

MIDD Initiative Change Request Form

Name of Person Submitting Change: Judge Judith Ramseyer & Lea Ennis

Name of Immediate Supervisor/Manager: Aaron Parker

Date Submitted: April 2020

What MIDD Initiative is being proposed for change? (name and number): TX-JDC

Revision Summary:

We propose replacing Juvenile Drug Court (JDC) with a broader therapeutic court model that will give substantial help and support to youth charged with a serious offense (not currently served by the JDC model) and/or facing a sentence at Juvenile Rehabilitation (JR), provide meaningful accountability, and develop strong, lasting community relationships and resources to youth and their families.

This change will focus these funds on young people facing a standard range disposition at JR, state-operated correctional facilities, who have significant behavioral health needs (including a history of trauma and dual diagnosis needs). Critically, and unlike more traditional therapeutic court models, we anticipate that many of the youth served would be charged with offenses involving serious allegations that involve violence and that they would have their charge(s) reduced to misdemeanors or potentially dismissed upon successful completion. Because this pathway provides for both a community disposition and a charge reduction, the prosecutor will participate in identifying youth who will partake in this programming.

The proposed therapeutic court model also will be a racially equitable and safety-driven response to serious behavioral health needs. We lead with racial equity because in 2018 and 2019, for example, between 71 and 74% of juveniles charged with serious offenses like Robbery were youth of color. This Behavioral Health Response (BHR) for youth being served in the Juvenile Therapeutic Response and Accountability Court (JTRAC) model will be swift and comprehensive. Similar to JDC, young people engaged with BHR will work closely with designated, specially trained Juvenile Probation Counselors (JPCs) who will engage them in services, support, and treatment. These JPCs, along with community-providers and attorneys,

will staff each case to determine the most appropriate intervention plan, the model now used in Community Empowered Disposition and Response (CEDAR) and JDC cases. Intervention plans will be individualized service plans that emphasize Positive Youth Justice (PYJ) principles, developmental assets, and skill-building. Community-based programs will be identified to engage the youth in their individualized service. Like JDC, youth will receive incentives for authentic effort to engage in treatment or intervention plan.

In addition, this therapeutic court model recognizes that victims often are dissatisfied with the criminal legal system and favor alternatives that will help the responsible party change behavior. As a result, this therapeutic response would include connecting with the victim and assisting them in resolving issues resulting from the committing offense.

To provide more flexibility than JDC, the assigned judge will not participate in the initial staffing, but will determine the level of engagement with the Court based on the individual needs of the young person and the proposed intervention plan. For example, the judge may schedule weekly court hearings initially and transition over-time to check-ins with a JPC and/or community-provider in the young person's local community. Reduction of direct court involvement also can be an incentive for continued commitment. Importantly, BHRs have more flexibility in referral, legal qualifications, length of participation, specific incentives, and legal benefits that are meaningful to the youth and his/her unique situation. See attached Juvenile Court Services Expansion of Therapeutic Response graphic.

Critically, this model provides a pathway for youth to remain in the community with his/her family and community support system. If a youth successfully engages in specific treatment objectives and demonstrates positive engagement in prosocial activity, the young person receives a community-based disposition and will receive a legal benefit such as the initial charge(s) being charges reduced to a misdemeanor(s) or, in some cases, dismissed. This case outcome gives juveniles the hope and the opportunity toward a successful adulthood, not constrained by a juvenile felony criminal history.

What type of revision is being requested? Check as many as applicable.

- Fiscal change (e.g., adding or decreasing funding; changing time period of funding)
- Contract amendment
- Programmatic change (e.g., target population; FTE qualifications, service model)
- MOA change
- Evaluation change

1. Please describe the proposed revision in detail, including:

a. The original initiative description and relevant background information

Some juveniles charged with an offense who have alcohol or drug problems can go into the juvenile drug court program. Juveniles in the program go to treatment, have frequent testing to see if they're using alcohol/drugs, and have regular court hearings before the Drug Court Judge, sometimes as often as weekly. If a juvenile successfully completes the Drug Court program, the charges are dismissed. Juvenile Drug Court is a limited therapeutic court model. Through JDC we have a narrow path for youth with behavioral health issues, specifically drug/alcohol abuse, to be screened, assessed, and connected to treatment. With the proposed change to a JTRAC model, a juvenile's behavior health needs are identified earlier, a broader range of needs are addressed, participants are offered the opportunity to remain in their community provided they engage in therapeutic activities, and they are rewarded for genuine effort and success, thereby avoiding long-term JR incarceration and, potentially, a juvenile felony record.

