



Jeffrey A. Meyers
Commissioner

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Director

STATE OF NEW HAMPSHIRE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION FOR CHILDREN, YOUTH & FAMILIES

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October 10, 2019

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Authorize the Department of Health and Human Services, Division for Children, Youth and Families to make a one-time unencumbered payment to Georgetown University for a team to participate in The Transforming Juvenile Probation Certificate Program from Monday, November 4, 2019 to Friday, November 8, 2019 in Washington, DC in an amount of \$20,000, effective upon Governor and Executive Council approval. 100% General Funds.

Funds are available in the following account for State Fiscal Year 2020.

05-95-42-421010-29570000 HEALTH AND SOCIAL SERVICES, DEPT OF HEALTH AND HUMAN SVS, HHS: DIVISION FOR CHILDREN, YOUTH AND FAMILIES, CHILD PROTECTION, CHILD PROTECTION

Vendor	Vendor #	Location	Class	Class Title	Job #	Total
Georgetown University	170709-B001	Washington, DC	102-500731	Contracts for Program Services	42105753	\$20,000

EXPLANATION

The Department of Health and Human Services is requesting authorization to make this one-time unencumbered payment to allow a team from New Hampshire to participate in The Transforming Juvenile Probation Certificate Program that will be held in Washington, DC on November 4-8, 2019. The cost of \$20,000 is the contribution amount required to be paid by the team participants to cover tuition and registration related costs. The cost of participant travel, lodging, meals, on-site activities, conference venue and materials, and one year of distance and on-site consultation and implementation technical assistance will be provided at no cost due to the support of the Annie E. Casey Foundation. The value of the support from the Annie E. Casey Foundation is approximately \$17,053.

The Transforming Juvenile Probation Certificate Program is a five-day period of intensive instruction, discussion, and planning for jurisdictions that seek to fundamentally transform their approach to probation in order to significantly improve public safety and outcomes for youth in the juvenile justice system. Participant teams will receive instruction from researchers, policymakers and practitioners, and guidance from the Center for Juvenile Justice Reform (CJJR), the Council of State Governments (CSG)

Justice Center, and the Annie E. Casey Foundation (Casey). The goal of the Certificate Program is to guide and support teams from state and local jurisdictions, including probation leadership, judges, attorneys, and other key stakeholders, to fundamentally transform their system-wide approach to probation. The Certification program extends the opportunity for state and local jurisdictions to convene for an intensive weeklong training to begin transforming juvenile probation in their jurisdictions.

The New Hampshire team consists of the following:

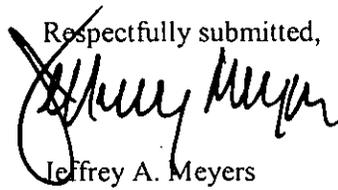
- o Judge Susan W. Ashley – NH Circuit Court
- o Pamela Jones – Staff attorney, New Hampshire Public Defender
- o Amy McCormack – Juvenile Probation and Parole Supervisor VI, Div. For Children, Youth and Families
- o Moira O'Neill – Director, NH Office of the Child Advocate
- o Steven Ranfos – Attorney-Juvenile Prosecutor, City of Manchester, NH
- o Joseph Ribsam – Director, Division for Children, Youth and Families
- o Nicole Rodler – Juvenile Division Coordinator, Rochester Police Department
- o Richard Sarette – Administrator II, Division for Children, Youth and Families

Should the Governor and Executive Council not approve this request, the State of New Hampshire will miss this unique opportunity to address the challenges with the juvenile justice system. The Certificate Program builds on Casey's more than 25 years of experience with the Juvenile Detention Alternatives Initiative (JDAI) and five years of studying probation with researchers, youth, families and pilot probation transformation sites. The program also rests on the decades of experience of CJJR and the CSG Justice Center in delivering high-quality training and technical assistance to juvenile justice systems across the country on research-based and data-driven policies and practices to improve outcomes for youth.

