

# JDAI News

Newsletter of the Juvenile Detention Alternatives Initiative

January 2008

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### JDAI Staff

Bart Lubow, Director of Programs for High-Risk Youth

Gail Mumford, Senior Associate for Juvenile Justice Reform

Julie Pope, Administrative Assistant

### JDAI News Team

Editor: Heather A. Ford

Senior Consultant: Stephanie Vetter

Copy Editor: Leonard Sparks

Production: Pena Design, Inc.

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## Conference draws hundreds to Dallas

The 15th annual JDAI Inter-Site Conference drew more than 400 supporters of detention reform to Dallas, Texas, for a three-day gathering centered on the successes of efforts to transform the country's juvenile justice systems, and the remaining challenges.

Held at the end of September, the conference agenda included plenary sessions, panel discussions, 40 workshops covering such topics as embarking on detention reform, reducing racial and ethnic disparities and reducing school referrals for juvenile delinquency, and the presentation of awards for contributions to detention reform.

In his welcoming remarks, Bart Lubow, director of programs for high-risk youth at the Annie E. Casey Foundation, praised the growth of JDAI both in number of sites and in influence.

"JDAI sites across the country are proving not only that inappropriate and unnecessary reliance on secure detention can be safely reduced, but that broad and deep transformation in juvenile justice policy and practice can be stimulated and supported by detention reform," Lubow said.

In particular, he noted the latest publication in the Pathways series, *Beyond Detention: System Transformation through Juvenile Detention Reform*, which reports on the success of some of JDAI's older sites in hastening system improvements that eclipse the goal of merely reducing detention.



Connie Walton accepts award on behalf of Families and Friends of Louisiana's Incarcerated Children.

Lubow cautioned, however, that the work of JDAI is not complete, with many sites failing to document the effects of reforms, slow to institute policies and practices aimed at reducing racial, ethnic and gender disparities in juvenile detention, and neglecting the need to engage families as partners in aiding court-involved youth.

"JDAI's experience is very clear: Without a sense of urgency and the will to push through the inevitable disagreements and unpleasant debates, the status quo will prevail," he said. "Don't be patient; be urgent. Don't be delicate, be determined."

In recognition of several attendees who exemplify that determination, JDAI presented two awards and acknowl-

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## State of the Initiative: 2007

So how exactly are we doing? What is the state of our initiative? I think that can be summarized in three basic observations:

First, we are a growing, increasingly influential movement that is demonstrating that the status quo in juvenile justice need not stand. JDAI sites across the country are proving not only that inappropriate and unnecessary reliance on secure detention can be safely reduced, but that broad and deep transformation in juvenile justice policy and practice can be stimulated and supported by detention reform.

Second, we appear to be doing what no other juvenile justice reform initiative has been able to pull off, at least not in my memory, and that is replicating these important changes on a very large scale. By year's end, JDAI will be operational in a majority of states, and in many of those states, replication has already spread beyond its original cohort of counties.

But for all the well-earned congratulations, I regret that my third observation about that state of the initiative must be more sobering, both as an observation about some of our sites, but especially as a comment on the field in general. As good as some JDAI sites have gotten, at least at the business of detention reform, our work is incomplete, needs strengthening, or is, in some instances, simply stalled.

Far too many sites continue to fly blindly, unable or unwilling to track the effects of their reforms or to account for system results. Still others remain immobilized in the face of the challenge to develop practical, plausible changes that can reduce the disparities in treat-

ment we find across race, ethnicity and gender. Most irritating to me are the few places that are, frankly, playing lamely at detention reform, making excuses for themselves, claiming "this stuff takes time" or imagining that some mystical sea change will occur simply because time passes.

JDAI's experience is very clear: without a sense of urgency and the will to push through the inevitable disagreements and unpleasant debates, the status quo will prevail. So let me say to those who hide a lack of progress behind pleas for time and understanding that in a business of this nature — in the struggle for genuine system reform — patience is not a virtue; it is the mid-wife of the status quo. Don't be patient; be urgent. Don't be delicate, be determined.

Even in my moments of greatest frustration with some JDAI sites, however, my disappointments are minor compared with what I think is the really sobering reality, and that is the general status of our field, of juvenile justice nationally.

If we did a survey of juvenile justice trends over the past decade or so, perhaps the most damning trend that we would identify is the lengthening list of places — states and localities — whose facilities have been the sites of child abuse, violence, even death, or that have been the subject of lawsuits because of the general conditions in juvenile institutions.

Many people ask why our reliance on these institutions persists and how it is that they continue to be the most powerful symbols of juvenile justice's sorry state nationally. That is a good question. Let me posit an unusual answer.

It strikes me, increasingly, that one of the great failings of juvenile justice

is our failure to effectively engage families, to work with those potential partners best positioned to help court-involved kids to grow out of delinquent behavior and into successful adulthood. Could it be that reliance on these facilities as the bulwark of system response to our most troubled youth is the mirror image of our rejection of the families of the youth with whom we work? Continued reliance on what the evidence implies are unredeemable institutions, it seems to me, is the flip side of a coin whose other side is our failure to engage, empower or simply understand families.

