

CHAPTER 2:

IMPORTANT TERMS USED IN THIS BOOK

It may be helpful for individuals who are new to the DYS system to review the following important terms and explanations prior to reading the remainder of this book.

Alternative Lockup Program (ALP)

A free-standing facility where a youth may be held during pre-arraignment detention; that is, after arrest and until arraignment. There are both non-secure and hardware secure ALPs. DYS does not run any ALPs. The non-secure ALPs are overseen by the Massachusetts Department of Children and Families (DCF, formerly DSS) which then contracts with service providers to operate the programs. The hardware secure facilities are administered by the Massachusetts Executive Office of Public Safety and Security (EOPSS) which, in turn, contracts with other service providers to run the programs. The conditions in these various programs vary; advocates have been particularly critical of the lack of legal standards for EOPSS-administered ALPs.

Arraignment

The court proceeding during which a youth is read the allegations against him, counsel is appointed if the family is indigent (see entry below), a plea is entered, and bail is set or the child is released with or without conditions.

Assessment unit

The type of DYS secure treatment unit where a youth goes when a bed becomes available upon being committed to DYS to await caseworker assignment, the staffing meeting, and placement. Youth receive an assessment on this unit, which includes review and compilation of family involvement, educational history, prior juvenile record, presence or absence of substance abuse, medical and psychiatric history, and review of risk factors related to offending. This

assessment should be completed in 30 to 45 days of placement within the Assessment Unit. The assessment is then used to develop an individual treatment and service plan and to determine future DYS placements.

Bail

An amount of money that a youth or someone acting for him agrees to deposit with the court to ensure that, if he returns home, he will reappear in court for trial and pre-trial proceedings. If a youth or adult on his behalf deposits funds and then appears at every court date, the money will be refunded.

Care and Protection (C & P) proceeding

A proceeding resulting from a petition filed in juvenile court regarding a child under age 18, alleging that the child is without necessary and proper physical or educational care or discipline, or the child is growing up under conditions damaging to the child's character development, or the child is lacking proper attention of a parent or legal guardian, or the child's parent or legal guardian is unwilling, incompetent, or unavailable to provide such care, discipline or attention. After a hearing (in which the parent or legal guardian has the right to a lawyer), a successful petition may result in the parent or legal guardian's loss of physical and legal custody of the child, the transfer of those custodial rights to the Department of Children and Families, or any other disposition that is in the child's best interests.

Caseworker

The DYS staff person responsible for the case management and community supervision of assigned DYS committed youth. As a youth moves through the DYS system and back into the community, his caseworker stays with him. As the youth transitions, his caseworker should notify the youth's parents or legal guardian of his moves. DYS assigns a caseworker within three days of commitment.

Caseworkers are responsible for overseeing the preparation of case histories, participating in the staffing and classification process, developing individualized treatment plans, scheduling and

conducting periodic case conferences, making appropriate referrals to residential and non-residential programs, assessing readiness for release, monitoring client progress in programs and in the community, and serving as the primary DYS resource for youths and their families.

DYS caseworker assignment is based on the community where a youth lives. Caseworkers work out of DYS District Offices and DYS Satellite Offices (formerly Community Re-entry Centers and Neighborhood Centers). Each caseworker is supervised by a District Manager, who is located in a DYS District Office.

Child in Need of Services (CHINS)

A Juvenile Court procedure for youth who are running away, failing to abide by house rules, not attending school, or breaking school rules. Under this procedure, the youth can be placed under the supervision of the probation department. Some youth with CHINS cases are placed in the care and custody of the Department of Children and Families. In these instances, parents lose physical and legal custody of their child.

Children's Behavioral Health Initiative (CBHI)

A state Executive Office of Health and Human Services interagency initiative whose mission is to strengthen, expand and integrate state children's mental health services into a comprehensive, community-based system of care. The goal of CBHI is to ensure that families and their children with significant behavioral, emotional and mental health needs obtain the services necessary for success in home, school and community.

While CBHI has a broader agenda, the first phase of their agenda is to implement the Court's order in the *Rosie D.* federal lawsuit, which will provide mental health services to children enrolled in MassHealth (the Commonwealth's managed Medicaid Program).

