

Effective Cross-Systems Information Sharing in Juvenile Justice

National Association of Counties
February 18, 2016

Stronger Counties. Stronger America.



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NACo's work with Models for Change

Strategic partnership designed to:

- Build county leadership capacity, expertise, and commitment for juvenile justice reform across the country
- Promote model programs for juvenile justice reform by providing thought leadership, education, technical assistance, and peer networking opportunities to county officials and staff

For more info about all of NACo's justice-related work,
visit www.naco.org/justice

Today's Speakers



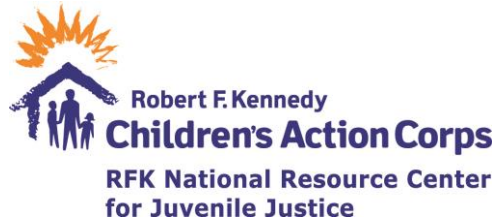
Jessica Heldman,
Associate Executive
Director, Robert F.
Kennedy National
Resource Center for
Juvenile Justice



Hon. Sally Heyman,
Commissioner,
Miami-Dade County,
Florida



Morris Copeland,
Director,
Miami-Dade County
Juvenile Services
Department



Effective Cross-Systems Information Sharing in Juvenile Justice

Jessica Heldman, Associate Executive Director
Robert F. Kennedy National Resource Center for Juvenile Justice

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Collaboration



Information Sharing Toolkit



www.infosharetoolkit.org

Information Sharing Categories

- **Category 1:**

- Information sharing for purposes of individual case planning and decision making

- **Category 2:**

- Data collection and sharing for law, policy, and program development

- **Category 3:**

- Data collection and sharing for program evaluation and performance measurement



Overarching Questions

- Why Share Information?
- Why Don't People Share Information?

Principles for Sharing Personally Identifiable Information

- Presumption of non-disclosure
- “Need to know”
- Sharing governed by federal and state laws
- Due process – self incrimination

Foundation for Information Sharing

- Organization and Governance
- Information Sharing Goals

Category One Sample Workplan

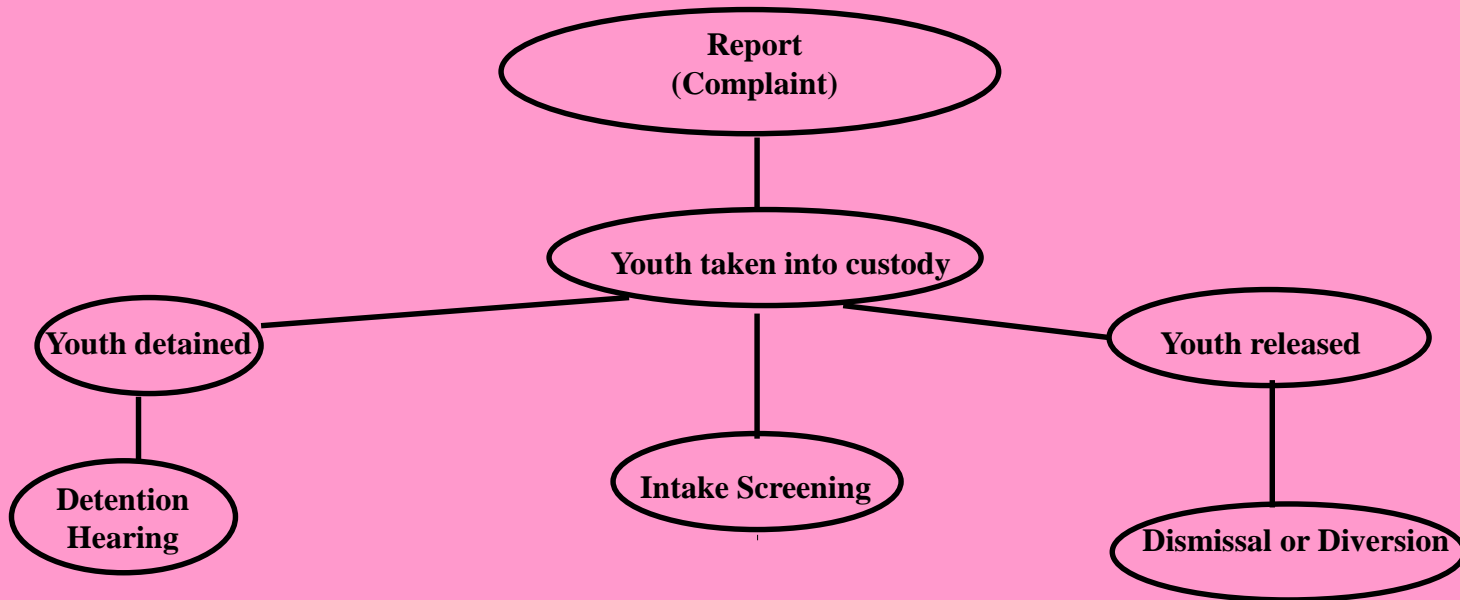
1. Identify all agencies to be involved and share work plan
2. Identify key decision points that may require the sharing of information and map out proposed flow
3. Identify what laws and policies govern the sharing of information at each decision point
4. Develop protections for the information that is to be shared
5. Develop agreements and protocols for the operation of the information sharing.