How come we have missed this family connection? I would suggest that the rejection of the potentially positive role of families in juvenile justice, and our obstinate reliance on a set of institutions that continuously disappoint—if not much worse—is directly related to the race and class of the youth in question. Put another way, could it be that the system's refusal to confront the idea that these institutions do not work is possible because of the race and class of those we put in them and the families from whom the youth are separated?

These sobering realities of the nation's collective juvenile justice system — dangerous institutions, failures to strengthen and work with families, and the differential treatment of youth because of race, ethnicity and gender — are the very things that even a modest endeavor like JDAI can, in fact, alter. This is why what you all do is so critical. You are not just an alternative to detention, but an alternative to the system's status quo.

**Bart Lubow**  
**Director of Programs for**  
**High-Risk Youth**  
**Annie E. Casey Foundation**

edged the contributions of a longtime juvenile justice reformer. The Gloria J. Jenkins Award for Outstanding Contribution to Juvenile Detention Reform by a Community Organization, in honor of one of the leaders of the Chicago organization that established the country's first juvenile evening reporting center, was presented to Families and Friends of Louisiana's Incarcerated Children (FFLIC).

The group is a collection of mothers, fathers, grandparents, siblings, cousins and aunts, and other family members, who use education, organizing and advocacy to fight for justice for children. Connie Walton, FFLIC deputy director and a parent from Lake Charles, and Njeri Camara, a Shreveport organizer, accepted the award.

"FFLIC was at the forefront of this past decade's efforts to reform Louisiana's juvenile corrections system, including closing the infamous Tallulah correctional facility," Raquel Mariscal, JDAI senior consultant, said in presenting the award.

In addition, Otilio Quintero, the assistant director of Santa Cruz Barrios Unidos, received the Natalie S. Bimel Award for Outstanding Contributions to Juvenile Detention Reform by a Community Leader. Barrios Unidos uses cultural values and traditions to promote nonviolence and economic empowerment among Hispanic youth.

"Otilio Quintero has been a pillar in the development of organizational and financial capacity of Barrios Unidos, in successfully advocating for state legislative funding for youth violence prevention, in developing vital youth economic development opportunities such as the silk screening business oper-

ated by youth at Barrios Unidos, and in providing the space for the voice of barrio warriors," Mariscal said.

James Stegmiller, JDAI project consultant, was also recognized for his years of service on behalf of JDAI and his dedication to juvenile justice reform at the JDAI model site in Multnomah County, Oregon.

The opening plenary session, presented by Dr. Thomas Grisso, the developer of the widely used MAYSI II screening tool, focused on both positive and questionable developments accompanying the increased attention to the mental health needs of court-involved youth.

Grisso, a member of the department of psychiatry at the University of Massachusetts Medical School, praised new developments in brain research and improved screening tools but warned about the use of detention centers to hold youth awaiting psychiatric hospital beds, and the use of juvenile mental health courts.

Inside the workshops, the conference offered a four-part track on the fundamentals of initiating detention reform. Site delegations and individuals new to JDAI heard about the first-year experiences of seasoned JDAI sites, including lessons learned related to technical assistance, educating stakeholders and developing work plans. They also learned about the role of qualitative and quantitative data in driving detention reform.

Another track centered on the continuing racial and ethnic disparities in the use of juvenile detention by highlighting methodologies and practices from various sites as a way to focus partici-



*Otilio Quintero, the assistant director of Santa Cruz Barrios Unidos, was recognized for his outstanding contributions to juvenile detention reform by a community leader.*

pants on common challenges and strategies for overcoming them.

The development of racially and culturally responsive alternatives to detention was also discussed, with a workshop examining Santa Cruz's development of an evening reporting center to reduce the detention of Latino youth.

In addition, juvenile justice officials from Multnomah County (Ore.), Clayton County (Ga.) and Washoe County (Nev.) examined the "school-to-prison" pipeline, whose effects can be seen in the increasing number of delinquency referrals that originate in schools. The panel focused on several examples of juvenile justice systems that have changed these trends through inter-system agreements, alternative case resolution methods and revised policies and practices.

## Indianapolis looks to Initial Hearing Court to divert school referrals

Hoping to send a powerful message that the juvenile justice system is not a substitute for school-based discipline, the Marion County Juvenile Court has begun relying on a little-known state law in reviewing all delinquency petitions to determine if the filing of the petition itself is in the best interest of the child or the public.

Earlier this year, the Indianapolis court dusted off a law that had been part of Indiana statute for years. The law provides a two-prong determination for the filing of a delinquency petition by juvenile court. After consideration of the preliminary inquiry and a review of the evidence of probable cause, the court shall also consider if the petition is in the best interests of the child or the public.

Over a six-month period, ending on October 31, 2007, the Marion County Juvenile Court rejected 289 of 1,803 petitions filed for its approval. Although probable cause for a delinquency was found, the petitions were rejected because the court did not think they were in the best interest of the child or the public. Of those 289 cases, approximately 40 percent were school-related referrals.

The change is rooted in the efforts of Juvenile Court Presiding Judge Marilyn A. Moores to improve opportunities for youth while reducing detention and school-based referrals. After reviewing the state's juvenile code, Moores, who became presiding judge in early 2005, realized that the law authorized the



*Marion County Juvenile Court Magistrate Gary Chavers*

juvenile court to approve the filing of delinquency petitions.

In May 2007, Moores introduced an Initial Hearing Court, charging it with reviewing delinquency petitions. Presided over by Magistrate Gary Chavers.

