

MONTANA YOUTH JUSTICE COUNCIL TASK FORCE ON
PREDISPOSITIONAL CARE: RECOMMENDATIONS AND FINDINGS

In January, 1977, the Montana Youth Justice Council appointed a Task Force to examine the problem of predispositional care. Predispositional Care was defined as that part of the juvenile justice system beginning with law enforcement contact and ending at a court disposition. This sector of the system is receiving considerable attention for a number of reasons, not the least of which are the State and Federal initiatives for deinstitutionalization of status offenders.

The Task Force concerned itself with four major components of Predispositional Care:

- I. Juvenile Law Enforcement
- II. Detention and Shelter Care
- III. Evaluation and Diagnostic Services
- IV. Probation and Social Services

We wish to express our sincere appreciation to the members of the Predispositional Care Task Force for their diligence in addressing an area which heretofore has been lacking in attention. Our major challenge in the future will be to implement the recommendations contained in this document. However, the recommendations are such that they will provide a sound direction for continued debate and final implementation. We invite your thorough examination and critique of the following document.

The following consists of the Task Force's final recommendation minutes and relevant testimony. Research appendices are available from the Youth Justice Council upon request. Recommendations are divided into four areas which represent possible strategies for implementation.

- 1) Statutory changes, (or those changes that can only be made through the legislative process).
- 2) Administrative or policy changes: Those changes that can be made through reorganization of existing resources and/or manpower and would likely not require additional resources and/or manpower.
- 3) Programmatic Change development of resources which may require funding through the Youth Justice Council, or other federal, state, or local sources.
- 4) Further study: Those issues requiring further study before definitive recommendations can be offered.

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I. Juvenile Law Enforcement Recommendations

The Task Force on Predispositional Care held hearings on juvenile law enforcement in May, of 1977. Law enforcement personnel from across the state testified about problems associated with the handling of juvenile offenders. The Task Force developed the following recommendations.

A. Statutory Change

NONE

B. Administrative and Policy Changes

1. That all law enforcement agencies should assign a juvenile division. Smaller agencies should at minimum assign specific staff for juvenile offenders. Written policies should be developed which address the following four functions of a juvenile division: (a) Discovery, (b) Investigation, (c) Treatment or Referral, (d) Protection.
2. That rural law enforcement agencies develop written agreements among social services, probation, and law enforcement for the purpose of providing emergency services to youth without undue delay. (reduce response time)
3. That juvenile justice agencies should meet regularly to consider inter-agency problems and to jointly staff specific problem areas such as child abuse and neglect.
4. That County and City Attorneys use all legal means to force parents to accept responsibility for their children's illegal acts.
5. Parents shall be contacted by any practical means when their youth has been the subject of a stationhouse adjustment.

C. Programmatic Change - Training

1. That training concerning the Montana Youth Court Act be provided to all full-time juvenile officers, management personnel and line officers.
2. That four (4) levels of juvenile law enforcement training be made available: (a) comprehensive courses for full-time juvenile officers, (b) short management courses for administrators, (c) short juvenile law procedure courses for line officers, (d) review courses when necessary.
3. That juvenile law enforcement officers and management personnel be trained on juvenile court procedures.
4. That juvenile officers and management personnel be given training on agency referral resources.

5. That all line officers, juvenile officers and management personnel be given training on "Concepts of Juvenile Law" including relevant Constitutional and U.S. Supreme Court requirements, due process and parens patriae.
6. That the following training be given to juvenile officers and management personnel: (a) Crisis Intervention, (b) Understanding of Adolescent Personality Factors, (c) Social and Economic Determinants of Delinquency.
7. That training be provided to line officers, juvenile officers and management personnel concerning communication skills with youth.
8. That training be provided to line officers, juvenile officers, and management personnel concerning the role of Stationhouse Adjustments.
9. That training be provided to juvenile officers and management personnel concerning investigative techniques for child abuse and sexual abuse cases.
10. That training concerning general management of juvenile law enforcement be provided.
11. That training concerning basic planning techniques be given to juvenile officers.
12. That judges (District, J.P.'s and City) receive training on juvenile justice procedures.

Note: The Council proposed that the above training be made available to all juvenile justice personnel.

D. Further Study

1. That conflicts and jurisdictional problems in the Montana statutes concerning Highway and Traffic Enforcement, Fish and Game Laws and the Montana Youth Court be solved.

II. Detention and Shelter Care Recommendations

The Task Force on Predispositional Care conducted hearings on Detention Shelter Care during April, 1977. The Task Force reviewed and approved the State Detention and Shelter Care Plan. The following recommendations were made.

A. Statutory Change

1. The Task Force endorsed the Detention Shelter Care Plan. The Montana Legislature passed the Detention Shelter Care Bill and the plan is now being implemented.

