

# JDAI News

Newsletter of the Juvenile Detention Alternatives Initiative

September 2008

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## Crisis = Opportunity

Indianapolis was a juvenile justice system in crisis. Operating under long-standing policies and practices, the detention facility was chronically overcrowded.

According to a 2006 National Partnership of Juvenile Services report, the Marion County Juvenile Detention Center was dirty, chaotic, over its capacity and unsafe for children.

That same year a Marion County grand jury investigation brought 52 indictments for sex abuse against 11 staff members and the center's superintendent. All but one of the charges were eventually dropped and the superintendent was exonerated.

In response to the sexual misconduct charges, the U.S. Department of Justice opened an investigation, pursuant to the Civil Rights of Institutionalized Persons Act (CRIPA), into conditions within the detention center. In 2007, the Justice Department concluded that "certain conditions violate the constitutional rights of the youth ... youth confined are not adequately protected from harm ... and deficiencies in the areas of fire safety, general sanitation, and general safety pose a significant risk of disease and injury to youth and staff."

Following a sustained and rigorous effort by local detention and court personnel to improve conditions and reduce the facility's population, DOJ and the Marion County Superior Court reached a settlement agreement in April 2008. It requires three years of federal monitoring.

Changes in leadership, a public scandal and radical reductions in the detention



*Marilyn A. Moores, presiding judge,  
Marion Superior Court, Juvenile Division*

population all contributed to a system-wide transformation, turning a once-troubled jurisdiction into a model for the nation.

Gael Deppert, a former juvenile court public defender serving as the Indianapolis JDAI coordinator, said the overwhelming amount of attention paid to what was going on in the detention facility was a good thing.

"All the negative stuff in the press actually turned into a plus-positive for Indianapolis. It led to a sense of urgency and motivation for change," Deppert said.

Marilyn A. Moores took over as presiding judge of the Marion Superior Court, Juvenile Division in 2005. Soon after, the Annie E. Casey Foundation awarded its first grant to Marion County and a newly formed JDAI executive committee began work on reducing the detention population.

*continued on page 3*

*Excerpted from a speech at the inaugural state-wide JDAI conference in Massachusetts.*

## Why is JDAI so hard?

**O**n its most obvious level, JDAI seeks to rationalize the use of detention, to ensure that the right kids – but only the right kids – are detained. Over the years, and throughout the country, sites have proven that a more rational use of detention means fewer kids detained. They have also proven that kids do better if we keep them at home and out of institutions. JDAI doesn't seek to reduce unnecessary or inappropriate detention for its own sake, but because its indiscriminate use has such profound consequences for both youth development and public safety.

Given these laudable ambitions, which most people embrace, why is it such a trying journey from the concepts of detention reform to actual implementation? I suggest it's hard because JDAI rests upon two notions that are really quite different from most reform endeavors.

First, JDAI is genuinely about limiting incarceration. In America, perhaps more than any other country, we believe that locking people up – or threatening to do so – is what saves us from bedlam in the streets. A reform initiative premised on the notion that we are inappropriately or unnecessarily jailing kids, therefore, smacks right into the face of this basic belief. It confronts the systemic status quo as directly as possible. And as difficult as confronting the incarceration-equals-public-safety myth has always been, it's harder now than ever. Why?

Quite simply, as the collective complexion of inmates, detainees and probationers has gotten darker and darker, the debate regarding our nation's

addiction to incarceration has become harder to wage. Today, the issues of incarceration and race are inextricably linked, making real change twice as hard. Consider this: Would the laws, policies and practices that drive detention be so resistant to change if the kids in question were not overwhelmingly poor children of color?

So, detention reform is hard because it takes on a sacred cow (our addiction to incarceration) and, in so doing, speaks directly for the rights and interests of a powerless, disadvantaged, disliked minority. That's hard!

And there is a second fundamental notion embedded in JDAI that makes detention reform hard: It's about changing adult behavior!

Our use of detention is largely driven by policy and practice. That is, adults determine our detention destiny as much, if not more, than youth. Adults decide who does or doesn't get admitted to secure custody and adults determine how long youth spend in confinement. JDAI is premised on the belief that the behavior of the adults who manage and work in the system must change if we are to make progress.

This notion – that reform begins with changing adult behavior – is radically different from most juvenile justice initiatives, which typically focus on changing youth behavior, as is the case with projects like drug courts, boot camps or assessment centers.

So, to the extent that your JDAI work has caused anxiety, even anger ... to the extent that you have been frustrated or perplexed ... to the extent that you want to shake whoever makes you talk about stuff that is complicated or sensitive or confusing ... to that extent, let me say you are probably right on target in terms of progress, because if this isn't hard, you probably aren't doing it.

