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Comprehensive Long Range Master Plan for the Prevention, Treatment, and Control of Juvenile Delinquency in Arkansas: A Systems Approach to Youth Services

Arkansas State Dept. of Social and Rehabilitative Services

Prepared for

Law Enforcement Assistance Administration, Washington, B.C.

30 Sep 76

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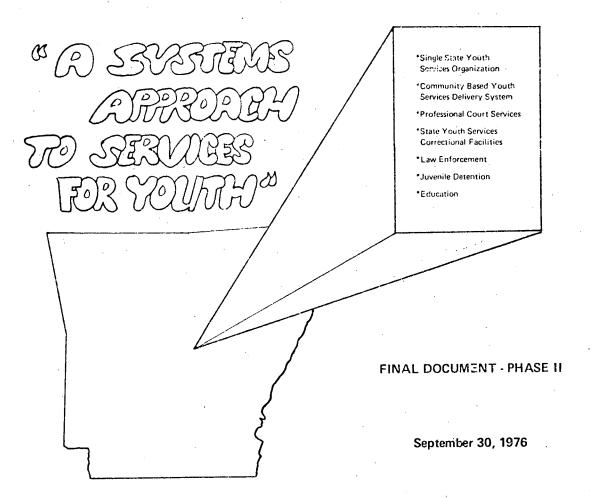
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A plan for implementing a comprehensive youth services system in Arkansas is presented in recognition of the uneven response at the State and local levels to the delinquency problem. A four-phase planning effort was carried out in which dut a were gathered and analyzed in the areas of programming and resources, youth profile information, and system impact. The youth services system that evolved has the amajor components: a single State-level youth profile information, and system impact. The services of comprehensive, community-based youth services programs; and statewide professional juvenite court services. The single State agency, which will be formed through consolidation of existing State service components and establishment of new components as needed, will implement an integrated youth services delivery system with emphasis on private, nonprofit, community-based services. The State will be involved in direct service delivery only to the extent that communities are unable or untilling to provide services. At least 14 local programs providing need assusament, nonresidential and reading and instructional services, diversionary services, information and referral, and professional court services will be attablished on a catement area basis. Long-term goals and implementation schedules are set forth for each of the three major components of the plan and in the areas of education and correctional facilities. A method of evaluating the proposed system is outlined. Supporting materials are appended.

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COMPREHENSIVE LONG RANGE MASTER PLAN FOR THE PREVENTION, TREATMENT, AND CONTROL OF JUVENILE DELINQUENCY IN ARKANSAS



THE DEPARTMENT OF SOCIAL AND REHABILITATIVE SERVICES
PROGRAM COORDINATION SECTION
YOUTH SERVICES PLANNING

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Dave Maxwell, M.S.W.

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STATE OF ARKANSAS Department of Social and Rehabilitative Services

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The work contained herein began in 1974 when the Department of Social and Rehabilitative Services contracted with the Governor's Commission on Crime and Law Enforcement through the Law Enforcement Assistance Administration for funds to design a Long Range Master Plan for the Prevention, Treatment, and Control of Juvenile Delinquency in Arkansas. A preliminary first year document was completed September 30, 1975, which basically outlined the existing Youth Services System in the State and determined the initial direction in which the State must move to effectively deal with juvenile delinquency.

Arkansas has never experienced a comprehensive planning effort in the youth services area, and the result has been a "non-system" of programs characterized not only by lack of coordination in the development and administration of services to youth, but a lack of policy governing the administration of juvenile justice itself. It is the intention of this Master Plan to provide a foundation for the unification of all aspects of youth services into a coordinated, goal directed system of viable services to troubled youth.

It is our hope that this document will provide the Governor's Office, Legislators, related State agencies, community leaders, and the general populous with a realistic and implementable system which maximizes and continues our existing resources with new means of support to better serve and utilize a critical part of Arkansas' future -- its youth.

Sincerely,

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Director

DBR/BR/pb

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FINAL REPORT

COMPREHENSIVE LONG RANGE MASTER PLAN FOR THE PREVENTION, TREATMENT, AND CONTROL OF JUVENILE DELINQUENCY IN ARKANSAS: A SYSTEMS APPROACH TO YOUTH SERVICES

BY

THE DEPARTMENT OF SOCIAL AND REHABILITATIVE SERVICES
PROGRAM COORDINATION SECTION
YOUTH SERVICES PLANNING

SEPTEMBER 30, 1976

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This final document and the preliminary first year document is the result of a project performed by the

Department of Social and Rehabilitative
Services pursuant to Subgrant Numbers
73-262 and 75-283, administered by
the Governor's Commission on Crime and Law Enforcement. Law Enforcement Assistance Administration
was the federal funding source.

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EDITOR'S NOTE

This document is considered the final report fulfilling requirements of Subgrants 73-262 and 75-283. Major portions of the first year preliminary document have been incorporated in this report. This report is primarily a working document for the use of program planners, administrators, and service providers in the field of youth services.

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ACKNOWLEDGEMENTS

The Youth Services Planning Staff and Council are indebted for the generous cooperation and support from the Office of the Governor, the Governor's Commission on Crime and Law Enforcement, the Divisions of the Department of Social and Rehabilitative Services, the many community based youth services providers across the State, the Department of Correction, the Criminal Justice and Highway Safety Information Center, the Arkansas Criminal Detention Facilities Board, the Arkansas Conference on Children and Youth, the National Clearinghouse of Criminal Justice Planning and Architecture, the Office of Youth Services, and others. The Arkansas Youth Services Planning Advisory Council must be extended special appreciation for their dedication and ongoing support during the past two years of this project. Without their guidance, support, valuable time and talents, this product would not have been possible.

It is simply not practical to list the names of all the many individuals who have assisted in the development of this plan. However, a special thanks must go to Governor David Pryor for his administration's priority for youth services; Mr. David B. Ray, Jr., Director of the Department of Social and Rehabilitative Services; the Honorable Glenn Thames, Sebastian County Judge and the Youth Services Planning Advisory Council Chairman; Mr. Terrell Don Hutto, Commissioner of the Department of Correction, and his staff; Mr. Gerald W. Johnson, Executive Director of the Governor's Commission on Crime and Law Enforcement; Mr. Dennis Beavers, Office of Youth Services; and all of the Juvenile Services Section Counselors who assisted in data collection and provided input into this plan.

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ARKANSAS YOUTH SERVICES PLANNING ADVISORY COUNCIL

The decisions necessary to complete this type of plan dictate the use of broad based representation and input. In order to accomplish these purposes, the Arkansas Youth Services Planning Advisory Council was organized under the auspices of the Arkansas Department of Social and Rehabilitative Services. This Council has provided guidance, support, and final recommendations in the design of the Master Plan for Youth Services in Arkansas. This Council consists of governor appointed members so constituted to be representative of providers of youth services (both public and private), education, employment assistance, treatment and supportive programs, elected officials, the general public, civic leaders, parents, business executives, and legis'ators. Emphasis was given to a membership balance according to geographic residence, sex, race, profession, and age.

This Council has been operated by a peer elected chairman and vice-chairman with the Youth Services Planning staff serving a support function to the Council. The Youth Services Planning staff has been responsible for seeing that all necessary assigned tasks by the Council are carried out and reported back to the Council.

The Council has had the following responsibilities: advise project staff in the divelopment of the survey instruments and data collection activities during initial phases of the project; advise staff in the content of the long range Master Plan for Youth Services; provide final recommendations to the Governor (through this report) for the unified Youth Services System and the direction of youth services in Arkansas; provide public education and awareness of the needs of youth in Arkansas; serve as major advocate of the completed Master Plan; and coordinate directly with project staff on other ongoing activities as may be deemed necessary.

The Planning/Decision Process Chart which follows demonstrates the information processing routes and major decision junctures for completing the plan.

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ARKANSAS YOUTH SERVICES PLANNING ADVISORY COUNCIL

MEMBERS

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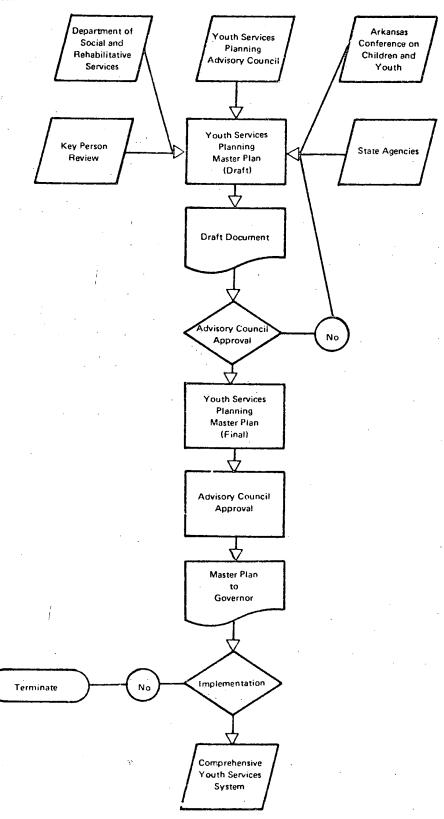
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STATEMENT OF PROBLEM

The nature of this problem area makes programming for the prevention, treatment, and control of juvenile delinquency extremely difficult. Delinquency is an administrative category, an artifact of social policy and social provision. There is no single affliction, disability, or dysfunction that can be defined as "the root cause of delinquency". The precipitating facts of juvenile delinquency transverse all established social institutions and aspects of human life. It's not simply a problem of poverty, poor mental health, family breakdown, lack of educational opportunities or racial/ ethnic discrimination. It is all of this and more. Any one of these factors or combinations of them may be identified as contributors to the problem. Furthermore, no single agency or organization could possibly amass all the necessary ingredients to deal effectively with this multi-facet problem. Any effective system of delinquency prevention, treatment, and control must involve a complex of unified and complimentary organizational resources and processes working hand and hand with similar goals and objectives.

Needless to say, this has not been the case in Arkansas, or in other states for that matter. In the absence of a unified system we have evolved over the years into a mixmatch of programs, procedures, and practices which collectively, scarcely resemble a system. There was in excess of \$12 million expended in the prevention, treatment, and control of juvenile delinquency in Arkansas during 1974. In spite of this, there are still only a handful of identifiable delinquency prevention programs in the State; our training school system could only be considered marginally effective, county court systems are outdated, and alternatives to incarceration are extremely limited.

Arkansas has multi-level governmental, private, and church sponsored programs working, sometimes at odds, sometimes together, but almost always dealing with only pieces of the problem. Formal working relationships are based primarily on personalities and not necessarily common objectives. In some areas of the State there is almost a total void of youth related services. In other areas there is considerable duplication of services and competition for resources and occasionally clients.

State level juvenile services in Arkansas are broken into at least four separate organizational units. There are almost no identifiable primary delinquency prevention

activities in the State. There is very limited alternative type education available to youth. Formal secondary prevention programs involving early identification and intervention are almost nonexistent. There is no uniform system for diversion at the enforcement or pre-enforcement level. Our county court systems are, at best, antiquated. We have only a limited range of alternatives to incarceration for juveniles. Our training schools have realized considerable positive change over the past year and a half, but their effectiveness is still marginal in most areas. We have considerable duplication and fragmentation between state and local programs, particularly in relation to juvenile aftercare or the reintegration process for youth.

At best, the result of this "nonsystem" is an uneven response by communities and the State to the delinquency problem. We have youth in the training schools for committing no law violations at all while serious offenses are going unattended because of the ambiguity of legislation and policy governing juveniles. Lack of coordination in the development and administration of services to youth is the most obvious deficiency we have in the field today.

If one had the opportunity to start from scratch and develop a total system of youth services, the job ahead would be much more simple. Without this option, it becomes necessary to look at what we currently have in a systematic and comprehensive way, identify needs and gaps in services, duplication, and appropriate solutions. A systems approach is particularly suited to dealing with this nonunitary service area in that it provides a framework for identifying, defining, and managing all the necessary functions and components regardless of their organizational location. There are several significant empirical and logic based conclusions that can be drawn from existing information.

It is probable that the incidence of juvenile crime will continue to increase.

Juvenile delinquency is expensive both in terms of human resources and money.

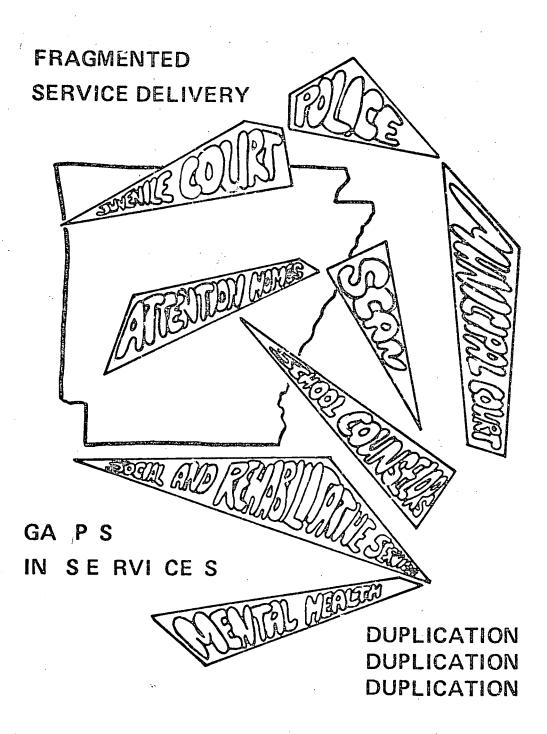
Juvenile justice, in philosophy and practice, should be different than adult justice.

The degree of penetration a youth has into the Juvenile Justice System and how that system impacts him are major factors in the youth's social adjustment process.

How the system impacts youth is dependent to a large degree on how states choose to address delinquency prevention, control, and treatment.

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Although we know there is no universal prescription for delinquency prevention, the utilimate solution lies somewhere in the realm of nationwide social improvement programming.



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STUDY PERIMETERS AND TERM DEFINITION

The contractual agreement between the Department of Social and Rehabilitative Services and the Governor's Commission on Crime and Law Enforcement called for a comprehensive long-range plan for the prevention, amelioration, treatment, and control of juvenile delinquency in the State of Arkansas. The Law Enforcement Assistance Administration through the Governor's Commission on Crime and Law Enforcement funds a substantial number of juvenile delinquency programs in the state. It is anticipated they will utilize this plan as the foundation for additional planning and as a basis for the direction of future funding of juvenile related programs. The Department of Social and Rehabilitative Services is the umbrella agency responsible for the majority of state administrated and state sponsored service delivery programs to youth in Arkansas. The Department has, for some time, recognized the need for focus and direction in youth services programming in the state. Non-governmentally sponsored programs are also interested in the unification of service delivery and titting into the overall system of services, as evidenced by their participation in planning meetings and their input in identifying the needs of troubled youth in the state. This multilevel need for information and direction was the primary precipitating factor relating to the conception of this project.

During the pre-operational phase of this project, it was decided by both agencies that the plan should be broader in scope than one that is typically found in juvenile master planning today. Juvenile master plans generally concentrate on the justice system beginning at arrest or apprehension and continuing through the judicial process, corrections, probation, and parole. Delinquency prevention is seldom addressed in any detail. Traditionally, the structure and nature of the master planning model does not readily lend itself to something as vague as prevention. It is almost impossible to document and measure the occurrence of a "non-event". That is, the measurable impact of programs designed to prevent something from happening is difficult to isolate and quantify. On the other hand, it is generally accepted that effective delinquency prevention is more desirable than treatment and control after the fact.

Understanding the built-in constraints and also the importance of this area, we elected to take the broader perspective. This study considers the total system impacting troubled youth in Arkansas.

It must be understood that juvenile master planning is considered a practical tool for program development. The inaccuracy of information available and the comprehensiveness of the approach dictate that the study itself is somewhat general in nature. The problem of delinquency or potential delinquency cannot be categorically defined Therefore, one must draw from information that it not specifically related to the problem, but attributes to it.

Because of the potential vastness of a project such as this it becomes necessary to specifically delineate areas of study. All of the related but separate processes impacting troubled youth, such as justice, prevention, enforcement, corrections, probation, etc., tend to defy the one encompassing term representing this cumulative total. For the purpose of this study, the term "Youth Services System" will be used to represent the total system inclusive of the above mentioned terms as parts of this system.

The following definitions set the perimeters for this project and define areas of study. Activities, functions, or processes falling outside these definitions are not formally addressed.

Youth Services System is structurally defined herein by its parts: four major subsystems, three components of each subsystem, and the numerous elements with formal activities or functions designed to have a direct impact upon delinquent, potentially delinquent, or "youth at risk" of Arkansas.

Subsystems are those identifiable segments within the Youth Services System which will be categorized as (1) Prevention, (2) Enforcement/Judicial, (3) Placement, (4) Reintegration. Collectively, they are the Youth Services System.

Prevention Subsystem encompasses those service processes designed to develop concepts of love and self-worth within youth which will lead to positive life-styles. The activities must be relevant and must create a sense of involvement on the part of the youth to deter the desire, need, or opportunity to commit a crime or juvenile offense. Programs considered for survey purposes must have an identifiable goal and/or objective of delinquency prevention.

Enforcement/Judicial Subsystem represents the formal processes activated when a crime or juvenile offense is identified or alleged to have occured and continues until after a formal disposition has been reached. There are at least four identifiable processes within this subsystem: (1) arrest or apprehension, (2) pleas and arraignment, (3) adjudication, (4) disposition. Youth who enter the Enforcement/Judicial Subsystem do

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not necessarily follow this outlined sequence of processes. Instead, he/she may exit the subsystem at different intervals depending upon the discretion or recommendations of this subsystem's actors. Also, different legal practices unique to each jurisdiction may modify these processes considerably.

Placement Subsystem is that identifiable segment of the Youth Services System which may occur at/or immediately after disposition. This subsystem encompasses all those substitute living arrangements at both the state and community level, where a juvenile resides, usually for an undefined period of time and whose environment is of a corrective or ameliorative nature. The outcome of the judicial process usually determines if the Placement Subsystem is necessary.

Reintegration Subsystem consists of those activities directed toward the preparation of a youth and his/her environment for successful re-entry into community life. Reintegration may begin before or at the point of re-entry and continue until adjustment has been completed. Residential components that are available during this subsystem are often the same as those available during the Prevention or Placement Subsystem (with the exception of the training schools) except that the purposes of these components in relation to the individual child focus on reintegration into community life. The same applies to the community services components (with exception of state aftercare counseling which is a follow-up function to the training schools). Community probation programs, youth service bureaus, mental health out-patient treatment, alternative schools, and others may be utilized in assisting the gradual adjustment into community life for the youth.

Components are those categorical groupings of similar or related technologies which can be defined within each, or most, of the subsystems. These are labeled for our purposes as residential, community services, and/or statutory aspects.

Residential Components are all of the substitute living situations which are available to youth who enter the Youth Services System. Residential components are found in home care, private institutional care, governmental operated institutional care, receiving homes, detention centers, jails, etc.

Non-Residential Community Services Components include all identifiable activities at the community level directed toward the prevention, amelioration, or correction of maladaptive pre-delinquent and/or delinquent behaviors. These components may also be found in each of the subsystems, but primarily are located in the Prevention and

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Reintegration Subsystems. These activities include, but are not limited to, direct casework, counseling, treatment, protective services, information and referral, etc.

Legal and/or Statutory Components are a vital part of every subsystem within the total Youth Services System. They offer the sanction and/or authority which governs the nature and scope of activities within this system. We will be primarily concerned with those statutory and legal provisions which are related to the youth's progression through the Enforcement/Judicial Subsystem; however, appropriate statutes and public laws will be referenced within the other subsystems also. Some of these are Act 20 of the 66th General Assembly, Arkansas Public Law 46, Title 45, and Act 451 (Juvenile Code).

Elements are those actual program units, agencies, organizations, and/or legal structures which fall within the appropriate Youth Services System categories in delivering services to or impacting upon the target population.

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STUDY CONSTRAINTS

This project represents the full-time efforts of six persons within the Department of Social and Rehabilitative Services. They include a project director, three planners, and two clerical staff.

The nature and scope of this activity necessitates comprehensive, full range information in relation to the target population under consideration, programming, and systems impact information. None of this information was available. With the exception of the monthly reports from the Reception and Classification Center and some statistical reports from the Juvenile Services Division, virtually ali information had to be generated from "scratch" and developed around the purposes of this project. There have been no previous planning efforts in the youth services area of this scope. The almost total void of available information makes planning of this sort extremely difficult. In addition to this, outdated, incomplete, and inconsistent record keeping at all levels rendered available information to be only marginally useful.

Master Planning precepts dictate a phasial, sequential process of documenting the existing system, conceptualizing an ideal system, developing strategies for implementation and change, and development of a time schedule implementable plan. In order to document the existing system, one must gather enough information to develop a one time static picture of the total system for a given period of time. In order for this picture to be developed, one must approximate a static situation to whatever degree possible. This has proven to be extremely difficult during this study period because of the many political and organizational changes that have taken place in Arkansas. During the two year project period, the following have had significant impact upon these planning efforts:

Arkansas has changed governors.

The Governor's Commission on Crime and Law Enforcement has changed administrators.

The Department of Social and Rehabilitative Services has changed directors.

The Juvenile Services Division was dissolved and its components absorbed by the Social Services Division, Rehabilitation Services Division, and the SRS Office of the Director.

The Training School Section (Training School Department) has had two executive director changes.

The Boys' Training School at Wrightsville has had a superintendent change.

There has been a full scale investigation of the misconduct and inequities at the Wrightsville Training School. Governor Pryor appointed an executive committee to participate in this investigation. (Three of the four members of this committee were from the Youth Services Planning Advisory Council.)

Governor Pryor has created the position of Coordinator of Youth Services to monitor a special annual operations plan for youth services.

Recently, the Department of Social and Rehabilitative Services developed an Office of Youth Services to serve as a focal point for youth related activities.

The Department of Social and Rehabilitative Services' contract with the Governor's Commission on Crime and Law Enforcement for Youth Services Operational Planning has been terminated.

For the first time Arkansas now has a state appropriation to match with community and federal monies for community based youth programs.

During the last session of the legislature, the Mental Health Division of the Department of Social and Rehabilitative Services received approval to purchase residential child care for emotionally disturbed youth.

During this same legislative session, DSRS received approval and an appropriation to develop mental health treatment teams at the three training schools.

Arkansas has applied for and received a statewide "Deinstitutionalization of Status Offender" grant from LEAA.

One of the overriding constraints throughout the first year of this project was the very real time constraint. Grant award was on August 7, 1974 and for a variety of reasons, implementation of the project did not begin until November of 1974. An extension of the first year grant helped to eliminate some of the late starting constraints.

In conceptualizing the model system it was difficult to decide where to start since some of the staff and council ideas were already being implemented.

There has been an Attorney General's opinion regarding the powers of boards.

An Office of Youth Services was funded through Title XX.

Reception and Classification Center changed names and moved from Benton to Alexander and placed under the Training School Section.

There have been three changes in Arkansas Training School Board membership.

The Rehabilitation Services' counselors have been transferred out of the Training Schools

The LEAA "Ounce of Prevention" Project was funded and completed.

Act 378 (Youthful Offender Act) is to be implemented through a LEAA grant.

The new Criminal Code has several implications for juvenile related activities.

Uniform juvenile court rules and procedures are still pending before the Supreme Court.

Although the majority of these changes have been positive and are considered to be necessary to the development of a better system of services to youth, documentation is difficult under such circumstances.

GENERAL METHODOLOGY

This study follows a descriptive, analytical design with the overall systems model approach. The total planning project is divided into four major phases: documentation of the existing system, conceptualization of an ideal system, identification of the strategies for achieving the ideal system, analysis of the available alternatives and recommendations for a realistic system for youth services in Arkansas. The preliminary document dealt with the documentation of the existing system (Phase I) as previously defined. Data collection and analysis was the primary activity necessary to the accomplishment of this task.

The master planning concept maintains that in order to effectively plan on a total system basis for a long period of time, one must know what the current resources are, where they are located, what they are like, what the youth this system services are like, and how the system impacts them.

Data was collected in the general areas of current programming or resource information, youth profile information, and systems impact information. Program information centers around the structured resources of this system: manpower, facilities, cost, levels of services, and the context within which they function. A statewide program survey was the major source of information in this area.

Youth profile information relates to specific demographic and client related information for consumers (youth) within this system. The primary source of this information was an extensive youth profile survey of all youth at the three training schools, the pre-eighteen year old youth at the Tucker Intermediate Reformatory, and samples of youth from community based non-asidential and residential programs across the State. Selected case information from the Juvenile Reception and Classification Center was also used.

Systems impact information relates to how the system impacts youth at critical junctures. Examples of this type of information includes length of stay in given processes, i.e., pre-trial detention, training school, probation, the outcome of these processes, and the different client career avenues prescribed for youth in the system. The primary sources of this information was the youth profile survey, case record information from the Juvenile Reception and Classification Center, and a statewide secure detention survey.

In addition to the above mentioned survey activities, the following data collection functions were performed in the documentation of the existing system:

Statewide Jail Survey

Opinion Court Survey

Foster Care Youth Profile Survey

State Level Resource Assessment (systematic interviews and information gathering from: Department of Correction, SRS Divisions, Juvenile Reception and Classification Center, Department of Education, Criminal Justice and Highway Safety Information System, Law Enforcement Training Academy)

The development and documentation of this information provided indicators of service needs of troubled youth, the magnitude and nature of the problems, and systems breakdown information. The preliminary document was completed in October, 1975.

The final phase of this project has been devoted to taking the above indicators of need along with the conceptualization of the "ideal" and developing structures and strategies to achieve a unified system of youth services.

The information contained herein represents the result of this two year effort.

TABLE OF CONTENTS

Statement of Sponsor
Youth Services Planning Staff
Editor's Noteviii
Acknowledgements
Arkansas Youth Services Planning Advisory Council
Statement of Problem xiii
Study Perimetersxv
Study Constraints
General Methodology
Functional Premises
Overview
Single State Youth Services Organization
Training Schools
State Aftercare
Trial Release
Discharge
Furlough Release
Community Services
Staff Support Services
Planning and Evaluation
Training
Resource Development
Conclusions
Community Based Youth Services System 33
Existing Community Services
Proposed Community Based Youth Services
Service Components
Conclusions

Professional Court Services
Existing Judicial Structure 6
Proposed Juvenile Court Services
Court Intake
Juvenile Probation
Aftercare 7
Proposed Family Court Services
Conclusions7
Youth Services Correctional Facilities
Existing Training School Programs
Proposed Youth Correctional Facilities Program9
Conclusions99
Law Enforcement
Law Enforcement Operational Considerations
Discretion
Diversion
Coordination103
Training
Conclusions
Juvenile Detention
Conclusions
Education
Trends and Services
School Dropout
Alternative Schools
Special Education and Counseling120
Conclusions121
Ongoing System Assessment
Implementation Calcula

.

Appendix
Geographic Characteristics and Population Distribution
Planning Approach
Existing Judicial Structure
Youth Profile Information
Arkansas' Status Offenders
Community Based Youth Services Programming
Arkansas Conference on Children and Youth
Youth Services Planning Surveys and Data Collection
Juvenile Court Survey
Juvenile Referee Survey
Jail Survey
Reception and Classification Center Data Collection
Youth Profile Survey
Yout Services Program Survey
Youth Related Statutes, Laws, and Opinions
Juvenile Justice and Delinquency Prevention Act of 1974261
Act 20 of 1968
Title 45
Act 244
Act 378 of 1975
Act 451 of 1975
Act 452 of 1975
Miranda vs. Arizona
In Re Gault
Reorganization of Juvenile Services
Synopsis of the Attorney General's Opinion (Number 76-69)329
Excerpts from the New Arkansas Criminal Cooc

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FUNCTIONAL PREMISES

While the ultimate solution to juvenile delinquency is recognized as lying in the realm of national social improvement programming, the dilemma confronting Arkansas in the 1970's is the development of a comprehensive system with individually appropriate, multi-disciplinary resources that are accessible to every "child at risk" whereever he might live and whatever his circumstances. It is the intent of this plan to outline a realistic and implementable system of youth services with emphasis on making the utmost use of existing resources in reaching this end. It is the intent of this plan to form a basis for the unification of all aspects of the Youth Services System into a goal directed, technologically sound and viable entity.

As we come to the specific proposals of this plan, there are several premises which reflect our basic scheme of reasoning. The influence of these premises can be recognized throughout this document. They include:

THAT THE PHENOMENON OF JUVENILE DELINQUENCY IS BASICALLY SOCIALLY AND SITUATIONALLY DEFINED. That is, social mores and folkways are major determinates of what constitutes delinquency in any given community. The degree of community social tolerance has a direct relationship to the degree of repressiveness in that community's response to delinquency.

JURISDICTIONALLY, JUVENILE DELINQUENCY IS A LOCAL OR COM-MUNITY PROBLEM AND ITS PREVENTION, TREATMENT, AND CONTROL IS MOST EFFECITVELY ADMINISTERED FROM THAT LEVEL. "Community" is not restricted to any specific geographic Locality or governmental jurisdiction, but in this context refers to the common groupings of people living in the same general geographic locality. Later on we will be referring to "community" programs which will relate to specific catchment area delineations.

THAT, BY NATURE, STATE GOVERNMENT IS NOT A PARTICULARLY EFFECTIVE DELIVERER OF DIRECT YOUTH SERVICES AT THE COMMUNITY LEVEL AND SHOULD ONLY BE INVOLVED IN THIS FUNCTION TO THE DEGREE THAT COMMUNITIES ARE UNABLE OR UNWILLING TO DO SO.

THAT STATE OPERATED AND ADMINISTERED DIRECT SERVICES WILL ONLY BE UTILIZED BY COMMUNITIES TO THE DEGREE THAT COMMUNITY RESOURCES ARE UNAVAILABLE. The premise here is that if service resources were available at the community level to deal with their problems the necessity of state services such as the training schools would be significantly reduced.

THAT STATE TECHNICAL RESOURCES CAN MOST EFFECTIVELY BE UTILIZED TO ASSIST COMMUNITIES IN DEVELOPING AND MAINTAINING SERVICE RESOURCES TO MEET THEIR OWN SPECIFIC NEEDS.

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SINGLE STATE YOUTH SERVICES ORGANIZATION

GOAL

DEVELOP A TOTAL INTEGRATED SYSTEM OF SERVICES FOR TROUBLED YOUTH IN ARKANSAS. Completion Date: January, 1987.

RECOMMENDATIONS

That the Department of Social and Rehabilitative Services establish and sanction one single state organization to serve as the focal point, coordinating, and/or sponsoring agent for all youth services activities. Completion Date: July, 1977.

Establish a statewide system of comprehensive community based youth services programs. Completion Date July, 1980.

Establish professional court services (intake, probation, referee, aftercare) for all juvenile courts in Arkansas.* Completion Date: July, 1980.

*Does not necessarily mean that each county must provide these services. Multi-county programs may be used for smaller counties with limited youth populations.

Establish a unified system of courts of domestic affairs or family courts to deal with all domestic affairs including custody, adoption, delinquency, dependency/neglect, divorce, etc. Completion Date: July, 1987.

Through successful implementation of previous recommendation, there will be a systematic reduction of the training school average daily population to less than one-half the current level. Completion Date: July, 1982.

That the Arkansas Association of Municipal Chiefs of Police, the Arkansas Sheriffs' Association, and the Arkansas Law Enforcement Officers' Association in conjunction with the Governor's Commission on Crime and Law Enforcement establish uniform guidelines for dealing with juveniles. Completion Date: January, 1978.

That each enforcement agency develop written policies and procedures within the established guidelines. Completion Date: January, 1979.

That each enforcement agency take steps to strengthen cooperative working relationships with other major components of the Youth Services System. Completion Date: Ongoing.

To provide quality care for youth who must be temporarily detained in a physically restricting or unrestricting setting pending court disposition, transfer to another jurisdiction, return home, or placement elsewhere for long term care. Completion Date: Ongoing.

That the single state youth services agency and the State Department of Education establish a coooperative agreement designed to identify and utilize the role of education in the prevention, control, and treatment of juvenile delinquency. Completion Date: July, 1977.

The system of youth services proposed herein must first be understood in the context of the "whole" before we can deal with its parts as all of the system components are interrelated and dependent upon each other. We will be dealing with this structure primarily in terms of programming, organizational structure, organizational relationships and responsibilities. The following represents a brief description of this system:

The Youth Services System will be composed of three major components: one single state level youth services organization, statewide professional juvenile court services, and a series of comprehensive community based youth services programs.

It is proposed that the single state youth services organization be established by legislative or executive action within the Department of Social and Rehabilitative Services to carry out all state level functions of the system. This organization will be formed through the consolidation of existing state service components and the establishment of those new components necessary to accomplish the functions of a youth service organization.

The primary function of the single state youth services organization will be to implement and maintain a total integrated youth services delivery system with major emphasis on private, non-profit community based services. All other functions and activities of the single state agency will directly or indirectly support this primary function. Some of the specific activities of the agency will include:

Developing a comprehensive community based youth services delivery system through:

- A. Community awareness and mobilization.
- B. Identification and mobilization of potential services providers in the community.
- C. Technical assistance to community groups and providers in program development.
- D. Technical assistance to community groups and providers in resource development and procurement.
- E. Monitoring community youth services delivery systems and facilitating improvements in the system.

Develop innovative program models for dealing with youth problems in particular communities.

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Develop a system for the evaluation of specific programs in terms of their ability to impact the behavior of juveniles. This system will be result oriented and will attempt to realistically identify those programs which are most effective in treating a particular type of youth.

Coordinate and influence federal and state funding sources that directly relate to problem youth in order to better insure the most effective utilization of such resources.

Operate specialized treatment and correctional facilities (i.e., training schools) that will provide quality services for those youth who cannot be supported by their own communities.

Develop treatment modalities in the state level facilities for dealing with problem youth that can be exported to the community level.

Develop and manage a statewide client information system in the area of youth services. This system will have the capability of tracking youth through the enforcement/judicial system as well as through various treatment oriented services and programs. The purpose of this information system will be to identify problems and gaps in the Arkansas youth services delivery system so that resources can be better utilized to correct problem areas.

Develop an annual action plan for youth services in Arkansas which will identify needs as well as solutions to those needs.

In keeping with the basic premises stated earlier in this document, the State will be incolved in direct service delivery only to the degree that communities are unable or unwilling to do so. Initially, this will include the operation of the state training school system, the operation of the state aftercare program, the development and operation of a centralized adolescent treatment facility and a violent offenders unit.

As the degree of service capability and sophistication grows at the community level through the systematic planning and implementation by the single state agency, the State will reduce its direct service involvement to the operation of a small, specialized juvenile correctional facilities program. The average daily population of the training school will be reduced by at least one-half. The state aftercare function will become a juvenile court related function and the adolescent treatment component will also become decentralized.

et de la companya de la co The organizational structure of the single state agency is intentionally community oriented and is designed through both structure and process to limit the scope of the training school program. This is all a conscious effort to place training schools and the State's role into a balanced perspective within the Youth Services System.

The bulk of direct service delivery in this Youth Services System will be provided by a series of comprehensive community based youth services programs systematically developed across the State by catchment area (specific geographic delineations). These comprehensive programs will grow to be the identified and sanctioned youth services agency for that specific area. They will be community managed and operated with the single state agency providing some funding, ongoing technical assistance, evaluation and monitoring. The single state agency will define specific program requisites and results but will not specify the process by which these results are achieved. All of these programs will be under a private, non-profit organizational structure, will be independent of the juvenile court, and yet will be a primary service resource for the court.

The Youth Services System will insure that professional court services are offered on a statewide basis. It is proposed that each juvenile court in Arkansas (whether it be a multi-county or single county operation) have the following court related services:

Court Intake

Juvenile Probation Services

Juvenile Referee Services (as defined in the Juvenile Code)

Juvenile Aftercare or Reintegration Services

It is anticipated that these services will elevate the quality of judicial decisions affecting juveniles and insure that each court has the necessary resources to arrange for and insure alternatives to incarceration.

It is recognized that our juvenile court system in Arkansas, which is constitutionally protected, has built-in problems that cannot be overcome under the current structure. The professional court services proposed here are intended to "make the best of a less than adequate situation". The ultimate solution to this problem in the judicial area invoves a constitutional referendum and the adoption of the family court concept.

In summary, this total system is intended to prevent, treat, and control delinquency at the community level. It is predicated on the presupposition that:

if one single state level organization is the focal point for all youth services and takes the responsibility for assisting communities in developing the resources, and has the resources to do so, and

if there is a system of comprehensive youth services resources to prevent, treat, and deal with community delinquency problems at that level, and

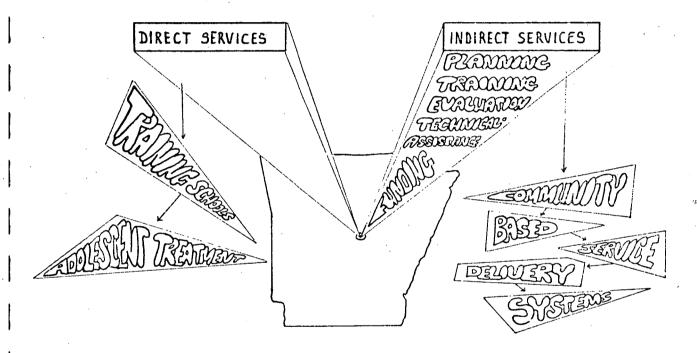
if the resources available to juvenile court judges are increased along with increasing the quality of judicial decisions via professionally trained referees judging cases,

then the necessity for incarceration and state operated training schools will be markedly reduced. It is anticipated that the results or consequential outcome of the successful implementation of this Youth Services System will be only very limited direct service involvement by the State of Arkansas. We expect that training school populations will be reduced to the degree that one training school could be closed, another converted to an open adolescent treatment center for adjudicated and non-adjudicated youth, and one training school could be left to provide traditional correctional and habilitation services for delinquent youth. It is also anticipated and recommended that one small serious or violent offender unit for youth be established in conjunction with the Arkansas Department of Correction.

It is anticipated that eventually the vast majority of all juvenile corrections and treatment will take place at the community level, including what is typically thought of as training school services. It is understood that this is not economically or technologically feasible at this point and time, but it is something for which we must systematically plan and ultimately achieve.

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SINGLE STATE YOUTH SERVICES ORGANIZATION



THAT THE DEPARTMENT OF SOCIAL AND REHABILITATIVE SERVICES ESTABLISH AND SANCTION ONE SINGLE STATE ORGANIZATION TO SERVE AS THE FOCAL POINT, COORDINATING, AND/OR SPONSORING AGENT FOR ALL YOUTH SERVICES ACTIVITIES. Completion Date: July, 1977.

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Arkansas currently has a mix match of programs that impact youth. There are at least four major departments of state government, numerous divisions, a variety of boards and commissions, and an array of private and church sponsored programs that either directly or indirectly impact the target population in question. Within the Department of Social and Rehabilitative Services alone there are four separate identifiable youth services organizational units. They are the Training School Section in Rehabilitation Services Division, the Juvenue Aftercare Section in Social Services Division, the Office of Youth Services attached to the Director's Office of the Department of Social and Rehabilitative Services, and Youth Services Planning in the Director's Office of the Department of Social and Rehabilitative Services. The lack of one central recognized service agency responsible for the systematic coordination, development, and maintenance of youth services is seen as a major problem and one of the precipitating factors in the development of our "nonsystem". There is an obvious lack of complementary efforts toward the common goal of delinquency prevention, control, and treatment. There is little or no coordination of existing agencies and activities to treat youth in trouble as a "whole person". Instead each agency characteristically operates independent of one another, often duplicating services, and at times competing for each other's resources and clients.

The principles involved in the development of this plan identify the Department of Social and Rehabilitative Services as the appropriate parent agency to provide the central focus and state leadership in implementing the Youth Services System.

The nature of the problem and the basic premises of this plan dictate that the only reason for the existence of a single state youth services organization within the Department of Social and Rehabilitative Services is to assist communities in meeting their specific needs. Through systematically meeting these needs a real system of youth services emerges. This organization's primary functions will include the implementation of the "Master Plan", ongoing planning, program development, funding, training, monitoring and evaluation of community youth services programs, operation of the state training schools and other specialized state services which communities are unable or unwilling to provide.

The role of this agency will be an overseer but not a governor or operator of the community based system of youth services in Arkansas. They will be the responsible advocate for the development of this total system or youth services.

In the most simplistic terms the tools necessary for this agency to accomplish its tasks include: the authority and sanction necessary to influence other state and federal

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agencies, the "front end" sanction on how and for what purpose identifiable blocks of youth services money is spent in the development of community based programs, a vehicle for upgrading the quality of services provided, a method for evaluating success and failure of the programs implemented, and a systematic direction to follow. The Governor, the State Legislature, and the Director of the Department of Social and Rehabilitative Services can provide the sanction and authority to this agency. State appropriation for community programming along with administrative allocation of existing federal resources to this agency for distribution would provide the resources to begin the implementation of this system. The Youth Services Master Plan provides the systematic direction.

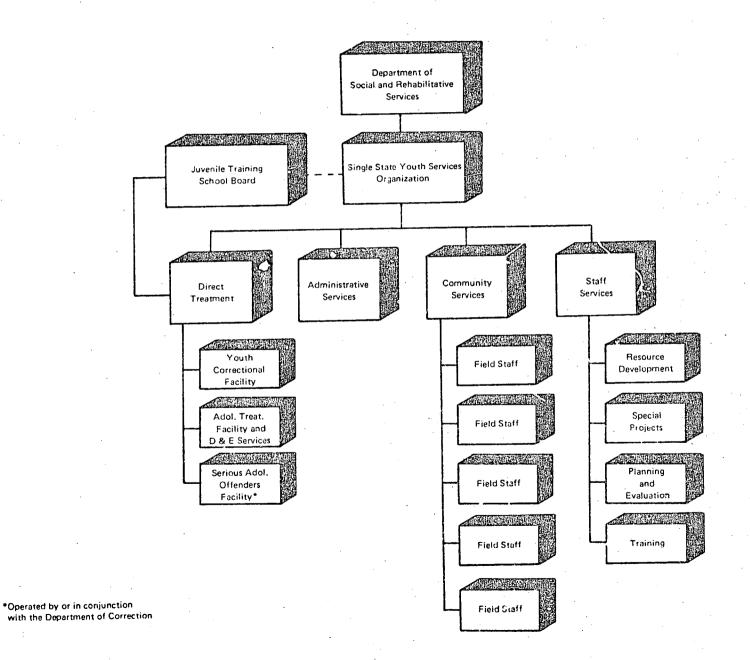
The organizational structure necessary for this organization to accomplish the prescribed functions is dependent to a large degree upon the parent organization (DSRS). For the purposes here we will address structure and function in the context of the components in the organizational chart on the following page.

There are two functional delineations into which this single organization can be divided. If one thinks of functions in terms of "line" (service output) and "staff" (support to the line), then internal and external roles and relationships become clearer. The "line" functions include the operation of the institutions (Training Schools, Reception and Diagnostic Center, Treatment Center, etc.) and development of community services. The "staff" functions include training, planning, evaluation, research and demonstration, resource development, etc. Administrative services are considered separately because of the specialization of their function.

This state organization would either be statutorially empowered as a division or through executive action receive authority and status commensurate with that of DSRS divisions.

TRAINING SCHOOLS

In keeping with the basic premises of this plan, the State will provide only those direct services which communities are unable or unwilling to provide. One such specialized service is our training school program or youth correctional facilities program. Arkansas currently operates three state training schools, two for boys and one for girls, and a coeducational Reception and Diagnostic Center. This service function is currently attached to the Rehabilitation Services Division. It is recommended that the training school section, its personnel and appropriation, be located within this single state youth services organization.



. As mentioned earlier, the bulk of direct service delivery in this Youth Services System will be provided by comprehensive community based youth services programs systematically developed across the State. Both structure and process of this single state youth services organization is intentionally designed to support community based service delivery and to limit the scope of the training school programs. This is a conscious effort to place the training school program and the State's role into a balanced perspective within the Youth Services System. Heretofore our institutional programs have dominated both the State's expenditure and involvement in the youth services area. As the overall Youth Services System is developed, the reduction of population at the State's training schools will be one of the primary measures of the success of this total system.

The extent to which the single state organization is successful in the development of viable community based youth services programs will determine to a large degree what the training school population will look like in the next five to ten years. With the successful implementation of this total system, it is anticipated that the result will be a reduction of the youth correctional institution average daily population to less than one-half of their current level.

The job ahead for the youth correctional facilities section of this single state organization is twofold. It must develop and maintain effective correction and treatment technologies for the youth in their facilities and must systematically redirect and structure programs to meet the specific specialized needs of youth in the total system. Specific redirection over the next six years includes: the conversion of one facility into an open adolescent treatment center for boys and girls, the development of a serious or dangerous offenders unit in conjunction with the Department of Correction, the gradual phase out of one of the training school facilities as such, the retention of one facility for adjudicated delinquents which will offer a full range of youth correctional services, and the eventual phase out of the indolescent treatment facility as community based treatment becomes available. It is anticipated that eventually the vast majority, if not all, youth correctional activities will take place at the community level.

The training school board, which currently has governing authority over the training school activities and its director, will retain all of its vested powers and authority. It is proposed that they have broader advisory responsibilities for the overall system. The organizational location of the board would be elevated to establish a direct relationship with the head of the single state youth services organization. It is important that the training school director does not receive direction from two sources

i.e., from the director of the single state organization and the training school board. We currently have such a bifurcated or dual arrangement with the director of the DSRS having some authority and responsibility for the training school system and its director while the training school board also has certain responsibilities and authorities in this area. It is proposed that all directives, policy statements, and formal communications from the board regarding the training schools go through the head of the single state youth services organization. The director of the training schools will report directly to the head of this organization. This promotes and facilitates effective single line communication.

The interrelationships of the overall system components become obvious when speaking of the various and related functions of this single state youth services organization. It is critically important that the organizational head have responsibility for the State's role in the total system. His/her deputies will include community services, correctional facilities, and staff services (i.e., planning, evaluation, training, etc.) which will be directly responsible to this one organizational head. Such an arrangement insures continuity between community and institution and facilitates problem solving and the single direction that is so grossly needed.

STATE AFTERCARE

Although the process of reintegration is critically important in the success of youth returning home, the state aftercare program is not a part of the proposed Youth Services System. In fact, it is recommended that the state aftercare function be phased out within two years. This function will become a part of professional court services.

Arkansas' state aftercare program represents the system of parole for youth who have been committed to the training schools. Legal sanction for this program is provided and mandated in Act 20 of 1968 which states: "The board (training school) shall establish a system of parole and a program of pre-parole and pre-release orientation for juveniles to the various training school facilitie and shall employ such personnel as it shall deem necessary to carry out the parole system and the pre-parole and pre-release orientation program". Originally this program was operated by the training school department and was under the direct supervision of its executive director. With the dismantling of the Juvenile Services Division the aftercare section became a part of the Social Services Division's field operations.

With very few exceptions, all youth committed to the training schools participate in the state aftercare program upon release. Under the formal system of aftercare, the

appropriate youth services counselor is notified of the commitment of a youth from his area two to four weeks after the court has made that judgement. Notification takes place after the youth completes evaluation at the Reception and Diagnostic Center. Records are forwarded to the field supervisor, along with a certificate of assignment, which is in turn sent to the appropriate counselor.

Usually within three weeks after receipt of notification the first contact is made with the youth's family. Therefore, the time between commitment and first contact with the family may be between one to two months. At this time, a home study is completed along with a recommendation for placement after release. This is forwarded to the training school and central office.

Juvenile Services policy calls for one more contact with the family for a follow up report. The first pre-release staffing for youth at the training school is usually held approximately three to four months after the youth's commitment. The girls' training school tends to have the first staffing earlier than the boys' training school. The appropriate field staff person is usually notified before this staffing, and whenever possible, youth services counselors attend these staffings. While at a particular institution for the staffing of a youth, counselors are encouraged to visit with other youth on their caseload. Youth services counselors normally see a youth one to three times before he or she is released from the training school. At the staffing the youth services counselor may be informally notified of the probable date of release of the youth. A status change form is the formal notification document completed by the training school. This is sent to the field supervisor at the time a student is released either to his home, the home of relatives, or an alternate residential placement. The supervisor forwards the status change form to the youth services counselors who then is responsible for contacting the youth and his family as soon as possible. Because of the time loss in mailing and because many counselors serve several counties, the youth may be home from one to three weeks before he or she is contacted by the counselor. The degree of contact during the aftercare process may vary according to the needs of the child and the workloads of the counselors.

The Juvenile Services Section has several options regarding the type of release. The most common forms are trial release and parole although discharge and furlough may also be used.

Trial Release

The condition on which a student who has been assigned to one of the training schools is released from the jurisdiction of the school to return to the community is trial

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release. The training school staff, through the superintendents, forward the release requests to the executive director for board approval. Youth placed on trial release from the training school or Reception and Diagnostic Center sign a release agreement with conditions listed. Parents and guardians of the youth also sign the agreement. The conditions of the release are determined by the training school staff, the youth, and the youth services counselor. Any changes in the conditions are made by the youth services counselor and the youth with the approval of the supervisor. While on trial release, the youth is placed on the caseload of a youth services counselor and taken off the daily population records of the training school. If the youth does not successfully fulfill nis obligations under the trial release, the youth services counselor may have him recommitted. The youth can only be returned for documented reasons and only with the approval of the director of probation and parole who will notify the superintendent of the training school from which the youth was released. The status of the youth may be changed by the youth services counselor from trial release to parole or discharge upon his recommendation. No formal court action is required for the revocation of trial release. Parole release returns jurisdiction to the community, but the youth services counselor has the responsibility for aftercare of the youth for up to one year. New court action is required if parole release is to be revoked.

Discharge

The condition by which the state terminates all relations with the youth, either due to his or her having reached majority, subsequent higher court action being taken, or any condition which would indicate that aftercare supervision is no longer necessary or possible is discharge. When a youth is discharged, court action will be required to return him to the training school. The central office is notified and action is taken in closing the youth's case; again, court action is necessary to bring the youth back into the system.

Discharges may be made from the training school and community by the field staff. Training school discharges are made when (1) the youth reaches majority, (2) he joins the Armed Services, (3) he joins the Job Corps, (4) the youth is accepted at the Children's Colony, (5) the case is referred back to committing court with recommendations for disposition, (6) the youth enters job training and aftercare is not necessary. The central office discharges youth through recommendation of the youth counselor when (1) it is determined that aftercare supervision is no longer necessary, (2) subsequent higher court action is taken, (3) the youth is out of state and reaches majority, (4) the youth is paroled to job training and reaches majority, and (5) the youth joins the Armed Services or the Job Corps.

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Furlough Release

When a student who has been assigned to one of the training schools is released from the training school for a short period of time i.e., a holiday or weekend, but remains under the jurisdiction of the Training School Department, the condition is known as a furlough release. A furlough may also be used for a long period of time such as an extended training or treatment program in which the youth is participating. Field service supervision may or may not be used. It is a decision of the training school staff. The central office is notified of a furlough release, and the youth is kept on the population roles of the training schools.

In addition to all of this, the Juvenile Code of 1975 requires approval of the committing court before any major change in the youth's circumstances can be effectuated. The counselor ideally helps the youth in alleviating problems that might exist in the home and helps to provide an atmosphere in the family setting, the community, and school that is conducive to the child's return and reintegration. National Standards and Goals define the youth counselor's role as "the task of parole staff is to intervene between the offender and his work, and, if needed, to work with him to find satisfying and legal modes of behavior". Youth services counselors, however, find themselves with conflicting role expectations. They are expected to supervise and monitor progress for youth returning from the training school as well as provide supportive counseling and services to the youth and his family. It is difficult to provide support when the "helper" is perceived by the client as a "checker". Because of the caseloads, large geographic areas covered by the counselors, and agency requisites, the primary functional responsibility of counselors tends to become supervision and monitoring.

There are 22 youth services counselors and 8 regional supervisors. Map I shows the location of each counselor by region as well as the location of the three training schools. As previously mentioned, the counselors cover large geographic areas. The counselor from Fayetteville, Region I, must travel 221 miles one way to see a youth at the Pine Bluff Training School. Table I on the following page shows selected counselors and their distance from the training school.

¹Corrections, National Advisory Commission on Criminal Justice Standards and Goals, p. 408.

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TABLE I

DISTANCE BETWEEN SELECTED YOUTH SERVICE COUNSELORS

AND THE PINE BLUFF TRAINING SCHOOL*

ation of Counselor	Number of Miles to Pine Bluff Training School
Fayetteville	221
Fort Smith	199
Texarkana	152
Jonesboro.	149
Osceola	180

^{*}Mileage taken from the 1974 Highway Department State Highway Map.

For fiscal year ending June 30, 1976 the state aftercare section expended approximately \$461,000 to provide services to approximately 800 youths.

There are a variety of reasons for proposing the phase out of the state aftercare function. The program has only a limited scope of responsibility for youth in the justice system, from time to time he/she returns to the community until parole is completed. The committing court has usually had contact prior to adjudication and has jurisdictional responsibility throughout commitment process and after return. There currently exists considerable role conflict and duplication of services between state aftercare and county probation staff. The basic premises of this plan logically places this function with the committing court. The premises that speak directly to this include:

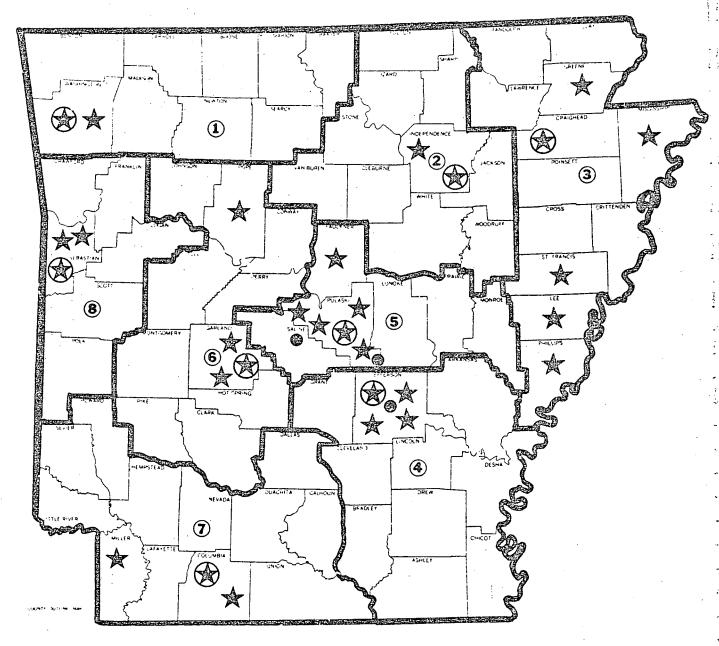
That, by nature, delinquency is a community problem and its prevention, treatment, and control is more efficiently and effectively administered from the community level.

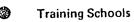
That the State should not be a direct deliverer of services except to the degree that communities are unable to do so.

That state services will be utilized by communities only to the degree that community resources are not available.

Generally speaking, when a youth is committed to the training schools he/she has been before that court several times. In all probability the court staff (usually probation officers) have been dealing with the youth and his family for some time. Approximately 75% of the youth at the training schools have been on formal probation prior to commitment. This committing court and its staff is to whom the youth considers

MAP I YOUTH SERVICES SUPERVISORS AND COUNSELORS







Aftercare Supervisors



Aftercare Counselors

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himself accountable; his orientation. The state aftercare staff has had no formal contact at this time. The new Juvenile Code rests the legal authority and responsibility for the youth while in the training schools with the judge of the committing court. The youth cannot be released or placed elsewhere without the consent of this judge. When the youth returns to the streets of the community the system that sent him is the system to which he is ultimately responsible. In all probability the court's probation staff will have most contact with this youth. The state aftercare staff is nothing more than a quasi agent for this court. Any decisions affecting the youth's living situation, i.e., return to the training school, must be approved by the court. This sort of organizational arrangement is a fair example of "responsibility without authority". This type of intraorganizational situation is a common precipitator of system dysfunction.

Professional court services will be outlined in detail later. It is proposed that the function of reintegration be located in this component of the Youth Services System. The job of state aftercare for the next two years will be twofold: To continue aftercare services where community resources are undeveloped and to develop the resources necessary for counties to assume this responsibility. It is proposed that a policy decision be made against filling any vacancies in this unit. Emphasis will be placed on managing cases and not providing direct counseling services. It is anticipated that a small core of staff will be retained after phase out for case management and institutional liaison purposes.

COMMUNITY SERVICES

There seems to be a growing awareness at all levels of our society that we must look to the youth's community for solutions to the problems of juvenile delinquency. Time and time again federal and state systems have been established to deal with youth problems, but for the most part they have been failures.

The community in which a young person resides has ultimately got to be the place where his problem is dealt with. Youth may be removed from their environment for a period; but in the end, the youth must return to and cope with the community in which the problem started.

So, in essence, if it can be agreed that delinquent or deviant behavior of youth to a great degree is precipitated by an inability to cope successfully within the environmental structures of the community, we must look more and more to communities

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to deal with the problem. Without more attention and emphasis in this area, it is unlikely that we can ever effectively deal with the problems of delinquent behavior. The most we can ever hope to accomplish is to continue to react to symptoms and impose solutions that may not be appropriate.

With this as a presupposition, there remains the problem of getting communities to deal with the problem. For some time now the philosophy of the major actors in the enforcement/judicial system of most communities has been one of "out of sight - out of mind". It has been much easier to let the State assume responsibility for problem youth.

