



Oregon

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March 13, 2015

The Honorable Alan Bates, Co-Chair
The Honorable Nancy Nathanson, Co-Chair
Ways and Means Subcommittee on Human Services
900 Court Street NE
Salem, OR 97301



Dear Co-Chairs:

Please accept this letter as our response to the Committee's questions raised during the DHS Child Welfare (CW) presentation on February 26, 2015.

Question:

How do kids that experience/observe instances of domestic violence in-home compare to kids that experience direct abuse/neglect? What percentage comes into foster care for this?

Answer:

Exposure to domestic violence is not a category of abuse rather it is documented as a family stressor and occurs across all categories of abuse. This family stressor was found in 31.8 percent of the cases where a founded allegation of abuse has occurred. "Threat of Harm" an abuse category, represents 44 percent of all founded allegations of abuse. In this category, over half of these founded allegations were Threat of Harm, Domestic Violence. Some of these children entered care, and some were able to remain safely at home.

Question:

With the founded cases for physical abuse, what is the percentage of those that are actually prosecuted?

Answer:

The Department of Human Services does not have information on criminal justice prosecutions related to founded allegations of abuse.

Question:

How does the 59 percent reunification rate compare to averages nationally?
Are we ahead or behind the national curve?

Answer:

The national reunification rate for 2013 was 51 percent. Oregon's rate was 59 percent, putting Oregon ahead of the national rate.

Question:

Please show the percentage of children who re-enter foster care who then reunify again.

Answer:

Below is a count of foster placement episodes for 2014.

**COUNT OF CHILDREN EXITING FOSTER CARE DURING CY 2014
BY REUNIFICATION WITH PARENT(S) OR PRIMARY
CARETAKER(S)**

Count of Prior Episodes	Count	Percent
0	1,874	81.80%
1	344	15.02%
2	59	2.58%
3	12	0.52%
4	2	0.09%
Grand Total	2,291	100.00%

Note: Of the total exiting care to reunification with parents, ten children re-entered foster care within that year and were again discharged. Seven of those children were discharged to reunification with parents, two were adopted, and one was a runaway.
Prior episode count is not associated to discharge type in this report or necessarily in the same time frame.
Data downloaded 3/9/5

Question:

How do this year's numbers compare to last years for children exiting foster care and entering corrections.

Answer:

The Department of Human Services does not have data related to the number of children exiting foster care that ultimately enter the corrections system. However, we have enclosed a report from 2012 completed by the Oregon Commission on Children and Families that provides a picture of the youth that have involvement in both the dependency system and the criminal justice system.

We hope this letter addressed the identified questions adequately. If you have additional questions, please don't hesitate to contact Lois Day at 503-945-6627 or email, lois.day@dhsosha.state.or.us

Sincerely,



Eric Luther Moore
DHS Chief Financial Officer

Enclosure

cc: Laurie Byerly, Legislative Fiscal Office

Juvenile Justice and Child Welfare: Estimates of the Crossover between Oregon's Systems

A Report for the Oregon Commission on Children and Families

William Feyerherm, PhD

Sandy Johnson, PhD

July, 2012

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The Issue

There has been a recent surge in recognition among professionals in both the Child Welfare and Juvenile Justice systems that a significant number of children and youth are known to both systems. The Center for Juvenile Justice Reform at Georgetown University provides this description:

These young people, often referred to as “crossover youth,” move between the child welfare and juvenile justice systems, or are known to both concurrently. A disproportionate number of them are youth of color and girls, and the population as a whole generally requires a more intense array of services and supports than other youth known to each system individually. While the exact number of crossover youth may vary across jurisdictions, research has established that youth who have been maltreated are more likely to engage in delinquent behavior. (<http://cjjr.georgetown.edu/pm/practicemodel.html>, downloaded 7/22/2012)

There are indications in the research literature that the subset of youth who receive services from both systems may reflect a higher level of need for potentially unique services, and may pose additional risks of higher level of delinquent behavior and juvenile justice involvement. From the vantage point of managing both systems, providing adequate system resources, and designing services to adequately meet the needs of these youth, it becomes important to be able to estimate the volume of youth in the category, and to understand the ways in which this group of children and youth may be distinct from both the child welfare population and the juvenile justice population, considered separately.

The outline of this report is thus designed to identify those three key issues for the State of Oregon:

- 1) What is the extent of the crossover youth phenomena, what are the characteristics of these youth, and whether the category is growing, either in absolute volume or in proportion to other cases in each system.
- 2) To what extent the category of crossover youth reflect differences from the juvenile justice population? This includes whether these youth are referred for a different profile of allegations, whether they are demographically different from the ‘usual’ juvenile justice population, and whether these youth experience a different case disposition in the juvenile justice system.
- 3) To what extent do crossover youth reflect differences from the child welfare population? This includes whether these youth have any different set of ‘findings’ which bring them into the child welfare system, whether they are demographically different from the ‘usual’ child welfare population, and whether the disposition / resolution of their cases differs from the cases.