Classification

The process by which DYS determines both the range of time which a youth, once sentenced to commitment to DYS, will spend in secure and residential treatment facilities and where. DYS uses a classification grid, defined below, in determining the time recommendation. DYS administrators, known as a Regional Review Team, make the classification decision at a meeting. In doing so, the Regional Review Team considers the recommendation from the staffing meeting.

Classification grid

A tool DYS uses to determine the length of time a youth will remain in secure treatment facilities and in residential treatment facilities, based on the nature of the offense and other factors (see Staffing below). The grid outlines the minimum and maximum treatment times for every offense. DYS uses the youth's most serious offense when looking to the grid for placement duration. The youth typically will have to do at least the minimum amount of treatment time, and may have to do longer. "Treatment time" does not include time spent in detention or assessment. The DYS classification grid is only a guide for deciding placement duration in a secure treatment facility. There is no legal requirement that its recommendations be imposed.

Clinician

When used in the DYS context, the term is a designation for a job position within DYS. DYS has sought funding to employ licensed mental health clinicians.

Commitment

The status of a juvenile delinquent or youthful offender sentenced by the Juvenile Court to the physical custody or supervision of DYS until age 18 or 21. Parents or legal guardians always maintain legal custody. Committed youth live in secure, residential or community placements.

Committee for Public Counsel Services (CPCS)

The state public defender agency which is responsible for overseeing private attorneys (known as “bar advocates”) who accept court appointments to represent indigent youth within the juvenile justice system. In limited circumstances, lawyers working at CPCS will take these cases. Questions regarding representation may be directed to the Youth Advocacy Department at (617) 445-5640 or Helen Fremont at (617) 482-6212.

Community Clinical Coordinator (CCC)

A staff person employed by a provider agency that contracts with DYS. The primary role of the CCC is to assist DYS casework staff in accessing and maintaining the delivery of behavioral health services identified in a youth’s service delivery and relapse prevention plans. The CCC performs this role by working with service providers, state agency, and DYS staff. The CCC assists in transition planning and helps access community based services. To do so, the CCC is knowledgeable about the Massachusetts Behavioral Health Partnership’s managed care entities/providers and about Children’s Behavioral Health Initiative services in the region. Each DYS region has one CCC. The CCC receives clinical guidance from the region’s DYS Regional Clinical Coordinator to ensure clinical continuity and adherence to the service delivery plan as the youth moves from residential to community placement.

Community Service Agency (CSA)

Local agencies created as a result of the *Rosie D.* lawsuit that provide wrap-around behavioral health services to MassHealth recipients up to age 21 with behavioral health needs. Massachusetts has 32 CSAs. Each CSA is responsible for the cities and towns that match Department of Children and Families Area Office boundaries. Three statewide CSAs serve specific special linguistic and cultural communities (African-American, Latino, Deaf

and Hard of Hearing). Each CSA will conduct comprehensive, home-based assessments, provide intensive care coordination, oversee care planning teams (CPTs), identify services, and, in many cases, provider certain home-based services. CSAs are providers in the MassHealth network and contract with the 5 managed care organizations to serve Medicaid eligible children in its geographic area. CSAs became operational in mid-2009.

Community Services Network

The DYS and DYS contracted staff that serve DYS involved youths released from DYS custody. These staff include Caseworkers, District Managers, Assistant District Managers, Resource Specialists, Site Support Specialists and Clerical Support, all based at DYS District or Satellite Offices. These staff also include regionally-based staff including Directors of Community Services, Provider Contract Managers, Community Clinical Coordinators, Family Intervention Specialists, Educational Liaisons, Apprehension Officers and Substance Abuse Specialists. Certain of these staff (District Manager, Caseworkers, Community Clinical Coordinator, Family Intervention Specialist, Resource Specialist, Site Support Specialist, Education Liaison and Substance Abuse Specialist) comprise a youth's community case management team.

Custody

Control over a child. A parent, guardian or state agency may have physical custody, legal custody, or both. DYS may or may not have physical custody of a youth during commitment. In either case, the parent or legal guardian (for example, the Department of Children and Families) retains legal custody.

Delinquent child

A child, older than age 6 and younger than age 17, who is found to have violated any city ordinance or town by-law or who commits any offense against a Massachusetts law. Seventeen year olds are

considered adults in Massachusetts and are tried in adult court.

Detention

There are two types of detention: pre-arraignment and post-arraignment.

