



## JUDICIAL COUNCIL OF CALIFORNIA

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### MEMORANDUM

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Date	Action Requested
July 28, 2017	Please Review
To	Deadline
Family and Juvenile Law Advisory Committee Members	August 10, 2017
From	Contact
Nicole Giacinti, Attorney, Center for Family Children & the Courts	Nicole Giacinti (415) 865-7598 phone nicole.giacinti@jud.ca.gov
Subject	
Dual-Status Youth Data Standards Working Group (AB1911): Draft Legislative Report	

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#### Executive Summary

The Legislature enacted Assembly Bill 1911 ([Eggman]; Stats. 2016, ch 637) that requires the Judicial Council to convene a prescribed group of stakeholders to define data elements and outcome tracking for youth involved in the dependency and delinquency system and report to the legislature by January 1, 2018. In Fall 2016 members of this committee volunteered to participate in the Dual-Status Youth Data Standards Working Group along with justice partners as designated in AB 1911. The working group intends to submit a final report to this committee in September 2017. In advance of that submission, the working group wishes to provide the full committee with a preliminary report on its proposed recommendations and is seeking input to inform the final report.

## Background

In 2005, California passed Assembly Bill 129, which amended the Welfare and Institutions Code to allow counties to develop dual status protocols. Prior to the implementation of AB129, a child in California could not be simultaneously a dependent child of the court and a ward of the court. To date, 18 out of California's 58 counties have elected to establish dual status protocols. Those 18 counties represent 67 percent of the state of California's population. For the two years following the implementation of AB129, the Judicial Council was required to collect data in order to evaluate the efficacy of dual status protocols that had been created; however, no additional data collection and evaluation requirements were imposed after the expiration of the initial two year period.

In 2015, pursuant to a request by the Joint Legislative Audit Committee, the California State Auditor (Auditor) undertook a review of case files in three counties that had developed dual status youth protocols. The auditor reviewed the case files of 166 youth in these six counties. In counties that had adopted dual status protocols, the Auditor reviewed case files of children who had been adjudicated simultaneously as a dependent child and a ward of the court (dual status youth); while in the non-dual status counties, the files reviewed were of children who had their dependency cases dismissed after being made wards of the court (crossover youth). Ultimately, the Auditor found that it could not compare outcomes across the six counties selected because the state has not defined key terms or key outcomes to track. In other words, it was impossible to make an apples to apples comparison because each county was collecting different data on different populations of children.

In response to a report by the California State Auditor, the legislature directed the Judicial Council of California, through Assembly Bill 1911, to "convene a committee comprised of stakeholders involved in servicing the needs of dependents or wards of the juvenile court...to develop and report...its recommendations to facilitate and enhance comprehensive data and outcomes tracking for the state's youth involved in both the child welfare system and the juvenile justice system."

## **Data Standards Working Group**

The working groups includes the following Family and Juvenile Law Advisory Committee members: Hon. Patrick E Tondreau (chair), Hon. Jerilyn L. Borack, Hon. Carolyn M. Caietti, Hon. Tari L. Cody, Hon. Suzanne I. Gazzaniga, Ms. Mary M. Davis, Ms. LaRon Dennis, Ms. Sylvia Deporto, Mr. Christopher Gardner, Ms. Patricia Lee, and Mr. Brian Richart. In accordance with the requirements of AB 1911, the working group also included stakeholders from probation, social services on the state and county level, attorneys, policy advocates, and education officials. The working group also received input from staff of the Department of

Justice, Board of State and Community Corrections, the Silicon Valley Regional Education Trust, technology experts, and others.

The legislature required the working group to present its recommendations no later than January 1, 2018. The enclosed draft legislative report sets forth the working group's preliminary recommendations for:

- (1) A common identifier for counties to use to reconcile data across child welfare and juvenile justice systems statewide.
- (2) Standardized definitions for terms related to the populations of youth involved in both the child welfare system and the juvenile justice system.
- (3) Identified and defined outcomes for counties to track youth involved in both the child welfare system and the juvenile justice system, including, but not limited to, outcomes related to recidivism, health, pregnancy, homelessness, employment, and education.
- (4) Established baselines and goals for the identified and defined outcomes specified in paragraph (3).
- (5) An assessment as to the costs and benefits associated with requiring all counties to implement the committee's recommendations.
- (6) An assessment of whether a single technology system, including, but not limited to, the State Department of Social Services' Child Welfare Services/Case Management System (CWS/CMS) or the Child Welfare Services-New System (CWS-NS), is needed to track youth in the child welfare system and the juvenile justice system.

#### Action Needed

The purpose of the August 10<sup>th</sup> meeting is twofold:

1. To provide this committee with the preliminary report, and
2. Receive questions, comments, or requests for clarification or changes from committee members and interested members of the public before the working group finalizes its report.

We look forward to your input.

#### Attachments

1. Draft AB1911 Legislative report

## **AB1911 Draft Report to the Legislature**

### **I. Executive Summary [To Be Drafted]**

### **II. Background**

#### **A. Youth at the Intersection of Child Welfare and Juvenile Justice**

“A solid body of research...confirms the connection between child maltreatment and juvenile delinquency and establishes the necessity of more coordinated and integrated service delivery by the child welfare and juvenile justice systems.” (Wiig, Widom, and Tuell, 2003).

The intersection of child welfare and juvenile justice is not a new phenomenon, nor is it a rare one. It is estimated that as many as 50% of youth referred to the juvenile court on a juvenile justice matter have had involvement with the child welfare system (Thomas, 2015). States that have investigated the prevalence of a related population of youth include Massachusetts, which found that almost  $\frac{3}{4}$  of youth committed to its corrections department had been involved with the child welfare system (Citizens for Juvenile Justice, 2015), and Washington State, which found that 43.9% of youth referred to the juvenile justice system had a history of involvement with child welfare (Pickard, 2014). These findings are consistent with the prevalence found in several counties engaged in dual status youth reform work with the Robert F. Kennedy National Resource Center for Juvenile Justice (RFK). These counties report that  $\frac{1}{2}$  to  $\frac{2}{3}$  of their justice involved youth have had some historical or current involvement with the child welfare system.

Although this connection is prevalent, it is not determinate. As a result of research conducted over the past 25 years, there is some understanding of risk factors associated with juvenile justice involvement among child welfare involved youth - what makes a youth more or less likely to become involved in the juvenile justice system. These include being African-American, having parents with a history of justice system involvement, having first contact with the child welfare system later in childhood or adolescence, experiencing multiple foster care placements, and placement in congregate care (Cutuli, et al, 2016; Herz & Ryan, 2008). For child welfare involved youth who do become involved in the juvenile justice system, research shows that they experience costly outcomes in both human and fiscal terms. These youth are more likely to be detained, to have longer stays in detention, and to be formally processed than youth not involved in the child welfare system (Conger & Ross, 2001; Halemba & Siegel, 2011). Studies have also shown that they are more likely to recidivate and to have criminal justice involvement in early adulthood (Lee & Villagrana, 2015; Center for Innovation through Data Intelligence, 2015).

To address these troubling outcomes, jurisdictions around the nation have undertaken collaborative efforts across child and family serving systems on behalf of these youth. Policies, protocols, and legislation have been developed to ensure that youth involved in these systems are identified, assessed, and served in an efficient and informed manner - coordinating between

systems rather than working in silos. Initiatives in Hampden County, MA and Douglas County, NE are just two examples of local jurisdictions that have implemented multi-system practice and are committed to tracking outcomes for the youth they serve. These efforts have shown early promise in improving outcomes for youth in their counties: Hampden County has seen a significant reduction in recidivism measures such as new offenses and commitments to corrections (Heldman, 2016); Douglas County increased the number of youth who were diverted from the juvenile court. The gains in Douglas County have been quantified, with a cost savings analysis indicating reduced costs related to court processing and a net benefit of \$173,161 per year (Nebraska Center for Justice Research, 2017).

### **B. Dual Status Youth in California**

In 2005, California passed Assembly Bill 129, which amended the Welfare and Institutions Code to allow counties to develop dual status protocols. Prior to the implementation of AB129, a child in California could not be simultaneously a dependent child of the court and a ward of the court. That meant not only that courts had to choose which system, probation or child welfare, would serve the child but also that services provided by the system that was not selected would end. To date, 18 out of California's 58 counties have elected to establish dual status protocols. Those 18 counties represent 67 percent of the state of California's population. Several of these counties are among the nationwide network of jurisdictions that have seen success with their dual status youth efforts. Santa Clara County, in particular, has committed significant time and effort to tracking the impact of its reforms and has found very preliminary positive results such as lower numbers of arrests and a decrease in the severity of offenses.