Organizational Issues and Data Sources

The State Department of Human Services has primary responsibility for the investigation of child maltreatment and when such maltreatment is found, has primary responsibility for providing services to address those issues. Records and data related to the investigations, findings and services are the responsibility of the Department of Human Services. On the other hand, although Juvenile Court Judges are State employees, the operation of the State’s juvenile courts are primarily a county responsibility. The county juvenile departments, in cooperation with the Oregon Youth Authority, have designed and operate the Juvenile Justice Information System (JJIS), which tracks all referrals to the State’s 36 county

juvenile departments, and tracks the handling and eventual disposition of these cases. When a child welfare or juvenile justice case reaches the need for legal action, for example with termination of parental rights or placement of a child in the Oregon Youth Authority custody, both systems come to the State's cadre of juvenile court judges, but for many activities there is no shared or coordinated set of service providers. Certainly it is the case that the records of juvenile justice activities and child welfare activities are thus housed in two separate sets of files; maintained by two separate organizations and not designed to provide information about youth who might receive services from both systems.

Recognizing that there was no routine or easy way to create information about this set of youth, three State agencies; The Department of Human Services, The Oregon Youth Authority and the Oregon Commission on Children and Families designed a process to share resources and to fill that gap. The Oregon Youth Authority, using JJIS information resources, created a set of research records which included all youth who had been referred into the State's juvenile justice system from January 1, 1998 through February 28, 2010. Information on those youth, including data of birth, name, gender, race / ethnicity, and address was provided to the information system staff in the Department of Human Services. They in turn created a set of research records which included all founded child maltreatment investigations (child welfare cases) from January 1, 1998 through December 30, 2010, along with comparable identifying information. Staff in DHS then appended the juvenile justice identification number to the research records based on the child welfare cases. Both the child welfare and the juvenile justice research files were then forwarded to the Commission on Children and Families, which had designed the approach and commissioned this analysis.

There are some important limitations built into this design. First is that the child welfare cases are limited to those in which there is an official finding of maltreatment. This is a subset of cases in which an investigation was initiated, and certainly a small subset of actual cases of maltreatment. However it does reflect a set in which there is relative certainty that maltreatment occurred, and the set in which State provided services and oversight were possible. On the juvenile justice side, the cases reflect referrals into the juvenile justice system, which may miss some police arrests, but also includes youth who were referred and who received a warning, a referral to another agency, or other action short of a formal finding of delinquency. The juvenile justice definition is thus fairly inclusive while the child welfare definition is somewhat restricted.

Perhaps the largest limitation is in the matching process. Since there is no system for universal youth identifiers in Oregon, the matching process depended upon the accuracy of information in each system and upon exact matches of information. Given the volume of records involved (over 600,000 total referrals into both systems) reviewing records manually was out of the question, so differences in spelling would result in a lack of a match. The estimates that we have should thus be treated as a lower estimate of the extent of overlap; a more accurate process will undoubtedly yield a slightly higher estimate of the number of cross over youth. Likewise, when we find that the crossover youth have different characteristics than youth who are 'single system', that finding is a lower boundary of the estimate of the extent of differences between the crossover youth population and the 'single system' youth.

This analysis is primarily conducted at the ‘youth’ level, meaning that the unit of analysis is the individual child, rather than the referral or investigation which brought that child to the attention of either system. In the child welfare system we had a total of 151,834 founded cases, but 111,388 unique children. In some instances a child had multiple founded cases in which they were the victim of maltreatment, with a maximum of 16 such findings. In the juvenile justice system we had a total of 481,427 referrals, involving 167,799 unique youth. Many youth had multiple referrals, with a maximum of 81 referrals in one instance.

The Extent of the “Crossover Phenomena”

The matching process identified 12,307 individual youth who had records in both systems. This represents 11 percent of the youth with founded child welfare cases and 7.3 percent of the juvenile justice referrals. It would be a mistake however to use those percentages as estimates of the extent of the crossover issue, since it may take youth a period of several years to move between the two systems. The average age at which a founded child maltreatment investigation is initiated is when the child is age 6.2 years old. On the other hand, the average age at first referral into the juvenile justice system is at 14.5 years old. Thus, simply looking at averages, one might expect a considerable lag between the entries into the two systems, arithmetically a period of slightly more than eight years. Since our data from each system begins in January of 1998, we would expect that many of the youth in the early years of the juvenile justice data set would not appear in the child welfare data, even though they may have been subjects of an investigation initiated prior to 1998. This would create a lag in the percentage of juvenile justice cases that are matched to child welfare findings.

In order to assess the extent of this ‘under-matching’ issue we can turn to the individual referral records of intake into the juvenile justice system and the child welfare system. Table 1 presents this information for the juvenile justice referrals. The table is limited to those referrals initiated from 1998 through 2009. Clearly from 1998 through 2004 (seven years) the percentage of juvenile justice intake cases that had some child welfare contact preceding the justice system referral was increasing, giving us some sense that this lag or under-match is a real phenomena. From 2004 through 2009 the percentage of juvenile justice referrals having a prior child welfare contact is fairly stable at an average of 15.4 percent. There does not seem to be any consistent trend for this percentage to shift upwards or downwards over those six years, so the best estimate we can make is that 15.4 percent of juvenile justice referrals will have had a finding of child maltreatment before they come to the juvenile justice system.

