

**Oregon Juvenile Crime Prevention (JCP)**  
Pre-Disposition Risk Assessment Guidance  
2025

February 12, 2025

In January 2024, the Oregon Judicial Department (OJD) through its JDIP Advisory Committee, created a Risk Assessment Workgroup to address recommendations for improvements to risk assessments and the resulting information provided to courts. In April 2024, the Risk Assessment Workgroup divided into two subcommittees to draft appropriate forms and guidance to support the recommendations.

*The JCP Risk Assessment Pre-Disposition Implementation Subcommittee* was tasked with reviewing resources from other states and national experts and drafting guidance for successful implementation of the JCP tools. For questions regarding this Subcommittee or their work, please contact Subcommittee Chair, Patti Robb, at [patti.robb@lanecountyor.gov](mailto:patti.robb@lanecountyor.gov).

*The JCP Post-Disposition Decision Making Subcommittee* was tasked with reviewing resources from other states and national experts and drafting a Juvenile Disposition Report and guidance for its use. For questions regarding this Subcommittee or their work, please contact Subcommittee Chair, Referee Hagedorn, at [joseph.s.hagedorn@ojd.state.or.us](mailto:joseph.s.hagedorn@ojd.state.or.us).

## **Introduction**

The Juvenile Crime Prevention (JCP) Assessment Tool measures a youth's level of risk, needs, responsivity factors, and strengths to guide early decision-making and assignment of case resources, as well as assist in the development of targeted case plans. The JCP looks to identify both the dynamic (*changeable*) and static (*unchangeable*) risk factors of youth to help professionals manage their caseloads and better structure and target services to youth with higher needs. The JCP Assessment Tool is an instrument specially designed for youth and assesses across six risk domains that many years of research suggest are correlated with an increased likelihood of future re-referral.

The JCP Assessment focuses on the factors that are most critical to promoting positive outcomes for youth. The information collected during assessment guides the creation of a risk level and case plan specific to an individual's risk factors. The entire assessment process is informed by motivational interviewing and is designed to engage youth, provide them a sense of ownership over their case plan, and match supervision and intervention strategies with the youth's levels of risk and motivation, while also highlighting youth strengths and protective factors.

## **Background**

Oregon's Juvenile Justice Information System (JJIS) is a collaborative initiative of the Oregon Youth Authority (OYA), the 36 county juvenile departments, and other juvenile justice and public safety partners. Recognized as a national model, JJIS promises "one youth, one record." It offers a single source of information about a youth's contacts and confidential case records with Oregon's juvenile justice system, regardless of where in Oregon those contacts occurred. This includes contacts with local jurisdictions as well as with OYA.

This integrated, statewide electronic information system was developed in the 1990s to support positive outcomes for youth offenders, 80 percent of whom are handled by county juvenile departments.

An interdisciplinary work group with members from juvenile justice, education, research, academia, and youth treatment services came together starting in 1997 to plan for and design an assessment tool to identify youth at risk for re-referral. The first version of the JCP tool was released in late 1999. Additional history relating to the tools development, validation, and revised versions can be located at the [Oregon Juvenile Department Director's Association \(OJDDA\) website](#).

## Purpose

Research on the use of validated assessments in youth justice has grown significantly in the last decade. Assessment tools are often described as the foundation of evidence-based practice. Youth justice professionals should not intervene more or less than is necessary. A validated assessment tool helps match youth with the most effective level and type of supervision and services, assists jurisdictions with increasing the efficient use of resources, improves outcomes for youth and families, and increases community safety.

Research shows that youth who are scored as low risk by a validated assessment, and are diverted from the justice system, recidivate at lower rates than comparable youth whose cases are formally processed through the court system. (Wilson & Hoge, 2012).

A risk, needs, and responsivity assessment tool, implemented with fidelity, informs and supports professional decision-making; it does not replace it. Use of an assessment tool should not create a significant amount of additional work. Youth who will not benefit from intervention will be diverted to appropriate resources, while priority areas for youth in need of justice services will be highlighted to help identify areas of focus that promote positive behavioral change.

