

Dual Adjudication Youth: Caught Between Two Systems



Midway, Utah
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Definition of Dual Adjudication



A dually adjudicated youth is a minor in the custody of Child and Family Services who has also been adjudicated for delinquency.

Research



- Delinquency rates are 47 percent higher for minors with confirmed cases of abuse or neglect compared to youth without substantiated abuse cases (Ryan et al 2007, Ryan & Testa 2005).
- Foster care youth are four times more likely to be referred for delinquency at a young age than non-foster care youth (Alltucker et. al 2006).
- Placement in foster care is a stronger predictor of early delinquency than socioeconomic status, family member involvement in crime, or special education disability (Alltucker et. Al 2006).
- Multiple entries, exits, and placements in foster care are related to higher rates of delinquency (Jonson-Reid 2002, Jonson-Reid & Barth 2003, Runyan & Gould 1985, Widom 1991).

Research



- Studies suggests that some possible reasons for the higher delinquency rates among child welfare youth are association with antisocial peers, instability in placements, and fewer pro-social community and family ties (Ryan et al. 2007, Brezina 1998, English et al. 2001, Ryan & Testa 2005, Ryan et al. in press).
- Lambert et al. (2004) found that dual referred minors have a suicide rate that is higher than adolescents in the general population.
- Research suggests that “while child welfare services are not focused on delinquency prevention, they may alter the risk associated with the abuse and neglect experiences” (Johnson-Reid et al. 2000).

