



A closer look at...

The Missouri Model

***An Analysis of the Missouri Model
in Comparison to the Ohio
Department of Youth Services***

**Final Report
November 30th 2006**

Submitted by:

**Amy Korenstein
Ohio Department of Youth Services**

Final Report on the “Missouri Model”

Table of Contents

Preface.....	2
Population Comparison.....	3
Recidivism.....	5
Fiscal Analysis.....	8
MDYS History & Evolution.....	8
Detention.....	10
Facilities.....	12
Education.....	16
Special Services.....	17
Critical Incidents.....	18
Restraints.....	21
Dual Jurisdiction & Transfers.....	21
Liaison Councils.....	22
Parole & Reentry.....	22
Return to Residential & Revocations.....	25
Human Resource Issues.....	27
Other States.....	28
State Demographic Comparison.....	29
Organizational Culture/Philosophy.....	29
To Be Missouri.....	30
Significant Findings.....	30
Pending Questions.....	35
Conclusion.....	36
Sources.....	38
Appendices.....	42

PREFACE

In April 2006, Ohio Department of Youth Services Director Tom Stickrath asked for a comprehensive analysis of the “Missouri Model”. Specifically, he was interested in a system comparison of the Missouri Division of Youth Services (MDYS) to the Ohio Department of Youth Services (ODYS), to determine the appropriateness and feasibility of replicating some or all of the Missouri Model in Ohio. Director Stickrath emphasized his desire for an unbiased, truthful approach to this task.

To meet this request, a team was formed within ODYS that included subject matter experts in facilities, education, parole, communities, behavioral health, fiscal, legislation, policy, treatment, human resources, security, and research. The team interviewed various MDYS officials in the corresponding subjects. Deputy Director Tom Breedlove and Senior Program Administrator Brent Buerck were very instrumental in arranging phone conferences and gathering data for this report. In addition, several juvenile justice organizations were contacted and a number of articles and publications were reviewed to gain an academic/national perspective. An Interim Report was generated, dated July 14th 2006.

Since July, the report has been circulated among ODYS officials, and the team’s preliminary findings have been presented to several juvenile justice stakeholders in Ohio. Officials from the Missouri Division of Youth Services have reviewed the Interim Report, and their feedback is incorporated in this final version. In September 2006, four ODYS representatives traveled to the Northeast Region of MDYS to observe facilities and programming. A request was made to visit the St. Louis Region; however that was not an option. The MDYS site visit participants included Andrea Morbitzer, Deputy Director of Institutions, Dr. Monique Marrow, Deputy Director of Treatment and Rehabilitation, David Schroot, Deputy Director of Parole and Community Services, and Amy Korenstein, Bureau Chief of Budgets and author of this report.

The following final report is the outcome of the team’s research, input from MDYS Officials, and the September site visit to several MDYS facilities in their Northeast Region.

ODYS Site Visit to Missouri Division of Youth Services 9/20/2006



Back Row (left to right): David Schroot, Brent Buerck, Larry Strecker, Tom Breedlove, Bob DeClue
Front Row: Dr. Monique Marrow, Mary Finn, Andrea Morbitzer, Amy Korenstein

DYS POPULATION COMPARISON

The population of youth served by MDYS differs in many aspects from the ODYS population. The most significant differences are related to age and type of offender. According to the MDYS Annual Reports¹, the following comparison can be made about the types of new commitments:

Differences in Offenses

ODYS's population is comprised of felony offenders only, while MDYS's population includes status, juvenile & misdemeanor, and felony offenders.

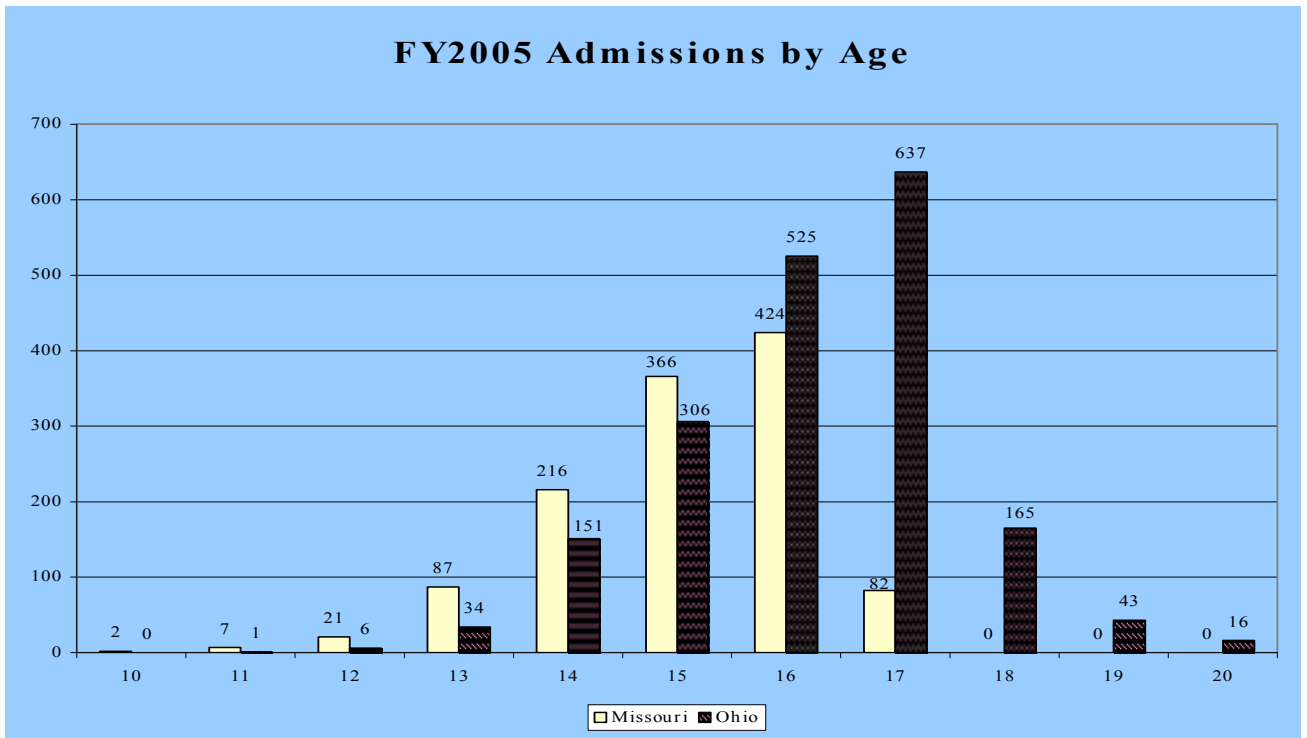
New Commitments	Missouri DYS	Ohio DYS
FY'05 Felonies	50.5%	100%
FY'05 Juvenile Offenses* & Misdemeanors	49.5%	0%
FY'04 Felonies	50.8%	100%
FY'04 Juvenile Offenses & Misdemeanors	49.2%	0%
FY'03 Felonies	52.1%	100%
FY'03 Juvenile Offenses & Misdemeanors	47.9%	0%
FY'02 Felonies	51.5%	100%
FY'02 Juvenile Offenses & Misdemeanors	48.5%	0%
FY'01 Felonies	50.2%	100%
FY'01 Juvenile Offenses & Misdemeanors	49.8%	0%

*Juvenile Offenses are defined as status offenses, abuse, custody, neglect, court order violations, and municipal charges

¹ Missouri Department of Social Services, Division of Youth Services, Annual Report FY2004

Differences in Age

Another key difference is that ODYS serves a larger population of youth than MDYS (ODYS daily population is approximately double the MDYS daily population), and the majority of these youth are ages 16-17. The majority of youth in MDYS are ages 15-16. The graph below illustrates these differences for Fiscal Year 2005.



These differences in age and types of offenders should be kept in mind while reading the rest of this report.

RECIDIVISM

The Missouri Model has received considerable recognition and praise for having relatively low recidivism rates. Nearly every publication reviewed for this report, from journal articles to editorials, refers to a MDYS recidivism report compiled in February 2003, which tracks youth released in 1999 over a three year period. The study includes the percentages of youth recommitted, admitted to the adult system, on adult probation, or temporarily returned to MDYS. These recidivism percentages are outlined in Dick Mendel's article "Small is Beautiful", published in the Spring 2003 issue of *Advocasey*. The figures are as follows:

8 %	sentenced to state prison or adult incarceration within 3 years
19 %	sentenced to adult probation
6 %	recommitted to MDYS
9 %	temporarily returned to residential
42% TOTAL rate when above factors are considered	

State Comparisons

An attempt was made to compare ODYS recidivism rates to Missouri's. However, the comparison is difficult for a number of reasons. One reason is that the populations being compared are significantly different, as pointed out in the previous section. Another reason is that offense types and categories are defined differently in Ohio versus Missouri (Missouri uses Felony A,B,C,D categories, while Ohio uses Felony 1-5; and the types of offenses are not analogous for comparison purposes). Lastly, ODYS uses a different definition of recidivism. For these types of reasons, the Council of Juvenile Correctional Administrators (CJCA) has stated that "...recidivism is different in all states and no national agreement exists on how it is defined or measured, making any comparisons between states meaningless."² Dr. Edward Latessa echoed this sentiment when he commented that "Researchers put no stock in recidivism comparisons between states; unless you collect/measure the numbers yourself, they mean nothing".³

Nevertheless, the following recidivism comparison between MDYS and ODYS is offered with the caveat that the youth populations are significantly different in age and types of offenses.

² Council of Juvenile Correctional Administrators Yearbook 2005

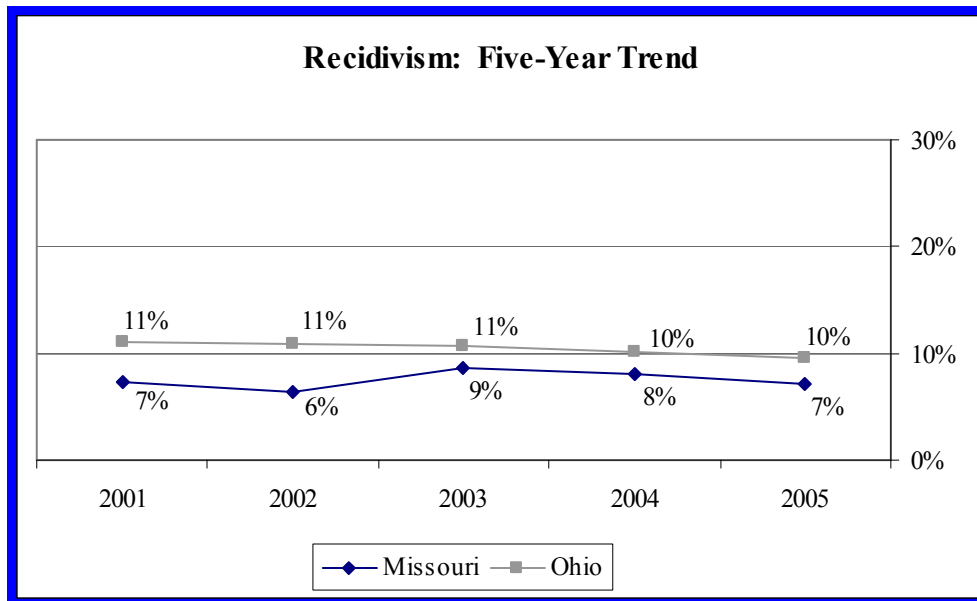
³ Conversation with Ed Latessa, Head of Division of Criminal Justice, University of Cincinnati (5/8/06)

Recommitment Rates Comparison

According to the MDYS Annual Reports for FY03-05, when ODYS uses the same definition of recidivism that MDYS uses, ODYS's recidivism rate is only slightly higher than MDYS's (see table and graph below). The definition being used by MDYS in their annual reports considers the percent of commitments that are recommitments. (Note that this definition is a fairly limited definition of recidivism; it does not track what happens to a cohort of youth after they are discharged. Rather, it looks at the commitment history of annual admissions.) Although ODYS numbers are slightly higher, over half of the ODYS youth are 17 years old or older and therefore would not be included in Missouri's numbers.⁴

Ohio Recidivism Compared to Missouri Definition						
	Missouri			Ohio		
FY	Total	Recomm	Percent	Total	Recomm*	Percent
2005	1205	85	7.1%	1884	181	9.6%
2004	1277	103	8.1%	2159	218	10.1%
2003	1193	102	8.5%	2177	234	10.7%
2002	1287	81	6.3%	2336	255	10.9%
2001	1250	92	7.4%	2453	272	11.1%

*Ohio Recommitments Include Prior Discharges

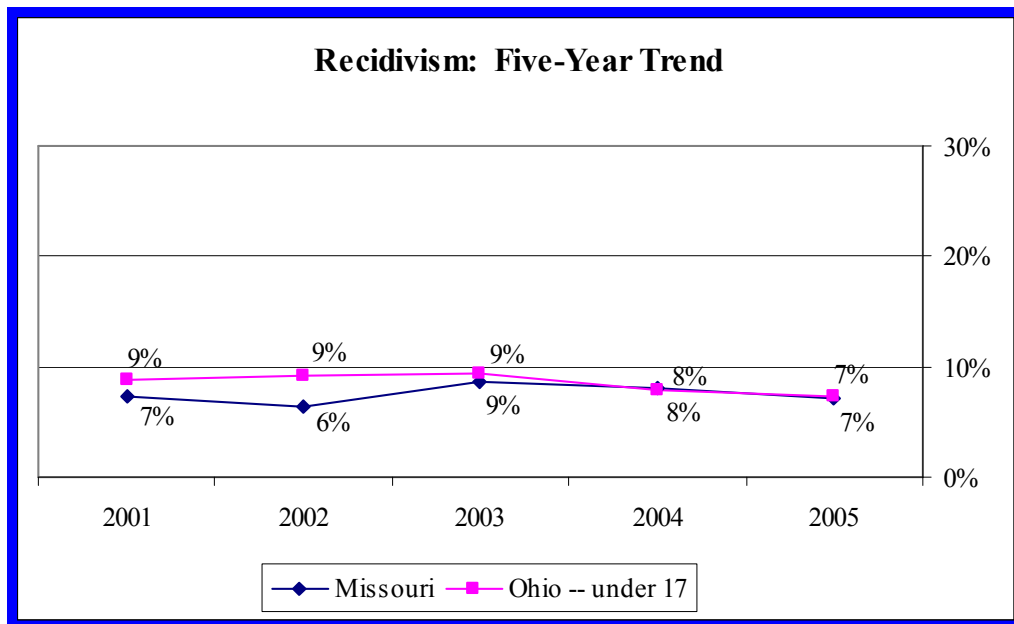


⁴ Based on analysis by Bruce Sowards, ODYS Researcher

The following table represents Ohio's recidivism compared to Missouri's if ODYS were to stop admitting youth over the age of 17 as MDYS does:

Ohio Recidivism Compared to Missouri Definition						
	Missouri			Ohio		
FY	Total	Recomm	Percent	Total	Recomm*	Percent
2005	1205	85	7.1%	1023	74	7.2%
2004	1277	103	8.1%	1167	92	7.9%
2003	1193	102	8.5%	1146	107	9.3%
2002	1287	81	6.3%	1335	123	9.2%
2001	1250	92	7.4%	1440	128	8.9%

*Ohio Rec commitments Include Prior Discharges



Again, these percentages only reflect a comparison of recommitment rates, which is the definition of recidivism used in MDYS annual reports. Current figures from MDYS on revocations and commitments to the adult system are not available.

FISCAL ANALYSIS

- The MDYS secure care per diem of \$154 does not include costs associated with fringe benefits (47% of salaries), business office staff, and personnel office staff.⁵ By adjusting the MDYS per diem to include fringe costs, calculations reveal an adjusted MDYS per diem rate of \$211.90 in FY05, compared to an ODYS per diem rate of \$202.76 in FY05 & \$210.75 in FY06.⁶

Note: The adjusted per diem would be higher if cost were added for business office staff and personnel office staff.

- The MDYS budget quadrupled (300% increase) over 15 years (from \$15m to \$60m). For ODYS, our budget grew 126% in the past 15 years (\$99m in FY91 to \$224m in FY06). The MDYS budget growth rate is more than double ODYS's.
- Line staff salaries are significantly lower in MDYS. The Youth Specialist Trainee range is \$24k - \$33k. The Youth Specialist Range is \$26k - \$37k. The ODYS Juvenile Corrections Officer range is \$30k - \$37k.
- Missouri is in a different federal district than Ohio regarding the U.S. Dept. HHS Administration for Children & Families, which oversees welfare & Title IV-E administration. Interpretation and enforcement of federal laws varies among the different regions. Missouri has historically been very aggressive in going after funds from the federal entitlement program, whereas Ohio has been more reserved.

MDYS HISTORY & EVOLUTION

Early Years⁷

During the late 1830s, imprisonment in Missouri usually meant confinement in the penitentiary or a county jail, or in military prisons in rural counties that maintained no jails of their own. The public St. Louis House of Refuge opened in 1853 to take in children, but the institution quickly spiraled downward to become similar to a prison. In 1866, the House's directors sharply criticized institutionalization of children and recommended adoption of the so-called "cottage" plan. The plan called for construction of small buildings, each housing about a dozen children in a family-style atmosphere under responsible adult supervision. The St. Louis municipal assembly approved the bond issue, but cottages were not constructed because the mayor vetoed the bond measure as being too expensive. Concern about cruelty at the House of Refuge grew, but the conditions there did not change. Missouri built three

⁵ Conversation with Ms. Thelma Gilpin, MDYS Chief Fiscal Officer

⁶ Based on calculations by Harry Kamdar, ODYS Deputy Director of Finance & Planning

⁷ "Lessons from Juvenile Justice History in the United States" From April 2004 Conference - Impacting Juvenile Justice Journal of the Institute of Justice & International Studies: Douglas Abrams

statewide reform schools beginning in 1889, the Missouri Reform School for Boys at Boonville, the State Industrial Home for Girls at Chillicothe, and the State Industrial School for Negro Girls at Tipton.

In the 1950s and the 1960s, some Missouri juvenile court judges refused to send children to Boonville or Chillicothe because of beatings by staff and youth-on-youth violence. Judges still did not have much leeway in the state's smaller counties; some judges avoided Boonville by sending children outside Missouri for treatment. Boonville was in an uproar by the late 1960s. A 1969 federal report roundly condemned its "quasi-penal-military" atmosphere, lack of adequate rehabilitation programs, substandard educational opportunities, understaffing, outdated physical plant and deteriorating buildings.

Calls mounted to close Boonville entirely. In 1976, investigative reporter Kenneth Wooden wrote a book about his visits to juvenile correctional facilities in thirty states. During his visit to Boonville, inmates told him about staff members "having sexual relations with the children, beating them, throwing them into solitary confinement for no substantial reason, pushing drugs, etc." By the end of the 1970s, Boonville and Chillicothe, the state's last two training schools, were collapsing after eight decades of violence and decay. The state finally closed Chillicothe in 1981 and Boonville in 1983. Missouri was ready to move in a new direction.

Forming a New Mission: The Advisory Board⁸

Throughout the 1980s, MDYS replaced the failed reform schools with smaller regionalized facilities that enabled local staff to treat delinquent children near their homes in cooperation with local juvenile courts. In 1987, the Blue Ribbon Commission was formed as a bi-partisan team of individuals representing noted juvenile justice reform researchers, judges and legislators. The Commission's report was influential in furthering the division's mission and obtaining state funding for continued reform. This led to a redefining of the bipartisan MDYS Advisory Board, which was originally established in 1975. The new Board was comprised of officials and concerned citizens who promoted the vision and helped influence policy and legislative support for the programs being implemented by the division.

Support and Opposition⁹

The courts, legislators, researchers in juvenile justice and concerned citizens supported the mission of the agency. This support helped influence the legislature. Throughout the 1990s the transformation drew recognition from national organizations such as the National Council on Crime and Delinquency, the Annie E. Casey Foundation and the American Youth Policy Forum. Recognition from nationally known youth advocacy organizations helped lend credibility to the efforts and achievements - better insulating the vision and direction of the agency.

⁸ Recollections of Dennis M. Gragg, Assistant Deputy Director, Missouri Division of Youth Services

⁹ Recollections of Dennis M. Gragg, Assistant Deputy Director, Missouri Division of Youth Services

As the division began regionalizing services, new facilities were not always welcomed in other communities and neighborhoods. The community concern was typically for safety and property values. However, most of the sites selected at that time were 1) previous youth facilities (such as an old Job Corp site), 2) facilities within state parks under a partnership and 3) in leased properties in communities.

In latter years, the division was quite successful in having communities enter competitive bids to build facilities in their communities. Upon invitation, MDYS representatives would visit the community and describe the economic benefits of having a program in their community and how the programs worked, etc.

Opponents to the change believed the new approach was too “soft on crime” and juvenile offenders deserved to be treated more punitively. In response, MDYS leaders spoke to community groups, college classes, conferences, etc. about their programs and how youth receive treatment, are held accountable for their actions, and must achieve certain objectives before being released. MDYS continued to dialog with opponents about the advantages of our approach and disadvantages of the abandoned methods.

A New Vision¹⁰

Five-year plans guided the strategies and actions for implementing changes and providing timelines. Training was central to the strategies and actions. The vision was to provide a humane rehabilitative/treatment environment, in the least restrictive environment, as close to the youth’s home community as possible. The vision included high expectations for youth to take responsibility for their behaviors and to change behaviors and values that led to their commitment.

