

NEVADA YLS/CMI SUPPLEMENTAL ITEM RATING GUIDE & FAQs YOUTH IN FACILITIES

USE THIS GUIDE FOR YOUTH CURRENTLY RESIDING IN A CUSTODIAL SETTING. USE THE COMMUNITY YLS/CMI GUIDE FOR INITIAL YLS ASSESSMENTS OF YOUTH NEWLY COMMITTED

General Scoring Rules:

Handling discrepancies: Sometimes different sources will provide discrepant information. If this is the case – go with the most credible source. If the sources are equally credible and there is no way to reconcile – omit the item.

Whether to check an item – patterns vs single-events: For some items within most domains, they could be checked based on a pattern of behavior or based on a single event if the event was serious. Obviously, a pattern of behavior is “stronger” evidence than a single event. If the item was checked based on weaker evidence (e.g., a single event), note this in the comments and consider it when making Part IV ratings and constructing a case plan.

1. PRIOR AND CURRENT OFFENSES / DISPOSITIONS

Rating in custody for 1 year or more: These items are scored in an identical manner in or out of custody. Typically, the youths’ ratings in Domain 1 will not change while youth are in custody **unless they have acquired charges while in custody that would lead to an increase in items being checked**.

Important Considerations:

Conviction – Conviction refers to receiving a “sentence” of some sort – which is related to a ‘disposition’ but not all types of dispositions would be counted as a conviction (for example, continuance for dismissal, pre-trial probation, etc. do NOT count).

What should NOT be considered under any of the items:

- Referrals to diversion programs outside the purview of juvenile probation departments and youth parole do not count.
- Referrals to diversion programs within the juvenile probation department and youth parole that do not result in a sentence of some sort AND cannot be revisited for further penalty if the youth does not follow some order.
- Minor traffic offenses, CHINs (status offenses)
- Case dismissed without dispositional orders having been entered

What SHOULD be considered as a general rule - If a youth or their parent admits to any offenses that would count under these items (meaning they state that there has been a prior disposition, etc.), but the rater cannot find evidence of a previous record (for example, they were on probation in another state), take the self-report as true – particularly because this admission makes them look bad and in general we expect people to try and make themselves look better not worse.

- a. **Three or more prior convictions (adjudication events for which there has been a sentence):** periods of juvenile court jurisdiction prior to the current/ new offense.
- **The disposition/sentence does NOT have to be completed to be counted.** In other words, youth could still be serving their sentence.
 - **Do NOT count** offenses for which they just received a disposition as a prior offense—this will however be counted on current offenses.
 - This relates to separate and distinct prior periods of juvenile court jurisdiction at different time intervals. In other words, prior offense 'events'. Count the number of "bundles" of offenses (or events) as opposed to the number of offenses for which the client was sentenced. This is not tracked simply by court dates – sometimes individuals can be adjudicated on the same date for multiple events.
 - Any Periods of probationary supervision pursuant to a supervision and consent decree are counted
 - Suspended sentence IS counted
 - Do NOT include: Status offenses, disposition held in abeyance, pre-trial probation, or dismissal where no dispositional orders were entered, - none of these would be considered "sentences";
 - **If a juvenile is re-arrested while on probation, the offense for which he was originally placed on probation IS counted here because it is a prior adjudication and disposition.**
- b. **Two or more failures to comply: examples include:**
- Failure to appear
 - Probation or parole violations (VOP) filed with the court
 - Violation of Court Ordered Diversion or Supervision and Consent Decree
 - Escapes from custody (Escapes refer to a secure or staff secure facility. Does not include running away from foster care)
 - New offenses while on probation regardless of whether they were charged with a VOP
 - Violated conditions of release from detention, regional camps, or state correctional care if filed with court
- c. **Prior Probation:** Check this if the youth was **ever** on probation for a delinquency adjudication, or a supervision and consent decree, or court ordered diversion – regardless of whether they are still serving that sentence.
- Do NOT count Status offenses.
- d. **Prior Custody:** Check if youth has ever spent time post-adjudication in an out-of-home placement in detention, jail, regional camps, or DCFS correctional care for a delinquency charge.
- **This item will be checked for all youth in a facility**
- e. **Three or more sentences for current disposition:** the youth has received three or more separate offense 'events' that bring the juvenile before you.
- Do not count charges dismissed without any disposition having been entered.
 - If several offenses occurred within the same course of conduct, count the offenses as just one because this item is concerned with separate incidents (**referrals occurring at different points in time**).
 - Occurring at **different points in time** includes offenses that occurred on the same day, and for which the youth was charged on the same day – but were two separate incidents at a different time of that day.

