

# Juvenile pre-trial assessments: effective sentencing based upon the needs of the child.

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# Why do a pre-trial assessment?

## Better outcomes

Identifying risk level and the problems that exist in a child's life leads to a probation sentence that will actually address those problems and change behavior.

The goal is the best interest of the child.

# Why do pre-trial assessments

## Efficiency

Spend less time with kids who do not need supervision and, thus, have more time to spend with high-risk kids.

# Why do pre-trial assessments?

## Public Safety

When you take steps to properly identify issues and address them with evidenced based methods, crime is reduced, public safety is increased and tax dollars are saved.

(proven by exhaustive studies about drug court)

# Why do pre-trial assessments?

Aligns with concept of Procedural Justice:

“People are more likely to comply if they perceive that they have been heard and have been treated fairly.”

“We support your efforts to expand the practices of the problem solving courts beyond the drug court and mental health court.”

-- Justice Rita Garman

# Statutory Authority

705 ILCS 405/6-1(2)(b)

Probation departments; functions and duties:

“When a petition is filed under Section 2-13 (abuse and neglect), 3-15 (MRAI), 4-12 (addicted minors), 5-520 (delinquent minors), to make pre-adjudicatory investigations and formulate recommendations to the court when the court has authorized or directed the department to do so.

# Constitutional concerns to address

Pre-trial assessments do not concern the charged offense. No questions are asked about the pending offense.

State agrees to not use any admissions of the minor during the pre-trial assessment against the minor.

Assessments are conducted prior to the appointment of counsel or, if after appointment, with counsel's consent.

# Importance of Risk Assessments to judges and lawyers

Risk assessments and trauma scores governs comments made to the child during court and during meetings with counsel

Sets the tone for behavior change (due process goal of supreme court)

Governs the amount of judicial supervision needed

# The Actual Assessment

- ▶ YASI Pre-screen
  - Statewide approved assessment tool for recidivism
  - Brief questions in the areas of legal history, family, school, peers, mental health, substance abuse, violence/aggression.
- ▶ ACE Questionnaire
  - 10 questions regarding childhood trauma
- ▶ Report prepared with findings

# Original Ace Study Data

## The Survey

- ▶ The ACE study was conducted between 1995 and 1997 by Kaiser Permanente's Department of Preventive Medicine and the Center for Disease Control.
- ▶ 17,337 adults participated in the study and answered ten questions related to adverse experiences prior to the age of 18.
- ▶ 17 % had an ACE score of 4 or higher.
- ▶ Women are 50% more likely to have an ACE score of 5 or higher.

# The Effects of the ACE

Persons with ACE scores of 4 or higher are:

- \* 4 times more likely to become smokers
- \* 12 times more likely to have attempted suicide
- \* 7 times more likely to become alcoholics
- \* 10 more likely to inject street drugs.

# The Effects of ACE

An ACE score of 6 or higher:

A male youth is 4600 % more likely to become an injection drug user

# The Effects of ACE

- ▶ Females with an ACE score of 4 or higher are 4 times more likely to be promiscuous (more than 50 sexual partners).
- ▶ Females with ACE score of 4 or higher are 40 % more likely to become teen mothers, Males are 30 % more likely to become teen fathers.

# The Effects of ACE

- ▶ An ACE score of 7 or higher increased the risk of suicide attempt by 51%.
- ▶ An ACE score of 4 or higher increases the risk of life-long depression by 55%.
- ▶ An ACE score of 4 or higher increases the risk of being prescribed psychotropic medication by 90%.
- ▶ An ACE score of 6 or higher shortens life expectancy by 20 years.

# Clinton County ACE's 2015

- ▶ In 2015– Juvenile Probation and Supervision Cases:
  - 47% had ACE score of 4 or higher
  - Of that group of youth:
    - 73% reported substance abuse issues ( vs. 35% with ACE 3 and under)
      - 73% of those required inpatient treatment
    - 80% reported mental health issues (vs. 11% with ACE of 3 or under)
      - 100% of those required treatment
      - 42% required hospitalization
      - 67% required medication
    - 93% recidivated (vs.18% with ACE scores of 3 or under)

# Clinton County Ace's 2016

- ▶ 38 pretrial assessments were completed
  - 50 cases were filed (3 duplicates, 8 pending, 1 refused)
- ▶ 8 had ACE score of 4 or higher 27%
- ▶ 10 had ACE score of 2 or 3
- ▶ 20 had ACE of 0 or 1(Consumption & Retail Theft)
- ▶ 38% of 4 or higher already reoffended
- ▶ 20% of 2 or 3 reoffended
- ▶ 5% of 0 or 1 reoffended

It is easier to  
build strong  
children than to  
repair broken  
men.

--Frederick Douglass

Statistical thinking will one day be as necessary for efficient citizenship as the ability to read and write.

-- H.G. Wells

# Resources & Readings

- ▶ National Child Traumatic Stress Network – [www.nctsn.org](http://www.nctsn.org)
- ▶ Aces Connection Newsletter – [www.acesconnection.com](http://www.acesconnection.com)
- ▶ Aces Study – [www.cdc.gov](http://www.cdc.gov)
- ▶ Recommended Readings
  - Cheering for the Children – Casey Gwinn
  - The Boy who was Raised a Dog – Bruce Perry
  - The Body Keeps Score – Russell Van Der Kolk
- ▶ Trauma –Specific Interventions
  - CBITS (Cognitive Behavioral Intervention for Trauma in Schools)
  - SSET (Support for Students Exposed to Trauma)
  - TF-CBT (Trauma Focused Cognitive Behavioral Therapy)
  - ARC Model (Attachment, Regulation, and Competency)