DETENTION¹¹

There is nothing remarkable or distinctly unique about Missouri detention facilities. The praises received by the Missouri DYS do not necessarily apply to the treatment of youth prior to sentencing by the judge. Youths serve time in county detention centers, which vary widely in their quality and approach. Some still lock up kids in small cells for large portions of the day. Probation violators make up a significant portion of the detention population through out the state. Bart Lubow, director of the Annie E. Casey Foundation’s Program for the High Risk Youth, is quoted as saying, “I would never send anyone to Missouri to look at them for what they do in detention.”¹²

- There are 24 Secure Detention Facilities throughout Missouri (40 in Ohio).
- All facilities are county owned and operated, except for 1 Multi-County (4 counties)

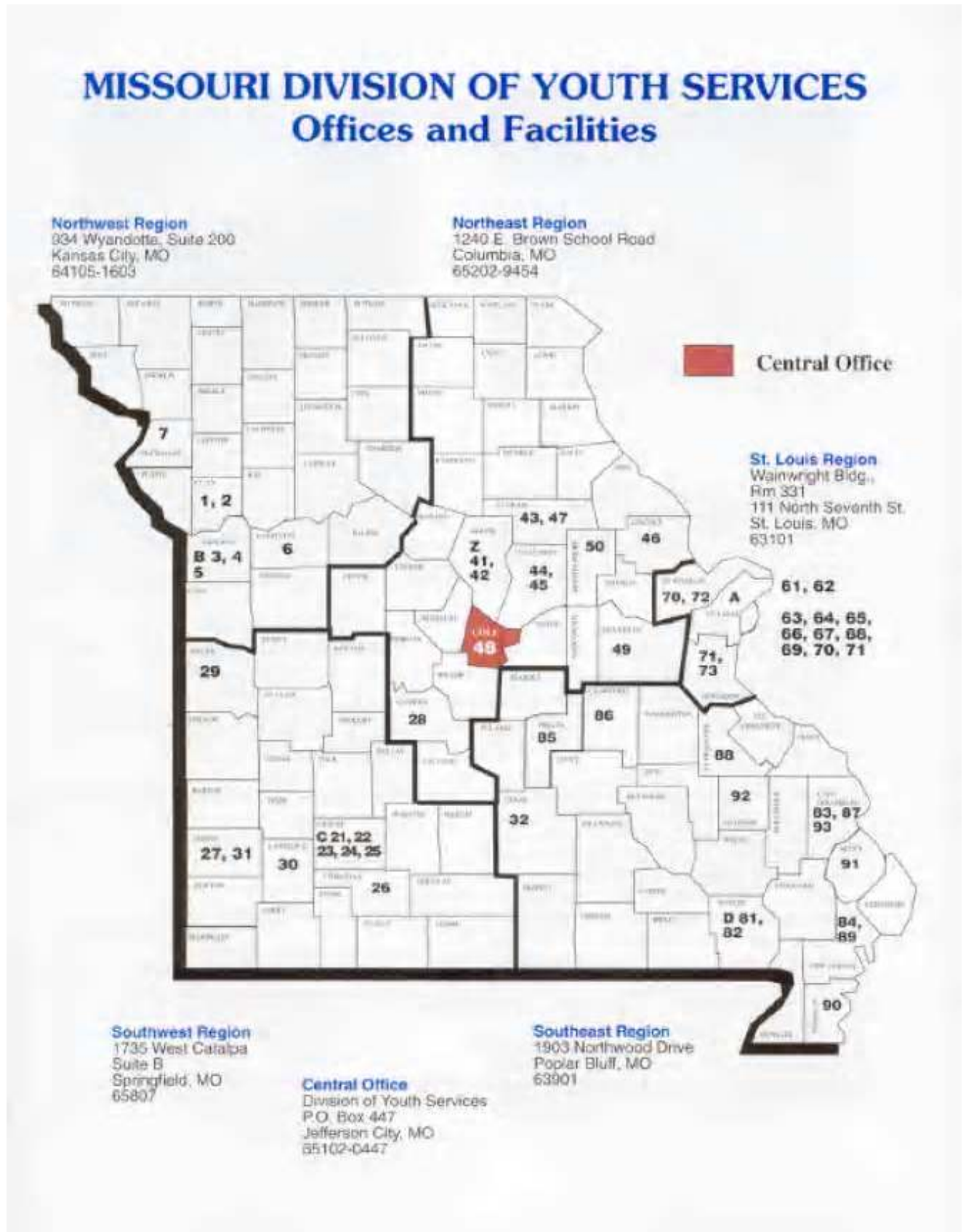
¹⁰ Recollections of Dennis M. Gragg, Deputy Director, Missouri Division of Youth Services

¹¹ Based on research by Tony Panzino, ODYS Administrator

¹² “Juvenile Justice in Missouri Serves as Model for Nation”: International Child and Youth Care Network

- Circuit Judges (Non-Metro) determine the location of the detention while County Commissioners do so in the city of St. Louis. Circuit Judges/the judge of the juvenile court appoint the detention facility superintendent.
- The state of Missouri provides a subsidy to the detention centers to support some staffing positions, juvenile aids, and maintenance and food service workers.
- In 2003, approximately 6,500 youth were housed in Missouri detention facilities.
- Missouri has minimum standards for operating detention facilities that are similar to Ohio's detention standards.
- An ethnic and gender representation study has prompted the state to work with the National Council on Crime and Delinquency (NCCD) to develop a normed and validated detention detainment tool. Judges have over-ride discretion to detain/not detain youth. Less serious offenders are often held in detention because of the lack of available local resources.
- When MDYS is experiencing overcrowding or a bed shortage in a particular region, youth may be placed in their homes between their detention stay and their MDYS facility stay. This allows detention centers to keep their population down, and it also gives MDYS some leeway in controlling their regional populations. Ohio does not have this option.

FACILITIES



Missouri DYS has a continuum of non-residential and residential facilities within the state's five regions. There are currently thirty-two residential facilities with 726 beds, which house approximately 88% of the MDYS population. These facilities are decentralized, which enables the agency to treat most youths within thirty to fifty miles of their homes, allowing their families and community to support their treatment. Each of the five regions has a complete range of non-residential and residential facilities that separate violent offenders from other youths. The four types of facilities maintained by MDYS are:

- 1) **Non-residential Day Treatment Facility** - For the treatment of about 12% of the MDYS population. These year-round facilities are the first stop for some younger teens who are relatively minor offenders. The day treatment facilities provide youths a minimum of six hours of daily education, counseling, tutoring, and community service activities before they return home to their families. For youths previously confined in residential treatment, a period of day treatment provides a transition back to life in the community.
- 2) **Non-secure Group Home** - For youths who have committed status offenses, misdemeanors, or felonies. MDYS maintains seven community-based care sites (ranging from ten to twenty beds) under responsible twenty-four-hour adult supervision. Two of the group homes are located on a college campus. For example, in an eleven bed female facility, girls eat in the university dining hall and attend university activities. Youth in group homes generally spend time in schools, jobs, group projects, community services, and group, individual, and family counseling.
- 3) **Moderately Secure Group Home** - For youths who have committed more serious crimes, including felony offenses, and are in need of more supervision. MDYS maintains eighteen moderately secure group homes (ranging from ten to fifty beds) throughout the state in residential neighborhoods and state parks. These youths also spend time in the community on service projects, and youths who demonstrate trustworthiness may get jobs at local nonprofit or government agencies.
- 4) **Secure Care Facility** - MDYS maintains secure care facilities that provide violent offenders and chronic repeaters education, counseling, and vocational guidance in groups of ten to twelve. The facilities are enclosed and locked with a perimeter fence, but nonetheless seek to maintain an atmosphere conducive to treatment. Generally, these facilities house serious offenders, but there are situational exceptions based on the matrix (**See Appendix B**). These serious offenders are among the smallest population within the residential treatment facilities (refer to the following table).

Placement According to Offense

Offense	Security Level of Facility
Committing Offense (w/ Prior Adjudication)	
-1 st Degree Murder/2 nd Degree Murder	High - Secure Residential
-1 st Degree Assault	High - Secure Residential
-1 st Degree Robbery	High - Secure Residential
-Forcible Rape/Sodomy	High - Secure Residential
-Distribution of Drugs	High - Secure Residential
-Violent Offenses Involving a Weapon	High - Secure Residential
All other Felonies	Moderate/High - Secure Residential
Misdemeanors	Low/Moderate - Secure Residential
Status Offenses/Juvenile Offenders	Low - Secure Residential (OR) Non-Residential (Community Care or Community-Based Group Home Treatment)

**Information in this table is based on a matrix used by MDYS, and exceptions to the above information are possible. (See Appendices A & B for the MDYS matrices)

To determine which facility a youth will be assigned to, each incoming youth receives a comprehensive needs and risk assessment. The MDYS Service Coordinator, who is assigned to the youth throughout the youth's commitment, develops an Individual Treatment Plan (ITP) within 3 days of commitment. The ITP outlines short and long-term goals for treatment in the region's least restrictive environment possible without compromising public safety. The average length of stay in a residential facility is 6 months. Youth generally stay in the same facility until discharge. Transfers between facilities are rare, unusual and discouraged.¹³ This clearly affords youth a greater degree of stability and continuity of care.

¹³ Conversation with Tom Breedlove, Deputy Director, MDYS

A sample of a daily schedule at a MDYS residential facility is provided below:

Time	Daily Schedules and Programs
6:00 am	Youth wake and take care of personals (bathroom, brush teeth, etc.). Some programs may also use this time for cottage detail - make beds, clean up dormitory and common area, etc.
6:30	Breakfast followed by kitchen detail. Youth return to finish detail, dress and prepare for school.
8:00	School - classes typically run on 50 minute schedules and total 300+ minutes per day
11:30	Lunch followed by kitchen detail.
12:00 pm	School continues according to class schedule.
3:00	School is released and youth return to cottage. This time may be spent doing homework, recreational activities, student jobs, group work, free time, etc.
5:00	Dinner followed by kitchen detail. Youth may use the remaining time for phone calls, free time, etc.
6:30	Group meeting (group meetings must begin between 5:00pm and 7:30pm and last 60-90 minutes)
8:00	Youth take showers and prepare for bed. Phone calls may also be made during this time. Remaining time may be spent as free time, working on homework, preparing letters for home, etc.
9:00	Youth in their personal areas, quiet time may be observed.
9:30	Lights out and youth are in bed.

EDUCATION¹⁴

- MDYS has a school district accredited by the Missouri Department of Elementary and Secondary Education. One-hundred and fifty teachers are employed at forty-two sites. Every youth receives education services. There is a twelve-month school calendar.
- Forty percent of youth receive special education services, and many teachers are certified in special education, which is encouraged by MDYS.
- Small facilities have one-classroom schools where one teacher teaches all subjects. The teacher to student ratio is 1:15. A significant portion of MDYS teachers are certified as elementary teachers or function as elementary teachers, which works well for cross-curricula instruction in a remedial setting. Although youth are beyond the age of elementary school, that is where they are academically. In Missouri, the school district can award students high school credit regardless of the teacher's grade level certification, while in Ohio, youth taught by elementary school teachers cannot receive high school credits.
- The Missouri Department of Elementary and Secondary Education has a designated assignment/classification for at-risk youth. MDYS teachers who are not certified in special ed. are classified under the "at-risk" assignment. In Ohio, all teachers who teach core subject areas are required to have Highly Qualified Teacher status, as part of the Ohio Department of Education's (ODE) monitoring of the No Child Left Behind Act. The MDYS education structure would not meet the ODE's interpretation of the No Child Left Behind Act as it pertains to the Highly Qualified Teacher federal requirements regarding the provision of specialized teachers in core academic subject areas. ODYS would be in jeopardy of losing Title I funding if it did not meet ODE's Highly Qualified Teacher requirements.
- There are six Regional Education Supervisors (1 for each region, except 2 for St. Louis region). They are responsible for monitoring compliance with standards for special ed. and accreditation. They provide training and technical assistance to teachers, who are somewhat isolated in their facilities.
- The school day consists of six hours of instruction. Interruptions are discouraged and non-educational activities occur after 3:00 p.m.
- Seventy-five percent of youth who attempt to take the GED within MDYS pass. Between 78%-85% of youth who attempt to take the GED within ODYS pass.

¹⁴ Based on Conversation with Dennis M. Gragg, Assistant Deputy Director, MDYS

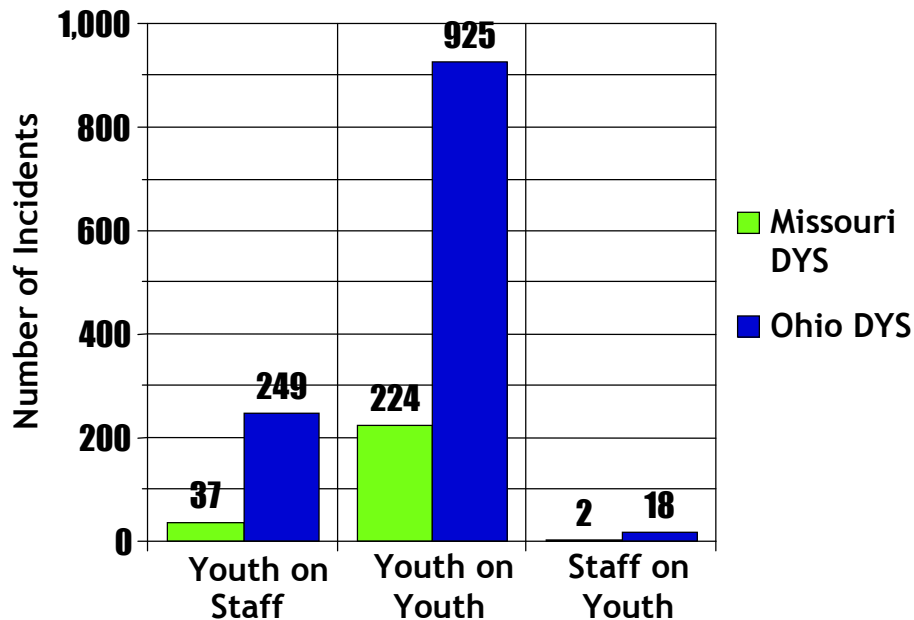
SPECIAL SERVICES

- Youth are placed based on risk, geography, and treatment needs. Youth with sex offender, substance abuse, and/or mental health issues can be placed at the same facility, and on the same unit. To address specific treatment issues, “pull out groups” occur regularly. This is when sex offenders or substance abuse youth are pulled out of their normal groups, to participate in weekly treatment-specific groups.
- Youth with mental health issues in Missouri are often served by contract beds outside of the MDYS system. MDYS has access to beds, at no cost, for youth that exhibit behavior disorders and are not amendable to the peer culture. For example, youth with attachment disorder, who would have difficulty bonding with peers, cannot function in the peer culture and would be extremely disruptive to daily operations. The Division of Medical Services, a sister division to MDYS within the Missouri Department of Social Services, contracts for private beds for these type of youth. Medicaid dollars are used to pay for the beds, at no cost to MDYS. These beds serve two purposes: 1) to provide appropriate mental health services to youth in need, and 2) to remove these youth from the MDYS general population so they do not disrupt and monopolize the culture. Cottonwood and Hawthorne are two facilities that are affiliated with the Missouri Department of Mental Health that have served MDYS youth. Boys and Girls Town is the current vendor that is under contract to provide residential services for youth with mental health issues.

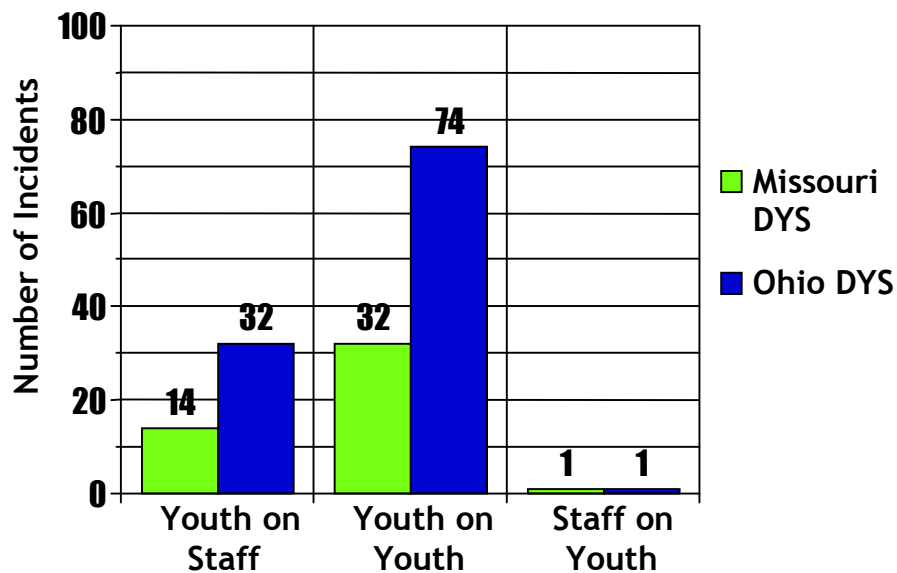
CRITICAL INCIDENTS IN 2005

The following tables compare the number of critical incidents reported by MDYS and ODYS in 2005. Keep in mind that these numbers are not rates, and they can not be compared as is because ODYS's population is about double that of MDYS's. Also, it is difficult to verify whether categories are defined equally and what methods are used to collect data. (See Appendix C for MDYS Critical Incidents in FY05)

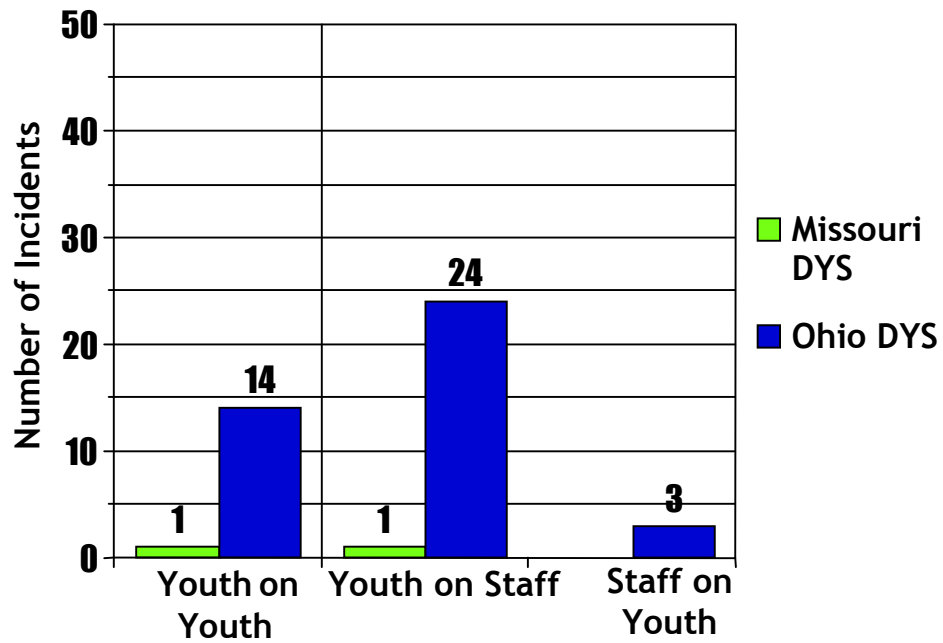
Physical Assaults



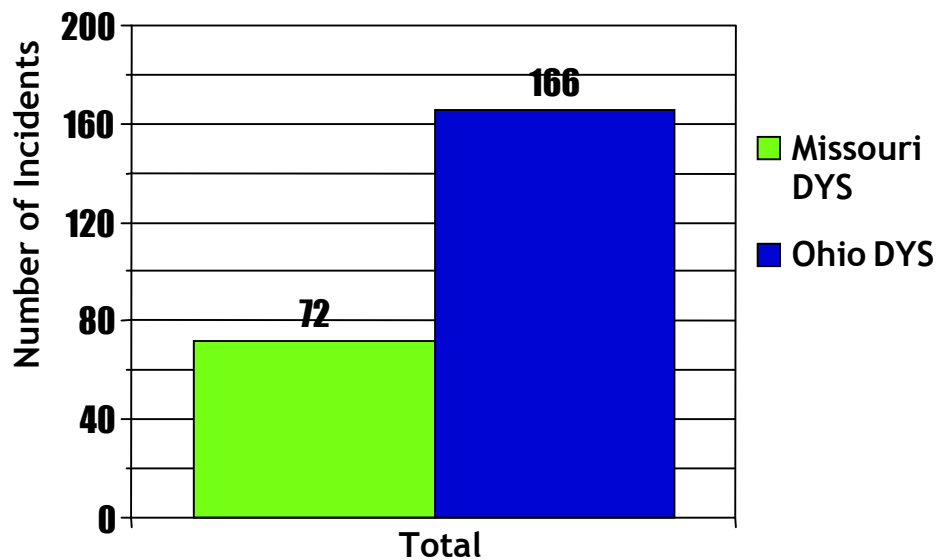
Physical Assaults Requiring Outside Medical Attention



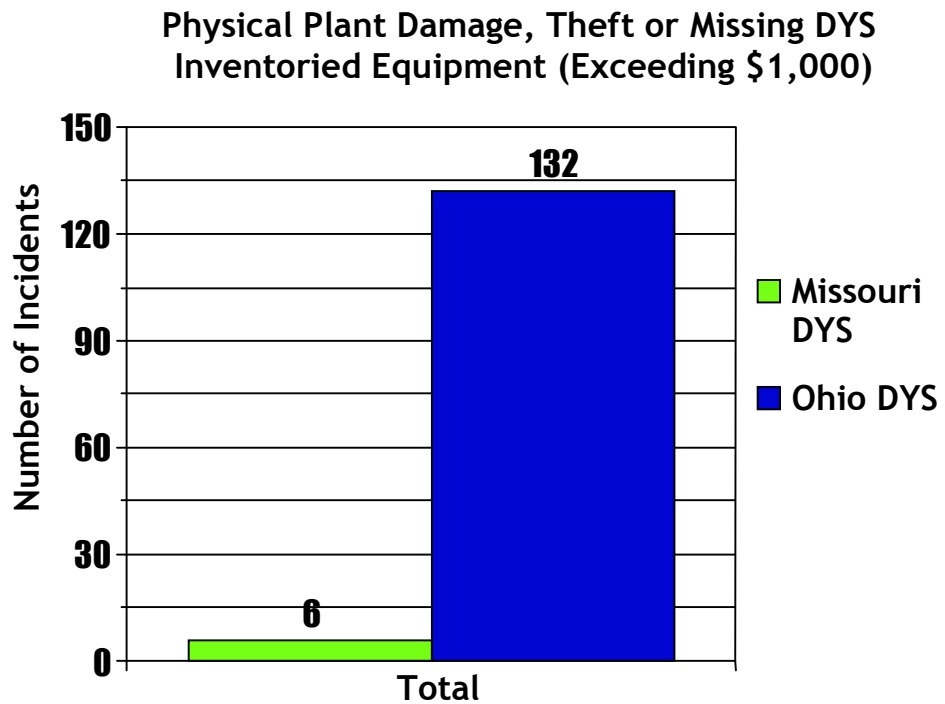
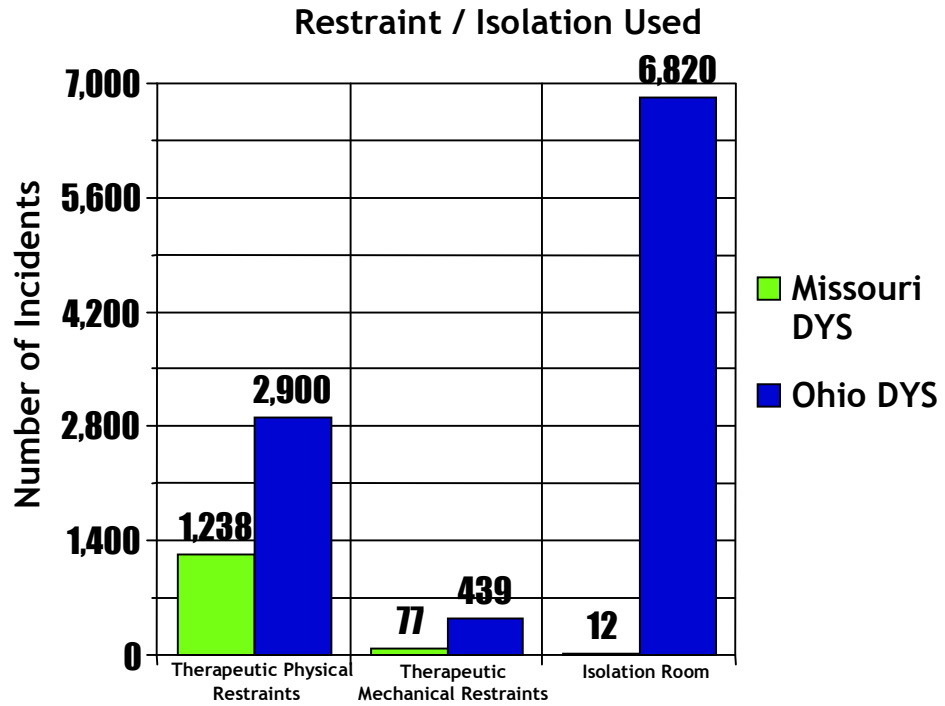
Sexual Assaults



*Abscondence of Youth Assigned to Residential Program or of Youth Under Direct Supervision of DYS Employee(s)



*Note: When asked to define this statistic, MDYS officials explained it as the number of youth unable to be found on community care (non-residential). The ODYS number reported is the AFP (Absent From Parole) number.



RESTRAINTS

During conversations with numerous Missouri juvenile justice professionals, it has been noted that MDYS allows youth to be involved in restraining other youth. In general, this is considered by MDYS staff to be a good practice that works well. According to conversations with MDYS Deputy Breedlove, these situations are not pervasive and are always supervised by trained staff. In addition, these moments can be somewhat therapeutic because of the strong peer culture within facilities. The training of staff, coupled with the high degree of peer responsibility and accountability, are viewed as the keys to making this practice work.

