Crossover and Dual Status Work in Texas

Juvenile Law Conference
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Judge Darlene Byrne, 126th District Court
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Kelly Opot, Executive Director, Harris County Youth Collective
Macon Stewart, Deputy Director Multi-System Operations, Georgetown Center for Juvenile Justice Reform

The Center for Juvenile Justice Reform supports leadership development and advances a balanced, multi-systems approach to reducing juvenile delinquency that promotes positive child and youth development, while also holding youth accountable.

WHAT IS A PRACTICE MODEL?

- Conceptual map and organizational ideology
- Defines and explains how staff partner with families, service providers, and other stakeholders in the delivery of services to achieve positive outcomes for youth and their families.
DEFINING YOUTH

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crossover</td>
<td>Youth who experience maltreatment and engage in delinquent acts—these youth may or may not have an investigation and/or involvement in one or both systems</td>
</tr>
<tr>
<td>Dual system</td>
<td>Crossover youth who are referred for an investigation and/or have involvement with both the child welfare and juvenile justice systems</td>
</tr>
<tr>
<td>Dual contact</td>
<td>Dual systems youth who are referred for an investigation and/or have involvement with both the child and the juvenile justice system but the referral/involvement across systems is non-concurrent</td>
</tr>
<tr>
<td>Dually involved</td>
<td>Dual systems youth who are referred for an investigation and/or have involvement with both the child welfare and juvenile justice systems concurrently</td>
</tr>
<tr>
<td>Dually adjudicated</td>
<td>Dual systems youth who are formally adjudicated in both the child welfare and juvenile justice system concurrently</td>
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</tbody>
</table>


CYPM Overarching Goals

REDUCTIONS IN:

- No. of youth placed in out-of-home care
- Use of Congregate Care
- Disproportionate Representation of Youth of Color
- Number of youth crossing over and becoming dually-involved
- Juvenile Justice Penetration
- Use of Pre-Adjudication Detention
- Re-Entering CW from JJ
- Rate of Recidivism
- Education Instability
- Use of APPLA

PROCESS AND PRACTICE GOALS

REDUCE
**POLICY AND PRACTICE GOALS**

- Information Sharing
- Family Voicing in Decision Making
- Youth/Parent Satisfaction
- Pro-Social Bonds
- Family and Youth Engagement
- Coordinated Case Management
- Coordinated Assessment and Planning

**CYPM PHASES**

- **Phase I**
  - Arrest, Identification, and Detention
  - Decision-Making Regarding Charges

- **Phase II**
  - Joint Assessment and Planning

- **Phase III**
  - Coordinated Case Management and Ongoing Assessment
  - Planning for Youth Permanency, Transition, and Case Closure

**OUTCOMES FROM INITIAL COHORT OF CYPM SITES**

- Educational Outcomes
- Pro-Social Activities
- Behavioral Health Outcomes
- Diversion/Dismissal
- Home Placement/Reunification
- Recidivism
- Use of APPLA as Permanency Goal
EXTERNAL EVALUATIONS: UNIVERSITY OF MINNESOTA STUDIES

  - Evaluated CYPM efforts in a Minnesota county
  - Finding: “Youth receiving CYPM services were less likely to recidivate than propensity score matched youth receiving ‘services as usual’ even when controlling for location, time and other key covariates.”
- Haight, et al. also conducted a study on the experiences of professionals in five Minnesota CYPM sites
  - Finding: 99% of CYPM participants reported positive, structural changes in service delivery

EXTERNAL EVALUATIONS: UNIVERSITY OF NEBRASKA-OMAHA

Case Processing Outcomes
- Increased # of youth diverted or dismissed
- Increased # of delinquency & dependency case closures
- Reduced # of new sustained JJ petitions

Social/Behavioral Outcomes
- Better living situation 9 months after identification
- Fewer group home/congregate care and detention/correctional placements
- Improved pro-social behavior

Recidivism Outcomes
- Fewer # of new arrests 9 months after identification
- Longer time to recidivate
- Arrested for less serious offenses


EXTERNAL EVALUATIONS: UNIVERSITY OF NEBRASKA-OMAHA

Douglas County’s CYPM (“Youth Impact!”) Cost-Benefit Analysis
EXTERNAL EVALUATION: CEBC

In 2018, CALIFORNIA EVIDENCED BASED CLEARINGHOUSE
Designated the CYPM as having “Promising Research Evidence” with a rating of 3 and a relevance of “High” in the “Child/Family Well-Being” outcome category.