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Identify Key Decision Points

INVESTIGATION



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Knock knock
Who's there? ~~HIPPA
HIPPA who?

Sorry, I can't tell you
THAT

som^{ee}cards
user card



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Develop Protocols and Tools

MOU Template

I. Parties

II. Legal Authority

III. Purposes

IV. Investigation/Intake

V. Adjudication

VI. Disposition

VII. Issues that the MOU
does not cover

VIII. Administration

IX. Dispute Resolution
Process

X. Grievance and Review
Process

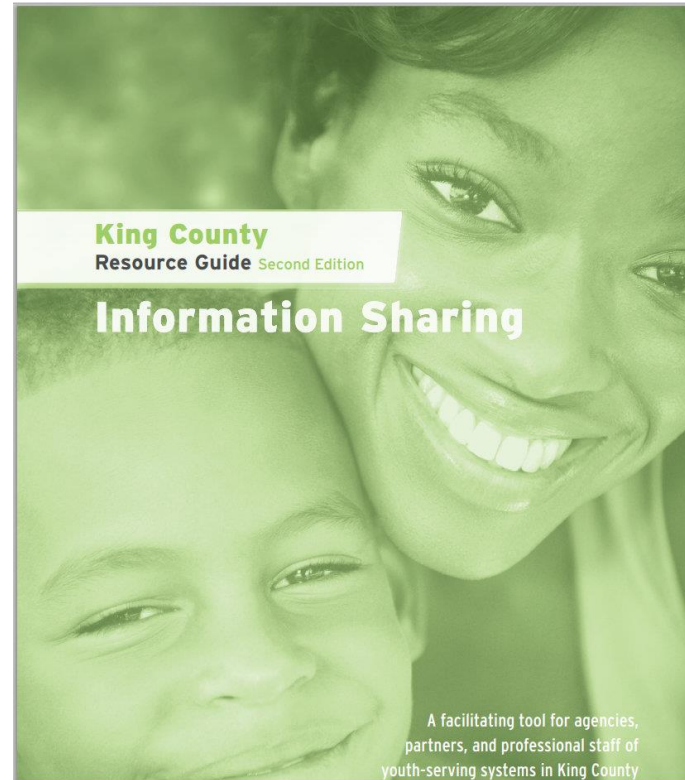
XI. Duration of the MOU

XII. Signatories

XIII. Attachments

King County Information Sharing Resource Guide

- Purpose
- Development
- Use



<http://www.modelsforchange.net/publications/376>

Information Sharing Decision-Making Tree

Is the information I have necessary and relevant and important to the child's and family's case planning and services?

