



# Indiana's Plan to Collect and Report Statewide Juvenile Justice Data

Youth Justice Oversight Committee

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# Youth Justice Data Deliverables

Under [HEA 1359-2022](#), the Indiana General Assembly tasked the Youth Justice Oversight Committee (YJOC) to execute deliverables related to youth justice data collection, data reporting, and a research plan. In completing this task, the YJOC reviewed current laws, policies, and initiatives that govern and guide youth justice data collection and reporting in Indiana.

Through this process, the YJOC acknowledges that Indiana has a significant opportunity – and responsibility – to improve the scope, quality, and availability of youth justice data; to research local youth justice processes and outcomes; and to use that information for state and local system improvement. Accomplishing each of these objectives requires planning to identify action steps, resources to execute those steps, and a process for reviewing progress toward each objective. This report details tasks and activities to begin implementing Indiana’s plan, which will take several years to fully implement.

The YJOC will review this plan annually to determine what additional actions or resources may be needed and to identify when and where changes are necessary.

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## Deliverable 1: Goals for Collection

### Provide goals for the collection of juvenile justice data.<sup>1</sup>

The YJOC adopted the following goals regarding youth justice data collection.

At the state and county levels, Indiana will have the capacity to collect, analyze, report, and use data to improve public safety, youth justice system equity, and the well-being of youth encountering the justice system. To achieve this goal, Indiana will align technological, human, and financial resources for maximum efficiency in processes that promote confidence in the quality of the data.

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<sup>1</sup> See [Ind. Code 2-5-36-9.3\(b\)\(1\)](#)

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## Deliverable 2: Shared Definitions

### Create shared definitions concerning juvenile justice data.<sup>2</sup>

To collect accurate, reliable, and standardized data regarding how and why youth progress through the justice system and what outcomes they experience, the YJOC created the Indiana Youth Justice Oversight Committee Data Dictionary (YJOC Data Dictionary).<sup>3</sup> The dictionary identifies and defines data elements needed to describe the individual characteristics of justice-involved youth, how they progress through the youth justice system, the services they receive, and the individual and justice-oriented outcomes they experience. These include:

#### Youth Characteristics<sup>4</sup>

- First Name
- Middle Name
- Last Name
- Date of Birth
- Social Security Number
- Race
- Ethnicity
- Sex
- Gender
- Disabilities
- County of Residence
- Offense Information
- Educational Achievement
- Risk Level as assessed using the Indiana Youth Assessment System (IYAS)

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<sup>2</sup> See [Ind. Code 2-5-36-9.3\(b\)\(2\)](#)

<sup>3</sup> The YJOC adopted definitions for terms listed in the YJOC Data Dictionary based on Indiana Code definitions, [Indiana's R/ED reporting requirements under OJJDP](#), and the Indiana JDAI data dictionary.

<sup>4</sup> To rigorously evaluate youth justice processes and outcomes, including equity measures, youth characteristic data elements must be tracked and retrievable at the case level. Multiple data sources may be needed to capture some of these characteristics.

# Youth Justice System Case Processing Events<sup>5</sup>

Indiana must track data at significant youth justice system decision points, i.e., case processing points, across the justice system. This begins with the youth's first contact with the system through discharge from jurisdiction, which includes service referrals, probation supervision, and other system alternatives. Capturing this information is essential to identify successes and challenges facing local systems and evaluating public safety, program, and case-level outcomes. This approach also allows Indiana to determine if inequities are present relative to case processing times or access to certain legal dispositions and service alternatives.

- 1) Allegation/Incident Date
- 2) Referral<sup>6</sup> (Referral Date, Referral Source, Alleged Offense(s), Referral Status, Referral Decision Outcome, Referral Decision Outcome Date)
- 3) Diversion<sup>7</sup> (Alleged Offense(s), Date Commenced, Date Completed, Discharge Status)
- 4) Informal Adjustment (Alleged Offense(s), Date Commenced, Date Completed, Discharge Status)
- 5) Detention (Admission Date, Alleged Offense(s), Discharge Date, Released To)
- 6) Petition of Delinquency Filed (Date Filed, Alleged Offense(s))
- 7) Adjudicated Delinquent (Date Adjudicated, Finding(s))
- 8) Disposition (Disposition Date, Condition(s))
- 9) Probation (Date Commenced, End Date, Discharge Status)

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<sup>5</sup> To rigorously evaluate youth justice processes and outcomes, including equity measures, case processing data elements must be tracked and retrievable at the case level. As stated in this report, YJOC recommends developing a juvenile abstract application to capture several of these data elements.

<sup>6</sup> Referral date is defined as the date the referral was received by the youth justice system. Indiana does not currently report arrest data under its [R/ED reporting requirements to the Office of Juvenile Justice Delinquency Prevention](#). The YJOC will study Indiana's ability to reliably collect this data point as part of this plan. The referral status will capture whether a child meets criteria for a "dual status" designation.

<sup>7</sup>The YJOC will collect data on youth diversion as defined in [Ind. Code 31-37-8.5](#).

- 10) Petition to Modify Dispositional Decree (Date Filed, Reason for Modification)
- 11) Order Granting Petition to Modify Dispositional Decree (Date Ordered, Reason for Modification)
- 12) Out of Home Placements (Start Date, End Date, Type, Discharge Status)<sup>8</sup>
- 13) Confinement (Confinement Type, Date Completed, Discharge Status, Released To)
- 14) Commitment (Date Commenced, Date Completed, Discharge Status, Released To)
- 15) Direct File (Offense Date, Date Filed, Alleged Offense(s))
- 16) Motion for Waiver Filed (Offense Date, Date Filed, Alleged (s))
- 17) Waived to Adult Court (Date Ordered, Alleged Offense(s))

## Youth Justice System Status<sup>9</sup>

- 1) Diversion Status (Active, Successful Completion/Dismissal, Unsuccessful Completion/Termination)
- 2) Informal Adjustment Status (Active, Successful Completion/Dismissal, Unsuccessful Completion/Termination)
- 3) Probation Status (Active, Successful Completion/Dismissal, Unsuccessful Completion/Termination)
- 4) Detention Status (Detained, Released)
- 5) Commitment Status (Committed, Released)

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<sup>8</sup> Only court ordered placements will be collected under this category and must align with services entered into the Department of Child Services' referral and invoicing system (KidTraks).

<sup>9</sup> This data set will be linked to the dates captured under Youth Justice System Case Processing Events and may be used to display state-level, aggregate information for a specific time period. At a minimum, Indiana will collect and report the statuses listed in this section. The YJOC may expand the list of youth statuses collected and reported in the future.

## Youth Justice Programming and Services<sup>10</sup>

- 1) Youth service referrals (Type of Service, Referral Date, Service Referral Status, Legal Status at Time of Referral)
- 2) Family service referrals (Type of Service, Referral Date, Service Referral Status, Legal Status at Time of Referral)

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### **Deliverable 3: Standard Protocols and Procedures**

**Set standard protocols and procedures for data collection and quality assurance, including a plan to track data across the juvenile justice continuum. <sup>11</sup>**

Establishing a solid foundation for data collection is essential to achieve Indiana’s youth justice data goals. This will require significant planning and a structured process for review and testing data collection and reporting procedures, including an assessment of current youth justice data collection practices, a feasibility study to understand local data collection barriers, and training and technical assistance to ensure high confidence levels in data accuracy across data sources. To accomplish this, the YJOC will:

- 1) Assess the current availability of data within each category listed under Deliverable 2 by sampling data from up to 20 Indiana counties. Depending on the data source, this will include a state and/or county level data pull from each category (youth characteristics, case processing, system status, and programming and services) to determine the extent to which certain elements are routinely captured and to identify gaps. This analysis will include a review of whether or how data sets from different systems may be linked using a set of youth identifiers. The YJOC may also survey selected counties to gather information about data collection practices, how data is

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<sup>10</sup> Due to variation in services available across the state, this data should be for county level process review and outcome analysis only. The YJOC will focus on this area of data collection during the pilot project referenced under Deliverable 3. Services reported under this section must align with those entered into the Department of Child Services’ referral and invoicing system (KidTraks).

