

From Courts to Communities: Status Offense System Reform

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Presentation Outline

- Background
- Shifting the Paradigm: What Change Looks Like
- Spotlight on State Reforms
- Resources to Promote Reform

What are status offenses?

- Status Offenses are non-criminal behaviors prohibited by law only because of an individual's status as a minor
- Common status offenses across the country:
 - Truancy
 - Running away
 - Liquor, tobacco, and marijuana violations **
 - Curfew violations
 - Ungovernability, incorrigibility, unruliness, beyond the lawful control of one's parents

What are status offenses?

States use varying terminology for youth who are charged with status offenses:

- Persons in Need of Supervision (PINS)
- Children in Need of Services (CHINS)
- Conduct Indicating a Need for Supervision (CINS)
- Families with Service Needs (FWSN)
- Families in Need of Services (FINS)

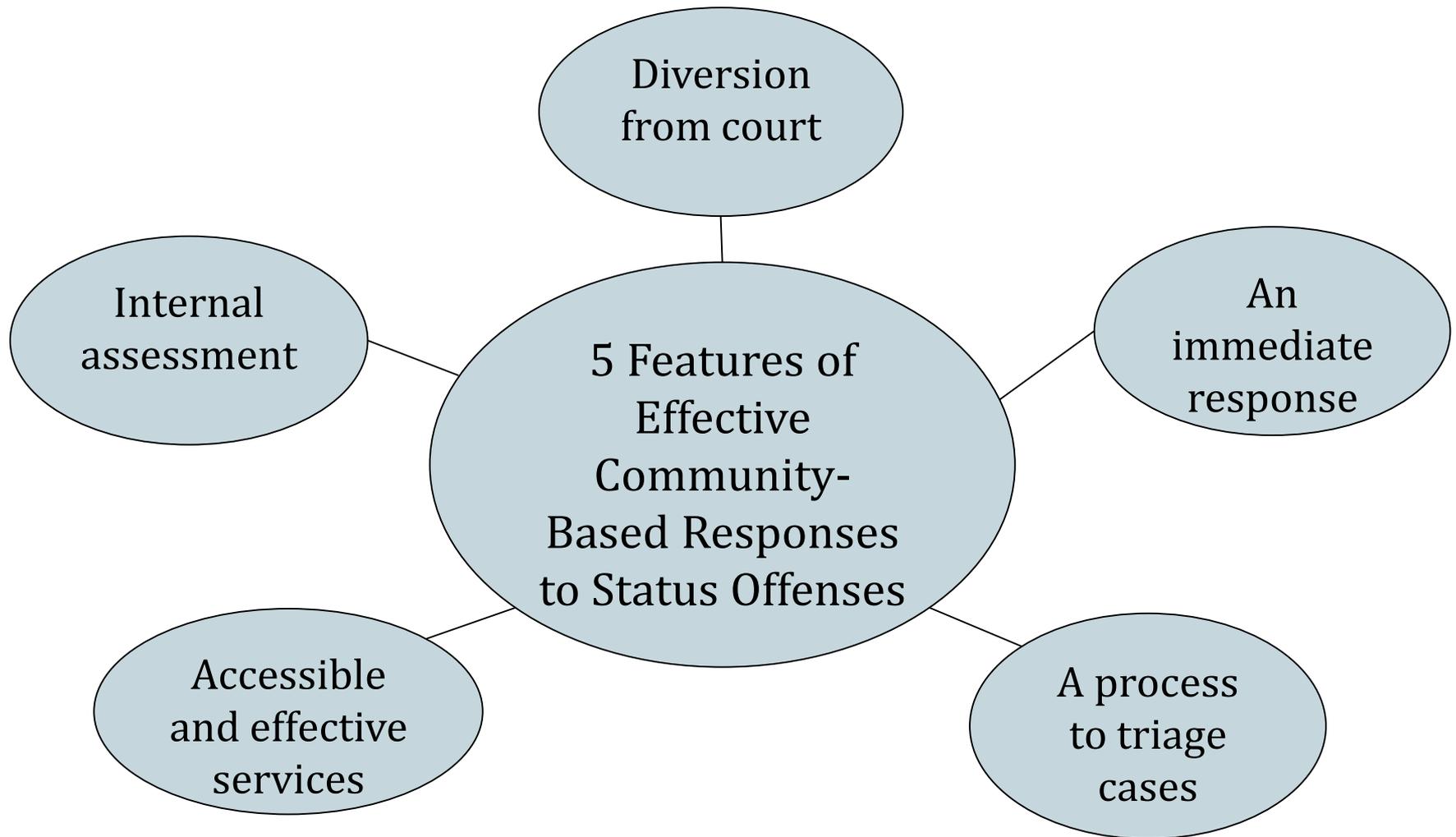
What is the federal government's role in monitoring status offenses?