Los Angeles County was an early adopter of dual jurisdiction, beginning a program to pilot multidisciplinary team (MDT) meetings in 2007. The pilot expanded in 2012, establishing dedicated 241.1 courts and corresponding MDT processes countywide. In partnership with Dr. Denise Herz of California State University – Los Angeles, an application was built to collect data on dual status youth in the county. This effort allows data collection and reporting on referral information, characteristic data, and tracking data. Similar to the results in Santa Clara, preliminary outcomes show some positive trends related to the county's reform efforts. (Herz, 2016).

For the two years following the implementation of AB129, the Judicial Council was required to collect data in order to evaluate the efficacy of dual status protocols that had been created; however, no additional data collection and evaluation requirements were imposed after the expiration of the initial two year period. Consequently, the evaluation of the success of dual status protocols was limited.

In 2015, pursuant to a request by the Joint Legislative Audit Committee, the California State Auditor (Auditor) undertook a review of case files in three counties that had developed dual status youth protocols (Los Angeles, Riverside, and Santa Clara) and three counties that had not

(Alameda, Kern, and Sacramento). The auditor reviewed the case files of 166 youth in these six counties. In counties that had adopted dual status protocols, the Auditor reviewed case files of children who had been adjudicated simultaneously as a dependent child and a ward of the court (dual status youth), while in the non-dual status counties, the files reviewed were of children who had their dependency cases dismissed after being made wards of the court (crossover youth). Ultimately, the Auditor found that it could not compare outcomes across the six counties selected because the state had not defined key terms or key outcomes to track. In other words, it was impossible to make an apples to apples comparison because each county was collecting different data on different populations of children. Data comparisons were further complicated because “the state cannot compare some outcomes across counties because counties do not use the statewide case management system consistently.” (California State Auditor, 2016).

### **C. Legislative Mandate**

In response to the challenges highlighted by the Auditor’s report, the California Legislature passed Assembly Bill 1911, which requires the Judicial Council to “convene a committee comprised of stakeholders involved in servicing the needs of dependents or wards of the juvenile court...to develop and report...its recommendations to facilitate and enhance comprehensive data and outcomes tracking for the state’s youth involved in both the child welfare system and the juvenile justice system.”<sup>1</sup> The legislature required the working group to present its recommendations no later than January 1, 2018. A Data Standards Workgroup (Workgroup) was formed in accordance with the requirements of AB 1911, and met in person three times over the course of six months. The Workgroup was charged with developing recommendations for:

- (1) A common identifier for counties to use to reconcile data across child welfare and juvenile justice systems statewide.
- (2) Standardized definitions for terms related to the populations of youth involved in both the child welfare system and the juvenile justice system.
- (3) Identified and defined outcomes for counties to track youth involved in both the child welfare system and the juvenile justice system, including, but not limited to, outcomes related to recidivism, health, pregnancy, homelessness, employment, and education.
- (4) Established baselines and goals for the identified and defined outcomes specified in paragraph (3).

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<sup>1</sup> A roster of members and contributors is included as Attachment A. The group was comprised of judges, a court administrator, child welfare and juvenile justice attorneys, child welfare and juvenile justice advocates, education officials, and representatives from the State Department of Social Services, county child welfare agencies, and county probation departments. In addition, the group conducted a focus group with young adults with experience in both the child welfare and juvenile justice systems.

(5) An assessment as to the costs and benefits associated with requiring all counties to implement the committee's recommendations.

(6) An assessment of whether a single technology system, including, but not limited to, the State Department of Social Services' Child Welfare Services/Case Management System (CWS/CMS) or the Child Welfare Services-New System (CWS-NS), is needed to track youth in the child welfare system and the juvenile justice system.

#### **D. Workgroup Activities**

The Workgroup was divided into three subgroups, each charged with conducting an in-depth exploration of a certain category of recommendations required by the Legislature. These subgroups met via conference call between in-person Workgroup meetings and produced reports of findings and recommendations. These recommendations were discussed and adopted by the Workgroup and are presented in this report.

As part of its work, the Workgroup and corresponding subgroups reviewed a variety of resources, including publications of the Robert F. Kennedy National Resource Center for Juvenile Justice, which also provided technical assistance to the Workgroup. Other materials included Judicial Council publications regarding Dependency and Delinquency Court Performance Measures and examples of data collection and reports related to local dual status youth reform efforts, specifically from Los Angeles County and Santa Clara County.<sup>2</sup>

Throughout the six months of Workgroup meetings, the subgroups also sought out examples of data collection and reporting from counties that have explored and built mechanisms to share data across agencies. Alameda County and the Silicon Valley Regional Data Trust provided examples of such mechanisms and the Workgroup's recommendations were informed by what was learned from representatives involved with these systems.

To obtain the perspective of young people who experienced involvement with both child welfare and juvenile justice, as mandated by AB1911, staff to the Workgroup conducted a focus group. The focus group consisted of young people – both male and female – who had been involved with child welfare and juvenile justice during their youth. Some of the participants of this focus group had first been adjudged child welfare youth while others started out in the juvenile justice system. In speaking with these young people, three recurring points emerged. The first was the importance of a supportive adult that was committed to standing by the young person through good times and bad. Many in the focus group were repeatedly abandoned – first by their biological family and then by the foster family who did not maintain a connection to the young person when he or she became involved with the juvenile justice system. The young people who participated in the focus group spoke about how important it was to find that one person who formed a bond with them and supported them through difficult times. This supportive adult was

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<sup>2</sup> A bibliography of reference materials provided to the working group is included as Attachment B.

often not a caregiver, but rather a mentor, teacher, or volunteer who made and maintained a connection with the young person.

The second point was the importance of attending mainstream schools. Most focus group participants attended many schools because they were frequently moved during their stay in child welfare and juvenile justice care. As a result, most of the focus group participants completed their high school education at community or continuation schools, missing out on regular teenage activities like prom, sporting events, and the social-emotional development that school encourages. The focus group participants also noted that they received a subpar education at the court school, the school in Juvenile Hall, and/or the community school.

Finally, the focus group participants talked about the importance of having the opportunity to participate in prosocial activities, like internships. Often, even if the young person was connected with a prosocial activity it ended after only a few months, again leaving the young person with nothing to fill their time. The focus group participants discussed finding or creating opportunities for youth that will engage them, challenge them, and last or lead to another challenging and engaging activity.

The experiences and suggestions from the focus group participants highlight the importance of coordination between agencies, continuity of services, and engagement that is rehabilitative rather than punitive, and this perspective informed many of the conversations that led to the recommendations developed below.

#### **E. Dual Status Youth Data and Other Data Integration Efforts Across the Nation**

The challenges of collecting and reporting data regarding dual status youth are not unique to California. Where some local jurisdictions around the country have developed methods to track their dual status youth and their outcomes, states still struggle with establishing statewide data standards for this population. In a recent article by the National Center for Juvenile Justice, the following challenges in collecting data on this population were highlighted:

- Administrative databases often do not include information, or only include limited information, regarding a youth's or family's informal involvement with the child welfare or juvenile justice system.
- In many states, child welfare and juvenile justice data systems are separate and not easily linked. This is particularly complicated when administration of child welfare and/or juvenile justice is done on the local level.
- When multiple data systems are involved, there may not be compatible identifiers between the systems, and matching can be a resource heavy process.
- Data systems may not have the ability to access historic records of a youth or family, thus failing to identify all crossover youth. (National Center for Juvenile Justice, 2016)



Due to these challenges, there are a very limited number of jurisdictions that have produced reports on prevalence, characteristics, or outcomes of their dual status youth. Most reports are the result of a single study in a single county, such as *Doorways to Delinquency*, which looked at the dual status population in King County, Washington, and the aforementioned report from Los Angeles County. Florida, Delaware, and Tennessee, however, have achieved the capacity to provide annual reports on the prevalence of their dual status youth through the following mechanisms:

- The Florida Department of Children and Families and the Florida Department of Juvenile Justice share data at the state level, populating an interactive profile of dual status youth, specifically those who are in foster care who come into contact with juvenile justice.<sup>3</sup> The Department of Juvenile Justice houses the dashboard.
- Delaware’s Department of Services for Children, which oversees both child welfare and juvenile justice, houses a database that allows for identification and tracking of dual status youth, reporting monthly statistics.
- Tennessee’s Department of Children’s Services oversees child welfare and most community supervision through the Division of Juvenile Justice. The state uses the Tennessee Family and Child Tracking System to identify youth who are concurrently involved with both child welfare and juvenile justice. This data system includes state-level data, but where counties administer probation services, there is not access to the database. (National Center for Juvenile Justice, 2016).

