

**REPORT TO THE  
UTAH LEGISLATURE**

Report No. 2001-09

**A Follow-up Audit  
of  
Utah's Juvenile Justice System**

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Audit Performed by:

Audit Manager	John Schaff
Auditor Supervisor	James Behunin
Audit Staff	Aaron Eliason

# Table Of Contents

	Page
Digest .....	i
Chapter I	
Introduction .....	1
Audit Scope and Methodology .....	3
Chapter II	
More Emphasis is Being Placed on the Early Stages of Delinquency ...	5
Prior Audit Called for More Early Intervention and Intermediate Sanctions .....	5
Some Regions Emphasize Early Intervention More than Others ...	7
Utah Still Needs Better Intermediate Sanctions .....	14
Chapter III	
Cooperation Has Improved But Organizational Roles Are Still Unclear .....	25
Cooperation Has Improved .....	26
Legislature Still Needs to Clarify Agency Roles .....	29
Options the Legislature Should Consider .....	33
Chapter IV	
A New Assessment Tool To Be Used Statewide .....	37
Two Types of Assessments Are Needed .....	37
The Risk Assessment Identifies a Youth's Risk Profile .....	38
Placement Assessments Are Needed to Guide the Placement of Youth Offenders .....	41

**Table of Contents (Cont.)**

Chapter V  
Outcome Measures Still Lacking . . . . . 45

    Program Effectiveness Should Be Measured . . . . . 45

    Independent Monitor of Performance Is Needed . . . . . 48

    Efforts Underway to Create A Research Consortium . . . . . 51

    Managers Still Need Their Own Performance Measures . . . . . 52

Appendices . . . . . 55

Agency Response . . . . . 81

# **Digest of A Follow-up Review of Utah's Juvenile Justice System**

Although Utah's juvenile justice system has made many improvements, several problems described in our 1999 audit report still need to be addressed. For example, Utah's juvenile justice system has responded well to our recommendation that greater emphasis be placed on early intervention. We found that many new early intervention programs have been developed since our first audit. In addition, the state has adopted an assessment procedure to identify the risk and needs of youth offenders, just as we recommended in 1999.

On the other hand, three things must happen to fully implement our 1999 audit recommendations:

1. A few communities still need to develop a complete set of sanctions and services for early offenders.
2. The Legislature needs to address the problems associated with the duplication and overlapping roles between the Juvenile Court and the Division of Youth Corrections.
3. The state needs to monitor the performance of each of the sanctions and services for young offenders so it can identify which programs are effective and which are not.

The following is a summary of each chapter in this report.

**More Emphasis is Being Placed on the Early Stages of Delinquency.** Utah's juvenile justice system is doing a good job of focusing more on youth who are at the early stages of delinquency. We found that many communities have developed programs aimed at truancy, school drop outs, substance abuse, and other social problems that lead to delinquency. We also found several excellent state supervision programs for intermediate-level offenders.

On the other hand, each Juvenile Court district and their affiliated state and local agencies must continue their effort to develop more

programs for early and intermediate-level youth offenders. Many Juvenile Court districts can improve their state supervision programs by including each of the major features that were originally intended for the program.

**Cooperation has Improved But Organizational Roles are Still Unclear.** Although cooperation between the Juvenile Court and the Division of Youth Corrections has improved, there continues to be confusion about the roles and responsibilities of the two agencies. Both agencies believe they are primarily responsible for youth at the early stages of delinquency. In addition, staff within both the Juvenile Court and the Division of Youth Corrections still provide overlapping services. This report repeats the recommendation made in 1999 that the Legislature clarify the roles of the judicial and executive branches of government.

**A New Assessment Tool To be Used Statewide.** Utah is in the process of implementing the audit recommendation that all youth receive an assessment of their risk and need levels. Our 1999 audit report suggests that an assessment process is essential to the success of the juvenile justice system because it allows the state to (1) identify youth who are most at risk of becoming serious and violent offenders, and (2) ensure that youth are placed in a setting that is appropriate for their level of risk and treatment needs. The new assessment tool adopted Division of Youth Corrections and the Juvenile Court will be used statewide beginning in the fall of the year 2001.

**Outcome Measures Still Lacking.** Utah's juvenile justice system still needs to demonstrate which programs are the most effective at reducing juvenile delinquency. In 1999 we recommended that the Legislature designate a single state agency that would be responsible for evaluating the effectiveness of all juvenile justice programs in the state. However, the Legislature has not made a decision regarding which agency, if any, should monitor program performance. In the mean time, the Commission on Criminal and Juvenile Justice (CCJJ) has taken steps to address the matter on its own. Along with four other state agencies and a research center at the University of Utah, CCJJ has set out to create a criminal justice research consortium that would do research into the effectiveness of individual juvenile justice programs. We encourage Legislators to support the creation of the consortium.

# Chapter I

## Introduction

Due to a sudden increase in gang activity and several high profile crimes by youth offenders, juvenile crime became a major public policy issue during the mid-to-late 1990s. In 1996 the Legislature formed a special task force to consider ways to strengthen Utah's juvenile justice system. The task force concluded that one way to reduce juvenile crime would be to intervene with youth offenders at an early age and before they become habitual offenders.

Several steps were taken to carry out the state's strategy of early intervention. A new set of sentencing guidelines was developed by the Utah Sentencing Commission and was approved by the Legislature in 1997. \$2.4 million was appropriated so the Juvenile Court could hire 60 new probation officers and reduce case loads to 20 youth per officer. An additional \$6 million was appropriated for a new intermediate sanction titled "state supervision" –roughly half being allocated to the Department of Human Services and the other half to the Juvenile Court. The goal of state supervision was to provide intensive supervision and treatments to youth who were at risk of continued criminal activity and who would be most likely to end up in state custody without additional intervention.

Several public officials also asked the task force to address other problems they observed with the state's juvenile justice system. The Governor noted some of the organizational problems facing the juvenile justice system and asked the task force to clarify the roles and responsibilities of the various agencies involved. The Chair of the Utah Judicial Council also suggested that a lack of funding had left the system without adequate funding and adequate facilities. He also raised concern about the tension between the judiciary and the executive branch. The Commissioner of Public Safety told legislators that the courts were taking too long to prosecute youth offenders, noting that some youth were committing new crimes before prior offenses had been adjudicated.

In view of the wide ranging concerns about juvenile justice and calls for a remodeling of the system, several legislators asked the Legislative Auditor General to conduct a comprehensive performance audit of the state's juvenile justice system. The audit was performed in 1998 and the

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**In 1997 the Legislature approved millions of dollars in new spending to pay for a new sanction titled "state supervision."**

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**The Governor asked legislators to clarify the roles of agencies within Utah's juvenile justice system.**

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report, titled *A Performance Audit of Utah's Juvenile Justice System* (report number 99-01), was released in January 1999.

The Auditor General's recommendations are summarized as follows:

- More emphasis should be placed on juveniles at the early stages of delinquency.
- Organizational roles and responsibilities need clarification.
- Placement decisions must be based on the results of an assessment.
- An effective system of graduated sanctions is needed.

A companion report was also issued in December 1999 describing the need for the Juvenile Court to speed up the process of adjudicating youth offenders.

Most of the audit recommendations were well received by the juvenile justice community while there were a few recommendations that were not widely accepted. There was broad support for the recommendations that each youth receive a formal assessment of their risk and needs; that a written correctional plan be prepared for each youth; that the intervention selected is well suited to the unique risk and needs of offending youth; and, that the state monitor the effectiveness of individual intervention strategies. On the other hand, one recommendation in particular—that of limiting the role of the Juvenile Court to the intake and adjudication of youth offenders, was difficult for some officials to accept.

In order to decide how best to respond to the audit recommendations, top level officials from the Administrative Office of the Courts and the Division of Youth Corrections used a monthly “joint leadership meeting” to consider each recommendation. Experts in the field of juvenile justice from throughout the country were invited to present their views regarding each of the issues described in the audit report. Eventually the participants broke into special subcommittees—one to address each of six major issues raised in the audit report. For example, one committee was asked to decide how the state would assess the risk and needs of youth offenders. Another committee considered what outcome measures might be used to evaluate the effectiveness of individual programs. A committee was also asked to consider how the state might clarify the roles and

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**The 1999 audit recommended many changes to Utah's Juvenile Justice System.**

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**Managers from the Juvenile Court and Division of Youth Corrections met for over a year to discuss the audit recommendations.**

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responsibilities of the Division of Youth Corrections and the Juvenile Court.

In December 1999, almost a year after the audit had been released, the leaders from the two agencies agreed on a formal plan describing the steps they would take to implement the audit recommendations. Titled *Recommendations for Implementation Juvenile Justice Audit #99-01*, the document contains specific recommendations in six broad issue areas raised in the audit report. It is included as Appendix A in this report.

Later in the year 2000, the Legislative Auditor General was asked to conduct a followup review of the original juvenile justice audit. The following four chapters describe the results—one chapter for each of the corresponding chapters in the 1999 audit report.

## **Audit Scope and Methodology**

The Legislative Auditor General was asked to make a followup review of each of the issues raised in the 1999 *Performance Audit of Utah's Juvenile Justice System*. The companion audit on the timeliness of the juvenile justice system was not included as a part of the followup audit. Specifically, auditors were asked to—

1. Determine if the recommendations reported in the 1999 audit report have been implemented.
2. Determine if the agencies are using a plan to objectively review programs to see if they are effective.
3. Determine if the extra money appropriated by the Legislature has resolved the problems concerning graduated sanctions.

Because of the decentralized nature of the juvenile justice system, audit staff determined that a separate assessment should be made in each Juvenile Court district in order to examine the operations unique to that community. The methods used to evaluate each district included interviews with agency staff, a review of at least five randomly selected case files of youth under state supervision, and written surveys sent to each Juvenile Court and its affiliated agencies.

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**This followup audit describes the extent to which the audit recommendations have been implemented.**

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## **Chapter II**

### **More Emphasis is Being Placed on the Early Stages of Delinquency**

For the most part, Utah's juvenile justice system is doing a good job of focusing more on youth who are at the early stages of delinquency. We found many communities that have developed programs aimed at reducing truancy, school drop-outs, substance abuse, and other social problems that put youth at risk of delinquency. We also found several excellent state supervision programs for intermediate-level offenders.

Although much has been accomplished in the past three years, Utah's juvenile justice system still has far to go in order to fully implement the recommendations made in our 1999 audit report. Each region of the state needs to develop a strategy for serving the early and intermediate-level offenders in their area. In addition, state-level officials from both the Juvenile Court and the Division of Youth Corrections need to give special attention to a few regions where interagency cooperation needs to improve. Finally, each Juvenile Court district and Division of Youth Corrections region needs to make sure that their state supervision programs include all of the major features that were originally intended for the program.

#### **Prior Audit Called for More Early Intervention and Intermediate Sanctions**

In our 1999 audit report, we encouraged Utah's juvenile justice system to continue to develop a system of "graduated sanctions" for youth offenders. The concept is based on a model promoted by the Office of Juvenile Justice and Delinquency Prevention of the U.S. Department of Justice (OJJDP) and is the basis for Utah's sentencing guidelines of youth offenders. As youth commit increasingly serious crimes, they are supposed to receive a corresponding increase in the level of supervision and rehabilitative services. Although Utah's sentencing guidelines encouraged early intervention "to prevent or disrupt the delinquent careers of most juveniles," we found that few such programs existed. For this reason, we recommended that Utah place a greater emphasis on two types of programs for youth at the front end of the continuum of sanctions:

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**Since our 1999 audit, many new programs have been created for early and intermediate level offenders.**

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In 1999 there was a lack of early intervention and intermediate level programs.

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**(1) Early Intervention.** Programs for young offenders who are truant, using controlled substances and committing minor acts of delinquency, and who lack the “protective factors” in their lives which normally prevent youth from progressing on to more serious criminal activity, and

**(2) Intermediate Intervention.** Interventions that target youth who are violating the terms of their probation and who, without increased supervision and services, are likely to be removed from their homes and placed in state custody.

We predicted that an emphasis on early and intermediate intervention would help prevent the state’s youngest offenders from continuing down a path leading to serious criminal behavior and incarceration. In addition, we predicted that the use of these “front end” sanctions would reduce the number of youth requiring more serious sanctions such as a community-based placement or secure care.

### **Agencies Support the Concepts of Early and Intermediate Intervention**

Both the Juvenile Court and the Division of Youth Corrections have expressed support for our call for increased intervention at the early and intermediate levels. In fact, the two agencies have prepared a joint plan to respond to our audit recommendations that can be found on pages 3 and 5 of Appendix A. The steps can be summarized as follows:

#### **To Develop More Early Intervention:**

1. develop a graduated assessment process that would be used to identify high risk offenders,
2. develop services for three distinct categories of at-home intervention, and
3. seek additional funding for delinquency prevention.

#### **To Develop More Intermediate Intervention:**

4. use the state supervision sanction for youth requiring intermediate level intervention,
5. use an National Institute of Justice and the Social Research Institute to study and further define the objectives of state supervision,

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Juvenile Court and Youth Corrections prepared a joint plan to carry out the 1999 audit recommendations.

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6. establish a regular training curriculum to instruct staff on the use of the state supervision sanction, and
7. allow the use of state supervision funds for youth who have not yet been sanctioned to state supervision.

For the most part, we support the steps proposed by the two agencies with the exception of item number 7 above. Later in this chapter we suggest that state supervision funds should be used for direct services to youth sentenced to state supervision. In addition, we also support the need to increase funding for prevention. However, it is important to remember that our 1999 audit report suggests that the additional cost of prevention programs can eventually be covered by the reduced number of community placements that should occur if the state's prevention effort are successful.

During our follow-up review, we found that the Juvenile Court and the Division of Youth Corrections were making progress towards completing each of the steps described above. We recommend that they continue their efforts to fully implement them.

### **Some Regions Emphasize Early Intervention More than Others**

We are encouraged by the number of new early intervention programs that have been developed since our 1999 audit; however, some regions of the state have made more progress than others. During the past two years, many programs have been developed for youth who are truant, shoplifting, experimenting with controlled substances, or failing school. Using the assessment process described later in this report, in Chapter 4, these high-risk youth can be identified at an early age and directed into programs and services that can help them from progressing deeper into the juvenile justice system.

To determine the extent to which Utah has developed its continuum of sanctions, we made an inventory of the programs for prevention, early intervention and intermediate sanctions available within each region of the state. It is important to recognize that no single agency in a community is solely responsible for developing intervention programs for early offenders. It is a responsibility shared by local school districts, state human services agencies, private community organizations, as well as by the Juvenile Court District. Although we understand there are different jurisdictional boundaries among the various state and local agencies, we have chosen to

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**Since our last audit, many new programs have been developed for youth offenders at the early stages of delinquency.**

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summarize our inventory of programs and services by Juvenile Court district. This information can be found in Appendix B.

The results of our inventory of programs show that most regions of the state have been able to close the “gaps” in their system of graduated sanctions by developing early intervention and intermediate level sanctions as well as prevention programs for youth who are most at risk of delinquency. The early intervention programs created in the southwest part of the state are good examples of the type of new programs being developed throughout Utah.

**Four New Early Intervention Programs In Iron and Washington Counties.**

Since our audit in 1999, we found that many communities in Utah have developed early intervention programs that target youth at the early stages of delinquency. A good example is the southwest region of the state where the state and local agencies have made a special effort to develop more early intervention programs. Figure 1 describes four of the programs developed in that region since our 1999 audit.

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**Officials in Southwest Utah have developed programs aimed at truants and others at risk of academic failure.**

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**Figure 1. New Early Intervention Programs.** In Iron and Washington Counties, like many other counties in the state, the Juvenile Court, the Division of Youth Corrections, and other state and local agencies have developed many new intervention programs for high-risk youth.

Iron County Youth Center	Created by several different agencies, program includes a receiving center, truancy center, shelter care, and independent living center.
CARE (creating accountability and responsibility through effort)	Offered in St. George, an alternative to detention. Concentrates on truancy, self esteem, social skills, and general life skills.
PIP (positive intervention program)	Offered in Cedar City, an alternative to detention. Concentrates on truancy, self esteem, social skills, and general life skills.
EXCELL	Tutoring and counseling for foster children, youth in detention and other youth who are at risk of academic failure.

