



# JISC and Youth Diversion Advisory Council

December 11, 2020

DRAFT FOR DISCUSSION PURPOSES ONLY

# Agenda

JISC Advisory Council Meeting

1. Welcome and introductions (*Susan Lee*) - 5 minutes
2. Overview of youth diversion reform project, goals, and timelines (*Mayor's Office, Leslie Silletti*) - 15 minutes
3. Deep-dive into long-term approach to youth diversion (*CCA, Mayor's Office*) - 40 minutes
4. Deep-dive into short-term revisions at the JISC (*CCA, Mayor's Office*) - 20 minutes
5. Next steps (*Mayor's Office*) - 10 minutes



# The JISC Advisory Council has provided much insight to-date

**The Mayor's Office, CPD, and DFSS are committed to collaborative reforms to youth diversion for Chicago beyond pre-booking opportunities.**

Partners advised that JISC needs substantive reform to reduce harms and a new model of youth diversion is imperative. The Council achieved:

1. Guiding principles of equity and reform
2. Notable recommendations:
  - Prioritizing community-based services and increasing diversion eligibility
  - A trauma-informed approach to facility and staff training
  - Accountability through governance, data collection, and evaluation
  - Involving justice system partners for a full spectrum of diversion



# The many different mandates related to the JISC provided a clear blueprint of work to be done, and many of the recommendations have been either fully or partially implemented since July

Consent Decree	OIG Report	Mayor's Office Priorities	JISC Advisory Council
Youth Related Paragraphs (32-36)	23 recommendations	9 priorities	34 recommendations

*Consent Decree Paragraph 33: "When interacting with youth and children, CPD will, as appropriate and permitted by law, encourage officers to exercise discretion to use alternatives to arrest and alternatives to referral to juvenile court, including, but not limited to: issuing warnings and providing guidance; referral to community services and resources such as mental health, drug treatment, mentoring, and counseling organizations, educational services, and other agencies; station adjustments; and civil citations."*

A viable path forward for youth diversion must take into account these recommendations, along with the recently **released Illinois Juvenile Justice Commission recommendations**, and be supported by all related agencies. Further, **implementation and future work must be informed by community input, particularly those with lived experience.**

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# Different stakeholders use different terminology; descriptions of common terms are defined below for purposes of this discussion

Term	Definition (for purposes of this conversation) <sup>1</sup>
<b>Diversion</b>	Formal or informal interventions, programs, and approaches occurring at any point in a juvenile's involvement with the juvenile justice system that prevent further system involvement while holding juveniles accountable for their actions. Juveniles may be offered support services or resources and be required to complete said services to avoid deeper penetration into the juvenile justice system.
<b>Deflection</b>	Policies, practices, and programs occurring pre-booking/pre-arrest that prevent juvenile arrest and any involvement in the juvenile justice system. Juveniles may be offered supportive services or other resources but are not required to utilize them.
<b>Station Adjustment<sup>2</sup></b> (Formal, Informal)	A form of diversion occurring when law enforcement believes there is probable cause to believe juvenile has committed an offense. In an <b>informal station adjustment</b> , law enforcement may set reasonable conditions with which the juvenile must comply, and a record of the informal adjustment must be maintained with ISP for offenses that would be a felony if committed by an adult and may be maintained for offenses that would be a misdemeanor. In a <b>formal station adjustment</b> , there is an admission by the minor of involvement in the offense and the juvenile and parent/guardian must agree in writing to terms and conditions. A record of the formal station adjustment must be maintained by the ISP. (705 ILCS 405/5-301)
<b>Future Diversion Option</b> (e.g. civil citation)	While not allowed under existing legal mechanisms, in the future juveniles who come into contact with law enforcement may be are offered case management and services without the creation of an arrest or booking record through civil citation or the holding of charges in abeyance. Additional details, such as transportation of juveniles or requirements for service completion, could be defined by future statute.

Overarching term

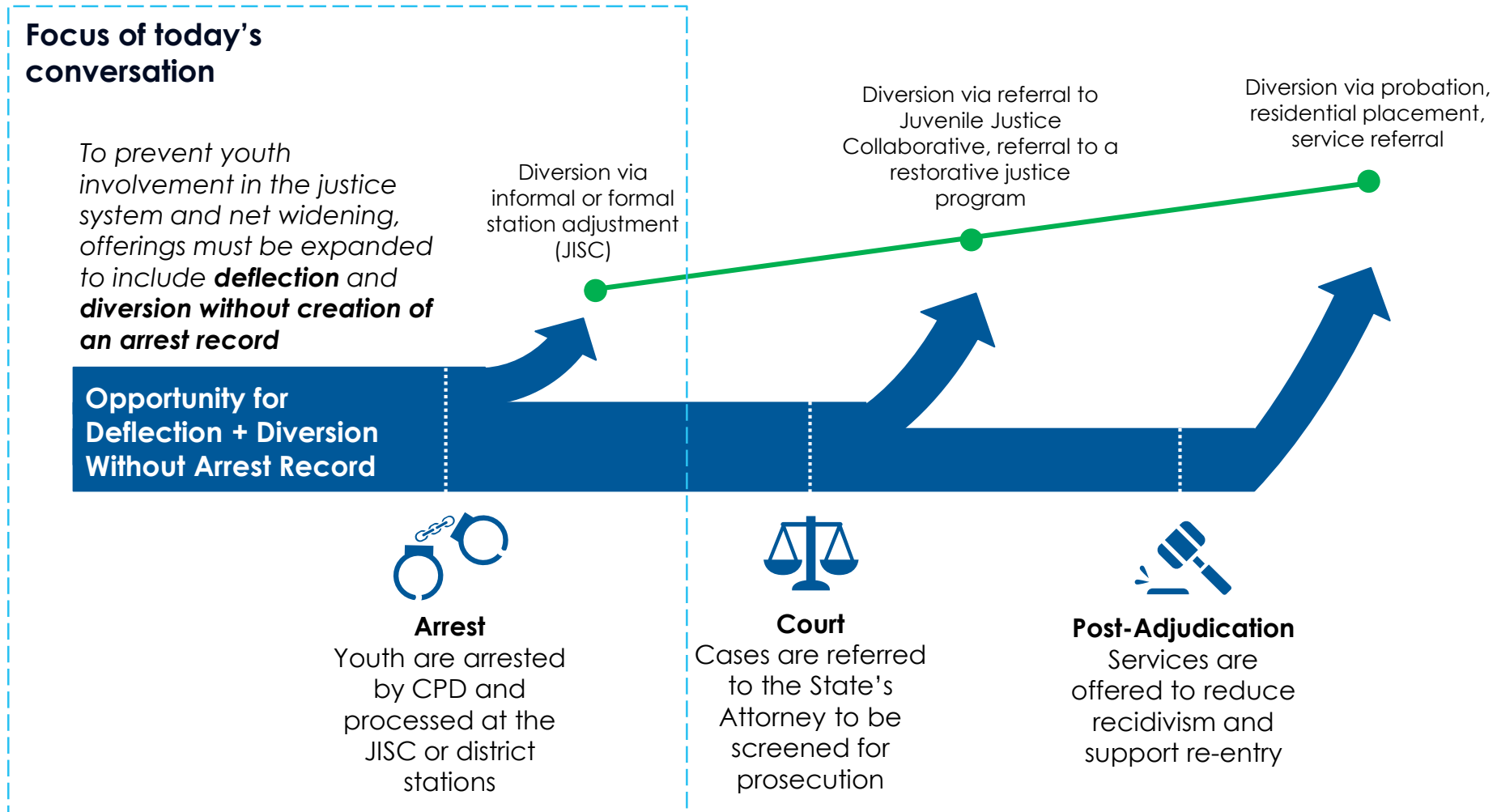
Opportunities and examples of Diversion

<sup>1</sup> Definitions derived from various sources including the MacArthur Foundation Models for Change, The National Center for Mental Health and Juvenile Justice, "A Roadmap for Advancing Youth Diversion in LA County," OJJDP "Model Programs I-Guide," The Center for Children's Law and Policy, IL JJC

<sup>2</sup> "A minor arrested for any offense or a violation of a condition of previous station adjustment may receive a station adjustment for that arrest..." (705 ILCS 405/5-301)



# Current state: juvenile diversion can happen at many different points throughout the criminal justice system; work to-date and today's discussion is focused at the very beginning of the continuum





# Initial conversations with stakeholders, including many JISC Advisory Council members, revealed a need for distinct but simultaneous approaches to JISC and youth diversion reform

## Short-Term: Planning for immediate implementation of select requirements

Implementing short-term recommendations from the OIG report and Consent Decree, and as identified by the Mayor's Office and CPD, including integration of a new case manager (Lawndale Christian Legal Center).