"I may find that there is probable cause for the delinquency petition; however, I may also decide that it is not in the best interest of the child or in the best interest of the public to pursue the matter in juvenile court," said Chavers, formerly the supervising attorney for the Juvenile Division of the Marion County Prosecutor's Office for 22 years.

"I look carefully at the public safety issues. We routinely approve the petitions for gun charges and violent acts; however, I am reluctant to initiate a delinquency record for a young man who is charged with a schoolyard brawl."

Chavers said the Initial Hearing Court examines a child's history and family situation, and reviews the preliminary inquiry by probation as well as the child's juvenile record. He said that school referrals for fighting and disorderly conduct are not uncommon. Many times, he said, a child was suspended for the incident in question, and has returned to school by the time the Initial Hearing Court reviews the petitions.

"I do not consider filing a delinquency petition when the school has resolved the matter in the best interest of the child," Chavers said.

"What we have learned is that the school is seeking an immediate resolution to a problem. Two kids are fighting and the school administrators want it stopped and they want the youth punished, so an officer is called. I would hope to see the day when, by and large, the schools deal with the issues themselves. In the meantime, we have a powerful tool in Indianapolis that helps us divert youth from progressing deeper into the juvenile system."

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

## JDAI: A bridge to broader reform

The problems that still plague most juvenile justice systems are myriad: a disregard for research and results that validate proven remedies to delinquency; a bewildering reliance on costly and ineffective congregate care facilities and out-of-home placements; overwhelming caseloads and a lack of interagency collaboration that stifle individualized attention and parent involvement; and the disproportionate treatment of minority youth.

But the newest entry in JDAI's "Pathways to Detention Reform" series documents the ways in which the commitment to steering low-risk youth away from detention is igniting positive changes in policies and practices in other parts of juvenile systems.

"Beyond Detention: System Transformation Through Juvenile Detention Reform" describes how officials at three JDAI model sites – Cook County (Chicago), Ill.; Multnomah County (Portland), Ore.; and Santa Cruz County, Calif. – are using data analysis to make better-informed decisions, developing strategies to keep youth at home and in the community, involving families of court-involved youth and tackling racial disparities.

In Santa Cruz County, officials used data analysis to inform their decision to develop a new non-residential evening program after staffing and funding problems forced the closure of a popular residential treatment program for substance-abusing and emotionally disturbed adolescents.

Conducting three separate analyses, officials with the county's Probation Department found that many of the youth sent to the treatment program

were placed there for using drugs and alcohol while on probation.

On the basis of that data, the Probation Department created the Luna Park Evening Center, a less-restrictive community-based program that provides intensive services in response to probation violations, particularly substance abuse.

Santa Cruz also decided it needed to better engage parents. After a county Probation Department survey of parents at juvenile court confirmed that many avoided court hearings because they did not understand the system or felt powerless to influence the outcome, a parent-driven focus group conceived of a "how-to" video that encourages parent involvement and advocacy.

The parent group also asked for brochures that provided specific information on the signs and symptoms of drug use, delineated what to expect from substance abuse treatment, and described signs and symptoms of relapse.

In addition, the county created the paid position of "Family Partners" – parents who have previously had children in the juvenile justice system – who work with families both individually and in groups to help them navigate the juvenile court and probation systems.

In Cook County, almost 400 fewer youth were sent to state prisons between 1997 and 2004 because they were instead referred to community-based services.

The decrease was spurred by a decision by juvenile court officials to assign a single judge to cases in which youth may need to be moved out of their homes. Following the decision, residential place-

ments fell from a peak of 426 to just 25 in 2006.

Court officials also assigned each courtroom an expert to interpret psychological assessments and identify appropriate treatment, and the county teamed with community counseling providers to expand programs that were once for kids returning home from treatment to include youth at risk of going to treatment or to prison.

In addition, the Cook County Juvenile Probation and Court Services Department moved toward promoting racial justice after recognizing that its staff was dominated by older white males with a "law enforcement" disposition and a lack of cultural sensitivity.

In response, the department began recruiting officers with social work rather than law enforcement backgrounds, and also began hiring youth who were former probation clients. From 1995 to 2006, the Probation Department's African-American staff grew from 38 percent to 50 percent, and the percentage of Hispanics on staff doubled, from 7 percent to 14 percent.

The department also diversified its management, and as of October 2006, 52 percent of supervisors and managers were African American or Hispanic.

Multnomah County also took steps to address disparities, in particular the disparity in the provision of services to minority youth. As an answer, the county created a "Communities of Color Initiative."

Under the initiative, the county contracts with two community organiza-

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tions – one serving predominately African Americans and the other serving Hispanic neighborhoods – who serve minority youth with serious behavior problems who are at risk of correctional placements.

Although more than 50 percent of all participants enter the program with five or more prior criminal referrals, just 10 percent of youth served by Communities of Color were committed to correctional facilities in 2004, 77 percent had no new criminal referrals while participating and

68 percent had no referrals in the six months after leaving the program.

The program is considered one of the key decisions that has helped achieved a dramatic reduction in the number of African-American youth committed from Multnomah to state training schools, a number that dropped from 55 in 1997 to 12 in 2005.

