PROMISING PRACTICES IN THE DIVERSION OF JUVENILE DOMESTIC VIOLENCE CASES
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Promising Practices in the Diversion of Juvenile Domestic Violence Cases

Introduction

Domestic violence (DV), whether committed by adults or adolescents, perhaps as much or more than any category of law violations, elicits very strong emotional responses. Data and research at the national and local levels have confirmed that families that experience violence, and that adolescents and families exposed to and/or involved in violent acts, are subject to a range of adverse impacts that can span generations.

Juvenile DV cases, even at misdemeanor DV levels, have also produced significant challenges for the juvenile justice system, its key partners, and communities at large. Juvenile DV arrests often represent a substantial proportion of cases referred to the juvenile court; detention is often utilized/over-utilized as a de-escalation/respite intervention; many youth arrested on DV offenses have substantial histories of child welfare involvement; and the range and timeliness of interventions available are typically very limited.

A number of jurisdictions across the country have initiated reform efforts to improve how juvenile DV cases are handled, to more effectively and safely divert such cases, and to improve outcomes. This Monograph describes developing and promising practices in four such jurisdictions (three counties and one statewide program). These jurisdictions include:

- The Pima County (Arizona) Juvenile Court’s Domestic Violence Alternative Center (DVAC);
- The DuPage County (Illinois) Department of Probation and Court Services Adolescent Domestic Battery Reform Project;
- The King County (Washington) Juvenile Court’s emerging juvenile DV reforms including efforts to expedite diversion screening and expand interventions;
- The Florida Domestic Violence Respite Care Services Program.

Additionally, efforts to develop the “Adolescent Domestic Battery Typologies Tool” (ADBT), a tool intended to improve the screening and assessment of juveniles charged with domestic violence/battery offenses are also highlighted (see page 9).²

This Monograph attempts to consolidate information from multiple sites in one source document. It is intended to provide specific examples, albeit somewhat abbreviated, for other jurisdictions to consider as they embark on or initiate their own juvenile DV diversion reforms. These examples include highlights of collaborative planning, program development, and program implementation stages that may be adapted to meet the needs of local circumstances.

Juveniles Arrested/Referred on Domestic Violence Offenses – System Challenges

- Nationally, upwards of 7% and possibly up to 13% of all juvenile arrests are related to alleged violence against a parent or caregiver.¹
- Detention is often used as the immediate law enforcement response even though most youth are arrested on misdemeanor domestic violence charges and in many jurisdictions are eligible for diversion.
- Research in select jurisdictions suggest that upwards of 50% of youth arrested on DV charges (and possibly substantially more) have some history of involvement with the child welfare system – often including periods of out-of-home care.
- Even in diversion-eligible cases, it can routinely take 30 – 60 days or (considerably) longer before the juvenile justice system intervenes in these matters (other than a brief stay in detention).
- The range of responses/interventions traditionally available within the juvenile justice system are typically very limited.
resulted in a youth being physically transported to the detention center and often being detained for four hours or longer. In most instances, these youth were then released and routed through normal diversion screening protocols or placed on brief periods of informal supervision. This often took weeks to set in place and did not include any specific DV-focused therapeutic interventions.

Additional research revealed that many of these youth and their families presented a range of complex issues that were contributing to poor outcomes – for example:

- 74% of these youth had mental health diagnoses.
- 51% had been dually adjudicated (delinquent and dependent).
- 66% had current or past involvement with Child Protective Services.
- 53% had current or past involvement with the local behavioral health agency.

In response to the above concerns, the juvenile court/probation department and key local stakeholders, began exploring the feasibility of creating an alternative, staff-secure site for law enforcement to bring youth arrested for misdemeanor domestic violence that would keep these juveniles safely out of detention and would assign cases immediately to probation officers after the arrest so that cases be processed in a timely fashion.

Initial goals included safely decreasing the number of youth detained for misdemeanor domestic violence and promptly referring families to more appropriate interventions and services to better ensure family safety and to reduce recidivism.

The evolution of the DVAC

DVAC originally opened in a location near downtown Tucson – a few miles away from the juvenile court center complex. While managed by the court’s juvenile probation department, it was operated in partnership with a local service provider under contract with the Arizona Administrative Office of the Courts (AOC).

Initially, due to funding limitations, DVAC’s hours of operation varied. It was open 10 to 12 hours per day, seven days per week (72 hours total) but its
availability to law enforcement was constrained by its limited hours of operation.

In 2007, the juvenile court/probation department assigned two probation officers to DVAC to process any youth brought to the center by law enforcement. These same probation officers were then assigned the misdemeanor DV cases to provide diversion screening and to assign appropriate diversion conditions and services to the youth and families.

In May 2011, DVAC was relocated to the Pima County Juvenile Court Center campus and a new contract was initiated with a different local service provider. This contract allowed for DVAC to be open 24 hours a day, seven days a week. Two additional probation officers joined the DVAC staff for shift coverage. The relocation of DVAC to the court center campus was generally seen as an important logistical move that improved access for local law enforcement agencies and placed DVAC in close proximity to important mental health and other services.

In July 2014, the juvenile court/probation department assumed all operational duties for the program. The evolution of DVAC offers important lessons regarding how to sustain innovative DV alternative to detention programs in the face of changing circumstances.

Developing interventions and services

As DVAC has evolved, so have the extent and types of services offered by and through the program. Currently, these services include the following:

- Conducting an initial pre-screen to determine program eligibility – youth who are suicidal, homicidal, or intoxicated are not accepted, and youth who present serious mental health issues are promptly referred to the local Mental Health Crisis Response Center (CRC).

- Enabling youth and families to promptly access health care services and insurance. A Pima Community Access Program (or PCAP) Liaison is stationed at the juvenile court and assists families whose children are referred to DVAC link to an affordable, comprehensive, and coordinated network of service providers. Many of the youth/families referred to DVAC are not insured so promptly addressing health care and other health-related issues can help reduce the crises and tensions often found in these families.

