



## FLORIDA'S FOURTH CIRCUIT STATE ATTORNEY'S OFFICE JUVENILE JUSTICE ADVISORY COMMITTEE TWO-YEAR POST-IMPLEMENTATION REPORT

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In September 2017, State Attorney Melissa Nelson convened the Juvenile Justice Advisory Committee (JJAC) with the purpose of bringing together youth and justice advocates to develop juvenile diversion programming aimed at improving services and reducing recidivism and crime in the Fourth Judicial Circuit. The 23-member committee was made up of experts from pediatrics and mental health to law enforcement and the juvenile justice system. After over a year of education and programming, the JJAC was tasked with issuing a written report to the State Attorney regarding recommendation for best-practices programming that should be implemented in the community.

The JJAC issued its Final Report and Recommendations in June 2019, which comprised a comprehensive list of specific recommendations designed to serve as a roadmap to improve juvenile diversion practices in Jacksonville, Florida. As a result of the committee's recommendations, the State Attorney's Office led a Juvenile Diversion Transition Committee, represented by a number of stakeholders in the local juvenile justice system. The goal of this committee was to do the hard work of transforming diversion practices in alignment with the recommendations of the JJAC. It was a challenging project, and one that the transition committee spent an additional year working to realize. This initiative included discussing the current and past systems of diversion, identifying funding to support the recommendations, crafting a detailed Request for Proposal that set forth the requirements for providers in the new system, placing the contracts out for bid, the City of Jacksonville awarding the contracts, and then putting those entities and contracts into place.

On February 1, 2021, the new juvenile diversion system began accepting juveniles into its program. Below is a more detailed discussion of the status and implementation of the specific recommendations by the JJAC.

All eight recommendations from the JJAC's final report regarding juvenile diversion practices in Florida's Fourth Judicial Circuit have been completed.

## TERMS

ACEs	Adverse Childhood Experiences
CCR	Center for Children's Rights
CYW ACE-Q	CYW Adverse Childhood Experiences Questionnaire
DCPS	Duval County Public Schools
DJJ	Florida Department of Juvenile Justice
GAIN	Global Appraisal of Individual Needs
JAC	Juvenile Assessment Center
JDAP	Juvenile Diversion Alternative Program
KHA	Kids Hope Alliance
PCH	Partnership for Child Health
PD/PDO	Public Defender's Office
SAO	State Attorney's Office
SOC	Duval County Diversion System of Care
SNCD	The Strengths, Needs, and Culture Discovery Assessment
WINS	Wraparound Intensive Services

Diversion Transition Committee - Members of the committee included the following agencies: the State Attorney's Office, Public Defender's Office, Kids Hope Alliance, Center for Children's Rights, and the Florida Department of Juvenile Justice.

# JUVENILE DIVERSION RECOMMENDATIONS

1. Transfer diversion programming from the State Attorney's Office to the Kids Hope Alliance.

## COMPLETED

In 2019, the Diversion Transition Committee (the Committee) was formed. Members met for over a year, working with providers and the Kids Hope Alliance (KHA) to transition programming. The report recommended that diversion programming and management be transitioned to the KHA. The Committee identified approximately \$595,000 in City of Jacksonville dollars to fund the program. After a competitive bid process, the KHA initiated a contract with the Partnership for Child Health (PCH) for the Duval County Diversion System of Care (Diversion SOC) on September 1, 2020.

Once the contract was initiated, PCH began hiring, training, and building the infrastructure of the Diversion SOC to prepare for the transfer from the State Attorney's Office (SAO). To prepare for the transfer, multiple meetings were conducted with the initial Transition Team.

On February 1, 2021, the SAO began transferring cases to PCH. Additionally, restitution management was transferred to PCH from the SAO on all diversion cases. PCH has developed a restitution policy with checks and balances to ensure that the restitution funds are being properly managed.

2. Implement a case management structure for diversion that tailors services and programs based on a needs assessment instrument.

## COMPLETED

### A. Case Management Structure

Each youth is placed into a Tier Level dependent upon the results of their intake appointment that includes multiple assessments. Every youth is assigned a case manager to oversee their case. Youth in Tier II or III receive additional case management oversight from JDAP, WINS Diversion<sup>1</sup>, or other qualifying programs through referral and utilization of the Diversion System of Care.

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<sup>1</sup> JDAP is a diversion program funded by DJJ for youth who may have been previously diverted, but were not successful in completing their sanctions, and/or who committed higher-level offenses and are still eligible for diversion. Typically, case managers will meet with the youth and their families in the home to provide more intensive and focused services. The WINS program is a family wraparound-based model. This program focuses on younger

Supervision Levels are based upon the Tier Level:

- **Tier I:**
  - Programming lasts 30-60 days
  - One face-to-face contact with the youth and 2 collateral contacts<sup>2</sup> per month
- **Tier II:**
  - Programming lasts 90-120 days
  - One face-to-face contact with the youth and 3 collateral contacts per month
- **Tier III:**
  - Programming lasts up to 180 days
  - Two face-to-face contacts with the youth and weekly collateral contacts per month

Goals, objectives, and interventions for each Tier Level are established within the case plan to optimize completion within the appropriate timeframe for each Tier Level. If the youth have any outstanding case plan requirements, the program will need to complete a staffing with the Director or Associate Director to determine if an extension is needed or if the youth is non-compliant.

