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14

PATHWAYS TO JUVENILE DETENTION REFORM

BEYOND DETENTION

system transformation through juvenile detention reform

by Richard A. Mendel

About the Author:

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SERIES PREFACE

Many years ago, Jim Casey, a founder and longtime CEO of UPS, observed that his least prepared and least effective employees were those unfortunate individuals who, for various reasons, had spent much of their youth in institutions or who had been passed through multiple foster care placements. When his success in business enabled him and his siblings to establish a philanthropy (named in honor of their mother, Annie E. Casey), Mr. Casey focused his charitable work on improving the circumstances of disadvantaged children, in particular by increasing their chances of being raised in stable, nurturing family settings. His insight about what kids need to become healthy, productive citizens helps to explain the Casey Foundation's historical commitment to juvenile justice reform. Over the past two decades, we have organized and funded a series of projects aimed at safely minimizing populations in juvenile correctional facilities through fairer, better informed system policies and practices and the use of effective community-based alternatives.

In December 1992, the Annie E. Casey Foundation launched a multi-year, multi-site project known as the Juvenile Detention Alternatives Initiative (JDAI). JDAI's purpose was straightforward: to demonstrate that jurisdictions can establish more effective and efficient systems to accomplish the purposes of juvenile detention. The initiative was inspired by work that we had previously funded in Broward County, Florida, where an extremely crowded, dangerous, and costly detention operation had been radically transformed. Broward County's experience demonstrated that interagency collaboration and data-driven policies and programs could reduce the numbers of kids behind bars without sacrificing public safety or court appearance rates.

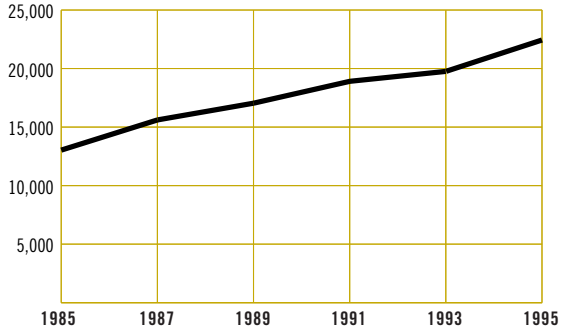
Our decision to invest millions of dollars and vast amounts of staff time in JDAI was not solely the result of Broward County's successful pilot endeavors, however. It was also stimulated by data that revealed a rapidly emerging national crisis in juvenile detention. From 1985 to 1995, the number of youth held in secure detention nationwide increased by 72 percent *(see Figure A).* This increase

might be understandable if the youth in custody were primarily violent offenders for whom no reasonable alternative could be found. But other data *(see Figure B)* reveal that less than one-third of the youth in secure custody (in a one-day snapshot in 1995) were charged with violent acts. In fact, far more kids in this one-day count were held for status offenses (and related court order violations) and failures to comply with conditions of supervision than for dangerous delinquent behavior. Disturbingly, the increases in the numbers of juveniles held in secure detention facilities were severely disproportionate across races. In 1985, approximately 56 percent of youth in detention on a given day were white, while 44 percent were minority youth. By 1995, those numbers were reversed *(see Figure C),* a consequence of greatly increased detention rates for African American and Hispanic youth over this 10-year period.[1]

As juvenile detention utilization escalated nationally, crowded facilities became the norm rather than the exception. The number of facilities

FIGURE A

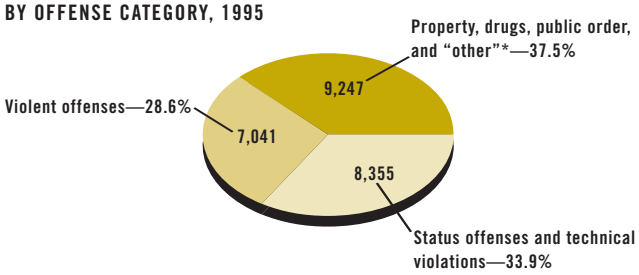
AVERAGE DAILY POPULATION OF JUVENILES IN U.S. PUBLIC DETENTION CENTERS, 1985-1995



Source: Census of Public and Private Juvenile Detention, Correctional and Shelter Facilities, 1985-1995.

FIGURE B

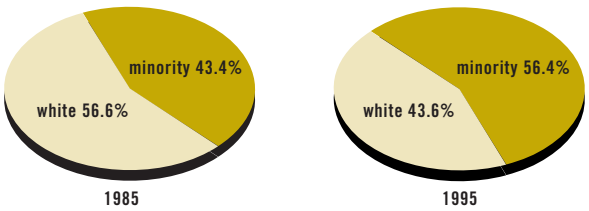
ONE-DAY COUNTS IN DETENTION FACILITIES BY OFFENSE CATEGORY, 1995



*Examples of "other" include alcohol and technical violations.
Source: Census of Public and Private Juvenile Detention, Correctional and Shelter Facilities, 1985-1995.

FIGURE C

JUVENILES IN PUBLIC DETENTION CENTERS BY MINORITY STATUS, 1985-1995

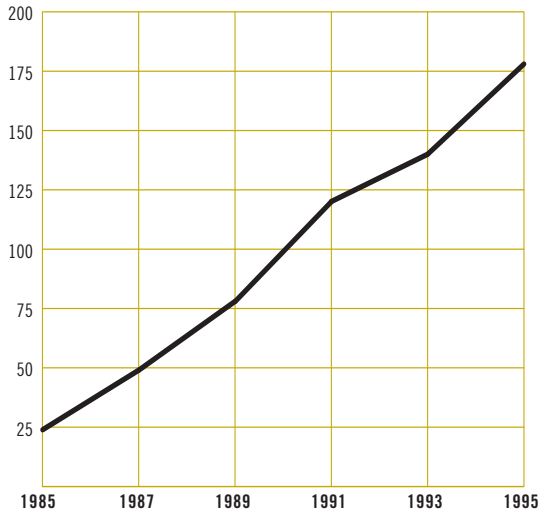


Source: Census of Public and Private Juvenile Detention, Correctional and Shelter Facilities, 1985-1995.

operating above their rated capacities rose by 642 percent, from 24 to 178, between 1985 and 1995 (*see Figure D),* and the percentage of youth held in overcrowded detention centers rose from 20 percent to 62 percent during the same decade *(see Figure E).* In 1994, almost 320,000 juveniles entered overcrowded facilities compared to 61,000 a decade earlier.

FIGURE D

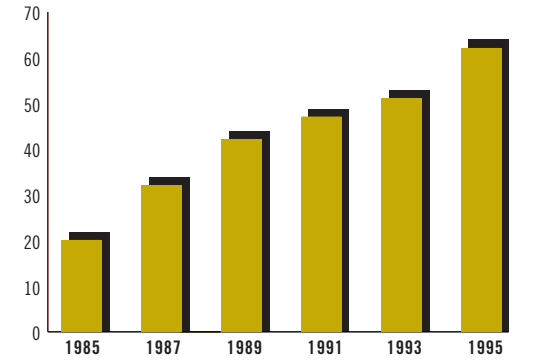
NUMBER OF OVERCROWDED U.S. PUBLIC DETENTION CENTERS, 1985-1995



Source: Census of Public and Private Juvenile Detention, Correctional and Shelter Facilities, 1985–1995.

FIGURE E

PERCENTAGE OF JUVENILES IN OVERCROWDED U.S. PUBLIC DETENTION CENTERS, 1985-1995



Source: Census of Public and Private Juvenile Detention, Correctional and Shelter Facilities, 1985–1995.

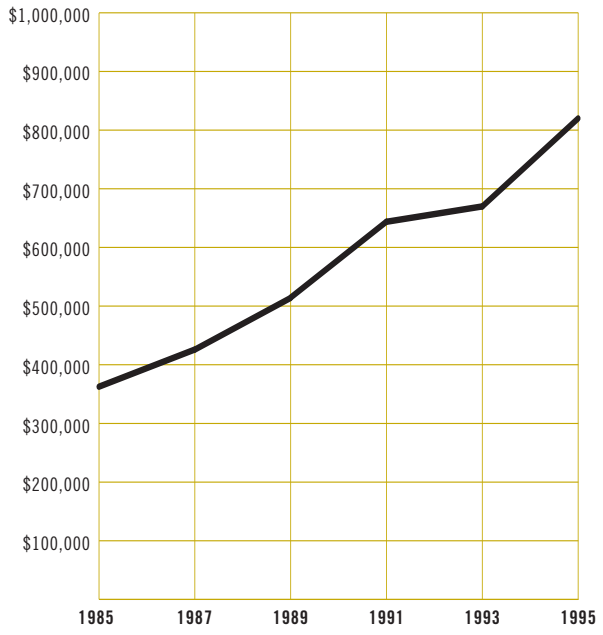
Crowding is not a housekeeping problem that simply requires facility administrators to put extra mattresses in day rooms when it's time for lights out. Years of research and court cases have concluded that overcrowding produces unsafe, unhealthy conditions for both detainees and staff. A recently published report by staff of the National Juvenile Detention Association and the Youth Law Center summarizes crowding's impact:

> *Crowding affects every aspect of institutional life, from the provision of basic services such as food and bathroom access to programming, recreation, and education. It stretches existing medical and mental health resources and, at the same time, produces more mental health and medical crises. Crowding places additional stress on the physical plant (heating, plumbing, air circulation) and makes it more difficult to maintain cleaning, laundry, and meal preparation. When staffing ratios fail to keep pace with population, the incidence of violence and suicidal behavior rises. In crowded facilities, staff invariably resort to increased control measures such as lockdowns and mechanical restraints.*[2]

Crowding also puts additional financial pressure on an already expensive public service. Operating costs for public detention centers more than doubled between 1985 and 1995, from $362 million to almost $820 million *(see Figure F).* Some of these increased operating expenses are no doubt due to emergencies, overtime, and other unbudgeted costs that result from crowding.

FIGURE F

TOTAL OPERATING EXPENDITURES IN U.S. PUBLIC DETENTION CENTERS, 1985-1995 (in thousands)



Source: Census of Public and Private Juvenile Detention, Correctional and Shelter Facilities, 1985–1995.

JDAI was developed as an alternative to these trends, as a demonstration that jurisdictions could control their detention destinies. The initiative had four objectives:

- to eliminate the inappropriate or unnecessary use of secure detention;
- to minimize failures to appear and the incidence of delinquent behavior;
- to redirect public finances from building new facility capacity to responsible alternative strategies; and
- to improve conditions in secure detention facilities.

To accomplish these objectives, participating sites pursued a set of strategies to change detention policies and practices. The first strategy was *collaboration,* the coming together of disparate juvenile justice system stakeholders and other potential partners (like schools, community groups, the mental health system) to confer, share information, develop systemwide policies, and promote accountability. Collaboration was also essential for sites to build a consensus about the limited purposes of secure detention. Consistent with professional standards and most statutes, they agreed that secure detention should be used only *to ensure that alleged delinquents appear in court at the proper times and to protect the community by minimizing serious delinquent acts while their cases are being processed.*

Armed with a clearer sense of purpose, the sites then examined their systems' operations, using objective data to clarify problems and dilemmas and to suggest solutions. They changed how admissions decisions were made (to ensure that only high-risk youth were held), how cases were processed (particularly to reduce lengths of stay in secure detention), and created new alternatives to detention programs (so that the system had more options). Each site's detention facility was carefully inspected and deficiencies were corrected so that confined youth were held in constitutionally required conditions. Efforts to reduce disproportionate minority confinement and to handle "special" detention cases (e.g., probation violations or warrants) were also undertaken.

In practice, these reforms proved far more difficult to implement than they are now to write about. We began JDAI with five sites: Cook County, IL; Milwaukee County, WI; Multnomah County, OR; New York City; and Sacramento County, CA. Just about when implementation activities were to begin, a dramatic shift occurred in the nation's juvenile justice policy environment. High-profile cases, such as the killing of several tourists in Florida, coupled with reports of significantly increased juvenile violence, spurred both media coverage and new legislation antithetical to JDAI's notion that some youth might be "inappropriately or unnecessarily" detained. This shift in public opinion complicated matters in virtually all of the sites. Political will for the reform strategies diminished as candidates tried to prove they were tougher on juvenile crime than their opponents. Administrators became reluctant to introduce changes that might be perceived as "soft" on delinquents. Legislation was enacted that drove detention use up in several places. Still, most of the sites persevered.