Area Served: Statewide

Source of Funds: 100% General

Respectfully submitted,



Jeffrey A. Meyers
Commissioner

CENTER FOR JUVENILE JUSTICE REFORM
GEORGETOWN UNIVERSITY
2019 TRANSFORMING JUVENILE PROBATION

1. New Hampshire has a blended child welfare system encompassing both juvenile probation and parole and child protection. This has provided opportunities to adopt practices that have enriched our engagement with youth and families in juvenile justice. This has resulted in juvenile probation and parole needing to meet the same child welfare standards as child protection in accordance with the Children's Bureau, through the Child and Family Services Review.

In identifying the area that would have the greatest impact on all youth who are exposed to New Hampshire's Juvenile Justice System, reimagining the rules of probation was the clear first choice. Probation is the most common dispositional order for any youth that is adjudicated either delinquent or Child in Need of Services (CHINS). New Hampshire's rules of conditional release (Probation) are currently codified in Court Rule 3.6. As currently constituted, there are 20 identified rules to which each probationer must adhere to in order remain in the community. The current rules have not significantly been amended in over 20 years; they are primarily deficit based and lead to numerous technical violations. When conditional release is an order at disposition, all the listed rules are typically adopted without individualization of expectations. The focus needs to be on creating rules of probation that are strength-based and individualized to meet the needs of each particular youth, based on a validated risk/needs tool. Outcomes need to focus on competency development, restorative practices, and community safety. The system needs to move away from a compliance-based model to focus more on skill-building and supportive guidance to prevent further recidivism.

New Hampshire has undergone significant juvenile justice reform in recent years. This reform has substantially decreased the use of secure detention and secure treatment. Because these changes were not part of a collaborative process, it has been challenging to secure buy-in from all interested stakeholders. Some system stakeholders feel their input was not considered and concerns regarding community safety and personal accountability have been compromised. Other system stakeholders feel the reforms were long overdue and the system was not responsive to community needs. In order to move significant transformation forward there needs to be an investment from a breadth of stakeholders toward our common goals of safe, healthy, and engaged youth as well as community safety. With additional resources New Hampshire is putting forth to increase the use of evidence-based practices, expand the use of wrap-around care management, increase clinical capacity in residential programming, and provide mobile response and stabilization services, now is the time to evolve juvenile justice. The Center for Juvenile Justice Reform, through the certificate program, can assist New Hampshire moving juvenile probation forward for the betterment of youth and their families while preserving community safety through restorative practices.

2 The Division for Children, Youth and Families (DCYF) began utilizing the components of Solution Based Casework (SBC) in 2010 as a component of the Practice Model. This model is family-centered and strengths-based to facilitate understanding and support of the full family situation. Celebrating successful outcomes is an integral part of solidifying relationships and positive change within SBC. SBC principles have been embedded in all new staff training. All JPPO's should have SBC training at this point. In 2015,

DCYF hosted Dana Christensen to do SBC refresher training for all staff. Some part of each JJS case has SBC in it. SBC was fully implemented statewide as of 2013.

Much of New Hampshire's progress with programming, funding and improved child outcomes stems from participation in the Annie E. Casey Foundation's initiative on the Juvenile Detention Alternatives Initiative (JDAI) since (2004). The Initiative went statewide in 2008. The New Hampshire JDAI is coordinated by the Administrative Office of the New Hampshire Circuit Court. Areas of improvement in the juvenile justice system that JDAI has focused on in the past 15 years include: (1) the creation of the Detention Assessment Screening Instrument to better assess youth's risk and need for secure detention, (2) the creation of additional detention alternative beds available to youth charged with a delinquency that cannot remain at home, (3) established the current After Hours protocol to assist law enforcement and Judges with finding alternatives to detention for youth during non-business hours, (4) advocating for law changes, (5) improving data collection practices, and (6) educating Judges and other Juvenile Justice related persons on the dangers of detention as well as adolescent brain development. All of these accomplishments have led to the significant decrease of youth in detention since JDAI began. In 2007, the year before JDAI went statewide in NH, there were 319 youth admitted to detention that year. In 2018, there were just 91 admissions. In 2007, 60 youth were committed to the Sununu Youth Services Center immediately following their time in detention. In 2018, only 21 youth were committed after being detained.

