

# NORTH DAKOTA JUVENILE COURT UPDATE

---

# ND Juvenile Court Philosophy

Following the principles of balanced and restorative justice the mission of the ND Juvenile Court is to promote public safety, hold juvenile offenders accountable, and increase the capacity of juvenile to contribute productively to their communities.

**REPAIRING HARM, REDUCING RISK  
AND CREATING OPPORTUNITIES**

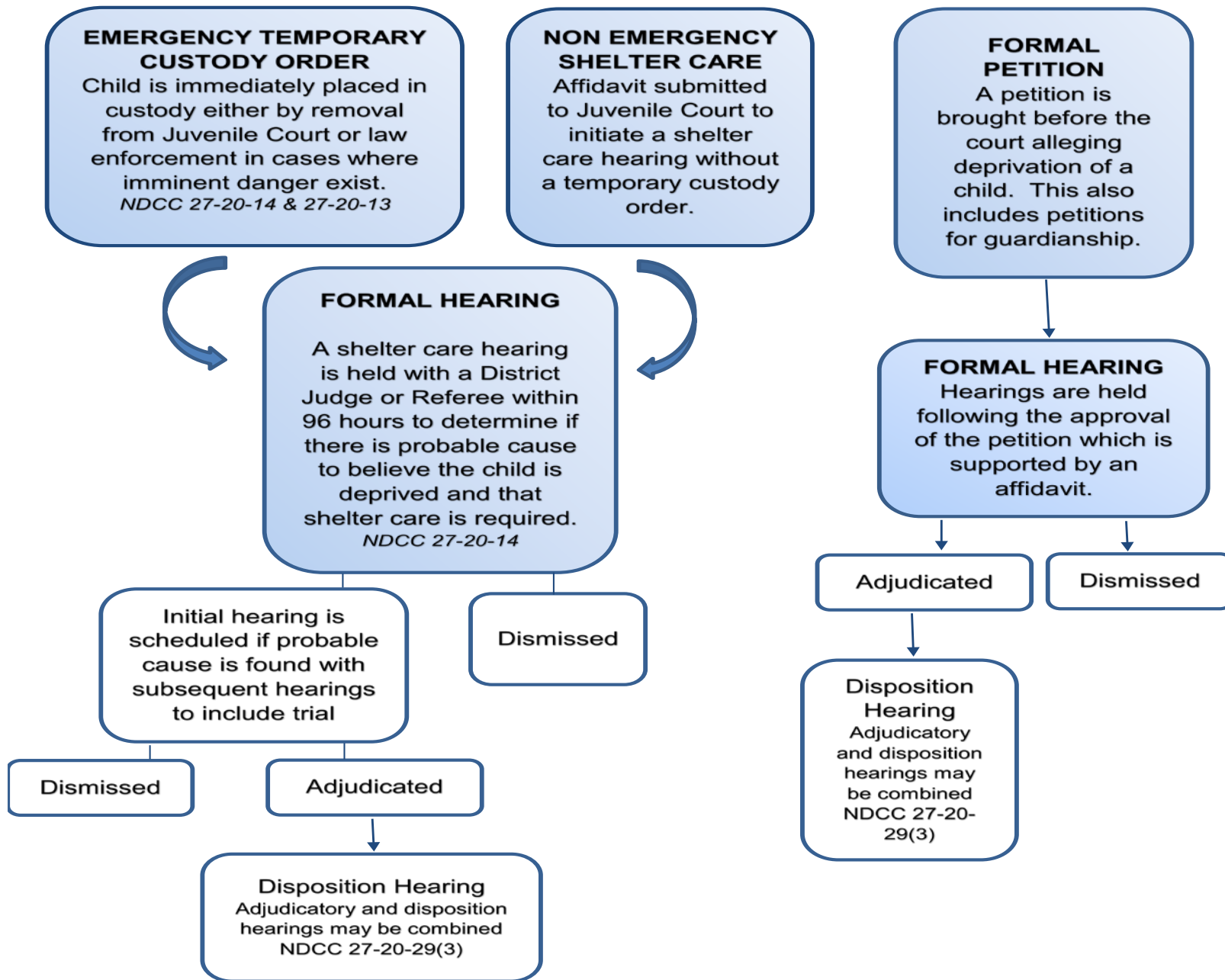




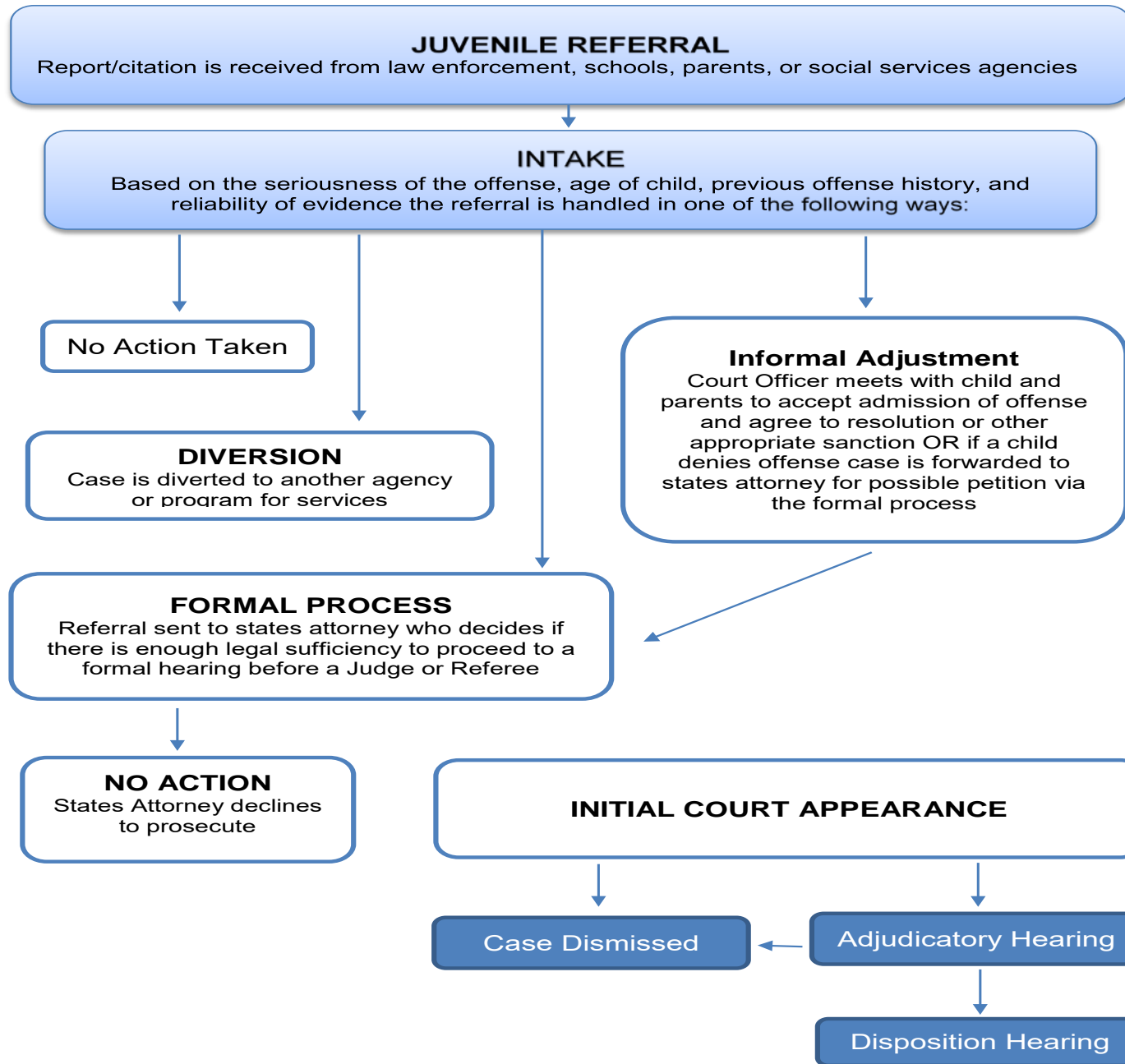
# Core Purposes of the Courts

- To provide a forum for resolution of disputes
- To do individual justice in individual cases
- To protect citizens against the arbitrary use of government power
- To make a formal record of legal status
- To deter criminal behavior
- To help rehabilitate those convicted of serious offenses

# Juvenile Court Process for Deprived Children



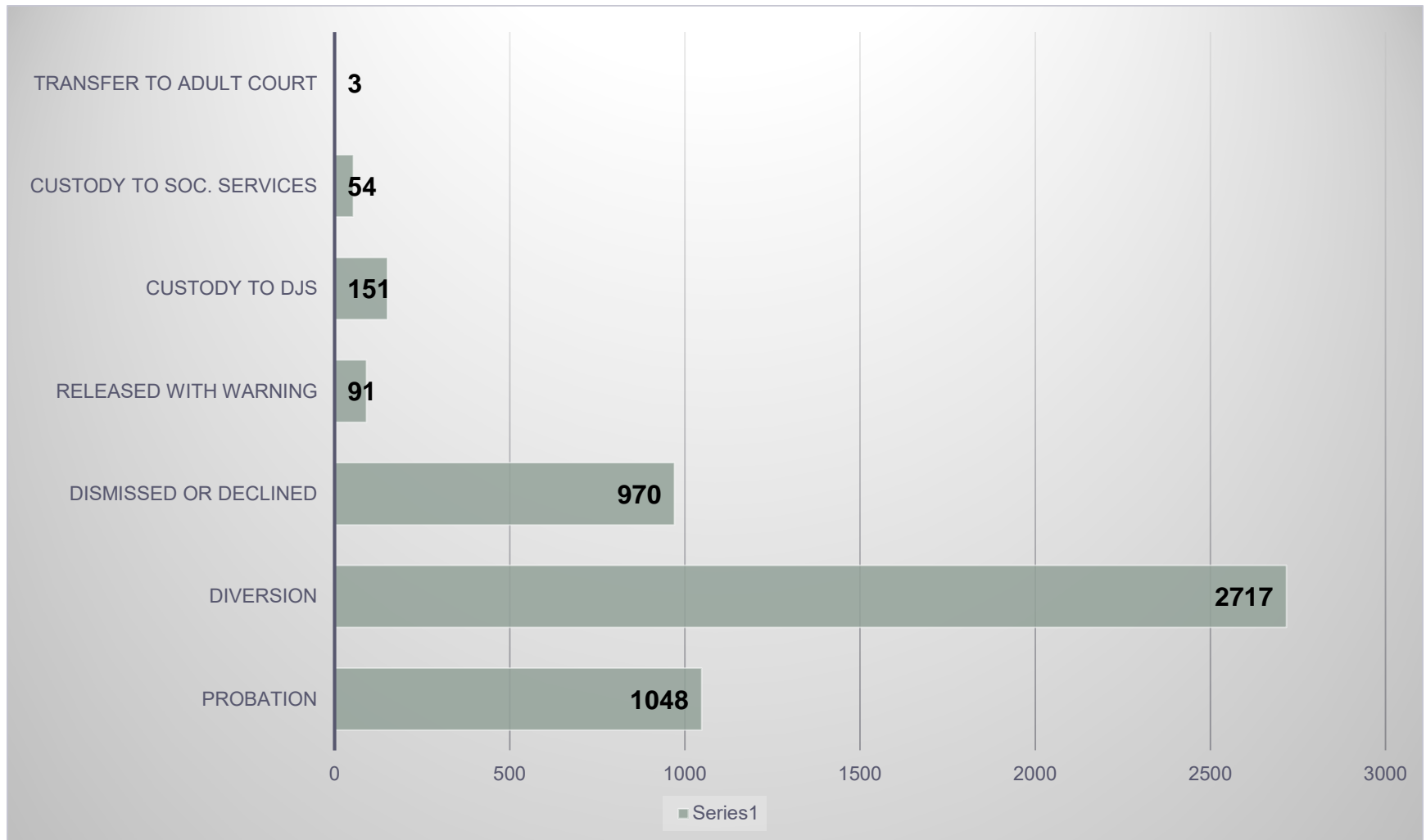
# Juvenile Court Process for Delinquent and Unruly Youth