Aside from efforts to identify and track dual status youth specifically, several states and local jurisdictions have developed integrated data systems to track outcomes of the broader population of youth and families they serve in order to manage programs and create policy. This type of system “periodically links individual-level administrative data from multiple public service agencies and contracted service providers, creating a rich picture of individual service needs, participation and outcomes over many years.” (Using Integrated Data system to Improve Child Welfare Outcomes, 2017). Examples include:

- Wisconsin’s Multi-Sample Person File (MSPF) data system at the University of Wisconsin- Madison. The system includes administrative data sets from a variety of public agencies which can be merged into a single file containing one record per individual and using a unique identifier. The MSPF is updated annually. (Using Integrated Data Systems, p. 3).
- Allegheny County, PA’s Department of Human Services (DHS) Data Warehouse links data from 29 data sources. These include systems within DHS, such as child welfare and behavioral health as well as external sources such as school districts and justice systems. The Warehouse contains information about the current and past services that clients

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<sup>3</sup> <http://www.djj.state.fl.us/research/delinquency-data/djj-dcf-profile-of-dually-served-crossover-youth/djj-dcf-dashboard>

and/or their families receive and their service providers and provides a unique identifier to each client. This allows the information to be used in decision-making and case management across systems as well as for research.<sup>4</sup> (Using Integrated Data Systems for Case Management, 2017).

California faces particular challenges in that juvenile probation services are decentralized and there is no statewide juvenile justice data system such as there is in Florida, for example. The numerous juvenile probation departments and various data systems make the data standardization goal articulated in AB 1911 very complex, yet critically important. In fact, the steps taken by the California Legislature have the potential to set an example for developing such standards within the fields of child welfare and juvenile justice nationwide. It is with this potential in mind that the Workgroup submits the recommendations contained in this report.

### **III. Summary of Recommendations**

This report includes recommendations in the mandated categories of 1) a common identifier; 2) standardized definitions; 3) identified and defined outcomes for counties to track; and 4) baselines and goals for the identified outcomes. In addition, the Workgroup provides an initial assessment of the projected costs and benefits associated with implementing the recommendations. Finally, the need for a single system to track dual status youth is explored in conjunction with the topic of a common identifier. The costs and benefits related to each recommendation are detailed in the sections following this summary.

The subgroup and Workgroup discussions considered both the ideal recommendations as well as the realistic concerns and/or limitations associated with the recommendations. This resulted in several recommendations that are sequenced to promote the short-term adoption of more feasible activities, while maintaining a commitment to longer-term efforts to secure funding and/or build systems and processes that will allow for the ideal scope of data collection and analysis.

#### **Recommendations regarding terms and definitions**

*Recommendation:* Modify the current statutory terminology of “dependency” and “delinquency” in all relevant codes that address child welfare and juvenile justice youth, specifically:

- replacing “dependency” with “child welfare” and “delinquency” with “juvenile justice” AND
- replacing “dependent” with “child welfare youth” and “delinquent” with “juvenile justice youth”

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<sup>4</sup> [www.alleghenycountyanalytics.us/index.php/dhs-data-warehouse](http://www.alleghenycountyanalytics.us/index.php/dhs-data-warehouse)

*Recommendation:* The Legislature should adopt and codify terms necessary for identifying specific categories of youth involved in both the child welfare and juvenile justice systems. The necessary terms are below, with the definitions provided in Part IV of this Report:

- Dual status youth
- Child welfare crossover youth
- Juvenile justice crossover youth
- Dually involved youth
- Dually identified youth

*Recommendation:* The Legislature should adopt and codify additional terms necessary for tracking outcomes of identified youth. The necessary terms and definitions are included in Part IV of this Report.

*Recommendation:* Additional terms and definitions should be made available to state and county agencies for use in policy and procedure to help: 1) differentiate the meaning of terms that arise in both the child welfare and juvenile justice system, and 2) develop a lexicon for specialized efforts on behalf of this population of youth. These terms and definitions are included in Part IV of this Report.

#### Recommendations regarding common identifier

*Recommendation:* In order for counties to reconcile data across systems, a unique identifier will have to be generated through a matching process. This matching process should initially be done through an annual records reconciliation audit.

*Recommendation:* The Legislature should further explore the costs and logistics related to the creation of a master repository that would allow for transactional or real-time tracking for case management of youth involved in both systems.

#### Recommendations of outcomes to track

*Recommendation:* In addition to the domains required for tracking by AB 1911 (recidivism, health, pregnancy, homelessness, employment, and education), it is recommended that outcomes related to substance abuse, placement stability, extended foster care participation, and commercial sexual exploitation be tracked as well.

*Recommendation:* Due to the complexity and costs associated with collecting, maintaining and analyzing data that is not currently being collected or entered into existing data systems, it is recommended that tracking begin with those outcomes that can be measured using currently captured data points. These include:

- Education Attainment, as measured by:
  - Graduation rates

- School attendance
- School stability (the number of schools attended while system involved)
- Expulsion/suspension
- School enrollment type (i.e. community school vs. comprehensive school)
- Educational achievement
- Recidivism and other juvenile justice events, as measured by
  - Any juvenile justice disposition made within three years of a previous juvenile justice disposition
  - Subsequent arrests – Felony
  - Subsequent arrests - Misdemeanor
  - Subsequent diversions
    1. Probation
    2. Court
  - Subsequent petitions filed– Felony
  - Subsequent petitions filed – Misdemeanor
  - Subsequent sustained WIC 602 petitions – Felony
  - Subsequent sustained WIC 602 petition – Misdemeanor
  - Subsequent placements
  - Subsequent incarcerations
    1. Juvenile Hall
    2. Camp/Ranch
    3. Division of Juvenile Justice
- Child Welfare re-entry and re-detention, as measured by:
  - A child’s return to foster care after child welfare case dismissal, within 12 months, 24 months, or greater than 24 months after dismissal.
  - A child’s removal from a parent following reunification and family maintenance, prior to case dismissal, within 12 months, 24 months, or greater than 24 months after reunification.
- Placement Stability, as measured by:
  - Number of AWOL episodes
  - Number of placements during period in out of home care
  - Types of placements during period in out of home care
- Participation in Extended Foster Care
  - Number of youth eligible for extended foster care who are participating

*Recommendation:* Following a period during which tracking for the prioritized outcomes can be routinized and institutionalized statewide, an additional and more robust set of outcomes, requiring new methods of data collection, can be considered. The additional outcomes are listed in Part VI of this Report.

Recommendations of baselines and goals

Recommendation: Because there is no baseline data that currently exists nationwide or statewide in any state for this population, it is recommended that baselines be set at the county level as a result of 2-3 years of statewide data collection and outcome analysis regarding this population of youth.

#### **IV. Recommendations Regarding Terms and Definitions**

##### **Discussion**

The Workgroup was tasked with developing recommendations for “standardized definitions for terms related to the populations of youth involved in both the child welfare system and the juvenile justice system.” As the Workgroup began its discussions of this topic, it was suggested that consideration be given to modifying the current terminology of “delinquency” and “dependency” in all relevant codes that address child welfare and juvenile justice youth. These labels have negative connotations that impact how systems and communities view youth and families, as well as how youth and families view themselves. For example, the term “delinquent” traditionally carries a negative view that focuses on the status of the child as a young criminal rather than a holistic view of the needs of the youth and his or her family. Research indicates that this labeling of youth can have deleterious effects. The Workgroup acknowledged that the current labels applied to youth carry negative consequences and therefore adopted the terminology of “juvenile justice youth” and “child welfare youth” in its work. Furthermore, the Workgroup recommends that the Legislature change the statutory terminology in all relevant codes that address child welfare and juvenile justice youth as follows:

- replacing “dependency” with “child welfare” and “delinquency” with “juvenile justice” AND
- replacing “dependent” with “child welfare youth” and delinquent with “juvenile justice youth”

In conjunction with the above discussions, a subgroup was formed to explore the topic of terms and definitions in depth, utilizing resources produced by RFK, terms used by various counties, and statutory definitions. The subgroup identified several areas in which there was a clear need for standard terms and definitions: 1) terms necessary for identifying categories of youth involved in both the child welfare and the juvenile justice system; 2) terms that require an agreed upon definition in order to standardize the tracking of outcomes for dual status and crossover youth; and 3) terms and definitions that would be valuable for use in policy and procedure related to dual status youth practice. Each specific area is discussed in detail below:

##### 1) Identifying Terms

As research and practice regarding youth involved in child welfare and juvenile justice has developed over the course of the past couple of decades, the need for standard terminology has become very clear. Various terms, such as “dual status youth” and “crossover youth” have been

used over the years to generally describe this population of children. However, the desire to identify these youth with greater specificity within disparate systems and at a variety of points in time and to track their characteristics and outcomes necessitated the development of formal terms and definitions. Such terms have been proposed by RFK, and many jurisdictions have adopted this set of terms.<sup>5</sup> The Workgroup considered these terms and recognized that the unique statutory structure in California under WIC 241.1 necessitated several modifications. Therefore, the Workgroup adopted the following identifying terms:

- **Dual Status Youth<sup>6</sup>:** *Youth simultaneously declared a dependent and ward of the juvenile court.* This definition is consistent with the language of 241.1(e) and would only be applicable to youth within a county that has adopted a Dual Status Youth Protocol.
- **Child Welfare Crossover Youth:<sup>7</sup>** *A youth whose child welfare case has been terminated in favor of a juvenile justice finding and wardship disposition.*
- **Juvenile Justice Crossover Youth:** *A youth whose juvenile justice case has been terminated in favor of a child welfare finding.*
- **Dually-Involved Youth:** *A youth who is currently a child welfare or juvenile justice youth and has formal or informal action (pending or active) through child welfare, probation, and/or the respective court.* All youth who begin as dually-involved will eventually become either a dual status youth, a child welfare/juvenile justice crossover youth, or will simply remain dually-involved with jurisdiction in one system and only informal involvement in the other (e.g. a dependent on informal probation or a ward with voluntary services provided by child welfare).
- **Dually-Identified Youth:** *A youth with historical contact in one system and current contact with the other.* “Contact” is used broadly in this context, meaning any level of involvement with the system, including child welfare investigations or juvenile justice referrals.

Each of these terms has several permutations, summarized in Table 1:

	Child Welfare	Juvenile Justice
Dual Status Youth	Petition sustained and case is open	Petition sustained and case is open
Child Welfare Crossover Youth	Petition sustained and case is closed	Petition sustained and case is open
Juvenile Justice Crossover Youth	Petition sustained and case is open	Petition sustained and case is closed

<sup>5</sup> See *Guidebook for Child Welfare and Juvenile Justice System Integration and Coordination*, 2013

<sup>6</sup> The Workgroup recommends that the Legislature define the term “youth” itself, to clarify whether non-minor dependents are included.

<sup>7</sup> Note that the Workgroup did not come to consensus on the terminology for the two types of crossover youth. The report reflects the opinion of the majority of the Workgroup, but concerns remain regarding the clarity of these terms. The other suggested terminology is to use “Crossover Youth” for youth who move from child welfare to juvenile justice and “Reverse Crossover Youth” for youth who move out of juvenile justice and into child welfare.

Dually Identified	Current contact	Historical contact
	Historical contact	Current contact
Dually Involved	Petition sustained and case is open	Formal or informal action pending or active
	Formal or informal action pending or active	Petition sustained and case is open

Table 1

These terms will need to be coordinated with the codes being developed by the California Department of Social Services (CDSS) for use in CWS/CMS, the child welfare data system. As a foundational element in the standardization of data collection and reporting, the Workgroup recommends that the above terms be codified.

## 2) Terms Necessary for Tracking Outcomes

Data planning for dually-involved youth tends to illuminate the fact that many terms are defined differently within different systems, or lack any clear definition at all. In order to ensure that outcomes are tracked consistently between systems and across counties, the Workgroup suggests that a specific set of terms be defined that relate to the experiences of these youth. These terms include:

- ***Recidivism:*** Any disposition made within three years of a previous disposition. The Workgroup explored many definitions for the term recidivism, used by counties, state agencies, and research entities. For example, the Workgroup discussed using the definition put forth by the Board of State and Community Corrections, but concluded that the definition pertained specifically to adults and was therefore not a good fit for the dual status youth population. The proposed definition reflects the Workgroup’s intention to avoid capturing the frequent contacts that may happen with law enforcement for youth involved in these systems, but rather focus on the contacts that result in adjudication and disposition of the youth.
- ***Child Welfare Re-entry:*** A child’s return to foster care after child welfare case dismissal.
- ***Child Welfare Re-detention:*** A child’s removal from parent following reunification and family maintenance, prior to case dismissal.
- ***Permanency:*** In both the child welfare and juvenile justice systems, when a child/children achieves reunification with parent/s, legal guardianship, adoption or customary adoption for tribal youth.
- ***Diversion:*** Suspension of any formal juvenile justice proceedings and either a dismissal of the petition or an informal agreement of participation of the youth and family in services designed to avoid system penetration.
- ***Homeless:*** Sleeping on the street, in a vehicle, in a shelter or other temporary accommodations without a permanent residence to which one can return.

- **Runaway:** Leaving home without permission from parents, probation, and/or child welfare.
- **AWOL:** When a child absconds from a court ordered placement without permission, resulting in the issuance of a protective custody warrant.
- **Informal Services** – CWS: Services provided to families brought to the attention of child welfare services that do not meet the WIC criteria for formal intervention.
- **Informal Probation** – A status of Probation when a youth has been diverted from formal wardship status.
- **Child Welfare History:** Any prior referral that was actively investigated and found to be substantiated or inconclusive, and any previously open child welfare case.

The Workgroup recommends that these definitions be codified and utilized in the tracking of youth outcomes. The Workgroup further recommends that the definition for recidivism suggested in this report be adopted as the standard definition of recidivism for juveniles statewide.

### 3) Terms and Definitions for Policy and Procedure

Finally, the Workgroup acknowledged that there are many terms used without clear definition that relate to the experiences of dual status youth or to the experience of a jurisdiction in undertaking a dual status youth reform initiative. Many local jurisdictions find that they must spend time defining particular concepts or terms for use by cross-system teams charged with developing policy or managing the caseloads of dual status youth. Therefore, the Workgroup recommends that the following terms be defined and then suggested for use in policy and procedure to help: 1) identify particular points in time with regard to case processing, 2) differentiate the meaning of terms that arise in both the child welfare and juvenile justice system, and 3) develop a lexicon for specialized efforts on behalf of this population of youth. These terms are listed and defined in Table 2.

<b>Dual Jurisdiction</b>	A child who is currently a dependent or juvenile justice involved youth and has a pending dependency or juvenile justice petition or disposition before the court.
<b>Dual Status Youth Practices</b>	Multi-disciplinary practices designed to improve outcomes for dual status youth.
<b>Dually-Involved Youth Practices</b>	Multi-disciplinary practices designed to promote coordination between systems in order to improve outcomes for youth and families involved in both the child welfare and juvenile justice systems whether the youth is or is not designated dual status.



<b>Dual Status Youth Protocol</b>	As per WIC 241.1(e), a county protocol jointly written by the probation department and the child welfare services department that allows the departments to jointly assess and produce a recommendation that a child be designated as a dual status youth.
<b>Dually-Involved Youth Protocol</b>	A multi-disciplinary protocol that guides coordinated decision-making and practice among agencies and entities serving youth and families involved in both the child welfare and juvenile justice systems, whether the youth is or is not designated dual status.
<b>Probation Referral</b>	An order for a youth to appear at the probation department written by an officer who takes a minor into temporary custody under the provisions of Section 625.
<b>CWS Referral</b>	A reported incident of abuse/neglect on a child/children by a parent/s that meets the Welfare and Institutions Code criteria and is being actively investigated by a child welfare agency.
<b>Detention - CWS</b>	A formal hearing in which the judge determines whether there is sufficient evidence to detain children from parents pending further investigation due to abuse/neglect.
<b>Detention - Probation</b>	A temporary condition of incarceration in a locked juvenile facility operated by a County Probation Department.
<b>Risk - CWS</b>	The likelihood that abuse/neglect may occur in the future based on factors present that are highly correlated with abuse/neglect.
<b>Risk - Probation</b>	The identification of a propensity to recidivate through a validated actuarial assessment.
<b>Screening</b>	A triage process that occurs at the point of intake into a system in order to signal the need for a more thorough assessment of an identified problem and to identify youth who might require an immediate response.
<b>Screening - CWS</b>	A process used in child welfare at various points to determine if a child or family meets certain criteria for investigation and/or services.

<b>Screening - Probation</b>	The use of a preliminary tool designed to identify risk categories such as recidivism and flight from justice as well as areas for further assessment such as mental health or violent behavior.
<b>Assessment - CWS</b>	A process used to assist in determining what the presenting issues are i.e.: safety, risk, reunification, permanency.
<b>Assessment - Probation</b>	The process of identifying recidivism risk and criminogenic need through the use of validated actuarial risk assessment tools.
<b>Assessment</b>	A process of gathering a comprehensive and individualized profile of a youth.
<b>Adjudication</b>	In the child welfare or juvenile justice system, when a petition has been sustained, allegations proven true, jurisdiction has been asserted and disposition is pending.
<b>Protective Custody</b>	Youth has been detained and temporarily removed from the custody and control of a parent/guardian.