B. Administrative and Policy Changes

1. That the maximum stay in attention homes continues to be limited to 30 days, but that 15 day extensions can be granted one at a time with documentation of an agreement between case-worker and staff forwarded to the funding agency.
2. The primary mechanism for funding shelter care facilities shall be through a purchase of service (voucher system) on a voluntary basis and that the use of retainers be implemented for emergency foster homes.
3. The goals of the detention and shelter care bill shall continue to be the major objectives for program evaluation. They are: (a) Reduction in jail population, (b) Improvement in Decision-making, (c) That local communities develop their own detention shelter care objectives. Other measures of performance were discussed including caseload maintenance and how long the placement lasted.
4. That referral sources to shelter care facilities be limited to Aftercare, Probation, S.R.S., and licensed placement agencies with custody. Specifically excluded were schools, mental health, parental consents, and law enforcement. However, referring agencies would be allowed in an emergency to delegate placement authority in shelter care through specific written agreements.

C. Programmatic Change

1. That a jail monitoring effort be developed in each of the 19 judicial districts which determine the level of juvenile versus adult separation and compliance with federal and state statutes.

D. Further Study

1. Licensing of shelter facilities should be done by SRS, (specifically for shelter care as separate from group homes). Licensing should include program plans and physical plan descriptions.

III. Evaluation and Diagnostic Services Recommendation

The Task Force held hearings in March, 1977 concerning juvenile evaluations and diagnostic services. Representatives from Pine Hills' School for Boys, Mountain View School, the State Bureau of Mental Health, the Great Falls Youth Evaluation Program and the Sun Valley Ranch (a private treatment center) all testified on the subject of evaluation and diagnostic services. Services were analyzed in four different settings: (1) Home or present placement, (2) Shelter Care, (3) Detention, and (4) Institutional. The Task Force recommends that services should always be provided in the least restrictive setting possible.

A. Statutory Change

1. That no status offenders be referred to State Youth Correctional Facilities for evaluation (Pine Hills and Mountain View School) provided the State develops appropriate alternative facilities and staff to perform these evaluations.
2. That the 45 day evaluation program at the State Youth Correctional Facilities no longer be used for "treatment" purposes but that short term commitments for delinquent youth be recognized as legitimate.

B. Administrative and Policy Change

1. That capabilities for local evaluations be expanded through funding for: (a) contracted services with existing resources, and (b) evaluation services in local communities.
2. That the Department of Institutions eventually replace the State Youth Correctional Facility evaluation programs with a security oriented program located in an appropriate community.
3. That the 45 day limit on evaluations be retained.
4. That sufficient funding for competent evaluation and diagnostic services be available to the Department of Institutions.
5. Youth, if at all possible, should be evaluated in his or her family setting. If youth should be removed from his or her family then the evaluation should consider the youths environment; especially the family.
6. The following represents a complete evaluation (evaluations need not include all of the following):
 - a. Physical Assessment including:
 1. Visual
 2. Hearing
 3. Dental
 - b. Psychological Assessment
 1. Intellectual function
 2. Emotional functioning
 - c. Behavioral Assessment
 - d. Social Functioning
 - e. School and Vocational Functioning

- f. Parental Evaluation
 - g. Analysis of Social History (as opposed to update)
 - h. Parent Child Interaction
 - i. Recommendations for treatment
7. The Task Force expressed concern that evaluations be useable. Professional jargon should be minimized. Reports should be written in such a way that the referring agency can translate recommendations into a treatment, casework, or placement plan. Recommendations should be specific even to the point of do's and don'ts for treatment strategies. Referring agencies are not bound by the final recommendations.
 8. Referring agencies should list specific reasons for requesting an evaluation and should provide a social history of the youth referred.

C. Further Study

1. That the Department of Institutions conduct a study to examine the feasibility of utilizing Pine Hills School as a co-educational long term correctional facility and Mountain View School as a coeducational evaluation and treatment center.
2. The Youth Justice Council should study Determinate Sentencing for youth and the jurisdiction of youth after institutionalization.
3. The problems of local evaluation and diagnostic services should be studied.

IV. Probation and Social Service Casework Recommendations

The Task Force held hearings on Probation and Social Services in June of 1977. A panel of Chief Probation Officers' and Social Service Workers (see minutes) provided testimony to the Task Force.

A. Statutory Change

The Youth Justice Council voted to move proposed statutory changes under Further Study.

B. Administrative and Policy Changes

1. Caseloads for probation officers and social service workers should comply with standards set forth by national accrediting agencies.
2. Adequate funds should be provided to the youth courts for foster home placement.