If you are not being challenged to change your policies, practices and your individual actions, you are not doing it. If you are not at least occasionally embarrassed explaining this or that aspect of practice, you are not doing it. If you are not getting criticized, you are not doing it. Indeed, if you don't routinely have a stomach ache, you are probably not really doing detention reform because stomach aches and challenging or changing the status quo go hand in hand. Believe me, I personally sustain Maalox's market share!

Why, then, should you all subject yourself to this? Would you like to detain fewer kids and also improve re-arrest, failure-to-appear and recidivism rates? Would you like to safely reduce commitments? Would you like to focus probation supervision on kids most at risk? Would you like to reduce racial disparities and build partnerships with families and communities of color so kids of color have more opportunities? Would you like to re-invest public dollars from costly, unhealthy, abusive institutions to community-based services? Would you ultimately like to do more than reduce the harm the system so often does and, instead, actually help these kids – with their terrible odds of adult success – to do better?

If you wish for these things – and that's why most of you got involved with children's services in the first place – then hang tough. Stay at the table. Be honest. Be self-critical. Rely on the data. Insist on reaching high, out of the box, for the impossible. It is your most lofty ambitions you seek to fulfill here; that's why it's so damn hard, but it's also why there's no alternative.

Bart Lubow

*continued from page 1*

In a little more than two years, Indianapolis overhauled its juvenile justice system.

One of the executive committee's first tasks was to revise the risk-assessment instrument. Consensus was not reached until extensive field testing of the new instrument was completed.

Dr. William Barton, professor of social work at Indiana University, volunteered his time and talent to the process, providing the group with expertise and leadership.

Among the skeptics was Gary Chavers, a 22-year veteran of the Marion County Prosecutor's Office who was then serving as supervising attorney in the juvenile division. (In 2007, Chavers was appointed magistrate by the Marion Juvenile Court.)



*Marion County Juvenile Court Magistrate Gary Chavers*

Chavers took an active interest in the development and testing of the new instrument. He unpacked the individual case files of more than 80 youth who were destined for detention under the old guidelines but were candidates for release or release with conditions under the newly designed criteria.

"It was an eye-opener for me," Chavers said. "Quite frankly, I didn't expect the result we got."

## Indianapolis Reforms

- Developed guiding principles for the use of detention.
- Developed, piloted and implemented consensus-built risk-assessment instrument.
- Eliminated automatic detention for certain warrants.
- Developed and implemented probation sanctions grid.
- Created detention review team to meet weekly and recommend cases for earlier release based on changed circumstances.
- Expanded public defender representation to all youth in secure detention awaiting initial hearing.
- Established Initial Hearing Court based on "best interest of child or community."
- Expanded alternatives to secure detention including: Reception Center, Day Reporting, Parental Supervision, Community Supervision, Electronic Monitoring and a Reception, Assessment and Intervention Center.

"Seventy-seven out of 80 youth headed for detention turned out not to present a risk to public safety," he added. "I found myself agreeing with the results of the new instrument in almost every case."

Once Chavers concluded that there was no reason to oppose release for these kids, he helped convince the remaining skeptics in law enforcement and the prosecutor's office.

The final result, Deppert said, was a "fairly dramatic" decline in population. "We began resisting the urge to detain low-risk kids and focused our energies on detaining only those that were a risk to our public safety," she said.

A follow-up study by Barton and colleague Dr. Roger Jarjoura concluded that Indianapolis' risk instrument had failure-to-appear and re-arrest rates of less than 10 percent.

Overall, detention admissions fell by 60 percent between 2004 and 2007, from 5,606 to only 2,214.

Chronic overcrowding at the 144-bed facility was also affected. In 2004 the average daily population was 171, but by 2008 Indianapolis had reduced its ADP to 98 – a reduction of more than 40 percent.

Indianapolis was taking its responsibility as gatekeeper very seriously.

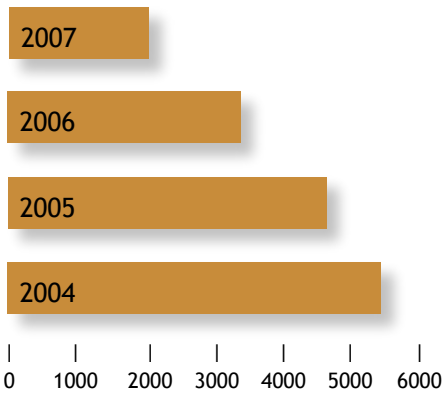
In 2007 Judge Moores initiated a review of all petitions to determine if the filing of each petition is in the best interest of the child and/or the public.

To stem the tide of school-based referrals, the Marion County Juvenile Court began applying a rare and unusual law that has been on the books for years.