One reason that so many new early intervention programs have been developed in Iron and Washington Counties is that there is a high level of cooperation among the local agencies that serve at-risk youth in that part of the state. Most of the new programs we found in Cedar City and St. George were the result of the combined effort of the Juvenile Court, the State Department of Human Services, and local school districts. In fact, those communities where state and local agencies work well together also tend to have the best early intervention programs. One excellent example of how a community-wide effort can produce an effective set of early intervention programs is the process used by agencies and local interest groups in the Davis County area.

### **Davis County a Model for How to Develop Prevention and Early Intervention Programs**

Davis County offers an excellent example of how a community can develop an effective early intervention strategy. The Davis County area has been far ahead of other communities in terms of the level of cooperation that exists among local agencies and their attention to the problem of juvenile delinquency. Long before our 1999 audit report was released, officials in Davis County were already following the *Guide for Implementing the Comprehensive Strategy for Serious, Violent and Chronic Juvenile Offenders*<sup>1</sup> that is referred to in our report and which was the basis for many of our audit recommendations. As a result, Davis County has for many years been developing the same type of early intervention programs described in our audit report. Although other regions in the state may not choose to adopt the same programs, each community in the state could benefit by following a similar strategic planning process to the one used by officials in Davis County.

**Concerns about Gangs Led to Community Action.** During the early 1990's community leaders in Davis County became concerned when they saw an increase in gang activity in their community. From 1989 to 1993, gang activity had risen about 500 percent. In response, the "Safe Home, Safe School, Safe Community Committee" was formed—consisting of representatives of every state and local agency, as well as most private organizations in the area that had an interest in juvenile delinquency. The group asked OJJDP to provide them with formal training regarding how to prepare an early intervention strategy. The

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**Davis County has been far ahead of other communities in terms of developing a practical strategy against juvenile delinquency.**

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<sup>1</sup>The *Guide for Implementing the Comprehensive Strategy for Serious, Violent and Chronic Juvenile Offenders* is a publication of the Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice.

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**Communities should follow three basic steps as they develop a local early intervention strategy.**

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OJJDP approach used by the Davis County group can be summarized as follows:

**1. Mobilize the Community.** Community leaders assembled a special committee with representatives from each of the community organizations with an interest in juvenile crime. Those attending included the county commissioners, city mayors, and representatives of the school district, local police, community mental health center, the Juvenile Court Judges, Division of Youth Corrections, local churches and the United Way. The group was united behind the goal of eliminating gang activity and reducing juvenile crime in their community.

**2. Investigate the Main Causes of Delinquency.** In addition to the problem of increased gang affiliation, committee members identified a number of factors that they felt were contributing to juvenile delinquency. These included: (1) the periodic altercations between the “cowboys” and the “skaters” on junior high and high school campuses; (2) a lack of respect by youth for law enforcement; and, (3) a lack of effective oversight and tracking of habitual offenders.

**3. Develop Strategies to Address the Specific Concerns.** Once they identified the causes for delinquency, the committee identified a set of strategies that might best address those causes. They consulted the national research concerning juvenile delinquency and came up with a set of programs and services that had been shown to be effective in other states at addressing the problems identified in Davis County. Some of the intervention strategies that resulted from this strategic planning process are described in Figure 2.

**Figure 2. Intervention Strategies Developed in Davis County.**  
The programs that resulted from Davis County’s Planning Process.

Davis County’s strategic planning process produced several programs for early offenders.

**SALE (Student Alliance with Law Enforcement)**

Taught by police officers and educators, students learn such concepts as why laws exist, respect and honesty while building positive attitudes towards law enforcement.

**Safe Step**

Designed to diagnose learning and related problems and develop appropriate interventions for students referred through the Safe Schools Program. A case management team worked with 46 students, of whom 67 percent had learning and behavioral disabilities.

**SHOWS (Serious Habitual Offenders Working to Succeed)**

A program which helped 68 youth offenders through educational services or an intensive tracking and assessment. Special education plans were developed for each child so each could enjoy a positive school experience.

**SUCCESS**

An interagency approach to resolving issues contributing to gang membership, the program confronts substance abuse and helps improve academic, social and vocational skills. Families receive opportunities to bond and improve communication.

**SHO’UPP (Serious Habitual Offenders Utilizing Positive Programs)**

A program designed to identify and reenter youth not enrolled in any school program. It succeeded in decreasing the drop-out rate by 22 percent its first year.

**SHOCAP (Serious Habitual Offender Comprehensive Action Program)**

Allows participating agencies to give additional attention to juveniles who repeatedly commit serious crimes, to help the youth access the services they need, and to hold them accountable.

In our view, each community in Utah would do well to follow the strategic planning process used by the officials in Davis County. Even those districts which have relatively effective programs need to recognize that the strategic planning process should be an ongoing effort. This is why officials in Davis County continue to assess the needs of the community, evaluate the effectiveness of their programs, and modify the mix of programs offered.

## **One Six-county Region Still Lacks an Effective Response To Juvenile Delinquency**

In contrast to the districts that have developed many new early intervention strategies, we found that the communities in Garfield, Kane, Piute, Sanpete, Sevier, and Wayne Counties have relatively weak programs for delinquency prevention. Later in this chapter we make a similar observation about the state supervision program in that region. For this reason, we recommend that the local officials within the region conduct the same type of strategic planning that has been conducted in Davis County.

We found that high risk youth in a six-county region from Sanpete county down to Kane County do not receive the same level of prevention and early intervention services as those in other parts of the state. We reviewed the case files for a random sample of youth offenders who are currently under court supervision. We found a surprising lack of intervention options for each youth. Many of the counseling and treatment programs offered in other parts of the state were not available for youth in the six-county region served by the 6<sup>th</sup> District. The region's lack of early intervention programs may be one reason the region has the highest rate of felony referrals in the state. During the year 2000 the 6<sup>th</sup> District Juvenile Court had 28 referrals for each 1,000 youth while the rest of the state averaged only 15 referrals.

The following describes some of the factors which may have contributed to the lack of early intervention and prevention programs in the six-county region.

- Due to the relatively small population within the region, the human services agencies, the community mental health center and the Juvenile Court itself receive much less funding than agencies in other parts of the state. Thus the agencies serving that six-county region are not able to take advantage of the economies of scale as other regions do that have larger populations. The average cost of services is higher due to the added cost of serving youth and families who are spread out over a six county region.
- Local agencies may not be cooperating with one another as well as those in other districts. The reason for this may be that agencies have less money to contribute to joint projects. On the other hand, agencies in other rural areas, such as the Carbon County, have been

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**The agencies in a six-county region from Sanpete County to Kane County serve a small population of youth offenders spread across a large geographical area.**

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able to develop effective intervention programs by combining their efforts.

- The community mental health agency is not providing the same level of support to youth offenders as the mental health centers in other parts of the state.
- Until recently, the schools, the local police and the Juvenile Court have not focused as much attention on truancy as other districts. However, a newly appointed Juvenile Court judge has begun to place more emphasis on the problem of truancy.

It is important to note that we found several positive steps being taken in the region. For example, several counties in the region have adopted a SHOCAP program to track habitual offenders. The probation staff have also developed an assessment tool to identify high risk offenders. In addition, the region is also served by two alternative schools for at risk youth and six communities have youth courts.

There are steps that should be taken by both state and local officials to improve the quality of the early intervention in the region served by the 6<sup>th</sup> District. First, state officials should consider whether a rural component should be added to the funding formula for services offered to rural regions. In addition, local officials within the six-county region, including representatives from the Juvenile Court, human services agencies, local law enforcement, and school districts need to conduct a strategic planning process. Specifically, the six-county region should follow the steps recommended by OJJDP, which were followed by Davis County officials when they developed their early intervention strategy.

Similarly, other communities in the state should also consider conducting their own planning process to monitor local needs and develop appropriate intervention strategies. This plan is essentially what the Juvenile Court and Division of Youth Corrections agreed to when they recommended the formation of Community Juvenile Justice Councils (see Appendix A, page 6).

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**Officials in a six-county region in Central Utah need to work together in order to develop an early intervention strategy.**

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## Utah Still Needs Better Intermediate Sanctions

We also found significant differences in the quality of the intermediate-level sanctions in the state. In Utah, intermediate-level offenders are given a special sanction titled “state supervision.” State supervision programs target youth offenders who have committed serious crimes but who are not yet ready to be removed from their homes and placed in state custody. At the time of our first audit, state supervision was relatively new. Although funding had been provided, very few programs had been developed.

During the past two years, each district within the Juvenile Court system and each region within the Division of Youth Corrections have developed a set of programs for youth that receive the state supervision sanction. However, some programs seem to do a better job than others at accomplishing the original purpose for state supervision programs. We are also concerned that the state supervision has not achieved the result promised by those who first proposed the program—a reduction in the number of youth placed in community-based programs.

The Juvenile Court and the Division of Youth Corrections both agree that the purpose of the state supervision program is not well understood. They have asked the Social Research Institute at the University of Utah to conduct a study that will “further define [the] objectives of state supervision.” The result should be a training curriculum to help better apply that sanction and follow its intended use.

### **Youth in State Supervision Should Be Heavily Programmed And Receive a Wide Range of Services.**

We found that only a few state supervision programs include all the features that we recommended in the 1999 audit report and which the Juvenile Court itself proposed in 1997. In addition, the use of this new intermediate sanction has not produced the cost savings that were predicted, both in our 1999 audit report and by the Utah Sentencing Commission when the sanction was first proposed to the Legislature. One explanation for these problems is that each Juvenile Court district and Division of Youth Corrections region has been allowed to develop its own state supervision program.

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**Some regions do a better job than others in accomplishing the original purposes of the state supervision program.**

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The following briefly describes the components that were supposed to be included in each state supervision program.

**A Correctional Plan for Each Youth.** The *Juvenile Sentencing Guidelines Manual*, published by the Utah Sentencing Commission in 1997, requires that youth who receive a sanction of state supervision also have a written correctional plan. The guidelines state:

Each juvenile receiving this sanction will have a written “correction plan” outlining specific measurable outcomes in each of the three areas of the balanced approach.

The three areas of Utah’s “balanced” approach to juvenile justice include: (1) community protection, (2) accountability, and (3) competency development.

Similarly, on page 85 of our 1999 audit report, we recommended that:

...each provider of youth corrections services should be required to have specific measurable treatment objectives for the juveniles in their care. ...the treatment plan should include specific objectives and a time line for their accomplishment. This treatment plan should be agreed upon by the juvenile, his parents and the provider.

We found several programs within both the Juvenile Court and the Division of Youth Corrections which prepare excellent correctional plans for their youth on state supervision. They contain specific, measurable objectives; they have objectives for the three above-mentioned areas in the balanced approach. They are also signed by the youth offender, the parents, the probation officer and other interested parties. On the other hand, we found a few Juvenile Court districts that either did not have the required signatures, objectives for each of the three areas, or did not have specific objectives. Sadly, a couple of districts had none of these requirements. One Juvenile Court district did not even have a formal corrective action plan for some of its youth under state supervision.

**Youth’s Daily Schedule to Be Heavily Programmed.** The sentencing guidelines say the “state supervision is designed to deliver an intensified level of intervention...” The Juvenile Court’s plan for implementing the sentencing guidelines indicates that the youth on state supervision will be–

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**Some districts have excellent correctional plans; others do not.**

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...heavily programmed in the afternoons of each day (the highest crime period for juveniles) including Saturdays, either on supervised community service work crews, substance abuse programs, educational enhancement activities (tutors to help them complete homework) or at jobs.

One good indicator of the quality of a state supervision program is the extent to which youth have their time scheduled with productive activities. We found that a few state supervision programs do a much better job of structuring the youth's daily schedule than others. In a few Juvenile Court districts and in most Youth Corrections programs, we found that the youth on state supervision have their time so heavily programmed that they hardly have an opportunity to get themselves into further trouble with the law.

In contrast, a few court districts, typically those in rural areas, do not have as many programming options for youth on state supervision. As a result, the youth are not kept as busy as youth in districts with more structured state supervision programs. Although the Juvenile Court districts may require youth to check in with probation officers on a regular basis, either over the phone or in person, the youth spend much of their time under home confinement with few scheduled activities.

**Youth to Be Provided Treatment, Counseling and Services.** One of the objectives of state supervision is to provide youth offenders with any treatment, counseling or therapy needed to help them overcome behaviors that contribute to their delinquency.

The sentencing guidelines say the:

...state supervision includes the various wrap-around services and programs. These include day/night reporting centers, electronic monitoring, work camps, and treatment programs.

The Juvenile Court's plan for implementing the sentencing guidelines indicates the following:

Collaboration with the schools, law enforcement and community youth programs will increase including the use of Local Interagency Councils using the Families and Communities together (FACT) Model.

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**Some districts do not structure the time of their youth, on state supervision, as well as other districts.**

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**Some regions of the state do not offer youth as many wrap-around services as others.**

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The Juvenile Court plan also specifically mentions treatments for substance abuse:

Existing substance abuse programs will be enhanced to include state supervision youth... .

There are significant differences from district to district and region to region in the number and type of services available to youth on state supervision. For example, youth under state supervision in some parts of the state are placed in abuse programs, work camps, and educational programs. The two extremes are the Salt Lake Valley which has the widest range of programs, therapy and services available to state supervision youth and the six-county region served by the 6<sup>th</sup> District Juvenile Court which has the fewest treatment options available.

**Youth to Receive Daily Supervision Through Day-treatment Programs.** State supervision should also include highly structure daytime programs which require youth to report after school to a single location for several hours of treatment, counseling, work programs, etc. Our 1999 audit report refers to these as “day treatment programs.” Unfortunately, most of the state supervision programs do not include a day-treatment program. Instead, they rely on probation officers to manage each offender’s daily schedule and provide them with as much daily structure as they can.

Day treatment is specifically mentioned in the Juvenile Court’s implementation plan for state supervision and by our 1999 audit report. The OJJDP Guide recommends the use of day treatment programs as a way to provide structured supervision as well as the treatment needed by youth under state supervision. The Juvenile Court’s implementation plan states

Collaboration with the Division of Youth Corrections will increase as day programs developed by Youth Corrections are expanded to include state supervision youth who remain in their own homes.

We found two state supervision programs that fully meet the concept of a day-treatment center as envisioned in our 1999 audit report. These are the state supervision programs operated by the Weber Behavioral Health Center for the 2<sup>nd</sup> District Juvenile Court and the Davis Youth Center, in Sunset Utah, a state supervision program operated by the

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**The Weber/Davis Area is the only place where we found day-treatment centers like those recommended in the 1999 audit report.**

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Division of Youth Corrections. We consider these two programs to be the most complete state supervision programs in the state.

**Youth to Receive Special Treatments.** The Juvenile Court’s plan for implementing the state supervision programs permits districts to retain some of the funding for state supervision for special needs:

A portion of the state supervision money will be uncommitted and used as needed for youth with special needs not met through existing intervention programs.

Youth on state supervision often have special treatment needs that can not be addressed through the normal programs and services. It may be a severe mental health condition that requires special psychotherapy, or it may be a special treatment for sex offenders. Although the original plan was to allow Juvenile Court districts to use some of their funds for such special needs, we found that few Juvenile Court districts have done so.

Instead, we found that many of the local Juvenile Court districts are using state supervision funds for the administrative costs and the salaries of the staff within their probation units. In fact, in one district we found that the state supervision funds were largely used for the staff salaries, vehicle expenses and for cell phones. None of the funds were used for special programs and the services for youth on state supervision.

Certainly, each Juvenile Court district must cover the cost of its basic operating expenses and staff salaries; however, these types of expenses were not mentioned when legislators were asked to provide special funding for state supervision programs. However, agency officials did specifically mention that they intended to use the funds for many programs and direct services for state supervision youth. Among those were funds to be “uncommitted and used as needed for youth with special needs... .” Because many youth on state supervision have special problems that cannot be addressed through the normal state supervision program, we believe that districts should use the majority of their state supervision funding for the costs directly associated with providing special services to youth who receive that sanction.

### **Utah Needs to Clarify the Objectives of State Supervision**

One of the underlying problems with the state supervision program is that neither the objectives of state supervision nor the means of

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**Many complain there is never sufficient money to pay for youth’s special treatment needs, yet state supervision funds are often used for other unrelated expenses.**

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**The objectives of the state supervision program are not clearly understood by those who administer the programs.**

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accomplishing those objectives are clearly understood. The cause may be due, in part, to the decentralized nature of Utah's juvenile justice system. In addition, state supervision programs are administered both by the Juvenile Court and by the Division of Youth Corrections. As a result, each Juvenile Court district and each youth corrections region have been asked to develop their state supervision programs on their own, with little guidance from state officials.

Certainly, some flexibility should be provided so each community can design programs that meet their local needs. However, we believe that the Administrative Office of the Courts and the Division of Youth Corrections need to clearly define the purpose of state supervision, the results that are expected, and the best practices for achieving those results.

### **State Supervision Has Not Yet Reduced The Cost of Community-based Programs**

Utah's state supervision has not yet produced the cost savings predicted both by our audit report and by officials within the juvenile justice system. Our 1999 audit report predicts that an effective state supervision program will actually reduce the cost of the juvenile justice system because youth who would otherwise be placed in expensive community-based programs can instead be supervised in their own homes. Others predicted the same result. In fact, some predicted that the program would reduce community placements by 5 percent. Unfortunately, a reduction in community-based placements has not yet occurred even though the juvenile crime rates have declined. As a result, both the number and cost of community placements has increased.

In our 1999 audit report we observed that many youth placed in community-based programs could be effectively controlled in their own homes through an "intermediate level" sanction, our term for state supervision. Page 29 of that report states

The greater use of intermediate sanctions should significantly reduce the amount spent on community-based programs. On average, enrollment in a community-based program costs \$76 a day. In contrast, intermediate sanctions generally cost half that amount.

Similar comments were made by the Juvenile Justice Subcommittee of the Utah Sentencing Commission. They were the ones who first proposed to

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**State supervision was offered as a cost-savings measure that would help the state reduce the number of expensive community-based placements.**

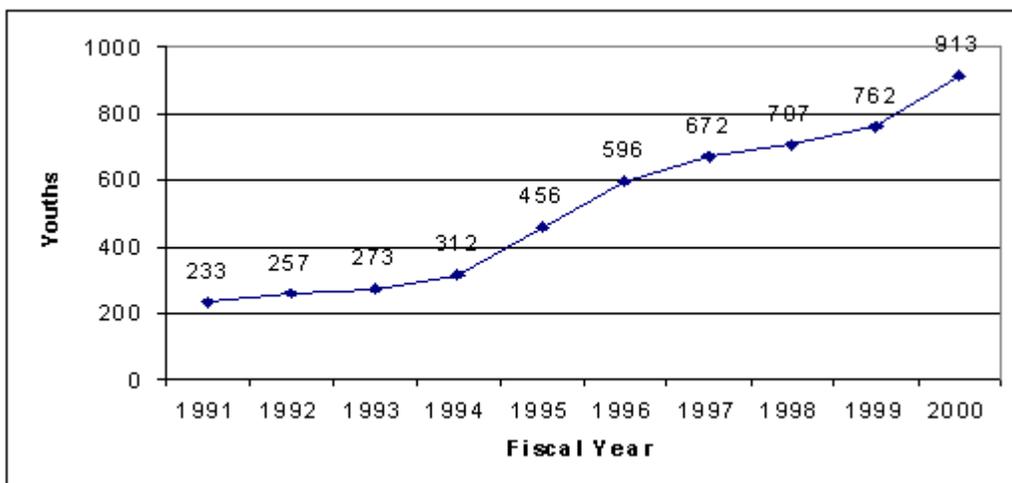
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**State Supervision has not yet produced a reduction in community-based placements as some predicted it would.**

the Legislature that an additional sanction titled “state supervision” be created. According to the minutes of that subcommittee, the creation of a new sanction would result in a “5% improvement in probation success.” That is, according to Russ Van Vleet, who was chairman of the committee at the time, the state supervision program would prevent youth from further penetrating the juvenile justice system to the point that they require a community-based placement. This commitment, he said, was made to the Legislative Task Force on Juvenile Justice when the Sentencing Commission asked for the legislator’s support of their proposal for \$6 million in funding for state supervision programs.

So far, Utah’s state supervision programs have not produced either a reduction in the cost or the number of youth entering community-based placements. According to the Division of Youth Corrections, the number of youth and the cost of community-based programming has continued to increase dramatically as Figure 3 shows.

**Figure 3. Number of Youth in a Community Based Placement.** The increase in community placements has increased significantly during the past decade in spite of the new option of state supervision.



The number of youth in community placements increased from 233 in fiscal year 1991 to 913 in fiscal year 2000. This increase is surprising in light of the fact that juvenile crime has been declining during the past several years. See Figure 4.

The number of youth in a community placement has increased even though juvenile crime has declined.

**Figure 4. Juvenile Crime has Decreased in Recent Years.** The number of youth referred to the Juvenile Court for felony offenses has declined since 1994. Misdemeanors have declined since 1997.

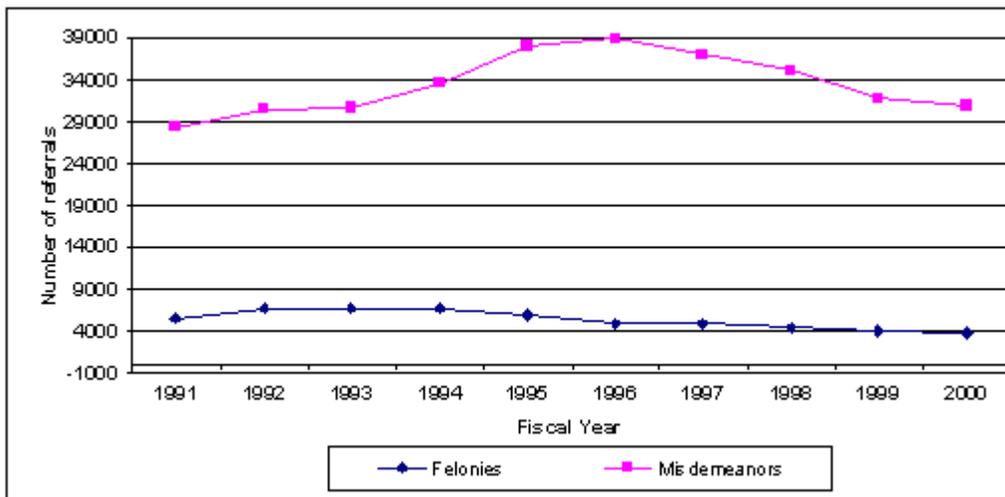


Figure 4 shows that the juvenile crime in Utah has actually been on a decline for several years. It is surprising, therefore, that the number of placements in community-based programs has increased during a time when early intervention and state supervision programs are supposed to reduce community-based placements. One reason is that the Juvenile Court has required that youth have fewer and fewer offenses to receive an out-of-home placement as shown in Figure 5.

The average number of offenses committed by youth in community-based programs has declined.

**Figure 5. Average Number of Offenses for Youth Admitted to Community-based Programs.** The average number of offenses at admission declined over 40% during the past decade.

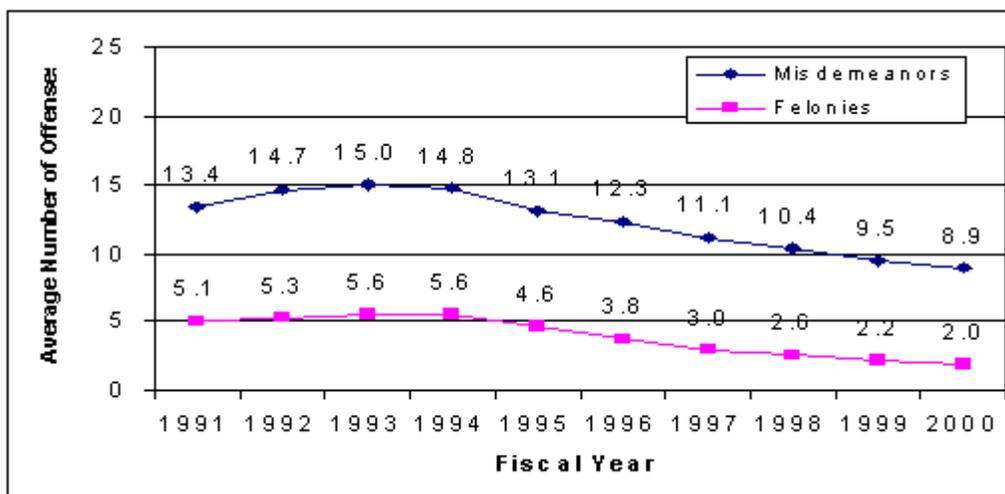
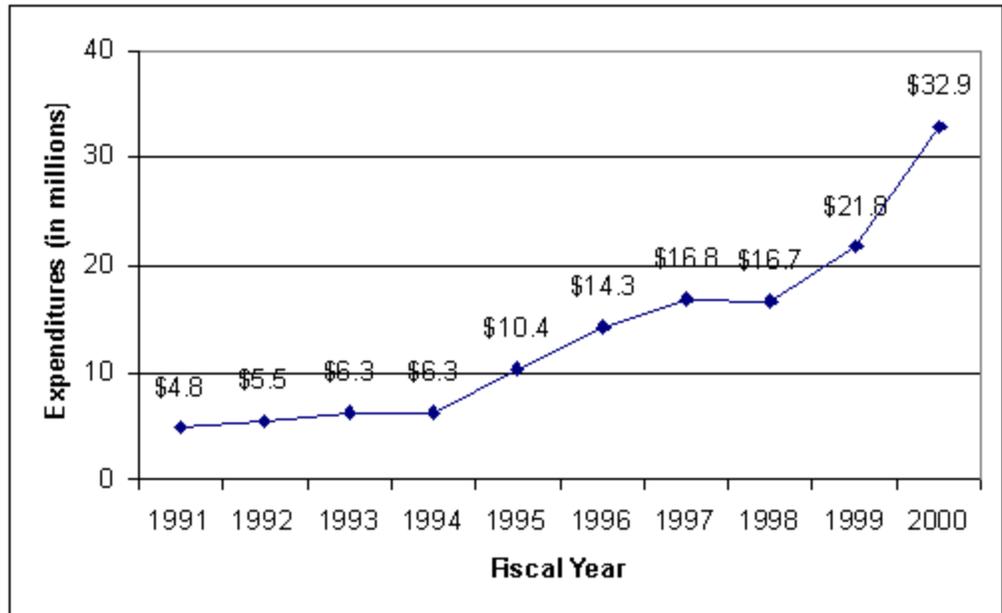


Figure 5 shows that the average number of offenses at the time of admission for youth in community placements has significantly decreased during the past decade. This decrease may be the result of the state's attempt to intervene earlier in the careers of youth offenders by intervening earlier in the careers of youth offenders.

Our concern is that the selling point made to the Legislature when \$6 million was requested for the new state supervision sanction was that it would reduce the number of community placements and ultimately enable the state to avoid the cost of so many residential placements that cost an average of \$76 a day. Instead, the state's expenditures for community-based programming has continued to increase. See Figure 6.

**Figure 6. Spending on Community Based Placements has Increased.** Spending has increased from \$4.8 million in FY 1991 to \$32.9 million in FY 2000.



The increase in spending described in Figure 6 is not what was expected. Instead, state supervision was supposed to lead to a reduction in community-based placements and by so doing reduce the state's expenditures on community-based programs.

It is probably too soon to know for sure whether the state will experience the anticipated effects of the state supervision. It is our

**If the number of community-based placements does not decline, Legislators may question the wisdom of its investment in state supervision.**

expectation that the trends described in the figures above will eventually reverse themselves. As the state supervision programs take effect, Utah should realize a reduction in both the numbers of youth entering community placements and the cost of those placements. However, if the above trends continue and the number of community placements do not decrease, it will cast doubt on the benefit of providing additional intervention services for youth at the early stages of delinquency. If things do not improve, legislators might very well conclude that the state's investment in prevention, early intervention, and intermediate programs is not producing the promised results.

**Recommendations:**

1. We recommend that each Juvenile Court District and each Office within the Division of Youth Corrections continue to carry out the steps they have taken to develop more early intervention and intermediate sanctions, namely to:
  - a. develop a graduated assessment process that would be used to identify high risk offenders,
  - b. develop services for three distinct categories of at-home intervention,
  - c. seek additional funding for delinquency prevention,
  - d. use the state supervision sanction for youth requiring intermediate level intervention,
  - e. use an NIJ grant and the Social Research Institute to study and further define the objectives of state supervision, and
  - f. establish a regular training curriculum to instruct staff on the use of the state supervision sanction.
2. Local officials within Garfield, Kane, Piute, Sanpete, Sevier, and Wayne counties should conduct a strategic planning process to develop an early intervention strategy against juvenile delinquency. Participants should include representatives from the Juvenile Court, human services agencies, local law enforcement, and school districts and other public and private organizations with an interest in juvenile delinquency.
3. All communities in the state should also conduct their own planning process to monitor local needs and develop appropriate intervention strategies.

4. Office of the Court Administrator, the Division of Youth Corrections need to work together to improve the prevention, early intervention and state supervision programs within the 6<sup>th</sup> District Juvenile Court. Among other things, state officials should consider whether the funding for state supervision and for other local services should be based entirely on population or whether a rural component should be added to their funding formulas.
5. We recommend that the Juvenile Court and the Division of Youth Corrections review each of their state supervision programs and take steps to ensure that they include each of the features recommended in our 1999 audit report and proposed by the Juvenile Court itself in 1997.
6. We recommend that funding for state supervision be used only for programs and services that directly serve youth on state supervision. A portion of the state supervision money should be uncommitted and used as needed for youth with special needs not met through existing intervention programs.
7. We recommend that the Juvenile Court and the Division of Youth corrections clarify the purpose and objectives of their state supervision programs.

## **Chapter III**

### **Cooperation Has Improved But Organizational Roles Are Still Unclear**

Although cooperation between the Juvenile Court and the Division of Youth Corrections has improved, there continues to be confusion about the roles and responsibilities of the two agencies. Both agencies believe they are responsible for youth at the early stages of delinquency. In addition, staff within both the Juvenile Court and the Division of Youth Corrections still provide overlapping services. For these reasons, we repeat the recommendation that we made in 1999—that the Legislature clarify the roles of the judicial and executive branches of government with regard to juvenile justice in Utah.

In our 1999 audit report, we observe that there was a lack of unity between the Juvenile Court and the Division of Youth Corrections. We found that the staff from the two agencies often followed different philosophies of intervention. As a result, some youth were subjected to very different methods of intervention as they were sent from one agency to the other. In addition, confusion about the roles and responsibilities of the two agencies made it difficult for the two agencies to cooperate in areas where they had joint responsibility, such as with the state supervision program. Finally, the 1999 audit report describes several areas in which the two agencies were offering similar services. For example, both agencies offered probation-like services and both were providing a wide range of services for intermediate-level offenders.

In order to reduce the confusion and duplication within the juvenile justice system, we recommended that the legislature clarify the roles of the Juvenile Court and the Division of Youth Corrections. Specifically, we recommended that the role of the Juvenile Court, as a judicial branch agency, should be limited to administration of justice. The Department of Human Services, as an executive branch agency, should assume responsibility for administering the sanctions and services required by the court.

Because the Legislature has not yet attempted to clarify the roles of the two agencies, both the Juvenile Court and the Division of Youth Corrections have agreed to improve cooperation in order to address the

problems raised in Chapter II of our report. As the following sections suggested, the two agencies have done a good job of improving coordination.

## **Cooperation Has Improved**

During the past two years, the Juvenile Court and Division of Youth Corrections have agreed to seven goals designed to improve the level of cooperation between the two agencies. We found that most of the goals have been accomplished and that the two agencies are still working on their remaining goals. The following describes the progress that has been made towards accomplishing each goal.

### **A Single Juvenile Justice System Mission Statement Has Been Adopted**

One of the goals of the Juvenile Courts and Division of Youth Corrections was the “adoption of a single juvenile justice system mission statement incorporating the Balanced and Restorative Justice Model.” The two agencies have agreed to a one page document that defines a mission for the state’s juvenile justice system. A copy of this document can be found in Appendix C at the end of this report.

The adoption of a common mission statement is a good first step towards integrating the policies and goals of those who participate in Utah’s juvenile justice system. However, we still observe differences in philosophy between youth correction staff and those of Juvenile Court. Even within the two agencies, individual staff have different philosophies and opinions about how to approach juvenile justice. For example, individual judges emphasize different aspects of the “balanced approach” philosophy. Some judges focus more on accountability, while others emphasize competency development.

### **Participation at Multi-agency Staffings And at LIC Meetings**

The agencies are also trying to improve interagency cooperation by encouraging their staff to participate in multi-agency staffings and on the Local Interagency Councils (LICs). The multi-agency staffing is a meeting where the staff from the Juvenile Court, Division of Youth Corrections and Division of Child and Family Services discuss cases before they are

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**Several steps have been taken to improve cooperation between the Juvenile Court and Youth Corrections.**

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**Inter-agency staffing meetings are being held in districts where they were not being held in 1999.**

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presented to the Juvenile Court. One purpose of the meeting is to help staff from various agencies understand the needs of the child and to agree on the sanction that they will recommend to the court.

**Joint Staffings Have Improved.** We found participation on joint staffing meetings has improved significantly. The agencies in the Salt Lake Valley were not even holding a staffing meeting when we conducted our first audit. The agencies in the Salt Lake Valley are now holding regular meetings to discuss their cases. Agency staff throughout the state have told us that cooperation has improved and that they are able to work out their differences during those staffing meetings so they do not have to sort out their differences in front of the judge. Except for the most difficult and complex cases, staff are usually able to agree on a sanction and set of services that will be recommended in court.

**Most Juvenile Courts Support Their LICs.** Agency staff were also encouraged to participate on local interagency councils that, as part of the FACT program, are designed to help agencies work together in addressing the needs of at-risk youth. We surveyed the coordinators of each of the state's 25 Local Interagency Councils and asked whether the Juvenile Court was a member of the council and if they were active participants. Most of the comments we received back were very favorable, such as this comment from the coordinator in Utah County:

In the LIC, they [Juvenile Court personnel] have been very valuable in interpreting court orders regarding placement and programs, contract providers, and court ordered evaluations. They have also contributed \$1,000 to the LIC local funds for the past two fiscal years. The Juvenile Court presently houses the LIC meetings twice a month.

We received just a few comments from LIC coordinators who felt the support from the Juvenile Court was lacking:

I am concerned that they [Juvenile Court personnel] may not see the value of collaboration with other agencies. We are working on wrap-arounds and they are generally not sharing information with others when plans are in place nor notifying us when youth are detained or referred.

It appears that the vast majority of juvenile courts are supportive of the LIC, although a few have room to improve.

### **Cooperation in Developing a New Juvenile Justice Information System**

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**Cooperation in the development of a Juvenile Justice Information system demonstrates the improved relations between the two agencies.**

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The Juvenile Court is creating a new management information system with many new features. For example, at some future date the assessments and corrective plans will all be on-line and accessible by staff. This electronic case management system will allow staff at different agencies to track the history and progress made of each juvenile. The staff from the Juvenile Court and the Division of Youth Corrections have spent considerable time working together in developing the new system. In our view, an updated management information system should greatly enhance the ability of staff from both agencies to cooperate. It should help the exchange of information regarding youth as they are transferred from agency to agency or provider to provider. The fact that the Juvenile Court has invited other agencies to help them develop their management information system shows the extent to which the courts' view themselves as part of a larger juvenile justice system.

### **Agencies Are Conducting Joint Training Sessions**

Another strategy for improving cooperation between agencies has been the joint training sessions held by the Juvenile Court and the Division of Youth Corrections. When one of the agencies conducts training on subject matter that would be appropriate for the staff of both agencies, they usually invite the staff of the other agency to attend. For example, when one agency conducts a class on the supervision of sex offenders or on the transportation of youth offenders, they invite the staff from the other agency to attend the course. Another example of a joint training session is the two day conference at which staff from both agencies learned how to use the new assessment tool that is being tested in the 1<sup>st</sup> and 3<sup>rd</sup> Juvenile Court Districts. Since we conducted our audit, the Juvenile Court and the Division of Youth Corrections have conducted joint training that covered sixteen different topics that are important to the staff of both agencies. Total staff time spent in the joint training sessions has exceeded 12,000 hours.

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**Three goals to improve coordination have not yet been completed.**

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## **Other Goals Not Yet Accomplished**

Although some progress has been made, the Juvenile Court and the Division of Youth Corrections still have not yet accomplished three of their goals for improving collaboration. These are–

1. Participation of probation staff on DYC Steering Teams.
2. Formation of Community Juvenile Justice Councils.
3. Review of services by the DYC and Juvenile Court to determine which services being provided might lend themselves to a single point of accountability and coordination.

Officials from the Juvenile Court and the Division of Youth Corrections recognize that the above three items are still important goals and are still working towards completing each of them.

With regard to the formation of Community Juvenile Justice Councils, the plan is to create a council in each Juvenile Court district that is similar to the one previously operated in Davis County. In Chapter II of this report, we suggest that each Juvenile Court district promote the creation of such a council within its jurisdiction.

## **Legislature Still Needs to Clarify Agency Roles**

The Legislature has not yet addressed our recommendation to clarify the roles and responsibilities of the agencies within Utah's juvenile justice system. As mentioned previously, the agencies have identified four options that the Legislature might consider. Because the Legislature has not yet acted on this matter, the agencies have selected the first option: to “enhance the status quo through improved coordination.”

Although the working relationship between the two agencies has improved, we question whether coordination will eliminate all of the problems described in Chapter III of the 1999 audit report. During our recent followup review, we found the two agencies still overlap in many functional areas. Moreover, both agencies intend to pursue the development of additional programs that target youth at the early stages of

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**Overlapping responsibilities and duplication of services continue to hamper the effectiveness of Utah's Juvenile Justice System.**

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delinquency. As legislators consider how they might clarify the roles of the Juvenile Court and the Division of Youth Corrections, we recommend they consider the four options proposed by the agencies themselves, including the suggestion made in our 1999 audit report that there be a consolidation of probation with an executive branch agency such as youth corrections.

### **Duplication Is Still a Problem**

Just as we reported in 1999, both the Juvenile Court and the Division of Youth Corrections still carry out many of the same functions. In recent years, duplication has become an even greater challenge because the two agencies are increasing the services they provide to early and intermediate level offenders. Both agencies have begun to increase the early intervention services, and both have state supervision programs. Officials from each agency have told us that they believe their agency, not the other, should be providing services to youth at these “front end” levels.

**Both Agencies Oversee State Supervision Programs.** The state supervision program is one area in which the services provided by the Juvenile Court and the Division of Youth Corrections overlap. This overlap has made it difficult for the two agencies to develop a set of sanctions and services that follow a consistent set of objectives and avoid duplication.

In 1997, the Legislature agreed to divide the funding for state supervision between the Juvenile Court and the Division of Youth Corrections. Unfortunately, the two agencies have not done enough to coordinate their efforts as they have developed this new sanction. As a result, there has been confusion about the objectives of the program and the responsibilities of each agency. There has also been waste due to duplication.

For example, in some locations a youth may be sanctioned to “probation state supervision” where they will receive an intensive level of supervision, therapy and several other services. If a youth re-offends while on the state supervision program operated by the Juvenile Court, he or she may be moved up to the state supervision program operated by the Division of Youth Corrections. One complaint made by some youth corrections staff, however, is that they do not know what to do with the youth after they have already completed the probation state supervision

program. Much of what they offer in the youth corrections state supervision program has already been tried on the youth while he or she was in the Juvenile Court's state supervision program.

In some jurisdictions we found that the agencies often disagree about the purpose of individual state supervision programs. For example, many of the judges, probation officers and DYC officials with whom we spoke have different opinions about the purpose of the Elbow Ranch work camp and about which youth are best suited to the program. We said in our prior audit report that such disagreements over the purpose of individual programs should not exist. Each program should receive youth with a similar treatment need and risk level. In addition, we found the two agencies have had difficulty sorting out minor issues such as which agency should be responsible for transporting youth to and from a wilderness program.

These are just a few examples of some of the problems that have resulted from having two agencies in two branches of government that administer a single sanction. The current arrangement has resulted in waste and a lack of a shared vision and purpose.

**Both Agencies Are Developing Early Intervention Programs.** Just as both the Juvenile Court and the Division of Youth Corrections have developed overlapping state supervision programs, both agencies have begun to develop more early intervention services. Again, the result has been a duplication of effort and confusion among agency staff regarding their roles and responsibilities.

The Juvenile Court has natural interest in providing an enhanced set of early intervention services. After all, they are the agency responsible for processing first time offenders. Most Juvenile Court districts have a fairly good intake or "citation" program for first time youth offenders. We recommended in our 1999 audit report that an assessment be used by the Juvenile Court to identify high risk offenders so they can be offered services to prevent further penetration into the system.

The Juvenile Court plans to perform these assessments and to offer a wide range of early intervention programs to help at-risk youth avoid further delinquency. In fact, some court officials have suggested that they, not the Division of Youth Corrections, should be the agency primarily

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**Conflict may increase as the two agencies both try to develop early intervention programs.**

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responsible for providing services to youth at the “front end” of the juvenile system.

On the other hand, the Division of Youth Corrections already operates many different facilities that serve youth at the early stages of delinquency. At its many detention and receiving centers, the division already provides a wide range of services to youth who are at the first stages of delinquency. As a result, the division considers itself as the primary provider of early intervention services and plans to continue to expand the services offered to early offenders. In fact, during the 2002 legislative session, legislators will be asked to consider whether the Youth Services function within the Division of Child and Family Services should be transferred to the Division of Youth Corrections. If approved, this action will only increase the number of services provided by the Division of Youth Correction’s to youth at the “front end” of the system. It will also add to the confusion about which agency is primarily responsible for early intervention.

In Chapter III of our prior audit report, we document many examples of duplication. For example, we found probation officers, case workers and detention diversion staff perform many of the same functions. During our latest review, we found that many of the same problems still exists today. Our concern is that as the state continues to emphasize early intervention and its state supervision program, the agencies will continue to have problems avoiding duplication and clarifying their roles and responsibilities.

### **The Governor Has Called for Legislative Action.**

In October 1999, the Governor sent a letter to legislative leaders encouraging them to address the issues concerning the “duplication of services” within the Juvenile Court and Division of Youth Corrections. At that time, the two agencies had already spent nearly a year trying to address the problem; the Governor said that the agency’s decision to “enhance the status quo” was not a viable solution. He said:

They have spent hours working on the duplication of services/organizational placement issue but have essentially concluded that the current system with modest changes should be continued. Both the sub-committee and the executive committee were paralyzed by the question and unable to resolve that fundamental issue. This isn’t surprising given that it is a joint

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**Legislators have still not responded to Governor Leavitt’s request to address the system’s organizational problems.**

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committee with natural interests to protect. The “status quo” just doesn’t seem like the right answer to me.

Realistically, the Legislature needs to make the decision as to which branch of government is best equipped to manage field probation services and its affiliated functions. I am asking you to review this portion of the audit carefully and make a decision regarding this important matter. This issue needs to be resolved.

We agree with the Governor’s observation that coordination is not the best solution to the problem of duplication and a lack of clearly defined roles. And, as the Governor’s letter suggests, the Legislature needs to make a decision in this matter. Appendix D provides the Governor’s entire letter.

## **Options the Legislature Should Consider**

When the Youth Corrections/Juvenile Court Leadership Group met to discuss the issues surrounding the duplication of services, they identify four options that they believed the Legislature should consider. As mentioned, the option they preferred was to use cooperation to enhance the current status of the system. They also included the option proposed in our 1999 audit report, that probation be consolidated with an executive branch agency such as youth corrections. We encourage legislators to consider both of these options as well as the others proposed by the Leadership Group. Legislators should keep in mind that there is no one predominate model followed by most other states.

### **Enhance the Current Status Through Coordination**

The Juvenile Court and Division of Youth Corrections gave the following reasons for supporting this option:

1. Costs associated with changes.
2. Disruption to services and children.
3. Organizational changes rarely solve communication issues.
4. Lack of agreement by stakeholders for change.
5. No one model that solves problems addressed in audit.
6. Recently improved collaboration and coordination.
7. Continuation of a system of “checks and balances” between the judicial and executive branches.

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**Option 1: Address the problems through improved coordination in order to avoid the disruption that other options would cause.**

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The Governor does not support the option of pursuing the “status quo.” We also question whether the problems described in this report and in our previous report can be addressed through enhancing the current status.

**In-home Services to Juvenile Court;  
Out-of-home Services to Youth Corrections**

Services for youth who are in their own home would be administered by the Juvenile Court. These services would include prevention, receiving and youth services centers, work programs and alternatives to detention. Services for youth who are placed in out-of-home settings would be administered by the Division of Youth Corrections. These services would include detention, observation and assessment, community placements, and secure care.

This approach is supported by many of the judges we spoke with. It is attractive in that it clearly defines the roles of the two agencies along the lines of the physical location of the child. On the other hand, youth often move back and forth from in-home to out-of-home care. That frequent transfer from one program to another makes it difficult for the state to provide consistent level of service to individual youth offenders. In addition, if this option were selected, we would discourage legislators from approving a transfer of youth services to the Division of Youth Corrections.

**Move Field Probation Services to the Executive Branch.**

Of the four options proposed by the agency leaders, this option is the one that best resembles the recommendation proposed in our 1999 audit report. However, we did not recommend that all probation staff be transferred to the executive branch, only that all sanctions and services be administered by the executive branch of government. We observed in the report that the court would continue to employ intake officers to process youth who are sent to the Juvenile Court. In addition, it would be appropriate for the court to retain a certain number of probation officers to monitor whether the orders of the court have been properly carried out by whichever agency is administering the sanctions and services ordered by the court. This option could provide an effective check and balance between the court that orders the intervention and the agency that provides it.

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**Option 2: Courts would provide services to youth living at home; youth corrections to youth placed out of the home.**

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**Option 3: The courts could retain only those probation officers needed for the court intake process and to observe that the orders of the court are carried out.**

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**Option 4: Create a youth authority consisting of both the judicial and the executive functions.**

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## **Create a Single Juvenile Justice Department**

The final option legislators might consider would be to place the entire juvenile justice system within a single state agency. States that have this structure recognize that youth offenses are not given the same legal status as crimes committed by adults. For this reason, they do not need to be administered by the judicial branch of government. Instead, the administration of the Juvenile Court and the services provided by youth offenders is handled by a single executive branch agency. In recent years, however, the trend has been in the opposite direction—towards a more formal, legalistic juvenile justice system which bears more resemblance to the adult court system.

We encourage legislators to consider each of these options.

### **Recommendations:**

1. We recommend that the Legislature clarify the roles and responsibilities of the Juvenile Court and the Division of Youth corrections. As they do, they should consider each of the four options proposed by the leaders of the two agencies.

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## Chapter IV

# A New Assessment Tool To Be Used Statewide

Utah is in the process of implementing the audit recommendation that all youth receive an assessment of their risk level and treatment needs. Our 1999 audit report suggests that an assessment process is essential to the success of the juvenile justice system because it allows the state to: (1) identify youth who are most at risk of becoming serious and violent offenders; and, (2) ensure that youth are placed in a setting that is appropriate for their level of risk and needs. The new assessment tool adopted by the Division of Youth Corrections and the Juvenile Court will be used statewide beginning in the fall of 2001.

### Two Types of Assessments Are Needed

In Chapter IV of our 1999 audit report, we recommended the use of two types of assessment tools:

1. a risk assessment tool for first time offenders, and
2. a placement assessment for those entering state custody.

We said that a new *risk* assessment would help the Juvenile Court's intake officers identify those youth offenders who are most at-risk and likely to benefit from the state's early intervention programs. The Juvenile Court is currently testing an assessment tool developed by the Juvenile Court in the State of Washington. The assessment tool will eventually be used statewide.

The placement assessment is necessary to help the Division of Youth Corrections identify which of its placement options is best suited to the juvenile's risk and treatment needs. Once a youth offender is sentenced to a particular level within the state's sentencing guidelines, the division must identify the most appropriate placement within the sanction level. If, for example, the juvenile is sentenced to a community placement, then the division must do an assessment of the youth's risk and treatment needs to determine which of all the placement options is best suited to that child's level of risk and treatment needs.