The MDYS policy on “Use of Restraints” makes no mention of youth involvement in restraints. (See Appendix D for the policy on Use of Restraints)

DUAL JURISDICTION & TRANSFERS

The State of Missouri does have one Dual Jurisdiction Program. Dual Jurisdiction is a blended sentence option in which a juvenile and adult sentence is simultaneously imposed with the execution of the adult sentence suspended. To be considered the youth must: be under age 17, be transferred to a Court of general jurisdiction, and prosecutions result in a conviction or a plea of guilty. The Dual Jurisdiction Program has one 40 bed facility. Currently, approximately 20 youth are in the program. It should be noted that this program is a violation of the JJDP Act and MDYS is working on a corrective action plan to bring them back in to compliance. Because youth are under adult jurisdiction, they are violating the sight/sound separation requirement.¹⁵

In addition to the dual jurisdiction program, a number of youth are certified as an adult and transferred to the adult court. In 2004, 114 youth were certified as an adult.¹⁶ This compares to 238 bindovers in 2004 in Ohio. The decision to certify a youth belongs to the juvenile court. By law, the court must consider the following¹⁷:

- The seriousness of the offense alleged and whether the protection of the community requires transfer to the court of general jurisdiction
- Whether the offense alleged involved viciousness, force and violence
- Whether the offense alleged was against persons or property with greater weight being given to the offense against persons, especially if personal injury resulted
- Whether the offense alleged is a part of a repetitive pattern of offenses which indicates that the child may be beyond rehabilitation under the juvenile code
- The record and history of the child, including experience with the juvenile justice system, other courts, supervision, commitments to juvenile institutions and other placements
- The sophistication and maturity of the child as determined by consideration of his home and environmental situation, emotional condition and pattern of living

¹⁵ Conversation with Sandra Rempe, Missouri Juvenile Justice Specialist, Missouri Dept. of Public Safety (5/11/06)

¹⁶ Missouri 2004 Juvenile Court Statistics Report

¹⁷ Missouri Revised Statutes 211.071

- The age of the child
- The program and facilities available to the juvenile court in considering disposition
- Whether or not the child can benefit from the treatment or rehabilitative programs available to the juvenile court
- Racial disparity in certification

LIAISON COUNCILS¹⁸

The MDYS facilitates Community Liaison Councils so they are able to advocate for programs at the local level. Each of the 35 MDYS programs has their own Liaison Council. These councils are comprised of community members that are willing to get involved and support the programs, such as teachers, community employers, local clergy, etc. Each council has a Chair, Vice-chair, rules, and bylaws. MDYS does not control them; rather they want them to be their own local entity simply supported by MDYS. Members become ambassadors in the community where they help kids find jobs, work with program staff, get legislators in to see programs, participate in service projects, and lobby when necessary. The councils show the children they care through involvement at all levels.

PAROLE & REENTRY¹⁹

- In the state of Missouri, all youth committed to the Department of Youth Services are assigned a case manager. This case manager becomes an advocate for the youth while confined and remains with the youth through aftercare. The term ‘service coordinator’ is used. Service Coordinators work cooperatively with the facility treatment teams to decide when a youth is ready to be placed on aftercare. Approximately 500 youth statewide are supervised on aftercare each day.
- Many youth are also assigned a ‘tracker’ who meets with them regularly to monitor their progress. Trackers are typically local college students or residents of the youth’s home community. Trackers often assist youth with lesser tasks such as homework, the need for ‘outside’ activities, they serve as a mentor, and they make regular contacts.
- MDYS operates Day Treatment programs for youth transitioning back to the community after receiving residential services. While in day treatment, youth spend each weekday from 8am to 3pm engaged in a combination of academic education and counseling.
- Unless there is a court-ordered continuation of jurisdiction, youth are discharged prior to reaching age 18. The number of youth court-ordered to

¹⁸ Conversation with Tom Breedlove, MDYS Deputy Director

¹⁹ Conversation with Tom Breedlove, MDYS Deputy Director (5/25/06)

remain on beyond age 18 is ‘few.’²⁰ Youth may be discharged at any age after achieving their aftercare objectives.

- Once a youth is committed to the Missouri Department of Youth Services, all decisions are made within the Division. Interaction with the court after commitment is by courtesy and for informational reasons.
- The State of Missouri is facing similar issues as Ohio with respect to an increase in the number and severity of youth with severe mental health issues. Missouri has opted to spread these youth around the system and try not to have too many youth with multiple needs at the same facility. In extreme cases, Missouri will contract with a private provider.
- **Victim Services:** Unlike Ohio, the Missouri Division of Youth Services currently has no identified office of victim services for juvenile corrections.
- **Transition/Reentry Plan/Furloughs:**
 - The State of Missouri uses an Individual Treatment Plan (ITP). The assigned Service Coordinator begins the ITP within three days of a youth’s commitment. The ITP consists of short and long term goals.
 - Missouri makes liberal use of ‘furloughs’ prior to a youth’s transition to aftercare. Typically, a youth may transition back and forth from home to confinement, working up to spending as much as a week at home and then returning to confinement for one week. It is estimated that over half of the youth participate in furloughs. Often furloughs occur as a progressive series (first a 2-hour dinner, then a day, then a weekend...) for one youth. The length, frequency and appropriateness of furloughs are determined on a case-by-case basis by the youth’s Service Coordinator. **(See Appendix E for MDYS policy on Furloughs)**
 - Case Managers, with heavy assistance from other team members (treatment provider, family, supervisor, etc) make the determination when a youth is ready to return home. For the most difficult cases, this process may require a Service Coordination Team.
- **Minimum Contact Standards**
 - Missouri does utilize a system of minimum contact standards. There are four levels of supervision: Level I, II, III, and IV, with IV being the highest. The number of face to face contacts both with youth and other service agencies increases with the level.
 - The average length of stay on aftercare is 6 months. There is no minimum length of stay on aftercare and no determinate length.
 - The decision to terminate a youth’s aftercare is typically handled by the Service Coordinator and the Supervisor. More difficult cases usually require a team (service coordinator, treatment provider, family, etc) decision.

²⁰ Conversation with Tom Breedlove, MDYS Deputy Director (5/25/06)

MDYS Minimum Contact Standards for Youth on Aftercare

Supervision Level	Face-to-Face Visits from Service Coordinator	Collateral Contact from Service Coordinator	Phone Contact
Level 4 - Intensive	At least once every 7 days	At least once every 7 days by Service Coordinator	At least once every 14 days
Level 3 - High	At least once every 7 days	At least once every 7 days by Service Coordinator or by Tracker	At least once every 14 days
Level 2 - Moderate	At least once per month	At least twice per month by Service Coordinator or by Tracker	At least twice per month, once by the Service Coordinator and once by the Tracker
Level 1 - Low	At least once per month	At least once per month by Service Coordinator or by Tracker	At least once per month by the Service Coordinator

- **Services to Families:** While youth are incarcerated in the state of Missouri, they are heavily involved in ‘treatment’. Families are an integral part of the ‘treatment’. MDYS family therapists can travel to the homes of incarcerated youth in order to keep the family involved.
- **Sex Offenders:** Sex Offenders are registered by the court of domicile where the youth lives after release, which may not be the same as the committing court. The Service Coordinator assists and provides assurances in the process but registering a sex offender is a court managed program.
- **Placement Problems:** MDYS relies heavily on the family to come up with alternatives to placement in the event the youth cannot return home. Independent Living options are occasionally used with wraparound services but are rare. Each region has a small budget to address these more problematic cases.

RETURN TO RESIDENTIAL & REVOCATIONS

There is an important distinction between Missouri's code and Ohio's regarding the authority to take youth in to custody/residential placements while a youth is on aftercare. In Missouri, a MDYS employee can take the child immediately into custody and place him/her into a facility. The courts are not involved, except on a courtesy communication basis. For revocations, MDYS holds an administrative hearing (see Appendix H). By contrast, a youth on parole in Ohio cannot be returned to institutional status without juvenile court action. In Ohio, the regional administrator or the employee of ODYS supervising the child can request a summons for the child to appear in court. The juvenile court then takes action to revoke a youth's parole status.

Missouri Revised Statute 219.026 states:

“With respect to any child who has been placed on aftercare supervision, if in the opinion of the child's aftercare supervisors or designated employee of the division the child is in substantial violation of the terms and conditions of his release, such employee may:....Take the child immediately into custody and place him in an appropriate residential child caring facility or detention facility or other appropriate program...”

(See Appendix F for Missouri Revised Statute 219)

Ohio's Revised Code Chapter 5139.52 states:

“At any time during a child's supervised release or during the period of a child's judicial release to department of youth services supervision, if the regional administrator or the employee of the department assigned to supervise and assist the child has reasonable grounds to believe that the child has violated a term or condition of the supervised release or judicial release, the administrator or employee may request a court to issue a summons that requires the child to appear for a hearing to answer charges of alleged violation”

(See Appendix G for Ohio Revised Code Ch. 5139.52)

Officials at MDYS describe this practice in terms of three types of residential options that MDYS has available while a youth is on aftercare: Sanctions, Shelter Care and Revocation.

Option	Purpose	Process
Sanctions	For youth on community care or aftercare who are in jeopardy of revocation	Youth is temporarily returned to residential placement for up to 7 days. Service Coordinator Supervisors approve and arrange return.
Shelter Care	For youth on community care or aftercare whose living arrangements become unstable or unviable and need immediate placement	Youth is temporarily returned to residential placement for up to 30 days. Service Coordinator Supervisors approve and arrange return. Placement is not punitive.
Revocation	For youth in serious violation of aftercare rules	There is a due process requirement for a revocation but it is not done in juvenile court. ²¹ It is essentially a probable cause hearing by DYS staff. The hearing is adversarial in nature. Family attendance is encouraged but not mandatory. Legal counsel is not appointed but is allowed. The service coordinator must show that probable cause exists to obtain a revocation. ²²

It should be noted that there does not appear to be a due process component for sanctions or for shelter care. For revocations, an administrative hearing is held by MDYS. The courts are not involved in this hearing.
(See Appendix H for MDYS Hearings and Administrative Transfers Policy)

²¹ Missouri Revised Statute 219.026

²² MDYS written response to questions submitted 6/12/06

HUMAN RESOURCE ISSUES

- Line staff in Missouri have introductory salaries of \$24,000 and a maximum of \$37,000. In Ohio, JCO salaries range from \$30,000 to \$37,000. This has fiscal implications for comparing per diems.
- An estimated 65% - 70% of line staff are degreed.
- Service Coordinators are assigned to youth throughout the youth's involvement with MDYS. Caseload size is 15-20 youth.
- Social Service Aides/Trackers (often college students) make regular collateral contacts with youth on aftercare/non-residential status.
- MDYS does not do pre-employment drug tests. Nor do they do random employee drug tests.
- Union membership is optional and a significant number of MDYS employees opt not to join the union. In general, the union provides basic employment protections, and has some involvement in schedule negotiations and quality of life issues for MDYS employees. However, determination of raises is left to the Missouri legislature. This is a major difference when comparing Missouri to Ohio. In Ohio, unions negotiate pay increases and unionized employees are represented by the union on all issues regarding terms and conditions of employment, which are negotiated between union and employer. Within ODYS, collective bargaining has a clear and direct influence on labor/management negotiations and agreements, which in turn affect daily ODYS operations.
- (See Appendices I, J & K for MDYS position descriptions, merit classifications, and training requirements)

OTHER STATES²³

Research revealed that numerous states have examined Missouri’s model, and some have implemented certain aspects of the model within their own systems. Information based on articles, each department’s website, and phone interviews with agency personnel revealed the following:

State	Reason for Researching Missouri	Effort Towards Researching/ Becoming Missouri	Outcome
Alabama	-Outstanding track record -Lower recidivism rates	-Sent 3 groups of staff to tour MDYS	-Mirroring some MDYS programming for girls
California		-Considered MDYS Model	-Currently focusing on Washington’s plan
Georgia	-Under CRIPA investigation	-Hired former MDYS employee to help with reform	-Launched pilot program -Currently funding less expensive community-based programs
Illinois	-Transitioning to separate Juvenile system	-12 groups have visited MDYS over the past 2 years -Passed legislation with programs modeled after MDYS	-Transition team working to make changes towards Missouri Model over a long period of time -Currently no new funding/construction
Louisiana	-Under CRIPA investigation	-In 2004, began working with the Casey Foundation and Mark Steward to develop reform plan	-Reform features a more home-like environment in secure facilities -Five year strategic plan to reduce recidivism with community/family based programming ²⁴
Maryland		-Recently proposed reform that mirrors Missouri’s	-Move towards fewer large institutions -Construction of small facilities scattered throughout regions
Massachusetts		-Currently operates system similar to, but not based on, Missouri	-Small facilities -Continuous case management of youth -More community and family involvement
Washington D.C.	-Under CRIPA investigation	-Currently contracting with Mark Steward	-Creating smaller facilities and better detention facilities

²³ Based on a series of conversations with agency personnel and website resources

²⁴ See Appendix L for the Key Points to the Louisiana Five Year Plan

STATE DEMOGRAPHIC COMPARISON

Statistical information was compiled with data from the U.S. Census Bureau, the Department of Health and Human Services, the National Campaign to Prevent Teen Pregnancy, the Center for Family and Demographic Research, the National Center for Health Statistics, the Welfare League of America, and Standard and Poor's School Matters. A comparison of various socioeconomic and demographic data revealed no significant findings. (See Appendix M for a table of state demographic data)

ORGANIZATIONAL CULTURE/PHILOSOPHY

MDYS Mission Statement: *To enable youth to fulfill their needs in a responsible manner with respect for the needs of their families and their communities*

ODYS Mission Statement: *To enhance public safety by holding youthful offenders accountable and providing opportunities for rehabilitation*

The most important ingredient in the Missouri Model appears to be the organizational culture/philosophy. Missouri Model advocates & insiders are saying that the culture is more important than the size of the institution. Similarly, people are saying that the culture is more important than having degreed direct care staff. Although there is no evidence to support this, anecdotal information suggests that simply creating small institutions or having degreed staff does not guarantee that a system will be similar to the "Missouri Model." In essence, replicating the MDYS culture trumps any other system changes when trying to replicate the Missouri Model.

If ODYS truly wants to adopt the Missouri Model, then ODYS should adopt their organizational culture. If Ohio implements other system changes, but does not full-heartedly adopt the MDYS culture, the same results can not be expected.

To summarize MDYS's culture, the emphasis is on treatment versus corrections. The focus is not on punishment. Peers are responsible for peers and youth remain in small groups of 10-12. Within the small groups, youth confront youth and regularly check in with each other throughout the day. Within these groups, the group assumes responsibility for itself and peers assume responsibility for each other's behaviors. Some distinctive examples of cultural/atmospheric differences include:

- There are no "guards" or corrections officers
- Youth wear their own clothes
- All staff wear their own clothes
- Youth are not expected to walk in lines
- Youth can be involved in restraining other youth
- Youth and staff are on a first name basis

When asked to describe the treatment modality, MDYS reported the following: "What began as Positive Peer Culture has evolved into an eclectic approach using pieces of many modalities and tools including: Situational Leadership, Reality Therapy, Cognitive Restructuring, motivational interviewing (service coordinators),

Adlerian Psychology, and many others. The constant being the group treatment approach, focusing on group meetings.”²⁵

If ODYS tries to implement pieces of Missouri, but does not whole-heartedly embrace and adopt these cultural elements, it should be clear that the essence of the Missouri Model is not being replicated, and the same results therefore cannot be expected.

TO BE MISSOURI...

During a preliminary report to ODYS Director Tom Stickrath in May 2006, a request was made to outline all of the potential changes ODYS would undergo to fully replicate the Missouri Model. **(Comprehensive list of changes is available in Appendix N)** While the list is not exhaustive, it is intended to give the reader a reasonably accurate prediction of how Ohio’s juvenile justice system would change to completely reproduce the Missouri Model in Ohio.

SIGNIFICANT FINDINGS:

Clearly, there are significant differences between the two state systems. Because of these differences, a full scale replication of the Missouri Model in Ohio would necessitate a number of changes. These changes vary in feasibility and appropriateness. Some of the changes are short-term, and others are long-term. Some are cost-neutral, while others would require significant funding. Some changes are within ODYS’s authority to control, while others require legislative action. And lastly, some of these changes are conceptually ideal, while others are counter-productive or controversial.

This section of the report will highlight the most salient differences between the two systems that have come to light during the research and site visit. The critical components of each system are identified and discussed below in terms of the feasibility and appropriateness of changing ODYS to adopt the Missouri Model.

1. **Culture and atmosphere:** The atmosphere within MDYS facilities stems from a social services umbrella, as opposed to the correctional philosophy within ODYS. MDYS staff clearly do not identify themselves as corrections professionals. One MDYS official commented that The Division once considered pursuing accreditation by the American Correctional Association (ACA), but it was determined to be contradictory to their philosophy. In contrast, ODYS is fully accredited by ACA and the tenets of ACA are woven into ODYS culture and daily operations. While MDYS prides itself on allowing their programs the flexibility to adapt to changes as they see fit, ODYS prides itself on having statewide consistency and standardization in policy and procedures among all sites.

These major differences in philosophy are evident not only in staff culture, but in the youth culture. Youth at MDYS facilities are afforded a very high degree

²⁵ MDYS’s written response to questions submitted 5/1/06

of trust, including regular field trips in the community, frequent furloughs, and a vast range of possessions within the facilities. During the site visit to Missouri, ODYS staff observed personal coffee makers, glass aquariums, hub caps hanging on the walls, leather belts laying on beds, extension cords, musical instruments, and a large variety of additional possessions in open settings. One youth in the dual jurisdiction facility was asked about what he is not allowed to have, and he could not think of anything. Youth in MDYS are trusted to a much higher degree than youth in ODYS, and there are many more freedoms in MDYS facilities.

Another key difference in the culture is the positive peer culture approach that transcends everything in MDYS facilities. The peer culture permeates all activities and is the overarching philosophy used to drive programming and daily operations. Youth are given significant responsibility for their peers, including confronting peers, recommending peers for release, and restraining peers. There are both positive and negative aspects to this. On one hand, peer culture spreads authority more evenly amongst youth and staff, and is more true to life outside of an institution. On the other hand, one youth's behavior could result in group punishment at MDYS facilities, thereby keeping innocent youth from school, work, or other activities. ODYS incorporates a more tapered version of peer culture in their programming, which includes a clear delineation between youth and staff authority, and group punishment is discouraged.

Overall, affording youth greater trust and freedom inside correctional facilities is a double-edged sword that should be carefully considered before changes are made. ODYS may consider moving in the direction of greater freedom for youth, and at the same time, less emphasis on a correctional, punishment-oriented culture. They have already begun efforts in this direction by piloting a new staff uniform to change the facility atmosphere and by placing emphasis on furloughs and other positive incentives for youth. However, the benefits of allowing youth a greater degree of trust and responsibility must be carefully weighed against the cost of sacrificing safety and security, which must be maintained. This will be more difficult for ODYS, because youth with mental health issues cannot be ejected from programs, as they can be in Missouri. Ultimately, ODYS may choose to give more freedom to appropriate youth, but this cannot jeopardize ACA accreditation, and it cannot be done at the expense of safety and security.

2. **Liaison Councils:** These councils are very active in Missouri and are engaged at the local level as well as in state politics. MDYS does a fantastic job of involving legislators and interested community stakeholders as board members, and making the boards active and locally-driven. Board Members stay engaged both internally (participate in youth activities) and externally (ambassadors in the community & political arena). ODYS is moving in this direction by strengthening existing facility Advisory Boards. With the introduction of the *Community Saturation Initiative*, ODYS has both short-term and long-term goals to increase the community's involvement with youth and with programs.

Recruitment of volunteers and community members is also highlighted in ODYS's *Reentry Roadmap: A 25 Point Strategy Toward Restoration* that was unveiled in June 2006.²⁶

3. **Training emphasis:** MDYS has an impressive training curriculum which offers regular trainings to line staff, and ensures that all trainings are reflective of the agency's culture and philosophy. With the creation of the Training Academy, ODYS has a renewed focus on training and is working towards improving the quality and quantity of staff training opportunities. The emphasis on training is also highlighted in the *Reentry Roadmap*.
4. **The philosophy of assigning one person to youth from pre-entry through reentry:** Conceptually, this structure is admirable for facilitating seamless service delivery throughout a youth's involvement with the juvenile justice system. The Service Coordinator position used by MDYS is a step in the right direction. While Ohio's Juvenile Parole Officers also offer a degree of consistency and stability for youth, ODYS is working towards expanding these efforts through several Reentry Court pilot programs. Ultimately, an ideal departmental structure would allow for the caseworker to get involved with the youth during detention, and maintain involvement during the institutional stay and the parole period.
5. **Continuum of services available in each region to keep youth closer to home:** This is one of the Missouri Model's greatest strengths. Having all levels of service available in each region (including bed space, programs and specialized treatment availability in all areas of the state) allows youth to stay connected to their communities and maintain relationships with staff, mentors, family, and other important reentry components. It also substantially decreases youth transfers between facilities. This is an ideal scenario, and would require substantial new funding from Ohio's General Assembly to build numerous facilities throughout the state.
6. **Smaller facilities:** Although research was not found to substantiate this, anecdotal information suggests that smaller facilities are better. Facilities that house 25-30 youth, and keep the same staff, offer a level of consistency with respect to treatment and with respect to youth-youth and youth-staff relationships. ODYS is moving in this direction with the Unit Management structure that was recently implemented. The goals behind Unit Management are very similar to a small facility concept: creating consistency in staffing, developing staff ownership of small units, and creating an overall environment of a small facility.

Another strength of the Missouri Model is the high staff-to-youth ratio that was observed during the site visit. The typical MDYS unit size ranged from eight - fifteen youth, with two staff present. High staffing levels are integral to keeping incidents to a minimum. ODYS staffing ratios are much lower, and

²⁶ See Appendix O for the *Reentry Roadmap: A 25 Point Strategy Toward Restoration*

significant new funding would be needed in order to increase ODYS' staffing levels.

Overall, small facilities combined with sufficient staff, consistent staff, and well-trained staff, create an atmosphere conducive to positive growth and change for youth. This observation supports ODYS's desire to have a high-functioning Unit Management structure.

7. **Family specialists provide in-home services during residential & aftercare:** This is another component of the Missouri Model that ODYS may consider adopting. Employing specialists to work with youth and families on reunification issues, to occur while the youth is in residential care and during parole, is viewed as a good model for reentry and for family reunification. Currently, ODYS contracts with private providers throughout the state to work with families while youth are on parole; however, this could be expanded if additional funding becomes available.
8. **Widespread furlough program:** MDYS provides opportunities for youth to visit their placements before they leave facilities. This provides incentives to youth, and gives youth opportunities to identify reentry obstacles and to work towards eliminating them, while in a structured and supportive setting. With the recent creation of the *Reentry Roadmap*, ODYS is considering implementing a similar program for home visits prior to a youth's release.
9. **Strong employment programs:** MDYS has an established employment program which creates opportunities for youth employment and skill-building through state funding agreements and local employer partnerships. ODYS recently secured funding for a similar program, and has implemented a job-readiness program for youth on parole. This too is identified in the *Reentry Roadmap*.
10. **In lieu of revocation programs:** MDYS has several placement alternatives for youth on parole who are struggling. Their "sanctions" program gives youth another chance to refocus, before a full-blown revocation occurs. ODYS recently secured federal funding to pilot an "in-lieu-of-revocation" program for sex offenders. This pilot program will be intense and will focus on individual reentry issues. ODYS is also exploring other program options via their *Reentry Roadmap*.
11. **Age of Adulthood:** As mentioned previously, the age of adulthood in Missouri is 17, while the age of adulthood in Ohio is 18. Over the past 3 fiscal years (FY03 - FY05), over 46% of ODYS's new admissions were 17 and older. In FY05, 6.8% of the admissions in MDYS were 17, and there were no admissions older than 17 (see graph on page 4). If Ohio were to adopt the younger age limit, nearly half of ODYS's population would no longer be committed to ODYS, resulting in a considerably younger and smaller ODYS population. Another entity, most likely Ohio's adult correctional system, would begin serving this population.