# Juvenile Referrals 2018

Delinquent Referrals	Unruly Referrals	Deprivation Referrals
4,332	2,408	3,349
84% = Misdemeanors 14% = Felonies 2% = Infractions	25% = Runaway 23% = Alcohol 27% = Ungovernable Bx 14% = Truancy 11% = Tobacco & Curfew	45% = Formal Deprived Petitions 7% = Termination of Parental Rights 1% = 18 + foster care 55% = Diversions from formal court to services  63 private guardianships (2018 filings)

# Juvenile Dispositions 2018





# Risk – Needs – Responsivity Approach to Probation



*“If you want to reduce recidivism, you need to focus on offenders most likely to recidivate and address each youth’s specific dynamic risk factors”*

*What Works and What Doesn’t in Reducing Recidivism: Understanding the Principle of Effective Interventions*

Presented by:  
Edward J. Latessa, Ph.D.  
School of Criminal Justice  
University of Cincinnati  
[www.uc.edu/criminaljustice](http://www.uc.edu/criminaljustice)  
[Edward.Latessa@uc.edu](mailto:Edward.Latessa@uc.edu)

-Dr. Edward Latessa  
Director of School of Criminal Justice  
University of Cincinnati

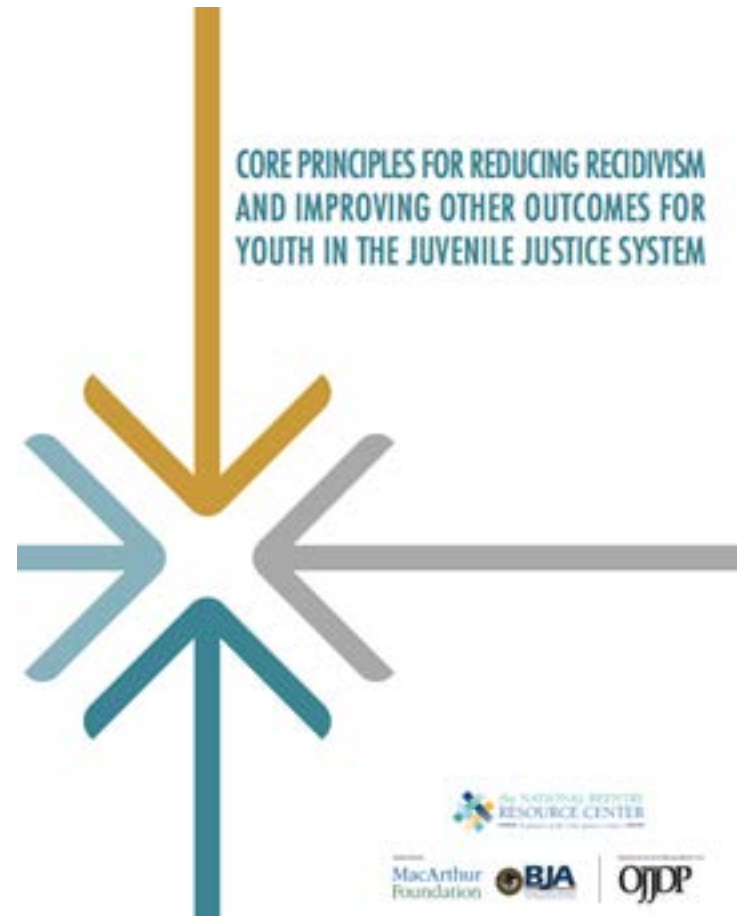
Howell, Lipsey & Wilson (2014) A Handbook for Evidence-Based Juvenile Justice Systems

# Structured Decision Making

- Youth Assessment Screening Instrument (YASI) (2002)
- Detention Screening (2015)
- Intake Matrix (2006, updated 2016)
- Disposition Matrix (2017)
- The Massachusetts Youth Screening Instrument 2 (MAYSI-2)
- The Traumatic Stress Screen for Children and Adolescents (TSSCA) (2017)

# Why Use Structured Decision Making and Validated Risk and Needs Instruments

- Data driven
- Evidenced-based
- Remove subjectivity / bias / racial disparities
- Increases public safety
- Better use of resources / tax dollars
- Reduce recidivism
- Improve outcomes for youth / families / communities



# Development & Research

- The nature of adolescent development is complicated. Adolescents develop in multiple areas at a time including cognitive, physical, emotional, and sexual development at a variable rate.
- Research shows that brain development occurs into the early 20's with the frontal lobes being the last in the developmental process which govern impulsivity
- The goal of this developmental stage is autonomy and independence.
- Development can be further complicated by mental illness, substance abuse, and trauma-related issues.
- Additionally, peer influence and family involvement also impacts development.

# 2016 Council of State Governments Visit to ND

## Core Principals:

- I. Use validated risk & needs assessments
- II. Implement programs & services proven to reduce recidivism
- III. Collaborate across systems to address youths' needs
- IV. Tailor supervision / services to youths' developmental needs



JUSTICE  CENTER  
THE COUNCIL OF STATE GOVERNMENTS



 the NATIONAL REENTRY  
RESOURCE CENTER  
— A project of the CSG Justice Center —

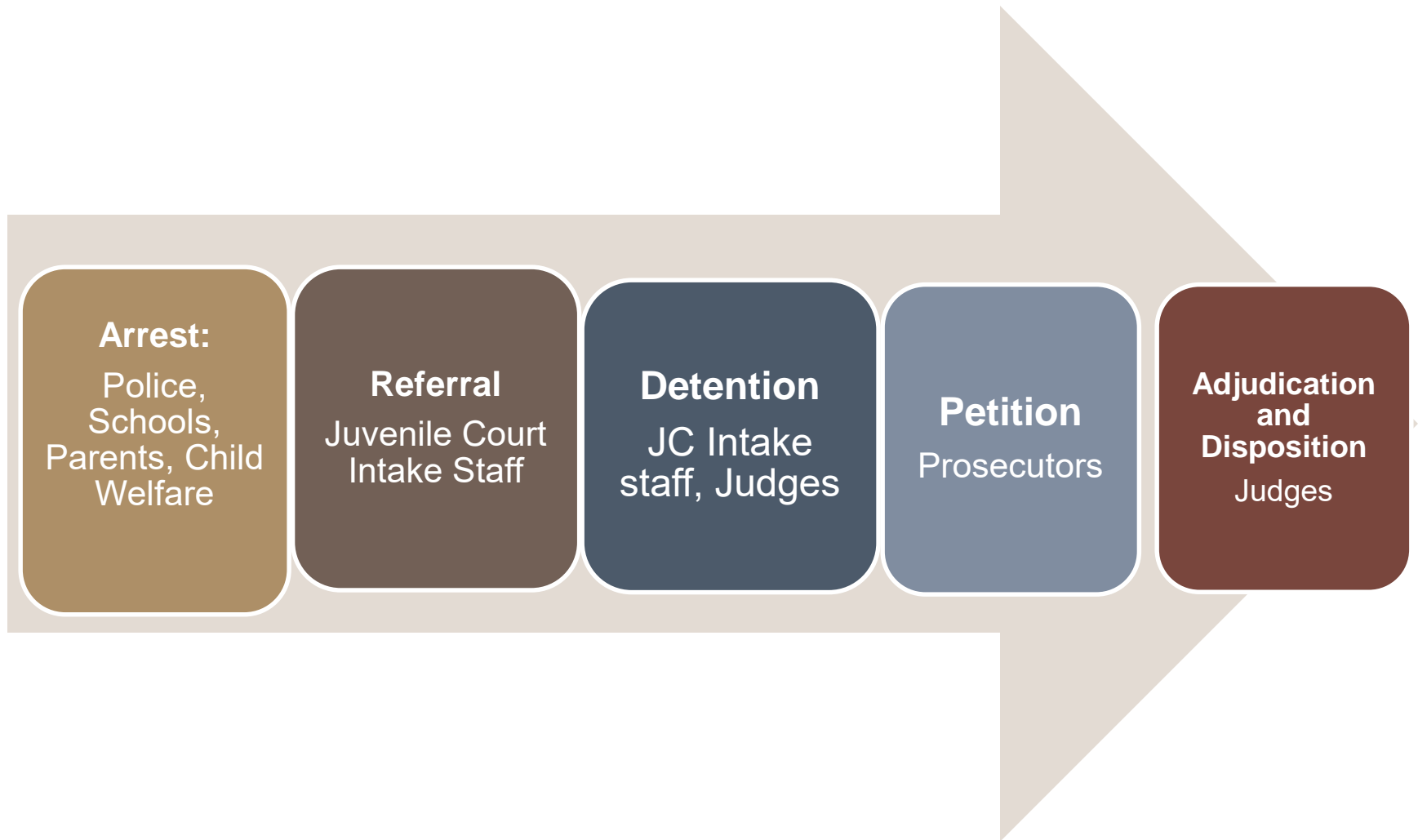


OJJDP

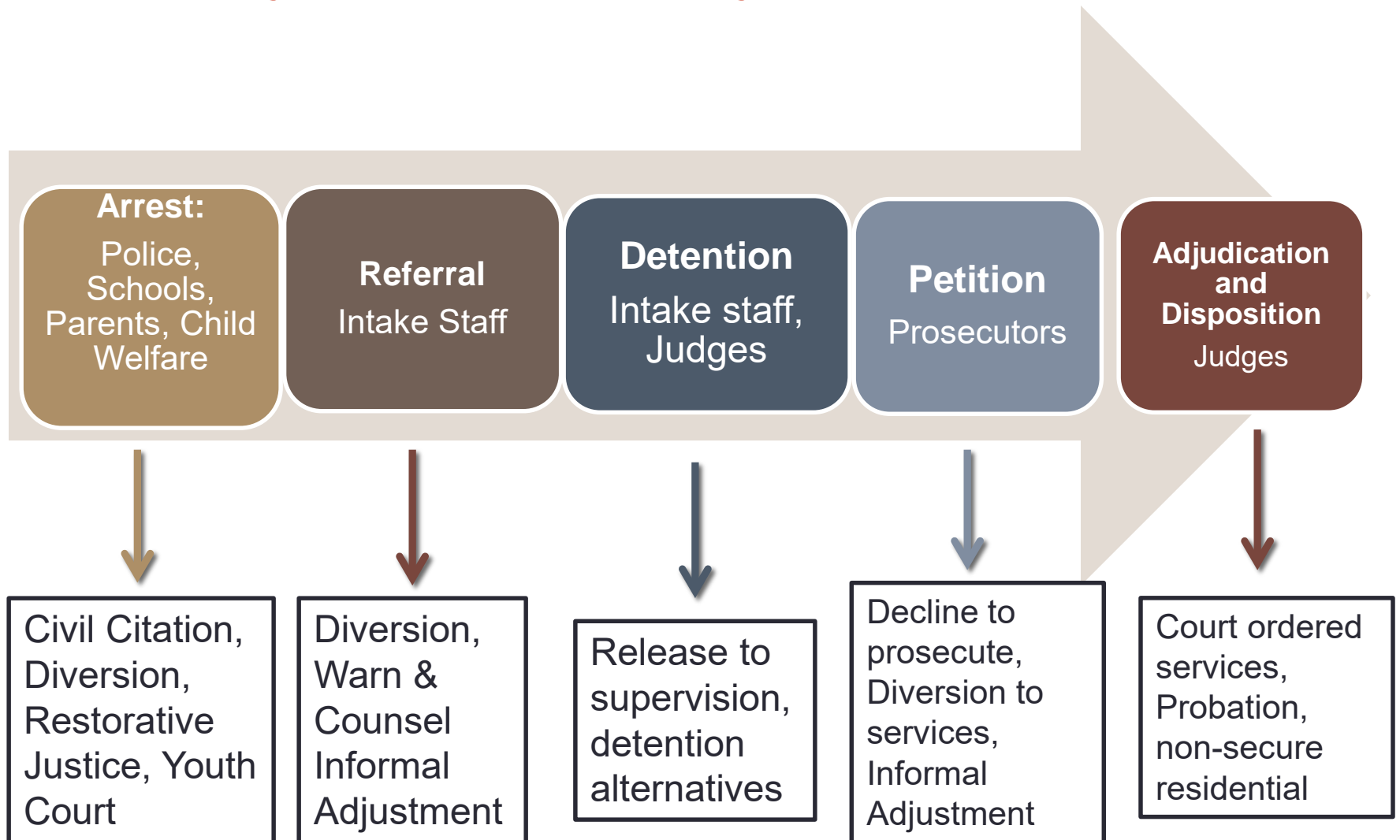


Resource  
Center  
Partnership  
ModelsforChange

# Key Decision Making Points



# Creating Appropriate & Effective Pathways Out of the System



**Interim Judiciary Committee  
Juvenile Court Attachments  
November 14, 2019**

Fundamental to the work of the judiciary is the goal of providing individual justice in individual cases, providing a forum for the resolution of legal disputes, deterring criminal behavior, and helping to rehabilitate those found responsible for crimes. The work of the North Dakota Juvenile Court is aligned with those goals.