YES

Is it my information to share?

Who am I?
What is my role?

NO

Direct the request to the original source of information

UNSURE

Consult your supervisor or legal counsel

YES

Does the recipient have legal permission to obtain the information?

Who is the requestor?
Why is this person requesting the information?
How will the information be used?
Is the person presenting with proper authorization (statute, ROI, court order)?
Is the child represented by legal counsel?

NO

Do not share the information

UNSURE

Clarify the persons's role and intent with your supervisor or legal counsel

YES

Are there any reasons this information SHOULD NOT be released in this situation?

What are the potential consequences of releasing the information?

YES or UNSURE

Consult your supervisor or legal counsel

NO

Share the information and be sure to...

- Use common sense!
- Remember the purpose of the exchange and the role of everyone involved.
- Consider timelines and priorities; share critical information promptly.
- Think about where and how the information will be exchanged. Consider the purpose and type of information to be shared, the parties involved, and timelines when selecting the setting for exchange. Share only to the extent authorized. Also consider whether the information may or will be further disclosed. If only part of the information is disclosable, then the remainder needs to be redacted or withheld.
- Document the release of the information as required by your agency.

DON'T STOP HERE!

Be sure to check the law! Use this Decision-Making Tree with the Overview of Information Sharing Laws in this Field Guide.

Additional Resources

Information Sharing in Youth and Family Serving Systems: An Attorney's Guide

The appropriate sharing of necessary information is an essential part of ensuring more effective processes in working with youth and families involved in child welfare and juvenile justice. The ability to identify and share meaningful data and information is critical in case planning for system-involved youth as well as monitoring and evaluating reform efforts undertaken on their behalf. Despite the value of sharing information, there are valid concerns among attorneys regarding the risks of sharing information and the need for protections to be in place. In addition, the development of processes for sharing can be fraught with obstacles often arising from a lack of understanding or a misunderstanding of legal parameters. This course provides a review of the specific federal laws and regulations governing information sharing, guidance on the methods by which state statutes may be researched, constitutional considerations of due process, and practical methods for designing information sharing strategies that best serve youth and families.

Enroll Now



<http://cpe.fiu.edu/rfk>

Protecting Youth from Self-Incrimination when Undergoing Screening, Assessment and Treatment within the Juvenile Justice System

Louder M. Rosado, Esq. & Riva S. Shah, Esq.
JUVENILE LAW CENTER
January 2007

no person shall be compelled in any criminal case to be a witness against himself.
U.S. CONSTITUTION, Amendment V.



Resource Brief

Navigating the Dual Status Terrain: Tips for Juvenile Defenders

This resource brief addresses the unique considerations associated with representing dual status youth and offers practice tips for juvenile defenders to help navigate the terrain. This resource brief also explores the growing reform trend of multi-system collaboration and coordination to improve outcomes for dual status youth and offers guidance in this arena as well.

1. Understanding Dual Status Youth

Who are Dual Status Youth?

It comes as no surprise to those who work with youth in the delinquency system that a significant number have experienced some form of maltreatment. Of these, many have come in contact with the child protection/child welfare system as a result. In some communities, as many as 25 of youth referred to juvenile courts have had some level of involvement with the child welfare system.¹

The timing and extent of child welfare and juvenile justice system involvement varies, but the term "dual status youth" is the umbrella term used to refer to all youth who touch both systems. The following terms offer greater precision in defining the different statuses dual status youth may occupy:

Case Example: Lloyd

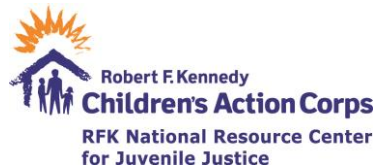
Lloyd, a 12 year old boy who recently was detained in a juvenile facility, was arrested and charged with assault against his two younger siblings, ages 5 and 3. Lloyd's mother, a drug abuser, frequently left Lloyd in charge of his siblings while she left the home to visit friends, or get high. When his siblings refused to listen to him, he hit them or a relative dog punishment, something that had been done to him many times, and something he had watched his mother do as well. As a result, the children sustained third degree burns. Despite the fact that the child welfare agency had conducted numerous investigations of Lloyd's home for domestic violence and child neglect allegations, Lloyd was prosecuted and detained without consideration of the underlying facts, agency involvement, and the difficult situation in which he was surviving.

