

Winona County Criminal Justice Coordinating Council

Juvenile Justice Committee Minutes

January 2022 – December 2022*

*The committee may not have had a meeting in every month. The attached minutes are from every month in which a meeting was held

**Minutes of the Juvenile Justice Committee of the
Winona County Criminal Justice Coordinating Council
January 20, 2022 at noon via Zoom**

Present: Rebecca Church, Katie Illies, Kylie Davison, Teri Henderson, Judge Leahy, Marie Kovecsi, Chris Meyer, Danielle Swedberg, Jon Loomis, Andy Kranz. Becky Brandt

Juvenile Mapping of Juvenile Petty Offenses and Juvenile Delinquency Offenses:

The juvenile justice system does not become involved with juveniles prior to law enforcement involvement. Once law enforcement becomes involved, they decide if a juvenile citation should be issued or not. When a juvenile citation is issued, the citation is reviewed by the Winona County Attorney's Office. For more serious crimes, such as a gross misdemeanor or a felony, the Winona County Attorney's Office reviews the reports and drafts a petition, if appropriate that is filed with the court.

The Winona County Attorney's Office reviews the citation and the police reports and determines if the juvenile is eligible for diversion. Only juvenile petty offenses are eligible for diversion. Juvenile delinquency offenses are not eligible for diversion. The Winona County Attorney's Office has a tracking form that is filled out to determine a juvenile's diversion eligibility.

There are some cases that are reviewed by panel to determine if diversion is appropriate or not. The panel is the two juvenile probation agents, the two restorative justice workers, the pre-trial person from WCHHS, and a sergeant on the police department.

If a citation is referred to diversion, it is sent to the DOC. The two juvenile probation agents review the citation and determine what type of diversion is appropriate. The three types of diversion are mail in diversions, agent meet, or restorative justice.

A mail in diversion would be a low-level offense with no victim, such as a traffic offense. The juvenile is mailed the information regarding the diversion and is given the option to complete 10 hours of CWS or pay a \$100 fine.

An agent meet diversion is where a meeting is set up with the juvenile, a parent, and the probation agent. During the meeting a contract is drawn up regarding the juvenile's consequences. The contract can be anything agreed to at the meeting. Many consequences include writing a research paper. However, again, there are many options. Ms. Henderson gave the example of a father and daughter that came in for a minor consumption and had a rough relationship. The agreement was that the daughter was going to spend some time on Thanksgiving with her father and the two of them were going to go to lunch with just the two of them. The juvenile then had to write a paper about the experiences.

A restorative justice diversion normally includes a circle. The restorative justice workers have a pre-meeting with the juvenile and a parent to discuss the next steps and to ensure the juvenile will take the circle seriously, they do not want to re-traumatize the victim. After that meeting a circle is scheduled. The circle includes the juvenile, the juvenile's parent(s), the victim(s), a support person for the victim, if they want, at least two community members and the restorative justice workers. During the circle, everyone is given the opportunity to be heard. Then a contract is drawn up regarding the juvenile's consequences. The consequences should be related to the offense, and everyone must agree on the terms.

Over a majority of diversions are completed successfully. Most unsuccessful diversions are because the agent could not meet with the juvenile. The agents try many ways and many times to reach the juvenile and the parents.

If a diversion is returned as unsuccessful, the citation is filed with the court. This case would then proceed the same as citations and petitions that are not eligible for diversion.

Once a citation or petition is filed with the court an admit/deny hearing is scheduled.

- If a juvenile is arrested for a new offense, which is very rare in Winona County. A detention hearing is scheduled for the following court day. If a juvenile is arrested on a new offense, and not on probation already in Winona County, WCHHS becomes involved. WCHHS assists in speaking with the parents about what's going on in the home and if the juvenile can return to the home. WCHHS also inquires about possible placement options if the juvenile cannot return home. Generally, the juvenile will be placed on pre-trial supervision at the detention hearing. WCHHS oversees the juveniles on pre-trial supervision. After the detention hearing, an admit/deny hearing is scheduled.

Juveniles are automatically appointed a public defender for delinquency cases. Juveniles are not appointed public defenders for juvenile petty offense cases, but they can hire their own attorney.

Generally, at an admit/deny hearing for a juvenile petty offense, the juvenile admits the offense and receives a disposition. Generally, the disposition is six months supervised probation; ten hours CWS; remain law abiding and have good behavior in the community, at school and at home; attend school with no unexcused absences and make progress; no use of alcohol or controlled substances and cooperate with random testing to ensure compliance. There are also general rules of probation that need to be followed.