## Long-Term: Designing future state youth diversion structure and operations

Designing future-state youth diversion model that (1) improves service of young people, (2) incorporates community perspectives, and (3) ensures compliance with consent decree requirements and recommendations from the OIG.

### Phase 1

- Understanding the **current youth investigations / JISC protocols and processes**
- Researching **best practices** in youth investigations / diversion, both from peer Departments and based on academic research

### Phase 2

- Articulating a **community- and best practices-informed vision and goals** for future state deflection and diversion
- Identifying an **appropriate (set of) tools** to guide the diversion and service provision process

### Phase 3

- Identifying **methodologies and metrics** to measure the success and impact of the future youth diversion process
- Recommending **governance infrastructure** across all related agencies and for day-to-day **operations management** of the future youth diversion process to ensure a consistent youth engagement philosophy is employed city-wide
- Developing an **implementation plan**, including all operational, training, and staffing needs, and data sharing and maintenance protocols



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# Extensive research and 50+ interviews were used to establish a fact base from which future recommendations will be built

## Key Partner and Stakeholder Interviews

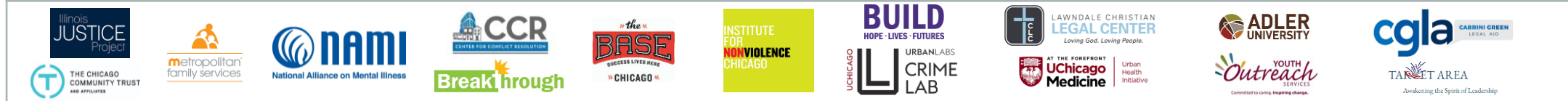
Chicago Department of Public Health	Cook County Juvenile Probation Department
Chicago Department of Family and Support Services	Cook County Public Defender
Chicago Police Department <i>Deputy Chief, Detectives Commander, Youth Investigations JISC Commanding Officer JISC Sergeant (1) JISC Detectives (3) JISC Police Officer (1)</i>	Cook County State's Attorney  Independent Monitoring Team
Chicago Public Schools	Office of the Attorney General
Circuit Court of Cook County, Juvenile Justice Division	US DOJ: Juvenile Temporary Detention Center
Cook County Justice Advisory Council	

## Peer Department / Organization Interviews

13 total, 3 consent decree cities (indicated with \*)

Atlanta Police Foundation	Miami-Dade County, FL
Baltimore PD*	Milwaukee County, WI
Colorado Counties	NYC Center for Court Innovation
Dallas County, TX	North Carolina Dept. Public Safety
Ingham County, MI (ADP)	Philadelphia PD
Los Angeles PD*	Seattle PD*
Los Angeles Centinela Youth Services	

## Experts and Advocates





# While no single jurisdiction stood out as “the” solution, ideas from other models could be incorporated throughout the process

Category	Purpose & Roles	Processing	Services & Supports	Monitoring & Evaluation
Themes	 <p>Serve the community</p>	 <p>Use diversion agreements</p>	 <p>Provide geographically proximate services</p>	 <p>Track participation</p>
	 <p>Define the role of police</p>	 <p>Use evidence-based risk-needs assessment</p>	 <p>Support long-term youth success</p>	 <p>Regularly evaluate program &amp; services</p>
Peer organization examples	<ul style="list-style-type: none"> <li>▪ LA CYS</li> <li>▪ Miami</li> </ul>	<ul style="list-style-type: none"> <li>▪ LA CYS</li> <li>▪ Miami</li> </ul>	<ul style="list-style-type: none"> <li>▪ Colorado</li> <li>▪ Dallas</li> </ul>	<ul style="list-style-type: none"> <li>▪ LA CYS</li> <li>▪ MI ADP</li> <li>▪ Milwaukee</li> </ul>
	 <p>Promote participation</p>			



# Based on best practice findings, CPD and MO agreed to 7 key elements of future state youth diversion process



**For discussion:** Are there other elements that should be considered for a future state model?



# The future state imagines more pathways for youth deflection and diversion beyond station adjustments

## New practice

## Current practice

### 1 Deflection

CPD releases juvenile with no record or further action

Youth is sent home with no further action from law enforcement; youth may be offered services / resources but is not required to utilize them in order to reduce net widening

### 2 Future Diversion Option (e.g. civil citation)

CPD determines whether a juvenile could be eligible for diversion via civil citation or other alternative to arrest record

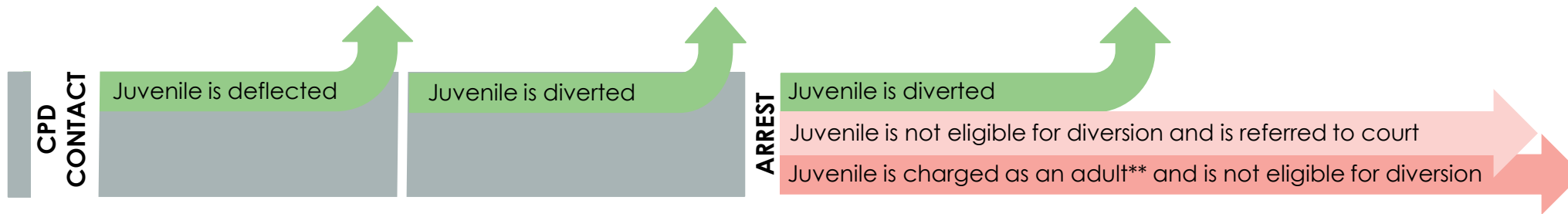
Youth receives a civil citation\*, charges held in abeyance, or equivalent (i.e. no arrest record) + referred to case worker for assessment, case planning, and services

### 3 Station Adjustment, Court Referral, or Detention

Youth not eligible for diversion earlier in the process are arrested & processed, then assessed for station adjustment eligibility

Youth receives an informal or formal station adjustment + referred to case worker for assessment, case planning, and services

**For discussion:**  
What stands out? What questions does this proposed approach prompt? What considerations need to be accounted for?



**DFSS's new SCaN model can support services for pre-booking diversion**

\* Consent Decree Paragraph 33 mentions civil citations as a possible alternative to arrest

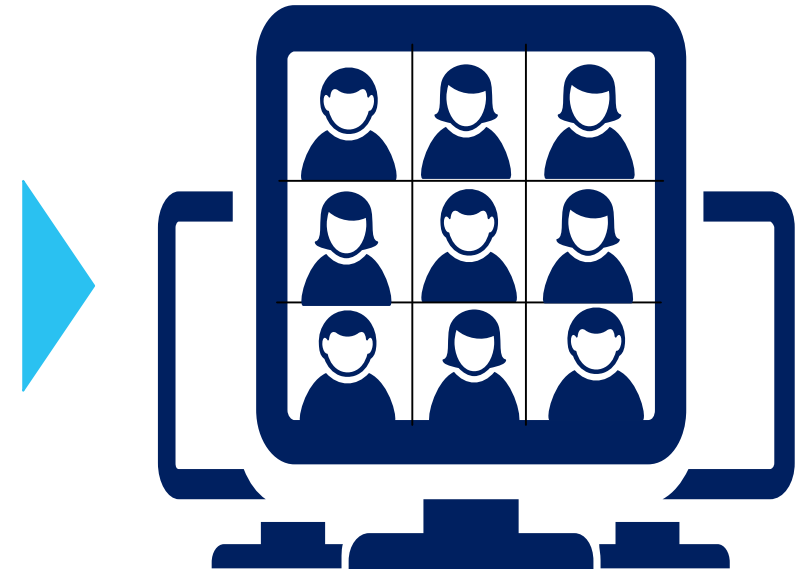
\*\* Per Illinois statute, there are offenses for which juveniles must be charged as adults, and are therefore ineligible for diversion by CPD. Juvenile Court Act mandated adult charges: first degree murder, aggravated criminal sexual assault, aggravated battery with a firearm where the juvenile personally discharged the firearm, and possession of firearm on school grounds



# For discussion: how might stakeholders support community engagement on the vision, mission, and process for youth diversion?

