

Arkansas Public Defender Commission  
Juvenile Ombudsman Division  
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Senator Sue Madison, Chair  
Senate Committee on State Agencies  
573 Rock Cliff Road  
Fayetteville, Arkansas 72701

RE: Interim Study Proposal 2011-178  
Children of Incarcerated Parents

Dear Senator Madison:

The Bureau of Legislative Research has requested that I forward information to the Senate Committee on State Agencies regarding information collected by the Juvenile Ombudsman Division on children committed to the Division of Youth Services who may have an incarcerated parent or caregiver. This information is not collected by the Juvenile Ombudsman Division. However, I offer the following insight regarding these issues.

Attached to this letter is a risk assessment that the Juvenile Ombudsman Division in concert with juvenile judges, prosecutors, defense attorneys and representatives of the Division of Youth Services created. This risk assessment is required to be completed and accompany an order of commitment from the court for each juvenile remanded to the Division of Youth Services. On page two of this assessment regarding the youth's social history is a section to determine if a member of the youth's household including a parent/caregiver is either incarcerated or engaged in criminal activity. Our collective thinking was to provide increased focus on the family system and environment impacting on a court-involved youth. As such, potential exists to examine these issues. Currently, this occurs on a case-by-case basis, but to my knowledge, no one is collecting or analyzing this data point.

Additionally, each youth committed to the Division of Youth Services undergoes an extensive battery of physical, mental and educational evaluations administered through the UAMS Program for Adolescent and Children Evaluations (PACE). This PACE evaluation also includes a social history and potential exists to examine the status of parents/caregivers.

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The Division of Youth Services contracts for services through thirteen community based agencies. One of the roles of these service providers includes family services. Youth placed in the Division of Youth Services residential programs are also afforded family services. Unfortunately, resources limit the capacity for either set of providers to effectively address the needs of the youth with an incarcerated parent. Available resources are, in general, devoted to hopefully preventing the involved youth with continuing in choices and behaviors that might result in the youth experiencing incarceration in an adult setting.

With additional training and focus, efforts could be extended to help a youth remain connected with his/her caregiver that is incarcerated. Regardless of the choices a parent may make, in both the juvenile justice and child welfare arena, the connection between child and parent can and should be a significant bond. Devoting resources to help ensure healthy bonds remain intact and improving upon fractured bonds is an essential pursuit. As I personally witness children “aging out” of the child welfare system and youth in the juvenile justice system who attain majority age, I am reminded that government cannot nor should not place itself in the role of replacing family.

I am grateful for Senator Johnson and his willingness to provide a spotlight on these issues. A first step involving youth remanded to the Division of Youth Services could involve collecting data from the social history contained in the Arkansas Circuit Court Juvenile Division Risk Assessment and the PACE evaluation coordinated through UAMS. Staff training, awareness and resource identification would also need to be included once this subpopulation is identified. Training could be provided through the Arkansas Juvenile Officer’s Association, the Juvenile Detention Association and the Division of Youth Services.

If I may be of further assistance in these matters, I welcome your call.

Sincerely,



Scott Tanner, Coordinator  
Juvenile Ombudsman Division  
Arkansas Public Defender Commission