By sending a problem youth to an institution outside of the community, the community does not have to deal with the problem. At best this is only a temporary solution because the youth will eventually return to the community, often more of a problem than when he left. This only provides a temporary moratorium for the community. It seldom, if ever, provides a solution to the problem.

However, a growing number of communities are genuinely concerned about its youth and their problems and are sincere in their efforts to deal with the problem of delinquent behavior at the community level. The problem that arises is that most communities and community groups lack the knowledge base, resource base, and technical skills to adequately deal with the problem.

The Community Services Section of the single state organization is considered the primary program development and implementation arm of the system. This organizational unit provides the expertise necessary for community problem solving and program development. It will be this unit's responsibility to develop the system of comprehensive community based youth services programs in Arkansas. It will establish methods to facilitate coordinated working relationships between various community agencies delivering services to youth, mobilize potential resources within communities to develop needed programs, and in effect become the community program development advocate for and with communities. This unit must operate in an extremely flexible, responsive, and dynamic mode. They must continuously assess variables within communities and be able to alter strategies on the spot while at the same time not losing sight of the overall goal. The staff will be generalist having a working knowledge of various funding resources, regulations, desired program models and community dynamics.

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 A consistency of the contract of and the second of the second o As this unit begins developing the community based service delivery system, it will have the direction of the Master Plan, the "front end" sanction on blocks of federal and state youth services money, and the support of the staff services section of the single state organization. It is anticipated that through the efforts of this unit the majority of all youth services will be provided by the communities themselves. The task of the State will be to assist communities in solving their own problems through effective programming.

STAFF SUPPORT SERVICES

The staff services section encompasses all of the functions and activities necessary to support the "line" functions. The most obvious of these are the functions of Planning, Evaluation, Training, and Resource Development.

This total system is built on an outcome model. In community services, for instance, the State defines the desired outcomes and general program types i.e., non-residential, but not the process. Communities determine the specific program and process by which the outcomes are reached. Client and program impact evaluation models provide an effective management, planning and program control tool. Since the State will be sponsoring but not operating the community based service delivery system, this tool is critically important. Eventually, patterns of successful achievement of outcomes will emerge in specific programs. Comparative analysis of programming will be a major determinant of which programs work and which programs do not work.

Planning and Evaluation

The mission of the Planning and Evaluation Section will be to collect data, determine needs and priorities, design new and innovative programs to meet the needs of delinquent and pre-delinquent youth in the State, and operationalize the Youth Services Master Plan. Specific functions will be:

To implement and manage a system of data collection, storage, analysis, and reporting as to the various contacts youth make with the Juvenile Justice System.

Provide the Community Services and Training Section with the necessary data support to aid communities in developing programs and meeting the training needs of workers in the State.

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Work with the Community Services and Training Sections in developing an overall action plan that would determine the direction that youth programs should take.

Provide programmatic technical review and comment on all subgrant applications seeking LEAA or Title XX funds in order to develop community based youth programs which will be coordinated with regard to overall direction, standards and goals.

Oversee the administration of the block of state match that will be added to the local match for programs in the system.

Develop a comprehensive needs assessment as to the identified problems of delinquent and pre-delinquent youth in the State.

Develop priorities as to types of youth programs needed and standards and goals that such programs must adhere to in order to effectively meet identified needs.

Develop a system of evaluation that would accurately at less the strengths and weaknesses of the wide variety of youth programs in Arkansas, and make the results of such evaluations and programs available to the Community Services Section so they will be able to implement specific changes that would improve the impact of youth services programs.

The overall purpose of the Planning and Evaluation Section will be to look at the entire Youth Services System, identify needs, develop concepts and plans to meet the identified needs, and provide direction and guidelines which, when implemented, would provide communities with a common, comprehensive approach in meeting the needs of youth at the community level.

Training

The long range vehicle for insuring quality services for youth is training. When and as the system of youth services emerges, the ongoing training function should become a major priority.

The goal of the Training Unit will be to provide training and educational services to juvenile workers at all levels of the State regarding new developments and directions within the area of juvenile services as well as techniques developed in coping with specific juvenile problems.

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Specific functions include:

To realistically determine the state training needs for youth workers.

To develop and coordinate training programs.

To equitably distribute monies and opportunities for quality training to all youth workers in the State.

To administer pre-evaluations of all training programs funded by the Training Unit.

To develop and implement an effective communication system that would provide agencies and juvenile workers with needed information.

To develop a "resource" bank of agencies and professionals at the national, state, and local levels who have demonstrated a degree of expertise in specific juvenile areas and to make such information easily accessible to professionals and agencies in the juvenile area.

To distribute educational and training materials in the area of j ivenile problems, programs and services.

The implementation of this unit will upgrade the education and competence levels of all youth workers in the State of Arkansas, ideas, and approaches for dealing with juvenile problems at both the state and local level.

Resource Development

Ongoing resource development and coordination will be a critical factor in the survival of the system of youth services in Arkansas.

Services to youth in trouble, unlike many areas of human service need (i.e., mental health), have no single major federal funding source. The Juvenile Justice and Delinquency Prevention block money to Arkansas provides roughly enough resources to operate one good comprehensive area program. We need at least 14. There are at least five major federal sources that have some funding responsibility for this target population. Most of these are for specific problem subtypes such as drug abuse, poverty, etc. Resource exploration, development, and coordination is a technology in itself.

The primary objective of the Resource Development function will be to identify federal, state, and local funding sources which have resources available to facilitate

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the development and operation of comprehensive community based programs and services for youth (i.e., Title I Special Education, Drug Abuse Prevention, LEAA, Title XX, and Quorum Court State Per Capita Turnback funds).

The general functions include the following:

To develop mechanisms of improving community's resource procurement and utilization (i.e., multiple federal, state, and local funding).

To develop plans for maintaining ongoing and flexible funding.

To develop goals and standards for employing state per capita turnback monies for part of local match as incentives for development of the network of comprehensive community based programs.

To assist communities in identifying and getting access to potential funding sources.

It is important that the single youth services organization have authority and/or influence over the allocation and/or administration of state and federal youth related monies for community programming. It is recommended that a major block of Arkansas' Title XX monies (\$6 million to \$8 million at full operation) be allocated to this organization for the operation of comprehensive community based youth services programs. It is further recommended that this organization be allocated between \$500,000 and \$750,000 in state money to assist communities in the match for federal dollars.

CONCLUSIONS

In summary, an organizational structure must be developed and implemented which will have the legal sanctions to provide the necessary functions and services essential to a statewide system of youth services. Such an organization would have the responsibility for providing the leadership, guidelines, coordination, planning, accountability, and overall direction of programs and services relating to youth problems in the State of Arkansas. Consequently, it is recommended:

THAT THE DEPARTMENT OF SOCIAL AND REHABILITATIVE SERVICES ESTABLISH AND SANCTION THE SINCLE STATE YOUTH SERVICES ORGANIZATION TO SERVE AS THE FEAL POINT, COORDINATING, AND/OR SPONSORING AGENT FOR ALL YOUTH SERVICES ACTIVITIES IN ARKANSAS. Completion Date: July, 1977.

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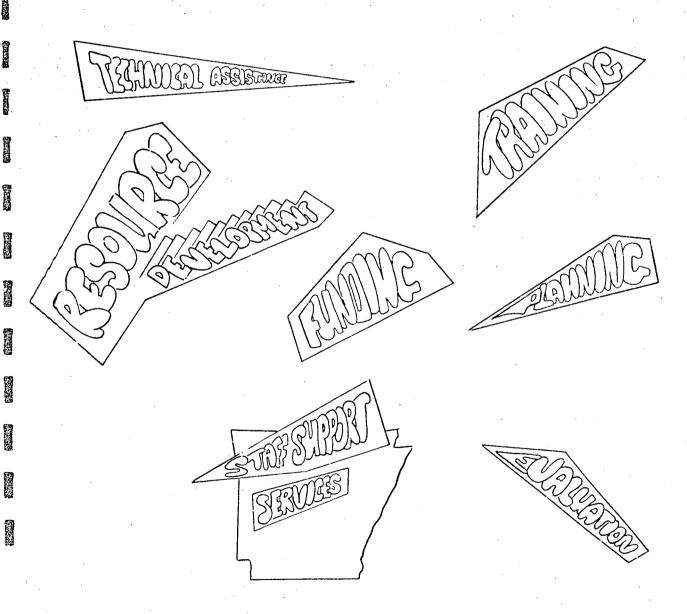
The implementation of this recommendation will require the following action steps:

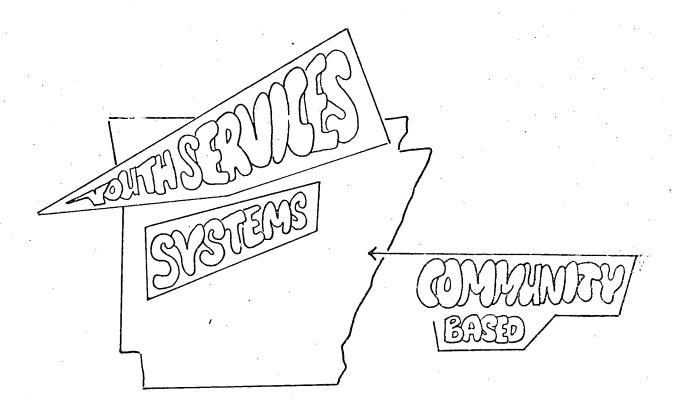
Organizationally locating the Training School Section within this single state youth services organization. Completion Date: July, 1977.

Organizationally locating the state aftercare section within this single state youth services organization. Completion Date: July, 1977.

Establishing the organizational functions of program planning, monitoring and evaluation, training and resource development for youth services in the single state organization. Completion Date: July, 1977.

Establishing authority in the single state agency for allocation and/or administration of state and federal youth related monies for community programming. Completion Date: July, 1977.

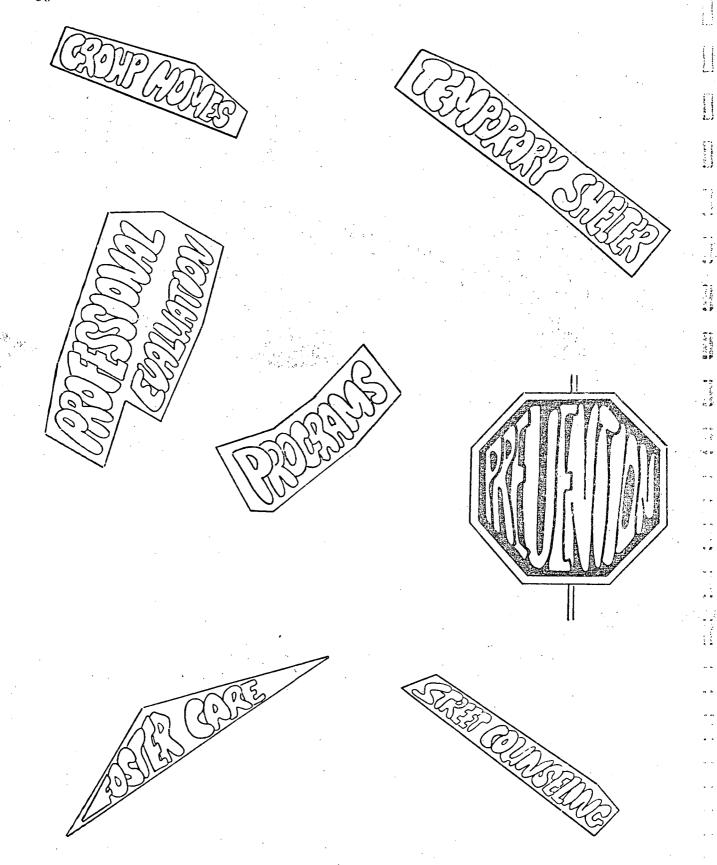




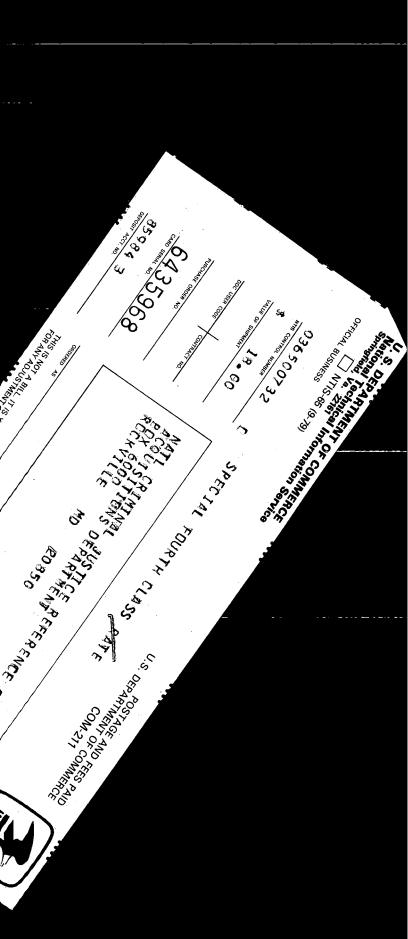
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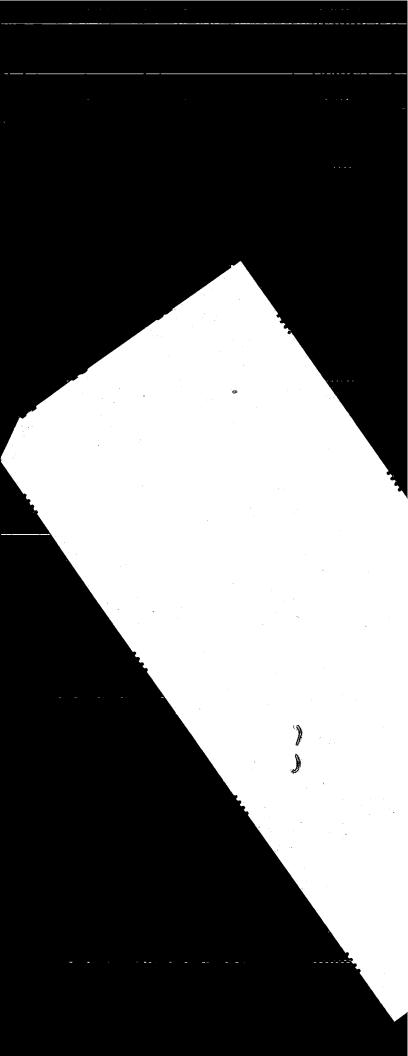
ESTABLISH A STATEWIDE SYSTEM OF COMPREHENSIVE COMMUNITY BASED YOUTH SERVICES PROGRAMS. Completion Date: July, 1980.

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As stated earlier, delinquency is by nature a community phenomenon. The behavior of youth to a large degree is determined by the environment in which they function. When considering approaches for the prevention, treatment, control, and amelioration of delinquency, one must think in terms of the environment in which it occurs. Because this phenomenon is so situationally defined, state agencies find it frustrating and extremely difficult to effectively deal with this problem. Many states have chosen an almost totally state operated approach to the situation, including state employees in county court systems, state owned and operated residential care facilities, and, of course, state operated training schools. Other states have chosen to remove themselves from the youth services arena by tearing down existing institutions, making masses of money available to community providers, and legislating state non-involvement. In almost every case, these program decisions were based on "reaction to pressure". Almost without exception, there has been no systematic planning or "master plan" for action. States tend to either evolve into the system of services they currently have or, through reactionary decisions, establish their new system. Until the development of this plan, Arkansas was no different from other states in its approach to youth services. There existed, and still exists within the State, an obvious and glaring lack of unification, coordination, and common goals for the system of youth services. Arkansas has evolved over the years into a mix-match of programs, procedures, and practices, which collectively scarcely resembles a "system". We have multi-level governmentally sponsored programs, privately sponsored programs, and church sponsored programs working sometimes at odds, sometimes together, but usually dealing with only pieces of the delinquency problem.

A system or complex of non-governmental community based youth services programs is seen as the heart of Arkansas' propi sed system of youth services. This should not be interpreted to mean that the State will be removed from the youth services arena, but that the role of the State in the development and operation of the system of community based youth services will be clearly defined. By developing community based programs, Arkansas will not merely achieve its "system" of youth services, but programs will be developed around defined objectives and goals explicitly related to the prevention, control, and treatment of juvenile delinquency on a statewide basis.

At the present time, there are several major state agencies dealing with youth problems at the community level in varying degrees. They include the Juvenile Training School Section, the Office of Youth Services, the Division of Social Services, the Governor's Commission on Crime and Law Enforcement, and Community Mental Health. When added to other agencies such as the Office of Drug Abuse Prevention and the Office of Alcohol Abuse and Alcoholism, who are involved to some degree with troubled

youth, one is understandably overwhelmed and confused when attempting to pursue a rational and systematic approach to dealing with problem youth in their own community. This problem is further magnified when one looks at the fact that each of these agencies is, to some degree, involved in community development activities that impact youth around the State. The consequence of each effort operating independently and in virtual isolation of the others has resulted in less optimal achievements in the juvenile area. Some of the more important reasons for this are:

There is no centralized and standardized data collection, storage, and evaluation system which can provide the comprehensive, qualitative data necessary to assess the entire area, as well as the various programs attempting to meet problems.

Pilot programs are developed and funded through one resource without input into what other agencies are doing in the same area resulting in a large number of similar programs for particular types of youth and virtually no programs or services for others.

Programs are established with limited federal funds which often terminate and then there is not adequate planning to insure that such programs will be continued or there is limited knowledge of other funding mechanisms by the service provider to assure continued programming.

There is no single viable sanctioned agency or system for mobilizing community groups to deal with local youth problems or to develop local programs for youth in any kind of systematic or cohesive manner.

Local groups and agencies who want to develop services for youth do not have adequate knowledge of the various national, state, and local resources available to them and are overwhelmed by the "bureaucratic" processes necessary to obtain such resources.

There is no well established method of training youth workers in the State or providing these workers, program administrators, and local communities with current information regarding developments in the juvenile area.

There is no centralized system for implementation of programs to meet identified needs at the local or community level.

There is a general feeling of mistrust of local units of government, community groups, and private agencies towards state or national agencies.

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Communities tend to develop programs around funding sources with which they are familiar rather than around actual community needs.

There is a lack of valid and consistent criteria, priorities, and policies for youth problems in the State which results in the absence of a common philosophy, direction, and goal for the State.

The results of the problems outlined above is that there is an extreme variance between the levels and types of community programs available for youth in various areas around the State. In some areas, for example, one will find a vast array of services and programs for troubled youth, and in other areas virtually none. In addition, even in those areas where there are a large number of services, they tend to be concentrated primarily on a specific segment of the troubled youth population, while the larger segment still remains virtually without local services. An example of this is that the overwhelming majority of the approximately thirty group living facilities for youth around the State tend to serve the more intelligent, less severely disturbed youth.

EXISTING COMMUNITY SERVICES

Community based programs in Arkansas with structured activities designed to deal with juvenile delinquency can generally be classified into three categories. They are residential or substitute living situations, non-residential, such as those court related programs, and those with both residential and non-residential components. The non-residential programs are generally court sponsored probation agencies. Arkansas has very few non-residential (non-court related) programs serving youth in trouble. The residential programs are generally substitute living situations ranging from private foster care to large residential programs.

In 1974, the Youth Services Planning staff conducted a survey fo community based programs, in Arkansas and found that 24% of the 83 community based programs sampled derived their total income from private donations. A categoration of this figure is revealing in that private donations accounted for 57% of the total income for residential programs and only 7% of the total income for non-residential programs. LEAA represented almost 30% of the total income for non-residential programs (primarily county probation). These figures reflect the religious and community affiliations of many residential programs as well as LEAA's traditional reluctance to fund programs serving youth other than delinquents. This statement is further supported by the fact that LEAA represented only 4% of the residential income. These programs traditionally served dependent/neglected children as well as delinquent

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youth. The actual cost per child, per year for community based programs range from \$24.00 for a volunteer non-residential program to \$5,155.00 for a sophisticated non-residential program and from \$293,00 for a secure detention residential facility to over \$19,000.00 for an in-patient treatment facility with child/staff ratios of almost one to one.

The residential programs accounted for 8% of the total youth served in Arkansas in 1974, while the 92% served were within the non-residential program environment. Collectively, all of the program elements surveyed served about 17,000 youth with the average service duration ranging from 1.2 months to over a year. Residential programs served clients for longer period of time on the average and this may be explained by the fact that there are several large residential facilities providing long-term care.

There are a few community based group living facilities for youth which offer services for the more troubled youth. There are several reasons for this type of problem:

Considering the relatively few community based services currently available for youth in the State, it is more logical to focus on those clients with whom there is the greatest potential for success, and

The confusion over funding sources and the mechanics necessary to attain them has perpetuated the practice of service providers developing new program proposals based on past successful models.

What happens, in essence, is that in the absence of a single state level entity to contact regarding youth programs, new potential service providers who want to offer services to troubled youth tend to seek assistance and aid from existing service providers who have "gotten through the system" and modeled the new programs after the existing ones which in effect perpetuates more of the same.

PROPOSED COMMUNITY BASED YOUTH SERVICES

Any proposed community based youth services system requires the following considerations:

That delinquency or problem behavior on the part of youth is a socially defined problem and to a large degree is defined within the youth's own community.

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That to begin to effectively "act" instead of continuing to "react" to the problem, or emphasis in terms of programmatic and financial assistance needs to be focused upon the community.

If a community or society has judged that a person is not acceptable because of his/her behavior or attitudes, then the society has an obligation to provide suitable alternatives or an avenue by which the person can gain acceptability and become a responsible person within the community.

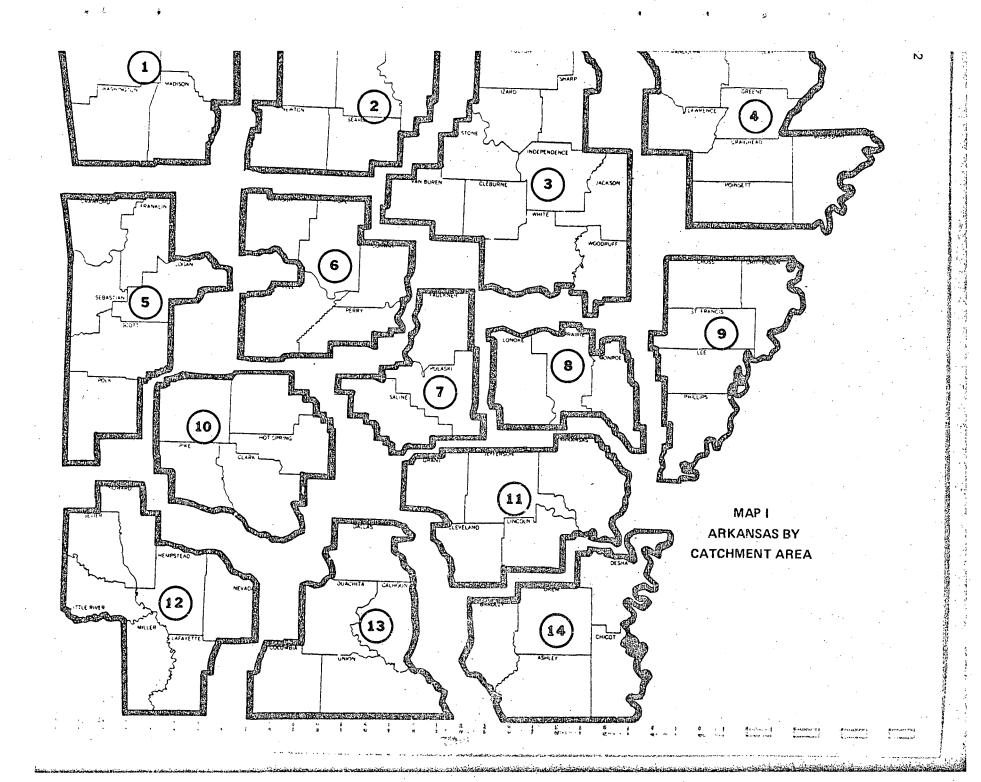
Every problem youth in the State should have the opportunity for quality services and programs.

The principles involved in the development of this plan necessitates that a comprehensive statewide community based program be accomplished through a single direction, ongoing resources, a method of assessing impact of services, tying the resources (money) to the services, and the technical expertise to develop and assist in maintaining those services.

To accomplish this, it is recommended that the State be divided into fourteen service catchment areas. (See Map I.) These geographic delineations would become "the community" so far as program development, funding, and management purposes are concerned. The core services system developed will be for the entire catchment area, not for just one city or jurisdiction. This is not to say, however, that there would not be single city and county services as needed.

The single state youth services organization will prescribe the basic service types or parameters that will be developed in each catchment area. It is important to note that the State defines outcomes or parameters not processed. Communities decide the process or how outcomes are reached. The single state agency must have "front end sanction" for substantial amounts of federal dollars to fund these programs. It is anticipated that four to six million dollars annually will be necessary to operate the system of comprehensive community based youth services in 1980 when at full operation. Although this is a substantial level of funding for youth in trouble, the services developed will also serve as direct resources to current state services providers, i.e., Social Services Division, Rehabilitation Services Division. Title XX is seen as the primary federal funding source, although the Law Enforcement Assistance Administration, Arkansas Office on Drug Abuse Prevention, and others will play a vital role.

An intricate part of the ongoing funding of these programs is the State's partial financial participation in matching the federal dollars. It is recommended that the State



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develop a per capita turnback formula by which State dollars can be equitably distributed among programs providing the prescribed comprehensive services. These dollars would be appropriated to the single state youth services agency specifically designated for this purpose. At full operation, it is anticipated that between \$500,000 and \$750,000 will be needed annually for this function. Much of this could be accomplished by consolidating existing state appropriations used for similar purposes. Social Services Division currently has \$150,000 annually, and the Mental Health Division has over \$600,000 for youth related community based programs.

To deal realistically with the problem within the community, there must be a central focal point for the community to look to. This organization may be a newly established agency, a consortium or collection of existing youth services providers, or even a body or group of concerned citizens such as the Junior Leagues, Lions Clubs, etc. The organizational configurations would vary, but these programs would have the basic structure typical of human services organizations; and above all, they would be the focal point for youth services within the community. These comprehensive community based programs would be responsible for providing certain mandated services to youth within a defined catchment area. A catchment area concept similar to that used by Mental Health should insure services to youth in every county in the State.

The single state organization for youth services would have the responsibility to mobilize the community through technical assistance to develop the comprehensive programs. Through a community developed unit and assistance from the community specialist of other agencies, local interested groups, and individuals, agencies would be contacted to develop the programs within their catchment area. To further simplify the harmonizing of services within the community, the funding and follow-up evaluations would be coordinated through the single state level organization.

To begin to develop the system, it is essential that an organization be designated as having primary responsibility in the area of community services for youth. There are several advantages that could be anticipated by designating one agency as having primary responsibility for community youth services. Some of them are:

Local providers could have one primary contact person or agencies with which to deal in the development of local programs or services.

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Service or program duplication could be significantly reduced in that the various state agencies involved with youth would not be operating in isolation of the others.

The potential of shared staff responsibilities between agencies could significantly reduce the administrative cost of the various agencies involved with youth.

Various funding sources could be better coordinated and utilized so that maximum allocation and distribution of funds could be better realized.

More planning could be effected to insure that, once started, programs would be more likely to continue.

The State could begin to pursue a common direction in the area of youth services delivery.

There could be additional planning and evaluation support ser ices available to the community services section as a result of locating the community services component in the single state agency for youth.

Service Components

Considering the previous factors mentioned, seven broad parameters of service have been identified. Collectively, these service areas constitute comprehensive community based youth services programming and should be available to young persons on trouble. They include:

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Professional Court Services

Legally Trained Referees

Intake

Probation

Aftercare

Client Needs Assessment

Non-Residential Direct Services

Primary Prevention Services

Diversionary Services

Residential Services

Detention

Shelter Care

Emergency Care

Alternative Living

Information and Referral Services

Each of these service areas will be discussed in detail; and some effort will be made to demonstrate how each of them functionally relate to troubled youth as well as how each can collectively form the nucleus of a comprehensive youth services system.

Professional Juvenile Court Services:

These services are considered a prerequisite to all the other services. All court related services will be organizationally discrete and separate from the other six services, but are an intricate and absolute necessary component of the system. It is important, however, that the community based services be a direct service to the courts but not a part of the judicial process and court related activities i.e., probation, parole. These services are discussed in more detail in the Professional Court Services Section.

Community Based Client Needs Assessment:

In order to effectively deal with youth problems at the community level there must be a method for determining what the problems are. By establishing a community based system of providing quality client needs assessments, Arkansas can for the first time begin to validly identify and document the needs of its problem youth which

in turn will enable more effective programming to meet the needs. In the past, such evaluations have been provided at the State Reception and Classification Center (a post-adjudicatory center). However, if local diversion is to become a reality, evalution at the local level must be made available to the courts prior to disposition. The single state organization will be responsible for seeing that basic needs assessment data is consistent statewide. The client needs assessment will become the baseline for measuring success of the program through the outcomes of behaviorally specific objectives as outlined in the client needs assessment.

All youth committed to the Arkansas Training School Department receive a post-adjudicatory psycho-social diagnostic workup at the Reception and Diagnostic Center. During calendar year 1974, there were 777 admissions to the Center. Of this total, 32% were recommended for placement in a juvenile corrections institution. However, due to the lack of dispositional alternatives, 87% of these youth were actually placed in a training school environment. Furthermore, 38% of the 777 commitments to the Department were status offenders. This variance between Reception and Classification Center placement recommendations and actual placements, and the percent of status offender commitments evidences the need to develop community based pre-adjudicatory diagnostic and evaluation services. Without a uniform assessment process, youth will continue to be programmed in a fashion which is inconsistent with the basic intent of dispositional hearings.

There are several ways in which this component can be established. The most obvious, of course, is through the Community Mental Health Centers in each of the regions. Other possibilities which may be considered are: agreements with professional staff of a college or university; diagnostic staff as a part of the comprehensive program; or contracts with private professionals or agencies. Again, the process should be suited to the communities' needs, not the State's.

Non-Residential Direct Services:

These services should not be confused with the type of non-residential services currently offered by county probation programs. This particular service type is virtually nonexistent at the community level in Arkansas. It involves a direct service approach to that utilized in traditional youth services bureau programs (which Arkansas does not have either). Basically, services would involve both direct services to youth on an active caseload and coordination of other services for youth and their families. This should include:

Supportive Counseling (Family and Child)

Street Work

Employment or Training Related Services

Tutoring

General Advocacy

There are a variety of effective non-residential service delivery models used in other states for youth in trouble. It is anticipated that effective programming in this area will undoubtedly reduce pressure at the court level and for existing state service procedures. More importantly, many more children can learn to adjust to their own environment, not having to be removed from their home.

Primary Prevention or Socialization Services:

These services encompass all of those activities aimed at providing youth with more socially acceptable avenues to direct behavior. They would be nonlabeling. This is the area of a comprehensive, community based, youth services system in which the community has the most flexibility and ability to be innovative. In effect, prevention and socialization services are when a community begins to address the problem of delinquent behavior rather than reacting to it. The key points to consider here for youth are action and involvement. For the most part, the youth with whom we are concerned have been on the outside looking in. They have generally had a long history of failure and, as a result, have gravitated to others in their communities with similar histories to feel accepted. It is extremely difficult to break out of this self-defeating group process and to get involved in anything meaningful. From their perspective, to do so would result in additional failure in the new endeavor, but much more importantly, they would run the risk of alienating the only group with which they have felt accepted and secure. The risks are high.

The list of things a community can do in this area area endless. Listed below are but a few suggestions:

<u>School Programs</u>: As the school system constitutes a major part of a young person's involvement through his teen years, it is important that it be as rewarding as possible for the youth involved. Unfortunately, for the majority of youth with whom we are concerned, this is not the case. They usually have

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had a rather long history of academic failure as well as varying degrees of behavior problems in the school setting.

There are a variety of ways in which the school system can be influenced to become more responsive:

A tutor program whereby middle school students would tutor children in the lower grades is one effective approach. This approach in other areas has been found to offer a number of advantages to the adolescent student. First, rather than being another abstract educational experience, the youth can actively engage in a process which can give him the sense that he can do semething. Secondly, it builds a sense of contribution and investment in the school experience as well as (with a small amount of publicity) to the community. Not only can the student do something, but what he is doing comes to be seen by himself and others as meaningful; it contributes to the school. Thirdly, it can develop a sense of belonging, both to school, and if done properly, to the experience of learning. To troublesome youth for whom the school has long been alien territory, the development of such a sense of belonging can possess dramatic implications.

Another approach in affecting change within the school environment is the systems approach. This approach, though more difficult, has much wider implications and impacts a broader range of youth than does the individual approach. In this approach, one would be trying to influence broader policies that may be contributing negatively to a youth's experiences within the school environment. The focus with this approach is identifying at what level certain policies are set. It may be at the school board level, the county level, or the state level.

An additional program which could be developed through the school systems would be to organize a group of parents and teachers to volunteer some time in supervising the recreational facilities of the school so that they would be available after school hours. These committees made up of parents, teachers, and students could be established to discuss school problems and potential solutions to problems.

Recreation Programs: Recreation programs could be a key element in a community based youth services system. Again, the scope of activities under this heading are endless. One possibility under this area would be the school

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program mentioned previously. Other areas could include: camping, canoeing, hiking, sports, crafts, arts, dances, plays, etc. Usually, little expense is involved. Comprehensive programs would be an ideal agency to organize and develop these types of programs.

Community Involvement: Another major area in prevention programs is developing youth involvement in community processes. This concept has long been tossed about, but for the most part, only token efforts have been attempted. One explanation for this is that our society has strong constraints which attempt to impose a passive role on youth (children should be seen and not heard). These constraints are also evident in our various institutions; youth are "taught", or lectured, programs are provided, the court in their interest, decides. Furthermore, active youth participation would be reflected in the decision-making processes, forcing, to at least some degree, what the political scientists call a zero-sum game, i.e., the gains of adolescent power result by definition in the loss of power of adults to impose decisions. What must be hoped for is that the potential tension which inevitably results when institutions yield power are offset by gains in terms of acceptability and responsible behavior on the part of the youth and the institutions that impact them.

This approach immediately places a young person in an active role where something valuable is contributed, rather than in a passive role where some service is provided.

The primary assumption a community must adhere to is that young people, including the troublesome, have positive resources to contribute to the community. This assumption is quite different from the classical rehabiliation approach, which operates under the presupposition that the youth has a problem which must be identified and corrected. Generally speaking, the families and children comprising this target population do not have access to traditional supportive community services. The comprehensive community based youth services program is seen as an appropriate focal point for developing realistic general services for youth and their families. Some areas which might be considered for emphasis are:

Coping skills education

Group interaction activities -- role playing, etc.

Recreational activities and civic projects which would involve family units or youth and adults

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Organizing neighborhood family groups to plan intra- and interneighborhood activites and project.

Organizing youth groups to generate ideas and develop strategies to improve family relationships.

All of these suggestions are admittedly general; however, they may offer some ideas or methods which could be pursued.

Diversion Services:

The term diversion services as used in this context should be thought of as more of a "system for" rather than an actual specific service. Basically, the concept of diversion is one of cooperative working agreements between the various community service providers and agencies (court, social services agencies, etc.) who have responsibility for diversion.

To deal with the youth problem at the community level, we must first insure that the youth will indeed remain in the community. To accomplish this, commitments from key actors in the enforcement/judicial process are necessary to insure that they will divert youth into alternative community based services as early in the process as possible. Agreements will also be necessary from schools and other social agencies to divert youth to community based services before they come into contact with the enforcement/judicial system. This is the only way we can really begin to "act" instead of "react" to the problem of delinquent behavior.

The comprehensive community based programs are seen as the appropriate and responsible receiver of diverted youth. It is not likely, however, that we can have this type of diversion system until at least some of the other services are developed and in place. It is not realistic to expect enforcement/judicial actors to divert youth if, indeed, there is nothing to divert them to. They can, however, be involved early in the process of developing these other services and can be "sold" on the concept of diversion.

Residential Services:

An essential component of any comprehensive community based system of youth services is the residential component. These services include everything from

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emergency shelter and foster — to large institutional facilities. As it relates to community based programs v : are essentially concerned with taking care of the alternate residential placement needs within the given catchment area. For one catchment area this may be accomplished through a series of foster homes. In another area an existing group home may be used. In more situations than not a combination of several resources will be used. Of course, some residential needs will have to be met outside the catchment area, i.e., adolescent treatment.

Again, the community defines the process by which residential needs are met. There are several options that can be considered in developing alternative living situations. The options chosen would be dependent upon the specific community and its needs as well as the needs of the youth served. Some models which have been tried in various communities are:

<u>Group Homes</u>: A group home would be considered a small residential program using the regular school system, recreational programs, counseling, medical and dental facilities that currently exist within the community. Group homes are usually very effective and relatively inexpensive to operate when compared to other types of institutional care.

Foster Care: Foster home care is another viable option available to communities in providing alternate living situations for youth in need. However, careful consideration should be given to the type of care needed. If the service is primarily custodial, one caseworker could adequately cope with a relatively large number of homes and serve a high number of youth. However, the foster care model is used to provide services for the more serious problem youth; consideration should be given to the increased needs of both the foster family and the youth in terms of staff support and training.

Semi-independent Living: This is a residence much like a group home situation, however, it would be aimed at older youth and be much less structured than a traditional group home. In effect, the youth actually run the home and have minimal supervision, usually from a young, single person. The concept is to prepare youth who will soon be on their own to learn the basics of responsibility and self-support.

Independent Living: This model carries the previous concept a step further. In this situation selected older youth who are soon to reach the age of majority are set up in an independent living situation. The supervision they receive

would be from a caseworker, not a live-in houseparent. It is best to have this type of program in conjunction with a group home or other residential services within the community. If it is part of an existing, established agency, it is much easier to "self" the concept to the juvenile judicial staff and the community as a whole.

Whatever the model or combination of models, the premise would be to treat the youth as close to his community as possible. This, in itself, facilitates the process of reintegration for youth into their environment.

Information and Referral Services:

This service is self-explanatory and is separated for purposes of discussion only to dramatize the need for some type of coordinating unit within the community that would be able to provide any potential client with information as to what services are available in the community, how they can be obtained, and some assistance in gaining access to them. The key here is that delinquency related problems are usually multi-facet in nature. Almost all clients will need services of several providers. The comprehensive community based youth services program must retain primary client sponsorship and exercise its responsibility in monitoring services of the referral agency and the progress of the client. If administered properly, information and referral will broaden client resources for any agency.

CONCLUSION

Comprehensive community based youth service programming is seen as the beginning of systematically addressing the problem of juvenile delinquency where it originates: in the community. Therefore, it is recommended that Arkansas:

ESTABLISH A STATEWIDE SYSTEM OF COMPREHENSIVE COMMUNITY

BASED YOUTH SERVICES PROGRAMS. Completion Date: July, 1980.

This plan calls for the establishment of at least fourteen private non-profit programs (or consortiums of programs) providing at least the following services on a catchment area basis:

Clients' Need Assessment

Non-Residential Direct Services

Diversionary Services

Residential Services

Information and Referral Services

Professional Court Services (separate from but a prerequisite to the above)

In turn, the State will assist in the funding (both state and federal), impact evaluation, technical assistance, training, and general assistance to this system.

The services described should be considered as only the core of a much more expansive system which should develop. If closing any of Arkansas' training schools is to become a reality, it will be the result of effective community programming.

The following action steps are considered necessary to the accomplishment of the goal of establishing a statewide system of comprehensive community based youth services programs by July, 1980:

Establish recognized geographic service catchment areas. Completion Date: July, 1977.

Develop description of mandatory services and criteria for what constitutes comprehensive community based programs. Completion Date: July, 1977.

Legislate ongoing state monies for this community based programming on a catchment area, per capita turnback formula. Completion Date: July, 1977.

Effectuate policy decision from DSRS to allocate a dollar amount of Arkansas' Title XX allotment to the single state youth services organization to be spent for this system of community based services. Completion Date: July, 1977.

Utilize the state aftercare field staff to develop the comprehensive community based youth services programs. Completion Date: July, 1977.

Establish monitoring and impact evaluation model as a partial basis for continued funding of community programs. Completion Date: July, 1977.

Phase out the state aftercare positions that are not necessary for ongoing monitoring and evaluation of community programming. Completion Date: July, 1979.



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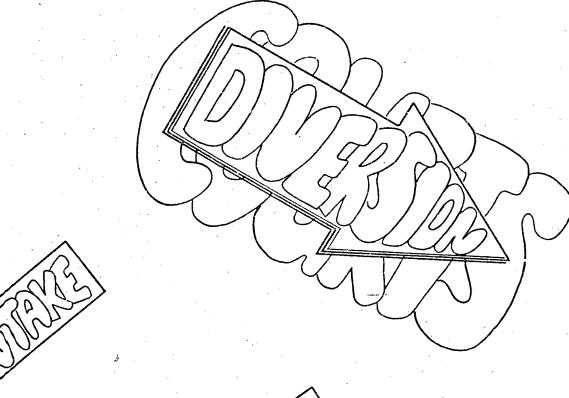
ESTABLISH PROFESSIONAL COURT SERVICES (INTAKE, PROBATION, REFERE, AFTERCARE) FOR ALL JUVENILE COURTS IN ARKANSAS.*

Completion Date: July, 1980.

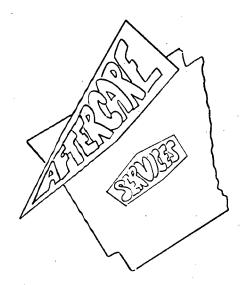
*Does not necessarily mean each county must provide these services. Multi-county programs may be used for smaller counties with limited youth populations.

ESTABLISH A UNIFIED SYSTEM OF COURTS OF DOMESTIC AFFAIRS OR FAMILY COURTS TO DEAL WITH ALL DOMESTIC AFFAIRS INCLUDING CUSTODY, ADOPTION, DELINQUENCY, DEPENDENCY/NEGLECT, DIVORCE, ETC. Completion Date: July, 1987.

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Juvenile offenders pose special problems and raise special hopes. Although the actions committed by juveniles often constitute a danger to their communities, the age of these offenders creates a reluctance to use adult judicial procedures in dealing with them. These offenders are at a formative stage of human development in which attitudes can usually be molded and behaviors changed. Consequently, most juvenile authorities believe there is an opportunity to intervene at the beginning of a potentially long term pattern of criminal behavior and positively affect that behavior. The traditional judicial response to this reluctance to use regular adult methods in dealing with juvenile offenders has been the juvenile court.

In Arkansas there is a need for a thorough, in-depth review of the juvenile courts' role and a subsequent application of procedural changes which will allow the court to function clearly within a defined role. Juvenile courts have too long been plagued with poorly defined goals, nonexisting procedures, questionable jurisdictional boundaries, low status in the judicial hierarchy, and inadequate resources and administration.

While persons closely connected with the juvenile court might recognize these problems, the problems are not clearly understood by others looking at the court from the outside. It becomes readily apparent that the juvenile court, in many cases, is more of a social agency than a judicial agency. If the school system or parents, for example, do not exhort themselves to deal with truancy cases, the problem is shifted to the juvenile court whose legal mandate requires that it deal with incorrigible children even though the case is noncriminal in nature. Apparently, it is expected to serve as the all purpose agency equipped to provide treatment or arrange it where necessary for every type of behavioral transgression by children. It is our contention that the iuvenile court, where possible, should extricate itself from the direct provision of social service else it spread itself too thin. The responsibility for treatment and habilitation of children with behavioral problems should be assigned to those local community based social agencies which are responsible for dealing with the problems. The provision of these services is a community function and the juvenile court should rely upon these agencies for services to which the juvenile court can refer its cases. This helps clarify roles between the judicial and social sector.

However, the juvenile court must have adequate resources to enable it to deal effectively with the problems of children who come before it. Resources should be utilized to develop a core of professional court services to be administered by the court itself in fulfilling its defined role. Development of these court services will reduce duplication at the community and state level and will increase the efficiency with which juvenile court related services can be rendered. It will also promote the development of judicial and support staffs experienced in handling juvenile related problems.

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The premise of this proposal is that every juvenile who is subject to the processes of the juvenile court should be entitled to: (1) the professional judgement of a juvenile court judge or referee who is a licensed lawyer, and (2) court related services provided by probation, intake, and aftercare staff. It is recommended that eventually these services become mandatory for all juvenile courts either on a single county or multicounty basis.

EXISTING JUDICIA... STRUCTURE

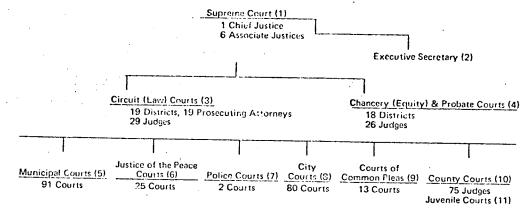
The Arkansas General Assembly has established a three tiered judicial system for the administration of justice in the State. On the base or lowest level is numerous courts including county/juvenile courts and courts of common pleas. These courts exercise limited jurisdiction in both civil and criminal cases and their jurisdictional boundaries are geographically small. The courts of the second tier are those of a general jurisdiction which render final judgements and decrees such as the chancery and circuit courts. Situated on the top tier is the state supreme court which exercises statewide appellate authority and certain original jurisdiction (see the hierarchical diagram of the Arkansas Judicial System on the following page). All of these courts have some form of authority over juvenile matters, but the county/juvenile court is designated as the primary court for hearing all charges brought against juveniles. It has original and exclusive jurisdiction for delinquency, youth in need of supervision, and dependency/neglect cases arising under Act 451 of 1975 which is the Revised and Codified Arkansas Laws Relating to Juveniles. 1 It should be pointed out, however, that in some cases the discretion of the prosecuting attorney is utilized to decide in which court a juvenile's case will be heard. This is to say that should an arresting officer file a case against a youth 15 years or older in the circuit court, the prosecuting attorney would have the power to determine which court will have jurisdiction in the matter. In this sense the juvenile court may be usurped to a degree by the decision of the prosecuting attorney. In addition to juvenile cases the county courts also exercise exclusive and original jurisdiction in all matters relating to county taxes. paupers, bastardy cases, vagrants, disbursement of money for county purposes, and any other matter vital to the internal improvement and local concerns of their respective counties.

Normally, the juvenile court is presided over by the county judge who is popularly elected by the qualified voters of his or her particular county. There are no statutorily

¹Section 6 of Act 451 of 1975.

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HIERARCHICAL STRUCTURE OF THE ARKANSAS JUDICIAL SYSTEM*



- (1) Hears from all Circuit, Chancery and Probate Courts.
- (2) Administrative duties in connection with all courts.
- (3) Courts of general jurisdiction. Hear civil and criminal cases. Also hear appeals from courts of limited jurisdiction.
- (4) Courts of equity. Hear cases involving land disputes, divorce actions, etc. Also have jurisdiction over probate matters and adoption.
- (5) Courts of limited jurisdiction with county-wide authority. Hear misdemeanor cases, civil cases when amount involved does not exceed \$300. Judge must be an attainey.
- (6) Courts of limited jurisdiction with township-wide authority. Some limitation as Municipal Courts except no requirement that judge have legal training. Subject jurisdiction same as municipal court.
- (7) Jurisdiction limited to municipality. No requirement of legal training.
- (8) These courts are held by mayors (or their designees) in cities of the second class (500 2,500 population) and incorporated towns (500 or less). Territorial jurisdiction limited to municipality. Subject jurisdiction same as municipal court. No requirement of legal training.
- (9) These courts have been established in various counties by special acts. They are presided over by the County Judge and har a limited jurisdiction which varies with the acts creating them. They exist in the following counties: Ashley, Chicot, Crittenderi, Cross, Desha, Drew, Garland, Lee, Lonoke, Madison, Mississippi, Nevada, Prairie. No requirement of legal training.
- (10) County-wide jurisdiction limited generally to juvenile and bastardy proceedings, county taxes and expenditure of county funds. Presided over by County Judge. No requirement of legal training.
- (11) Presided over by County Judge subject to supervision by State Department of Public Welfare. No requirement of legal training. Several of these courts are, however, conducted by referees who are attorneys.

*NOTE: Reprinted from the Tenth Annual Report of the Arkansas Judicial Department, 1975.

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established formal requirements to qualify as a county judge of the State and very few county judges in Arkansas are trained in the law. This in itself raises some serious questions as to whether or not these courts have the kind of judicial personnel necessary to adequately handle the many legal problems relative to children.

Due to the fact that county judges must divide their time and efforts between juvenile and other matters, inadvertently these judges are sometimes forced to focus less of their attention and efforts on juvenile matters. The judges, therefore, miss opportunities to develop the specialized skills that juvenile matters require; and it places the juvenile court in an inferior status in the judicial hierarchy.

In 1969 the Arkansas Legislature provided that county judges could appoint juvenile court referees with the power to hear and decide cases involving juveniles up to the age of 16. A gap in the law resulted concerning juveniles over 16 but under 18 years of age which was subsequently remedied in 1973 with the enactment of Act 537 authorizing referees to hear all juvenile cases up to the age of 18. These juvenile court referees serve at the pleasure of the county judge, and the use of these referees has been initiated in more than 30 of the 75 counties in Arkansas. It not only relieves county judges of large juvenile court caseloads, but also provides legally trained judges for the juvenile courts. Additionally, Act 451 provides that every juvenile court referee appointed after July 1, 1975 be an attorney licensed to practice law in the State. All individuals presently serving as juvenile referees who are not licensed attorneys may still be reappointed to their positions. Appeal is a matter of right in all juvenile cases just as appeal from the decision of a county judge to the circuit court is also a juvenile's right. Consequently, county judges who are not lawyers hear appeals from the decisions of juvenile court referees who may be lawyers.

Virtually all of these referees and their court staff have been funded with Law Enforcement Assistance Administration money through the Governor's Commission on Crime and Law Enforcement. The funding is on a three year decreasing federal participation basis; and surprisingly enough, many of these programs have been continued at county expense.

Juvenile court hearings are normally accepted as informal, nonadvocacy proceedings with the purpose and intent of making the best possible decisions in relation to the needs of the child. The administration of uniform but individualized justice requires a thorough knowledge of each individual's case, the precipitating factors leading to the offense, the individual's environment, social and psychological information, and the appropriate community resources available. Unfortunately, the collection of this

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information prior to adjudication for the use of the judge is the exception and not the norm. Section 14 of Act 451 states that the county probation offices shall make appropriate investigations and reports when required to do so by the juvenile court, and some judges do utilize information gathered in this manner. Additionally, there is one juvenile court in Arkansas that has a staff psychological tester to assist in this function. Even though there are no state or federal laws prohibiting this collection of information so long as the family's "right to privacy" is honored, some Arkansas members of the National Council of Juvenile Court Judges warn that to conduct such studies prior to adjudication might tend to lend credence to the assumption of guilt by the court. This in itself places the court in a questionable position regarding the possible violation of the accused's right to "due process".

The term "justice" implies fair treatment for all; and, at best, our present system fosters an uneven judicial response to the delinquency problem. To summarize, there are at least four interrelated problem areas within the judicial process that negatively affect juveniles who enter this subsystem.

- 1. The juvenile court functions more as a social agency than a judicial agency.
- 2. Poorly defined jurisdictional boundaries of the courts as they relate to juveniles.
- 3. No requirement for legally trained juvenile judges and qualified court related staff.
- 4. Inferior status of juvenile court in judicial hierarchy.

All four factors combine to create a system known for its lack of uniform judicial response which causes a great deal of variation in the administration of justice for youth. We will next address these problem areas further in the context of proposed reform.

PROPOSED JUVENILE COURT SERVICES

It is recognized that our present juvenile court system in Arkansas, which is constitutionally protected, has built in problems that cannot be solved under the existing structure. Consequently, the professional court services proposed herein are intended to "make the best of a less than adequate situation". It is recommended that by 1980 every juvenile court in Arkansas have the services of a professional juvenile court staff. There are four identifiable components that will comprise the system of professional court services. These components include court intake, probation services, judicial officer (referee), and juvenile aftercare or reintegration services.

The Governor's Commission on Crime and Law Enforcement has been the primary funding source for referees and intake and probation staff for juvenile courts in the past. As mentioned earlier, their funding is on a three year decreasing federal participation basis. In order to establish professional court services on a statewide basis, it is proposed that this service become the number one funding priority in the juvenile area for Arkansas' Law Enforcement Assistance Administration dollars. If necessary, funding in other juvenile program areas should be reduced to the continuing level in order to insure resources necessary for the establishment and maintenance of these court related services.

It is recommended that the Governor's Commission on Crime and Law Enforcement initiate a policy decision to extend the funding cycle for this program area to seven years with a progressively decreasing federal participation formula. One possible formula would be the first two years at 90% federal, 10% state and local; the next three years at 75% federal, 25% state and local; and the final two years at 50% federal, 50% state and local. Programs that have already been funded for these services for three years should not be penalized, but allowed to apply for the four remaining years of the funding cycle.

Because the ultimate goal in the judicial area is the establishment of the family court concept, it is intended that professional court services provide a viable interim solution in the judicial area until necessary constitutional changes can be made. To insure the continuance of professional court services until this time, it is recommended that legislation be introduced in the 1979 General Session making professional court services a mandatory service in all juvenile courts. It is further recommended that an appropriation be established to insure state participation in the continuation of these services after federal dollars have been depleted.

The single state youth service organization in conjunction with the Governor's Commission on Crime and Law Enforcement will be the primary actors in the development of professional court services in Arkansas. Arkansas currently has slightly less than half of its counties covered with at least referee services. The following tentative timetables provide a general completion date for the development of professional court services by prescribed service catchment areas:

5 areas by January, 1978 11 areas by January, 1979 14 areas by January, 1980

For the purposes of program development and organization, the State has been divided into 14 service catchment areas which are almost exclusively coterminous with the 8 service regions honored by many state agencies.

Court Intake

Act 451 of 1975 specifies that the county judge "shall designate one person as an intake officer for the juvenile court whose duty shall be to receive complaints made to the juvenile court". Section II of the Act further delineates the powers and duties of the intake officer:

Duties of Intake Officer - A designated intake officer shall have the following powers and duties:

- Receive and investigate complaints and charges that a juvenile is delinquent, in need of supervision, or dependent-neglected within the meaning of this Act;
- (2) Make appropriate referrals to other public or private agencies of the community if their assistance appears to be needed or desirable;
- (3) Perform all other functions assigned by this Act, by rules promulgated pursuant thereto, or by order of the juvenile court.

Within the function of intake rests one of the most critical decision points in the judicial process. It includes the determination of the jurisdictional appropriateness of the complaint, the development of client and situational information, preliminary needs assessment, and the decision for a formal hearing or informal adjustment with consent. The intake process is completely voluntary and need not be submitted to by any party. It is important to understand that the intake officer is not the judicial officer of the court and the complainant is not bound by the decision of the intake officer. The core purpose of the intake process is the informal adjustment procedure which provides for informal counseling and treatment of a youth and/or his family without going through a formal court hearing process. It also involves the development of a plan for treatment and continuing services via a formal contract between the court and the juvenile and/or parents. Usually after the necessary information is gathered and such a plan is developed and agreed upon by the parties involved, it is forwarded to the juvenile judge for review and approval. Although it is generally understood that the plan imposes obligations upon the parties after the judge's approval, it is of a moral nature rather than in the legal sense; and the juvenile or his parents may withdraw from the informal adjustment at anytime. It should be pointed out, however, that withdrawal may result in the petition being filed. It is estimated that an effective intake process which involves screening for appropriateness, information and referral of clients and complainants, and informal adjustment can effectively divert over onethird of the formal complaints.

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Although the Arkansas Juvenile Code requires the appointment of an intake officer in each county, we currently have no system for the process of intake. A substantial set of uniform rules of juvenile court procedure were developed in conjunction with Act 451 and have been submitted to the Arkansas Supreme Court for approval. These rules outline procedures for the operation of juvenile courts, including the intake process. To date, these rules have not been acted on by the Arkansas Supreme Court. It is recommended that the Arkansas Bar Association review and consider these uniform rules and procedures, and that they be presented to the Arkansas General Assembly for approval in the 1977 General Session. Steps have been taken by members of the Youth Services Planning Advisory Council to insure that this happens.

Juvenile Probation

Probation is the most frequently used disposition in juvenile cases. Because of the lack of other resources, it is probably one of the most misused services in the juvenile area. Probation officers often find themselves being family counselors, child advocates, truant officers, quasi enforcement officers, and officers of the court. Section 14 of the Arkansas Juvenile Code reads as follows:

Duties of Probation Officers - The county judge of each of the counties of the State shall have the authority to appoint probation officers. A probation officer shall have the following duties:

- (1) Make appropriate investigations and reports when required to do so by any provision of this Act, rules promulgated pursuant thereto, or by order of the juvenile court.
- (2) Aid and counsel juveniles and their families when required to do so by order of the juvenile court.
- (3) Perform all other appropriate functions assigned to him by this Act, rules promulgated pursuant thereto, or by order of the juvenile court.
- (4) Give appropriate aid and assistance to the juvenile court when requested to do so by the juvenile judge.