Utah Set some goals

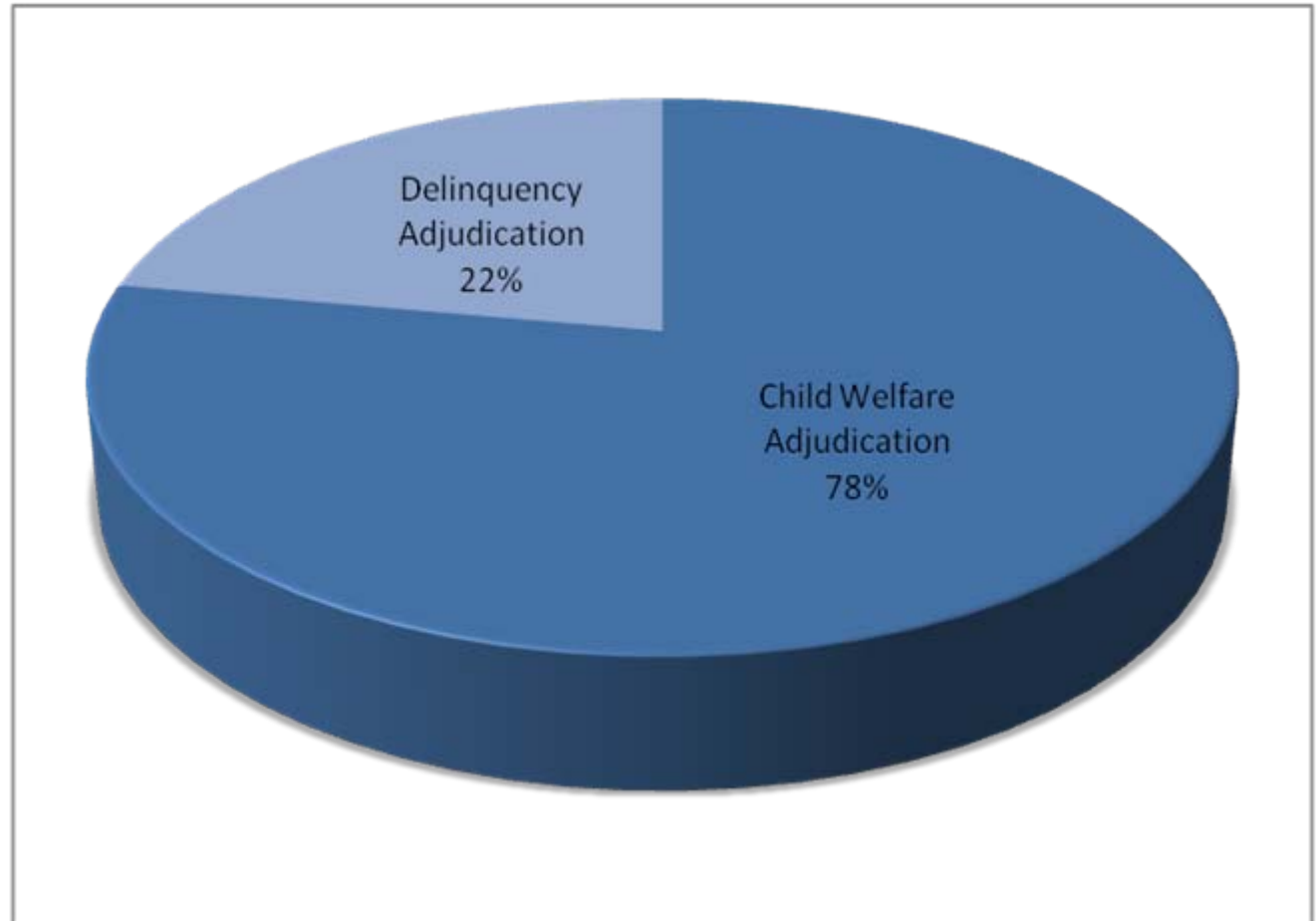


- Diversion - provide same options – equal treatment
- Limit placement in DT – use alternatives like Youth Services or other means such as not issuing a pick up order if child only gone for 2 hours
- Use of Contempt Charges – not for negative behavior – make sure not overcharged, under charged or mis-charged
- Less access to probation (use intervention)

Who am I?



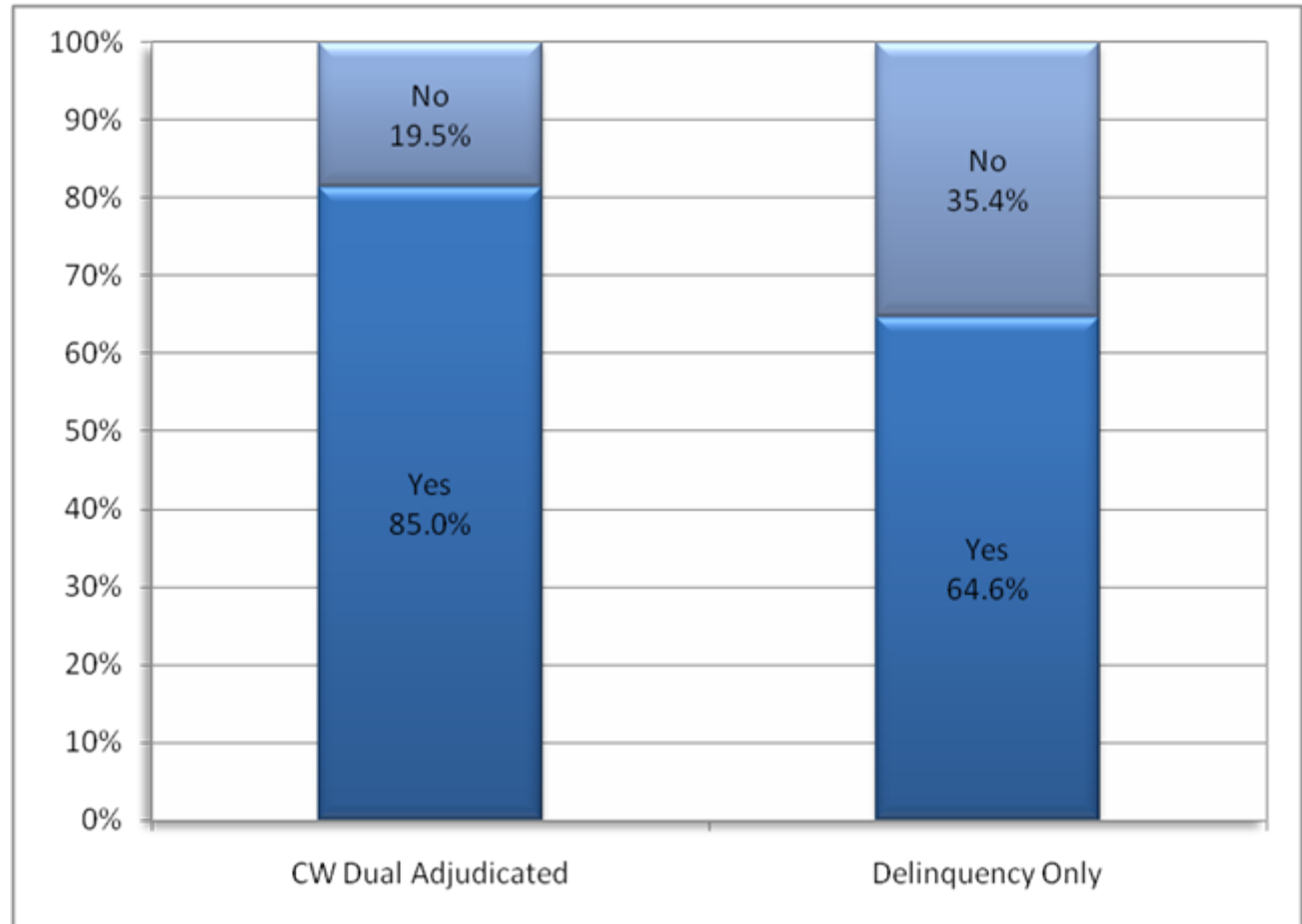
Most dual adjudication youth first enter the system as child welfare cases.