- Providing Mental Health Liaisons from the local Mental Health Networks who are also based at the juvenile court. Mental Health Liaisons are immediately notified when a youth (who is enrolled in one of the local Networks) is referred to DVAC. This expedited notification process streamlines communication between DVAC Probation Officers and the local children’s behavioral health services’ case managers and allows for more timely provision of mental health services.

In addition, through this prompt notification process, emergency Child and Family Teams and/or other services can be arranged for families in crisis and who need immediate interventions.

- Enhancing mental health crisis services (whether a juvenile/family is enrolled in the local Mental Health Networks or not) to include immediate services for youth who present serious mental health problems upon referral to DVAC. In these instances, DVAC staff members call the local Crisis Response Center and/or its mobile unit for prompt intervention. The Crisis Response Center is located across the street from DVAC.

- A Domestic Violence Liaison position was created in October 2011. The DV Liaison has a Master’s Degree in Counseling (and is also a juvenile probation officer). The DV Liaison assists probation officers with engaging families to participate in ongoing services, coordinates the court’s DV educational program, and also works with the Strengthening Families, Parenting Wisely, and Power of Parents programs.

- Providing additional family support services, including parenting support groups. These are provided on a regular basis by one of the DVAC Probation Officers.

Impacts of reforms

Referrals to DVAC have more than tripled over the most recent four-year period for which data are available – from 246 referrals in FY2010 to 884 referrals in
FY2013. DVAC also appears to have contributed to an 89% drop in the number of misdemeanor DV cases physically referred to the juvenile detention center for detention screening by the Intake/Receiving Unit—from 787 in FY2010 to 83 in FY2013.

Ongoing challenges

In many ways, Pima County has already surmounted the biggest challenge associated with DVAC – sustaining the program despite changes in program location, structure, and operations. Initial reports from the “new” DVAC (i.e., after July 2014) suggest that the transition from partnering with a community provider to DVAC Probation Officers running the operation has gone well and there appear to be no negative effects on law enforcement, prosecution, and other key partner buy-in since the transition.

That said, for other jurisdictions considering an approach similar to that of Pima County, there is much to be learned from the DVAC experience. This includes making sure that whoever operates the program has suitable experience working with the juvenile justice system and youth involved in that system – particularly if community/private providers are utilized. Other important lessons learned from and ongoing challenges for Pima County include:

- Adjusting to periodic turnover among experienced law enforcement contacts and/or liaisons who have worked with the program. Training and engaging new DV officers in multiple law enforcement agencies, and regularly making presentations about the DVAC at police briefings, for example, reflect important activities that have helped sustain program effectiveness despite these personnel changes.

- Coordinating with the new child protection agency in Arizona – the Department of Child Safety – especially on cases that have involvement in both the juvenile justice and child welfare systems (i.e., dual status youth), presents challenges as the new department goes through its formative stages.

- Integrating multiple data sources to improve tracking of and outcomes associated with DVAC referrals. While the Pima County Juvenile Court has a sophisticated automated data system (JOLTSAz), and DVAC maintains some data on Excel spreadsheets, there appears to be a need for greater integration and ease of use among these automated data sources. The court’s Research and Evaluation Unit and DVAC staff are well aware of this challenge.
Background

Beginning in 2006, the DuPage County Department of Probation and Court Services (DPCS) initiated important improvements in the handling of juvenile domestic violence cases. In brief, the reforms enacted in DuPage County seek to move away from the traditional reliance on secure detention and formal processing in juvenile court, toward more timely and family-centered approaches.

Previous research in DuPage County found that youth arrested on domestic battery charges represented an average of seven to ten percent of juvenile arrests. In 2010, these youth were overridden into secure detention at over twice the proportion of non-domestic violence cases even though their detention risk assessment scores did not indicate the need for secure confinement. This research also found that, despite the more frequent use of detention, youth arrested for domestic battery were much more likely to be re-arrested than youth charged with other offenses. In other words, a more effective range of responses was needed for juvenile domestic battery cases.

Developing interventions and services to best meet the needs of project participants

Step-Up in DuPage County

As a result of the research and other considerations, it was determined that a “family systems” approach would likely offer the strongest potential for long-term positive outcomes. The DPCS project eventually selected the Step-Up model originally developed in King County (Seattle) Washington as its primary family systems option. DPCS implemented the Step-Up model in February 2010. In brief, Step-Up is a twenty-two week cognitive behavioral group program designed to help youth stop using violent behaviors to resolve conflict within the family and to teach parents/caregivers strategies to support their child in utilizing these non-violent behaviors.

Step-Up is not a traditional diversion program (e.g., typical community service work hours, for example) in that it requires intensive family group work, family practice of skills learned in group sessions, homework, and other requirements. Furthermore, in DuPage County, the Step-Up program may be utilized at diversion, after referral to detention, and after placement on probation.

At the front-end stage, diversion from formal court-processing allows eligible youth and families to
participate in a “Preliminary Conference” that can lead to youth and their parents/caregivers participating in the Step-Up program (under “informal supervision”). For cases set for informal supervision, the state’s attorney holds off on filing a delinquency petition unless the youth fails to satisfactorily complete his or her diversion terms.

If informal supervision is approved at the Preliminary Conference, a safety plan is developed and signed by all parties, and the rules and expectations of informal supervision are explained to those parties. At the Preliminary Conference, the "Preliminary Conference Officer identifies if a youth is a possible candidate for Step-Up and, if the youth and parents/caregivers agree, a referral is made to Step-Up. DPCS attempts to expedite the time between the arrest/referral and the Preliminary Conference, and the initial screening and referral process, to avoid unwanted delays and associated negative impacts. The majority of admissions to Step-Up involve Preliminary Conferences for non-detained youth.