It is intended that community resources will be available through the implementation of the Youth Services System to the degree that this function can become what it was originally intended: A specific service of the court which allows the conditional release of a youth upon his continued good behavior and compliance with specified conditions imposed by the court and monitored and enforced by the probation officer. In essence

then, probation service provides three functions Initially, it maximizes the liberty of the child and still provides the general community protection against further violation of the law. Secondly, it promotes rehabilitation of the youth through participation in the very environment in which he must learn to live. He is allowed to attend school, work, or vocational training while remaining in his own home or alternative placement. Finally, it provides an alternative to the possible negative effects of incarceration, not to mention the disruption of formal education, routine developmental activities, and possible alienation from community and family.

Presently there does not exist in Arkansas a centralized agency responsible for maintaining probation standards. Additionally, there are tremendous variations in Arkansas' existing county probation programs in terms of staff numbers and qualifications. emphasis on services to juvenile courts and probation clients, staff training, and program planning. The result has been a fragmented, nonuniform system of probation services. In 1974, Arkansas had 47 probation programs serving over 10,000 youths. The counties with probation programs committed 15.6% of the juvenile cases referred to the training schools whereas the counties with no probation programs experienced 27.8% commitments, an increase of 12.2%. There were 777 youths committed to the training schools in 1974; 12.2% of this figure is 95 youths. The annual cost per youth at a training school is about \$5,800, while the annual cost per youth in a probation program is about \$135. If the 95 youths had been placed on probation as opposed to institutional incarceration, one could conclude that the State would have saved almost \$1.5 million which could have financed over 4,000 youths in probation programs. This example does not consider the static costs (those which remain regardless of the number of youth), but it does point out a significant amount which could be saved through a uniform upgrade of probation services in the State.

Uniform probation services in Arkansas can be achieved through a state coordinated probation system with local administration. This would develop and effect uniform policies and procedures for juvenile probation services statewide. Through the provision of resources and standards via the Governor's Commission on Crime and Law Enforcement and the single state agency, professional court services would be unified.

There are several reasons for the probation function itself to be administered by the counties including the fact that counties have more support from community, other agencies, and elected officials; county programs tend to be more individualized; they tend to be less bound by bureaurcratic "red tape"; and they have a closer liaison with other components of the Youth Services System. All factors considered, the goal of the State in the juvenile probation effort is to establish uniform standards for the

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selection and training of those in the probation profession and not to usurp any local control over the program. The primary role of the State in probation services is provision.

The "Ounce of Prevention Effort", a one year project to develop standards and goals for the Arkansas Criminal Justice System, has established several standards for the Juvenile Justice System. Youth Services Planning views the efforts of "Ounce of Prevention" as complementary and supportive of the proposed Youth Services System. These standards were not available at the time Youth Services Planning was finalizing its recommendations. The following is Standard 1.6.4. as developed by the "Ounce of Prevention Effort":

Standard 1.6.4. -- Staffing Patterns: Court Personnel

The counties in the State should recognize their responsibility to provide funding for adequate court personnel. The following guidelines should be considered in assessing the staffing requirements of the juvenile court:

- A. Every county should begin to phase out those juvenile court referees who do not possess law degrees and recruit competent lawyers possessing the qualifications set out for family court judges.
- B. Salaries for juvenile court referees should be based on the number of hours per week spent in service to court, with a maximum annual salary for full-time referees of \$18,000 in 1976. Provisions should be made for periodic raises by appropriation of the Quorum Court.
- C. One full-time probation officer should be provided per 20,000 population, except in unusual circumstances. The following criteria should be considered in determining the number of probationary personnel required:
 - The amount of time the probation officer will be required to travel in serving a large county or a multi-county region;
 - The availability of other support services from volunteers, public or private agencies;
 - 3. The number of juvenile arrests and court caseload;
 - 4. The extent to which the probation officer performs services for referral agencies other than the court, e.g., the school;
 - The concentration of youth in the area, based on the most recent federal census;
 - Other special conditions such as high number of transient youths, high drop-out rate from school, unusual drug or alcohol problems, etc.

- D. Salaries for probation officers should be based on degree of education and experience and on salaries for similar positions within the State Merit System. Part-time salaries should be computed on the basis of number of hours per week spent in service to the juvenile court.
- E. Probation officers should have a minimum of a Bachelor's Degree in Sociology or related field or equivalent thereof. A college degree may be waived based upon documentation of other educational experiences, training and experience and ability to work with juveniles in a counseling environment.
- F. The following salary range for probationary personnel is recommended for 1976:
 - \$7,020 for person without college degree and minimal experience;
 - 2. \$8,476 for person with Bachelor's degree and minimal or no experience;
 - 3. An additional \$500 per year for each year's directly related experience, not to exceed the maximum set by state law.
- G. In counties requiring more than one probation officer, one may be designated Chief Probation Officer. The Chief Probation Officer should have at least two years experience in probation or counseling field and some supervisory experience.
- H. The following salary range for Chief Probation Officer is recommended for 1976:
 - 1. \$8,476 for person without college degree and two years experience:
 - 2. \$9,600 for person with Bachelor's degree and two years experience;
 - 3. An additional \$500 per year for each year's supervisory experience; and
 - 4. An additional \$250 per year for each year's counseling or probation experience, not to exceed the maximum set by state law.
- The standards relating to probationary personnel should also apply to intake officers, case counselors, social workers, or any other personnel retained by the court to work directly with juveniles in a counseling or screening capacity.
- J. The probation officer should also be designated as intake officers in those counties whose caseloads do not warrant full-time positions.

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Aftercare

If a youth is committed to the Arkansas Training School Department (Juvenile Services Section), he will participate, with few exceptions, in the state aftercare program upon release. These programs are designed to continue the habilitation program or treatment started in the institution to assist in a successful reintegration into the community. Organizationally, it is found that bureaucratic constraints prohibit the smooth functioning of the present aftercare program. The state aftercare program is currently administered by the Social Services Division of the Department of Social and Rehabilitative Services which employs 22 youth services counselors. It is the responsibility of these counselors to help create and maintain an atmosphere in the family, community, and school that is conducive to the youth's return and habilitation. The counselors have standard procedures to follow in their aftercare duties, and deviations from these must have the prior approval of their supervisors. The youth services counselors are supervised by the regional youth services supervisor, who in turn is supervised by the assistant regional social services administrator. Youth services counselors currently have active caseloads of approximately 35 youths each; and if one considers that there are 170 working hours per month (2040 per year), each youth is allocated only 4.8 hours of his or her counselor's time per month. Office hours spent on reporting duties, time off, time spent on other assignments, travel time, etc., are not considered in this computation. Terms of release for juveniles are usually developed within the training school prior to the youth's actual release and each is different, requiring various levels of supervision by the counselor.

Accessibility of state youth services counselors to clients is considered another problem. Example: The counselor in Region I who is located in Fayetteville has a 130 mile trip to see his client, a youth in Baxter County. If a problem arises which the youth cannot handle, he or she must rely upon the telephone or seek help from another source. This distance problem is not uncommon throughout the State because the counselors are residents of only one of the counties in which their clients live.

Because of the limited scope of the state aftercare program, counselors have no involvement with youth prior to commitment to the training school and only minimal involvement while at the training school. On the other hand, a very high percentage of the youth in the training school have had previous involvement with their juvenile court and local court staff. Approximately 75% of the youth in the training school have been on formal probation prior to commitment. Therefore, it is safe to state that youth generally have an orientation to the committing court and their juvenile probation

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staff and not to the state aftercare program. There is a serious duplication of services in the area of state aftercare and county probation.

Because of the limited scope and impact of the state aftercare program, the serious duplication of services between state and county programs, and the bureaucratic constraints of the current state aftercare program, it is believed that this function could best be administered through the respective juvenile courts of this State. This is also consistent with the basic premise that the State could only be involved in service delivery to the degree that communities are unable or unwilling to do so.

The juvenile corrections component cannot function in isolation and provide its services apart from the community. If the supervision of a youth were vested in his own community, there should be an increase in the number of officer/client contacts; there would be less time spent in transit; the probation or parole officer would always be near the client; and through agreements with the community programs, local probation offices could have broader service delivery capabilities than does the state aftercare program. In order to do this, the agency must be adequately staffed. In comparing the number of personnel in these two programs it was found that county probation officers outnumber state youth services counselors by more than three to one. However, if the aftercare responsibility is gradually transferred to local county probation offices, as is proposed, it will be necessary to increase the size of probation staffs.

The goals of the proposed aftercare program will consider four main factors:

- Counseling Counseling services must include both individual and group, either administered by juvenile parole officers or under agreement with local service agencies. These counseling services will be geared to the individual needs of parolees, and counselors will be available to juvenile clients on a 24-hour basis.
- 2. Monitoring. Restrictions placed upon juvenile parolees must not be unrealistic nor should they be across-the-board restraints applicable to all juvenile parolees as a whole. Insofar as is feasible, these restraints will be developed in consultation with the parolee and will consider his needs, what type of risk he is, maturity, and the protection of the community. A written list of these restrictions will be provided the parolee with a clear explanation that violations may result in parole revocation. A reasonable period of monitoring will also be established based on the clients needs.

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- 3. Assistance. County juvenile parole officers must have the ability and means to assist their clients in obtaining employment, vocational training, etc. This means that parole officials have working relationships with schools, vocational education institutions, employers, social service administrators, and job training programs. In addition, there should also be an awareness of all federal funding and assistance programs which are available through various government agencies. County agencies should also seek public funds to reimburse employees for costs incurred in job training programs for juvenile offenders.
- 4. Liaison. The chief county officer must develop working relationships with administrators and program directors of other juvenile justice components, familiarize himself with the type of services offered by these agencies, and encourage his clients to participate in these services.

The underlying goal of the aftercare program at the county level can be defined as that of serving as an agent of community change. If the community is willing to accept ex-offenders, this acceptance will facilitate the primary goal of individual rehabilitation. The chief officer in the altercare function must utilize public relations/community relations techniques to educate individual citizens about their responsibilities in the habilitation of juvenile offenders.

PROPOSED FAMILY COURT SERVICES

The innerent problems of the juvenile court system as outlined earlier in this document make it blatantly obvious that we will never achieve the necessary level of judicial effectiveness under the existing system. The family court concept is seen as the long range solution to the judicial problems in the juvenile area.

Much of the impetus for the family court concept has grown out of a desire to effect the proper combination of legal and social principles necessary to meet the rising problems symptomatic of family breakdown. These include delinquency, neglect, divorce, nonsupport, etc. In Arkansas there is an obvious need to reduce the variety of courts handling issues concerning spouses and children.

The family court or court of domestic affairs will be a court of general trial jurisdiction, thus elevating the jurisdictional status for the judicial process governing delinquency. The family court will have jurisdiction over:

Children alleged to have violated any State law or municipal ordinance or to be habitually incorrigible.

Children alleged to be neglected.

Proceedings for termination of the legal parent-child relationship.

Adoptions.

Proceedings for appointment of a guardian of the person.

Proceedings to determine disputed or undetermined custody of a child.

Petitions by a parent for a change of legal custody.

The transfer of legal custody of children alleged to be mentally defective or mentally ill.

Actions against parents or others charged with desertion or abandonment of a child.

Actions against parents, or other adults having a continuing relationship with a child, who are alleged to have committed an act forbidden by law or ordinance or to have failed to perform an act required by either with respect to the child.

Actions for support, including support of minors, spouse, parent or other relative, and children born out of wedlock, including actions under the Federal Uniform Reciprocal Enforcement of Support Act.

Proceedings to establish paternity.

Charges of simple assault and disorderly conduct involving members of an immediate family unit.

Proceedings for divorce, annulment, separation.

Proceedings to confer rights of majority on a minor.

Actions under the Interstate Compact on Juveniles.²

While the family court adheres to basic legal principles and proceeds in a way which assures due process, it does so in an informal manner rather than through adherence to traditional rules of criminal and civil process. Moreover, through its screening procedures, the family court in some cases can exercise its power to determine whether

²The Family Court, William H. Sheridan and Edgar W. Brewer, p. 68.

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court action is appropriate or whether the case should be referred to another agency in the community. Therefore, the community must make available a variety of services and facilities if the court is to be fully effective.³

The increasing complexity of our legal procedures along with growing concern for effectively dealing with social problems of the family certainly speaks to the need for a family court system in Arkansas.

The legal concerns arise from the need for a more effective judicial organization for the administration of justice in relation to all family problems. The social concerns grow out of society's interest in the protection of children and family life and recognition of the need to use the scientific knowledge and skills available to accomplish these objectives.

It seems doubtful whether much progress will be made until the various professional persons involved — judges, social workers, attorneys, doctors, and others — take more care to think through the issues and problems involved. In moving toward the establishment of a family court, it is important for the principals to give careful thought not only to immediate problems, but also to long range objectives, including the development of broad, comprehensive, and coordinated community programs which are necessary to strengthen family life and thus to solve, at least in part, the serious problem which delinquency presents in our society.⁴

CONCLUSIONS

In conclusion, it is the consensus of this body that the State of Arkansas must take action in two specific areas in order to alleviate the problems and confusion inherent in the existing system.

ESTABLISH A PROFESSIONAL COURT SERVICES SYSTEM. Such a system will include intake, probation, and aftercare services as well as the appointment of juvenile court referees who are lawyers. It is recommended that such a system be established in each of the juvenile courts in order to ensure quality judicial personnel who are experienced in handling juvenile cases. Completion Date: July, 1980.

The Family Court, William H. Sheridan and Edgar W. Brewer, p. 68.
 The Family Court, William H. Sheridan and Edgar W. Brewer, p. 73.

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ESTABLISH A UNIFIED SYSTEM OF COURTS OF DOMESTIC AFFAIRS OR FAMILY COURTS. This system will deal with all domestic affairs including custody, adoption, delinquency, dependency/neglect, divorce, etc. Completion Date: July, 1987.

The execution of these two recommendations will require the utilization of a variety of essential action steps including the following:

Acquire legislative and/or State Supreme Court approval of "Uniform Rules of Juvenile Court Procedure". Completion Date: July, 1977.

Establish professional juvenile court services as the first funding priority in the Comprehensive Law Enforcement State Plan (LEAA). Completion Date: July, 1977.

Develop operational description of each of the professional juvenile court services delineating roles, responsibilities, expectations, etc. Completion Date: July, 1977.

Effectuate policy decision from the Governor's Commission on Crime and Law Enforcement to allow extended funding with a decreasing federal participation formula for these services, i.e., seven years funding period on a year to year basis with two years at 90-10, three years at 75-25, and two years at 50-50. Completion Date: July, 1977.

Establish and/or adopt standards and minimum requirements to be met by professional court related programs as a requirement for funding.* Completion Date: July, 1977.

*Does not necessarily mean each county must provide each service. Multi-county efforts may be used for smaller counties or counties with low youth populations.

Phase out existing state aftercare services. Completion Date: July, 1977.

Legislate professional juvenile court services as a mandatory service. Completion Date: July, 1979 (With an additional phase-in time period).

Legislate assurance of partial state funding at a continuing level after federal funding is depleted. Completion Date: July, 1979.

In addition to the above mentioned action steps, there are several supporting action steps which are recommended. These include:

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Establish legislation providing extended jurisdiction over adjudicated juvenile offenders who reach majority (age 18) prior to their completing the habilitation process. Completion Date: July, 1977.

Establish legislation for the preclusion of status offenders being incarcerated in training schools. Completion Date: July, 1977 (With possible implementation phase-in).

Amend Juvenile Code deleting clause stating that attorneys appointed to defend appropriate cases "shall serve at no expense to the county". Completion Date: July, 1977.

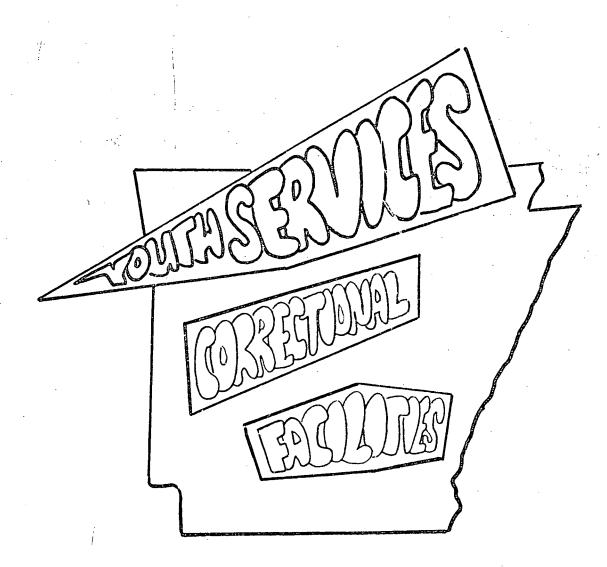
Amend Juvenile Code to specify that juvenile court judges may appoint volunteer probation officers to work with the juvenile court. Completion Date: July, 1977.

Explore with the State Bar Association and/or the State Judicial Department the feasibility of initiating pilot projects for family courts. Completion Date: Ongoing.

Establish a juvenile court referee and judges association. Completion Date: July, 1978

Develop a vehicle for ongoing evaluation and revision of our State Juvenile Code. Completion Date: Ongoing.

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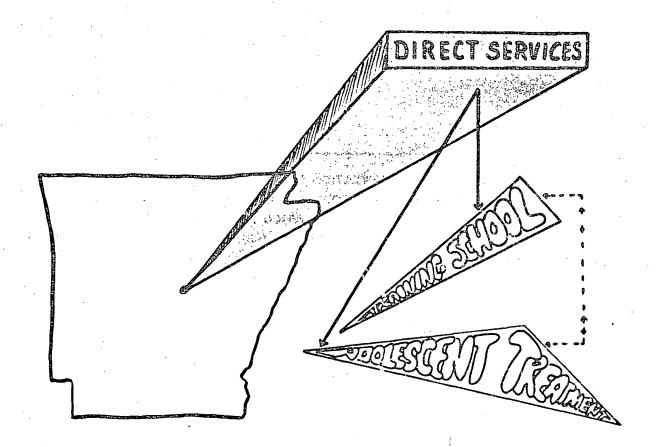


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THROUGH SUCCESSFUL IMPLEMENTATION OF PREVIOUS RECOMMENDATIONS, THERE WILL BE A SYSTEMATIC REDUCTION OF THE TRAINING SCHOOL AVERAGE DAILY POPULATION TO LESS THAN ONE-HALF THE CURRENT LEVEL. Completion Date: July, 1982.

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It is generally accepted by professionals in the field of juvenile correction that except for the dangerous few, incarceration of any kind, and particularly training school type institutionalization, is an inappropriate and ineffective vehicle for dealing with the problem of juvenile delinquency. It is also recognized, however, that juvenile correctional facilities serve a necessary purpose in the total system of youth services. Although the primary function of correctional institutions is increasingly being viewed as one of rehabilitation, it must be noted that the environment has a negative impact on most of the youth committed. The National Council on Crime and Delinquency (NCCD) has observed "that confinement does not usually rehabilitate offenders. For all practical purposes, incarceration is punitive." Traditionally, state youth correctional institutions in Arkansas have been inappropriately utilized as placement resources. Moreover, existing statistics testify to the current system's over reliance on these correctional institutions as responses to juvenile delinquency. It is our contention that these institutions should be brought into play only to meet real needs that cannot be met at the community level. This premise combined with the major problem areas inherent in the existing system serve as partial indicators of the need for a major reduction of institutional youth corrections.

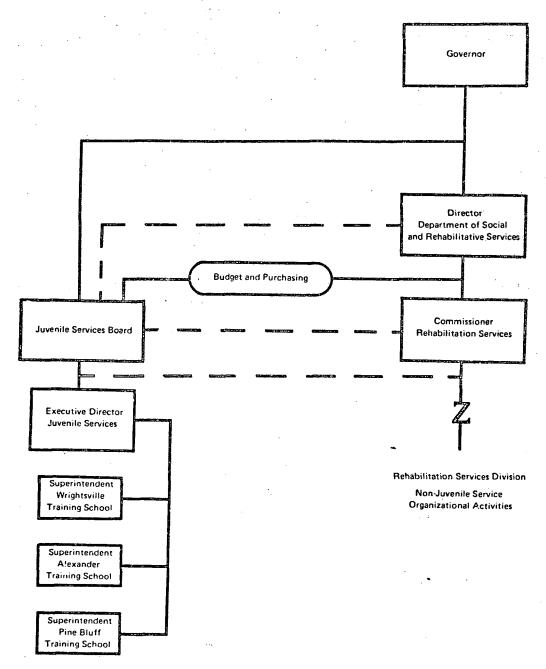
Historically, the Reorganization Act of 1971 placed the Arkansas Training School Department under the Department of Social and Rehabilitative Services while it retained its supervisory board. In July, 1975, the Training School Department or the Juvenile Services Division, as it was commonly called, was organizationally dismantled and its functions assigned to other major divisions of the Department as a result of Act 682 of 1975. Initially, the purpose of this change was to broaden the scope of services available to youth in Arkansas and to attract more federal dollars into the system. The Central Administrative Office along with the three training schools were administratively placed under the Rehabilitation Services Division of the Department of Social and Rehabilitative Services. The field services staff or aftercare function was placed under the Social Services Division, and two positions were assigned to the Office of the Director, Department of Social and Rehabilitative Services, for planning activities. The training schools were made responsible to the Juvenile Services Section, Executive Director, which is appointed by the supervisory board. (See organizational chart on the following page.)

Although there have been further organizational changes since this initial change, the basic methods of dealing with youth remain essentially the same. Additionally, it should be pointed out that almost all of the base data for this section of the plan revolves around calendar year 1974 information. This data provides the necessary foundation for needs identification and planning.

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EXISTING TRAINING SCHOOL PROGRAMS -

Currently, the operation of the State's training schools is the largest single youth services activity in Arkansas. The Arkansas Training School program consists of three residential institutions and a central administrative office. The Arkansas Training School for Girls is located on 80 acres of land near Alexander, Arkansas, in Saline County. This is the smallest of the three institutions and houses all female offenders under the age of 18 committed to the Training School Department. This facility also has the Reception and Diagnostic Center located on campus which was transferred to the training school section in July, 1975. The Arkansas Training School for Boys at Pine Bluff is located on a 360 acre tract of land in Jefferson County near Pine Bluff, Arkansas. This is the largest of the three facilities and is primarily used for younger boys with less serious offenses. The Training School for Boys at Wrightsville is located on a 165 acre tract of land in Pulaski County. This facility was originally the Negro Boys' Training School, but is now used for older and more difficult offenders.

The cost of operating these facilities in terms of cost and manpower is expensive. Since transferring the Reception and Classification Center to the Training School Section in 1975, expenditures in this area have dropped to some extent. However, an analysis of the fiscal year 1974-75 budget for the Reception and Classification Center will still point out the significant cost involved. The budget for the center in fiscal year 1974-75 was \$591,407 and \$466,661 of that figure was appropriated for salaries. In addition to this, \$118,000 in-kind services were provided by the Mental Health Division to the Center. These services included use of the facility which belonged to Mental Health, food services, fire protection, janitorial services, etc. This made for a total operational budget of about \$710,000. The Reception and Classification Center's staff was composed of 56 employees which included the following:

Position

General Physician 1
Psychologist II
Rehab Facility Supervisor I
Rehab Counselor III
Nurse Supervisor
Recreation Activity Supervisor
Vocational Rehab Evaluator !!
Rehab Counselor II
Social Service Worker III
Rehab Counselor I
Institution Instructor I
Psychiatric Technician Supervisor
Psychiatric Technician II
Psychiatr's Technician I
Houseparent
Mental Retardation Aide I
Psychiatric Technician Trainee 5
Clerk-Stenographer I 6
Clerk-Typist I
Housekeeper

There were 777 admissions to the Reception and Classification Center from January 1, 1974 through December 31, 1974. Monthly admission flow ranged from a low in November of 45 to a high of 94 in October, for an average of 65 youths admitted per month. The Reception and Diagnostic Center remains a post-adjudicatory facility, but now accepts youth from courts for "evaluation only".

There were 250 persons employed at the training school (excluding the Reception and Diagnostic Center) during calendar year 1974; 27 providing administrative support (superintendents, supervisors, clerical help, etc.), 55 giving supportive services (janitors, cooks, etc.) and 168 giving direct services (counselors, instructors, and houseparents). Although reliable statistics are not available, it is estimated that employee turnover at the three training schools may be as high as 25% to 30% per year.

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TABLE I
TRAINING SCHOOL PERSONNEL

Personnel	Pine Bluff.	Alexander	Wrightsville	Total Personnel
Administrative	7	10	. 10	27
Supportive	30	12	13	55
Direct Services	53	60	55	168
Total	90	82	78	250

The total dollar expenditure for the three training schools was \$3,978,578 during calendar year 1974. The following table breaks down expenditures by unit for each training school.

TABLE II
TRAINING SCHOOL EXPENDITURES BY UNIT

Pine Bluff Boys Training School

Unit	Expenditures	Percent of Total Expenditures
Personnel	527,346	54%
Maintenance and Operation	456,084	<u>46%</u>
Total	983,430	100%

Alexander Girls Training School

Unit	Expenditures	Percent of Total Expenditures
Personnel	564,752	42%
Maintenance and Operation	777,559	58%
Total	1,342,311	100%

Wrightsville Boys Training School.

Unit	Expenditures	Percent of Total Expenditures	
Personnel	617,081	37%	
Maintenance and Operation	1,035,756	<u>63%</u>	
Total	1,652,837	100%	

Source: Operational Report: Activity/Section/Unit. Juvenile Services Division.

The following information reflects total expenditures of the Juvenile Services Division (including training schools) for calendar year 1974 by activity (training schools, central office, and field service), by section (administration, food and student services, education, etc.), and by unit (personnel and maintenance and operation). These expenditures were derived from the Operational Reports by Activity/Section/Unit. Information regarding Central Office and Field Services expenditures was difficult to obtain since prior to July 1, 1974 these two activities were reported as one, and several of the personnel were shared by both the Central Office and Field Services. Therefore, only an approximate total dollar figure will be reflected herein. Field Services expended approximately \$388,295, while Central Office expended approximately \$236,956. These approximations were retrieved from the Statement of Expenditures and Encumbrances Compared with Appropriation by Agency Reports.

Total state and federal expenditures were obtained from two sources: the Activity/ Section/Unit Report which provided all operational expenditures and the Expenditures and Appropriations Report which furnished construction costs. An Activity/Section/ Unit outline with its respective categorical groupings follows. Federal funds were reflected in three sections within the outline: (1) Food Services - the Federal Lunch Program; (2) Education - Federal Contribution; and (3) Plant Maintenance - Work Study Program.

Table III reflects the operational expenditures by training school. The expenditures are further broken down in Tables IV through VI by personnel and maintenance and operation within each category.

TABLE III
OPERATIONAL EXPENDITURES FOR CALENDAR YEAR 1974

Category	Pine Bluff	Alexander	Wrightsville	Total
Administration	45,742	76,075	66,022	187,839
Food Services	102,429	103,587	89,708	295,724
Student Services	229,553	255,076	180,704	665,333
Education State	174,452	148,381	288,454	611,287
Education - Federal	52,533	57,841	56,950	167,324
Medical Services	17,339	13,266	24,724	55,329
Plant Maintenance	70,001	79,278	82,487	231,766
Cash Funds	17,987	8,579	3,984	30,550
Farm Operation	82,770	. 0 -	- 0 -	82,770
Construction	190,624	600,228	859,804	1,650,656
Total	983,430	1,342,311	1,652,837	3,978,578

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TABLE IV
ACTIVITY BY UNIT
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JANUARY 1, 1974 - DECEMBER 31, 1974

Category	Personnel	Maintenance and Operation	Total
Administration	62,496	13,579	76,075
Food Services	45,464	58,123	103,587
Student Services	223,557	31,519	255,076
Education - State	139,648	8,733	148,381
Education - Federal	57,21 5	626	57,841
Medical Services	8,287	4,979	13,266
Plant Maintenance	28,085	51,193	79,278
Cash Funds	- 0 -	8,579	8,579
Farm Operation	- 0 - 1	- 0 -	- 0
Construction	NA	600,228	600,228
Total	564,752	777,559	1,342,311

Source: Operational Report: Activity/Section/Unit.

TABLE V
ACTIVITY BY UNIT
WRIGHTSVILLE
JANUARY 1, 1974 - DECEMBER 31, 1974

Category	Personnel	Maintenance and Operation	ration Total	
Administration	48,518	17,504	66,022	
Food Services	43,287	46,421	99,708	
Student Services	170,977	9,727	180,704	
Education - State	266,160	22,294	288,454	
Education - Federal	49,313	7,637	56,950	
Medical Services	11,534	13,190	24,724	
Plant Maintenance	27,292	55,195	82,487	
Cash Funds	- 0 -	3,984	3,984	
Farm Operation	- 0 -	- 0 -	- 0 -	
Construction	, NA	859,804	859,804	
Total	617,081	1,035,756	1,652,837	

Source: Operational Report: Activity/Section/Unit.

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TABLE VI
ACTIVITY BY UNIT
PINE BLUFF
JANUARY 1, 1974 - DECEMBER 31, 1974

Category	Personnel	Maintenance and Operation	Total
Administration	21,890	23,852	45,742
Food Services	37,716	64,713	102,429
Student Services	205,381	24,172	229,553
Education - State	171,565	2,887	174,452
Education - Federal	28,773	23,760	52,533
Medical Services	14,748	2,591	17,339
Plant Maintenance	18,538	51,463	70,001
Cash Funds	- 0 -	17,987	17,987
Farm Operation	28,735	54,035	82,770
Construction	NA	190,624	190,624
Total	527,346	456,084	983,430

Source: Operational Report: Activity/Section/Unit.

During calendar year 1974, the Arkansas training schools received 793 students. This includes new commitments and revocation of parole and trial release.

TABLE VII
TRAINING SCHOOL POPULATION
JANUARY 1, 1974 - DECEMBER 31, 1974

School	Received	Percent of Total Received	
Pine Bluff	295	37%	
Alexander	226	29%	
Wrightsville	272	34%	
Total	793	100%	

Source: Semi-Annual Statistical Reports January 1 - June 30 and July 1 - December 31, 1974, Juvenile Services Division.

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Construction above consumed 41% of the total training school budget. Wrightsville's new or recently built facilities consist of a gym, five new cottages, expanded class-rooms, and library. Alexander's new facilities include an addition to and remodeling of the cafeteria, a multi-purpose building, a sewer treatment plan, and three new cottages. Pine Bluff's new facility is a health clinic building.

Maintenance and operation budget (\$618,743), less construction expenses, constitutes 16% of total training school expenditures, while the personnel budget (\$1,709,179) slightly exceeds the percentage of funds expended on construction.

TABLE VIII
TRAINING SCHOOL FACILITIES

School	Number of Campus Facilities	Total Capacity	Average Daily Population
Pine Bluff	6	160	. 155
Alexander	3	96	77
Wrightsville .	6	160	120

The average cost per commitment to these facilities was \$5,851. Placement of offenders in a correctional facility is most expensive when one considers that the actual cost per placement including other variables such as: the Reception and Classification Center's fiscal year 74-75 budget (\$709,407), total Juvenile Services Division 1974 expenditures (\$4,603,829), and local community expenditures (approximately \$21,000 in transportation alone). In most instances, the cost of transporting youth including gas mileage, meals, lodging, manpower, and time is absorbed at the local level. Mississippi County, during calendar year 1974, committed 58 youths. The cost at current rates to the community in gas mileage alone was approximately \$3,000 and in terms of manpower and time, the cost is relative. If the annual cost of incarcerating the pre-eighteen year old youth in Tucker Intermediate Reformatory were included, the total cost would increase by approximately \$255,500. Depending upon which variables are employed, the total cost per child per year will range anywhere from \$7,295 to approximately \$12,000. The real cost to the individual and society cannot be measured. In monetary terms, it is estimated that a single juvenile career of crime costs the governmental system \$11,000. In the aggregate, juvenile crime costs taxpayers approximately \$500,000. This does not include the incalculable cost to the victims of violence against persons or property.

National studies indicate that the economic cost of constructing prisons and juvenile correction institutions is "running anywhere from \$25,000 to \$50,000 per bed". Normally, money must be borrowed to finance the construction at an interest rate of, for example, 10%. The annual operating cost runs anywhere from \$5,000 to \$15,000 per inmate per year. For a 100 bed minimum security facility costing \$25,000 a bed to build, financed for twenty years at 10% interest, costing \$5,000 a bed per year for maintenance, it will cost the taxpayers around \$7,500,000 for construction and \$500,000 per year (\$10,000,000 for the twenty year period of paying off the mortgage) for maintenance. These are extremely high facility costs, especially when considering the questionable benefits produced. Once built, prisons are permanent and inflexible edifices that box us in to a rigid concept for anywhere from 50 to 150 years.1

The State's training schools budget consumes approximately 95% of the State's expenditures in the youth in trouble area. The training schools' program impacts considerably less than one-tenth of the target population, and the value of this impact is questionable. Recidivism rates or failure rates are difficult to arrive at, but over 30% of the pre-eighteen year old inmates surveyed from adult corrections had been in a training school before. Only 13% of the committed youth were diverted from the training school, while 68% were recommended for alternative placements by the Reception and Classification Center. Two hundred ninety-five (295) or 39% of the 777 training school commitments in 1974 were for offenses that would not be crimes if committed by adults (status offenses).

Dangerous or serious offenders, those posing a threat to themselves and others, are incarcerated in training schools with status offenders, non-violent law violators, and other non-dangerous offenders. During calendar year 1974 there were at least 31 Reception and Classification Center cases who committed offenses of a violent or dangerous nature, i.e., murder/non-negligent manslaughter, forcible rape, aggravated assault. The Executive Director of the Juvenile Services Section estimates, however, that approximately 93 or 12% of the training school commitments manifest symptoms which would classify them as violent or dangerous delinquents.

Eleven (11) of the 31 serious offender cases were under 15 years of age. Section 41-617 of the Arkansas Criminal Code (1975) states that "whatever the offense, the idea of 12, 13, and 14 year olds being thrown into the Arkansas adult prisons system is not an acceptable disposition". This group will be coming to the training schools.

¹Summary Rationale for Moratorium on Construction of Jails, Prisons, and Juvenile Facilities, (NCCD) and (UUS).

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Technologies and programs for this group are considerably different and to a degree opposed to those normally utilized in our training schools. We are not currently programming for this group. On the other hand, youthful offenders are incarcerated with adult offenders in adult prisons.

In April of 1975 when the Institutional Youth Profile Survey was conducted, there were approximately 71 youths under 18 years of age noused at Tucker Intermediate Reformatory, Department of Correction. This Department is not programming specifically for these youth either.

A substantial portion, 147 or 19% of the 1974 cases, demonstrated indicators which raises some question as to whether or not commitment to the training school was an appropriate dispositional alternative. Seventy-two (72) cases were committed for victimless, nonviolent law violations such as public drunk, possession of marijuana, gambling, streaking, vagrancy, trespassing, etc. It is estimated that approximately 8% or 62 additional commitments had a primary diagnosis of mental retardation and recommendation for placement with Mental Retardation-Developmental Disabilities Services, but were sent to the training school.

Juvenile Services personnel have long recognized the need for significant changes within the existing state institutions. There has been a noticeable lack of trained "treatment" professionals within the system and limited training and orientation of new and existing employees. Consequently, even if youthful offenders were appropriately placed within the system, there is some question as to the quality of treatment they would receive. "The treatment philosophy of progressive training schools is based on the principle that every youth committed must be considered as an individual who has failed to adjust in the community, or vise versa, and has shown through his behavior that he needs help in becoming an adjusted member of society. In order to accomplish this objective, a thorough diagnosis is necessary to determine his needs. Unless an approach can be developed which will discover the causes of delinquency and recapture the youngster's desire to live peacefully in the community, the corrections institution becomes a convenient warehouse to keep youth out of the community's hair for a short time period."²

Although a multitude of service needs for troubled youth have been recognized by both national correctional authorities as well as many Arkansas citizens, there is a primary need to search for and implement answers and alternatives to the problem

² Administration of Institution for Delinquent Youth, "A Training School and The State Agency", Harman Ad. Maurice, p. 188.

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areas within the existing youth correctional facilities program. Such a search must consider the following problems:

Lack of control over the training schools' client input.

The need to reduce and stabilize population flow into these correctional facilities so as to more adequtely direct programs around treatment needs.

Cost-benefit ratio of existing facilities is unbalanced.

It is obvious that a system is needed to screen out status and victimless offenders and divert them from further penetration into that system. Only those offenders posing a threat to themselves or society should require treatment in secure correction institutions, and such treatment should be predicated on the principle that every incarcerated youth is an individual. A successful corrections program should be designed to recapture a youngster's desire to live peacefully in the community.

PROPOSED YOUTH CORRECTIONAL FACILITIES PROGRAM

It is the formal goal or objective of the state correctional facilities services component of the single youth services organization to provide those specialized types of services which are not available at the community level. This institutional section will operate on the premise that confinement itself is punitive and should be only used as a last resort.

Reduction in average daily populations at the State's training schools will be one of the primary measures of success of the total Youth Services System. This is computed by multiplying the yearly population by length of stay (in days) and dividing by 365 (one year). The average daily population at the three training schools in 1974 was 352 youths with approximately 800 youths passing through the system. The average daily population in 1975 was 374 with approximately 1000 youths passing through that year. The degree of success achieved by the single youth services organization in developing viable community based youth services programs will have a direct impact on both training school and adult correction populations for the next 5 to 10 years. It is anticipated that the successful implementation of the Youth Services System will mean a systematic reduction in the youth correctional institutional average daily population to less than one-half the current level by 1982.

The training schools will become a small specialized service component of the overall system designed to maintain quality service with emphasis on screening, assessment

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of need, treatment, and alternative placement. The director of the Training School Section will become one of four deputies on a peer level with the head of community service, staff services (planning, evaluation, training, etc.), and administrative services. All will answer to one organizational head who in turn answers to the Director of the Department of Social and Rehabilitative Services.

Significant program redirection can take place only as the flow of status offenders and less serious offenders into the training school is reduced through community alternatives, better qualified judicial decisions, and diversion or early placement from the Reception and Diagnostic Center. It is recommended that one of the facilities become an adolescent treatment center to serve as an alternative for the other two training schools for specific types of youth. This will be primarily an open facility providing services for youth needing specific treatment, and services for non-adjudicated youth would be available as capacity permits. Day treatment services for youth from the other facilities and youth in close geographic proximity will also be developed. It is anticipated that this program component will be established by July, 1978 and fully operational by January, 1979.

This program component will also be responsible for developing therapeutic program models that can be exported to communities and serving as a training resource to communities. As the degree of sophistication and treatment capability grows at the community level, the need for this facility should diminish; and it is anticipated that the adolescent treatment facility as such will be phased out by July, 1982.

As the client flow becomes stabilized through the measures proposed in this plan, one facility will become the Arkansas youth correctional facility. It will offer a full range of correctional services suited to the bulk of delinquents in Arkansas. Emphasis will be on a positive structured environment utilizing behavioral change technologies to assist youth in adjusting to the "real world". One must understand that youth who need individualized treatment but not a correctional facility environment will not be there. Youth that present extreme behavior and are a danger to themselves and others will not be there. Instead, the facility population will be composed of youth who are convicted law violators and have demonstrated patterns of delinquent behavior that can and must be changed. It is anticipated that this facility will have reached this mode of operation by January, 1979. The remaining training school facility will be phased out by July, 1980.

It is estimated that between 12% and 15% of the current training school average daily population are dangerous to themselves and/or others. These youth exhibit

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extreme behavior which is destructive to them individually and disrupts programs for others. The structure and security necessary for this group opposes the general philosophy of juvenile corrections. The numbers are presently small enough so that the facilities can manage and isolate these youth to a degree, but as training school populations decrease these youth become much more visible and behaviorally influential over other students. Concurrently, the Department of Correction has 40 to 75 youths at any given time under the age of 18 serving sentences at Tucker Intermediate Reformatory. These youth have been found guilty or committing felonious acts and are housed with approximately 450 young adult offenders. Although the seriousness of the crime may warrant security associated with adult corrections, the benefits of placing youth of this age group with adult criminals is questionable.

It is recommended that the Department of Correction and the Department of Social and Rehabilitative Services develop a relatively small specialized adolescent offenders unit for these two populations who have similar needs. The technology transfer between the two departments should strengthen their own programming and it is consistent with the administration's integrated approach for the management of state government. The training school facility that will be phased out would be a possible location for such a unit. A violent or serious adolescent offenders unit such as this will allow the Arkansas Youth Correctional Facility (training school) to retain its program integrity and will enable the Department of Correction to separate their juveniles from adults and provide subsequent relief to their overcrowded facilities.

It is extremely difficult to project cost avoidance and expenditures over an extended period of time. The problem is multiplied when dealing with massive program redirection as we are here. Undoubtedly, the service and operational costs will increase as a result of increased treatment sophistication and program improvements. Overall costs, however, will drop with the reduction in the number of facilities, reduction in flow of incoming students, and shorter lengths of stay in some cases.

It is estimated that if the proposed Youth Services System were fully operational today, total State expenditures for youth correctional facilities (training schools) would be reduced by approximately \$1 million per year.

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CONCLUSIONS

In summary, it is recommended that:

THERE BE A SYSTEMATIC REDUCTION IN THE INSTITUTIONAL AVERAGE DAILY POPULATION TO LESS THAN ONE-HALF THE CURRENT LEVEL. Completion Date: July, 1982.

This will require the implementation of previous recommendations in this plan and implementation of the following suggested action steps over the next six years.

Convert one training school facility into an open adolescent treatment center for boys and girls. (Adjudicated and Non-adjudicated). Completion Date: July, 1978.

Develop a serious or dangerous offender unit in conjunction with the Department of Correction. Completion Date: July, 1979.

Phase out one training school facility. Completion Date: July, 1979.

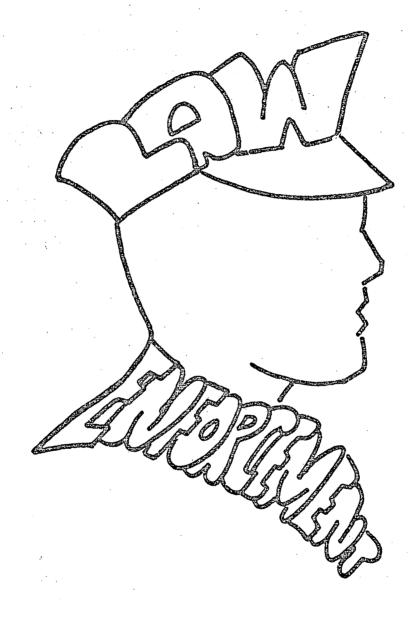
Retain one facility for adjudicated delinquents offering a full range of youth correctional services. Completion Date: July, 1980.

Phase out the adolescent treatment facility as community based treatment is developed. Completion Date: July, 1982.

The organizational structure of the single state agency is intentionally community oriented and is intended through both structure and process to limit the scope of the training school program. This is all a conscious effort to place training schools and the State's role into a balanced perspective within the total system. It is anticipated that eventually the vast majority, if not all, youth correctional activities will take place at the community level. The single state organization will be responsible for monitoring, evaluating, and planning for this total Youth Services System. As patterns of program need develop, strong consideration should be given to locating small (40 to 50 bed) youth correctional facilities in strategic locations across the State. Current statistics, which will change with development of the Youth Services System, support locating such facilities in Southeastern Arkansas, West Central Arkansas, and Northeastern Arkansas. This is not economically or technologically feasible at this point in time, but will be a very real consideration in six to eight years.

With a reduction of our youth correctional facility programming, it is anticipated that Arkansas will be able to provide a full range of individually appropriate youth correctional services. These services will become one specialized facet of a total system of youth services in Arkansas designed to make ours a better State.

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THAT THE ARKANSAS ASSOCIATION OF MUNICIPAL CHIEFS OF POLICE, THE ARKANSAS SHERIFFS' ASSOCIATION, AND THE ARKANSAS LAW ENFORCEMENT OFFICERS' ASSOCIATION IN CONJUNCTION WITH THE GOVERNOR'S COMMISSION ON CRIME AND LAW ENFORCEMENT ESTABLISH UNIFORM GUIDELINES FOR DEALING WITH JUVENILES. Completion Date: January, 1978.

THAT EACH ENFORCEMENT AGENCY DEVELOP WRITTEN POLICIES AND PROCEDURES WITHIN THE ESTABLISHED GUIDELINES. Completion Date: January, 1979.

THAT EACH ENFORCEMENT AGENCY TAKE STEPS TO STRENGTHEN COOPERATIVE WORKING RELATIONSHIPS WITH OTHER MAJOR COMPONENTS OF THE YOUTH SERVICES SYSTEM. Completion Date: Ongoing.

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The basic philosophy defining law enforcement responsibilities specifies that the police are charged with the protection of lives and property. This is accomplished through the detection and apprehension of criminals, the prevention of crime, and limited control of nonviolative conduct. The concern in the law enforcement field relates to the methods by which translation of that basic philosophy into practice is applied when police action involves a juvenile. The best way to deal with this concern is to define certain philosophical guidelines from which we derive the dimensions of police policy and procedures. Through these guidelines the boundaries of police responsibilities and powers are defined. The focus here is that underlying any special procedures for applying the constraints inherent in public authority over juvenile offenders is the hope that those offenders can be diverted early from a life of crime.

LAW ENFORCEMENT OPERATIONAL CONSIDERATIONS

Over the past few years there has been a rapid shift from an informal to a legalistic approach in the juvenile courts which has necessitated several important functional changes in the police role. Where police have generally served as a doorway to the courts, recent supreme court decisions have placed new restrictions on police requiring the legal process to begin when juveniles are first taken into custody. While the total effects of these court decisions remain obscure, they have meant one thing—the police must place emphasis on the prevention of delinquency and, in cooperation with the community, on the development of resources to serve as alternatives to formal entry into the justice system. Therefore, the actions of police officers must be calculated to stop the offense and to begin the process of corrections. For the purpose of this study, there are several areas of concern where we believe each police agency in the State needs to develop specific written police-juvenile procedures including police field discretion, police diversion, coordination, and specialized juvenile training. We will now address these areas.

Discretion

When applied to public functionaries, "field discretion" is defined as the "power or right conferred upon police officers by law of acting officially in certain circumstances, according to the dictates of their own judgement and conscience, uncontrolled by the judgement or conscience of others". As defined by the International Association of

Henry Campbell Black, Black's Law Dictionary, St. Paul, Minnesota: West Publishing Co., 1957, p. 553.

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Chiefs of Police, "discretion" is not simply the decision to arrest or not to arrest but rather is the choice between two or more possible means of handling a situation confronting the police officer. The advantage of the police administration of using a definition based on choice is that it helps in recognizing situations where discretion leeway exists and delineates all available causes of action. In its daily application in police work, field discretion involves both the decisions to take action in the first instance and the decision to follow up on such action in the second instance. Although administrative guidelines can be formulated to assist in discretionary decision making which can reduce the possibility of error on the officer's part, a police officer's duties cannot be specifically defined as to the correct course of actions to follow in every circumstance.

Arkansas statutes basically define the duties of law enforcement personnel and do not address the use of differential handling of juvenile offenders. As a result, the question of police discretion is in need of thorough legislative attention as local law enforcement agencies have different methods of dealing with juvenile offenders and non-offenders with whom they come in contact. This general lack of uniformity and lack of field discretion guidelines by the police probably does more to impede the State's efforts to minimize the involvement of juveniles in the justice system than anything else.

Diversion

Practitioners at all levels of the Juvenile Justice System are in sound agreement that it is entirely unfair and unnecessary for the police to bring to court every juvenile who is taken into police custody or who has an official encounter with a police officer. The President's Commission on Law Enforcement and Administration of Justice recommends that "where permitted by law, police agencies should divert from the criminal and juvenile justice systems any individual who comes to the attention of the police, and for whom the purpose of the criminal or juvenile process would be inappropriate, or in whose case other resources would be more effective".

Police efforts to divert suspected offenders from criminal and/or juvenile justice system are centered primarily upon the selection of alternatives to formal wardships and delinquency proceedings. Traditionally, police have informally counseled and released youth to their parents in lieu of instituting formal proceedings. It has been estimated that approximately half of all juvenile offenders are released without formal petitions being filed. Recently, however, increasing use of police referrals to other agencies within the community has benefited juveniles in terms of providing

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professional help without delinquency or wardship proceedings. As a general rule police agencies attempting to divert young offenders have five dispositional alternatives available to them:

- 1. Release, accompanied by a warning to the juvenile.
- 2. Release, accompanied by an official report describing the encounter with the juvenile.
- 3. Station adjustment (pre-adjudicatory disposition), which may consist of:
 - a. release to parent or guardian accompanied by an official reprimand;
 - b. release accompanied by referral to a community youth service agency for habilitation where such exists;
 - c. release accompanied by referral to a public or private social service or health agency.
- 4. Referral to Juvenile Court Intake Division, without detention.
- 5. Referral to Juvenile Court Intake Division, with detention.

As to the question of which alternative best suits each child, the apprehending officer or police-juvenile officer is guided by departmental policies, judgement, experience, training and education, as well as factors surrounding both the nature of the offense and the social history and attitudes of the juvenile and his or her parents. Because of this situation, a juvenile in one jurisdiction might be referred to court for an alleged offense, while a child in another jurisdiction might receive an informal adjustment for the very same kind of offense.

Coordination

No element of the criminal or juvenile justice system completely discharges its responsibility simply by achieving its own immediate objective. It must also coordinate and cooperate effectively with the system's other elements. In some cases where diversion is informally practiced, a juvenile may be referred to an alternative service or agency and may not arrive at the selected place, or service may be refused without the knowledge of the referring official, and certainly not in time to take other steps. Follow up coordination in diversion cases is vital to insure accountability, to monitor and evaluate the results of referrals, and to provide valuable feedback to police as well as other participants in the Juvenile Justice System. Legal and administrative separation of powers and responsibilities sometimes makes this coordination and cooperation difficult, but a vigorous effort is required for each element of the system to communicate with the other elements. Police agencies have a responsibility to participate

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fully in the system and cooperate actively with support agencies such as mental health centers, drug rehabilitation centers, social service agencies, youth programs, hospitals, and educational institutions as well as with the courts, prosecutors, prisons, and parole boards.

Training

Since all officers deal with juveniles, it is of primary importance that all police officers be trained in the proper methods of handling juvenile cases. By setting high standards regarding training in juvenile problems, the State could insure that each police officer is capable of providing service in police-juvenile matters. Additionally, there is a need for periodic in-service training in police-juvenile procedures as all police officers must be familiar with changes in operational procedures and new court rulings regarding the handling of juvenile offenders.

In 1973, approximately four (4) of the 75 county sheriffs' departments had written recruiting requirements, and only one department utilized a Civil Service Merit System. Employee selection was based primarily on interviews and/or background investigations, although two departments required a written examination and four others required a physical examination. Also approximately 85% of the sheriffs' departments did not have in-service training programs at that time though some of these departments do send their new personnel to the State Law Enforcement Training Academy for pre-service training. Eight basic police training classes are taught each year at the Academy which are four weeks long and consist of 196 hours of instruction. Of these 196 hours, there is only a two (2) hour block in juvenile matters which consists mainly of instruction in the State's Juvenile Code. Basic and specialized training is available through the Academy, but many small police agencies do not require that their officers be trained.

CONCLUSIONS

There are at least three major problem areas in law enforcement which have a negative effect on juvenile offenders in the Juvenile Justice System.

1. Local law enforcement agencies have varying methods of dealing with juveniles in terms of field discretion and diversion.

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- Generally there is poor communication between criminal justice entities and social agencies and a general lack of understanding as to how the system works as a whole.
- 3. There is no system for training in juvenile matters and a general lack of juvenile specialization in law enforcement.

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Extensive study of available information has led us to make some generalizations regarding law enforcement operations in Arkansas. The most obvious is that law enforcement agencies have different and nonsystematic methods of dealing with juveniles. This lack of uniformity in police-juvenile procedures is especially obvious in the areas of reporting, training, discretion and diversion which is complicated by the fact that most police officers are not trained in juvenile matters. Secondly, most police agencies in the State have no formal policies for the diversion of youthful offenders; and finally there is no mechanism to promote coordination between enforcement and components of the Youth Services System. This creates confusion as to how the system should work, fosters isolation of each individual component, and makes follow-up of diversion cases extremely difficult. Uniform guidelines and written policies provide a foundation from which law enforcement can move toward effective processing of juveniles. As a result of these factors it is recommended:

THAT THE ARKANSAS ASSOCIATION OF MUNICIPAL CHIEFS OF POLICE, THE ARKANSAS SHERIFF'S ASSOCIATION, AND THE ARKANSAS LAW ENFORCEMENT OFFICERS ASSOCIATION IN CONJUNCTION WITH THE GOVERNOR'S COMMISSION ON CRIME AND LAW ENFORCEMENT ESTABLISH UNIFORM GUIDELINES FOR DEALING WITH JUVENILES. Completion Date: January, 1978.

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The process of diversion and field discretion can be enhanced through community resources which accept youth from enforcement agencies. Consequently, the proposed system of community based programs will be expected to establish working agreements to receive youth from enforcement agencies as a part of their service function.

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Where possible, enforcement agencies should designate an officer(s) as the juvenile specialist and provide this personnel with extensive training in juvenile matters. Specialization in juvenile enforcement is a critical factor in large municipal areas. Cross training between enforcement and social agencies is another effective tool in facilitating the principles previously outlined. It is suggested that the Law Enforcement Training Academy, the single state youth services agency, and the Law Enforcement Associations of Arkansas take steps to become more closely aligned in this area of dealing with juveniles. Through close working relationships at the local level it is anticipated that enforcement can play a major role in relieving the pressure on the courts and in prevention of further penetration into the Juvenile Justice System by a substantial number of young offenders.

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TO PROVIDE QUALITY CARE FOR YOUTH WHO MUST BE TEMPORARILY DETAINED IN A PHYSICALLY RESTRICTING OR UNRESTRICTING SETTING PENDING COURT DISPOSITION, TRANSFER TO ANOTHER JURISDICTION, RETURN HOME, OR PLACEMENT ELSEWHERE FOR LONG TERM CARE. Completion Date: Ongoing.

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Detention provides a specialized type of care for a small portion of juveniles who must be detained in a physically restricting environment pending court disposition, transfer to another jurisdiction, return home, or placement elsewhere for long term care. The National Advisory Commission on Criminal Justice Standards and Goals noted that "detention and incarceration have known deleterious effects, and therefore, youth should be diverted from the juvenile justice system in every possible instance. For those offenders who must be retained in the system, all possible alternatives to detention should be used. For economic reasons alone, full exploitation of community resources is warranted."

The Youth Services Planning staff's Jail Survey indicated that during a single week in March, 1975, there were approximately 385 youths held in adult jails and detention facilities with the average length of stay varying from one to five days. This information is signification itself because local law enforcement jurisdictions rarely report crime data regarding juveniles. In 1973 at least 63% of the county law enforcement jurisdictions in Arkansas allegedly did not participate in the F.B.I. Uniform Crime Reporting System, and many that did participate did so in a haphazard manner. This lack of sufficient statistical information regarding the number of youth jailed or detained precludes any meaningful assessment of the practices and trends, but what information we do possess points to the fact that the practice of detaining juveniles is prevalent in Arkansas and that the entire detention process itself has been an ignored issue.

Currently there are four detention centers in operation and two more are expected to be operative by the end of 1976. These juvenile detention facilities are constructed primarily for single county usage, although one is a regional facility, and communities outside the general radius of a facility are placing juveniles in jails. Current construction costs for new centers are estimated at a rock-bottom figure of \$10,000 to an astonishing \$30,000 per resident with maintenance and operation costs presenting an additional consideration. For example, in 1971 the estimated cost of maintaining a minimum staff for a detention home with an average population of 12 children was about \$120,000 per year.

In addition to the economics of the detention facilities, there is the existing situation of limited standards addressing criteria for detention of juvenile offenders. The existing standard which applies to jailing and detention is a provision which pertains to the separation of youthful and adult offenders in adult jails. The National Advisory

¹National Advisory Commission on Criminal Justice Standards and Goals, <u>Corrections</u>, pg. 270.

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Commission on Criminal Justice Standards and Goals in standard 16.9 sets forth criteria for detention. Briefly, it proposes that the delinquency jurisdiction of the courts be limited to those juveniles who commit acts that would be considered criminal if committed by an adult, and that juveniles accused of delinquency conduct should not under any circumstances be detained in facilities for housing adults accused or convicted of crimes. It further proposes that a detention decision should be based on the following criteria:

- 1. As a last reasonable alternative.
- 2. Where the juvenile has no parent, guardian, custodian, or other person able to provide supervision and care.
- 3. Decided by court or intake personnel and not a police officer.

Additionally, the Juvenile Justice and Delinquency Prevention Act (JJDP) of 1974 in Section 223 (12) and (13) provides for the deinstitutionalization of status offenders and separation of juveniles from incarcerated adults in adult detention facilities. Section 22 of the new Juvenile Code (Act 451 of 1975) also mandates separation of juveniles from incarcerated adults. Criteria for detention prior to adjudication of delinquency matters at the state level has been delineated in standard 1.21 of the Proposed Standards for Juvenile Justice and Delinquency Prevention in Arkansas which is a part of the Ounce of Prevention Effort of the Governor's Commission on Crime and Law Enforcement. These standards include, but are not limited to, many of the same criteria as standard 16.9 of the National Advisory Commission on Criminal Justice Standards and Goals. The Ounce of Prevention Effort, however, also states that juveniles being held in detention or shelter facilities should be separated whenever possible into three groups:

- 1. Status Offenders
- 2. Dependent/Neglected
- 3. Delinquents having committed adult type offenses

Arkansas does have a State Criminal Detention Facilities Board which is responsible for developing and enforcing new standards for Arkansas jails. It also addresses detention of juveniles in Section 7-1002A and A-1 of the Adult Detention Facility Minimum Standards which became effective August 1, 1976. Basically, these two subsections state that persons 21 years of age or under shall be kept separate from confined adults. This not only applies to physical separation but to visual and auditory separation as well. However, this board has no jurisdiction over juvenile detention facilities.