Charges Petitioned to Court



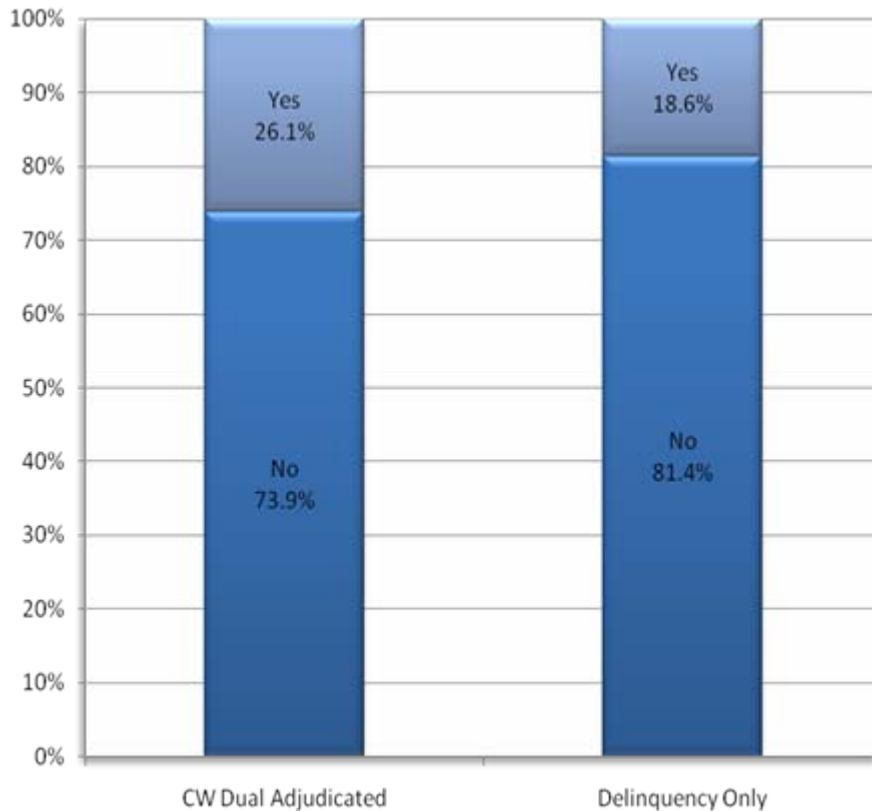
Youth with minor delinquencies are typically given the opportunity to resolve the charge outside of a formal court process. Dual Adjudication Youth are more likely to be petitioned to Court.