Table 2

### Summary of Recommendations and Cost/Benefit Analysis

Recommendation: Modify the current statutory terminology of “dependency” and “delinquency” in all relevant codes that address child welfare and juvenile justice youth, specifically:

1. replacing “dependency” with “child welfare” and “delinquency” with “juvenile justice” AND
2. replacing “dependent” with “child welfare youth” and “delinquent” with “juvenile justice youth”

Recommendation: The Legislature should adopt and codify terms necessary for identifying specific categories of youth involved in both the child welfare and juvenile justice systems.

Recommendation: The Legislature should adopt and codify additional terms necessary for tracking outcomes of identified youth.

Recommendation: Additional terms and definitions should be made available to state and county agencies for use in policy and procedure to help: 1) differentiate the meaning of terms that arise in both the child welfare and juvenile justice system, and 2) develop a lexicon for specialized efforts on behalf of this population of youth.

While it is not anticipated that costs associated with adopting and codifying these definitions will be significant, the Workgroup acknowledges that the Legislative process will require time and

effort. More significant are costs to agencies and counties, which will be required to modify court and agency data and case management systems and templates to reflect the new terms. This requires technological resources as well as human resources to accomplish. In addition, the data entry expected as a result of adding the new fields that correspond to codified definitions will be significant and have implications on the workload and duties of county and state employees.

The benefit of adopting the Workgroup recommendations is significant both from a practical and a symbolic point of view. From a practical standpoint, it is vital to have common, well-defined terms when identifying and tracking youth and their outcomes. Without this foundation, data collection and reporting is unlikely to be meaningful or useful. Any effort to develop systems or applications for collecting data on this population of youth will be without purpose in the absence of standardized terms. Symbolically, the adoption of these terms serves to begin breaking down silos between child and family-serving systems by providing a shared lexicon for work related to the clients they have in common. This creates a foundation for local collaborative and coordinated efforts that ultimately reflect the best practice for dual status and crossover youth. Therefore the Workgroup concludes that the benefit of adopting the standardized terms and definitions suggested outweighs any potential associated costs.

#### CDSS Response:

Current practices for collecting probation youth information in the statewide child welfare information system: When discussing definitions for different levels of involvement with CWS and Probation and which system(s) house information on those youth, any probation youth for whom a Title IV-E funded foster care placement has been ordered, Title IV-E requirements must be met. In California, CWS/CMS is the system that houses information on children and families involved with child welfare, including children and youth placed in foster care. Therefore, information on probation youth in Title IV-E foster care is to be entered into CWS/CMS, regardless of the level of involvement that child or youth has with child welfare. County probation departments have their own systems in addition to the CWS/CMS system.

Lack of authority and funding: Currently, no agency has the authority to direct *counties* to modify court and other systems, and where the additional necessary funding would come from to support the counties in modifying their systems. The recommendations also state that there will be significant costs to counties, which “will be required to modify court and agency data and case management systems and templates to reflect the new terms.” CDSS does not have the authority to direct county probation departments to standardize data and build those interfaces, and it is unclear where the funding for the “significant costs” of modifying the systems would come from.

Lack of legal authority to store information: Many agency systems only collect information pertinent to their programs. The CWS/CMS contains information on children and youth involved

with child welfare, and of that population, will only have information necessary to serve the youth and families. Probation systems may store additional information. Current legislation does not identify an oversight agency with the authority to enforce data collection requirements.

Data concerns: Any information housed in the CWS-NS becomes subject to CCWIS data quality standards for completeness, timeliness, and accuracy whether the data is entered into the New System directly or via a data exchanges. It is unclear if “re-defining” this dual status youth will have reporting implications elsewhere, such as other federal reporting, NYTD outcomes, etc.

Current efforts to identify dually-involved youth: CDSS has created three Special Project Codes (SPCs) in CWS/CMS to identify dual status youth. These SPCs incorporate different definitions of youth within the same code. For example:

- “S-Dual Status” is to be used for youth who are simultaneously a dependent (pursuant to WIC 300) and a ward (pursuant to WIC 601/602) of the juvenile court.  
(This code aligns with the workgroup’s definition of dual status youth)
- “S-Dep 300 receiving Prob SRVCS” is used for youth who are dependents (pursuant to WIC 300) and simultaneously receiving services from probation (a probation officer has been assigned to provide some level of youth oversight)  
(This code would incorporate the workgroup’s definition of dually involved)
- “S-Ward 601/602 receiving CWS” is to be used for youth adjudicated a ward (pursuant to WIC 601/602) and who are simultaneously receiving services from CWS (a social worker has been assigned to provide some level of youth oversight.)

(This code would incorporate the workgroup’s definition of dually involved)

CDSS has drafted an All County Letter (ACL) with instructions for using the SPCs; the ACL has gone through internal and external reviews. These SPCs should meet the requirement in Welfare and Institutions Code (W&IC) 241.2(b) that CDSS, has implemented a function in the CWS/CMS to enable county child welfare agencies and county probation departments to identify youth involved in both the child welfare system and the juvenile justice system.”

## **V. Recommendations Related to Common Identifier**

### **Discussion**

AB 1911 required the Workgroup to develop recommendations regarding “a common identifier for counties to use to reconcile data across child welfare and juvenile justice systems statewide.” A subgroup was established to explore this subject and present preliminary findings and recommendations to the larger Workgroup.

An initial task of the Common Identifier Subgroup was to identify relevant agencies, their supporting data systems and the identifiers used within each system. Figure 1 documents the findings of the inventory.

	CWS-NS	MEDS	Courts	CALPADS (CDE)	Probation	Corrections	CDN (Children's Data Network)	Foster Focus
Common Identifiers	First Name	First Name	First Name	First Name	First Name	First Name	First Name	First Name
	Middle Name	Middle Name	Middle Name	Middle Name	Middle Name	Middle Name	Middle Name	Middle Name
	Last Name	Last Name	Last Name	Last Name	Last Name	Last Name	Last Name	Last Name
	Gender	Gender	Gender	Gender	Gender	Gender	Gender	Gender
	Birthdate	Birthdate	Birthdate	Birthdate	Birthdate	Birthdate	Birthdate	Birthdate
	Approximate Age		Approximate Age					
	County Code	County Code			County Code			
	Address				Address			
	SSN	SSN			SSN			
	CIN (MEDS)	CIN						
Unique Identifiers	Court No (Courts)		Court No					
	J Number(Courts)		J Number					
	Offender ID (Corrections)					Offender ID		
	Client Id			Client Id (CWS-NS)				Client Id (CWS-NS)
	Case Id			Case Id (CWS-NS)				
							Master Id	

Figure 1

According to Figure 1, there is currently no statewide unique identifier utilized across systems. However, all systems already store several common identifiers. In light of this finding, the subgroup discussed various strategies that could be utilized to address the need to reconcile data across systems.

**1) Use the CIN, a statewide number assigned to clients by the Department of Health Services, as the common identifier.**

The Statewide Client Index (SCI) is an existing central repository for uniquely identifying clients for a variety of Health and Human Services applications. It assigns a unique Client Identification Number (CIN) to new applicants and applies automated procedures to prevent identity errors and abuses. The CIN could be utilized by other agencies and included in their data systems, creating a shared unique identifier across systems.

Implementing this strategy would require:

- Modifications to systems that do not already store CIN
- Submission of client information to SCI to provide CIN by either identifying a matching record or creating a new one.
- Development of data extracts
- Use of CIN to match clients.

The advantages of using the CIN as the common identifier are that it is already used by several systems as a unique identifier. Once included in all relevant data systems, it would serve as a shared unique identifier, which makes identification more accurate and information sharing between systems more efficient. This has greater potential for use in case planning and case management across systems.

The disadvantages of using the CIN as the common identifier are that the Department of Health Services would have to create CINs for children who are not involved in their system and that systems would have to modify their systems to store CIN and existing system interfaces will need to be updated to include CIN. Both of these efforts raise significant issues of cost and workload. Finally, relying on one unique identifier results in a single point of failure.

## **2) Use SSID as a Unique Identifier**

SSIDs (Statewide Student Identifiers) are unique IDs generated by the California Longitudinal Pupil Achievement Data System (CALPADS) maintained by CDE. Similar to the use of the CIN above, the SSID could be utilized as a shared unique identifier across relevant systems.

Implementing this strategy would require:

- Each system will have to create a column to store SSID
- Matching algorithm will have to be used for identifying youth who do not have an SSID

The advantage of using the SSID is that the education system has all – or nearly all – children and youth as part of its system. This makes it a strong potential foundation for a common identifier. As is the case with the use of the CIN, using the SSID as a unique identifier would result in efficient and reliable identification of youth and relative ease in sharing information among the agencies involved with the youth and family.