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Recently, the John Howard Association, a 75 year old internationally known, private, non-profit survey and consultation agency in the delinquent field, reported that only five to ten percent of all juveniles entering the Juvenile Justice System actually need placement in a secure type of environment. During calendar year 1974 there were 8,800 juvenile cases filed in Arkansas. Assuming that the rate of detention as established by the John Howard Association is five percent of those arrested for delinquent acts, then the detained population of those 8,800 youths should have been approximately 440 for the year. During one week alone in March, 1975 the Youth Services Planning Jail Survey found approximately 300 youth incarcerated. This report and others strongly indicate a need for a major redirection in the practices of juvenile detention.

While empirical studies on juvenile detention are less than abundant, there are indications that point to a number of specific problem areas including:

- 1. Lack of minimum standards and guidelines regarding juvenile detention practices.
- 2. Lack of meaningful statistical information.
- 3. Excessive use of juvenile detention and jailing.
- 4. Lack of alternatives to detention and jailing.
- 5. No systemized plan of detention construction funding.

In recognition of the above problems, the Governor's Commission on Crime and Law Enforcement has recently hired staff to monitor 78 county jails, 26 municipal jails, and three juvenile detention facilities which were operational in Arkansas during calendar year 1975. This monitoring system will bring Arkansas into compliance with Section 223 (14) of the JJDP Act of 1974. Information will be gathered concerning juveniles incarcerated in Arkansas during 1975 regarding age, race, sex, the offense each youth was charged with, length of his/her detention, and disposition of each juvenile case. Moreover, this staff will determine if the minimum standards set forth in the Arkansas Detention Facilities Board Minimum Standards are being met in each jail or detention facility visited. Data collected will go into a report which will be completed and in the Regional Law Enforcement Assistance Administration Office in Dallas, Texas by December 31, 1976. This monitoring will be ongoing with an annual report submitted to the Dallas office at the end of each year.

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CONCLUSIONS

The ultimate response to the problem areas relating to juvenile detention must revolve around one primary theme: Reducing population detained in secure type environment through proper detention in screening (diversion at intake), judicious case processing (speedy trials) and utilization of detention alternatives (shelter care, home foster care, etc.). However, a planning process must first be implemented to accomplish this objective and such a process must assess present practices, analyze trends, evaluate resources, and explore community based alternatives to dispositions currently being made. However, there can be little doubt as to the key to the problem areas. It has been estimated that just appropriate pre-detention screening on a 24-hour basis could effectively reduce use of detention by at least 25%.

As a result, we are recommending that:

QUALITY CARE BE PROVIDED FOR YOUTH WHO MUST BE TEMPO-RARILY DETAINED IN A PHYSICALLY RESTRICTING OR UNRE-STRICTING SETTING PENDING COURT DISPOSITION, TRANSFER TO ANOTHER JURISDICTION, RETURN HOME, OR PLACEMENT ELSE-WHERE FOR LONG TERM CARE. Completion Date: Ongoing.

Recommended action steps include:

Development of alternatives to detention such as shelter care and supervised home care before constructing additional detention facilities.

Detention screening be required by a court intake staff member prior to placement in detention.

Detention hearing be required within 24 hours of the initial detaining in all cases.

Establish mandatory reporting system with regard to juveniles detained or jailed.

Few people are really aware of the negative results most juveniles experience with detention, and as a result, little effort has been directed toward either study, innovation, or change. It is our contention that if the single state agency is designated as the responsible component for coordination of youth programs, the State will reap benefits in terms of uniformity of standards and practices, statistical control, broadening relationships between correctional programs and human service agencies, and better utilization of community resources as alternative facilities to sercure detention.

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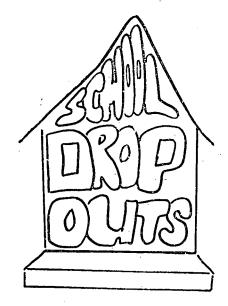
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THAT THE SINGLE STATE YOUTH SERVICES AGENCY AND THE STATE DEPARTMENT OF EDUCATION ESTABLISH A COOPERATIVE AGREEMENT DESIGNED TO IDENTIFY AND UTILIZE THE ROLE OF EDUCATION IN THE PREVENTION, CONTROL, AND TREATMENT OF JUVENILE DELINQUENCY. Completion Date: July, 1977.

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As mentioned in the preliminary Master Planning Document, no one single agency, institution, or program can possibly amass all the necessary ingredients to deal effectively with the multi-faceted problems of juvenile delinquency. Therefore, one must make full utilization of existing resources. Effective coordination with adjunctive state agencies impacting youth can only enhance the efforts of delinquency prevention, treatment, and control by establishing necessary linkages with other components of the Youth Services System.

It is the responsibility of the Arkansas Department of Education to provide youth with the skills necessary to function as projective members of our society. In making recommendations relating to this Department, the Youth Services Planning Advisory Council is well aware of the overwhelming demands already being placed on our public educational system. Some of these demands include career education at the elementary and secondary level and varied alternative educational experiences for the "handicapped" youth (trainable and educable mentally retarded, learning disabled, emotionally disturbed and the culturally deprived, as well as those youth with physical or health related impairments). Schools have also been considered as a possible resource for community opportunity center activities such as adult education and retraining, job counseling and placement.

TRENDS AND SERVICES

In order to understand the need for additional and improved education services in Arkansas, one need only refer to school dropout data, alternative school information, and statistical information regarding counseling and special education services.

School Dropout

The greatest need for alternative educational experiences in Arkansas is exemplified in the State's dropout average (41%) which is double the national average of 20%. It is estimated that dropping out of high school costs an individual an estimated \$74,000 because of lower income during his working lifetime. Additionally, dropping out of school increases the probability of an individual becoming unemployed, a recipient of public assistance, and/or involved in crime. Consequently, many individuals have found themselves supporting the idea that the school system as well as other supportive services should become preventive in nature and broader in scope of responsibilities.

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According to national studies, many of the 850,000 students who left elementary and secondary school in 1970 and 1971 did so because they felt their educational experiences were not relevant in so far as equipping them with the skills necessary for human development. National research indicates that 80% of the efforts in schools are directed toward the college bound student, and yet only 29% of the 1971 high school graduates went to college. These dropout statistics partially evidence the educational systems failure to meet the individual needs of youth.

Alternative Schools

Although Arkansas is currently taking steps to provide alternative educational experiences which are responsive to the needs of individual students, the changes are slow to implement. Vocational guidance, for instance, should begin in the elementary years rather than in the freshman year of high school. By the time a child reaches junior high school, talents, abilities, and skills should already be identified; and the child should have had an opportunity to experiment with different learning concepts. Such experimentation (verbal or abstract performance vs. manipulation and demonstration of real objects) will acquaint the child with an adequate knowledge of his potentials and capabilities in order for a decision to be made regarding future academic career.

Presently, there are only four alternative schools in Arkansas (three located at Little Rock and one at Fayetteville) serving approximately 1,220 youths during calendar year 1974. The services provided by these schools include, but are not limited to: counseling (individual, group, and family), psychological, psychiatric, medical, social work, recreational activities, and other special services. The total amount of monies expended on these alternative educational experiences in 1974 was approximately \$300,000. Three of the four schools receive major portions of their funds from the public school system.

Special Education and Counseling

Currently, there are 847 special education classes with 90% of these classes specifically designed for the educable mentally retarded. The greatest number of special education classes are concentrated in Regions III and V, and likewise, the highest number of counseling services are available in the same two regions. It is interesting to further note that the highest concentration of youth under 18 years of age are also found in these two regions.

³tandards and Goals for Juvenile Justice, Juvenile Delinquency Interdepartmental Council, p. 6.

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The Arkansas General Assembly also passed Act 102 of 1973 known as the Handicapped Children's Act which states that every school district must "provide, as an integral part of the public school, special education sufficient to meet the needs and maximize the capabilities of handicapped children". The term "handicapped" in this context applies not only to those youth with physical and health related impairments, but to other handicapped individuals -- trainable and mentally retarded, learning disabled, or emotionally disturbed, but not cultural or economically disadvantaged. It is the intent of Act 102 to provide that full services be available to all handicapped school age children in the State by school year 1979-80. During 1973-74 approximately 53,118 students enrolled in schools were identified as handicapped. An estimated 22.8% of these students received special education.² In 1974-75 there were 456 counselors employed in the Arkansas public school system. Of this total, 58% were high school counselors, while only 12% were involved in counseling at the elementary level. As mentioned earlier, this lack of counseling in the elementary grades is significant in lieu of the fact that one of the most important phases of a youth's life is his/her early formative years.

The public school system and its facilities have also been recognized as important vehicles in contributing to community crime prevention by serving as centers for community activities and by operating after hours, 365 days a year, instead of the traditional 5 days a week for 39 weeks a year. This can be expanded through cooperation among service agencies and coordination of agency efforts.

CONCLUSIONS

Although Arkansas is concentrating its educational services in areas where there appears to be the greater need, these current services are obviously limited in scope and slow in implementation as they relate to the problem of preventing juvenile delinquency. To summarize, the problem areas are:

Existing educational programs are insufficient in responding to the needs of individual students.

There is a lack of communication between the Department of Education and other agencies and programs in the various levels of the Youth Services System.

Recognizing that there are many youth who are unable to function in a regular classroom setting, it is our belief that varied educational experiences must be designed to

²Comprehensive Plan for Personnel Preparation in Special Education fo: the State of Arkansas, October 1, 1974, pg. 54.

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make school systems more responsive to the needs of today's students. The basic premise here is that educators must plan programs that will insure that every child leaving school can obtain either a job, acceptance to an advanced program of study, or referral to an appropriate agency for assistance. Such programs would play a vital role in delinquency prevention and control.

In order to accomplish these objectives there must be a mechanism available to insure that the Department of Education becomes an integrated part of the total Youth Services System. Consequently, it is our recommendation that:

THE SINGLE STATE YOUTH SERVICES AGENCY AND THE STATE DEPARTMENT OF EDUCATION ESTABLISH A COOPERATIVE AGREEMENT DESIGNED TO ACCOMPLISH DELINQUENCY PREVENTION, CONTROL, AND TREATMENT THROUGH BETTER IDENTIFICATION AND UTILIZATION OF EDUCATION'S ROLE IN JUVENILE DELINQUENCY. Completion Date: July, 1977.

The following action steps are suggested as part of this recommendation:

That the Department of Education place greater emphasis on counseling and referral services offered by the public school system especially at the elementary school level. Completion Date: Ongoing.

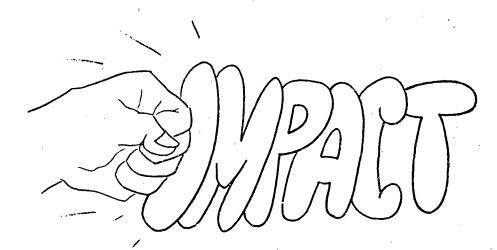
That the Department of Education expand its role in providing community services and activities after school hours to include: adult education and retraining, recreation and counseling, big and little brother activities, and health clinics. Completion Date: Ongoing.

That the Department of Education assume reponsibility for developing and funding alternative educational programs. Completion Date: July, 1977.

That the Department of Education provide in-service training programs in early identification of skills to school personnel involved with youth on a daily basis. Completion Date: Ongoing.

That the term "handicapped children" as defined by Act 102 of 1973 be amended or interpreted to include services for those youth identified (by behaviorally specific methods) as delinquents or pre-delinquents. Completion Date: July, 1977.

ONGOING SYSTEM ASSESSMENT



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The nature of delinquency and troublesome behavior being one of constant change and redefinition, it is unlikely that the development of the comprehensive community based youth services system as described in the Community Services Section of this document would be an end in itself.

Because the system as proposed calls for the majority of programs and services to be performed in the private sector, it would seem that some type of mechanism would have to be established to insure that:

The existing programs and services are actually meeting the needs of youth in trouble, and

That the system, once developed, can remain responsive, flexible, and able to address new or changing needs of youth in the community.

The remainder of this section will outline what is believed to be rational approaches to addressing the problem of ongoing community youth services development through monitoring and evaluation.

The problem would seem to be that if indeed the State takes the position that youth services and programs are to be delivered in the local private sector, how can insurance be maintained that the services will indeed be of a responsive and quality nature.

There would, on the surface, seem to be two approaches to resolving this issue. The first would be to place the responsibility of monitoring services on the same level as the responsibility of delivering them. Using this approach would entail the use of a public relations effort that would inform the general populous that resources and monies were being made available to local communities to deal with the problems of troubled youth at the local level. This approach would have the effect of placing the expectations and responsibility with the community rather than with the State. It would seem that if the population of a community held local community leaders responsible for providing quality youth services, then, when concerns arose among the consumers of the service (youth, parents, schools, etc.), grievances could then be directed toward local community leaders rather than toward state or national agencies.

Local units of government should be and are usually more responsive to the needs of their constituents than are larger units of government. Although the approach would not generate quantitative data, it would offer a "home rule" sort quality control.

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The alternative approach to insuring quality services at the local level would be one in which the State maintained the responsibility. If this were the desired approach, it would be necessary for the State to establish some agency to deal with the problem. The most logical course of action would seem to be to place that responsibility within the single state agency responsible for youth services. In order to carry out the responsibility, two functions would seem to be indicated:

To develop a system of assessing the success of services and programs in terms of how it meets the identified needs of its client population.

To develop a system for alleviating or reducing problems once identified.

To implement the first function, it would be necessary to develop an impact evaluation design that would assess not only how an individual service or agency achieves its stated goals, as well as the impact of the goal achievement on the behavior of the clients in the program, but also how the agency or service compares with those possessing the same or comparable goals.

In order to accomplish this activity, it would be necessary to define a number of standard outcome measures that could apply to the broadest possible range of youth services. Outcome measures would consist of such things as:

Recidivism
School Performance
Attitude Adjustment
Family Relationships
Work Performance, etc.

It is proposed that the outcome measures would be developed through a combined effort of the single state agency for youth services and the local youth services providers.

Once the outcome measures have been selected and agreed upon, it would then be necessary to identify the specific data elements necessary to measure each one and to determine how the data would be collected, when it would be collected, and how it would be analyzed. Once this phase was complete, it would become the responsibility of the single state agency for youth services to incorporate into any funding request presented by a local provider the outcomes to be measured as well as the various data collection procedures mentioned above. It would then be the responsibility of the provider agency to meet the conditions outlined in the evaluation portion of the grant or contract as a condition of refunding.

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With such a system of evaluation, the single state agency for youth services would be able to identify gaps and deficiences not only in individual programs, but the entire community based youth services as well.

For example, if the data analysis indicated that all similar programs established to deal with a particular problem were having no effect or a negative effect on the client population, that type of service could be determined either inadequate or ineffective, which would indicate a systems change. However, if the data indicated that an individual program was not having a significant impact while all other similar programs were significantly impacting the behavior of their respective client populations, program or structural changes within the specific program would be indicated. Possessing the ability to identify problems in specific program types, the problem then becomes how to correct or alleviate the problems.

Control of the state monies for matching local programs and some influence over federal funding sources would provide the motivation lever for implementing change.

It would be necessary for the single state agency for youth services to identify solutions to the identified problems and then to work with the local providers in implementing the solutions.

Through this process, the comprehensive community based youth services system could be continuously monitored, developed, and enhanced.

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IMPLEMENTATION SCHEDULE

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The development of a Long Range Master Plan for the Prevention, Treatment, and Control of Juvenile Delinquency in Arkansas requires not only specific program objectives, but also necessitates a time frame in which those objectives should be accomplished. The following implementation schedule represents the primary recommendations of the long range Master Plan and is provided as a suggested time table for the plan itself.

THE DEPARTMENT OF SOCIAL AND REHABILITATIVE SERVICES ESTABLISH AND SANCTION ONE SINGLE STATE ORGANIZATION TO SERVE AS THE FOCAL POINT, COORDINATING, AND/OR SPONSORING AGENT FOR ALL YOUTH SERVICES ACTIVITIES IN ARKANSAS. Completion Date: July, 1977.

Organizationally locate the Training School Section within the single state youth services reganization. Completion Date: July, 1977.

Organizationally locate the State Aftercare Section within the single state youth services organization. Completion Date: July, 1977.

Establish the organizational function of Program Planning, Monitoring, and Evaluation, Training and Resource Development for Youth Services in the single state organization. Completion Date: July, 1977.

Establish authority in the single state agency for the allocation and/or administration of state and federal youth related monies for community programming. Completion Date: July, 1977.

THE SINGLE STATE YOUTH SERVICES AGENCY AND THE STATE-DEPARTMENT OF EDUCATION ESTABLISH A COOPERATIVE AGREEMENT DESIGNED TO IDENTIFY AND UTILIZE THE ROLE OF EDUCATION IN THE PREVENTION, CONTROL, AND TREATMENT OF JUVENILE DELINQUENCY. Completion Date: July, 1977.

The Department of Education place greater emphasis on counseling and referral services offered by the public school system, especially at the elementary level. Completion Date: Ongoing.

The Department of Education expand its role in providing community services and activities after school hours to include: adult education and retraining, recreation and counseling, big and little brother activities, and health clinics. Completion Date: Ongoing.

The Department of Education assume responsibility for developing and funding alternative educational programs. Completion Date: July, 1977.

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The Department of Education provide in-service training programs in early identification of skills to school personnel involved with youth on a daily basis. Completion Date: Ongoing.

The term "handicapped children" as defined by Act 102 of 1973 be amended or interpreted to include services for those youth identified (by behaviorally specific methods) as delinquents or pre-delinquents. Completion Date: July, 1977.

THE ARKANSAS ASSOCIATION OF MUNICIPAL CHIEFS OF POLICE, THE ARKANSAS SHERIFFS' ASSOCIATION, AND THE ARKANSAS LAW ENFORCE-MENT OFFICERS' ASSOCIATION IN CONJUNCTION WITH THE GOVERNOR'S COMMISSION ON CRIME AND LAW ENFORCEMENT ESTABLISH UNIFORM GUIDELINES FOR DEALING WITH JUVENILES. Completion Date: January, 1978.

EACH LAW ENFORCEMENT AGENCY DEVELOP WRITTEN POLICIES AND PROCEDURES WITHIN THE ESTABLISHED GUIDELINES. Completion Date: January, 1979.

EACH LAW ENFORCEMENT AGENCY TAKE STEPS TO STRENGTHEN COOPERATIVE WORKING RELATIONSHIPS WITH OTHER MAJOR COMPONENTS OF THE YOUTH SERVICES SYSTEM. Completion Date: Ongoing.

ESTABLISH A STATEWIDE SYSTEM OF COMPREHENSIVE COMMUNITY BASED YOUTH SERVICES PROGRAMS. Completion Date: July, 1980.

Establish recognized geographic service catchment areas. Completion Date: July, 1977.

Develop description of mandatory services and criteria for what constitutes comprehensive community based programs. Completion Date: July, 1977.

Legislate ongoing state monies for the community based programming on a catchment area, per capita turnback formula. Completion Date: July, 1977.

Effectuate policy decision from the Department of Social and Rehabilitative Services to allocate a dollar amount of Arkansas Title XX allotment to the single state youth services organization to be spent for the system of community based services. Completion Date: July, 1977.

Utilize the state aftercare field staff to develop the comprehensive community based youth service programs. Completion Date: July, 1977.

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Establish monitoring and impact evaluation models as a partial basis for continued funding of community programs. Completion Date: July, 1977.

Phase out the state aftercare positions that are not necessary for ongoing monitoring and evaluation of community programming. Completion Date: July, 1979.

ESTABLISH PROFESSIONAL COURT SERVICES (INTAKE, PROBATION, REFEREE, AFTERCARE) FOR ALL JUVENILE COURTS IN ARKANSAS. Completion Date: July, 1980.

Acquire legislative and/or State supreme Court approval of "Uniform Rules of Juvenile Court Procedure". Completion Date: July, 1977.

Establish professional juvenile court services as the first funding priority in the Comprehensive Law Enforcement State Plan (LE \A). Completion Date: July, 1977.

Develop operational descriptions of each of the professional juvenile court services delineating roles, responsibilities, etc. Completion Date: July, 1977.

Effectuate a policy decision from the Governor's Commission on Crime and Law Enforcement to allow extended funding with a decreasing federal participation formula for these court services, i.e., seven year funding on a year to year basis with two years at 90-10, three years at 75-25, and two years at 50-50. Completion Date: July, 1977.

Establish and/or adopt standards and minimum requirements to be met by professional court related programs as a requirement for funding. Completion Date: July, 1977.

Phase out existing State Aftercare Services. Completion Date: July, 1977.

Establish legislation providing extended jurisdiction over adjudicated juvenile offenders who reach majority (age eighteen) prior to their completing the habilitation process. Completion Date: July, 1977.

Establish legislation for the preclusion of status offenders being incarcerated in training schools. Completion Date: July, 1977.

Amend the Juvenile Code to specify that juvenile court judges may appoint volunteer probation officers to work with the juvenile court. Completion Date: July, 1977.

Develop a vehicle for onging evaluation and revision of the State Juvenile Code. Completion Date: Ongoing.

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Amend the Juvenile Code deleting the clause stating that attorneys appointed to defend appropriate cases "shall serve at no expense to the county". Completion Date: July, 1977.

Establish a Juvenile Court Referee and Judges Association. Completion Date: July, 1978.

Legislate professional juvenile court services as a mandatory service. Completion Date: July, 1979 (with an additional phase in time period).

Legislate assurance of partial state funding at a continual level after federal funding is completed. Completion Date: July, 1979.

ESTABLISH A UNIFIED SYSTEM OF COURT OF DOMESTIC AFFAIRS OR FAMILY COURTS TO DEAL WITH ALL DOMESTIC AFFAIRS, INCLUDING CUSTODY, ADOPTION, DELINQUENCY, DEPENDENCY/NEGLECT, DIVORCE, ETC. Completion Date: July, 1987.

Explore with the State Bar Association and/or the State Judicial Department the feasibility of initiating pilot projects for family courts. Completion Date: Ongoing.

PROVIDE QUALITY CARE FOR YOUTH WHO MUST BE TEMPORARILY DETAINED IN A PHYSICALLY RESTRICTED OR UNRESTRICTED SETTING PENDING COURT DISPOSITION, TRANSFER TO ANOTHER JURISDICTION, RETURN HOME, OR PLACEMENT ELSEWHERE FOR LONG-TERM CARE. Completion Date: Ongoing.

THROUGH SUCCESSFUL IMPLEMENTATION OF PREVIOUS RECOMMENDATIONS, SYSTEMATICALLY REDUCE THE TRAINING SCHOOL AVERAGE DAILY POPULATION TO LESS THAN ONE-HALF THE CURRENT LEVEL. Completion Date: July, 1982.

Convert one training school facility into an open adolescent treatment center for boys and girls (adjudicated and non-adjudicated). Completion Date: July, 1978.

Develop a serious or dangerous offenders unit in conjunction with the Department of Correction. Completion Date: July, 1979.

Phase out one training school facility. Completion Date: July, 1979.

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Retain one facility for adjudicated delinquents offering a full range of youth correctional services. Completion Date: July, 1980.

Phase out the adolescent treatment center as community based treatment is developed. Completion Date: July, 1982.

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APPENDIX

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GEOGRAPHIC CHARACTERISTICS AND POPULATION DISTRIBUTION

Arkansas' 75 counties are divided into 8 geographic regions (see attached map). The terrain varies from Mississippi Delta farmland in the southeast to the timber covered mountains in the northwest. In physical size, Arkansas encompasses some 53,104 square miles, with approximately 54% of the acreage in forestland.

Arkansas' 1970 population count was 1,923,295, while the 1980 population projection is 2,115,000. Although these projections reflect a population increase of 191,705 or a relative change of 10%, they should not be construed to be absolute, since other variables may intervene (i.e., national disaster, massive migration, excess of births or deaths). Projected growth in the total population for the next ten years is most evident in population projections for four regions. These regions and their percent of growth are: Northwest, 23.7%; West Central, 13.1%; Western, 12.6%; and Central, 15.5%. The table below reflects the total population distribution by region.

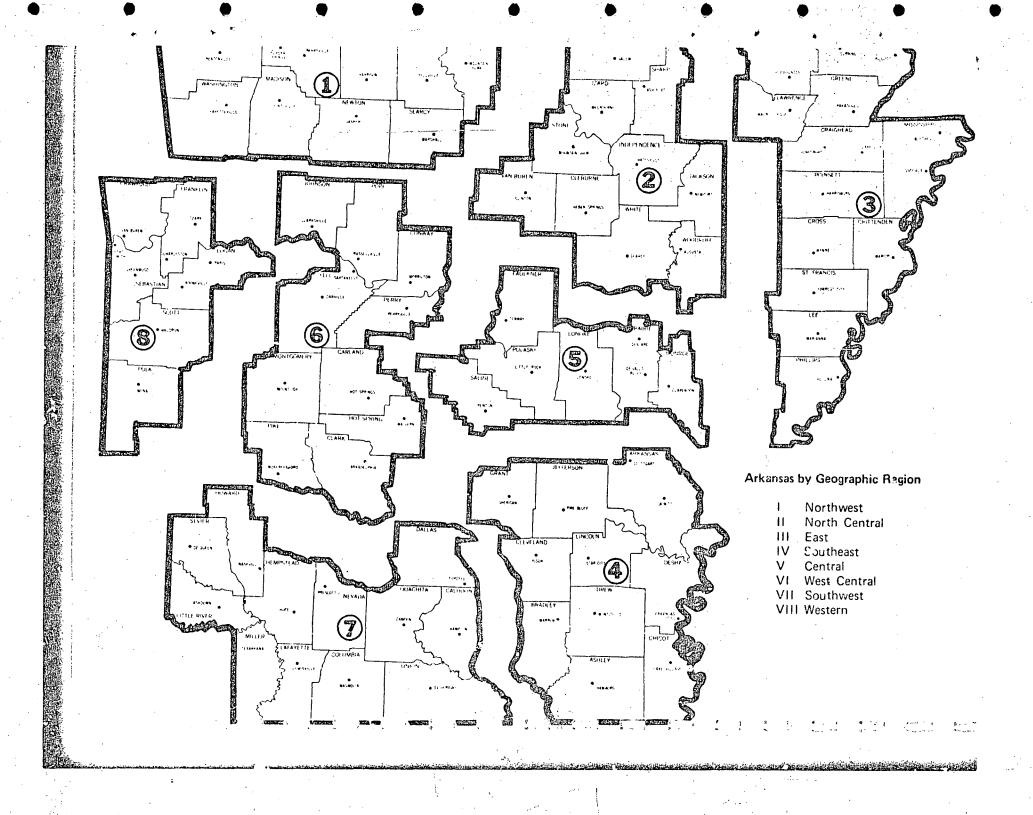
TABLE I TOTAL POPULATION BY REGION 1970

Region	1970 Population*	1980 Population	Relative Change	Percent of Change
1	204,567	253,000	48,433	23.7%
П	142,769	152,000	9,231	6.5%
ш	371,069	376,000	4,931	1.3%
IV	227,741	236,000	8,259	3.6%
V	407,023	470,000	62,977	15.5%
VI	191,047	216,000	24,953	13.1%
VII	224,571	238,000	13,429	6.0%
, VIII	154,508	174,000	19,492	12.6%
State	1,923,295	2,115,000	191,705	10.0%

^{*}Source - Census data from U.S. Bureau of the Census, projections prepared by Industrial Research and Extention Center, University of Arkansas, Little Rock,

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Arkansas' urban and rural population in 1970 was relatively balanced, with approximately 50% of the population residing in urban areas. A significant part of the State's 1960 to 1970 urban growth and conversely its rural loss can be attributed to the following factors: annexation by cities of areas that had been classified as rural; the intercensal growth of rural towns to urban places of 2,500 population; and the designation of previously classified rural areas as unincorporated places of 2,500 or more population.¹

The principal urban areas within the State include: Little Rock, Fort Smith, and Pine Bluff. Arkansas' total population density is approximately 37.0 persons per square mile. This figure can be attributed at least partially to the centralization of population in five populus counties: Pulaski, Jefferson, Sebastian, Washington, and Mississippi. Population per square mile in the remaining 70 counties is 27.8 or roughly half that of the national norm.²

The non-white, primarily black, population represents 18.6% of the State's total. Concentrations of black population are found in those counties which adjoin the Mississippi River and in the densely populated counties in South Central Arkansas. The four regions whose black population exceeds the average for the State are as follows: Southeast, 35.7%; Southwest, 29.8%; East, 25.9%; and Central, 28.7%.

Families with incomes below the poverty level in 1969 made up 22% of the State's total population. The percent of families with incomes below poverty level by region ranged from 15.7% in Central Arkansas to 29.7% in the East. Chicot and Lee counties had the largest proportion of families in this class by county. (43.5%).³

The relative distribution of family income in 1969 indicates that approximately half (47.2%) of the nation's families had incomes of \$10,000 or above. The percent of families with incomes of \$5,000 or less in Arkansas ranged from 28.2% in Central Arkansas to 50.2% in North Central Arkansas. In 57 Arkansas counties, the proportion of families with incomes of \$5,000 or less was larger than the State average of 39.1%. Since the economic situation is subject to so many variables which constantly fluctuate, 1975 income percentages will vary considerably.⁴

¹A Changing Arkansas, Population and Related Data, 1960 to 1970, Industrial Research and Extention Center, University of Arkansas, Little Rock, p. 7.

²lbid., p. 3.

^{3&}lt;sub>lbid., p. 39</sub>.

⁴Ibid., p. 37.

⁵Employment Security Division, "Annual Manpower Planning Report", February, 1975.

The current recessionary economy is resulting in both decreased employment and increased unemployment in the State. During the first seven (7) months of fiscal year 1975, Arkansas' unemployment rate rose from 4.5% in July, 1974 to 8.7% in January, 1975. The number of people employed dropped from 829,200 in July to 744,200 in January.

In addition to a general overview of Arkansas' physical features, population, and income distribution, there are some real indicators of geographic characteristics of delinquency that surface when comparing juvenile cases filed in county courts, caining school commitment data, and public school dropout information.

During calendar year 1974, there were 4,773 juvenile cases formally filed in county courts. Region V (Central Arkansas) registered the largest number of cases filed (1,205). This represents 25% of the total cases filed in the State. On the other hand, Region V had the third lowest rate of commitment to the Juvenile Training School Department. At least part of this variance may be attributed to the fairly high concentration of services in this area of the State. For instance, Region V has 30% of all the special education programs that are available and 24% of all the public school counselors. Region V represents approximately 23% of the State's total population.

It is also interesting to note that Region I (Northwest Arkansas) has the highest rate (248) of juvenile cases filed per 100,000 population, ages 9 - 17 years, and yet the second lowest rate of commitment to the Training School Department (166). Ninety-six percent (96%) of all juvenile cases filed for this region were heard by juvenile court referees. Five of the 9 counties in this region have probation programs, with almost 200 volunteer probation officers. Four residential treatment facilities, one alternative school, one youth service bureau type program, and several other programs assist in diverting troubled youth from the training school system.

Similar correlations can be drawn from these variables for other geographic areas of the State. Juvenile cases filed in county courts by region is demonstrated in Table II on the following page.

⁶Arkansas Employment Security, "Current Employment Developments", Arkansas, January, 1975, Volume XXIX, No. 2.

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TABLE II

JUVENILE CASES FILED IN COUNTY COURTS*

1974

Region	Number of Cases Filed	Rate Per 100,000 Population Age 9 - 17					
1.	780	248					
. 11	74	33					
Ш	794	110					
IV	656	156					
V	1205	. 164					
VI	435	146					
VII	550	144					
VIII	279	105					
Total	4773	1303					

Source - Tenth Annual Report, Judicial Department of Arkansas.

In summary, Arkansas is a relatively poor and predominantly rural state, with high income population centers and community based programs scattered throughout each region. Region III, for example, during 1974, had only 9 probation and 2 residential programs serving delinquent youth within the 12 county area, while Region IV had 3 probation programs and 1 residential facility to serve a 10 county area. In contrast, Region V had 25 community based programs (9 probation, 8 residential, and 9 non-residential programs) serving an area which is approximately the same population count, there is a noticeable difference in percentage dropout rates and the rate of commitment and juvenile cases filed per 100,000 population, 9 - 17 years of age.

From a geographic comparison of statistics regarding dropouts, commitments, and cases filed, there appears to be a correlation between the community based resources and a higher rate of delinquency.

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PLANNING APPROACH

The nature of this project dictated the use of systems' concepts and techniques. Based on the requirements of the contract, the Youth Services Planning Staff established objectives, activities necessary to achievement of these objectives, and flexible time frames for their completion. This was done in a two day planning session led by the SRS Planning Management Specialist of the Director's Office. The results of this session constituted the project structure.

The original time frame for the first funding period of this project was from August 7, 1974 through June 30, 1975 (11 months). During this time period, there were two tasks and three objectives to be completed.

Task 1. To identify the present system. 1

Objective 1. Identify and define all elements of the Juvenile

Justice System (month 4).2

Objective 2. Document the present Juvenile Services System

including those programs which affect juveniles at the enforcement, court and probation, residen-

tial and community integrative levels (month 11).3

Objective 3. Analyze data, produce and distribute findings in the

document study (month 11).4

Task 2. To conceptualize the ideal system.⁵

The project director was hired on October 6, 1974. All pre-project activities were completed by November 19, 1975. November 18 and 19, 1974, were devoted to structuring the project, developing a general plan of action and defining necessary activities.

Grant Number 73-262, Master Planning for Juveniles, page 3j.

²Grant Number 73-262, Master Planning for Juveniles, page 3i.

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⁴lbid.

^{5&}lt;sub>lbid.</sub>

Completion of project activities was fairly consistent with the initial projected timetables until early March. It became apparent that the data collection activities necessary to meet the contract requirements could not be completed under the accelerated time frame ending June 30, 1975. Therefore, on April 7, 1975, a formal request was made for three months extension of the first year funding. This was approved on May 28, 1975. The revised timetable begins with Task 1, Objective 3, Activity A, and is based on September 30, 1975 as completion date for first year activities.

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		INITIAL PROJECTED COMPLETION DATE	ACTUAL COMPLETION DATE
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00B. 00C. 00D. 00E. 00F. 00G. 00H.	Define Committee Function Selection Committee Membership Approval Governor Elect Negotiate With Members Issue Committee Invitations Preparation for Mee ing Issue Committee Packets Committee Orientation	November 28 November 28 December 5 December 6 January 17 January 8 December 23 January 22 January 22	November 2l November 28 December 11 December 23 December 23 January 17 January 9 January 22 January 22
	Committee Organization Committee Support (Staff)	Ongoing	
	IDENTIFY AND DEFINE PRESENT SYSTEM		
11B. 11C.	Intelligence Gathering Definition of Subsystems (Staff) Complete System Flow Committee Review, Approval	December 21 December 26 December 26 Decebmer 26	December 21 December 21 December 21 March 4
	DOCUMENT PRESENT SYSTEM	·	
12B. 12C. 12D. 12E. 12F.	Design Survey Instrument Design Data Collection Procedures Advisory Committee Review Develop Training Package Juvenile Service Division Staff Training Conduct Survey Data Monitoring and Preparation	December 30 December 30 February 12 February 13 February 14 March 27 April 2	February 7 February 18 March 4 March 18 March 24 May 5
13B. 13C.	Develop Analysis Format Analysis Preparation by Planning Factors Analysis Draft Advisory Committee Approval	March 14 March 20 See Revised	May 5 June 16 Timetable
13F.	Final Draft of System Committee Approval Printing and Distribution	. "	
	CONCEPTUALIZE IDEAL SYSTEM		
	Research Document	" "	
	APPLICATION, SECOND YEAR FUNDING		
B. C. D.	Write Draft (Grant Request) Negotiate (LEAA) Rewrite SRS Approval Committee Approval	., ., .,	ii.

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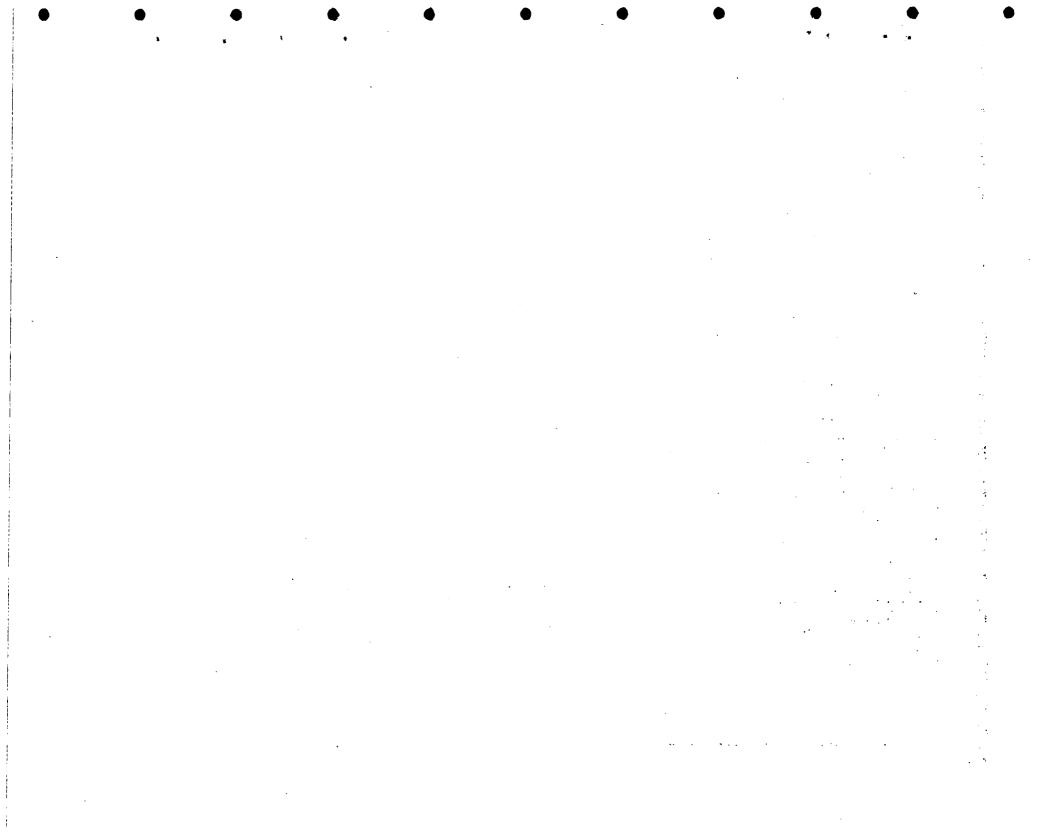
Project Structure Gront Number 73-262 November 18-19, 1974

YOUTH SERVICES PLANNING (Initial Projected Completion Date)

		Nov.	Dec.			Jan.		F	eb.	M	larch		April	ľ	May			June	
Task Object Activit		18 24	2 9 1	6 23	30	6 13 2	0 27	3 10	17 24	3 1	0 17	24 31	7 14 21	28 5	-	26 2	9	16 2	3 3
00D. 00E. 00F. 00G.	Selection Committee Membership Approval Governor Elect Negotiate with Members Issue Committee Invitations Preparation for Meeting Issue Committee Packets Committee Orientation Committee Organization Committee Support (Staff) Ongoing		-			•		(Ongo	ing)								·		. •
11B. 11C.	IDENTIFY AND DEFINE PRESENT SYSTEM Intelligence Gathering	·····																	
	DOCUMENT PRESENT SYSTEM																		
128. 12C. 12D. 12E. 12F.	Design Survey Instrument Design Data Collection Procedures Advisory Committee Review Develop Training Package Juvenile Service Staff Training* Conduct Survey Data Monitoring and Preparation	•••••••••••••••••••••••••••••••••••••••	••••••		•				•			-•·	•		•				
13C. 13D.	Develop Analysis Format Analysis Preparation by Planning Factors Analysis Draft Advisory Committee Approval*	• • • • • • • • • • • • • • • • • • • •	•••••	••••••	••••••		••••••	*********	••••••	· · · · · · · · · · · · · · · · · · ·	•			•		٠.			
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Project Structure YOUTH SERVICES PLANNING Grant Number 73-262 (Revised Projected Completion Date) April 7, 1975 August 5 | 12 | 19 | 26 | 2 | 9 | 16 | 23 | 30 | 7 | 14 | 21 | 28 | 4 | 11 | 18 | 25 | 1 | 8 | 15 | 22 | 29 13A. Develop Analysis Format 13B. Analysis Preparation by Planning Factors 13F. Committee Approval* 13G. Printing and Distribution. CONCEPTUALIZE IDEAL SYSTEM APPLICATION, SECOND YEAR FUNDING A. Write Draft (Grant Request) Negotiate (LEAA) Rewrite SRS Approval Committee Approval*



5G. Executive Feedback 5H. Printing.

5I. Distribution.

Proof and Edit.....(Ongoing)

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EXISTING JUDICIAL STRUCTURE

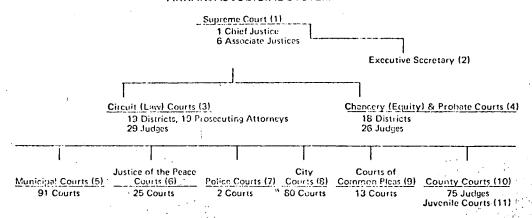
The Arkansas General Assembly has established a three tiered judicial system in the State of Arkansas. On the base or lowest level are numerous lower courts (i.e., county/juvenile courts, police and justice of the peace courts, municipal and city courts, and courts of common pleas). These courts exercise limited jurisdiction in both civil and criminal cases. Their jurisdictional boundaries are geographically small. The courts of the second tier are those of a general jurisdiction which render final judgement and decrees (i.e., chancery and circuit courts). Situated on the top tier is the State Supreme Court which exercises statewide appellate jurisdiction and certain original jurisdiction. (See the hierarchical diagram of the Arkansas Judicial System on the following page.) The county/juvenile court is designated as the primary court for hearing all charges brought against juveniles. It has original and exclusive jurisdiction for delinquency, youth in need of supervision, and dependency/ne lect cases arising under Act 451.1 However, in some cases, it is left to the discretion of the prosecuting attorney to decide in which court a juvenile's case will be heard.

¹Section 6 of Act 451 of 1975.

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HIERARCHICAL STRUCTURE OF THE ARKANSAS JUDICIAL SYSTEM*



- (1) Hears from all Circuit, Chancery and Probate Courts.
- (2) Administrative duties in connection with all courts.
- (3) Courts of general jurisdiction. Hear civil and criminal cases. Also hear appeals from courts of limited jurisdiction.
- (4) Courts of equity. Hear cases involving land disputes, divorce actions, etc. Also have jurisdiction over probate matters and adoption.
- (5) Courts of limited jurisdiction with county-wide authority. Hear misdemeanor cases, civil cases when amount involved does not exceed \$300. Judge must be an attorney.
- (6) Courts of limited jurisdiction with township-wide authority. Some limitation as Municipal Courts except no requirement that judge have legal training. Subject jurisdiction same as municipal court.
- (7) Jurisdiction limited to municipality. No requirement of legal training.
- (8) These courts are held by mayors (or their designees) in cities of the second class (500 2,500 population) and incorporated towns (500 or less). Territorial jurisdiction limited to municipality. Subject jurisdiction same as municipal court. No requirement of legal training.
- (9) These courts have been established in various counties by special acts. They are presided over by the County Judge and have limited jurisdiction which varies with the acts creating them. They exist in the following counties: Ashley, Chicot, Crittenden, Cross, Desha, Drew, Garland, Lee, Lonoke, Madison, Mississippi, Nevada, Prairie. No requirement of legal training.
- (10) County-wide jurisdiction limited generally to juvenile and bastardy proceedings, county taxes and expenditure of county funds. Presided over by County Judge. No requirement of legal training.
- (11) Presided over by County Judge subject to supervision by State Department of Public Welfare. No requirement of legal training. Several of these courts are, however, conducted by referees who are attorneys.

*NOTE: Reprinted from the Tenth Annual Report of the Arkansas Judicial Department, 1975.

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YOUTH PROFILE INFORMATION

Offender based information was collected from three sources: all of the youth at the three training schools, the pre-eighteen year old inmates at Tucker Intermediate Reformatory, and a limited sample of youth from community based youth services programs (i.e., alternative school, residential facility, county probation program, etc.). This information is considered essential in looking at the total system of youth services in Arkansas. Basic demographic information was collected on each of the youth along with specific types of information that related to how the Youth Services System impacted them at the community, enforcement, judicial, placement, and in some cases, the reintegration level. The function of this section is primarily descriptive and reportorial.

National statistics reflect that 46% of the youth in corrections institutions are under the age of 16. Arkansas has a much greater proportion of youth in correctional institutions under this age. At the time of this study, 74% of the youth incarcerated in corrections institutions, either juvenile or adult, were under the age of 16, which represents a 28% variance from the national norm. The mean age for youth within the three training schools in Arkansas was 14.8 years, while the mean age for the youth at Tucker Intermediate Reformatory was 16.6 years. Consistent with the philosophy of the three training schools, the Wrightsville Unit housed the older youth, with the mean age there of 15.5 years, while Alexander, the girl's unit, reflected a mean of 14.8 years, and Pine Bluff, which typically held the younger less serious offenders, had a mean age of 14.5 years. Oddly enough, the mean age of the youth surveyed in the community based programs was 15 years, which is older than was anticipated for youth in these types of programs. It is also interesting to note that approximately 90% of the community based program groups had been arrested from one to five times. One would normally think that non-correctional community based programs would serve a younger population with less involvement in the Juvenile Justice System. It can only be surmised that these programs serve more of a community delinquency control, or tertiary prevention function than a non-labeling primary or secondary delinquency prevention function. At least part of this may be attributed to the types of programs selected.

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Black youth represented 37% of the training school population, with 44% of these being at Wrightsville, 36% at Pine Bluff, and 32% at Alexander. Forty-one percent (41%) of the youth at Tucker Intermediate Reformatory were black. Racial distributions for the community based programs were not considered representative because of the predominantly white geographic areas in which the programs surveyed were located.

Arkansas' juvenile correctional system tends to serve Arkansas residents. Sixty-six percent (66%) of the youth at the training schools and 71% of the youth at Tucker Intermediate Reformatory were born in Arkansas. Approximately 85% of the youth in all programs surveyed had lived in Arkansas from 6 to 18 years. The following table reflects that the majority of youth served by this system have residence in urban areas of the State.

TABLE I GEOGRAPHIC AREA OF RESIDENCE

	Training School	Community Based Programs	Tucker
Rural	41.2	35.0	34.9
Urban	58.8	65.0	65.1

A little over three-fourths of the youth were living in the home of their parents or guardians at the time of their arrest.

Youth in the juvenile correctional system in Arkansas, as in most states, tend to come from large families, many times with one or more parents absent, with limited income, and with a disproportionate number of families receiving some form of public assistance. Seventy percent (70%) of the youth at the training schools and 60% of the youth at Tucker and in community based programs come from families that are either divorced, separated, or one or more of the parents are dead. National statistics show that 5% of Americans live in households of 7 or more persons, whereas 27.5% of the youth surveyed in this study lived in households of this size. The mean number of persons in the households for the youth surveyed was slightly less than 7. Girls tended to come from slightly larger families than did the boys. The average American family has 2.2 children, yet the incarcerated youth population here far exceeds this national average, with the mean number of brothers and sisters being over 5 for this group. The community based programs reflected youth with a smaller number of brothers and sisters (4).

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TABLE II
NUMBER OF PEOPLE IN YOUTH'S HOME

rage Number of People in Youth's Home*
6
6
5
5
5

^{*}Excluding the Youth.

TABLE III
NUMBER OF BROTHERS AND SISTERS

Facility	Average Number of Brothers and Sisters
Training School:	
Alexander	6
Wrightsville	6
Pine Bluff	5
Community Based	4
Tucker Intermediate Reformatory	5

The average family income for youth at the training schools and at Tucker Intermediate Reformatory was between \$2,000 and \$4,000 annually, with approximately 50% of these youth's families receiving some form of public assistance (AFDC, food stamps, Supplementary Security Income, etc.). The youth surveyed in the community based programs reflected an income slightly higher than that of those in correctional institutions, with the mean being between \$4,000 and \$6,000 per year.

It appears that as the penetration into the Juvenile Justice System increases, so does the likelihood of non-school attendance. The proportion of youth surveyed in the community based programs who were not in school at the time of arrest was not

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particularly significant (17%); but the percent of youth not in school at the time of arrest increased to 34% for the training school population and again increased to 63% for those youth at Tucker Intermediate Reformatory. All of the youth tended to leave school between the ages of 14 and 15. Reasons for leaving school ranged from expulsion, quitting to take employment, to just dropping out. Only one-half of one percent of the youth in the community based programs who had left school did so to take employment, whereas over 15% of the youth in the training schools and 24% of the youth at Tucker left for that reason. There may be some correlation between lower family incomes for this group necessitating their early employment and the higher family income of those in a community based program. Generally speaking, employment for those youth who had left school prior to commitment was sporadic.

Only approximately 13% of the youth ever held a job, either part-time or full-time, for one year or more. At the time of their arrest, 23% of the training school youth were employed and 62% of this group were employed full-time. Thirty-nine percent (39%) of the youth at Tucker Intermediate Reformatory were employed at the time of arrest, with 74% of this group employed full-time.

The average age at the time of first arrest was 13 years for the training school group, 14 years for the community based program youth, and almost 16 years old for the Tucker Intermediate Reformatory group. Eighty-six percent (86%) of the training school group and 75% of the Tucker Intermediate Reformatory group had been arrested between 1 and 5 times, with the remainder of both groups having been arrested 5 or more times. This information would indicate that the Tucker Intermediate Reformatory group began their career of crime at a later point in life, were involved in more serious crime, and had been arrested more times prior to their current status of incarceration. Of marginal relationship, is the fact that 35% of the Tucker Intermediate Reformatory group had been committed to a training school before and 25% of the training school group had been to the training school before. These youth reported an average length of stay of 10.5 months for boys while the girls reported a somewhat shorter length of stay at 5.6 months for their previous commitments.

Almost all youth in juvenile or adult correctional institutions had had previous incarceration in municipal or county jails at one time or another. Ninety-eight percent (98%) of the youth at Tucker Intermediate Reformatory had been incarcerated in jail or juvenile detention previously and 84% of the training school youth had been incarcerated. Only 40% of the youth participating in community based programs had been incarcerated previously. In keeping with this trend, the community based group who had been incarcerated previously, had fewer incidences of such than the other two groups. Twenty-two percent (22%) of the youth in community based programs, who

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had been incarcerated previously, had been incarcerated more than three times, compared with 30% of the youth in the training schools and 36% of the youth at Tucker.

County probation is one of the primary resources available to juvenile courts as alternatives to training school placements. The information in Table IV reflects that this alternative is not as available or widely used by the adult courts which commit youth to Tucker Intermediate Reformatory as by the juvenile courts. Seventy-two percent (72%) of the training school group had been on probation before, whereas only 56% of the Tucker Intermediate Reformatory group had been.

TABLE IV PROBATION STATISTICS

Environment	Percent on Probation Before	Average Length of Stay	Percent Having Probation Revoked	Committed to Training School While on Probatio
Training School.				,
Alexander	59.2%	8.5 Months	70.5%	20.0%
Wrightsville	78.4%	9.2 Months	40.9%	33.3%
Pine Bluff	75.3%	9.8 Months	55.8%	40.7%
Total	72.2%	9.4 Months	54.4%	33.9%
Cr-mmunity Based	57.8%	8.4 Months	9.8%	1.0%
Tucker Intermediate Reformatory	56.3%	15.9 Months	37.8%	18.8%

The youth within the community based programs had shorter length of time on probation with fewer youth having probation revoked. The girls at the training school had shorter probation terms, yet a higher revocation of probation percentage.

The type of representation in court also varied considerably between institutions. Over 66% of the youth at the three training schools had no representation in court. Nineteen percent (19%) of these youth had a court appointed lawyer or a private lawyer. Youth at Tucker Intermediate Reformatory reflected a higher percentage (89%) of court representation by an attorney, either private, public defender, or court appointed. These youth would have been tried in circuit court.

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ARKANSAS' STATUS OFFENDERS

There were two primary sources of status offender information for this section:

- (1) Case files and reports from the Reception and Classification Center for a period from January 1974 through December 1974.
- (2) The Youth Profile Survey of the total population of the three training schools between March 31, 1975 and April 4, 1975.

Although much of the information follows the same format and yields similar data, the Reception and Classification Center information provides a broader frame of reference for a longer study period than does the Youth Profile Survey. Both surveys provide an array of demographic and offense information for status offenders in the training schools during the period of study.

Arkansas' operative jurisdictional definition of status offenders is any person under eighteen (18) years of age:

- (1) Who has deserted his/her home without good or sufficient cause or who habitually absence himself or herself from his/her home without the consent of his/her parent, stepparent, foster parent, guardian, or other lawful custodian;
- (2) Who being required by law to attend school, habitually absence himself/ herself therefrom; or
- (3) Who is habitually disobedient to the reasonable lawful commands of his/her parent, stepparent, foster parent, guardian, or other lawful custodian.

For specific survey methodology information, please refer to the Reception and Classification Center Data Collection report and the Youth Profile Survey information in this appendix.

There were 777 admissions to the Reception and Classification Center from January 1, 1974 through December 31, 1974. Of this total, 295* or 38% were status offenders according to Arkansas' operative jurisdictional definition.

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^{*}This total includes 10 youth which were classified as dependent/neglected.

All youth admitted to the Arkansas Training School Department are admitted to the Reception and Classification Center for evaluation and recommendation. There is no scheduling of admission. Therefore, the Reception and Classification Center has no control over client input. Monthly admissions ranged from a low in November of 45 to a high of 94 in October. The center averaged approximately 65 cases per month during calendar year 1974. The average number of status offenders admitted from this group was 24 per month with a low of 17 in December and a high of 39 in October. (See Table I).

Approximately 56% of all status offenders admitted were female while as a group females represented only 27% of all admissions to the Reception and Classification Center. Seventy-eight percent of all females admitted were status offenders, primarily runaways. Twenty-three percent of all males admitted were status offenders. (See Table II).

Approximately 26% of all status offenders were black. However, blacks as a group constitute approximately 34% of all admissions. (See Table III).

Approximately 56% of all status offenders were between 14 and 15 years old at the time of commitment. Seventy-seven percent were under 16. (See Table IV).

Of the 295 status offender admissions to the Reception and Classification Center, 244 of these or 83% went into the training schools. The remainder were either placed in private group care (21), foster care (2), returned to their parents' or relatives' home (15), the state hospital system (3), or returned to the committing court (10). (See Table V).

It is interesting to note that while 244 or 83% of the status offenders received a training school disposition, only 57 status offenders or 19% were recommended for such placements by the center. Thirty-three percent of the 57 were recommended for training school placement as a method of acquiring access to other services such as Rehabilitation Services or Mental Retardation-Developmental Disabilities Services.

The Youth Profile Survey was conducted between March 31, 1975 and April 4, 1975 for the total population present at the three training schools (297). This total does not include the 33 students that were absent without leave (AWOL) or one student whose schedule would not permit a survey interview.

Of the 297 students, 111 or 37% were committed because of status offenses. Twenty-five percent of all males committed were status offenders, while 77% of all females committed were status offenders. (See Table VII).

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Twenty-one percent of those committed for status offenses were 13 years of age or younger with 73% being 15 years or younger. (See Table VIII).

Sixty-nine percent of the youth committed were white while 30% were black.

Approximately 72% of the students came from broken homes, with divorce (37%) being the primary reason for parental absence. The next closest category for absence is death of one or more parent (21%). (See Table IX).

Of the status offenders, 35% had dropped out of school with the remaining 65% being full or part time students at the time of their commitment.

For calendar year 1974, 43% of those status offenders responding listed family income as being \$4,000 or less. Eighty-four percent reported income as \$10,000 or less. Sixty percent of responding students listed their families were receiving assistance from either state or federal agencies. (See Table X).

Region II accounted for 2% of the status offends commitments with Region III reporting the largest percentage of commitments at 22%. (See Table XI).

Table XII shows the occupations reported by the students for their parents or guardians. It reflects only the totals of the youth who were able to respond. (See Table XII).

Table XIII shows the number of students responding to the make-up of their family. It reflects 58 homes with a male figure present and 105 homes with a female figure present. (See Table XIII).

