

YOUTH SERVICES POLICY

Title: Case Assessment Process for Secure Care Placement	Type: D. Community Based Services Sub Type: 9. Placement, Transfer, Termination and Removal Process Number: D. 9.13
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References: Louisiana Revised Statute 14:2; Louisiana Revised Statute 15:901; LA Children's Code Arts. 890, 897, 897.1, 901, 906, 908, 909, 910 and 911; Louisiana Revised Statute 14:2; ACA Standards 2-CO-4A-01, 2-CO-4B-01, 2-CO-4B-03, 2-CO-4B-04, 2-CO-4F-01 (Administration of Correctional Agencies; YS Policy Nos. A.3.4 "Parental Contributions – Cost of Care and Treatment"; B.2.1 "Assignment, Reassignment, and Release of Youth", B.2.12 "Fast Track Program", B.4.1 "Youth Sentence Computation", B.8.15 "Family and Community Relations", C.1.13 "Legislative Request/Communication, Media Access and Public Information", C.2.11 "Prison Rape Elimination Act (PREA)", D.9.1 "Placement of Youth in Residential Facilities", D.10.21 "Complaints and Grievances", and D.10.32 "SAVRY - Community Based Services".	
STATUS: Approved	
Approved By: <i>James Bueche, Ph.D., Deputy Secretary</i>	Date of Approval: 10/04/2018

I. AUTHORITY:

Deputy Secretary of Youth Services (YS) as contained in La. R.S. 36:405. Deviation from this policy must be approved by the Deputy Secretary.

II. PURPOSE:

To establish the assessment and appropriateness of youth placed in the custody of YS, Office of Juvenile Justice (OJJ) for secure care placement.

III. APPLICABILITY:

Deputy Secretary, Assistant Secretary, Chief of Operations, Executive Management Advisor, General Counsel, Regional Directors, Contracted Health Care Provider, Central Office (CO) Program Manager, Central Office (CO) Program Coordinator, Regional Managers, Probation and Parole Supervisors/Juvenile (PPS/J), and Probation and Parole Officers/Juvenile (PPO/J).

Unit Heads are responsible for ensuring adherence to guidelines established throughout this policy.

IV. DEFINITIONS:

Central Office Program Coordinator – Person responsible for tracking and movement of youth into a YS secure care facility.

Central Office Program Manager – Person responsible for administering comprehensive statewide programs.

Commitment Order/Custody Order - Court order signed by a judge placing an adjudicated delinquent youth in the custody of YS.

Community Based Services (CBS) - Includes the regional probation and parole offices located throughout the state.

Disposition (also known as Judgment of Disposition) – The written order of the court following adjudication which assigns custody/supervision and the terms thereof.

Disposition Matrix – The “OJJ Disposition Matrix” is a tool based on a model of structured decision-making regarding the most appropriate level of supervision and custody for adjudicated youth at the time of the initial case disposition and/or modification of disposition. It focuses on the intersection of the current offense and the youth’s risk level based on the SAVRY assessment. The Disposition Matrix is organized by SAVRY risk and offense severity and places youth along a continuum of disposition options, typically including probation, intensive supervision, and out-of-home non-secure or secure placement.

Due Process Hearing - The administrative process afforded a youth prior to reassignment from a non-secure facility to a security facility (refer to YS Policy No. B.2.1).

Fast Track Program – An intensive short-term secure program with the goal of identifying the individual criminogenic risk factors of program participants and replacing them with prosocial alternative through the use of evidence based cognitive behavioral treatment, skill building and a positive behavior management system (refer to YS Policy No. B.2.12).

Graduated Sanctions - An accountability-based, graduated series of sanctions applicable to juveniles within the juvenile justice system to hold such juveniles accountable for their actions. The graduated sanctions grid is a tool used to ensure that sanctions are consistently applied and that youth offenders on probation will face uniform, immediate, and consistent consequences that correspond to the SAVRY risk seriousness of the probation/parole violation to prevent their subsequent involvement with the juvenile justice system.

Intake Packet - The documents required at intake into a YS secure care facility.

Modification of Disposition – The process by which the court modifies a previous disposition to include:

- Changing the youth's legal custody;
- Suspending all or part of any order of commitment;
- Eliminating conditions of probation; or
- Adding any further conditions authorized by the La. Ch. Code Articles 897(B) or 899(B).

A Modification of Disposition order may also terminate an Order of Disposition at any time while the latter is still in force.

