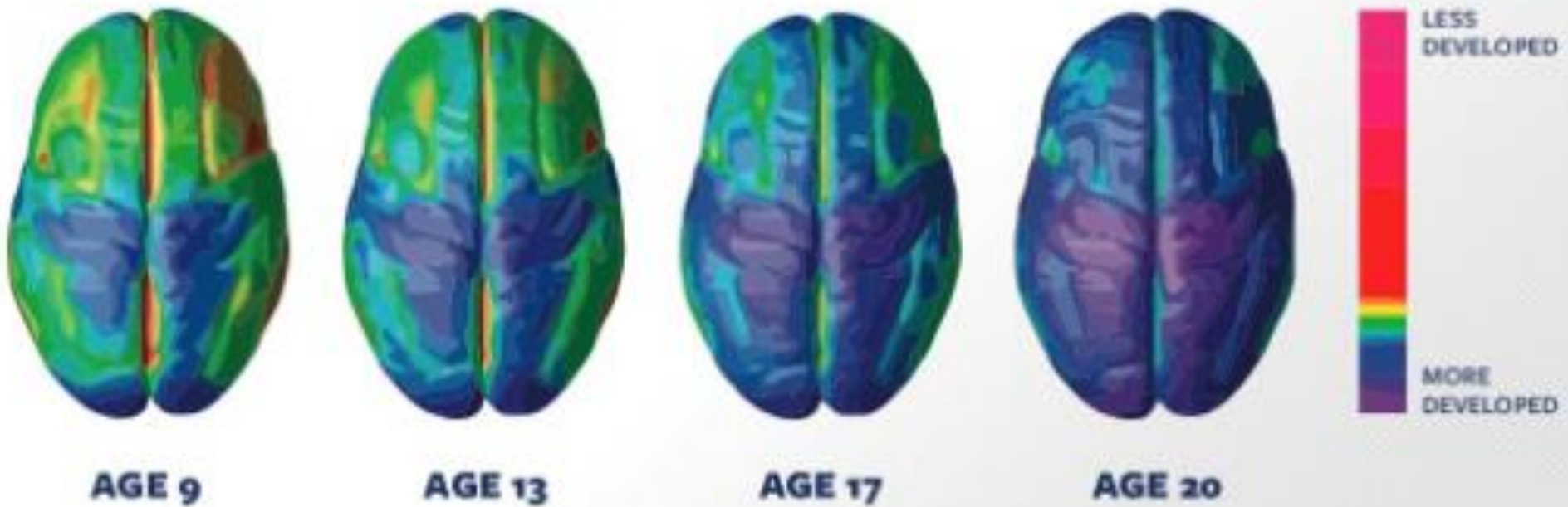


State of New Hampshire

Senate Bill 94 & Juvenile Justice Needs Assessment

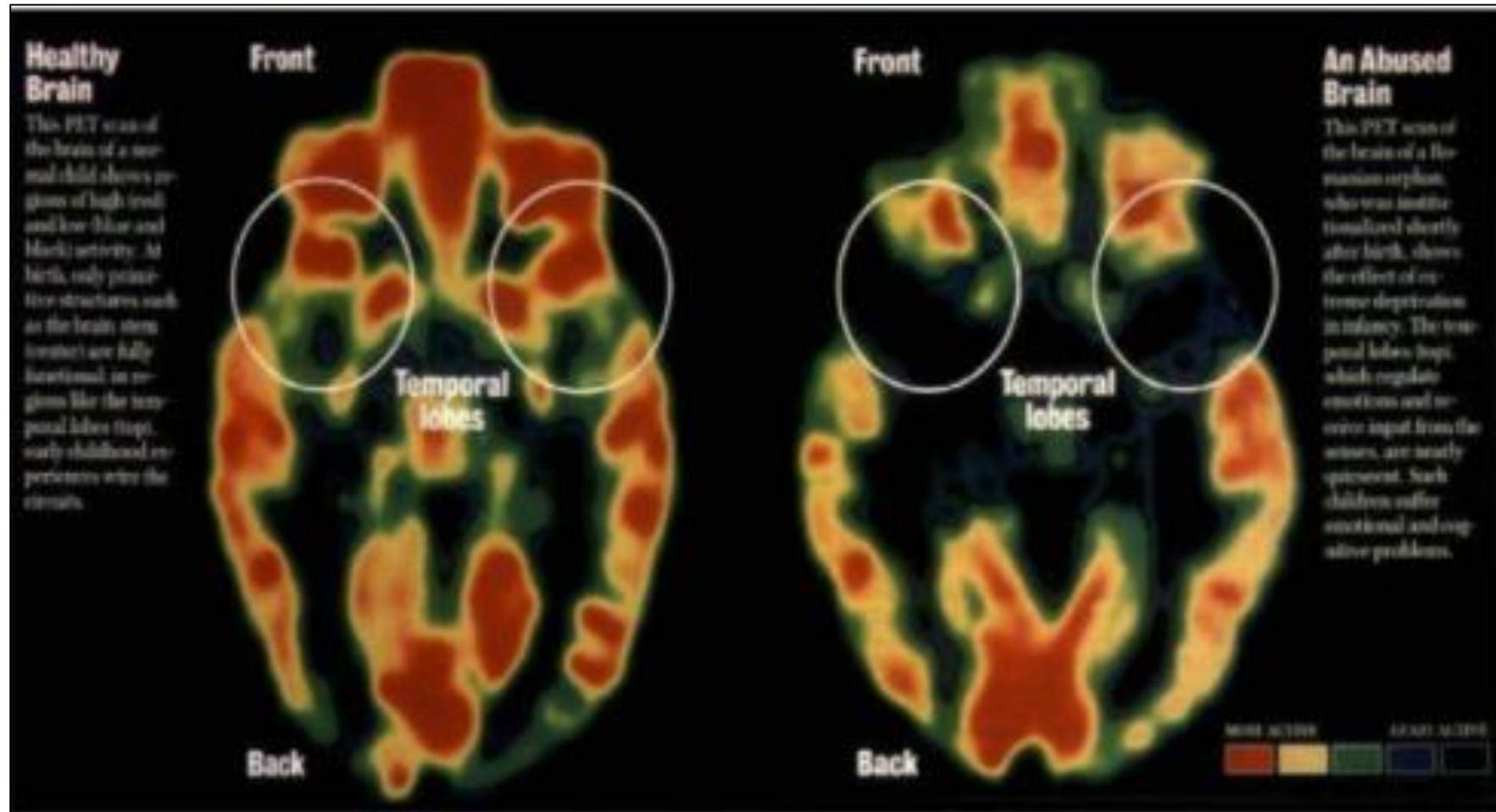


The Adolescent Brain



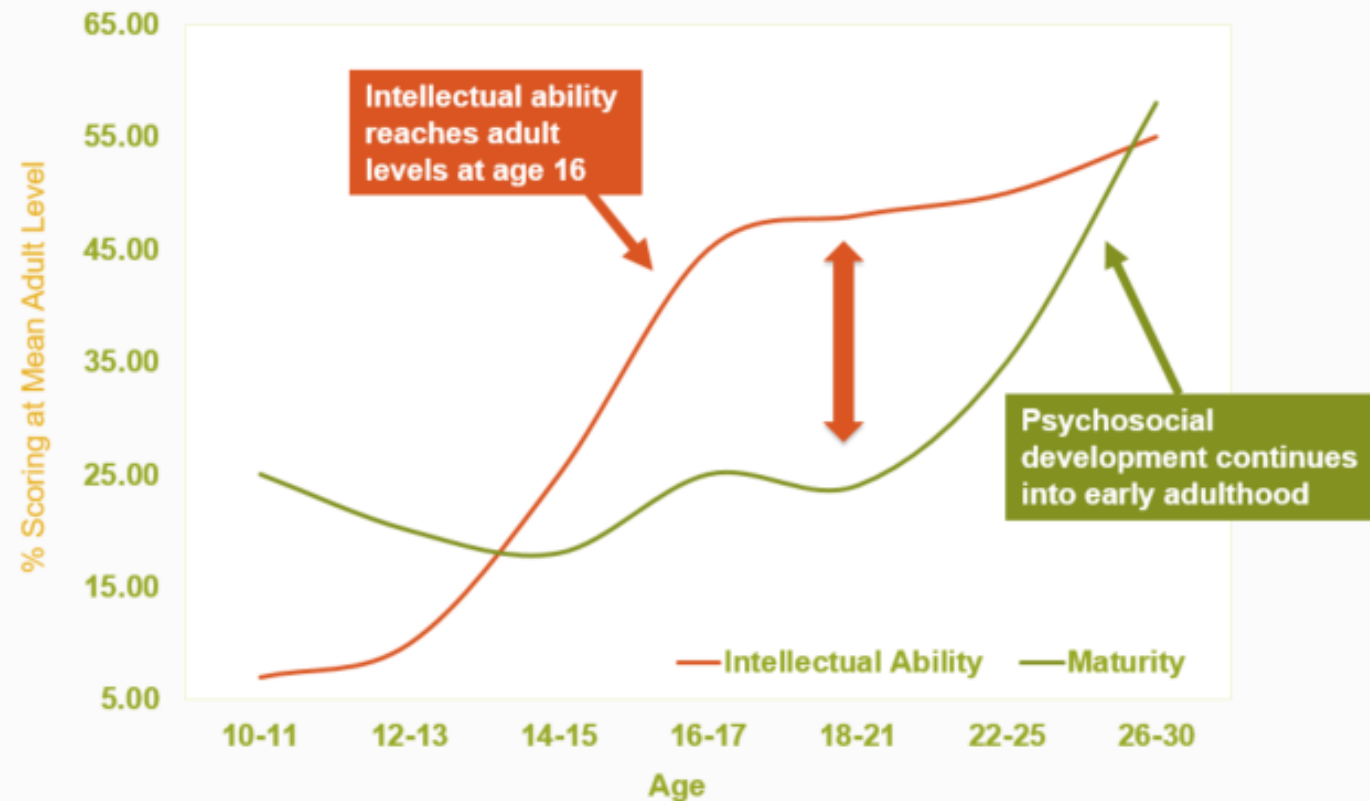
- 1 Gogtay, N. Dynamic mapping of human cortical development during childhood through early adulthood. *Proceedings of the National Academy of Sciences of the United States of America*, vol. 101 no. 21 8174-8179, doi: 10.1073/pnas.0402680101