"My single biggest issue is that child welfare information is viewed as a negative; the mere fact the child's family is struggling is viewed as a strike against the child, rather than as mitigation."
- Juvenile Defender

http://www.jlc.org/sites/default/files/publication_pdfs/protectingyouth.pdf

http://rfknrcjj.org/wp-content/uploads/2016/01/NJDC_DSY_IssueBrief_Dec2015.pdf





www.rfknrcjj.org

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sdilanian@rfkchildren.org

Spring 2016 - Boston, MA
Omni Parker House Hotel



Inaugural Symposiums

Dual Status Youth Symposium:
Working Together for Our Children

April 5-6, 2016

Probation System Reform Symposium:
Advancing Practice, Changing Lives

April 7-8, 2016

rfknrcjj.org/events





Miami-Dade County Juvenile Justice Model

Juvenile Services Department

Honorable Commissioner Sally A. Heyman

&

Director Morris Copeland



Delivering Excellence Every Day

Juvenile Assessment Center (JAC) Centralized Intake Screening & Assessment

*The JAC revolutionized the management of the juvenile justice population,
information sharing and expanded diversion opportunities in
Miami-Dade County*



One point of accountability for all juvenile bookings



- The JAC allowed the officers to transfer custody immediately to JSD and return to patrolling the community quickly.
- This was a major selling point to get buy in from law enforcement.
- Created immediate success.

Positive Identification Process (PID)

- Uniform manner to process arrested juveniles.
- The JAC provides the environment to conduct the PID process on all arrested youth.
- All of the juvenile justice agencies now have a complete picture of the youths identity.



Screening for Risk & Service Needs



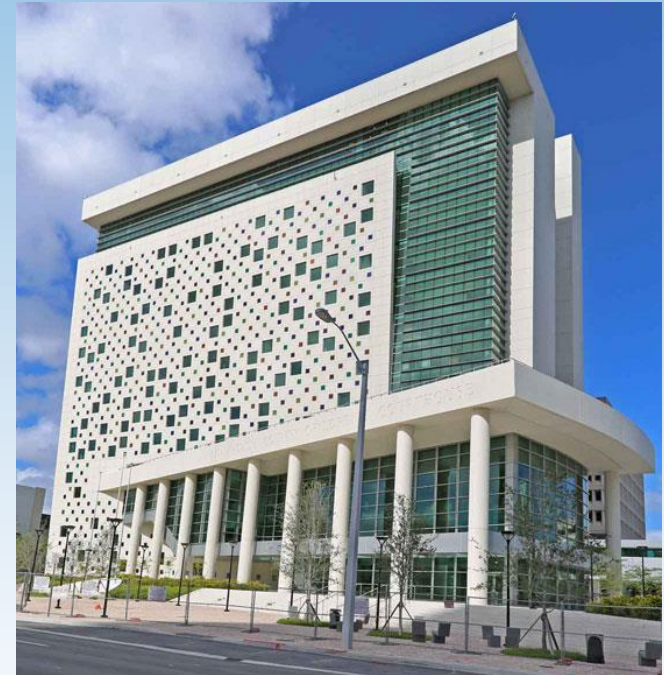
- Accurately screen youth using the Detention Risk Assessment Instrument (DRAI) and Positive Achievement Change Tool (PACT)
- Risk to the community can be determined at intake
- Courts now can make an informed decision to detain, release or respite

Assessment & Diversion Referrals Clinical Protocol

- The JAC allows the assessment process to take place immediately with clinical oversight.
- Utilizing age and gender specific assessments.
- Referrals for immediate crisis stabilization.