Override - The process by which approval is obtained to deviate from the "OJJ Disposition Matrix" when the disposition recommendation is outside of the range of options in the indicated cell; or the youth does not meet the noted requirements on the matrix for a specific placement.

Probation and Parole Officer/Juvenile (PPO/J) – PPO/J's assist youth and families in locating, accessing and coordinating networks of support to address needs. PPO/J's shall coordinate case management services in accordance with need assessments, as well as monitor, compliance with the services provided and court ordered requirement while the youth is in the custody or under the supervision of YS.

Regional Director – Deputy Assistant Secretary responsible for the oversight of all functions and operations of the Community Based Services Regional Offices and the secure care facility in their assigned Region.

Regional Managers - Managers of the CBS offices located throughout the state.

Secure Care Center for Youth – "a living environment characterized by a range of moderate to high security level facilities that include construction, fixtures and staff supervision designed to restrict the movements and activities of the residents, and to control, on a 24-hour basis, the ability of the residents to enter and leave the premises, and which are intended for the treatment and rehabilitation of children who have been adjudicated delinquent." [Ch. Code Article 116(24.2)]

The secure care facilities operated by YS are as follows:

- Acadiana Center for Youth (ACY)
- Bridge City Center for Youth (BCCY)
- Swanson Center for Youth (SCY)
- Swanson Center for Youth @ Columbia (SCYC)

Structured Assessment of Violence Risk in Youth (SAVRY) – The Structured Assessment of Violence Risk in Youth is an evidence-based assessment designed to assist professionals in making judgments about a youth's needs for case planning. This assessment comprises 24 risk/need items which were identified in existing research on adolescent development and on delinquency and aggression in youth. Six protective factors are included in the SAVRY which have also been identified by current research as potentially mitigating the risk of future violence and delinquent activity. The SAVRY utilizes a structured, professional judgment method of assessment, meaning the individual completing the assessment rates the youth on a number of evidence based risk factors and then weighs all the information to come to a final judgment that the youth is Low, Moderate or High Risk for future reoffending.

Service Referral Matrix - An inventory of community services specific to a region used to identify and match proper services based on the individual youth's risk/need factors. This proper matching between risk/needs and services has been shown to be critical in reducing re-offending and likewise improving public safety.

Unbiased Staff Member - A Probation and Parole Officer/Juvenile (PPO/J) or Probation and Parole Supervisor/Juvenile (PPS/J) not directly involved with a particular case.

V. POLICY:

It is the Deputy Secretary's policy that when out of home placement is necessary, youth shall be placed in a program which is most appropriate to meet his/her needs, in the least restrictive environment, and in close proximity to his/her home. To the extent that public safety is protected and the youth is not a threat to himself/herself or others, YS shall employ all available resources to prevent the removal of the youth from his/her home.

It is also the Deputy Secretary's policy that the assignment of a youth in the custody of YS shall be, whenever possible, made in accordance with the guidelines of the attached "OJJ Disposition Matrix" while considering the youth's risk, needs and public safety. A recommendation for a youth to be assigned to secure care that deviates from the disposition matrix must be approved through an override by the Regional Director and Deputy Secretary.

VI. RECOMMENDATIONS REGARDING YOUTH SERVICES SECURE CUSTODY:

- A. As provided in La. R.S. 15:901 D (1), YS shall have sole custody of the "child", except as provided for in La. Ch. Code Article 897.1, and shall determine the child's placement, care and treatment, and the expenditures to be made through appropriate screenings, examinations, tests, or evaluations conducted under the supervision of YS.

The philosophy of OJJ is to match youth with the most appropriate supervision, level of care and services based on his/her risk and needs which provides the best opportunity to abate future reoffending behavior. OJJ shall not make a recommendation to place a youth in secure care custody unless his/her welfare or the safety and protection of the public cannot be adequately safeguarded without such removal.

- B. In all cases, YS staff recommendations to the court regarding youth being placed in the custody of YS for assignment to a secure facility shall be preceded by a case staffing and approval of the Regional Director. A thorough consideration of options outlined on the “OJJ Disposition Matrix” not requiring removal from the home shall be given prior to recommending a secure custody disposition and placement to the court.

Whenever possible, prior to a case staffing recommending the placement outside of the home, the PPO/J and PPS/J shall meet with the youth and parent/guardian to provide them an opportunity for input and to explore alternative options.