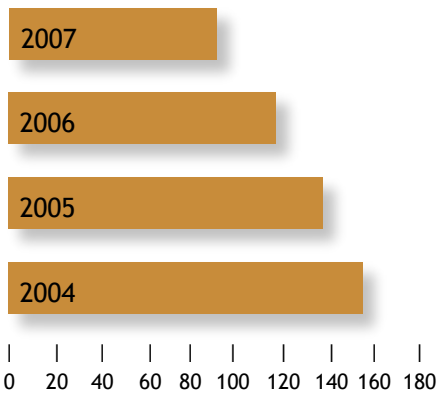
The Indiana statute provides a two-prong determination for the filing of a delinquency petition by juvenile court, allowing a court to reject a petition that meets probable cause but is not seen as in the best interest of the child or the public.

In its first year, the county's newly formed Initial Hearing Court, charged with ruling on all delinquency peti-

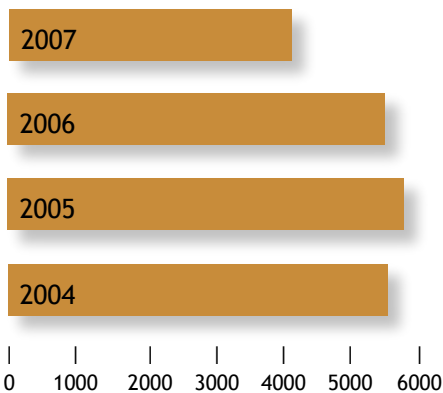
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Marion County, Ind. Admissions to Detention Reduced by 60 Percent



Marion County, Ind. Average Population Reduced by 40 Percent



Marion County, Ind. Probation Violations Reduced by 25 Percent

tions on that two-part basis, refused to approve the filing of 422 petitions (4 percent). Of those rejections, approximately 40 percent were school-related referrals. (For more information see the January 2008 JDAI News.)

Despite operating under a federal consent decree, Marion County was moving forward with its juvenile detention reform.

Key personnel participated in visits to the JDAI model sites in Portland (Multnomah County), Ore., and Albuquerque (Bernalillo County), N.M.

A federal grant from the Indiana Criminal Justice Institute was used to pilot a local reception center, modeled on Multnomah County, that provided police officers an alternative to detaining misdemeanants and status offenders. Based on a needs assessment, center staff provide case management services and non-residential resources for youth in the midst of family difficulties or in need of crisis intervention.

In its first year, Indianapolis diverted 12 percent of youth who would have otherwise been referred to juvenile court and saw a 27 percent decrease in misdemeanors filed with the court. The program served 750 youth in its first nine months of operation.

Indianapolis also implemented a day reporting and supervision program for expelled or suspended youth who would have otherwise been detained. Overall, 90 percent of the youth have appeared for hearings and 85 percent did not re-offend. Six youth were diverted from residential treatment, saving the county almost \$500,000.

Indianapolis also adopted a probation sanctions grid that has resulted in a 25 percent reduction in probation violations.



Christina Ball, juvenile chief probation officer

Rather than automatically referring cases to court, probation officers were given authority to order alternative sanctions, such as parent-monitored curfew, referral to a substance abuse program or increased drug-testing frequency.

Christina Ball, Marion County's chief juvenile probation officer, said the change reflects a philosophical shift away from a system that was punitive in nature.

"The probation sanctions gave probation officers additional options and discretion," she said. "The responses are more immediate because the youth does not have to wait for court to resolve the matter."

Recently, JDAI Indianapolis presented its results to the Indiana Commission on Disproportionality in Youth Services. The commission is in the process of recommending to the Indiana governor and the Indiana General Assembly that JDAI be implemented statewide as a proven, practical tool for system transformation.

For more information contact Gael Deppert at [Gdeppert@Indygov.org](mailto:Gdeppert@Indygov.org).

## New Program to Grow and Strengthen JDAI Leaders



*2008 Applied Leadership Network Team*

As JDAI expands to 100-plus sites across the nation, the Casey Foundation recognized that effective and influential leaders – committed to juvenile detention reform as a means to achieving significant system reform in juvenile justice – are needed to accelerate and sustain achievements.

Consequently, it established the JDAI Applied Leadership Network in 2008 as a vehicle to enhance the knowledge, skills and capabilities of key individuals now working within the JDAI sites, using primarily a peer and collaborative learning model.

That model will be guided and informed by a faculty knowledgeable in leadership development and in the subject area of juvenile justice.

Network members will attend five seminars over the course of a year and com-

plete a reform-based project.

The foundation hopes the program will “grow” highly skilled, visionary leaders working to strengthen and transform the juvenile justice system.