The first juvenile court in the United States began in Cook County, Illinois in 1899 when there was a public outcry over children appearing in adult courts and adult jails and prisons. The North Dakota Juvenile Court System began, not long after, in 1911 on a county level. The courts were divided by judicial districts that covered several counties at a time with the county seat providing the juvenile court office and courtroom space. Procedures were developed by Commissioners and the local Judge. That system remained in place until 1969 when, in accordance with a nationwide reform of juvenile courts, North Dakota passed the Uniform Juvenile Courts Act. The act established statutory requirements for dealing with juveniles in the court system. In 2004, an administrative reform brought about Administrative Rule 6.1 which established a uniform administrative system for the juvenile courts. Today, the North Dakota Juvenile Court System has a clearly structured system with policies, procedures and best practices that provide uniformity and equity across the state.

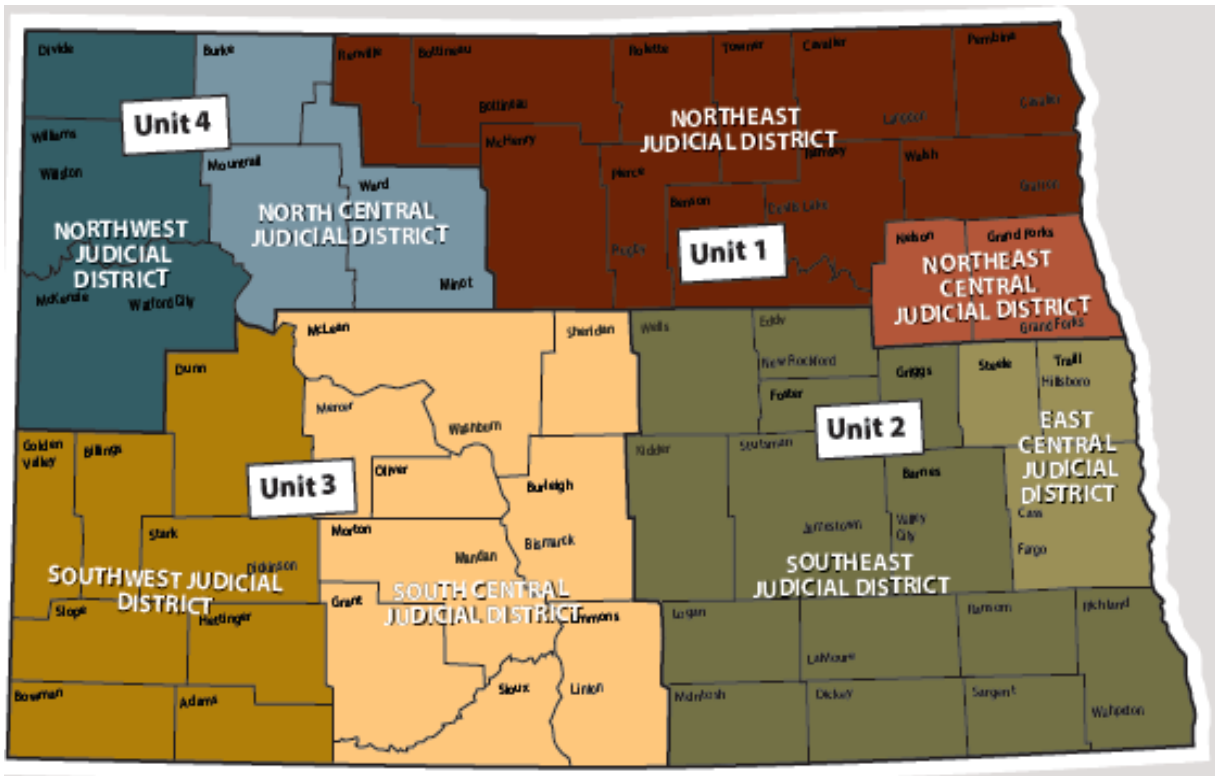
Juvenile Court has exclusive jurisdiction over all youth under the age of 18 who have been referred to the court as a result of delinquent or unruly behavior, or children who are alleged to have been subjected to child deprivation. The court also has exclusive jurisdiction with the District Courts over guardianships of minor children. The Juvenile Court protects the best interests of children and addresses the unique characteristics and needs of children that come before the court. Following the principles of Balanced and Restorative Justice, the mission is to promote public safety, hold juvenile offenders accountable, and increase the capacity of juveniles to contribute productively to their community. The juvenile courts empower victims, encourage community participation, and support parental responsibility.

Within each unit, there is a Director of Juvenile Court who supervises the juvenile court staff and is responsible for the planning and directing of all juvenile court services in the unit. The powers and duties of the Director are under NDCC 27-20-06. Under the direction of the Director of Juvenile Court, the Juvenile Court Officer III assists in providing advanced investigative, diagnostic, supervisory, and probation services in their designated juvenile court office as well as provides supervision of juvenile court officers and staff.

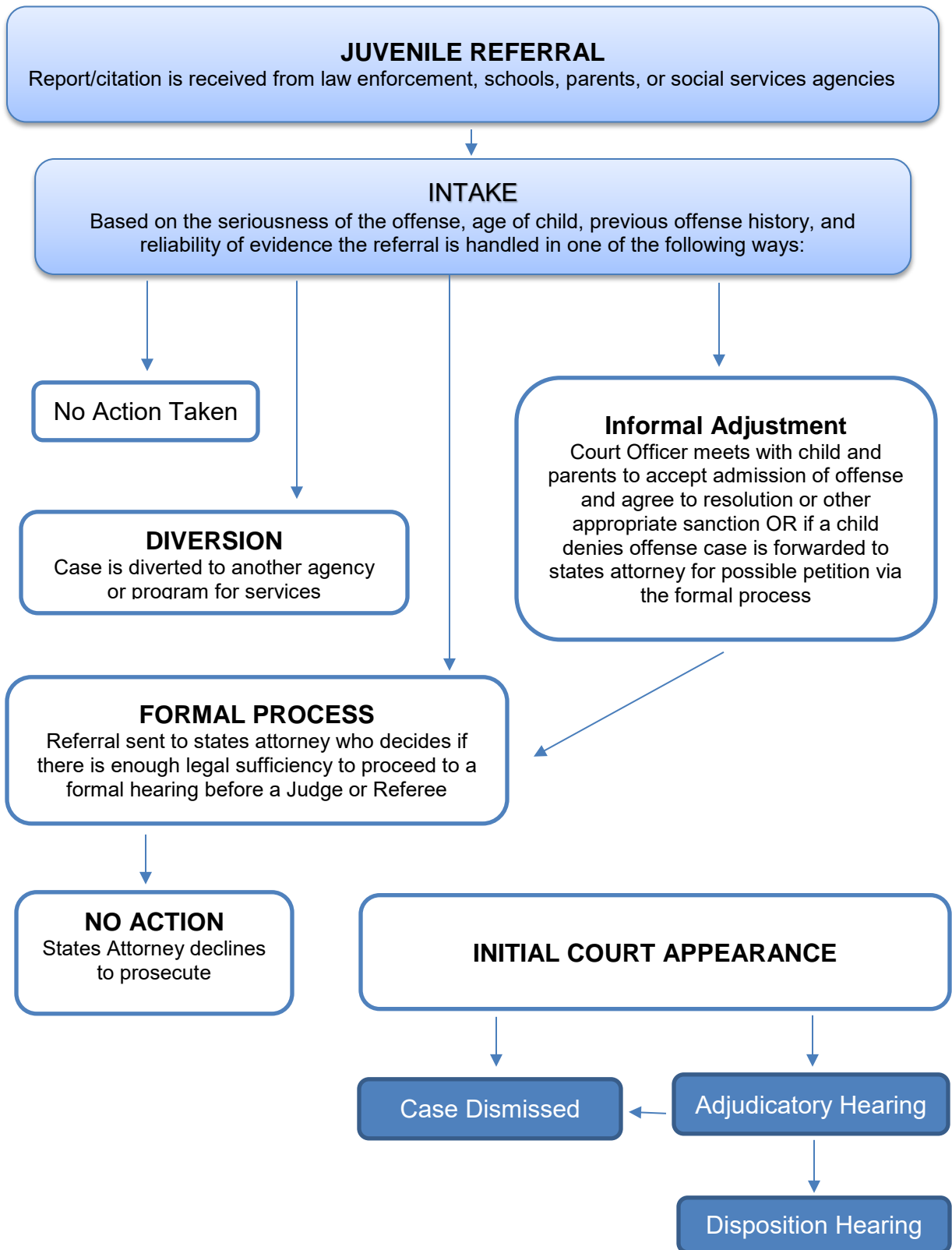


## Organizational Structure of Juvenile Court

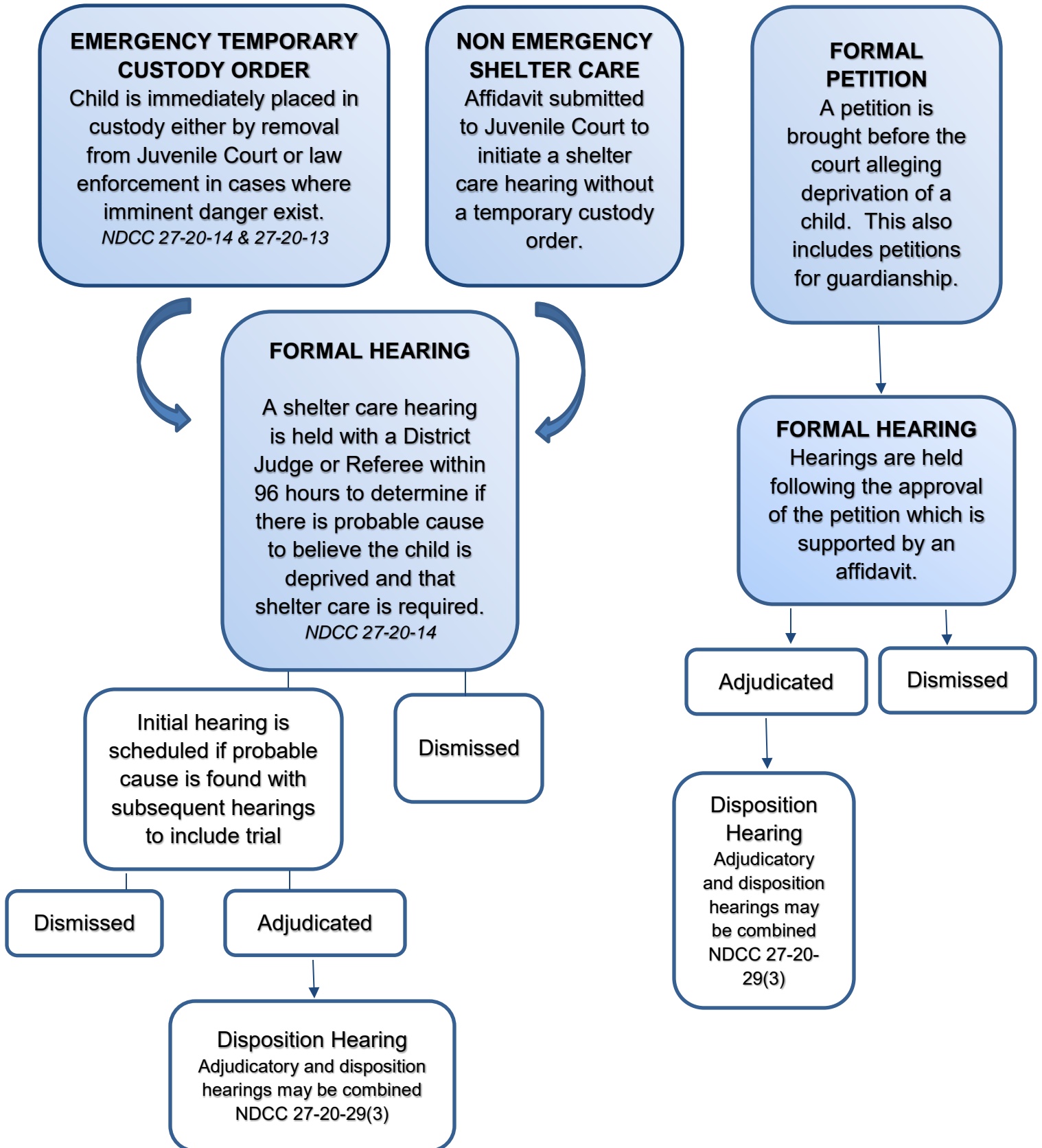
- 8 Judicial Districts
- 4 Court Administrative Units
- 11 Juvenile Court Offices
- 35 Juvenile Court Officers (total following reduction of staff in 2017 of 8 FTE's)
- 6 Juvenile Drug Courts
- 42 Average probation caseload
- Approximately 9800 total referrals each year (average of 5 years)