Pre-arraignment detention is the legal status of a youth who has been arrested and is being held until the court is open for an arraignment. Youth subject to pre-arraignment detention cannot be held more than six hours in a police station, so they are sent to pre-arraignment detention facilities known as ALPs or, in Boston, overnight arrest facilities. DYS is not responsible for pre-arraignment detention facilities.

Post-arraignment detention is the legal status of a youth who has been arraigned (charged) in juvenile court and who cannot make the set bail. The youth will remain in post-arraignment detention in a DYS-operated detention facility until he makes bail or until his trial and case disposition.

Department of Early Education and Care (DEEC)

The state agency responsible for licensing and monitoring residential care facilities serving children and adolescents.

Department of Mental Health (DMH)

The state agency responsible for providing clinical, rehabilitative and supportive services to adults with serious mental illness and children and adolescents with serious mental illness or serious emotional disturbance.

Department of Elementary and Secondary Education (DESE)

The state agency responsible for overseeing the state public education system. A division of DESE, Special Education in Institutional Settings (SEIS), provides special education services to youth with disabilities residing in state facilities. DESE does not provide regular education services in DYS facilities; DYS

does. DESE used to be called the Department of Education (DOE).

Department of Children and Families (DCF)

The state agency (formerly the Department of Social Services) responsible for protecting minors who may have been abused or neglected by their parents or guardians. Families can become involved in DCF in three ways:

- formal allegations of child abuse or neglect;
- court-ordered DCF involvement; or
- voluntary request for services.

In some cases, DCF may obtain legal custody of the minor. Such custody may result from a Child in Need of Services (CHINS) Petition, a Care and Protection (C&P) petition, or through guardianship of a minor in probate court. In such cases, DCF acts in the place of the parent, as legal guardian, performing the decision-making function that the parent would ordinarily do. Often DYS committed youth have court-ordered involvement with DCF as a result of a CHINS petition or a C&P order.

Department of Youth Services (DYS)

The state juvenile justice agency. DYS is divided into five regions (Metro, Central, Northeast, Southeast, and Western) which provide a continuum of services for boys and girls, including committed and detained youth sent to DYS from the Juvenile Courts.

Disposition

The sentence imposed in a delinquency or youthful offender case by the Juvenile Court.

District Manager

A DYS staff person who supervises DYS caseworkers and is responsible for the daily operations of a DYS District/Satellite Office. The district manager is responsible for the oversight of service delivery for

all committed youth from an assigned geographic location from commitment through discharge. The district manager also approves revocations of grants of conditional liberty.

District Office

Community-based centers that serve DYS-involved youth who live in the community (residing with a parent, guardian, or foster parent or residing in an independent living program). District Offices are run by DYS and vendors in partnership. The primary purpose of District Offices is to provide youth with the intensive supervision and services in order to function and remain in the community. District Offices do not provide most services directly in-house, but connect youth to services in their communities. This is a shift from DYS' prior community service model, the Community Re-entry Centers, which provided a number of services on site.

District Offices are led by District Managers. District and Satellite Offices also house DYS caseworkers who function as case managers, supervising youth and arranging for the provision of services.

There are 20 DYS District Offices across the state. In some of the 5 DYS regions, DYS also has Satellite Offices which serve the same function as District Offices.

Diversion

The practice of not prosecuting a youth in exchange for his agreement that he will live up to certain conditions. While the youth is not prosecuted, diversion programs may require that the youth admit to the crime before entering the program. Diversion programs in Massachusetts, to the extent that they exist, are operated out of the juvenile court.

Dual Status Youth

The term for a youth who was committed to DYS, was released to the community, and then was re-arrested

for another offense. If such a youth is held on bail in an adult facility, DYS will lodge a “detainer” so that if the youth is able to post bail, he will nonetheless not be allowed to go home, but, instead, will be returned to DYS custody. If, on the other hand, the youth is held on bail in a DYS detention unit, the youth who is able to post bail will be considered for a revocation. If such a youth is then re-committed for the new offense, he will be re-assessed, have another staffing, and be reclassified. The most serious offense will inform the decisions regarding his course of treatment at DYS. The new offense may result in a modification of the treatment response or may alter the treatment mode to focus on a more serious risk.