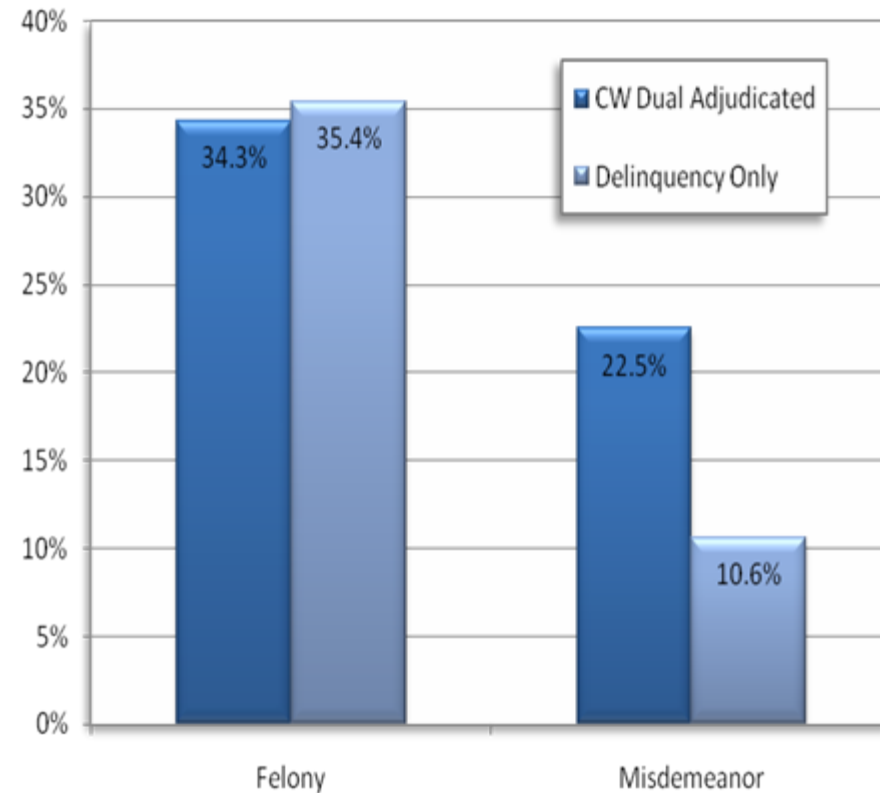
MINOR IN DETENTION ON CHARGES PRIOR TO DELINQUENCY HEARING



OVERALL PERCENTAGE



OFFENSE SEVERITY



Research Specific to Utah



- Dual adjudicated minors are also more likely to be petitioned and placed in detention prior to the initial hearing than their delinquency only counterparts.
- Dual adjudicated minors are more likely to be placed in detention for contempt, often because they went AWOL.

Research Specific to Utah

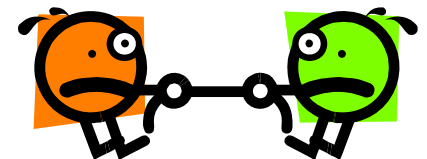


- Dual adjudicated youth are less likely to receive non-judicial closures and probation than delinquency only youth. However, they are more likely to receive programs and assessments or have the charges against them dismissed.
- Dual adjudicated youth are more likely to be placed in detention or placed in the custody of Juvenile Justice Services (JJS).
- The study also considered whether youth are initially referred for child welfare or for delinquency. Most dual adjudicated youth are initially referred for child welfare and are subsequently referred for delinquency. However, about twenty percent of youth are first referred for delinquency and subsequently receive a child welfare referral. They tend to have more delinquency referrals, detention placements and placements in JJS custody.

Why is this important?



- Lifting together is the key to success
- While child welfare and delinquency are separate systems, the child is an individual who may be facing both issues
- The child should not be treated more harshly just because his/her parents are guilty of abuse or neglect



Barriers



- Labeling: Child Welfare or Delinquent
- Communication
- Defining the roles of each stakeholder
- Finding resources



Barriers: Labeling



- Child Welfare or Delinquent?
- This is a child not a label. The child may have some of each issue.
- The label changes the course the case follows.
- The label may become an excuse not to work together.



Barriers: Communication



- Getting on the same page
- Seeing the child as OUR case
- Information sharing-policy changes, practices and even data systems
- Learning about each other's systems, constraints and abilities



Barriers: Defining Roles



- Too many cooks spoil the soup.
- Make sure things get done. Don't assume others will take care of it.
- Cases are very unique. Communicate about what this youth needs and who will do it.
- The child welfare issue might resolve before the delinquency is cleared up or vice-versa.