At the end of 1998, three of the original sites—Cook, Multnomah, and Sacramento Counties—remained JDAI participants. Each had implemented a complex array of detention system strategies. Each could claim that they had fundamentally transformed their system. Their experiences, in general, and the particular strategies that they implemented to make their detention systems smarter, fairer, more efficient, and more effective, offer a unique learning laboratory for policymakers and practitioners who want to improve this critical component of

the juvenile justice system. To capture their innovations and the lessons they learned, we have produced this series of publications—***Pathways to Juvenile Detention Reform.*** The original series included 13 monographs, most of which cover a key component of detention reform. As this work matures and expands, additional ***Pathways*** are being added to the series. A list of currently available titles in the ***Pathways*** series is provided at the end of this publication.

In 2000, the National Council on Crime and Delinquency (NCCD) completed its evaluation of the project. NCCD's analyses confirmed that sites had reduced reliance on secure detention without increasing rearrest or failure-to-appear rates, despite the harsh policy environment that drove detention utilization up nationally.[3]

For taking on these difficult challenges, and for sharing both their successes and their failures, the participants in the JDAI sites deserve sincere thanks. At a time when kids are often disproportionately blamed for many of society's problems, these individuals were willing to demonstrate that adults should and could make important changes in their own behavior to respond more effectively to juvenile crime.

Bart Lubow
Senior Associate and Initiative Manager
The Annie E. Casey Foundation

Notes

[1] In 1985, white youth were detained at the rate of 45 per 100,000, while African American and Hispanic rates were 114 and 73, respectively. By 1995, rates for whites had decreased by 13 percent, while the rates for African Americans (180 percent increase) and Hispanics (140 percent increase) had skyrocketed. Wordes, Madeline and Sharon M. Jones. 1998. "Trends in Juvenile Detention and Steps Toward Reform," *Crime and Delinquency, 44(4):*544–560.

[2] Burrell, Sue, et al., *Crowding in Juvenile Detention Centers: A Problem-Solving Manual,* National Juvenile Detention Association and Youth Law Center, Richmond, KY, prepared for the U.S. Department of Justice, Department of Justice Programs, Office of Juvenile Justice and Delinquency Prevention (December 1998), at 5–6.

[3] M. Wordes, et al., *Juvenile Detention Alternatives Initiative Evaluation Report,* Oakland, CA: National Council on Crime & Delinquency, 2000.

PREFACE UPDATE

Approximately eight years have passed since the publication of the original volumes of *Pathways to Juvenile Detention Reform.* These intervening years in juvenile justice have seen both extraordinary progress and, regrettably, the discouraging repetition of decades-old problems.

On the positive side, the innovations piloted by the original sites have been replicated by numerous jurisdictions, making the Juvenile Detention Alternatives Initiative (JDAI) one of the nation's most influential reform efforts in decades. As this preface update is written, JDAI is being implemented in approximately 80 jurisdictions in 20 states and the District of Columbia.

Why has detention reform spread so widely and successfully throughout the nation's juvenile justice systems? First and foremost, JDAI sites have achieved impressive results. As Figure G reveals, JDAI "model" sites have dramatically reduced reliance on detention *and* improved public safety outcomes, dispelling one of the system's great myths—that locking up significantly fewer youth would unleash a juvenile crime wave. These sites also saved their jurisdictions millions of dollars, either by avoiding new construction and related operating costs or, in a growing number of instances, by closing unoccupied units and redeploying the dollars previously appropriated for operations to other programmatic efforts *(see Figure H).*

The results achieved by the JDAI model sites stimulated interest in other jurisdictions. And, because of the pioneering work of these early detention reform sites and the practical examples they provided, many replication sites have achieved similarly impressive results relatively quickly. Success breeds success; consequently, a national detention reform movement began to emerge and continues to grow *(see Figure I).*

The second reason why JDAI has expanded so broadly is the robust infrastructure of supports for juvenile detention reform that has been created. In addition to the model sites (which graciously serve as learning laboratories for other jurisdictions) and this still-growing *Pathways* series, JDAI replication sites and the field in general have benefited from a variety of new resources, including policy

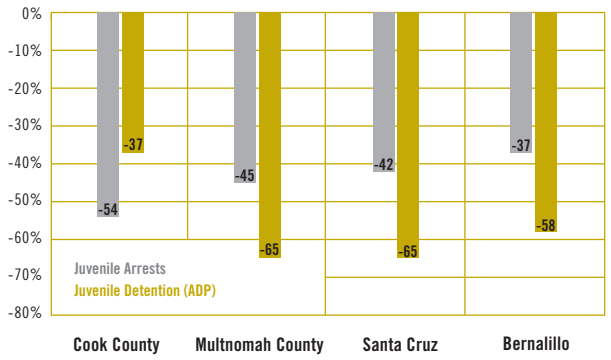
and practice guides that summarize innovations and provide do-it-yourself guidance on key topics for system personnel and their community allies.

Another exciting new support service now available is the JDAI Help Desk, an online resource that includes hundreds of detention reform documents—screening instruments, sample policies and procedures, program descriptions, research reports—useful to those seeking to establish a smarter, fairer, and more efficient detention system. The Help Desk, which is operated by the Pretrial Justice Institute, also offers timely individualized feedback to questions posed by practitioners, policymakers, and other interested visitors to the site. *Pathways'* readers are encouraged to check out the Help Desk at www.jdaihelpdesk.org.

A third reason for JDAI's extensive replication is its impact on other aspects of juvenile justice policy and practice. When we began JDAI in 1992, and even through the early stages of replication, sites were drawn to the work primarily because their local detention facilities were crowded and they faced difficult dilemmas, like investing millions of taxpayer dollars in additional secure beds or defending themselves in lawsuits over unconstitutional conditions of confinement. JDAI effectively demonstrated that jurisdictions have more options than these, ones that enable them to safely reduce

FIGURE G

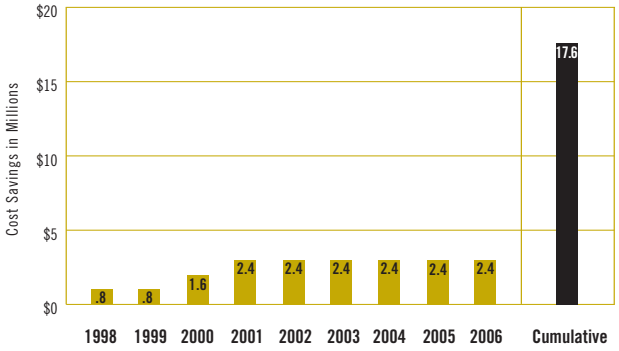
JUVENILE CRIME REDUCED AND DETENTION REDUCED IN JDAI MODEL SITES



**Note: crime declines are juvenile felony arrests in Santa Cruz (1996–2005) and Multnomah for (1994–2000); juvenile violent arrests in Cook (1993–2000); and juvenile arrests in Bernalillo (1999–2006). Detention declines occurred during the following timeframes in: Multnomah (1995–2002), Cook (1996–2002), Santa Cruz (1997–2005), and Bernalillo (1999–2004).

FIGURE H

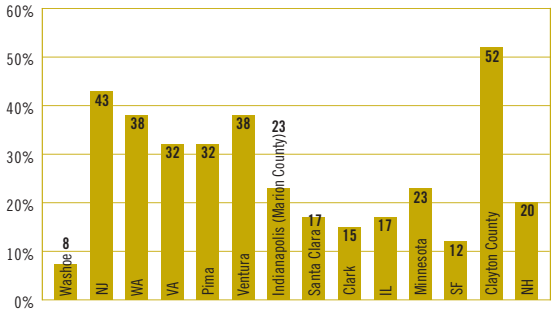
JDAI MODEL SITE MULTNOMAH COUNTY REDEPLOYS $17.6 MILLION DOLLARS



Source: Multnomah County, Oregon, *JDAI Results Report,* 2006.

FIGURE I

ALMOST ALL JDAI REPLICATION SITES REDUCED AVERAGE DAILY POPULATIONS IN DETENTION

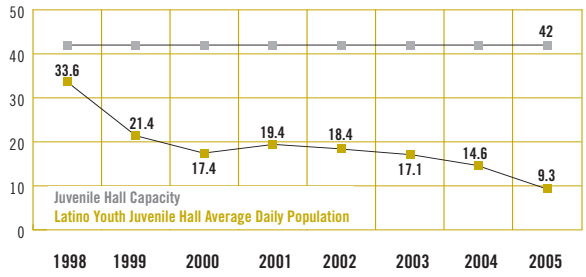


Percent reduction in average daily population since start of JDAI in replication sites.

- 24 of 26 grant-funded sites reported reductions in average daily population in secure detention.
- On average, sites reduced their ADP by 27%.
- Across all JDAI sites, the overall reduction in ADP of youth of color was 25%.
- Every site reported sustained or, in the vast majority of sites, improved public safety results.

FIGURE J

LATINO YOUTH AVERAGE DAILY POPULATION REDUCTIONS IN SANTA CRUZ COUNTY



Source: Santa Cruz County Comprehensive Multi-Agency Juvenile Justice Plan Update.

reliance on secure detention. But JDAI also demonstrated that a myriad of other juvenile justice ills can be attacked through detention reform, including chronic racial disparities and unnecessary reliance on out-of-home commitments at the dispositional stage of delinquency proceedings.

In the past five years, a number of sites have implemented JDAI because of detention reform's documented impact on what was historically referred to as DMC—disproportionate minority confinement. Early JDAI sites like Multnomah County, Oregon, and Santa Cruz County, California, produced the nation's first empirical evidence that racial disparities in juvenile justice could be significantly reduced *(see Figures J and K).* In contrast to almost two decades of failed efforts nationally, these examples were beacons of hope to many jurisdictions, inspiring interest in detention reform regardless of whether their detention centers were crowded.

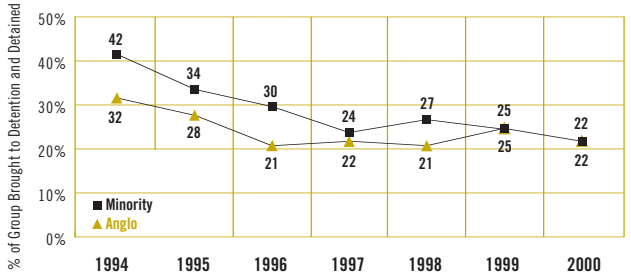
Other sites have embraced detention reform simply because they recognized that the values, policies, and practices that effective detention reform requires can have an overall transformative effect on their systems. Indeed, *Pathway 14, Beyond Detention,* is devoted completely to documenting the ways in which detention reforms stimulate or

support a broad array of other juvenile justice improvements, including novel approaches to engaging youth and parents, increased use of evidence-based programs, and reduced reliance on out-of-home placements *(see Figure L)*.

But despite JDAI's growing influence, juvenile detention centers in the United States continue to be filled with youth who pose minimal risks and whose confinement is a function of policy and practice choices that should not and need not result in the deprivation of liberty. The continued inappropriate and unnecessary reliance on secure detention in many places is underscored by statistics that show that the average daily population in secure detention nationally has not decreased even though arrests of juveniles for serious crimes dropped precipitously in the past decade *(see Figure M)*. Why? For one thing, detention centers have become the dumping ground for high-need youth who ought to be served in other systems, but who have been referred instead to the juvenile court and detention centers. School-based zero tolerance policies and practices are one of the primary forces driving these trends, with many jurisdictions now reporting that a sizable percentage—in some instances, a majority—of court referrals originated in schools, many for minor misbehaviors that previously were the responsibility of the education system. Similarly, the weaknesses of the nation's community mental

FIGURE K

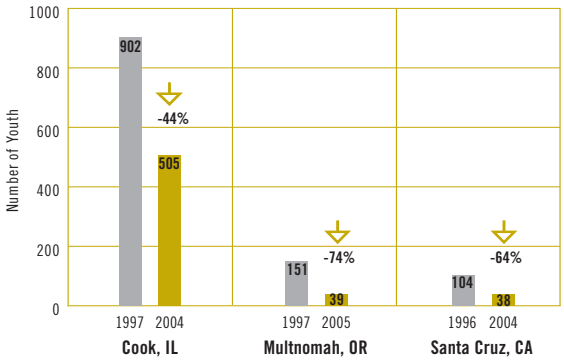
DCJ DETAIN RATE BY ANGLO/MINORITY OVER TIME: 1994-2000



Source: Scott Keir, Ph.D., Research & Evaluation Unit, May 2001.