- Do NOT include offenses for which the youth received a prior disposition – even if they are still serving their sentence (for example, if a youth is currently on probation for some prior offenses, those offenses would not be considered current).
- CWO and “filing” (i.e., if a charge was delinquent filed and the case is still open) would be included here because no ‘sentence’ has been given and it can be revisited if the youth reoffends. If there was an adjudication of delinquency where the disposition was “filed” and subsequently dismissed, then it would be counted as a prior offense (section A of this item).

NOTE: If it is unclear whether a sentence would be considered “prior” or “current”, simply make sure it is rated in one of these categories.

DYNAMIC DOMAINS (2 thru 8):

Youth in custody for less than one year: As a general rule, youth who have been in custody for less than one year are scored based on behavior and circumstances in the year prior to entering custody.

- However, scoring could be modified based on current knowledge of behavior in custody if there has been some meaningful and clear progress or regression. For example, the Education/Employment section may be scored based on school/work behavior prior to custody as well as the youth’s involvement in any equivalent custodial settings. As another example, if the youth had a serious drug problem prior to custody but has made good progress in drug treatment in the institution, then the score may change. Similarly, parents may have received interventions while the youth has been in custody, and this could result in a lower risk rating in that area. The assessor has to exercise some judgment regarding how much to weigh the current custody behavior/feelings/thoughts vs the past.
- When weighing available evidence, consider the CONTEXT and weight the evidence from the most relevant context. For example, a youth may abstain from substances in custody, but if he had significant substance use issues when last in the community- the community-based evidence should be weighted and substance use remain an area of concern (and case planning) as he transitions back to the community. By the same logic, a youth with a significant history of defying authority in the community, but had no issues with authority figures in her 90-days in custody, the evidence of progress from the custodial context, where the youth is constantly in contact with authority, should be weighted and she would no longer be scored for Defies Authority.

Youth in custody for one year or more: This situation is generally only relevant to custodial reassessments. Where the youth has been incarcerated for a year or more, the scoring generally will be based on behavior in the institution. Similar to any other assessment, one must consider the *average* behavior over the past year while weighing heavily the progress made in the time since the last assessment.

- EXCEPTIONS to this rule: Domains 2. Family Circumstances/Parenting and 5. Substance Abuse. In both these domains, one would typically rate items based on circumstances prior to the youth getting into custody because these are difficult to rate in a controlled environment – unless there is compelling evidence to suggest there has been change here (e.g., parents have completed interventions to improve their parenting).

2. FAMILY CIRCUMSTANCES / PARENTING

Rating in custody for 1 year or more: In general, if youth was in the custody of any parent for the past year, items 2(a) through 2(d) will be rated based on that relationship. Parental supervision does not apply to youth in full-time, long term custodial supervision. Therefore, the majority of information used to score this subcomponent will come from items e. Poor relationship/father-youth and f. Poor relationship mother-youth. Specifically, the frequency, duration, and quality of contact the youth has with his or her

parents while in custody (e.g., parental visits, letters, etc.) are useful for rating this subcomponent. For example, parents may still provide advice to the youth in an attempt to influence his/her behavior while he/she is in custody. Items a through d will generally be rated based on family circumstances prior to the youth entering the facility because the parents will not have had the opportunity to demonstrate substantial changes in these areas without the youth at home.