“The detention crisis was very real, and all of our explicit goals for JDAI were focused on the detention problem itself – reducing

overcrowding, preventing the unnecessary confinement of kids,” said Bart Lubow, director of programs for high-risk youth at the Annie E. Casey Foundation.

“But internally we always knew that JDAI was a really good way to stimulate positive change throughout the juvenile system.”

*To order Beyond Detention, visit the JDAI web pages at [www.aecf.org/jdai.aspx](http://www.aecf.org/jdai.aspx). To download visit the JDAI Help Desk at [www.jdaihelpdesk.org](http://www.jdaihelpdesk.org).*

## JDAI debuts new brochure

The Anne E. Casey Foundation’s Juvenile Detention and Alternatives Initiative has come out with a splashy new brochure highlighting JDAI’s goals and the program’s accomplishments since it was launched in 1992.



The 12-page brochure, complete with full-page black-and-white photographs, details the persistent gap that exists between a model juvenile justice system and the expensive, dangerous and overcrowded systems that exist in many jurisdictions across the country. It also illuminates the troubling facts that the majority

of detained youth are detained for non-violent offenses and are disproportionately African American and Latino.

The brochure also lays out JDAI’s strategies for building smarter, fairer, more efficient and more effective systems.

*To order a JDAI brochure visit the JDAI web pages at [www.aecf.org/jdai.aspx](http://www.aecf.org/jdai.aspx).*

## Issue papers chart course for safer and less expensive juvenile justice

Two issue papers published by JDAI demonstrate that detention reform is not only cost-effective, but that it is also an effective strategy for making communities safer.

In “Detention Reform: A Cost-Saving Approach,” the expense of detaining youth is calculated at between \$32,000 and \$65,000 annually, depending on the region. When construction costs are factored in, the 20-year cost for one detention bed can total \$1.5 million.

The second paper, “Detention Reform: An Effective Public Safety Strategy,” uses

juvenile arrest rates in four model JDAI sites as proof that the effect of detention reform extends to public safety.

Arrests rates in Benalillo (N.M.), Cook (Ill.), Multnomah and Santa Cruz (Calif.) counties, where detention rates have declined dramatically, have fallen by between 37 percent and 54 percent. Since it became a JDAI site, Cook County has seen the number of youth who failed to show for their court date decline from 40 percent to 13 percent.



*To download JDAI detention reform briefs visit [www.jdaihelpdesk.org](http://www.jdaihelpdesk.org).*

### JDAI work in four Alabama counties hailed

The introduction of JDAI to four Alabama counties – Jefferson, Mobile, Montgomery and Tuscaloosa – was praised in an op-ed and an article in the *Montgomery Advertiser* in September.

According to a Sept. 24 editorial by Danielle Lipow, coordinator of the Alabama Youth Justice Coalition:

*So far, one of the most exciting pieces of good news has gone virtually unnoticed. Thanks to the vision and determination of some of Alabama's most powerful leaders – including Gov. Bob Riley and Chief Justice Sue Bell Cobb – as well as strong advocacy from agency leadership at the Alabama Department of Youth Services, the prestigious Annie E. Casey Foundation has entered a partnership with the state*

*to strengthen juvenile justice in Alabama. Since April 2007, a team of experts from the Casey Strategic Consulting Group has been working full-time to provide free technical assistance to Alabama.*

On Sept. 17, the *Montgomery Advertiser* reported:

*Linda Tilly is a veteran advocate for Alabama's children. For 15 years, she has served as the director of VOICES for Alabama's Children, a non-profit organization that monitors the welfare of Alabama's youth.*

*She said she applauds the Casey Foundation's selection of Alabama and hopes its Alabama volunteers will look at recommending more child-friendly alter-*

*natives that hold children accountable for offenses, while trying to modify their behavior.*

*"Unless our system gets to the core problem that's affecting these kids, we will always see repeat problems and offenders," Tilly said.*

*She said that too many of Alabama's youth are lost in expensive institutions when community-based treatment would, in many cases, offer a better chance of recovery. "Alabama hasn't always understood that what happens to other people's children affects us all," Tilly said.*

To read the entire article visit the JDAI web pages at [www.aecf.org/jdai.aspx](http://www.aecf.org/jdai.aspx).

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### Cook County shifts hundreds to community services

The *Chicago Tribune* also responded to the release of *Beyond Detention: System Transformation through Juvenile Detention Reform*, and the report's finding that Cook County, Ill., sent almost 400 fewer youth to state prisons between 1997 and 2004 because they were referred to community-based support services.

*The drop from 902 Cook County kids being sent to state youth prisons in 1997 to 505 in 2004 is attributable to reforms that stress counseling instead of imprisonment, the report noted.*

*Court officials began sending to a single judge the cases of kids who may need to be moved out of their homes, which reduced residential placements from 426 at their peak to just 25 in 2006.*

*Court officials found a more efficient way to assess the mental health of kids by assigning each courtroom an expert who interprets psychological assessments and helps identify the appropriate treatment.*

*Also, Cook County has teamed up with community counseling providers to expand programs that were once only for youths returning home from treatment to include those at risk of going there or to a prison. The therapists help families cope with teens' behavioral problems and help the youths cope with school and neighborhood stressors.*

*The Cook County Probation and Court Services Departments created an advisory panel in 2002 of current and former youth in the juvenile justice system to help assess the effectiveness of programs*

*and find ways to improve them. Youth on probation in Cook County attend an orientation led by that council, which has been shown to reduce probation violations.*

*The court also changed staff hiring and training practices so that the Probation Department now recruits officers with social work backgrounds rather than those in law enforcement and hires people who used to be on probation to join the staff. In the Cook County Juvenile Probation Department, from 1995 to 2006, the African-American staff grew from 38 percent to 50 percent and the percentage of Hispanics on staff doubled.*

To read the entire article visit the JDAI web pages at [www.aecf.org/jdai.aspx](http://www.aecf.org/jdai.aspx).