## Proposed approach to virtual feedback sessions

- Objective: gather community input on proposed vision for youth diversion and what that vision may look like in practice (i.e. long-term structural recommendations)
- Audience:
  - At least **two** sessions open to all community members, and
  - At least **one** session for youth, particularly those with lived JISC experience
- Logistics:
  - Mayor's Office / CPD seek CBO(s) or other organizations to serve as partners for the sessions, sharing information with their networks and possibly assisting with facilitation/input gathering
  - hold virtually in early 2021



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# Recommendations related to JISC reform were categorized into the two distinct workstreams and then bucketed into projects

Recommendations from the Consent Decree, OIG Audit, JISC Advisory Council, and Mayor’s Office were prioritized against one another based on anticipated level of effort required to implement. Those easier to implement were categorized as “quick wins” and subsequently bucketed into 12 projects across 4 areas.

## Update Policies/ Directives

- Update policies/directives (OIG 7, 9, 19, 20; CD 34, 35, 36; JISC 25)
- Revise staffing protocols (OIG 12; JISC 28, 29)
- Clarify and address records retention issues (OIG 6, 8)

## Enhance and Update Trainings

- Enhance and update trainings (MO 4; OIG 8, 11, 14, 22; JISC 19, 20, 21, 31)

## Improve Operations and Service Coordination

- Obtain project management support (MO 3)
- Add functions and implementation record keeping with CLEAR / new software (OIG 9, 11, 12, 19, 20; JISC 26, 27)
- Integrate LCLC as new case manager (OIG 1, 16; JISC 16, 17)
- Streamline case manager service hours (OIG 15; JISC 7)
- Integrate stakeholder presence at the JISC (OIG 17)

## Gather and Leverage Community Input

- Inform community of diversion options (OIG 23; JISC 32)
- Gather and leverage community feedback (OIG 18, MO 1, CD 27; JISC 3)
- Improve facilities to reflect trauma informed practices (OIG 10; JISC 4, 6, 7, 21)





## Several notable accomplishments have been made to-date

- **Development of “preferred qualifications”** for particular positions at the JISC in order to ensure that members “skilled at working with youth” are being considered for roles at the JISC. (OIG 12; JISC 27, 28, 29)
- **Dissemination of a memo to all JISC staff clarifying the policies and procedures for accurate record retention** at the JISC. (OIG 6, 7, 8)
- **Alignment of JISC Screening Tool to CLEAR data entry portals** in order to improve the quality of data collected at the JISC. (OIG 9, 19, 20; JISC 26)
- **Integration of a community-based organization to provide case manager support** to youth eligible for diversion services, alongside the Department of Family and Support Services. It is expected that the organization – Lawndale Christian Legal Center – will be onboard for daily JISC operations by the end of 2020. (OIG 1, 16; JISC 16, 17, 18, 32)
- **Identification of a trainer / training to educate JISC staff** on topics such as youth development, cultural competence, and trauma-informed interactions, including adverse childhood experiences. (OIG 14; JISC 19, 20, 21, 31)
- **Execution of data analysis on the days / times of the week that have the most JISC arrests** and **alignment of service provider presence** at the JISC to those “high-traffic” times. Nearly a dozen community-based service organizations, such as Metropolitan Family Services and Youth Outreach Services, have agreed to provide volunteers to work directly from the JISC facility at certain times throughout the month and provide support to juveniles at the time when they need it most. (OIG 15; JISC 7, 32, 33)
- **Development of communications to inform community members**, particularly those in the catchment area, of diversion opportunities for juveniles. (OIG 23)
- **Consultation with experts in youth trauma** to transform the JISC into a more trauma-informed space. Improvements that have already been made include removing handcuffing rails and hanging community art to make it feel less like a typical police station. (OIG 10; JISC 4, 6, 7, 21)



## Limited legal representation is being integrated into the JISC

The City is partnering with LCLC and subcontractors (ALSO, BUILD, New Life) to pilot the integration of new diversion-focused practices and offer an enhanced scope of services for diverted youth.

- The 2021 budget includes \$900,000 to support these enhanced services
- Specific updates include:
  - **Diversion advocacy:** a limited legal advocate provided by the service provider will be on-site at JISC to represent youth and advocate for diversion and no detention
  - **Community-based case managers** that will meet youth in their own neighborhoods.
  - **Shifted on-site hours** in order to maintain a presence during high-traffic times
- Providers will focus on community-based case management in Austin, East/West Garfield, Humboldt Park, North/South Lawndale
- This one-year pilot will help to inform plans for the future state of youth diversion in Chicago



LAWNDALE CHRISTIAN  
**LEGAL CENTER**  
*Loving God. Loving People.*





# For discussion: How might stakeholders support execution of OIG recommendation 17?

## OIG 17

*CPD and DFSS should engage with other stakeholder agencies in the juvenile justice field and reassess the value of arranging for such agencies to have a physical or virtual presence at the JISC facility. These discussions should include Cook County Juvenile Probation, the State's Attorney's Office, the Public Defender's Office, Chicago Public Schools, and the Illinois Department of Children and Family Services, among others.*



# November

2020

Juvenile Intervention and Support Center 3900 S. California 312-747-3934

**JISC Service Providers**  
**Providing Opportunity**  
**Providing Hope**  
**(No appointment necessary)**



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 Hartgrove Hospital 10:00-12:00	3 Youth Outreach Services 1:00-5:00	4	5	6	7
8	9	10 Youth Outreach Services 11:00-2:00 BASE Chicago 2:00-5:00	11 Family Resource Center on Disabilities 09:00-1:00	12	13 Westside Health Authority 10:00-2:00	14
15	16 Hartgrove Hospital 10:00-12:00 West Care Illinois 12:00-4:00	17 Chicago Youth Center 10:00-2:00 Youth Outreach Services 2:00-5:00	18	19 Metropolitan Family Services 09:30-12:30 Center for Art and Technology 1:00-5:00	20 Rivers Edge 1:00-3:00	21
22	23	24 Youth Outreach Services 11:00-2:00 BASE Chicago 2:00-5:00	25	26 HAPPY THANKSGIVING!	27	28
29	30	31	27 Cook County Behavioral Health Services 10:00-2:00	28	29	30
						01

**Illustrative JISC visiting service provider calendar.**

**Could a similar calendar be made for justice system partner presence at the JISC?**

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## Next steps for JISC Advisory Council

1. **Incorporate feedback** from partners into the draft vision and plan
2. **Gather community input** from advocates, community members, and youth impacted by JISC / those with lived experience
3. **Continue conversations** with stakeholders for their collaboration with and presence at JISC
4. **Establish governance structure** for youth diversion



# Appendix

# Appendix Table of Contents

JISC Advisory Council Meeting

1. Future city-wide juvenile diversion processes	24
2. Full list of recommendations related to JISC reform	25 - 34
• Office of the Inspector General (OIG) Audit	
• Consent Decree	
• Mayor's Office Priorities	
• JISC Advisory Council Recommendations	
3. Overview of recommendation categorization process	35
4. Key themes from research & interviews	36 - 37
5. Peer agency case studies	38 - 39
6. <i>Draft</i> : CPD vision/mission statement for youth diversion	40
7. Additional detail on preliminary youth diversion process steps	41
8. Deflection	42 - 43