Education Liaison

An employee of a provider agency that contracts with DYS and is charged with advocating for educational services for DYS involved youth. Liaisons are based at the regional level of DYS; there are at least two liaisons per region. Among other responsibilities, liaisons request educational records for committed youth from local school districts and provide them to appropriate DYS staff, coordinate the activities between DYS and the youth’s local school district, assist youth entitled to special education services in accessing those services, and assist in the transition of youth from DYS back to community educational placements.

Extension of commitment

A process by which DYS used to seek a court order to extend a committed youth’s commitment from age 18 up to age 21, pursuant to Mass. Gen. L. ch. 120, §§ 16-19. In February 2009, the Massachusetts Supreme Judicial Court declared this process unconstitutional.

Extension of time assignment

A process by which DYS may seek to extend the treatment time that DYS has initially assigned to a youth pursuant to the classification grid.

Family Intervention Specialist

DYS staff persons that assist DYS caseworkers in identifying strategies for engaging youths' families to reduce youth recidivism, improve family relationships, and pursue educational, employment and treatment outcomes. The specialist's role may include direct family contact. There is one Family Intervention Specialist in each DYS region.

Graduated sanctions

A system of immediate and intermediate sanctions used at DYS District and Satellite Offices to address non-compliant behavior by DYS involved youth. Sanctions imposed vary depending on severity of violation, number and severity of prior violations, presence of other risk factors, and public safety. Youth are subject to more restrictive sanctions if there are repeated violations.

Grand Jury

A group usually consisting of 23 citizens that hears complaints and accusations in criminal cases committed within its jurisdiction, determines if such cases contain sufficient evidence to proceed with a trial, and issues indictments when the jury finds it necessary for a trial to take place.

Grant of Conditional Liberty (GCL)

A written agreement signed by DYS and a youth committed to DYS establishing a set of rules of conduct that the youth must follow in exchange for being allowed to leave a DYS secure program and being placed instead in a residential or community placement, such as a residential or community program or at home. If the youth violates any of these rules, DYS can increase the level of supervision or revoke the youth's liberty.

Grid level

The level (1-7) assigned to a committed youth

which corresponds with the severity of the offense that resulted in the commitment to DYS. Grid levels have a corresponding minimum treatment time recommendation at DYS. See also “classification grid.”

Group worker

The title for the DYS staff persons working with youth in DYS programs. There are three levels of group workers. Group worker 1 applies to line staff. Group worker 2 applies to Shift Supervisors. Group worker 3 applies to Shift Administrators. All three perform direct care of juveniles.

Health Care Team

A team which may include a Physician, Physician Assistant, Nurse Practitioner, Licensed Practical Nurse, Registered Nurse, Dentist and any medical specialist involved in the client’s health care. The team also may include the DYS Director of Health Services, the DYS Region’s HIV Educator, and the youth’s clinician on the unit.

Indigent

An individual or household found to be significantly poor or needy and unable to pay the costs of a proceeding. In this case, a public defender or other attorney must be appointed by the court.

Individualized Education Program (IEP)

A written plan that must be developed through a process overseen by the youth’s local school district for each youth found eligible for special education. The plan must describe what special educational services and accommodations a youth will receive. The plan must be developed by an education team composed of individuals with knowledge of the youth and must include, among others, schools officials and parents or legal guardians. Schools are required to provide any services contained in an IEP.

Juvenile Court

The state court hearing all juvenile matters involving juveniles, as well as certain cases involving child welfare regarding abuse, neglect and related custody issues, or children in need of services (CHINS). There are 11 divisions of the court, in Barnstable, Berkshire, Bristol, Essex, Franklin/Hampshire, Hampden, Middlesex, Norfolk, Plymouth, Suffolk and Worcester counties. The majority of courts have juvenile judges. However, in some locations, adult court judges handle juvenile matters.

Juvenile Court Clinic

Clinics, located in the Juvenile Court, that employ trained mental health professionals to conduct individual and family psychosocial, psychological and psychiatric evaluations of court-involved youth at the request of the court. The clinics are operated by vendors who are accountable to the Department of Mental Health and the Massachusetts Trial Court. These evaluations are not confidential and any information provided may be disclosed to the court.

Level of community supervision

The level of supervision that a DYS-committed youth residing in the community is assigned at a DYS District or Satellite Office, ranging from a high of four to a low of one. The higher the level assigned, the more intense DYS's supervision. This system operates using a combination of graduated sanctions, supervision, interventions and treatment.