### Santa Cruz reductions spotlighted

Two Santa Cruz County, Calif., newspapers used the JDAI Pathways report *Beyond Detention: System Transformation through Juvenile Detention Reform* as a springboard for highlighting the county's success in lowering its detention population and shifting youth into community programs since it introduced JDAI 15 years ago.

On Oct. 11, *City on a Hill Press* chronicled the county's achievements, including a decrease in average population at its Juvenile Hall from between 42 and 60 kids in the 1990s to a current average of 20.

*"We're aimed at reducing unnecessary detention as a response to juvenile crime,"* said Scott MacDonald, assistant chief probation officer of Santa Cruz County. *"It is a mandate to take the least restrictive action. What Santa Cruz has shown is we can dramatically reduce our detention without a backlash of public safety."*

The article also noted the financial advantages:

*Mardi Wormhoudt, UCSC community studies professor, believes that Santa Cruz has successfully turned around what seems like a national issue of dependence on imprisonment: "A decade ago, the Probation Department wanted to enlarge Santa Cruz Juvenile Hall," she said. "No matter how many beds you build, you will manage to fill them. Luckily, we did not get the grant."*

The *Santa Cruz Sentinel* also recounted the county's success, in particular noting Santa Cruz's creation of community-based alternatives.

*One of the keys to success in Santa Cruz County has been developing and seeking out existing community-based programs to connect young offenders to services and resources to help them stay out of trouble. Community organizations like Barrios Unidos, for example, offer teens opportunities to participate in classes, attend AA*

*meetings, drug programs and earn voluntary service hours.*

*Another key component are neighborhood accountability boards, which help divert low-risk offenders away from the formal criminal justice system. Minors caught shoplifting, fighting, vandalizing property or abusing drugs or alcohol, for example, can face citizen panels, who bring the offender and the victim together. All parties work together to come up with a constructive accountability agreement that could include restitution, community service work, counseling or repairing any damage they created.*

*Family conferences also are used, to help an offender's extended family become actively involved in helping to keep them out of trouble. Along with developing a plan for the offender, the family is pointed toward resources that can assist with any special needs they or the offender has.*

To read the entire article visit the JDAI web pages at [www.aecf.org/jdai.aspx](http://www.aecf.org/jdai.aspx).

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### Early success achieved in Texas

The emerging reform movement in Texas, whose Youth Commission was rocked by an abuse scandal earlier this year, is already drawing positive results, with Dallas County achieving a reduction in its detention population and officials in Harris County optimistic about accomplishing the same goal.

On Oct. 30, the *Dallas Morning News* reported:

*Michael Lindsey is a local consultant who has worked extensively with the Casey Foundation and is the organization's point man here. He said this*

*country's get-tough policies on crime spilled down to have a devastating effect on children and teens.*

*Unfortunately, the approach backfired and juvenile detention became like the farm team for adult prisons – with way too many kids making it to the majors.*

*Now, through the JDAI program, Dallas County is looking for a better way. "This whole program is predicated on community safety," Mr. Griffiths said. "I live in Dallas County. I want my home to be safe. That's as important to me as anyone."*

*This is no pie-in-the-sky stuff. The program's success can be easily measured by comparing youth detention figures with youth crime statistics. If they're not both going down, that's a problem. The program began here a year ago and is just now taking full effect. So the coming year will provide a crucial test.*

*Already there has been success in reducing detention figures. One year ago, the number of youths in detention here ran around 300, with an average stay of 23 days. Today, the number in detention runs around 280, with an average stay of 19 days.*

## JDAI IN THE NEWS

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A month earlier, the *Houston Chronicle* wrote about the embrace of JDAI in Harris County. According to the Sept. 15 article:

*Harris County will try to reduce overcrowding at its juvenile detention facilities by jailing only youths who pose a danger or have been accused of serious, violent crimes, officials announced Friday.*

*The announcement comes three months after Commissioners Court discussed whether to ask voters to spend \$76 million to renovate the former county jail and turn it into juvenile detention space. Instead, officials have turned to the Annie E. Casey Foundation, based in Baltimore, Md., which has given the county a \$300,000 grant to develop ways to cut its juvenile detention population.*

*The foundation kicked off a study of Harris County's juvenile detention system Friday. During the next three to five years, foundation analysts and researchers will work with juvenile court judges, prosecutors and the Juvenile Probation Department to reduce the number of youth detainees without putting the public at risk.*

To read the entire article visit the JDAI web pages at [www.aecf.org/jdai.aspx](http://www.aecf.org/jdai.aspx).

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## Norfolk sees detention numbers fall

Thanks to JDAI, the overcrowding at the Norfolk (Va.) Detention Center has been drastically reduced, reported the *Virginia-Pilot* on Sept. 10.