For the detention release stage, when youth arrested for domestic battery are detained based on an “override” (that is, in instances when the local Detention Risk Assessment Instrument suggests that the youth should not be detained but local officials decide to override that indication usually as a result of safety concerns expressed by the parent/caregiver), the case is, in effect, “fast tracked” providing for the timely and safe release of youth from secure confinement and offering families safety planning and referral to the Step-Up program. This process also requires the prosecutor’s approval and, if the youth completes Step-Up, the underlying petition in the case is dismissed.

For the DV probation services stage, youth placed on probation for domestic battery or related offenses are placed on a special caseload and supervised by an experienced probation officer who specializes in working with adolescent domestic battery cases. These youth may be required to participate in Step-Up with their families as a condition of their probation, or upon referral by the probation officer.

Once again, Step-Up is a demanding program and, for diversion cases, participation by youth and families/caregivers is voluntary. The fact that a substantial number of youth and families/caregivers do participate in Step-Up at the Preliminary Conference stage and do complete the program despite these demands, is a testament to the efforts of local officials in helping to convince youth and parents/caregivers that participation can and does help produce lasting positive change.

Impacts of reforms in DuPage County

DPCS tracked (and continues to track) a range of impacts associated with Step-Up cases that were closed during the first four years of program operations (2010-14).

A total of 108 cases were closed by Step-Up during this period – an average of 27 per year. Successful completion rates averaged slightly more than 70% - a noteworthy completion rate given the extensive program requirements – generally, 22 weeks of cognitive behavioral group therapy.

Additionally, re-arrests rates (for DV and other offenses) also appear to be lower than in the three years prior to the introduction of Step-Up – especially for youth who have successfully completed the program (see chart on page 7). Previously, 39% of youth referred on DV charges were re-arrested within 12 months (any type of offense). In the subsequent four years, 18% of youth who successfully completed Step-Up were rearrested within 12 months. Rearrests rates for youth whose cases were unsuccessfully closed are similar to earlier years (42%).
Ongoing challenges in DuPage County

Despite the sustained progress achieved in DuPage County, there are ongoing challenges. These include:

- Closing the local detention center in early 2012 has made program coordination more difficult in instances in which a youth is detained on DV charges. These youth are now held at a detention center in a neighboring county which creates some logistical challenges for the DV Probation Officer and the Step-Up provider in ensuring timely case coordination and communication.

- Parents/caregivers are not always open to having their child released from detention in the wake of a crisis situation. Convincing them that Step-Up is worth starting after a youth has been brought to detention is an ongoing challenge. Even in non-detained cases, communication skills are critical to convince parents/caregivers to consider participating in the program.

- The increasing prevalence of youth and families with mental health and/or substance abuse issues adds complicated elements to the mix of youth and families being considered for Step-Up and other interventions.

- Two other impediments that the DV Probation Officer and the Step-Up provider routinely confront including addressing communication barriers associated with non-English speaking family members and arranging transportation for youth and family members (especially for those who have to travel 30 or more miles to the court center for Step-Up sessions).

Dupage County and the Adolescent Domestic Battery Typologies Tool

While there are many innovations evident in DuPage County, special recognition should be noted regarding their role in the continuing development of the Adolescent Domestic Battery Typologies Tool (ADBTT).

In 2010, the DuPage County partners created a local screening/assessment tool to classify different types of adolescent battery (or DV) cases, based on clinical experience that distinguished juvenile DV from the characteristics most often associated with adult intimate partner violence. This local tool is currently being refined and cross-validated in a national five-site study undertaken by the National Youth Screening and Assessment Partnership (NYSAP) at the University of Massachusetts Medical School (see page 8).

Other DV Diversion efforts in Illinois

Two other Illinois counties (Cook and Peoria) have also pursued options for diverting juvenile domestic violence cases. Cook County has focused on the front-end intervention – specifically at the point of arrest. Peoria County initially focused on “dual status” youth (i.e., youth with involvement in both the juvenile justice and child welfare systems) but then expanded its efforts to include non-dual status cases. For more information on these reforms efforts, please contact Lisa Jacobs at ljacobs@luc.edu.
The Adolescent Domestic Battery Typologies Tool

In the latter part of 2010, the National Youth Screening and Assessment Partnership (NYSAP) at the University of Massachusetts Medical School was engaged to examine the utility of a tool developed internally by the DuPage County (Illinois) Department of Probation and Court Services to improve local screening and assessment practices in adolescent domestic battery cases.

With funding provided by the MacArthur Foundation, NYSAP refined the locally-developed screening/assessment instrument and recruited five pilot sites (including DuPage County) to participate in a prospective cross-site validation study of the tool. The other sites include Pima County (Tucson, AZ), Bexar County (San Antonio, TX), Lucas County (Toledo, OH) and two Connecticut counties (New Britain and Hartford).

The Typologies tool (ADBTT) is designed to support a reexamination of how the juvenile justice system responds to adolescent domestic battery incidents and to provide empirical guidance regarding:

- Possible de-escalation of the pressing crisis at the scene;
- Determining which youth are a real threat if they remain at home;
- Promoting youth accountability and protecting victims; and,
- Identifying services and targeted interventions based on individualized youth and family needs.

While work on the ADBTT is continuing, initial statistical modeling of various historical and situational variables (such as exercise of power/control, triggers to violence, behavioral intent, youth’s attitude towards use of violence, etc.) and the likelihood of being rearrested within 12 months (any offense) resulted in the initial identification of specific “types” of youth charged with ADB. An analysis of these types and re-arrest data over a period of one year indicated that there were at least two types of youth with very low re-arrest rates for any type of crime, tentatively referred to as the

1. **Defensive type** – the only ADB events occur when the youth is defending himself/herself from abuse of a parent/caregiver, and the

2. **Isolated incident type** – a likely one-time event born out of atypical stress.

There was another type that committed new delinquency offenses at a relatively high rate. This type was tentatively labeled the “Family Chaos type” – to indicate a pattern of events in which behavior escalates to the point of battery, characterized by inconsistent or unclear parental authority.

