



MEMORANDUM

From: [Redacted]
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Re: **SDM Clarification on Out of Home Placements and Abscondences**

Date: February 16, 2018

The Structured Decision-Making (SDM) process requires consistency and reliability in the determination and entry of data. A common understanding of the meaning of each of the items in the SDM is critical to achieving consistency, which will, therefore, lead to more equal, consistent, and appropriate placement decision-making for youth.

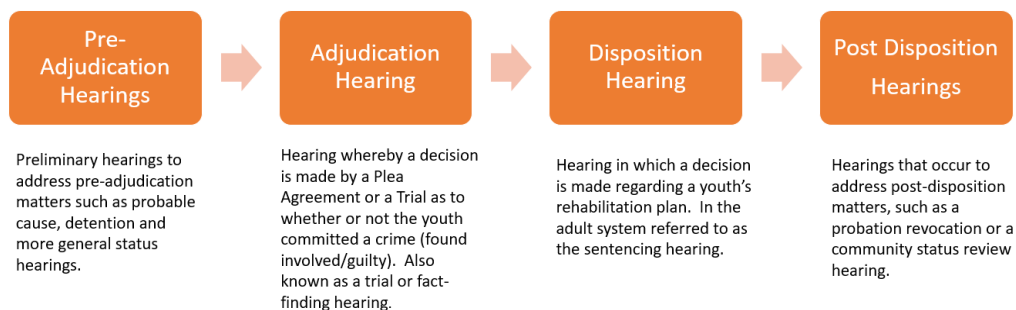
Over the last several months of reviewing the SDM process and speaking with staff, ORE has determined that many the items could be interpreted in multiple ways, but items #5 and #6 cause the most confusion. These items are related to out-of-home placements (post-adjudication) and abscondences from a post-dispositional placement.

ORE reached out to the National Council on Crime and Delinquency (NCCD) to determine how each of the items was originally defined. NCCD was the agency that facilitated the development, implementation and revalidation of DYRS's Structured Decision-Making tool. With NCCD's assistance, ORE has devised some guidelines to ensure more consistency in the administration of Items #5 and #6 respectively on the risk tool component of the SDM process.

Clarification of Items on the SDM:

To help clarify items #5 and #6 on the risk tool, it's important to first understand the order and types of hearings that occur during the juvenile court process (see Figure 1.)

Figure 1: Juvenile Court Hearings:



Item # 5: Number of Prior Out-of-Home Placements for Delinquency (post-adjudication).

Item #5 refers to the number of times a youth has been placed outside of their home **after** a youth has either formally plead guilty (or “involved) or been found guilty (or involved) by a juvenile court judge in a trial or fact-finding hearing (i.e. adjudication hearing). While most out-of-home placements occur after the disposition hearing, a separate hearing to determine the rehabilitation plan for the youth (i.e. sentencing hearing), some out of home placements occur between adjudication and disposition. The list below outlines more specifically what out-of-home placements should and should not be included in the count for item #5.

DO INCLUDE:

- Out-of-home placements that occur post-adjudication and are a formal response to a **delinquency** finding of “involved”, and include:
 - Local group homes
 - Out-of-state group homes
 - Residential treatment centers
 - Psychiatric residential treatment facilities
 - DYRS foster homes
 - DYRS independent living programs
 - Inpatient substance abuse treatment programs
 - New Beginnings Youth Development Center (NBYDC)
 - Youth Services Center (YSC) ONLY if used as a formal post-disposition placement by DYRS (occurs in very rare circumstances).

- Post-adjudication, but pre-disposition placement in a shelter home that is part of a formal response to a delinquency finding of “involved”;
- Post-adjudication, but pre-disposition placement in a shelter home for those youth participating in post-adjudication diversion program.
- Successive out-of-home placements in cases where a youth may abscond or is unsuccessfully discharged from a post-adjudication placement, and then is placed in another post adjudication placement at a lower, higher or same level of restriction.
 - Example 1: A youth is placed at Mountain Manor by Court Social Services at disposition, but then the youth absconds and is placed at Harbor Point by Court Social Services. That would be counted as 2 post-adjudication placements.
 - Example 2: A youth is placed at Mountain Manor by Court Social Services pre-adjudication, absconds and then is adjudicated and placed back home by Court Social Services and then is placed at Harbor Point. That would be counted as only 1 post-adjudication placement.

DO NOT INCLUDE:

- YSC, UNLESS used as a formal post-disposition placement by DYRS (occurs in very rare circumstances);
- Awaiting placement in YSC or New Beginnings;
- Pre-adjudication stays in a shelter home;
- Any CFSA placement (including relative caretaker homes, foster homes, group homes,

- Relative caregiver placements; or
- Hospital stays for medical or psychiatric emergencies.

Item #6: Number of abscondences from Post-Dispositional Placements.