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TABLE I
R & C CASES BY MONTH AND OFFENSE
JANUARY 1974 - DECEMBER 1974

Months	Status Offenders	Law Violators	% of Status Offender Admissions to Total Admissions	Monthly Totals
January	24	30	44%	
February	25	37	40%	54 62
March	27	. 51	35%	- 62 78
April :	25	45	36%	70 ·
May .	25	32	44%	57
June	21	. 42	33%	63
July	19	38	33%	57
August	27	. 44	38%	71
September	20	53	27%	73
October	40	54	43%	94
November	25	20	56%	45
December	17	36	32%	53
Total	295	482	38%	777

TABLE II

R & C CASES BY SEX AND OFFENSE CATEGORY
JANUARY 1974 - DECEMBER 1974

Sex	Status Offenders	Law Violators	Total
Male	131	437	568
Female	164	45	209
Total	295	482	777

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TABLE III
R & C CASES BY RACE AND OFFENSE CATEGORY
JAMUARY 1974 - DECEMBER 1974

Race	Status Offenders	Law Violators	Total
Black	78	184	262
White	217	2 96	513
Other	0	2	2
Total	295	482	777

TABLE IV

R & C STATUS OFFENDER CASES BY AGE AT TIME OF COMMITMENT

JANUARY 1974 - DECEMBER 1974

Age	Number	Cumulative Number	Percent of Total
11 and under	11	11	4%
12 - 13	53	64	18%
14 - 15	164	228	55%
16 and over	67	295	23%
Totals	295		100%

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TABLE V
DISPOSITIONS OF STATUS OFFENDERS
COMMITTED TO STATE TRAINING SCHOOL DEPARTMENT

Dispositions	Number
Boys Training Schools	119
Girls Training School	125
State Hospital (Bldg. 18, Shuffield Hall)	3
Alternate Residential Placement (Group Setting)	21
Foster Care	2
Return Home (Parents or Relatives)	15 -
Return to Court	10
Total	295

TABLE VI JUVENILE TRAINING SCHOOL DEPARTMENT REGIONAL COMMITMENT RATE

Region	Population 18 and under	Total Commitments	Commitment Rate By 100,000 Population 18 and Under
t	65,912	52	78
$\Pi = e^{-i\omega}$	47,196	17	36
Ш	146,939	206	140
IV	88,210	129	146
V.	148,153	134	90
VI j	62,353	88	141
VII	79,012	81	103
ÁIII	63,465	70	110
Total	701,240	777	111

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TABLE VII
CURRENT TRAINING SCHOOL POPULATION BY SEX

Sex	Total	Number of Status Offenders	Percent of Status Offenders to Total	Number of Law Violators	Percent of Law Violators to Total
Male	226	56	25%	170	75%
Female	71	55	77%	16	23%
Total	297	111	37%	186	63%

TABLE VIII STATUS OFFENDERS BY AGE

Age	Number of Status Offenders	Percent of Status Offenders to Total
11 and under	3	3%
12 - 13	20	18%
14 - 15	58	52%
16 and over	30	27%
Total	111	100%

TABLE IX
FAMILY STATUS OF YOUTH COMMITTED FOR STATUS OFFENSES

Family Status	Number of Status Offenders	Percent of Status Offenders to Total
Living Together	32	29%
Separated	9	8%
Divorced	41	37%
One or More Dead	23	21%
I Don't Know	4	3%
Never Married	2	2%
Total	111	100%

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TABLE X
STATUS OFFENDERS' FAMILY INCOME

:	Number of Status Offenders	Percent of Status Offenders to Total
Family Income:		
\$4,000 or less	33	43%
\$4,001 to \$10,000	31	41%
\$10,000 or more	<u>12</u>	16%
Total	76	100%
State, Federal, or Local Assistance Status:		
Receiving Assistance	-49	60%
Not Receiving Assistance	<u>32</u>	_40%
Total	81	100%

TABLE XI STATUS OFFENDERS' REGION OF RESIDENCE

Region of Residence	Number of Status Offenders	% of Status Offenders to Total	
Region I	9	8%	
Region II	2	2%	
Region III	24	22%	
Region IV	17	15%	
Region V	14	12%	
Region VI	13	12% ,	
Region VII	19	17%	
Region VIII	12	11%	
Out of State	1	1%	
Total	111	100%	

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TABLE XII
OCCUPATIONS OF STATUS OFFENDERS' PARENTS OR GUARDIANS

Parent/Guardian Occupation	Natural Father	Natural Mother	Male Guardian	Female Guardian
Military Service	; 3		· <u> </u>	
Farm/Domestic	4	7	1	
Factory/Construction	17	18	- 1	
Skilled Tradesman	8		. 3	
Service	6	1	2	. 1
White Collar	3	1		,
Management	6	2	•	
Executive		2	1	1
Professional		. 1		
Housewife		37		10
Retired	•		3	
Unemployed	3	5		
Disabled	4	4	2	
Deceased	14	8		٠
Other	6	9	1	
I don't know	16	10		1

TABLE XIII
STATUS OFFENDERS' FAMILY COMPOSITION

Family Make-up	Number of Status Offenders Responding	
Natural Father	43	
Natural Mother	88	
Male Guardian	15	
Female Guardian	17	

These are parents or guardians living in the home with the youth,

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COMMUNITY BASED YOUTH SERVICES PROGRAMMING

The primary source of information for this section was the statewide community based Youth Services Program Survey developed by Youth Services Planning and conducted through a professional services contract with the Juvenile Services Division of the Department of Social and Rehabilitative Services.

The contractual agreement under which this project is supported calls for the identification and documentation of the present Youth Services System including those programs which affect juveniles at the enforcement, court, probation, residential, and community integrative levels. The statewide community based program survey was conducted to develop information for partial fulfillment of these objectives. Community based programs in Arkansas with structured activities designed to prevent, treat, ameliorate, and/or control juvenile delinquency were surveyed. State operated programs are not considered here. Generally speaking, primary prevention or socialization programs such as boys clubs, girl and boy scout programs, and church youth groups were not considered here. There were exceptions to this depending on the specific delinquency related objectives of particular programs. For instance, there is a boys club program in Sebastian County directed specifically at delinquent or potential delinquent youth which has program linkages with law enforcement and the courts. Youth Service Bureaus, county probation, youth service counseling programs, group homes, etc., were considered appropriate for survey purposes.

Although there were approximately 124 programs considered during this survey activity, the final sample reported in this section totaled 83 programs* which have defined program objectives of prevention, treatment, amelioration, or prevention of juvenile delinquency. See Youth Services Program Survey in the appendix for more detailed information.

These core programs have been divided into three categories for statistical and comparative purposes. They are residential, non-residential, and those with both residential and non-residential components in the same program. There were 52 non-residential programs surveyed. Forty-three (43) of these programs are county sponsored (or

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^{*}There are four additional programs which are only referenced in relation to their geographic location and type of program because detailed information was either not available or they were new programs without statistical information.

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in two cases, city sponsored) probation agencies. These programs typically are court related and provide services to youth at the direction of the county court. The remaining programs include one Youth Service Bureau type program, one coordination or youth advocate brokerage service (which had previously been a Youth Service Bureau, but reduced its programming after federal funding ran out), one delinquency related boys club program, one criminal justice demonstration project with supportive services housed in the prosecuting attorney's office, and a handful of counseling, supportive, and treatment services.

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There were 22 residential programs surveyed across the state. These programs range from private foster care to large residential treatment programs. There were 9 programs that have both residential and non-residential components within the same program organization. Five of these programs were county sponsored juvenile probation offices with limited residential capability, usually foster care. The remaining programs include the larger residential programs of the state which have outreach or direct casework capability.

The eighty-seven (87) core programs (including the four which are not considered for statistical purposes) which have been identified as providing services to delinquent and pre-delinquent youth in Arkansas are presented on Map 1 in terms of location and service category.

There were 41 counties in Arkansas that have one or more non-residential programs. There is one non-residential church sponsored program that serves youth on a state-wide basis. Two programs serve only the cities in which they are located. Twenty-two percent (22%) of the non-residential programs are located in Pulaski County with Region V being the only region in which every county is covered by a county based non-residential program. Region II has the least number of programs housed within the region but has the second least county coverage within the region. Four of its ten counties have non-residential program coverage, but two counties are served through programs based in other regions. The percentage again reflects the counties covered and not necessarily the number of programs per region.

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TABLE I
PERCENTAGE OF REGION COVERED
BY NON RESIDENTIAL PROGRAMS

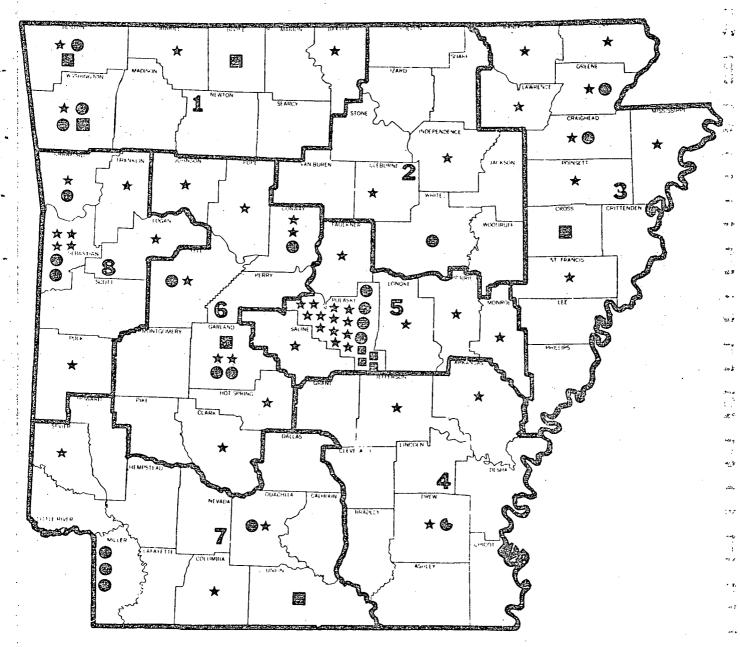
	Region	Percentage of Region Covered
· . /		56%
	11 H	40%
	111	100%
	. IV	70%
	V	100%
	, VI	80%
	VII	33%
	VIII .	83%

There are 6 programs with multi-county jurisdiction, which serve approximately 16 counties. Only 68% of the counties in Arkansas are covered by non-residential programs. Map II reflects program location for non-residential programs only. It is important to note that some of the counties that reflect no program on this map may be covered by programs providing multi-county services. For illustration purposes, Map III reflects program location for those non-residential agencies which are not county municipal probation related. Probation programs and their area of jurisdiction are reflected in Map IV.

The residential program category includes all of those substitute living situations which are available to youth who enter the Youth Services System. These programs range from privately sponsored foster care, custodial group care, and orphanages, to relatively sophisticated large residential child care facilities with a complex of services and treatment capabilities. Arkansas has a cluster of approximately five to eight well established, usually church sponsored, residential child care facilities which serve youth from across the state. These facilities tend to utilize cottage living and have an array of professional treatment, recreation, and vocational services. One facility in Arkansas, providing both out-patient day treatment and residential treatment for children and adolescents, has recently been accredited by the Council for Psychiatric Facilities of the Joint Commission on Accreditation of Hospitals. Another residential facility provides in-patient and out-patient day treatment in a hospital environment. Many of the larger residential child care facilities also utilize small group home facilities at different locations in the state and occasionally foster care. Map V shows the location of the residential programs in Arkansas. Refer to Map VI for counties without services either residential or non-residential.

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MAP I
YOUTH SERVICES PROGRAM LOCATION
1974



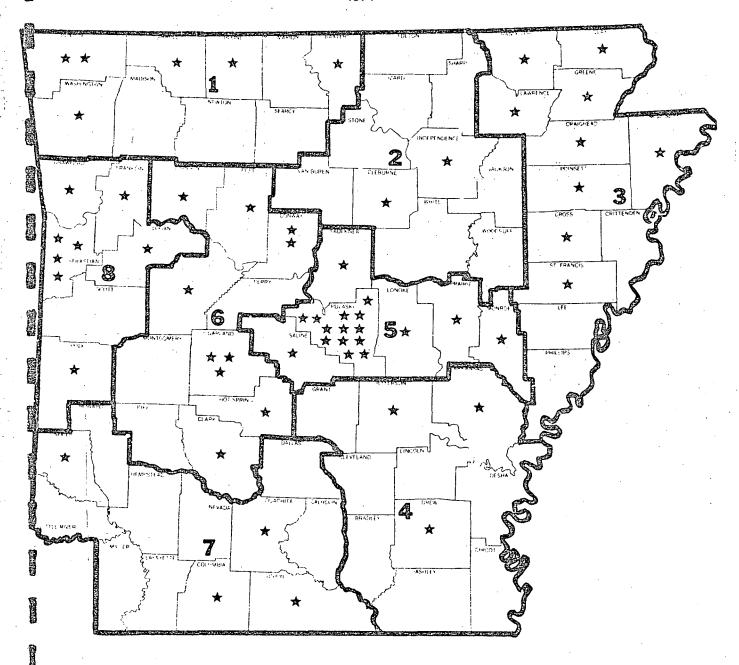
- ★ Non-Residential (55)
- Residential (22)
- Residential/Non-Residential (10) (Total 87 Programs)

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MAP II
NON-RESIDENTIAL SERVICES LOCATION*
1974



*Includes the probation programs within the residential/non-residential category. (Total 60 Programs)

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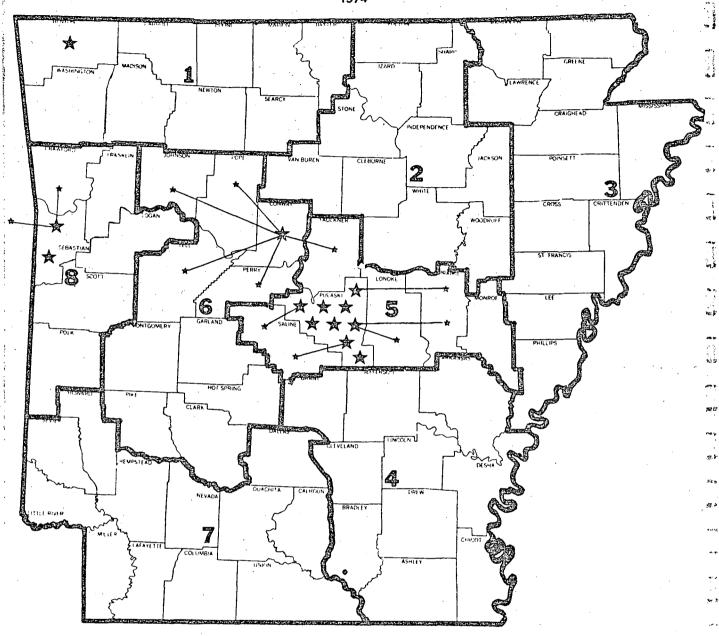
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NON-RESIDENTIAL GEOGRAPHIC AREA OF COVERAGE*

(Excluding Probation Programs)

1974



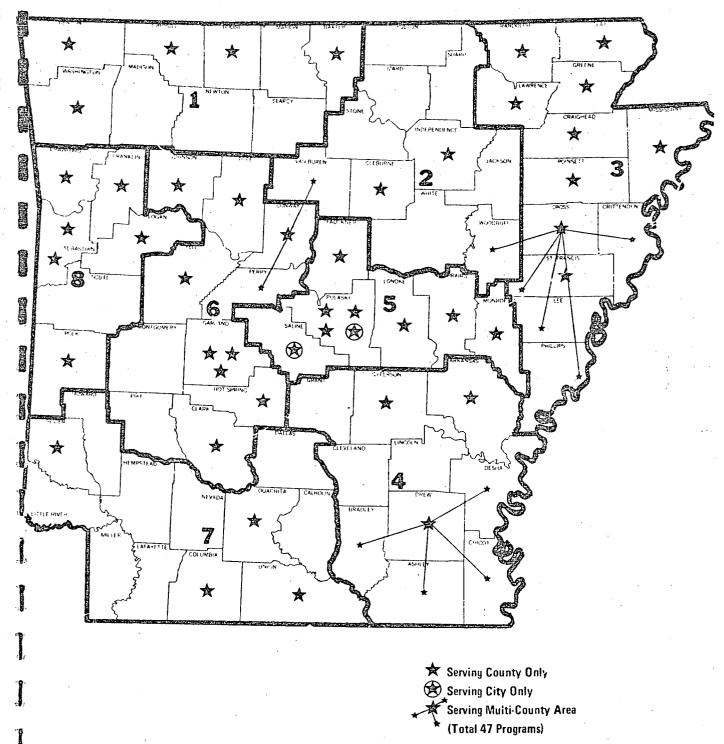
*Total 13 Programs

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MAP IV
PROBATION PROGRAMS AND AREA OF JURISDICTION
1974

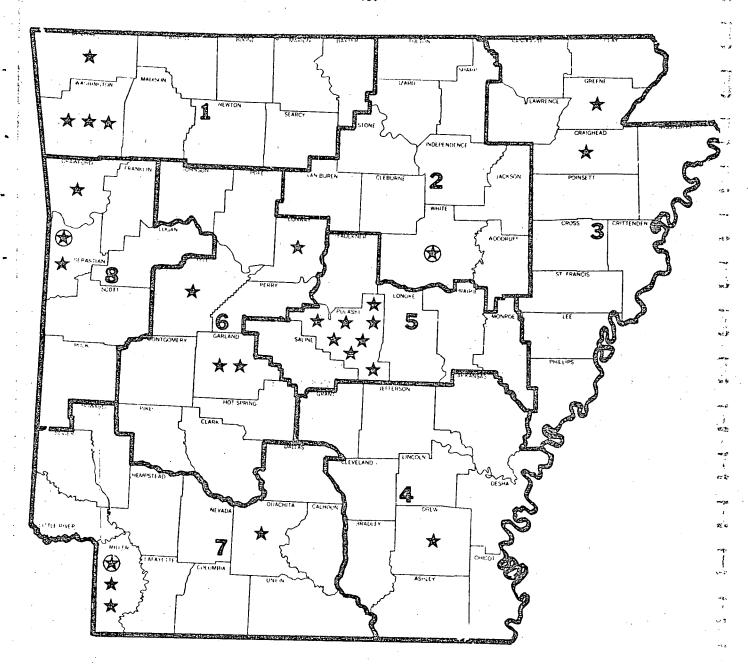


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MAP V
RESIDENTIAL SERVICE LOCATION*
1974



Serving Statewide
Serving County Only

*Includes programs within the residential/non-residential category.
(Total 27 Programs)

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MAP VI

COUNTIES WITHOUT SERVICES EITHER RESIDENTIAL OR NON-RESIDENTIAL* 1974

*Total 22 Counties

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There are several independently sponsored smaller group homes in the state usually serving youth in a rural atmosphere with emphasis on wholesome country living. There is one group home complex in Northwest Arkansas providing treatment, shelter care, and residential care to youth, in both rural and urban environments. There are less than five shelter care or temporary holding facilities (non-secure) in Arkansas. There are three secure detention facilities (excluding training schools) in Arkansas with an additional one under construction and the probability of one or two more being developed. The Social Services Division of the Department of Social and Rehabilitative Services sponsors approximately 800 active foster homes for dependent/neglected, abused, and delinquent youth.

The following table shows the number of non-state operated facilities within Arkansas as well as the total capacity and average daily population. It is important to note that the type of facility listed in this table is not indicative of the number of programs. The larger residential child care facilities in Arkansas will probably have several cottages, possibly group homes and foster homes within their program jurisdiciton. Also the foster homes listed here are not State sponsored Social Services foster homes.

TABLE II
YOUTH SERVICE RESIDENTIAL FACILITIES
1974

	Numi	ber of Fa	cilities	Total Capacity		Average Daily Population			
Type of Facility	Male	Female	*Total	Male	Female	*Total	Male	Female	*Total
Group Homes	17	16	39	132	112	276	115	103	228
Cottages	37	36	76	278	243	521	253	235	488
Dormitories	4	3	7	57	39	96	31	15	46
Foster Homes	116	99	224	121	102	231	60	59	96*.*
Holding	1	1	2	4	4	8	4	4	8
Secure Detention			3	40	22	62	_: 10	5	15

^{*}The total figure may reflect more than the sum of male and female since some programs provide services to either sex.

^{**}The low average figure is due to "no response" from some of the programs surveyed.

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FINANCES

The 83 core programs providing services to troubled youth in Arkansas reported total dollar expenditures for calendar year 1974 in excess of \$6,062,000. This does not include state administered programs such as the training schools. Sixty-five percent (65%) of these expenditures went to personnel or administrative related costs. On the other hand, reported income was approximately \$200,000 less than reported expenses. At least part of this variance can be attributed to program administrators reluctance to reveal income sources and amounts.

Table III reflects by program category and general expenditure category the monies expended in 1974 for services to youth.

TABLE III
EXPENDITURES FOR 1974

	•	Expenditures			
Program Category	Personnel	Plant Maintenance	Other -	Total	
Non-Residential	1,463,389.51	235,441.18	515,561.28	2,214.391.97	
Residential	813,895.04	365,401.44	614,752.85	1,794,049.33	
Residential/Non-Residential*	1,663,625.04	249,377.17	140,662.98	2,053,665.19	
Total	3,940,909.59	850,219.79	1,270,977.11	6,062,106.49	

^{*}Figures were impossible to separate by program component.

Sources of funding varied considerably. Table IV on the following page reflects the broad array of funding sources and approximate dollar amounts contributed.

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TABLE IV YOUTH SERVICE PROGRAM SOURCES OF FUNDING 1974

Source	Amount
Fees Parents/Guardian	\$ 182,610.36
Fees Courts/Agencies	109,142.00
Private Donations	1,401,895.27
Foundation Awards	96,992.00
Trust Funds	53,422.00
Foster Care Payments	60,242.00
Quorum Court	676,158.88
State Buy-In	19,772.25
LEAA (including discretionary funds)	941,735.98
Title IV-A	444,753.00
Program Generated	6,494.00
Church Funds	87,000.00
EOA/United Funds	51,596.00
School Funds	10,225.00
Grant Awards	188,989.30
City Funds	33,216.50
Church Councils	12,000.00
County Funds	9,700.00
Community Mental Health Funds	498,484.00
Blue Cross Blue Shield	248.00
Other	2,858.00
State Hospital Contribution	90,000.00
State Funds	160,481.00
Investment Income	211,200.00
Cooperative Program	110,000.00
Medicaid/Champus	121,000.00
State/Local	286,000.00
Total	\$5,866,215.54

Private donations accounted for 24% of the total figure. Usually private donations and Quorum Court monies are used as match for federal funding sources such as Law Enforcement Assistance Administration and Title IV-A of the Social Security Act. These sources require community programs to provide a portion of the total funds as match. Table V on the following page reflects reported income by program type and percentages of contributions by the four major funding sources.

TABLE V SOURCE OF INCOME 1974

Reported Income	LEAA	Private Donations	Title IVA	Quorum Courts
	Terroria de quando de la composição de l	* *.		
1,357,655.27	4%	• 57%	14%	2%
2,253,386.75	27%	7%	9% .	25%
2,255,173.52	12%	21%	2%	3%
	1,357,655.27 2,253,386.75	1,357,655.27 4% 2,253,386.75 27% 2,255,173.52 12%	1,357,655.27 4% 57% 2,253,386.75 27% 7% 2,255,173.52 12% 21%	1,357,655.27 4% 57% 14% 2,253,386.75 27% 7% 9% 2,255,173.52 12% 21% 2%

Twenty-two percent (22%) of the total dollars were expended by county, and/or municipal probation programs. County probation programs represent 49% of the total number of programs surveyed, yet they have served 61% of all the youth during this study period.

The National Advisory Commission on Criminal Justice Standards and Goals estimates that community based non-residential program costs are currently between \$400 and \$700 per year, per child. Based on reported expenditures of those non-residential programs responding, Arkansas' per year, per youth cost during 1974 was \$180. This low cost figure can, in part, be attributed to the large turnover of probation cases, the number of youth receiving only limited, short term supportive services, the utilization of in-kind contributions such as office space, supplies, transportation, etc. which is not reported here, and the lack of available monetary resources to upgrade programs. The cost for non-residential programming in Arkansas ranged from \$24 per year, per child for a primarily volunteer program to \$5,115 per year per child for a sophisticated treatment program.

It is interesting to note that LEAA represented almost 30% of the income to non-residential programs, primarily probation, while they represented only approximately 4% of the residential income. This may be attributed in part to LEAA's traditional reluctance to fund programs serving youth other than delinquents. Most of the residential programs serve dependent/neglected children as well as delinquent youth. It becomes obvious that private donations are the backbone of residential programs constituting 57% of their income. This may be attributed to the religious affiliations of many residential programs as well as the community appeal for this type of program.

The reported residential income accounted for 23% of the total income. The residential figure does not include the programs operating in both environments, since it was not possible to break out the costs for each mode of service delivery.

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The residential cost per year, per month ranged from \$293 to over \$19,000. The low figure represents youth detained in a secure detention facility and the high cost figure represents a treatment facility with staff child ratios of almost 1 to 1.

PERSONNEL

The most effective resource in helping people is people. Human behavior can only be altered through interaction. Therefore, in the business of serving youth, the system's most critical resource is personnel.

There were a total of 988 employees working in the programs surveyed. Seventy percent (70%) of these employees were providing direct services to youth with the remaining employees working in the areas of administration or supportive services. Support services include janitorial work, maintenance, cooks, and bus drivers. Secretarial or clerical functions are considered a part of the administration. A "by category" b eakdown is presented below.

TABLE VI SURVEYED PROGRAMS MANPOWER BY JOB CLASSIFICATION

Administrative	Support	Direct Services
61	43	196
104	26	350
40	20	148
205	89	694
	61 104 40	61 43 104 26 40 20

Generally speaking, the direct service staff to child ratio does not seem that disproportionate to national norms. It is generally accepted that the maximum work load for probation type personnel should be approximately 35. The non-residential programs surveyed yielded a 1 to 33 ratio. The residential programs surveyed revealed a 1 to approximately 8 ratio. This particular figure is considered to be too high for intensive treatment. It must be noted here that some of the more sophisticated programs had a considerably lower staff to child ratio while the more custodial type facilities had a much higher ratio.

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Table VII offers general information regarding the major types of positions and number of employees in these positions for the total number of programs surveyed. Staff position characteristics are outlined in terms of basic demographic information and approximate salary ranges by position. The lower salary ranges, particularly for probation officers, houseparents, and psychologists can be attributed to part-time employment.

TABLE VII
MAJOR STAFF POSITION CHARACTERISTICS*

			Chara	ecteristics		
Position	Race Black White		Sex Male Female		Salary Range	
Houseparent		160	. 70	90	\$720 - 10,000	
Relief Houseparent	2	34	15	21	\$600 - 3,900	
Social Worker	2	25	12	15	\$4,200 - 15,000	
Assistant Social Worker		3	1	2	\$7,600	
Psychologist 1	1	12	10	3	\$2,400 - 19,500	
Psychiatrist		2	2		\$36,000	
Educational Therapist		2	. 1	1	\$12,000	
Group Life Therapist	1	2	2	1	\$7,000	
Probation Officer	12	65	55	22	\$1,500 - 9,800	
Chief Probation Officer	***-	5	4	1	\$6,600 - 7,200	
Intake Officer	••••	· 3		3	\$4,400 - 6,200	
Juvenile Officer	1	4	5		\$7,140 - 8,820	

^{*}These major position categories are not inclusive of all job positions in the Youth Services System.

Minority employee representation was the highest within the probation officer job classification, with 16% of the 77 probation officers being black. Twenty-three percent of the youth served were black and the majority of them were served in non-residential programs. It is interesting to note that when the probation job category is eliminated, 98% of the employees in the major job categories listed in the above table are white and 54% of all employees are female.

Requirements for personnel qualifications were found to be extremely varied throughout the programs surveyed, even within programs of similar characteristics. Arkansas currently has no required standards or qualifications for employees in non-state administrated programs. Educational and experience standards for service providers such as social workers, psychologists, and psychiatrists are usually professionally governed and not organizationally governed.

County or municipal probation programs are good examples of the lack of uniformity of job qualifications. Of the 43 probation programs, 35% responded that they require

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a college degree. Thirty-five parcent (35%) require a high school diploma, and 16% have no minimum job requirements at all. Table VIII gives a further breakdown of this information.

TABLE VIII
REQUIRED JOB QUALIFICATIONS FOR
PROBATION OFFICERS

Requirements	Number of Probation Programs	Percent to Total
None	7	16%
High School Diploma	15	35%
Two Years College	6	14%
College Degree	15	35%
Total	43	100%

The question "Do you provide or require in-service training?" was included in the program survey to gain some insight into the emphasis on upgrading personnel. In response to this question, 59% of the programs responded they do provide or require some form of in-service training. Types of in-service training ranged from informal staff conferences to ongoing individualized training consultation. While 77% of the residential programs and 78% of the residential/non-residential programs require or provide inservice training, only 48% of the non-residential programs do. Also the residential programs tended to have higher educational experience qualification requirements than did non-residential programs.

TABLE IX
IN-SERVICE TRAINING

	Yes	No	
Non-Residential	25	27	
Residential	17	5	
Residential/Non-Residential	7	2	
Total	49	34	

Another important factor within the area of personnel is the use of volunteers. Probation services originally began through the efforts of volunteers. The non-residential

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probation programs in Arkansas account for approximately 75% of the 913 volunteers reportedly being used to assist salaried employees. Volunteers have been extremely effective in a 1 to 1 relationship with troubled youth. Volunteers are especially use ful within probation programs since they tend to represent a non-threatenting supportive role model. This enables probation services to move away from the reporting type contacts that youth normally equate with probation services. Residential programs used far fewer volunteers in their work with 23% of the total. Approximately 50% of these were being used by one program.

SERVICES PROVIDED

As mentioned previously, programs in this section have been categorized in terms of the environment in which they operate: residential, non-residential, or both. The types of human service delivery vary considerably depending on the nature and purpose of the program. Of all the programs surveyed, 6 have medical services available by staff while 30 programs have money budgeted to purchase such service, and 21 programs have access to medical services at no cost. One program has dental services available by a staff member, while 20 have the budget capability of purchasing such. None of the programs have optical services provided by staff personnel although 21 have the ability to purchase such. Two programs have a speech therapist providing services to youth they serve.

Academic educational services are provided almost exclusively by the public school systems irregardless of program type. Nine of the programs do have staff provided educational services to augment those of the public schools. Six of the programs have the budget capability of purchasing tutoring services for their youth, while 18 of the programs utilize volunteer tutoring services. Two of the programs have pre-vocational training available at their facilities.

Almost all of the programs surveyed (92%) utilized some form of human services technology in the accomplishment of the objective to prevent, ameliorate, treat, and control juvenile delinquency. The remaining programs tend to address only the basic needs of youth: food, clothing, and/or shelter. Individual counseling or casework services seem to be the predominant mode of service delivery with a few programs providing intensive treatment. Seventy-seven percent (77%) of the programs provide and emphasize family counseling in conjunction with working with youth.

Generally speaking, the residential programs and programs providing both residential and non-residential services, tend to have more professional human services available

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than do non-residential programs. Psychological and social work services are provided by approximately 82% of the residential programs, whereas, only about 50% of the non-residential programs have these services. Eight programs have staff psychiatrists, either on a part- or full-time basis, while 29 programs have the capability of purchasing this service.

CLIENT POPULATION

The program elements surveyed served approximately 17,095 youths in 1974. Twenty-three percent (23%) of these youth were black and 37% were female. Table X gives a complete breakdown by race and sex of the youth served.

TABLE X YOUTH SERVED IN 1974

	Male				Female		:	
	Black	White	Other .	Black	White (Other	Total	
Residential	72	711	3	35	600	6	1,427	
Non-Residential	2,359	6,608	4	1,112	4,091	5	14,179	
Secure Detention* \	353	659	2	. 83	392	0	1,489	
Total	2,784	7,978	9	1,230	5,083	11	17,095	

The residential program environment accounted for only 8% of the total youth served in Arkansas with the black youth representing only 7% of the total.

The remaining 92% of the youth served were within non-residential program environment and secure detention. Probation programs accounted for the largest number (10,442) and percent (61%) of the total youth served. Of this total, 21% were black as is reflected in Table XI.

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TABLE XI YOUTH SERVED IN PROBATION PROGRAMS 1974

	Male	Female	Total	
Black	1553	656	2209	
White	5279	2949	8228	
Other	3	2	5	•
 Total	6835	3607	10,442	

Females represented 35% of those youth within the probation programs whereas they represented 37% of the total youth selved.

Of all the youth served, 72% (12,297) received services because of the commitment or alleged commitment of a juvenile offense. This seemingly large number of youth served may be partly attributed to the probation programs within the non-residential program environment and those 1,500 youth held in secure detention. Probation is a major community alternative used most frequently by juvenile judges and referees as an alternative to placement within the training schools.

Twenty-nine percent (29%) of the youth served within the residential environment were identified as juvenile offenders as compared with 73% for the non-residential environment.

Age requirements for the programs surveyed varied considerably, but there does not appear to be a general pattern. As indicated in Graph I on the following page, the bulk of services are available to youth between the ages of 12 and 15. Because the programs surveyed had objectives relating to the delinquency field, there was a declining number of programs serving youth in the earlier age ranges. It is also noted that services to youth between the ages of 15 and 18 drop sharply. There is no readily available explanation for this other than the difficulty of programming for youth within this age category. Residential programs tended to serve a younger age range than do non-residential programs.

Although there were over 17,000 youths served, the programs surveyed reported 22,634 referrals received in 1974 requesting services, of which 67% were juvenile offenders or alleged juvenile offenders. The majority of the programs reported that their primary source of referrals came from law enforcement agencies, although it is interesting to note that the residential programs reported the Social Services Division of the Department of Social and Rehabilitative Services as their primary referral source. The

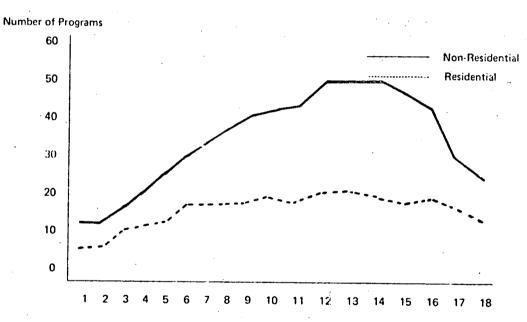
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overall primary referral source is indicative of the probation programs which again comprise the majority of non-residential programming. Programs in both environments also reported the family unit as well as the school system as being a major source of referrals.

Average Length of Stay. The average length of stay for residential programs was 8.9 months per child. Time spent within the facilities ranged from 2.1 months to over a year. The residential/non-residential programs average length of stay was slightly less than 6.9 months with the time spent range being 2.1 months to a full year.

The higher average length of stay for residential programs may be explained in that there are several large facilities providing long term care.

GRAPH I
PROGRAM AGE REQUIREMENTS OF YOUTH SERVED IN 1974



ANTICIPATED PROGRAM EXPANSION

Participants in the program survey were asked to respond in relation to any definite intentions of program changes they anticipated. They reported their immediate future plans for changes in programming, staffing, budget, etc. Only 4% of the programs expected any termination within the near future, while 37% of the programs planned

program expansion. Table XII demonstrates the anticipated program expansion by program category and type of expansion.

TABLE XII
PERCENTAGE OF PROGRAMS PLANNING EXPANSION

	Program	Staff	Facility	Budget
Residential	55%	45%	27%	35%
Non-Residential	31%	21%	25%	33%
Residential/Non-Residential	33%	33%	22%	11%
Total	37%	29%	25%	31%

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ARKANSAS CONFERENCE ON CHILDREN AND YOUTH

The Arkansas Conference on Children and Youth evolved out of the October, 1974 Hot Springs, Arkansas "Problems on Youth Conference". Membership consists of representatives from each of the eight (8) state service regions. The purpose of the conference, as defined in their Articles of Incorporation, are to provide:

An information sharing service among human service delivery agencies and individuals as they relate to youth.

Liaison between governmental operations and local community programs.

Advocacy for youth and youth serving programs.

Training programs.

The basic goal of the conference is to mobilize and stimulate interest within communities to develop specific solutions to their individual needs. Each region at the Hot Springs Conference identified its existing resources serving youth and outlined specific needs in terms of regional recommendations.

The Youth Services Planning staff has consolidated the recommendations and provided them on the following pages. An asterisk before a recommendation identifies it as having been recommended from more than one region.

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CONSOLIDATION OF REGIONAL RECOMMENDATIONS

Schools

- *A. Establish alternative schools to deal with dropouts.
- *B. Provide in-service training for teachers to identify potential problematic youth.
- *C. Provide vocational and technical training programs.
- *D. Set up programs for youth with special needs (learning disabilities) which include comprehensive screening and testing programs.
- *E. Implement realistic public education programs on drug, venereal disease, and alcohol problems.
- *F. Provide education in family life for both youth and parents.
- G. Expand counseling program to include a professional counselor assigned to work only with disturbed youth.
- H. Revise curriculum to include a greater diversity of sources.
- Re-evaluate suspension and expulsion procedures and develop uniform disciplinary procedures.
- *J. Encourage communities to open recreational facilities to youth after school hours e.g., supervised recreational activities in the schools.

Planning

- *A. Ensure youth are involved in planning and represented on boards at both state and local levels.
- *B. Establish state and regional boards to act as liaison between state government and community.
- *C. Involve community in planning efforts especially school personnel and law enforcement officials.

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Police

- *A. Require in-service training in enforcement procedures (ex. courses at the police academy).
- *B. Increase salaries for police officers.
- *C. Encourage police community relations in schools and establish better interdepartmental coordination within the Enforcement/Judicial System.
- *D. Set up in each county an attention or detention center.

Social and Human Services

- A. Re-evaluate Social Services Policies.
- *B. Encourage interagency coordination and cooperation.
- *C. Insure accessibility and responsiveness of Social Services to individual needs (clothing, food, shelter, financial assistance).
- *D. Set up an emergency service program, e.g., Emergency Youth Shelters.
- *E. Set up runaway youth homes, e.g., halfway houses and regional Youth Service Bureaus.
- F. Develop more family planning programs.
- *G. Recruit and train foster parents.
- H. Employ and train community youth workers to include outreach and street workers.

Mental Health

- *A. Develop more day and residential treatment facilities for emotionally disturbed and mentally ill young people and lower age requirements.
- *B. Maintain confidentiality of mental health records.
- *C. Eliminate and prevent negative psychiatric labeling.

Information Needs

- *A. Establish intake information procedures.
- *B. Establish SRS Clearinghouse at state and regional levels with information and referral procedures.
- *C. Set up a 24 hour hot line.

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JUVENILE COURT SURVEY

The Juvenile Court Survey was designed to provide planning information directly from juvenile court judges regarding the present and future needs of the court in its handling of juvenile delinquency and dependent/neglected cases.

Opinions concerning ideal situations in handling juveniles were solicited as well as information about current procedures. The judges were asked to give their opinions concerning resources needed to prevent, treat, and control delinquency outside the direct jurisdiction of the court. The purpose was not to examine in detail the actual functioning of the courts, but to highlight problems associated with the judicial process along with ideas for a better juvenile court system.

Surveys were mailed to each juvenile court referee and/or judge. Responses were compiled by the Youth Services Planning staff. There was a 41% response to the survey.

The following is a "by question" compilation of the information:

Question 1: How many children came before the court on delinquency and children in need of supervision petitions in calendar year 1974?

3,313 youth - This figure represents only those responding.

Question 2: In the order of magnitude, list the 3 most common offenses which youth appearing before you have been charged with.

MOST COMMON

ber of Courts Responding	Offense
9	Larceny
7	Burglary
7	Runaway
4	Shoplifting
2	Truancy
1	Delinquency
1	Burglary and Grand Larceny
1	Alcohe Related
1	Incorrigi de
1	Malicious Mischief
34	Total

SECOND MOST COMMON

Number of Courts Responding	Offense
6	Burglary
3	Vandalism
3	Petty Larceny
2	Truancy
2	Burglary and Grand Larceny
2	Shoplifting
2	Grand Larceny
2	Incorrigible
2 .	Possession of Controlled Substance
1	Fighting '
1	Dependent/Neglected
1 .	Malicious Mischiel
1	Runaway
1	Inadequate Parent Control
1	Traffic Offense
1	Til Tapping
1	School Dropout
. 32	Total .

THIRD MOST COMMON

Number of Courts Responding	Offense
7	Runaway
4	Petty Larceny
3	Incorrigible
3	Burglary
$\bar{2}$	Truancy
2	Possession of Controlled Substance
<u>ī</u>	Neglect
1	Possession of Stolen Property
1	Vandalism
1	Minor Drinking
1	Burglary and Grand Larceny
1	Shoplifting
1	Grand Larceny
1	Miscellaneous
29	Total

Question 3: Is there any investigation made before a hearing:

Yes 27 No 5

Who does this? Job Title	Number of Courts Utilizing
Juvenile Officer	4
Probation Officer	
Sheriff	
Social Services	2
Total	

The remaining 13 courts are using a combination of the above individuals.

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Question 4: Do you usually follow-up what happens to a delinquency or in need
of supervision case after disposition has been made?

Yes <u>28</u> No <u>6</u>

Who does this?

Job Title	Number of Courts Utilizing
Juvenile Officer/County Judge	4
Juvenile Probation Officer	13
Social Services	2°
Total	19

The remaining 9 courts are using a combination of the above with slight job variations.

Question 5: If you could create an ideal situation, would you make any changes in procedures used now to handle delinquency and dependency/neglect cases in juvenile court?

Type of Change	Number of Judges Responding
Procedures	
Use community services to rescue borderline delinquent cases from training schools and unfit homes	
caseloads	1
Require parents to enforce more discipline Require mandatory appointment of attorney or public defender to represent youth	1
local authorities	
incarceration	
Improve general youth counseling services	1
Full-time referee	2

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Question 6: Excluding probation, are there any other programs of the court which are designed specifically to improve the condition of delinquent children and youth in need of supervision? What programs?

<u>Yes</u>	Nun	nber
Counseling services with counseling center	• • •	8
Youth hot line and evaluation and counseling personnei		
Employment referrals		1
Youth volunteer program		2

Excluding probation programs, 22 of 34 indicated that there were no other programs of the court designed specifically to improve the conditions of delinquent children and youth in need of supervision. At least 11 indicated having court agreements with counseling centers or mental health centers for testing and evaluation of the youth and/or family counseling.

Question 7: It you had every resource at your disposal, what programs would you have?

Program	Number of Courts Responding
Counseling Programs Detention Centers Probation Programs Recreation Employment Program Group Homes Temporary Facilities for Runaways Attention Facilities Foster Homes Diagnostic and Treatment Centers Vocational Education and Training Programs Petty Cash for Juvenile Emergencies Drug Abuse Programs Medical and Dental Care	

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Question 8: As relates to the prevention and control of juvenile delinquency, what do you think are the three to five most important needs of the court at the present time in order of priority? Please be specific.

Needs	Number of Courts Respond	310
Staff (Increase)		
Probation Officers		
Referees		
Personnel for Investigations		
Counselors for families		
Counselors	2	
Probation Officers/Sociologists		
Juvenile Workers		
acilities		
Adolescent Treatment Centers		
Supervised Juvenile Recreation and Community Centers		
Juvenile Detention Halls		
Group Homes	100000000000000000000000000000000000000	
Halfway Houses	· · · · · · · · · · · · · · · · · · ·	
Local Afterozie Facilities		
rograms (Expanded)		
Need Work (Job) Programs		
Alternatives to Incarceration	4	
Volunteer Programs		
Education for Parents		
 Local and Regional Rehabil tation and Behavior Modification Facilities 	inties	
Alternative Education Programs		
Vocational Education and Training		
Family Counseling Centers		
Expanded Probation and Aftercare Programs		
Big Brothers Programs		
More Aid for Dependent Mother and Children		
unds		
Larger Budget for Probation Programs	2	
Services (Expanded)		
hivenile Counseling	4	
Foster Care		
Advocate for Delinquents		
Probation Services		
Aftercare Service:		
School Related Services		
Medical Care		
Social Workers in Grade Schoo.		
rocedures		
Parental Responsibility Under Law (Public Education)		
Better Follow-up Procedures		
Due Process Procedures		
Complete Testing and Evaluation		
Curfow Laws Enforced		
Parental Discipline (Enforcement)		
Coules Education Laur		
Uniform Police Procedures Pre-Hearing Investigations		
Pre-Hearing Investigations	· · · · · · · · · · · · · · · · · · ·	
Parental Penalty for Actions of Youth	1	
Better Police Understanding	1	
More Authority for Sentencing		
General Information	1	
More Information on Delinquents (Research)		
Cooperation		
More Cooperation from Courts		
More Support of Parents		
More General Interest in Youth Organization		
More Community Involvement and Cooperation Between Civic Cl		

Question 9: What do you feel would be the best kind of recreational facilities for helping to keep youth out of trouble?

Most courts felt recreation played only a small part in helping to keep youth out of trouble. Employment opportunities were suggested instead of recreational programs.

Question 10: What are the 3 most important things you feel the state government should do in order to improve prevention, treatment, and control of delinquency?

Needs	Number of Courts Responding
Procedures	
De Les Rubtio Dolinguagos Education Programs	<u>4</u>
F D	
A D. D. L. William and Monational Excilities	
the demonstrate and Local Services Coordination	
ter a contract to the compact Compliant	
Educate Law Enforcement Officials	
Educate Law Enforcement Officials Educate the Delinquent and Underprivileged	1
Educate the Delinquent and Underprivileged Improve Drug Laws Develop Liaison Programs Between Courts and Schools	1
Develop Liaison Programs Between Courts and Schools Mandatory Representation for Youth in Court	· · · · · · · · · · · · · · · · · · ·
Improve Corrections System	
Improve Corrections System Increase Parental Responsibility Under Law	1
Enforce Education Laws	1
or the standard of Community Needs	
A 1 CO 1 A 1 A 1 A 1 Community Bloods	
e Touris at Coloris at Justine and Law Enforcement in Local Scill	DOIS
m this is to Carta "Turn Dock Eunds" to Local Areas	
to the Personal Age Transfer of Courts burisdiction Involving Juvepiles	
m + 44 C+ dire-f Voush Brobloms	
D t t'ab language Consiste Consistence	
to the Community Lovel	
A LOUIS CONTRACT COMMUNITY LEVEL CONTRACTOR	
Provide More Services to Children Age 13 to 16	
Personnel More Personnel (Juvenile Workers, Youth Counselors, Referees, Probation (Counselors for Youth and Families, Treatment Personnel, Clinical Psych Raise Pay Levels	
Englisher	
Community	4
Proceedings of the control of the co	
14-14 Houses	
Carran for Translad Vouth	
Variab Cantons	
Detention Homes	
Sunds	
More Funds in General	5
State Funds for Community Programs	
Fund Vouth Programs	
Fund More John	
More Funds for S.C.A.N.	
Programs (Expand).	•
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Employment	
Employment Probation	111111111111111111111111111111111111111
Employment	

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3. II w 4. E C C V V C C C C C C C C C C C C C C C	In the order of their magnitude, list the three (3) most common offenses which youth appearing before you have been charged with. 1
4. E C V V C C C C C C C C C C C C C C C C	Is there any investigation made before a hearing? YesNo
4. E C V V C C C C C C C C C C C C C C C C	Is there any investigation made before a hearing? YesNo
5.] ; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ; ;	who does this? If you could create an ideal situation, would you make any changes in procedures used now to handle delinquency and dependent/neglect cases in juvenile court? YesNo What changes? Excluding probation, are there any other programs of the court which are designed specifically to improve the condition of delinquent children and youth in need
6. F	If you could create an ideal situation, would you make any changes in procedures used now to handle delinquency and dependent/neglect cases in juvenile court? YesNo
7. 3	specifically to improve the condition of delinquent children and youth in need
- -	What programs?
	If you had every resource at your disposal, what programs would you have?
1	As relates to the prevention and control of juvenile delinquency, what do you think are the three to five most important needs of the court at the present time in order of priority? Please be specific. 1. 4. 5. 5. 3.
	What do you feel would be the best kind of recreational facilities for helping to keep youth out of trouble?
10.	What are the three (3) most important things you feel the state government should do in order to improve prevention, treatment, and control of delinquency?

YSP 6/75

JUVENILE REFEREES IN ARKANSAS MAY 5, 1975

Because of the ever changing population of juvenile referees, it was decided by the staff to conduct a telephone survey to determine the counties employing a referee. Information was gathered as to the name and telephone number of each county judge to contact for needed information.

Staff would then call each judge to determine the existence of a juvenile referee within the county jurisdiction. The following process was followed May 5, 1975 in completing the survey:

Staff identified themselves and the Department to the judge or his designee.

A yes or no answer was obtained when asked if the county utilized a juvenile court referee.

If a yes response was given, the following was obtained:

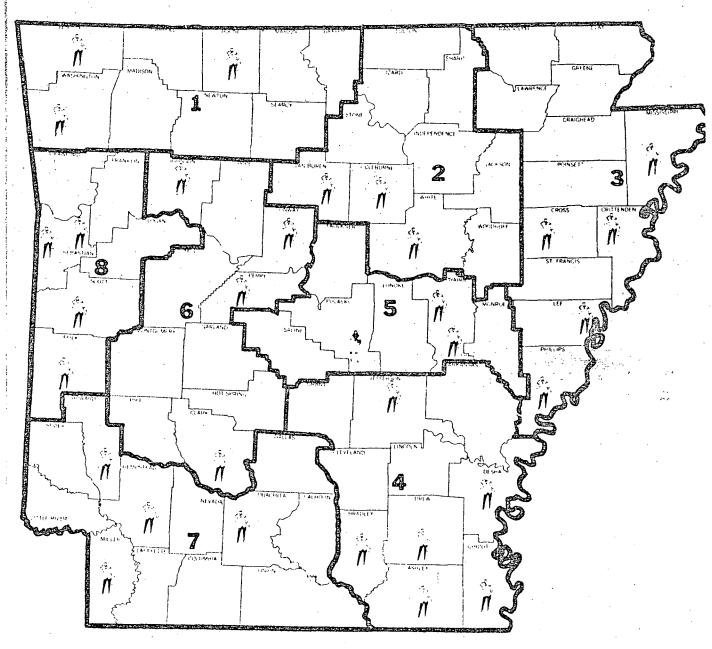
- (1) full name of referee
- (2) address
- (3) phone number
- (4) If he was a licensed attorney

Map I on the following page shows the juvenile referees in Arkansas as of May 5, 1975. Of the 32 referees identified there was only one female.

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MAP I JUVENILE REFEREES AS OF MAY 5, 1975*



*Determined by a telephone survey to each county courthouse. (Total 32)

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JAIL SURVEY

In the absence of readily available information in the area of secure detention of youth, we were interested in acquiring some understanding of how juveniles are handled after apprehension, the volume and length of incarceration, the type of facilities used, and general offense information.

Over 300 questionnaires were mailed to the various county sheriffs, marshalls, and police chiefs across the state. The participants were asked to report specific information about juveniles held during the week beginning March 23, 1975 and ending March 29, 1975.

The short time period for study and a simple questionnaire were used for two reasons. First of all, it was anticipated that much of the needed information would not be recorded. Therefore, a shorter study period should increase the accuracy of responses from recollection. Secondly, since this was a mailout survey, it was anticipated that the probability of return would be enhanced by a short, simple survey instrument. Therefore, only the most important information areas were addressed.

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JAIL QUESTIONNAIRE

(TOTAL RESPONSES)

1.	DOES YOUR FACILITY HOLD JUVENILES? (PLEASE CHECK) YES 88 NO 22
	IF YES, PLEASE CHECK THE DESCRIPTION BELOW THAT BEST DESCRIBES YOUR JAIL. JUVENILES HELD IN THIS JAIL ARE:
	2 9 HELD IN SEPARATE BUILDING FROM ADULT OFFENDERS. 18 HELD IN CELLS WITH ADULT OFFENDERS. 18 HELD IN SEPARATE CELLS (IN SAME BUILDING) OUT OF SIGHT AND HEARING OF THE ADULT OFFENDERS. 19 HELD IN SEPARATE CELLS (IN SAME BUILDING) BUT NOT OUT OF SIGHT AND HEARING OF ADULT OFFENDERS.
2.	WHAT WAS THE TOTAL NUMBER OF JUVENILES HELD IN YOUR JAIL FROM SUNDAY MARCH 23, 1975 THROUGH SATURDAY, MARCH 29, 1975? 290
3.	OF THE ABOVE TOTAL, PLEASE INDICATE THE NUMBER OF JUVENILE CASES THAT WERE HANDLED IN THE FOLLOWING WAY(S):
	RECEIVED INFORMAL DISCIPLINARY COUNSELING AND/OR REPRIMAND AND RELEASED TO GUARDIAN(S) WITHOUT FORMAL CHARGES BEING FILED.
	HELD IN THIS JAIL UNTIL DATE OF TRIAL. 12 FINED AND RELEASED TO GUARDIAN(S).
	JAILED WITHOUT BOND WHILE AWAITING TRIAL. 111 POSTED BOND AND RELEASED TO GUARDIAN(S) PRIOR TO TRIAL.
	38 RELEASED TO PROBATION OFFICER.
•	7 CHARGED AND TRANSFERRED TO A JUVENILE DETENTION FACILITY.
	14_ RELEASED TO STATE JUVENILE SERVICES DIVISION.
	RELEASED TO STATE MENTAL RETARDATION DIVISION.
	6 RELEASED TO REHABILITATIVE SERVICES.
	OTHER, PLEASE SPECIFY:
То	tal 385
	*NOTE: The sum of these totals should be the same as the total given in Question 2.
4.	OF THE TOTAL NUMBER OF JUVENILES HELD FROM MARCH 23-29, 1975, WHAT NUMBER WERE ALLEGED TO HAVE COMMITTED:
	93 FELONIES
	133 MISDEMEANORS
	37 STATUS OFFENSES (RUNAWAYS, INCORRIGIBLES TRUANCY, ETC.)
	OTHER, PLEASE SPECIFY:
5.	PLEASE INDICATE THE AVERAGE LENGTH OF STAY OR THE EXPECTED AVERAGE LENGTH OF STAY FOR THOSE JUVENILES JAILED DURING THE WEEK OF MARCH 23-29, 1975. MOST WERE HELD LESS THAN 24 HOURS.
ļ.	LESS THAN 1 HOUR3 - 5 DAYS 3 WEEKS
	7 - 12 HOURS6 - 8 DAYS4 - 6 WEEKS
,	12 – 24 HOURS9 - II DAYS 2 DAYS12 I4 DAYS
1	4 DATA
1	

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TABLE I
JUVENILES HELD IN DETENTION BY REGION AND COUNTY

Region	County	Number of Juveniles Held	Subtotal for County	Percent of Juveniles Held
	Boone	***		
	Benton	19		
ı	Washington	25		
	Baxter	-	•	•
	Marion		45	16%
	Newton		45	10%
	Van Buren	****		
	Cleburne Woodruff	1	•	
	Independence	9		•
1	Izard	ő		
	Jackson	. 1		
	White	Ò		
	Fulton		11 .	4%
	Mississippi	. 10		
	Poinsett	2		-
	St. Francis	6		
	Clay	2		
Ú)	Randolph	1		
	Lawrence	0		
	Greene	. 0		
	Cross	2 2		
	Phillips	7.	32	11%
	Crittenden			1 1 70
	Desha	0		
	Chicot	*44		
	Arkansas Ashley	. 2		
iv i	Grant	2		
•	Cleveland	4		
	Drew	4		
	Bradley			
	Jefferson	10	62	22%
	Monroe	8		
	Prairie	2		
V	Lonoke	3		
	Saline	2		
	*Pulaski	21	36	13%
	*Garland	24		
	Yell			
	Conway	•		
VI	Johnson		•	
	Pike	1		
	Perry		25	9%
	Sevier	••36		
	Dallas	2		
	Nevada	+		•
	Columbia	2		
/11	Lafayette	2 .	•	
	Ouachita			,
	Hempstead	4		:
	Union	3		400/
	Miller	3	52	18%
	Potk	1		
	Franklin	0		
VIII	Logan	3		•
	Sebastian	15		
	Crawford		19	7%
		To!	al 282	100%

Fifty-nine of seventy-five counties reported having juveniles in detention during the week of March 23, 1975 through March 29, 1975.

^{*}Thirteen of these juveniles received informal disciplinary counseling and/or reprimand and were releasted to guardians without formal charges being filed. Thirty-one posted bond and were released to guardians pending juvenile hearings. These were filed with juvenile authorities.

^{**}Twenty of these juveniles received informal disciplinary counseling and/or reprimand and were released to guardians without formal charges being filed.

TABLE II
JUVENILE OFFENSE INFORMATION BY OFFENSE CATEGORY
FOR URBAN CITIES AND UNURBANIZED AREAS

Offense Category	*Urban Cities	% of Total Offenses	Unurbanized Areas	% of Total Offenses
Felonies	16	17%	77	83%
Misdemeanors	23	17%	110	83%
Status Offenses	2	5%	35	95%
Total	41	16%	222	84%

^{*}Pine Bluff, Texarkana, Fort Smith, Little Rock

Based on information provided by respondents, there are only juvenile detention centers located at Little Rock, Texarkana, and Hot Springs.

TABLE III

JUVENILE OFFENSE INFORMATION BY OFFENSE CATEGORY
FOR STANDARD METROPOLITAN STATISTICAL AREAS

Area-SMSA	(Total 93) Felonies	Percent of Total Felonies	(Total 133) Misdemeanors	Percent of Total Misdemeanors	(Total 37) Status Offenses	Percent of Tota Status Offense
Jefferson .	3	3%	7	5%		
Fort Smith	1	1%	12	9%	2 .	5%
Memphis	7	7%				
LR-NLR	14	15%	9	7%		
Fayetteville- Springdale.	7	7%	32	24%	4	11%
Texarkana	3	3%				
Total	35	38%	6 0	45%	6	16%

Total offenses committed in Standard Metropolitan Statistical Areas - 101 = 38%.