New Hampshire recognizes the potential for negative impact of detention on a child's future success and the community's safety. The State codified, in NH RSA 169-B:10 Delinquent Children (2012), the provisions for police and courts to refer first-time offenders for diversion services. The mandate is inconsistently funded across the state. Programs rely upon local leadership and creative sources of funding. However, for the first time in many years the proposed 2020-21 State Budget, in its current iteration, includes \$300,000 for diversion programs with set aside for new programs.

Currently there are 17 accredited diversion programs that hold children accountable for disruptive behavior while ensuring they benefit from education and support services that address the underlying cause of the behavior. Variation may exist in ownership of local programs (police departments, governmental systems, community-based organization) but they all share core goals and demonstrate completion rates averaging 86% across the state. The programs emphasize four philosophies: restorative justice, teen courts, traditional diversion and mediation/counseling. Diversion includes a strength-based assessment of needs, contracted goals, and educational classes and workshops. The average child spends three to six months achieving contracted goals. A recent study of 444 children who experienced a diversion program, 79.3% were arrest-free one year later and 58.7% were arrest-free three years later. Correspondingly, the population at the state's only hardware-secure detention facility, the Sununu Youth Services Center (SYSC), has experienced significant decrease in census.

Most recently, The Detention Assessment Screening Instrument (DASI) was re-designed. The goal of the instrument remains the same, which is to objectively screen youth to determine which youth can safely return to their community. The original instrument was created in 2007. No changes had been made to the document since 2009 and the corresponding offense rankings had not been updated since 2011. The data collected over time indicated that the instrument had a very high override rate, over 50% annually, and that on many occasions the form was incorrectly completed leading to an inaccurate score. It was also noted that "Mitigating factors" were never completed on the instrument. In 2018, a significant law change occurred. The law stated that commitment and detention shall not be ordered on certain lower level offenses unless certain criteria was met. It became necessary to update the instrument to ensure that the new law was being followed, to ensure that laws enacted since 2011 were incorporated and to eliminate areas of confusion for the agencies tasked with using the instrument. A committee was formed,

by following the guidance provided in the JDAI Step-by-Step guide on Risk Assessment Development as well as examples of instruments from other JDAI sites, a new instrument was created, and the corresponding offense rankings were updated. The new DASI was implemented by the Court beginning July 1, 2019. The instrument is simpler, takes out any discretion on answers, weighs violations of conditional release significantly less than previous instrument, offers specific Mitigating and Aggravating factors to be considered, and provides a place for the Judges to indicate their reason for making an order that differs from the outcome suggested by the instrument score. Additionally, the State had historically only collected the instrument on youth that end up detained. The new form is collected on all cases, regardless of decision, which will allow NH to collect much more complete data.

3. Over the last 5 years, New Hampshire Juvenile Justice through the DCYF, Bureau of Community, Family and Program Support has engaged Foster Parents and Birth Parents with Juvenile Probation and Parole (JPPO) staff, supervisors and administrators, in a series of trainings called "Better Together with Birth Parents." This training brings together these parties in a 2 day training to normalize the relationships between each other. This training has been so successful it has been integrated into the Juvenile Justice Core Academy for new JPPOs. To date, over 80% of Juvenile Justice Staff have attended this training.

Starting in 2017, NH DCYF through the Sununu Youth Services Center in collaboration with the NH Youth Substance Use Disorder community, worked together to develop and open a stand-alone program located on the grounds of the Sununu Center in the facility, with a separate entrance and separate programming. This program was open in Oct 2018, Granite Pathways, Youth Treatment Center, it has a capacity of 36 beds for youth, males and females, ages 12-17. These youth are not court referred, but can be referred by the youth's Primary Care Physician, insurance companies, schools and parents.