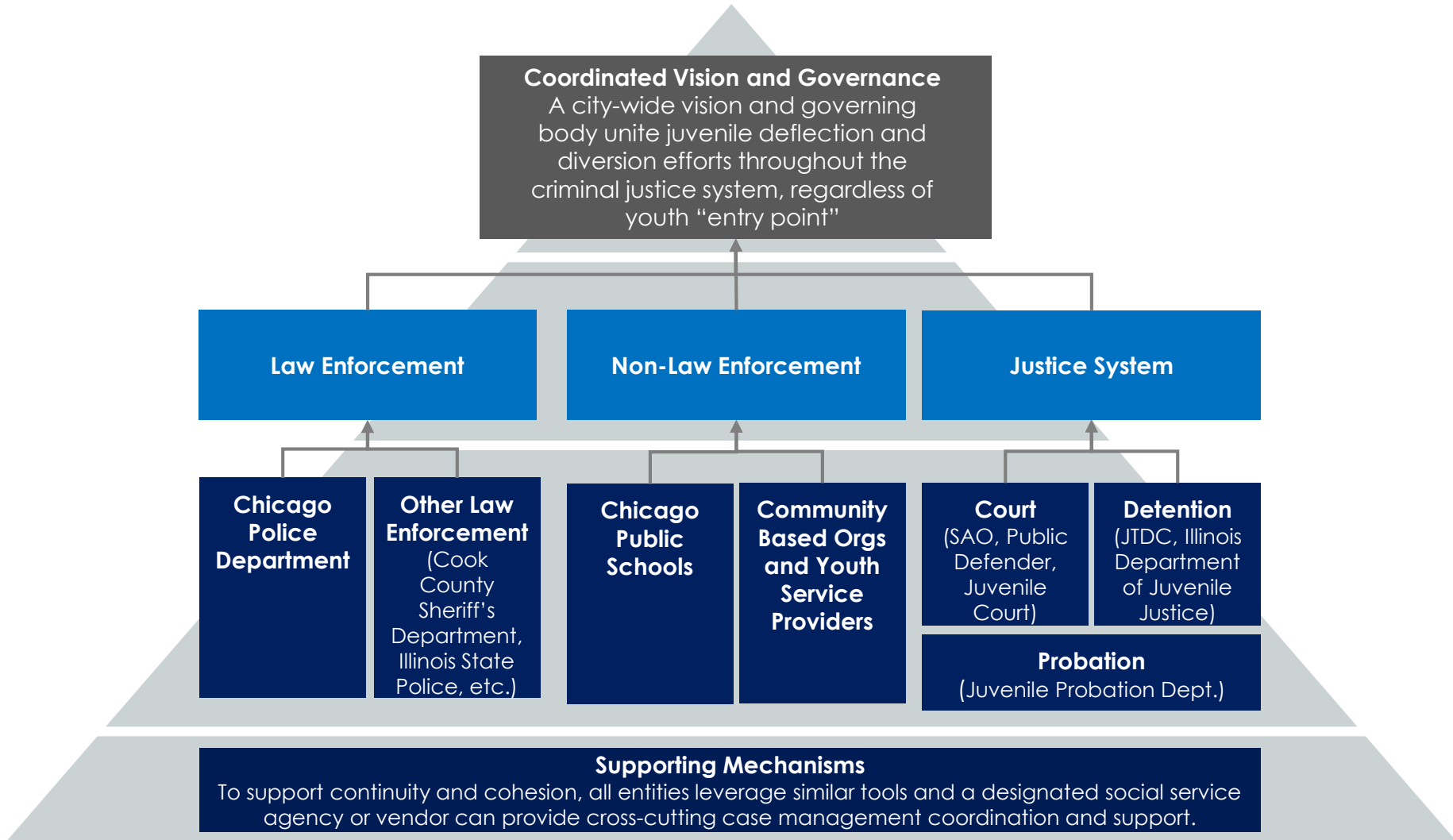
# Although CCA focused on pre-booking diversion, a future, city-wide strategy requires aligned vision & protocols at all diversion points

The Mayor's Office sets city-wide parameters:

Juveniles may enter or be referred to the criminal justice system via:

Depending on "entry point," juveniles receive the opportunity for diversion from different agencies, organizations, or entities:

Tools and resources are leveraged across entities:







# Recommendations of the OIG JISC Audit (1/4)

1. CPD and DFSS should create a charter, memorandum of understanding, or similar agreement concerning JISC that establishes shared program goals between all partner agencies, delineates each entity's responsibilities and accountability measures, allows for data sharing between the agencies, and creates a uniform set of reporting standards to allow for comprehensive program assessment of JISC. The results of any such assessment should be published to ensure transparency and accountability. Establishing a governing or advisory board over the entire JISC program may assist in this effort.
2. DFSS should ensure that the case management agency records program tracking and deliverables in Cityspan per its contract, and stops using the master log. DFSS should also ensure that the case management agency,
  - a) works with Cityspan developers to implement input controls that ensure data accuracy and completeness, and to create a record of retroactive edits; and
  - b) develops written policies and procedures to ensure consistent data entry among users, including specific case and closure terminology, and operational guidance that is consistent with both the contract and the case management agency's paper files. While OIG recognizes that clinical work should be tailored to the unique circumstances and needs of each youth, case managers should have a shared understanding of the definitions of each closure type and how to apply them.
3. DFSS should revise the case management contract language to reflect the number of referrals it realistically expects from CPD (with the caveat that all referrals should be guided by a validated risk screen and not by the number expected in the contract).
4. In addition, DFSS should either remove the requirement that the agency report on recidivism figures, or ensure that the agency (or a third-party researcher, such as Crime Lab) has access to complete re-arrest data to calculate those figures and hold the agency accountable for them.
5. DFSS should thoroughly review the performance reports it receives from its JISC case management agency for completeness, accuracy, and contract compliance. When these reports are incomplete or inaccurate, DFSS should send them back to the agency for correction. DFSS should also utilize this information to make data-driven program decisions and publish the case management agency's performance figures to ensure transparency and accountability for program outcomes.
6. CPD should notify the Local Records Commission of its failure to retain JISC risk screens.
7. CPD should implement and enforce a written policy for collecting and retaining risk screens, and sending them to YID at CPD Headquarters for storage.
8. CPD should ensure that its staff understand the Department's responsibilities under the Local Records and Juvenile Court Acts, and receive approval from the Local Records Commission before destroying covered records.



## Recommendations of the OIG JISC Audit (2/4)

9. CPD should ensure that all timestamped JISC entry and exit fields are accurately completed in the CLEAR database. To this end, the Department should create input controls in the system, such as required text fields. If CPD chooses to use a validated risk screening tool in electronic format, the tool should likewise include input controls to ensure that all fields are entered completely and accurately. CPD should also implement strict written policies in this area, and perform regular reviews of the JISC CLEAR data-and electronic risk screening data, as appropriate-to ensure completeness and accuracy. Finally, the Department should communicate to its processing detectives the importance of having comprehensive electronic JISC data available for performance assessments.
10. CPD, working with DFSS and the case management agency, should take steps to develop the JISC facility into something more like the diversion and services center originally envisioned for the program, and less like a typical police station or lockup. This might include aesthetic changes (for example, featuring youth-created art or a community mural), the transformation of arrest processing into a social service-driven intervention that involves case managers early in the process and keeps youth informed of their status, and more direct services offered on site. CPD should also consult with community organizations and subject-matter experts to make JISC a trauma-informed facility.
11. CPD should inform officers how to properly and consistently interpret Special Order S06-04-06 to avoid handcuffing youth to stationary objects unless necessary. When a youth is handcuffed to restrict their mobility, the use of the tactic should be recorded and timestamped in CLEAR, with a description of the basis for the decision to use handcuffs. CPD should periodically review this data to determine how often youth at the JISC facility are being handcuffed and for how long. Insofar as handcuffing youth to stationary objects is being used to prevent escape from JISC's arrest processing area, CPD should develop alternative security features that lessen the risk of retraumatizing the youth.
12. CPD should revise its selection process to allow officers skilled at working with youth to apply for JISC positions. Selection for these positions should be based on merit, not on seniority. To the extent selection is governed by collective bargaining agreements, CPD and the City should work with the relevant unions to develop a process that aligns with this principle.