- C. The reassignment of a youth in YS custody for a delinquent offense from a non-secure facility to a YS secure facility shall also be preceded by a case staffing and approval of the Regional Director. A Due Process hearing shall be held as outlined in YS Policy B.2.1 “Assignment, Reassignment, and Release of Youth”.
- D. Prior to conducting the case staffing, the SAVRY Social History/PDI, Supplemental Social (if applicable), and SAVRY assessment shall be completed.
- E. A case staffing in which secure care is being considered shall consist of the following designated staff:

1. The Youth’s assigned Probation and Parole Officer (PPO/J);
2. The Probation and Parole Supervisor/Juvenile (PPS/J);
3. An unbiased party;
4. The Regional Manager; and
5. The Regional Director.

Parents may be notified of the outcome of the staffing at the discretion of the staffing committee.

- F. The case staffing shall consist of a thorough discussion of the youth’s current SAVRY risk, history of violent behavior, current offense(s), prior legal involvement, current need areas identified by the SAVRY, history of prior services, placements, and outcomes, probation/parole violations and graduated sanctions used to address them. The “OJJ Disposition Matrix” shall also be utilized when determining an appropriate disposition recommendation to the court.

- G. The case staffing shall be documented on the “Case Staffing Report v0.1” form in JETS within three (3) working days from the date the staffing is held, with a hard copy placed in the youth’s case record. All participants must sign the report documenting attendance and agreement with the consensus recommendation.
- H. Any recommendation that deviates from the “OJJ Disposition Matrix” must be approved through an override/exception request made to the Regional Director and the Deputy Secretary. The request shall be documented on the “Case Staffing Report v0.1” and specifically outline the justification for the override.

The completed and signed “Case Staffing Report v0.1” shall be submitted to the Deputy Secretary/designee for review. The PPO/J shall not move forward with a secure care placement or recommendation if an override is required, until approval is obtained by the Regional Director and Deputy Secretary. The signature page of the Case Staffing Report approving the override shall be placed in the youth’s case record.

- I. In the event the Court recommends secure care placement for a youth without a recommendation from YS, the PPO/J shall staff the case within five (5) business days of receiving notification of the youth’s placement in YS custody. The procedures outlined in Section VI.D – H shall be followed.

If after consideration of all factors, the consensus of the case staffing is that the youth does not require a secure level of care and placement in a non-secure facility is appropriate, the PPO/J shall proceed with the procedures outlined in YS Policy D.9.1 “Placement of Youth in Residential Facilities”.

The Regional Manager shall forward email notification to legal services advising of the court’s recommendation of secure placement and the outcome of the YS case staffing. Upon the youth’s assignment to a non-secure facility, written notification shall be sent to the judge advising the court of the youth’s placement.

- J. The Regional Manager shall forward all judgments received from the court ordering YS to place a youth in a specific placement, program, or secure care facility to legal services for review within one (1) workday of receipt.

VII. INTAKE PROCEDURES:

- A. Standard Intake Procedures:
 - 1. The assigned PPO/J shall open the youth’s case in JETS within 24 business hours of notification of the youth’s placement in YS custody including the master; address, education, relationship, and transfer screen, assignment status, petition, legal status, and ensure that the youth’s case is coded as a 14 day order, if applicable.

The PPO/J shall obtain a certified copy of the order from the court placing the youth in YS custody and including the “contrary to welfare/reasonable efforts” wording.

2. After it has been determined that a youth will be assigned to a YS secure care facility, CBS Regional Staff shall send email notification to the CO Program Coordinator, CO Program Manager, Regional Manager and Regional Director notifying them of a secure care commitment. The notification shall include the following information:
 - a. Youth’s Name, JETS ID #, Court, Judge, Committing Offense;
 - b. Any special needs, court orders or safety concerns; and.
 - c. The date the Rule to Show Cause/Contempt Hearing has been set and if the judge advised that the Deputy Secretary/designee will be subpoenaed, when applicable.
3. The PPO/J shall meet with the youth’s parent/guardian to secure his/her birth certificate, social security card, immunization records, educational records, and any other documentation deemed necessary. The PPO/J shall provide the youth and parent with the contact information for the YS Ombudsman (refer to YS Policy B.8.15).