Table 1. Juvenile Justice Referrals With and Without Previous Child Welfare cases, by Year Received

Year	Previous Child Welfare Contact			Total
	No	Yes	Percent	
1998	39,641	662	1.7%	40,303
1999	40,883	1,890	4.6%	42,773
2000	42,075	2,966	7.0%	45,041
2001	39,325	3,401	8.6%	42,726
2002	36,530	3,864	10.6%	40,394
2003	35,779	4,487	12.5%	40,266
2004	33,528	4,871	14.5%	38,399
2005	32,554	5,416	16.6%	37,970
2006	34,201	5,225	15.3%	39,426
2007	34,154	5,089	14.9%	39,243
2008	31,177	4,830	15.5%	36,007
2009	26,975	4,156	15.4%	31,131
Total	426,822	46,857	11.0%	473,679

Table 2. Child Welfare Findings With and Without Previous Juvenile Justice Intake Referrals, by Year Received

Year	Previous Juvenile Justice Contact			Total
	No	Yes	Percent	
1998	12,199	386	3.1%	12,585
1999	12,829	719	5.3%	13,548
2000	11,204	727	6.1%	11,931
2001	8,888	551	5.8%	9,439
2002	9,028	576	6.0%	9,604
2003	10,035	685	6.4%	10,720
2004	11,304	759	6.3%	12,063
2005	11,907	760	6.0%	12,667
2006	11,968	669	5.3%	12,637
2007	10,885	451	4.0%	11,336
2008	11,085	472	4.1%	11,557
2009	11,404	420	3.6%	11,824
2010	11,670	253	2.1%	11,923
Total	144,406	7,428	4.9%	151,834

The comparable table examining child welfare investigation findings is presented in Table 2. In this table, findings which the assessment began during a particular alendar year are examined to determine if there is a record of prior juvenile justice contact. Since the JJIS system data includes youth with referrals in 1998 but who, because of recidivism, also had records predating 1998, there are a number of child welfare cases that have prior juvenile justice contact, even in 1998. The percentage of such cases climbed to approximately 6 percent in 2000 and stayed at that level through roughly 2005. Since 2006 the percentage of child welfare findings with a preceding juvenile justice contact has been steadily declining so that although the overall average is 4.9 percent, the most recent percentages tend toward 3 percent or less. The decline in these percentages may represent a slow increase in the average age of first juvenile justice contact, from 14.3 years old in 1998 to 14.8 years old in 2009. The impact of that slow increase is to accentuate a pattern in the child welfare system is likely to be the first system to encounter youth, with the juvenile justice system coming into play at a much later time (and of course for different reasons). In 1998, there were 650 youth under the age of 10 who were referred into the juvenile justice system (3.4% of all youth with initial referrals that year.) In 2008 that had dropped to 144 youth, or 1.2 percent of all youth with initial referrals that year.

Another way of looking at the data is to ask what portion of the child maltreatment cases initiated in a given year has a record in the juvenile justice system within the time constraints of our dataset. Table 3 presents that information.

Table 3. Youth with Initial Contact in Child Welfare, and Percent Appearing in the Juvenile Justice, by Year Received

Year	Child Welfare Initiated	
	Number	Percent Crossover
1998	11,051	21.9%
1999	10,812	20.0%
2000	8,909	17.5%
2001	6,896	15.5%
2002	6,864	13.6%
2003	7,729	11.6%
2004	8,478	10.7%
2005	8,758	8.1%
2006	8,866	6.8%
2007	7,925	4.5%
2008	8,202	3.8%
2009	8,369	3.0%
Total	102,859	11.0%

If we think about the eight year difference between the average ages of first contact between the two systems, then it is not surprising that the ‘percent crossover’ decreases for children whose initial contact was with the child welfare system. This suggests that the best estimate of eventual crossover status for cases initiated in child welfare is probably achieved by looking at the cases for 1998, 1999, and 2000. That average, 19.8%, suggests that in general a 20% estimate is likely reasonable. In other words the expectation would be that for any case involving child maltreatment, the odds of that youth being referred to the juvenile court system at some time before they become an adult is one in five.

Dual Jurisdiction Crossover

The materials presented to this point have used a very inclusive definition of ‘crossover’ that looks at a youth who might ever come into contact with both systems, regardless of the timing and sequencing of that contact. A somewhat narrower definition of crossover looks at the timing of entry into both systems and looks in particular at those youth who appear to be simultaneously involved in both systems. To identify that set of youth, we established entry and exit dates for each system. We took the approach of establishing a single entry and exit date for each youth, recognizing that some youth may move into and out of the jurisdiction of each system. The objective here is not to establish formal legal authority, but to look at those cases that are ‘known to’ both systems simultaneously.

Table 4. Sequence and Jurisdiction of Crossover Youth

	Frequency	Percent		
		Juvenile Justice	Child Welfare	Crossover
Child Welfare Only	99,081		89.0%	
Juvenile Justice Only	155,593	92.7%		
Juvenile Justice First, No Overlap	974	0.6%	0.9%	7.9%
Child Welfare First, No Overlap	4,303	2.6%	3.9%	35.0%
Dual Jurisdiction	6,662	4.0%	6.0%	54.1%
Crossover youth but unable to establish one or more dates	368	0.2%	0.3%	3.0%
Total	266,981	167,900	111,388	12,307

What is clear from Table 4 is that despite the difference in the average age at which the systems become involved with youth, over half of the youth who are touched by both systems are likely to have some period of simultaneous involvement with both systems. In another significant set of cases (35%) the child welfare involvement is formally ended before the referral to juvenile justice, but of course it is likely that the child welfare involvement still has a profound impact on the development of the child and therefore will have an impact on the handling and outcome of the case in the juvenile justice system. When we looked at the question of which system these dual jurisdiction youth entered first, the mix was essentially 50-50, with half of the youth entering child welfare first then moving to juvenile justice, and the other half following the reverse pattern.