In addition, there was one other type of youth that looked more **Delinquent in general**. This type would be most likely to commit another domestic battery violation and/or other offenses. In the initial pilot study, this group of juveniles was the least common.

The five-site study conducted by NYSAP and its partners is intended to ascertain the validity of the ADBTT with a much larger sample of youth coming from multiple jurisdictions and different juvenile justice decision points (e.g., detention intake, diverted cases, probation intake).

Ultimately, the study will result in a final assessment tool and user’s manual. For more information on the Adolescent Domestic Battery Typologies Tool, please contact Dr. Gina Vincent at gina.vincent@umassmed.edu or Ms. Wendy Nussbaum at wnussbaum@addison-il.org.
King County (Washington) Juvenile Domestic Violence Diversion Programs

Background

The King County Juvenile Court (Seattle, Washington) has a history of innovation with regards to juvenile domestic violence interventions. The nationally recognized Step-Up program was developed and implemented in King County in 1997. Step-Up is now being used (or has been adapted) in a number of jurisdictions across the country, including DuPage County, Illinois.

Over the past 12 years, King County has also been a leader in efforts to examine how to best respond to and improve outcomes in cases of youth with histories of both juvenile justice and child welfare system involvement. With support provided by the MacArthur Foundation, Casey Family Programs and others, King County partners initiated Uniting for Youth (UFY) which has resulted in various system reforms including, among others, development and implementation of cross-agency information sharing/resource guides and county-wide cross-training and protocols to facilitate more targeted and coordinated cross-system case work.

A relatively recent product of the UFY effort was the completion of the King County Multi-System Youth Prevalence Study, which revealed that many (if not most) youth “arrive at the front door of the juvenile justice system having already interacted with the child welfare system.”

A follow-up Prevalence Study analysis of a set of youth referred to the King County Juvenile Court on misdemeanor DV assault charges revealed that close to 90% of these youth had some prior child welfare involvement and that this involvement was often substantial – including frequent out-of-home placements and formal dependency court involvement.

This analysis also revealed that many youth referred on misdemeanor DV assault charges, while originally detained, were ultimately considered eligible for diversion. However, diversion screening often took more than 60 days and it was not unusual for screening to take upwards of 90 days and longer. Additionally, it was estimated that 20-25% of these youth were referred on new delinquency charges prior to a diversion decision being finalized.

Subsequent case review revealed that most youth referred and diverted on misdemeanor DV assault charges were required to participate in a limited counseling regime and/or assigned community work service hours as their diversion conditions. Diversion interventions that included specific DV and family conflict interventions (including Step-Up) were relatively infrequent.

Identifying the target population for DV Diversion reforms

Local stakeholders agree that historically, youth referred to the court on DV charges and their families have received few benefits from involving the juvenile court and have been less likely to reach out for help in the future when crises return. These considerations have helped propel current DV diversion reform efforts in King County. King County stakeholders have recognized that the problem with pre-reform DV diversion has been that families in crisis have received services only when triggered by arrests and/or formal charging and that often these interventions only peripherally address the array of issues that underlie the immediate crisis resulting in the arrest.

King County reform efforts are attempting to move the intervention “trigger” away from the arrest or subsequent charging stage and more toward providing a range of more crisis and therapeutic interventions specifically designed for the juvenile DV population and their families.

Historically, many of the youth referred for misdemeanor DV charges have been detained for relatively short periods and released at the detention hearing stage or before. Data provided by the King County Prosecuting Attorney’s Office (KCPAO) for 2013 provide further details:

- Juvenile DV cases comprised approximately 15% of the cases referred to the juvenile court in 2013.
- Juvenile DV referrals accounted for roughly 17% of all admissions to detention and 32% of all bookings in 2013.
- Assault 4 – DV cases (misdemeanors in Washington State) represent the largest proportion of diversion-eligible juvenile DV cases in King County – 74% of the more than 500 DV referrals in 2013.
• The KCPAO reports that Assault 4 – DV referrals represent a segment of cases that actually increased in 2014 (compared to 2013) while almost all other referral types decreased in 2014, providing further impetus for the decision to engage the Assault 4 – DV population as a primary target group in King County.

Looking back and moving forward: A shift in DV Diversion philosophy and practices

A brief look back

Until fairly recently, when a misdemeanor DV referral occurred in King County and a youth was brought to detention, a safety plan was developed while the youth was confined, and there was typically little to no case monitoring or support once the youth was released. Prosecutorial screening of these referrals (for legal sufficiency), and Intake Unit screening for diversion, often took 60 days or longer, on average. Diversion was weighted toward limited counseling options and/or assignment of community work service hours (with allowances given for time served in detention). The types of counseling available did not necessarily involve modalities best designed to address the panoply of behavioral issues and complex family dynamics present in juvenile DV cases.

The only specific DV-related intervention option offered through the juvenile court has been the Step-Up program, which typically served approximately 40-60 families per year. Step-Up is only offered in two specific areas of King County (Bellevue and Kent), and the program requires an extended time commitment; that is, generally, 22 weeks of group therapy sessions.

Moving forward

Changes in juvenile DV Diversion practices in King County should be viewed as still in the formative stages. However, beginning in late 2013/early 2014, the juvenile court, the prosecutor’s office and other agencies in the Uniting for Youth consortium renewed their efforts to address the case processing difficulties discussed earlier. These include:

• Expediting front-end processing – there have been important commitments made by the KCPAO and the juvenile court’s intake unit to expedite screening and assessment of these cases.

• Promptly assigning cases to the Probation Department’s Lower Level Supervision (LLS) Unit. While only two staff are assigned to this unit, their work in conjunction with student interns has shown some promise – resulting in the more timely screening of some misdemeanor DV cases.

• Simultaneous screening by the LLS unit and Step-Up, instead of what had been sequential screening, has resulted in more timely screening/assessment, improved case coordination and communication, and improved consultation and case staffing.

