
III. STAGE 1: ENTRY INTO THE JUSTICE SYSTEM

INTRODUCTION

The first stage of transition is a youth's initial contact with the juvenile justice system. In an effective system, planning for a successful exit from the juvenile justice system and back into the community begins at this point. Several components are involved at this stage: arrest, intake with screening assessments, records requests, and records receipt and entry into a database. These activities should lead to assigning a transition team and developing an initial transition plan. In certain situations, incarceration is not the best option for a youth who is delinquent; under these circumstances, diversion or community-based programs are more appropriate.

WHAT WORKS AT THIS STAGE: INNOVATIVE PRACTICES

When a youth enters the juvenile justice system, the transition process begins. Practices that will support the youth and lead him or her to a successful exit from the system should be set into place at this time. Because this is the initial stage of the transition process, timely implementation of these strategies is crucial to ensure that the youth's transition process at subsequent stages goes well. The following overarching strategies will ensure a smooth entry into the juvenile justice system.

Strategy One: Conduct Intake Assessments

Once a youth is arrested and brought to a detention facility, he or she should be screened for mental, emotional, and behavioral conditions. The facility may also choose to interview the youth at this time to learn about his or her goals, interests, preferences, and self-identified needs. The youth should then be **assessed** for academic aptitude and special education needs.^m A **transition plan** should be developed to implement the appropriate educational placements and **support services**, taking past school academic and behavioral records into account. A corresponding Individual Education Plan (IEP) may also need to be developed at this time.

Strategy Two: Assemble a Transition Team and Develop a Transition Plan

A **transition team** should be formed to create a comprehensive and thorough transition plan. This team should comprise the individuals best suited to create a plan that meets the youth's individual needs—individuals who can speak to and advocate for the various developmental and educational areas the youth needs to work on during and after incarceration. The team may include a transition specialist or coordinator, a mental health counselor or advocate, a juvenile justice administrator, educational representatives, and members of other community agencies for delinquent youth. This team should also include the youth and his or her family or an adult advocate or mentor who can act on the family's behalf.

The **transition plan** is the map to guide the youth toward eventual release and successful reintegration into the community. A good transition plan is comprehensive, containing all

^m For a list of common academic assessments used in N or D programs, see http://www.neglected-delinquent.org/nd/data/assessment_CommonTests.asp.

records related to the youth’s progress—behavioral screening results, academic and vocational assessment results, education records (including past IEPs), credits earned at the mainstream school, transcripts from the initial interview, and other relevant information.

Strategy Three: Clearly Define Roles and Responsibilities of Individuals and Agencies to Aid in Open Communication

Open **communication, cooperation, and mutual commitment** are necessary among the entities that will be part of the process. These ensure that the appropriate educational placements and **support services** are provided, eliminating fragmentation, misplacement, and misunderstanding. **Formal agreements** (such as contracts or memoranda of agreement that delineate the roles and responsibilities of each individual and agency in the process) may help ensure accountability and open communication among all parties.

Some States *require* formal agreements between transition agencies. For example, Virginia has an articulated agreement between the Department of Education and the Department of Rehabilitative Services (DRS) on how they will work together. DRS also has agreements with each school district that contain action plans on how they will work together.¹⁴ In Florida, school districts are required by legislation to “negotiate a cooperative agreement with the Department of Juvenile Justice,”¹⁵ which includes developing transition plans for a youth entering and exiting a facility. In addition, legislation provides the basis for collaboratively developed career education plans, which are implemented in correctional facilities.

Strategy Four: Track and Monitor the Youth’s Progress

Information from initial screenings, intake interviews, educational assessments, and school records should all be entered into a records system to **track and monitor** the youth’s progress during and after incarceration. This emphasis on prompt entry of the youth’s information into tracking and monitoring systems is especially critical in short-term detention facilities, where there is usually little time between entry and exit and where a youth may re-enter and exit the facility multiple times.

Juvenile justice administrators can face significant challenges in the effective and timely transfer of records. One innovative practice that is helpful in short-term detention centers is Arkansas’s **JEDI (Juvenile Education Initiative)**. JEDI is a web-based education program used in all juvenile detention centers across the State, several public school districts, and more than 60 schools. Aligned with the State’s benchmarks and standards, JEDI provides remedial tutoring in reading and mathematics. Because it is web-based, it follows a youth wherever he or she moves, which allows tracking throughout multiple educational placements, promotes collaboration between schools and detention centers, and facilitates data-driven instruction that is based on the youth’s needs.ⁿ This simplifies tracking and monitoring a student throughout the transition process.