The inaugural class members are:

### **Central & Eastern Oregon**

- Molly Rogers, director, Wasco County Department of Youth Services
- Jeff Justesen, detention manager, Wasco County Department of Youth Services

### **Dallas County, Texas**

- Michael Griffiths, juvenile services director, Dallas County Juvenile Department.
- Barbara Roberts, deputy director of institutional services, Dallas County Juvenile Department

### **Greene County, Missouri**

- Susan Cox, probation and field services director, 31st Judicial Circuit
- DeShane Reed, assistant superintendent of detention, 31st Judicial Circuit

### **Indianapolis, Indiana**

- Gary Chavers, magistrate, Marion County Superior Court, Juvenile

Division

- Christina Ball, chief juvenile probation officer, Marion County Superior Court Probation Department

### **New Jersey**

- Lisa Macaluso, director of local programs and services, New Jersey Juvenile Justice Commission
- Andrea McCoy Johnson, deputy chief assistant prosecutor, Essex County

### **Norfolk, Virginia**

- Claudette Overton, director, Norfolk Court Services Unit
- Antonio Sutton, deputy director, Norfolk Court Services Unit

### **Washoe County, Nevada**

- Michael Pomi, director, Washoe County Juvenile Services
- Elizabeth Florez, program manager, Washoe County Juvenile Services

Gail D. Mumford, senior associate with JDAI, and Barbara Squires, senior fellow with the leadership development unit, are the core foundation staff managing the program.

*For more information contact Gail D. Mumford at [gnumford@aecf.org](mailto:gnumford@aecf.org).*

## Minnesota Sites Lower Average Daily Population

Three Minnesota counties have lowered their detention populations after adopting JDAI practices.

A small facility in Dakota County that averaged 35 youth per day in 2005 has averaged 21 in 2008, a reduction of 40 percent.

Al Godfrey, former deputy director of community corrections in Dakota County, said that because of JDAI’s comprehensive and aggressive efforts, Minnesota will likely avoid costly new construction for deten-

tion beds while also improving services for youth.

Frank Hosch, deputy director of community corrections in Ramsey County, said greater scrutiny of who is being detained has significantly impacted the detention population.

“We rely heavily on data and try not to detain young people who pose no risk to public safety,” Hosch said.

In 2005 the average daily population in Ramsey’s juvenile detention center was

89. The rated capacity was 85. In 2008, daily population averaged 56, a reduction of 37 percent.

The JDAI stakeholders in Minnesota hope their reform efforts will also help address ethnic and racial disparities. A recent report found that 17 percent of youth in Minnesota are youth of color, yet 80 percent of youth in detention are African American and Native American.

*For more information contact Angelique Kedem at [Kedem@mncounties.org](mailto:Kedem@mncounties.org).*

### New Missouri Evening Reporting Center

An evening reporting center opened in Greene County, Mo. The program allows youth to be under court supervision while continuing to reside at home and attend school and attend school pending a hearing.

Perry Epperly, Greene County chief juvenile officer, said the 20-day program is open from 4 p.m. to 8 p.m. and is

designed to serve youth 13 to 16.

“This program is meant for low- and medium-risk youth,” Epperly said. “We want to offer them an alternative to secure detention, while at the same time promote public safety by teaching these youth personal responsibility and accountability for their behavior.”

Greene County’s objective is to keep youth off the streets during the hours teens are most likely to commit crimes. The program offers life-skill and anger management classes and education about substance abuse, nutrition and money management.

*For more information contact Perry Epperly at [perry.epperly@courts.mo.gov](mailto:perry.epperly@courts.mo.gov).*

### Detention Population in Kansas City Reduced by 66 Percent

Having completed its second year as a JDAI site, Jackson County (Kansas City), Mo., is no longer faced with the possibility of replacing its current facility with a larger detention center.

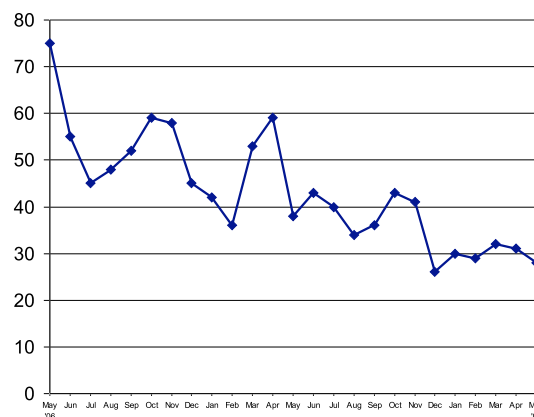
Following years of operating over its capacity, Jackson County lowered its average daily population by more than half. In May 2006, there were 75 youth in a facility designed for 68. In May 2008, the facility housed 26 youth.

Jackson County JDAI coordinator Denny Atherton said this level of sustained reduction in population has not been seen for at least 16 years and, as a result, the county has shelved all plans to expand the facility.