• Coordinated screening by the Victim’s Advocate (KCPAO) who also conducts a safety assessment and helps facilitate referral for services at the detention hearing (this may also include a Step-Up staffing).

Local stakeholders have also been engaged in long-term planning to expand the continuum of options available to more effectively intervene in DV matters including the feasibility of a non-secure respite care model that could be housed at the new juvenile court center and to which law enforcement could make direct referrals. King County partners visited the Pima County DVAC program in November 2014, and are in the process of moving forward with plans to develop a similar model that can work in Seattle.

Preliminary data and impacts: Improving timely responses to DV

The consortium of agencies involved in the King County UFY Initiative have made more timely processing and more targeted therapeutic interventions a priority in their system reform efforts.

As discussed previously, the analysis of youth referred to the King County Juvenile Court in 2006 on misdemeanor Assault 4 – DV charges revealed that most of these youth were considered diversion-eligible but that it routinely took 60 days or longer for a decision to be made regarding diversion. The diversion decision was made in 30 days or less in only 16% of Assault 4 – DV cases which were accepted for diversion (as measured from date of the DV incident).

Similarly, the tracking of a somewhat random set of approximately 225 Assault 4 – DV cases assigned to the King County Juvenile Court’s Intake Unit in 2012 and 2013, revealed that 17-18% of the time the diversion decision was made in 30 days or less.
While preliminary 2014 data reveal that the majority of misdemeanor DV cases referred for diversion still take 60 days to process, the percent of cases in which the diversion decision was made in 30 days or less has nearly doubled – to 35%.

While the juvenile court and prosecutor’s office hope to make greater strides with respect to timely handling of DV diversion matters, it is also important to highlight that the court is renewing its efforts to track time-related performance measures in DV cases potentially eligible for diversion.

Ongoing challenges

While efforts have been initiated to develop a DVAC-like model in King County, that process is going to take some time. Meanwhile, the KCPAO and the juvenile court continue to wrestle with the increased numbers of Assault 4 – DV referrals. This has made the identification and implementation of DV diversion reforms a top priority. However, with change comes challenges, and in King County these include:

- Law enforcement dilemmas in responding to juvenile DV cases. Local stakeholders report that the absence of an alternative DV center like the DVAC model, may be contributing to struggles faced by local law enforcement.

- Complexity of these cases including high prevalence of cross-system involvement. Intake unit and Step-Up staff have emphasized that while many of the youth who are referred for misdemeanor DV offenses may initially appear as "low risk" on risk assessment screening and assessment tools, their risks for repeated DV/family violence are higher without suitable interventions. A substantial proportion of these youth have a history of child welfare involvement and it is not uncommon for the extent of such involvement to be extensive.

- Limited program capacity. As referrals to Step-Up have ebbed and flowed, the two Step-Up groups have, at times, experienced capacity issues in the past year.20

- Step-Up program location and time commitment. As noted, Step-Up is currently offered in only two areas of King County, Bellevue and Kent. The need for additional Step-Up groups in Seattle and perhaps other areas of the county seems likely.
Additionally, there is little to no transportation assistance available for families participating in Step-Up and the program's time demands are more extensive than diversion options offered in other misdemeanor non-DV cases.

- The need to improve and sustain data and case tracking. The juvenile court has been using an interim automated database to track juvenile DV Diversion cases. However, because of personnel constraints, data entry in the interim database has been uneven, and it is unclear if the court will be able to somehow adapt the capabilities of the interim database into the court's larger automated system or find some other option for consistent tracking of these cases. Recently, an experienced administrative staff person volunteered to take over data entry responsibilities. Whatever decision is made in the longer term with regards to the interim database, it is important that King County continue to track the impacts of its reforms through use of a workable automated data system.
Florida’s Domestic Violence Respite Care Services Program
Florida Department of Juvenile Justice

Background

The Florida Domestic Violence Respite Care Services program began in February 2013. The program is operated in 67 counties using 28 shelters through a contract between the state Department of Juvenile Justice (DJJ) and a private service provider, the Florida Network of Youth and Family Services, Inc. (the Network).22

The program has three primary goals that include:

1. Diverting all appropriate youth with a DV charge from secure detention to an alternative placement or county jurisdictional respite facility or shelter, with DJJ responsible (in coordination with the Network) for ensuring that an adequate inventory of respite beds are available for the program.

2. Reducing secure detention volume and associated costs by placing appropriate youth charged with DV in contracted alternative respite beds.

3. Providing access to specialized therapeutic respite services for both youth and families in DV cases.

The Florida program was created as an alternative to secure detention for juvenile DV cases. It is not, in a pure sense, a front-end or court diversion program. In other words, youth charged with DV offenses in Florida who participate in the program are arrested and still have to appear in court and, thus, are not diverted from the formal juvenile court process. That said, as an alternative to secure confinement, the Florida DV Respite Care Services program can be considered “diversion” from detention. Furthermore, the program aspects of the Florida model seem adaptable for front-end and/or formal court diversion approaches.

The Florida program was created by statute (Florida Statutes, Chapter 985.255) that requires DJJ to continue to identify and develop effective alternatives to secure detention.23 It also requires the agency to annually submit, via request to the state legislature for authorization and appropriation, the types of alternative resources needed to support the program.24

Target population

The Florida model is open to any youth, ages 10-17, charged with a misdemeanor domestic violence offense,25 who also meet program eligibility requirements as determined by the application of a standardized Detention Risk Assessment Instrument (DRAI) and further eligibility screening conducted by shelters that operate respite services.26

Program referrals, eligibility, and emphasis on timely responses

The initial referral occurs when a youth is arrested and charged with a misdemeanor or felony offense (usually battery or aggravated battery) and during delinquency intake, staff indicate whether or not the individual charge involved domestic violence. Law enforcement transports the juvenile to the nearest Juvenile Assessment Center (JAC) where youth are then screened (or they may be screened by an “on call screener” in more rural areas) using the DRAI to determine initial eligibility.22

If the youth’s DRAI score falls below the threshold for admission into secure detention, the first option is to find respite with relatives or another known caregiver. Referral to a Florida Network shelter is generally considered the last resort after other options have been investigated and exhausted. If a shelter is the only option, the shelter then screens the juvenile (while still at the JAC) using an internal screening instrument to determine if the minor is eligible for the program.