Impact of Trauma



The Maturity Gap

Cognitive Maturity Develops Earlier and Peaks Sooner Than Emotional Maturity, Leading to a Maturity Gap



SOURCE: Steinberg, Cauffman, Woolard, Graham, & Banich (2009)

Teenagers Have Low Psychosocial Maturity and are Hyper-sensitive to External Influences

Psychosocial immaturity weakens capacity for:

- impulse control;
- resisting peer pressure; and
- weighing the consequences of actions.

Implications:

- *Some level of delinquency is fairly typical during adolescence.*
- *Adolescents are constantly changing so particularly capable of change.*

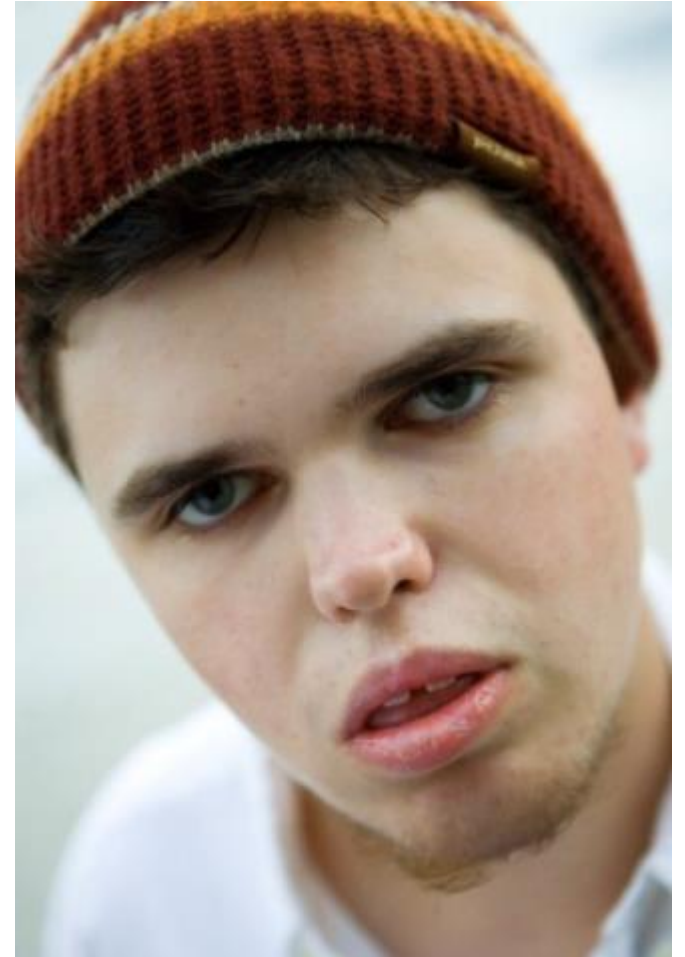
Hyper-sensitivity to external influences such as peers, short-term incentives and rewards; and experiences and activities

Implication: Youth respond better to incentives, experiences and opportunities than to sanctions and punishment.