- The Juvenile Justice and Delinquency Prevention Act passed in 1974 included Deinstitutionalization of Status Offenders (DSO) core requirement.
- A 1980 amendment of the JJDPA included the Valid Court Order (VCO) exception
 - Judges and others were given the option of placing adjudicated status offenders in locked detention if they violated a direct order from the court, such as “stop running away from home” or “attend school regularly.”
- While many states prohibit or do not use the VCO exception, 27 continue to use it to detain status offenders.

What does the federal data tell us?

- In 2013, juvenile courts across the country processed 109,000 status offense cases.
- In 51% of these cases, the most serious allegation was truancy.
- Despite the non-criminal nature of these behaviors, youth in approximately 7,300 cases spent time in detention.
- In 3,800 cases the court disposition was a longer-term placement in a locked facility.

What does status offense system change look like?



Florida: CINS/FINS reform

- Runaway Youth and Family Act (1983)
- CINS/FINS System Established (1990s)
 - Department of Juvenile Justice contracts with Florida Network of Youth and Family Services to oversee FINS/CINS programs
 - Youth/families can access immediate services from 31 sites statewide
 - Strong emphasis on quality assurance and accountability
- Impact:
 - 91% of the 14,847 youth served from 2011-2012 were crime free six months after services
 - Only 4% of the 11,111 status offense referrals in fiscal year 2013 were sent to court.
 - A 2011 cost effective evaluation found that Florida Network early interventions saved the state \$160 million

New York State: 2005 PINS reform

- Raised the age of eligibility for PINS from 16 to 18 (2001)
- Vera assisted localities in developing alternatives to juvenile justice system involvement for PINS youth
 - 2003: Family Keys Program, Orange County
 - 2003: Family Assessment Program, New York City
- Family Court Act amended (2005)
 - Counties mandated to provide **diversion services** designed to provide an **immediate response to families in crisis** through a lead agency
 - Schools required to **address behavior at school-level** before filing a petition
 - **Limits** ability to use and length of stay in **non-secure detention**
- Impact: 70% decrease in PINS court petitions from 2003-2012

Connecticut: 2007 FWSN reform

- Detention of FWSN youth prohibited (2005)
 - **No child** whose family has been **adjudicated FWSN may be detained**
- Creation of FWSN Advisory Board (2006)
- Raise the Age reforms (2007)
 - Eligibility expanded to include 16 and 17 year olds
 - First offense must be diverted from the system
 - High risk youth referred to Family Support Centers (FSC), a **community-based service center...that provides multiple services...for the purpose of preventing such children and families from having further involvement with the court**
- Impact:
 - 41% decrease in FWSN court referrals from 2006 – 2008
 - Percentage drop in FWSN referrals receiving formal court processing from 50% in 2006 to 5% in 2010

Massachusetts: 2012 CRA Reform

- **Child Requiring Assistance (CRA)** replaces CINS and ↑ age to 18
- **Bans use of shackles/restraints, locked facilities, and mandates pre-dispositional family conference**
- Establishes a **network of child and family service programs and family resource centers** ... to provide **community-based services** to families with CRA
- Requires a standard intake screening and assessment tools to identify **strengths, resources and service needs**
- Requires school districts to establish **truancy prevention programs**
- Creates a **data collection system**
- Establishes a **CRA Advisory Board**

Georgia: 2013 CHINS reform

- **Children in Need of Services (CHINS)** replaces “unruly” children approach
- Schools required to **address behavior at school-level** before filing a petition
- Children should receive services in **least restrictive environment**, preferably at home with their parents
- **Limits** use of **secure detention**
- **Prohibits use of placement** (secure or non-secure facility) for youth adjudicated CHINS

Status Offense State Reform Efforts

- Indiana
- Nebraska
- Pennsylvania
- Rhode Island
- South Carolina
- Tennessee
- Texas
- Washington
- West Virginia
- Wyoming

Themes

Can be an important component of comprehensive juvenile justice reform.

Establishing prevention/intervention services

Mandating diversion efforts prior to court filing

Context around the child is key

Look for bright spots at the local level for successful reforms

Where can we turn for more information?

Vera's Status Offense Reform Center (SORC)

www.statusoffensereform.org

An online repository, funded and supported by the MacArthur Foundation as part of its National Resource Center Partnership, to help policymakers and practitioners create effective, community-based responses for keeping youth who commit status offenses out of the juvenile justice system and safely in their homes and communities.

Status Offense Reform Center Resources

- **A Toolkit for Status Offense System Reform**
 - Module 1: Structuring System Change
 - Module 2: Using Local Information to Guide System Change
 - Module 3: Planning and Implementing System Change
 - Module 4: Monitoring and Sustaining System Change
 - Toolkit Resources
- **Notes from the Field**
- **Research Briefs**
- **Blog, Webinars, Videos, Library**

Additional Resources

Coalition for Juvenile Justice | SOS Project

Safety, Opportunity & Success (SOS): Standards of Care for Non-Delinquent Youth

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