Section 7

Engaging the Police and the Development of an Alternative Reception Center for Non-detainable Youth
GLOSSARY

Annie E. Casey Foundation – A private charitable organization dedicated to helping build better futures for disadvantaged children in the United States. The primary mission of the Foundation is to foster public policies, human-service reforms, and community supports that more effectively meet the needs of today’s vulnerable children and families. In pursuit of this goal, the Foundation makes grants that help states, cities, and neighborhoods fashion more innovative, cost-effective responses to these needs.

Behavior Conditions and Circumstances (BCC) – Youth who are charged by the police or found by the Court to be beyond the control of their parents/guardians and youth whose behavior, conditions, and circumstances are such that their welfare is in danger.

Harry’s Mother – A non-profit agency providing crisis counseling and emergency housing for runaway youth.

Homeless youth – Any youth who does not have access to a safe and secure living arrangement.

Non-detainable youth – Youth taken into police custody for any status offenses and low-level misdemeanors (i.e. Theft II, Theft III, Criminal Trespass II, and Criminal Mischief II).

Oregon Revised Statutes (ORS) – A manual that provides the State of Oregon’s Criminal Codes, which include juvenile laws and selected laws relating to sex offenders, alcohol, controlled substances, and civil forfeiture.

ORS Pre-adjudication statute – This statute is 419C.145 of the ORS, which outlines reasons a pre-adjudicated youth may be held (i.e. fugitive warrant, any felony crime, failure to appear warrant, possession of a firearm, danger to self or others).

Portland Police Bureau General Order – Information provided to Police regarding procedures for the proper disposition of youth taken into protective, status, or criminal offense custody.

Reception Center – A centrally located, 24-hour screening and referral service for status offenders, runaways and homeless youth contacted by the police. The Center is operated by New Avenues for Youth, an outcome based social service agency for homeless and runaway youth.

Runaway youth – Any youth that has absconded from guardianship or community supervision.
**Stakeholders** – A broad term used to describe any of the individual people, agencies, or organizations, public or private, which serve youth. Stakeholders can be parents, members of the community, law firms, etc.

**Status offense** – Any offense committed by a youth that would not be considered a crime if committed by an adult, i.e. curfew, runaway, possession of tobacco.
INTRODUCTION

This section describes the process of engaging the police and developing community capacity to protect and serve the rights of youth within the constructs of the Juvenile Detention Reform Initiative.

Multnomah County’s strategy was to engage the Portland Police Bureau early on in the Detention Reform Implementation process. The police participated in the creation of the detention admission criteria and the shaping of local youth law policy.

GOALS

- To identify and agree to the appropriate use of juvenile detention.
- To recognize the need to develop community capacity for non-detainable youth.
- To explain the purpose of working agreements between the Juvenile Community Justice Department and the Portland Police Bureau.
- To summarize the role of detention utilization data in evaluating the appropriate use of detention.
- To describe the importance of analyzing the Detention facility population and making data-driven decisions.

KEY ELEMENTS

- Police officer choices when dealing with youth.
- The need for consensus-building and collaboration between stakeholders.
- The pressures on the Juvenile Justice System.
- Creating an alternative to detention through a new Reception Center project.
- What the future holds.
- Linking private providers to government agencies.
- Conclusions and recommendations.

HISTORY

In the past, the Multnomah County Juvenile Detention Facility was utilized as a placement option for any youth taken into police custody, regardless of the charge. The detention facility was viewed as an appropriate placement resource by police, juvenile justice officials, and the community, all of whom paid little attention to other placement options.
In 1988, the Portland Police Bureau issued a General Order to provide officers with procedures regarding the “proper disposition of juveniles taken into protective, status, or criminal offense custody.” The General Order differentiated between the handling of felony offenders and misdemeanor/status offenders.

Procedures for the handling of misdemeanor/status offenders suggested that officers may release misdemeanor/status offenders on their own recognizance only after a genuine attempt at parental guardian release had failed. Additionally, when circumstances presented a need for temporary housing, shelter care, or detention, the youth was transported to a Youth Service Center, secure Detention, or shelter home.

Despite the 1988 General Order outlining alternatives to detention, a recent snapshot of arrest outcomes in one precinct revealed that 62% of youth taken into custody on misdemeanors/status offenses were taken to Detention and that 38% were cited and released or taken home by officers.

The Portland Police Bureau shifted its approach in 1989 to a Community Policing model. This expanded crime prevention strategy incorporated community solutions and developed partnerships with community coalitions, as well as with private and other public agencies. This led to increased collaboration between the police and the Juvenile Community Justice Department and the implementation of detention reform in 1992.

As the Juvenile Community Justice Department began detention reform implementation, they engaged community stakeholders in the process of objective, data-driven decision-making and researched national best practices for serving youth and their families. This led to the “best practice” research of Don Andrews, which was incorporated, into local policy regarding the handling of non-detainable youth (see Additional Information).

This research suggests that youth picked up on non-detainable charges who do not have a significant offender history should be diverted and kept from having contact with the juvenile justice system, including Detention, as a means to reduce their risk of recidivism. The Juvenile Community Justice Department then created a policy that stated that pre-adjudicated youth under the guidelines of ORS 419C.145 would not be held in the Detention facility. The objective was to hold only those pre-adjudicated youth in secure custody who presented a serious risk to re-offend pending a hearing or who were likely to fail to appear for their hearing.

