



COMMISSION ON IMPROVING THE STATUS OF CHILDREN IN INDIANA

May 21, 2014

AGENDA

❖ Welcome

❖ Approval of Minutes from the February 19, 2014 Meeting

❖ Task Force Updates

- **Business of the Commission** – Adoption of formal charge for the Child Services Oversight Committee; approval to establish Educational Outcomes Task Force
- **Child Services Oversight Committee** – *Senator Carlin Yoder*
- **Cross-System Youth** – *Hon. Charles Pratt, Allen Superior Court; Don Travis, Department of Child Services*
- **Data Sharing and Mapping** – *Lilia Judson, Executive Director, Division of State Court Administration; Julie Whitman, Vice President of Programs, Indiana Youth Institute*
- **Infant Mortality and Child Health** – *Dr. Ted Danielson, Medical Director, Indiana State Department of Health*
- **Substance Abuse and Child Safety** – *Senator Travis Holdman*

CHILD SERVICES OVERSIGHT COMMITTEE

Chair – *Senator Carlin Yoder,
Indiana State Senate*

- ❖ **Mary Beth Bonaventura** – Executive Director, Department of Child Services
- ❖ **Jolene Bracale** – Program Coordinator for Student Health, Department of Education
- ❖ **Sen. John Broden** – Indiana State Senate
- ❖ **Hon. Christopher Burnham** – Judge, Morgan Superior Court 2
- ❖ **Leslie Dunn** – State Director, GAL/CASA, Division of State Court Administration
- ❖ **Larry Landis** – Executive Director, Public Defender Council
- ❖ **Rep. Kevin Mahan** – Indiana House of Representatives
- ❖ **Sean McCrindle** – Vice President of Program Operations, Bashor Children's Home
- ❖ **Suzanne O'Malley** – Deputy Director, Prosecuting Attorneys Council
- ❖ **Rep. Gail Riecken** – Indiana House of Representatives

CROSS-SYSTEM YOUTH

Co-chair – *The Honorable Charles Pratt, Allen Superior Court*

Co-chair – *Don Travis, Deputy Director Juvenile Justice Initiatives & Support, Department of Child Services*

- ❖ **Mary Allen** – Executive Director, Criminal Justice Institute
- ❖ **Jeffrey Bercovitz** – Director, Juvenile and Family Law, Indiana Judicial Center
- ❖ **Christine Blessinger** – Assistant Executive Director, Indiana Department of Correction, Division of Youth Services
- ❖ **Rebecca Buhner** – Assistant Deputy Director, Office of Youth Services, Critical Populations and Cultural Competence, FSSA/Division of Mental Health and Addiction
- ❖ **Bruce Carter** – Coordinator of Staff and Student Wellness, MSD of Wayne Township, Wayne Enrichment Center
- ❖ **Mary DePrez** – Director and Counsel for Trial Court Technology, Indiana Supreme Court Division of State Court Administration, Judicial Technology and Automation Committee
- ❖ **Suzanne Draper** – Executive Director, Vanderburgh County CASA
- ❖ **Hon. Steve Galvin** – Judge, Monroe Circuit Court 7
- ❖ **Cathleen Graham** – Executive Director, IARCCA, an Association of Children & Family Services
- ❖ **Nichole Hall** – Juvenile Probation Supervisor, Bartholomew County Court Services
- ❖ **JauNae M. Hanger** – Attorney, Waples & Hanger
- ❖ **Hon. Heather Mollo, Ex Officio** – Juvenile Court Magistrate, Bartholomew Circuit Court
- ❖ **Kathleen Rusher** – Assistant Chief Juvenile Probation Officer, Allen County
- ❖ **Daniel C. Schroeder, Esq.** – Marion County Public Defender Agency, Juvenile Division
- ❖ **Tiffany Stewart** – DVS Supervisor, Montgomery County
- ❖ **Commander Randal Taylor** – Indianapolis Metropolitan Police Department
- ❖ **Michelle Woodward** – Prosecutor, Lawrence County

Interim Report
Cross Systems Task Force

**Prepared for the Indiana Children's
Commission**

May 21, 2014

Judge Charles F. Pratt and Donald Travis, Co-chairs

Membership

Membership to the task force was developed based on the several considerations.

The principal objective of the selection process was to include those agencies or systems that are essential for the implementation of any recommended operational changes.