# Juvenile Court Process for Delinquent and Unruly Youth



## Juvenile Court Process for Deprived Children



## **North Dakota Juvenile Probation Recidivism Definition**

Youth under community supervision (formal and informal) for a delinquent offense that is either admitted or adjudicated/convicted within three years of supervision closure/termination and youth under community supervision that are placed with an agency within three years of supervision closure/termination.

**Juvenile Risk Assessment (UND Study of the YASI) – Dr. Matz power point presentation of findings** (see separate attachment)

**Services & Programs Offered in North Dakota** (see separate attachment)

## Interim Judiciary Committee Meeting

Presented by Dr. Carrie Hjellming  
Director of Juvenile Court – Unit 3

Good morning, members of the Committee. For the record, my name is Carrie Hjellming and I am the Director of Juvenile Court for Unit 3. I have been asked to provide information about the juvenile justice system and the role of juvenile court in that system for you today.

North Dakota passed the Uniform Juvenile Courts Act in 1969 following a nationwide reform. The act established statutory requirements for dealing with juveniles in the court system. In 2004, an administrative reform brought about Administrative Rule 6.1 which established a uniform administrative system for the juvenile courts. Today, the North Dakota Juvenile Court System has a clearly structured system with policies, procedures, and best practices that provide uniformity and equity across the state.

Juvenile Court has exclusive jurisdiction over all youth under the age of 18 who have been referred to the court as a result of delinquent or unruly behavior, or children who are alleged to have been subjected to child deprivation. The court also has exclusive jurisdiction with the District Courts over guardianships of minor children. The Juvenile Court protects the best interests of children and addresses the unique characteristics and needs of children that come before the court. Following the principles of Balanced and Restorative Justice, the mission is to promote public safety, hold juvenile offenders accountable, and increase the capacity of juveniles to contribute productively to their community. The juvenile courts empower victims, encourage community participation, and support parental responsibility.



Within each unit, there is a Director of Juvenile Court who supervises the juvenile court staff and is responsible for the planning and directing of all juvenile court services in the unit. The powers and duties of the Director are under NDCC 27-20-06. Under the direction of the Director of Juvenile Court, the Juvenile Court Officer III assists in providing advanced investigative, diagnostic, supervisory, and probation services in their designated juvenile court office as well as provides supervision of juvenile court officers and staff.

### **Organizational Structure of Juvenile Court**

- 8 Judicial Districts
- 4 Court Administrative Units
- 11 Juvenile Court Offices
- 35 Juvenile Court Officers (total following reduction of staff in 2017 of 8 FTE's)
- 6 Juvenile Drug Courts
- 42 Average probation caseload
- Approximately 9800 total referrals each year (average of 5 years)

#### Core Purposes of the Courts

- To provide a forum for resolution of disputes
- To individual justice in individual cases
- To protect citizens against the arbitrary use of government power
- To make a formal record of legal status
- To deter criminal behavior
- To help rehabilitate those convicted of serious offenses

Over time, these core purposes of the court have been expanded to include other areas of emphasis including:

- To protect vulnerable populations such as abused and neglected children and adults from the abuse of power in any form
- To promote coordination with justice, public health, social services and other agencies to address common problems underlying the court's criminal and civil caseload including substance abuse and mental health.  
*[nacmcore.org/competency/purposes-and-responsibilities](http://nacmcore.org/competency/purposes-and-responsibilities)*

These purposes and responsibilities of the judicial branch are critical to all citizens, even our youngest ones, as courts exist to do justice, guarantee liberty, enhance social order, resolve disputes, maintain the rule of law and ensure equal protection and due process.

### **North Dakota Juvenile Justice System**

Juvenile Court has three legal categories with exclusive jurisdiction that include delinquent, unruly, deprived. Delinquent and unruly youth are in the age range of 10 to 17. The age of culpability recently increased from 7 to 10 as a result of changes made in the last legislative session. A delinquent act refers to a crime if committed by an adult. An unruly act is behavior such as truancy, ungovernable behavior, runaway, and

alcohol offenses which can only be committed by a minor. Unruly acts apply only to individuals 17 years of age or younger. Deprived youth are children from birth until age seventeen who are alleged to be deprived of proper care or control by their parent, guardian, or other custodian. Our functions within these categories include intake, diversion, probation services, drug court, and deprivation. Juvenile Court and their staff are a part of the judicial branch.

This is where we can differentiate between the function of Juvenile Court and the function of the Division of Juvenile Services, as we are not one in the same.

The Division of Juvenile Services, more commonly referred to as DJS, is juvenile corrections and they are an administrative agency in the executive branch beneath the Department of Corrections. The Division of Juvenile Services becomes involved with a youth only when the court removes a child from the legal custody of the parents or legal guardians and has made a determination that custody of a delinquent youth is necessary for the purpose of treatment and rehabilitation that cannot be achieved in the community through supervision by the Juvenile Court. On average 3% of children referred to Juvenile Court end up in the custody of DJS. Their work with the small percentage of youth that exhibit true criminal behavior is important in the facilitation of the youth's return to the community following treatment through the provision of aftercare and supervision. The duties and responsibilities of DJS are set out in Chapter 27-21 of the North Dakota Century Code.

We also need to differentiate between the function of Juvenile Court and the function of Children and Family Services. Children and Family Services, also known as (CFS), under the Department of Human Services in the executive branch provides services for abused and neglected children and their families. Their involvement often begins long before a referral reaches the juvenile court and continues long after a case has reached disposition. They provide services in the home, in the community and in therapeutic, residential settings. Children until age eighteen who are alleged to be deprived of proper care or control by their parent, guardian, or other custodian are most often referred to the courts by the county social service agencies after an investigation but may be filed with the courts by a private party alleging child deprivation and requesting guardianship with of the child. In those cases, the juvenile court director has the statutory duty of screening each request for a petition to ensure that the filing is in the best interest of the child and the public. The juvenile court director, or authorized designee also serves the role as a neutral determiner of probable cause in cases where the social service agency is requesting emergency custody of a child in imminent danger of abuse and neglect (*see 27-20-06(1)(h) NDCC*). Staff are available 24/7 to take these emergency phone calls and prepare written temporary orders authorizing protection for children up to 96 hours until the matter can be reviewed by a district judge. In limited circumstances, unruly juveniles are placed in the custody of social services. On average this accounts for approximately 1% of juvenile dispositions. Dual status youth are children involved in both juvenile court and CFS systems. On average we have approximately 142 dual status youth referred to juvenile court each month which is approximately 44%, with 26% being identified youth and 18% percent being involved youth.

## Functions of Juvenile Court

Juvenile Court is a subset of the district court and our work is critical to the overall mission and core purpose of the judicial branch. We know that the most important work we perform each day is assessing youth by risk level, assessing individual needs, building a continuum of evidence based services that can be delivered across urban and rural North Dakota communities, and matching youth with the programs that will benefit them, their families, and their communities. We also work to ensure the needs of victims are heard and met and that public safety is ensured.

Juvenile Court referrals are received each day from law enforcement, schools, social services agencies, parents, and people seeking guardianship of a minor child. Juvenile Court Officers screen referrals to determine how they should be processed at intake. They examine for legal sufficiency and make decisions regarding the appropriate manner to handle the case by use of diversion, informal adjustment, or formal court processes. The vast majority of the cases are processed via informal adjustment conference or diversion to services.

Total juvenile referrals in 2018 show a slight decrease of 5% from the previous year which is reflective of the national data in where both adult and juvenile crime is at an all-time low. North Dakota has also seen similar decreases in unruly and delinquent referrals over the past several years. However, deprivation referrals remain at high levels with an overall increase of 48% in the last 5 years. In 2018, there was a total of 10,089 referrals. The table below reflects the breakdown of those referrals grouped by case type.

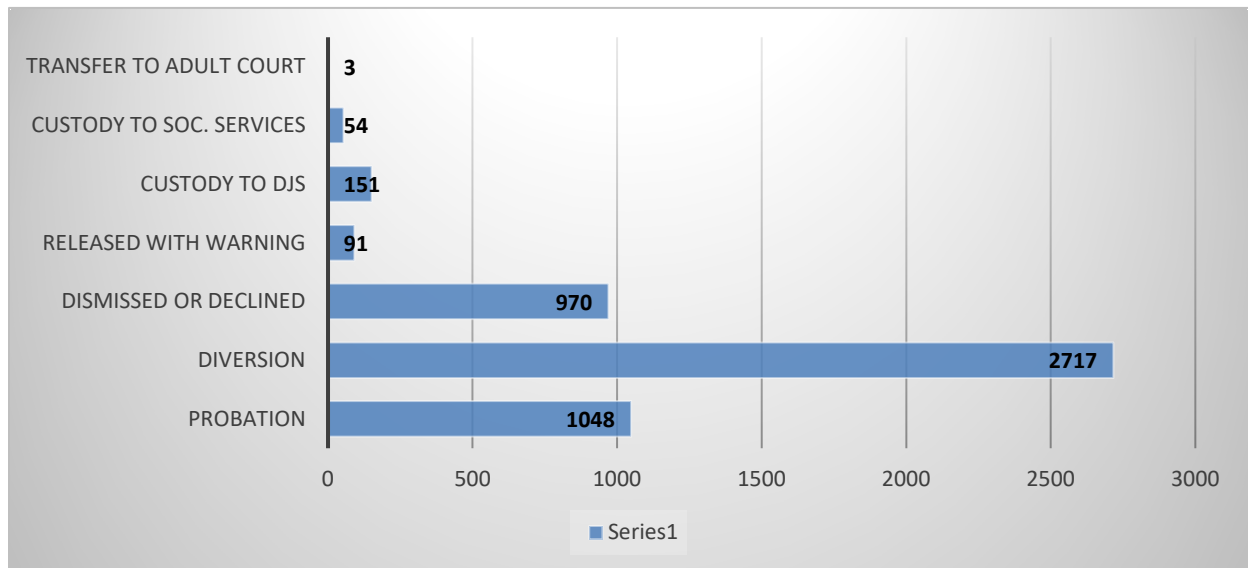
Delinquent Referrals	Unruly Referrals	Deprivation Referrals
4,332	2,408	3,349
84% = Misdemeanors 14% = Felonies 2% = Infractions	25% = Runaway 23% = Alcohol 27% = Ungovernable Bx 14% = Truancy 11% = Tobacco & Curfew	45% = Formal Deprived Petitions 7% = Termination of Parental Rights 1% = 18 + foster care 55% = Diversions from formal court to services  63 private guardianships (2018 filings)

Additionally, Juvenile Court plays a significant role at disposition as we are tasked with making recommendations on both the formal and informal level as to the treatment and rehabilitation of a juvenile. There are multiple interventions that are utilized at disposition for delinquent/unruly cases. The approach is tiered to provide layers of intervention to ensure that low risk kids are not deep ended into the system which increases their risk of recidivism.