- The **risk principle** suggests that the highest-risk youth should receive the most intensive monitoring and services to reduce their risk of continued offending. Conversely, low risk youth have a lower chance of reoffending even in the absence of services, and therefore should be able to function well with minimal attention. See below link for ways to divert youth away from the system.  
[Diversion-and-Alternatives-Reform-Team-Guidebook-2023-1.pdf](#)
- The **need principle** suggests that only those factors associated with reductions in reoffending should be targeted in interventions. These are dynamic risk factors that are theoretically amenable to change, such as parenting practices and negative peer groups. The dynamic risk factors specific to a particular youth are often referred to as criminogenic needs.
- The **responsivity principle** suggests that interventions need to address the youth's specific characteristics that may affect their response to treatment (e.g., *learning style, motivation, mental health*).

- Finally, the ***professional discretion principle*** asserts that, having reviewed risk, needs and responsivity considerations as they apply to a particular youth, it is appropriate (*and even necessary*) for decisions about case planning to be made on the basis of good professional judgment, not merely scores. Risk and needs must be weighed alongside legal, ethical, humanitarian, cost-efficiency, and service availability factors.<sup>1</sup>

Use of an assessment tool provides consistency across the state, standardizes data collection on youth referred to the juvenile justice system, provides measurable data to assess state-level trends, and provides a common language across counties and stakeholder groups.

The intention of this guidance is to outline the statewide expectations and best practices, without directing specific practices or policies, except when referring to statutory provisions or other legal requirements. When developing written policy and procedures, a juvenile department should do so in a manner that respects and values diverse life experiences and ensures that all youth are valued, heard, and considered without regard to gender identity, race, ethnicity, national origin, age, sexual orientation, religious beliefs, family status, education, and/or disability, to ensure an inclusive environment and equitable treatment of all.

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<sup>1</sup> Gina M. Vincent, Laura S. Guy, Thomas Grisso, *Risk Assessment in Juvenile Justice: A Guidebook for Implementation* 23 (2012).

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## 1. Definitions

**Adjudicated youth:** A person who has been found to be within the jurisdiction of the juvenile court under ORS 419C.005 for an act committed when the person was under 18 years of age.

**Adjudication:** The judges' decision in a case or action. This term is sometimes used as another term for 'trial' in juvenile court.

**Case Plan:** A plan created with the youth's input to address dynamic risk factors while the youth is under formal or informal supervision by the juvenile department to change the targeted behavior. The plan also incorporates the youth's perspective on their behavior, meaningful incentives for the youth, and identified protective factors identified.

**Disposition:** A formal judgment after adjudication of a youth in juvenile court.

**Inter-rater reliability:** A measure of how consistently multiple raters evaluate a phenomenon or behavior. It's a key factor in ensuring the validity and reliability of research findings.

**JCP Full Assessment:** Juvenile Crime Prevention risk assessment tool.

**JCP Quick Screen:** An instrument used at the time of initial referral to determine eligibility for programs established by the Juvenile Crime Prevention Partnership. The tool identifies (*but does not attempt to fully assess*) the presence of factors that contribute to the risk of offending, using a simple decision-tree check list.

**JCP Reassessment:** An instrument to re-assess dynamic risk factors, or those conditions or events that change over time. A re-assessment also looks at additional factors such as response to supervision or placement.

**JJIS:** Juvenile Justice Information System is recognized as a national model, and promises "one youth, one record." It offers a single source of information about a youth's contacts and confidential case records with the state's juvenile justice system, regardless of where in Oregon those contacts occurred.

**Juvenile Court:** The court that has jurisdiction of juvenile matters.

**Juvenile Court Counselor (JCC):** A Juvenile Department professional who determines how the youth's case should be handled, based on information contained in police reports, interviews with the youth and family, as well as other resources. The Juvenile Court Counselor also supervises the conditions and terms of a youth's status with the Juvenile Department or Juvenile Court and makes on-going decisions regarding treatment and/or service needs.

**Juvenile Disposition Report:** Report generated by JJIS to display results of JCP risk assessments and includes the assigned JCC's recommendations for disposition. This report is generated after adjudication and is provided to the assigned judge in advance of the disposition hearing.

**Juvenile Probation Officer:** Another term for Juvenile Court Counselor (JCC).

**Juvenile Supervisor:** For purposes of this guidance, it is the individual who supervises the assigned JCC completing the JCP assessments and Juvenile Disposition Report.

**Mental Health Screening/Assessment:** An evaluation of mental health status by a licensed or certified counselor, social worker, or psychologist.