- If a juvenile enters a denial, a trial is scheduled. The Winona County Attorney's Office mails the discovery to the juvenile along with the offer again for the family to consider.

Generally, at an admit/deny hearing for a delinquency offense, the attorney enters a denial and a pre-trial is scheduled. Generally, delinquency offenses can be resolved at the pre-trial. After an admission is entered on a delinquency offense, normally a pre-dispositional report (PDR) is requested. The PDR report is written by a juvenile probation agent. This is written after a meeting with the juvenile and a parent. The PDR lays out history of the juvenile and gives recommendations for the disposition hearing.

Most juveniles that are charged with a delinquency for the first time, receive a stay of adjudication. The stay can be in place up to one year.

Juveniles can be placed on probation until they are 19 years old. Generally, a juvenile is placed on probation for a year. If they are struggling, the probation can be extended.

WCHHS is generally not involved in these types of cases. WCHHS is involved if a juvenile was arrested for a new offense and is not currently on probation and/or if a juvenile is placed on pre-trial supervision.

DOC does find it helpful when juveniles are placed on pre-trial supervision because pre-trial supervision can get the ball rolling on evaluations and treatment if that's what the juvenile needs.

Juveniles that are just on probation for a juvenile petty offense cannot be placed out of the home.

Probation works with the juveniles that have violated probation and tries to correct any concerns prior to filing a violation report. When a violation report has been filed with the court, a hearing is scheduled to address the violation. Generally, the probation agent has tried several different ways to assist the juvenile in correcting the behavior prior to filing the violation report.

Adjourned: 1:00 p.m.

Next Meeting: February 17, 2022 at noon via Zoom

WINONA COUNTY JUVENILE DIVERSION PROGRAM
JUVENILE REVIEW WORKSHEET AND TRACKING FORM

Welfare of: _____

Probable Cause: Petty/Traffic
 Payable
 Delinquency
 CHIPS (T / R)

Diversion File #: _____

| | | |
|------------------------------|--------------------------|--|
| <u>INITIAL REVIEW</u> | | Review Date: _____ By: _____ |
| ELIGIBLE | <input type="checkbox"/> | No history |
| INELIGIBLE | <input type="checkbox"/> | Ineligible offense |
| | <input type="checkbox"/> | Prior adjudication(s) of delinquency |
| | <input type="checkbox"/> | Pending delinquency case(s) |
| | <input type="checkbox"/> | Truancy offense, 15+ absences |
| | <input type="checkbox"/> | Current Probation, Stay of Adjudication or CFD |
| PANEL REVIEW | <input type="checkbox"/> | Prior or pending non-status offense diversion |
| | <input type="checkbox"/> | Uncharged lack of cooperation |
| | <input type="checkbox"/> | Prior or pending status offense diversion |
| | <input type="checkbox"/> | Prior or pending petty offense(s) |
| | <input type="checkbox"/> | Prior or pending traffic offense(s) |
| | <input type="checkbox"/> | Prior or pending CHIPS case(s) |
| Notes: _____ | | |

| | |
|----------------------------|------------|
| <u>PANEL REVIEW</u> | |
| Sent: _____ | |
| Due: _____ | |
| Decision: _____ | |
| ELIGIBLE | INELIGIBLE |

| |
|------------------------|
| <u>OVERRIDE</u> |
|------------------------|

| |
|--|
| <u>FINAL OUTCOME</u> |
| ELIGIBLE |
| Referred to: |
| <input type="checkbox"/> Department of Corrections |
| <input type="checkbox"/> Community Services |
| <input type="checkbox"/> Restorative Justice |
| INELIGIBLE |

| | | |
|---------------------------------|----------------------------------|------------------------------------|
| <u>DIVERSION PROGRAM</u> | | Returned on _____ |
| <input type="checkbox"/> | Letter sent on _____ | Reason: _____ |
| <input type="checkbox"/> | Met with agent on _____ | |
| <input type="checkbox"/> | Agreement signed on _____ | Discharged – Unsuccessful on _____ |
| <input type="checkbox"/> | Discharged – Successful on _____ | Conditions violated: _____ |
| Agent: _____ | | |

SUCCESSFUL DISCHARGE FROM DIVERSION
 RETURNED TO COURT FOR PROSECUTION

**Minutes of the Juvenile Justice Committee of the
Winona County Criminal Justice Coordinating Council
February 17, 2022 at noon via Zoom**

Present: Kalene Engel, Rebecca Church, Katie Illies, Kris Sather, Kylie Davison, Chris Meyer, Jon Loomis, Sally Poepping, Becky Brandt, Andy Kranz, Judge Mary Leahy, Phil Huerta, Marie Kovecsi

Minutes: Minutes from the January 20, 2022 meeting were approved without changes.