Crossover Youth Compared to Non-Crossover Youth in the Juvenile Justice System

In addressing the question of whether crossover youth need particular attention or present particular challenges and issues to the juvenile justice system, we can examine four issues:

1. Whether the patterns of allegations that bring these youth into the system are markedly different than other juveniles,
2. Whether the youth represent a different demographic distribution (age at first referral, gender, race),
3. Whether the youth appear more often in the juvenile justice system (have higher recidivism rates), and
4. Whether the outcomes or dispositions accorded to these youth are substantively different than non-crossover youth.

In examining the experiences of crossover youth, we distinguish between those youth who fit the broadest definition of crossover (appear in both systems) and those who have an overlap in their periods of involvement in both systems, the dual jurisdiction youth.

First, we can examine the allegations that bring youth into the attention of the juvenile justice system. Table 5 displays that information. It should be noted that for each referral into the juvenile justice system there is one most serious allegation recorded in the JJIS system. In table 5 we have counted the types of allegations for each youth. Thus, for a youth with six referrals, there may be as many as six allegations or as few as one. In table 5 each of these is counted, but the totals are based on the number of youth. As a result, the sum of the number of allegations will exceed the total. The allegations have been sorted by frequency, with the highest frequency allegations at the top of the table.

There are some major differences in the offense / allegation profiles for the three groups. For example, looking at the most frequent allegation category, criminal mischief, we can see that 42 percent of the 'regular' juvenile justice youth have at least one referral in which this is the most serious allegation. When we look at the dual jurisdiction youth, this jumps to nearly 62 percent. A similar jump occurs in the category of assault. While slightly less than 20 percent of the 'regular' juvenile justice youth have an allegation involving assault, this doubled to over 40 percent for the dual jurisdiction youth. Other categories in which the dual jurisdiction youth have a similarly higher representation include Arson, Burglary, Criminal Trespass, Harassment, and Disorderly Conduct. In only a few categories do we find relative parity, notably those involving substances; either Alcohol and MIP (Minor in Possession) or possession of less than an ounce of marijuana. Other categories such as Homicide are so rare as to be difficult to detect that there is a greater representation among crossover youth.

In general, we can conclude from this that crossover youth, particularly those in the dual jurisdiction category, express individually a higher variety of allegations, and have a greater proportion of their group faced with serious criminal allegations such as Assault, Arson and Burglary. On the other hand

nearly equal portions of the crossover populations and non-crossover populations have been referred to juvenile court for substance related (alcohol and drug) possession.

Table 5. Allegations in Juvenile Justice Referral, by Crossover Type (Count of number of youth with each allegation type)

Allegations in Juvenile Referrals	Crossover Youth Type					
	Juvenile Justice Only		Crossover, No System Overlap		Crossover, Dual Jurisdiction	
	Number	Percent	Number	Percent	Number	Percent
Criminal Mischief	64,431	42.2%	2,690	49.1%	4,099	61.8%
Alcohol/MIP	41,721	27.3%	1,174	21.4%	1,698	25.6%
Assault	28,457	18.6%	1,485	27.1%	2,739	41.3%
Criminal Other	26,099	17.1%	968	17.7%	1,860	28.1%
Arson	22,902	15.0%	1,272	23.2%	3,066	46.3%
Burglary	21,603	14.1%	834	15.2%	1,512	22.8%
Curfew	19,350	12.7%	647	11.8%	1,133	17.1%
Criminal Trespass	17,932	11.7%	652	11.9%	1,246	18.8%
Harassment	12,241	8.0%	672	12.3%	1,428	21.5%
Less Than Ounce	11,570	7.6%	357	6.5%	587	8.9%
Disorderly Conduct	9,826	6.4%	464	8.5%	816	12.3%
Other	5,844	3.8%	115	2.1%	315	4.8%
Motor Vehicle	3,695	2.4%	135	2.5%	211	3.2%
Dependency Status Offense	2,050	1.3%	163	3.0%	516	7.8%
Non-Criminal Other	1,538	1.0%	76	1.4%	132	2.0%
Property Other	1,075	0.7%	36	0.7%	74	1.1%
Person Other	985	0.6%	78	1.4%	117	1.8%
Homicide Related	214	0.1%	6	0.1%	10	0.2%
Total	152,814	100.0%	5,475	100.0%	6,628	100.0%

In Table 6, we examine the demographic profiles of the cross over and non-crossover youth. Almost every observer of juvenile justice systems comes to the conclusion that the youth referred to the system are disproportionately non-white and male. Several studies in recent year have characterized the child welfare population as disproportionately non-white. What is not clear is whether these two systems interact in ways that place non-white youth at a greater risk of dual system involvement. We begin to find the answers, at least for Oregon, in Table 6. In terms of the proportion of the crossover groups, African American youth are twice the proportion (8%) in the dual jurisdiction group as compared with their proportion (4%) in the juvenile justice only group. Likewise, Native American youth are three times higher (6% as opposed to 2%) in the dual jurisdiction group. Hispanic youth are roughly the same in the

juvenile justice only, and both forms of crossover youth. Asian youth appear at such low frequencies that it is difficult to assess, but certainly they are not more highly represented in the crossover groups.