To ensure that diversity of experience and to understand best practices as well as local or regional barriers and successes, the following factors were also considered when determining membership:

- The child or family serving agencies / sectors invited must serve in or have common operational influences within communities across the state.
- The membership should be drawn from multiple geographical regions to ensure that rural and urban issues are reported.
- The membership must be representative of several different population sizes.

Membership is reflective of the Commission.

The following agencies/systems are represented:

- Criminal Justice Institute
- Judicial Center
- State Court Administration (data)
- Department of Mental Health
- Education / Schools
- Department of Corrections
- Court Appointed Special Advocate Program
- Public Defender
- Juvenile Court Judges
- Juvenile Probation
- Department of Child Services
- Indiana State Bar Association
- Law Enforcement
- Prosecutor
- Placement and Service Providers

Definitions:

Dual Jurisdiction Definition: Most research focuses on youth who are involved in either child protective services (Department of Child Services) and who are (or may be) delinquent. They generally fall into one of three categories as “Dual Status Youth” :

1. Dually Identified Youth
2. Dually Involved Youth
3. Dually Adjudicated Youth

Each of these categories originate with either the DCS or Juvenile Delinquency System and are involved in some fashion with the juvenile court.

As will become clear, the task force will also address the needs of other children who are affected by multiple systems.

Dual Jurisdiction definition, continued

Dually identified Youth - Youth who are currently involved with the juvenile justice system and have history in the child welfare system but no current involvement.

Dually-Involved Youth – Youth who have concurrent involvement (diversionary, formal, or a combination of the two) with both the child welfare and juvenile justice systems.

Dually-Adjudicated Youth – Youth who are concurrently adjudicated in both the child welfare and juvenile justice systems (i.e. both dependent and delinquent).

[From the *Guidebook for Juvenile Justice and Child Welfare System Coordination and Integration*, J. Wiig, J. Tuell, with J. Heldman; Robert F. Kennedy Children Action Corps, Third Edition, 2013]

In our current system, the child's point of entry into one system by accident of arrest or other circumstances, not the child's status or need, dictates the label. For example, an abused or neglected child may commit a delinquent act in response to their abuse or neglect. For discussion on this issue see *Restorative Group Conferencing for Dual-Jurisdiction Youths*. Protecting Children -A Professional Publication of American Humane , Volume 24, Number 4, 2009

THEREFORE, it is critical that there be collaboration across the two systems.

Cross Systems Youth defined

Unique to Indiana, and included in the charge for this Task Force are the other children in our communities who have multi-systems needs.

- These are children – yet to be fully defined – who require cross systems assistance outside of or prior to involvement with the dependency or delinquency processes.
- They also may be, based on our research, children who should be separated from the existing delinquency and dependency systems and folded into a new status.
- For example, they may be:
 - Homeless teens
 - Older teen runaways
 - Elder teen truants
 - Mentally ill children
 - 18, 19 or 20 year olds with housing and secondary education problems

Cross Systems Youth defined:

- Youth lacking in protective factors.. “risk ‘crossing over’ from the child welfare system to the juvenile justice system and **other systems of care.**” (emphasis added)*
- Thus Cross Systems issues also involve agencies and systems other than the Department of Child Services and Juvenile Justice.
- Crossover Youths present a co-occurrence of problem behaviors in many areas of their lives. They present with common family histories of criminal behavior, mental health problems, substance abuse, or domestic violence victimization. (National Council of Juvenile and Family Court Judges)

*Quoted from *Two Sides of the Same Coin*, Shay Bilchik ad Judge Michael Nash, Juvenile and Family Justice TODAY, NCJFCJ, Fall, 2008 and Winter 2009,

Task Force Meetings to date:

The first meeting addressed the definitions and general discussion with regard to the primary issues. Each member was asked to generally ascertain anecdotal information of barriers and best practices with regard to Cross Systems Youth – They were asked to:

- Seek out perspectives on how systems work well and do not work well together logistically for children having needs.
- Identify possible legal barriers to communication and service: Confidentiality issues, legal and regulatory issues and fiscal barriers.
- Determine whether regulations are followed or locally overridden.
- Determine which laws and practices are universally applied to the benefit or detriment of meeting a Cross System Youth's needs.
- Identify what data is available and what data is needed.
- Consider paradigm changes particularly as it relates to status offenders and Cross Systems Youth.
- List what is the primary problems existing between systems.