Review of Documents from Mapping Processes:

- *Written procedures/Flowchart:* Kalene offered to update any existing written procedures for the juvenile diversion and truancy procedure with the information obtain from the most recent mapping process. Rebecca located juvenile diversion instruction and guidelines from 2015. The Department of Corrections has a juvenile supervision policy but it isn't as detailed as what it in the minutes from the meetings. Chris noted that it would be helpful to have a narrative to understand the flowchart. Judge Leahy noted that applicable rules or statutes could be included under each of the steps.
- *Juvenile Data/Recidivism Rates:* A current Winona County Attorney's Office intern is working on a juvenile recidivism rate project for Rebecca for the years 2017 through 2020.
- *Juvenile Delinquency Brochure:* Rebecca revised a juvenile delinquency brochure that Kalene had drafted several years ago. Becky confirmed that the statement of rights documents that are referred to in the brochure are being sent out. Attendees felt that the brochure contained useful information for parents, school counselors and juveniles about the process. Becky offered to post it on the county's webpage on mncourts.gov. Links could also be provided from other websites (i.e. ASAP, CJCC). Everyone was asked to review the brochure for accuracy between now and the March meeting and advise Kalene of changes.
- *Truancy Brochure:* Kalene also located a truancy brochure that was drafted several years ago. Rebecca will review and revise the brochure and distribute it to committee members for further review/revision.

Prevention Services/Early Intervention Model: Rebecca asked committee members how they wanted to approach the prevention/early intervention topic. Last fall, members of the Health and Human Services Advisory Committee were looking at this topic and, specifically, prevention services for juveniles. Several people from the Juvenile Justice Committee presented to the HHA Advisory Committee on the juvenile justice system. It was decided that any efforts on prevent/early intervention should be coordinated, both between CJCC committees and other groups or committees who might be working on the topic. Since that time, an Early Intervention

and Prevention Committee (EIP) was formed by CJCC. Prevention-wise, the EIP is currently working on strategies to improve access to services and programs administered by Winona County Health and Human Services.

Karin noted that she had had some conversations with Karen Sanness about the issue and agreed that efforts should be coordinated as a joint venture. She noted that the EIP was looking at the whole spectrum of prevention, from birth to 90, and this committee's work was focused on juveniles. Kalene observed that, by the time the County Attorney or Dept of Corrections gets a referral, the matter is no longer "prevention" but rather "intervention." She displayed the Sequential Intercept Map (SIM) Map Model showing the prevention (0 intercept) versus the intervention (1 and greater intercepts). Rebecca added that, because the juvenile system is set up for rehabilitation, many of the efforts are also preventative, attempting to prevent further involvement.

Previously, this committee had looked into JDAI (Juvenile Detention Alternatives Initiative) and a Dual Status Youth Initiative. Another possible prevention effort could include pre-arrest diversion, which would require law enforcement input and involvement. A committee member mentioned a Mankato-based program pairing low income youth (5th grade and up) with the local technical college to introduce the youth to STEM programming at an early age. By the time those youth graduated from high school, they had accumulated college credits and were well on their way to a good career. Phil mentioned a program called Youthbuild of the Minnesota Department of Employment and Economic Development that creates apprenticeships for youth age 16-24. As part of the presentation to the Health and Human Services Advisory Committee, Kalene compiled a packet of information, including prevention/intervention ideas. She will forward this packet to Rebecca, who will forward it to committee members for review and discussion at the March meeting. Rebecca will speak with Karin about inviting a member of law enforcement to the committee.

Family Dependency Treatment Court (FDTC): Judge Leahy asked for an update on FDTC funding. Karin noted that Karen Sanness mentioned it at a board meeting a few meetings ago and that there was an effort to include it in the budget, using American Rescue Plan Funds. Karin will follow up with Karin Sanness and Maureen Holte.