Incorporating best practices research into juvenile policy ultimately affected police behavior by eliminating a resource which had been used in approximately 60% of the non-detainable arrests. Data collected by the Department reflected that police were bringing approximately 148 non-detainable youth to the Detention facility every month.
The early dialogue between the Portland Police Bureau and the Juvenile Community Justice Department was strained. A team of Juvenile Justice staff was formed to work with the police and help train them regarding the new policy for non-detainable youth. Simultaneously, County and City officials began conducting an assessment of the existing community capacity to serve runaway and homeless youth. This resulted in the restructuring of the continuum of services for runaway and homeless youth.

**COLLABORATION**

Change resulted from the realization that runaway and homeless youth had frequent and repetitive contact with law enforcement for status offenses and that Detention was ineffective in coordinating services for these youth. The concept of a centralized screening and referral resource began to appeal. Additionally, the coalition of program directors for runaway and homeless youth was engaged to support an alternative to detention for these youth; they collaborated in the creation and implementation of the reception center model.

The collaboration process began by addressing the following issues:

- Police and local youth-serving programs had never established working relationships and, in fact, had a history of conflict and misunderstanding;
- Most of the alternative programs were not open 24 hours a day;
- Each alternative program served a narrow segment of youth based on specific needs;
- No resources existed for triage and referral of youth;
- Lingering perceptions that youth picked up by the police should fall under the purview of the juvenile justice system existed within the provider community and the community at large;
- Cultural barriers existed between agencies, including language, philosophy and mission.

**IMPLEMENTATION**

The presiding Family Court Judge brought the issue of detaining status offenders to the attention of Multnomah County stakeholders. Clearly, the practice of receiving non-detainable youth into the secure Detention facility was a violation of these youths’ rights.

Decision-makers identified a local community development specialist (who was then working in the Juvenile Community Justice Department) to lead stakeholders through a consensus-building process to address the issue of
non-detainable youth. This person was granted a leave of absence from the Juvenile Community Justice Department and hired by one of the local provider agencies through a generous grant provided by the Annie E. Casey Foundation.

The process resulted in the creation of a Reception Center that began as a pilot project under the umbrella of New Avenues for Youth, (an outcome-based social service agency serving homeless and runaway youth). It was strategically located in downtown Portland, where large portions of homeless and runaway youth have contact with the police. Public sources and the business community of Portland politically supported the project.

**OBSTACLES**

Moving the interagency partnership from a networking stage into an implementation plan presented challenges. The community development specialist avoided the pitfall of bureaucratic gridlock by harnessing the expertise of the stakeholders. Stakeholders included Detention supervisors who triaged youth at the Detention facility, the police officers who had direct contact with runaway and homeless youth, and the programs providing social services.

Additionally, a more formal operational network was established through the creation of working agreements that addressed the issues of self-governance, funding, and linking the public and private sectors. This unique collaboration provided a mechanism for operational and cultural interface between the City, the County, and the private sector.

One of the obstacles in leading these stakeholders in the change process was the need to debunk existing myths about how each agency handled youth. Community providers were suspicious of the juvenile justice system, viewing it as a vengeful system. They saw the police bureau as an agency interested only in arresting youth, regardless of their rights. Conversely, the Juvenile Community Justice Department and the Portland Police Bureau perceived social service agencies to be soft on youth and shrouded by impenetrable confidentiality policies. These perceptions shifted as each agency became more educated regarding the others’ day-to-day practices and organizational cultures.

**THE NEW REFORMED SYSTEM**

The new reformed system for non-detainable youth consists of a partnership between a private provider, the Portland Police Bureau, and the Juvenile Community Justice Department. Together, they have created a Reception Center operated by the New Avenues for Youth (NAFY) program. This Reception Center is located in a privately owned building, funded by
government crime prevention and private foundation dollars. The Portland Police Bureau is the primary referral source for NAFY.

The Reception Center operates seven days a week, 24-hours a day, and serves status offenders and homeless and runaway youth. Services include screening and referral to case management, education, shelter beds, mediation, medical services, food, and clothing.

The Reception Center has had a significant impact on reducing the number of youth brought to secure Detention by the police. There has been a 30% reduction in the number of youth brought to the secure Detention facility during the Central Precinct pilot phase of the Reception Center Project.

DATA-DRIVEN DECISION-MAKING

Stakeholders in Multnomah County consistently make data-driven decisions when possible. The New Avenues For Youth Reception Center Statistics report is an example of the type of information used to create, implement, and fund community-based services. (See Additional Information.)

ADDITIONAL INFORMATION

- Police Screening Process for Placement of Youth – Training Draft
- Multnomah County “Warrants” Evolution (Then and Now)
- “Warrants” Policy
- New Avenues For Youth Reception Center Statistics
- Memorandums of Agreements
- Summary of Don Andrews Workshop – Treatment Effectiveness: Research and Clinical Principles
- Client Profiles
  - Scenario I
  - Scenario II
Police Screening Process for Placement of Youth:
A Suggestive Model

Youth transported to the Reception Center

Youth is Taken into Custody.
Officers will contact the youth's parent, guardian or responsible adult in an attempt to release the youth into a supervised setting. When this is not possible, the following guidelines are suggested for appropriate placement of the youth:

Youth is Released to:
- Parent/Guardian/Responsible adult in the community for appropriate level of supervision
- Contact the child abuse hotline at 731-3383 if the youth is abused
Multnomah County Warrants the way it was