The PPO/J shall also complete the following and secure the parent/guardian and youth’s signature as required:

- a. “AFCARS” form in JETS
 - b. “FAST I”, “FAST II”, “Parental Contribution” form in JETS (YS Policy A.3.4)
 - c. “Grievance Forms A and B” in JETS (YS Policy D.10.21)
 - d. “Youth’s Confirmation of Receipt” form in JETS, review the PREA information with the youth (YS Policy C.2.11)
 - e. Time Computation(s), “Letter to Judge Sentence Computation” and “Letter to Parent Sentence Computation” forms in JETS. (YS Policy B.4.1)
 - f. “Media Release Youth” (YS Policy C.1.13 (b))
4. The assigned PPO/J shall scan and email an intake packet to the CO Program Coordinator and Program Manager within seven (7) working days of notification of the youth’s placement in YS custody. The intake packet shall include the following:
 - a. Referral Cover Letter;
 - b. Current JETS Master;
 - c. Custody Order/Order of Commitment;
 - d. Signed/approved Time Computation;
 - e. Judgment of Adjudication;

- f. Judgment of Disposition;
- g. Signed Media Consent Form;
- h. Current SAVRY;
- i. SAVRY Social History/PDI; Supplemental Social (if applicable);
- j. Signed and approved Case Staffing Report v/01;
- k. Birth certificate, Social Security card, Immunization records
- l. Psychological and/or psychiatric evaluations, medical records, medication history, school records (most recent report card, IEP, IEP evaluation), discharge summary from residential providers and/or psychiatric hospital, and any other records deemed appropriate

An extract of the official court minutes may be substituted for Judgment of Adjudication, Judgment of Disposition, or Custody Order.

If this information cannot be gathered prior to movement, the intake packet should be sent with the youth on the day of movement to the assigned facility.

5. Email notifications for emergency movement, secure release (refer to YS Policy No. B.2.1) and court updates shall be sent to the CO Program Coordinator with a copy also sent to the CO Program Manager and the appropriate Regional Director.

B. Intake Priority:

1. Intake for secure care shall be authorized by the CO Program Coordinator. Youth shall be admitted into secure facilities according to the guidelines of the "OJJ Disposition Matrix".
2. If an emergency situation occurs and youth movement is needed immediately, CBS Regional Staff shall send an email notification to the CO Program Coordinator with a copy to the CO Program Manager and the appropriate Regional Director, along with a detailed explanation of the reason for the emergency. The Regional Director shall contact the CO Program Manager to discuss the situation. The CO Program Manager shall verify that the youth meets the criteria outlined in this policy and then relates the information to the Deputy Secretary. It will then be determined if the request can be accommodated.
3. On a weekly basis, the CO Program Coordinator shall determine the number of beds available at each facility and provide the Regional Directors, Regional Managers, Facility Directors, the Contracted Healthcare Provider and the designated Education representative with a list of names of youth to be admitted to each facility. The CO Program Coordinator shall attempt to provide at least a 24-hour notice prior to transferring a youth to a secure care facility.

4. Regional Managers shall provide regular updates of any upcoming court hearings recommending possible secure release or notifications of any unexpected secure releases by emailing the CO Program Coordinator, CO Program Manager and the appropriate Regional Director. This action will assist in tracking an accurate count of available secure care beds.
5. All CBS Regional Staff are expected to regularly conduct a case staffing on all custody cases and be diligent in pursuing reassignment or release from YS custody whenever appropriate. Refer to YS Policy B.2.1 "Assignment, Reassignment, and Release of Youth".

Previous Regulation/Policy Number: N/A

Previous Effective Date: 06/21/2016

Attachments/References: OJJ Disposition Matrix Oct 2018

Louisiana Office of Juvenile Justice Disposition Matrix



<i>Most Serious Presenting Offense</i>	Overall SAVRY Risk		
	Low	Moderate	High
<u>Minor</u> FINS offenses Misdemeanor offenses	Diversion Program IAA or DDA Probation Supervision	Diversion Program IAA or DDA Probation Supervision	Probation Supervision Intensive Probation Supervision Non-secure Placement
<u>Moderate</u> Non-violent felony grade offenses Violent misdemeanor offenses (4 or more adjudications)	Diversion Program IAA or DDA Probation Supervision	IAA or DDA Probation Supervision Intensive Probation Non-secure placement	Probation Supervision Intensive Probation Supervision Non-secure placement Secure Placement (FAST Track ¹ , Regular ²)
<u>Major</u> Violent Felony grade offenses as defined by LA R.S. 14:2	IAA or DDA Probation Supervision	Probation Supervision Intensive Probation Supervision Non-Secure Placement	Probation Supervision Intensive Probation Supervision Non-Secure Placement Secure Placement (FAST Track, Regular)

*Sex offender cases use the psychosexual evaluation to determine required level of care, supervision, and treatment.

* Research has shown that mixing high risk youth with low risk youth in populations can actually increase the criminogenic behaviors of low risk youth. As a result, it is essential that the Service Matrix be used in conjunction with the Disposition Matrix to ensure youth receive services that match their identified criminogenic needs.

¹ Placement in the Secure FAST Track Program may be recommended after a minimum of two (2) failed non-secure placements

² Placement in the Regular secure program may be recommended if the youth does not meet criteria for the FAST Track Secure Program (refer to Policy B.2.12)

Guidelines for Matrix Use

1. Staff shall begin recommendations with the least restrictive disposition or placement within the cell indicated that has not been previously attempted and is conducive with meeting the needs of the youth and public safety.
2. Youth who successfully completed a previous level of services shall be considered to receive services at an equal or lesser level of care, placement or supervision or an enhanced version of services.
3. If the youth has previously received and was unsuccessful in lower level disposition or placement, the youth may be consideration for the next higher level. However, youth who are not violent offenders can only be considered for assignment to the secure care Fast Track program after having a minimum of two (2) failed non-secure placements or the youth continues to reoffend despite having successfully completed a minimum of two (2) non-secure placements. Placement in the Regular secure program may only be recommended if the youth is not eligible for placement in the FAST Track Program.
4. Placement outside of the home shall be reserved for the highest risk offenders after community based alternatives have been exhausted. Lack of community services to address a youth's needs shall not be a basis for placement in a residential program.
5. The secure care level is reserved for the highest need and violent youth. It is not to be used as a consequence for lower level offenders.
6. There may be instances when the Most Serious Presenting Offense does not fully represent the youth's risk to public safety and his/her current needs cannot be adequately met in a setting that is within the range of options of the corresponding cell. Any deviation from the "Disposition Matrix" requires the approval of an override.
 - An override approval by the Regional Manager is required when the disposition recommendation is outside of the range of options within the corresponding cell.
 - An override approval by the Regional Director and Deputy Secretary is required when an override to secure care is requested.
7. Under no circumstances shall staff recommend secure placement for a youth who is identified as low-risk to reoffend unless it is mandated by L.A.R.S. 897.1 and is approved through the Override Procedure.

Definitions

Crimes of Violence as defined under LA RS 14:2 - Crimes of Violence as defined under LA RS 14:2- "Crime of Violence" means an offense that has, as an element, the use, attempted use, or threatened use of physical force against the person, and that, by its very nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense or an offense that involves the possession or use of a dangerous weapon. The following enumerated offenses and attempts to commit any of them are included as "crimes of violence":

Aggravated arson; Aggravated assault; Aggravated assault upon a dating partner; Aggravated assault upon a peace officer; Aggravated assault with a firearm; Aggravated battery; Aggravated burglary; Aggravated crime against nature; Aggravated criminal damage to property; Aggravated flight from an officer; Aggravated kidnapping; Aggravated or first degree rape; Aggravated second degree battery; Armed robbery; Armed robbery - use of firearm; Assault by drive-by shooting; Battery of a police officer; Carjacking; Disarming of a peace officer; Domestic abuse aggravated assault; First degree murder; First degree robbery; Forcible or second degree rape; Home invasion; Human trafficking; Intentional exposure to AIDS virus; Manslaughter; Purse snatching; Second degree battery; Second degree cruelty to juveniles; Second degree kidnapping; Second degree murder; Second degree robbery; Second degree sexual battery; Sexual battery; Simple kidnapping; Simple or third degree rape; Simple robbery; Solicitation for murder; Stalking; Terrorism; Trafficking of children for sexual purposes; Vehicular homicide (Examples- including but not limited to)

Misdemeanor Violent Crimes- Battery of a police officer; Battery of a School Teacher; Battery of a correctional facility employee; Domestic Abuse Battery; Negligent Injuring (Examples- including but not limited to)

Failed placement - The youth's unsuccessful discharge from a non-secure placement.

FAST Track Secure program - An intensive short-term secure program with the goal of identifying the individual criminogenic risk factors of program participants and replacing them with prosocial alternatives through the use of evidence based cognitive behavioral treatment, skill building and a positive behavior management system. (Refer to policy B.2.12)

Non-secure placement - A residential facility licensed by the Department of Social Services/Bureau of Licensing, providing services to youth in the custody of the OJJ or other state agency. (i.e. Therapeutic group homes; OJJ or other State Agency contracted group home or residential facility)

Override – The process by which approval is obtained to deviate from the “OJJ Disposition Matrix” when the disposition recommendation is outside of the range of options in the indicated cell; or the youth does not meet the noted requirements on the matrix for a specific placement.