12. **Serving status, misdemeanor and felony offenders:** The chart on page 3 reflects the major difference in types of offenders served by each system. This difference is a matter of legislation and would require support from Ohio's General Assembly to alter the commitment rules. If ODYS begins accepting a portion of the state's status offenders and misdemeanants, it is difficult to predict what impact this would have on the size of the ODYS population and the mission of the agency. However it would undoubtedly be a step backwards in terms of House Bill 440 and the creation of the RECLAIM (Reasoned & Equitable, Community & Local Alternatives to the Incarceration of Minors) Ohio program. RECLAIM was enacted to give counties an incentive to serve less-serious youth in the least-restrictive environment, and only to commit youth to state custody as a last resort. A reversal of RECLAIM would not be viewed favorably among Ohio's juvenile justice advocacy community and is not advisable.
13. **School District structure:** Under the Ohio Department of Education's interpretation of the No Child Left Behind Act, core teachers are required to achieve Highly Qualified status in their subject area. The MDYS education model does not appear to meet these requirements. If ODYS adopts MDYS's school district model, their school system will be out of compliance with Ohio Department of Education policy to comply with federal requirements. This would jeopardize the ODYS Title I funds.
14. **The role of Juvenile Courts:** Another divergence between the two systems is that MDYS communicates with courts on a courtesy basis, while ODYS has a formal, prescribed, and structured relationship with juvenile courts that includes the courts' regular and ongoing involvement with the youth. The degree of court involvement in returning youth to residential care is a noteworthy example of this difference. In Missouri, youth can be taken in to custody on aftercare without court involvement. Revocation hearings are held internally within MDYS. Ohio's process requires formal court involvement. On one hand, this gives MDYS more latitude, but on the other hand it lessens the court's ownership and involvement with youth. ODYS has developed very strong working relationships with juvenile courts, and The Department does not want to jeopardize these relationships.
15. **Weaker, optional unions:** Missouri's labor management structure is vastly different than Ohio's. MDYS unions are optional, and a significant portion of MDYS employees do not join the union. Missouri's union does not negotiate pay increases and has relatively little involvement in agency operations compared to Ohio. Ohio's unions are more powerful, and any movement away from that would be an obstacle for Ohio.
16. **Cost of restructuring:** The fiscal cost of closing all large facilities, acquiring or building 50 - 80 small facilities, recruiting and retaining degreed staff, hiring family specialists, increasing the staff-to-youth ratio, among other changes would be immense. Juvenile justice reform would need to be an extremely high priority for the Governor, the General Assembly, and Ohio's public in

order to garner the substantial fiscal support needed to overhaul ODYS's physical facility infrastructure.

17. **Treatment-specific facilities:** Dissimilarity exists in relation to grouping youth by treatment needs. In Missouri, youth are grouped by risk and by geographics, while in Ohio there are facilities and units that are treatment-specific. For example, ODYS has a therapeutic community to address substance abuse issues at their Mohican facility, as well as a sex offender facility in Circleville. For Ohio to adopt the Missouri Model, these programs would be abolished, and treatment-specific facilities would no longer exist.
18. **Economy of scale:** One disadvantage of smaller facilities is that they cannot support specialized staff at each site. For example, ODYS facilities currently provide full-time chaplains, recreation staff, nurses, psychologists, and teachers in each content area, including vocational programs, at each facility. Because they are smaller, the facilities in MDYS do not employ these full-time, specialized staff. A movement toward smaller facilities would reverse some of the economy of scale benefits in ODYS's current structure. This would decrease the number and types of services offered at each site.
19. **Youth on youth restraint:** There is a key difference in restraint techniques used in Missouri versus Ohio. MDYS relies on youth involvement in restraining other youth due to lower staffing patterns in smaller facilities. This practice fits with their peer culture. In Ohio, this practice would be an ACA violation and would be controversial according to other juvenile justice experts.

PENDING QUESTIONS

Due to differences in data collection systems, a number of questions for the comparison between Missouri's and Ohio's juvenile justice systems are unanswered at this point. There are some pieces of data that are not collected by MDYS, such as a breakdown of youth by mental health diagnosis or axis level. Other pieces of data, such as the percent of juvenile felonies in Missouri that are committed to MDYS, could not be found. Although the Missouri Juvenile Court Statistics Report has a great deal of data, comparisons could not be made to Ohio, due to different terminology and sentencing structures. Because of this, it is still difficult to compare the portion of delinquent youth that are being served by the state systems. If the data permitted, remaining questions include:

- Of the youth that commit felonies in Missouri, what percent are committed to MDYS? (17% for Ohio in 2004)
- What is the breakdown of mental health diagnoses and axis levels for the youth committed to MDYS, and how does this compare to Ohio?
- How many delinquency programs and services are available in both states?
- What is the total expenditure on juvenile delinquency programs in each state?
- How much federal revenue supports each state (e.g. Title IV-E & Medicaid)?
- What would be the cost of converting ODYS to the Missouri Model? How many facilities would be needed? (Difficult to answer because it's difficult to know

- how our population would change if we stopped serving youth 17 and older, and started serving non-felony offenders)
- How would recidivism rates compare when using a broader definition of recidivism?

CONCLUSION

The Missouri Division of Youth Services has many strengths that Ohio may choose to adopt or emulate. The most central ingredients in the Missouri Model recipe are their organizational philosophy and the atmosphere of their facilities, which affords a high degree of trust and responsibility to youth who have the maturity and mental capacity to benefit from this type of environment. Any changes that ODYS makes in this direction should be carefully considered and should involve input from both internal and external stakeholders. In addition, safety, security, costs, timeframe, politics and authority should be factored in to the Missouri replication equation.

Other key ingredients to the success of the Missouri Model, such as higher staff-to-youth ratios and availability of all programs in all regions, are ideal scenarios that ODYS cannot afford to adopt in the foreseeable future. However, there are a number of positive aspects about the Missouri Model that Ohio has already adopted or begun implementing. Furloughs, greater community involvement, job skills programs, staff training, and alternative sanctions options are just a few examples of new initiatives unveiled in ODYS's *Reentry Roadmap* that are in sync with many of Missouri's best practices. Much of the research in this report, as well as the site visit to MDYS, reinforces the direction ODYS is moving in, and supports many of the new initiatives that are currently under way in Ohio.

In addition to the initiatives mentioned above, ODYS has many strengths that should not be reversed in the quest to replicate the Missouri Model. More specifically, ODYS is connected to several professional affiliations and federal acts of legislation, which they have worked hard to comply with and sustain compliance with over time. For example, ODYS has implemented numerous facility improvements in accordance with PREA; they are ACA accredited; they are in compliance with the JJDP Act regarding their dual jurisdiction program; there is no question about their compliance with the No Child Left Behind Act; and they afford ample due process rights when taking youth in to custody. Furthermore, ODYS places a strong emphasis on consistency in policy and procedure, and in collecting data to measure performance. This commitment is evident in their recent decision to implement Performance-Based Standards in order to better inform policy decisions.

Beyond these strengths, there are several aspects of ODYS's infrastructure that are unique to Ohio and should not be overlooked in this analysis. Ohio's use of Community Correctional Facilities (CCFs) provides small, local, regionalized residential programming. Similarly, RECLAIM Ohio provides local programming to juvenile delinquents throughout the state as alternatives to being committed to a state facility. These are integral parts of Ohio's juvenile justice system, and must be considered when comparing Ohio to Missouri.

In summary, a hybrid approach is recommended, whereby selected elements of the Missouri Model are adopted and incorporated into Ohio's juvenile justice system. The Missouri Model is not necessarily analogous to all populations of youth, nor is it analogous to every state's political structure and public opinion. The key is to fit together the right combination of programs and services for the population of youth being served, while staying in line with public opinion and fitting into the political context of the state. With this in mind, changes can be implemented to improve Ohio's juvenile justice system, and ultimately to improve the lives of Ohio's youth.

SOURCES

ODYS Missouri Model Workgroup & Contributors:

Amy Korenstein, Hannah Abel, Harry Kamdar, Gary Grove, Bruce Sowards, Tina Krueger, Joan Olivieri, Linda Rubino, Jim York, Chuck Fahsholtz, Kevin Shepherd, Tony Panzino, Nathan Miner, Heath McCoy, Robyn Peterson, Bonnie Sweeney, Kristi Mason, Jeff Spears, Dave Schroot, Andrea Jones, Becky Martin, Kim Kehl

Contacts:

Abner, Carrie, Council of State Governments, 859-244-8031, cabner@csg.org

Abrams, Douglas, University of Missouri, 573-882-0307, AbramsD@missouri.edu

Breedlove, Tom, Deputy Director, Missouri Division of Youth Services, 573-751-3324, Tom.Breedlove@dss.mo.gov

Buerck, Brent, Senior Program Administrator, MDYS, 573-751-2799, Brent.Buerck@dss.mo.gov

Butts, Jeffrey, University of Chicago, jabutts@uchicago.edu

DeMuro, Paul, Consultant to the Annie E. Casey Foundation, 973-746-9525, PDemuro@AOL.com

Connell, Pat, Illinois John Howard Association / Federal Advisory Committee member for OJJDP

Dougherty, Deane, OJJDP, Program Manager for Ohio, Deane.Dougherty@usdoj.gov

Dugan, Bob, Council of Juvenile Correctional Administrators, bdugan@copper.net

Flannery, Daniel, Kent State Institute for the Study and Prevention of Violence

Fourrier, Ann Felice, Education Coordinator, Louisiana Department of Youth Services, 225-287-7900

Gilpin, Thelma, Chief Fiscal Officer, Missouri Division of Youth Services

Gragg, Dennis M., Assistant Deputy Director, Missouri Division of Youth Services, Dennis.Gragg@dss.mo.gov

Hammond, Sarah, Criminal Justice Program, National Conference of State Legislatures, 303-856-1361, sarah.hammond@ncsl.org

Heberle, Bill, Deputy Director, MDYS, 573-751-3324, bill.heberle@dss.mo.gov

Jeffords, Chuck, Texas Youth Commission Research Project Coordinator, 512-424-6251, chuck.jeffords@tyc.state.tx.us

Latessa, Ed, University of Cincinnati, Head of Division of Criminal Justice, Edward.Latessa@uc.edu

Marquez, Mary, Family Court Services, Jackson County Missouri, 816-435-4886

McElfresh, Rick, Program Coordinator of Assessment Programming, Office of State Courts Administrators as the Juvenile and Adult Court

Nieman, Chris, Missouri Department of Corrections, Constituent Services Officer, Chris.Nieman@doc.mo.gov

Nolan, Nancy, Compliance Coordinator, Missouri Department of Public Safety, 573-522-4094, nancy.nolan@dps.mo.gov

Oldfield, David, Research Manager, Missouri Department of Corrections, david.oldfield@dov.mo.gov

Rempe, Sandra, Missouri Department of Public Safety, Juvenile Justice Specialist, 573-751-4905, sandy@dps.state.mo.us

Reynolds, Mary, Illinois Juvenile Justice Initiative, 217-522-7970

Roebuck, Linda, Missouri Department of Mental Health, Linda.roebuck@dmh.mo.gov

Ryder, Carol, Federal Funds Information for States and State Policy Reports, 202-624-5849, ryder@ffis.org

Waint, Gary, Director, Juvenile and Adult Court Programs, Office of State Courts Administrators, 573-751-4377

Wood, J. Walter, Alabama Department of Youth Services, Director, 334-215-3801

Website Resources:

ACA (American Corrections Association), <http://www.aca.org>

Center for Family and Demographic Research (CFDR), State Demographic Comparison, <http://www.bgsu.edu/organizations/cfdr/>

Center on Juvenile and Criminal Justice, <http://www.cjcj.org/pubs/index.php>

Children's Welfare League NDAS, State Demographic Comparison, <http://ndas.cwla.org>

DMC Fact Sheet, Missouri, <http://www.buildingblocksforyouth.org>

Illinois Amendment to Senate Bill 92,
<http://www.ilaga.gov/legislation/94/SB/09400SB0092ham002.htm>

Maryland Department of Juvenile Services, Reform Highlights,
http://www.djs.state.md.us/reform_highlights.html

Maryland Senate / House Legislation, <http://mlis.state.md.us/205rs/billfile/>

Missouri Revised Statutes, Chapter 219, Youth Services,
<http://www.moga.mo.gov/STATUTES/C219.HTM>

National Campaign to Prevent Teen Pregnancy, State Demographic Comparison,
<http://www.teenpregnancy.org>

National Center for Health and Statistics, State Demographic Comparison,
<http://www.cdc.gov/nchs/>

NCJJ (National Center for Juvenile Justice),
<http://ncjj.servehttp.com/NCJJWebsite/main.htm>

NIC (National Institute of Corrections), <http://www.nicic.org>

Ohio Revised Code, Chapter 5139, Youth Services,
<http://onlinedocs.andersonpublishing.com/oh/lpExt.dll?f=templates&fn=main-h.htm&cp=PORC>

OJJDP (Office of Juvenile Justice and Delinquency Prevention),
<http://ojjdp.ncjrs.org/>

Standard and Poor's School Matters, State Demographic Comparison,
<http://schoolmatters.com>

Virginia Department of Juvenile Justice, Report on General Definition of Recidivism,
<http://www.djj.state.va.us/Resources/index.php>

U.S. Census Bureau, State Demographic Comparison, <http://www.census.gov>

U.S. Department of Health and Human Services, SAMHSA, State Demographic Comparison,
<http://oas.samhsa.gov>

Articles:

“A Culture of Caring,” American Prospective Online, Ayelish McGarvey,
<http://www.prospect.org/web/printerfriendly-view.wv?=10128>

“Cost-Benefit Analysis for Juvenile Justice Programs,” The Office of Juvenile Justice and Delinquent Prevention, Steve Aos,
http://www.colorado.edu/cspv/blueprints/model/ten_Multisys.htm

“Downsizing Helps Delinquents,” State Legislatures (NCSL),
http://www.ncsl.org/programs/pubs/slmag/2004/04SLDec_Delinquents.pdf

“Juvenile Justice in Missouri Serves as Model for Nation,” CYC Net Features,
<http://www.cyc-net.org/features/ft=Juvjusticemodel.html>

“Less Cost, More Safety: Guiding Lights for Reform in Juvenile Justice”, by Richard A. Mendel, American Youth Policy Forum, 2001
<http://www.aypf.org/publications/lesscost/pages/full.pdf>

“Lessons from Juvenile Justice History in the United States”, From April 2004 Conference - Impacting Juvenile Justice, Journal of the Institute of Justice & International Studies, Douglas Abrams

“Louisiana Selected as Participant in Juvenile Reform Program,” BayouBuzz, 6/20/2005, Staff BayouBuzz, <http://www.bayoubuzz.com/articles.aspx?aid=4253>

“Missouri Juvenile Justice Practices Praised, and Copied, as National Model,” Center on Juvenile and Criminal Justice, March 5, 2005, Scott Charton,
<http://www.cjcj.org/index.php>

“Overhaul of Juvenile Detention System is Weighed,” St. Louis Dispatch, 11/29/2003, Matthew Frank

“Real War on Crime,” Voices from the Inside - Facts, InsideOUT Writers Staff,
<http://www.insideoutwriters.org/displayarticle.asp?aid=28>

“Reforming Juvenile Delinquency Treatment to Enhance Rehabilitation, Personal Accountability, and Public Safety,” Oregon Law Review 2005, Douglas Abrams

“Small is Beautiful: The Missouri Division of Youth Services,” The Annie E. Casey Foundation, Dick Mendel,
<http://www.aecF.org/publications/advocasey/spring2003/small/small.htm>

Other Sources:

Council of Juvenile Correctional Administrators Yearbook 2005

Missouri Division of Youth Services Annual Reports 2001-2005

Missouri Division of Youth Services Juvenile Court Statistics Report 2001-2005

Missouri Division of Youth Services Three Year Plan

Missouri Standard for the Operation of a Juvenile Detention Facility

Appendices

A.....	MDYS Risk Assessment
B.....	MDYS Seriousness Scale
C.....	MDYS Critical Incidents FY05
D.....	MDYS Use of Restraints Policy
E.....	MDYS Furloughs Policy
F.....	Missouri Revised Statutes Chapter 219
G.....	Ohio Revised Code 5139.52
H.....	MDYS Hearings and Administrative Transfers Policy
I.....	MDYS Position Descriptions
J.....	MDYS Merit Classifications
K.....	MDYS Training Requirements
L.....	Key Points of Louisiana’s Five Year Plan
M.....	State Demographic Comparison (Ohio/Missouri)
N.....	To Be Missouri
O.....	ODYS Reentry Roadmap

**MISSOURI DIVISION OF YOUTH SERVICES
RISK ASSESSMENT**

Youth's Name:	DYS #:	SC:	Date:
1. <u>Age at Current Commitment</u>			Score
5 6 7 8 9 10 11 12	1		<input type="text"/>
13 14 15	2		
16 17	3		
2. <u>Age at 1st Referral, Delinquent or Status, Excluding CAN</u>			Score
16	1		<input type="text"/>
13 14 15	2		
12 11 10 9 8 7 6 5	3		
3. <u>Prior Non-adjudicated Delinquent or Status Referrals, Excluding CAN</u>			Score
None	0		<input type="text"/>
1 2	1		
3 4 5 6 7 8 9 10 11 12+ prior referrals	2		
4. <u>Prior Adjudications</u>			Score
None	0		<input type="text"/>
1 2 prior adjudications	1		
3 4 5 6 7+ prior adjudications	2		
5. <u>Adjudicated Assaults</u>			Score
No prior or present adjudications for assault	0		<input type="text"/>
1 2 3 4 5+ prior or present adjudications for misdemeanor assault	1		
1 2 3 4 5+ prior or present adjudications for felony assault	2		
6. <u>History of Placement</u>			Score
No prior out-of-home placements	0		<input type="text"/>
1 2 3 prior out-of-home placements	1		
4 5 6+ prior out-of-home placements	2		
7. <u>Peer Relationships</u>			Score
Appropriate peer relationships	0		<input type="text"/>
Some negative influence	1		
Strong negative influence	2		
8. <u>Substance Abuse</u>			Score
No problem	0		<input type="text"/>
Moderate disruption due to alcohol or drug use	1		
Severe disruption due to alcohol or drug use or distribution	2		
9. <u>Public/Private School Behavior Problems</u>			Score
No or only minor problems	0		<input type="text"/>
Moderate problems	1		
Severe problems	2		
10. <u>Family Disruption/Parental Control</u>			Score
No or minor family disruption and good parental control	0		<input type="text"/>
Moderate family disruption and some problems with parental control	1		
Severe family disruption and poor parental control	2		

RISK TOTAL	<input type="text"/>
-------------------	----------------------

RISK SCORE INSTRUCTIONS AND DEFINITIONS

1. **Age at Current Commitment:**

Circle age at the time of this commitment and enter corresponding risk score.

2. **Age at 1st Referral, Delinquent or Status, Excluding CAN:**

Circle age at the time of the first referral to the juvenile court, not counting referrals for child abuse and neglect when this youth was alleged victim. Enter corresponding risk score.

3. **Prior Non-Adjudicated Delinquent or Status Referrals, Excluding CAN:**

Circle the number of prior non-adjudicated delinquent or status referrals, not counting child abuse and neglect referrals when this youth was alleged victim. Enter corresponding risk score. If more than 12, circle "12+" and enter risk score of 2.

4. **Prior Adjudications:**

Circle the number of times youth has been adjudicated on a status, misdemeanor or felony offense. Enter corresponding risk score. If more than 7, circle "7+" and enter risk score of 2.

5. **Adjudicated Assaults:**

Circle the number of adjudicated assaults, including sexual assaults. Both prior and present adjudicated assaults should be considered.

Misdemeanor assaults = Circle the number of adjudicated incidents of misdemeanor assaults, including sexual assaults, but not felony assaults. Both prior and present adjudications should be considered. If more than 5, circle "5+" and enter risk score of 2.

Felony assaults = Circle the number of adjudicated incidents of felony assaults, including sexual assaults. Both prior and present adjudications should be considered. If more than 5, circle "5+" and enter risk score of 2.

Note: If youth has both misdemeanor and felony assault adjudications, enter higher risk score of 2.

6. **History of Placement:**

No out-of-home placements = Youth has never been placed out of the home. Detention is not considered a placement.

Circle the number of out-of-home placements for this youth. Out-of-home placement includes commitment to the Division of Youth Services and other government-operated or private residential facilities, foster care, hospitalization for mental illness or substance abuse treatment, enrollment in boarding/military schools, or placement with relatives. Does NOT include detention. Enter the corresponding risk score. If more than 6, circle "6+" and enter risk score of 2.

7. **Peer Relationships:**

Choose the following description that best characterizes youth's primary peer group. All components of the description need not be present.

Appropriate peer relationships = No members of youth's primary peer group have been referred to the court, or if current referral involves peers, these youths have no history of prior referrals. There is no evidence of gang activity or substance abuse among primary peer group members. Persons with whom youth socializes and dating partners are age appropriate. Parents are well informed and approve of youth's peer group.

Some negative influence = Some members of primary peer group may have been referred to the court. Current referral may have involved peers who have had previous court contact. There is no evidence of gang activity among primary peer group members. However, peers may be involved in alcohol and drug use. Persons with whom youth socializes and dating partners may not be age-appropriate, either several years younger or older. Parents may express some disapproval of peers. OR, youth is a loner and has not formed and maintained relationships with peers.

Strong negative influence = Primary peer group is heavily delinquent and members may have had frequent court contacts. Youth may be gang-affiliated. Alcohol and drug abuse may be common among peer group members and activities are likely to be centered around use of alcohol and drugs, gang, or other delinquent activities.

8. **Substance Abuse:**

Choose the following description that best characterizes youth's overall pattern of substance use. All components of the description need not be present.

No problems = There are no indications that drug or alcohol is a problem. Relationship with parents is not strained over issue of drug or alcohol use. There are no court referrals involving substance use, possession, or distribution. There has been no disciplinary action taken by school authorities related to substance use, possession, or distribution.

Moderate disruption due to alcohol or drug use = Youth is engaged in intermittent use. There may be tension in relationship with parents as a result. There may have been a referral to the court for substance use, possession or distribution, but no more than one. Youth may have been disciplined by school authorities for substance use or possession, but on not more than one occasion.

Severe disruption due to alcohol or drug use = Youth has developed a pattern of regular use. He or she may have been in treatment and/or diagnosed as chemically dependent. There may be a high level of conflict with parent regarding use. There may be more than one referral to the court for substance use, possession, or distribution. Youth may have been disciplined by school authorities for substance use or possession on more than one occasion, or for distribution of drugs.

9. **Public/Private School Behavior Problems:**

Choose the following description that best characterizes the youth. All components of the description need not be present.

No or only minor problems = Youth is enrolled and attending public or private school regularly. There have been no out-of-school suspensions, previous expulsions, or referrals for truancy.

Moderate problems = Youth is currently enrolled in public or private school and attending, but there has been at least one out-of-school suspension, previous expulsion, or referral for truancy. Or youth is not enrolled, but is 16 and has full-time employment or part-time employment with a GED or enrollment in a GED, vocational training, or other educational program.

Severe problems = Youth is currently on out-of-school suspension, expelled, or has dropped out; and if 16 years old, is not working and has not earned a GED or enrolled in a GED, vocational training, or other educational program.