<sup>11</sup> See [Ind. Code 2-5-36-9.3\(b\)\(3\)](#)



or may be used locally to guide policy and case level decisions, and local perspectives on youth justice policies and opportunities for system improvement.

2) Conduct a one-year pilot study with five Indiana counties that commit to fully adopt and implement the data collection procedures outlined in this document. The pilot objectives include:

- Identify local challenges or barriers to collecting the data elements using existing staff resources and data systems.
- Determine whether the data definitions adopted by YJOC conflict with local practices and how those conflicts, if any, may be resolved.
- Assess the feasibility of collecting other data elements not captured in the YJOC's plan, such as law enforcement contact or arrest information, fees and costs assessed to youth and families, overall system costs, family/home life characteristics, and an inventory of the different assessment or screening instruments used by behavioral health providers within each county.
- Conduct a youth justice process evaluation in each pilot county to provide context for any future descriptive or outcome data generated by that county.
- Assess any additional state or county-level resources needed to execute the YJOC's plan statewide.

These activities will inform whether the YJOC should revise any of the current data elements or definitions before launching the data collection plan statewide. It will also allow for better consistency with statewide data collection, highlight areas for ongoing technical assistance, and identify future research needs.

The YJOC anticipates additional resources are necessary to complete these activities, which are outlined under Deliverable 7 of this plan.

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## **Deliverable 4: Performance and Data Measures**

**Establish a minimum set of performance and data measures that counties shall collect and report annually, including equity measures.<sup>12</sup>**

Performance measures are descriptive information (e.g., number of youth detained, number of youth detained that are male, etc.) that can be reported at the local or state level. When performance measures are tracked over time, local communities and the state can document what decisions are being made, whether services are being offered, and who is involved in the youth justice system. For instance, a performance measure can describe the number and characteristics of detained youth. By tracking and reviewing this information, jurisdictions can determine if there is a racial disparity in the number of youth held in detention or in the length of detention stays.

YJOC's near term goal for performance and data measures is to collaborate with five counties (see Deliverable 3) to establish local and statewide performance measures.<sup>13</sup> Examples include:

- 1) The number of youth at each case processing event (See Deliverable 2).
- 2) The average and median number of days between each case processing event (e.g., from referral to petition through successful completion of probation).
- 3) The number of youth actively participating in a diversion program, on informal adjustment, or on probation.
- 4) The number of youth re-referred to the youth justice system following discharge from a prior diversion, informal adjustment, or probation supervision.

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<sup>12</sup> See [Ind. Code 2-5-36-9.3\(b\)\(4\)](#)

<sup>13</sup> The initial set of minimum statewide performance measures will be informed by the availability of data at the local and state level. YJOC may expand the number and scope of performance measures as more data becomes available.

Each performance measure will be assessed through an equity lens by tracking youth characteristics at the case level (see Deliverable 2).

YJOC's long-term goal for performance and data measures is to create a real-time data repository that displays (i.e., a dashboard) the status of system-involved youth at any given time across jurisdictions. Examples of information that could be retrieved are the number of youth detained in Indiana who are also on probation and the characteristics of those youth. By completing the initial five county pilot and establishing a minimum set of performance measures, Indiana will be closer to gaining a statewide view of youth justice system case processing and outcomes.

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## **Deliverable 5: Data Reporting**

**Establish how data should be reported and to whom<sup>14</sup>**

### **Review of Current Data Reporting Requirements**

Indiana currently collects and compiles state-level youth justice data and information from various sources. When published, it is typically done so on an annual basis.<sup>15</sup> Examples include:

- 1) The Office of Judicial Administration (OJA) publishes the [\*Indiana Judicial Service Report: Judicial Year in Review\*](#) and the [\*Indiana Probation Report: Summary and Statistics\*](#).
- 2) The Indiana Department of Correction publishes the [\*Juvenile New Admission Report\*](#) and [\*Juvenile Releases Report\*](#).
- 3) The Indiana Criminal Justice Institute publishes the [\*Juvenile Arrest Dashboard\*](#), which displays the number of arrests by county on school property each school year as reported by the Indiana Department of Education.

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<sup>14</sup> See [Ind. Code 2-5-36-9.3\(b\)\(5\)](#)

<sup>15</sup> Although youth justice data is typically published annually, local jurisdictions may be required to submit data to the state on a monthly or quarterly basis.

- 4) Counties participating in the [Juvenile Detention Alternatives Initiative](#) complete monthly, semi-annual, and annual reports to the Indiana Office of Court Services that are aggregated for initiative-wide analysis.
- 5) Under Indiana Supreme Court [Administrative Rule 1\(G\)](#), all 92 counties submit quarterly racial and ethnic data at certain decision points in juvenile cases to the Racial and Ethnic Disparities Reporting application housed in the Supreme Court's INcite framework.
- 6) Certified problem-solving courts submit annual reports to the Indiana Office of Court Services.<sup>16</sup>

Through these (and possibly other reports not listed), Indiana gathers a significant amount of youth justice data, some of which can be tracked at the case level. These collection and reporting efforts take significant time and resources; however, Indiana does not have a consistent, coordinated approach to analyzing the different data sources and using that information to guide statewide youth justice policy and funding decisions.

As part of its plan to collect and report statewide youth justice data, the YJOC will:

- 1) Review state and federal requirements for youth justice data collection to determine how Indiana is using the youth justice information that is currently collected and reported.
- 2) Determine whether information collected through separate reporting processes can be combined to provide a more complete description or analysis of Indiana's youth justice system participants, services, or outcomes.
- 3) Determine whether any data currently collected can be extracted from a central source versus being compiled at the local level prior to submitting to state agencies.
- 4) Review the current reporting requirements to determine whether existing data reporting requirements should be expanded, reduced, or eliminated.

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<sup>16</sup> See [Indiana Problem Solving Court Rules](#), Section 17.

# New Reporting Requirements Under HEA 1359-2022

HEA 1359-2022 established two new youth justice reporting requirements for courts and probation departments:

1. Effective July 1, 2023, the juvenile court shall send information related to:
  - a. Local policies and procedures regarding the use of detention; and
  - b. The detention tool results and the justification of overrides of the tool to the Office of Judicial Administration (OJA) on an annual basis.

OJA shall develop an annual report that includes the information described above. The report shall be provided to the governor, the chief justice, and the legislative council before December 1 of each year. The report provided to the legislative council must be in an electronic format under IC 5-14-6.<sup>17</sup>

2. Effective July 1, 2023, a local probation department shall collect individual data on any child diverted through the juvenile diversion process described in IC 31-37-8.5, including:
  - a. Demographic data on age, race, ethnicity, and gender;
  - b. Risk screening information;
  - c. Offense;
  - d. Service participation; and
  - e. Outcome and completion data.

OJA shall provide an annual report that includes the information described above. The report shall be provided to the governor, the chief justice, and the legislative council before December 1, of each year. The report provided to the legislative council must be in an electronic format under IC 5-14-6.<sup>18</sup>

To complete this task, OJA<sup>19</sup> will convene a group of state and local stakeholder to determine what data is currently collected in these areas, what systems are being used to collect it, and whether any data can be extracted from one or more central locations.

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<sup>17</sup> See [Ind. Code 31-37-6-6\(j\)](#) and [Ind. Code 31-37-6-6\(k\)](#), effective July 1, 2023.