FIGURE L

JDAI SITES REDUCING THE NUMBER OF YOUTH SENT TO STATE FACILITIES

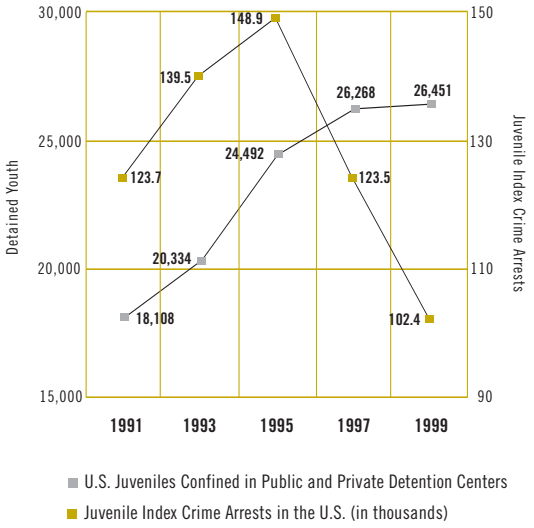


health systems continue to propel many youth into detention even though meaningful treatment in these facilities remains but a sad illusion.

Bad as it is, the inappropriate or unnecessary use of secure detention is cause for concern well beyond the sometimes excessive, sometimes arbitrary exercise of power by adults frustrated or angered by misbehaving children. Sometimes, the results of such use are horribly tragic. Over the past few years, lawsuits over unconstitutional conditions, child abuse scandals, arrests of facility staff, and even deaths of confined youth, have become increasingly commonplace in secure juvenile facilities throughout the country. Numerous state and county facilities have been investigated by the U.S. Department of Justice's Civil Rights Division and, in most instances, the offending jurisdictions have agreed to make extensive changes in conditions and programming to stave off lawsuits. In other sites, scandals have rocked systems when patterns of abuse, including the sexual exploitation of confined youngsters, have been revealed. In Florida, a detained juvenile died of a ruptured appendix after being denied medical care by institutional staff over the course of several days. In Nevada, a 14-year-old girl committed suicide in a detention center when she recognized a staff member as someone who had previously abused her. A Maryland youth recently died as a result of the inappropriate use of force by facility staff. This list of examples could go on and on…unfortunately.

FIGURE M

DIFFERENT DIRECTIONS:
Detention Populations vs. Arrest Rates for U.S. Juveniles in the 1990s



Sources: Detention data adapted from Sickmund, M. (forthcoming), *Juveniles in Corrections,* Washington, D.C.: Office of Juvenile Justice and Delinquency Prevention; arrest data from FBI Uniform Crime Reports.

These tragic circumstances and situations happen far too frequently to be written off as the regrettable byproducts of an unpleasant, but necessary, public service. Indeed, persistent and flagrant violations of human rights in juvenile detention

and corrections are simply far too common to be rationalized as the exceptions to rules of basic decency. Instead, the frequency of these abuses should make us pause to question whether the profound challenges inherent in trying to operate safe, humane (dare I add "effective") secure juvenile facilities are actually surmountable. Over our century of experimentation with a separate system of justice for juveniles, there has been scant evidence that we can design and operate locked facilities that are safe and healthy, much less nurturing and rehabilitative. If that is true—if we cannot routinely provide environments for delinquent youth that we would be comfortable with if our own children had to be confined in them—then it behooves all juvenile justice policymakers and practitioners to redouble our efforts to minimize the use of these expensive and often counterproductive institutions.

JDAI is now perhaps the best demonstrated and most extensively documented approach available to jurisdictions determined to avoid the tragedies that result from overreliance on secure confinement. It is a comprehensive approach designed to ensure that the right kids—but only the right ones and only for the minimum amount of time necessary—are confined in locked facilities. The ever-growing list of jurisdictions that have embarked on these pathways to reform makes the strongest case for the initiative. We thank all the dedicated people in these sites for their determined and innovative leadership and their enduring commitments to improving the odds that seriously delinquent youth make successful transitions to adulthood.

Bart Lubow
Director, Program for High Risk Youth
The Annie E. Casey Foundation
July 16, 2007

Chapter 1

WHAT DOES "BEYOND DETENTION" MEAN, AND WHY IS IT IMPORTANT?

When the Annie E. Casey first launched the Juvenile Detention Alternatives Initiative in the mid-1990s, the situation in our nation's juvenile detention centers was spiraling out of control. Between 1985 and 1995, the population of adolescents held in locked detention centers rose 72 percent, and the number of overcrowded detention facilities nationwide grew from 24 to 178, a more than sevenfold increase. By 1995, 62 percent of detained youth were held in overcrowded facilities—up from just 20 percent a decade earlier.

This detention crisis concerned only one element in the larger juvenile justice apparatus: analogous to jails in the adult justice system, detention centers are locked facilities where youth may be confined prior to their court dates or pending placement to correctional programs.

Yet detention crowding created serious safety issues for thousands of youth nationwide, and it prevented many from receiving basic education, recreational, and mental health services while in custody. Moreover, a disproportionate and growing percentage of the youth being locked in detention centers were children of color, raising deep questions of racial injustice. To ease the overcrowding, many jurisdictions were making plans to spend millions of dollars to expand their detention centers or build new ones—indeed, many local officials viewed new construction as the only route out of the detention overcrowding crisis.

The Annie E. Casey Foundation believed that adding beds—building or expanding detention facilities—was not the only or the best way to resolve the detention crisis. In many jurisdictions, detention centers were filled with youth who posed no danger to the public, and many youth were being held for weeks or months due to inefficiencies in how local detention programs operated. A Casey-funded detention reform pilot project in Florida's Broward County in the late 1980s showed that by steering low-risk youth away from detention, creating new alternatives to locked detention, and instituting best practices in case processing, detention center populations could be reduced dramatically without risking public safety, saving taxpayers millions of dollars in the process.

JDAI aimed to replicate Broward County's success in other localities. Through the initiative, the Foundation sought to chart a clear and highly visible model of detention reform for jurisdictions nationwide. Yet, in choosing to focus so much attention and resources on this one component in the larger juvenile justice continuum, the Foundation also hoped that JDAI would spur reforms in other facets of juvenile justice.

"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," says Bart Lubow, senior associate at the Foundation and initiative manager for JDAI. "But internally we always knew that JDAI was a really good way to stimulate positive change throughout the juvenile system."

Why Go "Beyond Detention"?

Why is it important to pursue juvenile justice reforms in areas other than detention? Because, quite simply, America's juvenile courts and corrections systems are deeply troubled.

Why is it important to pursue juvenile justice reforms in areas other than detention? Because, quite simply, America's juvenile courts and corrections systems are deeply troubled.

During the 1990s, following a sharp but time-limited spike in youth crime rates, the perceived woes of juvenile justice became a front-burner political issue. News of youth crime received unprecedented coverage in newspapers and local television news shows. Major newsmagazines published alarming cover stories warning of a coming generation of "juvenile superpredators" or "a ticking time-bomb" of youth crime. Political leaders in both parties accused juvenile justice systems of "coddling" young criminals and endangering the public, and many began questioning the very basis of the juvenile court system by joining a chorus demanding "adult time for adult crime."

Much of this discussion of youth crime was wildly off-the-mark. As fast as youth crime rates rose in the late 1980s and early 1990s, they plummeted even faster in the late 1990s and today stand at their lowest levels in a generation. Meanwhile, though most states limit the length of sentences juvenile courts can impose on youth offenders, side-by-side studies show consistently that youth transferred and tried in adult courts typically receive less punishment (and vastly

less treatment and youth development services) than youth served in juvenile court and corrections systems—and they are more likely to commit additional crimes than youth handled in the juvenile system.

The real woes of the juvenile court and corrections systems are more subtle, but they are nonetheless costly—needlessly damaging the life chances of young people who become involved with the juvenile courts, often violating their rights, wasting millions of taxpayer dollars, and, in many cases, actually exacerbating the dangers of youth crime.

- ***Most state juvenile justice systems rely heavily and spend the bulk of their resources on congregate care training schools and other out-of-home placements that are costly and ineffective.*** Every day, more than 100,000 young people are confined by juvenile justice authorities, most in large correctional facilities, at a cost of $100 to $300 per day. This daily population figure remains above the level in 1995, despite a more than 40 percent drop in the juvenile violent crime rate in this period. Less than one-fourth of confined teens are violent felony offenders, yet the recidivism rates of teens leaving these facilities are almost uniformly high. Veteran juvenile justice scholar Barry Feld writes that "A century of experience with training schools and youth prisons demonstrates that they constitute the one extensively evaluated and clearly ineffective method to treat delinquents."

- ***Meanwhile, most juvenile justice systems fail to invest in intensive, high-quality community-based program options that often yield better results than out-of-home placements at a fraction of the cost.*** Research on juvenile justice consistently shows that troubled youth are more likely to cease delinquent behaviors and avoid rearrest if they receive focused support and supervision from caring adults in their own homes and communities, rather than far-away institutions. However, intensive home-based programs remain rare in most jurisdictions. Instead, most teens entering the juvenile justice system are placed either into probation programs offering cursory oversight or sent away to residential treatment facilities that cost far more money than even the most intensive home-based supervision programs.

- ***In most jurisdictions, policymakers and juvenile justice administrators pay too little attention to research and results. In recent years, crime prevention scholars have made significant advances in understanding what works and what doesn't in combating delinquency.*** Three intervention models—known as Multisystemic Therapy, Functional Family Therapy, and Multidimensional Treatment Foster Care—have demonstrated significant positive results in repeated scientific trials. Yet these programs—all of them family focused, none involving incarceration—are not being employed by most juvenile justice agencies, even though they cost far less than training schools. Meanwhile, many juvenile courts and correctional agencies continue to employ practices that have proven ineffective in research studies, while few carefully track the outcomes of their programs in terms of recidivism or youth success.

- ***Juvenile courts and corrections systems routinely treat children of color more harshly than white youth, while offering them fewer opportunities for treatment and support.*** At every stage of the juvenile justice process, minority youth receive tougher treatment than their white peers. They are more likely than white youth to be arrested, more likely to be formally charged in juvenile court (rather than having their cases handled informally), more likely to be locked in detention pending court, more likely to be committed to a youth correctional facility, and more likely to be transferred to adult court. As one recent study concluded, "Throughout the [juvenile justice] system, minority youth—and especially African American youth—receive different and harsher treatment. This is true even when White youth and minority youth are charged with similar offenses."[1]

- ***Far too often, juvenile justice systems subject youth to substandard conditions of confinement or even outright abuse.*** In just the past decade, credible reports of abuse have surfaced in the juvenile justice systems of at least 20 states. Some reports have been shocking: California youth being held in small cages; Maryland correctional officers staging fistfights among incarcerated teens; Mississippi teens being hogtied or chained to metal poles; Arizona youth locked in cells for days at a time, without the chance to shower, change, or even use the restroom. While these situations are being addressed, other states are currently under federal investigation.

- ***Due to overwhelming caseloads and a lack of collaboration among the many agencies involved in the juvenile court and corrections process, youth often receive little individualized attention, and the voices of youth and their parents are often ignored.*** After spending a year studying the juvenile justice system in Los Angeles, journalist Edward Humes reported that "the judges, prosecutors and defense attorneys can't remember individual kids anymore, or faces or histories. They look at you as if you're insane if you name a juvenile and ask what happened with his or her case . . . The kids have been reduced to categories. As a result, the fundamental question the Juvenile Court was designed to ask—What's the best way to deal with this individual kid—is often lost in the process."[2]

JDAI: A Bridge to Broader Reform

JDAI was not designed to resolve these deep and pervasive shortcomings in juvenile justice. Yet, as its sponsors at the Annie E. Casey Foundation hoped, wherever JDAI has been successfully implemented it has proven to be a powerful catalyst for broader reform efforts.