4. The State Advisory Group (SAG), which oversees local Racial and Ethnic Disparities (RED) committees throughout the state, partners with communities to reduce racial and ethnic disparities in the juvenile justice system. The local RED committees created a program for students (ages 12-15) called the Mirror Project focused on mutual respect and positive communications between local law enforcement officers and youth. The Mirror Project is currently offered to all 8th grade students in the Manchester and Nashua School districts by their respective local police departments. The class is always taught by two uniform police officers and lasts approximately one hour. The program involves engaging the youth in mock role reversal activities. At the conclusion of the scenario, it is debriefed and the class is provided with a power point presentation about respect, positive communications and more importantly getting to know your local police officers. Two videos are shown, on a positive interaction with police and a negative interaction with police. The videos were filmed locally with local juveniles and local police officers in familiar sites of the cities/towns the classes are being held. The class has had a positive outcome to many youth in our community and gives them the opportunity to interact with local police officers and get to know them as people they can talk with.

In attempts to reach a broader population, SAG is currently teaching other officers throughout the state on the Mirror Project and Effective Police Interactions with Youth (EPIWY) to support their respective communities. New program expansion is planned for rollout to elementary/high schools and college campuses in support of reaching all age groups with the development through a collaborative effort with a local college, of a pre- and post-test following any training. The rate of minorities who have been arrested that result in secure juvenile detention has decreased over the last 2 years, but is still twice the rate of white youth that have been arrested.

The rate at which minorities that are found true in delinquency cases are put on probation is similar to white youth. Of youth that had delinquency petitions and were found true, minorities are more than twice as likely as white youth to become committed at SYSC. This is a steady increase from just 5 years ago, when minority and white committed rates were similar. In NH in 2017 where White Youths are 88% of the population ages 10-17, they are only 75% of those who end up in detention, and 58% of those committed. Conversely, Black youth are 2.3 % of the population, but are 15% of those detained and 10% of those committed. In NH in 2017 where White Youths are about 88% of the population ages 10-17, they are only 72% of those who end up in detention, and 57% of those committed. Conversely, Black youth are 2.3 % of the population, but are 11% of those detained and 13% of those committed.

5. The Division for Children, Youth and Families is located within the NH Department of Health and Human Services. DCYF has a Director, a Chief of Operations, a General Counsel/Legislative Liaison and four Bureau Chiefs. The majority of the staff, over 450, are located in the Bureau of Field Services. This Bureau is comprised of, Child Protection, Central Intake (child abuse hotline), and Juvenile Justice. The Juvenile Justice unit has two Field Administrators and ten Supervisors, who provide direct supervision over 81 Juvenile Probation Parole Officers and 10 administrative assistants.

In preparation to apply for this grant opportunity, a DCYF exploratory committee was established to determine if NH was in a position to apply and make positive adjustments in evolving the NH Juvenile Justice system. The committee reviewed a visit from former commissioners Jane Tewksbury from Massachusetts and Patrick McCarthy from Delaware. Mr. McCarthy had already commenced a very helpful assessment of the New Hampshire's system through substantive conversations with key stakeholders, including young persons who have aged out of the system. His work unearthed some very promising ideas for New Hampshire's juvenile justice system. The committee had made the OCA aware of this grant and that office provided a 2-page outline of potential group members and subject matter in which the committee could draw on for consideration.

Finally, over the last 12 months, NH DCYF has taken the lead in the "New Hampshire Child Welfare System Transformation" effort. While initial focus has been on child protection, we envision a broad child welfare system with a host of entities and stakeholders. It is clear that the system to manage the well-being of New Hampshire's youth does not belong to one entity, but should be the role of every agency (hospitals, behavior health, school, law enforcement etc.) to have access to the "right care at the right time" for the youth they serve. New opportunities available through the implementation of the recently passed NH Senate Bill 14 in concert with the Family First Preventative Services Act afford us a real opportunity to rethink how and when youth access care – whether before, during, and after interaction with the juvenile justice system.

6. The team New Hampshire has assembled includes the following individuals: Joseph Ribsam, Director DCYF, has oversight of the Division including juvenile justice services; Richard Sarette, Juvenile Justice Administrator, provides direct oversight between State Office and the local district offices regarding all aspects of juvenile justice practice; Amy McCormack, Juvenile Probation and Parole Supervisor, provides direct supervision to probation officers at the local level and monitors practice; Judge Susan W. Ashley, NH Circuit Court, is a leader in the judicial branch who participates in multiple change initiatives to improve practice throughout the child welfare system; Moira O'Neill, Director for the Office of the Child Advocate, provides oversight of DCYF to evaluate current practice, address concerns, provide recommendations, and is chair of a relatively new working group on Juvenile Justice; Nicole Rodler of the

Rochester Police Department Juvenile Court Diversion Program oversees the State of New Hampshire Diversion network and is working to build consistency through all diversion programs to comply with state statute; Pamela Jones, Esq, is a public defender in one of New Hampshire's largest population centers and is a strong advocate in juvenile cases in the Nashua area; Steve Ranfos, Esq., Juvenile Prosecutor Manchester Police Department has been a juvenile prosecutor for a number of years in the two largest population centers in New Hampshire.

7. The current demographic information is from the 2017 US Census data for New Hampshire. Population of youth age 10-17 is 125,366; of that, 110,584 identify as white, 3,002 identify as Black or African-American, 7,083 identify as Hispanic or Latino, and 334 identify as American Indian or Alaska native. The demographics of youth in the New Hampshire Juvenile Justice System is as follows: White- 2,002; Black or African-American-167; Hispanic or Latino- 141; Asian- 13; American Indian or Alaska native- 0; Other/Mixed- 16.

Average length of involvement: length of state involvement is measured by all those youth involved in a Juvenile Justice Delinquency case on the last day of the calendar year. 2017: total cases- 878; less 12 months- 738; 12-23+ months- 101; 24-35+ months- 22; 36 months or more- 17. 2018: total cases 720; less 12 months- 600; 12-23+ months- 87; 24-35+ months- 20; 36 months or more- 13. The total number of cases open during any portion of the calendar year 2017 was 3,127 and 2018 was 3,002.

PETITIONS, TRUE FINDINGS, & PROBATION ORDERS

New Hampshire tracks numbers of petitions, how many of those petitions resulted in true findings, and how many of those true findings had an order of probation resulting. A youth can have more than one petition, and can therefore be represented more than once in any of these categories.

Those findings are available separated by race and ethnicity. They are also available for 2018 as well as 2017.

2017 NEW HAMPSHIRE	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/ Mixed	Total Youth
Cases Petitioned (Charge Filed)	1,752	217	275	11	5	16	70	2,346
Cases Resulting in Delinquent Findings	663	76	94	5	4	9	30	881
Cases resulting in Probation Placement	510	62	82	4	2	9	21	690

2018 NEW HAMPSHIRE	White	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islanders	American Indian or Alaska Native	Other/ Mixed	Total Youth
Cases Petitioned (Charge Filed)	1,597	205	261	12	8	10	93	2,186
Cases Resulting in Delinquent Findings	608	85	111	6	1	5	28	844
Cases resulting in Probation Placement	485	71	83	4	1	5	22	671

Detention statistics are as follows: calendar year 2017- Total youth 172, White-129, Black or African-American- 18, Hispanic or Latino- 21, Asian-1, Native Hawaiian or other Pacific Islanders- 1, American Indian or Alaska Native- 0, Other/mixed- 2; calendar year 2018- Total youth-92, White-67, Black or African-American- 11, Hispanic or Latino- 12, Asian- 0, Native Hawaiian or other Pacific Islanders- 0, American Indian or Alaska Native- 1, Other/mixed- 1.

Out of home placement for delinquents point in time: 12/31/17- Secure Treatment-29, Secure Detention- 7, Intensive Group Home (level 3)- 100, Intermediate Group Home(Level 2)- 23, Shelter Care- 3; 12/31/18- Secure Treatment-17, Secure Detention- 4, Intensive Group Home(level 3)- 70, Intermediate Group Home(Level 2)- 22, Shelter Care- 14; 6/30/19- Secure Treatment-17, Secure Detention- 3, Intensive Group Home (level 3)- 65, Intermediate Group Home (Level 2)- 17, Shelter Care- 11. Additional data/charts were omitted in consideration the page limitation, but can be furnished upon request.