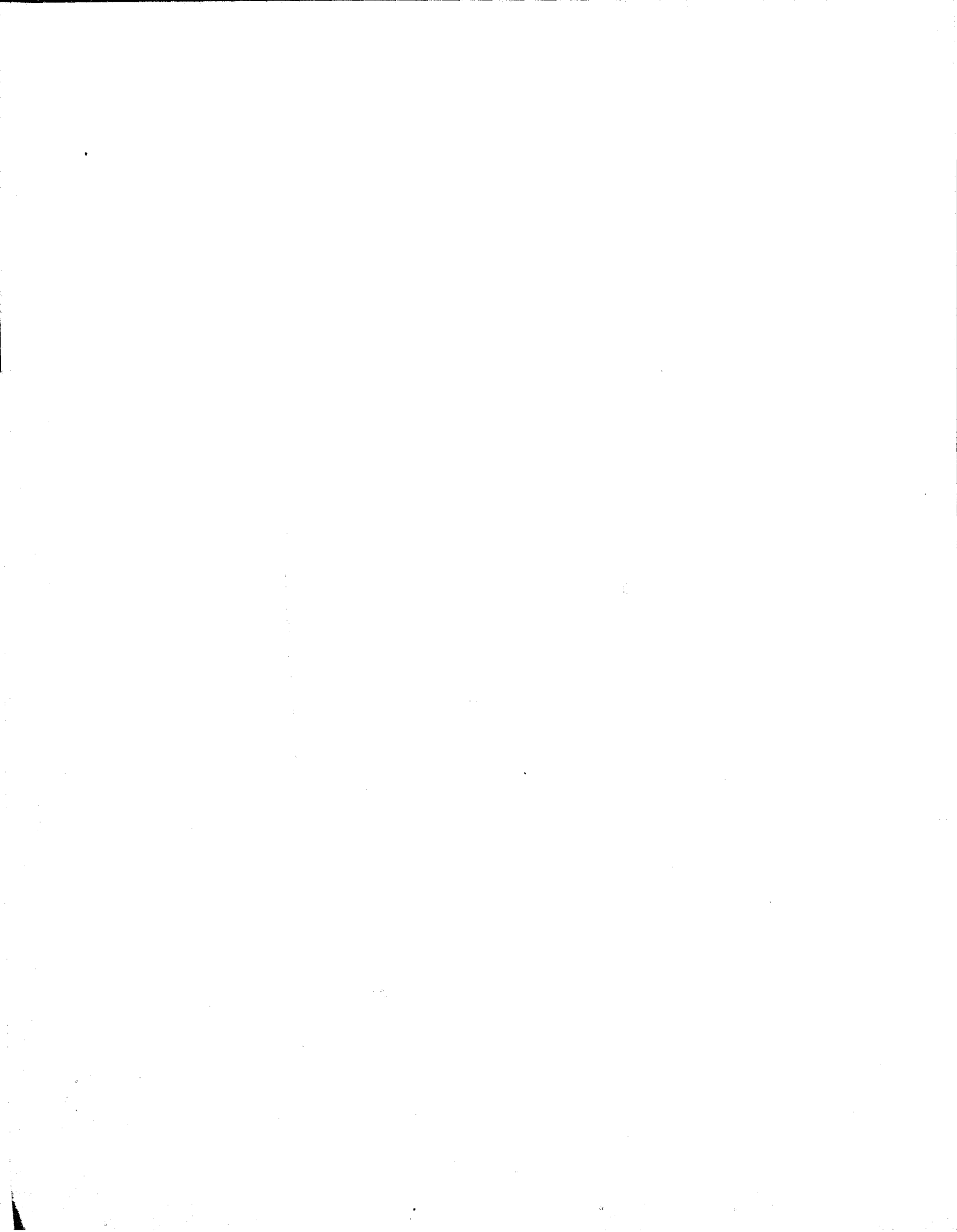
3. No agency should provide foster home placements without adequate supervision.
4. New services funded by the Youth Justice Council and the Board of Crime Control should not duplicate existing services. Existing services should be examined carefully before funding.
5. Social Service positions when vacant should be filled immediately especially in rural areas. The red tape in the hiring procedures of SRS and the Merit System should be streamlined.
6. Changes should be made in the Merit System hiring procedures to include a personal interview in addition to the merit system.
7. That County Attorneys play an active role in prosecuting matters of the Montana Youth Court Act.

C. Programmatic Change - Training

1. Training should be made available to Probation Officers, Social Service workers and other juvenile justice personnel and should include the following:
 - A. Intake Procedures
 - B. Investigation
 - C. Judicial Process Including the Youth Court Act
 - D. Placement
 - E. Communications
 - F. Coordination - Interagency Management and Skills
 - G. Treatment Modalities
 - H. Caseload Management

D. Further Study

1. The Youth Justice Council should consider revisions in the Youth Court Act including the categorization of status offenders and appropriate authority and jurisdiction.
2. The Youth Justice Council should study the relationships and appropriateness of truancy under the jurisdiction of the juvenile justice system.



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