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**Two assessments are needed: one to identify the risk and needs of early offenders; another for serious offenders being placed out of home.**

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## **The Risk Assessment Identifies a Youth’s Risk Profile**

The Juvenile Court and Division of Youth Corrections is about to adopt a new risk assessment tool, just as we suggested in our 1999 audit report. After examining many different risk assessment tools used throughout the nation, the two agencies plan to adopt the assessment tool used in the State of Washington. The assessment process consists of a pre-screen risk assessment for first time offenders and a more thorough assessment for youth placed on probation. The initial trials of the new assessment process has been completed in three Juvenile Court districts. Statewide implementation will begin in the fall of 2001.

### **Finding an Effective Assessment Tool**

After the 1999 Juvenile Justice audit identified the need for an assessment tool, the Juvenile Court and the Division of Youth Corrections formed a committee to identify a new assessment tool that might be used throughout the state by both the Division of Youth Corrections and by the Juvenile Court.

Committee members examined hundreds of articles and invited experts from throughout the country to present their views regarding how an assessment of youth offenders should be performed. Inasmuch as the State of Washington had just completed a very similar process, officials from that state suggested that Utah use both the “pre-screen assessment instrument” and the full “assessment instrument” that had recently been developed. After many conversations with officials from the State of Washington (including members of the assessment study committee, their training coordinator and their software developer), representatives from Utah’s assessment committee decided to adopt the Washington assessment tool and create a software program that might be included in the new management information system being developed for Utah’s juvenile justice system.

### **Overview of Utah’s New Assessment Process**

The state’s new assessment tool includes a one page pre-assessment that is administered when a youth offender first enters the Juvenile Court system. Then, for youth who continue to offend, a more extensive assessment is made to provide a more complete assessment of the child.

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**After extensive searching, Utah has selected the assessment tool developed by the State of Washington.**

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Once assessed, the results tell staff whether the child is low, medium, or high risk of further delinquency. The risk assessment covers the following issues: criminal history, school, use of free time, employment, family relationships, alcohol and drug use, mental health, attitudes and behaviors, and skills. With this knowledge, the child can be placed in programs that are best suited to his or her needs.

**Youth Assessed During an Informal Interview.** One unique aspect of the new assessment process is that the information is gleaned through a casual interview with the youth offender. A more structured interview is later conducted with the youth and youth's family to gather the risk and protective factor information. The juvenile probation counselor uses professional judgement to analyze this information and complete the assessment items. The analysis combines a thorough understanding of the assessment concepts with the ability to elicit information during this initial assessment.

Based on the initial risk assessment, the juvenile probation counselor can set goals for the youth, including the Juvenile Court's obligations, and can place the youth into an intervention designed for the youth's risk profile.

**Pre-screen Assessment.** The Pre-screen Assessment gives staff the option of conducting a shortened version of the full assessment that takes much less time. The Pre-screen Assessment is mainly designed to give juvenile justice officials a brief glimpse of a youth's risk profile. As suggested in our 1999 audit report, early identification of high risk offenders is essential if the state is to succeed in preventing them from progressing to more and more serious criminal activity. The pre-screen assessment is an ideal tool that can be used by staff in detention centers and receiving centers to identify high risk youth placed in those facilities.

**Full Assessment Provides a More Complete Description of Youth's Risk Level and Treatment Needs.** While the new pre-screen tool is for first time offenders, youth who continue to re-offend to the point that they qualify for probation are given a full assessment of their risk level. The evaluation considers each of the following:

- Delinquency History,
- Success in School,
- Use of Free Time
- Employment

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**The assessment is performed during an informal interview with youth offenders.**

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- Relationships with Peer Groups including Gang Involvement
- Home and Family Environment
- Current Living Arrangements
- Alcohol and Drug Use
- Mental Health
- Level of Anti-social Attitudes/Behavior
- Cognitive Skills

Once completed, the assessment should provide juvenile justice officials with a fairly good understanding of the likelihood that a youth will engage in progressively more serious criminal behavior.

**Re-assessments Are Made.** Once a youth received a full assessment, the same assessment can be updated in order to identify whether the youth has made progress in overcoming the developmental issues or behaviors and attitudes that lead to delinquency behavior. The re-assessment does not require repeating the structured-interview of the youth. Rather, the juvenile probation counselor reviews the risk and protective factor information prior to talking with the youth. Following a conversation with the youth, the juvenile probation counselor records any changes discovered. Only factors that have changed are recorded.

The re-assessment software is designed to help make this process efficient and effective. Changes recorded for each factor are maintained in the management information system so the juvenile probation officer and others with the appropriate clearance can have access to the child's complete history and monitor the youth's progress. The person conducting the interview can monitor the tasks associated with the youth's goals, record progress, set new goals and establish new tasks. Task due dates can be used to manage this effort. These goals and tasks can be court ordered obligations, directives of the juvenile probation counselor or mutually agreed upon plans.

### **Assessment Tool Pilot Training**

During the first part of 2001, the Juvenile Court and the Division of Youth Corrections began a pilot test of Washington state's risk assessment tool. The two agencies held a two-day pilot training consisting of representatives from three participating regions: Cache, Davis and Salt Lake. The training was taught by a representative from the State of Washington's Juvenile Court system.

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**Reassessments will be made periodically to measure a youth's progress.**

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**The assessment tool has been tested in three districts and will soon be used statewide.**

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Those participating in the pilot project met together every few weeks to discuss problems and solutions to improve the Washington assessment tool. By having these pilot assessment tool meetings, the agencies hoped to work out all of the problems and concerns before the assessment tool was implemented state-wide.

Several participants, to whom we spoke, report that the assessment tool is helping improve the way they service the juveniles. For example, one senior probation officer from the First District said, “I like the content of the assessment; it speeds up the process of getting to know the child by months. I can address and identify the child’s problems earlier and easier.”

It is also important to recognize that the risk assessment process is part of a much broader redesign of the state’s entire case management system for youth offenders. The Juvenile Court and Division of Youth Corrections are in the process of adopting a new model for case management based on the principles of Functional Family Therapy. Functional Family Therapy is a technique that is already used in several communities in the state and that is recognized as a highly effective intervention strategy. With its new risk assessment tool and its integrated case management system, juvenile justice officials predict that Utah will soon be one of the few, if not the only state, that has a case management system that is used consistently statewide.

Once implemented, the new assessment and case management system should enable the juvenile justice system to address many of the concerns raised in our 1999 audit report. For example, it should result in more specific correctional plans and allow the state to use its various intervention strategies in a more consistent manner.

### **Placement Assessments Are Needed to Guide the Placement of Youth Offenders**

The Division of Youth Corrections also needs an assessment process to identify which type of placement is best suited to each youth offender that is taken into state custody. This assessment can best be provided while a youth is placed in an Observation and Assessment Facility or “O&A.” Because the youth offenders placed in Youth Corrections custody may have more serious psychological problems and chemical dependency issues, it is

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**All youth require a placement assessment before they are placed in a community-based placement or secure care facility.**

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essential to provide all youth with a formal assessment before they are placed into youth corrections custody.

During our 1999 audit, we found that the Division of Youth Corrections was performing an O&A type assessment on just a fraction of the youth sentenced into their custody. We suggested that if the division were to reduce the amount of time youth spent in the O&A program, the division could require an O&A assessment before each youth is sentenced to a community-based program. The division has reduced the time youth spend in O&A facilities, and most youth are receiving an assessment before they are placed in a youth corrections facilities. However, the division still needs to select a single assessment tool so the same approach can be used to assess all youth placed in youth corrections custody.

### **Division Is Required to Perform an Assessment**

Our 1999 audit report indicates that placement decisions for youth in state custody need to be based on “clear and uniform guidelines.” In fact, state law requires that the division “place youth offenders committed to it for community-based programs in the most appropriate program based upon the division’s evaluation of the youth offender’s needs and available resources.” See *Utah Code* section 62A-7-116(3).

To help the division comply with the statutory requirements, our 1999 audit recommends that each youth receive an assessment at one of the division’s observation and assessment centers prior to being placed in a community-based program. We determined that this could be achieved without increasing the number of O&A facilities if each youth spent less time there. In 1999, the division had been keeping youth in its O&A centers for up to 90 days. Instead, we suggested that the division could serve far more youth if the amount of time was reduced to only 30 days, as it is in Massachusetts or to 45 days as is done in Ohio.

### **Placements to O&A Reduced to 45 Days.**

Shortly after the audit was released, the Legislature required that youth remain in O&A no longer than 45 days—except in rare cases specifically approved by the division director. As a result, the division has been able to dramatically reduce the average days that youth spend in the O&A facilities and has increased the number of youth that are placed there. The division

also reports that the reduction in time spent at O&A facilities has had no adverse effect on the quality of the assessments.

During fiscal year 2000, the average length of stay in an O&A facility has been reduced to only 48 days. This is a large reduction from the average of 72 days that we observed in 1998. The result is that the division now has the capacity to offer a full blown O&A assessment to each youth placed in the division's custody, just as we recommended in our 1999 audit report. This should enable the division to make an informed decision regarding which type of community based program or residential facility is best suited to the youth's individual risk level and treatment needs. Currently, the division is testing several types of assessment tools that might be used by O&A facilities to decide which type of residential program is best suited to each youth offender.

One obstacle that is preventing the Division of Youth Corrections from basing their placement decisions on the results of an O&A assessment is the longstanding practice among some Juvenile Court judges to decide themselves which specific community-based program, wilderness program or other DYC placement is most appropriate for a youth offender. In addition, some Juvenile Court judges use the placement of a youth offender to an O&A programs as if it were just another sentencing option. In our view, the statute only gives the Juvenile Court the ability to sentence youth to those categories listed in the sentencing guidelines. It is the responsibility of the Division of Youth Corrections to decide which specific community-based program is most appropriate for an individual youth.

Inasmuch as it is unclear whether judges have the authority to sentence youth to a specific DYC programs, the Legislature may want to address this issue when they clarify the roles and responsibilities of the two agencies, as we have recommended they do in the previous chapter. As mentioned above, *Utah Code* section 62A-7-116(3) seems to give the Division responsibility of making decisions regarding the placement of a youth within each sanction level ordered by the Juvenile Court.

#### **Recommendations:**

1. We recommend that the Division of Youth Corrections place youth offenders committed to it for community-based programs in the

most appropriate program based upon the division's evaluation of the youth offender's needs and available resources.

2. We recommend that the Division of Youth Corrections develop an assessment process for all youth entering a community placement that will supplement the state's newly-adopted risk assessment tool.
3. We recommend that the Legislature clarify the responsibility of the Division of Youth Corrections and the Juvenile Court with regard to the decision to place youth into specific youth corrections programs.

## **Chapter V**

### **Outcome Measures Still Lacking**

Although some progress has been made, Utah's juvenile justice system still needs to demonstrate which programs are the most effective at reducing juvenile delinquency. All of the judges with whom we spoke told us they still do not receive enough information regarding the effectiveness of individual intervention strategies. They said they need to know before they sentence a youth to a certain program whether or not that program is effective. Similarly, legislators told us that before they approve funding for expensive intervention strategies, they would like to know whether the programs are effective.

In 1999 we recommended that the Legislature designate a single state agency that would be responsible for evaluating the effectiveness of all juvenile justice programs in the state. However, the Legislature has not made a decision regarding which agency, if any, should monitor program performance. On the other hand, the Commission on Criminal and Juvenile Justice (CCJJ) has taken steps to address the matter on its own. Along with several other state agencies and a research center at the University of Utah, CCJJ has set out to create a criminal justice research consortium that would conduct research into the effectiveness of criminal justice programs. We encourage legislators to support the creation of the consortium.

#### **Program Effectiveness Should Be Measured**

During our latest followup review, we found that there is still a need to monitor the effectiveness of the state's youth intervention programs. As we recommended, the juvenile justice system is placing more emphasis on the early intervention of youth offenders. As a result, there are many new programs that target the state's youngest offenders. Yet, with all of the energy that has gone into developing new intervention strategies, little has been done to identify which of all the new programs are most effective.

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**Little has been done to identify which of all the new early intervention programs are effective.**

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## Positive Examples of Measuring Effectiveness

Although most local agencies do not monitor the effectiveness of their programs, we did find a few instances in which local officials have tried to evaluate their effectiveness. Unfortunately, because each agency uses a different method to identify the effectiveness of their programs, it is not possible to compare the effectiveness of programs offered in different parts of the state. To address this inconsistency, we recommended that a single agency assume responsibility for monitoring program effectiveness statewide.

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**Most agencies could provide little more than anecdotal evidence that their programs are effective.**

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**Most Local Agencies Do Not Measure Program Results.** We asked each of the local juvenile justice agencies in state government, as well as many local providers of intervention services, to describe their efforts to monitor the effectiveness of their programs. Most do nothing to monitor the effectiveness of their programs and could provide little more than anecdotal evidence that their programs were successful.

We did find a few local agencies that have done exactly as our report suggested. First, we suggested that agencies adopt those programs which, according to the research literature, have been shown to be effective at curbing delinquency. Several local agencies have done this. For example, several Juvenile Court districts and Youth Corrections offices have adopted such programs as Functional Family Therapy and Aggression Replacement Therapy. Research shows that each of these programs are highly effective in reducing delinquency. Second, we suggested that agencies develop measures of the effectiveness of their programs. We found several agencies that were able to provide specific information regarding the effectiveness of their programs such as rates of recidivism, graduation rates, or other indicators of success.

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**The 8<sup>th</sup> District tracks the number of state supervision youth that are later placed in NYC custody.**

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**8<sup>th</sup> District Monitors NYC Placements.** The 8<sup>th</sup> District Juvenile Court was one of the few local agencies we found measuring the success of their state supervision program. They monitor how many of their state supervision youth are eventually placed in NYC custody. We consider this analysis to be a very appropriate measure of the success of that program because reduced NYC placements is one of the main objectives of the state supervision sanction. In fact, the Juvenile Court and the Division of Youth Correction should consider tracking this statistic statewide.

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**Weber Behavioral Health Center tracks recidivism and monitors the national research on which programs work best.**

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**Weber Behavioral Health Monitors its Effectiveness.** The Weber Behavioral Health Center has also done a good job of measuring the effectiveness of the state supervision program they operate for the 2<sup>nd</sup> District Juvenile Court. In fact, they use both of the methods we suggested in our audit report for ensuring program effectiveness. First, they have adopted the type of programs that are proven to be effective in other states and, second, they have tracked the progress of youth offenders after they leave the program.

Specifically, the staff at the Weber Behavioral Health Center have continually monitored the national research on which programs are most effective and which are not. For example, the center has recently adopted Aggression Replacement Therapy and Functional Family Therapy, two programs that we also recognize as being among the most effective. The Weber Behavioral Health Center also tracks the rate of recidivism among youth after they have completed the state supervision program. In addition, the center uses a formal assessment tool developed by a private third-party organization to measure improvements in a youth offender's behaviors. Both the tests of recidivism and the test of behavior show that the youth who complete the program have made dramatic improvements.

**Utah Youth Village Monitors the Effectiveness of Their Programs.** The Utah Youth Village is a private provider that has recognized for some time the importance of monitoring the performance of its programs. They provide a program called "Families First" for the parents of youth offenders. Parents are taught how to hold young offenders accountable.

The Utah Youth Village reports that it has studied the impact of the Families First program for about three years. Their initial findings show that parents enrolled in the program have experienced a measured improvement in their parenting skills when compared to a control group. The Utah Youth Village is currently working with the Division of Youth Corrections to validate their initial findings.

**DYC Has Done a Few Studies of Effectiveness.** We also found that the Division of Youth Corrections staff have made a few tests of the effectiveness of individual programs. For example a study was once done of the Step-Up Probation and Step-Up Detention programs in the 7<sup>th</sup> District Juvenile Court in Carbon County. They found that the participants in that program had lower rate of recidivism than a

comparable group of youth in another Juvenile Court district. Again, this is the type of analysis that should be done on a regular basis statewide.

Although a few local agencies have done a good job of tracking the effectiveness of their programs, this local effort will never give state policy makers the information they need to decide which programs are most effective. For this reason, we suggested in our 1999 audit report that an independent state agency be responsible for monitoring program effectiveness statewide.

