

Juvenile Justice Reform Taskforce: Out of Home Placement Working Group

Working Group Purpose

- Ensure the use of detention and residential facilities is reserved for youth that are a public safety or flight risk, and establish a more robust, coordinated statewide system of alternatives.
- Establish a minimum set of research-based, developmentally appropriate, trauma responsive standards, services, and supports that all youth statewide receive who are placed in detention/residential placement, regardless of demographics, geography, wardship, or facility.
- Strengthen statewide coordination, quality assurance, funding, and management of the residential system including through increased local ownership and oversight.

Detention

Detention Decision Making

- A. Statewide adoption of a research-based detention screening tool for use in **guiding** initial (pre-petition/detention hearing) detention decisions. Tool would be completed by designated local representative prior to youth coming to detention, and if youth is detained, results would be shared with legal parties as part of detention hearing.
- B. Majority favor use of single, statewide tool with ability for counties to use—with fidelity—tailored to local circumstances/individual cases. Entity TBD to provide statewide training, quality assurance, and technical assistance support.
- C. Statewide data collection, analysis, and reporting on detention use/use of the tool/overrides.
- D. Longer term plan/requirement to validate the tool, through assistance of research partner, to accurately predict reoffending overall and with specific demographic groups to limit racial bias.
- E. Need for statutory clarity on authority for making detention decisions—potentially require every county to designate representatives with legal authority to make pre-petition detention decisions, limited to judge, referee, court administrative staff, and/or detention staff.

Concerns:

- Ensure locales have discretion to use the tool to guide, not replace, professional discretion.
- Need sufficient planning time so counties can ensure that their authorizing representative(s) have 24/7 capability to look up juvenile history to complete the screening tool accurately.

Detention Eligibility and Lengths of Stay

- For 5/2 meeting

Detention Alternatives

- For 5/2 meeting

Detention Standards and Services

- A. Establish a statewide detention/alternatives oversight committee comprised of local and tribal courts, county detention staff, SCAO, DHHS, relevant association members, and representatives from across service systems. The committee will have statutory authority to develop and oversee statewide detention and alternative to detention policies, standards, and a continuum of services including community-based and residential options.
- B. Legislation would require the committee to:
 - Establish updated detention licensing/more comprehensive quality standards with the goal of creating one set of standards for county and court operated facilities that reflect research, developmental science, trauma-responsive care, and assessment and behavior management best practices.
 - Develop a single set of policies and protocols for all detention facilities for quality assurance reviews, reporting on findings/recommendations, and a continuous quality improvement/corrective action process.
- C. DHHS and committee members shall partner, through a small team approach, to conduct annual licensing/more robust quality assurance reviews of all detention facilities in alignment with the above protocols as developed.

Concerns:

- Ensure the statewide committee has appropriate legal authority and local/stakeholder representation and ownership in collaboration with, not subservient to, DHHS.
- Sustainability of committee and its authority.

Residential Placements (future meetings)