Magistrate hearing

A hearing conducted by an Assistant Clerk Magistrate or Clerk Magistrate to determine whether a juvenile, typically who has not been arrested, and who is accused of a crime should have charges issued against him. Youths are not entitled to a lawyer for these hearings, but can bring their own. These hearings offer the opportunity for the resolution of the

matter short of formal charges.

Placement

The secure, residential or community placement in which DYS puts a youth.

Positive Youth Development (PYD)

An approach to rehabilitation, used by DYS, that emphasizes and builds on the strengths of the individual and his family, PYD calls for a network of community services (the Community Services Network) for its success.

Probation

A court-ordered status of court supervision in the community. This status may be ordered either pre-trial or upon adjudication of delinquency. The youth is allowed to remain in the community and must follow agreed-upon rules, such as reporting to the probation officer, attending school, and complying with a curfew.

Probation Officer (PO)

The public employee who monitors persons placed on probation. Probation officers assigned to the Juvenile Court supervise delinquency, youthful offenders, and neglect and abuse and Children in Need of Services (CHINS) cases. Probation Officers work for the Office of the Commissioner of Probation, a department of the Massachusetts Trial Court.

Program Director

The title for the head of a DYS program. Each program also has an Assistant Program Director. In addition, each program will have a Clinical Director.

Reception

The place within DYS where youth go immediately after they have been found delinquent. These units are now typically called Intake Units.

Regional Clinical Coordinator

A DYS staff person responsible for overseeing the clinical care of youths in a DYS region. There is one Regional Clinical Coordinator per DYS region.

Regional Director

DYS staff person charged with supervising one of the five DYS geographic regions: Central, Metro, Northeast, Southeast or Western. If a youth's parent or legal guardian has concerns that aren't being addressed by DYS staff working with a youth, he or she should bring the concerns to the Regional Director. A list of DYS regional offices is included in the Resource Guide at the end of this book.

Regional Review Team (RRT)

An administrative body in each DYS region composed of at least three DYS Senior Managers. The Regional Director of Operations chairs the RRT and the Regional Clinical Coordinator is considered a standing member. The RRT decides, among other things, appropriate classification (grid level, placement and anticipated time assignment) for newly committed youth or recommitted youth, as well as youth escalated to the RRT via the revocation process. Specifically, RRTs consider the recommendations developed at the staffing meeting for the youth regarding duration of treatment and placement, and accept or modify these recommendations. RRT decisions are made based on the following factors: caseworker recommendation; treatment required to reduce risk factors and the chances of recidivism; grid level; risk to public safety; and any other remarkable mitigating or aggravating factors. RRTs also approve all grid level deviation requests and extension of time assignments requests.

Relapse Prevention Plan

A DYS plan that DYS and a committed youth develop before the youth transitions back into the community

from a residential facility. The plan is designed to raise the youth's awareness of pressures and forces that got the youth into trouble in the first place and help the youth create ways to avoid or cope with them.

Resource Specialist

DYS staff persons based in DYS District and Satellite Offices who provide assistance to DYS caseworkers and other staff as they seek to identify clinical, family and other services for DYS involved youth. To fulfill this role, the specialists establish relationships with local community partners and state agencies/benefits providers.

Revocation

A process by which an impartial hearing officer revokes the grant of conditional liberty of a youth in the community (for violation of a provision or provision of that grant).

Revocation hearing

A hearing, presided over by an impartial hearing officer, to consider revoking a grant of conditional liberty for the youth's alleged violation of terms of that agreement. At the hearing, a hearing officer appointed by DYS evaluates and acts upon DYS' request to revoke the grant. A youth is not entitled to have an attorney appointed, but may bring one to the hearing. A parent also may be present. The hearing officer may impose one of the following options at disposition: no violation; return to custody for a certain period of time; take under advisement; or escalate to Regional Review Team postponement or continuance. The youth has a right to an appeal.

Rosie D. v. Patrick

Rosie D. is a class action federal court lawsuit that sought to compel the Commonwealth of Massachusetts to provide intensive home-based mental health services to individuals under age 21 with serious emotional disturbance, pursuant

to the federal Medicaid Act. Under the Act's Early Prevention, Screening, Diagnosis and Treatment (EPSDT) mandate, all states must screen eligible children, diagnose conditions found, and furnish appropriate treatment to correct or ameliorate physical and mental health issues (promptly and for as long as is needed). The outcome of the suit, by order issued in 2006, was that Massachusetts had to comply with this mandate. A remedial plan, issued in February 2007, sought to restructure the children's mental health system by incorporating intensive, home-based services, including behavioral health screenings, assessments, case management, crisis intervention, and in-home therapy supports. As youth confined to DYS are enrolled in MassHealth, they should benefit from this new service system, should they experience behavioral health issues.