This report documents how in three model sites—Cook County (Chicago), Illinois; Multnomah County (Portland), Oregon; and Santa Cruz County, California—JDAI has sparked a wide range of reforms and program improvements throughout the continuum of juvenile justice programs and services:

- Since launching JDAI, each of these jurisdictions has dramatically reduced the number of youth sentenced to youth corrections facilities—and one has also dramatically reduced the number youth with mental health problems placed into residential treatment centers.

- Each of the three model JDAI sites has developed a range of new community-based programs, enabling youth to remain at home while connecting them to culturally sensitive services and resources within their own neighborhoods.

- Each site has adopted objective decision-making tools to ensure that youth are treated equally and connected to appropriate treatments and services. Each site has also become far more adept at collecting and analyzing data to monitor outcomes and improve programming.

- Each site has vastly expanded the degree of collaboration among the various agencies involved in juvenile justice—courts, probation staff, prosecutors, public defenders, mental health providers, and community-based organizations—allowing their local systems to better understand and address the individual needs of court-involved youth.

This report examines in-depth how JDAI has helped foster these and other improvements in areas of juvenile justice "beyond detention."

Chapter Two reviews the goals, structure, and tools of JDAI and offers a framework to understand the various ways in which the JDAI process lends itself to supporting broader reforms.

Chapter Three details how the sites' experience with JDAI has helped them make smarter, fairer, and more effective decisions throughout the juvenile justice process—by improving their ability to collect and use information to improve policy and programming, and by developing new mechanisms to promote inter-agency cooperation, shared accountability, and joint case planning in the pursuit of better outcomes for youth.

Chapter Four documents how JDAI model sites are reducing the number of youth sentenced to correctional institutions or other out-of-home placements. It details new methods of staffing and processing delinquency cases that are reducing reliance on out-of-home care. This chapter also describes community-based programming developed by the sites to provide better alternatives to out-of-home placements, including the implementation of evidence-based intervention models that have significantly lowered recidivism repeatedly in scientific evaluation studies.

Chapter Five describes the many steps model sites have taken to engage youth and their families as partners and decision-makers—a core paradigm of the JDAI model. In a variety of new ways, the sites are reaching out to youth and their families both in developing their own individual treatment plans, and in providing feedback to help local juvenile justice systems improve the sensitivity, relevance, and effectiveness of their services.

Chapter Six focuses on the sites' efforts to address the disproportionate confinement of minority teens—a pervasive problem in juvenile justice systems nationwide. Emboldened by JDAI's strong focus on disparate treatment of children

of color, each of the sites has examined its system at a variety of decision points in the juvenile court process—from arrest to detention to disposition—to detect and address instances where youth of color are treated differently than similarly situated white youth. The sites have learned that promoting racial justice takes strong leadership combined with the intentional implementation of culturally competent, community-based programming to divert youth of color from secure confinement.

Finally, Chapter Seven steps back from the specific reform efforts undertaken by the three model sites to draw more general conclusions about JDAI's role as a catalyst for positive systems change in all aspects of juvenile justice programming—and to offer a brief rundown of successes achieved by other JDAI sites in implementing reforms "beyond detention."

Combined with its direct impact on detention practice itself, JDAI's catalytic effects in support of broader reform prompted National Juvenile Detention Association Director Earl Dunlap to describe JDAI as "the single greatest reform ever undertaken in juvenile justice programming."[3]

When *The American Prospect* magazine released a special juvenile justice issue in September 2005, the lead article proclaimed that "the juvenile-justice ideal has received a new lease on life [in recent years] thanks to pioneering efforts by states and foundations." Written by National Council on Crime and Delinquency President Barry Krisberg, the story cited JDAI as a crucial development underlying recent progress and creating a "vibrant national movement" for reform.[4]

As its name makes clear, the Juvenile Detention Alternatives Initiative is focused on juvenile detention. But, as the following pages detail, when implemented effectively it leaves a wake of reform successes that go far wider.

Notes

[1]E. Poe-Yamagata and M. Jones, *And Justice for Some: Differential Treatment of Minority Youth in the Juvenile Justice System,* Washington, DC: Building Blocks for Youth, April 2000.

[2]E. Humes, *No Matter How Loud I Shout,* New York: Touchstone, 1996.

[3]R. Mendel, "And the Walls Keep Tumbling Down," *AdvoCasey,* Vol. 5, No. 1, Baltimore, MD: Annie E. Casey Foundation, Spring 2003.

[4]B. Krisberg, "Reforming Juvenile Justice," *Breaking Through: Juvenile Justice Reform* (Special Report of *The American Prospect),* September 2005.

Chapter 2

WHAT MAKES JDAI AN EFFECTIVE CATALYST FOR BROADER REFORMS?

Before moving to the main body of this report, which documents in detail the many reform efforts undertaken by the three model JDAI sites in their non-detention programming, this chapter will explore the question of "why"? Why does the process of undertaking JDAI's rigorous, ambitious methodology for detention reform spill over into positive action to improve programs and practices in other areas of juvenile justice?

Any answer to that question is, of course, speculative. Indeed, the genesis of any reform is murky and multidimensional, and the dynamics of reform inevitably vary from one jurisdiction to the next. Nonetheless, by reviewing the specific elements of the JDAI model, taking an inventory of the barriers that commonly prevent or undermine reform efforts in juvenile justice, and interviewing both JDAI practitioners and outside experts, it is possible to glean several factors as crucial to understanding the JDAI model's catalytic power.

First, by substantially shifting large numbers of youth away from locked detention in the pre-trial period and into detention alternative programs, JDAI demonstrates that youth can be successfully supervised in the community and inevitably reduces the number of youth sentenced to locked correctional facilities following adjudication.

As noted in the previous chapter, one of the most common and compelling criticisms of juvenile justice systems nationwide is that they rely too heavily on expensive and typically ineffective out-of-home placements—and too little on community-based programming.

When implemented effectively, JDAI can alter this troubling equation. By applying objective screening criteria and developing a range of detention alternatives, all three model sites (as well as many other JDAI sites) have reduced the number of youth confined prior to their adjudication hearings. Then, once enrolled into a detention alternative program, the sites have enabled the vast majority of youth to remain crime free in the pre-trial period and appear in court as scheduled—and many to participate in positive youth development programming.

When their court dates arrive, these successful detention alternative program participants are far less likely to be placed into a locked correctional facility than if they had been dragged to court from detention in handcuffs and correctional jumpsuits. A study in Florida found that youth locked in detention were three times as likely to be placed into correctional facilities as youth with similar backgrounds and offending histories who remained in the community prior to adjudication.[1]

In turn, the lower rate of placements into correctional facilities and other out-of-home placements creates increased demand for community-based programming. And the process of developing new detention alternative programs often prompts courts and probation agencies to build new partnerships with community-based agencies—partnerships that can then be broadened to create new post-adjudication supervision and treatment programs.

JDAI's highly prescriptive reform model enables (or even forces) local juvenile justice systems to develop skills and capacities that are necessary for reform but scarce in most jurisdictions.

The JDAI model mandates that participating sites pursue eight core strategies:

- Interagency collaboration to improve planning and coordination.
- Use of data, including results tracking, to drive program and policy decisions.
- Reliance on objective criteria and instruments to guide admission and sanctioning decisions.
- New or enhanced community-based alternatives to secure detention.
- Expedited case processing to reduce lengths of stay and speed the administration of justice.
- Practices and policies to eliminate structural and personal biases that produce racial disparities.
- Routine facility inspections to improve conditions of confinement.
- Innovations to reduce secure custody in "special" detention cases (e.g., violations of probation).

Each strategy is essential for effective detention reform. As an added benefit, these strategies also enhance the ability of local juvenile justice systems to achieve other reforms. Specifically, JDAI boosts local capacity in two ways. First, the JDAI process forces disparate agencies involved in the juvenile court and corrections

process to build collaborative partnerships, a necessary ingredient for implementing broader system reforms. Second, learning the tools and techniques involved in the JDAI process helps individuals within the system (and entire agencies) acquire new skills and knowledge that are invaluable in pursuing broader system reforms.

Fostering collaboration. Though the combined efforts to process, adjudicate, treat, and punish youth accused of delinquent offenses are commonly known as a "juvenile justice system," this term obscures the fact that many different agencies and departments are involved with justice-involved youth. They include police, courts, prosecutors, public defenders (and the defense bar more broadly), probation departments, community-based organizations, and county and state youth authorities responsible for secure confinement and other correctional programs. In many jurisdictions, perhaps most, these disparate agencies often work at cross purposes. Only rarely do they join forces and work collaboratively to ensure that the larger system works in the best interest of the youth, taxpayers, or society.

Once they have built the relationships and reaped the benefits of tighter collaboration in detention reform, local officials have been much more willing and able to work together on reforming other elements of the juvenile system.

By insisting upon an interagency team to plan and guide detention reform, JDAI has helped all sites reap the benefits of collaboration—the development of shared values, cross-agency buy-in and ownership of reform, the ability to pursue multiple strategies across many agencies simultaneously, and the imposition of accountability essential to effective systems reform. Collaboration has helped beat down longstanding barriers and create a more seamless system for young people. It has produced more innovative solutions and more effective programs. In short, collaboration has allowed counties to make better decisions and create a stronger web of integrated services for the youth in their care. And once they have built the relationships and reaped the benefits of tighter collaboration in detention reform, local officials have been much more willing and able to work together on reforming other elements of the juvenile system.

Acquiring New Skills and Tools. JDAI also called on sites to learn and employ state-of-the-art techniques to upgrade their decision-making and programming. This, too, has left the sites far better prepared to succeed in broader reform efforts.

A core element of the JDAI model is the ***sophisticated use of data to inform program and policy decisions.*** Sites are expected to gather data on who refers youth to the juvenile justice system, which youth are placed into detention and how long they remain, which youth are in detention on any given day, how long it takes to process their cases, and how youth of color are treated compared to white youth. With targeted investments, JDAI helps participating sites increase their technological capacity to collect these kinds of quantitative data and their expertise in analyzing them. As the sites became more familiar with using quantitative data to inform policy and programming, they have been able to apply these competencies to other parts of the system.

The use of objective screening offered a significant upgrade over the subjective, inconsistent decision-making processes that existed prior to JDAI (and still operate in many or most jurisdictions nationwide).

Through JDAI, participating sites have also learned how to design and utilize ***objective screening instruments to guide admission and sanctioning decisions.*** For detention reform, these objective screening tools (also known as risk-assessment instruments) are essential for sorting high-risk youth who require secure custody from those who can safely be released or placed in non-secure programs. The use of objective screening offered a significant upgrade over the subjective, inconsistent decision-making processes that existed prior to JDAI (and still operate in many or most jurisdictions nationwide). The screening tools helped the sites boost the success rates of detention alternative programs, by making sure that the youth directed to the programs are good candidates. And they have eliminated any subjective bias in detention placement decisions that might contribute to disproportionate minority confinement. As the model JDAI sites sought to broaden the reforms beyond detention, they have made extensive use of objective screening at other stages of the juvenile court process.

Perhaps most importantly, effective implementation of JDAI has led to a profound and lasting "culture shift" within participating juvenile justice systems. In each of the model JDAI sites, leaders have embraced a common set of core

principles concerning the mission of juvenile justice. Propelled by that consensus—and buoyed by momentum of their successes in detention reform—sites have acquired an ongoing appetite for broader reform.

Though it involves many sophisticated strategies, processes, procedures, and techniques, JDAI is based upon a simple and straightforward set of beliefs:

- that juvenile justice should help court-involved youth overcome their problems, build on their strengths, and succeed in life;
- that confining youth and removing them from their homes and communities is not therapeutic—and therefore, youth should always be placed in the least restrictive alternative that is consistent with public safety;
- that parents, family members, and youth themselves must be respected in the juvenile justice process and engaged as partners;
- that community organizations and residents can and should play an important role in guiding youth away from delinquency and toward success; and
- that the juvenile court and corrections process must make every effort to ensure that all youth are treated equally and not disadvantaged based on their ethnic and racial backgrounds.