- Warn and counsel
- Diversion to programs
- Probation (Formal & Informal)
  - Non reporting probation & programs
  - Supervised (Reporting) probation & programs
  - Drug Court



- Custody to Social Services
- Custody to Division of Juvenile Services
- Transfer to Adult Court
- Dismissed or Declined to Prosecute



Disposition of juvenile cases related to unruly and delinquent referrals received in 2018 indicate that 95% of juveniles referred remained within juvenile court, while 2.9% were transferred to the Division of Juvenile Services, 1% were transferred to social services, and .05% were transferred to adult court.

## Strategies

Juvenile Court utilizes the Risk - Need – Responsivity (RNR) Model in order to determine the most appropriate and effective course of action for juveniles. Essentially we target youth with higher probability of recidivism (i.e. further criminal behavior), provide the most intensive treatment to high risk offenders, and understand that intensive treatment for low risk offenders can increase recidivism. By assessing and targeting criminogenic needs for change, court officers can reduce probability of continued criminal behavior or recidivism (e.g. anti-social attitudes, anti-social friends, substance abuse, lack of empathy, and impulsive behavior).

In addition to personal meetings with juveniles and their parents, we utilize several assessment tools to determine these factors related to the principle with some occurring prior to disposition as they assist in determining the most appropriate intervention at disposition. These assessments include the Youth Assessment Screening Instrument (YASI), The Massachusetts Youth Screening Instrument 2 (MAYSI-2), the Traumatic Stress Screen for Children and Adolescents (TSSCA), and a human trafficking tool. We utilized these structured decision making and validated risk and needs instruments as they are:

- Data driven
- Evidenced-based
- Remove subjectivity / bias / racial disparities
- Increases public safety
- Better use of resources / tax dollars
- Reduce recidivism
- Improve outcomes for youth / families / communities

The validated risk and need assessments also determine the types of intervention utilized including the amount of contact, skill enhancement, rapport development, identifying issues related to trauma, behavioral health, and addiction, and most importantly how we can engage the family in the solution as we know that family engagement is key to the successful outcomes in children.

Within these interventions we implement targeted evidenced based programs and services. These programs and services can be delivered across our North Dakota communities in which we can individually match our youth with the programs that will benefit them.

Extensive and on-going training of our juvenile court staff has been a cornerstone in delivering effective programming in turn improving our outcomes in regard to treatment and rehabilitation. Some of the programs we utilize are delivered by our own Juvenile Court staff and others are by private or state agencies. In the attachments, I have included a list of the programs and services that we utilize across the state.

National research over the past decade has also influenced the understanding of treatment and rehabilitation for juveniles and has been a catalyst for reform in North Dakota and across the country. Research tells us that development is the most significant factor in child and adolescent behavior. An important take away is that adolescence stands on its own in terms of developmental theory. Children and adolescents are not young adults and such we cannot treat them in that manner. Brain development plays an enormous role in determining behavior however, individual development in addition to brain development is strongly affected by the interplay between the brain and the adolescent's environment therefore, we need practices that are developmentally appropriate and services that respond to individual needs. Key factors include:

- The nature of adolescent development is complicated. Adolescents develop in multiple areas at a time including cognitive, physical, emotional, and sexual development at a variable rate.
- Research shows that brain development occurs into the early 20's with the frontal lobes being the last in the developmental process which govern impulsivity
- The goal of this developmental stage is autonomy and independence.
- Development can be further complicated by mental illness, substance abuse, and trauma-related issues.
- Additionally, peer influence and family involvement also impacts development.

## Juvenile Justice Study

In 2016, the Council of State Governments (CSG) recommended four core principles in order to use resources efficiently to reduce recidivism and improve outcomes for youth in ND juvenile justice system

- I. Use validated risk & needs assessments
- II. Implement programs & services proven to reduce recidivism
- III. Collaborate across systems to address youths' needs
- IV. Tailor supervision / services to youths' developmental needs

Subsequently, CSG outlined 12 recommendations for system improvements. Juvenile Court has worked to address and has implemented many of these recommendations by CSG to include training for judges and attorneys, development of a disposition matrix, pre-trial services, assessments, recommendations, recidivism and tracking of offense origin, participation in the Dual Status Youth initiative, tribal engagement, expansion of trauma screening and assessments, child competency, and the implementation of a more defined case management system that includes the use of Carey Guides and Effective Practices in Community Supervision (EPICS).

In summary, Juvenile Court has worked to find new and improved ways to address the needs of youth, families, and communities and have made some key accomplishments within the last year. Those accomplishments include:

1. In response to recommendations from the Robert F Kennedy National Resource Center, an implementation and evaluation plan for the Dual Status Youth Initiative was developed. The Dual Status Youth Initiative was designed to identify services for children and families who are involved in both the juvenile court system and the child welfare system. This is accomplished through improved collaboration among the agencies that serve these families. Dual status youth have been identified as one of the most vulnerable populations as they have complex needs associated with mental health issues including trauma as well as abuse and neglect issues.
2. The YASI risk assessment tool is now implemented earlier in our process, during the informal adjustment and prior to formal dispositional recommendations to ensure that probation case plans are tied directly to a child's individual assessment of risks and needs.
3. Participation in a study of North Dakota's use of the YASI risk and needs assessment. The study was conducted by the University of North Dakota, Department of Criminal Justice. A final report and recommendations were presented to the Juvenile Court and the Juvenile Policy Board in September of 2019. The validation study supported the court's continued use of the YASI as a predictive screening, assessment, and case management instrument for juveniles in the community.
4. We worked to implement our role in the Families First Preventions Service Act that began October 1, 2019. The Courts adopted Rule 18.1 of the ND Rules of Juvenile Procedure which created a process by which placement of youth at qualified

residential treatment placements is reviewed a juvenile court director or a district judge upon request.

5. We assisted the Juvenile Justice Reinvestment Committee of the North Dakota Legislature as they explored raising the age of criminal responsibility from the age of seven to the age of 10 or 12. Legislation raising the age of culpability to age 10 was enacted effective 8/1/2019.
6. Created a recidivism report for the juvenile court system to measure re-offense rates at three time periods and data reports in order to inform the policies and practices of juvenile court.
7. Reapplied and received the Court Improvement Basic, Training and Data Grants.
8. A statewide childhood trauma checklist for all youth on probation was implemented.
9. We assisted the Department of Human Services and the Behavioral Health Division to address the loss of residential youth treatment services.
10. Continued philosophy of restoring justice to victims and communities through providing rights, collecting restitution, community services, and victim conferencing. In 2018 over \$101,000 was collected by Juvenile Court and returned to victims. Victims also have the ability to register through the Statewide Automated Victim Information and Notification (SAVIN) which allows victims and other concerned citizens free, prompt, and confidential notification and status information
11. Continued efforts to address disproportionate minority contact (DMC) to include data collection & analysis, civil citation program (Fargo), objective detention screening tool, court cultural liaison, training and materials for patrol officers on attendant care, training for patrol officers and community members regarding implicit bias (attitudes and stereotypes that influence our decisions) and adolescent development, and participation in the Vera Institute's study on the Initiative to End Girls' Incarceration in North Dakota.

## Looking to the Future

The juvenile justice system has many partnering agencies that include Juvenile Court, DHS, DJS, law enforcement, schools, and private providers. Therefore, understanding the key points of decision making and how we move youth through our system is important as it provides an opportunity to identify significant gaps and where those issues can be addressed effectively.

As we look forward and the study of the juvenile justice system commences the Directors have identified areas of focus as well as gaps in the juvenile justice system as a whole to include:

- 1) **Statutory Updates:** Update Chapter 27-20 to reflect the practice of a modern juvenile justice system. The juvenile directors will provide recommendations to the Juvenile Justice Committee on areas where we have seen gaps and inconsistencies in our day-to-day practice. This will include exploring the need for an additional legal

category in 27-20 for children in need of services due to mental health or competency issues such that parents do not have to admit to a deprivation case or have their child charged with a delinquency in order to seek services.

- 2) **Expand Alternatives to Secure Detention:** Expand effective alternatives including:
  1. Statutory limitations
  2. Review of secure detention requirements
  3. Expanded support and delivery of attendant care.
  4. Consider setting standards or limits for pre-adjudication secure detention and/or limits to cumulative detention use over the course of a case.
  5. Consider limits on detention for youth awaiting placement.
  
- 3) **Increased investment in effective community-based interventions:**
  1. This could include an expansion of family centered engagement (FCE) for dual status youth beyond the pilot counties.
  2. Requiring that programming be evidence-based and ensure adequate financial support for evidenced-based community programs.
  3. Review of status offenses and especially those that call for school, rather than justice system, responses.
  4. Expansion of restorative justice practices in schools.
  5. Developing mobile crisis teams
  6. State-wide counseling interventions that could be used in all areas of our state, especially in rural areas.
  
- 4) **Improving access to community and inpatient services to address mental health and substance abuse issues for youth across the state.** Consider developing youth mobile crisis teams available to respond to schools and homes rather than relying on law enforcement and traditional justice system responses. The positive implications of this would provide that juvenile detention does not become the default place of commitment for youth with mental health conditions which are often exacerbated in correctional settings.
  
- 5) **Access to Legal Counsel:** Consider and review the need for legal representation for children in all juvenile court cases. Early appointment of legal counsel to children can protect their rights, strengthen the system, and prevent further justice system involvement in their lives.
  
- 6) **Enhanced Data Capture and Reports:** Continue to improve data collection and use to inform policy and practice. As part of that the need to explore funding for a new electronic case management system to improve data capture and reporting abilities within Juvenile Court.

## **GLOSSARY OF ND JUVENILE PROGRAMS**

**ACCOUNTABILITY AND SANCTION PROGRAMS-** There are several educational and/or accountability programs utilized by the Juvenile Court to allow the child to gain insight into their behavior, and to allow them an opportunity to take responsibility for their behavior. These include: Letter of apology, Community Service, Research or Report Paper, Video Report, House Arrest, Shadow Tracks or Electronic Monitoring (EMS).

**ACT TEAM-** Referrals made to the ACT team involve families with complex issues involving their child/children. Identification of needed services and who can provide it are the goal of the first meeting. Representatives from many different agencies sit at the referral meeting and offer services to the family on the spot. A plan is constructed and a follow-up is scheduled to monitor progress. Also case management through the Human Service Center is available to families in need.

**A.D.A.P.T.-** A diversion program that addresses drug/alcohol issues, relationships, anger management and parent/teen issues.

**ADULT COURT OBSERVATION PROGRAM-** Juveniles attend adult hearings to observe and report back on the types of offenses and sentences received in district court adult criminal proceedings.

**ADULT MIP CLASS-** An education class on alcohol and other drugs for juvenile court youth who have already reached the age of 18 but based on an alcohol offense committed while a juvenile.

**ALIVE AT 25-** A series of defensive driving classes designed to educate juveniles on the dangers of drinking and driving. Classes provided by the North Dakota Safety Council.

**AMACHI MENTORSHIP-** Provides Adult Retired Senior volunteer mentors for youth. The program is designed primarily for children with an incarcerated parent, but all youth are considered if a mentor is available.

**ANGER MANAGEMENT-** This is a program to assist juveniles in recognizing anger issues, and learning skills to cope with and diffuse inappropriately expressed anger.

**ASPEN PROGRAM** – Provide the offender with information concerning the negative effects of criminal activity and a criminal lifestyle (used only with juveniles who have reached the age of 18).

**BOUNDARIES:** A class for parents and teenagers to help recognize why boundaries are important. The goal is for parents and teens to understand how boundaries reflect personal values, identify negotiable and non-negotiable rules in their lives, and respectfully work through disagreements with authority figures.