- 600+ Outstanding Warrants
- Fluid criteria/no standard for issuing a warrant
- Risk to the community (high or low) not a factor
- Most "unable to locate" continue to live at home
- No internal review of outstanding warrants
- No recall procedure
- After a warrants issued, "case closed" by probation officer
- All youth held for detention hearing
Multnomah County Warrants the way it is, 2006

- 75 Outstanding Warrants (Dependency and Delinquent)

- Timely notification of court dates
  1. Notification (reminder of court dates)
  2. Travel plans

- Significant effort to locate youth
  1. Schools are checked
  2. All accessible data bases are checked

- Case classification risk is considered before warrant is issued

- Case kept open by probation officer for ongoing follow-up

- Outdated warrants recalled

- Pre-trial risk instrument applied to all youth referred for a warrant
  1. No automatic hold
  2. Youth may be cited and released to return for a detention hearing
I. **PURPOSE:**
To provide staff with policy and procedures for requesting, processing, serving, and recalling “Failure to Appear”, “Unable to Locate”, “Probation Violation”, “Violation of Conditional Release” and “Dependency” warrants.

To provide staff with policy and procedures regarding the active monitoring of warrant status cases in order to maximize public safety and hold youth accountable by locating juvenile absconders and clearing warrants in the most expeditious manner.

II. **REVIEW HISTORY:**
February 2003

III. **CONTACT:**
Counseling Manager

IV. **PERSONS AFFECTED:**
Juvenile Court Counselors, Juvenile Counselor Assistants, Data Services staff, Unit Support staff and Custody Services Staff.

V. **POLICY:**
It is the policy of the Department of Community Justice to request warrants in accordance with established criteria in order to maximize public safety, and preserve the integrity of the court system.

Department staff will make reasonable, affirmative efforts to locate, notify, and produce clients for court appearances and compliance with probation conditions in order to improve the functioning of the Juvenile Justice System while reducing the reliance on warrants.

Department staff will make on-going documented (in JJIS) efforts to locate and produce individuals for whom a warrant has been issued.

VI. **RATIONALE:**
The department recognizes the risk to the community and the potential liability associated with the failure to request a warrant for certain high risk
youth who are out of compliance with probation conditions and can not be located for service of summons. The department also recognizes the potential liability in cases where a youth’s location could have been determined but staff failed to make a reasonable, good faith effort to locate the youth prior to requesting a warrant. The department further recognizes that the prudent use of warrants is essential given the significant system wide financial costs attached to the issuance and service of warrants.

VII. CROSS REFERENCES:
Oregon Revised Statutes 419C.306; 419C.317; 419C.320; Oregon Administrative Rules (257-15-000 through 257-15-100) related to the Law Enforcement Data System; and National Crime Information Center (NCIC) protocols.

VIII. DEFINITIONS:
Absconder: someone who runs away to avoid arrest or prosecution.

Affidavit for Warrant: A sworn statement submitted to the court detailing the basis for the warrant request including a citation of documents and information that supports a “probable cause” finding as well as details regarding the department’s efforts to locate the subject of the warrant.

Call Docket: The calendar of cases awaiting action in court.

Community Detention: A program designed to provide supervision and tracking for youths who are awaiting a hearing to assure that they appear at their hearing and do not re-offend.

Dependency Warrant: A court order directing that a child/youth be taken into protective custody when the child/youth’s condition and circumstances reasonably appear to jeopardize the child/youth's welfare.

Disposition: The juvenile court decision or “sentence” following the adjudication of a petition.

Extradite: To give up or deliver someone in one jurisdiction to the legal authority of another jurisdiction.

Failure to Appear (FTA) Warrant: A court order directing law enforcement to take physical custody of a youth who fails to appear at a judicial proceeding for which summons was served.

Felony: The most serious category of crime punishable by a maximum term of imprisonment of more than one year.

JCC: Juvenile Court Counselor
**JCSS:** Juvenile Custody Services Specialist

**LEDS (Law Enforcement Data System):** The State Police information system that contains statewide warrant information and is linked to the National Criminal Justice Information System (NCIC).

**Misdemeanor:** A less serious category of crime punishable by a maximum term of imprisonment of not more than one year.

**No Means Less Restrictive:** The belief that a youth, if released from secure custody, would not appear for a scheduled court hearing or is likely to re-offend while awaiting a court hearing.

**Plea:** The answer of the accused to a delinquency charge.

**Preliminary Hearing:** A hearing held at juvenile court within 36 hours of a youth being taken into custody to determine “probable cause” and whether the youth requires detention or release with conditions.

**Probation Violation (PV) Warrant:** A court order directing law enforcement to take physical custody of a youth who is alleged to have violated conditions of formal probation and who cannot be located for service of summons.

**Restitution:** Full, partial, or nominal payment of damages or loss to a victim.

**Summons Service:** The formal, documented presentation of notice for a named individual to appear in court on a specified date and time.

**Summons:** A court sanctioned instrument requiring the individual(s) named on the summons to appear in court on a specified date and time. The summons is to be accompanied by a true copy of the petition upon which the court hearing is based.

**Unable to Locate (UTL) Warrant:** A court order directing law enforcement to take physical custody of a youth that is: Not on probation, has a pending law violation petition, and cannot be located for service of summons.
IX. PROCEDURES:

A. WARRANTS - GENERAL

1. Summons: If a youth required to appear before the court is to be subject to a “Fail to Appear” warrant, he/she must be served with summons.