*When school is out of session, consider disciplinary and academic record for previous school year.

10. **Family Disruption/Parental Control:**

Choose the following description that best characterizes youth's family. All components of the description need not be present.

No or minor family disruption and good parental control = Family is stable and supportive of youth. Parents or other adults functioning as primary caretakers provide adequate structure and supervision. Discipline practices are appropriate and administered consistently. Rules are established and enforced. Relationships between family members are role-appropriate. There is no evidence of abusiveness between members or of ongoing substance abuse. Family demonstrates ability to cope with any stressors that may be present. If parents are divorced, there is no evidence of persistent conflict.

Moderate family disruption and some problems with parental control = Family is moderately disorganized and parents or other adults functioning as primary caretakers do not provide adequate support and supervision. Disciplinary practices may be too harsh, too lenient, or erratic. Parents or primary caretakers may attempt to establish rules and boundaries, but are ineffective. Substance use may contribute to disorganization. There may be no positive role model in the family. Relationships are strained and roles may be inappropriate (i.e. dependent parent or parent who tries to relate to child as peer). There is moderate discord between parents, married or divorced. Disorganization may be related to situational stressors, such as work lay-off, illness, or death, but has been in evidence for at least six months.

Severe family disruption and poor parental control = Family is extremely disorganized and offers no or very little structure, support, and supervision. Parents or other adults functioning as primary caretakers display very poor parenting and general coping skills. Boundaries and rules may be absent altogether. Disciplinary practices are either absent or are abusive.

Violence between members may be common. Disorganization may be significantly exacerbated by severe substance abuse. Family mobility may be high, with frequent changes of residence or members leaving and returning to the home. There is serious and persistent discord between parents, married or divorced. Parents or primary caretakers may directly contribute to delinquency.

**MISSOURI DIVISION OF YOUTH SERVICES
SERIOUSNESS SCALE**

Youth's Name:	DYS #:	SC:	Date:
---------------	--------	-----	-------

I.	1. <u>Seriousness of Committing Offense</u>		<u>Score</u>
	Most Serious.....	10	<input style="width: 40px; height: 20px;" type="text"/>
	Moderately Serious.....	4	
	Least Serious.....	2	
	2. <u>Seriousness of Prior Adjudications</u>		<u>Score</u>
	Most Serious	10	<input style="width: 40px; height: 20px;" type="text"/>
	Moderately Serious.....	4	
	Least Serious	2	
	Not Applicable.....	0	
	3. <u>Prior Adjustment in Residential Placement</u>		<u>Score</u>
	Severe Problems	3	<input style="width: 40px; height: 20px;" type="text"/>
	Moderate Problems	2	
	Minimal Problems	1	
	No Problems/NA.....	0	

Seriousness Level Total		_____
Risk Total (from page 1 of Risk Assessment)		_____

II. Has this case been designated high profile? ___ Yes ___ No
 If **Yes**, complete next four items:
 Explanation: _____

Supervisory signature: _____ Date: _____
 Regional Administrator signature: _____ Date: _____
 Date copy sent to Deputy Director - Treatment Services _____

III. PLACEMENT/ LENGTH OF STAY GRID: (Mark where risk score and seriousness level intersect)

S E R I O U S N E S S	Most Serious 10+	Moderately Secure Residential LOS= 4-6 Mos.	Secure Residential LOS= 6-9 Mos.	Secure Residential LOS= 9-12+ Mos.
	Moderately Serious 6-9	Community-based Residential LOS= 1-4 Mos.	Moderately Secure Residential LOS= 4-6 Mos.	Secure Residential LOS= 6-9 Mos.
	Least Serious 2-5	Non-residential LOS= 0 Mo.	Community-based Residential LOS= 1-4 Mos.	Moderately Secure Residential LOS= 4-6 Mos.
		Lowest risk 2-10	Moderate risk 11-17	Highest risk 18-22
RISK OF RE-OFFENDING				

Placement/LOS * _____
 *If different from what grid indicates, attach placement/LOS exception form. Placement/LOS more than one grid cell (horizontally or vertically) removed, or one cell diagonally removed requires prior approval of the Regional Administrator.

DEFINITIONS OF SERIOUSNESS FACTORS

I. 1. Seriousness of Committing Offense:

- X Most Serious = The committing offense is one of the following dangerous felonies: first degree murder, second degree murder, first degree assault, forcible rape, forcible sodomy, first degree robbery, distribution of drugs; or represents a violent felony against a person involving a weapon/injury.
- X Moderately Serious = The committing offense represents a felony not included above.
- X Least Serious = The committing offense represents non-felony crimes and status offenses.

2. Seriousness of Prior Adjudications:

- X Use the definitions of offense seriousness as above applied to the most serious prior adjudication. Mark Anot applicable@ if there have been no prior adjudications.

3. Prior Adjustment in Residential Placement:

- Residential placement includes detention, DYS or other governmental or private residential facilities, or hospitalization for mental illness or substance abuse treatment.
- X Severe Problems = Assault with injury or weapon while in residential placement, including sexual assault while in residential placement. Escape or attempt from a secure facility. Arson. One or more suicide attempts.
- X Moderate Problems = Any other assault or property damage while in residential placement. Escape or attempted escape from staff secure facility. Self-mutilation or other injury.
- X Minimal Problems = Chronic pattern of non-compliance in a residential placement.
- X None/NA = No history of residential placement or significant problems in placement.

II. High Profile Case:

- X A high profile case is one in which there are extraordinary court concerns, community reaction, media attention or other extenuating circumstances, sensational in nature, which must be considered in the decision making process. Designation as a high profile case always requires review by the Service Coordinator Supervisor (SCS) and Regional Administrator (RA), and notification of Deputy Director - Treatment Services prior to placement.

III. Placement/ Length of Stay Grid:

LOS = Length of stay in residential treatment, as stated in months. 12+ Mos. LOS is provided for certain high profile cases when deemed appropriate in consultation with SCS, RA, and Deputy Director of Treatment Services or designee.


Placement=

- X Non-residential = community care, no residential placement
- X Community-Based residential = placement in community-based, staff secure facilities
- X Moderately secure residential = moderate level, staff secure facilities such as park camps
- X Secure residential = institutional level, building secure facilities

Discretion: The classifying staff may increase or decrease the placement level/LOS one step horizontally or vertically at their discretion. For example, if the grid indicates moderately secure residential, LOS 4-6 mos., the classifier may opt for either secure residential/6-9 mos., or community-based residential/1-4 mos. instead. When staff discretion is used, an exception form will be completed by the SC and signed by the SCS and RA. Placement more than one grid cell removed horizontally or vertically, or one grid cell diagonally, requires prior approval by the RA. If exception to LOS initially established is requested, an exception form is to be submitted by SC at the time that need for adjustment of LOS is identified, and approved by the SCS and RA as described above.

Critical Incidents	Number
Death	
-Youth	0
-Staff	0
Physical Assault	
-Felony Assault (Workplace Violence)	0
-Youth Assaulted Staff	37
*Injury Required Outside Medical Attention	14
-Youth Assaulted Youth	224
*Injury Required Outside Medical Attention	32
-Employee Assaulted Youth	2
*Injury Required Outside Medical Attention	1
-Outsider Assaulted Youth or DYS Employee	2
*Injury Required Outside Medical Attention	0
Sexual Assault	
-Youth Sexually Assaulted Youth	1
-Youth Sexually Assaulted Employee	1
-Employee Sexually Assaulted Youth	0
Medical Emergency	
-Injury Required Outside Medical Attention	68
-Youth Sustained Serious/Life Threatening Injury/ Condition Requiring Outside Medical Attention	15
-Employee Sustained Serious/Life Threatening Injury/ Condition Requiring Outside Medical Attention	5
-Youth Attempted Suicide or Serious Self-Inflicted Injury	6
-Youth Sustained an Injury or other Condition Resulting In Hospitalization	1
-Youth/Employee Exposed to Communicable Disease(s) (TB, HIV, Hepatitis, Lice, etc.)	0
Automobile Accident	
-No Injury	0
-Youth Injured	1
-Employee(s) Injured	0
-Outsider Injured	1
-State-Owned Vehicle	6
-DYS Employee-Owned Vehicle	0
-Outsider-Owned Vehicle	0
Abscondence of Youth Assigned to Residential Program or of Youth Under the Direct Supervision of DYS Employee(s)	
-Total	72
Restraint/Isolation	
-Therapeutic Physical Restraints Used	1238
-Therapeutic Mechanical Restraints Used	77
-Isolation Room Used	12

Physical Plant Damage, Theft or Missing DYS Inventoried Equipment (Exceeding \$1,000)	
-Total	6
Incidents of Workplace Violence	
-Total	0
Adverse Media Attention	
-Total	2
Other	
-Total	80

Division of Youth Services			
Subject:	TREATMENT	DYS:	9.9
Issued:	07-01-94	Section: Use of Restraints 	
Revised:	5-14-04		

I. **POLICY:** In order to provide for a safe environment, the Division of Youth Services (DYS) recognizes the need to utilize restraints, under prescribed circumstances, to assist youth in the control of their behaviors.


II. **DEFINITIONS:**

- A. **Physical Restraint:** The method to control behavior injurious to self or others whereby a youth is physically held or confined in accordance with authorized guidelines/standards .
- B. **Mechanical Restraint:** The method to control behavior injurious to self or others whereby a youth's movement is physically restricted by mechanical devices, i.e. approved or authorized waist/chain belts, handcuffs, bracelets/shackles.
- C. **Chemical Restraint:** The method to control behavior injurious to self or others whereby a youth is physically contained by the use of any chemical substance (i.e., mace, pepper spray).
- D. **Medical Restraint:** Medication used to limit patient activity as a result of a direct order by a health care provider.
- E. **Secure Transport:** Use of two employees (youth in back seat with second employee behind driver) or single employee (youth in front seat with driver) with use of one or more of the following: handcuffs, waist chain/belt, ankle bracelets/shackles along with the use of seat belts and locked doors.

III. **PROCEDURES:**

All DYS treatment and security employees shall complete PCPI and Mechanical Restraint within first three months of employment.

Division of Youth Services

Subject:	TREATMENT	DYS:	9.9
Issued:	07-01-94	Section: Use of Restraints 	
Revised:	5-14-04		

Employees shall be present at all times and actively involved in each restraint situation to ensure the safety of all youth. Physical restraints are conducted only after all attempts at de-escalation have been exhausted.

A. Physical restraints are restricted to situations which indicate the necessity to:

1. Defend against attack;
2. Prevent imminent injury to self or others;
3. Prevent abscondence from DYS programs and supervision;
4. Prevent substantial property damage.


Before the end of the assigned shift, the employees supervising the restraint shall file a Critical Incident Report (DYS: F4-12), pursuant to DYS 9.17, Critical Incidents, with their site supervisor.

In the event that a youth shows evidence or complains of any injury as a result of the restraint, the youth shall be assessed by a qualified medical professional.

B. Mechanical restraints shall be utilized only after all attempts at physical restraints have been exhausted. When mechanical restraints are utilized, the least restrictive means shall be used. The use of mechanical restraints shall require the authorization of the site supervisor, and shall be utilized only by employees who have completed training.

When mechanical restraints are utilized, the following conditions shall apply:


1. Employees shall ensure that the mechanical restraint is properly applied (e.g., to ensure proper circulation). Youth shall routinely be handcuffed in the front utilizing a waist chain or a waist belt.

Division of Youth Services			
Subject:	TREATMENT	DYS:	9.9
Issued:	07-01-94	Section: Use of Restraints 	
Revised:	5-14-04		


Note: When the safety of youth or employees is clearly jeopardized in an extreme crisis situation youth may be temporarily handcuffed from behind as a means of gaining control. In these instances, the youth shall be de-escalated as soon as possible at which time a lesser form of restraint shall be applied. The Regional Administrator shall be notified at the time any youth is handcuffed from behind.

2. To prevent injury, employees shall only utilize double-locking handcuffs and shackles to prevent the mechanical restraint from getting tight.
 3. Employees shall maintain eyes-on contact.
 4. To ensure the safety of the youth, employees shall physically inspect the youth's condition every 15 minutes and document in the treatment log, except in the case of secure transport.
 5. Employees shall ensure that mechanical restraints are not secured to any stationary object.
 6. In the event that mechanical restraints are required in excess of two hours, employees shall contact the site supervisor who shall notify the Regional Administrator for further intervention directions.
 7. Employees shall file a Critical Incident Report (DYS: F4-12), pursuant to DYS 9.17 before the end of the assigned shift when mechanical restraints are used, except in the case of secure transport.
 8. In the event that a youth shows evidence or complains of any injury as a result of the restraint, the youth shall be assessed by a qualified medical professional.
- C. Chemical restraints shall not be used within any site operated by DYS under any circumstances, except by security personnel and/or rovers who are required to walk outside a facility and used only for self-protection.

Division of Youth Services


Subject:	TREATMENT	DYS:	9.9
Issued:	07-01-94		
Revised:	5-14-04		

- D. Medical restraints shall only be used for youth under the order and supervision of a physician or psychiatrist.
1. The site supervisor, regional nurse, and Regional Administrator shall be notified immediately when circumstances may warrant the use of medical restraints.
 2. All orders and documentation shall be included in the youth's medical file by the physician or by a licensed nurse as directed by the physician.
 3. To ensure the safety of the youth, medical monitoring shall be according to the prescribing psychiatrist orders; however, DYS employees on duty shall physically monitor the youth every 15 minutes, evaluating as directed by the regional nurse. Documentation shall occur utilizing the Medical Flow Sheet (DYS: F7-6). After 24 hours, re-evaluation shall occur by the DYS treatment team, in conjunction with the regional nurse, associated with the youth.
 4. In the event that medical restraints are utilized, a Critical Incident Report shall be filed, pursuant to DYS 9.17.
- E. Secure Transport Procedures
1. All employees shall complete Secure Transport Training within the first three months of employment.
 2. In situations other than those specified in item 2 below, secure transport shall be used as deemed appropriate by employees transporting youth.
 3. All employees transporting youth shall ensure that secure transport procedures are used in the following situations:

Division of Youth Services			
Subject:	TREATMENT	DYS:	9.9
Issued:	07-01-94	Section: Use of Restraints 	
Revised:	5-14-04		

- a. New commitments being transported to secure care.
 - b. Vertical transfer.
 - c. Youth being transported to a detention facility.
 - d. Youth being transported to residential care pursuant to a revocation.
 - e. Apprehension and transfer of youth on run and/or abscondance situations.
4. Transport employees shall have access to communications equipment and ensure that seat belts are worn at all times by all passengers.
 5. Mechanical restraints for secure transport as specified under III-E-2. may be used without prior authorization from the site supervisor (e.g., handcuffs).

Division of Youth Services			
Subject:	Treatment	DYS:	9.11
Issued:	7-1-94	Section: Furloughs	
Revised:	1-1-97		



I. POLICY: DYS youth in residential care shall be allowed furloughs based on their needs.

II. DEFINITIONS:

Furlough--An approved absence from a residential setting for one or more nights.

Pre-release Furlough--An approved absence from a residential setting for one or more nights occurring when a youth completes a program and the required release paperwork has not been completed.

Treatment Furlough--An approved absence from a residential setting for one or more nights occurring when it is determined that the treatment needs of the youth will be enhanced.

Medical Furlough--An approved absence from a residential setting for one or more nights occurring when the medical needs of the youth can better be met at a location outside of the residential setting.


Emergency Furlough--An approved absence from a residential setting for one or more nights occurring when there are sudden or unforeseen circumstances necessitating immediate absence.

Treatment Pass--An approved absence from a residential setting, not involving an overnight stay, without staff supervision.

III. PROCEDURES:

A. Furloughs require the coordination and verbal and written approval of the treatment team, site supervisor and service coordinator with notification provided to the regional office, committing court, and victims (as specified in 9.22.III.G.2.b) prior to the furlough date. Telephone notification of the committing court juvenile officer should always occur prior to the furlough.

B. A furlough authorization should be prepared and distributed, using form F9-57, to accompany the youth. The authorization should identify the

Division of Youth Services			
Subject:	Treatment	DYS:	9.11
Issued:	7-1-94	Section: Furloughs 	
Revised:	1-1-97		

youth, facility from which furloughed, length of furlough and whom to contact should unforeseen difficulties emerge, along with any other information deemed appropriate. Distribution of this authorization shall be to the official file, facility file and the regional office. For furloughs out of state, see policy (DYS:9.13) regarding out of state travel permits.

- C. Should a youth fail to return from an authorized furlough at the designated time, he shall be considered a runaway and a critical incident report (F4-12) should be submitted. On the due date of the youth's planned return, a Juvenile Movement Form (DYS:F4-11) will be issued indicating "Furlough Return" -- and another will be issued indicating "Runaway".
- D. Treatment passes from a residential program to a youth's home community, will require prior telephone notification of the juvenile officer in the home community. A furlough authorization form (DYS: F9-57) is not required.

Missouri Revised Statutes

Chapter 219 Youth Services

(View Entire Chapter)

August 28, 2005

Sections:

- 219.011. Definitions.
- 219.016. Responsibilities of division of youth services--rules, procedure.
- 219.021. Child may be committed to division, when--notice to court of release to aftercare supervision, contents, formal objections may be made, when--division to operate and maintain facilities and programs--day release and vocational programs authorized--payment of judgments.
- 219.023. Youth services products fund created for supplies of materials used in making products sold by youth in custody of division of youth services.
- 219.026. Release on aftercare supervision authorized--procedures authorized when child violates conditions of release--termination of supervision, when.
- 219.031. Director of division, how appointed, compensation and expenses.
- 219.036. Employment of division personnel--merit system--annual report--master plan--written policy required--director of division to be agent of state to deal with federal government.
- 219.041. Incentive subsidy program authorized--advisory committee, how appointed--juvenile judge to submit report, contents of--inspections by director--notice of noncompliance, how given--county to select services, costs, how paid.
- 219.046. Board--number, qualifications, terms, oaths, duties.
- 219.048. Board and commission members may contribute per diem or expenses for services to the youth services treatment fund--fund established --procedure to contribute.
- 219.051. Right of petition--duty of director on receipt of petition.
- 219.056. Health care standards to be established by department of health and senior services--educational standards to be established by department of elementary and secondary education.
- 219.061. Aiding runaway, penalty--peace officers, duty of--records confidential, exceptions, penalty for divulging--division may sue for damages.
- 219.066. Medical and dental treatment authorized, when.

- 219.071. Children to be segregated from criminals.
- 219.076. Children, how transported, transportation expenses, how paid.
- 219.081. Division may be relieved of custody, when, procedure.
- 219.086. Transfer of child to another state, when--expense of transfer, how paid.
- 219.091. Community work program--design and approval of work projects--custody, contract of offenders--eligibility--crew leaders--rules, procedure.
- 219.096. Grant by department of social services of division of youth services facilities--notification to commissioner of administration--fee --terms of the lease.

© Copyright



Missouri General Assembly

Missouri Revised Statutes

Chapter 219 Youth Services

August 28, 2005

Definitions.

219.011. 1. As used in sections 219.011 to 219.086, unless the context clearly indicates otherwise, the following terms mean:

- (1) "Aftercare supervision", treatment and control of children in the community under the jurisdiction of the division;
- (2) "Board", the state advisory board of youth services;
- (3) "Child", a person under eighteen years of age;
- (4) "Commit", to transfer legal and physical custody;
- (5) "Community based treatment", a treatment program which is locally or regionally based;
- (6) "Department", the department of social services;
- (7) "Director", the director of the division of youth services;
- (8) "Division", the division of youth services.

2. When consistent with the intent of sections 219.011 to 219.086, the singular includes the plural, the plural the singular and the masculine the feminine.

(L. 1975 S.B. 170 § 1, A.L. 1989 H.B. 502, et al.)

Responsibilities of division of youth services--rules, procedure.

219.016. 1. The division is responsible within the terms of sections 219.011 to 219.086, for the prevention and control of juvenile delinquency and the rehabilitation of children.

2. The division shall be responsible for the development and administration of an effective statewide comprehensive program of youth services. This shall include, but not be limited to:

- (1) Providing for the reception, classification, care, activities, education and rehabilitation of all children

committed to the division;

- (2) Administering the interstate compact on juveniles;
 - (3) Collecting statistics and information relating to the nature, extent, and causes of, and conditions contributing to the delinquency of children;
 - (4) Evaluating existence and effectiveness of delinquency prevention and rehabilitation programs;
 - (5) Preparing a master plan for the development of a statewide comprehensive system of delinquency prevention, control and rehabilitation services;
 - (6) Providing from funds specifically appropriated by the legislature for this purpose, financial subsidies to local units of government for the development of community-based treatment services;
 - (7) Developing written instructional, informational, and standard setting materials relating to state and local delinquency prevention, control and rehabilitation programs, as herein provided;
 - (8) Cooperating with and assisting within the scope of sections 219.011 to 219.086, other public and voluntary agencies and organizations in the development and coordination of such programs; and
 - (9) Upon request:
 - (a) Assist local units of government in the development of community- based treatment services; and
 - (b) Provide technical assistance and consultation to law enforcement officials, juvenile courts, and other community child care agencies.
3. The division shall be responsible for carrying out all functions, duties, and responsibilities pertaining to the prevention of juvenile delinquency as may be assigned to it by the director, including, but not limited to:
- (1) Comprehensive planning and provision of technical assistance for statewide and local programs for the diversion of children from the juvenile justice system, to the extent that diversion can be safely accomplished with due regard to the safety of the community and the well-being of the children involved;
 - (2) Developing programs for the training and development of professional, paraprofessional, and volunteer personnel in this field;
 - (3) Cooperating with and assisting other agencies serving children and youth; and
 - (4) Promoting the strengthening and expansion of those programs which have been shown to be effective in reducing juvenile crime.

4. The division shall cause to be made and maintained full and complete written records of all studies and examinations and of the conclusions and recommendations based thereon; of all major decisions and orders concerning the disposition and treatment of every child with respect to whom the division provides, or arranges to have provided, care, treatment, and supervision pursuant to sections 219.011 to 219.086; and to maintain records of all business transactions necessary for proper conduct and

maintenance of the division.

5. The division is authorized to enter into arrangements with the federal government for the receipt of federal funds to carry out the purposes of sections 219.011 to 219.086 and, for the achievement of that objective, may enter into contracts and agreements with and submit such plans and reports to the federal government as may be required and which are not contrary to the provisions of this or any other act.

6. The division, pursuant to regulations promulgated by it, shall establish comprehensive training programs for persons employed by it or to be employed by it in carrying out the provisions of sections 219.011 to 219.086 and for persons employed or to be employed by agencies and organizations, both public and private, engaged in activities relating to the prevention of delinquency and the provision of care and treatment to delinquent children.

7. The division may provide the costs of stipends and tuition, allowances for travel and subsistence expenses and, with respect to employees of the division granted leave to undertake approved training, continuation of the salaries and other benefits of such employees.

8. The division may, at the request of the circuit court, provide or supplement juvenile court services for children in that circuit, the extent of the services to be specified by written agreement between the division and the court. Children who receive such services shall remain under the supervision of the juvenile court and shall not be committed to the division without full and proper hearing as provided under subsection 1 of section 211.171, RSMo.

9. Upon the request of the division, with the written consent of the director of the department, the office of administration shall draw a warrant payable to the business manager of the division or any of its facilities, in an amount to be specified by the director of the department, not to exceed, however, the sum of four thousand dollars for each such facility. The sum shall be administered by the business manager as a revolving fund to be used in the payment of incidental expenses of the facility for which he has been appointed. All expenditures shall be made in accordance with rules and regulations established by the office of administration.

10. No rule or portion of a rule promulgated under the authority of this chapter shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.