The disadvantages of this strategy are that systems will have to be modified to store the SSID, existing system interfaces will need to be updated to include SSID, and there is a single point of failure. In addition, SSID does not currently include infants and very young children nor children attending private school.

## **3) Develop a new Central Repository**

The subgroup also considered creating a statewide repository for consolidating, updating and reconciling person demographics data and assigning a unique identifier to each person. Current examples of such efforts are the Children's Data Network and the Silicon Valley Regional Data Trust (SVRDT). The SVRDT uses a data warehouse built originally for the purpose of integrating numerous school district data systems as well as sharing information among caseworkers, probation officers, and school district personnel.

Implementing this strategy would require:

- Creation of a master database
- Assignment of a unique identifier to each record based on a matching algorithm
- Creating a service that encapsulates the logic of matching and creating or updating the child’s record

The advantage of developing a central repository is that any system can use the service to get unique identifier information. In addition, the logic of matching persons can be maintained at one place.

The disadvantages of this strategy are that each system will have to be modified to store the unique identifier that is generated and existing interfaces will need to be updated to include the new unique identifier. There is also the disadvantage of having a single point of failure.

**4) Utilize a matching algorithm that uses the identifiers that are common across systems**

A person-matching algorithm can be built using a combination of techniques based on data stored in each of the systems, including:

- Deterministic matching
- Probabilistic matching
- Machine-learned

To implement this strategy, the following steps are required:

- Develop matching algorithms
- Identify data elements
- Develop data extracts
- Execute matching algorithms
- Resolve any duplicate records

The advantages of this strategy are that it does not require that new fields or columns be added to any system in order to store a statewide unique identifier. This is particularly important in light of the numerous distinct probation data systems used throughout the state. Adding fields to each of these systems is a significant undertaking, with vendor costs to consider. Instead, this strategy relies on common identifiers that already exist in each system.

A disadvantage is that a user interface would have to be created to display potential duplicates. CWDS presented on the Intake Module at the April 2017 stakeholder meeting. They mentioned “Duplicate Detection” on their Road Map (“And Then What?”). Whether this assumes some users are probation officers is unknown.

USER JOURNEY	RECEIVE REPORT	FIND PEOPLE	REFINE INFORMATION	EVALUATE	DETERMINE RESPONSE	APPROVAL
<b>INITIAL FEATURES</b>	<ul style="list-style-type: none"> <li>• Screener Information</li> <li>• Screener Narrative</li> </ul>	<ul style="list-style-type: none"> <li>• Person Search</li> </ul>	<ul style="list-style-type: none"> <li>• Person Demographics</li> <li>• Reporting Party</li> </ul>	<ul style="list-style-type: none"> <li>• Allegations</li> <li>• Incident Information</li> </ul>	<ul style="list-style-type: none"> <li>• Decision and Response Time</li> <li>• Cross Report</li> </ul>	<ul style="list-style-type: none"> <li>• Submit a Referral</li> </ul>
<b>WHAT'S NEXT</b>	<ul style="list-style-type: none"> <li>• Worker Safety Alerts</li> <li>• Pop-up Narrative</li> </ul>	<ul style="list-style-type: none"> <li>• Search by Address</li> <li>• Address validation</li> </ul>	<ul style="list-style-type: none"> <li>• Expanded Demographics</li> <li>• Relationships</li> </ul>	<ul style="list-style-type: none"> <li>• History of Involvement</li> <li>• Link to SDM</li> </ul>	<ul style="list-style-type: none"> <li>• Link screening to existing work</li> </ul>	<ul style="list-style-type: none"> <li>• Supervisor Review</li> <li>• Save Referral to Legacy</li> </ul>
<b>AND THEN WHAT??</b>	<ul style="list-style-type: none"> <li>• Upload files</li> <li>• Auto-fill basic info</li> <li>• Pull info from the Narrative</li> </ul>	<ul style="list-style-type: none"> <li>• Prioritize results by relationships</li> <li>• Add photos of people</li> </ul>	<ul style="list-style-type: none"> <li>• ICWA</li> <li>• Custody arrangements</li> <li>• Child location</li> <li>• Relationship Genogram</li> </ul>	<ul style="list-style-type: none"> <li>• Pull old case/ referral from legacy</li> <li>• SDM Integration</li> </ul>	<ul style="list-style-type: none"> <li>• Notify other workers</li> <li>• Notify mandated reporters</li> <li>• Generate SCAR, etc.</li> </ul>	<ul style="list-style-type: none"> <li>• Duplicate detection</li> <li>• Caseload dashboard w/ notifications</li> </ul>

A key question that remains is who would ultimately be responsible for executing the matching. This topic was not within the scope of work for the subgroup, but the larger Workgroup itself began some exploration of this question, resulting in the identification of two potential options:

- Counties themselves could be given the responsibility to execute the matching algorithm to identify youth involved in both their child welfare and juvenile justice systems. This would provide the foundation for counties to be able to execute real time identification and tracking of youth, allowing for the exchange of data and information to support cross-system communication, joint case planning, and joint case management. Counties would also be able to track outcomes for their youth in an ongoing manner, allowing for local programs and procedures to be developed in a timely manner in response to what the data shows. However, this process requires significant resources – both financial and human. It can be especially difficult in locations without data analysis capacity. Another disadvantage is that each county itself would have to undertake the challenging task of developing individual data sharing agreements among a variety of county-level agencies, rather than benefitting from a more efficient process of establishing data sharing permissions at the state level. In addition, there is a great deal of county migration of youth and families across California and this process would not provide a method of tracking youth who move in and out of counties.

Furthermore, in order for the state to have the ability to collect data from counties, there would be a need for clear guidelines to standardize the matching, data collection, and



reporting processes. There would also need to be an agency or entity designated to receive the matched data from the counties for statewide analysis.

- The matching could be done through an annual statewide record reconciliation audit. The objective of this record audit would be to reconcile child client records across various state agencies that serve children, such as the Department of Justice, the California Department of Social Services, the Department of Public Health, and the Department of Education, as well as the 58 county Probation departments. This record audit would result in the development of a unique child identifier (i.e., a master client id). To develop this unique child identifier and carry out this record reconciliation / record audit, all child serving agencies would be mandated to create a file of all children served during the most recent fiscal year. This file would consist of a simple set of defined data elements useful to uniquely defining individuals (e.g., name, date of birth, address, SSN). This file would then be encrypted and securely transmitted to the entity designated to conduct the record reconciliation / record audit. This entity could be a state agency, private third party, or a university partner.

### **Recommendations and Cost/Benefit Analysis**

*Long-Term Recommendation* is to create a master database, or central repository, where data from various systems could be linked.

Although it is rare that child welfare and juvenile justice agencies have developed shared data systems, a few states have undertaken efforts to share data in a manner that allows for valuable reporting on dual status or crossover youth. For example, the Florida Department of Children and Families and the Florida Department of Juvenile Justice share data to support both research and service coordination. Data are combined and the Department of Juvenile Justice houses a dashboard that provides the ability to view and sort numerous variables related to dual status youth. These youth's characteristics can also be compared to those of youth who are not dual status.

The value of more robust data sharing, such as that which can occur through the development of a master database, is clear, yet the costs and time required to build such a repository are significant. Therefore, the Workgroup recommends that this be considered a long-term goal.

*Short-Term Recommendation* is to use common identifiers with a probabilistic matching algorithm to identify youth with records in both child welfare and juvenile justice systems.

As noted above, recommendations regarding how the matching would be undertaken and who would have responsibility for executing the matching was not specifically within the purview of the subgroup or Workgroup to develop. However, based on preliminary conversations, the Workgroup concluded that in the near-term the most feasible approach would be to have a records reconciliation audit be undertaken by a state entity. The records reconciliation audit has a

number of advantages. First, this recommendation does not necessitate the creation of a new centralized data system, which would be very costly and take years to procure, develop, and then implement. Nor would it require significant investments to add the unique child id to existing case management systems. Rather, the recommendation would simply facilitate the necessary exchange of information for the state to begin tracking data and outcomes for youth. By providing each individual state agency with a unique child id attached to the source client id assigned by the agency's own system, service and outcome information related to specific clients could then be exchanged between state agencies as permitted through data use agreements on an ad hoc or ongoing basis. The file (or table) with the unique child id would function as an extension of the state agency's case management system, helping each state agency define the universe of individuals who meet the state's definition of a "dual status youth" or a "crossover youth".