Summary of Things to Do:

- Review/revise the juvenile delinquency and truancy brochures – all.
- Update the diversion/truancy procedures with the information obtained during the recent mapping process – Kalene.
- Invite a member of law enforcement to join the committee – Karin/Rebecca.
- Review the packet of information that Kalene compiled for the Health & Human Services Advisory Committee – all.

Adjourned: 12:53 p.m.

Next Meeting: March 17, 2022 at noon via Zoom

**Minutes of the Juvenile Justice Committee of the
Winona County Criminal Justice Coordinating Council
June 16, 2022 at noon via Zoom**

Present: Kalene Engel, Rebecca Church, Kylie Davison, Chris Meyer, Becky Brandt, Katie Illies, Andy Kranz, Lori Klein, Erin Vieths, Renee Rumpca, Karrie Hahn, Judge Leahy, Lacey Bartsch

Update on Brochures and Policies: Kalene updated the guidelines for trancies and diversions and compiled them into a booklet along with the applicable forms. Rebecca will distribute the booklets to committee members for review and revision before they are posted on the County Attorney’s webpage. Kalene will also work on a similar document for delinquencies. The format will be more of a description of how the process works, as opposed to a formal policy.

Update on Family Dependency Treatment Court: Kalene and Karin submitted a funding request to Winona County for ARPA funding for the FDTTC. An alternative source of funding could be the Opioid Settlement Funds. The state treatment court coordinator attended a FDTTC workgroup meeting and confirmed that Winona County has submitted the proper paperwork needed to apply for funding.

Discuss funding opportunities: Recently, two grant opportunities for juvenile justice programming were shared with Rebecca. They include the federal [Community Based Alternatives to Youth Incarceration](#) and the state [2023 Title II Juvenile Justice Grants to Promote Wellness and Support for Youth Within Minnesota's Juvenile Justice System](#). Rebecca will review the Request for Proposals during the upcoming weeks.

Handling of Truancy Cases in Winona County: Winona’s past practice for truancy cases has been to treat noncompliance with the disposition order as a probation violation, using forms and hearings that reference “probation violation.” Since truancy cases are technically CHIPS cases under Chapter 260C, they should not use forms or procedures for delinquency cases that are governed by 260D. Children in CHIPS cases are on supervision, not probation. This is creating problems for court administration, as they are seeing multiple admit/deny hearing scheduled on a truancy case, when there should only be one admit/deny—to admit or deny the truancy petition. Becky is already working with Sherri Brekke to modify her forms to eliminate reference to a probation violation for truancy cases. Changes that need to be made include the following:

- Reports from Sherri Brekke (or a social worker) on a truancy case should be filed under Social Worker Report, not under Probation Violation Report;
- Status review hearings on a truancy cases (if they occur) should be labeled Intermediate Review Hearings
- If a child is alleged to be noncompliant with a truancy order post-disposition, the hearing to address that issue is called a Review Hearing, not a probation violation report.
- If a child is being supervised by a probation officer (because they have more than just a truancy case) and the probation officer has to file a report in the truancy file, the probation officer report should be filed under Report-Other.

Other:

- Everyone should review the County Attorney website and be prepared to make suggestions at the August meeting.
- Karrie Hahn inquired about how she should handle unexcused absences for children who are in day treatment. Per Judge Leahy, if they are on supervision, it should be reported to Sherri Brekke or probation. If they are not on supervision, the absence should be reported to the school, as it should count as a truancy (since day treatment is half-days).
- Anyone who would like to place topics on the agenda for discussion should contact Rebecca.

Adjourned: 12:40 p.m.

Next Meeting: August 18, 2022 at noon; no meeting in July

**Minutes of the Juvenile Justice Committee of the
Winona County Criminal Justice Coordinating Council
August 18, 2022 at noon via Zoom**

Present: Kalene Engel, Rebecca Church, Kylie Davison, Katie Illies, Andy Kranz, Lori Klein, Karrie Hahn, Becky Brandt

Update on Brochures and Policies: The updated Truancy, Diversion and Juvenile Delinquency Guideline booklets were distributed to committee members in advance of the meeting, after having been reviewed and revised by Rebecca. No additional changes were suggested, so the documents were finalized and are ready to be uploaded to the County Attorney's website. Kalene will send them to Stephanie Nuttall (who maintains the website) for uploading. Rebecca thanked Kalene for her work on drafting the guidelines based upon the mapping work done by the committee.