“We have reduced the average daily population each year since becoming a JDAI site, and this May we had the lowest average population in at least two decades,” Atherton said.

“Not only have we shrunk our facility, we have also lowered our overall operating costs substantially.”

The county was able to achieve these results through re-defining the purpose of detention, engaging the community as stakeholders, developing non-secure alternative programs and implementing standardized decision-making protocols.



*Jackson County, MO. Average Daily Population (April 2006 – May 2008)*

*For more information contact Denny Atherton at [denny.atherton@courts.mo.gov](mailto:denny.atherton@courts.mo.gov).*

### Detention Reformers Gather in Massachusetts for Inaugural Conference

State and county officials and representatives from police departments, schools and youth-serving organizations gathered for the Massachusetts Department of Youth Services’ (DYS) first statewide JDAI Conference on June 6, 2008.

The goal of the conference was to further educate juvenile justice system stakeholders and partner agencies about detention reform.

The Honorable Martha P. Grace, chief justice of the Massachusetts Juvenile Court, and DYS Commissioner Jane E. Tewksbury welcomed conference attendees.

Barry Holman, director of quality assurance at the Department of Youth Rehabilitation Services in Washington, D.C., gave the keynote address. Holman presented findings from the

growing body of research on the negative outcomes for youth in detention.

Experienced practitioners from JDAI sites across the country brought their expertise to Massachusetts.

Scott Reiner, program development manager at the Virginia Department of Juvenile Justice, spoke about the challenges and experience of developing



*Massachusetts Department of Youth Services Commissioner Jane E. Tewksbury and Brookline Police Department Capt. Michael Gropman*

and implementing a risk screening tool to guide detention decision-making; Jennifer Lebaron, senior research asso-

ciate at the New Jersey Juvenile Justice Commission, illustrated the role of data in system diagnosis and solution devel-

opment; and Joanne Fuller, director of the Multnomah County Department of Human Services in Oregon, highlighted strategies to reduce disproportionate minority confinement, drawing on her experience as the former director of a JDAI model site.

Bart Lubow, director of programs for high-risk youth at the Casey Foundation, presented the luncheon address. He acknowledged that the work required to reform juvenile systems is hard, and often feels uncomfortable. He pointed out that changing behavior and the culture of juvenile justice systems is always a challenge but also necessary in order to improve outcomes for youth.

*For more information contact Amy Seeherman at [Amy.Seeherman@state.ma.us](mailto:Amy.Seeherman@state.ma.us).*

## 'Beat Within' Travels to Bernalillo, New Mexico

"The Beat Within" is a weekly magazine that publishes the writing and art of incarcerated youth in California, Arizona and New Mexico. Detained youth write about their life experiences and are encouraged to express their true feelings. As a result they improve their own reading and writing skills, develop empathy for one another and build a more positive self-image.

Weekly writing workshops have been underway in the Bernalillo County (Albuquerque, N.M.) Juvenile Detention Center for about a year.

Steve Serna, a youth program officer turned "Beat Within" coordinator, is a writer himself. Initially reluctant to take on additional work, he became intrigued after reading the magazine. He is now a convert and a champion of the workshops, encouraging youth to join soon after they arrive at the detention center. "I have seen firsthand how this program

has changed my attitude and that of other staff toward kids in detention," Serna said.

"As we listen to their voices and read their words, we begin to see them for who they are – individuals. It helps us feel connected to one another. I would have to say that there are many benefits on all different levels."

Following a recent site visit, "Beat Within" staff complimented the JDAI site: "We were impressed with the progressive attitudes, affection for the kids and embrace of 'The Beat' as a meaningful program," said Patricia Johnson, director of the California Council on Youth Relations, a sister project to "The Beat." "Steve does an awesome job in maintaining respect and encouraging thoughtful contributions from the young writers," Johnson added. "In the session we were a part of, every young person wrote at least a couple pieces. And then, on the follow-

ing day, the young people stepped up and read their pieces at a facility-wide assembly. Very courageous!"

Recently published work by Bernalillo County youth tackled the question of hope:

**God Gives Me Hope:** *What gives me hope is, God, when shhh gets hard I pray. I try to go to church as much as possible, and also my daughter she gives me more hope then anything else. When it seems like I don't have anything, at least I still got her, and even when shhh get hard I know I have to do for her. It doesn't really give me hope, but I like to listen to music it calms me down. -Kalee*

**Outside Support:** *What gives me hope is when my family answers my calls. They make me feel like they'll pick me up when ever I fall. When I get mad because I'm in a bad situation they tell me to calm down, and I got to be patient. The only thing that keeps me stable and motivated is their words and their voices. They give me advice on what I should do so I could pick*