Scoring rules for youth not living with their parents (as per the manual):

- If youth has been placed with foster parents, grandparents or some other surrogate parent for the majority of the past year, consider the quality of this care-giver/child relationship for 2(a) to 2(d).
- If youth has been in a child welfare placement (group home or residential placement) for longer than a year, there is “no parenting” so 2(a) through 2(d) should be checked. For items 2(e) & 2(f), consider the current quality of the parent/child relations or, if there is no current evidence, the quality in the year prior to child welfare placement.
- If youth is an emancipated minor or has been in independent living for the past year, 2(a) and 2(c) will be checked, 2(b) and 2(d) will be “omitted”. Do this for all youth regardless of age, but if the overall score is not accurately reflecting the risk, compensate by using the professional judgment rating.
 - a. **Inadequate supervision:**
 - Mark this item if youth is living independently without supervision, living in independent living or has been in child welfare custody for past year.
 - b. **Difficulty controlling behavior:**
 - Mark this item if youth has been in child welfare custody for past year.
 - Check if youth is in independent living.
 - c. **Inappropriate discipline:**
 - Mark this item if youth is living independently without supervision, living in independent living or has been in child welfare custody for past year.
 - d. **Inconsistent parenting:**
 - Mark this item if youth has been in child welfare custody for past year.
 - Omit if youth is in independent living.
 - e. **Poor relations/father-youth:**
 - f. **Poor relations/mother-youth:**
 - Youth does NOT have to be living with the parent to rate these items. Evaluate both items based on the most **prominent relationship** over the past year (whether it is mother vs. step-mother or father vs. step-father). Prominent can be described as who the youth spends most time with over the assessment period. The one with most frequent contact.
 - If father/stepfather or mother/stepmother are deceased or otherwise absent but a poor relationship continues to be a problem, check the relevant item.

FAQ: Items e and f - This item can be scored as present for different reasons – e.g., either no or little contact with the prominent caregiver, or contact that is in some way conflictual (e.g. lots of arguing) or if the youth doesn’t care about what the caregiver thinks, etc.– so the youth does not have to experience it as a “problem” necessarily. Definitely mark this item if physical abuse is present, or if resultant problems (e.g. alienation, uncaring, etc.) from previous abuse are ongoing/present.

3. EDUCATION / EMPLOYMENT

Rating in custody for 1 year or more: Rate this subcomponent in the context of education and/or employment programs available to the youth while in custody. For example, the youth may have opportunities to work towards a General Equivalency/Education Diploma (GED) or perform institution maintenance duties.

- a. **Disruptive school building/classroom behavior: examples include:**
 - If in custody for longer than 1 year, rate based on classroom behavior and all structured activities/areas (includes gym, classroom).
- b. **Disruptive school yard/property behavior:** misconduct on school property outside of the school building.
 - Includes behavior on school bus or in when off grounds but at school functions such as field trips, or school athletic events.
 - If in custody over 1 year, rate based on behavior in unstructured living spaces (classroom/program transitions, recreational time, TV room) **during school hours only**
- e. **Unemployed, not seeking employment:** Without good reason, the youth has no job and is not actively seeking work, in employment training, etc.
 - If there is no expectation for the youth to work (i.e. involved with other appropriate activities) this does not get marked.
 - This generally relates to a client who is 16 or above, not enrolled in school and without good reason has no job or is not actively seeking employment, training, etc.
 - There may be occasions in which you believe a youth under the age of 16 should be working and this item should be checked. In addition, there may be times in which you do not want a 16 year old to be employed. Use your judgment in these instances.
 - If there is no expectation for the youth to work, this item does not get checked.

As per the YLS/CMI manual, if youth are employed (older youth) and not in school, items would instead be rated based on the following:

- A - Omit automatically
- B – Disruptive behavior in workplace
- C – Poor work performance
- D – Conflicts with coworkers
- E – Conflicts with supervisors
- F – Missing Work
- G – Do not mark (youth is working)

4. PEER RELATIONS

Rating in custody 1 year or more: Rate this subcomponent based on the youth's contacts with other youth in the custodial setting. Note that interactions with peers and teachers in an education setting are assessed in subcomponent 3 (Education/Employment).

- a. **Some delinquent acquaintances:**
 - Do not include acquaintances that have criminal records but are have been clearly pro-social and stable for approximately the past year or over the course of their association with the youth.
 - **For youth in custody, this item should always be marked – regardless of whether they have been in custody over a year.**

5. SUBSTANCE ABUSE

Rating in custody 1 year or more: Because the youth has been in an artificial environment, generally you will rate this item based on their substance use before they went into the facility. Their ratings may change, if they have made substantial gains in substance use treatment programming, attitude towards substance use, etc. Consider information from other sources (peers, significant others) and urinalysis.