If the referral is accepted, the local shelter has up to four hours to provide transportation for the juvenile to the shelter, and at that point, services are initiated.28

Interventions and services

Upon acceptance into a shelter, an intake is conducted in which the youth is assessed and a plan of service is developed. The plan of service includes behavior goals for the juvenile while in respite care. Service plan goals are addressed through individual, group, and family counseling. The youth and his/her assigned counselor identify coping skills that the youth can utilize when experiencing heightened emotions. A safety plan is created when a youth expresses a desire
to hurt himself/herself or anyone else, or has stated the intent to run away.

Shelter counselors develop individualized transition plans and this plan is evaluated daily with the goal, in almost all cases, of family reunification. The youth’s behavior in the program is also assessed daily to determine if he/she is ready to return home. If it is determined that the minor is ready to return home (or to another family member or other caretaker), the shelter provides referrals to local community-based services so that the youth and family may continue to work on therapeutic interventions through non-residential counseling. If a case is not ready to reunify, and the juvenile meets criteria for Children in Need of Service/Family in Need of Service (CINS/FINS), then he or she can be placed in that program. Following the respite stay, local shelter staff conduct 30 and 60 day follow-up contacts for all youth to evaluate the status of the case.

**Program data and preliminary impact research**

DJJ and the Florida Network both have sophisticated automated data systems. DJJ uses the statewide Juvenile Justice Information System (JJIS) to track key data on youth involved in the state’s juvenile justice system. The Florida Network uses the NetMIS system to track program referrals, case characteristics, demographics, as well as family dynamics and presenting issues. NetMIS also tracks all services provided to youth and their families.

One of the most interesting data pieces tracked in Florida involves DJJ’s efforts to track what are called “missed opportunities” for the DV Respite Care Services Program. In brief, the DJJ Bureau of Research and Planning assembles a data sheet that goes out to each county on a monthly basis to advise local jurisdictions of possible cases that could have been referred to the program but were not. This “missed opportunities” component allows DJJ to track cases that perhaps should have been referred to the program, and also allows the agency to track cases that were not referred because local shelter beds were at capacity.

The data sheets are provided to DJJ field staff for review and comment. Field staff are obligated to respond to the monthly DJJ “missed opportunity” data sheets and their responses may include indicating whether a local shelter facility was full at the time. This information exchange keeps DJJ informed of the reasons why program referrals may not be occurring, and reinforces program utilization. It also helps DJJ keep abreast of shelter bed needs, allowing the agency...
to approach the legislature with requests for additional shelter resources when those are needed.

The Florida Network compiles monthly data reports for the DV respite program and DJJ’s Bureau of Research and Planning produces periodic Briefing Reports that track a range of program activity, performance, and outcome data. A recent Briefing Report, from October 2014, examined youth charged with misdemeanor DV and held in secure detention or placed in respite care between February 1, 2013 and December 31, 2013, using data from the JJIS and the NetMIS.30

The Briefing Report displays re-arrest rates for program youth and detained youth during a 92-day period following initial DV arrest.31 While preliminary, the data from the program’s first year of operation, suggest that youth placed in the DV Respite Care Services Program generally have lower re-arrest rates than youth who were detained during the same period, as shown in the chart on page 15 (prepared by NCJJ).32

Ongoing challenges

The early stages of the Florida DV Respite Care Services Program presented substantial challenges in that it was implemented statewide rather than in a single county jurisdiction. DJJ officials highlighted this aspect as well as other ongoing challenges noted below:

- Initially, DJJ was tasked with ensuring that the “right youth were receiving the right services at the right time.” In this respect, DJJ had to revise the ways that the JACs were functioning and how DV cases were being processed at these facilities. Coincidentally, DJJ needed to build support for the program and encourage prompt referrals. The production of the aforementioned “missed opportunity” reports represents one creative step taken to promote utilization and heighten awareness of the program.

- Length of stay remains one of the biggest challenges. By contract, the Florida Network serves youth in the program for a maximum of 14 days, which limits the program’s ability to address the needs of youth who need longer stays. It can be a struggle for shelters to connect with families, build rapport, develop trust, begin family reunification efforts, and modify behaviors of the household in less than two weeks.

- Bed availability represents another challenge. Local shelters serve more than just DV program youth and sometimes the shelters are full and cannot accommodate more than the allotted capacities.

For more information on the Florida DV Respite Services program, please contact Julia Strange, Assistant Secretary, Detention Services HQ, at julia.strange@djj.state.fl.us or Pennie Smith-Slaughter at pennie.smith-slaughter@djj.state.fl.us
**Concluding Remarks: Key Themes**

NCJJ selected four jurisdictions – Pima County, Arizona; DuPage County, Illinois; King County, Washington; and, the State of Florida - that have developed and implemented promising juvenile DV diversion programs, to highlight in this *Monograph*. The jurisdictions profiled here continue to explore options for enhancing their innovative practices, for promoting appropriate program utilization, for assessing program performance and impact, and for ensuring sustainability. All of these programs have gone through a series of changes that have presented important challenges and lessons.

In addition to the four profiled jurisdictions, this *Monograph* also highlighted the emerging Adolescent Domestic Battery Typologies Tool (ADBTT), a tool that is intended to go beyond general risk assessment and provide consistent and more targeted information, to help jurisdictions with their decision-making in DV cases and to plan interventions, with one of those possible interventions being diversion. A number of key themes can be drawn from the innovations described in this *Monograph*. For the Adolescent Domestic Battery Typologies Tool, these themes include:

1. **Confirming that juvenile DV/ADB is influenced by different family-level risk factors as compared to adult intimate partner violence.**

   Historically or typically, responses to juvenile DV/ADB have been based on adult intimate partner DV models. Using interventions that adhere to the adult DV model is not likely to produce the range of positive outcomes found in sites that recognize the important differences associated with juvenile DV/ADB cases.