The responses to the assignment was then addressed at the second meeting. Some general findings are instructive:

IARCCA surveyed member agencies and found that, in addition to CHINS and Delinquency cases, children with cross systems needs included:

- Children with serious mental illness (73%)
- Children who are dually diagnosed with mental illness and developmental disabilities (54%)
- Pregnant or parenting youth (24%)
- Homeless children (29%)
- Children with School behavioral problems (49%)

The responders to the IARCCA survey identified the following primary issues for children with cross systems needs:

- 73% reported disagreements among systems about responsibility for children with multiple problems.
- 56% reported a sense that there is a lack of cross systems accountability for services for children with multiple problems.
- 41% reported a lack of services for children with complex needs.
- 34% reported procedural issues.

Defining the problem: Some examples from surveys :

Dual Jurisdiction Youth Issues

- Meaningful data not available.
- Reciprocity in access to files. DCS may access JD files but the child's public defender may be barred from DCS files.
- Foster child violated on probation may equal a change in placement.
- Need for cross training of providers for CHINS cases and providers for JD cases.
- Lack of collaborative procedures.

Cross System Youth Issues

- Meaningful data not available.
- Poverty: many families fall in the "income gulf" between qualification for services and an ability to pay. For example, many children with learning disabilities also have other conditions – e.g. mental health issues – for which the parent is unable to access care.
- There is a lack of leadership / coordination between service providers.
- Each agency has its own consent/ release forms.

Recent Allen County, Indiana Survey

The survey responders identified the following reasons for barriers to the provision of cross system services and care for children:

- Statutory barriers..... 38%
- State regulations..... 48%
- Internal Agency Policies..... 38%
- Financial issues27.5%

- *Misunderstanding of legal restrictions..48%*
- *Personnel issues.....55%*

Examples of barriers to effective Cross System care:

Time limitations on shelter for teens.

Services not available for 17- 19 yr. old homeless youth or youth with disengaged parents .

No streamlined information sharing.

Every agency has individualized consent forms.



Agency /school policies vary.

There is no one-stop service coordination for cross systems youth

No coordinated leadership across sectors if Probation or DCS not involved.

Professionals lack knowledge of available resources and other agency policies.

SECTOR SECRETS

- Information is the currency of education, law enforcement, courts, agencies and the DCS. Sometimes currency is hoarded and not used for the care of the children.
 - Too often internal policies are not correctly understood by the gatekeeper of a particular agency and services and/or information otherwise available are denied.
 - Too often regulations and laws are not correctly understood by the gatekeeper of a particular agency and services and/or information otherwise available are denied.
 - Information is shared more freely between sectors in some counties than in others.
 - Procurement of services between agencies or by parents is often a moving target.
 - Information that may seem uncomplimentary of one agency is denied to another despite its need for the treatment of a child.
 - Some access is denied in a misguided attempt to save dollars.

NEXT STEPS:

- Task Force will be divided into subcommittees to further research specific Cross System Youth issues. For example:
 - Homeless youth issues
 - Mental Health issues
 - Education issues
 - Physical health issues
 - The proper method to address status offenders
- The Task Force will invite local leaders to present on the best practices from across the state.
- The Task Force will develop and sponsor pilots for dual jurisdiction processes in three counties.
- Data collection is in the process of being identified for reporting through the Quest Case Management System. Coordination will be made with the State Court Administration.
- The Task Force has met with Casey Family Programs for potential inclusion as one of the states partnering through judicial engagement. Further discussion will follow as that proposal is also being considered by the Juvenile Justice Improvement Committee of the Indiana Judicial Center.