2. Hearing Notification: Department staff will make an affirmative effort by way of telephone, the U.S. mail, home visits or combination of the above, to notify or remind youth and parents of scheduled hearings within 48 hours of the hearing. If the hearing is set from the “call docket,” then notification is to occur as soon as possible. NOTE: This is intended to supplement, not replace, the defense attorney’s responsibility to notify and advise youth of hearings set from the call docket.

3. Transportation to Hearing: Upon notifying/reminding youth and parents of hearings, Department staff will inquire about transportation plans and, when indicated or necessary, the Department will facilitate, assist, or provide transportation to the hearing. [NOTE: Youth and families will be expected to provide their own transportation. Facilitation/assistance may well be limited to a discussion of public transportation schedules, when a youth will need to leave home in order to be on time, an offer of bus tickets, etc. In selected cases, Department staff may choose to provide transportation in order to assure a court appearance.]

4. Affidavit for Warrant: When requesting a warrant, the JCC will prepare and submit to the State Clerk’s office an “Affidavit for Warrant,” a “Request for Warrant” information form, and a copy of the original petition. The Affidavit for Warrant must contain the following information:

   a. The date of and the offense for which the youth is charged, or the underlying law violation if the request is for a probation violation warrant;

   b. If the warrant request is based on a probation violation (PV), then state the date and exact nature of the violation, including facts and information that would cause a reasonable person to believe the youth committed the violation;

   c. If the warrant request is based on a new law violation where “probable cause” was not established at a preliminary hearing, provide a concise summary statement of the facts and information that would cause a reasonable person to believe the youth committed the crime;
d. If “probable cause” was established at a preliminary hearing, note that information in the affidavit and attach a copy of the preliminary hearing order;

e. Identify the source of all information and provide sufficient information to establish the reliability of the source;

f. Provide a clear and concise statement of the reasons why “no less restrictive means” than arrest will ensure the youth/child’s appearance;

g. If the request is for a warrant where summons cannot be served because the youth’s whereabouts is unknown, then provide information regarding the Department’s attempts to locate the youth.

5. Warrant Information Form:
   a. Complete the Warrant Request/Warrant Information sheet with the most accurate, current information available.

   b. “NATIONAL OR IN-STATE ONLY” section:

   • "YES [WILL EXTRADITE]: Check "yes" if the department intends to extradite the youth if he/she is arrested on our warrant in another state. This would apply to most felony cases and some misdemeanor cases if the youth is considered a risk to public safety.

   • "NO [WILL NOT EXTRADITE]: Check "no" if the department does not intend to extradite the youth if he/she is arrested on our warrant in another state. This would apply to most misdemeanor cases and some property felony cases if the youth is not considered a public safety risk.

6. Unable to Locate Warrants:

   a. Prior to filing an “Affidavit for Warrant” based on the assigned JCC’s inability to serve summons for a hearing for a law violation petition, Department staff will make and document the following attempts to locate the youth: [Note: If it becomes apparent that a youth left the state and/or there are no leads or information that would assist in locating the youth, then each step below need not be pursued.]
• Attempt telephone contact with the youth and/or parent/guardian. If there is no home telephone, attempt to contact the parent/guardian at their place of employment or attempt contact with a relative or other known individual who may have residence information.

• Send an appointment letter by U.S. mail.

• Attempt civil service of summons.

• Contact Oregon Youth Authority (OYA), Department of Human Services (DHS) or other agency familiar with the youth / family.

• Contact the last known school in which the youth was enrolled and/or contact school police for a current address.

• Contact the defense attorney or assigned trial assistant and provide them with an opportunity to contact and produce the youth within a specified timeframe.

• Conduct a home visit to the last known address. If it is apparent that the youth and parent/guardian have moved, staff may attempt contact with a neighbor or the landlord in order to obtain a forwarding address.

• Request the assistance of unit support staff to check Department of Motor Vehicles (DMV), Oregon Judicial Information Network (OJIN), Department of Corrections (DOC), and Portland Police Data System (PPDS) databases for current parent/guardian or youth address.

• Each effort to locate the youth must be documented with a chronological notation in JJIS.

b. When it is apparent that the above efforts to locate the youth have failed, the JCC will evaluate the case and apply the following criteria to determine whether a warrant will be requested:

• When the pending, filed petition alleges a felony, a warrant shall be requested.

• If the pending, filed petition alleges a Class A person misdemeanor, or a misdemeanor firearm charge, a warrant shall be requested.
• If the pending, filed petition alleges a property misdemeanor with a loss of $500.00 or more a warrant shall be requested.

• If the pending, filed petition does not meet the above criteria, the JCC will consult his/her supervisor to determine whether a warrant will be requested. Consideration will be given to the perceived risk to public safety, prior referral history, whether there is unrecovered loss to a victim, etc. If it is determined that a warrant is not required and the petition was filed at the discretion of the Department, a motion to dismiss the petition without prejudice will be filed. Once the petition is dismissed, the case may be closed with the understanding that the youth will be held accountable if he/she again comes to the attention of the department.

7. **Violation of Conditional Release Warrants:** Youth with a pending law violation petition who repeatedly violate release conditions ordered at a preliminary hearing may, with Placement Coordinator approval, be served with summons for a preliminary hearing to review conditions of release.