2. **Confirming the need for a specific and validated screening and assessment tool for ADB cases.**

   The ADBTT research findings raised important issues about the ineffectiveness of applying adult models in juvenile DV matters. The tool provides an initial example, one that is undergoing cross-site validation, of a screening and assessment approach designed to more consistently capture the unique circumstances of ADB cases and to help guide case management, planning, and services.

3. **Illustrating the challenging family dynamics in juvenile DV/ADB cases and the need to not focus solely on the alleged juvenile offender.**

   The ADBTT research has also confirmed that there are important differences across DV/ADB case “categories or types” that are probably best addressed without a "one-size fits all" approach or interventions that focus solely on the alleged offender.

4. **Providing a tool that is likely to facilitate better understanding of the needs and strengths of the families involved in these matters.**

   One of the primary goals of the ADBTT is to help stakeholders communicate more effectively about ADB issues, to aid in consensus-building around the continuum of interventions necessary to work more effectively with families and youth, and to close system gaps.

For the four jurisdictions profiled, the following key themes, directed at improving juvenile DV interventions, were identified:

5. **Relying on secure detention was an ineffective approach.**

   Before system reforms were enacted in the four profiled sites, substantial numbers of juvenile misdemeanor DV cases were being brought to secure detention centers. In the vast majority of these cases, these youth did not present the risk factors that would justify secure confinement nor were these youth experiencing positive outcomes after being detained. Instead, through concerted system improvement efforts, these four jurisdictions were able to identify that juvenile DV/ADB cases needed other types of community-based services to address complex family circumstances that were not being addressed through traditional or typical diversion approaches.

6. **Addressing substantial delays in getting juvenile misdemeanor cases screened, assessed, and promptly referred to appropriate diversion programs and/or services, is a critical factor.**

   Before reforms were implemented, in some of the highlighted jurisdictions, it often took 60 days or longer from the date of the alleged DV incident to the date a youth was actually referred to or placed in
7. Discovering that a substantial proportion of youth arrested for misdemeanor DV/ADB (and their families) also present at least some level of prior or concurrent involvement with the child welfare system and that such involvement poses additional challenges.

As mentioned earlier, youth who are or who have been involved in both the juvenile justice and child welfare systems (dual status youth), compared to youth who do not experience dual status, are more likely to experience adverse trajectories that include higher recidivism rates, more frequent out of home placements, poor permanency outcomes, and other problems.

8. Implementing strong collaborative planning processes and multi-agency partnerships have helped build strong support for reforms.

The collaborative partnerships and the planning processes implemented in the profiled sites have proven essential to building consensus around the need to change past practices and to develop, identify, and implement innovative programs. These partnerships included key stakeholders from the juvenile court/juvenile justice system, prosecutors, law enforcement, probation, child welfare, attorneys, service providers, and others. These collaborative approaches have also helped these jurisdictions identify shared concerns and have helped each site explore and implement alternatives to secure detention, including more family-centered approaches, thus reducing detention-related costs and preventing the potentially deleterious effects of confining these youth with higher risk offenders.

9. Enhancing crisis response resources that, in at least two of the profiled jurisdictions, include immediate respite (or “cooling off”) and other services.

All of the profiled jurisdictions offer an expanded range of interventions or are attempting to expand or enhance their service array (including but not limited to behavioral/mental health, health care, family and parenting support, and other services) that more specifically target the needs and risks associated with juvenile DV/ADB cases.

10. Committing resources and time to track critical data and program information.

All of the highlighted sites have conducted or are planning to conduct ongoing research to determine program utilization, program impacts, and the need for possible program modifications. A number of these jurisdictions are also actively using available data, to a greater or lesser extent, to drive continuing program improvement efforts.

11. Sustaining program operations despite significant budgetary and/or other challenges that have prompted important program adjustments over time.

The four sites have all experienced substantial reductions or shifts in fiscal resources that have either limited available services and/or that have forced the jurisdictions to alter program location, logistics, structure, and/or other programmatic aspects. Despite these shifts, these innovative approaches persist.

Once again, this Monograph consolidates information from a number of jurisdictions that have implemented (and/or are in the process of developing) promising approaches to juvenile DV diversion, in one source document. It is hoped that the examples and innovations profiled here assist other jurisdictions as they pursue their own juvenile DV diversion reforms.
Promising Practices in the Diversion of Juvenile Domestic Violence Cases


2 Throughout this Monograph, the terms “domestic battery” (ADB) and “domestic violence” (DV) will be used interchangeably.

3 Please see the National Council of Juvenile and Family Court Judges. Juvenile Delinquency Guidelines: Improving Court Practice in Juvenile Delinquency Cases. Reno, NV (2005). This benchbook sets forth the essential elements of effective practice and improved court processing in juvenile delinquency cases. The Delinquency Model Courts initiative works to identify impediments to the timeliness of court events and delivery of services for youth referred on delinquent charges, and works with its member courts to design and implement court and agency-based changes to address these barriers. For more information go to http://www.ncjfcj.org/our-work/model-courts

4 Youth arrested in Pima County and taken to the court’s detention center/Intake Receiving Unit are counted as “Physical Referrals” in contrast to youth arrested but taken home or directly released to parent/guardians (“Paper Referrals”), with law enforcement subsequently forwarding the arrest report to the court/prosecutor’s office.

5 This analysis was conducted by National Center for Juvenile Justice staff who were part of the NCJFCJ Model Court team providing technical assistance to the Pima County Juvenile Court as it began its participation in the Delinquency Model Courts’ project. NCJFCJ is the Research Division of the National Council of Juvenile and Family Court Judges (NCJFCJ). For more information, please see Halemba, G. & Siegel, G. Pima County Juvenile Delinquency Guidelines: Summary Analysis of FY2005 Case Processing Data. NCJFCJ. March 3, 2006. (unpublished).