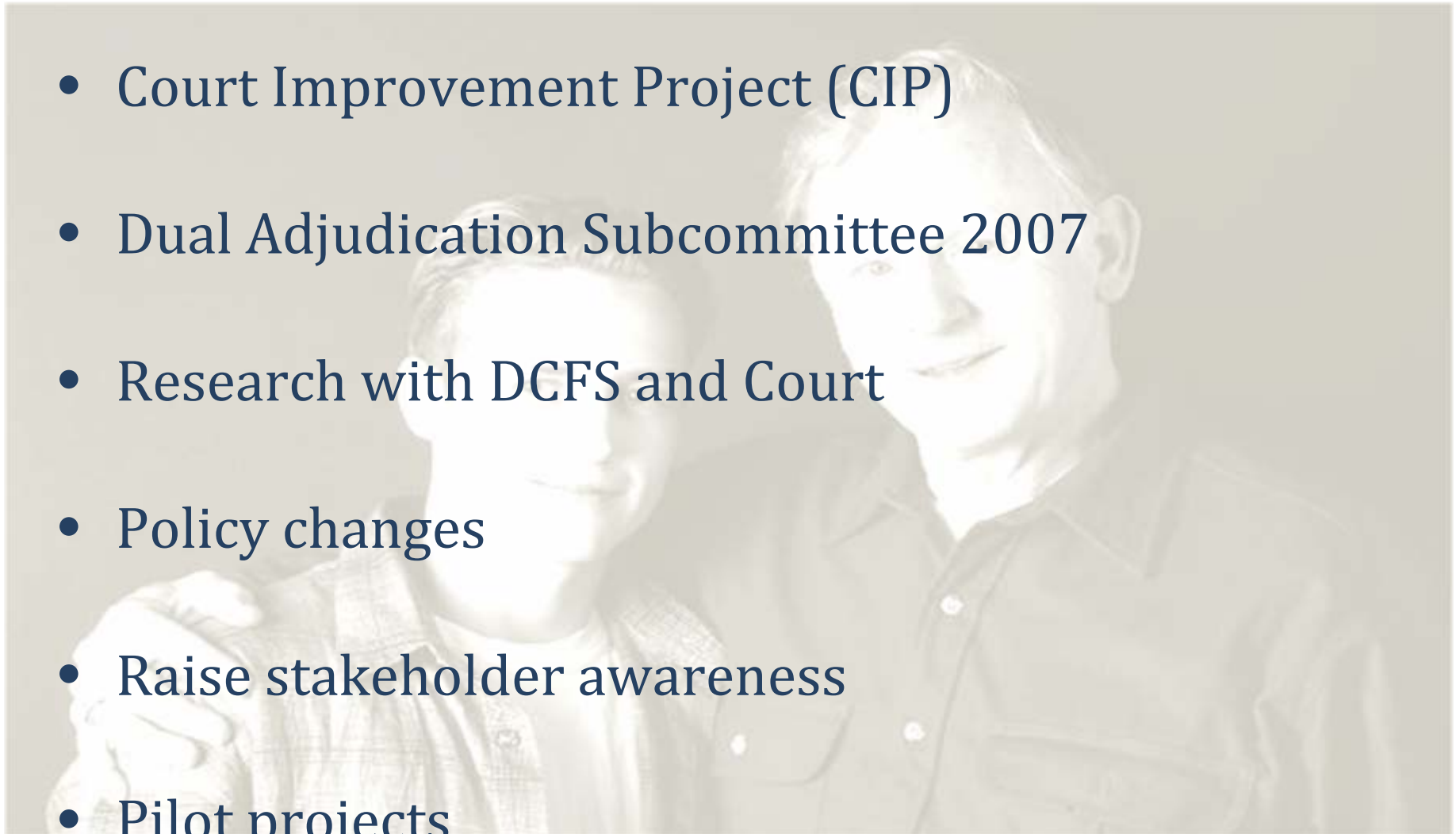
Barriers: Resources



- Being in custody changes what resources are available.
- Dual adjudication cases usually require coordinating more paperwork.
- Custody youth may be moving to various placements across the state.

What is being done?

- Court Improvement Project (CIP)
- Dual Adjudication Subcommittee 2007
- Research with DCFS and Court
- Policy changes
- Raise stakeholder awareness
- Pilot projects