Youth who run from a placement or home after having been specifically ordered at a preliminary hearing to not run from home, or to cooperate with a DHS / OYA / or other placement may be subject to a warrant if their whereabouts is not known and summons can not be served for a review of release conditions. Prior to requesting a warrant, the JCC will attempt to locate the youth per Section A-6,a above. If a warrant is indicated, the JCC will:

   a. File an affidavit for warrant in accordance with Section A--4 above, to include: a statement regarding the pending petition, the date the youth appeared at a preliminary hearing, a statement indicating that “probable cause” was established at the preliminary hearing, the release conditions ordered by the court, information regarding the youth’s runaway from placement or home, the source of this information, and details of the JCC’s attempt to locate the youth.

   b. Submit the “affidavit for warrant” along with a copy of the petition, the preliminary hearing order, and the “Warrant Request / Warrant Information” form to the State Clerk’s office.

8. **Failure to Appear Warrants:**

   a. Failure to Appear warrants may be requested when a youth, properly served with summons, fails to appear for any of the following hearing types:
• Contested Law Violation, Plea, Disposition, Preliminary, 
  Probation Violation, Review, or Community Detention Review. 
As indicated above (See Warrants-General, Section A2 and 
A3), the Department will make an affirmative effort to notify or 
remind youth and parents of scheduled hearings within 48 hours 
of the hearing and Department staff will inquire about 
transportation plans.

• If the hearing is not contested with witnesses summoned, and if 
there is reason to believe that the youth did not intentionally fail 
to appear, the court counselor should request a delay in the 
issuing of a warrant. This will allow the JCC time to produce the 
youth for the court, at a time determined by the court, for 
purposes of rescheduling the hearing.

• When requesting a “Fail to Appear” warrant, the JCC will 
prepare a “Failure to Appear Request and Order for Warrant” 
form and submit it to the judge / referee for signature.  Follow 
the procedures indicated above (Section A. Warrants-General, 
6a and 6b), attach a copy of the petition and an “affidavit for 
warrant” and submit all to the State Clerk’s office for processing.

9. Probation Violation Warrants:
   a. Subsequent to the filing of a Probation Violation petition, a 
  Probation Violation warrant shall be requested when the 
  following conditions exist:

   • There are facts and information that would cause a 
  reasonable person to believe that the youth has violated 
  probation conditions by committing a felony person law 
  violation or a firearm related law violation and the youth 
  cannot be located for service of summons.

   • he youth is classified “high” risk, has violated probation 
  condition(s), and cannot be located for service of summons.

   • The underlying charge is a person felony or is firearm related, 
  the youth has violated probation conditions, and cannot be 
  located for service of summons.

   • The youth has violated probation condition(s), there is 
  credible information indicating that the youth poses a 
  significant risk to public safety and cannot be located for 
  service of summons
• The youth has unmet court-ordered restitution obligations of $500.00 or more and cannot be located for service of summons.

b. In all other case situations, subsequent to the filing of a Probation Violation petition, a Probation Violation Warrant may be requested when the youth has runaway or absconded from probation and cannot be located to serve summons.

The JCC will consider the following factors and may consult with his / her supervisor to determine whether a warrant will be requested:

• The “risk” classification of the youth

• The time elapsed since the last known law violation

• The youth’s general level of compliance with probation conditions

• Whether the youth is believed to be a significant danger to himself / herself

• Whether the youth has met or continues to be in need of court ordered treatment / counseling that is intended to address his/her offending behavior

• Whether there are outstanding court ordered accountability obligations (restitution, community service, unitary assessments, detention time, etc.)

c. Prior to requesting a Probation Violation warrant, the Department will make every reasonable effort to locate the youth [See A-7-a]

B. DEPENDENCY WARRANTS
The Department of Human Services (DHS) court liaison initiates requests for dependency warrants for children within DHS custody who are missing or endangered. Department Intake staff serve as backup to the DHS court liaison in facilitating this process.

C. MONITORING DELINQUENCY WARRANT CASES
Delinquency cases for which a warrant has been issued will be monitored according to the following standards:
1. Warrant status cases will **remain open** with the assigned JCC, and the Department will make ongoing, regular, documented (chronological note in JJIS) efforts to locate youth for whom a warrant has been issued.

2. During the initial 90 days, the assigned JCC or designee will, on a monthly basis, actively attempt to locate the youth. Department staff will attempt contact with parents, relatives, and schools. Staff will conduct home visits to the last known address, and will request the assistance of unit support staff to check DMV, OJIN, DOC, JJIS and PPDS databases for parent/guardian, youth addresses, etc.

3. These efforts will continue on a monthly basis for “high” risk youth; and, at a minimum of every 60 days for “medium” and “low” risk youth.

4. Each month, the Department will prepare and distribute to JCCs, for review and comment, a list of outstanding warrants. JCCs will indicate whether the warrant should be continued or recalled. If the warrant is to be recalled, the JCC will follow the “warrant recall” procedures in Section IX - E.

5. Periodically, a representative from Counseling and Court Services, Data Services, and the District Attorney’s office will meet to review the list of outstanding warrants to determine whether warrants in the system for over one year should be recalled. If there is consensus that a warrant should be recalled, the assigned JCC will be asked to process a recall request or indicate why, in their opinion, the warrant should be continued.

**D. SERVING / CLEARING WARRANTS**

1. JCCs and other Department staff are **not** authorized by the Department to arrest or take warrant status youth into physical custody.