<sup>18</sup> See [Ind. Code 31-37-8.5\(6\)](#)

<sup>19</sup> Under [Ind. Code 33-24-6-12.5](#), OJA was tasked with establishing and administering a plan that will ensure that the youth justice data in each county is collected and shared with OJA so that the office can compile and aggregate the data

Through this process, OJA will identify what resources are needed to capture this information, either through existing data reporting/case management systems or through a new reporting application in INcite. If OJA determines that developing a new INcite application is needed, it may take up to one year to test and develop the application.

Issues to consider during this process include:

1. Whether current data system have the capacity to collect the required information (i.e., Quest, SRS, Odyssey).
2. Administrative and legal concerns in juvenile diversion cases regarding data ownership and sharing data among local probation departments and prosecuting attorneys.
3. Whether juvenile diversion participants can be assigned a unique identifier that will allow YJOC/OJA to track youth outcomes over time.<sup>20</sup>
4. To what extent local variation in practice will impact OJA's ability to effectively compile state-wide data.

## Goals for Future Data Reporting Efforts

The YJOC recognizes that consistently gathering quality data at the state level is challenging and requires significant time and financial resources. To that end, the YJOC adopted the following goals for statewide data reporting efforts:

1. OJA/YJOC will extract data from a central source to reduce the burden on local entities for submitting quarterly or annual reports whenever possible. Where that is not currently possible, the YJOC will work to expand this capacity.
2. Establish a real time data repository that can be used to identify the status of individual youth and report descriptive/status information in an aggregate format through a public dashboard without requiring locals to submit separate reports. (See Deliverable 2).
3. Provide resources that will allow counties to regularly review their data for accuracy.
4. Develop data sharing agreements to permit state-level data linkages through the Management Performance Hub.

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<sup>20</sup> To prevent youth from entering further into the system than necessary, diversion cases are not assigned a 17-digit case number. YJOC will work with the Indiana Prosecuting Attorneys Council (IPAC) to determine if the Prosecutors' Case Management System can generate a unique identifier.

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## **Deliverable 6: Research Agenda**

Establish a research agenda to evaluate the effectiveness of interventions.<sup>21</sup>

### **Goal of the Youth Justice Research Agenda**

The goal of the YJOC Research Agenda is to evaluate the effectiveness of interventions while ensuring equitable access to these interventions and resources for all youth.

There are several interventions that are conducted with youth who encounter the justice system including substance use, mental health, mentoring, healthcare, diversion and many more. As a system supporting young people, we need to understand what interventions work best for which young person in each specific situation. This means understanding how individual characteristics of the youth (age, educational attainment, etc.), family, geographic and system differences interact with an intervention to impact youth.

Through the pilot project described under Deliverable 3, the YJOC will collaborate with the five pilot sites to meet the near-term research objectives described below.

### **Near-term Youth Justice Research Objectives**

#### **Research Objective #1**

The YJOC will identify local champions within the five pilot sites, such as members of a local youth justice improvement policy group, that will be trained in best practice data entry and monitoring procedures. As a part of that training, those individuals will also receive training in evaluation and the use of performance measurement to address local needs.

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<sup>21</sup> See [Ind. Code 2-5-36-9.3\(b\)\(6\)](#).

## Research Objective #2

Local youth justice system partners in the five pilot sites will utilize their own data to clarify how local practices and procedures impact youth. For instance, using an equity lens, local systems will monitor outcomes to identify differences based on youth characteristics (e.g., race/ethnicity, age, sex, gender identity, etc.).

## Research Objective #3

As a result of meeting objectives 1 and 2, local youth justice system partners will work with state partners to develop a long-term research agenda to evaluate current and future interventions<sup>22</sup> to improve outcomes among Indiana youth.

In light of the unique importance of interventions for young people involved in the justice system, and the fact that some interventions can actually harm young people, the YJOC would like to highlight the differences among performance measures and monitoring (see Deliverable 4) and research endeavors.

# Differences Between Performance Measurement and Research Evaluation

**Performance measurement** is defined as continually assessing how a system implements policies and practices to improve outcomes for youth (see Deliverable 4).

**Research evaluation** differs from performance measurement in the following ways:

- Research is a planned activity that is hypothesis driven.
- Research focuses on assessing if a predetermined intervention or process is effective by comparing outcomes of persons who received the intervention to a control or comparison group (i.e., individuals with similar characteristics that did not receive the intervention).

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<sup>22</sup> This research will include a review of interventions funded by the grant program submitted by the Youth Justice Oversight Committee in accordance with [Ind. Code 31-40-5](#) and [Ind. Code 2-5-36-9.3\(d\)](#).



- Research includes a planned statistical analysis that includes several considerations, such as sample size (are there enough youth, or cases, to find a statistically significant result during analysis), sample recruitment (does the chosen sample reflect the population assessed); and research methodology (is a randomized controlled trial being conducted versus a naturalistic/correlational study).

## Needs for Long-Term Youth Justice Research Agenda

There are several challenges to research focused on interventions in youth justice. These include a lack of longitudinal data, utilization of a control/comparison group, and linking youth/adolescent data to adult outcomes. Indiana has a unique opportunity to address and overcome these challenges.

Creating an infrastructure for evaluation of interventions for youth involved in the justice system will include several components. First, it will be necessary to gather data that includes both individual and systemic drivers of delinquent behavior. Specifically, this includes gathering individual case data as well as retrospective or historic data on justice processes (e.g., screening for detention, changes in statute regarding probation practices, etc.) and integrating prospective data collection. As such, a goal of this research proposal focused on factors of outcomes for youth involved in the justice system should include longitudinal data that links youth to outcomes they experience as adults (Research Objective 3). Other possible areas of long-term study include cost and fee assessment practices and overall system costs.

## Long-Term Research Objectives

### Research Objective #1

Creating an on-going data committee that includes local and state youth justice stakeholders and research professionals will create the on-going partnerships needed to improve the health and well-being of youth involved in the youth justice system. This group should meet regularly to address near and long-term research objectives and provide external consultation on Indiana's state-level research objectives.

## Research Objective #2

A long-term research agenda will require linking data across youth justice, health, education, and other state and local systems. Indiana is uniquely suited to address this challenge with assistance from Indiana’s Management Performance Hub (MPH). The YJOC should establish a long-term partnership between local justice agencies, state justice agencies, and MPH to execute its long-term research agenda.

## Research Objective #3

The YJOC must translate and disseminate research findings to state, local, and national stakeholders focused on improving outcomes for youth involved in the justice system. This process will include publishing policy and practice briefs and developing training and technical assistance opportunities to assist with local implementation efforts.

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# Deliverable 7: Costs of Collecting and Reporting

## Determine the costs of collecting and reporting data described in this subsection.<sup>23</sup>

The YJOC recommends the allocation of funding to support local data collection, state-level technology needs, and training and technical assistance to help local agencies improve data quality and make data-informed decisions.<sup>24</sup> The funding request is for a one-time up-front allocation of \$500,000.00 for essential technology changes to support the required data collection and reporting outlined in HEA 1359-2022. Additionally, approximately \$2M per biennium is required to support ongoing technology expenses to support data sharing needs, to implement a training and technical assistance team, and to sustain the YJOC’s Research Agenda.

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<sup>23</sup> See [Ind. Code 2-5-36-9.3\(b\)\(7\)](#)

<sup>24</sup> Additional funding will be required for future research-related inquiries and analyses.

YJOC considered the areas described below in making its funding recommendation.