**Motivational Interviewing:** a client-centered counseling approach that aims to help individuals identify and strengthen their own motivation to change a behavior by exploring their ambivalence and eliciting their reasons for change, rather than directly advising them on what to do; it focuses on building intrinsic motivation through empathetic listening and open-ended questions, allowing the individual to discover their own reasons for change.

**Petition:** Formal allegation(s) of delinquency acts (*that would be crimes if they were committed by adults*) filed with the clerk of the juvenile court.

**Probation:** A disposition by the juvenile court whereby the juvenile is placed under the supervision of a JCC who supervises compliance with court ordered conditions.

**Referral:** A written complaint by a law enforcement official detailing the arrest of a juvenile for an alleged violation of the law or commission of a status offense.

**Youth:** A person under 18 years of age who is alleged to have committed an act that is a violation, or, if committed by an adult would constitute a crime.

## 2. Interview Practice Guidance

The assessment portion of the JCP is based on the principles of Motivational Interviewing (MI), an evidence-based approach to behavior change. MI is designed to facilitate the natural process of change, while also honoring autonomy, so a successful JCP Assessment interview is more than simply reading questions and recording answers. Instead, the youth should be engaged in conversation encompassing the domains assessed in the JCP while a professional takes notes sufficient to answer questions once all the information is collected. The JCP training and other materials provided on the Oregon Juvenile Department Directors' Association (OJDDA) website can assist staff facilitating a JCP Quick Screen or Assessment ensure they are covering all domains and using best

practices for interview strategies during the interview. Resources for training on MI can be located on the Motivational Interviewing Network of Trainers (MINT) [website](#).

### **3. JCP Quick Screen**

The JCP Quick Screen Assessment (Quick Screen) interview questions provide a structure for conducting a relatively quick screen of the youth's needs and risks. The Quick Screen can be located at this [website](#).

The interview questions are intended to guide the screener through the six domains while building rapport and eliciting information from the youth. The questions touch on sensitive, and often difficult and vulnerable topics. Interviewers should begin by asking questions that help put the assessed youth at ease and focus on a youth's strengths and resources. If utilized, the Quick Screen should be administered for delinquency referrals, post-referral, and pre-petition for consenting youth.

No questions regarding the offense should be asked during the administration of the pre-screen. An unwillingness or inability by the youth to complete the pre-screen does not mandate formal processing of the youth. If the intake recommendation does not align with a youth's risk level, the reason(s) for the override should be documented and approved by a supervisor.

If utilized, recommended best practices for administration of the Quick Screen include:

- Juvenile Departments that utilize this tool should have policy, procedure, and standards for its administration.
- Administered to youth up to age 18.
- When the youth's capacity to complete the Quick Screen is in question the reason for the exception should be documented in JJIS.
- If the referral is for a youth who has previously been on supervision, a new interview and Quick Screen should be conducted.
- The Parent/Family and Youth Questionnaires can be used to elicit parent, family, and youth perspectives on the youth's strengths and needs.

### **4. Pre-Adjudication Mental Health Screenings and Assessments**

Criminogenic needs are not the only factors to be addressed in dispositional decision-making for youth. Some youth will have mental health needs which support further screening or assessment for pre-adjudication safety, service planning, or treatment. It is important to keep in mind that most mental health conditions are responsivity factors and some mental health symptoms are risk factors. Resources for identifying evidence-based mental health screenings and

assessments can be located on the National Center for State Courts (NCSC) [website](#).

Recommended best practices for administration of mental health screenings and assessments include:

- Juvenile Departments that utilize mental health screenings and assessments should have policy, procedure, and standards for their administration pre-adjudication.
- Screenings which inform safety protocols or housing needs for youth pending adjudication should be administered by staff trained to administer screening tools.
- Pre-adjudication mental health assessments or dispositional treatment services should be ordered by a judge or requested by youth's attorney and provided thereafter by a licensed or certified mental health professional.
- Mental Health professionals should administer assessments and determine service planning or treatment needs (*including non-dispositional crisis support*) for youth based on their individual screening outcomes.

## **5. Protection of Youth Information During Pre-Adjudication Process**

Identifying a youth's needs and providing them with services specific to their needs is consistent with a restorative justice model. However, pre-adjudication assessment and/or treatment initiatives also pose a significant challenge to youth's attorney charged with protecting the due process rights of youth as trial defendants. Many assessment instruments designed for use with youth can elicit self-incriminating information by asking questions of youth about a variety of illegal activities including drug use, assaultive behaviors, and criminal acts. Without appropriate legal safeguards, this information may be used against the youth in court to find them guilty of an offense or enhance their punishment.