Attachment

Cc: Matthew Miller, Bureau of Legislative Research

## Arkansas Circuit Court Juvenile Division Risk Assessment

Name:	Date of Birth:	Social Security #
Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female	Race: <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Biracial	<input type="checkbox"/> Black <input type="checkbox"/> Hispanic
		<input type="checkbox"/> Native American <input type="checkbox"/> White
		<input type="checkbox"/> Other: _____
<b>Age of the juvenile at the time of the first delinquency adjudication:</b>		
		<input type="checkbox"/> Not Applicable
<input type="checkbox"/> 12 and under.....		4
<input type="checkbox"/> 13.....		3
<input type="checkbox"/> 14.....		2
<input type="checkbox"/> 15.....		1
<input type="checkbox"/> 16 and above.....		0
		<b>Total Points</b> ____ (4 max points)
<b>Number of prior delinquency adjudications and adjudicated probation revocations and aftercare violations:</b>		
		<input type="checkbox"/> Not Applicable
<input type="checkbox"/> One or more delinquency adjudications .....		2
<input type="checkbox"/> One or more adjudicated probation revocations or aftercare violations.....		1
		<b>Total Points</b> ____ (3 max points)
Total number of delinquency adjudications ____ probation revocations ____ aftercare violations ____		
<b>Number of delinquency adjudications for offenses involving weapons/firearms:</b>		
		<input type="checkbox"/> Not Applicable
<input type="checkbox"/> One or more.....		1
		<b>Total Points</b> ____ (1 max points)
Total Number of delinquency adjudications for offenses involving weapons/firearms ____		
<b>Number of delinquency adjudications for misdemeanors or felonies against persons and residential and commercial burglary</b>		
		<input type="checkbox"/> Not Applicable
<input type="checkbox"/> One or more misdemeanors.....		1
<input type="checkbox"/> One or more felonies.....		2
<input type="checkbox"/> Class Y felony.....		3
		<b>Total Points</b> ____ (6 max points)
Total number of adjudicated misdemeanors ____ Total number of adjudicated felonies ____		
Total number of adjudicated Y felonies ____		
<b>Number of FINS adjudications</b>		
		<input type="checkbox"/> Not Applicable
<input type="checkbox"/> One or more .....		1
		<b>Total Points</b> ____ (1 max points)
<b>Number of runs/escapes</b>		
		<input type="checkbox"/> Not Applicable
<input type="checkbox"/> One or more from shelter, treatment or staff secure facility.....		1 Total # ____
<input type="checkbox"/> Five or more from home, including foster care, for more than 24 hours in the last year.....		1 Total # ____
<input type="checkbox"/> One or more from DYS or detention.....		2 Total # ____
Total number of runs ____ Total number of escapes ____		<b>Total Points</b> ____ (4 max points)
<b>Number of placements in DYS, post adjudication detention, or out-of-home placements</b>		
		<input type="checkbox"/> Not Applicable
<input type="checkbox"/> One or more placements in DYS, juvenile detention, or five out-of home placements within the last year....		2
Total number placements: ____		<b>Total Points</b> ____ (2 max points)
Attach detailed information on known placements including type of placement and dates		
<b>Known history of use/abuse of illegal drugs, alcohol, and/or prescription drugs</b>		
		<input type="checkbox"/> Not Applicable
Use of <input type="checkbox"/> illegal drugs <input type="checkbox"/> alcohol		
Abuse of <input type="checkbox"/> illegal drugs <input type="checkbox"/> alcohol <input type="checkbox"/> prescription. drugs.....		1
		<b>Total Points</b> ____ (1 max points)
<b>Total Risk History Score: _____ (maximum risk points 22)</b>		

# Arkansas Circuit Court Juvenile Division Risk Assessment

## Juvenile's Social History

### School Performance

- Honor Student or  C or better.....0  
 Currently Truant  Suspension w/in last year or  Expulsion w/in last year.....1  
 Last grade juvenile successfully completed: \_\_\_\_\_ **Total Points** \_\_\_\_ (1 max points)

### Support System – Juvenile

- Parents/Caregivers do not provide structure or support for juvenile.....2  
 Siblings/Household members are negative influence to juvenile.....1  
**Total Points** \_\_\_\_ (3 max points)

### Peer relationships-Relationships the juvenile has with friends he/she spends time with

- Positive and consistent friends.....0  
 Negative/Anti- social friends or friends engaging in delinquent/criminal activity.....1  
 Gang involved .....2  
 Gang Affiliation \_\_\_\_\_ **Total Points** \_\_\_\_ (3 max points)

### Mental health diagnosis by a licensed professional or prior reports of suicidal ideation or suicide attempts

- Not Applicable  
 Mental health diagnosis  prior suicidal ideation  prior suicide attempts.....1  
**Total Points** \_\_\_\_ (1 max points)  
 Diagnosis \_\_\_\_\_ Total # reported suicidal ideation \_\_\_\_\_ reported suicide attempts \_\_\_\_\_ (attach records)