## Essential Technology Enhancements

HEA 1359-2022 outlines two specific data collection and reporting obligations for the Office of Judicial Administration (OJA). For OJA to have the capacity to collect the required data from local jurisdictions, numerous technology enhancements must be made as soon as possible. These enhancements will impact a variety of technology initiatives, including, but not limited to the Odyssey Case Management System, the Offender Management System in INcite, the Supervised Release System (SRS) in INcite, and the Probation Quarterly Report in the Indiana Court's Online Reporting application in INcite.

## Ongoing Technology Costs and Interfaces with Non-Court Data Sources

It is likely that the YJOC will identify opportunities to link court data with other data sources for research purposes; however, it is not possible to assess costs associated with these efforts at this time. The YJOC will explore future resource needs and associated costs as it monitors Indiana's progress toward the data collection plan and research agenda activities.

As the YJOC explores the opportunity to establish a juvenile "Abstract of Disposition" to gather uniform dispositional information for all juvenile court matters, additional technology costs may arise for the establishment of this technology initiative.

## Technical Assistance and Ongoing Training Costs

To support local jurisdictions in collecting quality data, the YJOC identified a need to establish a Youth Justice Data Technical Support Team. This team, employed by the Indiana Office of Court Services (IOCS), would consist of three team members, each servicing a region of counties within the state of Indiana. These staff would assist the local jurisdictions in collecting data in a manner consistent with the Indiana Data Dictionary and assist counties in complying with Indiana's youth justice data reporting requirements, including diversion and detention reporting requirements established under HEA 1359-2022.

In addition to the Technical Support Team, the YJOC identified a need to expand IOCS's youth justice team by two staff members. Current IOCS staff in this position primarily support Indiana's JDAI counties with system review and improvement efforts using data and research-based practices.

Each staff member would require approximately \$213,475.86 biennially, for a total expense of \$1,067,379.30 biennially for all five staff. The breakdown of the \$213,475.86 biennial expense per staff member is as follows:

- Gross Pay \$74,000.00
- Fringe – variable % \$ 17,005.20
- Fringe – flat rate \$ 15,388.73
- Deferred comp \$ 344.00
- **TOTAL (per staff) \$106,737.93**

In addition to the expenses to hire and employ the Youth Justice Technical Support Team, the YJOC also recommends an allocation of \$20,000.00 biennially to support training events hosted by the Indiana Office of Court Services (IOCS) or the Indiana Office of Court Technology (IOCT). These training events would include data and reporting sessions, as well as sessions tailored around evidence-based decision making and training sessions to support Diversion programs.

## Research Agenda Costs

As the YJOC looks to implement its research agenda, ongoing partnership with a youth justice research and professional team is key. YJOC recommends a biennial research budget of \$500,000.00. A portion of these funds, or other funds appropriated to support HEA 1359-2022 activities, must be allocated to offset costs associated with local data collection efforts.

# Recommendations to Advance Data Collection and Research Efforts

To fully implement and sustain Indiana’s youth justice data collection and research activities the YJOC identified recommendations for future study and/or action at the state and local level.

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## Establish Local Youth Justice Improvement Committees

The YJOC encourages every Indiana county to establish a multidisciplinary youth justice improvement body that includes key members of youth justice, child welfare, education, service delivery system, and youth and families to study and implement activities associated with HEA 1359-2022, including improving youth justice data collection, reporting, and research efforts. This role should be filled by the county’s local or regional justice reinvestment advisory council (as described in IC 33-38-9.5-4<sup>25</sup>), or another local collaborative body that includes stakeholders across the youth justice system and non-traditional stakeholders, such as those with lived experiences, faith-based organizations, and community workers.

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## Develop an Abstract of Disposition Application

The YJOC recommends the creation of a juvenile “Abstract of Disposition” form and INcite application to gather uniform dispositional information for all juvenile court matters across the state. This would function similar to the criminal Abstract of Judgment required for all

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<sup>25</sup> See [Ind. Code 33-38-9.5-4](#)

felony convictions.<sup>26</sup> Having a single repository of juvenile court dispositions will allow for a more accurate, timely and detailed analysis of adjudications, while also laying a foundation of subsequent youth justice decision points, including commitment to the Department of Correction, probation supervision, out of home placements, and service referrals. This new technology, to be developed within the Supreme Court's INcite framework, will require substantial time and resources to develop, implement and provide training for court staff to ensure proper use.

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## **Develop a Central Data Repository**

To conduct a comprehensive study on use of detention and assess outcomes associated with pre and post adjudication detention stays, real time, case level, detention information must be available and linked to other data systems. In addition, this system should be available to courts, probation, prosecutors, defense counsel and other appropriate youth justice system stakeholders.

## **Data Challenges**

Through the course of developing this report, the committee identified several unique challenges to using data to inform decisions with the goal of improved well-being of youth. The challenges below must be addressed to have accurate data that can be accessed in a timely manner to inform policy, practices, and procedures.

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<sup>26</sup> See [Ind. Code 35-38-1-31](#) and [Indiana Rules of Criminal Procedure, Rule 15.2](#)

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## **Law Enforcement Data**

Lack of access to law enforcement data/touch points in the youth justice system. Interaction with law enforcement is the first interaction most young people have with the legal system and rarely is information regarding these interactions available locally, much less at a state level.

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## **Linkage of Real-Time Data**

Lack of resources available to link court or supervision data from multiple systems in real-time (i.e., Quest, Odyssey, and SRS), let alone link court/supervision data with other youth justice system data sets.

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## **Inconsistent Application of Definitions**

Inconsistent application of definitions, specifically when it comes to arrest, referral, detention, and diversion can affect statewide data collection and interpretation. The YJOC will study how these terms are defined locally as part of the data collection pilot project described in this report.

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## **Variation in Local Practices**

Variation in local practices makes it difficult to describe a process and collect statewide aggregate data.

# Data Opportunities

The YJOC also identified several of opportunities that can aide the collection of data to improve the lives of young people involved in the youth justice system and improve public safety.

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## MPH Data Linkage

The Management Performance Hub (MPH) can link Indiana data systems and provide outcome analysis using probabilistic matching criteria with a 97% confidence rating.

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## Gathering of Data

Gather accurate and timely data around justice involved youth by documenting: (1) standard definitions including any statutory reference; (2) description of current practices at the local level; (3) description of best practices; (4) data collection; (5) research needs; and (6) limitations to data collection/research.

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## Data Informed Decision-Making

Encourage local investment for data collection to address local issues, create policies, make decisions, and evaluate effectiveness. Counties need to see their data, review it, and use it. Quality checks are essential.



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# Appendix

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## Data Dictionary

# INDIANA DATA DICTIONARY

YOUTH JUSTICE OVERSITE COMMITTEE



MAY 2023

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## INTRODUCTION

In order to collect accurate, reliable and consistent data regarding how and why young people progress through the juvenile justice system, we need to first have common definitions for individuals that will be gathering this data. To that end, we have defined common data elements necessary to complete this work. First, we define common characteristics of youth involved in the juvenile justice systems (title Youth Characteristics). Second, we define important points at which young people interact with the juvenile justice system that roughly correspond to the Sequential Intercept Model (SIM). The SIM was developed for system personnel and community members to identify a linear process through which individuals are processed within the system. Moreover, as there will be a requirement for counties to gather this data on a regular basis, the Data Committee, a committee commissioned through the Justice Oversight Committee, are using many of the same intercept points already required through the Race Equity Disparity (RED) data gathering process overseen by Indiana Criminal Justice Institute.

## YOUTH CHARACTERISTICS

For all data collection efforts supported through the Youth Justice Oversight Committee of Indiana, the following youth characteristics must be collected:

- First Name
- Middle Name
- Last Name
- Date of Birth
- Social Security Number (if available)
- Race
- Ethnicity
- Sex/Gender
- Home County
- Offense Information
- Education Level
- Risk Level (as assessed under the Indiana Risk Assessment System (IYAS))

### RACE CATEGORIES

The following race categories shall be used in accordance with the U.S. Census Bureau:

**White** – A person having origins in any of the original peoples of Europe, the Middle East, or North Africa. It includes people who indicate their race as "White" or report responses such as German, Irish, English, Italian, Lebanese, and Egyptian. The category also includes groups such as Polish, French, Iranian, Slavic, Cajun, Chaldean, etc.