Developmental Complications

- Autism & other communication disorders
- Intellectual disability
- Chronic medical conditions
- Mental illness



Senate Bill 94—Revisions to RSA 169-B:10

Statement of Purpose and Findings.

I. In furtherance of the objectives stated in RSA 169-B:1, the general court finds that promoting the **earlier engagement in the community based services** and minimizing the involvement of youth in the formal legal system will promote the goal of **positive youth development**.

II. The general court finds that authorizing pre-petition engagement by the department for the purpose of completing **assessments** and making **referrals** to the children's behavior health system or other appropriate **services and supports** will **increase the use of diversion** and **decrease the need for future judicial involvement**.

III. It is the intent of this act to provide the department with the authority to assess all youth as early as possible in the process and the ability to share that information with law enforcement, prior to formal involvement with the court, in order to **minimize the need for court involvement when the minor's needs can be met with services**.

Essential Points of SB 94

- ❖ Prior to filing a delinquency petition with the court, the arresting agency or prosecutor shall refer the minor to the department of health and human services (DHHS) for a voluntary needs assessment within 2 business days of arrest
 - Minor & parent/guardian must consent to needs assessment
 - If no consent, DHHS reports to prosecutor, who can proceed with filing
- ❖ DHHS completes needs assessment within 30 days of referral
 - unless assessment already done within prior 6 months, then DHHS provides law enforcement with prior report and recommendations
- ❖ Following assessment, DHHS makes recommendations re: whether petition is necessary and for supports/services, provides report to the minor, parent/guardian, minor's attorney, and law enforcement agency
- ❖ Prior to filing, arresting agency or prosecutor must review DHHS's report and recommendations to screen the petition for participation in other voluntary services or diversion.

Exception—Immediate Detention/Placement

- ❖ A petition may be filed prior to the completion of the referral and needs assessment if prosecutor or arresting officer determines there is a need to request an order from the court for immediate detention or non-secure placement to protect the minor or the community;
- ❖ For these cases, if minor has not had an assessment in the prior 6 months, DHHS shall make the assessment available to the minor after the petition is filed
- ❖ Confidentiality and admissibility of the report, recommendations and related statements shall be treated the same as assessments completed prior to the petition

SB 94—Three Effective Dates, by Court

January 1, 2022	July 1, 2022	October 1, 2022
Claremont	Brentwood	Berlin
Dover	Candia	Colebrook
Jaffrey	Concord	Conway
Keene	Derry	Franklin
Lebanon	Hampton	Goffstown
Merrimack	Hillsborough	Haverhill
Milford	Hooksett	Laconia
Nashua	Portsmouth	Lancaster
Newport	Salem	Littleton
Rochester		Manchester
		Ossipee
		Plymouth

Revised Delinquency Petition

Case Name: _____

Case Number: _____

DELINQUENCY PETITION

10. a. **[TO BE COMPLETED ONLY IF FILING IN THE FOLLOWING COURTS: Lebanon, Claremont, Newport, Dover, Rochester, Keene, Jaffrey, Nashua, Milford and Merrimack, pursuant to revised RSA 169-B:10, I-a, effective in such courts on 1/1/22]**

- i. ☐ Pursuant to RSA 169-B:10, I-a, prior to filing this petition, the petitioner referred the minor to the Department of Health and Human Services (DHHS) for a voluntary needs assessment, and
 - ☐ the minor or minor's parents declined the assessment, or
 - ☐ the petitioner reviewed DHHS's report and recommendations to screen for participation in other voluntary services or diversion. The filing of this petition ☐ is ☐ is not consistent with DHHS's recommendations; or
- ii. ☐ Pursuant to RSA 169-B:10, I-a(i), this petition was filed prior to completion of the referral to DHHS for a voluntary needs assessment, as the prosecutor or arresting officer determined there was a need to request an order from the court for immediate detention or non-secure placement to protect the minor or the community.

b. **[TO BE COMPLETED IF FILING IN COURTS OTHER THAN THOSE LISTED ABOVE]**

☐ Pursuant to 169-B:10, I-a Petitioner screened this case for Diversion.
Identify why diversion was not an appropriate disposition prior to seeking court involvement:

Overview of the Voluntary Needs Assessment Process



Making a Referral for a Needs Assessment is Easy

1

- Complete a Juvenile Justice Needs Assessment referral form

2

- Email referral form to JJreferral@dhhs.nh.gov

3

- Assessment JPPO will contact the Referring Entity once referral is received at local office