Total offenses reported by those participating in survey - 263.

For each SMSA area the juvenile offenses are broken out by types and percents of each type. Totals are derived by adding each column downward.

¹⁻² Includes areas added by 1970 census.

TABLE IV
JUVENILES FORMALLY CHARGED BY OFFENSE CATEGORY

Offense	Juveniles Charged	Percent
Felonies	90	34%
Misdemeanors	133	50%
Status Offenses	41	16%
Total	264	100%

Cases handled informally (no charges filed) -- 67

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RECEPTION AND CLASSIFICATION CENTER DATA COLLECTION

The purpose for developing this information was primarily to make use of existing documented data in identifying specific characteristics of youth committed to the Arkansas Training School Department and to provide some real indicators of the service needs of troubled youth.

Monthly reports were furnished by the Reception and Classification Center. These reports contained the following individual client information: committing county, recidivist, age, race, sex, grade level, diagnosis, primary and alternate recommendations for placement and disposition. The same Reception and Classification Center caseload was used in collecting extensive offense information from case records provided by the Juvenile Services Central Office. Although there is offense information available on almost all of the youth committed to the Training School Department, there is no systematic procedure established for reporting such data. Consequently, the sources of documented offense information varied. The majority of offense information was retrived from social service and/or staffing reports of each case record.

All youth committed to the Arkansas Training School Department are admitted to the Rehabilitation Services Division, Reception and Classification Center for comprehensive evaluation and recommendation. There were 777 admissions to the center from January 1, 1974 through December 31, 1974. Monthly admission flow ranged from a low in November of 45 to a high of 94 in October, for an average of 65 youth admitted per month.

When comparing the percent of regional commitments with the regional population, 9 through 17 years of age, the degree of institutional incarceration for specific geographic areas may be more representative. Region III (Northeast Arkansas) had the largest number of commitments in 1974. There were 206 youths committed, which is 27% of all commitments for that time period. Region III, with 21% of the total population 9 through 17 years of age, ranked second only to Region V (Central Arkansas), which comprised 22% of this total population. Both Region V and Region IV (Southeast Arkansas) committed 17% of the total Reception and Classification Center admissions.

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Eighty-seven (87) youths or 11% of all commitments in 1974 had been committed to the Training School Department previously. Thirteen of these were committed more than once in 1974. Recidivism percentages by region corresponds closely with percentages of commitment by region. (See Table II).

Table III, Table IV, and Graph "A" offer self-explanatory information regarding age, grade level, sex, and race of youth committed in 1974.

Although comprehensive psycho-social diagnostic information is available from individual case records, the functional diagnosis recorded in the Reception and Classification Center monthly reports was the information source here. The vast array of possible functional diagnosis were grouped into five broad categories. (See Table V). It must be pointed out that these are only rough indicators of areas of dysfunction. They should not be construed to be hard and fast labels. This information reveals that 51% of the cases reflect transient situational reactions with no indication of psychosis, neurosis, or character and personality disorders. We understand that placement recommendations are based on the needs of the youth, not necessarily taking into account the available resources. You will note in Table VI that 44% of youth received a training school placement recommendation, while 87% actually received such a placement.

Offenses for which youth were committed to the Training School Department varied extensively. They ranged from truancy to murder. For the purposes here, committing offenses were grouped into five major callories. Table VII reflects these categories in a descending order of severity to society with violent offenses being most severe and status offenses being least severe. When youth were committed for multiple offenses, they were only counted once and assigned to that severe offense.

Looking at total offenses committed by this youth sample, both previous and/or multiple offenses, we get further insight into the volume of crime committed by youth who finally arrive at the Reception and Classification Center. (See Table VIII).

TABLE I

NUMBER AND PERCENT OF COMMITMENTS AND POPULATION

NINE THROUGH SEVENTEEN YEARS OF AGE BY REGION

JANUARY 1974 DECEMBER 1974

Region	Projected Population 9-17 Years of Age	Number of Commitments	Percent of Total Commitments	Percent of Population 9-17 Years of Age:
1	31,383	52	7%	10%
Н	22,734	17	2%	7%
Ш	72,310	206	27%	21%
IV	42,183	129	17%	13%
V .	73,093	134	17%	22%
VI	29,974	88	11%	5%
VII	38,098	81	10%	11%
VIII	26,511	70	9%	7%
Total	336,286	777	100%	100%

TABLE II
RECIDIVISTS COMMITMENT BY REGION
JANUARY 1974 - DECEMBER 1974

Region	Number of Recidivist Commitments	Percent
ı	2	2%
11	1	1%
111	25	29%
IV	16	18%
V	11	13%
VI	15	17%
VII	12	14%
VIII	5	6%
Total	87	100%

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TABLE III
R&C CASES BY AGE
JANUARY 1974 - DECEMBER 1974

Age Range	Number of Cases	Percent of R & C Cases by Age
16 and Above	231	30%
14 - 15	395	51%
12 - 13	126	16%
7 - 11	25	3%
Total	777	100%

TABLE IV

NUMBER AL: 3 PERCENT OF R & C CASES BY GRADE

JANUARY 1974 - DECEMBER 1974

Grade Levels	Number of Cases	Percent
9 12	353	45%
5 - 8	381	49%
1 . 4	13	2%
Not Available	30	4%
Total	777	100%

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TABLE V DIAGNOSIS

Diagnosis	Number of Cases	Percent
Learning Disabilities With Attendant Emotional and Behavioral Problems	145	19%
Transient Situational Reactions	397	51%
Character and Personality Disorders	80	10%
Transient Situational Reactions and Character and Personality Disorders	76	10%
Other	79	10%
	777	100%

TABLE VI R & C CASES RECOMMENDATIONS AND DISPOSITIONS JANUARY 1974 - DECEMBER 1974

	Primary Reco	mmendation	Dispo	sition
	Number	Percent	Number	Percent
Adolescent Treatment Center	347	44%	0	. 0%
Training Schools	248	32%	680	87%
State Hospital (Bldg. 18, Shuffield)	4	1%	4	1%
Alternate Residential Placement	65	9%	24	3%
Foster Care	11	1%	4	1%
Return Home	48	6%	33	4%
Return to Court or Sheriff	15	2%	25	3%
MR-DDS	13	2%	0	0%
Other	0	0%	3	1%
Not Available	26	3%	4	170
Total	. 777 •	100%	777	100%

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TABLE VII

R & C COMMITTING OFFENSE BY NUMBER AND PERCENT
JANUARY 1974 - DECEMBER 1974

Offense	Number of Cases	Percent
Violent Offenses	31	4%
Theft	327	43%
Non-violent Law Violations	30	4%
Alcohol/Drug Violations	42	5%
Status Oftenses	295	38%
Other	52	6%
Total	. 777	100%

TABLE VIII TOTAL OF ALL OFFENSES JANUARY 1974 - DECEMBER 1974

Offense	Number of Total	al Offenses	Total of All	Offenses Committee
Violent Off	enses	74		3%
Theft		1047		42%
Non-violent	Law Violations	93		4%
Alcohol and	t Drug	102		4%
Status Offer	nses	737	!	30%
Previous No	Charges	203	:	8%
Other		222		9%
Total Offer	nses*	2478		100%

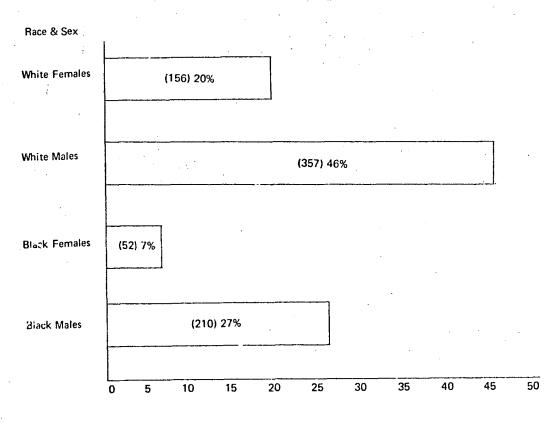
^{*}This represents the cumulative of all offenses (present and previous) committed by the 777 youth.

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GRAPH "A" NUMBER AND PERCENT OF R & C CASFS BY RACE AND SEX JANUARY 1974 - DECEMBER 1974



Percent & Number

Quantity of the content of the content

YOUTH PROFILE SURVEY

The Youth Profile Survey was developed in order to identify common offender characteristics or marked characteristic differences of offenders in Arkansas and to achieve an understanding of how the Youth Services System impacts youth, at what point, and by what actors of this system.

The National Clearinghouse for Criminal Justice Planning And Architecture in Champaign, Illinois provided technical assistance to the Youth Services Planning staff for this activity. Assistance was provided in survey design, data collection, and survey methodology as well as data analysis and some interpretation. An agreement was drawn up between Youth Services Planning and the National Clearinghouse providing for the Clearinghouse to analyze the data using a standard analysis program at the University of Illinois Computer Center. The survey instrument provided by the NCCJPA was altered to reflect circumstances peculiar to Arkansas before being duplicated by the Cummins Unit of the Department of Correction.

The Department of Correction not only provided assistance for duplicating the forms, but provided logistical assistance to the Youth Services Planning staff on April 28 and 29, 1975 in surveying the pre-eighteen year old population at Tucker Intermediate Reformatory. All information was gathered through direct interviews and supplemented with case record information when available and needed.

The Juvenile Services Division instutitional staff conducted the training school interviews with training and technical assistance from the Youth Services Planning staff. The Juvenile Services staff conducted the actual interviews with all the youth, using the case files to supplement and verify information. The survey was conducted from March 31 to April 4, 1975, at each of the three training schools. A Youth Services Planning staff member was present at each school to provide needed assistance.

The third survey population was youth within community based programs. Personal interviews were arranged between selected program directors and a Youth Services Planning staff member to explain the goals and objectives. After the programs agreed to participate, instructions were given to the interviewer regarding survey methodology.

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The community based programs provided a limited sample of youth. The following instructions were provided the interviewers to assist in the completion of the survey and in the selection of youth to be surveyed:

1. Type of Youth Served:

Any youth receiving services from your organization who has been identified as having committed a juvenile offense and is currently receiving services because of that offense.

A. Identified by actors of the Enforcement/Judicial Subsystem of the Youth Services System as an offender. This identification may, but does not always, result in a youth being adjudicated. The youth could be diverted before reaching the court process (i.e., a runaway picked up by the police department and referred to a community based program for services instead of filing formal court charges which might result in placement in a training school.

We must try to get a mix of both juveniles diverted before the court process and those adjudicated as delinquent but diverted from the training school.

- B. Juvenile offenders, both status and non-status offenses (i.e., runaway, truancy, incorrigible, theft, forgery, etc.)
- 2. Answer all questions completely. If information is not available, please note as such.
- 3. If you have any difficulties with any question, please feel free to call us collect. We have included our telephone number for your convenience.

As the survey forms were completed, they were mailed or delivered to the Youth Services Planning office. Procedures were then set up to code the form for the particular environment from which they came (i.e., Training School, Tucker, Community Based). The coders also checked every answer and remarked the responses in red. The completed forms were then taken to the Social Services Division of the Department of Social and Rehabilitative Services to be keypunched. Social Services agreed to supply cards and punch the survey forms to later be used for computer analysis.

A format was developed to present the raw data in a form which could be easily understood and retrieved. The information was classified into three broad categories as follows:

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- 1. Demographics The information pertaining to the vital statistics of the population surveyed: age, race, sex, etc.
- 2. Offense Information Relates to the infraction of a law which could bring the youth into the Youth Services System.
- 3. System Impact How the community, detention facilities, courts, training school, and other structured system components impact the youth (i.e., length of stay as well as reasons for detaining the youth, and other related information). This information offers considerable insight into how our Youth Services System works or doesn't work.

The following represents the specific information that is available by category surveyed. A copy of the survey form follows this information. Complete research data is available within the Program Coordination Section of the Department of Social and Rehabilitative Services, Office of the Director.

DEMOGRAPHIC DATA

- I. Youth
 - A. Sex
 - B. Age
 - C. Race
 - D. Place of birth
 - E. Area of residence
 - 1. Rural/Farm
 - 2. Urban/City
 - F. State and county of residence
 - G. Length of residence in county
 - H. Length of residence in state
 - I. Who youth resides with
 - J. Upon release living arrangements
 - K. Employment status
- II. Youth Education Information
 - A. School status
 - B. Age last attended school
 - C. Reason for dropping out of school
 - D. Highest grade of schooling
 - E. Known school difficulties

III. Youth Family Information

- A. Marital status of parents
- B. Family-make-up
- C. Number of persons in home
- D. Number of brothers and sisters
- E. Marital status of family members
- F. Occupation of parents or guardians
- G. Youth's family income
- H. Family assistance status
- 1. Type of assistance received
- J. Type of family problem(s) youth suffers

SYSTEM IMPACT DATA

I. Youth: Community

- A. Prior probation commitments
- B. Length of time on probation
- C. Ever had probation revoked
- D. Ever been on parole
- E. Length of time on parole
- F. Ever had parole revoked
- G. Commitment to training school while on probation or parole

II. Youth: Detention

- A. Prior confinements in jail or detention centers
- B. Number of prior confinements
- C. On current commitment was jail detention used
- D. How many days in jail before commitment to training school
- E. At what point was youth detained
- F. Where was youth detained
- G. Why was youth detained
- H. Length of time in current confinement

III. Youth: Training School

- A. Program participation at training school
- B. Type of unit residing in at training school
- C. Preference for living unit
- D. Number of visits received
- E. Length of visits
- F. Youth's success if paroled by months

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OFFENSE INFORMATION DATA

I. Youth

- A. Number of convictions for marijuana or hashish
- B. Prior commitments to training school
- C. How represented in court
- D. Current court classification
- E. Prior court classification
- F. Age at first arrest
- G. Age at last arrest
- H. Length of stay at training school
- I. Current and past offenses
- J. Number of arrests

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Nam	ne	Time Started	Time Ended	
	·			
	INSTITUTIONALIZED YO	OUTH SURVEY —		1 - 7
			044	8/1
(Plea	ase circle one code number for each question unless otherwise ins	tructed.)		
1 .	What is your sex?	Male	1	9
•	, and the second	Female	2	
			Age	10 - 11
2.	What is your age now?			
3.	Of which racial/ethnic group are you a member? (Circle	White	1	12
	only one.)	Black		
		American Indian		
		_	5	
	!	Oriental	6	
		Other		
4.	What is your place of birth?	and		13 - 16
•	What is your place of onth.	state	county	
5.	In which kind of area have you lived for most of the last	Farm community/rural	1	17
э.	five years?	City/urban		• • • • • • • • • • • • • • • • • • • •
6.	At the time of your arrest, what was your state and county	and	county	18 - 21
	of residence?	state	county	
7.	Altogether, how long had you lived in the above county?	and		22 · 25
		years	months	
8.	How long have you lived in this state? (Write in "O" if your	and		26 - 29
٠.	residence is in a state other than the one you are now in.)	years	months	
9.	How are your natural parents living?	Living together	1	30
		Separated		
		Divorced		
		One or more dead I don't know	4	
		1 4011 1 1 1 1 1 1		
0.	At the time of you wrest, were you living with any of	5 () 5 5 ()	Yes No	
	the following? (Circle either "1" for yes or "2" for no for each item.)	Parent(s) or Guardian(s) Husband/wife only		. 31 32
	for each tiem.)	Children only		33
		Husband/wife and children	n12	34
			1 2	35 26
	•	Boyfriend/girlfriend Other friends		36 37
		No one (living alone) .	1 2	38
		Group home/halfway hou	se 1 2	39
		Other (specify)	1 2	40
				41
	•			
				·
1.	What is the make-up of your family? (Circle either "1"	Eather matural	Yes No	42
	for yes or "2" for no for each item.)	Father, natural	1 2	42 43
		Male guardian		- 44
	•	Female guardian	1 2	4.5
2.	How many persons live in your home?	Ni	umber	46 - 47
	The many persons live in your nome.	. 141		10 - 47

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	-13,	How many brothers and sisters do you have?	Number	48 - 49
ক্রীয়	14,	Current marital status of family members. (Place appropriate		
		code number on line for each family member.)	Family member	
		Code	Yourself	50
		1 Single	Father, natural	51
頸		2 Married	Mother, natural	52
		3 Separated	Male guardian	. 53
1	•	4 Deserted	Female guardian ————	54
		5 Divorced	- · · · · · · · · · · · · · · · · · · ·	
		6 Widowed		
		7 Remarried		
Paint		8 Not Applicable		
		9 Information not available		
	15.	Upon your release from detention or training school,	Yes No	
often.		with whom do you plan to live? (Circle "1" for yes or	Parent(s) or guardian(s) 1 2	5 5
		"2" for no for each item.)	Husband/wife only 1 2	56
		2 for to for each mem.	Other relatives	57
		·	Boyfriend/girlfriend	58
e6a			Other friends	59
				60
		•	the one (mining areas)	
			Group Home, many	61
134			Other (specify)	62
				2
園				
			•	•
erte.	16.	What is the occupation of your parent or guardian?	·	
	10.	(Place appropriate code number on line for each	Parent or guardian	
		* * *	rarent of guartian	
		parent or guardian.)	e'u	63
		Code	Father, natural	
		01 Military service	Mother, natural	64
		02 Farm or domestic worker	** A T T T T T T T T T T T T T T T T T T	65
_		03 Factory or construction worker	Male guardian	
_		04 Skilled tradesman (machinist,	Female guardian	66
		electrician, etc.)		
		05 Service (repairman, police, fireman,		
		postman, etc.)		,
-Pag		06 White collar	·	
		07 Management foreman, supervisor,		
器		small business owner		
		08 Executive - administrative		•
63		09 Professional - doctor, lawyer, etc.		
		10 Housewife		
4		•		
		11 Student		
193		12 Retired		
		13 Unemployed		
Ø:		14 Disabled	•	
		15 Deceased		
田		16 Other ()		
The same		specify		
		88 Not applicable		
		99 I don't know		•
13			•	
SECTION .	17.	if you were not living at home at the time of your arrest,	Below age 12	67
		how old were you when you left home?	13 – 14 2	
		, , , , , , , , , , , , , , , , , , , ,	15 – 16	
•			17 – 18 4	
O COL			I was living at home when I was	
먑			arrested 8	
ť,				

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18.	Before you were arrested, what was your school status?	Student full-time
		Student part-time 2
		Under 18, not in school
		Age 18 or over, not in school 4
19	Did you drop out of school?	V • • • • • • • • • • • • • • • • • •
٠,,	ind you didn out or semon:	Yes
		No 2
20.	If you dropped out, how old were you when you last	
	attended school? (Write in "88" if you did not drop out.	Age
	•	years
21.	If you dropped out, why did you leave school?	To take a link
	you dropped out, why did you leave school:	To take a job
		Expelled 3
		Other
		I didn't leave school 8
22.	What is the highest grade of schooling you have	No formal education
		Grades 1 - 6
		Grades 7 · 8
	•	Grades 9 · 11 · · · · · · · · 4
		High school graduate or GED 5
		Some college 6
3.	Have you ever held the same job for one year or more?	Yes 1 74
	(If you have never had a job,;circle "3" for not applicable.,) No
	· · · · · · · · · · · · · · · · · · ·	Not applicable (Skip to question 25) 3
		A CONTRACT OF THE CONTRACT OF
4.	a. Were you employed at the time of your arrest?	Yes 1 75
		No (Skip to question 25)2
	b. Were you:	V. A
	(Circle either "1" for yes or "2" for no for each	Yes No Employed full-time
	ilem.)	Employed full-time
		1 - 7 / DU
		8/2
5.	a. How old were you when you were first arrested?	Agc 9 · 10
		years
	b. How old were you when you were last arrested?	A
	or the word were you were last affested:	Age
		· ·
٠.	How many convictions do you have for drug law violations	None
	involving marijuana or hashish? (Do not include present	One
	offense.)	Two 2
		3-5 3
		6-10 4
		11 or more 5
	a. Have you ever been placed on probation?	Yes
	and the second of proparion:	A1 (0)
		No (Skip to question 28)2
	b. How long were you on probation?	
		months 15 - 16
	a Hana	
	c. Have you ever had probation revoked?	Yes
		No 2
S. :	a. Have you ever been placed on parole?	Vo.
•	at the you ever occur placed on parole?	Yes
		No (Skip to question 29) 2
1	b. How long were you on parole?	
		months 19 · 20
		month;

...

			·	
	28.	c. Have you ever had parole revoked?	Yes	21
	29.	Have you ever been committed to the training school for a new offense while on probation or parole? (If you have never been on probation or parole, circle "3" for not applicable.)	Yes	22
	30.	a. Have you ever been committed to the training school before? (If you have never been in the training school	No (Skip to question 31)2	23
		b. If yes, how long were you at the training school before?	Not applicable (Skip to question 31) 3 months	- 25
	31.	a. Have you ever been held in a jail or detention hall before? (If you have never been held, circle "3" for not applicable.)	Yes 1	26
		b. If yes, how many times?		- <i>28</i>
	32.	Do you have a parole or probation officer assigned to you?	Yes	29
	33.	Do you participate in any of the following programs? (Circle "1" for yes or "2" for no for each item.)	Vocational training 1 2	30 31 32
	•		Group counseling	33 34 35
	21	In what type of living unit are you currently residing?	Single-person cell	36
	34.	In what type of fiving unit are you currently residing.	Single-person room 2 Iwo person cell 3 Iwo person room 4 3 - 5 person dormitory 5	
A STATE	2.5		Larger dormitory 6	37
Contract)	35.	What type of living unit would you prefer, if you had your choice of any of the following? (Circle only one.)	Single-person room	<i>31</i>
Consultant in the last of the	36.	How many visits do you receive on the average?	Larger dormitory 6 Per week	- 39
Carron	37.	How long does an average visit last?	No visits 1	42
			Under 15 minutes	
1	38.	How are you (or were you) being represented in court?	By a private lawyer	43
#			1 don't know	

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INSTITUTIONALIZED YOUTH SURVEY/SUPPLEMENTARY INFORMATION

(Fa	br fü	lled in by counselor or other training school official.)	. * -4*	*	DUP 1 - 7
	٠.	ircle one code number for each question unless otherwise in	structed.)		8/3
		•	•		
•.	inc	proximately, what was the youth's family's total one for the last calendar year?	\$2,000 or less		9
		The same same same same same same same sam	4 001 A= C 000	2	
			6,001 to \$10,000	3	
		•	10,001 or more		
			Information not available	9	
2	a.	Did the juvenile or his family receive assistance from	V		
	•	any federal, state, or local agency in the year pre-	Yes	1	10
		ceding this commitment?	No Information not available	2	
			morniation not available	9	
	Ь.	If yes, specify agency:			11 - 12
3.	Is t	he juvenile known to have had the following family		•••••	
	pro	blems? (Circle appropriate numbers.)	Parental neglect	s No Unknown 2 9	13
			Parental alcoholism	2 9	13 14
			Parental overbearance 1	2 9	15
			Parental abuse	2 9	16
			Sibling abuse 1	2 9	17
		•	Parental drug abuse 1	29	18
			Sibling drug abuse	2 9	19
			Parental mental illness 1	2 9	20
		•	Parental absence	2 9	21
			Other (specify) 1	2 9	22
4.	Is th	he juvenile known by documentation to have had the		No. 41. Comme	
	folio	owing school difficulties (circle appropriate number):	Academic problems 1	No Unknown 2 9	23
			Behavior problems	2 9	24
			Absenteeism 1	2 9	25
5.	a .	On the surrent course in the second			
٦.	4.	On the current commitment, was the youth detained (in a jail, detention center, etc.) prior to his commit-	Yes	1	2ι
		ment to the training school?	No (Skip to question 6)	2	
		to the training school.	Information not available	9	
	b.	In all, how many days was the youth detained prior			27 - 29
		to this commitment to the training school?		days	21.29
	ζ.	At which of the following points was the youth		-	
		detained?	Yes		
			Awaiting detention hearing 1 Awaiting adjudication hearing 1	2 9 2 9	30
		•	Awaiting disposition hearing . 1	2 9 2 9	31
			Awaiting transfer to a	2 9	32
			juvenile detention center . 1	29	33
		•	Awaiting transfer to		33
		·	training school 1	29	34
		·	Other (specify) 1	2 9	35
		test.			
	đ.	Where was the youth detained?	Yes	No Unknown	
					36
			Country (annual in the state of		37
		•	County/municipal jail		38
		•		2 9	39
		• •	Other (specify) 1	2 9	40
					•
	e.	Why was the youth detained?			
		was an your detailed.	The youth represented a	No Unknown	
		•	danger to himself 1	2 9	4.
			The youth represented a		. 41
	4		danger to community 1	2 9	42
		•	The youth probably would not off		
			show for his/her hearing 1	2 9	ا ن
			There is no responsible adult to		-
			care for the youth 1	29	44
6.	How	many times is the youth known to have been arrested		timer.	48 40
	(inch	uding current charge)? (If this information is not ilable, unite in "99" for not available.)		_ timer.	45 - 46

: ••

		Current / Past / Both	
-	Please indicate which of the following offenses the	No charge 0	47
7.	youth is being or has been charged with. Circle "1"	Murder/Nonnegligent	
	youth is being of has been charged with. Circle	manslaughter 1 2 3	48
	for the charge(s) for which he is currently being	Negligent manslaughter 1 2 3	49
	committed. Circle "2" for any previous charge(s)	Forcible rape 1 2 3	50
	that have been filed against the youth. Circle "3"	Ro bery	51
	if the youth is being committed for the offense now	Aggravated assault 1 2 3	52
	and has been charged with the offense in the past	Aggravated . Shadit	53
	(i.e., the youth cummitted the offense at least twice).		54
	Circle only one number for each offense, If the youth	Caresity - their (not auto)	55
	has not been charged with any offense, circle "0" at	Automen	55
	the top of the list for "No charge".	Other assisted	57
	•	Alson	31
		Forgery or counterfeiting	
		(not checks)	58
		Fraud	∴9
		Clieck offenses 1 2 3	69
		Embezziement 1 2 3	61
	•	Stolen property: buying, receiving,	
		or possessing 1 2 3	62
		Vandalism	63
		Agiicalian	
	•	Weapons: carrying, illega.,	64
		possessing	U 7.
		Prostitution or commercialized	65
	•	vice	65
		Sex offenses (except forcible	
		rape and prostitution) 1 2 3	66
		Narcotic drug aws (except for	
		possession of marijuana) 1 2 3	67
		Possession of marijuana 1 2 3	68
	•	Gambling	69
		Offenses against family and	
		children 1 2 3	70
	· ·	Driving while intoxicated 1 2 3.	71
		Diving with the Attached	72
		Eldnorians	73
		Disorderly conduct 1 1 1	74
	· · · · · · · · · · · · · · · · · · ·	Vagiancy	
		Trespassing	7 5
		Runaway	7L
	·	Other offenses (specify) 1 2 3	77
			DUP 1 - 7
		D. P. Santa	8/4
8.	What is the current court classification of the youth?	Delinquent:	9
		(Hechtgible 1	9
	· ·	Law violator	
		Neglected	
		Battered or abused 4	
		Information not available 9	
9.	Prior to this commitment, has the youth ever been	Yes No Unknown	
3.	adjudicated as any of the following?	Delinquent	
	supuncated as any or the sonowing.	Incorrigible 1 2 9	10
		Law violator 1 2 9	11
		Neglected 1 2 9	12
		Battered or abused	13
		Other (specify) 1 2 9	14
		Other (specify)	• •
10). In your coinion:		٠.
	If the youth were to be released on parole, he/she		
	would be successful (i.e., no further serious law	If he laborators released to day 1	
	violations):	If he/she were released today 1	15

		in 6 months 3	
		in 9 months 4	
		in more than 9 months 5	
	•	(Please specify how many)	
		The youth will not be successful	•
		on parole 6	
		•	

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 $(A_{ij},A_{ij}$

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YOUTH SERVICES PROGRAM SURVEY

A program survey was needed to acquire information necessary to the documentation of existing services for troubled youth in Arkansas. The following steps were taken in the development of this survey activity:

- 1. Research into program design.
- 2. Develop a program resource index of appropriate services in Arkansas.
- 3. Develop program survey instrument.
- 4. Develop training package for Juvenile Services field staff regarding data collection procedures.
- 5. Conduct training sessions and insure follow-up.
- 6. Monitor data retrieval.
- 7. Develop data analysis format.
- 8. Compile and analyze data.

The survey instrument itself was designed to yield program related information. This was not an evaluative study, but concentrated on levels of service, service capability, and modes of program operation. The research design was descriptive in nature and primarily reportorial. The instrument was structured in order to address areas of programs:

Manpower
Training
Workloads
Responsibilities
Services Provided
Facilities
Equipment
Operational Standards

Actual data collection was performed under a professional services contract by the Juvenile Services Division of the Department of Social and Rehabilitative Services. The period of data collection was between February 10, 1975 and March 15, 1975. The information collected related to program activities from January 1, 1974 through December 31, 1974. The surveys were conducted through direct interviews with the

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designated agency contact persons and designated Juvenile Services field staff. Standardized procedures were adopted for data collection and the following instructions were provided to each Juvenile Service employee engaged in data collection:

- Select the proper person to be interviewed. Always relate first to the director
 of the program to be surveyed. He may refer you to another source better qualified to give you the required information.
- 2. Schedule all interviews in advance. We suggest you call for an appointment. The program director should already have a copy of the survey form.
- 3. The first few minutes of the interview should be devoted to a brief explanation of the Youth Services Planning Program (its goal and purposes). This is not a program evaluation study. It is a descriptive study of existing resources. Programs will not be referenced by name or individually in our report.
- 4. Complete the sulvey instrument yourself, ask the questions, but take caution not fo answer the questions for the interviewee.
- 5. Each question <u>must</u> have an answer unless the question does not apply to the programs. If this is the case, the question should be annotated to reflect this as (N/A) with any appropriate explanation.
 - Obtain from each program all statistical data and available procedural information (i.e., staff patterns, policies, etc.) and attach to survey form.
- 6. Mark the quantitative questions near the space for an answer with <u>A</u> for actual amounts or <u>E</u> for estimates or approximations.
- 7. If you have difficulties with any responses to the questions and cannot resolve it during the interview, take down all information on the back of one sheet and reference the question.
- 8. Tell the persons interviewed that the summarized information will be returned to them for corrections before being finalized.
- After completion of the interview and on the back of the last page of the survey, summarize any comment you have concerning the program or interview session.

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There were a total of 124 programs considered in this survey activity. The following shows the programs deleted from the total sample and the reason for the deletion:

Programs considered		124
Objectives not consistent with established criteria		- 11
Served out of state youth only	,	- 1
Consolidated with multi-county operations		. 8
Reported within another section of document		- 9
Referenced only in relation to geographic location and type of p Information was either not available, program refused to coopera	ate or	
the program was new without information for calendar year 197	4	- 4
Peripherial programs*		- 8
New sample total		83

Totals are provided here for the programs within three core categories: residential, non-residential, and programs with both residential/non-residential components. They represent responses given by programs surveyed by question. For clarity and reporting purposes, the questions here have been altered slightly from the questions actually asked of the programs. A sample survey form follows this information.

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NON-RESIDENTIAL YOUTH SERVICES PROGRAM TOTALS

Question 1: A. Number of youth served:

	Male			Female			11.1	
	Black	White	Other	Black	White	Other	Total	
Non-Residentia!	2024	5609	3	898	3288	4	11 826	
Secure Detention	340	604	• ••	71	339		1,354	
Total	2364	6213	3	9 69	3627	4	13,180	

B. Of youth served, what percentage were juvenile offenders?

Non-residential
Secure Detention

1354 (100%) 8980(76%)

C. Age group of youth served: 1-13

Question 2: A. What were the total number of referrals you received for 1974? 16,200

Of these referrals, approximately what percentage have been alleged juvenile offenders? 11,359 (70%)

B. What is your primary source of referrals?

Number of Progra	ms Responding	Source
23		Police
. 11		Courts
8		Schools
. 3		Self
1		Mental Health

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Question 3: Who do you primarily refer you'th to:

Number of Programs Responding	Organization
8	Reached Majority (no referral)
2	Police
	Courts
4	Schools
24	Family
3	Mental Health
	MR DDS
	Rehabilitation Services
4	Juvenile Services
2	Social Services
***************************************	Military
5	Other (Specify)

Question 4: Where do you get client intake information?

Question 5: What geographic area does your program serve?

 City
 2

 State
 1

 County
 -

 Counties
 44

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Question 6: What services are available to youth (under appropriate sources)?

Service	Staff Provided	Purchased (From Your Budget)	Volunteer Provided
Medical	6	11	10
Dental	1	2	12
Optical		2	9
Psychiatric	6	12	12
Psychological	7	13	10
Counseling:			
Individual	48	13	20
Group	30	. 9	6
Family	42	11	11
School (teaching)	4	1	10
Foster Home	2	1	10
Group Home	2	3	4 .
Social Work	24	4	14
Other (Specify)	4	1	. 1 '.,

Question 7: Do you have any immediate plans for program expansion or termination?

Yes <u>16</u> No <u>32</u>

Question 8: What were your actual total operating expenses for 1974 by:

\$1,463,389.51
235,441.18
515,561.28
\$2,214,391.97

Question 9: How many people are employed in your program by:

A. Administration (Director, Supervisory, Clerical, Etc.)	104
B. Supportive (Janitor, Cook, Bus Driver, Etc.)	_26
C. Giving Direct Services to Youth (Social Worker, Caseworker,	
Teacher, Houseparent, Etc.)	350

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<u>Question 10:</u> Do you have any immediate plans for staff-position expansion or termination?

Yes 12 No 36

<u>Question 11:</u> Do you require, for direct service employees or volunteers, any in-service training?

Yes 25 No 27

Question 12: How many volunteers participate in your program? 662

Question 13: Complete the following on facilities utilized by the youth:

	Number	of Facilities	Total	Capacity	 Average Daily	Youth Popu	lation
<u>Use</u>	Male	Female	Male	Female	Male	Female	
Foster H	lome 52	28	52	40	5	6	

Question 14: Do you have any immediate plans for facility expansion or termination?

Yes 13 No 38

Question 15: What are your funding sources by:

Source	Amount
Fees from Parents or Guardians	\$ 51,136.36
Fees from Courts, Agencies, etc	59,174.00
Private Donations (fund raising, etc.)	146,622.00
Foundation Awards	7,992.00
Trust Funds	1,210.00
Quorum Court Money	566,365.92
Grant Award (Specify)	175,994.72
LEAA	609,925.00
Title IV-A	203,753.00
Other	431,213.75
Total	\$2,253,386.75

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Question 16: Do you have any immediate plans for budget additions or deletions?

Yes <u>17</u> No <u>33</u>

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RESIDENTIAL YOUTH SERVICES PROGRAM TOTALS

Question 1: A. Number of youth served:

<i>\$</i>	. <u> </u>	Male			Female		
	Black	White	Other	Black	White	Other	Total
Residential	25	521	3	10	458	4	1021
Secure Detention	13	55	2	12	. 53	• ••	135
Total	38	576	5	22	511	4	1156

B. Of youth served, what percentage were juvenile offenders?

Residential 260 (25%)
Secure Detention 105 (78%)

C. Age group of youth served: 1 - 18

Question 2: A. What were the total number of referrals you received for 1974? 1,467

Of these referrals, approximately what percentage have been alleged juvenile offenders? 607 (41%)

B. What is your primary source of referrals?

Number of F	Programs Responding	Source
	1	Police
	6	Courts
		Schools
	6	Family
		Self
Í	•	
	1	MR-DDS
		Rehabilitation Services
•	1	Juvenile Services
	8	Social Services
	1	Other

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Question 3: Who do you primarily refer youth to?

Number of Programs Responding	Organization
1	Reached Majority (no referral)
	Police
1	Courts .
-	Schools
16	Family
	Mental Health
	MR-DDS
	Rehabilitation Services
1	Juvenile Services
2	Social Services
-	Military
2	Other (Specify)
Question 4: Where do you get client intake informat	ion?
From: Vaush 10	·
From: Youth 16	•
Family 19	
Referral Source 19	,

Question 5: What geographic area does your program serve?

City	
State	19
County	3
Counties	

•

Question 6: What services are available to youth?

		Purchased	
Service	Staff Provided	(From Your Budget)	Volunteer Provided
Medical		15	8
Dental		15	7
Optical	**	16	4
Psychiatric		13	5
Psychological	5	11	2
Counseling:			
Individual	19	3	7
Group	16	1	5
Family	14	1	3
School (teaching)	3	4	7
Foster Home	5	4	5
Group Home	13	3	
Social Work	13	3	3
Other (Specify)	4	1	<u>.</u>

Question 7: Do you have any immediate plans for program expansion or termination?

Yes <u>12</u> No <u>10</u>

Question 8: What were your actual total operating expenses for 1974 by:

A. Personnel	\$ 813,895.04
B. Plant-Maintenance	365,401.44
C. Other	614,752.85
Total `	\$1,794,049.33

Question 9: How many people are employed in your program by:

A. Administration (Director, Supervisory, Clerical, etc.)	<u> </u>
B. Supportive (Janitor, Cook, Bus Driver, Etc.)	_43_
C. Giving Direct Services to Youth (Social Worker, Caseworker, Teacher, Houseparent, Etc.)	196

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<u>Question 10:</u> Do you have any immediate plans for staff-position expansion or termination?

Yes 10 No 11

Question 11: Do you require, for direct service employees or volunteers, any inservice training?

Yes <u>17</u> No <u>5</u>

Question 12: How many volunteers participate in your program? 208

Question 13: Complete the following on facilities used by the youth:

•	Number	of Facilities	Total	Capacity	Average Daily	Youth Popul	ation
Use	Male	Female	Male	Female	Male	Female	
Holding _.	1	1	4	4	4	4	
Foster Home	43	45	42	45	34	39	
Group Home	14	13	111	92	96	83	
Cottage	29	28	200	165	176	160	
Dormitory	4	3	57	39	31	15	

Question 14: Do you have any immediate plans for facility expansion or termination?

Yes 6 No 15

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Question 15: What are your funding sources by:

Source		Amount
Fees from Parents or Guardians	\$	59,345.00
Fees from Courts, Agencies, Etc		18,968.00
Private Donations (fund raising, etc.)		774,153.27
Foundation Awards		20,000.00
Trust Funds		1,212.00
Foster Care Payments (Social Services)		49,102.00
Quorum Court Money		33,500.00
LEAA		60,714.00
Title IV-A		191,000.00
Program Generated Income (i.e. farm, crafts, etc.)		6,494.00
Other		143,167.00
Total	\$1	1,357,655.27

Question 16: Do you have any immediate plans for budget aciditions or deletions?

Yes <u>8</u> No <u>12</u>

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RESIDENTIAL/NON-RESIDENTIAL YOUTH SERVICES PROGRAM TOTALS

Question 1: A. Number of youth served:

	Male			Female				
	Black	White	Other	Black	White	Other	Total	
Residential	47	190	+-	25	142	2	406	
Non-Residential	335	999	1	214	803	1	2353	
Total	382	1189	1	239	945	3	2759	

B. Of youth served, what percentage were juvenile offenders?

 Residential
 159 (39%)

 Non-Residential
 1439 (61%)

C. Age group of youth served:

Residential 1 - 18
Non-Residential 1 - 18

Question 2: What were the total number of referrals you received for 1974? 4,967

Of these referrals, approximately what percentage have been alleged juvenile offenders? 3181 (64%)

B. What is your primary source of referrals?

Number of Programs Responding	Source
3	. Police
1	Courts
2	Schools
2	Family
·· ,	Self
··	Mental Health
	MR-DOS
***************************************	Rehabilitation Services
*	Juvenile Services
	Social Services
1	Other (Specity,

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Question 3: Who do you primarily refer youth to?

Counties ...

•	$\mathcal{F}_{ij} = \mathcal{F}_{ij} = \mathcal{F}_{ij} = \mathcal{F}_{ij}$	
Number of Pr	ograms Responding	Organization
		Reached Majority (no referral)
,		Police
		Courts
		Schools
	6	Family .
		Mental Health
		MR-DDS
		Rehabilitation Services
	1	Juvenile Services
•	· · · · · · · · · · · · · · · · · · ·	Social Services
	· '	Military
	2	Other (Specify)
Question 4:	//here do you get client intake information	n?
From:	Youth 8	•
	Family 9	
•	Referral Source . 9	
Ouestion 5: \	Nhat geographic area does your program s	erve?
City		
State	4	
County	10	

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Question 6: What services are available to youth? (under appropriate sources)

		Purchased	
Service	Staff Provided	(From Your Budget)	Volunteer Provided
Medical		4	3
Dental		3	2
Optical	•••	3	2
Psychiatric	2	4	1
Psychological	3	3	1
Counseling:			
Individual	9	2	1
Group	5	2	••
Family	9	· 2	••
School (teaching)	2	. 1	1
Foster Home	1	2	2
Group Home	1	1	1
Social Work	5	••	1
Other (Specify)		1	

Question 7: Do you have any immediate plans for program expansion or termination?

Yes <u>3</u> No <u>6</u>

Question 8: What were your actual total operating expenses by 1974 by:

A. Personnel	\$1,663,625.04
B. Plant-Maintenance	249,377.17
C. Other	140,662.98
Total	\$2,053,665.19

Question 9: How many people are employed in your program by:

A. Administration (Director, Supervisor, Clerical, Etc.)	_40_
B. Supportive (Janitor, Cook, Bus Driver, 🐪)	20
C. Giving Direct Services to Youth (Social Worker, Caseworker,	
Teacher, Houseparent, Etc.)	148

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Question 10: Do you have any immediate plans for staff-position expansion or termination?

Yes <u>3</u> No <u>6</u>

Question 11: Do you require, for direct service employees or volunteers, any in-service training?

Yes 7 No 2

Question 12: How many volunteers participate in your program? 43

Question 13: Complete the following on facilities used by the youth.

	Number of Facilities		Total Capacity		Average Daily Youth Population	
Use	Male	Female	Male	Female	Male	Female
Foster Home	21	17	27	17	21	14
Group Home	3	3	21	20	19	20
Cottage	8	8	78	78	77	75

Question 14: Do you have any immediate plans for facility expansion or termination?

Yes 2 No 7

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Question 15: What are your funding sources by:

Source	Amount
Fees from Parents or Guardians	72,129.00
Fees from Courts, Agencies, etc	31,000.00
Private Donations (fund raising, etc.)	481,120.00
Investment Income	211,200.00
Foundation Awards	69,000.00
Trust Funds	51,000.00
Foster Care Payments (Social Services)	11,140.00
Quorum Court Money	76,292.96
Grant Award (Specify)	12,994.58
LEAA	271,096.98
Title IV-A	50,000.00
Medicaid	121,000.00
Other	797,200.00
Total	\$2,255,173.52

Question 16: Do you have any immediate plans for budget additions or deletions?

Yès <u>1</u> No <u>7</u>

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TOTAL YOUTH SERVICES PROGRAMS

Question 1: A. Number of youth served:

	Male			Female			
	Black	White	Other	Black	White	Other	Total
Residential	72	711	3	35	600	6	1,427
Non-Residential	2,359	6,608	4	1,112	4,091.	5	14,179
Secure Detention	353	659	2	83	392	,	1,489
Total	2,784	7,978	9	1,230	5,083	11	17,095

B. Of youth served, what percentage were juvenile offenders?

 Secure Detention
 1,459 (98%)

 Residential
 419 (29%)

 Non-Residential
 10,419 (73%)

 Total
 12,297 (72%)

C. Age group of youth served:

Residential 1 - 18
Non-Residential 1 - 18

Question 2: A. What were the total number of referrals you received for 1974? 22,634

Of these referrals approximately what percentage have been alleged juvenile offenders? 15,147 (67%)

B. What is your primary source of referrals?

Number of Program	ns Responding	Source
27		 Police
18		
10		 Schools
11		 Family
3		 Self
1		 Mental Health
1	·	 MR-DDS
		 Rehabilitation Services
1		 Juvenile Services
8		 Social Services
2		 Other (Specify)

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Counties ... 53

Question 3: Who do you primarily refer youth to?

Number of Pr	ograms Responding	Organization
	9	Reached Majority (no referral)
	2	Police
[1	Courts
	4	Schools
	46	Family
•	3	Mental Health
		MR-DDS
		Rehabilitation Services
	6	Juvenile Services
	4	Social Services
	<i>‡</i> ,	Military
	9 .:	Other (Specify)
•		
Question 4: V	Vhere do you get client intake information	1?
From:	Youth 73	•
	Family 79	
	Referral Source 74	
		•
Question 5: V	What geographic area does your program s	erve?
City	2	
State		
County		

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Question 6: What services are available to youth (under appropriate sources)?

		Purchased	
Service	Staff Provided	(From Your Budget)	Volunteer Provided
Medical	6	30	21
Dental	1	20	21
Optical		21	15
Psychiatric	8	29	18
Psychological	15	27	13
Counseling:			•
Individual	76	18	28
Group	51	12	11 .
Family	64	14.	14
School (teaching)	9	6	18
Foster Home	8	7	17
Group Home	16	7	5
Social Work	42	7	18
Other (Specify)	8	3	. 1

Question 7: Do you have any immediate plans for program expansion or termination?

Yes 31 No 48

Question 8: What were your actual total operating expenses for 1974 by:

A. Personnel	\$3,940,909.59
B. Plant-Maintenance	850,219.79
C. Other	1,270,977.11
Total	\$6,062,106.49

Question 9: How many people are employed in your program by:

A. Administration (Director, Supervisory, Cierical, etc.)	205
B. Supportive (Janitor, Cook, Bus Driver, etc.)	89
C. Giving Direct Service to Youth (Social Worker, Caseworker,	
Teacher, House Parent, etc.)	694

Question 10: Do you have any immediate plans for staff-position expansion or termination?

Yes <u>25</u> No <u>53</u>

<u>Question 11:</u> Do you require, for direct service employees or volunteers, any in-service training?

Yes <u>49</u> No <u>53</u>

Question 12: How many volunteers participate in your program? 913

Question 13: Complete the following on facilities utilized by the youth:

	Number	of Facilities	Total	Capacity	Average Daily Youth Population			
Use	Male	Female	Maie	Female	Male	Female		
Holding	1	1	4	4	4	4		
Foster Home	116	90	121	102	60	59		
Group Home	17	16	132	112	115	103		
Cottage	37	36	278	243	253	235		
Dormitory	4	3	57	39	31	15		
Secure Detention		3	40	22	10	5		

Question 14: Do you have any immediate plans for facility expansion or termination?

Yes 21 No 60

Question 15: What are your funding sources by:

Source	Amount
Fees from Parents or Guardians	\$ 182,610.36
Fees from Courts, Agencies, etc.	109,142.00
Private Donations (fund raising, etc.)	1,401,895.27
Investment Income	211,200.00
Foundation Awards	96,992.00
Trust Funds	53,422.00
Foster Care Payments (Social Services)	60,242.00
Ouorum Court Money	676,158.88
Grant Award (Specify)	188,989.30
LEAA	941,735.98
Title IV-A	444,753.00
Medicaid	121,000.00
Program Generated Income (i.e. farm, crafts, etc.)	6,494.00
Other	1,371,580.75
Total	\$5,866,215.54

Question 16: Do you have any immediate plans for budget additions or deletions?

Yes <u>26</u> No <u>52</u>

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Residential	LY WHAT C. FOR SER-			
Non-Residential	LY WHAT C. FOR SER-	AGE GROUP OF		
B. OF THESE YOUTH SERVED APPROXIMATE PERCENTAGE CAME TO YOUR PROGRAM VICES BECAUSE OF THE ALLEGED COMM OF A JUVENILE OFFENSE? Residential	LY WHAT C. FOR SER-			:DVED
PERCENTAGE CAME TO YOUR PROGRAM VICES BECAUSE OF THE ALLEGED COMM OF A JUVENILE OFFENSE? Residential Non-Residential	FOR SER-			:DVED-
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OF A JUVENILE OFFENSE? Residential Non-Residential				
Non-Residential				
Non-Residential				
		Residential Non-Residential		
DAIS FORMAL PROUPERS FOR SERVI				
DATE ECHMAI PROHIBETE POP CERVI				
MALS - FURMAL REQUESTS FOR SERVI	<u>CES</u>			
A. WHAT WERE THE TOTAL NUMBER	OF REFERRAL	S YOU RECEI	/ED FOR	1974?
OF THESE REFERRALS APPROXIMAT	TELY WHAT PER	CENTAGE HAVE	BEEN ALL	EGED
	•	outinge time		
D WALL WEST THE ADDROVAMATE DE		TOTAL DEFEND		חרסרונים
B. WHAT WERE THE APPROXIMATE PE BY ORGANIZATION?	RCENTAGES OF	TOTAL REFERM	ALS YOU	RECEIV
%_ Organization_		Organizatio	an.	
Example 5 Social Sys (Well		MR-DDS		
Courts			ve Svs	_
Schools			<u>. </u>	
Family Self		Social Serv Other (Spe	ices cify)	-
Mental Health		Office Cape		_
	•		•	
WHAT ARE THE PRIMARY ORGANIZATION	ONS TO WHICE	A VOII PEEED	VOUTH	IFAV
YOUR PROGRAM AND WHY BY PERCEN	TAGE?	I TOO KELEK	100111	LLAV
% Organization	Why Referred	-		
Example 5 Courts -	Youth could no	ot adapt: continued	with JD	offenses
<u>Reached Majority (no referral</u>				
Police Courts		·		
Schools				
<u>Family</u>				
Mental Health				
MR-DDS		· · · · · · · · · · · · · · · · · · ·		
Rehabilitative Services Juvenile Services				
Social Services				
Military				
Other (Specify)				
WUEDE DO VOU CET CHENT INTAKE I	NEODMATIONS			
WHERE DO YOU GET CLIENT INTAKE I	NFORMATION:			
From: Youth				
Family of YouthReferral Source	_			
Referral Source		•		
•	DROCK AND CE	03/109		
WHAT GEOGRAPHIC AREA DOES YOUR	PROGRAM SE	KVE:		
	PROGRAM SE	KVE:		
WHAT GEOGRAPHIC AREA DOES YOUR City State	PROGRAM SE	KVE:		

WHAT SERVICES ARE AVAILABLE TO YOUTH IN YOUR PROGRAM? (Please check under appropriate sources)

SOURCES

SERVICE	S	TAFF PROVIDED	PURCHASED (From Your Budget)	VOLUNTEER PROVIDE
		•		
Medical			***************************************	
				
				
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	••••••			
Foster Home	· · · · · · · · · · · · · · · · · · ·			
Group Home	• • • • • • • • • • • • • • •			· · · · · · · · · · · · · · · · · · ·
				
				
Other (Specify)	•••;•••;••••••		 .	
MEDIATE PLANS - DO YOU HAVE				NSION OR TERMINAT
IF SO, WHAT?			103	
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DUTH_ALLOWANCES	, etc.		ATING EXPENSES	FOR 1974 BY:
A. PERSON	INEL			
B. PLANT	MAINTENANCE		•	₩.
C. OTHER	_	-		
	TOTAL _		-	
	=		•	
HOW MANY PE	OPLE ARE EMP	LOYED IN YOU	JR PROGRAM BY:	
	STRATION (DIRECT TIVE (JANITOR, CO		Y, CLERICAL, etc.)	· .
	DIRECT SERVICE ER, HOUSE PARENT		IAL WORKER, CASEW	ORKER,
DO YOU' HAVE TERMINATION?		TE PLANS FOR	STAFF-POSITION	EXPANSION OR
IF SO, WHAT AN	D IN WHICH AREA	S?	· ·	
SERVICE TRAINING TH EMPHASIS ON B PERFORMED. DO YOU REQU	PROVIDING ADD	ITIONAL SKILI	OF EMPLOYEES A S AND UNDERSTA APLOYEES OR VOI	ANDING OF THE
IN-SERVICE TR		es N		
IF YES, WHAT K				= ::
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PLEASE COMPLETE THE FOLLOWING ON ALL STAFF POSITIONS GIVING A DIRECT SERVICE TO YOUTH

EXAMPLE. JOB TITLE Houseparent Total Broken Down By: RACE: Black White Other SEX. Male Female AVERAGE 6,000 SALARY Housing. FRINGE BENEFITS Retirement HOURS WORKED 40 PER WEEK QUALIFICATIONS-REQUIRED: Educational H.S: Grad. Experience None NUMBER OF STAFF NOT MEETING REQUIRED QUALIFICATIONS **80**L Substitute Parent DESCRIPTION

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258	13.	IF YOU USE VEROLLOWING:	OLUNTEERS IN YOU	JR PROGRAM,	PLEASE CO	MPLETE	THE	
		Number of	Volunteers					
		Average Num Worked per	ber of Hours Week				·	
		How the vol	unteers are used					
	14.	NSWER THE	FOLLOWING CONCE	RNING PHYSIC	AL FACILI	TIES USE	D BY THE Y	OUT
		Use	Number of Facilities for	Total Capacity For		Average [Population	Daily Youth n For	
	. 1	, 	Male Female	1	Female	Male	Female	
		HOLDING				,		
	٠	FOSTER HOME				·		
		GROUP HOME	<u> </u>					
		COTTAGE				-		
		DORMITORY			 .		<u></u>	
,		OTHER				+		
	15.	TERMINATIO:	YE ANY IMMEDIATE N? YES ?	NO			•	 .
	•							_
	16.	WHAT ARE Y	OUR FUNDING SOU	RCES BY:				
		\$	SOURCE		AMOU	NT		
		Fees Fr Private Investme Foundat Trust F Foster (Quorum Grant A LEAA Title IV Medicaic Chan ou Program	YA	v.)				
	17.	PO YOU KAN DELETIONS?	AND HOW MUCH?	10			OK	

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YOUTH RELATED STATUTES, LAWS, AND OPINIONS

It has often been said that "structure determines function". In the broadest sense, our laws provide the structure which, in turn, determines the function of the primary actors within this system. The Arkansas Juvenile Code of 1975 (Act 451) is the primary state legislation which sets the structural perimeters for juvenile delinquency management in Arkansas. There are, however, other pieces of state and federal legislation (i.e., Act 20, 378, 45, 352, and the Federal Juvenile Justice Delinquency and Prevention Act of 1974), and several U.S. Supreme Court rulings which set the norm for handling juvenile offenders. This appendix contains some of the major legislation and rulings listed above in either summary form or reprinted verbatim.

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JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974

The Juvenile Justice and Delinquency Prevention Act of 1974 indicates congressional recognition of the problems of juvenile delinquency.

- (1) The purposes of the Act are as follows:
 - (a) To provide for the thorough and prompt evaluation of all federally assisted juvenile delinquency programs;
 - (b) To provide technical assistance to public and private agencies, institutions and individuals in developing and implementing juvenile delinquency programs;
 - (c) To establish training programs for persons, including professionals, paraprofessionals, and volunteers, who work with delinquents or potential delinquents or whose work or activities relate to juvenile delinquency programs;
 - (d) To establish a centralized research effort on the problems of juvenile delinquency, including an information clearinghouse to disseminate the findings of such research and all data related to juvenile delinquency;
 - (e) To develop and encourage the implementation of national standards for the administration of juvenile justice, including recommendations for administrative, budgetary, and legislative action at the federal, state, and local level to facilitate the adoption of such standards:
 - (f) To assist state and local communities with resources to develop and implement programs to keep students in elementary and secondary schools and to prevent unwarranted and arbitrary suspensions and expulsions; and
 - (g) To establish a federal assistance program to deal with the problems of runaway youth.

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The law contains these key provisions:

- (1) It creates a new Office of Juvenile Justice and Delinquency Prevention in the Law Enforcement Assistance Administration (LEAA) in the Department of Justice to implement Federal delinquency programs and to administer a new juvenile delinquency prevention, diversion and community based alternative programs and to have policy control over all juvenile delinquency programs funded by LEAA. It is to be headed by an assistant administrator who will be appointed by the President subject to the advice and consent of the Senate.
- (2) It authorizes block grants to states that submit comprehensive juvenile justice plans and it revises the method for the composition of the existing LEAA state and regional planning agencies to guarantee adequate representation on planning boards, at the state and local levels, of specialists in delinquency prevention, including representatives of public and private agencies involved in this important effort.
- (3) It authorizes a new set of programs of delinquency prevention, diversion from the Juvenile Justice System and community based alternatives to traditional incarceration, all of which are designed to stem the high incidence of juvenile crime and the extremely high incidence of recidivism among juveniles.
- (4) It requires, in addition to the new programs, that LEAA sustain its present commitment to juvenile programs, while giving the new assistant administrator who will run the juvenile justice office policy control over existing LEAA juvenile programs.

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- (5) It provides that 75% of newly authorized state lunds must be expended on advanced "techniques" in developing and maintaining services to prevent juvenile delinquency, to divert juveniles from the Juvenile Justice System and to provide community based alternatives to juvenile detention and correctional facilities such as:
 - (a) community based services for prevention and treatment of juvenile delinquency through development of foster care and shelter care homes;
 - (b) youth services bureaus and other counseling and supportive services for delinquents, potential delinquents, and their families;
 - (c) comprehensive programs of drug and alcohol abuse education and prevention;
 - (d) educational programs or supportive services designed to keep delinquents and to encourage other youth to remain in elementary and secondary schools or in alternative learning situations; and
 - (e) expanded use of probation and probation subsidy programs.
- (6) It established the Coordinating Council on Juvenile Justice and Delinquency Prevention and it creates a National Advisory Committee appointed by the President to advise the LEAA on the planning, operations, and management of Federal juvenile delinquency programs.
- (7) It authorizes direct special emphasis grants to agencies to develop new approaches to juvenile delinquency prevention and requires that at least 20% of these funds must go to private nonprofit agencies.
- (8) It establishes within this same Office a National Institute of Juvenile Justice and Delinquency Prevention to provide ongoing research into new techniques of working with juveniles, to serve as a national clearinghouse for information on delinquency and to offer training in those techniques to personnel who will work with juveniles.
- (9) It establishes a Federal assistance program for local public and private groups to establish temporary shelter-care facilities for runaway youth and to provide counseling services to facilitate the voluntary return of runaways to their families.

