

CHAPTER 1
COMMUNITY JUVENILE SERVICES BOARDS
GENERAL PROVISIONS

Section 1. Authority.

These rules are promulgated pursuant to the following authority:

Department of Family Services	W.S. 9-2-2101 through 9-2-2106 W.S. 5-6-114, W.S. 7-13-304 W.S. 14-9-101 through 14-9-108
Department of Health	W.S. 9-2-106(a)(vii) W.S. 5-6-114, W.S. 7-13-304 W.S. 14-9-101 through 14-9-108
Department of Education	W.S. 21-2-104 through 21-2-105 W.S. 21-2-201 through 21-2-202 W.S. 21-2-301 through 21-2-304 W.S. 5-6-114, W.S. 7-13-304 W.S. 14-9-101 through 14-9-108
State Advisory Council on Juvenile Justice	W.S. 14-10-101(f)

Section 2. Purpose.

These rules are adopted jointly by the Departments of Family Services, Health, and Education to effectuate the purpose of the Community Juvenile Services Board statutes, W.S. 14-9-101 through 14-9-108 which is to, “(i) establish, maintain and promote the development of juvenile services in communities of the state aimed at allowing early identification (ii) and diversion of children at risk of entry into the juvenile court system and preventing juvenile delinquency and to allow decisions regarding juvenile services to be made at the local level.”

Section 3. **Severability.**

If any provision of these rules or the application thereof is held invalid, the invalidity shall not affect other provisions or applications of these rules. To the extent these rules can be given effect without the invalid provision, the provisions of these rules are severable.

Section 4. **Definitions.**

(a) At-risk youth means a child under the age of majority, who presently has a high risk of contact with the criminal justice system or has had contact with the criminal justice system.

(b) Community Assessment is a comprehensive process of identifying community assets and needs to effectively plan and develop a community based service system for at-risk youth. This process must involve key population groups and constituencies.

(c) Community Juvenile Services Board (CJSB) means a community based board which may receive funding, employ staff and expend resources to provide or contract for the provision of juvenile services for at-risk youth. The Community Juvenile Services Board must enter into Joint Powers Agreements, pursuant to W.S. 16-1-105, if applying for State funding.

(d) Criminal Justice System means a system of practices and organizations directed at maintaining social control, deterring and controlling crime, and sanctioning those who violate laws with penalties/sanctions, consisting of law enforcement, courts (municipal, circuit, and juvenile), and corrections.

(e) Criminogenic needs mean dynamic risk factors (those risk factors that can potentially change) that have been clinically proven to be predictive of future criminal behavior.

(f) Graduated interventions are evidence-based services, programs and procedures intended to protect the community, hold at-risk youth accountable for their behavior and address their assessed criminogenic needs in the area of education, mental health, substance abuse, attitudes, peers, family and social needs without the need for formal juvenile court petitions, municipal citations or prosecution in criminal court when

possible. Interventions are intended to divert at-risk youth from a formal court process

when appropriate or provide evidence-based habilitation for youth under court jurisdiction.

(g) Graduated sanctions for the purposes of W.S. 14-9-107(b)(v) are court ordered sanctions imposed as part of a sentence or disposition. Referral for court involvement shall be based on objective criteria outlined in the Community Juvenile Services Board's strategic plan. All recommendations for court ordered sanctions shall be consistent with W.S. 14-6-245 through 14-6-252, progressive sanctions guidelines.

(h) Joint Powers Agreements are agreements between any two (2) or more agencies for joint cooperative action under W.S. 16-1-105.

(i) Juvenile Services means programs or services provided to children at-risk of coming under the jurisdiction of the juvenile court, which include youth at-risk of coming under the jurisdiction of the criminal justice system. Programs or services shall be provided based on assessed need and shall be evidence-based or approved by the Department of Family Services. Programs and services may include:

- (i) Needs screening and evaluation;
- (ii) Case planning and follow-up;
- (iii) Case management;
- (iv) Family preservation services;
- (v) Mental health treatment;
- (vi) Substance abuse treatment;
- (vii) Mentor services;
- (viii) Tracker services;
- (ix) Community service and restitution programs;
- (x) Out-of-home placement;
- (xi) Education services including special education and remediation; and
- (xii) Pretrial diversion programs and graduated sanctions.

(j) Strategic Planning is a long-term, future-oriented process of assessment, goal setting, and decision making that maps an explicit path between the present criminal justice system and a vision for the future, which relies on careful consideration of an organization's capabilities and environment, and leads to priority-based resource allocation.

(k) Mission identifies what the Community Juvenile Services Board does, why and for whom. A mission states the unique purposes promoted and served by the Community Juvenile Services Board.