(L. 1975 S.B. 170 §§ 2, 3, A.L. 1993 S.B. 52, A.L. 1995 S.B. 3)

Child may be committed to division, when--notice to court of release to aftercare supervision, contents, formal objections may be made, when--division to operate and maintain facilities and programs--day release and vocational programs authorized--payment of judgments.

219.021. 1. Except as provided in subsections 2 and 3 of this section, any child may be committed to the custody of the division when the juvenile court determines a suitable community-based treatment service does not exist, or has proven ineffective; and when the child is adjudicated pursuant to the provisions of subdivision (3) of subsection 1 of section 211.031, RSMo, or when the child is adjudicated pursuant to subdivision (2) of subsection 1 of section 211.031, RSMo, and is currently under court supervision for adjudication under subdivision (2) or (3) of subsection 1 of section 211.031, RSMo. The division shall not keep any child beyond his eighteenth birth date, except upon petition and a showing of

just cause in which case the division may maintain custody until the child's twenty-first birth date. Notwithstanding any other provision of law to the contrary, the committing court shall review the treatment plan to be provided by the division. The division shall notify the court of original jurisdiction from which the child was committed at least three weeks prior to the child's release to aftercare supervision. The notification shall include a summary of the treatment plan and progress of the child that has resulted in the planned release. The court may formally object to the director of the division in writing, stating its reasons in opposition to the release. The director shall review the court's objection in consideration of its final approval for release. The court's written objection shall be made within a one-week period after it receives notification of the division's planned release; otherwise the division may assume court agreement with the release. The division director's written response to the court shall occur within five working days of the court's objection and preferably prior to the release of the child. The division shall not place a child directly into a precare setting immediately upon commitment from the court until it advises the court of such placement.

2. No child who has been diagnosed as having a mental disease or a communicable or contagious disease shall be committed to the division; except the division may, by regulation, when facilities for the proper care and treatment of persons having such diseases are available at any of the facilities under its control, authorize the commitment of children having such diseases to it for treatment and training in such institution. Notice of any such regulation shall be promptly mailed to the judges and juvenile officers of all courts having jurisdiction of cases involving children.

3. When a child has been committed to the division, the division shall forthwith examine the individual and investigate all pertinent circumstances of his background for the purpose of facilitating the placement of the child in the most appropriate program or residential facility to assure the public safety and the rehabilitation of the child; except that, no child committed under the provisions of subdivision (2) of subsection 1 of section 211.031, RSMo, may be placed in the regional facilities at the W. E. Sears Youth Center at Poplar Bluff or the Hogan Street Regional Youth Center at St. Louis, unless the juvenile is subsequently adjudicated under subdivision (3) of subsection 1 of section 211.031, RSMo.

4. The division may transfer any child under its jurisdiction to any other institution for children if, after careful study of the child's needs, it is the judgment of the division that the transfer should be effected. If the division determines that the child requires treatment by another state agency, it may transfer the physical custody of the child to that agency, and that agency shall accept the child if the services are available by that agency.

5. The division shall make periodic reexaminations of all children committed to its custody for the purpose of determining whether existing dispositions should be modified or continued. Reexamination shall include a study of all current circumstances of such child's personal and family situation and an evaluation of the progress made by such child since the previous study. Reexamination shall be conducted as frequently as the division deems necessary, but in any event, with respect to each such child, at intervals not to exceed six months. Reports of the results of such examinations shall be sent to the child's committing court and to his parents or guardian.

6. Failure of the division to examine a child committed to it or to reexamine him within six months of a previous examination shall not of itself entitle the child to be discharged from the custody of the division but shall entitle the child, his parent, guardian, or agency to which the child may be placed by the division to petition for review as provided in section 219.051.

7. The division is hereby authorized to establish, build, repair, maintain, and operate, from funds appropriated or approved by the legislature for these purposes, facilities and programs necessary to implement the provisions of sections 219.011 to 219.086. Such facilities or programs may include, but

not be limited to, the establishment and operation of training schools, maximum security facilities, park camps, regional facilities, group homes, family foster homes, aftercare, counseling services, educational services, and such other services as may be required to meet the needs of children committed to it. The division may terminate any facility or program no longer needed to meet the needs of children.

8. The division may institute day release programs for children committed to it. The division may arrange with local schools, public or private agencies, or persons approved by the division for the release of children committed to the division on a daily basis to the custody of such schools, agencies, or persons for participation in programs.

9. The division may establish and offer on-the-job vocational training to develop work habits and equip children committed to it with marketable skills. Such training shall not exceed eight hours per day. The division may provide for the payment of reasonable wages or allowances for work or tasks performed by a child committed to the division. For any work performed by a child committed to the division in any state park or park work camp, the state park board is hereby authorized, out of appropriations made to it, to pay wages not in excess of fifteen dollars per month to each child. All funds paid to the child in accordance with this section shall be deposited with the director and not less than one-half of this amount shall be paid monthly to the child. The balance of such funds shall be held in trust by the director for payment to the child at the time of his release from a facility.

10. The division shall make all reasonable efforts to ensure that any outstanding judgment entered in accordance with section 211.185, RSMo, or any outstanding assessments ordered in accordance with section 211.181, RSMo, be paid while a child is in the care, custody or control of the division.

(L. 1975 S.B. 170 § 4, A.L. 1980 S.B. 512, A.L. 1981 H.B. 643, A.L. 1987 S.B. 244, A.L. 1993 S.B. 88, A.L. 1995 H.B. 174, et al.)

Youth services products fund created for supplies of materials used in making products sold by youth in custody of division of youth services.

219.023. Any products made by youth in a program or facility established by the division of youth services pursuant to section 219.021 which are suitable for sale may be offered for sale to the public by the division at a price not to exceed one hundred ten percent of the actual cost of supplies and materials used in making such products. Any proceeds received by the division from the sale of products pursuant to this section shall be deposited in the "Youth Services Products Fund" which is hereby established in the state treasury. Moneys in the fund shall be used solely to replenish the supply of materials used in making such products.

(L. 2003 H.B. 356)

Release on aftercare supervision authorized--procedures authorized when child violates conditions of release--termination of supervision, when.

219.026. 1. Subject to the provisions of subsection 1 of section 219.021, the division is authorized to release on aftercare supervision children committed to its control; to impose conditions upon which aftercare supervision is granted; to revoke and terminate aftercare supervision; and to discharge from legal custody. With respect to any child who has been placed on aftercare supervision, if in the opinion of the child's aftercare supervisor or a designated employee of the division the child is in substantial

violation of the terms and condition of his release, such employee may:

- (1) Notify the child and his parents or guardian of a hearing to determine if there is reasonable grounds to believe the child has violated the conditions of his release; and may also
 - (2) Take the child immediately into custody and place him in an appropriate residential child caring facility or detention facility or other appropriate program until a prompt determination as to the child's future care and treatment is made by the director, if the employee has reason to believe that permitting the child to remain in his own home would be dangerous to him or to the community or that the child is about to flee the jurisdiction of the court.
2. The hearing referred to in subdivision (1) of subsection 1 of this section shall be heard by an employee designated by the director, but not the employee requesting the hearing, and shall afford the child and his parents or guardian and their legal counsel, if any, full opportunity to be heard and to present any information as may be deemed relevant and shall be held as near as practicable to the child's county or residence.
 3. The child or his parents or guardian may request a rehearing before the director as provided in section 219.051.
 4. When called upon by any designated employee of the division, all peace officers shall assist in taking a child into custody pursuant to the provisions of this section.
 5. All law enforcement agencies shall detain, upon request, children alleged by the division to have violated the conditions of aftercare supervision pending return of the child to the division. Detention of the child shall be in an appropriate facility and until a hearing is held, but in no event, longer than ten days.
 6. The division shall terminate the supervision of any child placed on aftercare supervision upon determining the child is no longer in need of supervision or upon his eighteenth birthday. The division shall immediately notify in writing the child, his parents or guardian and the committing court of the termination of its supervision over the child.

(L. 1975 S.B. 170 § 5, A.L. 1987 S.B. 244)

Director of division, how appointed, compensation and expenses.

- 219.031. 1. The division shall be administered by a director who shall be appointed by the director of the department.
2. The director shall be a resident of the state of Missouri while serving as director. The director shall have broad experience and demonstrated expertise in the development, operation, and administration of programs for children and shall be selected for his recognized ability, character and integrity.
 3. Before entering upon his duties, the director shall take an oath or* affirmation to support the Constitution of the United States and of the state of Missouri and to faithfully perform the duties of his office; and shall enter into good and sufficient corporate surety bond, conditioned upon the faithful performance of his duties, said bond to be approved by the attorney general as to form, and by the

governor as to sufficiency; the premium on the bond to be paid by the state.

4. The director shall devote full time to his official duties.

5. The director shall receive as his total compensation an annual salary in an amount to be determined by the department director and shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of his official duties.

(L. 1975 S.B. 170 § 6)

*Word "of" appears in original rolls.

Employment of division personnel--merit system--annual report--master plan--written policy required--director of division to be agent of state to deal with federal government.

219.036. 1. The director, subject to the supervision of the department director, shall employ all employees, as provided in chapter 36, RSMo, and is authorized to employ in any appropriate capacity any person qualified under the provisions of sections 219.011 to 219.086 even though such person has previously been convicted of a crime.

2. The director shall set forth the duties and responsibilities of all employees of the division.

3. The director shall prepare and update a master plan covering a period of not less than five years outlining the structural, legislative, and program and facility changes necessary for improvement of services to children committed to it.

4. The director shall also prepare an annual report which shall consist of a description of progress made toward the achievement of objectives contained in the master plan; a statistical analysis of juvenile delinquency in Missouri, including, but not limited to, the number and rates of juvenile arrests, juvenile detentions, juvenile court referrals and court dispositions for the entire state and within the jurisdiction of each circuit.

5. The master plan and each subsequent annual report shall be transmitted to the governor, the legislature, the director of the department, the juvenile courts, and upon request, to other interested persons and agencies.

6. All officers and employees of the state and of every county and city shall furnish to the director, on an annual basis, such statistics and other information within their knowledge and control as the director deems necessary or proper to be collected pursuant to the provisions of sections 219.011 to 219.086.

7. The director shall establish written policy and procedures for the administration of the division and shall promulgate necessary rules and regulations pursuant to section 219.016 and chapter 536, RSMo, which, together with any amendments thereto, shall be kept on file at the principal office of the division, shall constitute a public record and be subject to the inspection by any person at all reasonable times.

8. The director is hereby authorized to enter into contract with any qualified individual, agency, or institution for the purchase of services required to meet the needs of children committed to the division's

charge, when it can be shown that the purchase of such services is more economical, effective or practical than for such services to be provided directly by the division. No contract shall be made under sections 219.011 to 219.086 contrary to the provisions of article I, section 7 or article IX, section 8 of the Constitution of Missouri.

9. The director is authorized to serve as an agent of the state in entering into agreements with the appropriate agency of the federal government to provide care and treatment for a child found by a federal court to be delinquent and committed to the custody of the Attorney General of the United States pursuant to the provisions of 18 U.S.C. 5031-5037, inclusive, as amended. Such agreement shall be upon such terms and conditions and shall provide for such compensation as may be mutually agreed upon between the division and the appropriate agency of the federal government. Funds received as compensation under such agreement shall be placed in the state treasury and shall be used, upon appropriation, by the division for carrying out the purposes of sections 219.011 to 219.086.

(L. 1975 S.B. 170 § 7, A.L. 1993 S.B. 52)

Incentive subsidy program authorized--advisory committee, how appointed--juvenile judge to submit report, contents of--inspections by director--notice of noncompliance, how given--county to select services, costs, how paid.

219.041. 1. To encourage the development of community based treatment services, the director is hereby authorized to administer an incentive subsidy program to assist local units of government in the development, implementation, and operation of community based treatment programs including, but not limited to, preventive or diversionary programs, probation services, community based treatment centers, and facilities for the detention, confinement, care and treatment of children under the purview of chapter 211, RSMo.

2. The director shall, pursuant to the administrative procedures act, chapter 536, RSMo, promulgate rules establishing standards of eligibility for local units of government to receive funds under sections 219.011 to 219.086. Rule and regulation making power shall be subject to the provisions of section 219.016, subsection 6.

3. In determining the purposes for which funds will be expended by the juvenile court judge, he shall appoint an advisory committee representative of the county's population. The committee shall actively participate in the formulation of plans for the proper expenditure of funds and shall cooperate and assist in the implementation of these plans. Members of the advisory committee shall receive no compensation.

4. The juvenile court judge shall submit to the director a written report containing a program description, method of implementation, and budget of all projects proposed to be funded under this provision. Upon approval of this report by the director, the county shall be eligible to receive subsidy.

5. The director shall visit or cause to be visited each program and facility funded by this provision, the purpose of such visits to be the examination of facilities, programs, books, and records. He shall make written recommendations for needed changes or improvements.

6. When the director shall determine that there are reasonable grounds to believe that a county is not in compliance with the operating standards established pursuant to subsection 2 of this section, at least

thirty days' notice shall be given the county and a hearing shall be held to ascertain whether progress has been made toward compliance. The director may suspend all or a portion of any subsidy until the required standard of operation has been met.

7. Any county may purchase selected services from the division by contract as provided in sections 219.011 to 219.086. The director shall annually determine the costs of providing such services and all charges shall be deducted from the subsidy due and payable to the county concerned, provided that no contract shall exceed in cost the amount of subsidy to which the participating county is eligible.

8. Participating counties shall not diminish or reduce their level of spending for juvenile correctional programs in order to remain eligible to receive subsidy for the specific program being subsidized.

(L. 1975 S.B. 170 § 8)

Board--number, qualifications, terms, oaths, duties.

219.046. 1. The board shall have such specific authority and responsibility as defined in sections 219.011 to 219.086 and the general authority to advise the director, the legislature and the general public on all matters pertaining to the purposes of sections 219.011 to 219.086 and the operation of the division. The board shall consist of fifteen members who shall be appointed by the director of the department.

2. The membership shall be comprised of public officials, professionals, and representatives of the general public who possess knowledge and experience in health, education, social, correctional, or legal services for children. The membership shall be representative of the various geographic regions and socioeconomic population of the state. Members of the board shall be residents of the state of Missouri. Not more than eight members of the board shall be from the same political party. The members of the board holding office on September 28, 1975, shall continue in office until the expiration of the term to which they were appointed. The director of the department shall appoint those members to be appointed after September 28, 1975, for staggered terms so not more than one-third of the terms of the board members shall expire in any one calendar year. The terms of the members first appointed after September 28, 1975, shall commence on July 1, 1976. As the terms of office of the members in office on September 28, 1975, and of the members appointed after September 28, 1975, expire, their successors shall be appointed for a term of four years.

3. Before entering upon their duties, members of the board shall subscribe to an oath or* affirmation to support the Constitution of the United States and of the state of Missouri and to faithfully perform the duties of their office.

4. The board shall meet with the director a minimum of four times each year for the purpose of reviewing the activities of the division. The board or a committee thereof shall visit each facility of the division as frequently as it deems necessary and shall file a written report with the governor, director, director of the department and the legislative library regarding conditions they observed relating to the care and treatment of children assigned to the facility and any other matters pertinent in their judgment.

(L. 1975 S.B. 170 § 9)

*Word "of" appears in original rolls.

Board and commission members may contribute per diem or expenses for services to the youth services treatment fund--fund established --procedure to contribute.

219.048. 1. Any person serving as a member of a board or commission may indicate that such member wishes to contribute all or any part of the per diem or expense reimbursement received for such service on the board or commission to a fund to be administered by the division of youth services for the counseling, treatment and therapy of children who have been sexually, physically or emotionally abused. The office of administration shall design vouchers for the payment of the per diem or expense reimbursement to allow the person to designate if all or part of the money the person is entitled to receive is to be deposited in the "Youth Services Treatment Fund", which is hereby created in the state treasury. All per diem and expense reimbursement amounts which are contributed shall be deposited with the state treasurer in the fund. The division of youth services advisory board created in chapter 219, RSMo, shall make recommendations to the governor and the department of social services for the expenditure of the money in the fund.

2. Notwithstanding the provisions of section 33.080, RSMo, moneys in the fund at the end of any biennium shall not be transferred to the general revenue fund.

(L. 1997 H.B. 641 & 593 § 3)

Right of petition--duty of director on receipt of petition.

219.051. 1. Any child committed to the division and the parent or guardian of such child shall be informed of their right to petition the director in accordance with promulgated rules and regulations for a hearing with respect to:

- (1) The failure to examine such child in accordance with the provisions of subsection 3 of section 219.021;
- (2) The failure to reexamine such child within six months after a previous examination, in accordance with the provisions of subsection 5 of section 219.021;
- (3) Any placement decision required to be made by the division pursuant to the provisions of sections 219.011 to 219.086;
- (4) A request to the director for a rehearing from a determination of violations of the terms and conditions of a child's aftercare supervision, as provided in section 219.026; and
- (5) The taking of such child into custody for violations of the terms and conditions of his aftercare supervision as provided in section 219.026.

2. The director shall within thirty days of the receipt of such petition, afford such child or his parents, guardian, or legal counsel an opportunity for a full and fair hearing, and render a decision on the petition within five days after the conclusion of such hearing.

3. Pending the determination by the director with respect to a petition for review filed pursuant to the

provisions of subsection 1 of this section, the authority of the division to take such action, in accordance with the provisions of sections 219.011 to 219.086 with respect to such child, shall in no wise be affected.

(L. 1975 S.B. 170 § 10)

**Health care standards to be established by department of health and senior services--
educational standards to be established by department of elementary and secondary
education.**

219.056. 1. It shall be the duty of the department of health and senior services to set standards of health care in the facilities operated by the division, to inspect buildings from the standpoint of health, and to make periodic inspections and reports in writing to the director as to the conditions of health and sanitation in the facilities under the jurisdiction of the division. Any findings considered by the department of health and senior services to be detrimental to the health or welfare of a child committed to the division shall be immediately reported to the director and the director of the department of social services with the date by which such condition must be corrected or eliminated.

2. It shall be the duty of the department of elementary and secondary education to set standards of education and school attendance in the facilities of the division, make periodic inspections and prepare evaluations of curricula, and to have such authority over the educational programs as the department has in its administration of the public school system. Reports of all such inspections and evaluations shall be sent to the director, the director of the department and the advisory board.

(L. 1975 S.B. 170 § 11)

**Aiding runaway, penalty--peace officers, duty of--records confidential, exceptions,
penalty for divulging--division may sue for damages.**

219.061. 1. Any person who knowingly permits or aids any child to run away from an institution under the control of the division or conceals the child with intent of enabling him to elude pursuit is guilty of a misdemeanor, and upon conviction, shall be punished as provided by law.

2. It shall be the duty of every law enforcement official, and any official who is designated by the division, to detain, with or without a warrant, any child who shall have run away from a facility and to hold him subject to the orders of the division.

3. Disclosure of any information contained in the records of the division relating to any child committed to it shall be made only in accordance with regulations prescribed by the division, provided that such regulations shall provide for full disclosure of such information to the parents or guardians, or if they be out of this state to the nearest immediate relative of such child, upon reasonable notice and demand and to the child fatality review panel reviewing the death of a child pursuant to section 210.192, RSMo. Any employee or officer of the division who shall communicate any such information in violation of any such regulations may be subject to immediate discharge.

4. For all damages to the division or to any property, real or personal, belonging thereto, actions may be

maintained in the name of the division as such, and all damages levied in such actions shall be paid into the state treasury and, upon appropriation, shall be used by the division.

(L. 1975 S.B. 170 § 12, A.L. 1994 S.B. 595)

Medical and dental treatment authorized, when.

219.066. 1. Except in case of emergency, the division shall not authorize or permit any major surgery to be performed upon or general anesthetic to be administered to any child committed to the division unless specific written consent thereto shall first have been obtained from the parent or guardian of such child, or, in the absence of such consent, from the court which vested legal custody of such child in the division or any court that has jurisdiction.

2. Upon the recommendation of an attending physician, psychiatrist, surgeon or dentist, the division may authorize medical, psychiatric, surgical, or dental care and treatment as may be required by the child. If the care and treatment is contrary to the religious tenets and beliefs of such child, the treatment of the child may be authorized by the division only upon the specific written consent of the parent or guardian of the child, or, in the absence of such consent, upon the specific written order of the court which vested legal custody of the child in the division or any court that has jurisdiction.

3. When the child has been placed by the division in a residential child caring facility, other than one administered by the division, the person or persons administering such facility shall have the authority to provide the child with necessary medical, psychiatric, surgical, or dental care only to the extent that such authority has been delegated to such persons with respect to particular children and subject to the same limitations as are applicable to the division under sections 219.011 to 219.086.

(L. 1975 S.B. 170 § 13)

Children to be segregated from criminals.

219.071. No child committed to the division and awaiting transfer to the custody of the division or who has been detained in accordance with subsection 5 of section 219.026 shall be transported or detained in association with criminals or vicious and dissolute persons.

(L. 1975 S.B. 170 § 14)

Children, how transported, transportation expenses, how paid.

219.076. In all cases in which children are committed to the division, the juvenile officer, or such person designated by him, shall deliver the children to the facility designated by the division and shall be allowed the necessary expenses incurred in such delivery for himself and the child and in returning therefrom, to be paid by the county.

(L. 1975 S.B. 170 § 15)

Division may be relieved of custody, when, procedure.

219.081. The division may, at any time, if it finds the child committed to it is in need of care or treatment other than that which it is equipped to provide, apply to the court which committed such child for an order relieving it of custody of such child. The court must make a determination within ten days and the court shall be vested with full power to make such disposition of the child as is authorized by law, including continued commitment. A copy of the order shall be immediately sent to the director.

(L. 1975 S.B. 170 § 16)

Transfer of child to another state, when--expense of transfer, how paid.

219.086. Whenever it shall appear to the division that plans for the rehabilitation of any child committed to it have been made by an appropriate agency of another state, the division may with the written approval of the director of the department and the child's parents deliver the child to the appropriate agency of such other state and authorize the payment of expenses incurred in connection with sending the child to such state.

(L. 1975 S.B. 170 § 17)

Community work program--design and approval of work projects--custody, contract of offenders--eligibility--crew leaders--rules, procedure.

219.091. 1. As used in this section, the term "department" means:

- (1) The office of administration;
- (2) The department of agriculture;
- (3) The department of conservation;
- (4) The department of economic development;
- (5) The department of elementary and secondary education;
- (6) The department of health and senior services;
- (7) The department of higher education;
- (8) The department of transportation;
- (9) The department of insurance;
- (10) The department of labor and industrial relations;

- (11) The department of mental health;
 - (12) The department of natural resources;
 - (13) The department of public safety;
 - (14) The department of revenue; and
 - (15) The department of social services.
2. The division of youth services shall develop and establish a community work program whereby offenders from age fourteen to eighteen committed to the custody of the division may be employed in projects developed and established by any department.
 3. The director or chief administrative officer of any department may request that the director of the division of youth services choose suitable offenders for employment in work projects developed by the division. Such projects shall be designed and approved by the director or chief administrative officer of any department and approved by the director of the division of youth services.
 4. The division of youth services shall retain custody, supervision and control of any offender employed in a work project developed pursuant to this section. Any work crew employed in a work project developed pursuant to this section shall consist of not more than eleven offenders.
 5. No offender shall be employed in a work project developed pursuant to this section if the offender has been convicted of a violent crime or whose conduct while under the control of the division of youth services suggests a propensity toward violence. As used in this subsection, the term "violent crime" means any crime which, in the determination of the director of the division of youth services, involves violence or the threat of violence.
 6. The department proposing the work project shall supply all plans, tools and equipment necessary for the completion of work projects developed pursuant to this section.
 7. The department proposing the work project shall supply crew leaders to direct work crews and supervise the completion of work projects. Such crew leaders shall be employees of the department proposing the work project and shall receive from such department and the division of youth services at least twenty hours of training per year, which shall be designed to instruct the crew leaders in the skills necessary to perform their duties.
 8. The department proposing the work project and the division of youth services may promulgate rules to effectuate the purposes of this section pursuant to chapter 536, RSMo, and section 217.040, RSMo.