ⁿ For more information about the JEDI program, see <http://www.impactpartnerships.com/products/jedi.htm>.

Strategy Five: Refer the Youth to Diversion or Community-Based Programs, When Appropriate

Some States have centralized their juvenile detention facilities (i.e., one or two facilities serve the entire State), which can cause a youth to leave his or her community while adjudicated. Although this arrangement may have fiscal benefits, it can prevent a family from regularly participating in their child's care and education. It can also make a youth's transition back to the community difficult because local resources and supports may not be visible to people outside the local community. As an alternative, some States (e.g., New Jersey) have established **programs that hold youth accountable for their behavior without removing them from their communities**. These programs are often geared to first-time, nonviolent offenders, and are based on research indicating that a period of confinement in a secure juvenile detention or corrections facility is a powerful predictor of negative life outcomes.¹⁶ Programs like this reduce the need for transition back to the community because offenders are not removed from their existing location.

Another program that serves youth convicted of nonviolent offences at the local level is **Redeploy Illinois**.^o This program uses financial incentives to encourage counties to provide services to nonviolent juvenile offenders at the local level rather than in the State correctional system. Each county must limit its State commitments to 75 percent of the average number of its juvenile commitments for the previous three years. The State then reimburses counties for the equivalent cost of housing those juveniles not served in the Department of Juvenile Justice. Counties can use these funds to provide community-based services to juveniles. Counties have to pay the costs of sending additional youth to the Department of Juvenile Justice after reaching the 75 percent threshold.

Similarly, Ohio has established a program that serves those who have committed felonies. **RECLAIM Ohio (Reasoned and Equitable Community and Local Alternatives to the Incarceration of Minors)** is a fiscal incentive program that gives juvenile courts the means to establish and maintain community-based programs. Funds previously allocated to State-operated correctional institutions are instead pooled and distributed directly to counties. RECLAIM Ohio allocations are based on a four-year average of felony adjudications, with deductions for those not served in the county during the previous year. According to the State, RECLAIM Ohio is responsible for more youth being served locally.^p

A. PRACTICES SPECIFIC TO RECORDS TRANSFER AT ENTRY

During the entry stage, a youth's records are released by the school or institution the youth is coming from and are received by the detention or corrections institution he or she is entering. Effective records transfer at this stage is crucial because it affects whether or not the youth will receive the proper referrals and services that are necessary for his or her success. The following

^o In December 2003, the Illinois General Assembly approved an amendment to House Bill 2545 establishing a pilot of Redeploy Illinois (Public Act 93-0641). For more information about Redeploy Illinois, see <http://www.ilga.gov/legislation/publicacts/fulltext.asp?Name=093-0641&GA=093>.

^p For more information about RECLAIM Ohio, see <http://www.dys.ohio.gov/dnn/Community/ReclaimOhio/tabid/131/Default.aspx>.

strategies can be used by transition program managers when considering records transfer procedures for youth entering the system.

Strategy One: Request Records That Will Allow Facility Staff to Make Appropriate Referrals and Provide Needed Services and Supports

Gathering youths' records efficiently will allow continuity in educational instruction and other needed services and supports. *The sooner records are received, the quicker a youth can begin to receive needed services and supports.* For this to occur, the receiving institution should have an **effective and consistent process for requesting and receiving records**. These records will help educational staff provide the appropriate services and supports:

- Grades and credits earned
- Classes taken
- Scores on standardized assessments
- Information about any disabilities, and the Individualized Education Plan (IEP) if one exists
- Samples of student work

Strategy Two: Identify a Single Person to Manage All Records Upon Entry

Ideally, receiving and managing a youth's records should be the **responsibility of one staff person** so that the institution sending the records knows whom to contact. Appointing a specific person to retrieve and maintain records from past placements eliminates confusion and reduces the chance that records will be lost within the facility itself. This person should have the contact information for the designated staff members at sending institutions (e.g., a student's home school) who are responsible for releasing records.