As far as disadvantages, the recommendation does not contemplate a transactional data system, where caseworkers could access information in real time; rather, the recommended file or dataset would be an extension of the state agency's case management system. The file or dataset would be static since it would be updated once a year through the record audit. In addition, this process may not be as costly as the development of a central repository, but is not without costs. The primary cost driver is related to selecting the agency or organization to create the algorithm and perform the record reconciliation and then establishing the agreements and protocols required for the submission of data. The initial record reconciliation would require a significant amount of time and person-hours, but subsequent reconciliations would be far less time-intensive. The entity conducting the audit will have to work with counties to create guidelines around data extraction and a process for duplicate resolution. Even with probabilistic matching, there are still a number of records that will produce duplicates. This would be time consuming and resource intensive for both the central agency and the agency that owns the data. There is a cost associated with the time it will take probation officers and social workers to select the appropriate match from the list of potential duplicate matches. However, some of this cost will be absorbed into the creation of CWS/NS as this same information is used to create the "History of Involvement" section.

*Additional Consideration:*

California lacks a state-level Juvenile Justice Information System, which increases the difficulty of both recommendations above. With juvenile justice data originating in varied and numerous probation data systems, there is a need for significant governance and detailed guidance to ensure consistency in the collection and submission of records. Establishment of a statewide Juvenile Justice Information System would open the door to creating an integrated data system similar to those in a number of other states. For example, Washington State's Integrated Client Database (ICDB) includes individual-level records from numerous administrative data systems and is able to provide extensive information about client services histories, risks, costs and outcomes. The Workgroup is aware that the Board of State and Community Corrections

Juvenile Justice Data Working Group identified the challenge of tracking outcomes for youth given the lack of a statewide system and developed recommendations to address this concern.<sup>8</sup>

### Single Technology System Assessment

AB 1911 directs the Workgroup to provide an assessment of whether a single technology system is needed to track youth in the child welfare and juvenile justice systems. In light of the recommendations developed through the exploration of the common identifier topic, it is clear that the development of a central repository or database would yield the most robust data analysis and would support the eventual ability for more transactional, or case-level, use. It is also clear, however, that the development of such a system, or the adaptation of a current system for this purpose, would have significant cost and workload implications.

A single technology system remains the long-term recommendation, but in the meantime, the Working Group recommends that CWS/NS be developed to include the terms defined by this group as well as the data elements listed below. CWS/NS may not ultimately serve as the central repository, but it should be developed to include these primary and essential elements until such time that a central system exists. The Working Group does not recommend modifications to the existing CMS/CWS system beyond inclusion of three new codes to identify youth as mandated in AB 1911 and discussed in ACL #17-59.

### CDSS Response:

CDSS's responses take into consideration the following constraints:

- 1) Lack of a single, uniform dual-status model. There is considerable variation among counties that choose to use dual-status protocols, with variation between counties using on-hold models, lead-agency models, or some combination thereof, and even among counties using the same models.
- 2) Current processes are a function of federal child welfare reporting requirements. The only probation youth about whom data is entered into the statewide child welfare information system, CWS/CMS, are those ordered into a Title IV-E-funded placement, as all IV-E requirements must be met for these youth, including data collection and reporting.
- 3) California's Child Welfare Services-New System is intended to be compliant with federal Comprehensive Child Welfare Information System (CCWIS) regulations. These regulations prescribe how the system must be built and what information is required in the application. While CCWIS regulations encourage data exchanges with other agencies serving children and youth, the focus, and federal authority, focus on dependents. A

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<sup>8</sup> See *Rebuilding California's Juvenile Justice Data System: Recommendations to Improve Data Collection, Performance Measures and Outcomes for California Youth, Report to the Legislature*

CCWIS-compliant New System does not have the authority to collect and hold information on children and youth after dependency jurisdiction ends. Therefore, while the New System may be a viable system to collect information about dual-status youth and other youth defined herein who are currently involved with child welfare services, there is no authority or federal funding for the Child Welfare Services-New System to store information on children and youth involved only with juvenile justice.

**Confidentiality:** To create a unique identifier across systems would require agreements to address confidentiality of the youth's data with each agency. All domains have individual privacy, confidentiality, and data protection protocols each mandated by Federal laws and regulations. CDSS has created a process to share data among agencies, but does not have authority to mandate any agency to provide their data or sign the agreement with us to interface and allow collection of data. All County Letter 16-100 ([ACL 16-100](#)) provides the federal requirements and agreements surrounding the PII data. Each agency would need to identify these mandates and protocols to determine the feasibility of using a unique identifier. For medical information (such as pregnancy) HIPPA laws would apply to some of the data collected.

**Lack of authority:** Currently no single agency has the authority, nor is there legislation, to mandate that each agency with data on the identified youth to provide information on the common identifiers to the entity(ies) responsible for executing the algorithm and reconciliation reports.

**Fiscal Requirements:** There are costs associated for each agency to build a data exchange or update their current systems to identify the needed common identified data and send to the entity executing the matching. There are also costs associated to train the appropriate staff in each agency.

## **VI. Recommendations Related to Outcomes**

### **Discussion**

The legislature directed the working group to identify and define “outcomes for counties to track youth involved in both the child welfare system and the juvenile justice system, including, but not limited to, outcomes related to recidivism, health, pregnancy, homelessness, employment, and education.” A subgroup was established to research commonly tracked child welfare and juvenile justice outcomes, outcome tracking done by several local jurisdictions engaged in dual status youth reform, and resources provided by RFK. After exploring these sources, the subgroup identified several important domains and related outcomes that form the basis for the recommendations below.

The subgroup first explored the question of which domains are most relevant to understanding the experiences of dual status and crossover youth. AB 1911 provided a preliminary list of these domains, which corresponded to several of the priority domains found in the research. Specifically, recidivism, health, employment, and education are commonly tracked areas of interest with regard to juvenile justice involved youth. What the subgroup found lacking were domains more commonly associated with child welfare involved youth. Outcomes related to placement stability, extended foster care participation, and commercial sexual exploitation are indicators considered valuable to track for child welfare involved youth, and therefore relevant to the population of dual status youth. In addition, the domain of substance abuse was identified as an important area in which to track outcomes due to the fact that research has shown that substance abuse is a significant issue among dual status youth. Following discussion and recommendations crafted by the subgroup, as well as the domains required by AB 1911, the Workgroup determined that the following list of domains comprises the scope of areas within which outcomes should be tracked:

1. Education
2. Physical and Mental Health
3. Pregnancy
4. Employment
5. Homelessness
6. Recidivism
7. Substance Abuse
8. Placement Stability
9. Extended Foster Care
10. CSEC Involvement

Within each domain, the subgroup identified several specific outcomes recommended to track. Although each of these domains represent valuable areas for evaluating the outcomes of dual status youth, the subgroup was cognizant of the challenges related to tracking outcomes both within and across current systems. Significant resources would be necessary to establish mechanisms for extracting and analyzing existing data, with even more significant resources necessary to facilitate the collection of additional data elements that may not currently be collected. In fact, some data elements were deemed likely only feasible for collection and examination through a research study conducted by an outside entity.

The Workgroup sought to balance the need for valuable data regarding dual status youth outcomes with a realistic assessment of what may or may not be feasible. The result is a recommendation that sequences the tracking of outcomes, beginning with an effort to collect that deemed most feasible and valuable to collect, followed by a more extensive effort to track more complex and resource intensive measures.

Priority domains and outcomes that the Workgroup believes could be measured using existing data points were identified:

- Education Attainment, as measured by:
  - Graduation rates
  - School attendance
  - School stability (the number of schools attended while system involved)
  - Expulsion/suspension
  - School enrollment type (i.e. community school vs. comprehensive school)
  - Educational achievement
- Recidivism and other Juvenile Justice events, as measured by
  - Any juvenile justice disposition made within three years of a previous juvenile justice disposition<sup>9</sup>
  - Subsequent<sup>10</sup> arrests – Felony
  - Subsequent arrests - Misdemeanor
  - Subsequent diversions
    1. Probation
    2. Court
  - Subsequent petitions filed – Felony
  - Subsequent petitions filed – Misdemeanor
  - Subsequent sustained WIC 602 petitions – Felony
  - Subsequent sustained WIC 602 petitions – Misdemeanor
  - Subsequent placements
  - Subsequent incarcerations
    1. Juvenile Hall
    2. Camp/Ranch
    3. Division of Juvenile Justice
- Child Welfare re-entry and re-detention, as measured by:
  - A child’s return to foster care after child welfare case dismissal, within 12 months, 24 months, or greater than 24 months after dismissal.
  - A child’s removal from a parent following reunification and family maintenance, prior to case dismissal, within 12 months, 24 months, or greater than 24 months after reunification.<sup>11</sup>

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<sup>9</sup> This is the definition of recidivism that the Workgroup suggests using, and suggests adopting for use with all juvenile justice youth.

<sup>10</sup> “Subsequent” refers, in each instance, to an event following an original disposition. Note that this data is collected in the aggregate and available within the Juvenile Court and Probation Statistical System (JCPSS) administered by DOJ, with the exception of arrests, which are captured within the Monthly Arrest and Citation Register (MACR).