All of these ideas conform to the original ideals on which the juvenile courts were first invented in America a century ago. Yet sadly, these ideals have lost their hold on most juvenile justice systems in recent decades. Courts became overwhelmed with cases, while paltry budgets for assessment and treatment have left correctional agencies ill-equipped to identify youths' true needs or provide individual care. As political leaders embraced simplistic "law-and-order" rhetoric, the public lost faith in rehabilitation, and the appetite for punitive justice grew.

For leaders in participating sites, JDAI has offered an opportunity to reaffirm a commitment to juvenile justice ideals. David Roush, longtime director of the National Juvenile Detention Association's Center for Research and Professional Development has suggested that one of JDAI's effects is to unleash the pent-up idealism of juvenile justice professionals. "Most folks [involved in juvenile justice] realize that there should be better alternatives available [than locked detention]," Roush noted, but "the politics of juvenile incarceration have not been open to this kind of movement over the past 15 years."[2]

Indeed, in two of the three model sites (Cook County and Santa Cruz) steering committee leaders took the time to draft and circulate their own lists of core values and principles. In Cook County, for instance the core values include "pursue least restrictive setting without compromising public safety," "promote cultural competency," and incorporate youth/family perspectives. (See p. 66 for the complete list.) Santa Cruz County's statement of principles and values cites the importance of "coordination among community-based providers and the formal juvenile justice system" and "giving youth and families a strong voice in shaping reform," and it calls on juvenile justice officials to "embrace a critical perspective of [their] own practices, in order to identify areas needing improvement." The third model site, Multnomah County, did not create a separate core values statement. However, Multnomah leaders did sprinkle similar values statements into a binding co-management agreement signed by all of the jurisdiction's key JDAI partners.

Rick Jensen, Multnomah's JDAI project coordinator, describes how the core values underlying JDAI gradually took root and spurred an ongoing commitment for continual program improvement. "JDAI never ends," Jensen says. "The momentum you get around answering the question about which youth should be in detention and why begs the question of who should be in the system at all and how deeply any child should penetrate the system."

"The core values of JDAI have taken root, and they've really been embraced by the folks here," reports Mike Rohan, director of Juvenile Probation in Cook County. "The partnerships we've built because of JDAI have blended into other efforts toward system change.

"Everyone has embraced the need to do more," Rohan adds. "All of our partners have a lot of faith in each other. It allows other discussions to go a lot smoother. It's been critical."

Notes

[1]The Florida study was cited in J. Zeidenberg, *The Dangers of Detention: The Impact of Incarcerating Youth in Detention and Other Secure Facilities,* Justice Policy Institute, November 2006.

[2]Cited in Mendel, "And the Walls Keep Tumbling Down."

Chapter 3

MAKING BETTER DECISIONS

As a result of their experience with detention reform, JDAI model sites are making better—smarter, fairer, and more effective—decisions at points throughout the juvenile justice system. In particular: (1) decisions about programming and policy are increasingly informed by data; (2) systems are using objective criteria to guide decisions about placement, sanctioning, and treatment of youth; and (3) representatives from multiple agencies—including mental health, child welfare, and education—are working more collaboratively and sharing information more closely in order to make better decisions about the disposition of individual cases as well as the development of programming and policy.

Using Quantitative Data to Drive Policy and Practice

JDAI stimulated sites' appetite for data and equipped them with new tools for data collection and analysis. As sophistication with data grew, it was not long before counties began to use data to drive decision-making throughout the justice system. Decision-making became less arbitrary, less likely to be based on anecdote or worst-case scenario, and racial disparities became less likely to go undetected and, therefore, unchecked. As Judy Cox, Santa Cruz County Chief Probation Officer, explained, "Use of data became part and parcel of everything we do. We would not think of doing a program or developing a policy without it." What follows are examples of how reliance on data has expanded in these jurisdictions and stimulated change in areas of juvenile justice other than detention.

Using Data Analysis to Target New Probation Programming in Santa Cruz. In August 2004, the STAR Residential Program, a treatment center for substance abusing and emotionally disturbed adolescents in Santa Cruz County, California, succumbed to staffing and funding problems and shut its doors. For years, the center's 3-6 month residential treatment program had been a favored placement option for court-involved youth, so the closure created a significant void in the county's service continuum.

After eight years of experience with the JDAI process, leaders in Santa Cruz County's Probation Department recognized that properly filling that void demanded careful study. Otherwise, they feared, the closure might lead the juvenile court to incarcerate more youth.

In its efforts to determine the most appropriate new services to replace the STAR center, the probation department conducted three separate analyses. Before the closure, probation staff prepared case studies of clients served at the STAR center, juvenile hall booking trends, reasons for bookings, probation violation petitions filed, caseload sizes, and their ethnic composition. The data revealed that many youth were sent to the STAR program due to substance abuse while in the community on probation.

In addition, probation staff conducted two additional studies. One examined a sample of 195 supplemental petitions for technical violations of probation filed by probation officers over a five-month period—analyzing each petition and identifying the behavioral issues that frequently resulted in probation violations. It found that 51 percent of the petitions involved drugs or alcohol, far surpassing any other factor. The second study, which analyzed juvenile hall booking data over a one-year period (and particularly all bookings that resulted from technical violations of probation), also found that substance abuse was an underlying problem for many youth. In addition, both studies found that many of the youth suffering substance abuse problems and committing probation violations were from Hispanic families in the South County area of Santa Cruz.

Together, these analyses led probation leaders to conclude that the county's primary need was not for more residential treatment, but rather for a non-residential treatment program that could serve probation youth with substance abuse problems and help them avoid the risky behaviors that were resulting in violations. The probation department developed a new structured evening program—the Luna Park Evening Center—that is based in South County and provides intensive services in response to probation violations, particularly substance abuse. Thus, consistent with the Probation Department's JDAI-inspired core values, the loss of a residential treatment program led—through intensive data analysis—to the birth of a new less-restrictive community-based program.

Cook County Girls Study. By the time Cook County prepared a detailed statistical analysis entitled "Juvenile Female Offenders in Cook County: Trends and Outcomes" in 2002, the county had already taken many steps to upgrade its programming for girls. It had created a multiagency task force on girls, called Girls Link, to review how the courts were serving girls and recommend policy improvements. It had introduced new screening tools to better identify the underlying psychological issues facing girls in the juvenile justice system—based on an understanding that court-involved girls are far more likely than boys to have histories of abuse and neglect, and to suffer from mental health conditions. And it had created two girls-only probation units, staffed entirely by female officers with smaller than average caseloads, and offering specialized programming and case management designed to meet the specific needs of girls.

"Use of data became part and parcel of everything we do. We would not think of doing a program or developing a policy without it."

—Judy Cox, Santa Cruz County Chief Probation Officer

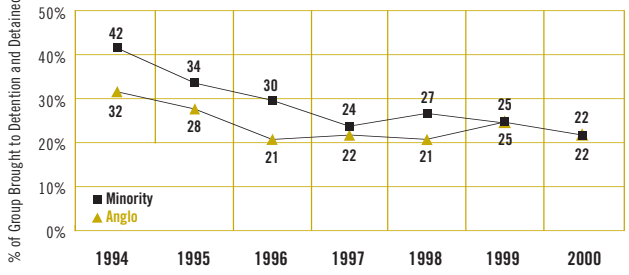
Nonetheless, when probation department researcher Kenneth Keller reviewed data from 1983 through 2000 on the offending rates of Cook County girls and their experiences in juvenile court, the analysis showed that the county still had more work to do in meeting girls' needs. "We saw that the girls still had a higher violation of probation warrant rate than the boys," says Cook County Juvenile Probation Chief Mike Rohan, "and we realized that we needed to change the nature of our programming." Specifically, the county began teaming probation officers with female clinical counselors to offer clinically based groups to address issues important to many girls, such as trauma, self-esteem, and relationships. The groups meet in a "girls room"—designed as a safe space for girls on probation that has been decorated by the girls themselves.

"The changes are intended to get girls engaged, so they're less likely to run away and suffer probation violations and warrants for noncompliance," Rohan says. Indeed, Rohan reports, since the changes were implemented in 2004 both probation violations and warrant rates have declined for girls who participate in the new programming.

Multnomah County Analyses of Disproportionate Treatment for Minority Youth. Through their work in JDAI, the leaders of Multnomah County's juvenile justice system achieved dramatic success in eliminating the once-large difference in the detention rates of white versus African-American and Hispanic youth. Whereas children of color arrested in Multnomah County from 1994 to 1996 were 30 percent more likely than white youth to be placed in secure detention after arrest, by 1999 and 2000 the racial difference in detention rates had been completely eliminated. (Unfortunately, a racial difference in detention has reappeared in recent years, but it remains much smaller than the gap that existed prior to JDAI.)

FIGURE 1

DCJ DETAIN RATE BY ANGLO/MINORITY OVER TIME: 1994-2000



Source: Scott Keir, Ph.D., Research & Evaluation Unit, May 2001.

Based on their success in eliminating racial disparities in the odds of detention, says JDAI Coordinator Rick Jensen, "we got hooked on it. We started looking at every decision point." Since 1997, for instance, Multnomah's Department of Community Justice (DCJ) has produced a report annually exploring the presence of minority over-representation throughout its juvenile justice system.[1] The reports track by race all delinquency cases referred to DCJ, noting whether youth were brought to a detention facility, detained, and/or released. Researchers also analyzed the disposition of each case by race, noting whether a case was closed without adjudication, diverted from the system, or adjudicated. For all adjudicated cases, the reports tracked whether the case resulted in probation, out-of-home placement, or a commitment to a youth correctional facility. Whenever a disparity of 5 percent or more is found between white and minority youth at any specific decision point, DCJ conducts an analysis to determine whether the agency's internal policies and procedures are contributing to overrepresentation.

Sometimes it is not the annual report on racial disparities or any formal analysis that turns up problems that lead to disproportionality, but rather the determination

and curiosity of Multnomah County juvenile justice leaders. In the late 1990s, for instance, juvenile court judge Elizabeth Welch grew frustrated by what she perceived as unequal treatment being afforded African-American youth by the Oregon Youth Authority (OYA)—which, in addition to operating the state's training schools, controls the purse strings for residential treatment centers and group homes statewide.

"We had heard that African-American kids from Portland, our kids, were not getting into residential treatment," Welch recalls. "It was a difficult problem, because in our state these residential programs have always been able to control who gets in the door. It was our hypothesis that they weren't taking the black kids—that black kids were either being placed on probation or sent to training school, but they didn't have access to the intermediate kinds of treatments widely available to white youngsters."

To find out, Welch did two things. First, she asked a veteran DCJ staff member, Jim Stegmiller, to look through a big pile of recent cases and determine whether black kids were receiving the same treatment as white kids. Next, when Stegmiller's informal analysis suggested that a grave disparity between how black and white youth were being treated, Welch went to the OYA leadership and asked for a formal study. That study confirmed Welch's fears. "Not only weren't black kids getting residential programs in the state's rural areas," she recalls, "they weren't even being taken by programs here in Portland."

Though Welch raised the issue with OYA officials, she admits that "we still don't have a lot of black and Hispanic kids in residential treatment." However, the situation has improved substantially since Multnomah County began using then-empty sections of the detention center to offer residential treatment first for sex offenders, then for youth with drug and alcohol dependency issues, and it began upgrading its community-based services for local minority youth through the Alternative Placement Committee (described later in this chapter), the Felony Drug Diversion program (described in Chapter 4), and the Communities of Color program (described in Chapter 6).

Objective Decision-Making Tools Promote Fairness

In JDAI, all sites develop a risk-assessment instrument (RAI) to guide detention admissions decisions, helping juvenile court or probation staff determine which youth require secure confinement and which can be safely supervised in the community without posing a serious risk to reoffend or fail to appear in court. These detention RAI tools rely on factors like seriousness of offense and prior offending history that can be easily measured and that prior research has shown to correlate with the risk a youth poses. The variables are given weighted values—points—that can then be totaled to assess the risk each individual youth presents. When implemented in JDAI sites, the RAI's typically reduce the percentage of detention referrals admitted to secure custody, and they do so without compromising public safety.