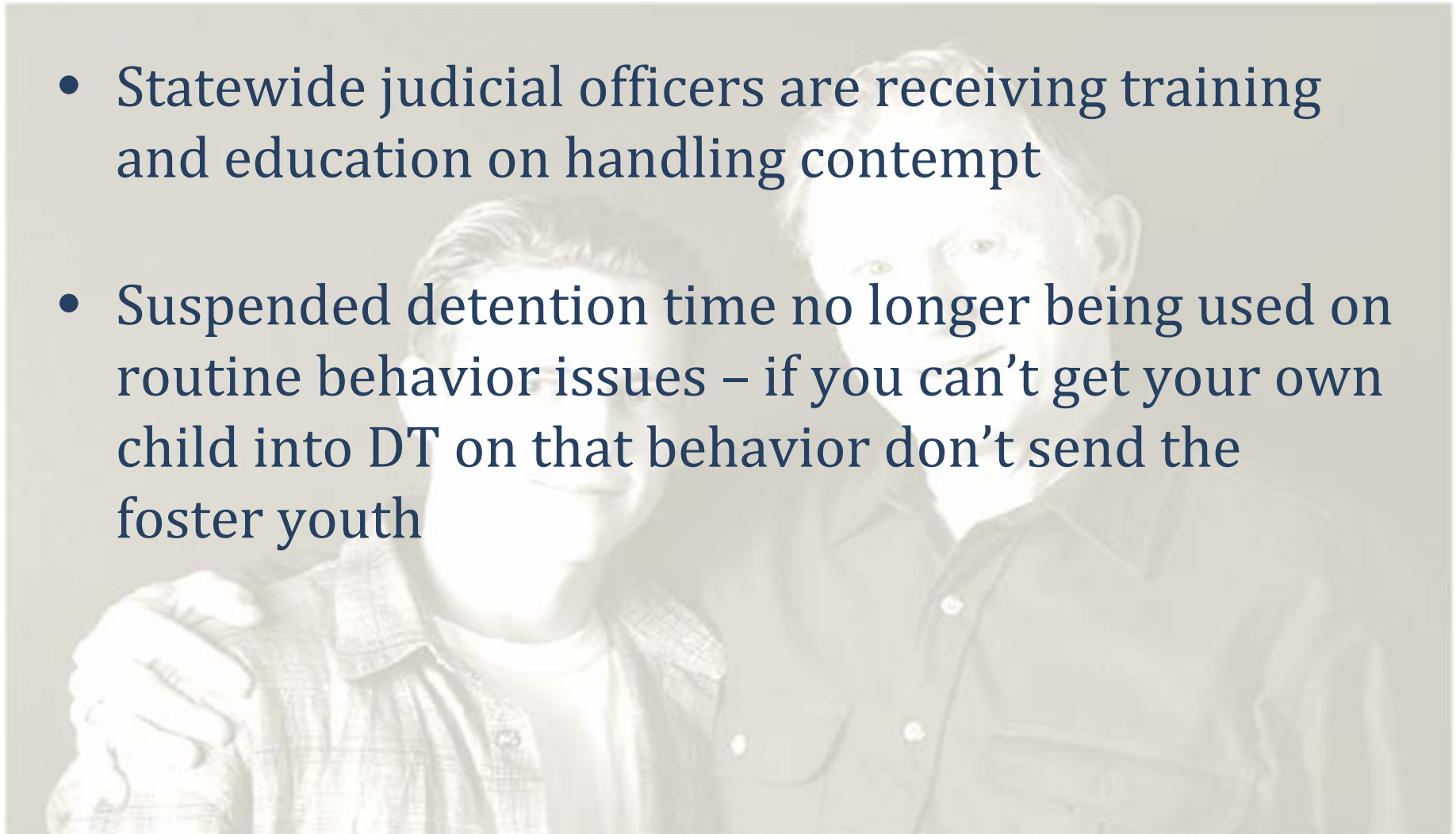


What is being done? Pilot Projects

- Diversion Program – divert foster kids and give same opportunities to handle matters without seeing a judge
- Third District doing Pick Up Orders to Youth Services
- First, Fourth and Eighth District all did Summits to discuss the issue of dually adjudicated youth – providing wrap around services to make sure the kids get the services they need – Teaming