*The Norfolk Juvenile Detention Center has always swelled over capacity. It's supposed to hold 80 young people at a time, but in recent years it's topped 119. In July,*

*however, the center's average daily count was 55.*

*Although State Police statistics show that juvenile arrests in Norfolk are generally on the rise, the number of young people locked up before their trials at the center has dropped by hundreds in two years – with a minimum added risk to the*

*community, according to court officials. They credit a new philosophy: Only children who pose the biggest threat to themselves or others, or who are the least likely to appear for a court date, belong behind bars before their trial.*

To read the entire article visit the JDAI web pages at [www.aecf.org/jdai.aspx](http://www.aecf.org/jdai.aspx).

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## JUVENILE JUSTICE NEWS

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### Ohio court restricts juvenile waivers

Civil rights and juvenile justice advocates in Ohio, where judges routinely allow juveniles to waive their right to counsel, are celebrating the state Supreme Court's ruling that juveniles may not waive their right to representation without being counseled by their parent, guardian or custodian, or after consultation with an attorney.

In a 5-2 opinion written by Justice Maureen O'Connor and released on Sept. 27, the court said a Licking County Juvenile Court magistrate did not conduct "a sufficient dialogue" with then-13-year-old Corey Spears before allowing him to waive his right to an attorney during a court hearing in August 2005.

In overturning an appeals court ruling that upheld Spears' sentence, the Ohio Supreme Court also said that the juvenile judge erred in accepting the presence of Spears' mother in court and her written consent to the waiver as sufficient basis for allowing the teen to face the proceeding without representation.

"An effective waiver of the right to counsel by a juvenile must be voluntary, knowing, and intelligent," O'Connor wrote in her opinion. "In a juvenile court proceeding in which the judge acts as *parens patriae* [protector of a child's rights], the judge must scrupulously ensure that the juvenile fully understands, and intentionally and intelligently relinquishes, the right to counsel."

O'Connor said the fact that Spears' mother admitted after the waiver that she had neither spoken with her son nor read the police report between his arrest and the court hearing influenced the decision.

According to a fact sheet compiled by the American Civil Liberties Union, the Children's Law Center and the Office of the Ohio State Public Defender, two-thirds of the 147,867 juveniles who had delinquency or unruly complaints resolved in 2004 faced their proceedings without an attorney.

## Zero tolerance fails to equal safety, fairness

In Colorado, a 10-year-old girl is expelled from school for carrying a small knife in her lunchbox, placed there by her mother for cutting an apple, and an 11-year-old student is charged with theft for taking a lollipop from a classroom jar because he thought it was free. And in Georgia, a teenager is initially suspended for 10 days for taking a lunchtime cell-phone call from his mother, who was then deployed as a soldier in Iraq.

Those incidents are some of a handful of examples cited in a report by the American Psychological Association that challenges the primary assumptions – safer and higher-performing schools – underlying the zero-tolerance get-tough policies that school systems nationwide began instituting in the late 1980s. The policies are being blamed for an increase in the number of school-based referrals to juvenile justice systems.

The report, assembled by the APA's Zero Tolerance Task Force, chaired by Dr. Cecil R. Reynolds of Texas A&M University, says that schools with higher rates of suspensions and expulsions "appear to have less satisfactory ratings of school climate, less satisfactory school governance structures, and to spend a disproportionate amount of time on disciplinary matters."

The report also noted that recent research indicates a "negative relationship between the use of school suspension and expulsion and school-wide academic achievement, even when controlling for demographics such as socioeconomic status."

Instead of having a deterrent effect, the report says, suspension and expulsion appear to predict higher future rates of misbehavior and are "moderately associ-

ated" with a greater likelihood of school dropout and failure to graduate on time.

And despite the assumption that zero-tolerance policies create a fairer disciplinary system by removing "subjective influences or contextual factors," the overrepresentation of African American students among those suspended and expelled continues to be of concern, the report says.

The task force recommends that school systems rely more on teachers and administrators regarding discipline, use zero-tolerance policies only for the most serious disruptive behaviors, gear the discipline to the seriousness of the infraction and develop alternatives to suspension or expulsion for disruptive students.

*For more information visit [www.apa.org](http://www.apa.org).*

## Effectiveness of anti-gang tactics questioned

Additional police and prisons, and harsher punishments not only fail to reduce gang-related crime, but they actually worsen the problem, says *Gang Wars: The Failure of Enforcement Tactics and the Need for Effective Strategies*, a report released by the Justice Policy Institute in July.

Written by criminal justice policy analysts Judith Greene and Kevin Pranis, the report challenges a battery of assumptions associated with gangs and says that jurisdictions may be overstating the extent of their gang problems.

"The current preoccupation with gangs is a distraction from very real problems of crime and violence that afflict too many communities," Pranis says. "Gangs do not drive crime rates, and aggressive sup-

pression tactics simply make the situation worse by alienating local residents and trapping youth in the criminal justice system."

In reviewing the most recent research, the report concludes that there is no consistent relationship between crime rates and gang activity, and that despite the association of Blacks and Latinos with gangs, Whites adolescent make up the largest group of members.

The report also says that law enforcement targets former members long after they leave a gang, inhibiting their ability to find jobs, and relies on heavy-handed suppression tactics that increase gang cohesion and police-community tensions.