2. When Department staff become aware of the location/whereabouts of a warrant status youth classified "high" risk or otherwise believed to pose a significant risk to public safety, Department staff shall **immediately** call law enforcement, report the youth's location and request apprehension. When calling law enforcement to report the location of a warrant status youth and to request that a warrant be served, call the **police non-emergency number (823-3333)**. If, however, there is credible information suggesting that the youth presents an **imminent** risk to self or others, then call 911.
3. In all other cases where the location of a warrant status youth is known, Department staff must either call law enforcement or instruct the youth to immediately turn him/herself into Juvenile Detention (JDH) for an intake screening and a hold/release decision. If the youth fails to take reasonable, immediate steps to turn himself/herself in and the youth’s location is known, Department staff will call law enforcement to request that the warrant be served.

4. In those instances where a warrant status youth indicates a desire to turn himself/herself into JDH, Department staff are permitted to transport the youth (in a county vehicle) to JDH providing there is no reason to believe that the youth will act impulsively. Before transporting the youth, Department staff must advise the youth that he/she is not in custody. If the youth should change his/her mind and decide to walk away, Department staff are not authorized by the Department to physically take the youth into custody. However, law enforcement must then be contacted if the youth’s location is known.

E. WARRANT RECALL

1. Factors to be considered prior to requesting warrant recall are as follows:
   - Whether the pending or underlying charge is a felony or misdemeanor.
   - Whether the pending or underlying charge is a person or firearm law violation.
   - If based on a pending petition, whether the victim and/or witnesses are still available to testify at a contested hearing.
   - The “risk” classification of the youth.
   - Whether the youth is believed to pose a significant public safety risk.
   - Whether the youth has met or continues to be in need of court ordered treatment/counseling that is intended to address his/her offending behavior.
   - The age or adult status of a youth.
• Whether or not the youth is still subject to commitment to a Youth Correctional Facility (over age 19).

• Whether the youth is also under the jurisdiction of the adult justice system.

• Whether there is unpaid court ordered restitution.

• The length of time that the warrant has been in the system.

• If there is credible information indicating the youth resides out of state and, if so, whether we intend to extradite if the youth is arrested on our warrant.

2. When it is determined by the Department that a warrant should be recalled, the assigned JCC will prepare a “Request for Warrant Recall” form. The form must contain a statement detailing the reason for the request and summary of the Department’s efforts to locate the youth.

3. If the recall request is for a warrant involving a felony, a firearm charge, or a person Class A misdemeanor, the JCC will forward the form / request to the District Attorney’s office for review and comment. The District Attorney’s Office will indicate whether they object or agree to the request for recall and return the form to the JCC. The JCC will then forward the form to Data Services for further processing and submission to the Clerk’s office.

4. Warrants that are not based on a felony, a person Class A misdemeanor, or a firearm charge are to be forwarded directly to Data Services for processing and submission to the Clerk’s office. Note: The JCC will check the box indicating that DDA review is not necessary.

     Note: Upon receiving a “Request for Warrant Recall”, Data Services will remove the warrant from LEDS. In the event the Judge declines to authorize the recall of the warrant, Data Services will re-enter the warrant into LEDS.

VIII. **EXHIBITS:**

**EXHIBIT A**- Affidavit for Warrant” form (electronic copy available)
**EXHIBIT B**- Request for Warrant / Warrant Information form (electronic copy available)
**EXHIBIT C**- Request for Warrant Recall form (electronic copy available)
**EXHIBIT D**- Failure to Appear Request and Order for Warrant form (State form, electronic copy _not_ available)
Number of Youth Screened

Multnomah County Detention Intake and the NAFY Reception Center
Memorandum of Agreement between Multnomah County Department of Community Justice Juvenile Services Division, Police Agencies and the Janus/New Avenues for Youth Reception Center

The undersigned Police and Juvenile Justice Agency hereby agree that youths, 11 through 17 years old, charged with status offenses and non-detainable crimes (excluding Menacing), will not be taken to the Multnomah County Juvenile Detention Facility (Donald E. Long Home). These youths will be taken to the 24-hour Reception Center, operated jointly by Janus Youth Programs and New Avenues for Youth at 324 SW 9th Avenue, Portland, OR 97205, phone number (503) 223-2050. Reception Center staff and the Juvenile Detention Facility Intake Counselor (503) 988-3475 are both available by phone 24-hours a day to provide assistance or advice.

Those youths appropriate for the Reception Center include:
- Youth 11 through 17 years old (including probation youth)
- Charged with status offenses such as: runaway, Minor In Possession of Tobacco and Alcohol, curfew violations, truancy, etc.
- Charged with City ordinance violations
- Charged with non-person to person misdemeanors including Theft III, Criminal Trespass III, Criminal Mischief II & III, and Disorderly Conduct
- In circumstances or situations that may endanger their welfare or the welfare of others (Behavior, Conditions, and Circumstances BCC).
- All youth whose parents/guardian can not be contacted
- Youth charged with Harrassment and Prostitution crimes are eligible for Reception Center services based on staff discretion.