Item #6 refers to the number of times a youth has absconded, but only from a placement that occurs **after** the dispositional hearing (i.e. sentencing hearing) which is when the judge makes a determination on the rehabilitation plan for the youth. Abscondences that occur before the adjudication hearing, and even right after the adjudication hearing are **not** to be included in this count. Also, note that for the purposes of this item, “post-dispositional placement” is not restricted to out-of-home placements, but includes any placement that occurs after the dispositional hearing. Thus, if after a dispositional hearing, a youth is sent to live at home, and then absconds a month later, that would be included as an abscondence from a post-dispositional placement.

For the purposes of standardizing responses to this item, only include abscondences where a post-disposition **Custody Order** has been issued (reference JUSTIS) for those youth supervised by Court Social Services (CSS) as well as DYRS.

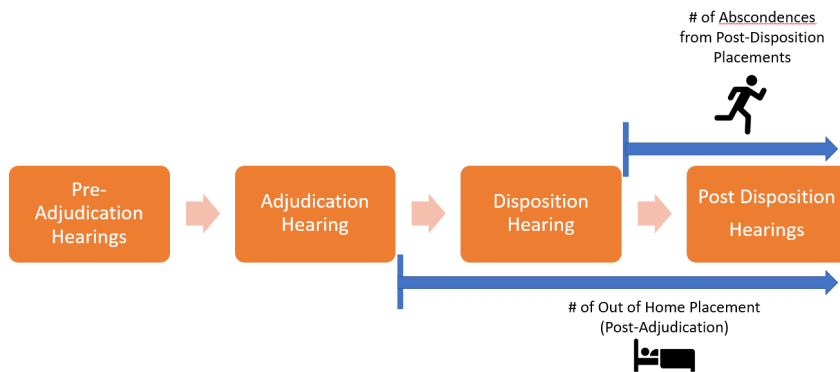
DO INCLUDE (as represented by **Custody Orders** in JUSTIS):

- Abscondences from placements that are a formal dispositional response to a delinquency finding of “involved”, by either CSS or DYRS:
 - Home
 - Relative Caregiver Home
 - DYRS Foster Home
 - CFSA Foster Home
 - Independent Living Program
 - Local group homes
 - Out-of-state group homes
 - Residential treatment centers
 - Psychiatric residential treatment centers
 - Inpatient substance abuse treatment programs
- Abscondence from a shelter home, **ONLY** if the shelter home placement occurred after the disposition hearing.

DO NOT INCLUDE:

- Abscondences (i.e. pre-petition **Custody Orders**) from a pre-adjudication stay in a shelter home, CFSA foster home, or the youth’s own home (or relative caregivers home);
- Abscondences (i.e. Custody Orders) from a post-adjudication or post-disposition awaiting placement stay at home or in a shelter home;
- Abscondences (i.e. Custody Orders) from a post-adjudication stay in a shelter home, unless the stay is a formal response to a delinquency finding of “involved”;
- Abscondences (i.e. Custody Orders) from a hospital stay due to a medical or psychiatric emergency; or
- Custody Orders for Failure to Appear at Court.

Figure 2: Juvenile Court hearings in relation to answering Items #5 and Items #6 on the SDM risk tool.



HELPFUL HINTS FOR ANSWERING ITEMS #5 AND #6:

- It might be easiest to first create a timeline of court hearings for specific charges.
 - Write down the date of the **Adjudication hearing** for a specific set of charges, for which the youth either plead guilty/involved, or was found guilty/or involved in a trial. **Adjudication Date:** _____
 - Reference JUSTIS
 - Write down the date of the Disposition Hearing, where a youth was either placed on probation or committed. **Disposition Date:** _____
 - Reference JUSTIS
 - **Answer to Item #5:** Using the date of the adjudication hearing for a set of charges, determine, via FamCare, if the youth was put in any type of out of home placement that aligns with the specified out-of-home placement criteria, AFTER the adjudication date.
 - **PLEASE NOTE:** Most youth supervised by CSS are placed home at home and have occasional stays in shelter homes which will be recorded in FamCare. However, in special circumstances CSS may also place a youth in an inpatient substance abuse program or a residential treatment center, which will not be recorded in FamCare. Before finalizing Item # 5 on the risk tool, review social summaries, psychological evaluations, and/or interview notes from Probation Officers to determine if there were any additional post-adjudication placements in inpatient substance abuse programs, or residential treatment centers that are not recorded in FamCare. If there are, please note the placement and the source for that information in the comment box for item #5 and add it to the count of out-of-home placements.
 - **Answer to Item #6:** Using the date of the disposition hearing for a set of charges, determine if the youth had any abscondences (referencing **Custody Orders** in JUSTIS) AFTER the disposition hearing. If the youth was previously on probation or committed, review the number of **Custody Orders** in JUSTIS that were issued **post-disposition**.
 - If the youth has multiple sets of charges and multiple adjudication dates, it may be easiest to create a timeline for each set of charges, highlighting the adjudication date, and the disposition date, and any dates that indicate the beginning and ending dates of probation or commitment.