## JDAI SITE UPDATES

*the right choice. They keep me informed on what's really going on, looking after my son since his daddy's not at home. I thank you and appreciate all that you do for me. To my family I love you all whether I'm in jail or on the streets. Much love. -Reggie*

**My Sister Gives Me Hope:** *What gives me hope is my sister, she helps me a lot and she's been there for me when my mother wasn't. Like now my mom just up and left, sometimes I feel like why she had me if she wasn't going to take care of me. It's like my sister is my mom, and I love her, but I love my mom. I just don't understand why she abandoned me, and now only my sister visits me here in the D-home. My sister is the one that keeps my head up, and makes me feel good so that is what gives me hope. -Rastice*

According to Serna, a one-time, 66-page publication is available. Modeled on the San Francisco weekly, it features the best work by youth in Bernalillo County.

Pacific News Service/New America



Bernalillo County, N.M., workshop coordinator Steve Serna (middle); Patricia Johnson, director of the California Council on Youth Relations; and David Inocencio, "The Beat Within" director/founder, in the visiting room at the detention center.

Media publishes "The Beat Within," and many funders support the project. It began in 1996 when a social worker inside San Francisco's Youth Guidance Center realized that there was no vehicle for the anguish he heard in the voices of incarcerated youth. The program not only strengthens youths' self-image, it builds

in them a feeling of belonging to a community of writers. The weekly publication, available online, reaches a growing audience that includes judges, probation officers, police officers, community workers and families.

For more information visit "The Beat Within" website at [www.thebeatwithin.org](http://www.thebeatwithin.org).

## JDAI IN THE NEWS

### Childish Behavior No Longer Treated as Criminal Behavior

The Huntsville Times published an editorial by the Alabama and Georgia judiciary. Authors were the Honorable Brian Huff, presiding judge, Family Court, Jefferson County, Ala.; the Honorable M. Lynn Sherrod, District Court judge, Madison County, Ala.; and the Honorable Steven C. Teske, Juvenile Court judge, Clayton County, Ga.

In 2003, community leaders in Clayton County, Ga., voiced concerns about the numbers of children being sent to juvenile court by schools. When police officers were placed in the county's schools, referrals to juvenile court suddenly skyrocketed, jumping from 36 referrals in 1995 to 264 referrals in 1998 – a 600 percent increase.

When school referrals peaked at 1,262 in 2003, they accounted for almost a quarter of the total referrals to the juvenile court.

After several months of study and negotiation, the group emerged with a unique collaborative agreement. This protocol zeroes in on low-level misdemeanor offenses like disorderly conduct and affray, which had accounted for a majority of school referrals in Clayton County. For those offenses, the protocol establishes a system of graduated sanctions to standardize consequences for youth.

Clayton County saw immediate results from the collaborative process, which was eye-opening for everyone involved. Even before the protocol was finalized,



referrals had already begun to drop as a result of the process itself.

Once the agreement was signed in August 2004, school referrals dropped

by 45 percent in 2005; 2007 saw only 523 referrals to juvenile court – a 59 percent drop from the high-water mark in 2003.

The protocol didn't demand big grants or millions of dollars in state funds. It simply required local leaders to come together and think about the best way

to use existing resources to create safe, healthy schools and communities.

Understanding the negative consequences of treating childish behavior as criminal behavior is the key to unlocking the door to detention for minor school offenses.

Only through collaboration can we use this realization to improve school safety and the learning environment for the benefit of each child.

*To read the entire article and other news on JDAI sites visit the JDAI web pages at [www.aecf.org/jdai.aspx](http://www.aecf.org/jdai.aspx).*

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### **Pima County (Tucson), Arizona, Reduces Detention By Half**

The Arizona Republic takes an in-depth look at the results of juvenile justice reform at the Pima County JDAI site:

If you had visited the juvenile lockup in Pima County a decade ago – at the height of the adult-time-for-adult-crime campaign – you'd have seen young people sleeping in the cafeteria because of crowding.

If you'd visited five years ago, you'd have seen nearly 200 juveniles held each day.

If you visited a week ago, you would have counted 78. There were almost 3,500 youths detained in Pima County in 2003, a number that plummeted to 2,583 last year and is still dropping.

In year four of a wide-scale transformation of Pima County's juvenile-justice system, troubled kids are being diverted into other alternatives.

"We're responding to national research which negates some commonly held beliefs that you can scare them straight," said presiding Juvenile Court Judge Patricia Escher. "More frequently, when you detain young people inappropriately, what you do is send them on a path of criminality."

There has been no increase in youth crime even though fewer juveniles are locked up, the judge said. Back in 2003, less than 3 percent of the juvenile population was in for violent crimes against other people. That was still true in 2007.

Some offenders are just going home to wait for trial. Others, on intensive or standard probation or arrested for misdemeanor domestic violence offenses, go to evening programs that provide not only tutoring, life skills and dinner, but perhaps as importantly, a structure that keeps them off the streets.

"What we're seeing is that supervised treatment for kids in their own communities is really effective and a better use of tax dollars than just incarcerating kids," said Dana Wolfe Naimark of the non-profit Children's Action Alliance.

*To read the entire article and other news on JDAI sites visit the JDAI web pages at [www.aecf.org/jdai.aspx](http://www.aecf.org/jdai.aspx).*

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### **JDAI Stimulates Deeper Reforms and Cuts Detention Population by 64% in Jefferson County, Alabama**

The Birmingham News reported on significant reductions in detention and commitments at the Jefferson County JDAI site:

Jefferson County, Alabama, is one of four pilot sites for the Juvenile Detention Alternatives Initiative. With the full endorsement and support of presiding Judge Brian Huff at the Jefferson County Family Court, the initiative has drastically reduced the average daily population of youths in detention from 110 per

day to 40. JDAI's involvement also has led to an all-encompassing juvenile justice reform project in Jefferson County called Reclaiming Our Youth. Through these reforms, the county has cut by nearly half the number of kids sent to the Department of Youth Services, from 48 per month in 2006 to 25 in 2008.

One goal of the reform is to take the money saved from ending the inappropriate incarceration of nonviolent children and divert it to more effective

community-based resources, such as outpatient drug treatment, mentoring and functional family therapy, according to Huff.

The Alabama JDAI is focused on ensuring that the right youths, but only the right youths, are detained, and only for as long as needed.

*To read the entire article and other news on JDAI sites visit the JDAI web pages at [www.aecf.org/jdai.aspx](http://www.aecf.org/jdai.aspx).*

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## Sweeping Reform Legislation Enacted in Alabama

The Alabama legislature unanimously passed and Gov. Bob Riley signed in May the Alabama Juvenile Justice Act of 2008. The Act is one piece of an ongoing, multifaceted reform effort in Alabama to reduce reliance on juvenile incarceration and expand community-based alternatives.

The legislation was the culmination of a long-term collaborative effort by stakeholders throughout the system – judiciary, executive, legislative, state and local government, advocates and public officials – to improve outcomes for children and to make the juvenile justice system more accountable to the children and families it serves and to the taxpayers who fund it.

The new law prohibits juvenile judges from locking up certain children – those classified as “in need of supervision” – who have committed non-criminal offenses such as truancy, running away and missing curfew.

The legislation also adopts detailed practice standards for juvenile defend-

ers. “Effectively representing children in delinquency matters requires significant specialized knowledge and preparation,” said Mary Ann Scali, deputy director of the National Juvenile Defender Center. “Alabama’s new Juvenile Justice Act takes a giant step towards ensuring that children in Alabama receive the skilled representation to which they are entitled.”

At the bill signing, Riley emphasized that Alabama’s juvenile justice system was flooded with low-risk children in expensive institutions.

“Many of these children have never even committed a crime. As recently as two years ago, at least 79 percent of children admitted to the Alabama Department of Youth Services were locked up for non-violent misbehavior,” Riley said.

“By freeing up resources to develop community-based alternatives, the state can better serve these children who need assistance,” he added.

Other provisions include:

- \* Prohibits schools from filing ungov-

ernable petitions against students.

- \* Distinguishes between a guardian ad litem and a juvenile defender, and articulates detailed duties for each.
- \* Strengthens the authority of courts to divert cases by providing that a formal petition may not be filed against a child unless a neutral and detached magistrate has first determined that the filing of the petition is in the best interests of the public and the child.
- \* Prohibits secure custody for status offenders.
- \* Prohibits secure custody for children under the age of 13, unless the child is charged with a Class A felony or another offense involving death or serious bodily injury.
- \* Codifies federal mandates concerning jail removal and sight-and-sound separation.
- \* Eliminates the current requirement that a child must be placed in alternative school following release from DYS or trial as an adult.

## Group Home Placements Double Risk for Delinquency

Results from a new study found that youth in the child welfare system who enter group homes are about 2 1/2 times more likely to enter the juvenile justice system compared to youth with similar backgrounds who are served in foster care.

Researchers from the University of Illinois at Urbana-Champaign and California State University at Los Angeles were provided access to data by the Department of Children and Family Services and the Department of Probation in Los Angeles County.

They compared the arrests of more than 4,000 youth in group homes to approximately 4,000 youth in foster care.

According to the study, “Juvenile Delinquency in Child Welfare: Investigating Group Home Effects”:

- The evidence indicates that placement in a group home as opposed to foster care significantly increases the risk of arrest. One in five youth in group homes (20%) were arrested compared with less than one in 10 (8%) youth in foster care.