(L. 1995 H.B. 174, et al. § 217.598)

**Grant by department of social services of division of youth services facilities--
notification to commissioner of administration--fee --terms of the lease.**

219.096. 1. The director of the department of social services may grant the use of any building or grounds of any of the facilities of the division of youth services for governmental, private or not-for-

profit activities as long as the activities are compatible with the services of the division.

2. The director of the department shall notify the commissioner of administration which governmental, private or not-for-profit entities may lease such building or grounds pursuant to public bid.
3. The department shall charge such entity at least an amount to cover the cost of utilities and services that the department furnishes to the lessee of any building.
4. The term of the lease may be for one year or less, and the lease may contain an option for one-year renewals of the lease if both parties agree. The lease shall include conditions that the lessee shall use and maintain the land or building for uses compatible with the services of the division. The lease shall by its terms protect the state from liability for damages occurring on the property.
5. The director of the department shall sign the lease on behalf of the state.

(L. 1996 H.B. 1117 § 1)

© Copyright



Missouri General Assembly

§ 5139.52. Hearing on alleged violation; apprehension of violators.

(A) At any time during a child's supervised release or during the period of a child's judicial release to department of youth services supervision, if the regional administrator or the employee of the department assigned to supervise and assist the child has reasonable grounds to believe that the child has violated a term or condition of the supervised release or judicial release, the administrator or employee may request a court to issue a summons that requires the child to appear for a hearing to answer charges of the alleged violation. The summons shall contain a brief statement of the alleged violation, including the date and place of the violation, and shall require the child to appear for a hearing before the court at a specific date, time, and place.

(B) (1) At any time while a child is on supervised release or during the period of a child's judicial release to department of youth services supervision, a regional administrator or a designee of a regional administrator, upon application of the employee of the department assigned to supervise and assist the child as described in this division, may issue, or cause to be issued, an order of apprehension for the arrest of the child for the alleged violation of a term or condition of the child's supervised release or judicial release. An application requesting an order of apprehension shall set forth that, in the good faith judgment of the employee of the department assigned to supervise and assist the child making the application, there is reasonable cause to believe that the child who is on supervised release or judicial release to department of youth services supervision has violated or is violating a term or condition of the child's supervised release or judicial release, shall state the basis for that belief, and shall request that the child be taken to an appropriate place of secure detention pending a probable cause determination. As an alternative to an order of apprehension for the child, a regional administrator or the employee of the department assigned to supervise and assist the child may request a court to issue a warrant for the arrest of the child.

Subject to the provision of prior notice required by division (D)(1) of this section, if a regional administrator or a designee of a regional administrator issues, in writing, an order of apprehension for the arrest of a child, a staff member of the department of youth services who has been designated pursuant to division (A)(1) of section 5139.53 of the Revised Code as being authorized to arrest and who has received the training described in division (B)(1) of that section, or a peace officer, as defined in section 2935.01 of the Revised Code, may arrest the child, without a warrant, and place the child in secure detention in accordance with this section.

If a child is on supervised release or judicial release to department of youth services supervision, any peace officer, as defined in section 2935.01 of the Revised Code, may arrest the child without a warrant or order of apprehension if the peace officer has reasonable grounds to believe that the child has violated or is violating any of the following that has been prescribed by the release authority or department of youth services relative to the child:

- (a) A condition that prohibits the child's ownership, possession, or use of a firearm, deadly weapon, ammunition, or dangerous ordnance, all as defined in section 2923.11 of the Revised Code;
- (b) A condition that prohibits the child from being within a specified structure or geographic area;
- (c) A condition that confines the child to a residence, facility, or other structure;
- (d) A condition that prohibits the child from contacting or communicating with any specified

individual;

(e) A condition that prohibits the child from associating with a specified individual;

(f) Any other rule, term, or condition governing the conduct of the child that has been prescribed by the release authority.

(2) Subject to the provision of prior notice required by division (D)(1) of this section, a staff member of the department of youth services who is designated by the director pursuant to division (A)(1) of section 5139.53 of the Revised Code and who has received the training described in division (B)(1) of that section, a peace officer, as defined in section 2935.01 of the Revised Code, or any other officer with the power to arrest may execute a warrant or order of apprehension issued under division (B)(1) of this section and take the child into secure custody.

(C) A staff member of the department of youth services who is designated by the director of youth services pursuant to division (A)(1) of section 5139.53 of the Revised Code and who has received the training described in division (B)(1) of that section, a peace officer, as defined in section 2935.01 of the Revised Code, or any other officer with the power to arrest may arrest without a warrant or order of apprehension and take into secure custody a child in the legal custody of the department, if the staff member, peace officer, or other officer has reasonable cause to believe that the child who is on supervised release or judicial release to department of youth services supervision has violated or is violating a term or condition of the supervised release or judicial release in any of the following manners:

(1) The child committed or is committing an offense or delinquent act in the presence of the staff member, peace officer, or other officer.

(2) There is probable cause to believe that the child violated a term or condition of supervised release or judicial release and that the child is leaving or is about to leave the state.

(3) The child failed to appear before the release authority pursuant to a summons for a modification or failed to appear for a scheduled court hearing.

(4) The arrest of the child is necessary to prevent physical harm to another person or to the child.

(D) (1) Except as otherwise provided in this division, prior to arresting a child under this section, either in relation to an order of apprehension or a warrant for arrest or in any other manner authorized by this section, a staff member or employee of the department of youth services shall provide notice of the anticipated arrest to each county, municipal, or township law enforcement agency with jurisdiction over the place at which the staff member or employee anticipates making the arrest. A staff member or employee is not required to provide the notice described in this division prior to making an arrest in any emergency situation or circumstance described under division (C) of this section.

(2) If a child is arrested under this section and if it is known that the child is on supervised release or judicial release to department of youth services supervision, a juvenile court, local juvenile detention facility, or jail shall notify the appropriate department of youth services regional office that the child has been arrested and shall provide to the regional office or to an employee of the department of youth services a copy of the arrest information pertaining to the arrest.

(3) Nothing in this section limits the power to make an arrest that is granted to specified peace officers under section 2935.03 of the Revised Code, to any person under section 2935.04 of the Revised Code, or to any other specified category of persons by any other provision of the Revised Code, or the power to take a child into custody that is granted pursuant to section 2151.31 of the Revised Code.

(E) If a child who is on supervised release or who is under a period of judicial release to department of youth services supervision is arrested under an order of apprehension, under a warrant, or without a warrant as described in division (B)(1), (B)(2), or (C) of this section and taken into secure custody, all of the following apply:

(1) If no motion to revoke the child's supervised release or judicial release has been filed within seventy-two hours after the child is taken into secure custody, the juvenile court, in making its determinations at a detention hearing as to whether to hold the child in secure custody up to seventy-two hours so that a motion to revoke the child's supervised release or judicial release may be filed, may consider, in addition to all other evidence and information considered, the circumstances of the child's arrest and, if the arrest was pursuant to an order of apprehension, the order and the application for the order.

(2) If no motion to revoke the child's supervised release or judicial release has been filed within seventy-two hours after the child is taken into secure custody and if the child has not otherwise been released prior to the expiration of that seventy-two-hour period, the child shall be released upon the expiration of that seventy-two-hour period.

(3) If the person is eighteen, nineteen, or twenty years of age, the person may be confined in secure detention in the jail of the county in which the person is taken into custody. If the person is under eighteen years of age, the person may be confined in secure detention in the nearest juvenile detention facility.


(4) If a motion to revoke the child's supervised release or judicial release is filed after the child has been taken into secure custody and the court decides at the detention hearing to release the child from secure custody, the court may release the child on the same terms and conditions that are currently in effect regarding the child's supervised release or judicial release, pending revocation or subsequent modification.

(F) If a child who is on supervised release is arrested under an order of apprehension, under a warrant, or without a warrant as described in division (B)(1), (B)(2), or (C) of this section and taken into secure custody, and if a motion to revoke the child's supervised release is filed, the juvenile court of the county in which the child is placed promptly shall schedule a time for a hearing on whether the child violated any of the terms and conditions of the supervised release. If a child is released on supervised release and the juvenile court of the county in which the child is placed otherwise has reason to believe that the child has not complied with the terms and conditions of the supervised release, the court of the county in which the child is placed, in its discretion, may schedule a time for a hearing on whether the child violated any of the terms and conditions of the supervised release. If the court of the county in which the child is placed on supervised release conducts a hearing and determines at the hearing that the child did not violate any term or condition of the child's supervised release, the child shall be released from custody, if the child is in custody at that time, and shall continue on supervised release under the terms and conditions that were in effect at the time of the child's arrest, subject to subsequent revocation or modification. If the court of the county in which the child is placed on supervised release conducts a hearing and determines at the hearing that the child violated one or more of the terms and conditions of the child's supervised release, the court, if it determines that the violation was a serious violation, may revoke the child's supervised release and order the child to be returned to the department of youth services for institutionalization or, in any case, may make any other disposition of the child authorized by law that the court considers proper. If the court orders the child to be returned to a department of youth services institution, the child shall remain institutionalized for a minimum period of thirty days, the department shall not reduce the minimum thirty-day period of institutionalization for any time that the child was held in secure custody subsequent to the child's arrest and pending the revocation hearing and the child's return to the department, the release authority, in its discretion, may require the child to


remain in institutionalization for longer than the minimum thirty-day period, and the child is not eligible for judicial release or early release during the minimum thirty-day period of institutionalization or any period of institutionalization in excess of the minimum thirty-day period.

This division does not apply regarding a child who is under a period of judicial release to department of youth services supervision. Division (D) of section 2152.22 of the Revised Code applies in relation to a child who is under a period of judicial release to department of youth services supervision.

HISTORY: 147 v H 1 (Eff 7-1-98); 147 v H 526 (Eff 9-1-98); 148 v S 179, § 3. Eff 1-1-2002.

Division of Youth Services			
Subject:	JUVENILE RIGHTS	DYS:	6.6
Issued:	07-01-94	Section: Hearings and Administrative Transfers	
Revised:	09-15-05 04-03-06		

- I. **POLICY:** To ensure that needs and rights are safely and adequately met, youth and their parent(s)/legal guardian(s) have a right to hearings, reviews and transfers with respect to certain actions or failures to act on the part of the Division of Youth Services (DYS) as they relate to the treatment needs of the youth.
- II. **DEFINITIONS:**
 - A. **Substantial Violation:** Significant failure to comply with existing laws and/or violation of aftercare placement conditions.
- III. **PROCEDURES:**
 - A. **Hearings:** DYS conducts four types of hearings. All hearings shall be conducted with the youth physically present. Parent(s)/legal guardian(s) shall receive prior notification of all hearings and are encouraged to attend. For those youth having hearings that fall under the purview of victim rights, please refer to 595.209 RSMo for necessary procedures.
 1. **Director's Hearing:** An administrative hearing conducted by the DYS Director or designee. This hearing may or may not be adversarial in nature; the presence of family or youth-obtained counsel is optional; area of complaints is limited to conditions listed in 219.051, RSMo1978 as amended. The purpose of the Director's Hearing is to examine issues raised by the youth and/or parent(s)/legal guardian(s) in a written petition.
 - a. The Service Coordinator (SC) shall provide each committed youth and their parent(s)/legal guardian(s) with a copy of the Notice of Right to Petition (DYS: F6-3).
 - b. The request is initiated by the youth or parent(s)/legal guardian(s) upon commitment to DYS, or at any time during


Division of Youth Services			
Subject:	JUVENILE RIGHTS	DYS:	6.6
Issued:	07-01-94	Section: Hearings and Administrative Transfers	
Revised:	09-15-05 04-03-06		

- b. The request is initiated by the parent(s)/legal guardian(s) of a youth enrolled in a DYS education program. Requests are forwarded to the Director, Division of Youth Services.
 - c. The Education Supervisor II shall, within 10 working days, conduct an administrative review and provide a written response to the youth, parent(s)/legal guardian(s) and SC.
 - d. The appeal process requires that the Educational Supervisor II appoint a three-party hearing panel as per the process described in the DYS Compliance Plan for IDEA '97.
3. Revocation Hearing: A two-step administrative hearing conducted by DYS occurring when a youth is thought to be in substantial violation of aftercare placement conditions. This hearing is adversarial in nature. The presence of family or youth-obtained counsel is recommended but optional. Areas of complaint are limited to those violations listed in the request for revocation.
- a. Step One: The Probable Cause Review

A fact finding process to determine whether there is cause to believe that a youth is in substantial violation of their aftercare conditions.

 - 1. A review may be requested by the SC when they have reason to believe that the youth is in substantial violation of their aftercare conditions. This request is submitted via the Treatment Plan Review (DYS: F4-13).
 - 2. The RA/designee may order the apprehension and detention of the youth with a Warrant (DYS: F6-6) when the youth has violated the conditions of their aftercare placement and:

Division of Youth Services			
Subject:	JUVENILE RIGHTS	DYS:	6.6
Issued:	07-01-94	Section: Hearings and Administrative Transfers	
Revised:	09-15-05 04-03-06		




7. Within five working days after the hearing has been completed, the hearing officer shall prepare a written report of the decision using the Summary Report of the Probable Cause Hearing (Fact Finding) form (DYS: F6-8) with distribution as listed on the form.
 8. Upon determination that probable cause exists and recommendation for revocation has been made by the hearing officer, the SC shall facilitate placement and ensure that the Notice of Right to Dispositional Hearing (DYS: F6-9) is provided to the youth and distributed.
 9. If the hearing officer does not find probable cause to revoke supervision, the youth shall be continued on aftercare. The Summary Report of the Probable Cause Hearing (Fact Finding) form (DYS: F6-8) shall be completed and distributed as listed on the form.
- b. Step Two: Administrative Review of the probable cause finding.

The review is conducted by the DYS Director or designee by a neutral, detached and qualified staff person. The purpose of the administrative review is to decide whether the recommendation(s) of the probable cause hearing should be followed. Two factors must be evaluated: 1) Was there a substantial violation of the youth's conditions of aftercare; and 2) Is revocation the proper disposition for the youth.


The review process can be completed in the following manner:

1. If the youth does not request a dispositional hearing, by marking "no" on DYS: F6-9.9, an administrative review shall be conducted by The RA/designee to ensure that the outcome of the revocation hearing was appropriate, meeting the needs, rights and responsibilities of all parties.

Division of Youth Services

Subject:	JUVENILE RIGHTS	DYS:	6.6
Issued:	07-01-94	Section: Hearings and Administrative Transfers	
Revised:	09-15-05 04-03-06		

2. If the youth requests a dispositional hearing by marking yes on DYS: F6-9.9, the Director's Office shall ensure the RA/designee appoints a hearing officer within 30 calendar days of the request, to convene a hearing at the DYS site where the youth is sheltered.
 3. Notification of the hearing shall be provided to the RA, SC, facility, youth, and their parent(s)/legal guardian(s) via the Notice of Time and Place of Dispositional Hearing form (DYS: F6-11).
 4. Upon completion of the hearing, should the hearing officer find no basis for revocation, the hearing officer shall immediately notify the RA and the SC of this decision. The SC should make immediate arrangements to return the youth to aftercare placement and modify the treatment plan accordingly. The findings shall be documented utilizing the Summary of Hearing (Hearing based upon request for Dispositional Hearing) form (DYS: F6-12) and distributed within 15 calendar days.
 5. Should the hearing officer determine that revocation of aftercare is appropriate, the findings shall also be documented utilizing the (DYS: F6-12) and distributed within 15 calendar days.
 6. Upon receipt by the RA of the findings of the dispositional hearing, a Permit for Plan of Care (DYS: F4-14) shall be issued and copied to all parties on the distribution list. The effective date shall be the date of signature by the RA.
4. Vertical Transfer Hearing: An administrative hearing conducted by the RA/designee from the committing region. This hearing is non-adversarial in nature. The presence of a youth advocate, family or


Division of Youth Services			
Subject:	JUVENILE RIGHTS	DYS:	6.6
Issued:	07-01-94	Section: Hearings and Administrative Transfers	
Revised:	09-15-05 04-03-06		

youth-obtained counsel is desirable, but optional. Complaints are limited to the ability of current placement to adequately meet treatment needs of the youth.

- a. A vertical transfer is a transfer from community care to any residential DYS program and/or from low and moderate care programs to any of the following secure care programs

Fulton Treatment Center
Hogan Street Regional Youth Center
Northwest Regional Youth Center
Mt. Vernon Treatment Center
Hillsboro Treatment Center
Montgomery City Youth Center
Riverbend Treatment Center


1. A vertical transfer may be requested when:
 - a. The youth poses a danger to the safety of other persons (either youth or employees), the site, or to the community.
 - b. The youth will benefit more from the programs offered at the recommended site than from the current program placement.
2. The request may be initiated by the youth, parent(s)/ legal guardian(s), site, or SC and shall be made in writing to the RA/designee) of the committing region.
3. Upon receipt of the request, the RA shall facilitate or shall immediately appoint one or more parties who are neutral and objective to hold the hearing.

Division of Youth Services			
Subject:	JUVENILE RIGHTS	DYS:	6.6
Issued:	07-01-94	Section: Hearings and Administrative Transfers	
Revised:	09-15-05 04-03-06		

4. The hearing shall be held within 15 calendar days upon receipt of the request.
5. The youth, parent(s)/legal guardian(s), site, and SC shall be given adequate and timely notice (at least 24 hours) of the time and place of the hearing utilizing the Notice of Transfer Hearing form (DYS: F6-14).
6. Only information introduced as evidence at the hearing shall be considered by the hearing officer. Within five working days of the hearing, the hearing officer shall make their recommendations in writing using the Summary Report of Transfer Hearing form (DYS: F6-15) to the RA/designee. Upon approval by the RA/designee a Permit for Plan of Care (DYS: F4-14) shall be issued and distributed within five working days along with the hearing results. The official date of transfer shall be the date of physical movement of the youth to the designated placement or the date authorized by the RA on the Permit for Plan of Care, whichever is the latest date.
7. The RA approving the transfer shall see that transportation is arranged from current assignment to the new assignment.

B. Administrative Transfers

An administrative transfer is authorized by a RA/designee. This transfer reflects any movement in placement of a youth except those from community care or to any residential placement and placement of youth in secure care wherein hearings must be held. An administrative transfer may be effected when a change in placement, either inter-agency or intra-agency, may better serve the needs of the youth.

Division of Youth Services			
Subject:	JUVENILE RIGHTS	DYS:	6.6
Issued:	07-01-94	Section: Hearings and Administrative Transfers	
Revised:	09-15-05 04-03-06		

Formal hearings are not to occur when administrative transfers of youth are determined necessary. However, this is not to say that if a treatment meeting of interested parties is determined helpful by staff involved, then that may (and should) happen.

1. The request may be initiated by the youth, parent(s)/legal guardian(s), site or SC, and shall be made in writing to the RA/designee of the committing region.
2. Upon receipt of the request, the RA/designee shall review the request within five working days, and if appropriate, shall authorize the transfer via a Permit for Plan of Care (DYS: F4-14).
3. The official administrative transfer date for purposes of the Permit for Plan of Care (DYS: F4-14) shall be the date of the physical movement of the youth to the designated placement or the date authorized by the RA on the Permit for Plan of Care (DYS: F4-14), whichever is the later date.
4. The RA approving the transfer shall see that transportation is arranged from the current assignment to the new assignment.

MDYS Classifications

Classification	Salary	Position Description	Experience/Education Requirements
<p>Youth Specialist Trainee (Direct Staff)</p>	<p>\$23,520-\$32,004</p>	<ul style="list-style-type: none"> -Trainee level work in youth treatment program -Receives on the job and in-service training -Supervision Received from Youth Group Leader or administrative superior 	<ul style="list-style-type: none"> -60 semester hours of course work from an accredited college -Min. 6 hours in Criminal Justice, Education, Psychology, Sociology, Social Work or related field -Experience in group work involving children ages 13-17 (May be substituted on a year for year basis for the stated education)
<p>Youth Specialist (Direct Staff)</p>	<p>\$25,932-\$36,444</p>	<ul style="list-style-type: none"> -Professional work in a treatment program for youth offenders -Responsible for providing client supervision, implementing group and individual treatment plans, and developing constructive relationships 	<ul style="list-style-type: none"> -Two years experience as Youth Specialist Trainee within MDYS (or) -Graduation from an accredited four-year college/university with specialization in Criminal Justice, Education, etc. Work experience in a residential treatment program which included supervision and/or counseling of troubled youth ages 12-17 (May be substituted on a year for year basis for the stated education)
<p>Youth Group Leader (Direct Staff)</p>	<p>\$28,260-\$40,080</p>	<ul style="list-style-type: none"> -Professional and supervisory work in a treatment program for youth offenders -Responsible for providing individual and group counseling and serving as the "group leader" in guiding the group interaction process -Work includes supervision subordinate staff engaged in the treatment process and assisting in training/career development 	<ul style="list-style-type: none"> -One year as a Youth Specialist with MDYS (or) -One year of professional experience in the treatment of juveniles which involved group or individual counseling; and graduation from an accredited four-year college/university with specialization in Criminal Justice, Education, etc. (Graduate work in the specified educational areas may be substituted on a year for year basis for the stated experience)

<p align="center">Youth Facility Manager I (Direct Staff)</p>	<p align="center">\$32,580-\$46,356</p>	<p>-Administrative work involving the supervision of staff and committed youth in an MDYS treatment facility -Responsible for management, including the implementation of group treatment and the provision of individualized services for juvenile offenders, of a small residential treatment facility or moderate-size day treatment program; or as Asst. Mgr of large residential treatment center</p>	<p>-One year of exp. with MDYS as a Youth Group Leader or Service Coordinator -Three years of professional exp. in MDYS in the treatment of juveniles -Three years of professional exp. in the treatment of juveniles involving group or individual counseling, including one year in a supervisory capacity at the level of Youth Group Leader; and graduation from an accredited four-year college/university with specialization in Criminal Justice, Education, Psychology, etc. (Graduate work in the specified educational areas may be substituted on a year for year basis for the stated experience)</p>
<p align="center">Youth Facility Manager II (Direct Staff)</p>	<p align="center">\$33,792-\$48,300</p>	<p>Administrative work involving the supervision of staff and committed youth in an MDYS treatment facility -Responsible for management, including the implementation of group treatment and the provision of individualized services for juvenile offenders, of a moderate-size residential treatment facility or small size statewide or special needs facility or as Asst. Mgr of large treatment facility for high-risk juvenile offenders</p>	<p>-One year of exp. with MDYS as a Youth Manager I or two years as a Youth Group Leader or Service Coordinator -Three years of professional exp. with MDYS in the treatment of juveniles -Three years of professional exp. in the treatment of juveniles involving group or individual counseling, including two years in a supervisory capacity at the level of Youth Group Leader; and graduation from an accredited four-year college/university with specialization in Criminal Justice, Education, Psychology, etc. (Graduate work in the specified educational areas may be substituted on a year for year basis for the stated experience)</p>
<p align="center">Service Coordinator I</p>	<p align="center">\$28,260-\$40,080</p>	<p>-Professional Work in the coordination of comprehensive treatment and related services for juvenile offenders -Responsible for assessment, classification, procurement, coordination, and evaluation of services</p>	<p>-One year of professional exp. with MDYS in treatment of juveniles - One year of professional experience in the treatment of juveniles which involved group or individual counseling; and graduation from an accredited four-year</p>