(l) Goals are broad statements of intended accomplishment or results.

(m) Objectives are clear targets for specific action. An objective is specific, pertinent, attainable, and measurable; it sets the direction for strategies.

(n) Strategies are methods to achieve goals and objectives.

(o) Outcomes are quantified results or impacts of action. Outcomes are the effects, the results, or impact of the output.

(p) Outcome Measures are tools, or indicators, to assess the actual impact of the entity's actions. An outcome measure is a means for quantified comparison between the actual result and the intended result.

(q) Outputs are the goods and services produced.

(r) Output Measures are tools, or indicators, to count the services and goods produced. The number of children and families receiving services or the number of services delivered are often used as measures of output.

(s) Transition means the process in which community partnerships are utilized to improve youth transition from the school/family/community to out of home placement and back into the school/family/community. Transition includes essential treatment and services for youth and family such as housing, treatment, medication, transportation and educational services and requires communication between relevant parties.

Section 5. **Introduction.**

The Departments of Family Services, Health and Education shall assist in the administration of the Community Juvenile Services Boards by promulgating reasonable rules to include development of grant application procedures, determining grant eligibility, development of procedures for distribution of block grants, identification of research based strategies, identification of graduated sanctions and intervention levels for all juveniles, funding services cooperatively, implementation, development of reporting procedures and project evaluation.

Section 6. Goal.

The Community Juvenile Services system is initiated to assist communities in the development and enhancement of locally based services to create a continuum of care for at-risk youth and families. The system will allow service decisions to occur at a local level, and will require community based planning and coordination to achieve an effective continuum of care.

(a) The system shall focus on:

(i) Creating local, regional and statewide partnerships; and

(ii) Insuring coordinated delivery of services and transitions within the human service system, including education, health, substance abuse and mental health and other community service providers.

(b) The continuum of care shall consist of services which are researched based strategies or strategies approved by the Department of Family Services focusing on:

(i) Prevention;

(ii) Early identification, graduated interventions for diversion of children at risk of entry into the criminal justice system and/or graduated sanctions for youth under court jurisdiction;

(iii) Detention;

(iv) Transition of youth; and

(v) Aftercare of youth involved in the criminal justice system.

Section 7. Community Assessment, Community Planning, and the Strategic Plan.

An assessment of community needs and assets shall be submitted prior to the development of the strategic plan to a task force with representation from the Departments of Family Services, Health, Education, and the State Advisory Council on Juvenile Justice. The task force shall review the community assessment to determine if the assessment is comprehensive and complete as outlined by the community assessment guidelines below. The community assessment may occur through the Community Juvenile Services Board. The assessment will provide baseline information for planning community services and the subsequent community strategic plan. The Departments of Family Services, Health and Education shall make technical assistance available in the assessment and planning process upon request. Opportunity for public participation shall occur and be documented during the assessment and planning process.

- (a) Community assessment shall include:
 - (i) Definition of target population (at-risk youth) to be served and service population demographics within the geographic region of the CJSB;
 - (ii) Process used to identify the needs and assets of the community. Including but not limited to current law enforcement and prosecution policies, case processing, arrest/referral, diversion, detentions screening, detention hearing, case filing, adjudication, predisposition, disposition, and transition/aftercare;
 - (iii) Identification of the criminal justice system problems and their scope, including:
 - (A) A population profile for the CJSB geographic region, including but not limited to location, population characteristics, social and economic characteristics and trends;
 - (B) Juvenile detention population profile including but not limited to trends in detention use, admissions/booking data, demographic profile, and cause of detention;
 - (C) Risk and protective factors including but not limited to why juveniles end up in the criminal justice system and resources available within the jurisdiction that serve to prevent juveniles from entering the juvenile justice system;

(D) Policies, practices and protocols across the case flow process for all systems working with the at-risk youth; and

(E) Information regarding all at-risk youth within the criminal justice system of the CJSB geographic region, including diversion, sentence or adjudication information, and placement profiles.

(iv) Outline of basic requirements of local service systems, including:

(A) Proposed single entry process to assure uniform and objective procedures and service access for at-risk youth and families at first contact with system;

(B) Implementation plan for the standardized screening/assessment process adopted by the Department of Family Services to guide service decisions;

(C) A defined case management structure to ensure service continuity;

(D) A service delivery network with the capacity to provide full range of needed services; and

(E) Flexibility in service design to enable the most effective provision of services to at-risk youth based upon individual's assessed need.