- African-American youth placed in group homes have a 64% greater chance of being arrested than white youth.
- The vast majority of arrests occur while the youth is under the supervision of the group home rather than post-placement.
- Youth residing in group homes were significantly more likely to be arrested for violent and threat-related offenses.

*The study is available on the Children and Youth Services Review website at [www.childwelfare.com/Kids/cysr.htm](http://www.childwelfare.com/Kids/cysr.htm).*

## JDAI Transitions: Judith Cox

One of JDAI's most accomplished reformers, Judith A. Cox, retired as Santa Cruz County, Calif., chief probation officer in July 2008. Cox, who began as a probation officer in 1978, hands over her duties to Scott MacDonald, a 24-year employee with the Santa Cruz County Probation Department and an experienced JDAI practitioner.

"The message I would like to leave is threefold: One, you can do this work without funding. Two, it is essential to look at who it is we are locking up in terms of race and ethnicity. ... And three, make a commitment to share resources and open your justice system to community-based services," Cox said during a recent interview.

"It only makes sense that when we stop relying on detention, then we have to rely on the community," she added. "And I recommend really talking to the people who are using the services. Digging into the work will enlighten you."

In 1997 Cox was the assistant chief probation officer when John Rhoads was appointed chief probation officer after leaving a position in Sacramento, Calif., one of the original JDAI sites.

Relying on technical assistance from the Youth Law Center and working without any foundation funding, they implemented JDAI principles and practices in Santa Cruz. Cox quickly realized that the JDAI core strategies were a smart way to approach the administration of juvenile justice.

Santa Cruz adopted JDAI so thoroughly that its strategies were never seen as part of an outside initiative.

In 1997 Santa Cruz became the first JDAI replication site and soon after was designated a JDAI Model Site.

In 2002 Cox was appointed chief probation officer. Under her leadership, Santa Cruz has amassed impressive results. Over a 10-year period, between 1996 and 2006, the county reduced its average daily population by 53 percent, admissions to detention by 51 percent and average length of stay by 31 percent.

Perhaps more than any other JDAI site, Santa Cruz has had a measurable impact on reducing minority overrepresentation. The Latino youth population in detention has declined by 59 percent during this time period.

Cox is particularly proud of the fact that the overall reduction in the percentage of minority youth detained was accompanied by a narrowing of the gap between the percentage of Latinos in detention and the percentage of Latino court-aged youth in the general population.

In 1997 there were 30 percent more Latino youth in detention than in the population, but by 2005 Santa Cruz had narrowed the gap to 12 percent.

"Recognizing the inequities and disparities has to be the prominent lens by which we do the work," Cox said. "Once we understand how the justice system works to disadvantage children of color, then we can improve services for everybody."

Bart Lubow, director of programs for high-risk youth at the Annie E. Casey Foundation, said Cox has been one of the nation's leading juvenile detention reformers.



*Judith Cox*

"She not only led Santa Cruz County through a remarkable transformation, she also found the time and energy to inspire numerous other sites in efforts to reduce reliance on detention, eliminate racial disparities in juvenile justice, build genuine community partnerships and empower parents to help their court-involved children succeed," Lubow said.

Cox will remain closely associated with the initiative as a technical assistance provider, Lubow said. Her first assignment will be to help Hawaii start its detention reform process.

In addition to providing technical assistance to JDAI, Judy, who has a grown daughter, plans to stay in Santa Cruz, garden, read and travel.

Cox's successor, MacDonald, most recently was the assistant chief probation officer for the adult division. While working with the Santa Cruz County sheriff, he was responsible for successfully applying JDAI concepts to reduce crowding in the adult jail.

# JDAI NEWSMAKERS

## Al Godfrey Departs Dakota County

Following years as a juvenile justice reformer and JDAI advocate, Al Godfrey has resigned his position as Dakota County, Minnesota, community corrections deputy director, Juvenile Division, to become the Scott County, Minnesota, community corrections director.

Under Godfrey's leadership Dakota County replaced its outdated risk-

assessment instrument, improved the county's use of data to guide policy and significantly reduced the detention population.

JDAI technical assistance provider Jim Payne said that Godfrey embraced the opportunity to lead the county's reform effort.

"He supported strength-based practic-

es that led to an increase in non-secure options for youth," Payne said.

"Al encouraged stakeholders to re-evaluate policies and practices that impact upon arrest, referral and detention and has been a prominent and consistent voice in the need to address racial and ethnic disparities in the Dakota County juvenile justice system."

Since 1948, the Annie E. Casey Foundation (AECF) has worked to build better futures for disadvantaged children and their families in the United States. The primary mission of the Foundation is to foster public policies, human service reforms and community supports that more effectively meet the needs of today's vulnerable children and families. For more information on JDAI, please feel free to contact the resources listed below.

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