## **Independent Monitor of Performance Is Needed**

In Chapter V of our 1999 audit report we said there were two methods that should be used to ensure the state's youth intervention strategies are effective. The first method is to examine the research already done in other states that describes which intervention strategies are most effective. Using this information, state level officials can encourage local agencies to adopt those strategies that have been proven to be most effective. The second method is to monitor the output of each program. This monitoring could be done by tracking recidivism and other indicators of performance.

Our 1999 audit report recommended that the Legislature designate a single state agency that would be given the task of monitoring the performance of youth corrections programs in the state. At the time, we felt this task should be the responsibility of the Commission on Crime and Juvenile Justice, an agency that already had a broad responsibility to coordinate activities within the state's criminal justice system.

### **Legislators Considered Performance Issues During the 2000 Session**

During its 2000 session, the Legislature considered the issue of how to measure the effectiveness of individual juvenile justice programs but made no final decision.

**Performance Data from Washington State Was Considered.** The appropriations subcommittee responsible for criminal justice invited Mr. Steve Aos of the Washington State Institute for Public Policy to make a presentation to the subcommittee. Mr. Aos has done research into the

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**Washington State provides a good model for how a state can monitor the performance of juvenile justice programs.**

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effectiveness of various intervention strategies at the request of the Washington State Legislature. Specifically, he identified the economic benefit of various intervention strategies that target youth and adult offenders. Several members of the subcommittee said they were favorably impressed by Mr. Aos' analysis. Some legislators suggested that the same type of analysis should be done of Utah's intervention programs that Mr. Aos had prepared for the Washington State Legislature. Figure 7 provides the latest findings reported by Steve Aos in May 2001.

**Figure 7. Washington State Study of Juvenile Delinquency Programs.** A study commissioned by the Washington State Legislature shows the economic costs and benefits of programs that target youth offenders.

Juvenile Offender Programs	Average Size of the Crime Reduction Effect*	Net Direct Cost of the Program Per Participant	Net Benefits Per Participant (i.e., Benefits minus Costs)	
			Lower End of Range: Includes Taxpayer Benefits Only	Upper End of Range: Includes Taxpayer and Crime Victim Benefits
<b>Specific "Off the Shelf" Programs</b>				
Multi-Systemic Therapy	-0.31	\$ 4,743	\$31,661	to \$131,918
Functional Family Therapy	-0.25	2,161	14,149	to 59,067
Aggression Replacement Training	-0.18	738	8,287	to 33,143
Multi-dimensional Treatment Foster	-0.37	2,052	21,836	to 87,622
Adolescent Diversion Project	-0.27	1,138	5,720	to 27,212
<b>General Types of Treatment Programs</b>				
Diversion with Services	-0.05	\$ 127	\$1,470	to \$ 5,679
Intensive Probation vs. Regular	-0.05	2,234	176	to 6,812
Intensive Probation vs.	-0.00	18,478	18,586	to 18,854
Intensive Parole Supervision	-0.04	2,635	- 117	to 6,128
Coordinated Services	-0.14	603	3,131	to 14,831
Scared Straight Type Programs	0.13	51	- 6,572	to - 24,531
Other Family-based Therapy	-0.17	1,537	7,113	to 30,936
Juvenile Sex Offender Treatment	-0.12	9,920	3,119	to 23,602
Juvenile Boot Camps	-0.10	15,424	10,360	to - 3,587

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Washington found that multi-systemic therapy, functional family therapy, and aggression replacement therapy are among the most effective.

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Figure 7 presents the kind of information that should be available to Utah legislators and judges so they can know which intervention strategies are most effective.

The “Crime Reduction Effect Size” is a statistic that shows the program’s effect on crime. A program with a negative effect size reduces crime while a program with a positive effect size increases crime. For example, Multi-Systemic Therapy with an effect size of -0.31 reduces crime to a greater extent than Functional Family Therapy with an effect size of -0.25. On the other hand, Scared Straight type programs have been found to actually increase crimes with an effect size of 0.13.

The “Net Direct Cost” represents not the full cost of the new program, but the cost above or below what the system would have paid for the alternative already in place.

The “Net Benefits Per Participant” are the future benefits to society less the net cost of the program. The lower end of the range includes only the benefits (or costs) to taxpayers. The upper end of the range includes benefits (or costs) to both taxpayers and crime victims and is, therefore, the most useful in making public policy decisions.

**Legislators Considered Whether CCJJ Should Monitor the Effectiveness of Juvenile Justice Programs.** At one point during the 2000 legislative session, legislators asked us to draft intent language for an appropriations bill that would give the Commission on Criminal and Juvenile Justice (CCJJ) responsibility for monitoring the effectiveness of juvenile justice programs statewide. Some legislators also proposed the option of requiring CCJJ to contract with a private organization to monitor program performance. However, the intent language was dropped from the final draft of the appropriations bill.

During the 2001 session, legislators did not take up the issue regarding how the state should monitor the effectiveness of individual juvenile justice programs.

### **Utah Still Needs to Identify The Effect of its Intervention**

We have concluded that the two recommendations made in our 1999 audit report are still valid. The state still needs to require local officials to

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Utah still needs to decide who should oversee the evaluation of juvenile justice programs.

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rely first on the research performed in other states as they decide which programs they should implement in their jurisdictions. In addition, once the new programs are adopted, a state agency or group of agencies, to be designated by the Legislature, would need to perform a regular evaluation of the effectiveness of each of the intervention strategies available in the state.

## **Efforts Underway to Create A Research Consortium**

Although the Legislature has not made a decision regarding which agency, if any, should monitor program performance, the Commission on Criminal and Juvenile Justice (CCJJ) has taken steps to address the problem. At the time this report was being drafted, the commission was taking steps to create a “Criminal Justice Research Consortium.” The consortium’s goal is to combine the efforts of any state agencies and institutions of higher education that would like to perform research into Utah’s criminal justice system. Among other things, the consortium would use the model developed by Steve Aos to evaluate the effectiveness of individual programs in both the adult and juvenile correctional systems.

### **Legislature Should Support the Research Consortium**

We recommend that the Legislature support the creation of the Criminal Justice Research Consortium and take steps to ensure its success. Legislators may wish to provide both policy oversight and ensure that adequate funding is provided. The Legislature can provide guidance by identifying the types of outcome measures that should be monitored for each intervention program. For example, legislators might ask for measures of recidivism, graduation rates, employment or the number of youth who end up in the state correctional system.

**A Funding Plan for the Research Consortium Is Needed.** The Legislature can ensure the financial stability of the consortium by requiring that the four participating state agencies commit funds towards the research. Currently, the research consortium has a very tentative funding plan. It consists of an annual donation of \$75,000 from the Bierley Foundation, and some financial support may be provided by the Division of Youth Corrections, the Department of Corrections, the Commission on Criminal and Juvenile Justice and the University of Utah School of Graduate School of Social Work.

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**Legislators should support the creation of the criminal justice research consortium.**

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Unfortunately, the Bierley Foundation has committed funding for only four years, and the participation by the four state agencies is not an ongoing commitment. Inasmuch as each agency has been required to make provisional spending cuts, it is unclear how firm the commitment for those funds might be or whether the agencies will be able to continue to offer those funds in the future. We are concerned that unless questions surrounding the funding of the research consortium are addressed, it may make it difficult for the group to assemble a staff of researchers who will be able to carry out the kind of research that Steve Aos has provided to the Washington State Legislature. The success of the consortium may require a new appropriation to ensure a stable source of funding.

### **Managers Still Need Their Own Performance Measures**

The research consortium can be a valuable source for isolated studies of program performance, but both the Juvenile Court and the Division of Youth Corrections should use their existing management information systems to monitor the ongoing performance of individual programs. Such management information reports could be prepared either on a monthly or quarterly basis. As we have considered the management information currently prepared both by the Juvenile Court and by Youth Corrections, we find little of the information given to managers has to do with program effectiveness.

In addition, or instead of descriptive indicators that are currently used by administrators, a set of performance measures should be developed for each program. For example, the effectiveness of individual state supervision programs might be shown by the number of youth that are later placed in state custody with the Division of Youth Corrections. Such a report could be prepared on a monthly or quarterly basis. Such a system might require some staff time by a research analyst in either the Division of Youth Corrections or the Office of the Court Administrator. Probation officers, on a monthly or quarterly basis, could possibly be required to submit a report identifying the youth in their caseload during the prior year and whether they have committed new offenses or have since been placed in state custody.

Officials within the Juvenile Court system have suggested that if the Legislature wants better performance data, they should fund a new

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**Managers need to generate their own management information to monitor the performance of their local programs.**

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**Performance measures should be viewed as a way to reduce the cost of the system.**

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research analyst position within the Office of the Court Administrator to carry out that function. The Division of Youth Corrections may make a similar request. We are not prepared to say whether or not additional funding is necessary to generate performance data. However, even if the Legislature does not provide funding for such positions, management should require that performance measures be used regardless.

It is important that we not consider a system of performance measures as just another administrative cost. Instead, it should be viewed as a means of improving the efficiency of Utah's juvenile justice system. In the long run the state's efforts to monitor performance should actually reduce the cost of the juvenile justice system. The state currently has no idea how much money is wasted every time a youth offender is placed in a program that is either ineffective or not appropriate for a youth with his or her criminal background. Legislators might consider withholding future funding of new or expanding juvenile justice programs until agency administrators can demonstrate that the program is effective.

We recommend that during the 2002 session the Legislature take up the issue of how to cover the cost of evaluating the effectiveness of individual juvenile justice programs. The agencies involved in juvenile justice should present legislators with plans for funding a consortium to monitor the effectiveness of the various intervention strategies used in the state.

**Recommendations:**

1. We recommend that the Commission on Criminal and Juvenile Justice propose a set of performance measures that administrators and legislators might use to judge the effectiveness of individual programs that target young offenders.
2. We recommend that the Legislature take up the issue of how to cover the cost of evaluating the effectiveness of individual juvenile justice programs. The agencies involved in juvenile justice should present legislators with a plan for funding a consortium to monitor the effectiveness of the various intervention strategies used in the state.

## **Appendices**

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**Appendix A**

**Recommendations for Implementation  
Submitted by  
Juvenile Court and Division of Youth Corrections**

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## **Appendix B**

### **Description of the Juvenile Justice System By Juvenile Court District**

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# **Overview of Juvenile Justice System In the Region Served by the 1<sup>st</sup> District Juvenile Court Box Elder, Cache, and Rich Counties**

## **Summary**

For a relatively rural district, youth offenders have access to a wide range of services. Strong support and services are provided by the Division of Youth Corrections, community mental health center, local police, county health department, Planned Parenthood, Utah State University, and Department of Workforce Services.

## **Areas to Improve**

- A greater effort should be made to help families in Rich County access the same range of sanctions and services offered in Box Elder and Cache County.
- Better services are needed for youth with severe mental illness.

## **Inventory of Sanctions and Services**

### Delinquency Prevention:

- Cache Cares - a "k to 3" program offered by the Local Interagency Council (LIC) in the elementary schools. Mental Health Services are provided to high risk youth. The LIC meets once a month to discuss the needs of individual youth. A second LIC oversees services to K to 3 children who have committed sex offenses.
- At the request of the local schools, probation officers occasionally will give a presentation briefly describing the juvenile justice system.
- City Recreation Departments, Boys and Girls Clubs support at risk youth.
- Local has a youth or Peer Court.
- DARE program in Elementary and Middle Schools.
- Each High School and Middle School has a resource officer assigned by city or county law enforcement agencies.
- Each school district has an alternative high school program.
- Bridgerland Literacy Program and LIC provide skill development training to at-risk youth.

### Early Intervention:

- Logan Police and Juvenile Court have one of the toughest policies towards underage drinking and tobacco use in the state.
- Day Time Curfew - during the day police pick up kids who should be in school.
- DYC Diversion program assists with youth who need to complete work hours. This program schedules daily work time and provides social skills training.

### Probation:

- Probation consists of three levels of supervision using a step down approach as the youth completes the goals and requirements of their treatment plan.

- Probation officers spend time on the campus of local high schools than they did before the audit. POs check probationer's attendance and academics, and conduct interviews.

#### Intermediate Intervention / State Supervision:

- Youth on probation state supervision (PSS) spend most of their time doing community services, school work, and participating in counseling and therapy.
- Most of the counseling and therapy for PSS youth is provided by Bear River Mental Health Center.
- Instruction and counseling is provided which includes Safe Teen Alcohol Awareness class, Tobacco cessation classes, Functional Family Therapy, Positive Solutions Class
- Employment Skills Class provided by Dept. Workforce Services.
- PSS youth participate in a work program operated by the Juvenile Court.
- DYC State Supervision includes a 30 day wilderness program that is followed up by an intensive day-treatment and supervision regiment while they youth resides at home.

### **Cooperation Among Local Agencies**

- Courts work closely with the Division of Youth Corrections, Community Mental Health Center, Local Police, Health Department, Planned Parenthood, Utah State University, and the Department of Workforce Services.
- LIC meetings are well attended and LIC provides strong leadership and support.
- Juvenile Court and Division of Youth Corrections hold regular staffing meetings.
- Bear River Mental Health provides strong support - family counseling, anger management skill development classes and sex specific counseling.

### **Case Management**

- 1<sup>st</sup> District has been testing the state's new assessment tool and reported good results.
- Treatment plans are detailed, contain objectives in community protection, accountability and competency development.

### **Indicators of Program Effectiveness**

- No formal, research-based tests of program performance is done. However, the Juvenile Court reports that the following indicators are used to gage the effectiveness of programs: recidivism statistics, evaluation letters from youth in individual programs, improvements in school attendance and academic performance, completion of court ordered service hours, followup interviews with parents.

# **Overview of Juvenile Justice System In the Region Served by the 2nd District Juvenile Court Davis, Morgan and Weber Counties**

## **Summary**

Davis and Weber Counties are noteworthy for the level of cooperation that exists among the school districts, the local government, the Juvenile Court and human services agencies. Together these organizations have developed many new strategies for delinquency prevention, early intervention, and intermediate sanctions for youth offenders.

## **Areas to Improve**

Cooperation could improve with a few local law enforcement agencies. Juvenile Court needs to make sure that Morgan County is receiving adequate services. All agencies need to increase their support for the Local Interagency Council in Morgan County.

## **Inventory of Sanctions and Services**

### **Delinquency Prevention:**

- Bountiful City PROS program for at-risk students at four local junior high school.
- Prevention Plus program, developed by USU, is taught in Ogden Middle School.
- Law-Related Education courses taught in Davis County Junior High Schools
- Resource officers in the high schools.
- ShoUPP program - achieved some success in reducing gangs affiliation by targeting school drop outs.
- Youth and Families with Promise - mentoring services for at-risk youth and their families.
- Archway Youth Services Center - provides outreach services to at-risk youth and parents.

### **Early Intervention:**

- Truancy Court - a juvenile with as little as 1 day of skipping school can be referred to the truancy court.
- Youth Courts - 14 communities in the district have youth courts for first-time offenders.
- Citation Program - the juvenile courts give much attention to first-time offenders.
- Tutoring Program is taught at two Davis High Schools for students on probation.
- Davis Youth Outreach Center - similar to Archway, provides outreach services to youth.

### **Probation:**

- Three levels of probation - at the highest level the juvenile is under house arrest for 30 days. If violations occur, the term of 30 days begins again.
- Davis Co. Schools offer an after-school tutoring program for probationers failing school.

### **Intermediate Intervention / State Supervision:**

- Weber Behavioral Health offers one of the most structured, yet individualized state supervision program in the state.
- Davis County Mental Health is creating a Quest Program for youth state supervision with many of the same features as the one at Weber Behavioral Health.
- Specialized Sex Offender Program - for non-serious offenders who live at home.

- Moral Reasoning Therapy
- Anger Replacement Therapy - a technique proven to be effective by national research.
- 30 days detention may be stayed depending on the youth's good behavior.
- Positive Solutions Class - a 12 week course in life skills and vocational development.
- First area to adopt SHOWCAP program for tracking habitual offenders.
- Davis Youth Center runs a Day Treatment Center for youth under DYC state supervision.