DATA SHARING AND MAPPING

Co-chair – *Lilia Judson,*
Executive Director, Division of
State Court Administration

Co-chair – *Julie Whitman,*
Vice President of Programs,
Indiana Youth Institute

- ❖ **Mary Allen** – Executive Director, Criminal Justice Institute
- ❖ **Paul Baltzell** – Chief Information Officer, Office of Technology
- ❖ **Thomas Bodin** – Chief Financial Officer, Office of the Attorney General
- ❖ **Mary DePrez** – Director and Counsel for Trial Court Technology, Indiana Supreme Court Division of State Court Administration, Judicial Technology and Automation Committee
- ❖ **Ann Hartman** – Interim Executive Director, Connect2Help
- ❖ **Kevin Moore** – Director, Division of Mental Health and Addiction, Family & Social Services Administration
- ❖ **Barry Salovitz** – Senior Director, Strategic Consulting Systems Improvement, Casey Family Programs
- ❖ **Dr. Cynthia Smith** – Operation Analyst, Department of Child Services
- ❖ **Joshua Towns** – Director of Information Technology, Department of Education
- ❖ **Jeff Tucker** – Deputy/Assistant IT Director, Department of Child Services
- ❖ **Christopher Waldron** – Director, Public Health Geographics, State Department of Health
- ❖ **Dr. Susan Smith** – Senior Director for Data Advocacy, Casey Family Programs



DATA SHARING AND MAPPING TASK FORCE

UPDATE TO THE COMMISSION ON THE STATUS OF CHILDREN, MAY 21, 2014



TASK FORCE'S MANDATES

- **Mapping** services for vulnerable youth to determine gaps and overlaps
- Making recommendations related to **data sharing** among state agencies for the benefit of vulnerable youth and efficiency

MAPPING

- By statute, the Commission is to study and evaluate:
 - Access to services for vulnerable youth
 - Availability, duplication, and funding for services
 - Barriers to services

A MAP IS ONLY AS GOOD AS THE DATABASE BEHIND IT

- Collected lists of state-contracted service providers
- Sent paper survey
- 27% response rate
- Built database
- Ongoing data collection and entry

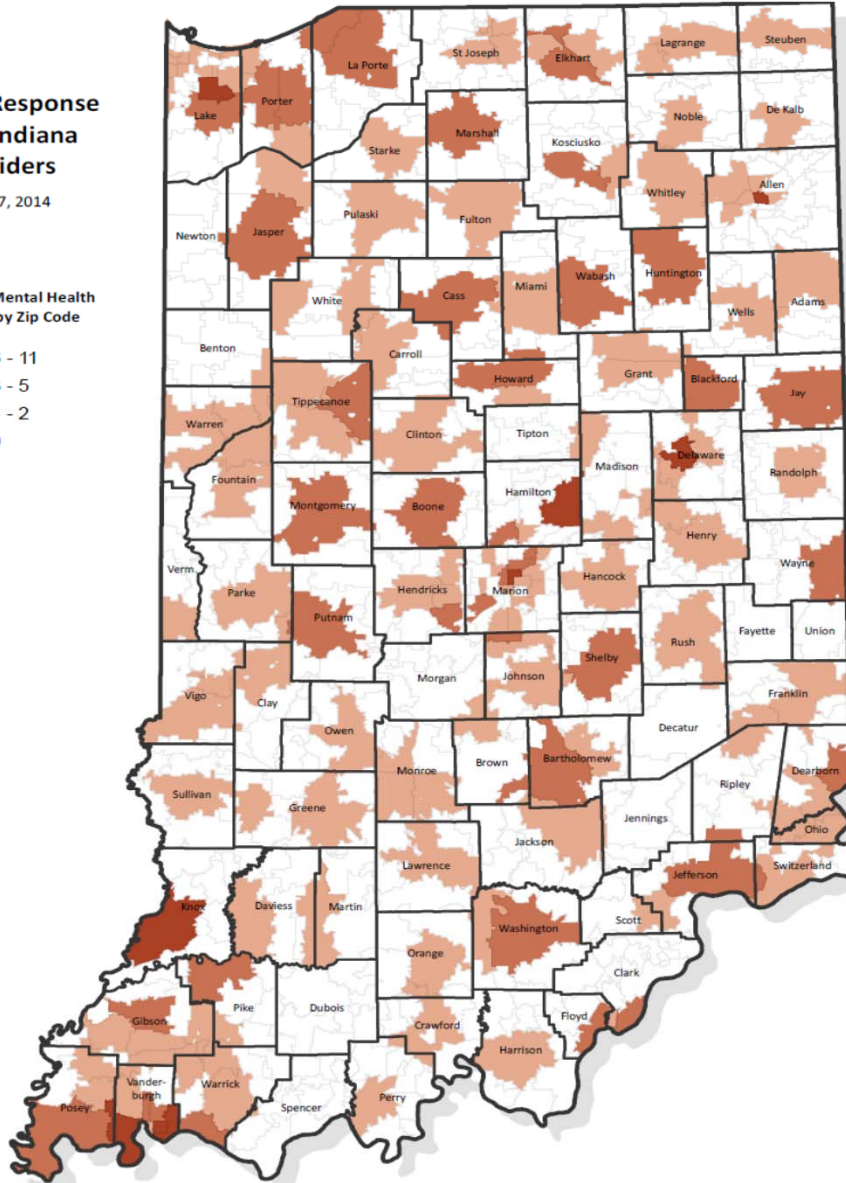
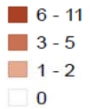
MAPPING THE GAPS