B. PRACTICES SPECIFIC TO FAMILY INVOLVEMENT AT ENTRY

Having a child enter the juvenile justice system can be an overwhelming experience for the family. To engage parents at this point, it is important to be prepared to help them navigate this new and oftentimes daunting system. Below are strategies that promote family involvement at this stage.

Strategy One: Make Support Systems Available to the Family

A facility or institution that has a **parent or family support group** should inform the family of its purpose and potential benefits of attendance and invite parents to attend the next meeting. Although parents may not respond to an initial invitation, the facility staff should not assume that they will never attend and should continue to invite them. If internal support groups are not available, **parents can be referred to external groups**. Forty-two States have been awarded Family Network grants by the U.S. Department of Health and Human Services to provide

information, referrals, and support to families of youth with or at risk of experiencing serious emotional disturbances.⁹

Incarceration can be as hard for siblings as it is for parents; any available sibling support groups that should be identified to all families that enter the system.

Strategy Two: Provide the Family With an Orientation to the School Program and the Educational Opportunities Available

Family members want and deserve to know what experiences their child will encounter. A **detailed orientation** to the school should cover school goals, expectations, and rules; assessment and progress reporting methods; and opportunities for parental involvement. **Logistical and demographic barriers** can sometimes prevent parents from attending an orientation. Using telephone conferences, or even computer-based video conferences, can provide parents with this important information even if they cannot be physically present.

Strategy Three: Request Family Help in Obtaining Educational Records

Families can be a great **asset for identifying and acquiring appropriate records** in a timely manner. Asking for their assistance, and expressing the importance of continuity in an appropriate education, often produces positive results for the school and the family. The school may be able to get appropriate records faster and also establish a helpful parent-school partnership.

Records can include educational records such as grades, current placement information, IDEA IEP or Section 504 plans when appropriate, medical records detailing any pertinent medical diagnoses and current medications, and current psychiatric records.

NEXT STEPS

Appendix A is a self-study tool that will help you gather data about your transition processes, determine your status in implementing key strategies, and plan next steps in program improvement efforts. Additionally, resources specific to this stage are shown below as examples of how States are implementing the presented strategies. For each document, the source, a Web site to access the document, and a brief description are provided. Resources specific to the entry stage are: Colorado's Reference Guide for Juvenile Screening and Assessment Instruments, mental health plans created by the Virginia Department of Juvenile Justice, and youth transition plans created by the Transition Resource Action Center, and various records transfer documents.

⁹ For more information about the U.S. Department of Health and Human Services' Family Network grants, see <http://www.samhsa.gov/newsroom/advisories/071011family5518.aspx>.

Resources for Entry

Screening, Intake, and Assessment Tools

Reference Guide for Juvenile Screening and Assessment Instruments

Source: Interagency Advisory Committee on Adult and Juvenile Correctional Treatment (IACAJCT): Juvenile Screening and Assessment Subcommittee of Colorado

URL: http://www.cdhs.State.co.us/dyc/PDFs/ClinicalServices_Juv_Screen_Assess_Guide.pdf

Description: This document identifies and describes select screening and assessment instruments, as identified by the Colorado Interagency Advisory Committee on Adult and Juvenile Correctional Treatment (IACAJCT) Juvenile Screening and Assessment Subcommittee. For each instrument included, the following information is provided:

- Brief description of the instrument
- Agencies administering the tool
- Population
- Purpose
- When the tool is administered
- What decisions are made on the basis of the results
- Skill level required by staff to administer the tool
- Training requirement
- Cost
- Link or contact

Transition Plans

Initial Interview and Transition Plan Worksheet

Source: State Training School of Iowa

URL: http://www.neglected-delinquent.org/nd/docs/interview_questions.pdf

Description: This contains a set of information for the intake coordinator to ask the youth when first detained to learn about his/her family and friends, physical and emotional health, and religion and values. The second portion of the document, the Transition Plan Worksheet, is a screening instrument in the areas of placement information, skill plans, living options/budgeting assistance, necessary documents, transition plan review, psychological/counseling, and education.