Instead, the report says, cities should focus on "evidence-based" interventions proven to reduce juvenile recidivism, promote jobs and education, and reduce barriers to re-entry faced by former gang members.

"Other cities should not adopt Los Angeles' disastrous 'war on gangs,'" says Luis Rodriguez, a Chicano writer and poet, and author of *Always Running: La Vida Loca, Gang Days in L.A.* "We need to invest in jobs, schools, and programs that are proven to reduce recidivism, and reject the policies that prevent young people from leaving gang life behind them."

*For more information visit [www.justicepolicy.org](http://www.justicepolicy.org).*

## Illinois juveniles denied due process, report says

The system charged with defending juveniles in Illinois is falling short of national standards, according to a report released in October.

The report, *An Assessment of Access to Counsel and Quality of Representation in Delinquency Proceedings*, was authored by attorneys at the Children and Family Justice Center at the Northwestern University School of Law and the National Juvenile Defender Center and funded by the John D. and Catherine T. MacArthur Foundation.

Based on the observation of court proceedings, and meetings with judges, prosecutors, defense attorneys, probation officers, parents and children in 16 Illinois counties, it found that children charged with delinquent offenses usually are not

assigned an attorney until right before or at the conclusion of their initial appearance before a judge, and that defense attorneys “routinely” plead children guilty.

“In half the counties visited, many children come to court wearing shackles, handcuffs and belly chains,” said Cathryn Crawford, clinical associate professor of law at Northwestern. “And because many kids throughout Illinois are meeting their lawyers for the first time before they step into court, reasonable judgment about how a case should proceed is seriously compromised.”

In almost one-third of the counties visited, minors who were not in custody waited until the conclusion of their first appearance before being appointed an attorney.

Investigators also concluded that more than 70 percent of juvenile cases are settled by plea bargaining, many times during the initial court appearance and with children often saying that they felt pressured into a plea by defense attorneys, judges or their parents.

“Too many children in this state are represented by an overworked, under-skilled attorney, whom the child doesn’t get an opportunity to know, who walks in minutes before a decision is made about the rest of that child’s life,” said Judge George Timberlake, former chief judge, 2nd District.

*The full report and a press release can be accessed at <http://www.law.northwestern.edu/news/newsdisplay.cfm?ID=175>.*

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## Families feel left out, study finds

Many families of youth in the juvenile justice system feel “blamed or looked down on” by the system, largely excluded from efforts to help their children and disappointed with the lack of interagency coordination and effective services, according to the findings of a multi-state study.

The study, *What Families Think of the Juvenile Justice System: Findings from a Multi-State Prevalence Study*, was conducted by the National Center for Mental Health and Juvenile Justice, with support from the Office of Juvenile Justice and Delinquency Prevention and the Center for Mental Health Services.

Based on focus groups with parents and primary caregivers of youth in Louisiana, Texas and Washington,

its findings were published in *Focal Point*, a publication of the Research Training Center of Family Support and Children’s Mental Health at Portland State University.

Overall, most families said they labored to find help for their children prior to juvenile justice system involvement. Some reported intentionally involving the juvenile justice system in order to access services unavailable in their communities.

Once involved with the system, families said they felt “confused and frustrated as they tried to understand what was happening to their child,” and complained about disruption in services like education and medication because of poor coordination between juvenile justice, mental health and school systems.

Probation officers also drew criticism, with families faulting officers for a lack of communication and collaboration, and for failing to include families in discharge planning. Other concerns included the inability to afford community-based services because of poor finances and a lack of health insurance.

Among the services and approaches that families considered beneficial were peer support and assistance with information about juvenile justice procedures and their rights; treatment services in a therapeutic rather than a punitive environment; and collaborative planning that tailored services to the needs of children and families.

*For more information visit [www.ncmhjj.com](http://www.ncmhjj.com).*

### Mike Griffiths nominated Texan of the year



*Mike Griffiths*

Each year the *Dallas Morning News* editorial board names a “Texan of the Year.” Editorial writers write individual columns suggesting worthy nominees. Jennifer Nagorka, a freelance journalist, nominated Mike Griffiths:

*As director of Dallas County’s juvenile services, Mr. Griffiths marries unflinching realism with innate decency and relentless hope. He’s part skilled administrator and part rescue artist. This year, as two state agencies that serve kids flailed and failed, his department continued giving hundreds of troubled young people second chances. For his*

*steadfast leadership in a thankless field, Mr. Griffiths deserves to be Texan of the Year.*

*“Mike is amazing,” says Vicki Spriggs, executive director of the Texas Juvenile Probation Commission. “He will push the envelope if he thinks it will make a difference for the kids who come into the department.”*

*“The county’s so lucky to have him,” confirms former Dallas County Judge Margaret Keliher. “He turned around a situation that was very difficult for us.”*

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### JPI announces new executive director



*Jason Ziedenberg*

The Justice Policy Institute (JPI) announced that co-founder and Executive Director Jason Ziedenberg will step down and be replaced by Sheila A. Bedi in January 2008. Bedi is an attorney and the founder and co-director of the Mississippi Youth Justice Project



*Sheila A. Bedi*

(MYJP). She drafted, advocated for and helped pass sweeping juvenile de-incarceration legislation in Mississippi.

