

1400 PRE-DISPOSITIONAL INVESTIGATION REPORTS	
Chapter: Juvenile Justice Field Services	Section: Investigations
	New Hampshire Division for Children, Youth and Families Policy Manual Policy Directive: _____ Approved: _____ Effective Date: January 25, 2007 Scheduled Review Date: _____
	John F. Duffy, Acting DJJS Director
Related Statute(s): RSA 169-B ; RSA 169-D ; RSA 169-F ; and RSA 186-C . Related Admin Rule(s): _____ Related Federal Regulation(s): _____	Related Form(s): _____ Bridges' Screen(s) and Attachment(s): _____

The PDI Report is prepared by the assigned JPPO following completion of a pre-dispositional investigation. The PDI Report includes specific recommendations regarding sanctions, services, supervision and case plan. The recommendations are consistent with legal requirements and options, Department of Health and Human Services (DHHS) and Division for Juvenile Justice Services (DJJS) policies, and resource and funding availability. The PDI Report is submitted for consideration by the court at the dispositional hearing. The court uses the PDI Report as a guide in making an informed dispositional decision.

Purpose

This policy establishes the requirements and procedures for juvenile probation and parole officers (JPPOs) to prepare written pre-dispositional investigation reports (PDI Reports) regarding delinquent minors and children in need of services (CHINS) for use by NH courts at the dispositional hearing.

Policy

- I. Report Format: Incorporating the information gathered during the pre-dispositional investigation (see DJJS policy regarding "[Pre-Dispositional Investigation](#)"), the JPPO prepares the PDI Report (template included in NH Bridges). The JPPO follows the instructions listed below for completion of each section of the PDI Report:
 - A. Header: The "header" or "heading" is located at the top of the first page of the PDI Report. The header follows the convention used in legal pleadings of listing venue, case caption and document title. The JPPO enters the required information.
 - B. Reason for Investigation: The JPPO enters a brief chronology and summary of the court proceedings regarding the adjudicated offense being addressed by the PDI Report. The JPPO obtains this information from the court documents.
 - C. Official Statement Regarding Offense: The JPPO enters the official version of the offense from the perspective of the arresting officer, petitioner and/or prosecutor. As pertinent, the JPPO addresses the following in a narrative summary:
 1. Whether the juvenile acted alone or with others;
 2. Whether the juvenile acted as a leader or follower;
 3. Role of participants, and disposition of any adult and juvenile co-defendants;

4. Motivation for the offense (*e.g.*, personal gain, retribution, chemical dependency);
 5. Whether the offense was premeditated or committed on impulse;
 6. Time of day or night the offense was committed;
 7. Whether the offense involved weapons, violence or intoxicants;
 8. Injuries or losses sustained by the victim; and
 9. Recommendations for disposition from the arresting officer, petitioner and/or prosecutor.
- D. Juvenile's Statement Regarding Offense: The JPPO enters a narrative summary of the information obtained from an interview of the juvenile. The JPPO provides the juvenile's account of the offense to include the following, as applicable:
1. Whether the juvenile acted alone or with others;
 2. Whether the juvenile acted as a leader or follower;
 3. History of juvenile's involvement with any co-defendants and victim;
 4. Juvenile's motivation for committing the offense;
 5. Whether the offense was premeditated or committed on impulse;
 6. Time of day or night the offense was committed;
 7. Whether the offense involved weapons, violence or intoxicants;
 8. Attitude about the offense (accepting or minimizing responsibility; boastful or remorseful; denial; *etc.*); and
 9. Juvenile's statement regarding disposition.
- E. Parental Statement Regarding Offense: The JPPO enters a narrative summary of the information obtained from an interview of the juvenile's parents or legal guardian. The JPPO includes the following:
1. Parental statements and opinions regarding their knowledge of the offense for which their child has been adjudicated;
 2. Steps the parents have taken of a preventive or remedial nature in addressing behavioral issues with their child, including the matter before the court; and
 3. Recommendations from the parents for consideration by the court.
- F. Victim Impact Statement: This section is included in all PDI Reports regarding petitions in which the adjudicated offense was a felony, misdemeanor or violation of the criminal code, either delinquency or CHINS, when there is an identifiable victim. *This section is*

inapplicable in PDI Reports regarding offenses in which there is no identifiable victim, such as illegal drug possession, truancy or running away. The JPPO enters a victim impact statement based upon victim input obtained from interviews, telephone conversations or correspondence, and information obtained from written police reports. The JPPO includes information regarding any injuries or losses sustained by the victim resulting from the offense and whether restitution is being sought or appropriate.