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Grants would be made on the basis of the number of runaways in the community; the present availability of services for runaways; and priority would be given to private organizations or institutions who have had prior experience dealing with runaways. This provision is to be administered by the Secretary of the Department of Health, Education, and Welfare at an annual authorization of \$10 million for the next three years.

- (10) It provides for a one year extension phase of the Juvenile Delinquency Prevention Act administered by HEW, with necessary funding.
- (11) It improves significantly the Federal procedures for dealing with juveniles in the justice system, with the goal of letting Federal standards serve as a worthy example for improved procedures in the states.
- (12) It establishes a National Institute of Corrections within the Fedeal Bureau of Prisons to serve as a center of correctional knowledge for Federal, state and local correctional agencies and programs to develop national policies, educational and training programs and provide research, evaluation and technical assistance. Funds are authorized as may be necessary to carry out the purposes of this provision.

Funds will be allocated among the states on the basis of the relative population of people under age eighteen (18). Arkansas has a total population of 665,499 under eighteen based on 1970 census.

The Act prohibits any incarceration of status offenders and mandates separation of the juvenile offender from the adult offender. The types of facilities that status offenders may not be held in include training schools, detention facilities, and jails.

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ACT 20 OF SIXTY-SIXTH GENERAL ASSEMBLY FIRST EXTRAORDINARY SESSION - 1968

"AN ACT TO ABOLISH THE FOUR EXISTING TRAINING SCHOOLS AND THEIR RESPECTIVE BOARDS OF MANAGERS; TO CREATE THE AFKANSAS JUVENILE TRAINING SCHOOL BOARD AND TO TRANSFER ALL FACILITIES OF THE EXISTING TRAINING SCHOOLS AND THE CONTROL AND DIRECTION THEREOF TO THE DEPARTMENT AND THE BOARD; TO PROVIDE FOR A CONSOLIDATED AND IMPROVED PROGRAM FOR THE CUSTODY, CARE, EDUCATION AND REHABILITATION OF THE DEPENDENT, NEGLECTED AND DELINQUENT JUVENILES OF THIS STATE; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. The Arkansas Training School for Boys at Pine Bluff, the Arkansas Training School for Boys at Wrightsville, the Arkansas Training School for Girls at Alexander and the Arkansas Training School for Girls at Fargo, and the Board of Managers of the respective training schools are hereby abolished, and all property, rights, obligations and facilities of the respective schools and their boards are hereby transferred to and vested in the Arkansas Juvenile Training School Department and the Arkansas Juvenile Training School Board herein created.

SECTION 2. There is hereby created the Arkansas Juvenile Training School Department which shall be under the direction, supervision and control of the Arkansas Training School Board hereby created. The Department shall have a staff consisting of an Executive Director, to be selected by the Board, and such other professional and clerical staff as the board shall deem necessary to properly carry out its functions and duties as prescribed herein. The Board shall be composed of five (5) members, to be appointed by the Governor with the advice and consent of the Senate for terms of five (5) years. Provided, the membership of the Board first appointed hereunder shall consist of one member of each of the four existing training school boards to be selected by the membership of each of said boards and certified to the Governor, and one member to be appointed by the Governor. The five members of the original board shall at their first meeting draw lots to determine the duration of the term of each so

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that one each of said i embers shall serve for a term of 1, 2, 3, 4 and 5 years. Successor members shall be appointed by the Governor for terms of five (5) years.

SECTION 3. The Board shall assume the control and direction of all facilities of the existing training schools and shall operate the same for the custody, care, education and rehabilitation of delinquent, dependent and neglected juveniles in the State and shall review the adequacy of such existing facilities and provide such additional facilities as may be necessary to carry out an adequate and progressive program for the proper education, training and rehabilitation of such juveniles. Such facilities are hereby declared to be educational institutions and facilities and entitled to all the rights and privileges of other accredited educational institutions of this State.

The Board shall establish a system of parole and a program of pre-parole and release orientation for juveniles committed to the various training school facilities and shall employ such personnel as it shall deem necessary to carry out the parole system and the pre-parole and pre-release orientation program.

SECTION 4. Each of the Training School facilities shall be under the direction and supervision of a superintendent select d by the Board who shall be directly responsible to the Executive Director and the Board for the efficient administration and operation of the respective facilities.

SECTION 5. The Department shall establish and maintain a Reception and Classification Center for the reception, orientation, classification and adjustment evaluation of all juveniles committed to the Department. The staff of the Center shall be provided by the Department or by other agencies or institutions of the State or United States under agreement with the Department, and shall consist of such professional and clerical personnel as shall be necessary to properly perform the functions of the Center as provided herein. The Center shall be a semi-secure facility and shall be equipped to hold committed juveniles, both male and female, for such period of time as shall be necessary to properly orientate, evaluate, and classify such juveniles. Provided, until such time as funds shall become available for construction of a central Reception and Classification Center, temporary facilities for reception and classification of juveniles committed to the Department may be established at not more than two (2) existing training school facilities.

SECTION 6 When a juvenile court, circuit court or any other court having jurisdiction of a juvenile to be dependent, neglected or delinquent as defined by the laws of this State, said court may commit such juvenile to the Juvenile Training School Depart-

ment for an indeterminate period for such action as the Department shall determine. Upon the commitment of a juvenile to the Department, such juvenile shall be delivered to the Reception and Classification Center for orientation, classification and evaluation. Upon completion of such orientation, classification and evaluation, the staff of the center shall make recommendations to the Department with respect to the disposition of such juvenile. Upon receipt of such recommendations, the Department shall determine whether the juvenile should be retained in a state institution, and if so, which institution. If the Department determines that the juvenile should be retained in one of the training school facilities it shall determine the training school facility to which such juvenile shall be assigned, upon the basis of sex, physical condition, mental attitude and capacity, prognosis for successful rehabilitation and such other criteria as the board shall determine, and shall cause such juvenile to be committed to the appropriate facility.

If the Department shall determine that such juvenile is not suited for detention in the training school facilities of the state, it shall report its findings and recommendations to the committing court along with recommendations, if any, regarding the appropriate institution for handling such juvenile.

SECTION 7. The order of commitment to the Department shall not state that the juvenile is delinquent, dependent or neglected nor shall it state the offense of which the juvenile is guilty, but shall merely state that the person named has been adjudged to be a proper person for commitment. The court shall, as soon as practicable, transmit to the Department a report on the juvenile setting forth in detail all available pertinent evidence concerning his background, mode of living, family status, school record and behavior tendencies, and all other pertinent information which it may have and the reasons for the juvenile's commitment. Such information is exclusively for the benefit of the Department, and shall not be disclosed by the officials of the Department.

SECTION 8. Any juvenile under the age of eighteen (18) years who is convicted of a felony may be sent to the penitentiary, if in the judgment of the trial judge such course may be expedient. The Department shall have the authority to return any juvenile committed to the Department to the committing court, or a court of competent jurisdiction, with recommendation for the transfer of the juvenile to the penitentiary, jail, hospital or institution for the care of the mentally ill or mentally retarded, or other appropriate institution, to which the juvenile might have been admitted in the first instance, and thereupon the court may cause the juvenile to be committed to an appropriate institution or dealt with according to law.

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SECTION 9. The physical facilities and the rehabilitation and education programs at each of the four training school facilities shall be so designed and developed by the Board that each training school facility will be particularly suitable for the custody, care, education and rehabilitation of juveniles of particular classifications. In classifying and committing juveniles to the various facilities, the board shall take into consideration the age, sex, physical condition, mental attitude and capacity, prognosis for rehabilitation, the seriousness of the offense, if any, of such juvenile and such other criteria as the Board shall determine, to the end that males and females will be confined in separate facilities, and to the end that the serious and hard to handle offenders will be kept in a separate semi-secure facility while the less serious, and more manageable offenders will be kept in a separate, more open type facility. The Director, with the approval of the Board, shall prepare or cause to be prepared courses of study, including regular or special courses in vocational education suited to the age, sex, and capacity of the juveniles confined in the particular facility, and competent teachers shall be employed for the teaching of such courses. The courses of study taught shall at least conform to the minimum standards prescribed for the other public schools of the State and the students shall receive the same credit for completing the courses as is received by students in other public schools.

SECTION 10. The Board shall establish rules and regulations regarding the granting and revocation of parole and regarding the eligibility of juveniles for parole and consideration. The superintendent and the parole official shall jointly make recommendations to the Board through the Executive Director for parole placement. Whenever a majority of the members of the Board, upon examination of the information and recommendations provided, shall be of the opinion that both the interest of the state and the interest of the juvenile will best be served by a parole, the Board shall grant a parole as the majority of its members determine. The recommendations shall be made without the necessity of an application by or on behalf of the juvenile.

SECTION 11. Upon the discharge of any juvenile, the Department shall procure transportation for the juvenile to his or her home, if a resident of the State, or if a non-resident, to the county from which he or she was committed, and the costs thereof shall be paid by the Department.

SECTION 12. The Board shall have the authority to accept gifts, grants, donations, or reimbursements for any facilities or services provided by or under the direction or supervision of the board, whether from Federal, State, or local governments or subdivisions thereof, or individuals, and to enter into any and all contracts with Federal,

State or local governments or subdivisions thereof for the acceptance or furnishing of funds, facilities or services for the establishment or operation of advanced and improved services for the reception, orientation, classification, custody, care, education, rehabilitation and parole of juveniles committed to the Department. The chief Fiscal Officer of the State shall prescribe rules for the handling of any monies received by the Board pursuant to this Section.

SECTION 13. When any juvenile is committed to the Department as herein authorized, the juvenile shall be under the exclusive care, custody and control of the Department from the time of the lawful reception of the juvenile by the Department until such juvenile is released. Only ordinary citizens' clothing shall be worn by juveniles while at the training school facilities. The fact that a juvenile has been committed to the Department shall not be received in evidence in any court this State in any subsequent proceeding affecting the juvenile.

SECTION 14. All funds derived from the sale of agricultural products, livestock, manufactured articles or from other activities carried on at the training school facilities shall be deposited in the State Treasury in a special fund to be used exclusively for the support to the Department.

SECTION 15. Any person who shall procure, aid, assist or conceal the escape of any juvenile committed to or confined in any of the facilities of the Arkansas Juvenile Training School Department shall be deemed guilty of a felony, and upon conviction shall be punished by imprisonment of not less than two (2) nor more than five (5) years.

SECTION 16. The Board shall have the authority to do and perform all acts consistent with law as it shall deem necessary or desirable to further or improve facilities or services for the reception, orientation, classification, custody, care, education, rehabilitation and parole of dependent, neglected and delinquent juveniles in the State. The Executive Director of the Arkansas Training School Department shall be the executive head of the Agency, and all powers, duties, and functions granted or imposed on the Arkansas Training School Board by any provision of law, or by any provision of policy, may be delegated to and performed by the Executive Director, subject to approval of the Board.

SECTION 17. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or appli-

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en de la companya de la co cations of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

SECTION 18. The following laws and parts of laws and all other laws and parts of laws in conflict with this Act are hereby repealed:

Act 398 of 1955, as amended, Ark. Stats. (1947) Sections 46-305 through 46-318.

Act 52 of 1953, as amended, Ark. Stats. (1947) Sections 46-322 through 46-325 and 46-327 through 46-329.

Act 400 of 1955, Ark. Stats. (1947) Sections 46-321, 46-326, and 46-330 through 46-340.

Act 515 of 1963, Ark. Stats. (1947) Sections 46-301 and 46-302.

Act 399 of 1955, Ark. Stats. (1947) Sections 46-366 and 46-370 through 46-381.

Act 355 of 1949, as arnended, Ark. Stats. (1947) Sections 46-367 through 46-369.

Act 152 of 1959, Ark. Stats. (1947) Sections 46-382 through 46-384.

Act 42 of 1939, Ark. Stats. (1947) Sections 46-355 through 46-360.

SECTION 19. It is hereby found and determined by the General Assembly that the four training schools are currently operated as separate and distinct segregated institutions; that it is essential to the effective and efficient operation of said institutions that they be consolidated and administered by a single board of control; and that this Act is immediately necessary to provide for the consolidation of said institutions and to create a single board to manage and operate such facilities. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in effect from the date of its passage and approval.

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TITLE 45 JUVENILE DELINQUENTS

Chapter

Chapter

- 1. Protection of Infants. § 45-101
- 2. Juvenile Courts; § § 45-201, 45-202.1--204, 45-239.
- Interstate Compact on Juveniles,
 § \$ 45-301-45-307.

Chapter 1 Protection of Infants

45-101. Authority of county judges. The county judges of the various counties in the State of Arkansas are authorized and required to have brought before them all children between the ages of three (3) and fifteen (15) years, whom they know, and who are reported to them to live in notorious resorts of bad character, or who frequent the company of lewd, wanton, or lascivious persons, or whose parents live in or keep houses of ill-fame, or habitually frequent the same; and if such judge is satisfied from the proof offered that such child is not being properly cared for, and that its moral, mental or physical welfare is being neglected to that extent that it will probably grow in pauperism, lewdness and crime, the raid judge shall take charge of such child and by proper order commit it to the reform school, if there is a vacancy from his county; or find it a suitable home, as in his judgement will be to the best interest of the moral, mental, and physical welfare of such child. (Act Apr. 30, 1907, No. 237, § 1, p. 555; C. & M. Dig. § 5746; Pope's Dig. § 7454.)

Chapter 2 Juvenile Courts

Section		Section	•
45-201.	Age of persons considered wards	45-203.	Dependent or neglected child.
	of the state.	45-204.	Delinquent child.
45 202.	Juvenile court.	45-205.	Disposition of child.
45-202.1	Power to appoint referee.	45-206.	
45-202.2	Appeals from referee's decisions.		

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	Section	•
Jurisdiction of court specified.	45-227.	Right to give bond.
Appeals to circuit court.	45-228.	Adoption Proceedings.
Book of findings Juvenile	45-229.	Religious belief.
record Designation of court.	45-230.	Board of visitation.
Petition - Who may file.	45-231.	County officers' fees.
Contents.	45-232.	County clerks to report to
Process.		Governor.
Summons.	45-233.	Liberal construction.
Warning order.	45-234.	Duty of parents to support.
Defendant's answer.	45-235.	Nonsupport Punishment.
Failure to produce child.	45-236.	Powers of guardian.
Duty of prosecuting attorneys.	45-237.	Appeals.
Probation officers.	45-238.	Interference with officers.
Duty of probation officer.	45-239.	Persons contributing to
Salaries of probation officers.		delinquency.
Provision for delinquent	45-240.	Other acts unaffected.
children.	45-241.	Transfer of charge from circuit
Provision for hospital treatment.		court.
Custody.	45-242.	Jurisdiction of felony charge.
Arrest of child.	45-243.	Disposition of child.
Disposition of arrested child.	45-244.	Purpose of act.
No release by juvenile courts		•
from training schools.		
	Appeals to circuit court. Book of findings - Juvenile record - Designation of court. Petition - Who may file. Contents. Process. Summons. Warning order. Defendant's answer. Failure to produce child. Duty of prosecuting attorneys. Probation officers. Duty of probation officer. Salaries of probation officers. Provision for delinquent children. Provision for hospital treatment. Custody. Arrest of child. Disposition of arrested child. No release by juvenile courts	Jurisdiction of court specified. Appeals to circuit court. Book of findings Juvenile record Designation of court. Petition - Who may file. Contents. Process. Summons. Warning order, Defendant's answer. Failure to produce child. Duty of prosecuting attorneys. Probation officers. Duty of probation officer. Provision for delinquent Custody. Arrest of child. Disposition of arrested child. No release by juvenile courts 45-227. 45-229. 45-230. 45-231. 45-232. 45-232. 45-233. 45-234. 45-235. 45-236. 45-237. 45-238. 45-238. 45-239. 45-240. 45-241. 45-241.

45-201. Age of persons considered wards of the state. All persons under the age of 18 years shall (for the purposes of Acts of 1911, No. 215 (§ § 45-201 -- 45-240), as amended) be considered wards of the state, and their person shall be subject to the care, guardianship and control of the juvenile court. (Acts 1965, No. 427 § 1, p. 1470.)

45-202. Juvenile court. A court, to be known as the juvenile court, is hereby created and established in the several counties of this State. The court shall be held by the county judge of the county at the place where the county court is, by law, required to be held; provided, that in counties where there are two judicial districts, this court shall be held in the seat of both judicial districts; and may be open and adjourned from time to time as the judge thereof may deem proper. The clerk of the county court shall be clerk of the juvenile court, and any officer or person, who under the law, is authorized to serve process issued from any of the courts of this State, may serve

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the process issuing out of the juvenile court. (Acts 1911, No. 215, § 1 (2nd par.), p. 166; 1917, No. 420, § 1 (2nd par.), p. 1927; C. & M. Dig., § 5752, Pope's Dig., § 7460.)

45.202.1. Power to appoint referee. The Judge of the Juvenile Court in each county is hereby given power to appoint a referee who shall have power to hear and pass on all juvenile cases of girls, and of boys, up to the age of sixteen (16). (Acts 1969, No. 404, § 1.)

45-202.2 Appeals from referee's decisions. Appeals may be taken to the Judge of the Juvenile Court from the decisions of the referee as a matter of right by causing the papers to be lodged with the Judge of the Juvenile Court and within ten (10) days after the decision is made, upon demand, the clerk in charge of the Juvenile Court matters shall at once transmit the same to the Judge of the Juvenile Court. (Acts 1969, No. 404, § 2.)

45-203. Dependent or neglected child. For the purpose of this Act, the terms "dependent child" or "neglected child" shall mean and include any person under eighteen (18) years of age whether married or single:

- (a) Whose parent neglects or refuses, when able to do so, to provide proper or necessary support and education required by law, or other care necessary for his or her well being;
- (b) Who is abandoned or mistreated by his or her parent, step-parent, foster parent, guardian, or other lawful custodian;
- (c) Whose occupation, environment or association is injurious to his or her welfare;
- (d) Who is otherwise without proper care, custody or support; or
- (e) Who by reason of the neglect of his or her parent to provide the proper or necessary support, education, or care, is in the custody of a children's aid society or is being supported by the county or state, except that a child shall not be classed as a "dependent child" or "neglected child" under this subsection solely because of the fact that he or she or his or her parent or both receive assistance under the social welfare acts or otherwise receive support from public funds. (Acts 1911, No. 215, § 1 (3rd par.), p. 166; C. & M. Dig., § 5753; Acts 1921, No. 404, § 1,p. 419; Pope's Dig., § 7462; Acts 1963, No. 542, § 1,p. 1658; 1965, No. 418, § 1.p. 1423.)

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45-204. Delinquent child. The term "delinquent child" shall mean and include any person under eighteen (18) years of age:

- (a) Who does any act which, if done by a person eighteen (18) years of age or older, would render such person subject to prosecution for a felony or a misdemeanor;
- (b) Who has deserted his or her home without good or sufficient cause or who habitually absents himself or herself from his or her home without the consent of his or her parent, step-parent, foster parent, guardian, or other lawful custodian;
- (c) Who, being required by law to attend school, habitually absents himself or herself therefrom; or
- (d) Who is habitually disobedient to the reasonable and lawful commands of his or her parent, step-parent, foster parent, guardian or other lawful custodian.

Any reputable person may initiate proceedings against a person under eighteen (18) years of age under this Act (§§ 45-201 -- 45-250) by filing a petition therefor with the juvenile court. All such proceedings shall be on behalf of the State and in the interest of the child and the State and due regard shall be given to the rights and duties of parents and others, and any person so proceeded against shall be dealt with, protected or cared for by the county court as a ward of the State in the manner hereinafter provided. (Acts 1911, No. 215, § 1 (4th par.), p. 166; C. & M. Dig., § 5754; Acts 1921, No. 404, § 1, p. 419; Pope's Dig., § 7463; Acts 1963, No. 542, § 1, p. 1658; 1965, No. 418, § 2, p. 1423.)

45-205. Disposition of child. A disposition of any child under this act or in any evidence given in such cause, shall not, in any civil, criminal or other cause or proceeding whatever, in any court, be lawful or proper evidence against such child for any purpose whatever, except in subsequent cases against the same child under this act; nor shall the name of any such child in connection with any proceedings under this act, be published in any newspaper, without a written order of the court. The word "child" or "children" may be held to mean one or more children and the word "parent" or "parents" may be held to mean one or both parents when consistent with the interests of this act. The word "association" shall include any association, institution, or corporation which includes in their purposes the care or disposition of children, coming within the meaning of this act. (Acts 1911, No. 215, 1 (5th par.), p. 166; C. & M. Dig., 5755; Pope's Dig., 7464.)

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45-206. Jurisdiction of county courts. The county courts of the several counties of the State shall have original jurisdiction in all cases coming within the terms of this act. All trials under this act shall be by the court without a jury. (Acts 1911, No. 215, 2, p. 166; C. & M. Dig., 5756; Pope's Dig., 7465.)

45-207. <u>Jurisdiction of court specified</u>. The righting of wrongs committed being an essential in cure of delinquency, for this purpose the juvenile courts are hereby empowered to make and enforce against delinquent children before the juvenile court, their estates, the necessary and proper orders of (1) restitution in kind or in value for property solten or otherwise corruptly taken or received by such delinquent child, (2) support for wife or children in cases involving domestic relations, and (3) payment of such portion of the costs provided in Section 15 of Act 215 of 1911 (§ 45-231) as amended, as the juvenile court may deem appropriate with regard to the facts of the case; provided, that appeals to the circuit court may be taken from these orders. (Acts 1921, No. 404, § 2, p. 419; Pope's Dig., 7466; 1955, No. 413, § 1, p. 1157.)

45-208. Appeals to circuit court. Cases under the juvenile court law shall be appealed to the circuit court in the same manner that other cases may now or hereafter be appealed from the county court to the circuit court where they shall be tried by the court without a jury; provided, that no order of the juvenile court shall be superseded pending such appeal so as to release a delinquent child from the custody adjudged in the order appealed from. (Acts 1921, No. 404, § 3, p. 419; Pope's Dig., § 7468.)

45-209. Book of findings - Juvenile record - Designation of court. The findings of the court shall be entered in a book or books to be kept for the purpose, and known as the "Juvenile Record," and the court may for convenience, be called "The Juvenile Court." (Acts 1911, No. 215, § 3, p. 166; C. & M. Dig., § 5757; Pope's Dig., § 7468.)

45-210. Petition - Who may file. Any reputable person, being a resident of the county, may file with the clerk of the court, having jurisdiction of the matter, a petition in writing setting forth that a certain child, naming it, within his county, is either dependent, neglected or delinquent, as defined in section 1 (§ § 45-203, 45-204); and that it is for the interest of the child and this State that the child be taken from its parent, parents, custodian or guardian and placed under the guardianship of some suitable person to be appointed by the court; and that the parent, parents, custodian or guardian of such child, are unfit or improper guardians, or are unable or unwilling to care for, protect, train, educate, correct, control or discipline such child, or that the

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parent, parents, custodian consent that such child be taken from them. (Acts 1911, No. 215, § 4 (1st Par.), p. 166; C. & M. Dig., § 7469.)

45-211. Contents. The petition shall also set forth either the name or that the name is unknown to the petitioner (a) of the person having the custody of the child; (b) of each of the parents or the surviving parent of a legitimate child; or of the mother of an illegitimate child; or (c) if it alleges that both such parents are or such mother is dead then of the guardian, if any of such child; or (d) if it alleges that both such parents are or that such mother is dead that no guardian of such child is known to petitioner. All persons named in such petition shall be made defendants by name and shall be notified of such proceedings by summons, if resident of this State, in the same manner as is now or may hereafter be required in chancery proceedings by the laws of this State, except only as herein otherwise provided. (Acts 1911, No. 215, § 4 (2nd par.), p. 166; C. & M. Dig., § 5760; Pope's Dig., § 7472.)

45-212. Process. All persons, if any, who, or whose names are stated in the petition to be unknown to petitioner shall be deemed and taken as defendants by the name or designation of "all whom it may concern". The petition shall be verified by affidavit, which affidavit shall be sufficient upon information and belief. Process shall be issued against all persons made parties by the designation of "all of whom it may concern", by such description, and notice given by publication as is required in this act shall be sufficient to authorize the court to hear and determine the suit as though the parties had been sued by their proper names. (Acts 1911, No. 215, § 4 (3rd par.), p. 166; C. & M. Dig., § 5760; Pope's Dig., § 7472.)

45-213. Summons. The summons shall require the person alleged to have custody of such child to appear with the child at the time and place stated in the summons; and shall require all defendants to be and appear and answer the petition on the return day of the summons. The summons shall be made returnable at any time and not less than three nor more than ten (10) days after the service of the same though such officer be the petitioner. The return of such summons with endorsement of service by the sheriff or by such probation officer, in accordance herewith shall be sufficient proof thereof. (Act 1911, No. 215, § 5 (1st par.), p. 166; C. & M. Dig., § 5761; Pope's Dig., § 7473.)

45-214. Warning Order. Whenever it shall appear from petition or from affidavit filed in the case that any named defendant resides or hath gone out of the State or on due inquiry cannot be found, or is concealed within this State, or that his place of residence is unknown, so that process cannot be served upon him, or whenever any person

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is made defendant under the name or designation of "all whom it may concern", the clerk shall cause publication to be made once in some newspaper of general circulation published in his county, and if there is none published in his county then a newspaper published in the nearest place to his county in this State, which shall be substantially as follows:

Take notice that on the	day of	, 19	, a petition
was filed by	in the Juvenile Co	urt of	
County, to have a certain child	named	, declare	ed a dependent
or delinquent and to take from	you the custody and go	uardianship of sa	id child and to
appoint for it some suitable pe	rson as its guardian, with	power to conse	nt to the adop-
tion of said child (if the petition	on prays for the appoint	ment of a guardi	an, with power
to consent to adoption), or to	place the same in some s	suitable institutio	on in this State
for the care and guardianship of	dependent and delinque	nt children.	

Now, unless you appear within twenty days after the date of this notice and show cause against such application, the petition shall be taken as confessed and a decree granted.

Dated (the date of publication)

E.F. Clerk

And he shall also within ten (10) days after the publication of such notice send a copy thereof by mail, addressed to such defendants whose place of residence is stated in the petition and who shall not have been served with summons. Notice given by publication as is required by this act, shall be the only publication notice required, either in the case of residents, nonresidents or otherwise. The certificate of the clerk that he has sent such notice in pursuance of this section shall be evidence thereof. (Acts 1911, No. 215, § 5 (2nd to 4th pars.), p. 166; C. & M. Dig., § 5762; Pope's Dig., § 7474.)

74-216. Failure to produce child. If any person having the custody or control of the child shall fail, without reasonable cause, to bring the child into court, he may be proceeded against as in cases of contempt of court. In case the summons shall be returned and not served upon the person having custody or control of such child or such person fails to obey the same and in case when it shall be made to appear to the court be affidavit, which may be on information and belief, that such summons will be ineffectual to secure the presence of the child a warrant may be issued on the order of the court either against the parents or either of them or guardian or the person having custody or control of the child or with whom the child may be or

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against the child itself to bring such person into court. On default of the custodian of the child or on his appearance or answer, or on the appearance in person of the child in court with our without summons or other process and on answer, default or appearance or written consent to the proceedings of the other defendants thereto, or as soon thereafter as may be, the court shall proceed to hear evidence. The court may, in case the child is not represented by any person, appoint some suitable person to act on behalf of the child. At any time after the filing of the petition and pending the final disposition of the case, the court may continue the hearing from time to time and may allow such child to remain in possession of its custodian or in its own home, subject to the friendly visitations of the probation officer of the court, or of any suitable person appointed by the court, or to be kept in some suitable place provided by the city or the county authorities. (Acts 1911, No. 215, § 5 (6th par.), p. 166; C. & M. Dig., § 5764; Pope's Dig., § 7476.)

45-217. Duty of Prosecuting attorneys. It shall be the duty of the prosecuting attorneys of this State and their deputies when called upon by the chief probation officer or by the juvenile court to aid and counsel in any case before the juvenile court, but said proceedings shall at no time assume the form of an adversary suit, or a legal combat between lawyers. On the contrary it is understood that such public officer appears in such cases as a defender on behalf of the child for its best interest and to aid in the redemption of such child from delinquency and its restoration to citizenship, as well as he appears on behalf of the State and for the welfare of the community. (Acts 1921, No. 404, 4, p. 419; Pope's Dig., 7470).

45-218. Probation Officers. The county courts of the several counties of the State shall have authority to appoint any number of discreet persons of good, moral character to serve as probation officers, to receive no compensation from the county treasury, except as herein provided. It shall be the duty of the clerk of the court, if practicial, to notify the said probation officer to make investigation of such case; to be present in court to represent the interest of this child when the case is heard; to furnish to such court such information and assistance as the court or the judge may require, and to take charge of any child before and after the trial as may be directed by the court. (Acts 1911, No. 215, 6 (1st par.), p. 166; 1919, No. 432, (1st par.), p. 319; C. & M. Dig, 5765; Pope's Dig. 7477.)

45-219. Duty of probation officer. The probation officer shall make and keep a complete history report of each case while under probation. Said report shall contain the age, sex, nativity, residence, education, mentality, habits, whether married or single, employment and income at the beginning of the period of probation, and shall be

continued so as to show the condition of such person during the term of his probation and the results of probation in the case. It being the intention to require intelligent report in each case on probation as to heredity, environment, condition, treatment, development and results. Such reports shall never be shown except as required by faw or as directed by the juvenile court. The probation officer shall furnish to each person released on probation a written statement of terms and conditions of probation, and shall report to the juvenile court any violation or breach of terms and conditions of probation, and shall report to the juvenile court any violation or breach of terms and conditions so imposed. (Acts 1921, No. 404, 6, p. 419; Pope's Dig., 7478.)

45.220. Salaries of probation officers. One probation officer in each county shall be called the chief probation officer and any other probation officer be called an assistant probation officer. The salaries of probation officers in counties containing cities of the first class may be regulated by the court. Two hundred dollars (\$200) per year, or such part thereof as the court may deem necessary, may be allowed above salary, to any probation officer as expenses of probation work. Salaries of probation officers shall be paid by the county court from the funds appropriated for defraying the expenses of the county and juvenile courts in the same manner and at the same time that other salaries are allowed and paid by the county court. In the samller, less densely populated or less wealthy counties of the State, the county court shall exercise his judgement as to whether a probation officer shall be appointed at all; provided, however, that upon the petition of twelve (12) reputable citizens, the court shall not refuse to appoint a probation officer when the total salary and expense of such officer would not exceed two hundred dollars (\$200) a year in counties under twenty thousand (20,000) population or one thousand dollars (\$1,000) per year in counties over twenty thousand (20,000) population. (Acts 1911, No. 215, 6 (2nd par.), p. 166; 1911, No. 432, 1 (2nd par.), p. 319; C. & M. Dig., 5766; Pope's Dig., 7479.)

45-221. Provision for delinquent children. If the court shall find any male child under eighteen (18) years of age, or any female child under the age of eighteen (18) years to be dependent or neglected or delinquent within the meaning of this act, the court may allow such child to remain as its own home, subject to the friendly visitation of a probation officer, or to report to the court or probation officer from its home or school at such times as the court may require. And if parent, parents, guardian or custodian of such child are unfit or improper guardians or are unable or unwilling to care for, protect, train, educate, correct or discipline such child, and that is for the interest of such child and of the people of the State that such child be taken from the custody of its parents, custodian or guardian, the court may make an order appointing as guardian of the person of such child some reputable citizen of good moral character, and order such guardian to place such child in some suitable family home or

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other suitable place, which such guardian may provide for such child, or the court may enter an order committing such child to some suitable State Institution, organized for the care of dependent or neglected children or to some training school or industrial school or children's home finding society or to some association embracing in its objects the purpose of caring for or obtaining homes for neglected, dependent or delinquent children, which association shall be approved by the court; provided that the court shall not commit any dependent or neglected child or children to an institution or home used for the care, imprisonment or reformation of delinquent children or adult criminals. (Acts 1911, No. 215, 7, p. 166; C. & M. 5767; Acts 1927, No. 110, 1, p. 308; Pope's Dig., 7480; Acts 1963, No. 542, 1, p. 1658.)

45-222. <u>Provision for hospital treatment</u>. The court may, when the health or condition of the child found to be dependent, neglected or delinquent requires it, order the guardian to cause such child to be placed in the public hospital or institution for treatment or special care, or in a private hospital or institution, which will receive it for like purposes, without charge to the public authorities. (Acts 1911, No. 215, 8 p. 166; C. & M. dig., 5768; Pope's Dig., 7481.)

45-223. Custody. Any child found to be dependent, neglected or delinquent, as defined in this act and awarded by the court to a guardian, institution or association, shall be held by such guardian, institution, or association, as the case may be, and subject to any further order of the court. The clerk of the court shall issue and cause to be delivered to such guardian, institution or association a certified copy of such order of the court which certified copy of such order shall be proof of the authority of such guardian, institution or association in behalf of such child and no other process need issue to warrant the keeping of such child. The guardianship under this act shall continue until the court shall, by further order, otherwise direct, but not after such child shall have reached the age of twenty-one (21) years. (Acts 1911, No. 215, 9, p. 166; C. & M. Dig., 5769; Pope's Dig. 7483.)

45-224. Arrest of child. When in any county where a court is held as provided for in section 2 (45-206) of this act, a child under the age of eighteen (18) years is arrested without a warrant, it shall be the duty of the officer making the arrest to take said child directly before the juvenile court of the county and it shall be the duty of the court, after having given the notice required by this act to proceed to examine said case and determine whether said child is a dependent or a delinquent child as defined by this act and deal with the same as herein provided, or it shall be within the discretion of the judge of the juvenile court to dismiss the cause therein pending and transfer such child to any of the courts of this State having jurisdiction of the offense

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of which said child may be found to be guilty; if said child be arrested upon a warrant issued out of any of the courts of this State the judge of such court may, in his discretion, if he believes that the said child is either a dependent or delinquent child, dismiss the charge pending in such court and transfer such child to the juvenile court, there to be dealt with according to the provisions and spirit of this act. (Acts 1911, No. 215, 10, p. 166; C. & M. Dig. 5770; Acts 1921, No. 404, 1, p. 419; Pope's Dig., 7484; Acts 1963, No. 542, 1, p. 1658.)

45-225. Disposition of arrested child. No court or magistrate shall commit a female child under the age of eighteen (18) years or a male child under the age of seventeen (17) years to jail or a police station in any county in which a detention home is provided, but such commitment shall be made to said detention home pending a hearing of the case of any such child. When any female child under the age of eighteen (18) years or any male child under the age of seventeen (17) years shall be sentenced to confinement in any institution to which adult convicts are sentenced, it shall be unlawful to confine such child in the same yerd or enclosure with such adult convicts or to bring such child into any yard or building in which edult convicts may be present. (Acts 1911, No. 215, 11 (1st par.), p. 166; 1619, No. 435, 2 (1st par.), p. 319; C. & M. Dig., 5771 Pope's Dig., 7485.)

45-226. No release by juvenile courts from industrial schools. No juvenile court shall have authority to order the release of any juvenile committed to either of the State Industrial Schools for delinquency, contrary to the judgement of the boards of managers of such State Institutions. The duty of reclaiming the juvenile from his or her delinquency when by the court placed in this State agency, said agency shall not be interfered with in the exercise of its official discretion and in the performance of its official duties. (Acts 1921, No. 404, 5, p. 419; Pope's Dig., 7486.)

45-227. Right to give bond. Any child within the provision of this set, informed against or regarding which petition has been filed or for any purpose taken into custody shall, at any time before it has been tried and adjudged to be delinquent, be entitled to give bond in such sum as the court may judge proper and fix its appearance at any trial or hearing of such case as such right it given to persons informed against for crime; and the court may, in any such case, upon the request of said child or its parents or persons representing it, appoint counsel to appear and defend on behalf of such child, such counsel to receive no pay from the county. (Acts 1911, No. 215, § 11 (2nd par.), p. 166; 1919, No. 432, § 2 (2nd par.), p. 319; C. & M. Dig., § 5772; Pope's Dig., § 7487.)

45-228. Adoption - Proceedings. Whenever the petition is filed, as is provided in section 4 (§ § 45-210 — 45212) hereof, or a supplemental petition filed at any time after the appointment of the guardian shall pray that the guardian appointed shall be authorized

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to consent to the legal adoption of the child, and the court, upon the hearing, shall find that it is to the best interest of such child that the guardian to be given such authority, the court may, in its order appointing such guardian, empower him to appear in court where any proceeding for the adoption of such child may be pending, and to consent to such adoption; and such consent shall be sufficient to authorize the court where the adoption proceedings are pending to enter a proper order or decree of adoption without further notice to, or consent by the parent or relatives of such child; provided, however, that before entering such order the court shall find from the evidence that (1) the parents or surviving parent of a legitimate child or the mother of an illegitimate child, or, if the child has no parents living, the guardian of the child, if any, or if there is no parent living and the child has no guardian, or the guardian is not known or near relative of child, if any there be, consent to such order; or (2) that one parent consents and the other is unfit, for any of the reasons hereinafter specified to have the child, or that both parents are, or that the surviving parent or the mother of an illegitimate child is so unfit for any such reasons -- the grounds of unfitness being (a) depravity, (b) open and notorious adultery or fornication, (c) habitual drunkenness for the space of one year prior to the filing of the petition, (d) extreme and repeated cruelty to the child, (e) abandonment of child, or (f) desertion of the child for more than four months next preceding the filing of the petition and (g) that such child if of the age of fourteen or over, consents to such order. (Acts 1911, No. 215, § 12, p. 166; C. & M. Dig., § 5773; Pope's Dig., § 7488.)

45-229. Religious belief. The court in committing children shall place them as far as practicable in the care and custody of some individual holding the same religious belief as the parent of said child, or with some association which is controlled by persons of like religious faith of the parents of said child. (Acts 1911, No. 215, § 13, p. 166; C. & M. Dig., § 5774; Pope's Dig., § 7489.)

45-230. Board of visit tion. The judge of the juvenile court shall appoint a board composed of six (6) reputable women and men, who will serve without compensation, to constitute a board of visitation, whose duty it shall be to visit as often as once a year all institutions, societies and associations, receiving children under this act, and report to the judge of the juvenile court the condition of such children and the manner in which such institutions are conducted; the said board of visitation shall recommend to the judge of the juvenile court the chief probation officer and such assistant probation officers, as may be necessary, who shall be appointed by the judge of the juvenile court. Said board of visitation shall serve, two (2) for one (1) year, two (2) for two (2) years and two (2) for three (3) years, when the first board is appointed under this act, after which two (2) members of the board of visitation shall be appointed each year, and shall serve for the term of three (3) years. In case of a vacancy upon the board of visitation, the same shall be filled by the judge of the juvenile court as

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members are appointed, as provided for herein. If a vacancy shall occur in the office of chilef probation officer, or any assistant, the same shall occur in the office of chief probation officer, or any assistant, the same shall be filled by the judge of the juvenile court upon recommendation of the board of visitation. In all cases when any process issuing out of the juvenile court is to be served, it is the intention of the act that the probation officer, or his assistants shall serve the same whenever possible. Acts 1911, No. 215, § 14, p. 166; C. & M. Dig., § 5775; Pope's Dig., § 7490.)

45-231. County officers' fee. County officers shall receive the same compensation or fees, to be paid by the county, for duties performed in the juvenile court as are now received in the circuit court in misdemeanor cases. (Acts 1911, No. 215 § 14, p. 166; C. & M. Dig., § 5776; Acts 1921, No. 404, § 8, p. 419; Pope's Dig., § 7491)

45-232. County clerks to report to governor. Between the first and fifteenth days of September of each year, the clerks of the county courts shall submit to the Governor a report in writing upon blanks to be furnished by the Governor, showing number and disposition of neglected, dependent and delinquent children brought before such court, together with such useful information regarding such cases and the percentage of such children and the character of their dependency or delinquency as may be reasonably obtained at the trials thereof, and which may be required by the Governor; provided, that the name or identity of any such child or parent shall not be disclosed in such report. (Acts 1911, No. 215, § 16, P. 166; C. & M. Dig., § 5777; Pope's Dig., § 7492.)

45-233. Liberal construction. This act shall be liberally construed to the end that its purpose may be carried out, to wit: That the care, custody and discipline of the child shall approximate as nearly as may be that which should be given it by its parents, and in all cases of dependency where it can properly be done, that the child shall be placed in an approved family home, and become a member of a home and family by legal adoption or otherwise, and in cases of delinquency, that as far as practicable any delinquent child shall be treated not as a criminal, but as a misdirected and misguided and needing aid, encouragement and assistance, and if such child can not be properly cared for and corrected in its own home or with the assistance and help of the probation officers, then that it may be placed in a suitable institution where it may be helped and educated and equipped for industrial efficiency and useful citizenship. (Acts 1911, No. 215, § 17, P. 166; C. & M. Dig., § 7493.)

45-234. Duty of parents to support. If it shall appear upon the hearing of the cause that the parent, parents, or any other person or persons named in such petition who

are in law liable for the support of such child, are able to contribute to the support of such child, the court shall enter an order, requiring such parent, parents, or other persons to pay to the guardian so appointed, or to the institution to which the child may be committed, a reasonable sum from time to time, for the support, maintenance or education of such child, and the court may order such parent, parents, or other persons to give reasonable security for the payment of such sum or sums and upon failure to pay, the court may enforce obedience to such order by proceedings as for contempt of court. The court may, on application and on such notice as the court may direct from time to time, make such alternations in the allowance as may appear reasonable and proper. (Acts 1911, No. 215, 18, p. 166; C. & M. Dig., 5779 Pope's Dig. 7494.)

45-235. Nonsupport - Punishment. The court may order the parent or the person so ordered to pay the sum of money for the support, maintenance or education of a child, from time to time to make discovery to the court as to his place of employment and amount earned by him. Upon his failure to obey the orders of the court he may be punished as for contempt of court. (Acts 1911, No. 215, 19, p. 166; C. & M. Dig., 5780; Pope's Dig. 7495.)

45-236. Powers of guardian. Nothing in this act shall be construed to give the guardian appointed under this act the guardianship of the estate of the child or to change the age of minority for any other purpose except the custody of the child. (Acts 1911, No. 215, 20, p. 166; C. & M. Dig., 5781; Pope's Dig. 7496.)

45-237. Appeals. Cases under this act shall be appealed to the circuit court in the same manner that other cases may now or hereafter be appealed from county court to the circuit court. (Acts 1911, No. 215, 21, p. 166; C. & M. Dig., 5782; Pope's Dig., 7497.)

45-238. Interference with officers. Any person who shall interfere with the direction or disposition of any child under any order of the court concerning any child, made in pursuance of the provisions of this act, or with any probation or other officer of the court in carrying out the directions of the court under any such order, shall be held to be in contempt of the court, and subject to punishment as for contempt of court. (Acts 1911, No. 215, 22, p. 166; C. & M. Dig., 5783; Pope's Dig., 7498.)

45-239. Persons contributing to delinquency. Any person who shall cause, aid, or encourage any person under eighteen (18) years of age to do or perform any act which if done or performed would make such person under eighteen (18) years of age a "delinquent child" as that term is defined herein, shall be guilty of a mis-

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demeanor. Provided that when any person is charged by indictment or information with a violation of the Act (§ § 45-201 - 45-240), such indictment or information shall state the specific act which the defendant is charged to have committed in violation of this Act. Any person convicted of a violation of this section shall be punished by imprisonment for not less than sixty (60) days nor more than one (1) year, and by a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00). Provided, the court may suspend or postpone enforcement of all or any part of the sentence or fine levied under this section if in the judgement of the court such suspension or postponement is in the best interest of any dependent neglected or delinquent child as these terms are defined in this act. (Acts 1911, No. 215, § 23, p. 166; C. & M. Dig., § 5784; Pope's Dig., § 7499; Acts 1965, No. 418, § 3.p. 1423.)

45-240. Other Acts unaffected. Nothing in this act shall be construed to be in conflict (with) or to repeal or to prevent proceedings under any act or statue of this State which may have otherwise defined any specific act of any person as a crime or misdemeanor of any character, which act might also constitute contributory delinquency or contributory dependency, or to prevent or to interfere with proceedings under any such acts, nor shall it be construed to be inconsistent with or to repeal any act providing for the support of the parent, parents, of their minor children, or any act providing for the punishment or cruelty to children or the taking of indecent liberties with, or selling whiskey, tobacco or firearms to children, or permitting them in evil or disreputable places, and nothing in such act or similar acts shall be construed to be inconsistent with or repeal this act or prevent proceeding hereunder, but in all cases where there shall be more than one prosecution for the same offense under whatever acts of the character herein described, the fact may be given in evidence to the judge of the court and may be in the discretion of the court considered in mitigation of any sentence in any such cases. (Acts 1911, No. 215, 24, p. 166; C. & M. Dig., 5785; Pope's Dig., 7500.)

45-241. Transfer of charge from circuit court. When any child under fifteen (15) years of age is charged in the Circuit Courts of this State with any felony, the Circuit Court or the Judge thereof where such charge is pending, may, at his discretion order and direct that the criminal charge and the file and record thereof be transferred to the Juvenile Court of the County where the charge is pending, for such disposition as the Juvenile Court may adjudge and determine. Any bail or appearance bond given for the appearance of such child in Circuit Court shall continue in effect in the Juvenile Court. (Acts 1953, No. 263, 1, p. 783.)

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45-242. Jurisdiction of felony charge. That the Juvenile Courts of this State are hereby invested with jurisdiction to hear and determine felony criminal charges against children under fifteen (15) years of age, as in cases of delinquent children as now provided by law, either where such proceeding was originally filed in the Juvenile Court, or jurisdiction acquired on transfer of a felony criminal charge to the Juvenile Court from Circuit Court. (Acts 1953, No. 263, 2, p. 783.)

45-243. <u>Disposition of child</u>. That upon a trial or hearing of such charge, a disposition of such child may be had as now provided by law. (Acts 1953, No. 263, 3, p. 783.)

45-244. Purpose of act. The purpose of this Act (45-241 --- 45-244) is to eliminate a felony conviction in a court record of a minor child, when in the judgement and discretion of the Circuit Court or the Judge thereof, where such charge is pending, a trial and disposition of the case could be had in Juvenile Court without a formal conviction of such child upon a felony charge. (Acts 1953, No. 263, 4, p. 783.)

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"AN ACT AUTHORIZING THE ESTABLISHMENT OF THE CRIMINAL DETENTION FACILITIES BOARD, TO ENABLE THE BOARD TO PROMULGATE MINIMUM JAIL STANDARDS BY RULE; TO EMPOWER THE BOARD TO ASSIST LOCAL GOVERNMENTS IN COMPLYING WITH SUCH STANDARDS; TO FURTHER EMPOWER THE BOARD TO CLOSE THOSE FACILITLES WHICH DO NOT COMPLY, SUBJECT TO APPROPRIATE JUDICAL REVIEW; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. It is hereby declared to be the policy of the State of Arkansas that all criminal detention facilities in the State shall conform to certain minimum standards of construction, maintenance and operation. It is the purpose of this Act to implement this policy be establishing a Criminal Detention Facilities Board with the authority and responsibility to administer the provisions of this Act and other laws heretofore or hereafter enacted relating to standards for criminal detention facilities.

SECTION 2. For the purposes of this act: (a) "Board" means the Arkansas Criminal Detention Facilities Board, (b) "Criminal Detention Facility" means any institution operated by a political jurisdiction or a combination of jurisdictions for the care, (safe) keeping and/or rehabilitative needs of adult criminal offenders, including the State Penitentiary, county jails, municipal jails, and temporary holding units.

SECTION 3. There is hereby created the Arkansas Criminal Detention Facilities Board which shall consist of the following eight (8) members: the Director of the Arkansas Department of Corrections, together with one county judge, one sheriff, one municipal police chief, one circuit judge, one prosecuting attorney, and two citizens of the State who hold no public office, all of whom, except the Director of the Department of Correction, shall be appointed by the Governor for terms of four (4) years. Provided, the members first appointed to the Board will draw lots for their respective terms so that the term of two members will expire on July 1, 1975, and each year thereafter.

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SECTION 4. The Board may employ such personnel as it shall deem necessary to carry out its functions and duties under this Act and as may be authorized by appropriation of the General Assembly.

SECTION 5. The Board shall have the authority and responsibility:

- (a) fo provide consultation and technical assistance to local government officials with respect to criminal detention facilities;
- (b) To visit and inspect such criminal detention facilities;
- (c) To advise government officials, and other appropriate persons of deficiencies in such facilities and make recommendations and improvements;
- (d) To submit written reports of such inspections to appropriate agencies and persons as set out in this Act;
- (e) To review and comment on plans for the construction and major modification or renovation of such criminal detention facilities:
- (f) To develop minimum standards for the construction, maintenance and operation of such criminal detention facilities;
- (g) To perform such other duties as may be necessary to carry out the policy of the State regarding such criminal detention facilities as stated in this Act.

SECTION 6. The Board shall study and propose minimum standards for the construction, maintenance and operation of local, regional, and State criminal detention facilities in accordance with the Arkansas Administrative Procedures Act (Sec. 5-701 et seq.). In the development of such standards, the Board shall consult with and seek the advice of organizations representing local governments, local law enforcement agencies, and the heads of appropriate State departments and agencies.

SECTION 7. Board personnel shall visit and inspect each criminal detention facility in the State at least annually for the purpose of determining the conditions of confinement, the treatment of prisoners, and whether such facilities comply with the minimum standards established by the Board. A written report of each inspection shall be made within thirty (30) days following such inspection to the appropriate governing body responsible for the criminal detention facility involved. The report shall specify those respects in which the facility does not comply with the required minimum standards.

SECTION 8. If an inspection under this Act discloses that the criminal detention facility does not meet the minimum standards established by the Board, the Board shall send notice, together with the inspection report, to the governing body responsible for the criminal detention facility and to the duly constituted Grand Jury for the county in which such criminal detention facility is located. A copy of such inspection report required by this Act shall also be sent to the Circuit Judge or Judges of the Judicial District in which such facility is located. The appropriate governing body and/or the Grand Jury shall then initiate appropriate corrective action within six (6) months of the receipt of such inspection report, or may voluntarily close the detention facility or the objectionable portion thereof; provided that the jurisdiction

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of the County Grand Juries under this section shall be limited to criminal detention facilities other than the State Penitentiary.

SECTION 9. If, such governing body or such Grand Jury fails to initiate corrective action within six (6) months after receipt of such inspection report, or fails to correct the disclosed conditions, or fails to close the detention facility or the objectional portion thereof, the Board is hereby authorized to petition a Circuit Court within the Judicial District in which the facility is located to close such a facility. Such petition shall include the inspection report regarding such facility. The local governing body shall have thirty (30) days to respond to such petition, and shall serve a copy of the response on the Board by certified mail, return receipt requested. Thereafter, a hearing shall be held on the petition before the Circuit Court and an order rendered by such Court which:

- (1): Dismisses the petition of the Board; or
- (2) Directs the corrective action be initiated in some form by the local governing body or by the grand jury with respect to the criminal detention facility in question; or
- (3) Directs that the criminal detention facility be closed.

 An appeal from the decision of the Circuit Court may be taken to the Supreme Court of Arkansas.

SECTION 10. The implementation of this Act will commence at the time minimum standards referred to herein are developed and published in accordance with the Arkansas Administrative Procedures Act (s 5-701 et seq.). Thereafter, inspections shall begin, but no criminal detention facility shall be closed within one (1) year of the date of first filing of the minimum standards in the Office of the Secretary of State of the State of Arkansas. After 1 year from the date of first filing of the minimum standards, a criminal detention facility may be closed for any violation of the minimum standards relating to the construction of the facility itself, its plumbing, heating and wiring systems, shall not be closed for a period of two (2) years from date of first filing of the minimum standards unless such violations are of immediate danger to the safety of the prisoners of facility personne¹, in which case it shall be for a period of one (1) year from date of such first filing.

SECTION 11. All laws or portions of laws in conflict herewith are hereby repealed.

SECTION 12. If any provision of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision of application, and to this end the provisions of this Act are declared to be severable.

SECTION 13. It is hereby found and declared by the General Assembly that a need exists for the adoption and enforcement of minimum standards for criminal detention centers within the State of Arkansas. Therefore, an emergency is hereby declared to exist and this Act shall be in full force and effect from and after its passage and approval.

ACT 378 OF 1975

"AN ACT TO CREATE A COMMISSION ON COMMUNITY BASED REHABILITATION; TO AUTHORIZE THE DIVERSION OR TRANSFER OF ELIGIBLE OFFENDERS TO ALTERNATIVE SERVICE PROGRAMS; TO PROVIDE FOR EXPUNGEMENT OF CRIMINAL RECORDS OF ELIGIBLE OFFENDERS; TO AUTHORIZE THE BOARD OF CORRECTION TO PROMULGATE RULES AND REGULATIONS FOR THE OPERATION AND SUPERVISION OF ALTERNATIVE SERVICE PROGRAMS; TO MAKE THE CHAIRMAN OF THE COMMISSION ON COMMUNITY BASED REHABILITATION AN EX OFFICIO MEMBER OF THE BOARD OF CORRECTION; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. This Act shall be known as the "Youthful Offender Alternative Service Act of 1975".

SECTION 2. DEFINITIONS. In this Act, unless the context otherwise requires:

- (a) "Alternative Service Program" means any program providing corrective and preventive guidance and/or training designed to rehabilitate eligible offenders and protect the public by correcting the antisocial tendencies of eligible offenders which is certified by the Board of Correction upon the advice and recommendation of the Commission on Community Based Rehabilitation pursuant to Section 3 of this Act and the operation and supervision of which is governed by rules and regulations of the Board of Correction pursuant to Section 10 of this Act, which program may operate in relation to private and public social institutions, organizations, and agencies of the State and local communities located throughout the State, including, but not limited to the following:
 - (1) Employment resources private industry, labor unions, employment services, civil service systems.
 - (2) Educational resources vocational and technical, secondary college and

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university, adult basic education, private and commercial training, government and private job development and skills training.

- Social welfare services public assistance, housing, rehabilitation services, mental health services, counseling assistance, neighborhood centers, unemployment compensation, private social service agencies of all kinds.
- (4) The law enforcement system Federal, state, and local law enforcement personnel, particularly specialized units providing public information, diversion, and services to juveniles.
- (5) Other relevant community organizations and groups ethnic and cultural groups, recreational and social organizations, religious and self-help groups, and others devoted to political or social action.
- (b) "Commission" means the Commission on Community Based Rehabilitation as created by Section 3 of this Act.
- (c) "Commissioner" means the Commissioner of the Department of Correction of the State of Arkansas.
- "Department" means the Department of Correction of the State of Arkansas.
- "Diversion" means the placing on probation or sentencing by a trial court of an eligible offender under the provisions of this Act for the purposes of corrective and preventive guidance and/or training designed to rehabilitate the eligible offender and protect the public by correcting the antisocial tendencies of the eligible offender.
- "Eligible Offender" means a person under the age of twenty-six (26) years at the time of the commission of a felony offense, other than a capital felony offense, or murder in the first degree, murder in the second degree, first degree rape or kidnapping, or aggravated robbery for which he is convicted and whose interests, and the interests of the State, in the opinion of the sentencing trial court, could be better served by diversion under the provisions of this Act than by sentencing under other applicable penalty provisions established by law. A person who has had two or more previous felony convictions is not an 'Eligible Offender' under this Act, and the fact that a felony conviction has been 'expunged' under this Act shall not render the person an 'Eligible Offender'.

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(g) "Expunge" means an entry upon the official records kept in the regular course of business by law enforcement agencies and judicial officials evidencing the fact said records are those relating to eligible offenders as so determined and sentenced or paroled under provisions of this Act, that such records shall be sealed, sequestered, treated as confidential and only available to law enforcement and judicial officers; and further signifying that the defendant was completely exonerated of any criminal purpose and said disposition shall not affect any civil right or liberties of said defendant.

The term "expunge" shall not mean the physical destruction of any official records of law enforcement agencies or judicial officials.

- (h) "Transfer" means placement by the Commissioner of an eligible offender within an alternative service program for the purposes of corrective and preventive guidance and/or training designed to rehabilitate the eligible offender and protect the public by correcting the antisocial tendencies of the eligible offender.
- (i) "Trial Court" means any court of this State having jurisdiction of an eligible offender and power to sentence the eligible offender pursuant to the provisions of this Act.

SECTION 3. COMMISSION ON COMMUNITY BASED REHABILITATION CREATED. There is hereby created within the Department of Correction a "Commission on Community Based Rehabilitation", hereinafter referred to as the Commission. The Commission shall be composed of five (5) members who shall be appointed by the Governor, who shall appoint one member from each of the four United States Congressional Districts and one member from the State at large. Upon the initial appointment of the Commission members, the Governor shall designate one member to serve for a term of one (1) year, one member to serve a term of two (2) years, one member to serve a term of three (3) years and one member to serve a term of four (4) years; and the fifth member and all successor appointees shall serve terms of five (5) years. All appointees shall be subject to reappointment by the Governor.