Oregon prohibits the use of assessments for youth during the pre-adjudication phase as evidence against a youth. Specifically, [ORS 419A.257 \(Reports and Materials Protected\)](#) states, "information appearing in reports or other materials may not be used in evidence in any proceeding to establish criminal or civil liability against the child, ward, youth or adjudicated youth, whether the proceeding occurs after the child, ward, youth or adjudicated youth has reached 18 years of age or otherwise, except for in connection with a presentence investigation after guilt has been admitted or established in a criminal court, and/or in connection with a proceeding in another juvenile court concerning the child, ward, youth or adjudicated youth or an appeal from an order or judgment of the juvenile court." Although the intent of this statute is to protect youth information during the pre-adjudication process, there is concern the language may not provide sufficient protection. There is also some reluctance to allow blanket approval of pre-adjudication assessments for youth.

Recommended best practices for protection of youth information during the pre-adjudication process include:

- Juvenile Departments should have policy, procedure, and standards for protection of youth information and protected health information (PHI) during the pre-adjudication process which align with Oregon Revised Statute (ORS) and The Health Insurance Portability and Accountability Act (HIPAA) of 1996.
- Juvenile Departments may establish a Memo of Understanding (MOU) between the Juvenile Department, District Attorney's Office, and Youth's Attorney to allow pre-adjudication assessments and necessary treatment for youth. *Lane County recently created an MOU for this purpose and JDIP is creating a template to be made available to other counties.*

## 6. JCP Full Assessment

The professional administering the JCP Assessment form should follow the guidance as described here ([JCP Risk Assessment Instructions](#)) on the OJDDA website. The JCP Full Assessment (Full Assessment) is available in JJIS and a copy can be printed from this [website](#). This assessment bases ratings on a review of file information, a face-to-face interview with the youth, and usually an interview with the parent(s)/guardian(s). In the event the parent(s)/guardian(s) cannot be interviewed, documentation of the circumstances should be provided. The professional administering the Full Assessment should utilize the Parent/Family Questionnaire and Youth Questionnaire to guide the interview and ensure all appropriate information is gathered.

The Full Assessment predicts re-offending for all youth, and for sub-groups of youth (*based on sex, age, race, and risk level*). Thirty of the most predictive and uniformly reliable indicators were used to create a new 30 item risk assessment that includes six scored protective factors\*. In general, the professional administering the Full Assessment should review the juvenile record and other documents prior to interviewing the youth, and all sources of information should be documented. Examples of useful sources of collateral data include information from professionals, prior reports (*school records, employment, legal history, child welfare records*), and other records with information pertinent to the JCP assessment forms. Every effort should be made to complete the Full Assessment form with collateral information in addition to the youth interview.

A thorough review of all available information and verification of self-reported information (*including that pertaining to residence, school and/or training, and employment*) will help ensure rating accuracy. In circumstances where a professional is not able to obtain all information necessary to accurately rate the Full Assessment form during the initial assessment, it should be corrected within 30 to 60 days after the assessment as new information becomes available. A supervisor should approve any corrections. It is important to correct the original Full Assessment form ratings if these were incorrect, rather than to wait for the first re-assessment to correct this information.

Recommended best practices for administration of the Full Assessment include:

**When To Use:**

- Juvenile Departments should have policy, procedure, and standards for administration of Full Assessments.
- The Full Assessment should be administered pre-disposition for all consenting delinquency referred youth.
- An unwillingness or inability by the youth to complete the pre-screen does not mandate formal processing of the youth.
- An initial assessment is completed for new youth or youth who are returning after their case has been closed.
- If court proceedings do not allow for the Full Assessment to be completed or incorporated into the court report to aid in making decisions prior to disposition, the Full Assessment should be completed as soon as possible post-disposition to inform the case plan.
- If a Formal Accountability Agreement (FAA) will be recommended by the prosecutor or youth's attorney, prior to entering into the FAA a Full Assessment should be administered if there will be services recommended.
- If an out-of-home placement will be considered for a youth at the time of disposition.
- The Parent/Family and Youth Questionnaires are used to elicit parent, family, and youth perspectives on the youth's strengths and needs.
- The Full Assessment should include a review of all relevant collateral information and, whenever possible, interviews with collateral contacts.
- When information gathered for the Full Assessment or the Full Assessment results indicate the possible need for another assessment (e.g., *mental health, sex offender, substance use disorder*), the youth should receive a specialized assessment administered by a qualified professional.
- If service recommendations do not align with a youth's risk level and priority need areas, the reason(s) for the override should be documented and approved by a supervisor.
- The risk level of an initial assessment can be adjusted by override. It is recommended that an override be permitted when a youth, in the opinion of the assessor, is at greater or lesser risk than the risk score indicates, or requires a higher level of supervision (e.g., *sex offenders can have low risk scores, but for public safety reasons may require a higher level of supervision than the risk score indicates*). Overrides should be approved by a supervisor and limited to 15% or fewer of Assessments.
- Changes to completed assessments should be documented.