- Mapping software and work provided by ISDH
- Visible geographic gaps
- Database and maps both works in progress

Survey Response From Indiana Providers

April 17, 2014

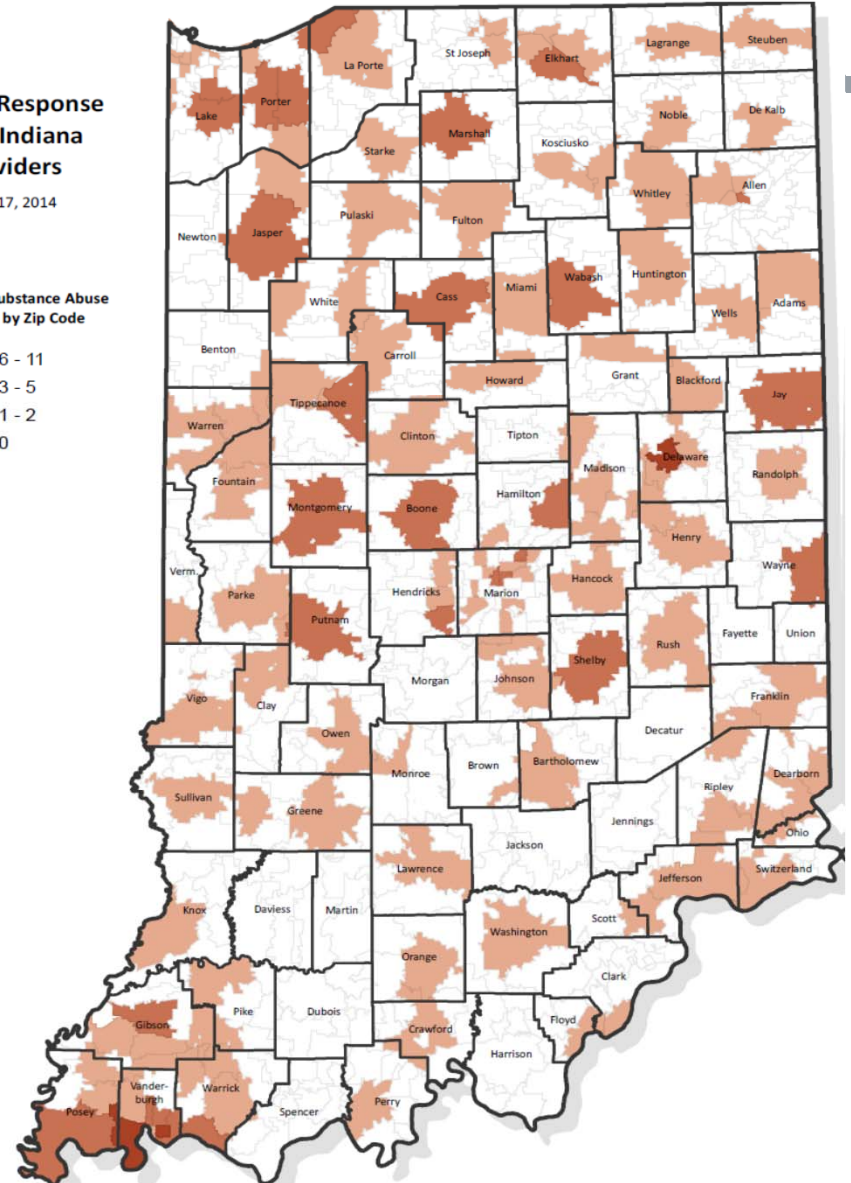
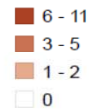
Number of Mental Health Providers by Zip Code



