

YOUTH CHARGED WITH STATUS OFFENSES: DEFINITIONS OF COMMON TERMS

This fact sheet contains definitions of key terms that are commonly used when discussing status offenses. Because so much of status offense and juvenile justice policy and practice is local, not all acronyms or terms used in certain localities are listed below. This glossary is excerpted from the Coalition for Juvenile Justice's *National Standards for the Care of Youth Charged with Status Offenses*.

Adolescent brain science – a field of scientific study focusing on the development of the human brain from the onset of adolescence (approximately age 10) to the time when the brain has fully developed (approximately age 25), as well as its implications for social, education, child welfare and justice policy.¹

Adoption and Safe Families Act (AFSA) – a federal statute enacted in 1997 to promote the adoption of children in foster care.² Provides programs and standards that support a “safety, permanency and well-being” framework built around four primary goals: moving children promptly to permanent families, ensuring that safety is a paramount concern, elevating well-being as a major focus of child welfare system efforts, and improving innovation and accountability throughout the child welfare system.³

Alternative dispute resolution (ADR) - processes that offer youth, family members and other relevant parties the opportunity to meet, often in a confidential setting and usually with trained professionals, in an attempt to resolve familial, social and legal issues without formal legal proceedings. Such processes include but are not limited to mediation, peer or teen courts and family conferencing.⁴

Assessment – an evaluation or appraisal performed selectively with those youth identified by a valid screening instrument as requiring further inquiry, and designed to gather a more comprehensive and individualized profile of a youth and his/her family's suitability for placement in a specific treatment modality/setting. In mental health, an assessment refers to comprehensive information required for the diagnosis of a mental health

¹ Coalition for Juvenile Justice.(2006). *What Are the Implications of Adolescent Brain Development for Juvenile Justice*. Available at: http://www.njjn.org/uploads/digital-library/resource_462.pdf.

² P.L. 105-89.

³ Center for the Study of Social Policy and Urban Institute (2009.) *Intentions and Results: A Look Back at the Adoption and Safe Families Act*.

⁴ Edwards, Leonard P. (1996). “The Future of the Juvenile Court: Promising New Directions.” *The Future of Children: The Juvenile Court*, Vol. 6, No. 3. Available at: http://futureofchildren.org/futureofchildren/publications/docs/06_03_10.pdf.

disorder. An assessment differs from a screening, which is used to determine if an assessment is needed. (Also see definition of Screening.)⁵

Best practices – policies, programs, services and other strategies demonstrated through research and evaluation to be effective at preventing, reducing and eliminating certain behaviors.⁶

Blending or blended funds – a funding or resource strategy that pools dollars from multiple funding streams into one single funding stream. After funds have been blended, the once separate funding streams are indistinguishable from one another.⁷

Braiding or braided funding – a funding and resource strategy that aligns and coordinates multiple funding streams, usually to provide programs and services to youth and families along a continuum of care. Braided funding differs from blended funding in that each of the braided funding streams remains intact so that resources can be tracked more closely for the purpose of accounting to state and federal administrators.⁸

Community – a distinct and identifiable collection of individuals who despite diverse backgrounds share one or more characteristics such as geographic location, race or ethnicity, gender, age or religion.⁹

Community-based – a program, service or other strategy conducted within and by members of a particular community. The program, service or strategy can be implemented independently or in conjunction with an outside group, e.g., a government agency or nonprofit organization.¹⁰

Continuum of care – an array of programs, services and other strategies that engage youth and families at the point of prevention and moves them to early interventions and more significant system involvement only as needed. Incorporated into the continuum:

- the fundamental elements of valid screening and assessment instruments;
- the matching of identified needs to the appropriate programs and services; and

⁵ Adapted from the US Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention (OJJDP's), Deinstitutionalization of Status Offenders Best Practice Database. Available at: <http://www.juvenilejustice-tta.org/resources/dso/about-dso>, and Vincent, G. M. (2011). *Screening and Assessment in Juvenile Justice Systems: Identifying Mental Health Needs and Risk of Reoffending*. Washington, DC: Technical Assistance Partnership for Child and Family Mental Health. Available at: http://www.tapartnership.org/docs/jjResource_screeningAssessment.pdf.

⁶ Adapted from OJJDP's Deinstitutionalization of Status Offenders Best Practice Database. Available at: <http://www.juvenilejustice-tta.org/resources/dso/about-dso>.

⁷ *Blending and Braiding Funds and Resources: The Intermediary as Facilitator*. (January 2006). Washington, D.C.: National Collaborative on Workforce and Disability. Available at: http://www.ncwd-youth.info/sites/default/files/infobrief_issue18.pdf.

⁸ Id.

⁹ Adapted from "The Guide to Community Preventive Services," an electronic resource developed by the Community Preventive Services Task Force, an independent, nonfederal, uncompensated body of public health and prevention experts whose members are appointed by the Director of the U.S. Centers for Disease Control and Prevention. Available at: <http://www.thecommunityguide.org/about/glossary.html>.

¹⁰ Id.

- ensuring that the programs and services provided are effective at improving outcomes for youth and their families.¹¹

Culturally competent – the extent to which a policy, program, service or other strategy is respectful of and compatible with the cultural strengths and needs of any given youth, family and community.¹²

Curfew violation – a status offense characterized as a youth who violates an ordinance prohibiting persons below a certain age from being in certain public places during set hours.¹³

Deinstitutionalization of Status Offenders (DSO) – one of four core requirements set forth by the JJDPA. Provides that youth charged with status offenses, and abused and neglected youth involved in the child welfare system, may not be placed in secure detention or locked confinement.¹⁴

Detention – the locked confinement of youth whose alleged conduct is subject to court jurisdiction and for whom a restrictive, out-of-home placement has been deemed necessary for their own safety and/or for the safety of the community while court proceedings are pending.¹⁵

Disproportionate Minority Contact (DMC) – the disproportionately high rate of contact that minority youth have with the child welfare or juvenile justice system in proportion to the general population and as compared with white youth. Minority youth populations include American Indian and Alaska Native, Asian, Black or African American, Hispanic or Latino, Native Hawaiian or other Pacific Islander, and persons of mixed race/ethnicity.¹⁶

Diversion – the process of responding to the needs and behaviors of youth and families without formal court processing in the juvenile justice or child welfare system.¹⁷

¹¹ Adapted from Lipsey, Mark. W., et al. (2010). *Improving the Effectiveness of Juvenile Justice Programs: A New Perspective on Evidence-Based Practices*. Washington, D.C.: Georgetown University, Georgetown Public Policy Institute, Center for Juvenile Justice Reform. Available at: <http://cjr.georgetown.edu/pdfs/ebp/ebppaper.pdf>.

¹² Adapted from OJJDP's Deinstitutionalization of Status Offenders Best Practice Database. Available at: <http://www.juvenilejustice-tta.org/resources/dso/about-dso>, and the Child Welfare Information Gateway, an electronic resource of the Administration for Children and Families at the U.S. Department of Health and Human Services. Available at: <http://www.childwelfare.gov/supporting/cultural.cfm>.

¹³ Adapted from OJJDP's Deinstitutionalization of Status Offenders Best Practice Database. Available at: <http://www.juvenilejustice-tta.org/resources/dso/about-dso>.

¹⁴ 42 U.S.C. § 5633(a)(11) 2012.

¹⁵ Adapted from the National Juvenile Detention Association's "Definition of Juvenile Detention." Available at: <http://npjs.org/detention/>.

¹⁶ Coalition for Juvenile Justice (2010). *Disproportionate Minority Contact: Facts and Resources*. Available at: <http://www.juvjustice.org/sites/default/files/ckfinder/files/DMC%20factsheet%20draft%20--%20Final%20for%20Print.pdf>.

¹⁷ Adapted from OJJDP's Deinstitutionalization of Status Offenders Best Practice Database. Available at: <http://www.juvenilejustice-tta.org/resources/dso/about-dso>.

Empirically-supported – a program, service, practice or other strategy that is demonstrated to be effective; is based on a clearly articulated and empirically supported theory; and has measurable outcomes.

Evidence-based – a program, service, practice or other strategy that is demonstrated to be effective; is based on a clearly articulated and empirically supported theory; has measurable outcomes; and has been scientifically tested, optimally through randomized control studies or comparison group studies; and has been replicated with similar measurable outcomes.¹⁸

Family engagement – the process of intentional and meaningful involvement of families, on both the personal and organizational levels, in the decision-making, policy development and reform efforts to improve outcomes of any system in which they are a part.¹⁹

Family group decision-making – an approach in which family members are brought together with key stakeholders and a trained facilitator or coordinator to make decisions about how to care for children and youth and develop a plan of service. Different names used for this type of intervention include family team conferencing, family team meetings, family group conferencing, family team decision-making, family unity meetings, and team decision-making.²⁰

Gender-responsive – the intentional creation and implementation of policies, programs, practices, services and other strategies that comprehensively reflect and address the needs of a targeted gender group. Gender-responsive approaches (1) incorporate the differences between male and female development; (2) acknowledge the different pathways boys and girls take into the child welfare, status offense and juvenile justice systems; and (3) take a gender-specific and strengths-based approach to prevention and intervention.²¹

Indian Child Welfare Act – a federal statute enacted in 1978 that governs the removal and out-of-home placement of American Indian children, establishes standards for the placement of Indian children in foster and adoptive homes, and enables Tribes and families to be involved in child welfare and status offense cases.²²

¹⁸ Adapted from S. 678, the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2009. Available at: <http://www.gpo.gov/fdsys/pkg/BILLS-111s678rs/pdf/BILLS-111s678rs.pdf>.

¹⁹ Adapted from Aracelis, G. and Cheryl D. Hayes. (2008.) *Understanding the State of Knowledge of Youth Engagement Financing and Sustainability*. The Finance Project. Washington, D.C.

²⁰ Adapted from the Child Welfare Information Gateway, an electronic resource of the Administration for Children and Families at the U.S. Department of Health and Human Services. Available at: <http://www.childwelfare.gov>. For a comparison of approaches, see Annie. E. Casey Foundation. *Family Teaming: Comparing Approaches* (2009). Available at: <http://www.caseyfamilyservices.org/userfiles/pdf/teaming-comparing-approaches-2009.pdf>.

²¹ Adapted from the "Gender-Responsive Definitions?" of the National Girls Institute, <http://www.nationalgirlsinsitute.org/i-work-with-girls/resources-best-practices/gender-responsive-definitions/>, and Sydney, L. (October 2005). *Supervision of Women Defendants and Offenders in the Community. Gender-Responsive Strategies for Women Offenders*. Washington, D.C.: National Institute of Correction, U.S. Department of Justice.

²² Adapted from Adapted from the Child Welfare Information Gateway, an electronic resource of the Administration for Children and Families at the U.S. Department of Health and Human Services. Available at: <http://www.childwelfare.gov/systemwide/courts/icwa.cfm>.

Intervention – a program, service or other strategy designed to respond to a particular behavior or event and prevent children, youth and families from penetrating further into a given system.²³

Juvenile Detention Alternatives Initiative (JDAI) – a national strategy of the Annie E. Casey Foundation designed to demonstrate that state and local juvenile justice systems can dramatically reduce their reliance on detention without sacrificing public safety. Launched in 1992, JDAI has been replicated in over 150 jurisdictions in 32 states and the District of Columbia.²⁴

Juvenile Justice and Delinquency Prevention Act (JJDP) – a federal statute enacted in 1974 that provides a set of uniform standards of care and custody for court-involved children and youth across the U.S. states, territories, and the District of Columbia.²⁵ The JJDP sets forth four core requirements, or protections, with which states must comply to be eligible for federal juvenile justice funding under the statute.²⁶ States who voluntarily choose to comply with the JJDP also receive training and technical assistance from the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP).²⁷ In addition, OJJDP is charged with monitoring state compliance with the JJDP and providing guidance to the states on how best to prevent delinquency and improve their juvenile justice systems.²⁸

LGBTQ – an inclusive acronym that refers to children and youth who identify as lesbian, gay, bisexual and transgender, as well as children and youth who question or are still exploring their sexual identity.²⁹

Positive Youth Development – an intentional, pro-social approach that engages youth and families in a manner that is productive and constructive; recognizes, utilizes, and enhances youths' strengths; and promotes positive outcomes for young people by providing opportunities, fostering positive relationships, and furnishing the support needed to build on their leadership strengths.³⁰

Post-Traumatic Stress Disorder (PTSD) - a type of anxiety disorder triggered by exposure to a traumatic event such as physical or sexual assault or exposure to violence, disasters and accidents. A common characteristic of

²³ Adapted from OJJDP's Deinstitutionalization of Status Offenders Best Practice Database. Available at: <http://www.juvenilejustice-tta.org/resources/dso/about-dso>.

²⁴ For more information, visit their website at: www.jdaihelpdesk.org.

²⁵ cf. 42 U.S.C. § 5602.

²⁶ 42 U.S.C. § 5633(a)(11- 13), (22) 2012.

²⁷ 42 U.S.C. § 5633(f) 2012.

²⁸ 42 U.S.C. § 5614(b) 2012.

²⁹ National Center for Lesbian Rights. *LGBTQ Youth in the Foster Care System*. Available at: http://www.nclrights.org/wp-content/uploads/2013/07/LGBTQ_Youth_Juvenile_Justice_Factsheet.pdf.

³⁰ Taken from FindYouthInfo.gov, an on-line resource created by the Interagency Working Group on Youth Programs (IWGYP) comprising representatives from 12 federal departments and five federal agencies that support programs and services focusing on youth. Available at: <http://www.findyouthinfo.gov/youth-topics/positive-youth-development>.

PTSD is that the individual continues to have an extreme, often debilitating emotional response to the event even when the event has ceased and s/he is no longer in danger.³¹

Runaway – a status offense characterized as a youth leaving the home, custody or supervision of parents or caregivers without permission and failing to return within a reasonable length of time.³²

Screening – a process designed to identify the needs of children, youth and families, particularly any mental health needs, who come into contact with a system, and to determine if further intervention, including court processing, is warranted. This is contrasted with an assessment, which would occur only if a valid screening instrument indicated the need for a more in-depth inquiry. (Also see definition of Assessment.)³³

Status offender – a child or youth who commits a status offense.

Status offense – conduct that would not be unlawful if committed by an adult but is unlawful only because of a child's or youth's legal minor status. Common status offenses include running away, truancy/chronic absenteeism, curfew violation, ungovernability/incorrigibility/beyond the control of one's parents and minor in possession of alcohol or tobacco products.³⁴

Truancy – a status offense characterized as a youth being absent from school without a valid excuse from a parent, caregiver or school official.³⁵ The number of unexcused absences required to trigger a charge of truancy varies from state-to-state.

Ungovernability – a status offense characterized as a youth's failure to comply with reasonable requests of a parent or approved caregiver to the point that the youth is deemed to be beyond the control of the parent or caregiver. Also referred to as "incorrigibility" or "beyond the control of one's parents."

³¹ Hetrick SE, Purcell R, Garner B, Parslow R. "Combined Pharmacotherapy and Psychological Therapies for Post Traumatic Stress Disorder (PTSD)." *Cochrane Database of Systematic Reviews* 2010, Issue 7. Art. No.: CD007316. DOI: 10.1002/14651858.CD007316.pub2. Abstract available at: <http://www.ncbi.nlm.nih.gov/pubmedhealth/PMH0014403/>; "Post-Traumatic Stress Disorder (PTSD)." Washington, D.C: National Institute of Mental Health, National Institute of Health, U.S. Department of Health and Human Services. Available at: http://www.nimh.nih.gov/health/publications/post-traumatic-stress-disorder-ptsd/nimh_ptsd_booklet.pdf.

³² Adapted from OJJDP's Deinstitutionalization of Status Offenders Best Practice Database. Available at: <http://www2.dsgonline.com/dso2/Default.aspx>.

³³ Adapted from OJJDP's Deinstitutionalization of Status Offenders Best Practice Database. Available at: <http://www.juvenilejustice-tta.org/resources/dso/about-dso>, and Vincent, G. M. (2011). "Screening and Assessment in Juvenile Justice Systems: Identifying Mental Health Needs and Risk of Reoffending." Washington, DC: *Technical Assistance Partnership for Child and Family Mental Health*. Available at: http://www.tapartnership.org/docs/jjResource_screeningAssessment.pdf.

³⁴ 28 C.F.R. § 31.304(h) (2008).

³⁵ National Center for School Engagement. (August 2006.) *Guidelines for a National Definition of Truancy and Calculating Rates*.

Valid court order (VCO) – a statutory exception to the DSO core requirement, amended into the JJDPa in 1980. Provides that a judge may order a youth adjudicated for a status offense into locked confinement if the youth violates a valid court order.³⁶

Youth engagement – the process of intentional and meaningful involvement of youth and families, on both the personal and organizational levels, in the decision-making, policy development and reform efforts to improve system outcomes.³⁷



To learn more about the Coalition for Juvenile Justice Safety, Opportunity & Success: Standards of Care for Non-Delinquent Youth Project:

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³⁶ PL 96-509, 1980 S 2441, 94 Stat. 2755 (December 1980).

³⁷ Adapted from Aracelis, G. and Cheryl D. Hayes. (2008.) *Understanding the State of Knowledge of Youth Engagement Financing and Sustainability*. The Finance Project. Washington. D.C.