b. Basis of the change

The need to reduce limitations around applying the therapeutic court model in juvenile court. The JTRAC model allows for earlier screening and identification of needs of the youth and aims to shorten the time the youth is involved in the juvenile justice system. Services are available more quickly, as the JDC model requiring referral, an observation period, and opting into the program are eliminated. Those youth facing charges expected to result in a commitment to JR have the opportunity to form long-term community relationships, reduce their charge and sentence, and be served and grow stronger in their community.

c. How the proposed revision impacts the original intent of the initiative

This revision expands the basis for which youth can be identified by attorneys as appropriate for this intervention. Services can be delivered more quickly as it eliminates as observation period before formal program enrollment. Research shows that a response closely related in time to an incident is better than one that is delayed. The BHR model moves the therapeutic response from the backdoor of the system to the front door. Because a youth demonstrates a real connection to treatment and other community-based services, the State is willing to reduce charges and disposition, thereby allowing the

juvenile to avoid incarceration away from their families and community and legal barriers to a successful adulthood.

d. Funding impacts (if you don't know, please consult with Fiscal Team)

We are not seeking any additional funding at this time. Our change to this strategy will divert funds from the Superior Court and the Department of Public Defense to an increase to incentives for youth in the program and community-based services to support the youth while participating in the JTRAC BHR model.

e. Evaluation impacts (if you don't know, please consult Evaluation Team)

Juvenile Court has reached out to the MIDD evaluation team and is will work with the team to determine any evaluation impacts should this strategy change be approved. Aaron Parker and Halima Lozano have been in contact to start this process.

f. Next steps if revision is approved

Aaron Parker and Halima Lozano will get together to determine an evaluation structure to address the change in the strategy. Juvenile Court will then train staff (juvenile court services) on the change to the strategy. Then the team would move forward with identifying youth referred to court and applying the behavioral health response to those youth with identified behavioral health needs who are charged with serious violence or otherwise facing a sentence at Juvenile Rehabilitation.

Reviewers & Date Approved

_____ : Originator

_____ : Initiative Lead Supervisor

_____ : Fiscal Supervisor

_____ : Contracting Supervisor

_____ : MIDD Evaluator

_____ : Chris Verschuyt

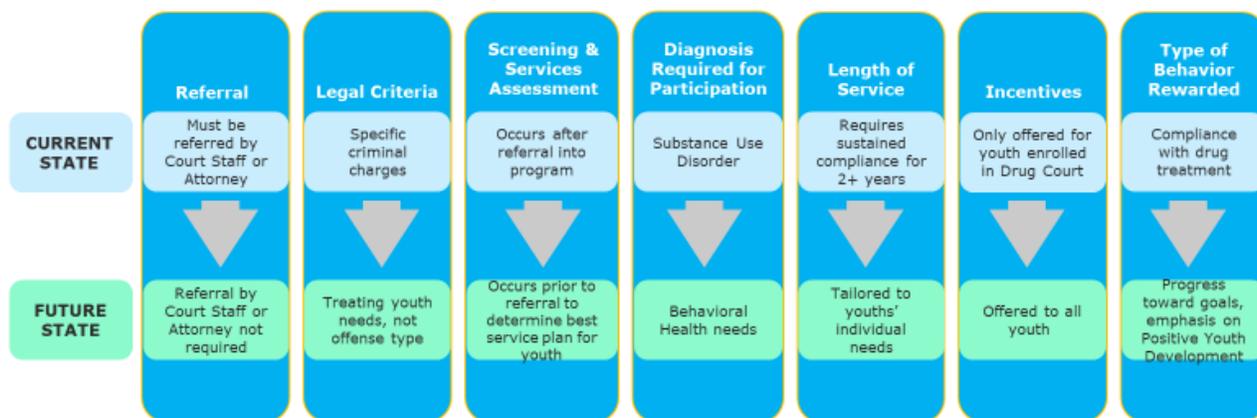
_____ : Jim Vollendroff

This completed form is necessary for initiation of a contract or contract amendment.

No MIDD contract amendments will approved without this form attached.

Please allow 10 business days for the approval process.

JUVENILE COURT SERVICES EXPANSION OF THERAPEUTIC RESPONSE



JTRAC JUVENILE THERAPEUTIC RESPONSE & ACCOUNTABILITY COURT