## Recommendations of the OIG JISC Audit (3/4)

13. CPD, in consultation with DFSS and subject matter experts in the field of juvenile risk assessment, should replace the current JISC risk screen with an empirically validated risk screening tool that is easy to score and has clear written protocols for its use. The new tool should conform to best practices, including validation through independent studies and incorporation of evidence-based risk factors. The protocols for using this tool should make clear that overrides are unfavorable and must be supported by well-documented rationales, and that the program favors diversion to home or services whenever possible. Protocols should provide clear guidance on whether or not screens should be conducted face-to-face with the youth, and provide a script for any in-person screening interactions. CPD should properly train processing detectives on the screening procedures. In assessing their options in this area, CPD and DFSS should also consider an alternative means of conducting the risk screen to encourage the use of diversion, such as having processing detectives and case managers perform the screen together in a manner compliant with the Juvenile Court Act.
14. CPD should provide training to its JISC staff on youth development, cultural competence, trauma-informed youth policing, and the program's vision and goals.
15. CPD and DFSS should analyze program data to determine which times of the week have the most JISC arrests. DFSS should then ensure that the case management agency) adjusts its hours to ensure that case managers are present at the JISC facility at these times, as a means of minimizing overflow referrals. CPD and DFSS should repeat this analysis on a regular basis. Also, DFSS should include language in the forthcoming JISC case management contract providing for appropriate staffing at peak hours.
16. CPD and DFSS should agree on and implement a case-transfer procedure that ensures overflow referrals are not lost between CPD and the case management agency.
17. CPD and DFSS should engage with other stakeholder agencies in the juvenile justice field, and reassess the value of arranging for such agencies to have a physical or virtual presence at the JISC facility. These discussions should include Cook County Juvenile Probation, the State's Attorney's Office, the Public Defender's Office, Chicago Public Schools, and the Illinois Department of Children and Family Services, among others.
18. CPD and DFSS should engage with community stakeholders and families to ensure accountability for JISC, and to confirm that the program is meeting the needs of the communities it serves. This engagement could take the form of agency partnerships and/or community-meetings, among other tactics.



## Recommendations of the OIG JISC Audit (4/4)

19. CPD should configure CLEAR so that the JISC processing detective who processes each youth and the watch coordinator who approves the disposition are identified in a youth's electronic record. CPD should then periodically review processed JISC arrests and dispositions-including overrides-by associated personnel to identify patterns.
20. JISC watch coordinators should review all case dispositions in real time, before cases are disposed of and youth leave the JISC facility. These reviews should consider processing detectives' documented reasons for overriding the risk screen's recommended dispositions and should reject any inappropriate overrides.
21. In keeping with JISC's intended design as a social services-driven intervention center, CPD should implement a process for offering youth social services without prosecution as a consequence if the services are not completed. This will allow youth who would normally be entirely diverted from the justice system (i.e., "sent home with nothing") the opportunity to connect with a case manager if they or their guardians feel it would benefit them, without sending that youth further into the justice system process as a condition for doing so.
22. CPD should make clear to all field officers that they are required to bring eligible arrestees to JISC for processing per Special Order S06-04-06. When a JISC-eligible arrestee is not processed at JISC, CPD officers should clearly document why they were not, and the Department should offer the youth the same diversion opportunities as JISC-processed youth. To this end, CPD should consider developing a virtual JISC disposition process for use at other CPD stations.
23. CPD should share information on Special Order S06-04-06 with the public, especially those living in the JISC catchment area, so that youth arrested for JISC-eligible offenses are aware of the potential opportunity of diversion through the program. At a minimum, posters describing what JISC means for juvenile arrestees should be displayed at CPD stations in places visible to such arrestees during processing.
24. SGA should revise its JISC policies to reflect that low-needs and no-needs areas identified by the YASI needs assessment should not be serviced. If the assessment reveals that a youth has no areas of medium or high need, SGA should pursue alternative means of case management. The agency should ensure that its case managers are aware of and adhere to the revised policy.



# Relevant Consent Decree Citations (1/2)

## II. Community Policing | D. Community Partnership

**Paragraph 21.** Strong partnerships between CPD and the community enable law enforcement to build and strengthen trust, identify community needs, and produce positive policing outcomes.

**Paragraph 22.** CPD will encourage and create opportunities for CPD members to participate in community activities and have positive interactions with the community, including those that extend beyond the context of law enforcement duties.

**Paragraph 23.** CPD has established and will continue and build upon a variety of community partnerships and engagement strategies designed to encourage positive community interactions, such as Bridging the Divide, Officer Friendly, and youth mentorship and engagement programs.

**Paragraph 27.** CPD will facilitate relationships with youth by establishing regular meetings to serve as opportunities to provide input to CPD about the issues affecting their lives and their communities. CPD will partner with community-based organizations to identify strategies to include participants that represent a racially, geographically, and socio-economically diverse cross section of Chicago youth, including, but not limited to, at-risk youth and youth you have been arrested, incarcerated, or otherwise involved in the criminal or juvenile legal systems.

**Paragraph 30.** CPD will prominently display signs both in rooms of police stations or other CPD locations that hold arrestees or suspects and near telephones which arrestees or suspects have access to. These signs will state:

- a. that arrestees and suspects have the right to an attorney;
- b. that if an arrestee cannot afford an attorney, one may be appointed by the court for free; and
- c. the telephone numbers for the Cook County Public Defender, and any other organization appointed by the Cook County Circuit Court to represent arrestees.

**Paragraph 31.** CPD will provide arrestees access to a phone and the ability to make a phone call

## II. Community Policing | E. Youth Interactions

**Paragraph 32.** Within 180 days of the Effective Date, CPD will review and revise its current policies relating to youth and children and, within 365 days, will revise its training, as necessary, to ensure that CPD provides officers with guidance on developmentally appropriate responses to, and interactions with, youth and children, consistent with the provisions of this Agreement and as permitted by law.

**Paragraph 33.** When interacting with youth and children, CPD will, as appropriate and permitted by law, encourage officers to exercise discretion to use alternatives to arrest and alternatives to referral to juvenile court, including, but not limited to: issuing warnings and providing guidance; referral to community services and resources such as mental health, drug treatment, mentoring, and counseling organizations, educational services, and other agencies; station adjustments; and civil citations.



## Relevant Consent Decree Citations (2/2)

**Paragraph 34.** CPD will clarify in policy that juveniles in CPD custody have the right to an attorney visitation, regardless of parent or legal guardian permission, even if the juvenile is not going to be interviewed.

**Paragraph 35.** If a juvenile has been arrested CPD will notify the juvenile's parent or guardian as soon as possible. The notification may either be in person or by telephone and will be documented in any relevant reports, along with the identity of the parent or guardian who was notified. Officers will document in the arrest or incident report attempts to notify a parent or guardian. If a juvenile is subsequently interrogated, CPD policy will comply with state law and require, at a minimum, that:

- a. Juvenile Miranda Warning will be given to juveniles prior to any custodial interrogation;
- b. the public defender's office may represent and have access to a juvenile during a custodial interrogation, regardless of parent or legal guardian permission;
- c. CPD officers will make reasonable efforts to ensure a parent or legal guardian is present for a custodial interrogation of a juvenile arrestee under 15 years of age in custody for any felony offense; and
- d. juveniles in custody for felony offenses and misdemeanor sex offenses under Article 11 of the Illinois Criminal Code will have their custodial interrogation electronically recorded.

**Paragraph 36.** When determining whether or not to apply handcuffs or other physical restraints on a juvenile, CPD officers will consider the totality of the circumstances, including, but not limited to, the nature of the incident and the juvenile's age, physical size, actions, and conduct, when known or objectively apparent to a reasonable officer, and whether such restraints are necessary to provide for the safety of the juvenile, the officer, or others.