Survey Response From Indiana Providers

April 17, 2014

Number of Substance Abuse Providers by Zip Code



GAPS IN SERVICES

- Rural areas
- Lack of appropriate crisis services
 - Hospitals, police: “revolving door”
- Residential substance abuse treatment for adolescents
- Services for dual diagnosis: mental health and developmental disabilities

BARRIERS TO SERVICES

- Transportation
- Best practice not always what's reimbursed
- Individual model a misfit for families and young children

BARRIERS TO SERVICES

- Lapses in Medicaid
- Paperwork burden
- Workforce shortage

DATA SHARING

- What each agency collects
- Clarifying questions to be answered by sharing data
- Child-level or system-level data?

EDUCATIONAL OUTCOMES

- Commission would like data on educational outcomes for system-involved youth
- Current or new efforts underway at the state: MPH, SLDS, ELAC
- Recommend coordinating with SLDS effort to answer questions on vulnerable youth through that system.

NEXT STEPS

- Continue database and mapping effort
 - Find a permanent home
 - Plan for future maintenance and public access
- Participate in SLDS project if asked to do so
- Serve other task forces with data as needed
- “Other duties as assigned”

INFANT MORTALITY AND CHILD HEALTH

Co-chair – *Jane Bisbee,*
Deputy Director, Field
Operations, Indiana
Department of Child Services

Co-chair – *Art Logsdon,*
Deputy Director, Indiana State
Department of Health

- ❖ **Morella Dominguez** – Director of Multicultural Affairs, Indiana Minority Health Coalition
- ❖ **Charles Ford** – Chief of Administration, Indianapolis EMS
- ❖ **Andrea Hern** – Assistant Director, Division of Mental Health and Addiction
- ❖ **Kristen Kelley** – Prescription Drug Abuse Task Force Coordinator, Office of the Attorney General
- ❖ **Spencer Grover** – Vice President, Indiana Hospital Association
- ❖ **Jolene Bracale** – Program Coordinator for Student Health, Department of Education
- ❖ **Bob Bowman** – Maternal and Child Health Director, Indiana State Department of Health
- ❖ **Dr. Ted Danielson** – Medical Director, Indiana State Department of Health
- ❖ **Kelly Moore** – DCS Fatality Team
- ❖ **Jeena Siela** – Maternal and Child Health Deputy Director, Indiana State Department of Health
- ❖ **Gilbert Smith** – Northern Executive Manager, Department of Child Services

SUBSTANCE ABUSE AND CHILD SAFETY

Chair – *Senator Randall Head*

- ❖ **Sirrilla Blackmon** – Deputy Director of Children's Services, Division of Mental Health and Addiction
- ❖ **Cathy J. Boggs** – Executive Director Government and Affiliate Relations, Behavioral Health Network, Community Health Network
- ❖ **Suzanne F. Clifford** – Executive Vice President, Behavioral Health, CEO, Gallahue Community Mental Health Center, Community Health Network
- ❖ **C.J. Davis** – Executive Director, Four County Counseling Center
- ❖ **Benjamin Evans** – Legislative Director, Professional Licensing Agency
- ❖ **Mindi Kensinger Goodpaster, MSW** – Director, Public Policy & Advocacy, Marion County Commission on Youth
- ❖ **Cathleen Graham, MSW, LCSW** – Executive Director, IARCCA, an Association of Children & Family Services
- ❖ **Carey Haley Wong** – Chief Counsel, Child Advocates
- ❖ **Marc D. Kniola** – DYS Program Director, Indiana Department of Correction, Division of Youth Services
- ❖ **Kaarin Lueck** – Attorney, Wayne County Public Defenders' Office
- ❖ **Suzanne O'Malley** – Deputy Director, Prosecuting Attorneys Council
- ❖ **Lisa Rich** – Deputy Director of Services and Outcomes, Department of Child Services
- ❖ **Letecia Timmel** – Behavioral Health Services Provider, Otis R. Bowen Center for Human Services
- ❖ **William G. Wooten, MD** – Addiction Medicine Specialist & Family Physician, Retired, Youth First, Inc.
- ❖ **Stan Holt** – Chief of Police, Batesville
- ❖ **Lt. Kevin Hobson** – Commander, Drug Enforcement Section, Indiana State Police

AGENDA

- ❖ Update on Report to Legislative Council, Governor & Chief Justice
 - *Angela Reid-Brown, Indiana Judicial Center*



COMMISSION ON IMPROVING THE STATUS OF CHILDREN IN INDIANA

Annual Report

- **Due July 1, 2014**
- **Shall be submitted to the Legislative Council, the Governor and the Chief Justice of Indiana**
- **Highlighting the Commission's work during the previous year**

AGENDA

❖ Legislative Update

- *Brady Brookes, Legislative Director, Indiana Department of Child Services; Jeff Bercovitz, Director, Juvenile and Family Law, Indiana Judicial Center*



A new status offense?