Major Efficiencies

- All law enforcement agencies have a central processing location for arrested youth.
- Youth receive immediate evidence based interventions.
- Divert at the Intake stage.
(Civil Citation, JDAP & JASS)
- Consolidated several agencies functions under one point of accountability
- Information is gathered from numerous sources and shared with Juvenile Justice partners to provide a comprehensive picture of client for the court.
- Lead to the creation of the new Children's Courthouse "One Stop Shop".



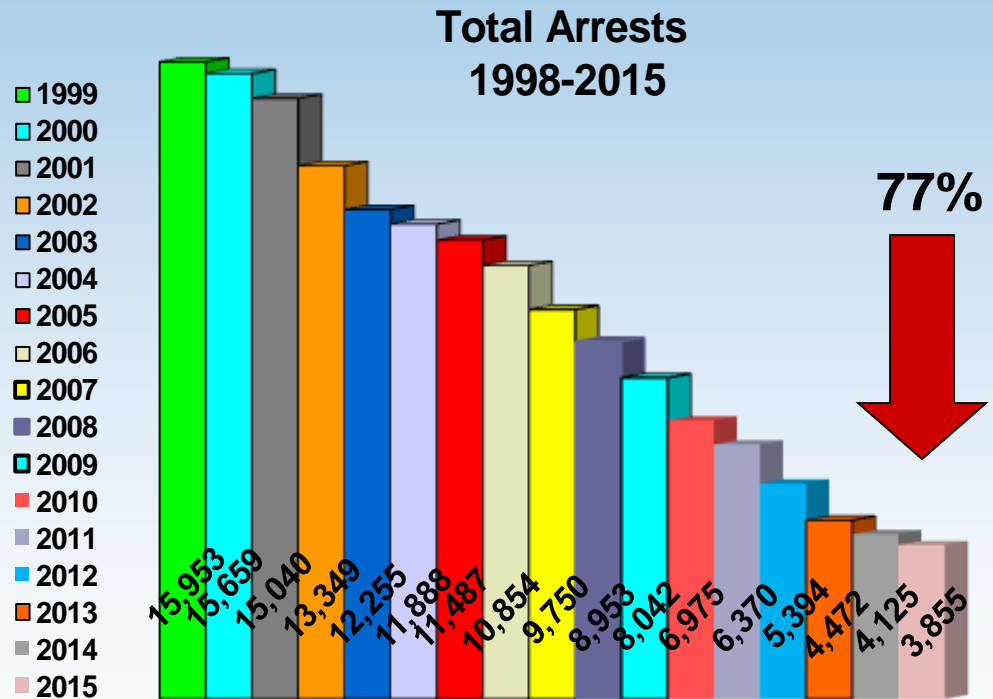
Information Sharing Process

- Memorandum of Understanding/ State Law
- Local Boards participation
 - Dade Miami Criminal Justice Council
 - Youth Crime Task Force
 - Department of Juvenile Justice Circuit Advisory Board
- Georgetown Crossover Protocol
 - Dual delinquent/ dependent youth
- Unified Family Court Protocol
 - DJJ, DCF, Domestic Violence, Family court
- Multidisciplinary Staffing
 - Children 12 and under
 - Youth facing commitment
- School Information sharing Protocol
 - Consent at time of intake

Results

Service Needs

- Family Intervention
- Substance Abuse & Mental Health
- Mentoring
- Educational/Tutoring Services
- Leisure Activities
- Employment Opportunities



Question & Answer session

- Type your question into the “Questions” box and the moderator will read the question on your behalf.

THANK YOU!

Additional questions or feedback?
Contact Kathy Rowings at krowings@naco.org