### **II. Community Policing | F. Community Policing Training**

**Paragraph 37.** Consistent with the requirements set forth in the Training section of this Agreement, CPD will incorporate the philosophy of community policing into its annual in-service training for all officers, including supervisors and command staff, by providing training on the following topics:

- a. an overview of the philosophy and principles of community policing, consistent with this Agreement;
- b. methods and strategies for establishing and strengthening community partnership that enable officers to work with communities to set public safety and crime prevention priorities and to create opportunities for positive interactions with all members of the community, including, but not limited to, youth, people of color, women, LGBTQI individuals, religious minorities, immigrants, individuals with limited English proficiency, homeless individuals, and individuals with disabilities;
- c. problem-solving tactics and techniques;
- d. information about adolescent development and techniques for positive interactions with youth; and
- e. effective communication and interpersonal skills.



# Mayor's Office Priorities for JISC Reform (May 2020)

## Short Term Goals:

1. Gather community input on desired diversion and youth processing models to guide changes in addition to the consent decree and Inspector General recommendations.
2. CPD to work with the Mayor's Office to develop a JISC reform workplan that coordinates and emphasizes participation from other criminal justice stakeholders and the possibility that they may co-locate at a future facility.
3. CPD to receive project management support from pro-bono consulting firm (I.e. Civic Consulting Alliance, etc).
4. Re-emphasize training to ensure officers are appropriately booking and processing youth (for example, bringing youth to JISC upon arrest rather than taking them to the district first).
5. Institute recommendations from the JISC Advisory Council, such as having a social worker manage disposition decisions, implement a new trauma-informed needs assessment tool, and having more community focused personnel at the receiving points rather than CPD officers.
6. Assess ability for CPD to refer higher risk youth to services (through new service provider) instead of to SAO.

## Long Term Goals:

7. Vacate the current JISC facility.
8. Bring JISC operations and programming into alignment with best practices that, minimally, comply with the recommendations of the OIG report and Consent Decree.
9. Develop pre-arrest and pre-booking youth diversion models based on national best practices to minimize the likelihood that young people end up with criminal justice records (I.e. send more lower risk youth home without required services and refer lower risk youth to services without arrest/booking).



# JISC Advisory Council Recommendations (March 2020) (1/3)

## **JISC steering committee**

1. Establish a permanent steering committee, including the Mayor's Office, justice system partners, community organizations, and individuals with lived experience.
2. Develop a youth diversion policy review accountability structure within CPD and with the governing board.
3. Young individuals and their families should be more involved in the decision-making process.

## **JISC facility**

4. The JISC facility should be youth and family friendly and look less like a police station.
5. Police presence at JISC to be minimal or discreet.
6. Update facility constraints that require handcuffing youth to stationary objects such as installing glass separators in processing rooms.
7. Facility should have more presence of social services vendors. Renovations to the third floor and other unused space can accommodate more service providers.
8. Move the JISC to a building other than a police station associated with Commander Burge or with any negative community perception.
9. Decentralize JISC to exist in all district police stations with unique youth processing policies.

## **Risk screen and needs assessment**

10. Research validated tools to use in an assessment. Study what other cities are doing and found useful.
11. Train CPD personnel on how to conduct an assessment and looking at what are the best tools to train on.
12. Explore whether a service provider can do the initial screening rather than CPD personnel.
13. Involve the Chief Executive Officer of Racial Equity in doing an evaluation on risk assessment, interviews and other aspects related. Incorporate that lens to the training of the JISC employees.





# JISC Advisory Council Recommendations (March 2020) (2/3)

14. Explore opportunities to use the same risk screen as other system players to prevent duplication of screening.
15. Information learned from youth in screening should not be used for CPD intelligence.

## **Services**

16. Make services available to youth at all risk levels. Including resource for low-risk youth that are preemptive. However, still to prioritize high-risk.
17. A team should be created for a youth – officer, social worker, service providers to work together. Need to create a process for collaboration.
18. Evaluate ways to connect more high risk youth to services rather than referring them to the SAO.

## **Trauma-informed training**

19. Include racial factors in trauma-informed training
20. Training for all JISC staff – sworn and non-sworn
21. Acknowledge trauma exists both among the community and the CPD personnel

## **Processing policies and overrides**

22. A young person at JISC should interact with no more than two CPD personnel, in order to reduce trauma.
23. Youth processing should involve a psychologist, be conducted by more than one person, have an updated form, and consensus of opinions.
24. Social services should be the first point of contact for youth, they then determine the how to handle the process (e.g. station adjust, services, etc.) based on quality measurement.
25. Review CPD policies and other legal statues that cause an override. CPD policies should be reassessed for appropriateness and should be approved by a JISC governing board.
26. Document all override reasons and incorporate accountability for CPD supervisors to approve overrides only when appropriate.



# JISC Advisory Council Recommendations (March 2020) (3/3)

## **Staff selection and training**

27. During contract negotiation, prioritize changing staff selection such that staff may be selected on a merit-basis, which should include a job description with minimum qualifications.
28. Officer or staff should have some experience or background in psychology or social services, have received Crisis Intervention Training for youth, and a higher education level, preferably in latest empirical data and best practices.
29. Assess the candidates to determine how they interact with service providers.
30. Recruit CAPs officers and officers who live in the community where JISC youth are from.
31. CPD personnel at the JISC should receive training similar to the CPD personnel who work within Chicago Public Schools. This includes learning about the adolescent brain, trauma informed care, restorative justice, and juvenile law.

## **Partnerships with justice system partners**

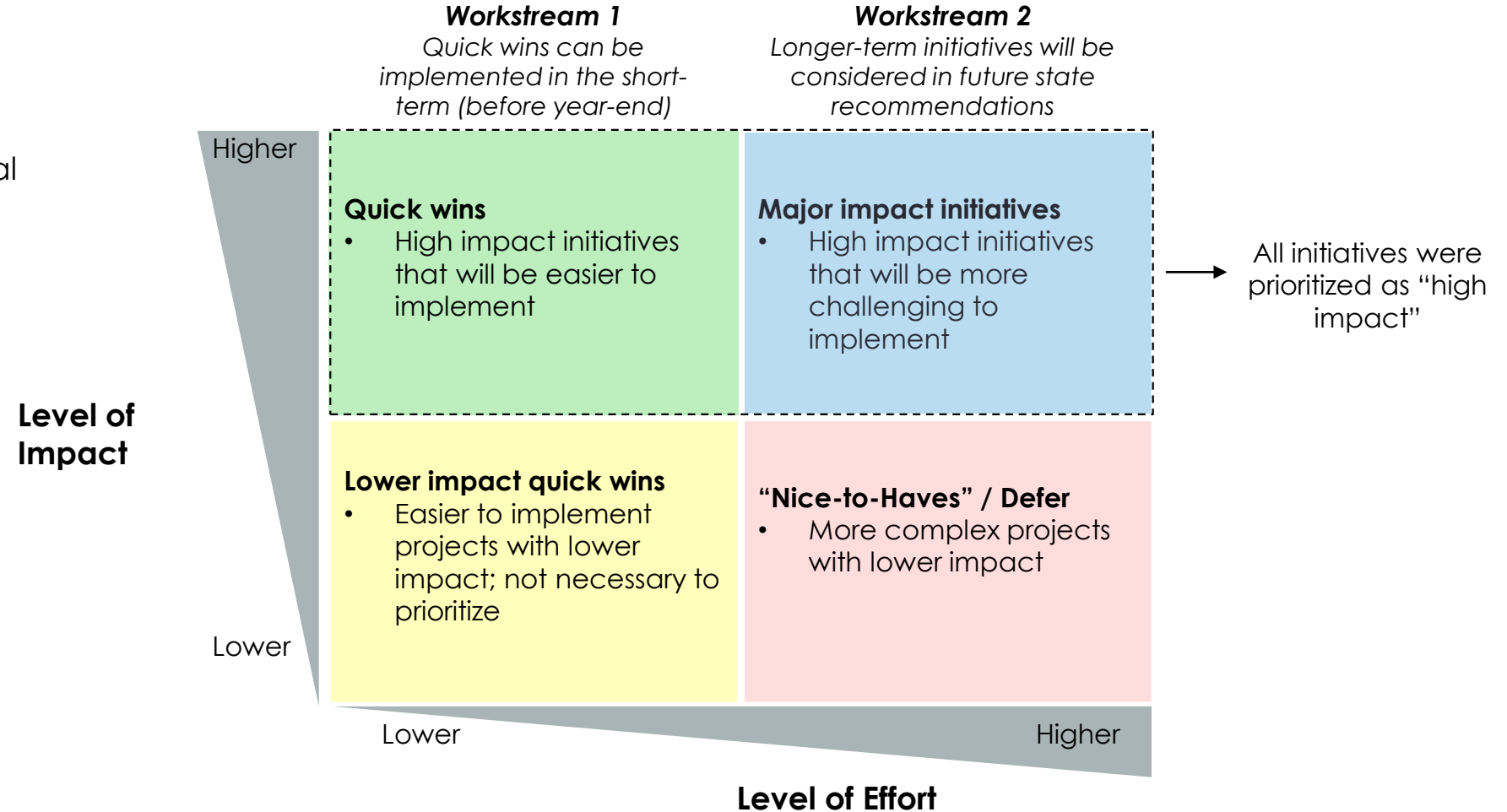
32. Establish be stronger connections with community organizations on the ground for the purpose of risk assessment and diversion selection.
33. Incorporate the following organizations in JISC operations and for service referrals: Public Defender assists in giving advice to youth being offered diversion & not referral to covert; assist in follow up to minimize police involvement (more success with complete diversion), CPS and SOAR centers – Student Outreach and Reengagement (interact with students who are about to drop out of schools), Illinois Department of Children and Family Services, Center for Conflict Resolution, Chicago Children’s Advocacy (trauma informed trainers), Erickson Institute, Center for Conflict Resolution, IL Department of Children and Family Services, JTDC training, Metropolitan Family Services Peace Academy trauma training, Comprehensive Community Based Youth Services, Cabrini Green Legal Aid, Mayor’s Office Chief Diversity/racial equity officer.
34. Develop a model of contract with the agencies for accountability. CPD and the Mayor’s Office should routinely evaluate their performance, reassess the funding directed to these partnerships, and seek grants exclusively for non-profit organizations to partner with CPD at JISC.



