

# At-Risk Youth

## Overview

"**At-risk youth**" are juveniles who are absent from home for at least 72 consecutive hours without the consent of their parents, who are beyond the control of their parents such that their behavior endangers their health, safety or welfare or that of any other person, or who have a substance abuse problem for which there are no pending criminal charges. At-risk youth are prone to crime, suicide, domestic abuse, drug and alcohol abuse, early pregnancy and school absenteeism.

"**Juvenile offenders**" are juveniles who have been found by the juvenile court to have committed a criminal offense, including persons 18 years of age or older who as minors were transferred to adult court or are otherwise under adult court jurisdiction.

Juvenile criminal activity is an ongoing problem throughout the state, whether it has to do with drugs, auto theft, home invasions, robberies, assaults or other crimes of violence against persons and property. Youth gang violence has had a tremendous impact on our kids, families and communities.

## At-Risk Youth

Since the mid 1990's, the Legislature has enacted measures referred to as "Becca" bills to deal with at-risk youth, runaway youth, and families in conflict. The bills were named after a young girl who was a victim of street violence. Their purpose was to provide parents and children with more opportunities to achieve reconciliation and stability in their relationships, while at the same time assuring opportunities for treatment services and educational success.

Under Becca, three categories of petitions may be filed, an At-Risk Youth (ARY) petition, a Child In Need of Services (ChINS) petition and a truancy petition. A child subject to a court order resulting from an ARY, ChINS or truancy petition found to be in civil contempt of a court order may be taken into custody by a law enforcement officer if so ordered by the court. As a sanction for the failure to comply, the court may order that the child be confined. Confinement must occur in a secure juvenile detention facility operated by a county and may be for a period of up to seven days. Becca also established semi-secure and secure crisis residential centers (CRCs), which youth may not leave without parental or staff permission. During stays in secure CRCs, youth and their families are referred to counseling and treatment services.

**At-risk Youth Petition** - An "At-risk Youth" (ARY) petition is a process through which parents may request and receive assistance from juvenile courts to provide appropriate care, treatment and supervision of an at-risk youth. Once an ARY petition is filed, the court must schedule a fact-finding hearing where the court may order that the child reside either in the parents' home or in an out-of-home placement. At a dispositional hearing, held within 14 days of the fact-finding hearing, the court must consider recommendations by the parties, including DSHS, to assist the parents in maintaining care, custody and control of the child and assist the family in resolving conflicts.

**Child in Need of Services Petition** - A "Child In Need of Services" (ChINS) petition filed in juvenile court by a parent, child, or DSHS seeks out-of-home placement of the child. An "out-of-home placement" means placement in a foster family home, group care facility or a home other than that of the child's parent, guardian, or legal custodian. A Child In Need of Services is a minor who is absent from home for 24 hours at least twice and either has a substance abuse problem or whose behavior endangers his or her health, safety,

or welfare or that of another, who is beyond the parents' control and whose behavior endangers his or her health, safety or welfare or that of another, who needs services such as food, shelter, health care, clothing, or education, or whose parents have been unable or unwilling to maintain the family structure. Once a ChINS petition is filed, the juvenile court must schedule a fact-finding hearing, notify parents of their right to file an at-risk youth petition, and address the current placement of the child. At the fact-finding hearing, the court can approve a temporary out-of-home placement or approve an at-risk youth petition filed by the parents and dismiss the ChINS petition. At the dispositional hearing, held within 14 days of the fact-finding hearing, the court may reunite the family and dismiss the petition, approve an at-risk youth petition filed by the parents and dismiss the ChINS petition, or order an out-of-home placement. The court must hold a review hearing within 90 days of the dispositional hearing to decide whether to continue court supervision. Out-of-home placement may not continue past 180 days from the review hearing, at which time the child must return to the parents' home.

***Truancy Petition*** - A "truancy petition" must be filed by a school district or may be filed by a parent when a student has accrued an unacceptable number of unexcused absences, when actions taken by the school district have been unsuccessful in reducing the absences, and when court intervention and supervision are necessary to reduce the absences. The court must inform the parents of their rights with regard to ChINS and ARY petitions. Upon approving the truancy petition, the court or truancy board must enter into an agreement with the student and parents that establishes school attendance requirements and takes any other action necessary to reduce the child's absences.

## **Juvenile Offenders**

The Department of Social and Health Services (DSHS), through its Juvenile Rehabilitation Administration (JRA), operates or contracts for community facilities or group homes for certain juveniles committed to the JRA as a result of a criminal offense. The juvenile court and the family court are divisions of the superior court and are established to hear specific types of related matters. The juvenile court hears cases involving juvenile offenses and infractions, dependencies, termination of parental rights and family reconciliation including at-risk youth petitions. The family court hears domestic relations proceedings, including dissolutions, parenting plans, child custody, establishment and modification of child support, paternity, adoption, and domestic violence protection orders. If a majority of the superior court judges of the county authorize it, the family court may have concurrent jurisdiction with the juvenile court over proceedings that the juvenile court may hear. A juvenile offender who is adjudicated of an offense may be given a sentence by the court based on the statutorily available sentencing options. The juvenile court may sentence a juvenile offender to a standard range sentence, a sentence outside the standard range, a deferred disposition, a Special Sex Offender Disposition Alternative sentence, a Chemical Dependency Disposition Alternative sentence, a Suspended Disposition Alternative, or a Mental Health Disposition Alternative sentence.

JRA has established at all state juvenile rehabilitation facilities and institutions substance abuse treatment programs, vocational education programs, and educational programs to "establish self-worth and responsibility" in juvenile offenders by emphasizing "instruction in character-building principles such as respect for self, others, and authority, victim awareness, accountability, work ethics, good citizenship, and life skills."