**BOYS GROUP-**A 6-8 week group for boys ages 14-18 that helps them with decision-making at home, in the community, and at school. The course also covers topics such as social skills, conflict resolution, and relationship issues. This is free and taught by Juvenile Court staff.

**CAPH-** This program is a partial hospitalization program designed for children and adolescents age 17 and under who have a variety of behavioral and emotional difficulties. The program is highly structured and allows the child to participate in a hospital program without actually being hospitalized.

**CAREY GUIDES-** A series of evidence based guides that assist juvenile court officers in specifically addressing offender's criminogenic needs and common case management issues as they work with offenders to address skill deficits and make positive life changes. These guides are used one-on-one with a youth or given as a home assignment which addresses specifically the criminogenic risk or need that is driving the youth behavior.

**CAREBED PROGRAM-** A low intensity residential CD treatment provided by Path Foster Homes.

**CD SERVICES-** Chemical dependency services includes: Screening, Evaluation, Education, Outpatient, Day Treatment, Inpatient, and Aftercare.

**CFIVE CATALYST** – This is an electronic court reminder program which can send out appointment

reminders for court hearing, probation appointments, or other class or treatment appointments. This program will also send out electronic questionnaires to youth on probation to support and encourage behavior change and assist probation officers in being pro-active case managers.

**CHEMICAL AWARENESS** – Education in regards to chemical usage and its consequences.

**COGNITIVE RESTRUCTURING**– These are educational programs which have been shown to be one of the most effective programs in working with at-risk youth. These programs address decision-making from our experiential perspective to providing tools and skills to change behavior and follow through with that change. Some of the cognitive programs offered throughout the state include: KEYS to Innervations, Youth Cognitive-Behavioral Program For Adolescents, Decision-Making 101, GREAT Girls Group, GAP Girls Group, Life Management, and EQUIP.

**COGNITIVE-BEHAVIORAL GROUP FOR ADOLESCENTS**- A cognitive restructuring program with focus on areas of personal control, mindfulness, emotion regulation, chronic stress, abuse and addiction and safety.

**COMMUNITY COUNCIL (a.k.a. COMMUNITY RESTORATIVE JUSTICE COUNCIL)**- An accountability conference where the victim is not present or the victim is the community or a business rather than an individual. Panels of community members sit in place of the victim, and represent their interests at the meeting. A mutually acceptable agreement is developed on ways to repair the harm caused.

**COMMUNITY SERVICE**- Imposed as a condition of probation, community service requires the offender to work a certain number of hours as reparation to the community. Many different sites are utilized. Some courts have their own program, and others contract or network with community agencies for work sites.

**COUNSELING**- An array of services that range from individual to family counseling. This may include individual evaluation, treatment and/or counseling for a specific problem area. This could also be for the entire family, to include assessment, treatment, Intensive In-Home counseling or even just support.

**DAY TREATMENT**- A program in the schools developed for students who have behavioral and/or emotional problems in the classrooms who are referred by Juvenile Court, and who need to be away from the mainstream classroom, but do not meet other special needs criteria. Special staff is assigned who include not only academic services, but also social work methodologies as well. Care is taken to include family as well as the student in addressing student needs.

**DAY REPORT**- A program provided by Lutheran Social Services in Grand Forks to attend to the needs of Juveniles in the hours after school, when they would otherwise be unsupervised. This program runs from 3-8:00 pm. Dinner is provided as well as after-school tutoring, and life skill training. A similar program is run by the Juvenile Court in Valley City.

**DD SERVICES**- Services provided by the Human Service Centers for the Developmentally Disabled.

**DECISION-MAKING 101** - An entry level cognitive restructuring program for youth and their parents designed to help one make better decisions through group activities, and to provide tools and support for effective long term change in behavior.

**DRIVING PROGRAMS**- Referrals are made to local law enforcement and private providers when a juvenile has a driving or related offense which shows a need for more driving education. These are occasionally alcohol related events as well. The programs available are: ALIVE @ 25, Drivers Safety, YIELD, DUI Seminars and Defensive Driving.

**DRUG COURT**- Juvenile Drug Court is a decade long program in the state which addresses the needs of chemically dependent children for whom other forms of treatment have been ineffective. The program is from 9-12 month in duration, and monitors every aspect of the child's life over a long period time. The program includes weekly court sessions with the JDC judge and team, rewards and sanctions for behavior, and upon successful completion, may be eligible to have offenses dismissed.

**DRUG TESTING**- Juveniles on probation may be randomly screened by urinalysis or mouth swab for use

of illegal substances. Drug kits are purchased and available to parents as well who request them for home use or parents are referred to a local drug testing agency.

**ELECTRONIC MONITORING- (EMS/GPS)** A home electronic "bracelet" system that allows for restricting and monitoring an offender within the home as an alternative to incarceration.

**EQUIP-** A cognitive restructuring program designed to help one make better decisions through group activities, and to provide tools and support for effective long term change in behavior.

**FAMILY GROUP DECISION MAKING-** The Village Family Services provides this program for utilizing nuclear and extended family for determining the best potential placement for a child who is to be placed out of the home. Extensive research and meetings help to determine a collaborative decision.

**FAMILY TEAM DECISION MAKING -** The Village Family Services provides this program in partnership with local county social service offices and the North Dakota Department of Human Services. When there is an emergency removal of children from the home, a referral is made to hold a FTDM meeting within 24-72 hours of the report/removal. In FTDM processes, a trained facilitator, who is independent of the case, brings together the children (when appropriate), family members, county social service staff, and other community support people to make an immediate placement decision and/or safety plan for children. The main goal of the FTDM process is to make a collaborative decision on the immediate safety/placement of children.

**FAMILY ASSESSMENT-**To assess and recommend services to families with juveniles at risk of out of home placement. The assessment is based on a session with the family in their home and includes current life situations and stressors, and a psycho-social history. Upon completion, an assessment report and recommendations are given to Juvenile Court.

**FORWARD THINKING INTERACTIVE JOURNALS-** Cognitive behavioral journals which use evidence-based strategies to assist youth in making positive changes to their thoughts, feelings and behaviors and applying the concepts to their own lives to achieve the goal of responsible living.

**GAP GIRLS GROUP- (GIRLS ASSERTING POWER)** A therapeutic group designed to promote self esteem, assertiveness, and to gain self awareness for their potential to succeed. This is free, and taught by Juvenile Court Staff.

**GREAT GIRLS GROUP –(GIRLS RESPECTING EACH OTHER AND THEMSELVES)** A free weekly group provided by Juvenile Court staff for girls to obtain tools for positive peer relationships, and respecting themselves and the prevention of bullying. This group is for younger girls.

**HUNTER EDUCATION-** Provided by the North Dakota Game and Fish Department in the area of gun and hunting safety, with testing at the conclusion for a satisfactory passing grade. Juveniles are referred for hunting or hunting-related gun violations.

**INTENSIVE IN-HOME-** Counseling provided for families in the home setting allowing for more flexibility around family work schedules. The sessions may be several times a week for a period of several months.

**JOB CORPS-** Job Corps is a program administered by the United States Department of Labor that offers free-of-charge education and vocational training to youth ages 16 to 24. The Quentin Burdick Job Corps located in Minot is the main referral source for North Dakota courts.

**KEYS TO INNERVISION-** A cognitive restructuring program designed to help one make better decisions through group activities, and to provide tools and support for effective long term change in behavior.

**LIFE MANAGEMENT/SKILLS-** A cognitive restructuring group designed to help one make better decisions through group activities, and to provide tools and support for effective long term change in behavior.

**MAYSI 2-** The Juvenile Court standardized initial mental health screening tool for juveniles placed on probation to determine indicators of mental health issues. Follow up is done when there are red flags for immediate risk to self or others.



**MEMS UNIT-** A deep lung breath monitor used to detect alcohol 24/7 by use of breath sample and picture ID for high surveillance drug court participants.

**MERCER COUNTY YOUTH BUREAU- (MCYB) -** A diversion agency with programming to work with low level/low risk youth to keep them out of Juvenile Court.

**MISDEMEANOR CLASS:** Cognitive based program designed to help juveniles with low risk misdemeanor behaviors come understand the process of changing negative behaviors by developing a behavior plan with a firm commitment to change. This would include avoiding negative peers and influences, establishing positive, goal-oriented behavior patterns, and utilizing a personal awareness journal.

**MULTISYSTEMATIC THERAPY (MST-PSYCH) –** MST is a community based, family driven treatment developed for antisocial/delinquent behavior in youth. It is only offered in the Fargo region and the provider is at Southeast Human Service Center. Program capacity is six to seven families at a time.

**MY LIFE, MY CHOICE PROGRAM –** A prevention curriculum that equips vulnerable girls with the tools they need to protect themselves from victimization and trafficking. Offered in Fargo and Jamestown by Youthworks.

**OFFENDER ACCOUNTABILITY CONFERENCES-** Provided by Lutheran Social Services, a trained mediator sets up a face-to-face contact with the victim of the offense and the offender. The victim and offender attempt to gain closure, and come up with a mutually signed agreement that satisfies the victim, while allowing the offender to make reparations, both for himself and the victim.

**POLICE YOUTH BUREAU-(BISMARCK) -** A diversion program provided by the Bismarck Police Department designed to work with low level/low risk youth to keep them out of Juvenile Court.

**PRIME FOR LIFE-** A drug and alcohol *education* program. (SEE CD SERVICE)

**PSYCHOLOGICAL SERVICES-** The Juvenile Courts have an array of services provided by the state Human Service Centers. These would include: Psychological Evaluations, Treatment, Psychosexual Evaluation, Sex Offender Education (CAR), Psychiatric Evaluations, Treatment, Family Evaluations, Counseling, and Addiction Services. There are also private providers, such as the local medical facilities or private therapists as well.

**RELATIONSHIPS & COMMUNICATION GROUP -** To help educate juveniles and parents on different kinds of relationships, and to help them identify healthy and unhealthy relationships. The participants will also receive skills and tools to use to help them make healthy relationships in the future, and set appropriate boundaries in their current relationships.

**SEX OFFENSE SPECIFIC TREATMENT –** This can be delivered as an outpatient service by the human service centers or a private provider such as STAND.

**SHADOWTRACKS-** A computerized voice recognition system designed to randomly contact a juvenile who is on home restrictions. When called by the computer, the juvenile must repeat a set of numbers back to the computer when called at home, and the computer can recognize the juvenile's voice. If it does not recognize the appropriate voice, a message is sent to the probation officer via email to alert them of the failed cases.

**SPARCS- (Structured Psychotherapy for Adolescents Responding to Chronic Stress).** This is a group counseling setting for youth who may be traumatized with chronic stress and are acting out in the community and is taught either by Human Service Center staff or trained juvenile court officers.

**SHORT TERM EVALUATION PROGRAM (STEP) –** A program offered at the Minot Dakota Boys and Girls Ranch campus that offers assessment and evaluation services to assist with short and long term planning for children. The goal of STEP is to accurately determine the needs of the client, focus on the primary issues and be a resource in finding the most appropriate level of care.

**SUNRISE YOUTH BUREAU [SYB] -** A diversion agency with programming to work with low level/low risk youth to keep them out of Juvenile Court. SYB also provides attendant care.

**TEAM KAIZEN: (Japanese = Good Change)** Community based character-building running program designed to give participants the experience of what good fitness training supported by intentional education to achieve great change.

**THEFT AWARENESS CLASS- (TAP)-** A diversion awareness class for shoplifters or other theft offenders.

**THIRD MILLENIUM-** An education program that is done online. It is four hours of online education relating to one of the following areas: 1) Alcohol 2) Marijuana 3) Shoplifting. This concept will be expanding in the future as the rural areas are a site of huge potential growth for this type of online program.

**24/7 SOBRIETY PROGRAM** – Program which requires the juvenile to be tested for alcohol 2 times per day at the Sheriff's department or local jail. A SCRAM bracelet is also offered through this program.

**TRUANCY CLASSES I and II:** A cognitive Truancy curriculum designed to assist a juvenile in discovering the relevance of school to their lives and assist them in setting concrete goals for graduation. In cooperation with the public schools this program gives student the opportunities to “buy back” classroom time when they successfully complete the class. (Truancy I – Middle School Truancy II – High Schools)

**VICTIM IMPACT PANEL-** The Victim Impact Program is meant to provide juveniles the opportunity to hear real stories on impaired driving and the effects it has on people. Speakers talk from experience and share how their life was before the crash, immediately after and how their life has changed since.