Once site leaders began using the RAI to make detention admissions decisions, they quickly saw the power of objective screening tools to improve efficiency and fairness throughout the juvenile justice system. As a result, many sites have taken this core strategy deeper, developing objective decision-making tools to assess the needs and risks of youth at other key decision points, including intake/diversion, disposition following adjudication, and responding to probation violations. These objective decision-making processes minimize inconsistency and idiosyncratic differences in how youth are sanctioned and treated throughout the juvenile system. The result is better outcomes for youth, greater public safety, conservation of public resources, and increased confidence in the fairness of the juvenile justice system.

Multnomah County's System of Objective Instruments. Before Multnomah County began JDAI in the mid-1990s, most decisions about the processing and placement of court-involved youth were made subjectively. Juvenile probation officers were granted wide discretion over the treatment of youthful offenders, and they often operated with a punitive mindset.

Over the past decade, Multnomah has changed its decision-making processes dramatically, developing and implementing new objective screening assessments at multiple decision points in order to produce fairer outcomes and better public safety results for youth. "JDAI was the seed that got the system thinking about

itself and got the whole thing started," says David Koch, who oversees juvenile probation and detention as assistant director of Multnomah County's Department of Community Justice.

At the intake phase, the decision whether to charge a youth in court or handle the case informally used to be made at the intake officers' discretion. Today, under a "case processing agreement" signed by the Department of Community Justice and the District Attorney's office, and other agencies, the decision is made objectively based on the severity of the alleged offending behavior.

Multnomah has changed its decision-making processes dramatically to produce fairer outcomes and better public safety results for youth. "JDAI was the seed that got the system thinking about itself and got the whole thing started."

—David Koch, Assistant Director at the Department of Community Justice

As in all JDAI sites, the detention decision is made based on the detention RAI instrument. Then at disposition, probation staff administer a second, more elaborate screening interview—the Juvenile Crime Prevention (JCP) Assessment—which measures both a youth's risk level (based on age of first offense, number of prior offenses, and severity of current and past offenses) and his or her needs in nine life domains—peers, substance abuse, structured activities, family relationships, school, employment/job skills, victimization, socialization, and mental health. From the risk score, probation officers determine the level of supervision required for the young person while on probation (the higher the risk score, the more probation contacts required). And the findings from the needs assessment are the primary tools for probation staff to develop an individualized case plan for each youth.

A third element of Multnomah's JCP Assessment system is a reassessment to measure youths' response to supervision, accountability (and success in following the case plan), and skill development. The reassessment, which is required for every young person at least once every 90 days, leads to a reclassification of the risk and need levels, and therefore an adjustment of the case plan.

The final objective decision-making tool adopted by Multnomah, and perhaps the most innovative, was a graduated "sanctions grid" to guide the probation

department's response to violations of probation. "Prior to JDAI," explained a 2002 case study of Multnomah County's JDAI program by the Center on Juvenile and Criminal Justice, "Multnomah County detained many youth who violated probation, often inconsistently and frequently without regard to the risks or needs posed by the youth."[2]

Under the sanctions grid, probation staff must now follow clear guidelines in responding to probation violations—guidelines that allow punitive detention only as the option of last resort. The sanctions grid provides a range of options—including many new intermediate sanctions developed by the probation department as alternatives to detention—tied to both the youth's risk level and to the seriousness of the probation violation. For instance, a medium-risk youth who commits a minor violation may be required to complete a writing assignment, attend a skill-building group, perform one day of community service, undergo a supervision and sanction weekend, or face an increase in required contacts with probation staff. A high-risk youth who commits a moderate violation may be assigned to community service, supervision and sanction weekend, home confinement, or an extended period of probation and/or increased contacts with probation staff. If they commit repeated violations or engage in dangerous behaviors, these higher-risk youth can be placed in detention for two to eight days or even committed to a state correctional facility, but these sanctions can only be applied after other sanctions have been tried and must be approved both by the probation officer's supervisor and by a multiagency alternative placement committee.

According to Rick Jensen, Multnomah County's JDAI coordinator, the sanctions grid represented a fundamental and not necessarily welcome shift for probation staff—imposing structure and limiting the discretion of probation officers long used to acting autonomously. "It was really groundbreaking in the county to impose structured graduated sanctions for probation violations and have everyone sign off on it," Jensen says.

Interagency Collaboration and Planning Leads to Shared Accountability and Better Decisions for Youth

Justice-involved youth are often served by multiple government systems, including health and mental health (including substance abuse), education, and foster care, in addition to juvenile justice. Moreover, many separate agencies are active within the juvenile justice system itself—courts, probation departments, district attorneys, public defenders, and state correctional agencies, as well as community-based organizations and private nonprofit service providers. Far too often, each agency and each government system provides services and addresses problems only from its own perspective: few mechanisms exist for agencies and systems to reach outside their immediate jurisdictions to share information, align resources, plan cooperatively, or deliver services collaboratively.

For individual youth, this lack of collaboration can lead to ineffective treatment as each service provider attempts to solve problems in a vacuum—substance abuse, learning deficits, family dysfunction, mental health disorders—rather than addressing the interrelated nature of these problems and treating them in an integrated, holistic fashion. In some cases, the lack of coordination can lead to youth being "bounced" from one system to another—mental health to juvenile justice to special education or child welfare—disrupting treatment processes and uprooting vulnerable youth from important personal and therapeutic relationships.

At a system level, as well, the lack of coordination can have crippling consequences: poor decision-making when knowledgeable experts in one agency are ignored by decision-makers in another; wasted resources as agencies and systems operate separate, parallel programs rather than achieving efficiencies by working together; and counterproductive outcomes when isolated treatment efforts fail to address youths' needs comprehensively.

Promoting greater interagency collaboration is one of JDAI's core strategies. Indeed, absent agreement among leaders of key agencies to work together more closely, no jurisdiction is accepted to participate as a JDAI site. Many JDAI sites convene in-depth discussions among leaders from key agencies involved in juvenile justice and develop an interagency mission statement or a declaration of shared

values and guiding principles to guide their detention reform efforts. (For an example, see Cook County's mission statement on p. 39.) And many devise new approaches to partnering more closely, sharing information, devising integrated treatment plans for individual youth, and making joint decisions regarding what is in their best interests.

Many JDAI sites convene in-depth discussions among leaders from key agencies involved in juvenile justice and develop an interagency mission statement or a declaration of shared values and guiding principles to guide their detention reform efforts.

Once these relationships were established, and once juvenile justice leaders saw the benefits derived through close collaboration, leaders in the model JDAI sites continued working together across agency boundaries to address other needs and opportunities along the juvenile justice continuum—and, in particular, to reduce the system's reliance on out-of-home placements following adjudication.

The process of increasing collaboration is not always easy, however. "Prior to JDAI, the stakeholders didn't meet. And once we did begin meeting, we had to learn how to reach consensus," recalls Multnomah JDAI Coordinator Rick Jensen. "We really delved into what consensus means," adds Multnomah Juvenile Probation Director David Koch, "what people had to give up to get it, and keep all the participants accountable."

Multnomah County Alternative Placement Committee. As its participation in JDAI deepened, Multnomah County officials grew increasingly determined to reduce their heavy reliance on state training schools, especially for youth of color. For years, the county had been sending youth to the Oregon Youth Authority's training schools with less-than-serious delinquency—including many with repeated probation violations (not associated with new criminal charges) or misdemeanor crimes such as shoplifting or trespassing (but no felonies). As part of its effort to reduce these commitments, Multnomah County developed the Alternative Placement Committee (APC), an interdepartmental staffing model designed to find community-based treatment alternatives for youth who might otherwise be placed into training school.

COOK COUNTY JUVENILE PROBATION AND COURT SERVICES DEPARTMENT MISSION STATEMENT

The mission of the Juvenile Probation and Court Services Department is to serve the welfare of children and their families within a sound framework of public safety. The Department is committed to providing the guidance, structure, and services needed by every child under its supervision. In partnership with the community, the Juvenile Probation and Court Services Department promotes the healing and recovery of neglected children and directs delinquent children toward reforming their behavior and making responsible decisions according to the principles of Balanced and Restorative Justice.

The Juvenile Probation and Court Services Department operates under the following objectives:

- to pursue a treatment/rehabilitation philosophy that dictates each minor be assessed individually and receive services tailored to meet that minor's needs.
- to provide its services on an outreach basis, sending probation officers into the community to offer assistance and supervision in minors' homes, schools, and neighborhoods.
- to establish strong working relationships between probation officers and minors to make their court involvement an opportunity for change and growth.
- to respond effectively to the increasingly complex needs of children, encouraging the involvement of parents and enlisting the support of the community.
- to assist the court in developing interventions that serve the needs of the minor and facilitate the restoration of the victim and the community.
- to employ a flexible supervision approach by assessing the needs of the minor versus the public safety risk factors. This approach ranges from bi-monthly supervision to intensive daily monitoring of children restricted to home confinement.
- to strengthen family ties whenever possible. However, probation officers will recommend the court remove children from their homes if their safety or the security of the public is jeopardized by their continued presence.
- to instill in all children a sense of responsibility for their actions and a belief in their own innate value and potential through a combination of individualized attention and community networking.

In order to meet these objectives, the Juvenile Probation and Court Services Department has developed innovative programs and initiatives, many receiving national recognition. In 1999 the Department provided services to 8,000 court wards.

Note: Downloaded from the Internet, www.cookcountycourt.org/services/programs/juvenile/mission.html, on Dec. 15, 2006.

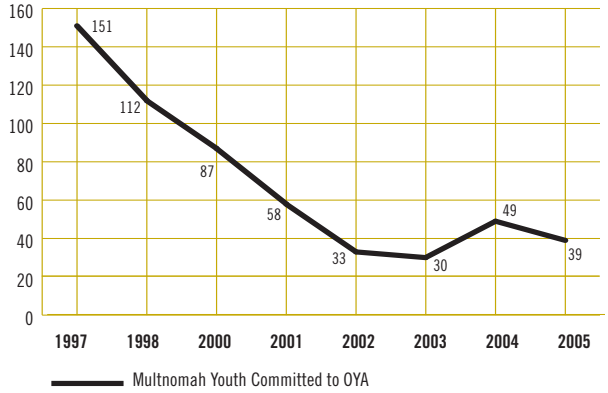
The committee is governed by an interagency agreement between the state juvenile justice agency, the county agency responsible for juvenile probation and detention, child protective services, schools, and private providers of drug and alcohol treatment. APC's mission is both to eliminate unnecessary incarceration of

probation violators and to reduce disproportionate minority confinement. (This second purpose is discussed at greater length in *Chapter 6: Promoting Racial Justice.)*

In the APC, all of the various agencies that work with a young person are jointly accountable for the decisions made about him or her. Representatives from the participating agencies meet weekly to review cases and decide on appropriate alternatives for each youth. The committee works hard to craft community-based interventions for most youth. Indeed, to minimize correctional placements the interagency agreement guiding the APC requires that the entire committee must approve any recommendation that a youth should be sent to a state training school. Moreover, as a result of the collaborative process, there is a much greater degree of attention and follow-through by all stakeholders. By bringing together agencies with a wide range of expertise and access to a far wider array of resources and services that are not typically available in case planning, the APC members are able to craft stronger individualized service plans that increase the odds that youth will succeed in treatment and remain in the community.

Since it was established in 2000, the APC has diverted dozens of youth from secure confinement into community- and home-based programs. Combined with other initiatives like Communities of Color (detailed in Chapter 6) and evidence-based programming, as well as the larger culture shift in the county's juvenile justice system that emerged through the JDAI process, the APC has helped Multnomah reduce the number of youth admitted to Oregon's state training schools dramatically. In 1997, before the APC was established, Multnomah County committed 151 youth to the Oregon Youth Authority. Over the four years of 2002 through 2005, the county committed the very same number of teen offenders—151—an average of only 38

FIGURE 2
NUMBER OF YOUTH COMMITTED TO OYA CORRECTIONAL FACILITIES FROM MULTNOMAH COUNTY: 1997–2005



per year. (See Figure 2 on previous page.) Despite the far lower reliance on incarceration, the overall juvenile arrest rate in Multnomah declined 28 percent between 1998 and 2004, while the number of repeat juvenile offenders dropped 31.4 percent.

