



## NOTES FROM THE FIELD

A product of the Status Offense Reform Center (SORC), Notes from the Field is a series profiling jurisdictions that have undertaken status offense system change.

### *What is a status offense?*

Status offenses are behaviors that are prohibited under law only because of an individual's status as a minor, including running away from home, skipping school, violating a curfew, drinking under age, and acting "incorrigibly." They are problematic, but noncriminal in nature.

### *What is SORC?*

SORC provides policymakers and practitioners with tools and information to create effective, community-based responses for keeping young people who engage in noncriminal behavior out of the juvenile justice system. The Center is a project of the Vera Institute of Justice and is supported by the John D. and Catherine T. MacArthur Foundation's *Models for Change* Resource Center Partnership.

## Campbell County, Kentucky

POPULATION: 90,900

YOUTH POPULATION: 20,500

MAIN COMMUNITY MAKEUP: Suburban/ Rural

### The Call to Action

The status offense system in Campbell County, Kentucky was considered relatively innovative when it was implemented more than 30 years ago. Before any status offense complaint can be filed with the court, Kentucky law requires that it first be referred to a court-designated worker (CDW), who will conduct a pre-complaint conference with the youth and family and refer them to counseling or other services. If the pre-complaint intervention is unsuccessful and a school or family member files a complaint, the CDW then will determine any eligibility for diversion services—programs such as counseling or service learning that will enable youth to avoid further court involvement if they successfully finish the assigned programs. If the youth is eligible for diversion—most who have not previously been found delinquent qualify—the CDW conducts an assessment of the child and develops a diversion plan. The CDW then monitors the youth and family for compliance with the plan, and refers the child for formal court intervention if the diversion plan fails.

In recent years, the county began to see the flaws associated with such a system. The onus was on youth and families to initiate services specified in their diversion plan, and families often struggled to make and keep necessary appointments with service providers. Any failure to comply with diversion services could quickly lead to a court order and even detention, if a youth failed to comply with that order.<sup>1</sup> "Youth under this system were destined to fail," said Judge Karen Thomas, a county district court judge, who presided over many status offense cases before the creation of a county family court in 2001. In order to provide youth and families with more timely services outside of the court system, the county, led by Judge Thomas, initiated a reform of its status offense system.

### The Change Process

Unlike some other jurisdictions, Campbell County had no targeted resources or grant funding to conduct a comprehensive reform process. As such, the county developed changes through a simple "meeting of the minds." Judge Thomas, who had an idea for a collaborative approach for responding to youth alleged of status offenses, sent a letter to key system stakeholders asking them to participate in a reform process. The letter emphasized the need for reform, the potential impact of reform, and why

<sup>1</sup> Kentucky is a state that allows for use of the Valid Court Order (VCO) exception to the Juvenile Justice Delinquency & Prevention Act (JJDP), meaning that youth who commit status offenses can be detained if they violate a court order imposed as a result of that status offense. See 42 U.S.C. § 5633(a)(11) (2012).

each stakeholder was critical to the process. In order to generate buy-in for the process, Judge Thomas made it clear that the reform would not necessitate additional funding from the county executive, and that the proposed approach would ultimately save the county money, by reducing the thousands of dollars spent on detaining low-risk youth who had committed status offenses.

Once convened, the group of approximately 15 interested stakeholders—which included representatives from the county’s Department of Juvenile Justice and the Department for Community-Based Services (the local social service agency) as well as school officials—discussed problems with the existing status offense system. They agreed that many youth were not following up with pre-court diversion services and hence faced further court involvement. Many, including Judge Thomas, had had experience in implementing drug and mental health interventions, and knew that intensive, multidisciplinary case management was often key in keeping distressed youth out of court and connecting them with needed services.

Through these discussions, they decided that a collaborative case management approach to status offenses was needed and formed two teams to carry out the approach. The Site Review Team reviews the individual cases of high-need children in Campbell County’s status offense system and suggests additional resources and services. The Change Agent Team is comprised of high-level policy officials and social service executives who review aggregate status offense data and address larger issues in the status offense system, such as funding shortages or service gaps. This two-pronged approach is a key feature of Reclaiming Futures, a case management model that has proven successful in connecting youth in Kentucky’s juvenile delinquency system with substance abuse and mental health services.