## **Cooperation Among Local Agencies**

- Regular meetings of law enforcement agencies to discuss high risk youth.
- Active FACT committees in Weber and Davis Counties.
- Most prevention programs in Davis and Weber Counties were the result of two or more agencies working together to address a common need. Examples include:
  - ▶ Day-time Curfew - Juvenile Court and Ogden City.
  - ▶ PROs - Davis School District and Bountiful City.
  - ▶ Probation Officers Share Office space in some Ogden Schools.
- Once a month the probation officers go on neighborhood sweeps with local police.
- Quarterly Meetings are held jointly by DYC and Juvenile Court staff.
- Joint training is offered in areas in which multiple agencies can benefit from the same curriculum - such as transporting offenders, dealing with sex offenders, etc.
- Joint speaking engagements. If one agency is invited to speak at a community organization, they try to invite an representative from the other agency.
- DYC and juvenile court regularly staff cases together and appear to have a good spirit of cooperation as they work through cases together.
- Case staffing meetings are held weekly and include representatives from the probation unit, the Ogden City Police, as well as caseworkers from DCFS and DYC.

## **Case Management**

- Tests are widely used to assess the level of risk and treatment needs of youth offenders.
- Staff prepare some of the most complete and detailed correctional plans that we have seen. They include specific action steps in the areas of accountability, competency development and community protection. Correctional plans outline responsibilities for the offender, parents, probation officer and a school official and are signed by each.

## **Tests of Program Effectiveness**

- Juvenile Court Office in Farmington uses surveys from parents and kids to get feedback regarding their citation program.
- Weber Behavioral Health monitors recidivism rates and uses a test of the attitude and behavior of youth developed by Access Measurement Systems.
- Davis School District uses a written survey to monitor youth attitude towards drugs, police, violent behavior before and after their participation in a program.
- Division of Youth Corrections compared the recidivism among state supervision in the Northern Regions's state supervision program to those in other DYC regions.

## **Overview of Juvenile Justice System In the Region Served by the 3rd District Juvenile Court Tooele, Salt Lake and Summit Counties**

### **Summary**

The 3<sup>rd</sup> District Juvenile Court has access to more different types of sanctions and services than any other district. For example, they have a NOJO's program for sex offenders, special at-home detention programs for front end youth, and a number of different options for youth who need to complete their community services hours. Because probation officers have so many different intervention options available to them, we observed many different practices are used in handling similar types of cases. In addition, we found that several different types of corrective action plans are used. Some clearly addressed the specific needs of the youth, others do not.

### **Areas to Improve**

- The probation program could use more structure so staff know which types of programs are best suited to each type of offender. This should be achieved once the state adopts a common assessment tool. Once assessments are done in a consistent manner, staff should then follow a consistent pattern in how they approach each type of case.
- There is a need for more services for youth who are mentally ill and who commit crimes. The current range of sanctions and services is having little effect on this population.
- The district needs programs that target youth with different cultural backgrounds.

### **Inventory of Sanctions and Services**

#### **Delinquency Prevention:**

- Police/Resource Officers in the Schools. Many schools in the Salt Lake Valley have police officers assigned to the schools. Granite has their own police department that patrols the schools. Many junior high schools in Granite District have resource officers. West Valley Police Department sponsors a recreation program for at risk youth. The school Districts in Murray and Tooele have resource officers who teach law related education.
- Truancy Mediation Program - Mediators are sent out to talk to the schools and partners to find a solution to the young person's truancy problem. If mediation fails, the youth is sent to the Juvenile Court. Program is operating in 12 schools in the Jordan School District. Its being piloted in Granite.
- The Salt Lake Valley has very active boys and girls clubs that working with at-risk youth.

#### **Early Intervention:**

- Prevention Diversion Program - For youth in grades 3 to 6 who have been referred to the Juvenile Court. The program provides tracking services plus family counseling. The Salt Lake City School District has 16 schools participating.
- Drug Court - For first time drug offenders or 2<sup>nd</sup> time alcohol offenders.
- Tobacco Court - Held twice a month, courts are coordinated by the County Health Department, citations are given out by the School Districts.

- DART - Detention Alternatives for Responsible Teens. For youth at the early stages of delinquency, provides education, counseling, recreation, vocational training, substance abuse counseling and testing, and work projects.

Probation:

- It's difficult to describe the probation program in the 3<sup>rd</sup> District because, while they follow many of the same procedures we found in other districts, there is some variability from one probation officer to another in how a case is handled. Although they all conduct themselves quite professionally, probation officer handle their probation cases in their own way.

Intermediate Intervention / State Supervision:

- State Supervision may include a wilderness program by DYC, life skills course after school, Intensive family therapy at-home, intensive supervision and tracking by probation officers.
- TASC - a program designed for probationers who have failed to comply with the terms of their probation and complete their court ordered work hours. The program offers intensive tracking of those in home detention, electronic monitoring, and work projects.
- Genesis - a highly structured residential work program for youth who need to work off their court-ordered work hours.
- Life Skills - taught 4:00 to 8:00 p.m. Monday through Friday after school. They are taught communication skills, problem solving, job awareness, vocational skills, and they receive some tutoring.
- Family First - a family therapy course provided by Utah Youth Village to state supervision youth and their parents.
- University of Utah Excel Program - life skills training.
- Sex Offender Counseling - Several specific providers offer counseling services to sex offenders.

## Cooperation Among Local Agencies

- Coordination among Salt Lake agencies has dramatically improved since the 1999 audit. The Juvenile Court and DYC were not staffing cases together before. Now they are. Yet, we still heard reports of differences in opinion regarding how certain youth should be handled. Too often, the probation units try to move youth to DYC programs even though DYC staff do not believe the youth offenders do not qualify for state custody.
- A few cases reported in which DYC did not receive enough information about youth who are sent to them by the probation units - a complaint rarely heard in other areas of the state.
- Staff from the two agencies are holding joint training sessions.

## Case Management

- We found several different types of correctional plans. Some corrective plans were rather sketchy. On probation officer used the exact same wording in the corrective action plans for several different probationers.

## Indicators of Program Effectiveness

- District has made some effort to track program effectiveness. Judges say its not enough.

## **Overview of Juvenile Justice System In the Region Served by the 4<sup>th</sup> District Juvenile Court Juab, Wasatch, and Utah Counties**

### **Summary**

A complete range of graduated sanctions is available - all of which use methods supported by the research. Cooperation among agencies is excellent. The district has the lowest rate of felony referrals in the state.

### **Areas to Improve**

Now that the district has a complete set of sanctions and services, the next step is to adopt an assessment process that will help make sure that the youth are matched up with the programs that are best suited to their risk level and needs.

### **Inventory of Sanctions and Services**

#### **Delinquency Prevention:**

- Local Prevention Programs - many private and some for profit organizations are available, particularly in Utah County, to provide supportive services to at-risk families.
- Law Enforcement in Schools - in Alpine, Provo and Nebo School Districts each have officers assigned to the junior high schools and high schools. Many have officers permanently housed on campus. No law enforcement officer are assigned to schools in Juab, Wasatch and Millard School Districts.

#### **Early Intervention:**

- Alternative Referral Services - For first time offenders, families may select from 3 levels of diversion intervention. Programs focus on education, self-esteem, problem solving, parenting, communication, etc. Completion of program results in non-judicial closure.
- Drug Court - diverts “front end substance abusing population” to drug therapy. If program is complied with, court will dismiss the violation.
- Lightning Peak Program - A type of day reporting center that serves as an alternative to detention . Three levels of supervision, classes and therapy are offered.
- Truancy Programs - Each district has a fairly intensive program for responding to truancy.
- Youth Courts - 12 communities in the district have youth courts.

#### **Probation:**

- A number of different program options are available for probationers - detention for contempts, work crews, restitution, therapy, Observation and Assessment, specialized counseling classes (tobacco, anger management, functional family therapy), and tutoring.

#### **Intermediate Intervention / State Supervision:**

- There is no standard regimen for youth in state supervision. However, state supervision youth typically receive (1) counseling/therapy, (2) wilderness experience, (3) tracking, (4) drug testing, (5) transitional supervision or “step off.”

- For the counseling/therapy component, youth may be enrolled in one or more of the following treatment programs:
  - ▶ Youth Reclamation Inc. - electronic monitoring, family and group therapy, tutoring.
  - ▶ New Life - communication skills, learn how to learn, life skills, class for parents.
  - ▶ Functional Family Therapy - 12 to 15 sessions provided by Utah Family Institute.
  - ▶ Gathering Place Adolescent Program - focus is on substance abuse, includes two or three nights a week for individual and group counseling.
  - ▶ Heritage Adolescent Program - focus is on substance abuse, consists of counseling three or four nights per week. A class with parents one night a week.
  - ▶ Utah Family Institute - a substance abuse program.
  - ▶ Biofeedback/EEG - for youth struggling with learning disabilities, ADD and ADHD.
- Day Treatment - available for state supervision youth assigned to New Life Program or to Lightning Peak.
- DYC Wilderness Work Camps - two programs are available, one for boys and one for girls.
- DYC State Supervision - DYC does not operate a separate state supervision sanction for youth in the 4<sup>th</sup> District. Their contribution takes the form of the work camps which have become a program option within probation state supervision.

## **Cooperation Among Local Agencies**

- High level of coordination was observed in district. Staff from both the Juvenile Court and Division of Youth Corrections are active both in formal committees and have close informal ties to other agencies that have an interest in delinquency.
- Probation and Youth Corrections staff have regular staffing meetings.
- Probation officers provide law related instruction in schools.
- Local police are supportive and are frequently in contact with Juvenile Court staff.
- Local Interagency Council and other committees have been created to address issues relating to delinquency youth.

## **Case Management**

- No formal assessments are made of youth other than those which may be made by private providers. In the cases reviewed, the probation officers made an informal evaluation of a youth's needs and developed a corrective action plan designed to address those needs. Although the plans themselves could be more specific, the programs into which the youth were placed were well suited to their needs.

## **Indicators of Program Effectiveness**

- The probation treatment plans have measurable objectives that youth must complete.
- The district has selected programming options that are supported by the research.
- The district uses a New Life program - a treatment program that we once questioned because of its use of a sauna in the rehabilitation of drug offenders. However, the district was able to provide support for the program in the professional research literature.

## **Overview of Juvenile Justice System In the Region Served by the 5<sup>th</sup> District Juvenile Court Beaver, Iron & Washington Counties**

### **Summary**

With the creation of several new early intervention programs in the last few years, the 5<sup>th</sup> District now has a fairly complete set of graduated sanctions. The Parent Mentoring Program is the main element of the district's state supervision. Youth on state supervision also receive some testing and counseling from a physician under contract with the district.

### **Areas to Improve**

The district could add more structure to its state supervision program by creating a day treatment program to which the youth would attend during the afternoons after school. However, they serve a large geographical area and they may have difficulty in transporting youth to such a program.

### **Inventory of Programs**

#### Delinquency Prevention Programs:

- Educational Enhancement Program - one-on-one tutoring, teaches study skills, encourage school attendance or "a drop out prevention program."
- Youth and Families with Promise - mentoring program for at-risk youth.

#### Early Intervention Programs:

- Law related education - teaches early offenders about the law and juvenile court.
- Teen Life Skills courses - required for alcohol and drug offenders.

#### In Washington County:

- Educational Enhancement Class - tutoring for first time offenders, at-risk of dropping out.
- CARE - an alternative to detention, addresses truancy, teaches self esteem, life skills.
- St. George Police Youth Academy - A one week day camp designed to prevent early stage offenders from penetrating further into the criminal justice system.

#### In Iron County:

- Iron County Youth Center - a receiving center, truancy center, shelter care, and independent living center.
- Positive Intervention Program - Similar to CARE but in Cedar City instead of St. George.
- Anger Management Program - life skills, anger management, alternatives to violence.
- Youth and Families with Promise - family mentors from the USU Extension Service.
- Truancy

#### Probation Programs

- A graduated system of probation with "high," "medium," and "low" levels of supervision.

#### Intermediate Intervention / State Supervision

- State Supervision Parent Mentor Program - therapist offers family counseling or “functional family therapy” to parents and youth offender.
- Work Internship Program - teaches youth job search skills and helps them to find a job.
- Electronic Monitoring - as needed, determined by probation officer.
- Tracking Services - evenings and weekends.
- Mental Health Counseling - counselor under contract for state supervision youth only. He performs psychological evaluations of youth and individual counseling.
- Adolescent Substance Abuse Services - provided by the Southwest Mental Health Center in St. George.
- Abby Road drug and alcohol treatment center serves Cedar City.
- Wilderness program - youth on state supervision can be sent to a wilderness/work camp experience in Wayne County.

### **Cooperation Among Local Agencies**

- Local Interagency Council is very active, has broad membership. Well supported by Juvenile Court and the Department of Human Services.
- DCFS is described as a “non-player” when it comes to dealing with juvenile justice cases.
- Two programs have been dropped due to lack of cooperation and support. One was the youth court in St. George the other a job placement program run by DWS.

### **Case Management**

- Risk assessments are made by intake workers. The Risk assessment tool was developed in house. The ISAT psychological test is also used. The DYC staff also prepare informal write ups of the issues facing each youth who is placed in the non-secure side of detention.
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### **Tests of Program Effectiveness**

- No formal tests of program effectiveness have been done recently. Contract providers are required to submit an annual program evaluation to the Juvenile Court but the evaluation is made by the contractor and does not measure recidivism. The district staff do monitor several key statistics: the number and type of referrals to the Juvenile Court by county. Staff have developed a list of outcome measures that they plan to apply to the parent mentoring program.

## **Overview of Juvenile Justice System In the Region Served by the 6<sup>th</sup> District Juvenile Court Garfield, Kane, Piute, San Pete, Sevier, and Wayne Counties**

### **Summary**

The 6<sup>th</sup> District Juvenile Court and its affiliated agencies do not demonstrate the level of cooperation that we observed in some of the districts with a more complete range of sanctions and services. Although the probation staff have tried to create their own programs for early offenders, the quality of the district's early intervention programs as well as the state supervision program is still not on par with those in other districts.

### **Areas to Improve**

District 6 has a unique set of challenges that require special consideration by state officials. Officials from the Juvenile Court, Division of Youth Corrections, and the Division of Child and Family Services need to encourage their local staff to improve interagency cooperation. Officials from local government, school districts, the Juvenile Court, and state human services agencies should conduct a strategic planning process similar to the one described on page 17 of this report. They need to identify their greatest needs in the area of juvenile delinquency, the best types of programs to address those needs, and find a way to fund those programs by combining their resources and by applying for state grants.

### **Inventory of Sanctions and Services**

#### **Delinquency Prevention:**

- Personal Development Class - developed by probation officers, teaches at risk youth “pro-social skills, attitudes, and behavior... .” Topics include building a positive self image, communicating effectively, accepting responsibility, setting and achieving goals, solving problems.
- DARE Program - an anti-drug program offered in Kane and Garfield Counties.
- K to 6 - a program taught in the schools to elementary age children who are starting to have difficulty controlling their behavior.
- Probation Instruction in Schools - Probation officers teach the students about the Juvenile Court and what will happen if they are caught committing a crime.
- Resource Officers - most of the High Schools and Middle Schools either have a resource officer on campus or have a local police officer assigned to the school.

#### **Early Intervention:**

- Youth Courts - operate in the cities of Monroe, Richfield and Salina.
- Law- related Education - a course on the law as it applies to juveniles, taught by a probation officer in the Juvenile Court building.
- Youth and Families with Promise - a course taught by volunteers, offered in each county in the district.

- New Horizons - domestic crisis, violence program, a parenting class taught in Richfield.
- Love and Logic Parenting - a parenting class taught in Kanab by DCFS and private providers.
- Cedar Ridge and Sanpete Academy are two alternative high schools serve high risk youth.
- Six communities in district have their own youth courts.

Probation:

- Parts of the step-probation program used in the 7<sup>th</sup> District are used in the 6<sup>th</sup> District.

Intermediate Intervention / State Supervision:

- Some youth on state supervision are sent out of the area to work camps.
- Some alcohol, tobacco and drug counseling provided by county health departments.
- For most youth, state supervision consists of little more than an intensive level of supervision and counseling by probation officers.
- No special programs or therapy is offered such as that provided in other districts – no functional family therapy or aggression replacement therapy, etc.