			<p>for juvenile offenders.</p> <ul style="list-style-type: none"> -Close Supervision in early stages of training and may be restricted by supervisor 	<p>college/university with specialization in Criminal Justice, Education, etc. (Graduate work in the specified educational areas may be substituted on a year for year basis for the stated experience)</p>
Service Coordinator II	\$31,392-\$44,508	<ul style="list-style-type: none"> -Professional Work in the coordination of comprehensive treatment and related services for juvenile offenders -Responsible for assessment, classification, procurement, coordination, and evaluation of services for designated clientele -Work includes considerable contact with families, gov't agencies, local courts, and schools -General Supervision is received from the Service Coordination Supervisor 	<ul style="list-style-type: none"> -One year as Service Coordinator I under Missouri Merit System -Three years of professional experience in the treatment of juveniles which involved group or individual counseling; and graduation from an accredited four-year college/university with specialization in Criminal Justice, Education, etc. (Graduate work in the specified educational areas may be substituted on a year for year basis for the stated experience) 	
Service Coordinator Supervisor	\$33,792-\$48,300	<ul style="list-style-type: none"> -Supervision of comprehensive treatment and related services for juvenile offenders -Responsible for oversight of community treatment services involving assessment, classification, procurement, coordination, and evaluation of services for designated clientele -Work includes considerable contact with families, gov't agencies, local courts, and schools -Work includes recruitment, selection, supervision, and training of subordinate Service Coordinator staff 	<ul style="list-style-type: none"> -One year as Service Coordinator I under Missouri Merit System -Four years of professional experience in the treatment of juveniles which involved group or individual counseling; and graduation from an accredited four-year college/university with specialization in Criminal Justice, Education, etc. (Graduate work in the specified educational areas may be substituted on a year for year basis for the stated experience) 	
Regional Family Specialist	\$31,392-\$44,508	<ul style="list-style-type: none"> -Conducts family therapy sessions for families -Responsible for screening families for 	<ul style="list-style-type: none"> -Two years of exp. in rehabilitative work with juveniles, or family counseling; and graduation from an accredited four-year 	

<p style="text-align: center;">Social Service Aides (Trackers)</p>	<p style="text-align: center;">Part-time Position</p>	<p>therapy, scheduling therapy sessions, conducting therapy sessions, and conducting follow-up evaluations</p> <ul style="list-style-type: none"> -General supervision is received from superior administrator 	<p>college/university in social work, psychology, education, etc., and completion of 150 hours of training in family therapy provided by DYS or by an American Assoc. for Marriage and Family Therapy instructor, or completion of a training program of comparable length and content (Graduate work in social work, psychology, guidance and counseling or related areas may be substituted on a year for year basis for a maximum of one year of the stated experience. A master's degree in social work or clinical or counseling psychology may be substituted for the stated 150 hours of training in family.</p>
		<ul style="list-style-type: none"> -Assists the Service Coordinator with the supervision of youth placed in the community -Serve as a mentor -May regularly visit youth's home, school or employer -Maintain contact with youth through face-to-face meetings, home visits, phone calls, and interaction with other professionals that work with the youth -Provide reports on youth's progress -Provide transportation to and from school, offer tutoring, recreational activities, etc. -Position may last from a few weeks to several months 	<ul style="list-style-type: none"> -Position open to college students, retired DYS employees and other members of the community

J

Merit Classifications Utilized by DYS

ADMIN OFFICE SUPPORT ASSISTANT	GUIDANCE CNSLR II
OFFICE SUPPORT ASST (STENO)	VOCATIONAL TEACHER I
SR OFC SUPPORT ASST (STENO)	VOCATIONAL TEACHER II
GENERAL OFFICE ASSISTANT	VOCATIONAL TEACHER III
OFFICE SUPPORT ASST (KEYBRD)	LPN II GEN
SR OFC SUPPORT ASST (KEYBRD)	REGISTERED NURSE II
INFORMATION SUPPORT COOR	REGISTERED NURSE III
COMPUTER INFO TECHNOLOGIST I	PSYCHOLOGIST I
COMPUTER INFO TECHNOLOGIST II	SUBSTANCE ABUSE CNSLR I
COMPUTER INFO TECHNOLOGIST III	SUBSTANCE ABUSE CNSLR II
ACCOUNT CLERK I	RECREATION OFCR I
ACCOUNT CLERK II	RECREATION OFCR II
AUDITOR II	OUTDOOR REHAB CNSLR I
ACCOUNTANT I	OUTDOOR REHAB CNSLR II
ACCOUNTING ANAL II	YOUTH FACILITY MGR I
PERSONNEL OFCR I	YOUTH FACILITY MGR II
TRAINING TECH II	YOUTH SPECIALIST TRAINEE
TRAINING TECH III	YOUTH SPECIALIST
EXECUTIVE I	YOUTH GROUP LEADER
PERSONNEL CLERK	REG FAMILY SPEC
SECURITY OFCR I	SERV COOR I YTH SRVCS
SECURITY OFCR II	SERV COOR II YTH SRVCS
SECURITY GUARD	SERV COOR SPV YTH SRVCS
COOK I	COMMUNITY SVS COORD-YOUTH SRVS
COOK II	MAINTENANCE WORKER II
COOK III	MAINTENANCE SPV I
ACADEMIC TEACHER I	MAINTENANCE SPV II
ACADEMIC TEACHER II	MOTOR VEHICLE DRIVER
ACADEMIC TEACHER III	FACILITIES OPERATIONS MGR B1
EDUCATION SPV I	FISCAL & ADMINISTRATIVE MGR B1
LIBRARIAN I	FISCAL & ADMINISTRATIVE MGR B2
EDUCATION ASST II	SOCIAL SERVICES MGR, BAND 1
SPECIAL EDUC TEACHER I	SOCIAL SERVICES MNGR, BAND 2
SPECIAL EDUC TEACHER II	
SPECIAL EDUC TEACHER III	

ADOLESCENT CARE TRAINING PACKAGE

Missouri Division of Youth Services

Required for Youth Specialists, Group Leaders, Direct Care Staff

COURSE CODE	NAME	HOURS	COMPETENCIES	TIME FRAME
F432	Youth Health & Medication Training	8	Procedures for the administration of medication to youth. Includes agency documentation of prescription drug use.	0-3 months
F435	Medication Training Complete	1	Documentation of F432.	0-3 months
F002	Facility Manual Review	8		0-3 months
F008	First Aid/CPR	4-8	American Red Cross Certification - Technical knowledge, problem solving.	0-3 months
F003	Observations w/Senior Staff	40		0-3 months
F434	Professional Boundaries	2-4	Agency specific training on appropriate interaction between staff and youth.	0-3 months
F009	Physical Crisis Prevention & Intervention	12-16	Participants learn levels of crisis development, appropriate staff responses and demonstrate prevention and de-escalation interventions to reduce crisis.	0-3 months
F048	Suicide Prevention, Intervention, Postvention	3-4	Participants will learn causes, symptoms, and agency policy regarding prevention, intervention, postvention and suicidal situations.	0-3 months
F423	Safety & Security	4-8	Overview of agency specific policies and procedures related to staff and client safety.	0-3 months
F443	Human Civility	4	Human Dignity Training	0-3 months
F067	Assessing/Moving Groups	6-8	Treatment staff training designed to facilitate growth and development adolescent groups.	0-6 months
F440	Communicable Disease	4	Participants will learn myths and beliefs about communicable disease, understand common communicable disease and the skills to promote the prevention and control of communicable disease.	0-6 months
F015	Group Dynamics	12-16	Participants will learn the different forces in a group and how they affect group process, and skills in observing and recognizing those forces.	0-6 months
F014	Basic Communication	8-12	Participants will learn the basic terms, concepts and skills	0-6 months

F089	Systems Theory	6-8	of communication. Introductory course on basic open systems components. The goal is to better predict and influence the treatment process.	0-12 months
F098	Basic Counseling Skills	6-8	Introduction to techniques in individual counseling.	0-12 months
F078	Managing Change	3-4	Participants will learn to understand change, address resistance to change, preparation of a system for change and how to influence positive change.	0-12 months
F405	Sexual Harassment & Prevention	3-4	Office of Civil Rights presentation on current laws and issues related to sexual harassment in the workplace.	0-12 months
F047	Cultural Diversity Awareness	4-8	Participants will heighten their awareness of how behaviors are impacted by cultures, and gain an understanding and appreciation for diversity in groups.	0-24 months
F085	Phase I	24-32	Foundations of agency treatment modalities.	0-24 months
F086	Phase II	24-32	Understanding sexual abuse survivor issues and treatment of adolescent offenders.	0-24 months

MANAGEMENT TRAINING

Missouri Division of Youth Services

*Required for Group Leaders and Management Staff

NAME	HOURS	COMPETENCIES	TIME FRAME
Group Leader Team Building *	4-8	Participants will learn team working skills by creating a team vision, identifying acceptable/unacceptable behavior, identifying assessment styles, addressing team rights and responsibilities, partnership, collaboration, recognizing and celebrating successes.	Annually
Train the Trainer	24	Emphasizing adult learning styles and methods of presentation	As requested
Conflict Management	2-8	Teaches methods of collaboration.	As requested
Situational Leadership II Assessment *	16	Teaches the skills of assessment, diagnosis and contracting for leadership.	Annually
One-Minute Manager	4-8	Collaborative goal setting and coaching employee on new task	As requested
Performance Appraisal *	6-8	O.A. version	Annually
Motivation & Discipline *	6-8	O.A. version	Annually
Systems Theory of Management	8	Applies Open Systems Thinking to the management process.	As requested
Basic Supervision *	8-16	O.A. Version	Annually
Coaching & Redirecting *	6-8	O.A. Version	Annually
Trauma Debriefing	4	Designed to assist supervisors with employees that have been affected by a traumatic incident.	As requested
Diversity Training for Supervisors *	8	Supervisory version	Annually
Sexual Harassment Prevention for Supervisors *	8	Supervisory version	Annually

Key Points of Louisiana's 5 Year Plan

- Louisiana's and Missouri's Mission Statements are similar in focusing on the rehabilitation of the juvenile
 - **Missouri's Statement:**
Enable youth to fulfill their needs in a responsible manner with respect for the needs of their families and their communities.
 - **Louisiana's Statement:**
Youth Services provides at-risk and delinquent youth the opportunity to become responsible and productive citizens using partnerships with families, communities, and other entities with emphasis on the safety of youth and the public.
- Louisiana proposed a regionalization approach to treatment that would create 5 regional service areas.
- Louisiana has created a 5 year plan after working with the Casey Foundation and Mark Steward that includes 5 main initiatives. These initiatives were created with Missouri in mind:
 1. Safety First
 - a. Promote safe environment for youth, families, and communities
 - b. Safety is the foundation and prerequisite for treatment
 2. Family Involvement
 - a. Productive family participation in rehabilitation for youth
 - b. Provide aftercare services for youth and family
 3. Quality Seamless Continuum of Care
 - a. Develop partnerships between families, employees, natural supporters, and community agencies in a statewide continuum of services which address the needs of youth and their families
 - b. Increase range of regionalized treatment
 - c. Increase prevention, early intervention, and reintegration services
 - d. Increase academic and vocational educational opportunities
 4. Community Involvement and Partnership
 - a. Increase participation in community activities
 - b. Increase prevention, intervention, and aftercare resources for youth in communities
 5. Data Driven Outcome
 - a. Develop and implement uniform outcome measures for each program/service
 - b. Ensure analysis of all uniformed outcome measures
 - c. Develop interagency agreements and cooperation regarding sharing of information

State Demographic Comparison

State Demographics	Missouri	Ohio
Total Population	5,586,114	11,153,800
Racial Composition		
-White	84.8%	84.6%
-Black	11.2%	11.7%
-American Indian & Alaska Native	0.3%	0.2%
-Asian	1.2%	1.4%
-Pacific Islander	0.1%	0.0%
-Other	0.6%	0.9%
-Hispanic or Latino (of any race)	2.6%	2.2%
Substance Abuse		
-Illicit Drug Dependence or Abuse	142,000	261,000
-Illicit Alcohol Dependence or Abuse	423,000	690,000
Divorce (Population 15 years & older)	10.8%	10.6%
Educational Attainment		
Less than 9 th Grade	6.5%	4.5%
9 th to 12 th Grade, No Diploma	12.1%	12.6%
High School Graduate (equivalency)	32.7%	36.1%
Some College, No Degree	21.9%	19.9%
Associate Degree	5.1%	5.9%
Bachelor's Degree	14.0%	13.7%
Graduate or Professional Degree	7.6%	7.4%
Employment Status (Population 16 years and older)		
In Labor Force	65.2%	64.8%
Employed	61.4%	61.5%
Unemployed	3.4%	3.2%
Not in Labor Force	34.8%	35.2%
Poverty Level	11.6%	10.6%
Income		
Median Household Income, 1999	\$37,934	\$40,956
Per Capita Money Income, 1999	\$19,936	\$21,033
Infant Mortality (Rate per 1,000)	8.5	7.9
Teen Pregnancy (Rate per 1,000)		
-1997 Girls 13-14	4	6
-2000 Girls 15-17	40	40
-2000 Girls 18-19	124	124
School Dropouts (Grade 9-12)	3.7%	3.9%
Births to Unmarried Women 15-44 years old (Rate per 1,000)	44.9	44.9

**Stats compiled from the U.S. Census Bureau, the Department of Health and Human Services, the National Campaign to Prevent Teen Pregnancy, the Center for Family and Demographic Research, the National Center for Health Statistics, the Welfare League of America, and Standard and Poor's School Matters

TO BE MISSOURI...

The following section is written with the assumption that the Ohio Department of Youth Services would strive to fully adopt the Missouri Model. To replicate the Missouri Division of Youth Services structure and functions, these are some of the major changes that Ohio would make:

1. Legislative/Structural Changes

- Ohio juvenile courts would gain the sentencing option of sending status and misdemeanor offenders to ODYS. ODYS would need to develop appropriate programming for this population. It should be noted that a number of the youth served by RECLAIM could potentially be committed to DYS for services. At this point, we cannot determine the actual number of youth that would be affected.
- ODYS would stop admitting youth 17 and older in the institutions. This amounts to nearly half of our population (46%) that would presumably be committed to ODRC.
 - i. In general, the DYS population would consist of:
 1. youth up to age 16 - majority are 14,15,16
 2. %50 felonies, 50% status offenders or misdemeanants
 In other words, the net effect is to eliminate 46% of ODYS current population by serving youth 16 and under. However, the younger population would then be doubled by adding a population of non-felony offenders.
- ODYS would fall under the umbrella of ODJFS
- ODYS Parole Supervisors would gain the authority to take parolees into custody and residential care when they believe the youth is in substantial violation of the terms and conditions of his release. DYS can immediately take a youth into custody and place him in an appropriate residential/detention facility (with no court involvement). (See Missouri code 219.026)
- Regarding recidivism, it is unclear whether ODYS recidivism rates would decline. Current rates appear equal when using comparable definitions, so it is difficult to predict how a change towards the Missouri Model would affect recidivism in Ohio.
- DYS would create a dual jurisdiction sentencing option where youth are committed simultaneously as a juvenile and adult, and are served at a DYS facility (note: this is a violation of the 2002 JJDP Act regarding sight//sound separation Compliance issues).

2. Fiscal Impact

- Fiscally it is unknown how adaptation of the Missouri Model would affect institutional per diem rates. Currently our rates are

comparable with Missouri's, and the smaller facilities in Ohio have the highest per diems.

- Missouri's budget quadrupled over 15 years while implementing the Missouri Model. In Ohio, there would be significant upfront costs to making major structural system changes.

3. Politics of Getting Started

- Develop a strong, bipartisan advisory board comprised of juvenile justice officials and concerned citizens. The Board should be very active and influential throughout the period of change and should remain permanently active.
- The Advisory Board, succession of Governors, General Assembly, general public, and media must make juvenile justice reform a priority in Ohio for years to come.
- Ohio needs to involve national organizations to lend credibility to the reform efforts.
- Start identifying properties for lease or purchase throughout the state to ensure regional access to services. Work with communities throughout the state to form relationships and partnerships.
- ODYS should begin a public relations campaign by speaking to community groups, college classes, conferences, etc. to pre-empt opposition to the reform.

4. Facility Structure Changes

- Restructure ODYS facilities to become small facilities that house between 25-30 youth per site. Depending on population changes, about 35 - 50 facilities would be needed.
 - This could include closing larger facilities or breaking them up in to smaller, semi-autonomous facilities.
 - This could also include purchasing, leasing or building new properties
- Organize facilities so that multiple levels of care are available in every region, and are generally within a one-hour drive from any area within the state.
 - Non-residential day treatment programs
 - Non-secure group homes
 - Moderately secure group homes
 - Secure care facilities with ranging levels of security
- Consider partnering with state parks and college campuses for residential programming and placements.

5. Changes Within Facilities

- Adopt an agency-wide peer culture that de-emphasizes punishment/corrections and creates a homier atmosphere apparent to both youth and staff. Examples:
 - Change DYS mission and vision to be more youth-centered and treatment focused
 - Youth wear their own clothes
 - Staff wear their own clothes (no uniforms)
 - Youth and staff call each other by first name
 - Abolish all corrections officers
 - Consider rewording correctional terminology
 - All staff are degreed
 - Union membership is optional and unions are very weak
 - Youth can restrain other youth
- Schools are reorganized into 1-room schoolhouses where 1 teacher teaches a majority of the subjects (unclear whether this will meet Ohio law for giving high school credits. Also unclear whether this will meet federal No Child Left Behind Act regarding Highly Qualified Teachers requirements)
 - Lose specialized teachers for subject matters
 - Decrease number of vocational programs offered per site
 - DYS would hire Regional Education Supervisors to provide training and technical assistance to the teachers isolated in each of the small facilities.
- Facilities do not have chaplains
- DYS would not have any treatment-specific facilities. All facilities would serve a general population, with sex offenders /substance abuser/mental health youth mixed in. Treatment would be provided in pull-out groups several times/week.
- ACA Accreditation does not exist and does not drive policy & procedure
- Youth participate in a furlough program where they have the opportunity to visit their placement site for several hours, a weekend, or up to a week, and then return to the facility to finish their stay.
- Youth are rarely transferred to other facilities. Youth are generally served within an hour's drive of their home.
- DYS jurisdiction over youth is almost always terminated at age 18.
- Victim Services are not provided.

6. Aftercare Changes

- Courts are not involved other than courtesy communication from DYS
- DYS can return a youth to residential care for up to 7 days as a sanction, with no hearing. Decision is made by the Service Coordinator Supervisor. (See Missouri code 219.026)
- DYS can return a youth to residential care for up to 30 days for shelter purposes, with no hearing. Decision is made by the Service Coordinator Supervisor.
- DYS can revoke community status by holding an internal administrative hearing (without court involvement)
- Youth are assigned to a Service Coordinator who works with the youth from pre-entry (detention) through their stay at a facility and through aftercare/reentry. Service Coordinators are case managers.
- Instead of Parole Officers, trackers (typically college students) make contacts with youth, based on youth's level of risk.
- DYS would stop contracting with community providers and instead, run its own day treatment programs and group homes and foster care networks throughout each region of the state.
- Case Managers and/or Service Coordination Teams decide when a youth will be discharged (rather than the Release Authority).
- DYS jurisdiction over youth is almost always terminated at age 18. Only in exceptional cases are services provided beyond age 17.
- Family Specialists are employed by DYS and work with families in their homes, while the youth is in residential care and while the youth is on aftercare.
- Families are heavily relied upon to come up with placements. Each region has a small budget to deal with rare cases where placement is an option.

*Ohio Department
of Youth Services*

0

Reentry Roadmap

**A 25 Point Strategy
Toward Restoration**



**Bob Taft, Governor
Thomas J. Stickrath, Director**

2006



**THE OHIO DEPARTMENT
OF YOUTH SERVICES**

***REENTRY
ROADMAP***

All youth committed to Ohio's juvenile system will eventually return to their communities. In 2005, nearly 2,000 youth were released onto parole. Unfortunately, statistics predict that within 1 year, 30% of those youth released will come back to DYS or be committed to the adult correctional system. After three years, the number jumps to 50%.

In order to ease the transition back home and increase the chance of success, it is essential to begin planning for a youth's reentry as soon as possible.

A successful reentry plan is created through the collaboration of the youth, family, community stakeholders, juvenile courts and the Department of Youth Services. The 'Reentry Roadmap' is a 25 point strategy that will guide DYS and community partners in the development of comprehensive, individualized plans to transition each youth within the juvenile justice system back home.

Reentry Roadmap

1

The Ohio Department of Youth Services (DYS) will commit the leadership team to an overall philosophy and mission for Reentry that is grounded in evidence-based practices, consistent with community reentry goals and executed throughout the agency through our performance goals and strategic planning processes.

2

DYS will develop a continuum of training to support reentry that enhances pre-service, in-service, leadership and professional development for all staff to include cross-training between institutions, parole regions, central office administration, and the community.

3

DYS will recruit and train volunteers to provide services during a youth's stay with DHS, as well as, support the transition from the institutions back to their home community.

4

DYS will recommend that Family and Children's First Councils establish a Reentry sub-group to enhance county service delivery plans to assist all youth in successfully returning to the community.

5

DYS and Ohio's juvenile courts will develop a State-wide Risk/Need Assessment System that will be used throughout Ohio's juvenile justice system to more consistently assess each youth's security risk and treatment need level.

6

DYS will create a more comprehensive and collaborative reception and intake process that incorporates community recommendations, assessment and diagnostic information into the Reception Assessment Summary (RAS).

7

Individual reentry plans will be created for all youth. Each plan will involve youth, family, victims, the community and DHS to engage youth to actively participate in achieving their individual programmatic outcomes.

8

DYS will create an improved and comprehensive case communication process for staff and community partners that is easy to use and understand.

9

Within the first 90 days of a youth's arrival to DHS, the Release Authority will hold face-to-face reentry reviews with every youth to assess their individualized plan, institutional goals, and community expectations. The review will include family members, community partners, and victim representatives.

10

DYS will evaluate the current practices of the Release Authority and make necessary procedural changes in an effort to better serve youth, staff, victims and families and promote public safety.

11

DYS will ensure that each youth has a regularly scheduled reentry review to address all security and program concerns during the youth's institutional stay. This review process will continue as the youth transitions back to the community on parole supervision.

12

DYS will enhance treatment program delivery so that youth are afforded the opportunity to engage in a variety of treatment programs in a manner that allows them to work on more than one treatment goal at a time.

13

DYS will redesign the incentives and sanctions process and tie them to our youth recognition and progressive discipline programs while applying them consistently within every institution and region.

14

DYS will work to expand vocational and job skills training programs in the institutions that will build marketable skills for our youthful offenders. In addition, we will be developing relationships in the community to increase employment opportunities for released youth.

15

DYS will establish transitional reentry programs for every institution to prepare youth to return to the community and to link them to community services.

16

DYS will explore the establishment of a structured, supervised and community based reorientation (furlough) program.

17

DYS will work to establish centralized institutional programs for youth returning to DYS on parole violations.

18

DYS will work with the community to develop alternative community sanctions for youth who have committed parole violations that could return them to DYS.

19

Upon a youth's commitment, DYS will engage the community to educate and assist families and non-traditional families in preparing for the youth to return home.

20

DYS will develop a strategy to assist communities in developing resources, bridging local service gaps and training staff in the use and application of collaborative endeavors between state agencies and funding streams.

21

DYS will embrace evidence-based parole practices tied to outcome measures for youth that assist in enhancing our youth's rehabilitation.

22

DYS will continue to explore and utilize expanded uses of technology to increase communication, enhance public safety and offender accountability.

23

DYS will improve our participation in community policing by partnering with state agencies and law enforcement.

24

DYS will establish and define a philosophy for community service and work detail programs.

25

DYS will evaluate and empirically track outcome measures for reentry programs and initiatives.