6 Key local stakeholders included law enforcement, the county prosecutor’s office, child welfare, the local public defender’s office, attorneys general responsible representing youth in dependency proceedings, for the children’s behavioral/mental health system, and local service providers.

7 Data drawn from DVAC Power Point provided by Cary Steele-Williams, Pima County Juvenile Court. April 9, 2014.

8 Upon consulting with Tucson Police Department’s legal advisor and the Attorney General’s Office, it was determined that as long as law enforcement could transfer the “in-custody” (arrested) youth to a probation officer in the community, there would be no legal liability to the law enforcement agency.


10 For more information on the reforms enacted and sustained in DuPage County, please contact Ray Stubner, Deputy Chief Juvenile Probation Officer, at mailto:Ray.Stubner@dupageco.org

11 The detention center in DuPage County was closed in February 2012. At least part of the closure may be related to the reduced numbers of youth detained for domestic battery charges. Today, youth arrested in DuPage County who are detained are confined in neighboring Kane County.

12 For more information on Step-Up (also described in the King County section of this Monograph) and other family system approaches, please see Routt, G. & Anderson, L. Adolescent Violence in the Home: Restorative Approaches to Building Healthy, Respectful, Family Relationships. Routledge. 2015.

13 For a summary of the possible negative effects of such delays, please see Siegel, G. & Halemba, G. The Importance of Timely Case Processing in Non-Detained Juvenile Delinquency Cases. Technical Assistance to the Juvenile Court. Special Project Bulletin. OJJDP and NCJFCJ. July 2006.

14 Youth on home detention may also be offered the option of participating in Step-Up.

15 DuPage County received extensive technical assistance from two jurisdictions that have operated Step-Up programs, prior to implementing the Step-Up intervention locally. Those two jurisdictions included King County, Washington, and Lucas County, Ohio.

16 Gregory Routt and Lily Anderson are the co-developers of the Step-Up model and lead social workers for Step-Up in King County. The Step-Up program is administered by the King County Office of the Clerk of the Court.

17 For more information on the Uniting for Youth Initiative, please see Rinaldi, L. & Ashley, N. King County Uniting for Youth (UFY) Implementation Evaluation. Models for Change. December 2012.

18 For more information, see Halemba, G. & Siegel, G. Doorways to Delinquency: Multi-System Involvement of Delinquent Youth in King County. Models for Change. National Center for Juvenile Justice (NCJJ). September 2011.

19 Internal working summary prepared by Gregg Halemba (NCJJ) in the Spring of 2011 and submitted to the UFY Committee.

20 The Step-Up program staff have reported that there have been instances when the groups have gotten so big that the program could not take additional referrals. When this has occurred, youth and their families have been referred to other services in the community.

21 Funding for the development of the interim automated database by NCJJ and Canyon Solutions (an Arizona-based company specializing in development of juvenile justice case tracking software) was provided through the MacArthur Foundation Models for Change Initiative.

22 The Florida Network of Youth and Family Services, Inc. is a not-for-profit statewide association representing agencies that serve youth ages 10 to 17 and their families. Services include: shelter, non-residential counseling, case/service plan, case management services, physical security services, and case termination.

23 DJJ also distinguishes between “priority beds” and “floating beds” in the respite program. In brief, initial pre-program data indicated that certain counties in Florida had more need for respite beds than others. These areas were assigned a specific number of filled bed days (priority beds) and all other counties are assigned floating bed days. Floating bed days can be moved as needed and are used on a first come, first serve basis.

24 See Florida Statute 985.24 subsection (4) and Florida Statute 985.601 subsection (3) (a). Florida Statutes, Chapter 985.255 states that youth charged with committing a misdemeanor offense of domestic violence may only be held in secure detention if respite care or alternative placement for the youth is not available, or if it is necessary to place the youth in secure detention in order to protect the victim from further injury.
While the primary target population, and vast majority of program participants, involves youth arrested for misdemeanor DV, DJJ officials report that there have also been some program participants who had felony charges. Per the contract between DJJ and the Florida Network, shelters serve youth charged with misdemeanor DV. However, youth charged with felonies may be placed in the shelter program if their Detention Risk Assessment Instrument (DRAI) scores do not indicate the need for secure confinement. It is also possible that a youth may be initially detained per their DRAI score but upon further review by the court and the probation officer, the judge may release that youth to shelter care. The screening criteria used by the shelters are the same. The screening tool is used to gather data/information that are entered into NetMIS - the Florida Network database.

DJJ indicated that roughly 50-60% of cases come through a Juvenile Assessment Center. When youth are screened via an on call screener, transportation is coordinated between local law enforcement and the shelter. The state’s CINS/FINS program provides services for youth who are status offenders or who meet other criteria for services, aside from those involving delinquency or dependency adjudications. See Florida Statute 984.

A 92-day period was selected for this initial analysis due to the short-term nature of the respite program, and also due to the fact that more time needed to pass to conduct a more long-term analyses of re-arrests. In addition, short-term re-arrest data are particularly relevant for the misdemeanor population in that misdemeanor DV offenders who do re-offend tend to do so fairly quickly after their initial arrest, particularly when timely interventions are not evident. Again, the authors of the Briefing Report are very clear in describing the limitations of the re-arrest outcome analyses although they also emphasize the substantive benefits of the respite program. For more information on the DJJ Briefing Reports, contact Mark Greenwald, Director of the Bureau of Research and Planning, at mark.greenwald@djj.state.fl.us

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Gregg has been with NCJJ for going on 25 years. He retired as Chief of Applied Research in 2011 and continues as a part-time Senior Research Associate. During his tenure with the Center, Gregg has collaborated on a variety of juvenile justice, child protection and family court projects including research regarding the prevalence and court processing of dual jurisdiction youth.