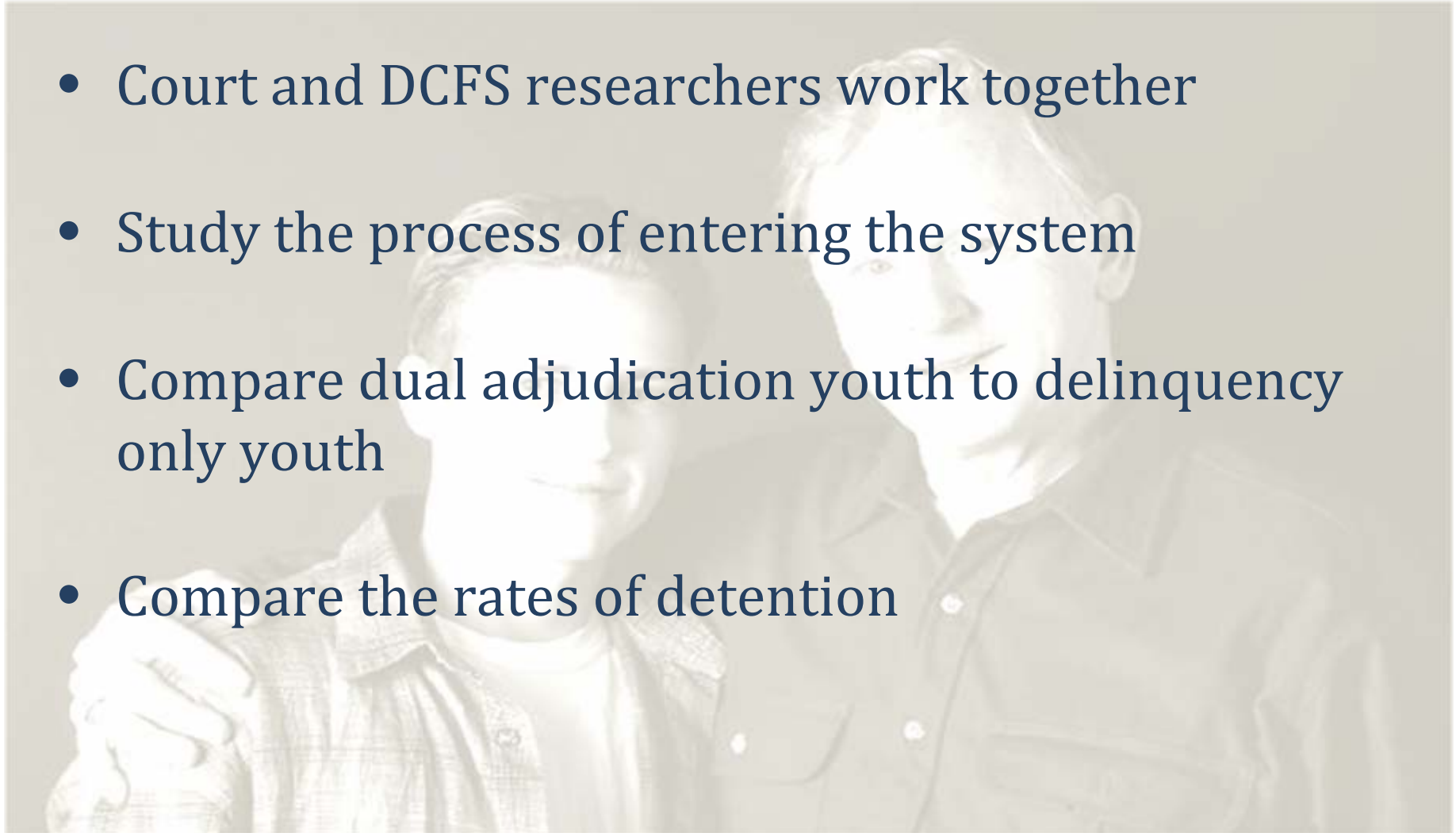
What is being done? Pilot Projects

- Statewide judicial officers are receiving training and education on handling contempt
- Suspended detention time no longer being used on routine behavior issues – if you can't get your own child into DT on that behavior don't send the foster youth