**Black or African American** – A person having origins in any of the Black racial groups of Africa. It includes people who indicate their race as "Black or African American," or report responses such as African American, Jamaican, Haitian, Nigerian, Ethiopian, or Somali. The category also includes groups such as Ghanaian, South African, Barbadian, Kenyan, Liberian, Bahamian, etc.

**American Indian and Alaska Native** – A person having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment. This category includes people who indicate their race as "American Indian or Alaska Native" or report entries such as Navajo Nation, Blackfoot Tribe, Mayan, Aztec, Native Village of Barrow Inupiat Traditional Government, or Nome Eskimo Community.

**Asian** – A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, India, China, the Philippine Islands, Japan, Korea, or Vietnam. It includes people who indicate their race as "Asian Indian," "Chinese," "Filipino," "Korean," "Japanese," "Vietnamese," and "Other Asian" or provide other detailed Asian responses such as Pakistani, Cambodian, Hmong, Thai, Bengali, Mien, etc.

**Native Hawaiian and Other Pacific Islander** – A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands. It includes people who indicate their race as "Native Hawaiian," "Chamorro," "Samoan," and "Other Pacific Islander" or provide other

detailed Pacific Islander responses such as Palauan, Tahitian, Chuukese, Pohnpeian, Saipanese, Yapese, etc.

**Two or more races** – People may choose to provide two or more races either by checking two or more race response check boxes, by providing multiple responses, or by some combination of check boxes and other responses. The race response categories shown on the questionnaire are collapsed into the five minimum race groups identified by OMB, and the Census Bureau’s “Some Other Race” category. For data product purposes, “Two or More Races” refers to combinations of two or more of the following race categories: White, Black or African American, American Indian or Alaska Native, Asian, Native Hawaiian or Other Pacific Islander, or Some Other Race.

## ETHNICITY

The following ethnic categories shall also be used in accordance with the U.S. Census Bureau:

**Hispanic** – a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.

**Non-Hispanic** – a person of any race who does not claim to be of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture.

## SEX VS. GENDER

According to the U.S. Census Bureau, the following distinction shall be made between sex and gender.

**Sex** – Assigned at birth on the original birth certificate as either male or female.

**Gender** – How a person identifies or describes themselves as either transgender, male, female or none of these.

# REFERRAL

## DEFINITION/STATUTORY GUIDANCE

Any written report or document received by a probation department or prosecuting attorney indicating that a child has allegedly committed a delinquent (crime or status) act.

IC 31-37-8-1: Receipt and forwarding of information concerning delinquent child; preliminary inquiry:

- (a) A person may give an intake officer or a prosecuting attorney written information indicating that a child is a delinquent child.
- (b) If the information is given to the intake officer, the intake officer shall:



- (1) immediately forward the information to the prosecuting attorney;
  - (2) complete a dual status screening tool on the child, as described in IC 31-41-1-3;  
and
  - (3) complete a risk screening tool on the child.
- (c) If the prosecuting attorney has reason to believe the child has committed a delinquent act, the prosecuting attorney shall instruct the intake officer to make a preliminary inquiry, which includes the use of a risk screening tool, to determine whether the interest of the public or of the child require further action.

## **RELATED TERMS**

Preliminary Inquiry (IC 31-37-8-2) – A Preliminary Inquiry is an informal investigation into the facts and circumstances reported to the court. Whenever practicable, the preliminary inquiry should include the following:

- (1) The child’s background.
- (2) The child’s current status.
- (3) The child’s school performance.
- (4) If the child has been detained:
  - (A) efforts made to prevent the removal of the child from the child’s home, including the identification of any emergency situation that prevented reasonable efforts to avoid removal;
  - (B) whether it is in the best interests of the child to be removed from the home environment; and
  - (C) whether remaining in the home would be contrary to the health and welfare of the child.
- (5) The results of a dual status screening tool to determine whether the child is a dual status child, as described in IC 31-41-1-2.
- (6) The results of a risk screening tool conducted on the child to inform diversion decisions.

## **DESCRIPTION OF PRACTICE AT LOCAL LEVEL**

Although the statute allows for either the prosecuting attorney or the intake officer to receive the written referral, in most jurisdictions the probation department is the entity receiving the referral. Only a few jurisdictions may process referrals through the prosecuting attorney. Additionally, probation departments may receive verbal complaints made by individuals; however, those complaints are then documented by the office in the form of a written report.

Upon receipt of a referral, most probation departments do not forward the information directly to the prosecuting attorney first. Instead, a local policy is typically followed that could result in either of the following:

- (1) The probation department conducts an intake appointment with the youth and family and files a Preliminary Inquiry with the prosecuting attorney for every written referral

received by the probation department. The Preliminary Inquiry is prepared even before the prosecuting attorney has received notice of the referral, and without the distinct instruction from the prosecuting attorney to file such report.

- (2) A long-standing agreement allows the probation department to make a decision as to how best to proceed with the case. Unless the decision results in the filing of a delinquency petition, nothing is forward to the prosecuting attorney, not even a preliminary inquiry. In these jurisdictions, a Preliminary Inquiry is reserved solely for instances when the probation department wishes to proceed with the filing of a delinquency petition.

In either instance, when creating a Preliminary Inquiry, the probation officer is prompted to also complete a risk assessment from the Indiana Youth Assessment System (IYAS). According to the IYAS policy, the IYAS Diversion Tool shall be completed if the youth is being considered for an informal adjustment. The IYAS Detention Tool shall be completed if the youth is detained in detention. However, at this time, there is also an allowance for the probation officer to complete the Preliminary Inquiry without the completion of any IYAS assessment.

## **DIVERSION**

### **DEFINITION/STATUTORY GUIDANCE**

According to IC 31-37-8.5-1(a)(1), Juvenile Diversion means:

- (1) a decision made by the prosecutor that results in legal action not being taken against a child, and instead provides or refers a child to juvenile probation or a community based organization for supervision and services, as necessary; and
- (2) an effort to prevent further involvement of the child in the formal legal system.

### **RELATED TERMS**

Restorative Justice (IC 31-37-8.5-1(b)) – Services focused on repairing the harm caused to victims and the community as a result of the child’s behavior.

### **DESCRIPTION OF PRACTICE AT LOCAL LEVEL**

Due to local policy, some probation departments have been delegated the authority to move forward with a diversion program without sending the referral to the prosecutor for a decision.

It should also be noted that there are other efforts available that prevent further involvement of the child into the formal legal system; however, those actions would not constitute as diversion under this definition. Those practices include “warn and release”, prosecutor dismissal of a referral, and dual status youth who are referred to the Department of Child Services.

## INFORMAL ADJUSTMENT

### DEFINITION/STATUTORY GUIDANCE

A response to a referral for an allegation of delinquency (crime or status) requiring agreement that a youth fulfill specified conditions. The Informal Adjustment may be offered as a diversion from the formal, adjudicatory process.

IC 31-37-9-1: Informal adjustment; Implementation of program:

After the preliminary inquiry and upon approval by the juvenile court, the intake officer may implement a program of informal adjustment if the officer has probable cause to believe that the child is a delinquent child. Results of a risk screening tool shall be used to inform recommendations for the use of informal adjustment.

IC 31-37-9-7: Duration of program

A program of informal adjustment may not exceed six (6) months.