Table 6. Demographic Characteristics of Crossover Types, Compared with Non-Crossover Juvenile Justice Referrals

	Crossover Type					
	Juvenile Justice Only		Crossover, No System Overlap		Crossover, Dual Jurisdiction	
	Count	Percent	Count	Percent	Count	Percent
Race and Ethnicity						
African American	6,359	4%	397	7%	546	8%
Asian	2,643	2%	71	1%	36	1%
Hispanic	20,293	14%	825	15%	819	12%
Native American	2,632	2%	211	4%	376	6%
White	115,064	78%	4,102	73%	4,864	73%
Unknown or Missing	8,602		38		20	
Total Non-Missing	146,990	100%	5,607	100%	6,642	100%
Gender						
Female	53,710	35%	2,618	46%	3,032	46%
Male	101,883	65%	3,027	54%	3,630	54%
Total	155,593	100%	5,645	100%	6,662	100%
Age at First Referral						
Average Age		14.6		13.5		12.4
Percent 12 or less	22,281	14%	1,582	29%	3,030	45%
Percent 13-15	73,435	47%	2,950	53%	3,095	46%
Percent 16 or older	59,877	38%	1,012	18%	537	8%
Total	155,593	100%	5,544	100%	6,662	100%

With respect to gender, although males are still the majority of juvenile justice youth, both crossover groups have a higher proportion of females, approaching a level of numeric equality with males.

One of the critical items often assessed in examining delinquent careers is the age of first contact. A fair amount of longitudinal research on delinquent careers demonstrates that earlier entry into the juvenile justice system is associated with a longer involvement with illegal activity and with more serious illegal activity. Thus, in table 6, when we see that the average age of first referral into juvenile justice is over two years earlier for dual jurisdiction youth (average age 12.4 years old) as compared with 'regular' juvenile justice youth (average age 14.6 years), this is a major cause for concern. Even more graphic is that nearly half (45%) of the dual jurisdiction youth have this first contact before their thirteenth birthday, as compared with less than one sixth of the non-crossover youth (14%). On the other end of

the age scale, nearly all (92%) of the dual jurisdiction youth had contact with the juvenile justice stem before age 16, as compared with less than two thirds (62%) of the ‘regular’ juvenile justice youth.

In short, crossover youth, particularly the dual jurisdiction group, when compared with non crossover youth, are more likely to be either African American or Native American, more likely to be female, and likely to have a much earlier start to their experiences in juvenile justice

The combination of these characteristics, especially the younger age of first contact, gives rise to concerns about the number of eventual referrals into juvenile justice, as well as the eventual range of experienced dispositions in juvenile justice, especially those involving restrictions on liberty. The data presented in table 7 addresses this first question, by looking at the number of referrals into the juvenile justice systems for these youth. It should be noted that since this information covers multiple years of a child’s life, it is different from the formal definition of ‘recidivism’ that is used in the reports on recidivism that are regularly generated from the JJIS data system.

The contrast between the juvenile justice only group, (average of 2.6 referrals) and the dual jurisdiction group (average 6.1 referrals) is striking. The crossover, but no system overlap group also registers a higher volume of juvenile justice referrals, but not so markedly different as the dual jurisdiction youth. Again, looking at the percentages of the groups in the extremes is illustrative. Just over half of the ‘regular’ juvenile justice group has only a single referral. In other words, whatever brought them into the justice system is likely resolved and does not result in additional referrals. On the other hand, only 6 percent of the dual jurisdiction group falls into that category. Most of the dual jurisdiction group (51%) engages with the juvenile justice system between two and six times, while fully a third has seven or more separate referrals. The resource demands of this group are clearly out of proportion to their numbers.

Table 7. Juvenile Justice Recidivism across Crossover Types

	Crossover Youth Type		
	Juvenile Justice Only	Crossover, No System Overlap	Crossover, Dual Jurisdiction
Average Number of Referrals	2.6	3.2	6.1
Percent with:			
One Referral	51%	42%	16%
2-6 Referrals	40%	46%	51%
7 or More Referrals	9%	12%	33%
Total Youth	152,814	5,475	6,628

The over-representation of African American and Native American children in the dual jurisdiction group raises yet another specter. That is whether these youth have higher numbers of referrals, even within the dual jurisdiction group. In other reports on the DMC (Disproportionate Minority Contact) issue it has

been noted that minority youth, particularly African American and Native American youth, tend to have higher numbers of contacts with the juvenile justice system. Table 8 is designed to address this question. For the dual jurisdiction crossover type the number of referrals for African American youth is higher than for white youth, and by roughly the same extent as in the non-crossover group. Interestingly, the difference between Native youth and white youth seems to dissipate as we move toward the dual jurisdiction group.