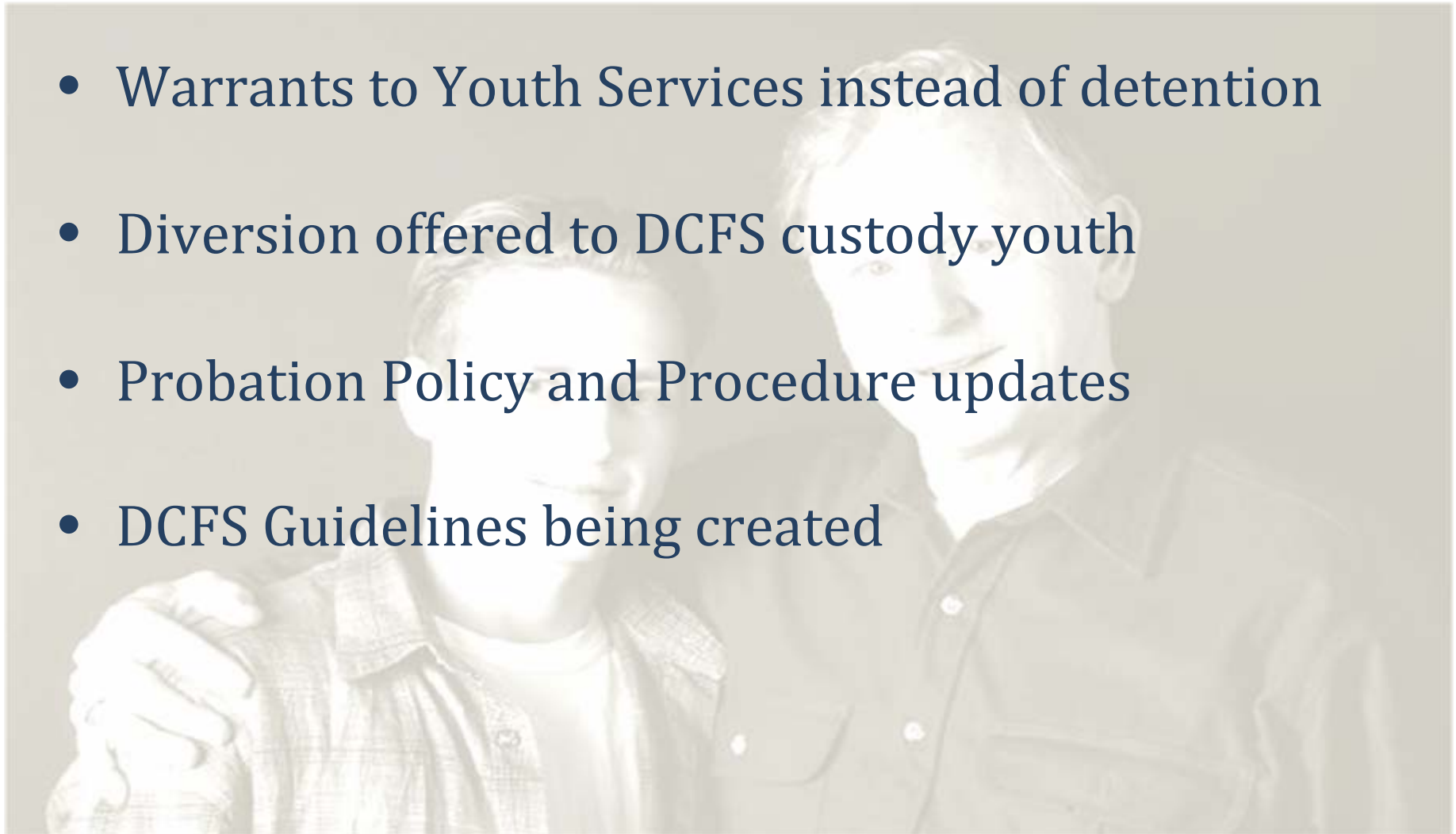
What is being done? Research

- Court and DCFS researchers work together
- Study the process of entering the system
- Compare dual adjudication youth to delinquency only youth
- Compare the rates of detention



What is being done? Policy Changes

- Warrants to Youth Services instead of detention
- Diversion offered to DCFS custody youth
- Probation Policy and Procedure updates
- DCFS Guidelines being created



Responsibility of Probation

- Assess risk of recidivism (Preliminary inquiry)
- Divert from formal court processing (Non-Judicial) where appropriate
- Collaborate with DCFS to make recommendations for community safety, accountability and competency development (Balanced Approach)
- Target criminogenic needs that reduce recidivism
- Serve as an agent of change with motivational strategies and by removing barriers

Responsibility of the Division of Child and Family Services

When the referral is diverted from the formal court process:

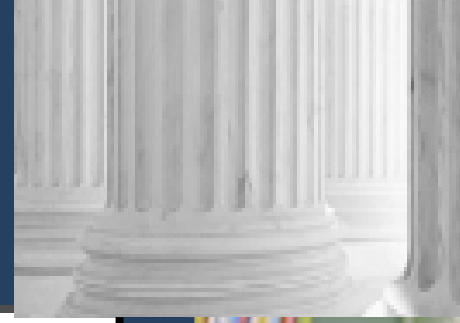
- Assure that the probation officer is invited to all child and family team meetings to offer input.
- Ensure the youth's compliance with the diversion agreement.
- Update the Court at the next child welfare hearing by reporting that the youth received a delinquency offense, what decisions were made regarding the youth, and progress made on the diversion agreement.

Responsibility of the Division of Child and Family Services

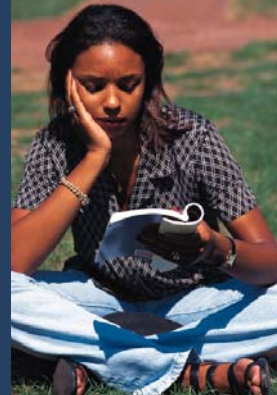
When the referral is petitioned to court:

- Assure that the probation officer is invited to all child and family team meetings to offer input.
- Collaborate with the probation officer regarding recommendations to the Court in terms of community service hours, restitution, placement, etc.
- Continue to address the abuse, neglect, and child safety issues.
- Continue to work with the probation officer to follow the compliance with the court order and report to the court together.

Challenges

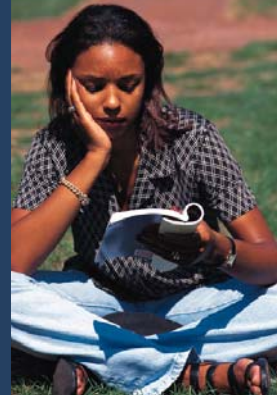
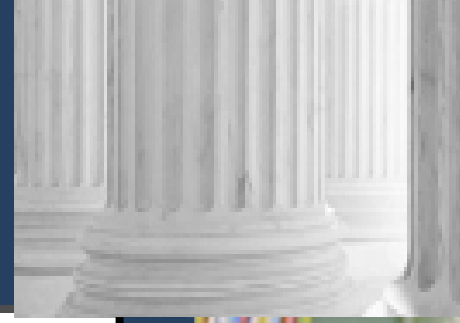


What is the greatest challenge to meeting the needs of dual adjudication youth?



Challenges

What can be done to overcome these challenges?



QUESTIONS



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