### DESCRIPTION OF PRACTICE AT LOCAL LEVEL

Some jurisdictions consider an informal adjustment to be the same, or very similar to, diversion. This is not the case, as diversion, by definition, includes limited contact and no follow-up from justice partners.

## DETENTION

### DEFINITION/STATUTORY GUIDANCE

Detention includes youth placed or held in a secure detention facility pre-disposition. While detention is generally limited to pre-disposition, it also includes for purposes of this definition, post-disposition detention pending transfer to a private facility or IDOC.

The secure detention facility may be public or private. Pre-disposition may be on the original petition or on petitions to modify. Detention does not include youth held in shelters, group homes, or other non-secure facilities, or other alternatives to detention which might include a liberty restriction. Detention also does not include time spent screening the child to determine whether or not to detain.

IC 31-31-8-2: Juvenile detention facility; criteria:

A juvenile detention facility is a secure facility that:

- (1) is only used for the lawful custody and treatment of juveniles and meets state standards and licensing requirements as provided in department of correction rule 210 IAC 6; or

(2) is located on the same grounds or in the same building as an adult jail or lockup and meets the following four (4) criteria:

- (A) Total separation between juvenile and adult facility spatial areas so that there could be no haphazard or accidental contact among juvenile and adult residents in the respective facilities. If space is used for both juveniles and adults, time-phasing of the use is acceptable if the arrangement precludes haphazard or accidental contact among juvenile and adult residents at all times. Sleeping or other living areas may not be shared under any circumstances.
- (B) Total separation in all juvenile and adult program activities within the facilities, including recreation, education, counseling, health care, dining, sleeping, and general living activities. Program activities may not be shared by juvenile and adult residents. However, program space, equipment, and other resources may be used by both juvenile and adult residents subject to clause (A).
- (C) The administration and security functions of the juvenile detention program must be vested in separate staff who, if the staff serve both populations, are trained to serve a juvenile population. Security and other direct care staff may not be used to serve the adult jail at the same time or during the same tour of duty that security and other direct care staff serve in the juvenile detention facility. Specialized services staff, such as cooks, bookkeepers, and medical professionals who are not normally in contact with detainees or whose infrequent contact occurs under conditions of separation of juveniles and adults, can serve both juvenile and adult residents.
- (D) The facility meets state standards and licensing requirements as provided in department of correction rule 210 IAC 6. The architectural and operational configuration of the juvenile facility must assure total separation.

## DESCRIPTION OF PRACTICE AT LOCAL LEVEL

Jurisdictions participating in the Juvenile Delinquency Alternatives Initiative (JDAI) are actively tracking uses of detention and reviewing their data to ensure that the correct youth are being detained for an adequate amount of time. Non-JDAI sites and counties without a detention center have a more difficult time defining their local practices.

There are 19 detention centers in the state of Indiana. The Log of Juveniles Held is an application managed by Gottlieb and Wertz, which requires detention centers (and any entity with the legal authority to detain a youth) to enter and track secure and non-secure detentions, as well as both pre-dispositional and post-dispositional stays.

## PETITION OF DELINQUENCY FILED

### DEFINITION/STATUTORY GUIDANCE

A filing of a written petition alleging the child is a delinquent child by the prosecuting attorney.

IC 31-37-10-1: Standing:

The prosecuting attorney may file a petition alleging that a child is a delinquent child.

IC 31-37-10-2: Approval of filing of petition

The juvenile court shall do the following:

- (1) Consider the preliminary inquiry and the evidence of probable cause.
- (2) Approve the filing of a petition if there is probable cause to believe that:
  - (A) the child is a delinquent child; and
  - (B) it is in the best interests of the child or the public that the petition be filed.

## ADJUDICATED DELINQUENT

### DEFINITION/STATUTORY GUIDANCE

A judicial determination in which a youth has been found true of committing a delinquent (crime or status) act.

## PROBATION

### DEFINITION/STATUTORY GUIDANCE

A community-based sentence that orders a juvenile to supervision by the probation department subject to conditions imposed by the court. (See Ind. Code 31-37-19-1)

## CONFINEMENT

### DEFINITION/STATUTORY GUIDANCE

A case disposition that requires a youth to serve a determined period of time in a secure detention facility.

## COMMITMENT

### DEFINITION/STATUTORY GUIDANCE

A case disposition that grants wardship of a youth to the Indiana Department of Correction for housing in a correctional facility for children. Commitments refer to youth serving disposition. This definition does not apply for youth whom IDOC is granted temporary wardship for the purpose of diagnostic testing.

## WAIVER TO ADULT COURT

### DEFINITION/STATUTORY GUIDANCE

A process for transferring jurisdiction of a youth from juvenile court to the court that would have jurisdiction if the act had been committed by an adult. A motion for waiver of juvenile court jurisdiction is filed by the Prosecutive Attorney and decided by the juvenile court. Best practice is to track the number of motions filed, withdrawn, granted, and denied, separated by presumptive and non-presumptive waivers. Additionally, the charges filed, the charges convicted, and the case disposition should be tracked.

IC 31-30-3-1 - Waiver of jurisdiction defined:

Waiver of jurisdiction refers to an order of the juvenile court that waives the case to a court that would have jurisdiction had the act been committed by an adult. Waiver is for the offense charged and all included offenses.

### RELATED TERMS

#### **Presumptive Waiver - child age 12 or older, but less than 16 years old:**

Presumptive waiver under IC 31-30-3-4 occurs when:

- a. a child twelve (12) years old or older [but less than age 16] is charged with an act which would be murder if committed by an adult; and
- b. there is probable cause to believe the child has committed the act; unless
- c. it would be in the best interest of the child and the safety and welfare of the community for the child to remain within the juvenile justice system.

Note: If the child who is sixteen (16) years of age or older at the time of the alleged act is charged with murder, the juvenile court does not have jurisdiction. IC 31-30-1-4(a)(1).

### **Presumptive waiver- child 16 years of age or older:**

Presumptive waiver arises under IC 31-30-3-5 when a child sixteen (16) years or older is charged with an act which if committed by an adult would be:

- a. a Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony, except a felony defined by IC 35-48-4 (Controlled Substances);
- b. involuntary manslaughter as a Level 5 felony under IC 35-42-1-4; or
- c. reckless homicide as a Level 5 felony under IC 35-42-1-5, except for those cases in which the juvenile court has no jurisdiction under IC 31-30-1-4; and
- d. there is probable cause to believe that the child committed the act, unless it would be in the best interests of the child and of the safety and welfare of the community for the child to remain within the juvenile justice system.

### **Conclusive Presumptive Waiver under IC 31-30-3-6:**

- a. The two preceding sections are referred to as “presumptive waivers,” because the court is mandated to waive the juvenile upon the establishment of the requisite findings, unless the court also finds that it would be in the best interests of the child and of the safety and welfare of the community for the child to remain within the juvenile justice system.
- b. However, IC 31-30-3-6 provides that the juvenile court shall waive jurisdiction if it finds that:
  - i. the child is charged with an act which would be a felony if committed by an adult; and
  - ii. the child has previously been convicted of a felony or a nontraffic misdemeanor.

Waivers under this section may more properly be referred to as “conclusive presumptive waivers,” because here, once the court makes the above findings to be true, there are no additional findings that can spare the juvenile from the waiver of juvenile court jurisdiction that is prescribed by this section.

This section applies where a child has previously been convicted of a felony or nontraffic misdemeanor by virtue of a “direct file” case, i.e., a case where no waiver was required because the juvenile court had no jurisdiction over the prior felony or nontraffic misdemeanor.