- G. Family History: The JPPO enters information describing significant members of the juvenile's family, to include parents, siblings and other household members. As pertinent, the JPPO addresses the following in a narrative summary:
1. Family relationships, resources, strengths and ties;
 2. Marital history;
 3. Health issues, including substance abuse;
 4. Criminal and other legal history, including information regarding domestic violence, domestic disturbances, child abuse or child neglect;
 5. Educational and employment history;
 6. Home and neighborhood conditions; and
 7. Community ties.
- H. Health History: The JPPO enters a narrative summary regarding the juvenile's physical health, mental health and controlled substance use (*i.e.*, alcohol, drugs and tobacco products). If the juvenile was recently evaluated or treated for health-related concerns, the JPPO includes available input from the attending practitioner (physician, therapist, LADAC, *etc.*).
- I. Educational History: Using information obtained from school officials, parents or guardian, and the juvenile, the JPPO enters the educational history of the juvenile. As pertinent, the JPPO provides the following in a narrative summary:
1. Schools attended;
 2. Academic progress including grades, results of standardized achievement testing, and whether the juvenile has repeated or skipped any subjects or classes;
 3. Results of any special education testing or services provided, either presently or previously (see: RSA 186-C, "Special Education");
 4. Attendance record, including patterns of lengthy excused and unexcused absences;
 5. Conduct, including grades, behavioral infractions and disciplinary actions (*e.g.*, detention, suspension, expulsion);
 6. Participation in school-affiliated extracurricular activities, individual or team (*e.g.*, academic competitions, clubs, drama, music, sports, student government, *etc.*);

7. Awards and accomplishments; and
 8. Educational goals for the juvenile.
- J. Employment History: Using information obtained from the juvenile and family members, the JPPO enters information regarding any current and prior paid employment of the juvenile, including full-time, part-time, seasonal, temporary and self-employment. As pertinent, the JPPO provides the following in a narrative summary:
1. Identity of employers;
 2. Positions held;
 3. Rates of pay;
 4. Hours and days worked;
 5. Duration and reasons for termination; and
 6. Career goals for the juvenile.
- K. Hobbies & Activities: The JPPO enters information regarding the juvenile's extracurricular activities *outside* the school setting. As pertinent, the JPPO provides the following in a narrative summary:
1. Hobbies and special interests;
 2. Recreational activities;
 3. Friends and associates;
 4. Memberships (*e.g.*, clubs, scouts);
 5. Individual and team sports (*e.g.*, Little League); and
 6. Community service and other volunteer activities.
- L. Prior Record: As applicable, the JPPO enters the following information regarding the juvenile's prior record:
1. A chronological summary of the juvenile's offense history, including cases handled formally (prosecuted in court) and informally (diversion and other non-judicial dispositions);
 2. Rehabilitative services provided or offered to the juvenile and family through government or private means;
 3. Placement history of the juvenile; and
 4. Level of compliance with prior court orders or diversion contracts.