**When To Not Use:**

- The Full Assessment should not be administered if the youth's capacity to complete it is in question. The reason for the exception should be documented in JJIS.

- If a youth's competency is in question, the Full Assessment may not be administered until the court determines the youth has been restored to competency.
- If a delinquency petition has been filed, the Full Assessment should not be administered until the youth has been adjudicated on the petition.

Note: A specialized sex offender assessment instrument should be used to determine a youth's likelihood of recidivism specific to sex crimes.

## 7. JCP Reassessment

Research indicates youth's response to supervision is an important predictor of future behavior. The purpose of the Reassessment is to monitor changes in risk and service/supervision needs.

JCP Reassessment (Reassessment) using the Full Assessment tool should occur at least every six months for youth with an open case. Any major life-changing events (*death, divorce, family member incarceration, major trauma experience, significant school events, commission of a new offense, etc.*) should trigger a possible Reassessment, pending a review with a supervisor to determine whether a Reassessment is in fact necessary. A Reassessment should be completed if there is a motion to vacate the consent decree, a new petition is filed, or there is a question of whether the youth should be removed from the community. The reason for Reassessment should be documented. The final Reassessment should occur at the time of case closure. The results of the final Reassessment should not be the sole determinant for extending supervision.

Response to supervision is an important predictor of future behavior. The purpose of the Reassessment is to monitor changes in risk and service/supervision needs.

Recommended best practices for administration of the Reassessment include:

- Juvenile Departments should have policy, procedure, and standards for the administration of the Reassessment.
- A Reassessment should be administered no later than 180 days from the previous Full Assessment or Reassessment, or whenever a major life-changing event occurs (*death, divorce, family member incarceration, major trauma experience, significant school events, commission of a new offense, etc.*).
- All questions on the initial Full Assessment are also on the Reassessment. Reassessments can be built and based on a prior Assessment, and then updated. A Reassessment should also be linked to the most recent prior Assessment in order for JJIS to perform automated criminal history and other calculations. Instructions for completing the Reassessment can be located at this [website](#).
- A Reassessment should be completed immediately prior to case closure for the purposes of data collection regardless of the timing of the previous Assessment or Reassessment.

- The risk level of a Reassessment can be adjusted by override. It is recommended that an override be permitted when a youth, in the opinion of the assessor, is at greater or lesser risk than the risk score indicates, or requires a higher level of supervision (e.g., *sex offenders can have low risk scores, but for public safety reasons may require a higher level of supervision than the risk score indicates*). Overrides should be approved by a supervisor and limited to 15% or fewer of Assessments.

## 8. Responsible Party

The person responsible for administering the Quick Screens, Full Assessments, and Reassessments will typically be the JCC who is assigned to the youth. However, Juvenile Departments should have policy, procedure, and standards for assignment and administration of Quick Screens, Full Assessments, and Reassessments.

## 9. JCP Risk Assessment Training

Training standards for the JCP Risk Assessment tools are currently determined by each County Juvenile Department according to their policy and procedures and/or OJDDA training standards.

Recommended best practices for JCP Risk Assessment training requirements include:

- Juvenile Departments should have policy, procedure, and standards that outline initial and subsequent training requirements for staff administering JCP Risk Assessment tools which align with the instrument's developer, [NPC Research](#).
- Professionals who administer JCP Risk Assessment tools should only administer these tools after completion of formal training in use of the tools and demonstration of competency in motivational interviewing.
- Professionals who administer JCP Risk Assessment tools should receive training in the following areas:
  - The office policy regarding when and for what cases the initial Assessment and subsequent Reassessments are to be conducted;
  - How the results of the Assessment are to be communicated in pre-disposition and post-disposition reports and used to make recommendations to the court;
  - How the results of the Assessment should be used to select appropriate service referrals, level of supervision for case planning, and ongoing case management.
- Judges and attorneys should receive initial and regular training on the scoring and outcomes of the JCP Risk Assessment tools as they relate to pre-adjudication and post-adjudication court processes.