## B. Assessments

### *i. Global Appraisal of Individual Needs*

Currently, youth who are processed through the Juvenile Assessment Center (JAC) are referred for assessment through a grant-funded program. The Global Appraisal of Individual Needs (GAIN)<sup>3</sup> provides an in-depth assessment designed to support clinical diagnosis, placement, treatment planning, performance monitoring, program planning, and economic analysis.

### *ii. Center for Youth Wellness Adverse Childhood Experiences Assessment*

Each youth referred to the Diversion System of Care will have an Adverse Childhood Experiences (ACEs)<sup>4</sup> evaluation completed for them during the intake appointment. This tool will be utilized to determine the optimal case plan and services for both the youth and family.

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children and higher-needs families who may need ongoing support after the youth has completed initial diversion requirements.

<sup>2</sup> Collateral contacts include any contacts via phone, text, email, etc. with the youth, parent/guardian, or service providers involved in the case. One collateral contact per month must include a parent/guardian contact.

<sup>3</sup> The GAIN assessment is designed to measure the recency, breadth, and frequency of problems and service utilization related to substance use, physical health, risk/protective involvement, mental health, environment, and vocational situation. The GAIN evaluates Problems and Service Utilization; Substance Use; Mental Health (internalizing and externalizing problems); Crime and Violence; Stress; Physical Health; School and Work; and Quality of Life.

<sup>4</sup> Based on the instrument created by Vincent Felitti and Robert Anda for use with adults, the CYW Adverse Childhood Experiences Questionnaire (CYW ACE-Q) is a clinical screening tool that calculates cumulative exposure to ACEs in patients age 0 to 19. The youth is asked to report how many experience types (or categories) apply to them. The CYW ACE-Q is intended for use in pediatric and family practice settings to identify patients at increased risk for chronic health problems, learning difficulties, mental and behavioral health problems, and developmental issues due to changes in brain architecture and developing organ systems brought on by exposure to extreme and prolonged stress. The tool is available in three age-specific versions, and in English and Spanish. It takes approximately two to five minutes to complete.

*iii. Strength, Needs, and Cultural Discovery Assessment*

The case manager will complete the Strengths, Needs, and Culture Discovery Assessment (SNCD)<sup>5</sup> throughout the intake process with the youth and the family. The SNCD will be used to fill any gaps that are not covered by the other assessments.

3. Develop a continuum of available diversion programs, to include restorative justice and credible messenger mentorship pilot programs, and a pathways-to-career program.

**COMPLETED**

The Diversion SOC uses all possible community providers in Duval County to provide a comprehensive continuum of care. After the initial appointment and assessments with the case manager, an individualized case plan is developed with the youth and their family. Youth who are placed into Tier II or III and are referred to JDAP, WINS Diversion, or other qualifying programs will be required to incorporate the case manager's recommendations into their own internal case plan. This step is to ensure a coordinated case planning framework based on valid and reliable assessments, so that the provider's internal case plans are reflective of the youth's criminogenic needs and strengths. Further, if amendments are needed, the provider can request them from the case manager. Case plans include referrals for identified needs, contact requirements, volunteer hours, and restitution, when appropriate.

The Center for Children's Rights (CCR), a Restorative Justice contract provider, facilitates Restorative Justice Victim-Offender Community Conferences for the Diversion SOC.<sup>6</sup> The Community Conference is successfully completed if everyone meets and develops an agreement, and the entire process is successfully completed when the victim agrees that the agreement has been fulfilled.<sup>7</sup>

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<sup>5</sup> The SNCD is a comprehensive review of the youth and their family. The SNCD assessment provides an understanding of how the youth sees their world and how they have come to survive through their adversities. This assessment provides an opportunity to get to know the client on a deeper level. The SNCD gives the case manager a better understanding of the strengths, assets, and resources the client possesses and a starting point to understand the family. It also provides an overview of the youth's culture and needs as the client defines them.

<sup>6</sup> The Conference process involves everyone impacted by and involved in the offense, as well as supports or resources identified to engage in a facilitated discussion, with participants developing an agreement of how the youth can repair the harm. A trained facilitator conducts pre-conferences with all participants to prepare for the Conference, then facilitates the Conference, and monitors follow-through with the agreement, providing notification upon completion and satisfaction of the agreement. Restorative Justice Community Conferences provide a way for victims to lead the process and speak directly to the youthful offender. Subsequently, Conferences provide youth an opportunity to take responsibility and to be accountable directly to the person they have harmed, providing a socio-emotional learning opportunity focused on building relationship and connection.

