

Serving and Understanding Children Who Commit Status Offenses

1:30 p.m. September 20, 2006

For PARENTS, TEACHERS, YOUTH AND Juvenile Justice PROFESSIONALS
Who wish to understand the law, the youth and the services relating to status offenses

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Serving and Understanding Children Who Commit Status Offenses



What is a Status Offense?

- Committed by a person under the age of majority—only children can commit a status offense
- Actions that are law violations **ONLY** if committed by a child—because they are children
 - **Drinking**
 - **Leaving home without permission**
 - **Tobacco use**
 - **Not attending school**
- Any non-criminal misbehavior—not covered in the criminal statutes for juveniles

What is NOT a Status Offense?

- Where a child/minor has committed or been charged with an offense that would also be a crime if committed by an adult, (e.g., burglary, possession of an illegal drug, battery) these acts are treated as a juvenile criminal offense
- These crimes go through court proceedings that can end in a disposition of juvenile delinquency
- Many states have laws that for the more serious offenses, e.g., murders, children can be transferred to adult court and receive adult consequences

Status Offense or Criminal Behavior?

Gray Areas in Handling Youth Behavior

- Domestic violence sibling-on-sibling, child on parent
- Simple assault and battery in the schools
- Criminal Mischief
- Use of illegal substances—drugs, alcohol, tobacco
- Minor destruction of property

Status Offense or Criminal Behavior?

- Consequences for these offenses are important to teach youth that their behavior is illegal
- However, in looking at the whole child, there may be circumstances that have led to the behavior or interventions that may be more effective in the reaching the desired result—to stop the behavior

Status Offense or Criminal Behavior?

Status offenses often indicate that the child may first be a victim....

- Sexual and Physical Abuse
- Neglect
- Parental rejection/emotional abuse
- Lack of parental supervision due to work schedule, health issues or substance abuse

Status offenders may have a contributing illness (barriers to learning and self-control)

Status Offense or Criminal Behavior?

A youth committing early misdemeanor (less serious) criminal offenses may also be a victim of the same circumstances associated with status offenses

It is critical to assess the child/youth's home and family circumstances

How are Status Offenses Handled?

- New York state was the first state to create a separate legal category for status offenses
- 1974 the Juvenile Justice and Delinquency Prevention Act created standards for the treatment of Status Offenders—no secure settings, not placed with adults, etc.
- States vary on how they define and handle status offenders
 - Some are handled as referrals to the juvenile justice system
 - Some are referrals to the child welfare/protection system

How are Status Offenses Handled?

- There are NO mandates to report a child who is engaging in behaviors that are defined as status offenses (unlike child abuse or neglect)
- However, any responsible adult who has reason to be concerned about a child can refer the child to the existing process for status offenders

Why is it Important to Provide Services to Status Offenders?

Without the right intervention at the right time, Status Offenses can

- Generate unnecessary cost to taxpayers
- Limit a child's potential
- Lead to harm of the child on the street
- Leave child abuse undetected
- Intensify toward serious criminal behavior
- End a child's education

What is a Status Offense in Florida?

- Florida's separate law for status offenders is Chapter 984, F.S.
- In Florida, status offenses are, specifically:
 - Habitual truancy,
 - Ungovernability (out of reasonable control of parents),
 - Running away/leaving home without permission, and/or
 - Engaging in any behavior that puts the child at risk for abuse or neglect, e.g., locking the child out of the home.

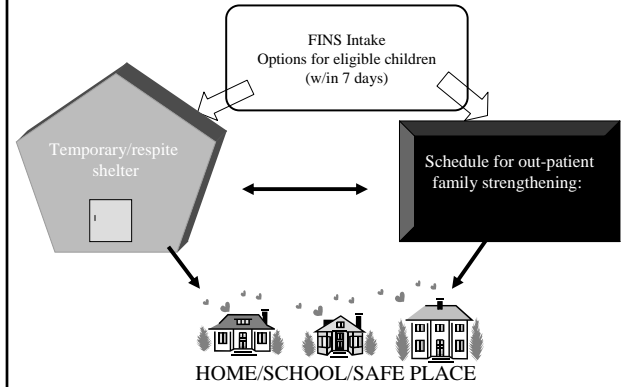
What is a Status Offense in Florida?

Many states have different names to refer to Status Offenders: e.g., CHINS, PINS

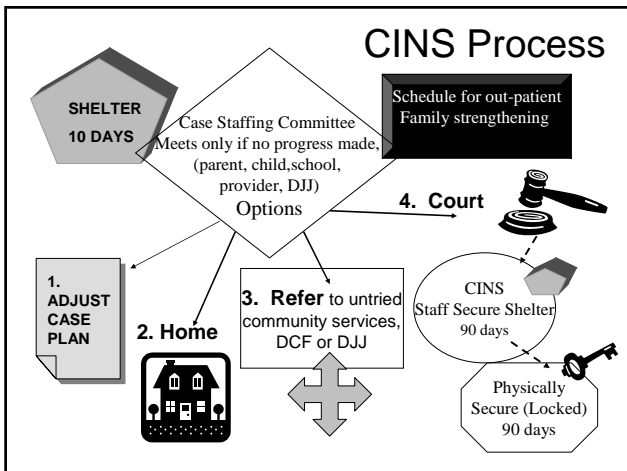
In Florida, status offenders are defined in 2 categories:

1. FINS: A Family In Need of Services
 2. CINS: A Child In Need of Services
- FINS ARE VOLUNTARY SERVICES
 - CINS ARE COURT-ORDERED SERVICES (a petition must be filed)

FINS Process



CINS Process



Eligibility

for Children/Family in Need of Services
984.03(25), F.S.