Table 8. Average Number of Referrals, by Crossover Group and Race / Ethnicity

Crossover type	Race / Ethnicity				
	Black	Asian	Hispanic	Native	White
Juvenile Justice Only	3.4	2.2	2.7	3.8	2.6
Crossover, No System Overlap	3.4	3.1	3.3	4.2	3.1
Crossover, Dual Jurisdiction	6.6	4.6	6.5	5.9	5.9
Total	3.6	2.2	2.9	4.1	2.8

Given higher numbers of referrals and a higher number of allegations that involve serious charges, it is not surprising that the crossover youth, particularly the dual jurisdiction youth, have a wider range of dispositional experiences with the juvenile justice system. Table 9 provides the data to explore those patterns. In table 9, we examine the percentage of youth who have experienced each of a set of dispositions used in the JJIS system reports. These dispositions may have come at one or more of the allegations that brought a child into the system. For example, 3 percent of the juvenile justice only group experienced a finding that the court did not have jurisdiction over their matter, a finding which was experienced by 5 percent of the non-overlapping crossover youth and by 9% of the dual jurisdiction youth. This does not mean that this disposition occurred in these percentages of cases, since a youth may have experienced such a finding multiple times. In many instances the differences in the numbers seem reasonable, for example that 26 percent of the dual jurisdiction youth have received a referral to another agency makes sense, since another agency (Child Welfare) was already involved with their case. Other aspects of the table are not so readily explainable, for example the higher number of dual jurisdiction youth who had experienced at least one instance of the case being reviewed and closed. At the more intense end of the spectrum, involving restrictions of liberty, higher proportions of the dual jurisdiction youth experienced placement on probation and formal commitment.

Table 9. Dispositions Received in Juvenile Justice (Percent of number of youth with each disposition type)

Disposition Type	Crossover Youth Type		
	Juvenile Justice Only	Crossover, No System Overlap	Crossover, Dual Jurisdiction
No Jurisdiction	3%	5%	9%
Referred to Another Agency	11%	12%	26%
Review & Close	25%	33%	54%
Warning	23%	24%	30%
Divert & Close	4%	5%	6%
Intake Office Contact & Close	11%	12%	18%
Rejected by DA/Juvenile Department	13%	17%	28%
Diversion Supervision	16%	13%	15%
Diversion - Youth Court	5%	7%	4%
Diversion - Traffic/Municipal Court	0%	0%	0%
Informal Sanction(s)/Supervision	15%	14%	18%
Formal Accountability Agreement	22%	23%	26%
Petitioned	0%	0%	0%
Dismissed	6%	8%	15%
Plea Bargain or Alternative	7%	9%	18%
Formal Sanction	8%	8%	12%
Probation	19%	25%	36%
Commit/Custody to Other Agency (Non-Youth Authority)	0%	1%	2%
Total	100%	100%	100%

In summary, compared with other youth in the juvenile justice system, crossover youth are more likely to be non white (either African American or Native American), although the majority of all groups in Oregon are white youth. The proportion of females is higher than in other juvenile justice groups, the age of first contact is markedly younger, the number of referrals is higher, the proportion with serious criminal allegations is higher and the proportion with intensive dispositions involving restrictions on their liberty is higher. In short, these youth, all of whom have been victims of child maltreatment, are also at much greater risk of multiple involvements with the juvenile justice system.

Crossover Youth Compared to Non-Crossover Youth in the Child Welfare System

In addressing the question of whether crossover youth need particular attention or present particular challenges and issues to the child welfare system, we can examine four issues:

1. Whether the patterns of maltreatment that bring these youth into the system are markedly different than other juveniles,
2. Whether the youth represent a different demographic distribution (age at first referral, gender, race),
3. Whether the youth appear more often in the child welfare system (have multiple findings of maltreatment), and
4. When removed from the home, whether the outcomes experienced by these youth are substantively different than non-crossover youth.

In examining the experiences of crossover youth, we distinguish between those youth who fit the broadest definition of crossover (appear in both systems) and those who have an overlap in their periods of involvement in both systems, the dual jurisdiction youth.

First, we can examine the findings that bring youth into the attention of the child welfare system. In table 5 we find that information. It should be noted that for each referral into the juvenile justice system there is one most serious allegation recorded in the JJIS system. In table 10 we have counted the types of findings for each youth. Thus, for a youth with three separate findings (events of child maltreatment), there may be as many as three allegations or as few as one. In table 10 each of these is counted, but the totals are based on the number of youth. As a result, the sum of the number of findings will exceed the total.

At first the percentage of youth with each type of finding appears very comparable. A small portion of findings are abandonment, for each group. A comparable small percentage (4-7 percent) experienced mental or psychological injury. Thirty six percent of both the child welfare only and of the dual jurisdiction group experienced neglect. However what appears to separate the groups are the findings of Physical Abuse and Sexual Abuse or Exploitation. While it is the case that the majority of findings for all groups are in the category 'Threat of Harm', higher proportions of the crossover youth are victims of active abuse or exploitation.