**VICTIM EMPATHY CLASS-** This class is designed to teach juvenile offenders about the human consequences of crime, with the goal of the juvenile offender accepting responsibility for their past harmful actions. These classes are done when the victim chooses not to participate in an accountability conference, or circumstances would preclude holding a face to face meeting.

**YASI- (YOUTH ASSESSMENT SCREENING TOOL)-** The Juvenile Court standardized screening tool for juveniles placed on probation to determine their risk level and area of risk, and also to identify strengths and needs for program planning.

**YDP-YOUTH DIVERSION PROGRAM-** An alcohol and drug education program designed to educate first time or early offenders on alcohol and other drugs.

**YCAP (Bismarck) -** Youth Cultural Achievement Program for Native American youth offered by Youthworks. The programs include youth mentoring, wraparound family services and individual counseling.

**YCAP (Fargo):** This is a program developed specifically to address disproportionate minority contact with the juvenile justice system. The program is only for Cass County youth. This program provides both direct service as a navigator for youth and families and also as a prevention coordinator in an effort to spread community awareness of this issue and seek to eliminate barriers that prevent youth success while on probation.

**YCAP- (Williston)** An education program offered by Choice Recovery Counseling for adolescents receiving their first drug/alcohol offense.

**YES/SHOPLIFTING PROGRAM-** A "correspondence" education program for first time juvenile shoplifters.

**YIELD-** A traffic diversion program designed to educate juveniles who have driving or traffic related offenses.

**YOUTH COURT** – Teen Court which is run by Lutheran Social Services of ND and currently only available in Fargo. Low-level cases are diverted to Youth Court by both the juvenile court and the Fargo police diversion program.

**YOUTH SERVICES DIVISION [YSD] (MANDAN)-** A diversion agency with programming to work with low level/low risk youth to keep them out of Juvenile Court.

**YOUTHWORKS-** A diversion agency with programming to work with unruly and low level/low risk youth experiencing family dysfunction with the aim to keep them out of Juvenile Court. Youthworks also provides Attendant Care in Bismarck and a short-term shelter in both Bismarck and Fargo.

# JUVENILE RISK ASSESSMENT

*Assessing the Evaluability and Predictive Validity of YASI  
for use among the North Dakota Juvenile Probation Population*

**Adam K. Matz, Ph.D.**  
**September 2019**

**University of North Dakota**



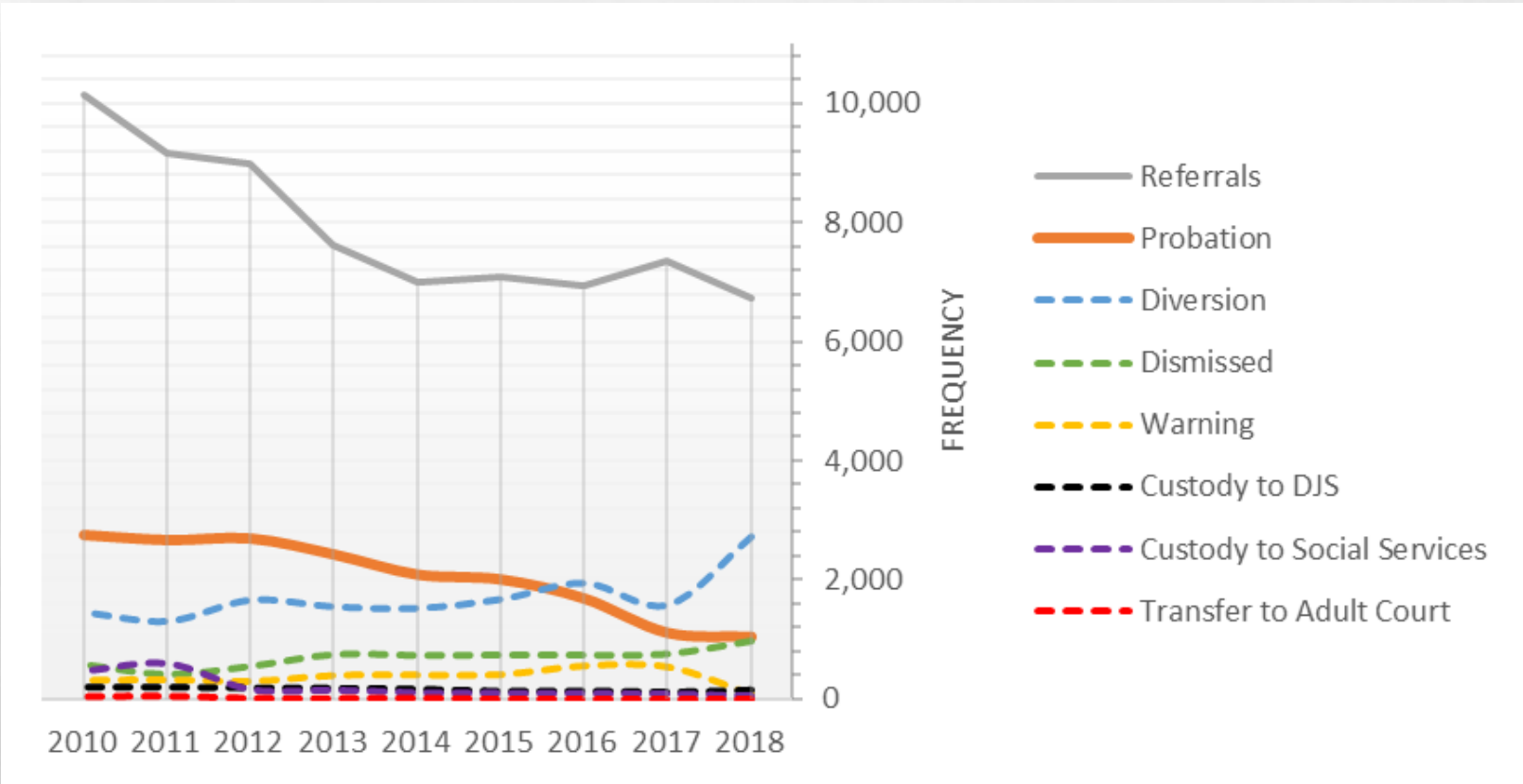
*A JCO, Sheila, interviews a client in this photograph taken by Karen Kringlie.*



# INTRODUCTION

- UND Early Career Award program
- Youth Assessment and Screening Instrument (YASI)
  - Implemented statewide in 2002
- Research Aims:
  - *Evaluability*
    1. To what extent are the data needed available and retrievable?
  - *Predictive Validity*
    2. To what extent does this tool accurately predict the likelihood of recidivism?
    3. Does the tool's predictive accuracy differ by sex, race, or region?
    4. Are there specific domains that contribute to its predictive accuracy?

# ND Trends in Delinquent/Unruly Referrals and Dispositions



# LITERATURE REVIEW

- Risk assessment is an evidence-based practice
- Predictive validity has been an ongoing concern, regardless of tool employed
- Adopting an instrument from another jurisdiction, without subsequent assessment, assumes what works there will work here

# LITERATURE REVIEW

## YASI

- Used in Canada, UK, and US
- Adapted from the Case Management Assessment Protocol (CMAP) developed in Washington State
- Two versions
  - Pre-screen (34 items)
  - Full assessment (90 items)
- Includes protective factors

## DOMAINS

- Antisocial cognitions
- Antisocial associates
- Criminal history
- Antisocial personality factors
- Substance abuse
- Family dysfunction
- Deficits in education
- Inappropriate leisure time



# METHODS

## SAMPLE

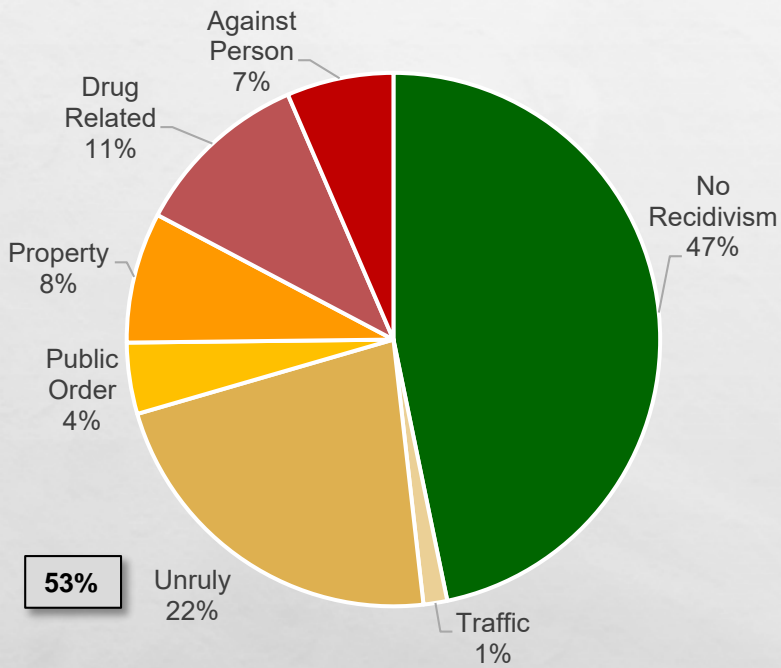
- Random Sample of 500 cases
  - Valid three-year follow-up period (N = 139)
  - Valid two-year follow-up period (N = 209)
  - Valid one-year follow-up period (N = 270)

## RECIDIVISM DEFINITION

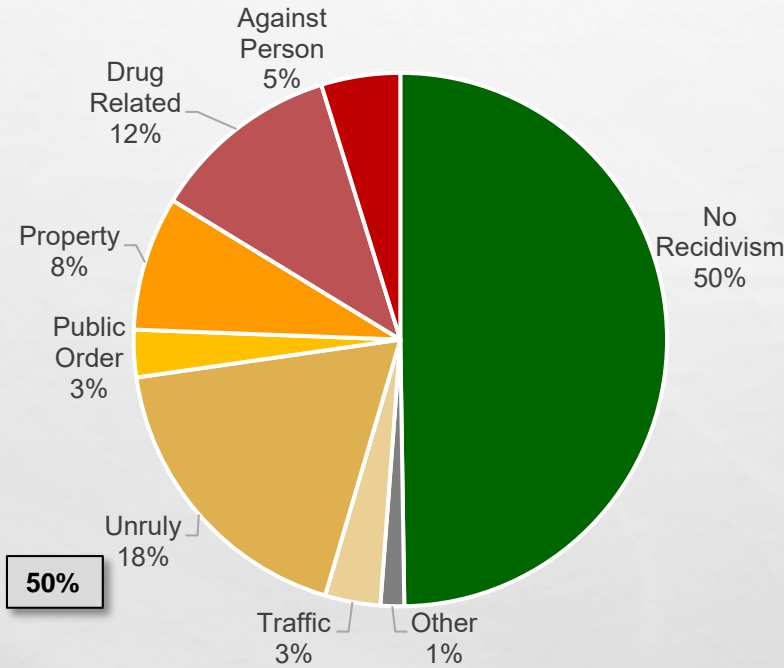
- *Youth under community supervision (formal and informal) for a delinquent offense that admit or are adjudicated or convicted within three years of supervision closure/termination and youth under community supervision that are placed with an agency within three years of community supervision closure/termination.*