### **The Model**

Campbell County’s current approach to status offenses (termed the “Status Offense Program”) builds upon the previous model by enhancing the intervention that is provided after the pre-complaint conference but before any formal court involvement. First, the county added clearer protocols for status offense referrals, with CDWs now consulting a Status Offense Program Manual to ensure that those referred meet the state definition of youth who commit status offenses (habitual truants, habitual runaways, or youth beyond the control of parent or school).

Second, if a youth qualifies for diversion but fails to comply with the terms of the plan established after the pre-complaint conference, the CDW will further troubleshoot with the child and family, and may make what the county calls a “warm handoff,” a call to a local social service agency to schedule an appointment while the child and family are in the CDW’s office. The CDW will also often help arrange transportation to the appointment.

Third, if the diversion plan and any additional social services still prove unsuccessful, the CDW will refer the case to the Site Review Team, a case management group that includes representatives from the Department of Juvenile Justice, the Department of Community-Based Services, local service providers, and schools. This team, which convenes every two weeks, discusses the youth's case, brainstorms community resources, and establishes a comprehensive action plan for the child and family. The team, with updates from the CDW, will then review the progress made on the case at subsequent meetings. Family members are often asked to attend these meetings to provide feedback on the service plan. Youth are only referred for formal court involvement if all Status Offense Program interventions prove ineffective. The services provided by the Site Review Team are supplemented and supported on a policy level by the Change Agent team (see below).

### **Monitoring Progress and Ensuring Success**

The ongoing face-to-face communication between the county CDWs and the Site Review Team has proven essential in maintaining accountability. During each meeting, the team discusses open cases, including the status of service referrals to be made by team members. This follow-up ensures that stakeholders facilitate the services that are crucial to the system's success. The county's regional CDW supervisor has also been collecting data on the program's results, both in general and by offense category, so that the team can track its progress and fine-tune its approach to different status offenses.

To ensure that the Site Review Team has access to the services necessary to help youth and families, the Change Agent Team meets every three to four months to review aggregate status offense data and discuss system gaps identified by the Site Review Team. The committee has made important changes to ensure that youth committing status offenses have access to needed counseling and treatment. For example, to address a lack of mental health services, the team partnered with Northern Kentucky University to create a counseling clinic in the most high-need school system—at no cost to the county.

### **Outcomes**

Although still in its infancy, Campbell County's Status Offense Program has already produced a few notable results, including:

- Thanks in part to the county's tighter screening process, as well as its more assertive service provision, only 20 percent of the parents who sought information from the CDW about filing an ungovernable charge in 2012 ended up initiating formal charges.
- The number of overall status offense cases that went to court dropped by more than 50 percent from 2011 to 2012, from 174 to 84.

- Campbell County’s out-of-court approach to status offenses has also led to a drop in the number of youth subject to detention for violating a status offense-related court order. From 2010 to 2012, the percentage of youth detained for status offenses decreased by 29%.

### Reflections

*If you can’t change the structure, change the way officials do their job:* Because Campbell County operates under a unified court system, county officials could not implement structural changes that would perhaps be more feasible in an autonomous local court. Rather, the county had to work within the existing court framework in making changes. What Judge Thomas discovered, however, is that she and other officials could nonetheless stimulate lasting changes by simply asking system stakeholders “to do their jobs a little bit differently—just 15 degrees differently—and to contribute two hours of their month to better serving families.”

*Leadership is key in recruiting stakeholders:* Much of Campbell County’s success in reforming its system can be attributed to the large number of stakeholders who have both planned and implemented changes. In order to persuade those stakeholders to participate, the county needed a high-level leader like Judge Thomas, who acknowledges, “Some big changes need to be driven by certain people. If a judge sends a letter on judicial letterhead, they’ll get a response. Someone else in the system might not.”

*Make change happen on a “macro” level:* Although the Site Review Team has been very successful in connecting youth with services, those involved in the county’s reform process know that their success would not be possible without the Change Agent Team. By involving policymakers and high-level executives in the discussion about status offenses, the county has been able to access grant funding and add services that are critical in helping youth and families outside of court.

### Related Resources

Check out the following resources related to Campbell County’s status offense system reform effort at <http://www.statusoffensereform.org/library>:

- Kentucky Court of Justice Status Offense Program Manual
- Reclaiming Futures in Kentucky
- Sample Working Group Invitation Letter: Campbell County, Kentucky