<sup>7</sup> The CCR's Community Conference is based on Restorative Response Baltimore and CCR facilitators were trained directly by Lauren Abramson, a nationally known expert in the field who presented to the JJAC. Dr. Abramson continues to support CCR's Community Conference program through consultation, technical support, and mentorship.

To provide mentoring services to the youth in diversion, PCH has developed partnerships with Big Brothers Big Sisters, the D. W. Perkins Bar Association, 100 Black Men, as well as other providers in the community. The goal is to link youth to these mentors to aid in their case plan and develop a new pro-social relationship that will stay with them after their case is complete.

KHA has partnered and funded Florida State College at Jacksonville (FSCJ) Career Connect, with a focus on diversion participants. This program connects youth to programs to earn degrees and skills-focused certificates. Youth who do not have a high school diploma will be given the opportunity to obtain one or a recognized equivalent. Additionally, the CCR has partnered with diversion services to offer educational advocacy for students who have Individual Education Plans or other unique-learning circumstances.

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| <p>4. Limit the State Attorney's Office's role in diversion to front-end (referral) and back-end (successful or unsuccessful completion) only.</p> |
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### COMPLETED

After a diversion decision is made by the Assistant State Attorney, the SAO Diversion Liaison refers the case to diversion. The new process provides the case manager with the ability to assess the youth and family before determining the appropriate type and tier of diversion programming. This procedure allows for a case plan to be individualized and to connect the youth and family with the right services and provider. In circumstances with more sensitive cases, the case file may include special disposition requirements requested by the youth's attorney and the Assistant State Attorney.

When a case is closed, the case manager completes a document that indicates whether the youth was successful or unsuccessful and provides a summary of the youth's progress or non-compliance while in diversion programming. This summary is then sent to the SAO as notification for diversion closure.

The case manager makes repeated attempts to engage the youth and family prior to an unsuccessful discharge. If a youth is not compliant with their case plan, a Pre-Closure Staffing will be completed with the case manager, supervisor, youth, and family. The goal is to motivate the youth and family, but to also re-evaluate the case plan and any barriers that may be causing the non-compliance. If so, the case plan will be amended to reflect that. Once the staffing is completed, the case will be reviewed by the case manager and supervisor to determine if any positive progress has been made.

5. Eliminate the initial judicial hearing required for diversion participation.

COMPLETED

This process was eliminated shortly after the JJAC report was issued, in September 2019.

6. Eliminate all jail tours from prevention and diversion programming.

COMPLETED

Jail tours were eliminated shortly after the JJAC report was issued, in September 2019.

7. School and community requests for diversion programming should go directly to the diversion provider, not to the State Attorney's Office, eliminating at-large referrals.

COMPLETED

All Teen Court discharge cases are sent directly to diversion instead of to the SAO for possible prosecution. This new process creates a second opportunity to engage the youth and family in diversion/prevention services. To ensure that programming is relevant, the case manager looks to re-engage the youth and family in new services and case plan requirements that have not been previously attempted.

Additionally, any requests from Duval County Public Schools (DCPS) or families for non-criminal diversion programming are sent directly to PCH for an assessment and determination as to whether the program is appropriate.

8. Make post-completion services available for children and families who choose to engage in the services beyond the child's completion of diversion.

COMPLETED

Within 30 days prior to the youth successfully completing their case plan, the case manager and a supervisor review the case to discuss any need for aftercare services.<sup>8</sup> The aftercare services and recommendations are determined on an individualized basis depending on the youth's completed

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<sup>8</sup> It should be noted that aftercare services can be recommended and put into place for the youth but cannot be enforced once their case is closed.

case plan, personal goals, and desire to engage post-programming. The recommended list of aftercare services is discussed with the youth and family after the staffing and referrals are made. These recommendations are included in the Case Closure Notification form that is submitted to the SAO.

Possible aftercare services include continuing in individual therapy or other mental health, substance use, or behavioral services (youth with these ongoing services must be stabilized and a recommendation from the therapist must be documented); enrolling in post-educational or job readiness programs such as Career Connect at FSCJ, Job Corp, and Operation New Hope; referring to the D. W. Perkins Bar or 100 Black Men mentoring project, engaging in after-school or community-based sports, clubs, or community centers; and any Diversion Alumni services<sup>9</sup> that are available.

Families are encouraged to maintain participation in parent-support groups and parenting classes. Also, youth and families are provided contact information to talk with the program coordinators in order to maintain a line of communication if they should need resources in the future.

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<sup>9</sup> Diversion Alumni services offered to all successful discharges include peer mentoring and support for active participants, participating in volunteer events to speak about their experiences with current diversion participants, and participate in annual/bi-annual expungement events to expunge their records.