## **10. JCP Quick Screen and Full Assessment Scoring**

JJIS will automatically compute the number of domains, total JCP score, total risk factors, total protective factors, total mental health indicators, and risk level. The instructions for administering the Quick Screen and Full Assessment scoring can be located at this [website](#).

## **11. Supervision Contact Standards**

Contact standards for youth on probation will be determined by each County Juvenile Department according to their policy and procedures.

## **12. Quality Assurance/ Data Collection/ Inter-rater Reliability**

Ongoing data monitoring and inter-rater reliability tracking is important for ensuring the JCP Quick Screen and Full Assessment are being used in a manner that is consistent among users of the tool and in alignment with the fidelity of the tool. Oregon Youth Authority maintains JCP risk assessment data. Annual statewide training for the JCP Quick Screen and Full Assessment is recommended and should include inter-rater reliability evaluation.

## **13. Post-Disposition Assessment Use**

*Pre-Disposition Reports:* Results of the JCP Quick Screen should be included in the Disposition Report to the Court, or in oral dispositional recommendations in the absence of a written report. Counties which elect not to use the JCP Quick Screen should alternatively include the results of the Full Assessment in the Disposition Report to the Court, or in oral dispositional recommendations in the absence of a written report. This should include the Juvenile Department's determination as to whether the youth is at relatively Low, Medium, or High risk for general re-offending. Reports should also include a summary of the youth's risk/needs factors that contribute to their risk for delinquency and follow statute for protection of youth information and protected health information (PHI).

*Case Plans:* Results of the Full Assessment should be utilized to develop the Case Plan. This involves consideration of risk/needs factors where the youth was rated Medium or High. The youth's level of risk and needs in those areas should be considered in the assignment of services. Higher need and higher risk youth should receive more intensive services whenever possible.

*Reassessments:* If a Reassessment indicates needs have changed (e.g., *some initially high-risk needs have improved*) the Case Plan should be adjusted accordingly (e.g., *once the particular service is completed it should not be replaced with a new service*).

## **14. Juvenile Disposition Report**

See Appendix A - Juvenile Disposition Report.

## 15. Guidance for Use of Juvenile Disposition Report

Results of JCP risk assessments will be included in the Juvenile Disposition Report (Disposition Report) following adjudication. The assigned Juvenile Court Counselor (JCC) should request this auto-generated report from JJIS, add their narrative to the report where indicated, and present the finalized report to the court at least seven days prior to the dispositional hearing.

The Disposition Report was created to assist judges in their dispositional decision making and should **NOT** replace independent judgement.

The Disposition Report contains six primary sections. See below for a brief description of the information that should be included in each section.

1. **Youth Information** – all personal and demographic data.
2. **Assessments** – list of the type and date of JCP assessments and other professional assessments youth has undergone. This should not include screenings completed by the Juvenile Department, other than JCP screenings.
3. **JCP Risk Score & Level** –the youth's numerical risk score and level of risk as Low (0-5), Medium (6-13) or High (14-39) on a scale of 0-39, generated by the JCP assessment tool. JCC should include an explanation for any overrides.
4. **Present Situation** – brief narrative to describe the highest scoring risk domains, why youth is currently before the court, as well as pertinent information to help the court better understand youth's present circumstances.
  - A. Youth Strengths & Protective Factors
  - B. Youth Attitudes, Values, Beliefs
  - C. School/Work Status
  - D. Peer and Other Relationships
  - E. Behavior Issues
  - F. Family Functioning
  - G. Substance Use/Treatment History
  - H. Mental Health/Treatment History
  - I. Identified Developmental Needs and Recommended Supports
  - J. Other
  - K. Response to Supervision
  - L. Victim Notified of Hearing?
  - M. Victim Rights Requested?