### **Cooperation Among Local Agencies**

- “Interagency conflicts” is given as the reason why some programs have been dropped and why more new programs for at risk youth have not been created. A locally developed “Pathfinders” program fell apart due to the lack of support by the agencies participating. Some agency staff were said to be “burned out by the added responsibility.”
- The probation staff are supportive of the local interagency councils in their district but attendance is irregular because it requires staff to travel long distances.
- All agencies involved in case staffings appear to be doing their part, no “gatekeeping.”
- Agencies meet at a monthly SHOCAP meeting.

### **Case Management**

- Correctional plans are general and the same for each youth. A risk/needs assessment has been tried similar to the one used in Orange County, CA. However, the district has little to offer in terms programs or services once a juvenile’s needs are identified.

### **Indicators of Program Effectiveness**

- Nothing has been done in the past to monitor program effectiveness, although the district has considered using their own risk assessment tool to evaluate a youth’s progress over time.

## **Overview of Juvenile Justice System In the Region Served by the 7<sup>th</sup> District Juvenile Court Carbon, Emery, Grand, San Juan Counties**

### **Summary**

For a rural district, the 7<sup>th</sup> District has a broad range of programs for early and intermediate level offenders. Most of these programs were created through the combined effort of several local agencies. The 7<sup>th</sup> district tends to be more aggressive than other districts in its response to “front end” offenders. Often sanctions and services that are typically reserved for intermediate level offenders are given to youth who, according to the sentencing guidelines, would receive a sanction or be placed on probation. This makes it difficult to distinguish the services and sanctions for early offenders from those given to youth on state supervision.

### **Areas to Improve**

Although the range of sanctions and services available is fairly complete, there may be a few specialized treatments that could be added - services for mentally ill offenders, for example. The district should also consider adopting specific programs that have been successful elsewhere, such as functional family therapy, or aggression replacement therapy. The district needs to adopt the state’s new assessment tool so it can make sure that youth are placed in the appropriate sanction level and that they receive the services and treatments they need.

### **Inventory of Sanctions and Services**

#### **Delinquency Prevention:**

- Local Interagency Council is very effective in identifying high risk youth at an early age and in finding the appropriate services and treatments the youth require to avoid delinquency.
- Youth and Families with Promise - mentoring services for at-risk youth and their families.

#### **Early Intervention:**

- Truancy - Judge Manley holds truancy court on campus of Grand High School. Elsewhere, school districts are so effective at dealing with truancy cases that cases are usually resolved without going to court. If a truancy case is referred to the Juvenile Court, a rather high fine of \$600 is imposed. The fine is then refunded once the attendance and grades improve.
- Lighthouse Program - for middle school youth and up, provides tutoring, recreation and mental health services for youth referred by the court or LIC.
- Day Camp - for youth struggling with school - most are citation or probation kids,
- Youth Court - one in Emery County, another in Carbon County, first time offenders may attend these alternative peer courts. If the youth comply with the sanction, no referral is made to the Juvenile Court.
- Education Enhancement Program - for youth having trouble in school, time spent with a special tutor can be used towards court ordered work hours.
- Work Hours - In Moab, youth work at a green house that produces plants for resale. In Price, city employees are paid to run work crews for city projects.
- Tobacco - the community mental health center offers a smoking cessation class.

#### Probation:

- “Step-up” Probation Program - developed by the district that is completely integrated with a similar step up program used at the DYC detention center. The only district in the state where the Juvenile Court’s probation program and the Division of Youth Corrections detention center have completely integrated their programs.

#### Intermediate Intervention / State Supervision:

- State supervision consists two parts - intensive supervision by probation unit, and treatment and therapy provided by outside providers.
- Intensive supervision includes:
  - ▶ youth prepare a weekly schedule to be approved by the probation officer in advance.
  - ▶ one face-to-face contact with the probation officer is required each week - in most cases its 2 or 3 times a week.
  - ▶ youth must call the probation officer and leave a voice mail on her answering machine each evening with a message from a parent confirming the call was made from home.
  - ▶ random drug testing is done once a week.
- Treatment and therapy is provided through a contract with the community mental health center. Specialized treatments may be arranged by the LIC or by the probation staff.
  - ▶ A local counselor handles sex offender treatments.
  - ▶ Drug, tobacco and alcohol cessation class taught by Four Corners Mental Health.
  - ▶ Parenting course is given to most families with a child on state supervision. Courses are taught by counselors from Four Corners Mental Health Center.
  - ▶ Positive Solutions - class taught by probation officers.
- Day Treatment Center - no separate program is offered for youth on state supervision. Those who need to be heavily programmed in the afternoons may go to the Lighthouse program or to the Day Camp but those programs are primarily for early intervention.

### **Cooperation Among Local Agencies**

- A high level of interagency cooperation observed. This cooperation has enabled the district to create several excellent treatment programs.
- The LIC is very active in addressing the needs of delinquent youth.

### **Case Management**

- Correctional plans are well prepared and specific, address the juvenile’s unique needs.

### **Indicators of Program Effectiveness**

- DYC tested the recidivism of the step up probation program against the probation program in another district. Recidivism was found to be lower among 7<sup>th</sup> District offenders.
- Judge Johanson requires tracks (1) offense frequency by offense category over time, (2) percent of fines and work hours collected/completed, and (3) the number of placements in probation, community placements, and secure care facilities. He also monitors the number of youth referrals by district and the number of offenses by type and by district.

## **Overview of Juvenile Justice System In the Region Served by the 8<sup>th</sup> District Juvenile Court Daggett, Duchesne, and Uintah Counties**

### **Summary**

District has several early intervention programs but they are available only in some communities. State Supervision program emphasizes intensive supervision and recreation therapy. The state supervision program is weak in the areas of treatment and counseling and lacks the elements at least of a day treatment program.

### **Areas to Improve**

Its difficult to see the connection between “recreation therapy” such as fishing or working out in the gym activities and the youth’s treatment needs. The district needs to find a way to increase the use of proven therapies such as functional family therapy, aggression replacement therapy and rely less on tracking by probation officers. A day treatment center for after school hours would also structure the time of youth on state supervision.

Correctional Plans need to be clearly written out, signed by probationers and probation officers and contain specific plan for achieving the stated objectives.

### **Inventory of Sanctions and Services**

#### Delinquency Prevention:

- K to 12 - for elementary age students, provides tutoring and classes in the arts and crafts.
- STEP - Systematic Training for Effective Parenting
- Project Success - after school program for “latchkey” school children, a prevention program sponsored by the Uintah County FACT committee.
- Uintah Basin Connections Program - an after school program funded through a federal grant, provides tutoring, arts and crafts, sports, and recreation. Program is offered in the elementary schools in Uintah, Duchesne and Daggett School Districts.
- Choices Program - teaches social skills, basic communication skills and academic skills to students attending the Vernal Middle School.
- Law Related Education/Crime Prevention Class - taught by resource officer at Union High.

#### Early Intervention:

- Tobacco Prevention and Control Program - a tobacco cessation class sponsored by the TriCounty Health Department is offered in Roosevelt and Vernal.
- Victim Offender Medication Program - helps to remind youth of the need to take responsibility for their crimes.
- Truancy officers - Vernal Jr. High, Uintah High each have truancy officers. Duchesne County School District has one for all of the schools in the district.
- Truancy Mediation - truancy mediation is sponsored by the Juvenile Court and appears to work well with the schools that participate. Roosevelt City is one of the most aggressive having adopted a day- time curfew ordinance similar to those in Logan and Odgen.
- Expanded Work Program - for youth with court-ordered work hours, helps youth complete their work hours and learn to be accountable.
- Receiving Center - provides outreach services to at-risk youth and parents.

- Garden Project - a mini garden and farm at the detention center allows youth to learn responsibility and the benefits of physical labor, and to be responsible as they care for garden vegetables and animals.

Probation:

- Probation offers a four level system for probationers - low, medium, high and state supervision. The level at which an offender is placed is based on the youth's score on a risk assessment performed by probation staff.

Intermediate Intervention / State Supervision:

- Work Crew - a work crew with an expanded schedule for youth who need extra work hours.
- Ashley Valley Counseling - counseling provided by the community mental health center in anger management, tobacco cessation, sex specific counseling, and family counseling.
- Specialized Therapy - offered by providers (such as ISAT) in Salt Lake or Provo.
- Tracking - youth on state supervision receive increased tracking and are required to frequently report in to probation officers.
- Recreation Therapy - probation officers participate in recreational activities with youth who need to be taught how to have fun and not get into trouble. Activities include fishing, bowling and working out at the gym.
- Horticultural Therapy - youth work in a garden where they learn to accept responsibility for the care of garden vegetables and farm animals. Goal is to teach vocational skills.
- Wilderness Camps - some state supervision youth are sent to Elbow Ranch or to a group home outside the area for treatment specific care that is not available locally.
- Drug and alcohol therapy - provided by Northeastern Counseling (local community mental health center.) Provides counseling but not a clinical rehabilitation.

### **Cooperation Among Local Agencies**

- Multi agency staffings - meetings are well attended by Juvenile Court and Youth Corrections staff. Both agencies report improved coordination between the Juvenile Court and other agencies since the prior audit.
- A "Youth in Custody" group meets on a regular basis to discuss the needs of probation kids. As many as 30 different individuals attend.
- Community volunteers operate the truancy mediation and victim mediation programs.
- The LIC is active in addressing the problems of at-risk youth.

### **Case Management**

- Correctional plans are very sketchy. They provide little information about what will be done to rehabilitate a youth offender.
- Probation officers have developed their own risk assessment tool. MAPP tests are also performed to identify treatment needs.

### **Indicators of Program Effectiveness**

- Written surveys of juveniles and parents used to monitor program effectiveness.
- Juvenile Court monitors the number of youth on state supervision who are later referred to DYC community placement. So far the 8<sup>th</sup> district has had 83 youth participate in its state supervision program. Only 11 or 13 percent have been referred to youth corrections.

## **Appendix C**

### **Juvenile Justice System Mission Statement**

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## **Appendix D**

### **Governor's Request That Legislators Clarify Organizational Issues**

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**Agency Responses**

October 10, 2001

Mr. Wayne L. Welsh, Auditor General  
Office of the Legislative Auditor General  
130 State Capitol, Box 140151  
Salt Lake City, Utah 84114-0151

Dear Mr. Welsh:

Thank you for the opportunity to respond to the Follow-up Audit of Utah's Juvenile Justice System (Report #2001-09). Your audit staff have been easy to work with and receptive to our input.

The Division of Youth Corrections (DYC) is in general agreement with all the recommendations. The remainder of our comments will be to the specifics of each recommendation.

Audit Response:

**More Emphasis is Being Placed on the Early Stages of Delinquency.**

Many of the Division's current early interventions have grown out of necessity. Detention Alternatives for Responsible Teens (DART) was developed as an alternative to detention in order to reduce over-crowding in the old Salt Lake Detention Center. Over time it has evolved into an excellent diversion program. We suspect that not all youth sent to DART by the Juvenile Court Judges would be put into detention if DART did not exist.

Receiving Centers were established as a "drop-off" point for youth who did not meet detention guidelines. These centers, especially in rural Utah, now provide counseling and referrals to community services for these youth and their families.

DYC will continue to develop, in cooperation with other stakeholders, more early intervention and intermediate sanctions. DYC will work with and support local efforts to conduct strategic planning processes, particularly within Garfield, Kane, Piute, Sanpete, Sevier and Wayne counties. We will also work with the Office of the Court Administrator to improve prevention, early intervention and state supervision with the 6<sup>th</sup> Juvenile Court District.

**Cooperation Has Improved but Organizational Roles Are Still Unclear.**

We appreciate the recognition of the improved cooperation between DYC and the Juvenile Court. The active partnership that has been developed has proven it can be effective. We remain committed to assuring its success in the future as well.

**A New Assessment Tool to Be Used Statewide.**

DYC plans on using the Risk and Needs Assessment as the basis for community placement. Additional assessment tools are either being developed or planned in the areas of sex offenders, substance abuse and mental health, in partnership with the Network on Juveniles Offending Sexually (NOJOS), the Division of Substance Abuse and the Division of Mental Health. Other nationally recognized assessment tools will be used to ensure appropriate community placement of youth placed in our custody.

We concur that the legislature should clarify responsibility with regard to the decision-making process regarding which community program a youth is placed into. It is difficult to evaluate programs unless there is consistency in program placements.

DYC is developing a Level of Service Delivery model based on a Risk and Need Assessment. This will include a change in the way assessments are viewed. Instead of thinking in terms of an O&A center or location, DYC will view assessment as an ongoing process. We will also use the new Juvenile Information System (JIS) to maintain records.

**Outcome Measures Still Lacking.**

DYC is in complete support of the Criminal Justice Consortium to assist the state in all aspects of research on criminal and juvenile justice. DYC is dedicated to decision making based on sound research and measurable outcomes.

DYC has put together a Program Evaluation Process Committee (PEPC) to develop and validate a program evaluation model based on the Balanced and Restorative Justice model (BARJ).

Respectfully Submitted,

Robin Arnold-Williams, Executive Director  
Department of Human Services

Blake D. Chard, Director  
Division of Youth Corrections

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cc: Dan Becker, Administrative Office of the Court  
Ray Wahl, Administrative Office of the Court  
Camille Anthony, Executive Director, CCJJ  
Board of Youth Corrections

October 11, 2001

Wayne Welch, Auditor General  
Office of the Legislative Auditor  
130 State Capitol  
P.O. Box 140151  
Salt Lake City, Utah 841 14-0151

Dear Mr. Welch:

I am pleased to provide this response on behalf of the Administrative Office of the Courts to the Follow up Audit of Utah's Juvenile Justice System, and very much appreciate the courtesies which you and those members of your staff who worked directly on this audit have shown in providing the opportunity to review, discuss, and comment on the findings and recommendations.

I am confident it would be the consensus of those working in the field of juvenile justice in Utah that our juvenile justice system is performing more effectively today on virtually every front than at in time in recent memory. The 1999 Performance Audit of the Juvenile Justice System conducted by Legislative Auditor General's Office played a very significant role in focusing attention on those areas where real improvements were possible. There is every reason to feel good about how the Juvenile Court and Division of Youth Corrections have responded to the earlier audit in working together to address the significant changes which were called for in the areas of early intervention, risk assessment, reducing duplication, and program evaluation.

More remains to be done and is being done, including the full implementation of newly developed programs which hold considerable promise. The follow up audit has focused recommendations on four areas, which we respond to as follows:

More Emphasis **on Early Stages of Delinquency**. The Administrative Office of the Courts supports and will work to implement all seven of the recommendations presented. I should also note that the findings pointed out several areas where performance in a particular jurisdiction lagged behind other jurisdictions, such as lack of services in the most rural area of the state and weak supervision plans. Immediate attention will be given to addressing such performance issues.

**Cooperation and Organizational Roles.** The follow up audit reiterates the recommendations contained in the 1999 audit as they relate to interagency cooperation and role clarification. We believe our assessment after the 1999 audit was correct, that is, the focus should be on improving program performance, improved coordination and communication, reducing duplication, and system accountability, rather than structural reorganization. Our views have not changed, and we believe the progress made to date shows the present alignment of responsibilities are appropriate and effective. We encourage the Legislature to continue to support the present direction of the juvenile justice system of improving rather than reorganizing.

Statewide use of New Assessment Tools. The Administrative Office of the Courts supports all three of the recommendations presented. As the follow up audit reports, considerable work has gone into developing assessment tools and both juvenile probation and the Division of Youth Corrections are in the process of beginning the training necessary for full statewide implementation.

**Outcome Measures.** The Administrative Office of the Courts supports both of the recommendations presented. We believe the research consortium initiated by the Commission on Criminal and Juvenile Justice offers considerable promise for providing the independent research needed in this field.

Again, we very much appreciate the work that has gone into this follow up audit. I want to particularly recognize James Behunin for working closely with our administrative office and individual districts in compiling information for this follow up audit. Please know that this audit and the recommendations advanced will be treated very seriously by this office.

Thank you for this opportunity to respond.

Sincerely,

Daniel J. Becker

cc: Chief Justice Richard C. Howe  
Judge Robert S. Yeates, Chair, Board of Juvenile Court Judges  
Robin Arnold-Williams, Department of Human Services  
Blake Chard, Division of Youth Corrections  
Camille Anthony, Commission on Criminal and Juvenile Justice