# Recommendations were measured against each other based on level of effort to implement and anticipated impact

## Recommendation Sources:

- Consent Decree
- Office of the Inspector General Report
- JISC Advisory Council Recommendations
- Mayor's Office Recommendations





# Interviews with stakeholders, advocates, experts, and peers revealed themes in four areas



## Purpose

The JISC should be premised on the **presumption of diversion eligibility** and incorporate **deflection**.

Programs should be designed to **minimize youth involvement with the criminal justice system**.

There should be **differentiation in protocol, depending on type of offender** (e.g. low, medium, and chronic offenders). Further, **different offenders / offenses may warrant responses from different agencies**.



## Program

Chicago's unique needs and climate require a distinct approach to youth diversion; **best practice models cannot be applied wholesale to Chicago**.

All screening tools should be **evidence-based** and should result in minimal use of overrides.

Collecting data on youth completion and services success helps allow for a **continual improvement**.



## People

**Both law enforcement and social service providers have a role to play in diversion**, but neither can tackle city-wide youth diversion independently. **Collaboration is critical**.

Staff should have a desire to work with young people receive **training specific to working with youth**.

Services should be in community areas **local to youth**, but more partnerships are needed.



## Place

**All youth should have the opportunity to be deflected or diverted**.

Many justice-involved youth have been traumatized, so diversion settings should be **trauma-informed**.



# While no single jurisdiction stood out as “the” solution, ideas from other models could be incorporated throughout the process

Category	Themes	Peer organization initiative
<b>Purpose &amp; Roles</b>	Serve the community	<ul style="list-style-type: none"> <li>Provide services to at-risk youth referred by the community and support victims (<i>LA CYS</i>)</li> </ul>
	Focus role of police	<ul style="list-style-type: none"> <li>Minimize intake time so that police are not tied-up in lengthy diversion process and can focus on most serious cases (<i>Miami</i>)</li> </ul>
<b>Processing</b>	Use diversion agreements	<ul style="list-style-type: none"> <li>Youth &amp; parents sign a voluntary diversion agreement laying out requirements of the diversion program and giving permission for data-sharing (<i>Miami</i>)</li> </ul>
	Use evidence-based risk-needs assessment	<ul style="list-style-type: none"> <li>Use proven tools and separate the risk screen and risk-needs assessment processes to avoid net widening and ensure needs are being fully considered (<i>LA CYS</i>)</li> </ul>
<b>Services &amp; Supports</b>	Geographically proximate services	<ul style="list-style-type: none"> <li>Build large networks of service providers to ensure all youth can be referred to appropriate and geographically accessible services (<i>Colorado</i>)</li> </ul>
	Support long-term youth success	<ul style="list-style-type: none"> <li>Promote youth’s long-term success by building prosocial connections (e.g. family, mentor) and connecting them to government support systems (e.g. health insurance, food benefits) (<i>Dallas</i>)</li> </ul>
	Promote participation	<ul style="list-style-type: none"> <li>Provide positive incentives for participation, such as awards and pro-social opportunities (<i>Dallas</i>)</li> </ul>
<b>Monitoring &amp; Evaluation</b>	Track participation	<ul style="list-style-type: none"> <li>Work with service providers to track youth participation, reporting to case managers (<i>LA CYS</i>)</li> </ul>
	Regularly evaluate program & services	<ul style="list-style-type: none"> <li>Beyond recidivism, track metrics such as school achievement, prosocial connections, and youth/parent satisfaction with services to measure youth success (<i>MI ADP</i>)</li> <li>Regularly evaluate service providers (e.g. SPEP) to assess efficacy and build a culture of excellence (<i>Milwaukee</i>)</li> </ul>



# Case Study: Los Angeles PD, Juvenile Arrest Diversion Program



Overview	
A pre-arrest program run by LAPD since 2013 that refers qualifying youth to community based organizations for treatment and counseling. Currently offered at 20 of 21 station areas, in 2019, 520 youths were referred to services across the city.	
Referral Decision Point	
Pre-arrest	
Objectives/Goals	
Divert eligible youth to vetted community-based organizations for services, to keep youth from becoming unnecessarily enmeshed in the justice system, and reduce recidivism.	
Operations	
<b>Primary Agency</b>	▪ Los Angeles Police Department
<b>Involved Stakeholders</b>	<ul style="list-style-type: none"> <li>▪ Community-based organizations (CBOs)</li> <li>▪ LA Mayor's Office of Public Safety</li> <li>▪ LA District Attorney's Office</li> <li>▪ LA County DHS Youth Diversion &amp; Development</li> </ul>
<b>Funding</b>	▪ LA County Probations Dept.
LAPD funds officer involvement, however CBOs are required to independently fund their programs, and may receive grant-writing support from the Mayor's Office and/or LA County	

Program Intake
<ul style="list-style-type: none"> <li>▪ <b>Referral:</b> LAPD arresting officers refer youth to CBOs; each station area has a designated CBO (or 2) for referral</li> <li>▪ <b>Eligibility:</b> Ages 12-17, non-violent offenses committed by youth not on probation (per California law)</li> <li>▪ <b>Screening &amp; assessment:</b> Risk screening conducted by LAPD, needs-assessment conducted independently by CBOs</li> </ul>
Operation Policies
<ul style="list-style-type: none"> <li>▪ <b>Participant requirements:</b> Parents and youth must voluntarily sign agreement to complete services assigned by CBO</li> <li>▪ <b>Services:</b> Vary widely by CBO; may include counseling, parent education, peer courts, and community service</li> <li>▪ <b>Incentives/consequences:</b> Youth's charges are held in abeyance until program is complete – failure to complete program results in filing of charges</li> </ul>
Quality & Evaluation
<ul style="list-style-type: none"> <li>▪ <b>Legal protections/information sharing:</b> CBOs complete memoranda of agreements with LAPD that includes data sharing and agreements regarding program quality/timing, however, LAPD struggles to gather program completion data from all CBOs</li> <li>▪ <b>Program integrity:</b> Juvenile Division acts as a central training and best practice center for the stations; department-wide database tracks youth arrests and diversion for review at CompStat</li> <li>▪ <b>Outcome evaluation:</b> Program completion, total arrests, total referrals; to begin tracking recidivism in the future</li> </ul>



# Case Study: Miami-Dade County, Juvenile Assessment Center



## Overview

The JAC provides a continuum of comprehensive services to arrested and at-risk juveniles and their families, designed to address the root causes of juvenile crime and prevent further delinquent behavior.