I.C. 35-45-4-6 Indecent display of a youth: Class A misdemeanor

- Applies only to a person less than 18 who is not more than 4 years older than the depicted or receiving individual
- Is in a dating/ongoing personal relationship (not family); and
- Individual depicted or receiving acquiesced to person's conduct



Sexting?

- Defines disseminate, matter, performance and sexual conduct
 - A person who on or by means of a cellular telephone, social media website, or another wireless or cellular communications device, knowingly or intentionally:
 - 1) Produces, presents, exhibits, photographs, records, or creates a digitized image of any performance or incident that includes sexual conduct by a child at least 12 years of age;
 - 2) Disseminates, exhibits to another person, or offers to disseminate or exhibit to another person, matter that depicts or describes sexual conduct by a child at least 12; or
 - 3) Possesses: a picture, drawing, photo, motion picture, digitized image or any pictorial representation that depicts or describes sexual conduct by a child at least 12 who the person knows is less than 16 and that lacks serious literary, artistic, political or scientific value.



Legislation-HEA 1006

- **CHANGES TO DIRECT FILE: the following are removed if over 16:**
 - Criminal gang activity, criminal gang intimidation
 - Manufacturing or dealing in cocaine or narcotic drugs if there is a prior unrelated drug offense

AGENDA

- ❖ Discussion: New duties, 2014 Legislative Session; additional topic, Legislative Council Resolution 14-01

COMMISSION'S NEW DUTIES

The commission shall do the following:

(1) Study and evaluate the following:

....

J. Crimes of sexual violence against children.

K. The impact of social networking web sites, cellular telephones and wireless communication devices, digital media, and new technology on crimes against children.

LEGISLATIVE COUNCIL RESOLUTION 14-01

❖ SECTION 5. In addition to any other topic assigned to the study committee by statute, the Commission on Improving the Status of Children shall study the following topic and make an interim report or a final report with findings and recommendations to the Legislative Council before November 1, 2014, in an electronic format under IC 5-14-6:

○ **(1) COMMISSION ON IMPROVING THE STATUS OF CHILDREN (IC 2-5-36-9)**

○ THE COMMISSION IS CHARGED WITH STUDYING THE FOLLOWING TOPIC:

- (A) Under-reporting of crimes against children, including the reasons for underreporting. (HB 1137-2014, SECTION 1 (as introduced); IC 16-19-13-7(a)(3)(A), as added by SEA-227-2014, SECTION 6 (study by the Office of Women's Health or State Department of Health concerning differences between the reporting of crimes of domestic and sexual violence committed against children).

AGENDA

❖ Suggested Topics for Future Commission Meetings

○ July

- Dynamics of Family Violence
- Sex Crimes against Children

○ September

- Children's Mental Health Initiative

○ Other

- Probation funding and caseload standards
- Trauma Informed Care
- Collaboration between DOC, DCS, DOE, DMHA and detention centers

AGENDA

- ❖ *Future Meeting Dates: All meetings are from 10:00 a.m. – 2:00 p.m. at the Indiana Government Center South unless otherwise posted*
 - July 16, 2014
 - September 17, 2014
 - November 19, 2014

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GOVERNOR
MIKE PENCE

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Latest News & Headlines

Upcoming Meeting. The State Commission on Improving the Status of Children will meet February 19, 2014 from 10:00 a.m. to 2:00 p.m. in Conference Room A at Indiana Government Center South. The meeting is open to the public. The

THE WEBSITE TO VIEW ALL DOCUMENTS HANDED OUT
AT COMMISSION MEETINGS AND THE WEBCAST OF
TODAY'S MEETING
CAN BE FOUND AT WWW.IN.GOV/CHILDREN.