AT TIME OF REFERRAL, DOES NOT HAVE:

An open investigation for abuse, neglect or abandonment,

- Current supervision by DJJ or DCF, or
- An adjudication of delinquency or dependency.

What works with Status Offenders?

Good assessment of

- Strengths and challenges
 - youth and
 - the family
- Current circumstances/crisis—why now?
- All domains—school, friends, free time, health, mental health, substance use, etc.
- Resources & supports—church, neighbors, relatives, etc.

What works with Status Offenders?

Youth Development...

- Values
- Skills
- Interests
- Goals

Building trust and relationships

What works with Status Offenders?

Family Strengthening.....

- Parent skills-building Re: Teens
- Parents and child work together in the development of the service plan
- Linking family to other services and supports (case management)
- Referral to court is the LAST alternative
- Parent educational & support groups
- Family & Youth counseling

What works with Status Offenders?

Respite Services in temporary shelter are used when families and or the child appear to be potentially unsafe, are over-stressed or insist that this is the service they need.

Family Strengthening, unless there is evidence of abuse or neglect or the child states this is the case. Hot line called.

Profile of Florida's Status Offenders

Who refers them?

- 27% from concerned individuals/adults
- 24% from schools
- 13% from Law Enforcement
- 11% from Juvenile Justice
- 16% from other sources in community
- 9% are self-referrals by the youth

Profile of Florida's Status Offenders

Age

- Average age of youth in shelter: 15.2
- Average age of youth receiving counseling services: 14.3
- The most frequent ages of served youth: 15, 14 & 16

Gender

- 51% female 49% male

Needed help with.....

- **School problems -- 92%**
- **Family problems -- 96%**
- **Suicide risks -- 28%**
- **Previous Arrest -- 36%***

*DJJ Outcome Evaluation Report 2006.

Profile of Florida's Status Offenders

- **Serious Family Problems**
 - 14% of served youth faced abuse (physical or emotional) or neglect.
 - 11% of served youth faced domestic violence.
 - 9% of served youth were runaways at the intake.
- **School**
 - 36% of served youth failed at least a grade.
 - 27% of served youth are habitual truants.
 - 25% of served youth have learning disability or mental health issues.

In Their Own Words: Florida's Youth

Matt-16

My counselor helped me out with my step-dad. We have a lot of problems, like when he says something, I touch it anyway, so I was pretty stubborn.

My counselor told me that video games have rules doesn't it, I go yes, he says what is the difference between a rule and a tactic, I said a rule is something that somebody tells you not to do, or to do under some circumstances. Then I said, a tactic is somewhat like a strategy to get to your goal that you have to achieve.

I thought about what I said, I was like, darn, I should have known that already, okay, I know what to do, I should follow the rules, it's as easy as a video game, just collect all of the coins and get to the finish...I was on my way.

In Their Own Words: Florida's Youth

Dorthea—13

Being in the shelter has been so great.
I love it when the staff took us to skate.
We skated, slipped, bumped, and fell.
But beyond all this, they said we did well.
The staff in the shelter told me to be drug free
And to make myself out to what I can be.
Being in the shelter has helped me to heal.
From the things that people did to me and the bad things that I feel.
When I leave the shelter I will keep this in mind.
To do right by others and always be kind.
When I go home my heart stays here
And even though they seem far.
I know they are close by and near.

In Their Own Words: Florida's Youth

Tiffany-15

Drugs, shoplifting, sex: things a fifteen year old should be without. However, these obstacles were spinning me and my world out of control.

I honestly didn't understand why I was doing the things I was doing. I was scared, confused and unable to admit I had a problem.

By attending the groups and counseling provided by the shelter, I began to see I was an addict. I started talking about my life and I learned about the cycle of addiction I was trapped in.

Thanks to the shelter, I started to slowly break free from the cycle. I was able to plan for my future.

Status Offender Services in Florida.....

- ❖ **Operate very much like a hospital emergency room for troubled families and their children**
- ❖ **Provide Crisis, short-term services**
- ❖ **Are accessible 7 days per week, 24 hours per day**
- ❖ **Are accessible in all counties in Florida**

Status Offender CORE SERVICES

(Emergency Room)

- ♦ Centralized Intake Open 24/7 (Assessment, Triage)
- ♦ Runaway/Crisis Shelter (In-patient admission)
- ♦ Non-residential Services to Families (Out-patient Services)
- ♦ Case & Court Management (Referral/Check-ups)
- ♦ Prevention and Outreach (Public Health Education)

Specialized Services

- Mental health and substance abuse crisis management, assessment, short-term intervention and referral (no longer funded)
- Staff Secure placements
 - Court-ordered
 - 90-day stay in shelter
- Physically Secure (locked) placements
 - 90-day stay in MH or SA Treatment facility
 - Contracted service

Where to Get Help

1. floridanetwork.org
 - Click on the county where you live to find the phone number of the nearest shelter
 - open 24-7
2. 1-800-runaway (786-2929)
 - Will refer you to the same above
3. Wherever you see a Safe Place sign
 - Businesses are trained to help get you to a shelter
4. Local law enforcement can take you to the nearest youth crisis shelter
5. Brochures are available from the presenters today