Assessment Referral Form

(Page 1)



STATE OF NEW HAMPSHIRE
Department of Health and Human Services
Division for Children, Youth and Families
Juvenile Justice Services

Form 1330
PD 21-57

JUVENILE JUSTICE NEEDS ASSESSMENT REFERRAL

DO NOT USE FOR CHINS REFERRALS OR TO SECURE EMERGENCY PLACEMENT

LAW ENFORCEMENT INFORMATION

Referring law enforcement agency:

Name of referring party:

Phone:

Ext:

Fax:

Direct email:

CHILD INFORMATION

Full name:

Gender: Choose



DOB:

Race: Choose



Ethnicity: Choose



Street address:

City/town:

State:

Zip code:

Home phone:

Cell phone:

PARENT/GUARDIAN #1 INFORMATION

Full name:

Gender: Choose



DOB:

Race: Choose



Ethnicity: Choose



Address same as child: ☐

Street address:

City/town:

State:

Zip code:

Home phone:

Cell phone:

Email:

PARENT/GUARDIAN #2 INFORMATION

Full name:

Gender: Choose



DOB:

Race: Choose



Ethnicity: Choose



Address same as child: ☐

Address same as parent #1: ☐

Street address:

City/town:

State:

Zip code:

Home phone:

Cell phone:

Email:

CHILD RISK FACTORS (Select any that apply)

☐ Run away

☐ Truancy

☐ Human trafficking

☐ Substance use

☐ Sexualized behavior

☐ Aggressiveness

☐ Assaultive

☐ Self-injurious behavior

☐ Other:

Are there any weapons or other safety concerns in the home? ☐ Yes ☐ No

If yes, please explain:

Does this youth have prior known history with law enforcement? ☐ Yes ☐ No

☐ Counsel and release

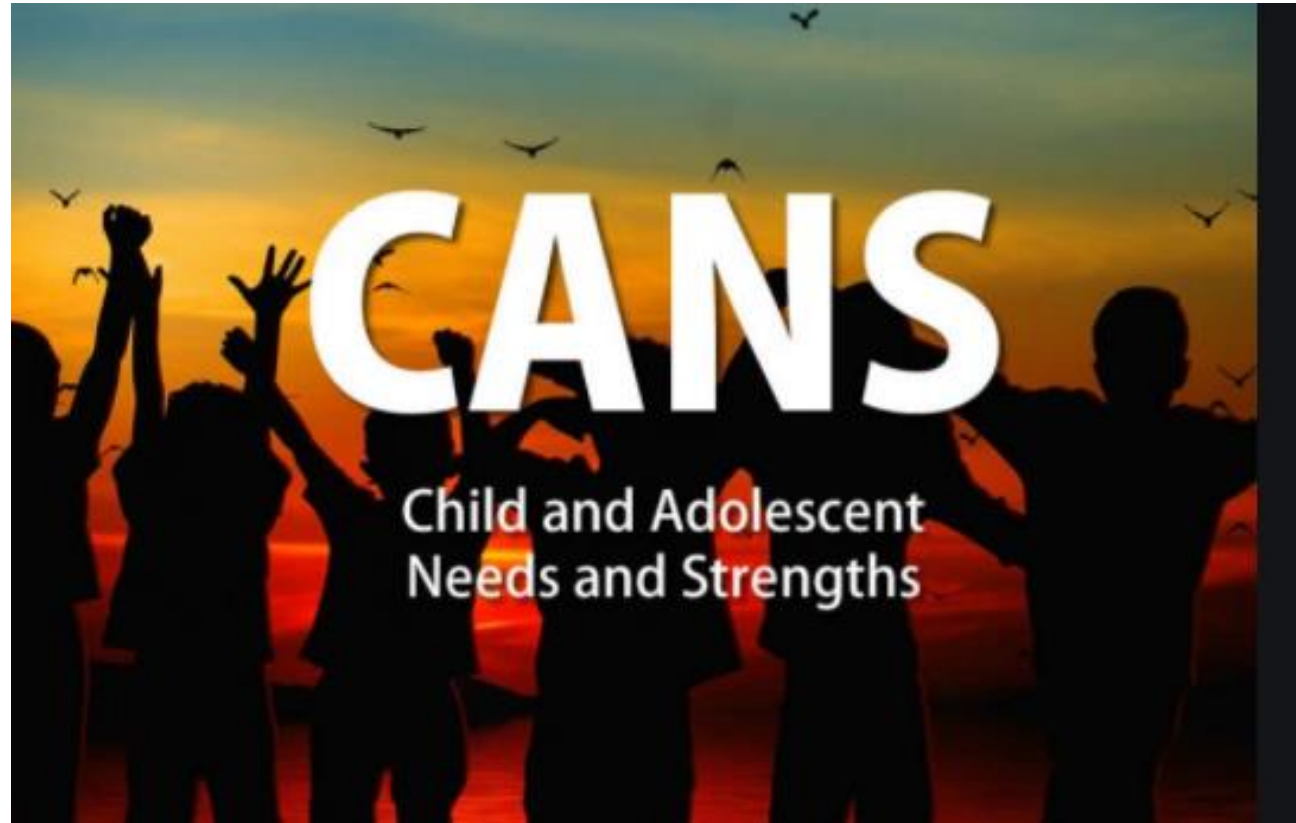
☐ Arrest

☐ Other:

(Page 2)

[CLICK TO SUBMIT](#)

What Needs Assessment Tool will be used?



NH CANS 2.0 (Age 0 to Transition Age)

17



Six Domains of the CANS

18

- ❖ Child Behavioral/Emotional Needs
 - ❖ Child Life Functioning
 - ❖ Child Risk Behaviors
 - ❖ Cultural Factors
 - ❖ Child Strengths
- ❖ Caregiver(s) Strengths & Needs

Child Behavioral/Emotional Needs

19

- *Psychosis*
- *Impulsivity/Hyperactivity*
- *Depression*
- *Anxiety*
- *Oppositional*
- *Conduct*
- *Adjustment to Trauma*
- *Substance Use*
- **Autism Spectrum**
- **Anger Control**
- **Eating Disturbance**
- **Attachment**

- All topics *ITALICIZED* are assessed in the Brief CANS conducted by Assessment JPPOs
- All topics in **BOLD** are also assessed in the Comprehensive CANS that is used for case management by JPPOs

Child Life Functioning



- *Family Functioning*
- *Living Situation*
- *Social Functioning*
- *Decision Making*
- **ADLs/Self Care**
- **Sleep**
- **Sexual Development**
- *School*
- **Medical/Physical**
- *Developmental/Intellectual*
- **Self-Regulation**
- **Communication**

- *ITALICIZED*: Brief CANS
- **BOLD**: also included in Comprehensive CANS

Child Risk Behaviors

21

- ❑ *Non-Suicidal Self Injurious Behavior*
- ❑ **Other Self Harm/Recklessness**
- ❑ *Suicide Risk (Danger to Self)*
- ❑ *Danger to Others*
- ❑ *Sexual Aggression*
- ❑ *Exploited*
- ❑ *Runaway/Elopement*
- ❑ *Delinquent/Elopement*
- ❑ *Fire setting*
- ❑ *Animal Cruelty*
- ❑ **Intentional Misbehavior**



- *ITALICIZED*: Brief CANS
- **BOLD**: also included in Comprehensive CANS

Cultural Factors

22

- *Language*
- *Traditions and Rituals*
- *Cultural Stress*



- *ITALICIZED*: Brief CANS
- **BOLD**: also included in Comprehensive CANS

Child Strengths

23



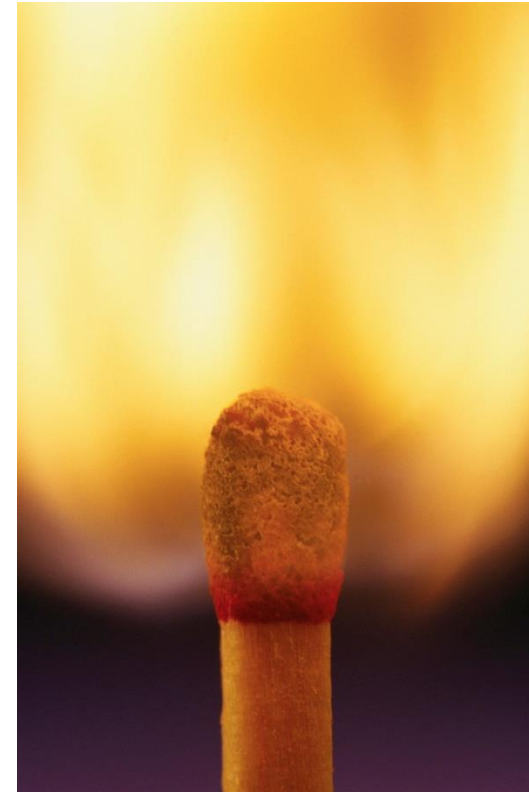
- *Family Strengths*
- *Interpersonal*
- *Natural Supports*
- *Educational Setting*
- **Talents/Interests**
- **Spiritual/Religious**
- **Cultural Identity**
- *Community Life*
- **Optimism**
- **Resilience**