# RESULTS

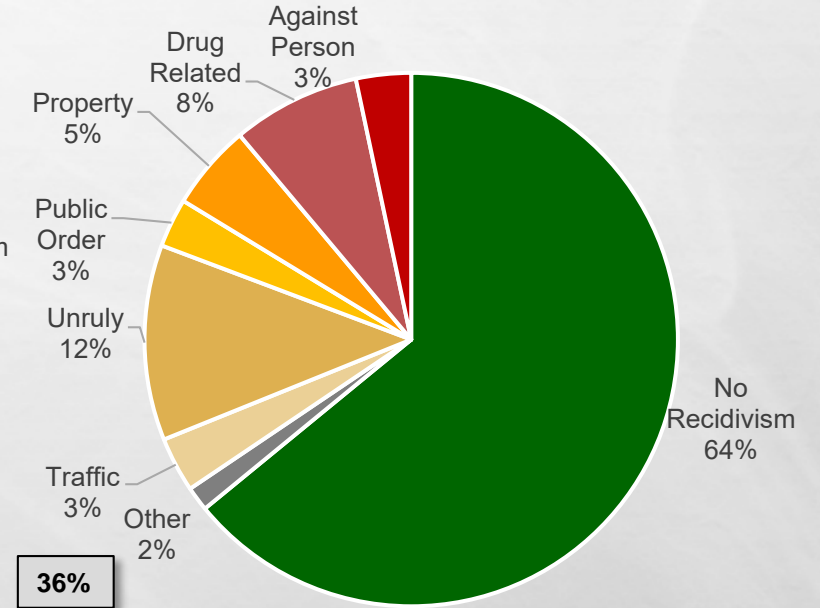
Three-Year Recidivism (N= 139)



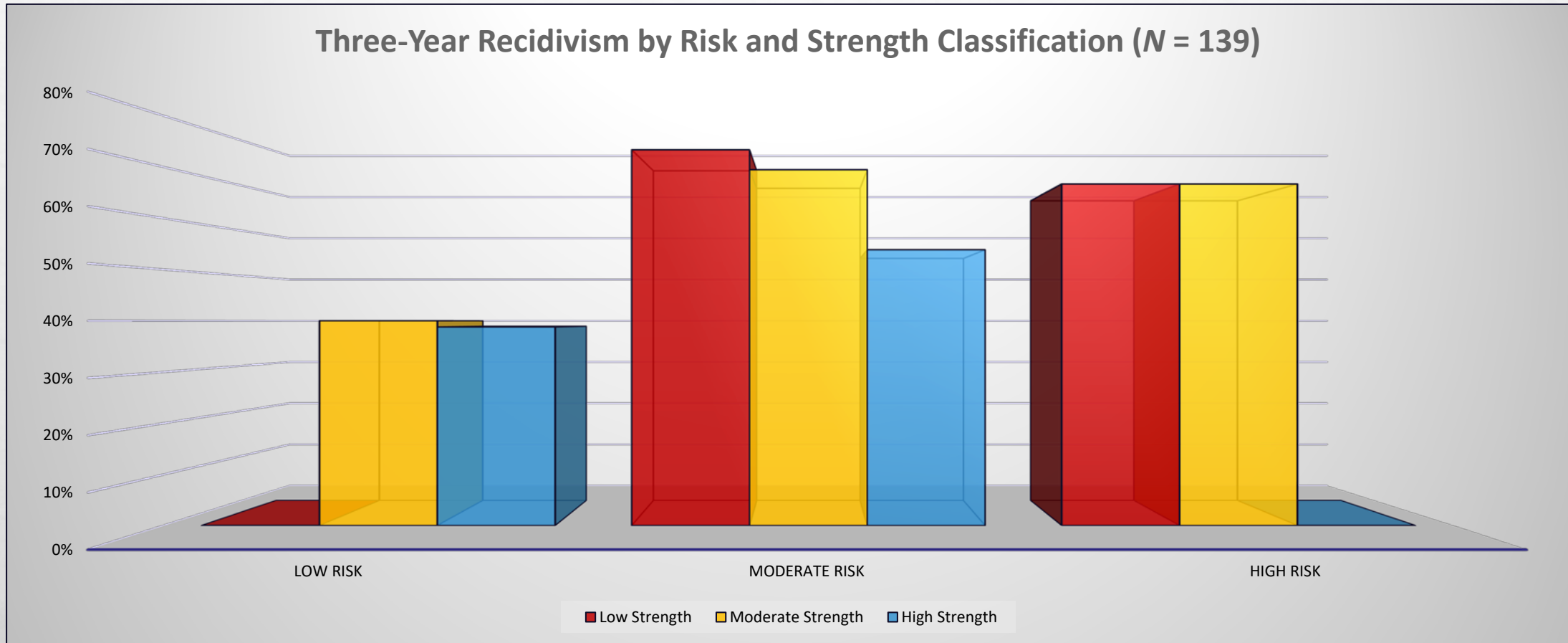
Two-Year Recidivism (N= 209)



One-Year Recidivism (N= 270)



# RESULTS



# RESULTS

Predictive Accuracy of YASI at Three-Year Recidivism Interval

Sample	AUC	(95% CI)
Overall sample ( $N = 139$ )	.66**	(.56, .75)
Male ( $n = 90$ )	.68**	(.57, .80)
Female ( $n = 49$ )	.63	(.47, .78)
African American ( $n = 16$ )	.76	(.43, .99)
Native American ( $n = 20$ )	.73	(.48, .97)
White ( $n = 93$ )	.68**	(.56, .78)
Unit 1 ( $n = 32$ )	.72*	(.51, .93)
Unit 2 ( $n = 49$ )	.72**	(.58, .87)
Unit 3 ( $n = 39$ )	.74*	(.58, .90)
Unit 4 ( $n = 19$ )	.64	(.38, .90)

Moderate effect, statistically significant

Insufficient sample size, further research needed

Note. AUC = Area Under the Curve.

\*  $p < .05$ . \*\*  $p < .01$ .

# RESULTS

## Logistic Regression with Select YASI Domain Items with Three-Year Recidivism

Item	<i>B</i>	S.E.	Wald	<i>p</i>	Odds
<i>Legal History</i>					
Age at first offense	-.532	.151	.125	.001	.587
<i>Family</i>					
Noncompliance with parental rules	1.001	.410	5.950	.015	2.720
<i>School</i>					
Poor academic performance in last three months	.597	.280	4.524	.033	1.816
<i>Mental Health</i>					
Suicidal ideation (thoughts and attempts)	-1.663	.748	4.938	.026	.190
<i>Skills</i>					
Lack of consequential thinking skills	-.962	.349	7.417	.006	.386

*N* = 130.

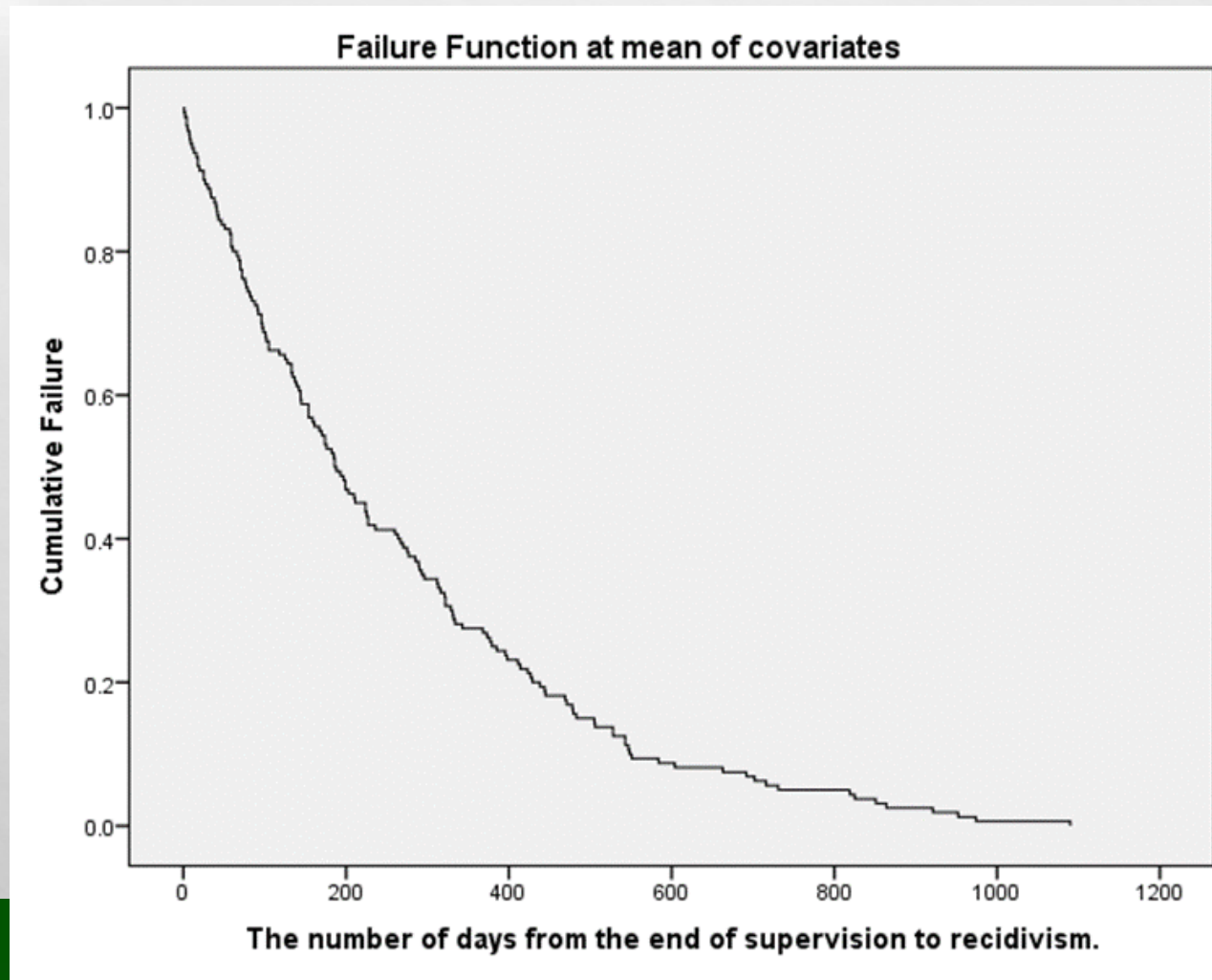
$\chi^2[25] = 46.011, p = .006.$

McFadden's Pseudo  $R^2 = .256.$

Hosmer & Lemeshow goodness of fit  $p = .430.$



# RESULTS



# DISCUSSION

- Overall predictive validity measures were favorable for this sample, statistically significant, and ranged from small to moderate in effect size
- Recidivism rates for low and moderate risk youth were higher than expected, under-classification is a concern
- Tool appears to be less effective for females, a supplemental tool may be appropriate for this population
- Further research is needed on this tool in relation to Native American and African American populations
- Updates in state practice, implementation enhancements
- Data collection notes, limitations, and future research considerations

# SPECIAL THANKS

## JUVENILE COURT

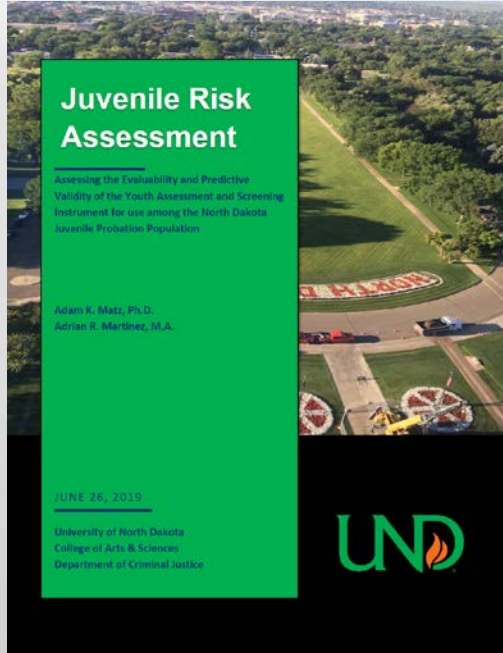
- Cathy Ferderer
- Shawn Peterson
- Karen Kringlie
- Cory Pedersen
- Scott Hopwood

## RESEARCH ASSISTANTS

- Adrian Martinez
- Tara Lulla
- Jacob Meglen



# CONTACT



**Adam K. Matz, Ph.D.**

*Assistant Professor*

Department of Criminal Justice

College of Arts & Sciences

University of North Dakota

Columbia Hall, Room 1105A

501 N Columbia Rd Stop 8050

Grand Forks, ND 58202-8050

[adam.matz@UND.edu](mailto:adam.matz@UND.edu)

701.777.2010