<sup>11</sup> This is the Workgroup’s recommended definition for child welfare re-entry. Note that federal standards require states to track the percentage of children re-entering foster care within 12 months of reunification with their biological families.

- Placement Stability, as measured by:
  - Number of AWOL episodes
  - Number of placements during period in out of home care
  - Types of placements during period in out of home care
- Participation in Extended Foster Care, as measured by:
  - Number of youth eligible for extended foster care who are participating
  - Number of youth who stay in Extended Foster Care until age 21

As previously noted, it is only by tracking the totality of the outcomes identified above that we will have a complete picture of not only how successful this population of young people are in comparison to their peers, but also why they are more or less successful. Therefore, following a period during which tracking for the prioritized outcomes can be routinized and institutionalized statewide, an additional and more robust set of outcomes, requiring new methods of data collection, can be considered. Again, many of these outcomes would be best measured as part of a dedicated research study rather than requiring agency staff to collect and record the necessary information in a case management system. These include the following:

- Additional Education Outcomes
  - Whether educational needs are being identified and addressed, using a drop-down menu to indicate areas of need such as transportation, IEPs, and tutoring
  - College or trade school enrollment
  - Graduation from college or trade school
- Physical and Mental Health
  - Rate of hospitalizations
  - Rate of insured
  - Engagement in specialty mental health services/assessments
  - Medical care received, with a drop-down menu of types of care received
  - Psychotropic medication orders, with a drop-down menu of types of medications prescribed
  - Mental Health diagnoses, with drop down menu of types of diagnoses
  - Rate of reported chronic health conditions
- Pregnancy
  - Pregnancy rate for girls prior to and following 241.1 determination
  - Rate of dependency for children born to dual status youth
  - Number of dual status or crossover boys identified on birth certificate or POP declaration
  - Number of dual status boys subject to child support order
- Employment
  - Dual status youth requiring public assistance after age 18
  - Dual status youth employed full time after age 18
  - Dual status youth receiving benefits through employer after age 18

- Dual status youth employed part time after age 18
- Rate of dual status youth living above the poverty line after age 18
- Homelessness
  - Access to Section 8 vouchers after age 18
  - Experiencing stable home environment, with drop down menu of types of housing options considered stable
  - Number of stays in shelters
- Substance Abuse
  - Court ordered substance abuse treatment
  - Completion of court ordered substance abuse treatment
  - Reported substance use, as measured by a screening or assessment tool, or by self-report
- Commercial Sexual Exploitation
  - Dual status youth identified as exploited

### **Recommendations and Costs/Benefits Analysis**

*Recommendation:* In addition to the domains required for tracking by AB 1911 (recidivism, health, pregnancy, homelessness, employment, and education), it is recommended that outcomes related to substance abuse, placement stability, extended foster care participation, and commercial sexual exploitation be tracked as well.

*Recommendation:* Due to the complexity and costs associated with collecting, maintaining and analyzing data that is not currently being collected or entered into existing data systems, it is recommended that tracking begin with those outcomes that can be measured using currently captured data points.

*Recommendation:* Following a period during which tracking for the prioritized outcomes can be routinized and institutionalized statewide, an additional and more robust set of outcomes, requiring new methods of data collection, can be considered.

The Workgroup anticipates that the collection and analysis of data elements identified as measureable using currently captured data points will necessitate expenditures related to developing the ability within CWS-NS to extract the data into meaningful reports, as well as worker time and effort in following through with the mandate to ensure that complete and accurate data is entered into the identified fields.

The collection and maintenance of data related to the more robust set of outcomes is expected to require significant funding in the form of a research grant. The data elements necessary for tracking these outcomes are assessed to be beyond the scope of what the case management system can likely be built to support as well as beyond the scope of what caseworkers can realistically be expected to collect and enter into case management systems.



The benefit of collecting data, both in the short- and long-term to track outcomes is the value that comes with being a data-driven system overall. The potential for saving money as a result of targeting the most pressing needs of youth and families, as well as identifying the most effective means of addressing those needs is enormous. For example, tracking recidivism outcomes can reveal whether dual status youth in California recidivate more often than non-dual status youth, and in what circumstances. Counties can then track whether their specific efforts to reduce recidivism among this population of youth is effective, leading to the adoption of policies that can impact the number of youth who are detained in juvenile hall or placed in corrections. Reductions in such placements leads to significant financial savings.

As it stands, money is being spent within child welfare and juvenile justice, as well as within education and behavioral health, without knowing how the investments being made in programs and policies are impacting the youth and families they serve. The sequenced approach recommended by the workgroup balances the value of moving forward quickly with short-term outcome tracking with the realistic costs of undertaking more complex and expansive tracking.

### Baselines and Goals

Closely related to the mandate of AB 1911 to identify outcomes to track is the requirement that the Workgroup provide recommendations regarding “established baselines and goals for the identified and defined outcomes.” As noted in the Auditor’s report, data collection has been so sporadic and inconsistent that California does not currently have any baselines related to dual status youth that can be used as a basis for outcome analysis. There is also no national data regarding outcomes for dual status youth, and only a handful of local and scholarly research efforts to track outcomes have been undertaken. The Workgroup explored options regarding baseline development, considering the limitations of currently available data. The Workgroup considered the following methods:

- Establishing baselines using data from a county that has undertaken data collection and outcome tracking on its dual status youth (e.g. Los Angeles County)
- Undertaking a 2-3 year period of initial data collection pursuant to the recommendations above, thereby establishing an initial set of baselines from which subsequent data can be compared.

At this time, the Workgroup recommends that the state track the outcomes discussed above for two to three years and then analyze the data that has been collected. After reviewing the analyzed outcomes data, appropriate baselines and goals can be established on the county level and the state level.

### CDSS Response:

Lack of authority and funding: There is currently no single entity with the authority to require other agencies to share information with CDSS in order to measure the suggested outcomes.

CDSS does not have the authority to direct other agencies to collect information on specific data elements or methodologies. The data elements identified would take collaboration to develop and would also require systemic changes to the county probation systems and it is unknown if that is feasible based on the current systems they use. Other agencies' systems may also need to be updated to allow for data exchanges with CWS-NS or the identified single system, if that is the proposed solution, so that data for outcome measures could be pulled. Without a full understanding of the problem that is to be studied through research it is difficult to ascertain the costs associated with developing the data elements.

Uncertainty about which system would house the data: Some of the outcome measures involve tracking youth in medical, educational, and housing/economical domains past the point that they may be involved in child welfare and/or probation, or even past the point at which the New System would have data on non-minor dependents (e.g., whether the youth has graduated by age 17, 18, 19, 20, and 21; graduation from college or trade school by 19, 20, 21, 22, and 23; percentage of youth receiving aid between 18 and 21).

Current efforts to track CWS and Probation youth: Currently outcomes for the dual status youth are tracked through the CWS/CMS system and are reported on the Berkeley website. CDSS tracks probation youth data entered into CWS/CMS according to federal reporting requirements and is required to report on probation youth who are receiving IV-E funding for placement. The data currently available includes placement markers, psychotropic medication, timely health exams, graduation from high school, IEP plans, placement stability, and outcome for youth exiting foster care at 18 ([http://cssr.berkeley.edu/ucb\\_childwelfare/CDSS\\_8A.aspx](http://cssr.berkeley.edu/ucb_childwelfare/CDSS_8A.aspx)). It is important to note that this is not real time data, but it is aggregate data regarding outcomes for youth across the state, including probation youth. CDSS is mandated only to track for particular measures, and recidivism is not included in those measures. It is unclear if Probation tracks this information in a separate system. According to the recommendations provided, new data elements, methodologies, and reporting would need to be developed to capture the new definitions of dual status youth and recidivism. These two terms have different meanings across agencies, so new data elements would need to be defined, created, and implemented before any data could be collected. In addition, each probation agency in the state has its own case management system, and it is not clear what data they currently track or how feasible it is to implement a new data collection methodology in their systems. If new definitions and data elements were added to the current CWS/CMS system or built into the New System, it would require training to all the users and would have associated costs to create the methodology, data elements, training, implementation, and reporting.

Proposition 30 concerns: There would be Prop 30 issues with requiring county or state employees to collect any new data without increased funding to do so. In addition, there would be effort required to develop the data elements/identify the data elements that are needed for each measure, issue instructions for capturing new data, training on collecting the new data, and oversight over collection of the data. There would also be effort required to develop

methodology after baseline data is collected; this would involve collaboration between researchers and the State to develop baselines and goals for continued data collection.

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# Attachment A

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# Attachment B

**Family and Juvenile Law Advisory Committee: Dual-Status Youth Data Standards  
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