- *ITALICIZED*: Brief CANS
- **BOLD**: also included in Comprehensive CANS

Caregiver Strengths and Needs

24

- ❑ *Supervision*
- ❑ *Involvement with Care*
- ❑ **Knowledge**
- ❑ **Organization**
- ❑ *Social Resources*
- ❑ *Residential Stability*
- ❑ **Medical/Physical**
- ❑ **Mental Health**
- ❑ **Substance Use**
- ❑ **Child Care Accessibility**
- ❑ **Military Transitions**
- ❑ *Child Safety*
- ❑ *Family Stress*



- *ITALICIZED*: Brief CANS
- **BOLD**: also included in Comprehensive CANS

Needs Assessment Report

(Example Page 1)

JUVENILE JUSTICE SERVICES NEEDS ASSESSMENT REPORT			
ASSESSMENT INFORMATION			
Child's name:		Child's DOB:	
Referring entity:		Date of referral:	
REASON FOR REFERRAL			
Reason the child is being referred for needs assessment			
INTERVIEWS CONDUCTED / ATTEMPTED			
Name of Persons Interviewed and Attempted Interviews	Role / Relationship to Child	Date(s) Completed	Date(s) Attempted
SUMMARY			
STRENGTHS			
The CANS identified the following strengths to include: i.e. - Family, Interpersonal, Natural Supports, Educational Setting, Community Life/Recreational, Supervision, Involvement, Social Resources, Residential Stability, Child Safety, Traditions and Rituals,			
ACTIONABLE ITEMS			
The CANS identified the following needs: i.e. -Psychosis, Attention/Impulse, Depression, Anxiety, Oppositional Behavior, Conduct Behavior, Adjustment to Trauma, Substance Use, Family, Living Situation, Social Functioning, Decision Making, School, Development/Intellectual, Self-Injurious Behavior, Suicidality, Danger to Others, Sexual Aggression, Exploited, Elopement/Runaway, Crime/Delinquency, Fire Setting, Animal Cruelty, Language, Traditions and Rituals, Cultural Stress, Supervision, Involvement ,Social Resources, Residential Stability, Child Safety, Family Stress			

Needs Assessment Report

(Example Page 2)



STATE OF NEW HAMPSHIRE
Department of Health and Human Services
Division for Children, Youth and Families

Form 1334
January 2022

RECOMMENDATIONS

Recommendations in this section may include the following: Referral to Community Based Services, Referral to Behavioral Health Services, Referral to Voluntary Services through DCYF, Recommendation that petitions be filed with the Court, or No Recommendations/No Referrals needed.

Assessment JPPO's Signature

Date

_____, Assessment JPPO
District Office
_____, New Hampshire _____
(603) _____ - _____
Email: _____

Cc: _____

Examples of Recommendations and Services from the Needs Assessment

Community Based Services

- Diversion Programs, Boys and Girls Clubs, YMCA, Employment, Sports, Clubs/Activities, Intercept, Multisystemic Therapy, Tracking Services, Drug Testing, Youth Advocate Programs

Behavioral Health Services

- Community Mental Health Agencies, Counseling Programs, Psychiatry, Psychological Services, Care Management Entity (Fast Forward, TR-ECC), Out Patient Programs

Additional Options

- Delinquency Petitions be filed with the Court, Voluntary Services through DCYF, No Recommendations/No Referrals Needed, Bureau of Children's Behavioral Health

Needs Assessment Closing Letter

NOTIFICATION OF NEEDS ASSESSMENT CLOSING

ASSESSMENT INFORMATION

Child's name:

Child's DOB:

Referring party:

Date of Referral:

ASSESSMENT CLOSING INFORMATION

☐ Based on the previously reported Needs Assessment, DCYF has made the following referrals for the child/family and is closing out the Needs Assessment:

- ☐ Diversion:
- ☐ Community-Based Services:
- ☐ In-Home Community Supports:
- ☐ Community-Based Mental Health:
- ☐ Bureau of Children's Behavioral Health:
- ☐ Voluntary Services through DCYF:
- ☐ Other:

☐ DCYF has not been able to complete the Needs Assessment for the following reason:

- ☐ Family could not be located
- ☐ Family did not respond
 - ☐ The following attempts were made to locate or engage the family:
- ☐ Child declined to participate
- ☐ Parent/Guardian declined to participate
- ☐ Child withdrew their consent to participate
- ☐ Parent/Guardian withdrew their consent to participate
 - ☐ The child or parent/guardian gave the following reason for not participating or withdrawing their consent:
- ☐ Other:

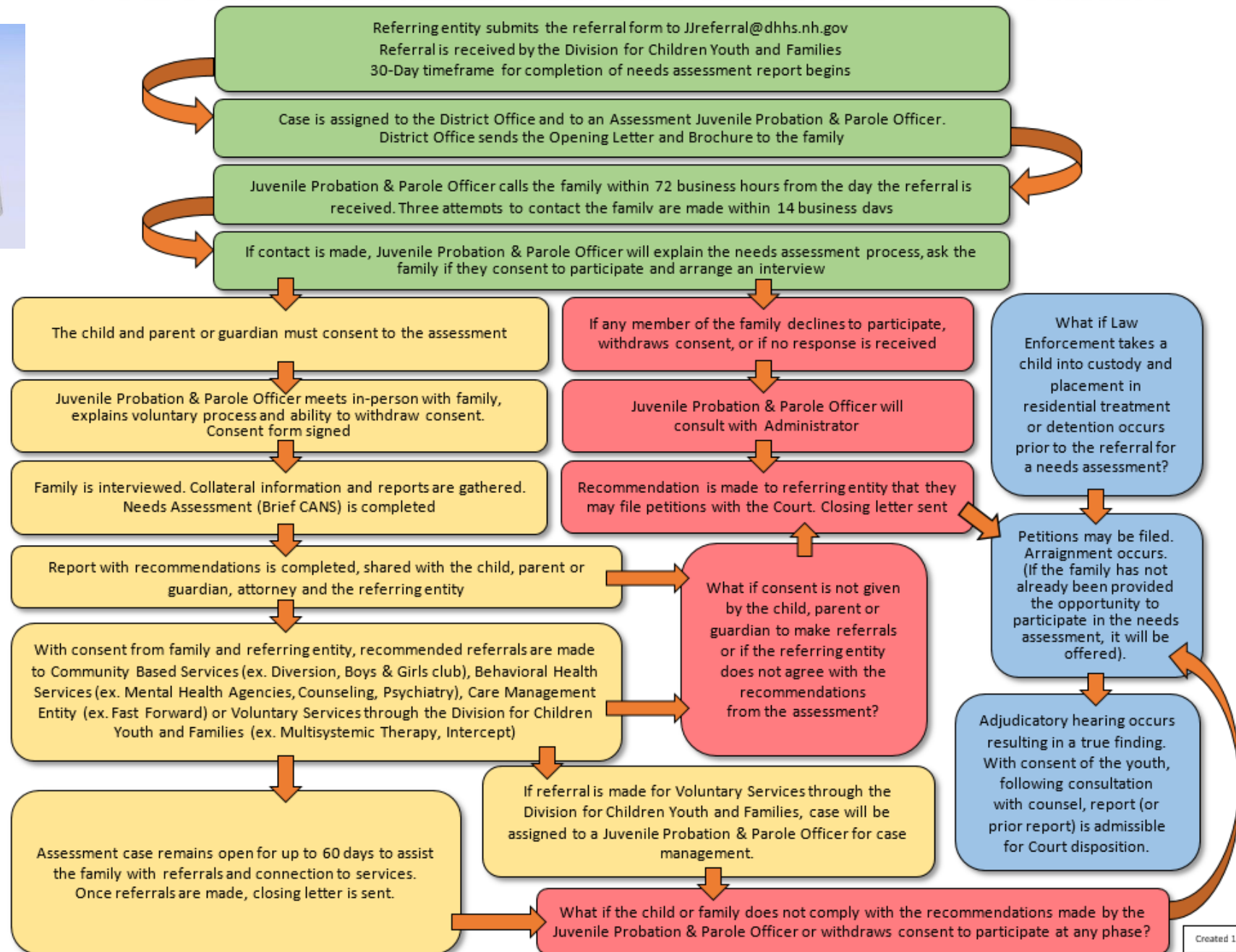
☐ DCYF has recommended a delinquency petition be filed.

Assessment JPPO's Signature

Date

, Assessment JPPO
District Office

VOLUNTARY NEEDS ASSESSMENT FLOW CHART





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Deputy Administrative Judge
NH Circuit Court
sashley@courts.state.nh.us

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