Notes

[1]The most recent report, entitled *Juvenile Minority Over-Representation in Multnomah County's Department of Community Justice: Calendar Year 2005 Youth Data,* was published in June 2006. It can be viewed online at www.co.multnomah.or.us/dcj/Juvenile%20Minority%20Overrep%20FINAL%202006.pdf.

[2]V. Schiraldi and J. Zeidenberg, *Reducing Disproportionate Minority Confinement: The Multnomah County, Oregon Success Story and Its Implications,* San Francisco: Center on Juvenile and Criminal Justice, 2002.

Chapter 4

KEEPING YOUTH AT HOME AND IN THE COMMUNITY

Research shows clearly that a period of confinement in a secure juvenile detention or corrections facility is a powerful predictor of negative life outcomes.[1] Confinement in a secure facility frequently interferes with healthy psychological and social development. The experience interrupts participation in school, work, and other prosocial community activities. It puts youth in contact with anti-social peers, and it may negatively affect the self-perceptions of young people and reinforce beliefs that they are unlikely to achieve success in mainstream, law-abiding society. Without enough freedom to exercise autonomy, the gradual process of maturation—the opportunities to learn self-direction, social perspective, and responsibility—is effectively cut off.[2]

Each of the three JDAI model sites has wholeheartedly embraced the principle that youth should be placed in the least restrictive environment necessary to ensure safety. Each has acted on the evidence that detention and incarceration contribute to bad outcomes for youth and are less effective in reducing delinquency than many other interventions. As a result, the sites have made remarkable strides in reducing out-of-home placements at the dispositional end of the system.

To keep youth in their homes and communities, the sites have developed innovations or implemented approaches that include: (1) improved staffing of cases; (2) increased reliance on community-based programs; and (3) the introduction of evidence-based programs. Examples of each are discussed below.

Improved Staffing of Cases

Santa Cruz County Placement Screening Committee

The Alternative Placement Committee in Multnomah County (described in *Chapter 3: Making Better Decisions)* is a fine example of how improved staffing of cases can reduce out-of-home placements for youth following adjudication. Another model is Santa Cruz County's Placement Screening Committee.

Launched initially in 1996, Santa Cruz County's Placement Screening Committee is an interagency collaboration involving juvenile justice, mental health, substance

abuse, and social services, as well as community-based organizations and families. Guided by the principle of keeping youth in the least restrictive, most home-like setting possible, the committee meets twice weekly to craft solutions, on a case-by-case basis, that allow youth who have been adjudicated and are deemed "out-of-home-placement-bound" to remain in their homes and communities.

By bringing so many stakeholders to the table, the committee brings an expanded pool of resources and expertise to serve youth, and its decision on any case becomes the probation department's formal recommendation to the court for disposition. The following example details how the Placement Screening Committee's efforts served one young person:

> *Gabe (not his real name) came before the Placement Screening Committee with a history of serious mental health problems, delinquency adjudications, and lack of coordination in services previously offered. As they sought to find the least restrictive setting possible for Gabe, committee members reviewed Gabe's strengths as well as his problems, and they reviewed a variety of previously untried resources. There was general agreement that Gabe's current behavior did not present a significant risk to the community, but his substance abuse and runaway behaviors caused Gabe's family to fear for his own safety. After reviewing all options, the committee recommended that the court allow Gabe to remain in the community and to provide him and his family a customized and integrated mix of "wraparound services." Gabe, along with his parents and probation officer, developed an individualized case plan that included several community-based services: individual and family-based counseling, often several times per week; recreation and other prosocial activities in the community; and a substance abuse treatment program called "the Seven Challenges," employing cognitive-behavioral therapeutic techniques. Three months after leaving custody and entering the wraparound services, Gabe's performance on probation has been exceptional. He meets with his family and support team weekly, is behaving at home, and has not violated his probation or reoffended. It is the best Gabe has done for many years and would appear to be the result of his strong family involvement, creative case planning, and intensive support.*

By using case conferences to plan community-based services carefully, monitoring high-risk cases closely, and continuing to develop an effective community-based continuum of care, Santa Cruz County's interagency planning model appears to be

helping many seriously troubled youth to succeed in community placements, rather than enduring the traumatizing and often counterproductive experience of being locked in youth corrections institutions. Of the 92 high-risk youth assessed by the Placement Screening Committee from February through August 2006, 61 were maintained under probation supervision, 13 were retained in the community but placed into intensive wraparound or family preservation programs, and just 18 were placed into a residential treatment or correctional facility. Of the 61 youth remaining on probation, 48 (79 percent) had committed no new offenses as of early November 2006, and another eight youth had committed a single misdemeanor. Of the 13 youth placed into wraparound or family preservation services—all of whom would have been incarcerated were it not for the intervention of the Placement Screening Committee—five had no further arrests as of early November, and another three had just a single misdemeanor arrest. (For more details, see below.)

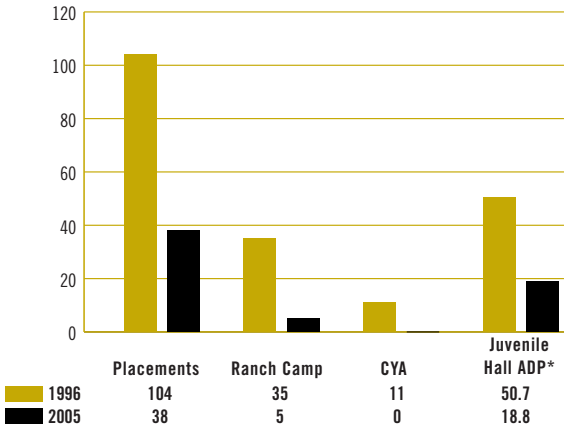
OUTCOMES FOR HIGH-RISK YOUTH ASSESSED BY THE SANTA CRUZ COUNTY PLACEMENT SCREENING COMMITTEE—FEBRUARY 1, 2006 THROUGH AUGUST 31, 2006

Number of Youth Assessed = 92

61 Youth Remained on Probation	13 Youth Placed in Wraparound or Family Preservation Services	18 Youth Placed into Residential Treatment or Corrections Facilities
Of whom….	Of whom….	
■ 48 had no further arrests as of 11-6-06	■ 5 had no further arrests as of 11-6-06	
■ 8 had one misdemeanor arrest as of 11-6-06	■ 3 had one misdemeanor arrest as of 11-6-06	
■ 5 had two or three misdemeanor and/or one felony arrest as of 11-6-06	■ 5 had two misdemeanor and/or one felony arrest as of 11-6-06	
Total Arrests = 16 Felony Arrests = 3	Total Arrests = 11 Felony Arrests = 4	

In addition to its benefits for individual youth, the interagency Placement Screening Committee has also proven effective from a management perspective—helping the county identify important underlying factors that may result in unneeded placements, on the one hand, or to facilitate success in difficult cases on the other. Because it employs a structured data collection instrument for all of its cases, the screening committee amasses valuable data on the county's most troubled teens. These data, combined with the observations of committee members, enable the probation department and its partners to identify and address service gaps and develop new programming. For instance, Placement Screening Committee data revealed that heavy substance abuse—without effective community intervention—was a common thread among cases sent to residential placement. Some youth were appearing before the court five times with positive urine tests, facing increasing sanctions each time. The data showed that these sanctions—ranging from weekend work days to time in juvenile hall—were not changing the youth's behavior. With this information, the probation department and its partners have implemented: better assessment tools to determine the level of drug involvement; a cognitive behavioral intervention focused on substance use; a juvenile drug court; an evening treatment center; contracts with certified treatment facilities; and new testing protocols individualized to the youth.

FIGURE 3
SANTA CRUZ COUNTY PLACEMENT REDUCTIONS AT ALL LEVELS OF INSTITUTIONAL CARE



Through the Placement Screening Committee and related efforts to enhance community programming, Santa Cruz has achieved significant reductions in out-of-home placements for adjudicated youth, at substantial cost savings to the county. In 1996, for example, Santa Cruz placed 104 youth in residential centers, sent 35 youth to an out-of-home "ranch camp," and sent 11 to the California Youth Authority (CYA), the juvenile prison system in California. By 2005, Santa Cruz experienced significant reductions in out-of-home placement of adjudicated

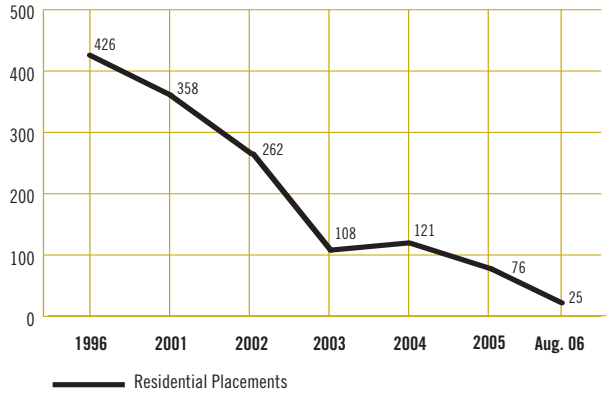
youth. Only 38 youth were placed in residential centers, five sent to the ranch camp, and none sent to the CYA. (See Figure 3 on p. 45.)

Cook County Placement Calendar

On April 29, 1996, soon after Cook County began its JDAI work, presiding juvenile court Judge William Hibler signed an order requiring that all juvenile cases being considered for placement in a residential treatment program be transferred to a single courtroom, Calendar 50.

Prior to that date, any of the county's 16 juvenile judges could sign an order placing adjudicated youth with co-occurring mental health problems into a residential program. Though these placements cost hundreds of dollars per youth per day, the court had no standards to guide judges' decisions on which youth should be placed in residential treatment and under what conditions. As a result, the number of kids in placement had skyrocketed to more than 400, with an annual cost of $20 million. Meanwhile, an internal review found that the judges were applying widely differing standards for making placement decisions and that—once a placement was ordered—very little planning was being done to reunite youth with their families and/or return them to the community.

FIGURE 4
COOK COUNTY PROBATION DEPARTMENT
AVERAGE MONTHLY RESIDENTIAL PLACEMENTS
1996–2005



Cook County judges, along with prosecutors and defense counsel, designed the Cook County Placement Calendar to rein in the inconsistent and excessive reliance on residential treatment. Their idea was to "norm the experience" by developing uniform criteria for placement. Now, rather than all 16 juvenile judges making individual determinations about out-of-home placement, any judge who thinks that one of his or her cases might result in out-of-home placement, transfers that case to the single judge who hears all placement-bound cases. This

judge has developed particular expertise in community-based mental health options and aims, whenever possible, to avoid out-of-home placements.

"We needed a funnel," recalls Juvenile Probation Chief Mike Rohan, "so we wouldn't have wide-ranging thresholds for placing kids."

Since 1996, Cook County has dramatically reduced its reliance on residential placements. At its peak, the county had 426 young people in residential placements. As of August 2006, that figure was just 25—a drop of more than 90 percent. Several other innovations have contributed to this decline. The county has begun offering the evidence-based, non-residential Multisystemic Therapy Program (described later in this chapter) to serve many probation youth who might otherwise require placement. Also, probation staff have stepped up their efforts to advocate and plan for youth's timely release from placements—efforts which have lowered the average length of stay in placement from eighteen to six months.

Since 1996, Cook County has dramatically reduced its reliance on residential placements. At its peak, the county had 426 young people in residential placements. As of August 2006, that figure was just 25—a drop of more than 90 percent.

But the Placement Calendar has been the biggest factor in the precipitous decline in residential treatment, says Rohan. "It has had a tremendous impact in reducing the number of kids being recommended for placements," he says.

Rohan traces the success of the Placement Calendar directly to JDAI. "Once we got people acclimated [through JDAI] to the idea that we didn't need to keep kids in secure detention," he explains, "we were in a much better position to show that kids with mental health issues could be kept safely in the community as well."