Youth not appropriate for the Reception Center include:
- Youth 18 years or older
- Youth who are potentially violent or pose a danger to self/others based on the judgment of arresting officer and/or RC staff
- Youth who refuse to participate in Reception Center screening.
- Charged with person to person crime (except Harassment and Prostitution)
- Charged with Possession of a Firearm or Destructive Device
- Charged with a Class A, B, or C felony
- Has an outstanding warrant or All Points Bulletin (APB)
- Out of state runaways (officer can decide if they want the Reception Center to handle the case depending on the circumstances, such as a runaway from Vancouver)
- All youth charged with a detainable offense
- Youth who meet statutory criteria to be held in detention per ORS: 419c.145.
Officers will not transport documented, violent youth, or youth charged with person to person or firearms charges to the Reception Center. Youth with medical, chemical or behavioral issues may be taken directly to the hospital, Multnomah County mental health emergency services, or State Department of Human Services emergency care. In handling intoxicated youth, officers should have a youth medically cleared before transporting them to the Reception Center. Medical clearance involves taking the youth to the Emergency Room for evaluation. Reception Center staff may ask that a youth is medically cleared prior to accepting that youth for services. The Multnomah County Detention facility will not serve as an alternative to medical clearance for the purpose of adolescent detoxification.

The undersigned agencies agree to work together to ensure that this agreement is upheld:

Portland Police Bureau         Date  Joanne Fuller         Date  Department of Community Justice

Dennis Morrow                   Date  Ken Cowdery           Date  Janus Youth Programs
Janus Youth Programs            Date  New Avenues for Youth
MEMORANDUM OF AGREEMENT

BETWEEN THE HOMELESS YOUTH CONTINUUM AND THE
DEPARTMENT OF COMMUNITY JUSTICE, DETENTION ADMISSIONS
ON WARRANT CHECKING

OCTOBER, 2005

The undersigned agencies agree to work together to verify warrants for youth and young adults. This agreement has been created to assist the agencies serving homeless youth, which include, New Avenues for Youth, Janus Youth Programs, and Outside In.

The Department of Juvenile Community Justice Detention Admissions Staff agree to verify warrants and run reports over the phone or fax as requested by Homeless Youth Continuum (HYC) staff and according to the process outlined below:

For verification by phone, call (503) 988-3489, or fax (503) 988-3140. When verifying a warrant or run report, Homeless Youth Continuum Staff will identify themselves by name and agency name and will provide the youth’s name(s) with the correct spelling and date of birth to the Detention Admission Staff. If HYC Staff has several youth to verify, faxing a list with the required information will help facilitate the verification process.

Detention Admissions Staff agree to determine if there is a run report or warrant for these youth. If verification of a warrant is positive, staff will also provide information on the allegation(s) for which the warrant is issued. Staff will check specifically on Juvenile warrants and will check LEADS and other necessary sources to verify both national and local warrant information. HYC staff agrees to alert law enforcement if a youth is found to have a felony arrest warrant for murder or manslaughter related charges.

To ensure an efficient process, Detention Admissions Staff agree to provide this information immediately unless they indicate otherwise. This service will be provided 24-hours a day, seven days a week.

Questions or concerns should be directed to the County’s Homeless Youth Program Coordinator at (503) 988-6295 ext. 28403 or to Admissions Lead or Supervisor Staff at (503) 988-3475.

___________________      ___________________       ___________________
Joanne Fuller, MSW         Dennis Morrow                            Lolenzo T. Poe, Jr.
Director – DCJ    Director – Janus Youth                        Director - DSCP

______________________   ________________________
Ken Cowdery      Kathy Oliver
Summary of Don Andrews Workshop
Treatment Effectiveness: Research and Clinical Principles

Conclusions:

• Official punishment without the introduction of correctional treatment services does not work.
• Providing correctional treatment services that are inconsistent with the principles of risk, need, and responsiveness does not work.
• What works is the delivery of clinically and psychologically appropriate correctional treatment service, under a variety of setting conditions that may be established by the criminal sanction.
• The delivery of appropriate correctional treatment service is dependent upon assessments that are sensitive to risk, need, and responsiveness.

Principles:

1. To whom are the more intensive treatment services best offered when the objective is reduced recidivism? To higher rather than lower risk cases when the objective is reduced recidivism (Lower risk cases will succeed with less intensive service.).

2. What should we target? Criminogenic needs if the objective is reduced recidivism (Criminogenic factors are dynamic characteristics of people and their circumstances that actually link with criminal behavior.).

3. What style and mode of service should be employed? One matched with the learning styles of offenders (e.g. cognitive behavioral/structured social learning approaches).

Studies - Meta Analysis:

• Not a single reviewer of the controlled studies of the effects on recidivism of variation in official punishment was able to find studies reporting large or consistent reductions in recidivism through sanctioning.
• In contrast, the reviews of controlled outcome evaluations of correctional treatment services found a minimum of 40% and up to 80% of the studies reporting reduced recidivism.