Note: Waiver under IC 31-30-3-6 is distinct from the “once-waived, always-waived” concept in IC 31-30-1-2, which provides that the juvenile law does not apply to a child who is alleged to have committed an act that would be a felony if committed by an adult and has previously been waived under IC 31-30-3 to a court having misdemeanor or felony jurisdiction. In the “once-waived, always-waived” scenario, the juvenile court has no jurisdiction over that juvenile’s subsequent crimes, so no motion for waiver is filed. However, where a child has been convicted of a felony or non-traffic misdemeanor by reason of a direct file (rather than a previous waiver), and therefore the child is under the jurisdiction of the juvenile court, the conclusive presumptive

waiver of IC 31-30-3-6 applies for any subsequent act that would be a felony if committed by an adult.

**Non-presumptive waiver child 14 years or older charged with act that is a felony:**

Non-presumptive waiver under IC 31-30-3-2 occurs when a child fourteen (14) years or older is charged with an act that is a felony which is either:

- a) heinous or aggravated with greater weight given to acts against the person than to acts against property; or
- b) part of a repetitive pattern of delinquent acts even though less serious.

The burden is upon the State to prove:

- a. the child was fourteen (14) years of age or older when the act charged was allegedly committed;
- b. there is probable cause to believe that the child committed the act;
- c. the child is beyond rehabilitation under the juvenile justice system; and
- d. it is in the best interests of the safety and welfare of the community that the child stand trial as an adult. IC 31-30-2-2.

**Non-presumptive waiver child 16 years or older charged with act that is a felony:**

Non-presumptive waiver under IC 31-30-3-3 occurs when a child 16 years of age or older is charged with an act under the following conditions:

- a. the act, if committed by an adult, would be a felony under IC 35-48-4 (Controlled Substances),
- b. there is probable cause to believe the child has committed the act, and
- c. it is in the best interests of the safety and welfare of the community that the child stand trial as an adult.

## MOTION FOR WAIVER FILED

### DEFINITION/STATUTORY GUIDANCE

A filing of a motion by the Prosecuting Attorney seeking waiver of the child to a court that would have jurisdiction of the case if the act had been committed by an adult.



### DEFINITION/STATUTORY GUIDANCE

Direct file is a case brought against a person under eighteen (18) years of age at the time of the commission of the offense over which the Juvenile Court does not have jurisdiction.

IC 31-30-1-4 – Juvenile court lacks jurisdiction over individuals at least 16 years of age committing certain felonies; retention and transfer of jurisdiction by court having adult criminal jurisdiction:

- (a) The juvenile court does not have jurisdiction over an individual for an alleged violation of:
  - (1) IC 35-41-5-1(a) (attempted murder);
  - (2) IC 35-42-1-1 (murder);
  - (3) IC 35-42-3-2 (kidnapping);
  - (4) IC 35-42-4-1 (rape);
  - (5) IC 35-42-4-2 (criminal deviate conduct) (before its repeal);
  - (6) IC 35-42-5-1 (robbery) if:
    - (A) the robbery was committed while armed with a deadly weapon; or
    - (B) the robbery results in bodily injury or serious bodily injury;
  - (7) IC 35-42-5-2 (carjacking) (before its repeal);
  - (8) IC 35-47-2-1.5 (unlawful carrying of a handgun), if charged as a felony;
  - (9) IC 35-47-10 (children and firearms), if charged as a felony; or
  - (10) any offense that may be joined under IC 35-34-1-9(a)(2) with any crime listed in this subsection;

if the individual was at least sixteen (16) years of age but less than eighteen (18) years of age at the time of the alleged violation.

- (b) Once an individual described in subsection (a) has been charged with any offense listed in subsection (a), the court having adult criminal jurisdiction shall retain jurisdiction over the case if the individual pleads guilty to or is convicted of any offense listed in subsection (a)(1) through (a)(9).

- (c) If:
  - (1) an individual described in subsection (a) is charged with one (1) or more offenses listed in subsection (a);
  - (2) all the charges under subsection (a)(1) through (a)(9) resulted in an acquittal or were dismissed; and
  - (3) the individual pleads guilty to or is convicted of any offense other than an offense listed in subsection (a)(1) through (a)(9);

the court having adult criminal jurisdiction may withhold judgment and transfer jurisdiction to the juvenile court for adjudication and disposition. In determining whether to transfer jurisdiction to the juvenile court for adjudication and disposition, the court

having adult criminal jurisdiction shall consider whether there are appropriate services available in the juvenile justice system, whether the child is amenable to rehabilitation under the juvenile justice system, and whether it is in the best interests of the safety and welfare of the community that the child be transferred to juvenile court. All orders concerning release conditions remain in effect until a juvenile court detention hearing, which must be held not later than forty-eight (48) hours, excluding Saturdays, Sundays, and legal holidays, after the order of transfer of jurisdiction.

## PETITION TO MODIFY DISPOSITIONAL DECREE

### DEFINITION/STATUTORY GUIDANCE

A Petition to Modify Dispositional Decree is (1) any motion filed by Probation or a supervising entity that alleges a violation of probation or conditions of placement; (2) any motion filed by any party, parent, guardian that alleges a change in circumstance that warrants a modification of a Dispositional Order; or (3) any motion filed pursuant to Indiana Code 31-34-23-1.

IC 31-34-23-1 - While the juvenile court retains jurisdiction under IC 31-30-2, the juvenile court may modify any dispositional decree:

- (1) upon the juvenile court's own motion;
- (2) upon the motion of:
  - (A) the child;
  - (B) the child's:
    - (i) parent;
    - (ii) guardian;
    - (iii) custodian;
    - (iv) court appointed special advocate; or
    - (v) guardian ad litem; or
  - (C) the attorney for the department; or
- (3) upon the motion of any person providing services to the child or to the child's parent, guardian, or custodian under a decree of the court.

## ORDER GRANTING PETITION TO MODIFY DISPOSITIONAL DECREE

### DEFINITION/STATUTORY GUIDANCE

An Order on Modification is an Order that grants, denies, or resolves any or all issues raised in a Petition to Modify Dispositional Order.

While the juvenile court retains jurisdiction under IC 31-30-2, the juvenile court may modify any dispositional decree under IC 31-37-22-1:

- a. upon the juvenile court's own motion;
- b. upon the motion of:
  - i. the child;
  - ii. the child's parent, guardian, or guardian ad litem;
  - iii. the probation officer; or
  - iv. the prosecuting attorney; or
- c. upon the motion of any person providing services to the child or to the child's parent, guardian, or custodian under a decree of the court.

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## Current Youth Justice Data Initiatives

As data collection procedures are discussed, it is important to understand the technologies and data sources currently available at the local level, as well as the capacity for these systems to collect additional data points and the potential for system enhancements.

### Juvenile Detention Alternatives Initiative (JDAI)

The Juvenile Detention Alternatives Initiative (JDAI) is a model for youth justice system improvement that was developed approximately 30 years ago by the Juvenile Justice Strategy Group of the Annie E. Casey Foundation. The model has evolved from a primary focus on detention reform to one applicable to all stages of the system, from prevention to reintegration. JDAI is the most widely replicated youth justice improvement initiative across the country. Thirty-five Indiana counties are implementing JDAI, home to 73% of the youth population aged 10-17. Six partner agencies lead the initiative:

- Indiana Criminal Justice Institute (ICJI)
- Indiana Department of Correction (IDOC)
- Indiana Supreme Court and its Office of Court Services (IOCS)
- Department of Child Services (DCS)
- Indiana FSSA: Division of Mental Health and Addiction (DMHA)
- Indiana Department of Education (IDOE)

Additionally, representatives of the Indiana Juvenile Detention Association (IJDA) and the Probation Officers Professional Association of Indiana (POPAI) serve on the Executive Committee.