The Commission members shall select from among their members a "Chairman" who shall serve as an ex officio member of the Board of Correction, and they shall establish rules and procedures for the effective performance of their duties and responsibilities as set forth in this Act.

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The Commission shall have the following duties and responsibilities:

- (a) Certify to the Board of Correction, for its approval, and the Commissioner of the Department alternative service programs to which eligible offenders may be diverted or transferred under the provisions of this Act;
- (b) Notify the several courts of this State having criminal jurisdiction of the availability of certified and approved alternative service programs;
- (c) Establish standards for the certification of alternative service programs;
- (d) Recommend to the Board of Correction and the Commission caseloads and limits of enrollment within certified and approved alternative service programs;
- (e) Advise and make recommendations to the Board of Correction as to circumstances under which the records of eligible offenders sentenced or placed on probation under this Act should not be expunged, pursuant to Section 7 of this Act;
- (f) Acivise and make recommendations to the Board of Correction as to rules and regulations relating to the operation of alternative service programs and the supervision of eligible offenders participating therein, pursuant to Section 10 of this Act;
- (g) Promote cooperation among the courts and various law enforcement agencies of this State in the implementation of the provisions of this Act and the intent and spirit of this Act;
- (h) Advise and make recommendations to appropriate entities and persons involved in the implementation of this Act as to manners of implementation which will insure the safety and welfare of the people of this State;
- (i) Advise and make recommendations to the Department, the Board of Correction, and the Commissioner, and any other entities, public or private, involved with the implementation of this Act, and its operation, relative to any other rules and regulations and procedures which may be required or deemed appropriate for the implementation or operation of this Act; and,
- (j) Otherwise serve in an advisory capacity to the Department, the Board of Correction, and the Commissioner as to the implementation and operation of this Act.

SECTION 4. PROBATION AND SENTENCING ALTERNATIVES. Upon the conviction of any person, if it shall appear to the Trial Court that such person may be an eligible offender as defined in this Act, the Trial Court shall postpone the imposition of any sentence for a period not to exceed thirty (30) days; during such period of postponement, the Trial Court shall require the defense counsel of the person, the prosecuting authority, the probation officer, and other persons who the Trial Court believes to have knowledge or information relevant to the sentencing of the convicted person to submit to the Trial Court written reports establishing or negating the eligibility of the offender and the propriety of diverting the offender under the provisions of this Act.

Upon the determination by the Court after an appropriate hearing that the offender is an eligible offender, as defined by this Act, and that the offender's diversion is proper, the Court may divert the eligible offender in a manner consistent with the following alternatives:

- (a) Suspend the imposition or execution of the sentence and place the eligible offender on probation; or
- (b) Divert the eligible offender to an alternative service program, as defined by this Act, for a designated period of time not to exceed the minimum sentence established by law for the offense for which he has been convicted and consistent with the rules and regulations established by the Department for the operation of alternative service programs and the supervision of eligible offenders participating in such programs; during such designated period the sentencing Trial Court shall maintain jurisdiction over the eligible offender so sentenced; provided that, in the event a person sentenced under subsections (a) or (b) of this Section violates any terms or conditions of his sentence or probation, revocation of such sentencing or probation shall be consistent with the procedures established by law for the revocation of probation, and upon such revocation the person shall thereafter be sentenced consistent with subsections (c) or (d) of this Section; or,
- (c) Sentence the eligible offender to the custody of the Department of Correction under applicable penalty provisions provided by law for the offense for which he is convicted with the following provisions:
 - (i) That the eligible offender so sentenced shall be subject to transfer by the Commissioner, upon the approval of the Board of Correction, to an alternative service program, as provided under Section 5 of this Act; and

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- (ii) That the eligible offender is immediately eligible for pardon and/or parole under the rules and procedures existing or established by the State Board of Pardons and Paroles, as provided in Section 6 of this Act; or
- (d) Sentence the eligible offender to the custody of the Department of Correction under applicable penalty provisions provided by law for the offense for which he is convicted with the following provisions:
 - (i) That the eligible offender so sentenced shall be subject to transfer by the Commissioner of Correction, upon the approval of the Board of Correction, as provided in Section 5 of this Act; and,
 - (ii) That the offender will be eligible for pardon and/or parole in the same manner and within the same time as he would have been had he not been sentenced under the provisions of this Act as an eligible offender.

SECTION 5. POST COMMITMENT TRANSFER OF AN ELIGIBLE OFFENDER. Upon the commitment of an eligible offender under subsections (c) or (d) of Section 4, the Commissioner of Correction, upon the approval of the Board of Correction, may conditionally transfer an eligible offender to an alternative program, as defined by this Act, in accordance with rules and regulations promulgated by the Board of Correction with the advice and recommendations of the Commission on Community Based Rehabilitation. Transference to or removal from such alternative service programs shall be in accordance with all legal procedural requirements.

SECTION 6. AMENDMENT TO ACT 94 OF 1969. For the purposes of subsection (c) of Section 4 of this Act, Act 94 of 1969, amending Section 28 of Act 50 of the First Extraordinary Session of the 66th General Assembly (as amended by Act 48 of 1969), is hereby amended by adding subsection (d) to Section 1, as follows:

"(d) Any person who is committed under the provisions of subsection (c) of Section 4 of the Youthful Offender Alternative Service Act of 1975, as created by the 70th General Assembly in Regular Session, shall be eligible for parole at any time."

SECTION 7. CERTIFICATE OF EXPUNGEMENT. Upon completion of sentence or probation imposed under this Act, the Commissioner shall direct that the record of the eligible offender be expunged of the offense of which the eligible offender was convicted, except under such circumstances as may be determined by rules and regulations

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promulgated by the Board of Correction upon the advice and recommendations of the Commission. And in the case of such expungement, the eligible offender shall be entitled to a Certificate of Expungement to that effect. Upon the expungement of such record, as to that conviction, the person whose record was expunged may thereafter state in any application for employment, license, civil right, or privilege, or in any appearance as a witness that he has not been convicted of the offense for which he was convicted and sentenced or placed on probation under the provisions of this Act.

SECTION 8. APPLICATION OF ACT. This Act shall not apply to any person committing any offense prior to the effective date of this Act, and no person may be sentenced or placed on probation under the provisions of this Act unless he first knowingly and intelligently consents in writing to such sentencing or probation.

SECTION 9. ORDER OF COURT. Upon the sentencing or placing on probation of any person under the provisions of this Act, the sentencing Court shall issue an order, or commitment, whichever is appropriate, in writing setting forth the following:

- (a) That the offender is being sentenced or placed on probation under the provisions of this Act, and,
- (b) That the offender has knowingly and intelligently consented to sentencing or probation under the provisions of this Act; and,
- (c) A designation of which alternative sentence is being imposed under Section 4 of this Act; and,
- (d) Any applicable terms and conditions of the sentence or probation; and,
- (e) Other statements as may be required by law or deemed appropriate and/or necessary by the sentencing Court.

SECTION 10. OPERATION AND SUPERVISION OF ALTERNATIVE SERVICE PROGRAMS. The Board of Correction, with the advice and recommendations of the Commission, shall promulgate rules and regulations relating to the operation of alternative service programs and supervision of eligible offenders participating therein and the termination of such participation, including, but not limited to: the terms, conditions, and qualifications of the diversion of the eligible offender by the Trial Court as provided in subsection (b) of Section 4 or the transfer of an eligible offender by the Commissioner pursuant to subsections (c) and (d) of Section 4; receipt of compen-

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sation by the eligible offender while participating in an alternative service program; allocation of compensation received by an eligible offender while participating in an alternative service program, including designation to the Department of Correction of a percentage of any compensation received for the purposes of defraying the costs to the Department of establishing and operating alternative service programs and/or the costs of the offender's custody and care.

Provided, the Board of Correction shall insure that any eligible offender participating in any alternative service program is properly supervised so as to insure the safety and wehare of the people of the State during the period of participation in an alternative service program.

SECTION 11. EFFECT ON EXISTING DUTIES, AUTHORITIES, RESPONSIBIL-ITIES AND/OR DISCRETIONS. The duties, authorities, responsibilities and/or discretions existing or vested with the Department of Correction, the Commissioner, the Board of Correction, or the State Board of Pardons and Paroles shall in no way be affected by the provisions of this Act, and the provisions of this Act shall be considered cumulative with and in addition to such existing duties, authorities, responsibilities, and/or discretions.

Provided further, this Act shall be cumulative and in addition to, or serve as an alternative to, any other existing law or laws providing penalties or sentencing of persons convicted of the commission of felony offenses.

SECTION 12. CHAIRMAN OF COMMISSION AS EX OFFICIO MEMBER OF THE BOARD OF CORRECTION. The Chairman of the Commission, as selected pursuant to Section 3 of this Act, shall serve as an ex officio member of the Board of Correction; provided, subsection (a) of Section 2 of Act 50 of the First Extraordinary Session of the Sixty-Seventh General Assembly is hereby amended to read as follows:

"(a) The State Penitentiary Board shall from and after the effective date of this Act be known and designated as the "Board of Correction". Members of the Board of Correction shall possess the qualifications and shall be appointed in the manner and for the respective terms, and vacancies in membership shall be filled in the manner provided in Act 1 of 1943, as amended, that the designation of the State Penitentiary Board as the "Board of Correction" shall in no way affect, alter or diminish the terms of the respective members serving on said Board on the effective date of this Act. The Chairman of the Commission on Community Based Rehabilitation, as created by Act of the Regular Session of the Seventieth General Assembly, shall serve as a non-voting ex officio member of the Board of Correction.

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SECTION 13. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, that invalidity shall not affect other provisions or applications, and to this end the provisions of this Act are declared to be severable.

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ACT 451 OF 1975

"AN ACT TO REVISE AND CODIFY THE LAWS OF THIS STATE RELATING TO JUVENILES; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. This Act shall be known and may be cited as the "Arkansas Juvenile Code of 1975".

SECTION 2. PURPOSE OF ACT. This Act shall be liberally construed to the end that its purposes may be carried out, to wit: That the care, custody, and discipline of juveniles shall approximate as nearly as possible that which should be given them by their parents. That in all cases of dependency-neglect, where all reasonable attempts at rehabilitation of the juvenile's family have failed, or where it appears that there is no reasonable likelihood that the juvenile's family can be rehabilitated, the juvenile shall be placed in a suitable home.

That in cases of delinquency of juveniles in need of supervision, as far as practicable, the juvenile shall be treated not as a criminal, but as misdirected, misguided, and in need of aid, encouragement, assistance and counseling, and if such juvenile cannot be properly cared for and corrected in his own home with the assistance and help of a probation officer or other persons designated by the juvenile court, that he be placed in a suitable home, agency, institution, or other facility where he may be helped, educated, and equipped for useful citizenship.

SECTION 3. DEFINITIONS. Words in this Act used in the singular shall be construed to include the plural. Words in the masculine gender shall include the feminine. The word "shall" is used in the mandatory rather than the permissive sense. When used in this chapter, unless otherwise specified:

- (1) "Juvenile" means any person, whether married or single, who has not yet reached his 18th birthday.
- (2) "Delinquent juvenile" rieans any juvenile who (a) has committed an act other than a traffic offense which, if such act had been committed by an adult, would

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subject such adult to prosecution for a felony or misdemeanor under the applicable criminal law of this State, or (b) has committed an offense applicable only to a juvenile.

- (3) "Juvenile in need of supervision" means any juvenile who
 - (a) while subject to compulsory school attendance, is habitually and without justification absent from school; or
 - (b) is habitually disobedient to the reasonable and lawful commands of his parent, guardian, or custodian; or
 - (c) has absented himself from his home without sufficient cause, permission, or justification.
- (4) "Dependent-neglected juvenile" means any juvenile
 - (a) whose parent, guardian, or custodian, by reason of cruelty, mental incapacity, immorality, or depravity is unfit to properly care for such juvenile; or
 - (b) whose parent, guardian, or custodian fails or refuses to provide proper or necessary subsistence, education, medical care, or any other care necessary for his heat and well-being, provided, however, a child shall not be deemed to be dependent or neglected for the sole reason he is being provided treatment by spiritual means through prayer alone in accordance with the tenets and practices of a well recognized church or religious denomination by a dully accredited practitioner thereof in lieu of medical treatment; or
 - (c) who is under such condition of want or suffering, or is under such improper guardianship or control, as to endanger the morals, health, or welfare of himself or others; or
 - (d) who is suffering from or is in immediate danger of sustaining, a wound or a physical, mental, or emotional injury caused by brutality, abuse, or neglect; or
 - (e) who is otherwise without proper care, support, or supervision.
- (5) "Court" means any juvenile court in this State.

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- (6) "Judge" means a County Judge or his designated referee.
- (7) "Custodian" means any person, agency, or institution who has actual or legal custody of a juvenile.
- (8) "Guardian" means any person whom a court of probate has so appointed.
- (9) "Parent" means a natural parent of a legitimate child, the mother of an illegitimate child, the known father of an illegitimate child, or an adoptive parent.
- (10) "Shelter care" means the temporary care of a juvenile in physically unrestricting facilities pending court disposition or execution of a court order for placement or commitment.

SECTION 4. WARDS OF STATE. Any juvenile within this State shall be considered a ward of this State, and may be subjected to the care, custody, control, and jurisdiction of the juvenile court.

SECTION 5. JURISDICTION. Jurisdiction over juvenile matters under this Act is vested in the county courts of the several counties of this State. When exercising jurisdiction under this Act, the county court shall be known as the juvenile court of the county in which it is located. The court shall be presided over by the juvenile judge of such county and may be opened and adjourned from time to time as the juvenile judge may deem proper. Proceedings under this Act shall be conducted at the place designated by the County Judge. The Clerk of the County Court shall be Clerk of the juvenile court, and any law enforcement officer, juvenile probation officer, or other person who is authorized by law to serve process issued from any of the courts of this State may serve process issued from the juvenile court.

SECTION 6. ORIGINAL AND EXCLUSIVE JURISDICTION. The juvenile courts of the several counties shall have original and exclusive jurisdiction in all cases of delinquency, juveniles in need of supervision and dependency neglect arising under this Act.

SECTION 7. ADJUDICATIONS WITHOUT JURY. All hearings under this act shall be conducted without a jury.

SECTION 8. JUDGE OF JUVENILE COURT. The county judge in each of the several counties shall be the juvenile judge of the county. The county judge of the county may designate and appoint a referee who shall have power to hear and decide all cases

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arising under this Act, to serve as a juvenile judge at the pleasure of the county judge. A referee so designated shall have all the authority and powers of a juvenile judge, and may issue any orders that a juvenile judge is empowered to issue under this Act or rules promulgated pursuant thereto.

SECTION 9. QUALIFICATIONS OF REFEREE. Every referee appointed after the effective date of this Act shall be an attorney licensed to practice law in this State. Provided, nothing herein shall prohibit a person who is not an attorney, and who is serving as a juvenile referee on the effective date of this Act, from being appointed or re-appointed to serve as such referee.

SECTION 10. DESIGNATION OF INTAKE OFFICER. The county judge shall designate one person as "intake officer" for the juvenile court whose duty shall be to receive complaints made to the juvenile court.

SECTION 11. DUTIES OF INTAKE OFFICER. A designated intake officer shall have the following powers and duties:

- receive and investigate complaints and charges that a juvenile is delinquent, in need of supervision, or dependent-neglected within the meaning of this Act;
- (2) make appropriate referrals to other public or private agencies of the community if their assistance appears to be needed or desirable;
- (3) perform all other functions assigned to him by this Act, by Rules promulgated pursuant thereto, or by order of the juvenile court.

Any of the foregoing functions may be performed in another state if authorized by a court of this State and permitted by the laws of the other State.

SECTION 12. DUTY OF PROSECUTING ATTORNEY. It shall be the duty of the prosecuting attorney of each county of this State, or his deputy, when requested by the juvenile court, to aid and counsel in the presentation of evidence supporting a petition in any case arising under this Act.

SECTION 13. APPOINTMENT OF DEFENSE COUNSEL. A juvenile judge shall have authority to appoint defense counsel in appropriate cases arising under this Act. Such appointed counsel shall serve at no expense to the county.

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SECTION 14. DUTIES OF PROBATION OFFICERS. The county judge of each of the counties of the State shall have the authority to appoint probation officers. A probation officer shall have the following duties:

- (1) Make appropriate investigations and reports when required to do so by any provision of this Act, Rules promulgated pursuant thereto, or by order of the juvenile court.
- (2) Aid and counsel juveniles and their families when required to do so by order of the juvenile court.
- (3) Perform all other appropriate functions assigned to him by this Act, Rules promulgated pursuant thereto, or by order of the juvenile court.
- (4) Give appropriate aid and assistance to the juvenile court when requested to do so by the juvenile judge.

SECTION 15. SALARIES. Salaries of juvenile court personnel shall be paid by the county from the funds appropriated for defraying the expenses of the county and juvenile courts in the same manner and at the same time that other salaries are allowed and paid by the county.

SECTION 16. COMPENSATION. County officers shall receive the same compensation or fees, to be paid by the county, for duties performed in the juvenile court as are now received in the circuit court in misdemeanor cases.

SECTION 17. ARREST WITH WARRANT. When any juvenile is arrested pursuant to a warrant, the arresting officer shall immediately take the juvenile before the court out of which the warrant was issued, which court shall decide whether or not to assume jurisdiction over the offense, or transfer jurisdiction over the case to another court of competent jurisdiction pursuant to Section 20 of this Act.

SECTION 18. ARREST WITHOUT WARRANT. When any juvenile is arrested without a warrant, except in traffic cases, the arresting officer shall immediately take the juvenile before the juvenile court of the county in which the arrest was made. If the juvenile is over the age of twelve (12), the juvenile court shall immediately notify the appropriate prosecuting authority who shall decide whether to (1) file a petition with the juvenile court, or (2) seek a criminal indictment or file a criminal information in another court having jurisdiction over the matter. If neither information nor petition

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is filed, nor indictment returned, within 24 hours after a detention hearing or within 95 hours after arrest, whichever is sooner, the juvenile shall be discharged from detention. To the extent this section conflicts with any other law of this State which authorizes a law enforcement officer making an arrest without a warrant to take a juvenile before any other court of this State, this section prevails.

SECTION 19. FINGERPRINTING OR PHOTOGRAPHING. A juvenile shall not be photographed or fingerprinted by any law enforcement agency unless he has been taken into custody for a violation of the law. Copies of a juvenile's fingerprints or photograph shall be made available only to other law enforcement agencies and to the juvenile court. Each law enforcement unit in the State shall keep a separate file of photographs and fingerprints of juveniles, it being the intention that such photographs and fingerprints not be kept in the same file with those of adults. Provided, however, that in any case where the juvenile is found not to have committed the alleged violation of law, the juvenile court may order any law enforcement agency to return all pictures and fingerprints to the juvenile court and shall order the law enforcement unit that arrested the juvenile to mark the arrest record with the notation "found not to have committed the alleged offense".

SECTION 20. TRANSFER OF CHARGES. When any juvenile is charged in a court of this State with the commission of any act which is a felony or misdemeanor under the applicable criminal law of this State, the judge of the court may, in his discretion, transfer the case to any other court having jurisdiction over the matter, either as a criminal offense or as an act of delinquency. Any bail or appearance bond given for the appearance of such juvenile shall continue in effect in the court to which the case is transferred.

SECTION 21. RIGHT TO BOND. Any juvenile within the provision of this Act, informed against, indicted, or against whom a petition has been filed, or who has for any purpose been taken into custody, shall at any time before he has been adjudged to be delinquent or found guilty of committing of any offense, and within the discretion of the judge having jurisdiction over the matter, be entitled to (1) release on his own recognizance, (2) release to the custody of some other party, or (3) give bond in such sum and under such conditions as the court may deem proper, to assure his appearance at any trial or hearing of such case in the same manner as such right is given to adults under the laws of this State.

SECTION 22. JUVENILES NOT TO BE CONFINED WITH ADULTS. Any juvenile confined in an institution or facility in which adult convicts are also confined shall not be kept in the same cell with adult convicts pending the adjudication of the juvenile case.

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SECTION 23. CONTENTS OF PETITION. Any adult may file with the clerk of the juvenile court having jurisdiction over the matter, a petition in writing setting forth facts concerning a juvenile which, if true, would render such juvenile delinquent, in need of supervision, or dependent-neglected within the meaning of this Act. The petition shall also set forth any section(s) of the criminal laws of this State which the juvenile would be guilty of violating if the facts alleged in the petition were found to be true. The petition shall also set forth either the name, or that the name is unknown to the petitioner, of the following persons: (a) the percon(s) having custody of the juvenile; (b) each of the parents, or the surviving parent of the juvenile; and (c) the guardian of the juvenile. All persons named in such petition shall be made defendants by name and receive notice as provided by this Act. All persons whose names are stated by the petitioner to be unknown shall be made defendants by the designation "all whom it may concern" and shall be sufficient to authorize the court to here and determine the cause as though the parties had been sued by their proper names.

SECTION 24. VERIFICATION OF PETITION. A petition under this Act shall be verified by affidavit, which affidavit shall be sufficient upon information and belief.

SECTION 25. NOTIFICATION OF DEFENDANTS. All defendants who are residents of this State, unless this Act otherwises provides, shall be notified by summons in the same manner as the laws of this State now or may hereafter require in Chancery proceedings. All defendants who are nonresidents of this State and whose address is known, or upon due inquiry can be determined, and all residents of this State to which they have moved is known or upon due inquiry can be determined, and all residents of this State who have left this State, but where address in the State to which they have moved is known or upon due inquiry can be determined, shall be notified by registered or certified mail.

SECTION 26. NOTICE BY PUBLICATION. Whenever it shall appear that any named defendant is (a) a nonresident of this State whose address is unknown or upon due inquiry cannot be determined, (b) has left the State, leaving no forwarding address, (c) resides in this State but upon due inquiry cannot be found, or (d) is concealed within this State, or (e) that such defendant's place of residence is unknown or upon due inquiry cannot be determined, so that process cannot be served upon him personally or by registered mail, or whenever any person is made a defendant by the designation "all whom it may concern", the clerk of the juvenile court shall cause notice to be made by publication. Such notice shall substantially conform to the following and be published once in some newspaper of general circulation published in his county, and if none is published in his county, then in a newspaper published in the nearest place to his county in this State:

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Take notice that on the day of, 19, a
petition was filed by in the juvenile court of
county, to have a certain juvenile named
, declared dependent neglected, delinquent, or
in need of supervision. Such declaration could result in the juvenile
being removed from your custody and placed in the custody of some
suitable person, agency, or institution in this State for proper care and
supervision. Now, unless you appear within twenty (20) days after the
date of this notice and show cause against such petition, the petition
shall be taken as confessed and a degree granted.
Dated (day of publication) G.P. Clerk

The clerk shall also, at the time of publication of notice, send a copy thereof by mail addressed to such defendants whose name and last known place of residence is known and who shall not have been served with summons.

SECTION 27. CONTENTS OF SUMMONS. The summons shall require the person alleged to have custody of the juvenile to appear with the juvenile and shall also direct the juvenile to appear at the time and place stated in the summons and shall require all defendants to appear and answer the petition at the time and place specified in the summons. The summons shall be made returnable at any time not more than ten (10) days after service, and may be served by any person authorized by the laws of this State to serve summons even though such person may be the petitioner. The return of such summons with endorsement of service by the person serving it shall be sufficient proof of service.

SECTION 28. COMMENCEMENT OF ADJUDICATION. In case of dependency-neglect, the court may proceed to hear evidence upon appearance, answer, or default of all defendants to the proceeding. In cases of delinquency or juvenile in need of supervision, the court may proceed to hear evidence after the juvenile has been formally charged, advised of his rights, and upon his appearance in court. If the juvenile is not accompanied by his parent or guardian, the court may appoint some suitable person as guardian ad litem to act on behalf of the juvenile. At any time after the filing of the petition and pending the final disposition of the case, the court may continue the hearing and may allow the juvenile to remain in his home in the custody of his parent(s), guardian, or custodian, subject to visitation by a probation officer, or to be kept in some suitable foster home, shelter care facility, or detention facility.

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SECTION 29. DOUBLE JEOPARDY. No juvenile who has been subjected to an adjudication pursuant to a petition alleging him to be delinquent or in need of supervision shall later be tried under criminal charges based upon facts alleged in the petition to find him delinquent or in need of supervision. No juvenile who has been tried for a violation of the criminal laws of this State shall later be subjected to a juvenile proceeding arising out of the facts which formed the basis of the criminal charges.

SECTION 30. SECURING APPEARANCE OF JUVENILE. Any person having custody or control of a juvenile who is directed by summons to bring the juvenile into court and who fails, without reasonable cause, to bring the juvenile into court, may be held in contempt of the juvenile court. When a summons is returned and not served upon the person having custody or control of the juvenile, or such person fails to obey the summons, or when it shall be made to appear to the court by affidavit, which may be on information and belief, that a summons will be ineffectual to secure the presence of the juvenile, a warrant may be issued by order of the juvenile court, either against the parent(s), custodian, or guardian of the juvenile, or against the juvenile himself, to bring such person(s) into court.

SECTION 31. DUTY OF PARENTS TO SUPPORT. If it shall appear at the adjudication or disposition hearing in any case brought under this Act that the parents or any other person named in the petition who are by law required to provide support for the juvenile are able to contribute to the support of the juvenile, the court may issue an order requiring such person to pay any person, agency, or institution to whom custody is awarded, a reasonable sum to be paid from time to time for the support, maintenance, or education of such juvenile. The court may, from time to time, on application and on such notice as the court may direct, make adjustments and modifications of the order as may appear reasonable and proper. The court may also order such person(s) who are by law required to support a juvenile to disclose their place of employment and the amount earned by them. Anyone who refuses to disclose such information may be cited for contempt of the juvenile court.

SECTION 32. HEALTH CARE. The court may, when the physical, mental, or emotional condition of any juvenile requires it, cause such juvenile to receive health care either on an in-patient or out-patient basis. Such care may include emergency surgery, and a juvenile judge shall have authority to consent to such surgery. The court may compel, by proper order, the parent(s) or guardian of such juvenile to pay the costs of health care provided pursuant to this Section.

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SECTION 33. AWARD OF CUSTODY. It shall be the policy of this State that rehabilitation of juveniles and their parents is best carried out within the context of the juvenile's own home environment. If the court shall find any juvenile to be dependent-neglected, in need of supervision, or delinquent within the meaning of this Act, the court, may allow such juvenile to remain in his own home subject to periodic visitation by or consultation with a probation officer, social worker, or other person designated by the court. If the court finds that the juvenile's parent(s), guardian, or custodian are unable or unwilling to properly care for, protect, train, educate, or discipline such juvenile, the juvenile may be taken from the custody of his parent(s), guardian, or custodian. In such a case, the court may enter an order appointing as custodian of such juvenile some reputable person, or approved agency, or institution. Provided that the court shall not commit any dependent-neglected juvenile to an institution or home used for the care, imprisonment, or rehabilitation of delinquent juveniles or adult criminals.

The clerk of the court shall issue and cause to be delivered to such custodian a certified copy of such order which certified copy shall be proof of the authority of such custodian to act on behalf of such juvenile, and no other process need issue to warrant the keeping of such juvenile. The custodianship under this Act shall continue until the court shall, by further order, otherwise direct, but in no event shall it continue after the child has reached the age of eighteen (18) years.

SECTION 34. PROBATION REPORTS. The probation officer shall make and keep a complete history of each case prior to disposition and during the course of any probation imposed by the court. Such report shall contain, among other information, the age, sex, nativity, residence, education, mentality, habits, whether married or single, and employment and income, and shall be continued so as to show the condition of such person during the term of his probation and the results of probation in the case. It is the intention to require an intelligent and thorough report of each juvenile prior to probation and during the course thereof as to heredity, environment, condition, treatment, development and results. Such reports shall never be disclosed except as required by law or directed by the juvenile court. The probation officer shall furnish to each person released on probation a written statement of the terms and conditions of probation, and shall report to the juvenile court any violation or breach of the terms and conditions so imposed.

SECTION 35. RELIGIOUS BELIEFS. The court, in awarding custody of juveniles, shall place them, as far as practicable, in the care and custody of some person holding the same religious belief as the parent(s) of the juvenile, or with some agency or

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institution which is controlled by persons holding the same religious belief as the parents of the juvenile.

SECTION 36. SPECIAL ORDERS. In addition to order authorized by other sections of this Act, juvenile courts are hereby authorized and empowered to make and enforce the following special order against juveniles, their parent(s), and their estates: (1) restitution in kind or value for property stolen, damaged, destroyed, or otherwise unlawfully taken or received by such juvenile, (2) actual medical expenses incurred as a result of willful infliction of injury by a juvenile, (3) support for spouse or children in cases arising under this Act, and (4) payment of reasonable costs provided for under this Act. Willful refusal to obey a lawful order of the juvenile court shall be enforcable by contempt proceedings in the same manner as such is done in Chancery.

SECTION 37. DUTIES OF LAW ENFORCEMENT OFFICER. It shall be the duty of every law enforcement officer of this State, when reasonably believing that a juvenile's health or physical well-being is in imminent danger to immediately take the juvenile into his custody and deliver the juvenile to the appropriate hospital or juvenile care facility. No law enforcement officer shall be held liable for so acting. A petition alleging dependency-neglect shall be immediately filed.

SECTION 38. EMERGENCY ORDER. In any case where there is probably cause to believe a juvenile is dependent-neglected and that immediate removal of the juvenile from the custody of his parent, guardian, or custodian is necessary to (1) protect the health or physical well-being of the juvenile from immediate danger or (2) prevent the juvenile's removal from the State, the juvenile judge may issue an emergency order for the removal of the juvenile from the custody of his parent, guardian or custodian. A petition alleging dependency-neglect shall be immediately filed with the juvenile court, notice given to parents or guardian, and a hearing held within 72 hours.

SECTION 39. APPEAL FROM REFEREE TO COUNTY JUDGE. Appeals from the decision of a referee may be taken to the county judge of the county in which the case was decided as a matter of right by causing the record to be filed with the county judge within ten (10) days after the decision of the referee is rendered. Upon the request of the defendant, it shall be the duty of the clerk in charge of juvenile court matters to transmit the record to the county judge. The county judge shall then conduct a de novo trial which complies with all procedures under this Act, or certify the case directly to the appropriate circuit court for a de novo trial.

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SECTION 40. APPEAL FROM COUNTY JUDGE TO CIRCUIT COURT. Appeals from any decision of the county judge may be taken as a matter of right to the circuit court in the county in which the case was decided by causing the record to be filed with the clerk of the circuit court within thirty (30) days after the decision of the county judge is residered. Upon request of the defendant, it shall be the duty of the clerk in charge of juvenile court matters to transmit the record to the clerk of the circuit court. A trial de novo without jury shall then be conducted by the judge of the circuit court. Every juvenile shall have the right to post an appeal bond in such amount and under such conditions as the juvenile judge shall, in his discretion determine.

SECTION 41. JUVENILE RECORD. The findings of the court shall be entered in a book to be kept for that purpose and known as the "Juvenile Record".

SECTION 42. HEARINGS OPEN OR CLOSED. All hearings under this Act shall be open or closed to the public at the discretion of the court.

SECTION 43. PUBLICATION OF PROCEEDINGS. No information whereby the name or identity of a juvenile who is the subject of proceedings under this Act may be ascertained shall be published by the news media without written order of the juvenile court.

SECTION 44. EVIDENCE NOT ADMISSABLE IN OTHER COURTS. No evidence adduced against a juvenile in any proceeding under this Act, nor the fact of adjudication or disposition, shall be admissable evidence against such juvenile in any civil, criminal, or other proceeding. Provided: such evidence shall be admissible, where proper, in subsequent proceedings against the same juvenile under this act.

SECTION 45. CONTRIBUTING TO DELINQUENCY. Any person who shall willfully cause, aid, or encourage any person under eighteen (18) years of age to do or perform any act which, if done or performed, would make such person under eighteen (18) years of age a "delinquent juvenile" or "juvenile in need of supervision" within the meaning of this Act, shall be guilty of a misdemeanor. The judge of the juvenile court shall have power to issue a bench warrant for the arrest of an adult where there is probable cause to believe such adult is committing an offense under this Section, returnable to either the municipal court or the circuit court of the county in which the offense was committed. Any indictment or information under this Section, returnable to either the municipal court or the circuit court of the county in which the offense was committed. Any indictment or information under this Section shall state

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the specific act(s) the defendant is alleged to have committed. Any person convicted of a violation of this Section may be punished by imprisonment for not less than sixty (60) days nor more than one (1) year, and by a fine of not less than one hundred dol!ars (\$100) nor more than five hundred dollars (\$500). Provided, the court may suspend or postpone enforcement all or any part of the sentence or fine levied under this Section if, in the judgement of the court, such suspension or postponement is in the best interest of the juvenile so caused, aided, or encouraged.

SECTION 46. BOARD OF VISITATION. The county judge of each county may appoint a board composed of three persons who will serve without compensation, to constitute a board of visitation, whose duty shall be to visit as often as once a year all institutions and agencies receiving juveniles under this Act, and to report to the judge of the juvenile court the condition of such juvenile and the manner in which such institutions and agencies are operated. The board of visitation shall serve, one for one (1) year, one for two (2) years and one for three (3) years when the first board is appointed under this Act, after which one member of the board of visitation shall be appointed each year, and shall serve for the term of three (3) years. In case of a vacancy upon the board of visitation, the same shall be filled pursuant to appointment by the county judge.

SECTION 47. REPORT TO JUDICIAL DEPARTMENT. Between the first and thirty-first of January of each year, the clerks of the county courts shall submit to the executive secretary of the Judicial Department a report in writing upon forms to be furnished by the Executive Secretary of the Judicial Department, showing the number and disposition of juveniles brought before the juvenile court, together with such other information regarding such cases as may be requested by the Executive Secretary of the Judicial Department. Provided that the name or identity of any juvenile or parent shall not be disclosed in such report.

SECTION 48. ACT NOT TO CONFLICT WITH OTHER ACTS. Unless this Act otherwise provides, nothing in this Act shall be construed to be in conflict with, to repeal, or to prevent proceedings under any act or statute of this State which may otherwise define any specific act of any person as a crime or misdemeanor, which act might also constitute contributory delinquency or contributory dependency, or to prevent or to interfere with the proceedings under any such acts. Nor shall this Act be construed to be inconsistent with or to repeal any act providing for the support by parent(s) of their minor children, or the taking of indecent liberties with, or selling liquor, tobacco or firearms to children, or permitting them in prohibited places, and nothing in any such act or similar acts shall be construed to be inconsistent with or repeal this Act or prevent proceeding hereunder.

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; : . SECTION 49. COMPACTS TO SHARE COSTS. Nothing herein shall prohibit two or more counties, cities or school districts of this State from agreeing, by compact, to share the costs of juvenile court personnel or juvenile facilities to serve both or all of the counties so agreeing.

SECTION 50. Act 237 of 1907, Act 215 of 1911, as amended, Act 404 of 1921, as amended, Act 263 of 1953, Act 404 of 1969, as amended, and Act 583 of 1971, the same being Arkansas Statutues Section 45-101 - 45-244, are hereby specifically repealed and all laws and parts of laws in conflict with this Act are hereby repealed.

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ACT 452 OF 1975

"AN ACT ESTABLISHING AN ADVISORY BOARD AND AN EXECUTIVE COMMISSION ON LAW ENFORCEMENT OFFICER MINIMUM STANDARDS; PRESCRIBING CERTAIN EDUCATION AND TRAINING REQUIREMENTS FOR LAW ENFORCEMENT OFFICERS; REQUIRING THE STATE TO PROVIDE FACILITIES AND OPPORTUNITY FOR TRAINING TO MEET THE REQUIREMENTS PRESCRIBED HEREIN; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. LEGISLATIVE FINDING. The General Assembly hereby finds and determines that the administration of criminal justice is of statewide concern and that law enforcement is important to the health, safety and welfare of the people of this State; that the State has a responsibility to ensure effective law enforcement by establishing minimum selection, training, and educational requirements for law enforcement officers, and also to encourage advanced in-service training programs; and, that it is in the public interest that minimum levels of education and training be developed and made available to persons seeking to become law enforcement officers and to persons presently serving as law enforcement officers.

SECTION 2. DEFINITIONS. As used in this Act the following terms shall have the following meanings unless the context clearly indicates otherwise.

- (a) "Law Enforcement Officer" means any (appointed) law enforcement officer who is responsible for the prevention, and detection of crime and the enforcement of the criminal, traffic, or highway laws of this State, excluding only allose officers who are elected by a vote of the people.
- (b) "Advisory Board" means the Advisory Board on Law Enforcement Standards as established by Section 3 of this Act.
- (c) "Executive Commission" means the Executive Commission on Law Enforcement Standards as established by Section 4 of this Act.
- (d) "Political Subdivision" means any county, municipality, township or other specific local unit of general government.

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SECTION 3. ADVISORY BOARD ON LAW ENFORCEMENT STANDARDS.

- (a) There is hereby established an Advisory Foard on Law Enforcement Standards, hereafter called the "Advisory Board". The Advisory Board shall be composed of thirteen members, nine of whom shall be selected by the Executive Commission. In addition to the nine members appointed by the Executive, the Attorney General of the State, the Director of the Police Services Division of the State Department of Public Safety, the Director of the State Law Enforcement Training Academy, and the Special Agent in charge of the F.B.I. of Arkansas shall be members, by virtue of their office. The Attorney General shall serve as legal counsel to the Executive Commission, but he may designate one or more members of his staff to provide legal service to the Executive Commission.
- (b) The Attorney General, Director of Police Service Division of the Department of Public Safety and the Director of the State Law Enforcement Training Academy, shall be members. Each of the appointed members shall be appointed for four year terms and shall serve for such terms unless removed for cause in a manner prescribed by law.
- (c) The appointed membership of the Advisory Board shall consist of one circuit judge, one municipal court judge, one county sheriff, one chief of police representing a jurisdiction of over 25,000 population, one chief of police representing a jurisdiction of under 25,000 population, one prosecuting attorney, one practicing member of the Bar, one faculty member of a four year or a two year institute of higher learning who teaches criminal justice courses, and one private citizen of voting age.
- (d) Any vacancy on the Advisory Board shall be filled in the same manner as the original appointment, but for the unexpired terms.
- (e) The Advisory Board shall designate the chairman and such other officers as it deems necessary from its members. Each such officer shall be selected for a term of one year but may succeed himself as many times as selected.
- (f) Members of the Advisory Board shall serve without compensation, but shall be entitled to receive reimbursement for actual expenses incurred in the performance of their official duties.
- (g) The Advisory Board shall hold no less than one (1) regular meeting a year. The chairman shall fix the time and place of the meeting or meetings, either on his own motion or upon written request of any live (5) members of the Advisory Board.

SECTION 4. POWERS AND DUTIES OF ADVISORY BOARD. The Advisory Board shall have the power and duty to advise the Executive Commission and to provide the Executive Commission with any assistance in any matter in which one or more members of the Advisory Commission has expertise or specific knowledge in an area or field.

SECTION 5. EXECUTIVE COMMISSION ON LAW ENFORCEMENT STANDARDS.

- (a) There is hereby established an Executive Commission on Law Enforcement Standards, hereafter called the "Executive Commission". The Executive Commission shall be composed of five (5) members, all of whom shall be selected by the Governor with the approval and consent of the Arkansas Senate.
- (b) The Executive Commission members shall consist of one member who shall be a Chief of Police representing a jurisdiction of over 35,000 population, one Chief of Police representing a jurisdiction of under 35,000 population, one County Cheriff, one faculty member of a four year or a two year institute of higher learning who teaches criminal justice courses and one member at large. Members of the Commission shall be appointed for terms of five (5) years and shall serve such terms unless removed for cause in the manner prescribed by law. Provided, the five (5) members first appointed to the Commission shall at the first meeting of the Commission draw lots for terms, with one (1) member to serve for a term of one (1) year, one for a term of two (2) years, one for a term of three (3) years, one for a term of four (4) years, and one for a term of five (5) years. All successor appointments shall be for terms of five (5) years.
- (c) Any vacancy on the Executive Commission shall be filled in the same manner as the original appointment, but for the unexpired term.
- (d) The Executive Commission shall designate a chairman and such other officers as it deems necessary. Each officer shall be selected for a term of one year but may succeed himself as many times as selected.
- (e) Members of the Executive Commission shall serve without compensation, but shall be entitled to receive reimbursement for actual expenses incurred in the performance of their official duties.
- (f) The Executive Commission shall hold no less than four (4) regular meetings a year. The chairman shall fix the times and places of meetings, either on his own motion or upon written request of any two (2) members of the Executive Commission.

(g) The Executive Commission shall report annually to the governor and the legislator on the nature and scope of its activities, accomplishments, and goals; the Executive Commission may make any other such reports as it deems desirable.

SECTION 6. POWERS AND DUTIES OF EXECUTIVE COMMISSION. In addition to powers conferred upon the Executive Commission elsewhere in the Act, the Executive Commission shall have power to:

- (a) Promulgate rules and regulations for the administration of this Act.
- (b) Require the submission of reports and information by police departments within this State.
- (c) Establish minimum selection and training standards for admission to employment as a law enforcement officer. The standards may take into account different requirements for urban and rural areas, full-time and part-time employment, and specialized police personnel. Provided, that the minimum selection and training standards for admission to employment as a law enforcement officer, shall not apply to volunteer police auxiliary officers, and volunteer officers of sheriffs' mounted patrols, and to honorary police officer commissions issued by appropriate police authority.
- (d) Establish minimum curriculum requirements for preparatory, in-service and advanced courses and programs of schools operated by or for the State and political subdivisions for the specific purpose of training recruits for law enforcement officers.
- (e) Consult and cooperate with counties, municipalities, agencies of this State, other governmental agencies, and with universities, colleges, junior colleges, community colleges and other institutions or organizations concerning the development of police training schools and programs or courses of instruction.
- (f) Approve institutions and facilities to be used by or for the State or any political subdivision thereof for the specific purpose of training law enforcement officers and recruits.

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- (a) Adopt rules and minimum standards for such schools which shall include but not be limited to the following:
 - The curriculum for probationary police officers which shall be offered by all certified schools shall include but not be limited to courses of arrest, search and seizure, civil rights, human relations, criminal law, law of criminal procedure, vehicle and traffic law, traffic control and accident investigation, techniques of obtaining physical evidence, court testimonies, statements, reports, firearms training, first-aid, handling of juvenile offenders, recognition of mental conditions which require immediate assistance and methods to safeguard and provide assistance to a person in need of mental treatment, law of evidence and physical training. The curriculum for permanent police officers shall include but not be limited to (1) refresherand in-service training in any of the courses listed above in this subparagraph, (2) advanced courses in any of the subjects listed above in this subparagraph. (3) training for supervisory personnel, and (4) specialized training in subjects and fields to be selected by the board.
 - 2. Minimum courses of study, attendance requirements and equipment requirements.
 - Minimum requirements for instructors.
 - Minimum basic training requirements which a probationary police officer must satisfactorily complete before being eligible for permanent employment as a law enforcement officer.
- (h) Make and encourage studies of any aspect of police administration.
- Conduct and stimulate research by public and private agencies designed to (i) improve police administration and law enforcement.
- (i) Make recommendations concerning matters within its purview pursuant to this Act.
- Make such evaluations as may be necessary to determine if governmental units (k) are complying with the provisions of this Act.
- (1) Adopt and amend bylaws, consistent with law, for its internal management and control.
- Enter into contracts or do such things as may be necessary and incidental to the administration of this Act.

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SECTION 7. The Executive Commission is authorized to employ a director and such other employees as are necessary to efficiently and effectively carry out the provisions of this Act, and as may be authorized by biennial appropriations of the General Assembly.

SECTION 8. SELECTION AND TRAINING REQUIREMENTS.

- (a) At the earliest practicable time, the Executive Commission shall provide, by regulation, that no person shall be appointed as a law enforcement officer, except on a temporary basis not to exceed one year, unless such person has satisfactorily completed a preparatory program of police training at a school approved by the Executive Commission. A law enforcement officer who lacks the education and training qualifications required by the Executive Commission shall not have his temporary or probationary employment extended beyond one year, by renewal of appointment or otherwise:
- (b) In addition to the requirements of subsection (a), of this Section and subsection(g) of Section 6, the Executive Commission by rules and regulations, shall fix other qualifications as it deems necessary.
- (c) The Executive Commission shall issue a certificate evidencing satisfaction of the requirements of subsections (a) and (b) of the Section to any applicant who presents such evidence as may be required by its rules and regulations of satisfactory completion of a program or course of instruction in this or another state conforming to the content and quality required by the Executive Commission for approved education and training.
- (d) Nothing herein shall be construed to preclude any employing agency from establishing qualifications and standards for hiring, training, compensating, or promoting law enforcement officers that exceed those set by the Commission.
- (e) Law enforcement officers already serving under full-time permanent appointment on the effective date of this Act shall not be required to meet the requirements of subsections (a) and (b) of this Section as a condition of tenure or continued employment; nor shall failure of any such law enforcement officer to fulfill such requirements make him ineligible. Law enforcement officers employed prior to the enactment of this Act may continue their employment and participate in training programs on a voluntary or assigned basis, but failure to meet standards shall not be grounds for their dismissal or termination of employment.

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SECTION 9. POLICE TRAINING PROGRAMS GRANTS UNDER THE SUPER-VISION OF THE EXECUTIVE COMMISSION AND THE STATE.

- (a) For the purpose of this Act, the Executive Commission may cooperate with federal, state and local law enforcement agencies in establishing and conducting instruction and training programs for law enforcement officers in this State, its counties and municipalities.
- (b) The Executive Commission shall establish and maintain police training programs through such agencies and institutions as the Executive Commission may deem appropriate to carry out the intent of this Act.
- (c) The Executive Commission shall work with each state agency and political subdivision that adheres to the selection and training standards established by the Executive Commission to provide allowable tuition, living, and training expenses incurred by the officers in attendance at approved training programs.
- It is the intent of this Act that the expenses of attending the approved training programs established pursuant to paragraph (c) of this section shall be furnished by the State through the law enforcement training academy or any other manner that may be prescribed by the Executive Committee and no cost or charge shall be made to any local political subdivision for the actual cost of the training; provided that, the State shall not be liable for the travel cost or any salary in connection with attending any training program.

SECTION 10. A person who does not meet the standards and qualifications set forth in this Act or any made by the Executive Commission shall not take any official action as a police officer and any action taken shall be held as invalid. Nothing in this Act or any requirement made by the Executive Commission shall prevent any action by a private citizen that is now authorized by law. Nor shall any provision of this Act affect the deputizing of a private citizen by a law enforcement officer in a time of a disaster or emergency.

SECTION 11. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 12. If any provision of this Act is held invalid, such invalidity shall not affect other provisions of this Act which can be given effect without the invalid provisions, and to this end the provisions of this Act are declared to be severable.

SECTION 13. This Act shall be in full effect and force beginning January 1, 1976.

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PROTECTION OF THE RIGHT TO SILENCE MIRANDA VS. ARIZONA

The issue in this 1966 case and others similar at the time dealt with the admissibility of statements obtained from an individual who is subjected to custodial police interrogation and the necessity for procedures which assure that the individual is accorded his privilege under the Fifth Amendment to the Constitution not to be compelled to incriminate himself. The court held that "prior to any questioning, the person must be warned that he has a right to remain silent, that any statements he does make may be used as evidence against him, and that he has a right to the presence of an attorney, either retained or appointed".

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IN RE GAULT SUPREME COURT OF THE UNITED STATES

This 1967 decision dealt with the alleged denial of due process rights under the 14th Amendment of the Constitution of a minor, Gerald Francis Gault. The Supreme Court reviewed the Gault case on appeal from the Supreme Court of Arizona in which the State Court had affirmed the dismissal of a petition for writ of habeas corpus. In the judgement of the Supreme Court, Gerald Francis Gault had been deprived of his liberty without due process of law. Interpretation of the court's decision does not imply that a juvenile hearing must necessarily conform with all of the requirements of a criminal trial or the usual administrative hearings, but held that the hearing must measure up to the essentials of due process and fair treatment. The Gault decision greatly affected juvenile court proceedings around the country.

REORGANIZATION OF JUVENILE SERVICES SYNOPSIS OF ACTS 840, 682, 727, and 787 of 1975

Subsection 2, Section 12 of Act 38 of 1971, gives Department Directors in State government the authority to create and alter State divisions as deemed necessary and approved by the Arkansas General Assembly. This was the primary sanctioning authority for the reorganization of the Juvenile Services Division of the Department of Social and Rehabilitative Services. There was no enabling legislation, as such, for this change. Therefore, the reorganization process was primarily effected through the transfer of personnel positions and funds as specified in the various appropriation bills of the Department of Social and Rehabilitative Service Divisions, Section 5 of Act 840 of 1975, clearly states that: "I, is hereby found and determined by the General Assembly that prevailing laws do not provide for orderly administrative changes of certain functions within the Department of Social and Rehabilitative Services that would either increase administrative efficiency and effectiveness or decrease the expenditure of limited state and federal tax dollars. It is the specific intent of this section to authorize the Director of Social and Rehabilitative Services to transfer the necessary personnel positions, funds and appropriations available to the various divisions of the Department for the purposes of consolidating and/or centralizing the administrative services, including data processing, and staff development functions within the Department. It is further intended that the Chief Fiscal Officer of the State, upon receiving such transfer requests from the Director of the Department of Social and Rehabilitative Services, shall make a study of the circumstances of such transfer requests and the reasons therefor, including the anticipated increases in administrative effectiveness and/or the anticipated decrease in the expenditure of state and federal tax dollars resulting from such transfer. Upon completion of his study, the Chief Fiscal Officer of the State shall then transmit his findings and recommendations to the Arkansas Legislative Council for its information and advice on such requests."

Under the reorganization plan of Juvenile Services, the operation of the State's three training schools was transferred to a new "Juvenile Services Section" in the Rehabilitation Services Division (authorized by Sections 6 through 12 and Section 18 of Act 682); the Juvenile Services Field Services (Aftercare) program was transferred to the Social Services Division (Sections 12, 13, and 24 of Act 727); members of the Juvenile Services Central Office staff and funds were split between Rehabilitation Services, Social Services, and the SRS Central Office (Sections 3, 4, and 5 of Act 840 of 1975). Sections 12 and 13 of Act 787 of 1975 authorized ten personnel positions and appropriations for the Mental Health Division for the establishment of treatment personnel to work with youthful offenders at the three training schools.

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SYNOPSIS OF THE ATTORNEY GENERAL'S OPINION (#76-69) (As it relates to Arkansas Juvenile Training School Board)

Amendment 33 of the constitution of the State of Arkansas, by its terms, applies to "the board or commission charged with the management or control of all charitable, penal, or correctional institutions and institutions of higher learning. . .". Act 20 of 1968 (1st Extraordinary Session) [Arkansas Stat. Ann. § 46-301 et. seg. (Supp. 1975)], which established the Arkansas Juvenile Training School Board, provides that the facilities operated by the Board are to be classified as educational institutions. It is the opinion of the Attorney General that even though "these facilities are to be considered educational institutions and not penal or correctional institutions, it is apparent that they are not institutions of higher learning. Thus, Amendment 33 does not apply to the Arkansas Juvenile Training School Board".

Section 12 (8) of Act 38 states that the Arkansas Juvenile Training School Department and the Arkansas Juvenile Training School Board created by Act 20 and their functions, powers and duties are transferred, by type 1 transfer to the Department of Social and Rehabilitative Services', Rehabilitation Services Division. Section 2 of this act specified that when any department, institution or other agency is transferred to a principal department under type 1 transfer that department, institution or other agency shall be administered under the direction and supervision of that principle department, but shall retain exactly the same statutory powers, duties, functions, as originally vested in the department or board.

Following a type 1 transfer, the members of any statutory board or commission so transferred shall continue to be selected in the manner and serve for the terms now provided by the statutes may from time to time in the future be amended. Under type 1 transfer all budgeting, purchasing and related management functions of any transferred department or institution shall be performed under direction, control and supervision of head of the principal department.

In accordance with these sections, the Attorney General's opinion is that the Juvenile Training School Board "retain the full scope of authority it possessed prior to the enactment of Act 38 of 1971. For while Act 38 charged the Director of Social and Rehabilitative Services with certain administration responsibilities for institutions transferred to the Department, the Board retains ultimate control of their institutions."

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EXCERPTS FROM THE NEW ARKANSAS CRIMINAL CODE WHICH AFFECT JUVENILES (EFFECTIVE JANUARY 1, 1976)

41–617. Immaturity excluding criminal conviction — Transfer of proceedings to juvenile court.

- (1) A person shall not be tried for or convicted of an offense if he was less than fifteen (15) years of age at the time of the conduct alleged to constitute the offense. In such cases, the juvenile court shall have exclusive jurisdiction.
- (2) If a person was fifteen (15), sixteen (16), or seventeen (17) years of age at time of the conduct alleged to constitute an offense, he may be charged either in circuit or municipal court, such court may enter an order waiving jurisdiction and transferring the proceedings to juvenile court.
- (3) In any case where the age of a person charged with the commission of an offense becomes an issue, the court before which the proceeding is pending shall hold a hearing, and the burden shall be on the persons charged to establish age to the satisfication of the court. If the court determines that because of age the proceeding is barred or referral to the juvenile court is appropriate, custody of the person charged shall be surrendered to the juvenile court, and the case, including all papers and processes relating thereto, shall be transferred.
- (4) This section shall not apply to persons charged with traffic offenses.

Commentary

Subsection (1) gives the juvenile court exclusive jurisdiction over all persons who were less than 15 years of age at the time of their alleged criminal conduct. Whatever the offense, the idea of 12, 13, and 14 year olds being thrown into the Arkansas prison system is not an acceptable disposition.

If the person was 15, 16, or 17 at the time of the alleged act, the prosecuting attorney initially has discretion as to whether to charge the person as an adult or as a juvenile. If charged as an adult, the circuit or municipal court can still overrule the prosecutor and transfer proceedings to juvenile court.

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The final subsection excludes from the section's ambit prosecutions for violations of traffic offenses.

41-2801. Definition.

- "Correctional facility" means any place used for the confinement of persons charged with or convicted of an offense or otherwise confined under a court order. "Correctional facility" does not include juvenile training schools, and applies to the Arkansas State Hospital only as to persons detained there charged with or convicted of an offense.
- (2) "Custody" means actual or constructive restraint by a law enforcement officer pursuant to an arrest or a court order, but does not include detention in a correctional facility, juvenile training school, or a state hospital.
- (5) "Implement for escape" means any weapon, tool, or other thing which may be useful for escape.
- (6) "Implement for unauthorized departure" means any weapon, tool, or other thing which may be useful for unauthorized departure.
- (7) "Juvenile training schools" means any facility established and maintained by the State of Arkansas, or any political subdivision thereo, for the custody, care, education, and renabilitation of delinquent, dependent, or neglected juveniles.
- (10) "Prohibited article" means anything furnished an inmate in a correctional facility, the Arkansas state Hospital, or juvenile training school, without the authorization of a person charged with the duty of maintaining the safety or security of such institution or any person confined there. It includes not only drugs and alcoholic beverages but also more innocuous items such as candy or cigarettes.
- (11) "Public record" includes all official books, papers, exhibits or records or any type required by law to be created by or received and retained in any governmental office or agency, affording notice or information to the public, or constituting a memorial of an act or transaction of a public office or public servant.

41-2815. Permitting unauthorized departure.

- (1) A public servant responsible for supervision of persons detained in the Arkansas State Hospital or in a juvenile training school commits the offense of permitting unauthorized departure if he or she recklessly permits a person so detained to make an unauthorized departure.
- (2) Permitting unauthorized departure is a class C misdemeanor.

- (2) A person commits the offense of aiding an unauthorized departure if, not being an inmate in a juvenile training school or the Arkansas State Hospital, he knowingly aids another person in making or attempting to make an unauthorized departure from a juvenile training school or the Arkansas State Hospital.
- (2) Aiding an unauthorized departure is a class C felony if the person aiding an unauthorized departure:
 - (a) uses physical force; or
 - (b) uses or threatens to use a deadiy weapon.
 - Otherwise it is a class A misdemeanor.

41-2818. Furnishing implement for unauthorized departure.

- (1) A person commits the offense of furnishing an implement for unauthorized departure if, with the purpose of facilitating an unauthorized departure, he:
 - (a) introduces such an implement into the Arkansas State Hospital or a juvenile training schools; or
 - (b) provides a person detained in the Arkansas State Hospital or a juvenile training school with such as implement.
- (2) Furnishing an implement for unauthorized departure is a class C felony, if the implement furnished is a deadly weapon. Otherwise, furnishing an implement for unauthorized departure is a class A misdemeanor.

41-2819. Furnishing prohibited articles.

- (1) A person commits the offense of furnishing a prohibited article if he or she knowingly:
 - (a) introduces a prohibited article into a correctional facility, the Arkansas State Hospital, or a juvenile training school or
 - (b) provides a person confied in a correctional facility, the Arkansas State Hospital, or a juvenile training school with a prohibited article.
- (2) Furnishing a prohibited article is a class A misdemenaor.

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