After a decade of serving in a number of positions at JPI, including three years as executive director, Ziedenberg is returning

to the West Coast in 2008. “We thank Jason for his tireless work in helping JPI transition into a potent vehicle for de-incarceration work, and for managing the challenging shift of the organization to a new generation of leaders in this field,” said JPI Board Treasurer Peter Leone.

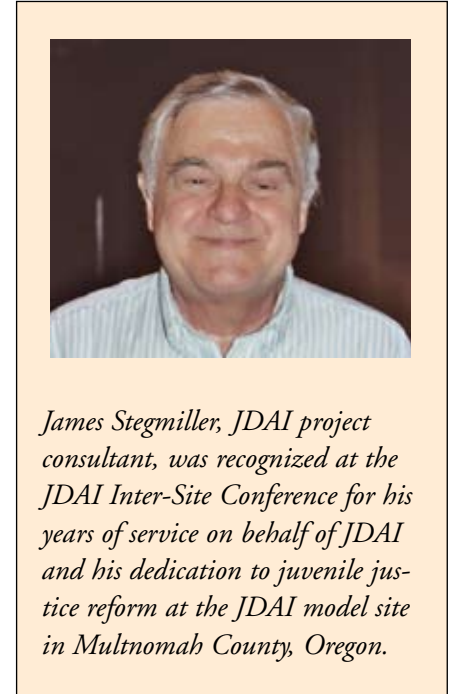
## New local JDAI coordinator



*Vanessa Grooms*

Richmond (Va.) has named Vanessa Grooms as its new local JDAI coordinator. Already actively involved in Richmond's detention reform efforts, Ms. Grooms

is a probation supervisor with the Virginia Department of Juvenile Justice's Richmond Court Service Unit and has been employed in the probation field for more than 25 years. Court Service Unit Director Stephanie Garrison said, "Vanessa was an obvious choice for the assignment. She brings considerable leadership, knowledge and energy to the position and has much passion for the initiative." According to State JDAI Coordinator Beth Stinnett, "Appointing a member of the existing leadership as coordinator will serve Richmond well in terms of sustainability. The locality has moved away from JDAI as an initiative and made it a part of how they do business."



*James Stegmiller, JDAI project consultant, was recognized at the JDAI Inter-Site Conference for his years of service on behalf of JDAI and his dedication to juvenile justice reform at the JDAI model site in Multnomah County, Oregon.*

## Patricia Lee awarded California Peace Prize



*Patricia Lee*

Patricia Lee has been awarded The California Wellness Foundation's 2007 California Peace Prize for her work with community organizations and families in San Francisco on behalf of youth at-risk for entry into the juvenile justice system. Lee is managing attorney for the San Francisco Public Defender's juvenile

office, and co-director of the Pacific Juvenile Defender Center, which seeks to improve the quality of representation provided by juvenile-delinquency attorneys. Lee supports efforts to work with low-income community members directly impacted by the juvenile justice system. She is a founding member of Bayview MAGIC, a collaboration of 25 agencies in San Francisco's Bayview Hunters Point neighborhood that develops and implements strategies to reduce youth violence. Lee serves on the board

of directors for the Center on Juvenile and Criminal Justice.

"This year's honorees demonstrate a range of approaches to prevent the escalation of violence against youth in our communities," said Gary L. Yates, The California Wellness Foundation's president and CEO. "They are representative of thousands of unsung heroes dedicated to improving the health and well-being of California's youth."

## Mike Finley and John Rhoads recognized

John P. Rhoads, JDAI team leader, and Michael Finley, senior program associate for the W. Haywood Burns Institute, were honored for achievement and best practices at the National Partnership for Juvenile Services' 13th National Symposium on Juvenile Services. The awards were

presented in San Antonio, Texas, at the organization's annual conference. Rhoads was recognized with an award for his national work on conditions of confinement in juvenile detention facilities. Finley was honored for his national work on reducing disproportionate minority confinement.



*John Rhoads*

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.

**Santa Cruz County, Calif.**

Judith Cox, Chief Probation Officer  
Laura Garnette, Juvenile  
Division Director  
Santa Cruz Probation Department  
P.O. Box 1812  
3650 Graham Hill Road  
Santa Cruz, CA 95061  
(831) 454-3800  
judy.cox@co.santa-cruz.ca.us

**Cook County, Ill.**

Michael J. Rohan, Director  
Juvenile Probation and Court Services  
1100 S. Hamilton Avenue  
Chicago, IL 60612  
(312) 433-6575  
mrohan@cookcountygov.com

**Multnomah County, Ore.**

Rick Jensen, Detention  
Reform Coordinator  
Jim Stegmiller, JDAI Consultant  
Multnomah County Department of  
Community Justice  
1404 N.E. 68th Avenue  
Portland, OR 97213  
(503) 988-5698  
rick.k.jensen@co.multnomah.or.us

**Bernalillo County, N.M.**

Doug E. Mitchell  
JDAI Coordinator  
Bernalillo County Juvenile  
Detention Center  
5100 Second St. NW  
Albuquerque, NM 87107  
(505) 761-6600 ext: 24  
demitchell@berncogov

**The Annie E. Casey Foundation**

Bart Lubow, Director of Programs  
for High-Risk Youth  
Gail Mumford, Senior Associate  
701 St. Paul Street  
Baltimore, MD 21202  
(410) 547-6600  
www.aecf.org