Texas Timeline

TTA: Training and Technical Assistance
* This convening will be conducted on a bi-annual basis with each county rotating as the host site

CYPM JURISDICTIONS
Our Partners

- DFPS
- HCJPD
- ALFIE ISD
- HOUSTON ENFORCEMENT
- TMCHS
- ATTORNEY AD LITEM
- GUARDIANSHIP AGENCY
- UNIVERSITY OF HOUSTON
- CYRAM ISD
- CHILD ADVOCATES
- EARL CARL INSTITUTE
- SPRING BRANCH ISD
- TAP
- SPRING ISD

- REVISION
- SALVATION ARMY
- DEER PARK ISD
- TEGC
- JCAP
- FRESNO VIEW AHB
- HCNO
- ALDINE ISD
- THE HARRIS CENTER
- COALITION FOR THE HOMELESS
- DEEPCHAM
- GOOSERIGHT ISD
- HOUSTON ISD

- PUBLIC DEFENDERS OFFICE
- FSG
- THE HAY CENTER
- CSH
- COUNTY ATTORNEY’S OFFICE
- CHILDREN’S ASSESSMENT CENTER
- DISTRICT COURTS
- HCPD
- NGAC
- GEORGETOWN CJJR
- YES PREP SCHOOLS
- MONTROSE CENTER
- THE SIMMONS FOUNDATION
- DISABILITY RIGHTS TEXAS

Overview

Are committed to better outcomes for youth: participants in our initiative are committed and held accountable to shared goals that result in better outcomes for youth.

Honor and uplift the support structures in youth lives: we want to actively engage and involve the supports youth have in their lives such as family members, caregivers, mentors, and other role models in systems processes and practices.

Embrace a spirit of learning and understanding: participants in our initiative work to learn about each other’s systems to create a foundation of understanding, learning, and trustbuilding required for systems change.

Aim to share responsibility and align resources: participants in our initiative work towards understanding, align resources, and share responsibility for managing cases, ensuring appropriate placements, and protecting youths’ physical and emotional wellbeing.
DFPS Team (October 2018)

CPS Program Director

CVS Supervisor

Dual Status Secondary CVS Worker

Dual Status Secondary CVS Worker

Dual Status Juvenile Justice Coordinator

CPS Court Program Director

FGDM Manager

FGDM Dual Status Facilitator

FGDM Dual Status Facilitator

HARRIS COUNTY YOUTH COLLECTIVE

Dual Status Teams

Harris County Juvenile Probation (October 2018)

CPS Liaison Supervisor

Dual Status JPO

Dual Status JPO

Dual Status JPO

Dual Status JPO

HARRIS COUNTY YOUTH COLLECTIVE

Crossover Court Basics

Judge Darlene Byrne
126th District Court
Travis County, Texas
Is this correct?
Opot, Kelly (CPS), 1/8/2019
Crossover Court

- Travis County Crossover Court est. March, 2012
- Crossover Youth Practice Model was already serving kids with array of services.
- “Crossover youth” = children and families under both CPS and TCJP jurisdiction

CYPM Notable Statistics

- FY 2018: 24 CYPM Cases
- Age at Time of Referral:

<table>
<thead>
<tr>
<th>Age</th>
<th>Number of cases</th>
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<tbody>
<tr>
<td>11</td>
<td>1</td>
</tr>
<tr>
<td>12</td>
<td>1</td>
</tr>
<tr>
<td>13</td>
<td>1</td>
</tr>
<tr>
<td>14</td>
<td>8</td>
</tr>
<tr>
<td>15</td>
<td>4</td>
</tr>
<tr>
<td>16</td>
<td>9</td>
</tr>
<tr>
<td>Total</td>
<td>24</td>
</tr>
</tbody>
</table>

Most serious charge at time of referral (FY 2018)

<table>
<thead>
<tr>
<th>Charges</th>
<th>Number of cases (24)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assault FV</td>
<td>10</td>
</tr>
<tr>
<td>Criminal Weapon</td>
<td>2</td>
</tr>
<tr>
<td>Possession of Marijuana</td>
<td>2</td>
</tr>
<tr>
<td>Failing Assets</td>
<td>6</td>
</tr>
<tr>
<td>Unauthorized Use of Motor Vehicle</td>
<td>2</td>
</tr>
<tr>
<td>Assault on Public Servant</td>
<td>2</td>
</tr>
<tr>
<td>Aggravated Assault w/ Deadly Weapon</td>
<td>1</td>
</tr>
<tr>
<td>Burglary</td>
<td>1</td>
</tr>
<tr>
<td>Criminal Negligent</td>
<td>1</td>
</tr>
<tr>
<td>Possession of Controlled Substance</td>
<td>0</td>
</tr>
<tr>
<td>Indecency w/ Child Sexual Assault</td>
<td>1</td>
</tr>
<tr>
<td>Rape on a Child W/ Intoxication</td>
<td>1</td>
</tr>
<tr>
<td>Possession of Stolen Drug</td>
<td>0</td>
</tr>
</tbody>
</table>
The Role of a Judicial Leader…
- Is not just to decide cases.
- A juvenile court or child welfare judge can do much more. The Dependency Court is the original problem solving court.
- The role of the Dependency Court or Juvenile Court judge inherently compels judicial leadership.
- The judge must connect with system stakeholders and the community to address the needs of the children and families before the court.

The Role of Child Welfare Judges...
- “Systems Change” is a problem-solving approach for Courts, child welfare agencies, the juvenile justice system, and a community of stakeholders to work together to meaningfully improve the lives and futures of maltreated children.

The Role of Child Welfare Judges...
- Model Courts believe collaboration with child welfare agency and the broader community is essential to the problem-solving approach.
Purpose of Crossover Docket

- Avoid duplicating court involvement or creating counter-productive demands.
- Instituting cross-system collaboration.
- Prevent future delinquency and help youth attain permanency in their family relationships.

Procedures / Getting the Right People to the Table

- Crossover Court has a Formal Set of Procedures (Distinct from CPS or Juvenile Court procedures).
- Once a case officially becomes a "crossover docket case" all hearings held in same location
- Challenges of notice.

Issue Example - Difference in Confidentiality

- Cross-system Training issue
- CPS needs to not put JJ information in court reports because CPS is not confidential but JJ is.
- CPS records are confidential by local rule but not by statute.
Shackling Basics
- Leg Irons; Handcuffs; Belly chains
- Focus on: in-court shackling

Why Shackling is Especially Bad During Adolescence
- "I felt like everybody was looking at me like I was a monster."

Court-Involved Youth Often View Shackling as Unfair
- Fact:
  - Adults are rarely shackled
    - Deck v. Missouri, 544 U.S. 622 (2005), United States Supreme Court case
  - Most youth are status offenders or relatively minor, non-violent offenders *
  - Often found innocent of charges *
Texas Law

- Texas has **No statewide, written limits on juvenile shackling in court**
- In 2015 (84R), Rep. Wu filed HB 2934 – reported favorably from House committee but did not pass.
- 2017 (85R) - Rep. Wu filed HB 679
- 2019 – see Pending SB 488 (Watson)

What does this mean for Texas?

Questions?