- a. **Occasional drug use:** The youth is an occasional user of an illicit drug.
 - **Leave this item unmarked if the youth has stopped drug use for more than a year in the community.** At this level there is no evidence of a current problem. **Does not include alcohol.**
- b. **Chronic drug use**
 - If the juvenile has not used in over a year but is still concerned about relapse you would mark this item. While being concerned about relapsing can be seen as a healthy approach (you could note that in the comment section), it still shows a risk if the youth is concerned and therefore should be marked.
 - **If this item is marked, item 5(a) must also be marked.**
 - Generally, chronic drug use is use of drugs like marijuana two or more days per week or is using harder drugs weekly.
- c. **Chronic alcohol use**
 - If the juvenile is using alcohol three or more days a week this should be checked. This should not be checked for a juvenile who uses alcohol only on weekends unless there is good justification (e.g., youth gets intoxicated every weekend).
- d. **Substance use interferes with functioning**
 - 5b or 5c must be marked to mark this item
 - Must be evidence that substance abuse interferes with the youth's physical or social functioning. You cannot infer that the youth is truant or doing poorly in school due to substance use if there is no evidence that this is the case.
 - If the only way in which substance use interferes with functioning is a link to offending and item e is marked DO NOT also mark this item.
 - This item includes whether drug or alcohol use is associated with 'antisocial activity'. If a youth has violated conditions of community supervision by using substances on more than one occasion, this item should be checked.
- e. **Substance use linked to offense**
 - Do not check this item for youth whose only link between substance use and offenses has been to violate conditions of community supervision by using substances. These situations are scored under 'd'.
 - Do not assume drug dealing should automatically result in this item being marked. Some drug dealers see their activity as a business and do not use drugs themselves. It is the abuse of substances leading to law violations that is important for this item.
 - The substance abuse itself would not be considered an offense for this item
 - Do consider checking this item if use is an actual problem for them and is related to OTHER types of offenses. For example, for a 6 month re-assessment the youth hasn't committed a new offense but has violated conditions by using drugs recently and has a history of committing delinquent acts while under the influence.

6. LEISURE / RECREATION

Rating in custody 1 year or more: Rate this item based on participation in organized recreational activities available to the youth while in custody. For example, the institution may provide opportunities for the youth to pursue hobbies or sports.

a. **Limited organized activities:**

- Organized” does not have to be “organization-based” such as through school or playground associations. An ‘organized’ activity may include attending weekly pick up games, or informal lessons of some sort, especially if the youth is associated with positive peers in doing the activity.

7. PERSONALITY / BEHAVIOR

Rating in custody 1 year or more: These items are scored in an identical manner in or out of custody

- a. **Inflated self esteem- FAQ:** If someone believes they are normal but have a skewed perception of normalcy, does that equate to inflated self esteem? *No, a skewed perception of normalcy does not necessarily indicate inflated self-esteem. This item is intended for someone who is grandiose, cocky, bragging etc.*
- b. **Physically aggressive:**
- Even if the youth is aggressive to a particular person (such as a parent) and no one else, this should be marked. However, it should be more than one aggressive act (pattern) or one very serious aggressive act. In addition, it must be **‘youth initiated’**.
- c. **Tantrums :**
- Include tantrums directed against objects but the tantrums do NOT have to be directed towards throwing or breaking objects to be counted here.
- d. **Short Attention Span:**
- A diagnosis of ADD/ADHD would qualify here but try to determine if the symptoms are currently expressed. If the condition is controlled through medication and has been for the past year, do NOT mark this. You can put in the comment section that the youth is currently on medication and revisit this at the time of reassessment.

8. ATTITUDES / ORIENTATION

Rating in custody 1 year or more: These items are scored in an identical manner in or out of custody

- c. **Actively rejecting help:**
- This includes when the youth has started treatment in the past year but is now actively rejecting help
- d. **Defies authority:**
- Include Oppositional Defiant Disorder. If the diagnosis is not current/active or if for some reason was thought to be unreliable, consult a clinician or supervisor about how to best score this item.
- e. **Callous, little concern for others:**
- Consider friends, family and people other than the victims of crime in the rating of this item