Table 10. Child Maltreatment Findings, by Crossover Type

Child Welfare Findings	Crossover Youth Type						Total
	Child Welfare Only		Crossover, No System Overlap		Crossover, Dual Jurisdiction		
	Number	Percent	Number	Percent	Number	Percent	
Abandonment	860	0.9%	50	0.9%	183	2.7%	1,093
Child Fatality	119	0.1%	1	0.0%	-	0.0%	120
Mental or Psychological Injury	4,535	4.6%	337	6.0%	456	6.8%	5,328
Neglect	36,527	36.9%	1,309	23.2%	2,450	36.8%	40,286
Physical Abuse	11,461	11.6%	1,107	19.6%	1,656	24.9%	14,224
Sexual Abuse or Exploitation	11,634	11.7%	1,095	19.4%	1,444	21.7%	14,173
Threat of Harm	62,963	63.5%	3,017	53.4%	3,636	54.6%	69,616
Total	99,081	100.0%	5,645	100.0%	6,662	100.0%	111,388

Another way of looking at the data in Table 9 is to calculate the percentage of cases with each maltreatment type that are also in the juvenile justice system. When we do that (not tabled) we find that 9 percent of the neglect cases and 10 percent of the threat of harm cases also involve the juvenile justice system, but that 21 percent of the abandonment cases, 19 percent of the physical abuse cases and 18 percent of the sexual abuse or exploitation cases also involve youth who are referred to the juvenile justice system. It is beyond the scope of this report and data resource to speculate on the social and psychological reasons for these higher percentages, but it is clear that the youth in the crossover group represent a seriously injured segment of the child welfare population.

We turn next to the question of the demographic profiles of these youth. As with the juvenile justice comparison, a higher proportion of the crossover youth are African American than the proportion in the child welfare group, however there do not appear to be the large differences in Native American proportions nor Asian. Hispanic youth form a slightly higher proportion of the child welfare only group than of either type of crossover youth. In short, the racial / ethnic differences are less pronounced than we found in comparison to the juvenile justice population.

With respect to gender, the majority of the 'child welfare only' cases involve girls, while both crossover types have a majority of boys. The differences are not overwhelming, but undoubtedly reflect the higher likelihood of males being referred to juvenile justice than females.

Table 11. Demographic Characteristics of Crossover Types, Compared with Non-Crossover Child Welfare Cases

	Crossover Type					
	Child Welfare Only		Crossover, No System Overlap		Crossover, Dual Jurisdiction	
	Count	Percent	Count	Percent	Count	Percent
Race and Ethnicity						
African American	5,127	6%	397	7%	546	8%
Asian	1,099	1%	71	1%	36	1%
Hispanic	13,256	16%	825	15%	819	12%
Native American	4,071	5%	211	4%	376	6%
White	61,727	72%	4,102	73%	4,864	73%
Unknown or Missing	13,483		38		20	
Total Non-Missing	85,598	100%	5,607	100%	6,642	100%
Gender						
Female	52354	53%	2,618	46%	3,032	46%
Male	46727	47%	3,027	54%	3,630	54%
Total	99,081	100%	5,645	100%	6,662	100%
Age at First Assessment						
Average Age		5.6		10.5		11.4
Zero – 5	55,327	56%	568	10%	442	7%
5 – 10	25,104	25%	2,097	37%	1,932	29%
11 and over	18,574	19%	2,975	53%	4,284	64%
Total	99,005	100%	5,544	100%	6,662	100%

With respect to age, we have some startling findings, in that the average age for child welfare cases at the time of the first assessment is 5.6 years old, while for the crossover groups it is nearly doubled to 10.5 and 11.4 years old. A portion of this difference may be a product of the research design, in that child welfare findings which occurred prior to January of 1998 were not available. Nonetheless, the entire size of this difference cannot be explained by that limitation. In national materials describing the pathways to child welfare, Denise Herz and John Tuell (2012) describe a significant pathway in which involvement with juvenile justice leads to discovery of child maltreatment issues. Such a pathway could certainly explain the differences in ages shown in table 11.

Unlike the juvenile justice system, in which multiple referrals appear to be a norm, the norm in terms of child maltreatment findings is that one assessment / investigation occurs in most instances. There are however situations in which multiple investigations occurred, and in table 12 we explore whether those are more likely with crossover youth. The short answer to the question is that three quarters of the youth in two groups (the child welfare only and the crossover- no system overlap groups) experienced

only one assessment, while almost half (44%) of the dual jurisdiction group had more than one investigation and finding of maltreatment. This does not mean that the degree of maltreatment was more significant, but it certainly implies that the issues were not resolved with a single finding.

Table 12. Number of Assessments Finding Child Maltreatment, by Crossover Type

Number of Findings	Crossover Youth Type					
	Child Welfare Only		Crossover, No System Overlap		Crossover, Dual Jurisdiction	
	Count	Percent	Count	Percent	Count	Percent
One	75,755	76%	4,283	76%	3,749	56%
Two	16,382	17%	1,052	19%	1,773	27%
Three or more	6,944	7%	310	5%	1,140	17%
Total	99,081	100%	5,645	100%	6,662	100%
Average		1.2		1.3		1.5

The last question to be addressed in this section is to examine the results of the child welfare engagement with the youth and family. In this data we do not have access to long term outcome data with which to gauge the success of the child welfare interventions, but we can examine whether the actions taken by the child welfare system differ between the crossover types. Table 12 presents two stages of this process. In the top section of the table we can see the question of whether the child was removed from the home. Across all youth involved in confirmed (founded) child welfare cases, roughly 42 percent of the youth experienced a removal. That proportion is much higher for the dual jurisdiction youth, probably reflecting both an increased age and higher likelihood of multiple investigations.