## Referral Decision Point

Prevention (community referral), Pre-arrest, Arrest

## Objectives/Goals

Divert youth from the criminal justice system and refer them to services that address the root cause of criminal behavior, by bringing together agencies and social service providers.

## Operations

**Primary Agency** ▪ Miami-Dade Co. Juvenile Services Dept.

## Involved Stakeholders

- Miami-Dade PD, Public Defender, SAO, etc.
- Circuit Advisory Board includes representatives of partners and governs the JAC through regular meetings

## Funding

County-funded with support from grants, the Department of Children & Welfare and the federal Admin. for Children & Families

## Program Intake

- **Referral:** Law enforcement bring detained youth to JAC
- **Eligibility:** Under 17; 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> deg. Misdemeanors & some felonies (if approved by SAO)
- **Screening & assessment:** YLS and GAIN-Q

## Operation Policies

- **Participant requirements:** Youth & parents sign agreement, 3-6 months average length of services
- **Services:** case management includes various services, including: mediation, restitution, community service, substance abuse counseling, individual & family counseling
- **Incentives/consequences:** If civil citation, no criminal record if completed; failure to complete leads to referral to the SAO; look for ways to incentivize through offering pro-social services

## Quality & Evaluation

- **Legal protections/information sharing:** Memoranda of understanding for data-sharing across all partner departments, shared health data is aggregated to protect privacy
- **Program integrity:** Police officers are trained in diversion options, case manager caseloads are monitored, and all service providers are thoroughly vetted prior to partnership
- **Outcome evaluation:** Recidivism, educational attainment, program completion, socio-emotional attainment, youth satisfaction



# Draft vision / mission statement for CPD's portion of youth diversion

“ In interactions with each juvenile, the Chicago Police Department aims to promote positive youth outcomes, minimize justice system involvement, and reduce the likelihood of recidivism by seeking opportunities for deflection and diversion. ”

**Note: The future state does not pre-suppose the existence of the JISC as it exists in its current state.**

## **Current JISC Mission Statement**

“It is the policy of the Chicago Police Department to closely examine each juvenile arrest and, in all cases where probable cause exists that the involved minor committed an offense, determine, on an individual basis, the disposition approach that provides the greatest opportunities for delinquency intervention. In establishing the JISC model, the Department seeks to enhance the effectiveness of its juvenile delinquency intervention and prevention efforts through the use of a multi-disciplinary approach and expanded interagency partnership with other juvenile justice agencies, as well as key agencies with the social service, health care, and education systems.”





# The preliminary youth diversion process can be thought of in four broad steps

- ① Deflect
- ② Determine Diversion Eligibility
- ③ Process Youth
- ④ Refer to Case Worker for Assessment and Case Planning  
*Only applicable for diversion candidates*

**Determine if a juvenile can be deflected**  
 If, upon preliminary investigation, it is determined that neither diversion nor arrest are appropriate, juvenile is sent home and deflected. A juvenile may be offered services / resources but is not required to utilize them in order to reduce net widening.

**Determine a juvenile's eligibility for diversion and groups juveniles according to:**

**Future Diversion Option**  
*(e.g. Civil Citation)*  
 Juvenile is eligible for diversion through e.g. civil citation; diversion is processed and no juvenile arrest record is generated.

**Station Adjustment**  
 Juvenile is not eligible for diversion through civil citation (or other future option). Diversion opportunities are still offered via station adjustment

**Arrest + Court Referral / Detention**  
 Juvenile cannot be diverted, so the arrest is processed then a juvenile is screened for detention and detained/released

**\*  
 DFSS's new SCaN model can support services for diversion at the stages of:**

1. Deflection
2. Future Diversion Option (e.g. Civil Citation)
3. Station Adjustment

Juveniles are **processed solely for the purposes of record-keeping, in a way that does not create a juvenile arrest record** (e.g. civil citation, charge held in abeyance, etc.)

Juveniles are **processed for arrest + diversion via a(n) formal / informal station adjustment**

**Processed as a Juvenile**, including potential referral to court and detention

**Processed as an Adult**, including potential referral to court and detention

Juveniles receive a risk screener / risk-needs assessment so that an **individual diversion case plan** can be developed

Juveniles receive a risk screener / risk-needs assessment so that an **individual diversion case plan** can be developed

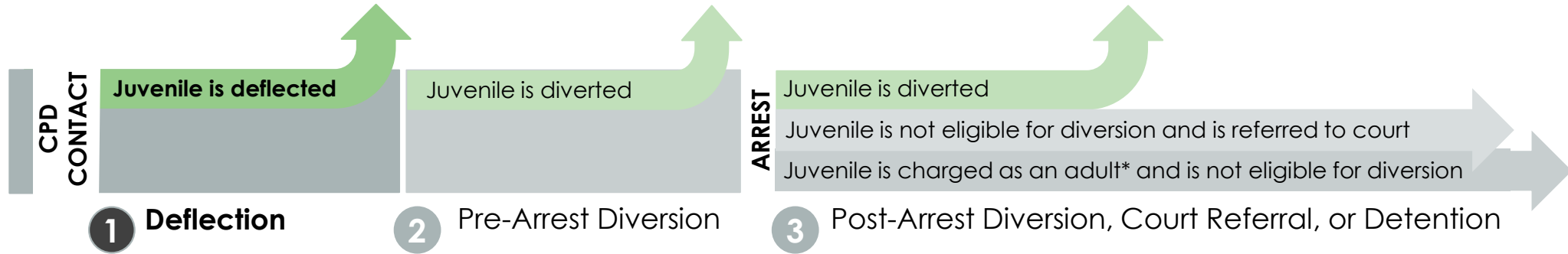
*Note: Subsequent assessment and opportunity for diversion may be offered by the court system (pre-trial diversion)*

**For discussion:** What collaborative opportunities exist for the future diversion process? Where does your agency envision its role?



# Deflection is a type of diversion that takes place during the initial interaction and may also be called “warn and release”

Officers on the scene decline to proceed with charges; juvenile is sent home with no further action from law enforcement, may be offered services / resources but is not required to utilize them



Robust deflection (“warn and release”) is key to effective diversion and should be the default response for the majority of non-violent first-time offenders. Research shows that most youth assessed to be low-risk are unlikely to re-offend even without justice system intervention, and formal intervention may do more harm than good (i.e. “net widening” effect). (*Models for Change*)



# Increasing CPD's use of deflection will – at a minimum – require additional training and policy changes



## Training

- Train all CPD officers in deflection and interacting with youth in developmentally appropriate ways (youth development, connections between neuroscience and typical adolescent behavior, impact of implicit and explicit racial bias on policing youth, etc.)



## Policies and Procedures

- Revise CPD policies on interactions with youth to clearly outline the process for officer to deflect youth from an arrest
- Develop “strong presumption” for use of diversion, including making explicit that warn and release is a diversion option and should be considered in addition to formal referrals to services



## Other Potential Supports

- Develop a call-in protocol that would encourage patrol officers to make deflection decisions
- Create service brochures or hand-outs listing service providers for patrol officers to distribute
- Develop a method for tracking deflection (without juvenile identification information) and holding officers accountable