### Physical health diagnosis by a licensed professional

- Not Applicable  
 Physical health diagnosis .....1  
 Diagnosis \_\_\_\_\_ (attach records) **Total Points** \_\_\_\_ (1 max points)

### Child Abuse and Neglect

- Not Applicable  
 History of child abuse and/or neglect.....1  
 Current or prior dependency-neglect adjudication.....2

### If history or prior adjudication of abuse or neglect:

<b>Abused by:</b>	<b>Parent</b>	<b>Sibling</b>	<b>Other (describe relationship)</b>
Physical Abuse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sexual Abuse	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Neglect	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### History of household members engaged in delinquent/criminal activity or incarcerated

- Not Applicable  
 Any siblings/household members engaged in current delinquent/criminal activity.....1  
 Parents/caregivers currently engaged in criminal activity .....1  
 Parents/caregivers currently incarcerated .....2  
**Total Points** \_\_\_\_ (4 max points)

### History of Sexual Behavior

- No history.....0  
 Multiple sex partners  STDS  Sexual relations resulting in pregnancy  Reports of sexual aggression or deviant sexual activity  Treatment for sex offending behavior.....1  
 Prior sex offender registration.....2  
**Total Points** \_\_\_\_ (3 max points)

### History of Aggression/Violence

- Not Applicable  
 Verbal aggression towards  parents/caregivers  teachers/school officials  authority figures  
 \_\_\_\_\_ (describe).....1  
 Physical aggression towards  parents/caregivers  siblings/household members  
 teachers/school officials  authority figures \_\_\_\_\_ (describe).....2  
 Animal cruelty  Fire Setting .....2  
**Total Points** \_\_\_\_ (5 max points)



## Arkansas Circuit Court Juvenile Division Risk Assessment

<b>Values and Beliefs</b>	<input type="checkbox"/> Not Applicable
<input type="checkbox"/> Does not respect authority figures.....	1
<input type="checkbox"/> Does not think that rules apply to him/her <input type="checkbox"/> Does not follow rules .....	1
<input type="checkbox"/> Denies, excuses, blames others, minimizes, or justifies behavior.....	1
<b>Total Points _____ (3 max points )</b>	

**Social History Score: Total Points \_\_\_\_\_**  
**(maximum social history score 26 prior to deduction for mitigating factors)**

<b>Mitigating Social History</b>	
<input type="checkbox"/> Good student <input type="checkbox"/> Earned GED or <input type="checkbox"/> Graduated.....	-1
<input type="checkbox"/> Parents/Caregivers provide structure and support to juvenile.....	-2
<input type="checkbox"/> One or more household member (not including parent/caregiver) <input type="checkbox"/> adult positive role model (not including parent/caregiver) or <input type="checkbox"/> peer relationships that provide positive influence and support.....	-1
<input type="checkbox"/> Resolves conflict appropriately.....	-1
<input type="checkbox"/> Generally understands and follow rules .....	-1
<input type="checkbox"/> Accepts responsibility for behavior.....	-1
<b>Total Points _____ (-7 max points )</b>	

**Total Social History Score (social history score minus – mitigating social history score = \_\_\_\_\_)**

<b>Risk History and Social History</b>			
Risk History Score	Social History Score		
	0-9	10-19	20-26
0-5	<i>Low</i>	<i>Low</i>	<i>Moderate</i>
6-11	<i>Low</i>	<i>Moderate</i>	<i>High</i>
12-16	<i>Low</i>	<i>Moderate</i>	<i>High</i>
17-22	<i>Moderate</i>	<i>High</i>	<i>High</i>

**Additional Comments (Attach additional page if needed):**

\_\_\_\_\_  
 Print/Type name of person completing risk assessment

\_\_\_\_\_  
 Print/Type Title

Signature:

Date: