30pm

Agenda

1. Welcome and Introductions
2. Review/Approval of July meeting minutes
3. COVID-19 Report Update
4. CRAs in Other Jurisdictions
5. Member Discussion on CRA Presentations and Interviews to Date
6. Learning Lab Updates

CRA in Other Jurisdictions

Washington



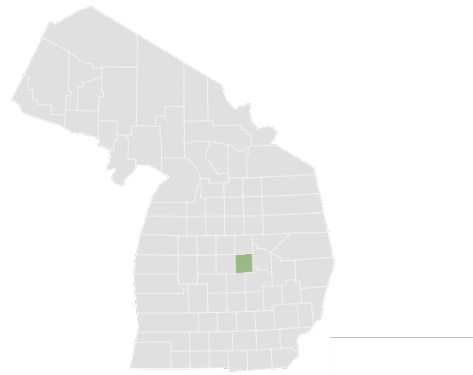
Connecticut



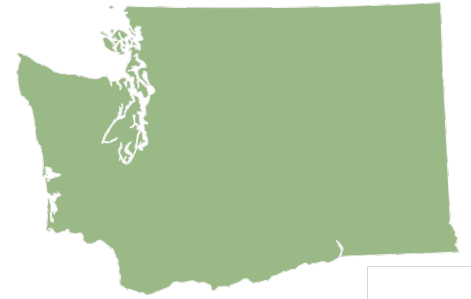
New York



Midland County, Michigan



Washington- 3 Petition Types & Processes Based on Outcomes Sought



1. Truancy (TRU)
2. At-Risk Youth (ARY)
3. Children in Need of Services (CHINS)

Washington-Truancy (TRU)



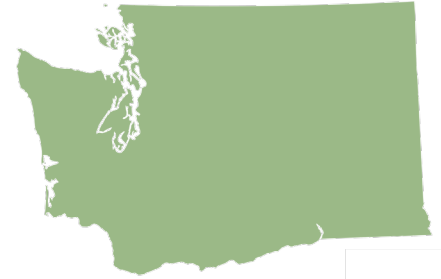
- Preliminary hearing is scheduled a year after the date of initial filing
- During that year, other interventions take place with the goal of re-engagement rather than court appearance
- If interventions are not successful during the school year the preliminary hearing may happen.

Washington-At-Risk Youth (ARY), and Children in Need of Services (CHINS)



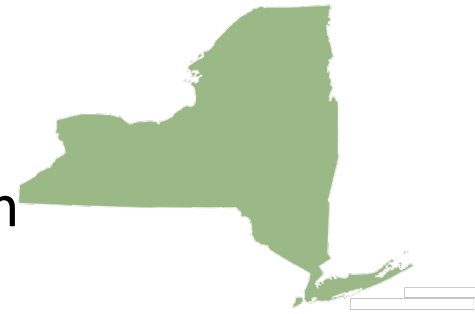
- ARY petition emphasizes obtaining assistance and support, with the purpose of **avoiding out-of-home placement**.
- CHINS petitions are filed when seeking temporary **out-of-home placement** for youth.
 - Can be initiated by youth and/or a parent/legal guardian and/or DCF.

Washington-At-Risk Youth (ARY), and Children in Need of Services (CHINS)



- Prior to filing :
 - Family Reconciliation Services (FRS, similar to MA FRCs) may offer short-term in-home counseling or drug/alcohol treatment.
 - Petitioners must get a family assessment from the FRS and attach it to the petition. If not, the clerk will not file the petition.
- Judge presiding over an ARY/CHINS petition has the power to enforce court orders onto the parent/ legal guardian to do certain things:
 - ex) ensuring that their child is enrolled in school, arranging a psychological evaluation for the youth.

New York - Persons In Need of Supervision (PINS)



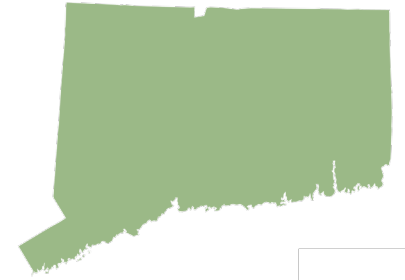
- Used as a last option only after all other diversion attempts have been exhausted.
- Diversion agencies must provide a written notice to the potential petitioner documenting the different efforts made to prevent filing.
- Court Clerks cannot accept PINS petitions unless they have attached the written notice from the diversion agency.
- PINS petitions cannot be filed during the period the youth is receiving diversion services.

New York - Persons In Need of Supervision (PINS)



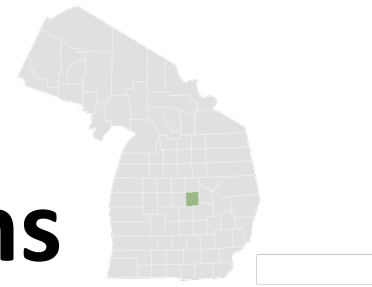
- If the youth and their parent are not in agreement about the most appropriate solution, then the PINS petition proceeds to a fact-finding hearing.
- To incentivize against out-of-home placements, there is no state funding reimbursement for any PINS placement. The purpose of this to is to:
 - Limit reasons for placement and length of stay in any foster or congregate care setting.
 - Encourage timely case work and the effective use of services for youth prior to court involvement.
 - Promoting a least restrictive environment with a clear path towards permanency.

Connecticut- Families with Service Needs (FWSN)



- Youth with truancy or other school-based concerns **cannot** be the subject of a FWSN petition.
- Instead, a Youth Service Bureau (developed by CT's DOE) provides support in and out-of-schools, including:
 - Making referrals for community services
 - Facilitating system of support and services that are individualized and developmentally appropriate for the student and their family (e.g. academic support, educational advocacy, mentoring, mediation, parenting classes, and support of basic needs)
 - Functioning as an external (i.e. not the school) coordinator/partner to help problem solve

Midland County, Michigan- *Incorrigibility & Truancy* Petitions



- Prior to *Incorrigibility petition* parents must:
 - **document child's behaviors dating back 3 months**, and
 - present a statement from a counseling agency that details the use of community resources to resolve the child's behavior.
- A pre-filing conference is held with all the parties. At this conference, the court intake worker, the family court services coordinator and the youth intervention specialist:
 - **will discuss the consequences of becoming court involved** with the parents and child
 - will make recommendations prior to court involvement, including:
 - ✓ Attend family or individual counseling
 - ✓ Work with the schools to improve conduct and attendance
 - ✓ Explore arrangements for the child to live with a relative

Common Themes & Discussion Questions

- Requirements to participate in out-of-court services first (with documentation)
- Truancy treated differently than other filing types
- Petitions based on services/outcome sought
- Different approaches, but deliberate efforts to use structure/funding to reduce out-of-home placements



- Any **questions** on the examples presented?
- Did any examples **stick out to you** as examples of CRA aspects you **like? dislike?**
- Do any models **make sense for Massachusetts** to implement all or parts of?

CBI 2021 Work Plan Update

Where We've Been....

- Crossover Youth Fundamentals
- CRA Process Foundation Setting & Data
- Alternatives to the CRA: FRCs & MHAP for Kids
- CRA Probation Case Management
- Truancy Deep Dive
- CRAs in Other Jurisdictions

Where We're Going...

- CAFL Role in CRAs
- DCF New Congregate Care Models
- Youth & Family Focus Group Results

What are your major takeaways – or remaining questions – about the CRA process from the conversations we've had as a group so far?

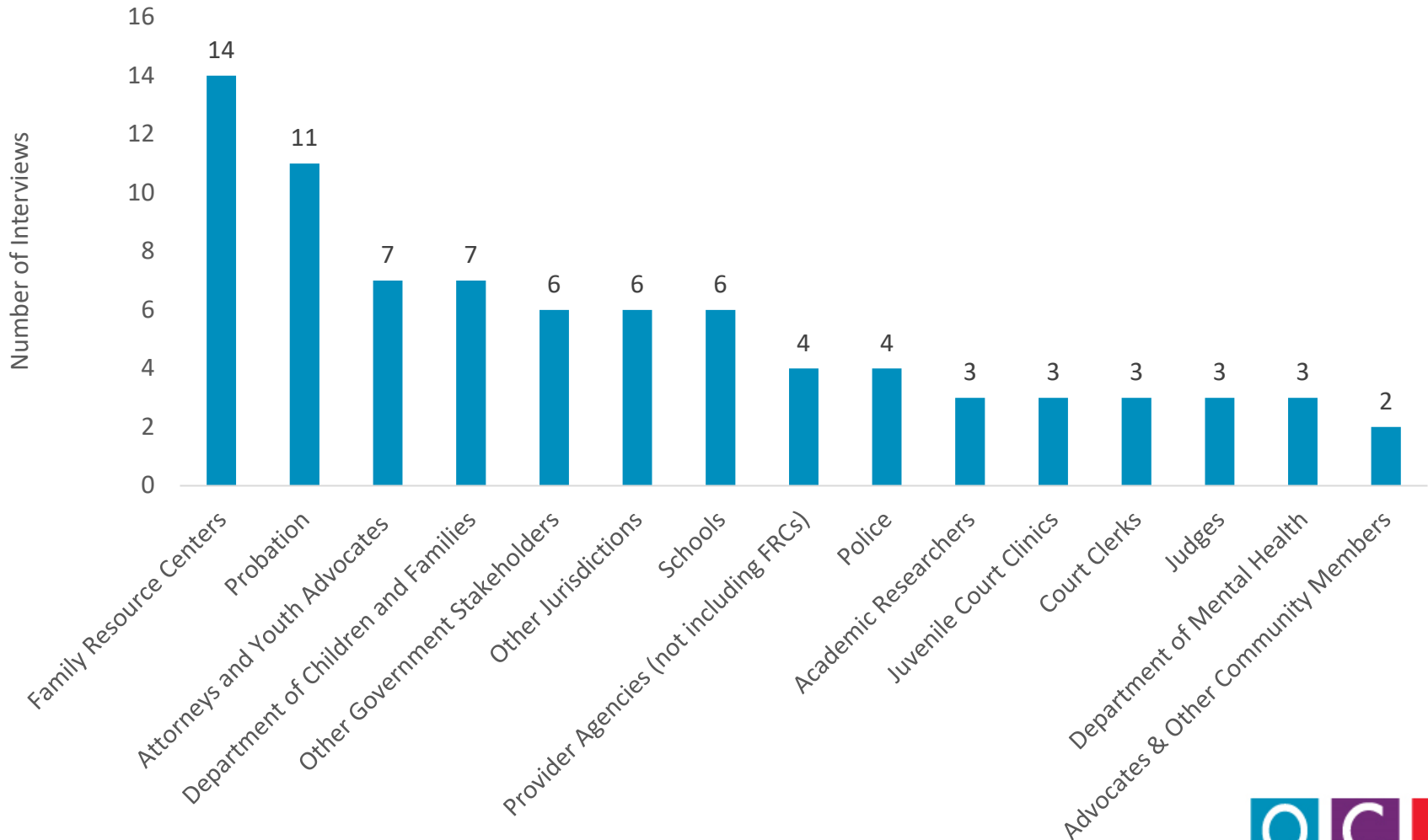


Over the course of 6 months, the OCA has conducted 82 interviews to understand Massachusetts' CRA System

Goals

- Identify common gaps, challenges & areas of strength
- Gain insight on possible changes to be made
- Assess whether the CHINS—CRA reform worked as intended