(v) A method to determine geographic service areas and boundaries;

(vi) Coordination with the criminal justice system and other child/youth/family serving systems to ensure legal responsibilities are upheld and that children and families receive quality services;

(vii) Agreements among participating service agencies;

(viii) Impact of local, state and federal laws and regulations; and

(ix) Other legal issues.

(b) Community Planning may reflect the unique nature of each community but shall include, at a minimum, the following:

- (i) Vision;
- (ii) Values, Mission and Philosophy;
- (iii) Organizational Structure and Community assessment;
- (iv) Goals;
- (v) Objectives and Outcome Measures;
- (vi) Strategies and Output Measures; and
- (vii) Strategic Plan.

(c) Strategic Plan. The community assessment and planning should culminate in the development of a strategic plan. The strategic planning process should provide for the opportunity for public input and describe how the public was included and who was included. Strategic plans shall be submitted to the State Advisory Council on Juvenile Justice and the Department of Family Services. Those entities eligible for funding pursuant to Chapter Two (2) of these rules, shall have their strategic plans forwarded to the Task Force for funding determination. Strategic plans shall include a system that addresses the following:

(i) Central intake and assessment for juveniles with an initial point of contact established within the community. The assessment shall be the assessment tool designated by the Department of Family Services, Juvenile Services Division. Twenty-four (24) hour intake services shall be provided to assist law enforcement in making initial custody decisions and to assist in making appropriate recommendations regarding needed services;

(ii) The community must establish a detention standard, reach an agreement on who should be detained and for what reasons, and outline a community process for the use of detention. More focused detention criteria is designed to separate low-risk youth (those who could be safely returned home) from higher risk youth (those who should be securely detained). Criteria for juvenile diversion and detention including:

- (A) Criteria for determining when at-risk youth should be assessed;
- (B) Criteria for determining who shall be admitted to detention;

(C) How twenty four (24) hour intakes will be processed; and

(D) Criteria for determining who needs shelter care.

(iii) Continuum of non-secure services, including early intervention, diversion, community services and other sanctions which may include citations, counseling, parenting education, day treatment, and aftercare following placements. These services should be provided to at-risk youth within the CJSB geographic region throughout the process of their involvement to include early intervention, transition from the family/school/community to out-of-home placement and transition back to the family/school/community from an out-of-home placement, support while in a secure setting and aftercare following placements. Non-secure services should be monitored for efficacy in reducing the youth's risk of future involvement in criminal activity and increasing protective factors for the youth and his/her family.

(iv) Identification of criteria for notification and involvement of parents/guardians.

(v) Identification of other funding sources and operational costs for local juvenile services.

(vi) Provision for confidential proceedings and records.

(vii) Strategic plan implementation updates shall be forwarded to the Department of Family Services and the State Advisory Council on Juvenile Justice on a quarterly basis. The Department of Family Services shall make this data available to the Departments of Health and Education.

Section 8. **Data Collection and Evaluation.**

An evaluation of the overall project shall be conducted by a team with members from the Departments of Family Services, Health and Education and the State Advisory Council on Juvenile Justice to assess effectiveness and efficiency. Each community will establish outcome and output measures within its strategic plans. Additionally, the Departments of Family Services, Health and Education, in cooperation with the State Advisory Council on Juvenile Justice shall conduct a systemic evaluation of the projects. Such a systemic

review will require sharing and evaluation of service data between the Departments of Family Services, Health, Education and the State Advisory Council on Juvenile Justice. The performance indicators (outcome measures) will be a proxy measurements of the outcomes of the CJSB planning and implementation efforts in the development of a system that responds to the needs of the youth and families in the community. When youth are assessed through a single point of entry and referred for services within the community based on need, we anticipate the effectiveness and efficiency of the system will be reflected in the performance indicators. Performance indicators for evaluating effectiveness and efficiency shall include:

(a) Placement Rates (as established by the Department of Family Services) shall include:

- (i) Number of youth in out-of-home placement;
- (ii) Length of stay in placement;
- (iii) Re-entry into placement; and
- (iv) Number of days in placement for all youth.

(b) Education Rates (as established by the Department of Education) shall include:

- (i) Graduation rates by school district;
- (ii) School attendance; and
- (iii) Performance Assessment for Wyoming Students (PAWS) statewide assessment.

(c) Juvenile Delinquency Rate – Uniform Crime Report, Wyoming Attorney General’s Office, Division of Criminal Investigation.

(d) Detention rates (as endorsed by the State Advisory Council on Juvenile Justice) and shall include:

- (i) Number of youth in detention;
- (ii) Length of stay in detention;

(iii) Re-entry into detention; and

(iv) Number of days in detention for all youth.