5. **Referral History** – list of youth's pending and prior referrals, auto generated by JJIS in table format.
6. **Disposition Recommendations** –The recommended disposition type needs to be selected from the drop-down menu. The options are: *Probation, OYA-CF, OYA-CP, ODHS, Alternative Disposition, Other*. Alternative Disposition should be selected for conditional postponements, FAAs, or other diversion. If Other is selected, the JCC needs to include a written explanation. Other should be used sparingly.

If probation is selected, the JCC needs to list the number of months they are recommending. They should then list the three risk domains with the highest scores on the JCP and list the intervention they recommend for each domain. If the JCC is recommending an intervention/service that is not available in their county, they should describe their plan for youth to access this intervention. They should include in this space any other relevant information regarding their recommendations.

If restitution is being recommended, that should be listed where indicated.

The JCC assigned to the youth should sign the report, and their supervisor should also sign report, indicating they have reviewed the report and agree with the recommendations.

## 16. Additional Guidance

Best practices in use of a risk assessment instrument in dispositional decision making:

- Research on best practices should inform the use of the JCP risk level in dispositional determinations.
- "Dose of services and monitoring should be matched to the risk level and criminogenic needs of the youth."<sup>2</sup> The disposition should be tailored to the areas of risk identified by the JCP assessment.
- Studies show that too much intervention by the juvenile justice system has the unintended effect of increasing recidivism by pulling youth deeper into the juvenile justice system. Formal probation should be limited to youth who pose significant risk to public safety. Diversion and dismissal should be utilized extensively.<sup>3</sup>

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<sup>2</sup> Vincent et al. at 62.

<sup>3</sup> The Annie E. Casey Foundation, Transforming Probation (2018), [aecf-transformingjuvenileprobation-2018.pdf](http://aecf-transformingjuvenileprobation-2018.pdf) (AECF).

- While high-risk youth need more intensive services, “the mere fact that a youth is at high risk does not mean the youth cannot be safely managed in the community.”<sup>4</sup>
- Rather than confining youth or removing them from family because of gaps in community-based services to address a youth’s needs, best practices include targeting efforts toward developing additional services to enhance the community-based setting.<sup>5</sup>

### Strategies to achieve equity for youth of color.

- The JCP has been demonstrated to be a valid predictor of criminal re-referral across different racial and ethnic groups<sup>6</sup> Nevertheless, JCP scores may be higher for youth living in less-resourced families and communities, which tend to have a higher proportion of populations of color. Recognize that the JCP measures the risk of *re-referral*, and “young people’s likelihood of arrest depends heavily on contextual factors — like race and ethnicity, neighborhood and school — that are beyond their control.”<sup>7</sup>
- JCP risk indicators include contextual risk factors that are not based on the youth’s own behavior (e.g., *criminal family member, friends suspended or expelled, there is an adult in youth’s life that youth can talk to, other family dynamics questions*). These contextual factors can result in disproportionate effects.<sup>8</sup> Relevant Oregon data about referral rates can be found in the Racial and Ethnic Disparities Reports.<sup>9</sup>

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<sup>4</sup> Vincent et al. at 61.

<sup>5</sup> See, e.g., Florida Department of Juvenile Justice, *Structured Decision-Making and the Dispositional Matrix*, at [Disposition Matrix Dashboard | Florida Department of Juvenile Justice \(state.fl.us\)](#) (disallowing placement in a residential commitment due to gaps in community-based services, and instead implementing a process to acquire services for the youth). Confinement generally is not cost-effective. AECF at 15. Research shows that it is not effective to use removal from family or confinement as a sanction, particularly for technical violations of probation rules. AECF at 15. Note: national statistics show that more than two-thirds of youth placed in residential custody after a technical violation of probation were youth of color. AECF at 5.

<sup>6</sup> Baird, C., Healy, T., Johnson, K., Bogie, A., Dankert, E., & Scharenbroch, C. A *Comparison of Risk Assessment Instruments in Juvenile Justice*, National Council on Crime and Delinquency 65 (2013), [A Comparison of Risk Assessment Instruments \(ojp.gov\)](#); Tarte, J. M., Mackin, J. R., & Malsch, A. M., [Juvenile Crime Prevention Program Evaluation Summary 2009-11. A report to the Oregon Commission on Children and Families. \(NPC Research: Portland, OR. Feb 2012\)](#). The JCP was last validated in 2011.

<sup>7</sup> AECF at 7.

<sup>8</sup> AECF at 7.

<sup>9</sup> [Oregon Youth Authority : JJIS Annual Reports : JJIS : State of Oregon](#).