

Policy Considerations: Reporting Youth Violations to Law Enforcement

The intent of this policy consideration is to evoke discussion within your jurisdiction regarding best practices and key elements to include in policies and procedures. Jurisdictions should consider these policies in the context of their unique juvenile justice system structure; state and local mandates; risk tolerance level; and other individual needs.

Throughout the policy considerations the acronym “PP” is used. This stands for “policy and/or procedure.”

General

- The PP has a clear statement that describes the importance and intent of the policy and/or procedure and/or how it relates/ties to the agency’s mission.
- The PP includes clear definitions of key concepts in the policy and/or procedure (i.e. can be understood, differences between related words/concepts are clear, etc.) – revocation, graduated sanctions, etc.
- The PP mentions how staff will be trained on relevant topic areas – new employee and ongoing training.
- The PP clearly describes an effective quality assurance process such as include quarterly case file reviews, annual onsite audits, regular performance evaluations from supervisors, staff skills assessments and training, etc.
- The PP includes a description of how the agency will use data to ensure it is meeting targets required by the policy and/or procedure area (i.e. indicators of success, how often these data will be reviewed, how the data will be used and by whom, etc.).
- The PP will be available to staff for review.
- The PP reviewed for revision/modifications at least annually.

Communication and Notifications

- The PP outlines under what circumstances potentially criminal acts shall be referred to District Attorney and/or the court in the jurisdiction where the incident occurred.
- The PP outlines under what circumstances alleged violations that are potentially criminal in nature be referred to local law enforcement (if required by state and local laws).
- The PP directs designated staff under what circumstances to contact the appropriate court to determine how to best handle technical violations (i.e. truancy, positive drug screens, school behavior problems, associating with other delinquents, failure to report when ordered, etc.).

Process

- The PP explains the appropriate responses to various degrees of violations (minor violation, moderate, serious violation) – i.e. if or when to report to local law enforcement
- The PP directs designated staff to investigate the alleged violation within 5 days or refer for external investigation promptly and determine the veracity of the allegation.
- The PP requires a balanced system of behavior incentives in addition to a graduated response system.

- The PP requires designated staff (or MDT) to use graduated sanctions provide timely responses to violations (i.e. noncompliance).
- The PP requires sanctions be imposed immediately upon verifying the violation occurred and no later than three days from the time of verification.
- The PP requires designated staff to discuss graduated sanctions with youth and family once sanctions are determined.
- The PP directs designated staff on where graduated sanctions must documented.
- The PP explains the circumstances in which a youth's parole may be revoked or a modification of disposition may be requested.
- The PP describes the process for revoking a youth to include outlining the responsibilities of involved parties (i.e. parole officer).

Training and QA

- The PP requires staff be formally trained on behavior incentive and graduated response systems.
- The PP requires the quality assurance unit to conduct regular audits (a minimum of once a year) to determine appropriateness and consistency with policy expectations in using graduated sanctions. Quality assurance unit shall review data and analyze to identify any disparities (race, ethnicity, gender, sexual orientation, age, etc.) regarding use of sanctions and identify opportunities to change PP to remedy any disparities.