Major Risk Factors:

• antisocial attitudes, values, beliefs, rationalizations, and cognitive-emotional states such as anger, resentment, and defiance (personal support for crime)
• antisocial associates (interpersonal support for crime)
• a history of antisocial behavior, evident from a young age, and involving a number and variety of harmful acts in a variety of situations
• weak problem-solving and self-management skills in combination with a temperamentally aggressive, callous, and egocentric style (personality supports for crime)
• family life characterized by low levels of affection and weak discipline and supervision (inconsistent love and discipline, and perhaps outright abuse/neglect)
• generalized difficulties in the domains of school, work, and leisure

Promising Targets for Change:

• changing antisocial attitudes;
• changing/managing antisocial feelings;
• reducing antisocial peer associates;
• promoting familial monitoring and supervision;
• promoting child/family protection (preventing neglect/abuse);
• promoting identification/association with anti-criminal role models;
• increasing self-control, self-management, and problem-solving skills;
• replacing skills of lying, stealing, and aggression with more pro-social alternatives;
• shifting the density of the personal, interpersonal, and other rewards and costs for criminal and non-criminal activities in familial, academic, vocational, recreational, and other behavioral settings, so that the non-criminal alternatives are favored;
• providing the chronically psychiatrically troubled with low pressure, sheltered living arrangements and/or effective medication (risk is greatest during periods of active psychosis);
• insuring that client is able to recognize risky situations, and has a concrete and well-rehearsed plan for dealing with those situations;
• confronting the personal and circumstantial barriers to service (client motivation, background stresses with which clients may be preoccupied);
• changing other attributes of clients and their circumstances that, through individualized assessments of risk and need, have been linked reasonably with criminal conduct.

Responsiveness:

• quality of interpersonal relationship between offender and worker (respectful, caring, concerned, interested, enthusiastic, and engaged workers);
• role of correctional workers in modeling and reinforcement of anti-criminal styles of thinking, feeling, and acting;
• concrete problem-solving efforts with the offender, and/or advocacy and brokering activity with other community settings;
• authority best influential when exercised as “respectful guidance toward conformity” with explanations, reasons, and guidance on how to comply in a firm but fair manner;
• and style of communication.
Maria Sanchez is a 15 year-old girl who has lived in Portland her whole life. She comes from a single-parent home with a mother who has a history of alcohol abuse and of choosing abusive partners. Her father left the family when Maria was young. Maria disclosed sexual abuse by her father at age 7, however her mother allowed him to remain in the home for some time thereafter. Mother’s current boyfriend is physically abusive to Maria, her siblings, and the mother. The mother has extensive local family members who have been concerned about Maria’s situation. Mother says that Maria will not mind her and neither she, nor her relatives, can handle her.

At age 12, Maria began to develop gang associations. She acknowledges being a member of the “18th Streeters” and displays numerous gang tattoos. Maria is bright and did very well in school as a young child, but began to have problems with attendance and behavior in her early teens. She ran away from her mother’s home once (gone for a week 7 months ago) and is currently on runaway status (has been gone 2 days). She skipped school twice during the past month.

On April 20, 1999, Maria encountered a girl at school (Rosa) who is affiliated with a rival gang and who has been seen with Maria’s (adult) boyfriend. Maria confronted Rosa in the school bathroom. Maria grabbed Rosa’s hair, threw her to the floor, and punched and kicked her. Rosa suffered scratches and a swollen lip. Maria stole Rosa’s pager and backpack and fled the scene. Maria was arrested soon thereafter at a shopping mall. She was charged with Robbery III (class C felony), Assault IV (class A misdemeanor), Possession of a Controlled Substance II (class C felony) and Carrying a Concealed Weapon (CCW, class B misdemeanor). The drug and CCW charges resulted from the police finding a small amount of cocaine and a 7” hunting knife in Rosa’s backpack.

During the arrest, Maria was hostile and uncooperative with the police, and made threats to “kick Rosa’s ass” if she cooperates with the prosecution. She calmed down at the detention facility and indicated that she wanted to go home.

Maria has had limited prior juvenile court contact and has neither been on probation nor had any delinquency court appearances. She has had no prior expulsions from school. At the time of this incident, she had a Theft II (shoplift) and Assault IV pending (both class A misdemeanors), and is in warrant status for being unable to locate. The warrant indicated that the Judicial Officer did not oppose release. This is Maria’s first warrant and she and mother both advise that they had recently moved and had no idea that the warrant had been issued. She is facing expulsion from school over this incident.
CLIENT PROFILES

Scenario II

Darrell Ray Stewart is a 12-year-old who comes from a home plagued by poverty and chronic residential instability. His mother is disabled and stays at home to care for Darrell and his infant sibling. His father works sporadically as a laborer for a temporary service.

Darrell has history of learning problems in school. He has skipped school once during the past month. He has never run away from home. He may be ADHD but has never been diagnosed or offered medication. He lacks social skills and is frequently picked on by other students and neighborhood children. He suffers from the effects of poor nutrition and asthma. His parents have been concerned for years about Darrell because of his cruelty to animals and smaller children, his low impulse control, and his poor boundaries with others. He acts depressed with a flat effect, but his parents have never had the resources to access services to address these issues.

On May 2, 1999, Darrell was at the bus stop before school when he was harassed by a fellow student (Cody) about his poor hygiene and ill-fitting clothing. Darrell became enraged, returned home, and took a loaded handgun from his parents’ closet. He concealed it in his backpack and brought it to school. At noon recess, Darrell retrieved the gun, brought it onto the playground, and pointed it at Cody, threatening to kill him. Darrell was wrestled to the ground and disarmed by school staff. When searched incident to arrest, police found several disturbing letters that Darrell had written expressing a desire to hurt himself and others. He was charged with Possession of a Firearm in a Public Building (class C felony), Unlawful Possession of a Firearm (class A misdemeanor) and Menacing (class A misdemeanor).

Darrell has no prior involvement with the juvenile justice or child welfare systems. At the Preliminary Hearing, Darrell’s parents indicated that while they love Darrell and are worried about him, they feel it would be unsafe to have him home at this time.