Satellite Office

Community-based centers in some DYS regions that serve DYS involved youth who live in the community (residing with a parent, guardian, or foster parent or residing in an independent living program). Satellite Offices are run by DYS and vendors in partnership. The primary purpose of Satellite Offices is to provide youth with the intensive supervision and services in order to function and remain in the community. Like District Offices, Satellite Offices house DYS caseworkers who supervise youth and arrange for the provision of services. These caseworkers are supervised by DYS District Managers, located in DYS District Offices. There are 9 DYS Satellite Offices across the state.

Service delivery plan

An individualized, written plan that contains a brief assessment of a committed youth's needs in the community and DYS's plan for delivering services to address those needs. The plan is first developed at the youth's staffing. When a youth is in the community, his service delivery plan must be updated at least every six months or with every change in placement or level change. DYS committed youth also

have a Relapse Prevention Plan.

Special Education in Institutional Settings (SEIS)

A division of the state Department of Elementary and Secondary Education responsible for providing special education services to youth with disabilities residing in state facilities operated by the Departments of Mental Health, Public Health, and Youth Services, and in county correctional facilities. Previously called Educational Services in Institutional Settings (ESIS).

Staffing

The name for DYS's formal case conferences. There are various types of staffings that a youth may experience. The purpose of all DYS staffings is to provide a forum for open discussion regarding a youth's needs, which will be addressed in his service delivery plan.

One type of staffing is an **initial staffing** which occurs for newly committed youth at the assessment unit in order to determine the youth's needs. At the staffing, the youth's case history will be presented and the team will develop a recommendation for a range of time which a committed youth should spend in secure and residential treatment facilities and identify potential placement locations. The recommendation regarding duration of confinement is largely guided by DYS's classification grid, with consideration of risk to public safety and any other mitigating or aggravating factors. After the staffing, the Regional Review Team considers this recommendation in determining the youth's classification.

Another type of staffing is a **review staffing**, which occurs when a committed youth is recommitted to DYS. The review staffing is used to revise the service delivery plan. A review staffing may occur at any other time to re-evaluate a youth's service delivery plan. A review staffing shall occur every six months at a minimum or at change of placement. A review staffing is convened by the caseworker.

Another type of staffing is an ***emergency staffing***, which is held when there is an urgent matter regarding the youth to address. An emergency staffing is convened by the caseworker.

Another type of staffing is an ***administrative staffing***. An administrative staffing is scheduled with the DYS Regional Administration in order to review a case without the youth or parent present. It is most commonly used for cases with special circumstances that need to be discussed and may alter a youth's service delivery plan.

Another type of staffing is a ***transfer staffing/inter-regional transfer***. A transfer staffing is held for any committed youth whose parent or legal guardian has moved from one DYS region to another.

Status offense

A term that once referred to an act that was a violation of the law only when committed by a juvenile, such as running away and truancy. These acts have now been decriminalized and now constitute the basis for a CHINS petition. Youths cannot end up in the DYS system for having committed these acts.

Teaching Coordinator

A DYS provider employee in each program who oversees on-site education services and teacher staff development.

Treatment plan

An individualized plan first developed for a youth at the initial staffing containing an assessment of a youth's needs, measurable short and long term goals and objectives, and the methods to be used to reach these objectives at the youth's program. Over time, the program develops and a licensed clinician approves the plan.

Treatment unit

A DYS unit where youths committed to DYS receive treatment. A youth is placed on a treatment unit after a stay on an assessment unit. Youths on treatment units meet the “treatment time” obligations set by the Regional Review Team.

Youthful Offender

A youth indicted by a prosecutor for a qualifying reason and adjudicated as a youthful offender after trial or plea. Youthful offenders may be committed to DYS to age 21, may receive any sentence to which an adult may be sentenced for the same offense, or may be committed to DYS to age 21 with concurrent adult probation and/or an adult suspended sentence.