- M. Summary & Assessment: The JPPO enters a narrative summary and assessment of the significant findings from the investigation. As pertinent, the JPPO addresses the following areas:
1. The risk of harm to self and community posed by the juvenile in view of the present offense, offense history and response to prior interventions;
 2. The impact of the present offense upon the victim and the community;
 3. The age, maturity and sophistication level of the juvenile;
 4. The availability and effectiveness of the family's own strengths and resources in deterring and preventing further delinquent acts or unacceptable behaviors;
 5. The needs of the juvenile and family and their amenability to outside intervention and services;
 6. The appropriateness and costs of available dispositional remedies; and
 7. How a case plan incorporating the proposed disposition will be implemented to attain the goals and outcomes being sought.
- N. Dispositional Recommendations: The JPPO enters specific, itemized recommendations for dispositional consideration by the court. The JPPO makes recommendations that are consistent with legal requirements and options, policy requirements, resource and funding availability, and the facts of the case as determined in the pre-dispositional investigation. The JPPO provides recommendations that include goals and expected outcomes, and specific time frames for attainment. When making dispositional recommendations, the JPPO considers the following:
1. Delinquent Children: Community safety is an important consideration in delinquency dispositions. The JPPO submits dispositional recommendations in delinquency cases that focus upon a balanced and restorative justice approach that includes both appropriate sanctions and remedial interventions (see: RSA 169-B:19, for specific dispositional options). The dispositional recommendations in delinquency cases focus upon interventions, sanctions and services appropriate to the risks, needs and safety concerns identified in the pre-dispositional investigation.
 2. Commitment to DHHS: In a minority of cases, especially regarding chronic, serious and violent juvenile delinquents, the JPPO considers commitment of the juvenile to DHHS at the Sununu Youth Services Center. To fulfill the requirements of District Court Administrative Order DC 95-04, dated May 16, 1995, the JPPO contacts the facility to confirm space availability, and to obtain prior approval from the appropriate facility official for the juvenile's admission to the facility.
 3. Children in Need of Services: It is appropriate in CHINS cases "[t]o recognize that we *must* no longer bring the weight of family problems down on the child alone but that parents *must* be made aware of their contribution to the problem and *must* account for their role in the solution of the problem, and *must* accept the responsibility to participate in any program of care ordered by the court in order to assure that the outcome may have a good probability of success while, at the same time, supporting families in their mission to teach values to youth and to exercise

reasonable control of their children [RSA 169-D:1, II; emphasis added].”
Accordingly, dispositional remedies must require participation by both the juvenile and the parents (see: RSA 169-D:17, for specific dispositional options). The JPPO submits dispositional recommendations in CHINS cases that focus upon interventions and services appropriate to the presenting behavioral concerns before the court and the needs of the family as identified in the pre-dispositional investigation.

- O. Sources: The JPPO lists the sources relied upon for factual information contained in the PDI Report.
- II. Attachments: The JPPO prepares the following forms as indicated:
- A. Youth Information Sheet: The JPPO completes and attaches this document to the front of the PDI Report.
 - B. Financial Planner: As required by RSA 169-B:19, I; RSA 169-D:17, I; and RSA 169-F:3; the JPPO provides the court with dispositional recommendations that include the costs of the recommended services, placements and programs. To meet these statutory requirements, the JPPO completes and attaches this document to the back of the PDI Report.
 - C. NH YDC Eligibility Guidelines Instrument (“YDC” is now known as the “Sununu Youth Services Center”): As required by District and Municipal Court Administrative Order 92-2, dated December 17, 1992, the JPPO completes a “NH YDC Eligibility Guidelines Instrument”. If the court issues a commitment order, a copy of this document accompanies the juvenile to the commitment facility. The JPPO completes and attaches this document to the back of the PDI Report when:
 - 1. The JPPO recommends commitment of a delinquent juvenile to DHHS;
 - 2. The JPPO believes that another party to the proceeding will be recommending that the juvenile be committed to DHHS;
 - 3. The juvenile’s current, adjudicated offense indicates potential commitment eligibility; or
 - 4. The court otherwise requires it.
- III. Supervisory Review: The JPPO reviews the investigative findings and recommendations with the juvenile probation and parole supervisor (JPPS) for assistance or approval in any of the following circumstances:
- A. The juvenile may be placed out-of-state (see DJJS Policy regarding “Out-of-State Residential Placement”);
 - B. The juvenile requires inpatient treatment (hospitalization) to address mental health or substance abuse needs;
 - C. The offense was an extremely violent felony and had significant impact upon the victim or community;
 - D. The offense has received significant media attention or public scrutiny;

- E. Necessary dispositional remedies are inaccessible or prohibitively expensive;
 - F. The juvenile may be committed to DHHS;
 - G. The juvenile may be committed to an adult correctional facility [see: [*In re: Jeffrey C., 146 NH 722 \(2001\)*](#)];
 - H. The JPPO needs supervisory consultation;
 - I. When required by the JPPS; and
 - J. When required by DHHS or DJJS policy.
- IV. Filing of PDI Report: The JPPO adheres to the requirements of RSA 169-B:5-a in delinquency proceedings, and RSA 169-D:4-a in CHINS proceedings: "All reports, evaluations and other records from the department of health and human services, counselors, and guardians ad litem in proceedings under this chapter shall be filed with the court and all other parties at least 5 days prior to any hearing."