Family Dependency Treatment Court: FDTC is in a holding pattern. Previously, a significant amount of work was done by the FDTC workgroup to pull together the policies, procedures and forms and coordinate with the Judicial Council. There is still local support for the project, but no readily available funding. There were no ARPA funds made available for the project and the Opioid Settlement Funds have not yet been allocated. Even though there is no formal FDTC Program, some elements of an FDTC have been implemented, such as more frequent hearings and case consultations.

Juvenile Training Series – Possible New Project: People who have attended the WRAP+ trainings were asked to provide suggestions for future trainings. Many of the responses received were for trainings on adolescent/juvenile issues. Since WRAP+ is a program for adults, Kalene suggested that the Juvenile Justice Committee consider developing a training series for adolescent/juvenile issues. Training topics that were requested were as follows:

- Resources for families with teenagers who have mental health needs
- Process of obtaining assistance for children with mental health needs (waivered services, case management, etc)
- Mandatory reporter training
- De-escalation techniques for kids/adolescents
- Family Systems Theory
- CTSS
- How having an incarcerated parent affects the family/children
- Mental health in foster care
- Working with children with autism

Kalene explained that WRAP+ has had success in keeping costs low by using local trainers, who offer their expertise for free. Karrie noted that FCC has already developed trainings for some topics related to juveniles; it is likely that others have also. Kalene will create a Google document so people can share ideas about possible trainings ([CLICK HERE FOR LINK](#)). Rebecca will reach out to the County IT Department to see if it is possible to record/store the trainings so they could be made available via web links.

Truancies: Rebecca will be setting up meetings with the schools to discuss truancies. Becky Brandt will reach out to Sherry Brekke to clarify how violation reports should be filed.

Adjourned: 12:38 p.m.

Next Meeting: September 15, 2022 at noon

**Minutes of the Juvenile Justice Committee of the
Winona County Criminal Justice Coordinating Council
November 17, 2022 at noon via Zoom**

Present: Kalene Engel, Rebecca Church, Kylie Davison, Andy Kranz, Jay Rasmussen, Sally Poepping, Becky Brandt, Chris Meyer

Update on Brochures and Policies: Kalene revised the CJCC website to include links to the three different juvenile guidelines/policies that the committee worked on during the past year. The documents can be accessed at <https://winonacountycjcc.org/programs/> under the heading Juvenile System Mapping.

Juvenile Training Series: Committee members discussed ideas and possible presenters for a juvenile training series, similar to what is being done through the WRAP+ Program. The following tentative schedule of trainings was set:

| Month | Topic | Presenter | Person responsible to arrange |
|---|--|---|--|
| November 29 from 1-3 at Winona History Center | Mandatory Reporter Training | Feigh | Already arranged through the SAIC |
| February | Overview of the role of the MN Ombudsman for Mental Health | Wade Oldenburg | Sally |
| April | CTSS, DBT, CBT and other therapy “acronyms” | Various mental health professionals from HBVHC | Sally (this is already being planned through the WRAP+ Training Committee) |
| June | Panel discussion on child protection process | Kalene, Rebecca, Police Officer, CPS Investigator, CPS Worker and GAL | Kalene and Rebecca |
| August | Social Media/Internet Awareness and Safety Training | Unknown at this time | Jay |
| October | Prevention Programs for Youth Panel | RJ, PSOP, FCC Healthy Families, WAPS Student Success Coaches | Not designated |
| December | Autism Awareness and Treatment | Lisa Bork + PIE Staff | Not designated |

Additionally, through WRAP+, a training on Fetal Alcohol Syndrome by the University of Minnesota is being arranged. There may be a NAMI presentation focused on child/juvenile mental health as well.

Goals for 2023:

- Receive reports from, sustain/support and offer input/guidance to existing programs
 - Truancy
 - Restorative Justice
 - Alliance for Substance Abuse Prevention (which will report to this committee instead of Early Intervention and Prevention).
- Plan and implement juvenile training program
- Update juvenile delinquency forms

Family Dependency Treatment Court: There have been no updates on FDTC and it seems unlikely that it will be implemented in the near future.

Court Updates: Court administration, child protection and Rebecca are meeting every other month to review data on child placements to make sure they are accurate. Juvenile hearings will soon be removed from the civil/family block and placed on the criminal block.

Adjourned: 12:56 p.m.

Next Meeting: January 19, 2023 at noon