(e) Case and Service Data Rates shall include:

(i) Number of new adjudicated youth as established by Department of Family Services, except the District Courts of Sweetwater and Campbell counties shall provide the data, as these counties have local probation services supervising youth adjudicated in Juvenile Court;

(ii) Number of youth receiving services in-home/community versus out-of-home placements and costs associated with the services (as established by Department of Family Services and the Community Juvenile Service Boards's single point of entry);

(iii) Number of juvenile offenders served and the dispositions of their cases (established by the Community Juvenile Services Boards's single point of entry); and

(iv) The scope of juvenile offender services identified or developed by the community juvenile services boards (established by the Community Juvenile Service Board).

(f) The above information shall be collected in a manner prescribed by the Departments of Family Services, Health and Education. The above data will also be utilized by the Department of Family Services in the development of an annual report to the Wyoming State Legislature.

Section 9. **Community Juvenile Services Boards.**

(a) The Community Juvenile Services Board shall include representation from the following entities within the jurisdictional boundaries of the Community Juvenile Services Board:

(i) A representative of local field offices of the Department of Family Services;

(ii) A representative of local public health;

- (iii) A representative from the local school districts;
- (iv) A representative from prosecuting attorneys' offices;
- (v) A representative from local police departments and sheriff's offices;
- (vi) Representatives from the boards of county commissioners;
- (vii) A representative from a local or regional mental health or substance abuse provider;
- (viii) A representative from the public defender's office; and
- (ix) Any other professional the board of county commissioners or joint powers board may appoint, who has particular knowledge or expertise in children or young adult services.

(b) A Community Juvenile Services Board may:

- (i) Receive funds from any source;
- (ii) Employ staff using any available funds; and
- (iii) Expend funds to provide directly, or to contract for, juvenile services.

(c) A Community Juvenile Services Board shall:

- (i) Review existing community juvenile services within its jurisdiction;
- (ii) Develop a community juvenile services strategic plan and provide for periodic review of the plan;
- (iii) Ensure that the community board's system of juvenile services provides for:
 - (A) Use of a uniform screening instrument;
 - (B) Assessments of referred children by licensed professionals who may include medical, mental health, social service and educational personnel;

(C) Clear and comprehensive procedures to manage the single point of contact established within the community and facilitate referrals of youth and families of youth needing services by:

- (I) School districts;
- (II) Law enforcement;
- (III) Licensed mental health care providers;
- (IV) Licensed health care providers;
- (V) A court;
- (VI) The Department of Family Services;
- (VII) Community youth organizations;
- (VIII) Families and youth needing services; and
- (IX) Self-referred youth.

(D) Ensure that juvenile services funded under this act are established and maintained.

(d) Key factors to consider in the Community Juvenile Services Board structure:

(i) Description of basic entity that will be responsible for the development, deployment and evaluation of the local service delivery system that works cooperatively with other local systems;

(ii) Method for involving the public in the strategic planning process and description of who and how public was involved;

(iii) Identification of a financial system for managing funds;

(iv) Performance based contract standards for purchasing services;

(v) Effective data system to measure and evaluate service system outcomes;

- providers;
- (vi) Process to enter into Partnership Agreements with other service providers;
 - (vii) Overview of the organization's scope and function; and
 - (viii) Operational and technological planning issues to facilitate the system of juvenile services.

CHAPTER 2

COMMUNITY JUVENILE SERVICES BOARDS

GRANT PROCEDURES

Section 1. *Funding Application Procedures.*

A Community Juvenile Services Board, pursuant to a joint powers agreement, seeking funding from the state to support its strategic plan, shall submit its funding request to the task force with representation from the Departments of Family Services, Health, Education and the State Advisory Council on Juvenile Justice. The Community Juvenile Services Board shall respond to the request for funding on an application, developed by the Departments of Family Services, Health and Education.

Section 2. *Funding Eligibility.*

The Community Juvenile Services Board formed pursuant to a joint powers agreement shall submit a strategic plan developed per Chapter 1, Section 8 and its request for funding to the State Advisory Council on Juvenile Justice and the Department of Family Services to be eligible for funding.

Section 3. *Selection.*

A task force with representation from the Departments of Family Services, Health and Education, and the State Advisory Council on Juvenile Justice shall review strategic plans developed by community juvenile services boards to determine allocation of funding. The task force shall assess and score the strategic plan and funding request based on how well the strategic plan develops a continuum of care for juveniles and meets requirements of a request for application, as developed by the Departments of Family Services, Health and Education.

Section 4. *Procedures for Distribution.*

Funding will be allocated to the Community Juvenile Services Board annually through a contract with the Department of Family Services.

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