



## Youth risk assessment would improve system

**Star-Tribune Editorial Board | Posted: Wednesday, November 18, 2009 1:00 am**

Juvenile justice system reform hasn't been easy to accomplish in Wyoming, largely because it upsets the status quo. Some officials mistakenly don't think there's a problem.

The fact is that there's no uniformity in the way alleged juvenile offenders are treated throughout the state. Former District Judge Gary Hartman, Gov. Dave Freudenthal's adviser on juvenile justice issues, says too many of our youth are being locked up for status offenses, such as possession of alcohol and tobacco, which are only illegal because of their ages. Many nonviolent juveniles charged with misdemeanor offenses are kept in jail, where they are susceptible to being influenced by the criminal behavior of other inmates.

Today, police, with the help of local prosecutors, are the ones who determine whether kids who are arrested get locked up in juvenile detention facilities, are taken to less-secure community facilities or released into the custody of their parents. But there are no criteria to fairly make such determinations. Too often, the fate of the juvenile is in the hands of someone who is relying on gut instincts to determine how much of a threat he or she is to others and what is the likelihood that the youth will show up to court.

The Joint Judiciary Interim Committee will meet in Cheyenne today to discuss a draft bill that would finally establish admissions criteria for juvenile detention facilities. It would require the Department of Family Services to develop a uniform juvenile detention risk assessment instrument, with the assistance of law enforcement agencies, operators of juvenile detention facilities, the governor's office and the State Advisory Council on Juvenile Justice.

Wyoming won't be breaking any new ground by passing this legislation, but it would be following the example of many other states that have been using risk assessments for more than a decade. If there's a benefit to waiting so long to take the logical action, it's that Wyoming can learn from the experience of states that developed their assessments through trial and error. Over the years, these tools have been remarkably fine-tuned.

Predictably, many Wyoming prosecutors and law enforcement officers are opposed to the bill. Natrona County District Attorney Mike Blonigen told Star-Tribune reporter Josh Wolfson that the state shouldn't rely solely on a risk assessment to determine whether a young person should be in jail.

"That's not how you make a decision on anything important," Blonigen said. "They are just so determined to make a cookie cutter out of this, and it just doesn't work because individual situations are so varied."

But it's precisely because each case is unique that the state needs a tool so each juvenile can be properly evaluated using specific criteria.

A report by the Juvenile Detention Alternatives Initiative, a project of the Annie E. Casey Foundation, notes that risk assessments "have been effective in curbing subjective or inappropriate decisions to incarcerate children in locked facilities. They have also been effective in controlling total admissions to secure detention, while reducing associated government costs and liabilities."

It's understandable that police and prosecutors don't want to see the power to make such decisions about where juveniles wind up taken away from them. But that certainly doesn't justify maintaining the current system, which is both inadequate and unfair.