Mental Health Transition Plan

Source: Virginia Department of Juvenile Justice

URL: <http://lis.virginia.gov/cgi-bin/legp604.exe?000+reg+6VAC35-180>

Description: This is a comprehensive guide for the implementation of mental health transition plans in Virginia, and may be used as an example for other States. It includes legal requirements and policy guidance, as well as usable forms that may be modified. This guide also combines various pieces of the transition plan in one document.

Transition / Reintegration Plan

Source: Maricopa County Sheriff's Office, Arizona

URL: http://www.neglected-delinquent.org/nd/docs/transition_plan_blank.doc (English version)

http://www.neglected-delinquent.org/nd/docs/transition_plan_spanish_blank.doc (Spanish version)

Description: This comprehensive form includes demographic information, vision and hearing screening results, assessment results, diploma obtained, current case manager information, scheduled release date, physical/medical problems, behavior needs/strengths and goals/objectives, long-term and short-term life goals, support programs required upon release, documents required at release, transition team member names, and a transition plan activity log.

Resources for Entry

Transition Pathways: Student Portfolio and Pathways

Source: Colorado Division of Youth Corrections

URL: http://www.neglected-delinquent.org/nd/docs/transition_pathways.doc

Description: This form documents the various steps the youth needs to take in order to transition. It provides a timeline after intake and delineates the actions to be taken at each step. It provides a more complete picture of the youth as well as an organized process with which to help him/her transition.

Scholastic Development Plan

Source: North Carolina Department of Juvenile Justice and Delinquency Prevention

URL: http://www.ncdjjdp.org/resources/policy_manual/educational_service_policies/ESPO-0030.pdf

Description: With two different versions for grades K-8 and 9-12, this is an education-focused plan for youth in correctional education. Upon intake and records review, the appropriate person(s) designate grade level of studies and recommend academic interventions, if needed. High school curriculum choice as well as graduation requirements are also to be completed for youth in grades 9-12.

Records Transfer

Education Passport

Source: State of Tennessee Department of Children's Services

URL: http://www.neglected-delinquent.org/nd/docs/education_passport.pdf

Description: This is designed to compile needed school enrollment records in one location. Forms and documentation listed are to be kept with this Passport.

Sample Records Request Letter

Source: North Carolina Department of Justice and Delinquency Prevention

URL: http://www.neglected-delinquent.org/nd/docs/request_records_oct07.pdf

Description: This is a sample letter requesting records for a student. It lists all of the documents needed, to whom the records should be sent, and contact information for the requestor.

Parent/Guardian Release of Information and Consent Form

Source: Idaho Department of Juvenile Corrections

URL: <http://www.idjc.idaho.gov/LinkClick.aspx?fileticket=WJge1BubWkY%3d&tabid=90> (English version)

<http://www.idjc.idaho.gov/LinkClick.aspx?fileticket=mBoSp1Omwm0%3d&tabid=90> (Spanish version)

Description: This document requests the release of information and consent from a parent or guardian in the areas of medical care, education, personal belongings liability release, roadside safety instruction program, out-of-facility release, parent/guardian agreement to participate in counseling, and aftercare services.

Check-off Sheet for Committed Juveniles (Records Checklist)

Source: Idaho Department of Juvenile Corrections

URL: <http://www.idjc.idaho.gov/LinkClick.aspx?fileticket=RpcmuvSO7cw%3d&tabid=90> (revised 03/10)

Description: This checklist enables the facility to keep track of which records have been received for a resident.

Resources for Entry

Interagency Agreements

Sample Required Formal Agreement Title I, Part D

Source: North Carolina Department of Juvenile Justice and Delinquency Prevention

URL: http://www.neglected-delinquent.org/nd/docs/sample_formal_agreement.pdf

Description: This is a formal agreement between an LEA and a facility. It delineates each party's responsibilities.

Adult and Juvenile Detention, Juvenile Division Interagency Agreement between King County Department of Adult and Juvenile Detention and Seattle School District No. 1

Source: King County Department of Adult and Juvenile Detention, Washington

URL: http://www.neglected-delinquent.org/nd/docs/detention_interagency_agreement.pdf

Description: This is an interagency agreement between a detention center and a school district. It delineates the legally-binding requirements, including each party's rights and obligations.

If an agency, organization, or publisher wishes to suggest additional documents or resources for this Toolkit, it may submit a request to ndtac@air.org. NDTAC will review the information and consider it for inclusion in a future version of the Toolkit.