Table 12. Removal from the Home and Subsequent Outcomes of Child Welfare Cases Involving, by Crossover Type

	Crossover Youth Type						Total
	Child Welfare Only		Crossover, No System Overlap		Crossover, Dual Jurisdiction		
	Number	Percent	Number	Percent	Number	Percent	
Case Involved Removal from the Home	41,288	41.7%	1,302	23.1%	4,232	63.5%	46,822
Case did not Involve Removal	57,793	58.3%	4,343	76.9%	2,430	36.5%	64,566
Dispositions in Removal Cases							
Reunification with Parents	23,780	69.1%	873	81.9%	2,557	70.1%	27,210
Living with Relatives	377	1.1%	23	2.2%	67	1.8%	467
Adoption	8,717	25.3%	40	3.8%	88	2.4%	8,845
Emancipation	655	1.9%	43	4.0%	452	12.4%	1,150
Guardianship	1,965	5.7%	76	7.1%	232	6.4%	2,273
Transfer to Another Agency	155	0.5%	11	1.0%	303	8.3%	469
Runaway	174	0.5%	19	1.8%	272	7.5%	465
Total	34,405	100.0%	1,066	100.0%	3,647	100.0%	39,118

In the bottom portion of table 12 we examine the results of the removal. It should be noted that many of these final dispositions take long periods of time to accomplish (adoption, emancipation) and many cases that involved removal were not yet resolved when the data set was created. Of the removals which were resolved, the predominant method is return to the home. For the 'regular' child welfare cases, roughly one quarter experienced an adoption as a means of resolving the case, while adoption was experienced by minor portions of the crossover group (3.8% of the non overlapping group and only 2.4% of the dual jurisdiction group). On the other hand, emancipation was experienced by 12% of the dual jurisdiction group and a miniscule portion of the 'regular' group. Neither of these is surprising when we consider the age differences in the groups. Nor is it surprising given the age differences that almost none of the regular groups are listed as 'runaway' for disposition, but that classification fits 7.5% of the dual jurisdiction youth.

Conclusions and Implications

The issue of “crossover” youth may be viewed in several ways. At its most expansive, it includes all youth who have had contact with either system, in whichever sequence that contact occurs. At a narrower level, the definition includes those youth who are simultaneously known in both systems, what we have referred to as ‘dual jurisdiction’ youth. Data limitations make even estimation of the size of these groups difficult, primarily because we need to consider the entirety of a child’s life from zero to eighteen in order to determine if any of these definitions fit. The data systems that are available are impressive, but for the most part we cannot track a child for eighteen years in these systems, let alone track multiple yearly cohorts of youth. Systems change, they ‘improve’, policies and standards change and other administrative and organizational changes occur over time. All of these changes make it extremely challenging to design a definitive study which would tell us precisely how many youth fit into these categories.

Against that backdrop, we have developed several useful estimates for these populations. First, for any case involving child maltreatment, the odds of that youth being referred to the juvenile court system at some time before they become an adult is one in five. Second, of those referrals received by the juvenile justice system, approximately 15 percent will have had a finding of child maltreatment before they come to the juvenile justice system. Taken together these estimates tell us that while the crossover phenomenon does not apply to a majority of the youth in either system, it is a number which is too large to be ignored.

When viewed in contrast to other juvenile justice referrals, crossover youth in Oregon, particularly the dual jurisdiction youth, are likely to have many more referrals, referrals involving a higher proportion of serious criminal allegations, and are likely to start their history of referrals at an earlier age. These youth are more likely to generate serious responses from the juvenile justice system, including probation and commitment to other agencies. Moreover, compared to the population in general and to the ‘regular’ juvenile justice population, a higher proportion of these youth are either African American or Native American, exacerbating the disparities which already exist for these two groups.

When contrasted with other children in the child welfare system, crossover youth (again, particularly those with dual jurisdiction), are likely much older, more likely to have been victims of abuse and sexual exploitation than their counterparts, more likely to experience removal from the home and likely to age out of the system or run away from the system.

Both of those descriptions of differences must be taken in the context of the data limitations of this project. Because of the limited range of years (12) for which we could obtain data, and because of the inherent problems in a matching system, we know that our estimates of the differences are lower than the true differences. There are youth who experienced a crossover condition who were not identified in this process. The result of that challenge is that our descriptions of the difficulties, experiences, and challenges faced by crossover youth are an understatement of the real challenges faced by this group of children.

The preface to a recent publication from the Center for Juvenile Justice Reform makes the case eloquently:

It has often been said that the youth known to both the child welfare and juvenile justice systems—often referred to as crossover or dually-involved youth—tend to go undetected, following a stealth-like pathway between these two systems. As a group of children and youth suffering from the effects of childhood trauma, they are often underserved as they move from one system to another, experiencing the consequences of too little cross-systems coordination in developing case plans that will best serve them (Herz et. al, 2012)

Efforts are underway both locally and nationally to bring systems together to improve services for these youth. The impact of this data analysis is to demonstrate that these efforts must be supported, that the individuals involved in this effort reflect a substantial portion of Oregon's youth, and that they account for an inordinate share of resources expended within these systems.