Over 15 stakeholder groups have been represented



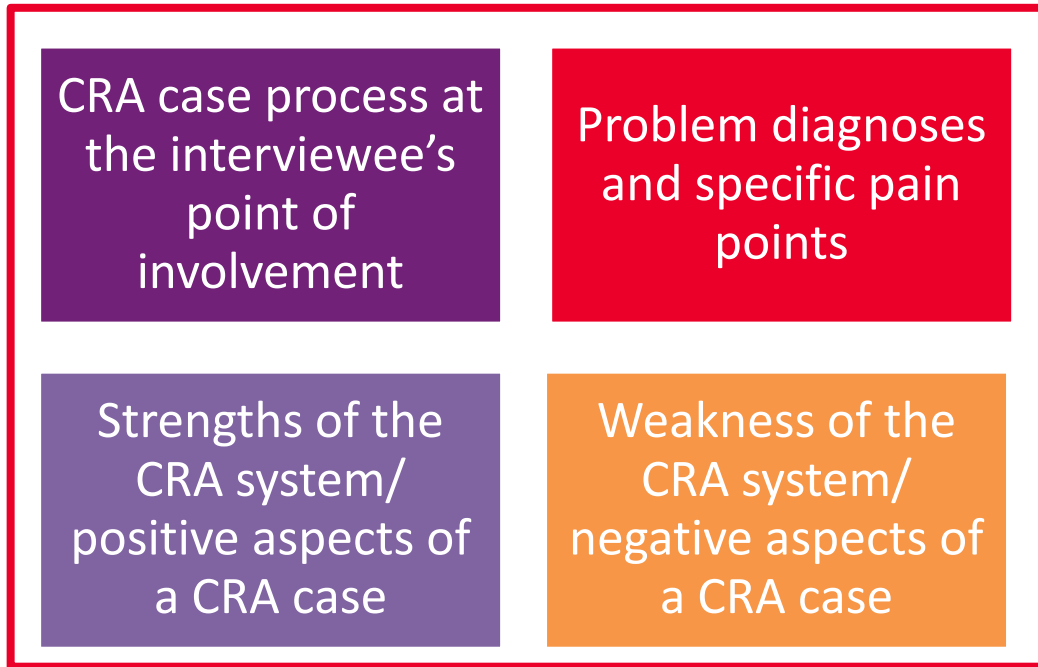
...with more to come

- OCA contracted with DMA Health Strategies to conduct:
 1. 2 focus groups of youth who had CRAs filed on them
 2. 2 focus groups of parents/caregivers who had CRAs filed on their child
- The goal of these focus groups is to obtain youth and family feedback on the CRA process. Example questions include:
 - *What was or has been the most helpful source of support during your CRA case?*
 - *Do you think your CRA case was fair? Why or why not?*
 - *How has your CRA experience affected your life overall?*
 - *Can you suggest any changes to the CRA process that would benefit kids in the future?*

- Specific interviews re: Runaway CRA Filings

Content of Interviews

In general, conversations focused on:



Recommendations for improvement and a “magic wand” question



Big picture today; more specifics in future meeting

Overarching Takeaways

- CRA system is currently serving a lot of kids/families with extremely high needs
 - But not ALL kids/families with CRAs fall into that category
 - More extreme cases are more “salient” and more memorable
- Almost no one thinks the system is “working well”
 - Almost everyone can point to situations where a CRA was a waste of time and resources (i.e. there could have been a more efficient way of helping family)
 - Many can share examples of when CRA process was actively harmful to youth
- Almost everyone can point to situations where a CRA was helpful, too
 - BUT: not always clear if there was anything special about the *CRA process* vs something special/helpful about the *people who got involved because the CRA was filed*

What We've Learned: Strengths in MA CRA System

Strengths of the CRA process:

- A means of **case conferencing** across multiple agencies and services providers
- Can provide **case management** and lead to **connections to positive, caring adults** (e.g. Probation, CAFL attorneys, Juvenile Court Clinicians)
- Intangible, but sense from many that court involvement/court orders can cause some people to **take situation more seriously** (parents/guardians & youth but also state actors & service providers)
- The CRA reform provided a way to **de-criminalize status offenses**, and kept youth out of detention and handcuffs

What We've Learned: Strengths in MA CRA System

Potential benefits to the youth & families:

- A means to **obtain out-of-home-placement** (pros/cons, but something some families are seeking)
- If a youth is already involved in the **delinquency system**, a CRA can be an alternative way to address their needs in a non-punitive manner
- If earlier attempts at service connections failed, a **“last resort” option to identify needs and access services** for youth and families (CRA as “fail safe”)

What We've Learned: Weaknesses in MA CRA System

Process challenges:

- There are **inconsistencies at every stage** (e.g. referrals to FRCs, informal vs. formal case triaging, DCF involvement, DMH involvement, school participation) of the process across the state.
- **Many myths surround the process & ability of the court to connect youth with appropriate, timely services.** These ideas are held by practitioners and families alike.
- CRAs are sometimes filed to access specific services, but that is a structural choice. **Services – in theory – could be provided by another state agency and accessed without having to go to court.**

General concern that Black & brown families pushed toward CRA more often

What We've Learned: Weaknesses in MA CRA System

Process challenges:

- Families often come to court desperate for services, but the **process for getting connected to services is slow**. (Can be weeks between application, intake interviews, preliminary hearings, case plan development, etc.)
- Despite the legislative intent to keep youth out of court, **the 2012 requirement re: preliminary hearings in front of judge brings them in more than is necessary**
- Does the **traditional “adversarial” court process** really fit the needs of youth/families in CRA cases?
 - Does it make sense to make a parent/guardian “prove” that their child needs assistance?
 - Is hashing out disagreements between parents and children in a courtroom – sometimes through lawyers – helpful or harmful?
 - Can the process itself be traumatizing for children?

What We've Learned:

Weaknesses in MA CRA System

Challenges for youth & families:

- There is a **lack of available services** to match kids' needs and gaps in services across the state, and that can't be solved through CRA system
- The child-centered approach to the CRA makes it **difficult to solve family problems or concerns**
- Can **expose youth to peers in congregate settings that perpetuate dangerous behavior**, causing a CRA to Delinquency pipeline.
- Practitioners are concerned **that youth with specific needs are being processed through CRA system rather than having their needs met elsewhere** (e.g. immigrant youth, LGBTQ youth, girls, adopted youth)

What is Success?

- There is no shared understanding of what CRAs are for:
 - What's the end goal?
 - What does success look like?
 - When should they be used?
 - When *shouldn't* they be used?
- As a result, progress is impossible to measure.
- **Limited data on outcomes** of youth in CRA system compounds this problem.

Key Components of an “Ideal” System

Upstream Support

- Stronger service systems for youth/families with higher needs (including more robust mobile crisis response)
- Child-serving professionals should be aware of what a CRA can and cannot do, and what CRA alternatives are available.
- Families should not have to petition court to receive necessary services → “voluntary services” option available

Pre-CRA Filing

- Family engagement with FRC prior to filing
- Documented school efforts to engage families (including with FRC) prior to filing
- If FRC engagement does not work, multi-agency case conferencing (“CRA Diversion”) as next step *prior* to filing

If CRA is filed

- Triage at PO level – not all cases need to come before judge immediately or at all
- Reserve judicial hearing for when truly needed (e.g. out of home placement; youth and parents do not agree on course forward)
- Faster connections to services when judicial hearing is not needed

Discussion Questions



- Does anything in the interview summary surprise you? Do you disagree with any of the takeaways?
- What questions do you still have about the process that --if you learned the answer-- would help you make recommendations for improvement?
- If you had a magic wand, what is the one thing you would change about the CRA process?

Where We're Going: 2021 Work Plan Update

October- CAFL Presentation on CRA Representation

November- DCF Presentation on Congregate Care

Focus Group Results - TBD

OCA Recommendations for Next Steps:

- Winter/Spring 2022- Discuss Recommendations
- Spring/Summer 2022- Publish final CRA Report
- Summer/Fall 2022- Crossover Youth Next Steps: Beyond CRAs

Next Meeting Date

October 15, 2021

1:00pm-2:30pm

Virtual Meeting

*2021 CBI Subcommittee meetings are on the
3rd Thursday of the month 1:00pm-2:30pm.*

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