A core strategy that has remained foundational to the model is the use of data to inform decision-making. As a public safety initiative, JDAI promotes an organizational culture that centers data, both to assess and monitor system performance and to support the use of researched-based practices. Indiana JDAI sites have adopted a set of shared definitions related to data collection, reporting and analysis and have access to training and tools to develop and enhance data utilization. The tools and technical assistance provided by a

team of Youth Justice Strategists are adaptable to local site dynamics, including county population and demographics, rural and urban settings, probation practices, and court processes. County-level data is reported through standardized methods so that aggregation across all sites can occur at regular intervals (monthly, quarterly, annually).

## Racial and Ethnic Disparities (RED) Initiative

Nationwide, research shows that minority youth are disproportionately involved with the youth justice system. To reduce overrepresentation, the Indiana Criminal Justice Institute (ICJI) executes strategies and administers funding (formula grant funding authorized under Title II, Part B, of the Juvenile Justice and Delinquency Prevention Act) to address delinquency and support improvements to the youth justice system. The funding also helps Indiana address the four core requirements of the Juvenile Justice and Delinquency Prevention Act – one of those being Racial and Ethnic Disparities (RED).

Racial and ethnic disparities exist if a specific minority group's rate of contact at a particular point in the justice system is different than the rate of contact for non-Hispanic whites or other minority groups. Contact refers to the different decision points along the youth justice system: referrals, arrests, admissions to secure detention, diversion, petitions filed, delinquency findings, orders of probation, commitments to secure confinement, and waivers to adult court.

In 2014, the Indiana Office of Court Services (IOCS) adopted a list of standardized definitions that aligned with decision points listed above. In 2016, the Indiana Supreme Court adopted Administrative Rule 1(G)<sup>27</sup>, which requires all 92 counties to submit quarterly data to the RED Reporting application housed in the Supreme Court's INCite framework.

Although all 92 counties report this information as required, there are not currently procedures in place to review the accuracy of the data submitted. Additionally, each county's data is reported in aggregate (versus at the case level), which prevents process and outcome studies on racial and ethnic disparities.

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<sup>27</sup> See [Indiana Administrative Rule 1\(G\)](#)

## J-EQUIP Research Project

In 2012, the Indiana Criminal Justice Institute (ICJI) established the J-EQUIP (Justice Data Evaluation, Quality, and Use Improvement Pilot) one-year pilot project to provide technical assistance to local areas to help increase youth justice data collection and reporting capabilities, as well as to begin developing a youth justice data repository. The project's primary focus was to support efforts to improve the use of court data to facilitate and inform statewide youth justice reform in Indiana.

The J-EQUIP project is an example of technical assistance provided at the local level to perform data quality review and recommendations made to improve accuracy of youth justice data. Elements of J-EQUIP can be utilized to assess data quality for the pilot project discussed in this report. For instance, through the J-EQUIP project "data completeness" was assessed as a basic measure of missing data within case files. "Data plausibility" assessed for logical inconsistencies in data at seven critical juncture points. An example of an illogical decision was if a youth was identified in the case file as both diverted from the court system and, with the same case, identified as having a petition filed within the court. This example can be flagged as an error. Data from 12 different counties was assessed at two time points to assess data completeness and plausibility. After errors were identified, counties cleaned their data and data was assessed a second time resulting in much lower rates of missingness and fewer data errors. This same process can be utilized for counties in the pilot phase of this process.

## Data Systems Capturing Youth Justice Information

Multiple data systems exist to capture youth justice data, which include systems that originate data to track and manage individual cases and youth/case related events, and systems that house data retrieved or submitted from outside sources or processes.

### Court Case Management Systems

Court case management systems collect data starting with case initiation through discharge of jurisdiction. The primary purpose is to document events at the individual case level. Advanced features of these systems permit creating queries and reports that meet certain criteria, such as by filing year, charge codes, case status, or disposition status. These

data systems are administered through a central location but are populated with data at the local level.

- The **Odyssey Case Management System** is managed by the Indiana Office of Court Technology (IOCT). This system operates in 92 counties for criminal cases and in 83 counties for juvenile cases. The Indiana Supreme Court pays all hosting and maintenance fees.
- **Quest** is managed by Gottlieb and Wertz and operates in nine counties (Allen, Howard, Johnson, Lake, LaPorte, Madison, Porter, St. Joseph, and Tippecanoe). Counties using this system pay hosting and maintenance fees directly to the vendor.

## Probation Case Management Systems

Although generally referred to as probation case management systems, these systems capture case level data for youth on probation as well as earlier in the system, including data on referrals, diversion, detention decisions, and informal adjustment. Similar to the court case management systems, their primary purpose is to document activities at the individual case level. Advanced features of these system permit creating specific queries and reports, such as the number of youth currently on probation, the age range of youth placed on probation within a certain timeframe, or the number of youth discharged from probation within a certain time frame. Cases in the probation case management systems are connected to the underlying court case and can be linked to specific court decisions impacting a youth.

- The **Supervised Release System (SRS)** is a youth and adult case management system developed and managed by the Indiana Office of Court Technology (IOCT). This system is utilized by all Indiana counties (with the exception of the eleven Quest jurisdictions listed below) and is housed in the Indiana Supreme Court's INcite system.
- **Quest** is a case management system that is managed by Gottlieb and Wertz. The probation component is utilized in eleven Indiana counties (Allen, Howard, Johnson, Lake, LaPorte, Madison, Monroe, Owen, Porter, St. Joseph, and Tippecanoe Counties). This data is not housed in any state level data system; however, users can extract data and reports when needed and the system can electronically interface with other systems.

## JDAI Systems

- The **JDAI – Data Management System (JDAI-DMS)** is managed by the Indiana Office of Court Technology (IOCT) in INcite. This system is available for JDAI counties to manage youth justice data related to secure detention, detention screening decisions and alternatives to detention programs (with the exception of the eleven Quest jurisdictions listed below).
- **Quest** is managed by Gottlieb and Wertz. Eleven JDAI counties (Allen, Elkhart, Howard, Johnson, Lake, LaPorte, Madison, Monroe, Porter, St. Joseph, and Tippecanoe Counties) extract data from Quest and upload it to the JDAI-DMS for reporting and use.
- The **JDAI – Quarterly Reporting Spreadsheet (JDAI-QRS)** is another application managed by the Indiana Office of Court Technology in INcite. The DMS houses a database that stores information from all JDAI counties. Data from counties using the DMS for collection is automatically stored in the database, while counties using Quest upload an extract to the same database on a monthly, quarterly, annually, or ad hoc basis. Also, data can be aggregated across sites for analysis and use.

## Detention Case Management and Reporting Systems

- **Quest** is a youth justice system managed by Gottlieb and Wertz, which includes a detention component. This case management system is utilized by most of the 19 Indiana detention centers, including those that utilize a different case management system for courts or probation.
- **Jail Tracker** is a jail management system primarily used in adult facilities. It is currently used in the Vigo County Juvenile Detention Center, which is overseen by the Vigo County Sheriff's Office.
- The **Quest: Log of Juveniles Held** is managed by Gottlieb and Wertz under contract with the Indiana Criminal Justice Institute (ICJI) for compliance monitoring required by the Juvenile Justice and Delinquency Prevention Act and administered by the Office of Juvenile Justice Delinquency Prevention (OJJDP). This system is used by all detention centers, residential facilities, and law enforcement agencies having the ability to detain youth. Data entry timeframes into the Log of Juveniles Held vary based on the facility and is often not entered in real-time. The data entered does not contain the youth's identifying information, which prevents ICJI from being able to link this information to other data sources.



## Secure Confinement Systems

- The **Juvenile Data System (JDS)** is managed by the Indiana Department of Correction (IDOC) for youth confined within an IDOC facility. This system is being upgraded in 2023 to the **Delta System**.