The Cook County Court Clinic

In addition to reducing its out-of-home placements for youth with mental health disorders through the Placement Calendar, the Cook County Juvenile Court has also created a new unit, the Cook County Court Clinic, to overhaul its system for assessing the mental health of court-involved youth and using clinical information to guide their treatment.

An extensive study conducted in the late 1990s by the Children and Family Justice Center at Northwestern University, with funding from the John D. and

Catherine T. MacArthur Foundation, found serious weaknesses in how the Cook County courts assessed and addressed mental health issues. First, the assessment process was unduly slow and cumbersome. Essentially, any time a question was raised related to a youth's mental health, a comprehensive assessment was ordered—meaning a lengthy delay, followed by an expensive and intrusive battery of tests and interviews. Moreover, judges and other court personnel, lacking expertise in mental health, were often unable to properly understand the reports or make clinical judgments from them.

To overcome these shortfalls, the court devised a new approach, the Court Clinic, to streamline the mental health assessment process and guide the courts in their use of clinical mental health information. The clinic assigns a mental health expert—known as a "case coordinator"—to each juvenile courtroom. These case coordinators screen all requests for clinical information, supervise the assessment process, and then interpret the results for judges and other court officials (prosecutors, defenders, probation officers) and help them identify community-based providers to treat whatever mental health issues are uncovered.

Under the old system, says Court Clinic Coordinator Julie Biehl, requests for clinical information often resulted in an invasive "fishing expedition" that wasted both time and money. Now, one of the key roles of the clinical coordinators is to scrutinize information requests; weed out unneeded, duplicative, or overly broad requests; and make sure that new assessments provide only new information critical to the court's decision-making process. "The Court Clinic has triaged what used to be a lot of inappropriate requests for clinical evaluations," says Rohan.

Often, the Court Clinic is able to expedite case processing by gathering and synthesizing all past evaluations and clinical notes for each youth, rather than seeking a new evaluation. As a result, the average time required to complete mental health assessments, which used to be 12 to 14 weeks, has been cut in half. Moreover, clinicians have assured the court that youth do not need to be held in detention, as they were previously, while awaiting a psychological evaluation.

"In the old system, there was this thinking that kids were locked up waiting for an evaluation," Biehl explains. "It's our thinking that no kid needs to be locked up waiting for an evaluation. When kids are locked up for other reasons, we do our

evaluations much quicker. But we conduct lots of evaluations in the kids' homes and communities." (When necessary, youth are placed in a residential shelter rather than detention, where they receive appropriate counseling and medications before returning to the judge for disposition.)

The Court Clinic maintains an extensive and continuously updated database of community mental health and residential treatment programs in the county available to youth. As a result, rather than simply telling the court that a youth has anger management issues, for example, clinicians are able to inform the court about particular interventions offered in the neighborhood, including particular dates and times.

JDAI awakened in all the sites an awareness of the value community-based organizations can add to the juvenile justice system.

"By giving court staff information about community-based programs and good information about those options, it opens their eyes," Biehl says.

"What they have done in the Court Clinic has consistently led to recommendations for community-based treatment options," adds Rohan. "I think they've played a critical role."

Increased Reliance on Community-Based Programs

JDAI awakened in all the sites an awareness of the value community-based organizations can add to the juvenile justice system. As Judy Cox, the chief probation officer in Santa Cruz County, notes, "Teens need community partners in the system to change the way youth see the world and themselves in it. The formal justice system alone is ill-equipped to make changes in peoples' lives. Community programs are life-saving way stations along this pathway."

Santa Cruz's Community Resource Developer

The Santa Cruz County Probation Department works closely with several community-based organizations to provide a rich array of services for justice-involved youth. The county has designated one probation officer to serve as a Community Resource Developer. With no caseload of her own, the Community Resource Developer is tasked with forging and nurturing connections with organizations in the community that can help justice-involved youth avoid secure confinement and

provide youth the services and support they require to stay out of trouble and successfully transition into adulthood.

Santa Cruz's Community Resource Developer seeks out culturally competent programs that are grounded in positive youth-development principles. She works closely with community-based nonprofit organizations such as Barrios Unidos, which have contracts with the probation department to serve justice-involved youth. Barrios Unidos (BU) offers Fresh Lifelines for Youth, a cognitive-educational program aimed to reduce recidivism of youth in the juvenile hall, and it has initiated portions of the "Joven Noble" (Noble Youth) curriculum promoting the values of dignity, respect, love, and trust. The Barrios Unidos community site focuses on violence and harm reduction strategies where youth have access to learning opportunities in silk screening, video production, art projects, and computer classes. Youth can earn volunteer service hours by assisting with on-site activities as well as attend AA meetings and methamphetamine support groups. BU offers meeting space for community groups and serves as a gallery for aspiring young artists in the community.

The Community Resource Developer also helps identify community organizations with which the probation department is not yet involved. When the Santa Cruz interagency Placement Screening Committee (described earlier) identifies a gap in probation services, the Community Resource Developer works with local community-based organizations to meet the need. Among the new community-based youth programs the Community Resource Developer has helped to establish are:

- The Watsonville Community Youth Garden, where, since 1998, youth perform community service while learning about sustainable agriculture and small business practices through the University of California at Santa Cruz.
- A culinary arts academy for justice-involved youth, delivered through a local hospital whose chef developed a 12-week cooking class. The class culminated in a graduation dinner prepared by the youth for their families and dignitaries in the hospital's dining room. The youth created the menu and giggled impishly when parents tasted the delicately prepared escargot. The young chefs were given a certificate of completion and crowned with the traditional chef hat. After graduation, the chef provided leads in the restaurant industry for youth interested in finding suitable jobs.

Finally, the Community Resource Developer also works with the probation officers in the department to ensure they are up-to-date and informed about the treatment and service options available to the youth on their caseloads.

Santa Cruz Neighborhood Accountability Boards

In addition to working with community organizations to provide new programming for justice-involved youth, Santa Cruz has developed a system of Neighborhood Accountability Boards (NABs) to help first-time juvenile offenders get back on the right track. NABs grew out of the realization, through JDAI, that too many kids were propelled into the formal justice system for minor offenses because of community pressure to "do something." The NABs are community-based citizen panels in which community members take an active role in confronting and resolving the problem of juvenile crime within their own neighborhoods. The boards not only provide a vehicle to divert low-risk youth from the formal system, they also allow probation to engage the community, opening up the reform effort.

Neighborhood Accountability Boards allow community members to take an active role in confronting and resolving the problem of juvenile crime within their own neighborhoods. The boards provide a vehicle to divert low-risk youth from the formal system.

Neighborhood Accountability Boards focus on youth who have committed minor offenses such as shoplifting, trespassing, possession of drugs or alcohol, fighting, vandalism, or joyriding. The boards decide collectively, with the offender and the victim, upon a constructive accountability agreement that may include relevant community service work, skill-building classes, payment of restitution, counseling, and/or further mediation with the victim. Participation by all parties is voluntary. A youth gets a conference rather than a court hearing, resolution with the victim, and an agreement rather than a sentence. Once the youth completes the accountability agreement, the law violation will no longer appear on his or her juvenile record.

On one Neighborhood Accountability Board, a senior woman who lived alone was the victim of a tagging (graffiti vandalism) in her front yard. The NAB process resulted in the offender cleaning up the victim's front yard and subsequently being hired by her to do additional yard work. The victim and offending youth now

know each other as neighbors, the victim feels compensated and she no longer fears revictimization. In another case, a university intern worked as a trained volunteer for the probation department to collect victim impact statements. She collected an apology letter from a youth who stole a bicycle from an open garage. The letter was grammatically flawed and filled with spelling errors, but she was moved by the sincerity of the apology. She called to tell the victim that she would ordinarily ask for a rewrite, but the letter was so heartfelt she was sending it to him in its original form. The victim was a retired schoolteacher and at his suggestion, as part of the reparation plan, the victim tutored the youth.

An example of the increasingly popular concept of "restorative justice," NABs provide community members with an opportunity to hold kids accountable for delinquent behavior while at the same time developing neighborhood youth as a resource. Sometimes board members will reach out and offer youth a job or help signing up for a recreational program. The NAB approach is rooted in the notion that neighborhoods have a powerful influence in shaping youths' attitudes and behaviors. Ideally, NABs help young people reach a sense of personal responsibility for their actions, internalize community values, and reconcile with victims in the process. They are designed to help youth navigate the risky road to adulthood. And in the process, many NAB volunteers get involved in reshaping and improving the system overall.

Multnomah County's Felony Drug Diversion Project

Multnomah County's Felony Drug Diversion Project (FDDP) was launched in 2003 to steer youth arrested on drug charges—particularly youth of color—into treatment services rather than into court and onto probation.

Nationwide, though minority youth consume drugs at lower rates than white youth, they are more likely than whites to be arrested for drug crimes and prosecuted for intent to distribute drugs (rather than the lesser crime of possession), and they are less likely than white youth to be diverted into treatment services. Through FDDP, Multnomah County officials are looking to equalize the playing field for youth of color.

In the past, youth arrested on charges such as possession of controlled substance and delivery of less than an ounce of marijuana were often formally charged, adjudicated, placed on probation, and in some cases detained—making Multnomah

County's juvenile justice system more punitive toward drug offenders than its adult system. With funding from the Robert Wood Johnson Foundation's Reclaiming Futures initiative, FDDP offers these youth the opportunity to handle the charge informally and get treatment without having to go on probation.

Unfortunately, due to funding cutbacks and staffing issues, FDDP has not gotten off to a fast start. The program enrolled 50 youth from March 2003 through November 2005, of whom 36 completed the program. Nineteen of these 36 completers exited successfully by remaining drug free for 90 days. Also, minority enrollment has been lower than anticipated—with youth of color comprising 18 of the first 50 participants.

Nonetheless, the leader of Multnomah County's juvenile probation unit, David Koch, believes the initiative has been a success. "FDDP embodies the core JDAI philosophies of system mapping, identifying decision points, creating and implementing objective screening criteria at each decision point, data-driven analysis, and policy development," Koch says, "all of which results in sorting youth at the earliest opportunity to prevent deeper penetration into the system and provide the most appropriate level of intervention and services, based upon a youth's assessed needs."

Multnomah County's Senior Deputy District Attorney Amy Holmes Hehn notes that FDDP has opened the door to new thinking in the county. "It can be a challenge for prosecutors to see felony-level drug possession as a treatment issue that need not necessarily result in the establishment of a formal record for a youth," she says. "When we saw that defendants in our adult criminal system were being given an informal resolution option, it seemed only fair to give it a try in juvenile court as well. Our hope is that by collaborating with our system partners in this effort, we will improve treatment outcomes and reduce youth involvement in criminal activity and substance abuse."

Introduction of Evidence-Based Programs

Over the past two decades, the field of prevention science has undergone a revolution. Until the 1980s, prevention scholars could not point to a single delinquency prevention or intervention program model with solid scientific evidence for its effectiveness. Since then, dozens of randomized, controlled experiments have returned positive results in combating youth delinquency and substance abuse.

"We've had a breakthrough," says Dr. Delbert Elliott, director of the Center for the Study of Violence Prevention at the University of Colorado.[3]

For delinquent youth, three models have been rigorously tested in multiple scientific trials and have repeatedly produced better results than traditional interventions such as training schools, group homes, routine probation, etc.[4] These evidence-based programs are: **Multidimensional Treatment Foster Care** (MTFC), which combines short-term therapeutic foster care for the youth with intensive counseling for the biological family; and **Functional Family Therapy** (FFT) and **Multisystemic Therapy** (MST), which both provide intensive counseling for the family. All three focus on the family; none involve incarceration. Each works with young people in home and community settings, rather than in institutions. All focus on making the "family system" function better, rather than working on the youth's behavior in isolation. Each model is "vendorized," meaning it is available for jurisdictions to purchase and implement with appropriate support and quality control provided by the model developers to maximize fidelity to program design.

MULTISYSTEMIC THERAPY: WHAT MAKES IT WORK?

Multisystemic Therapy (MST) has been carefully crafted to help families build the skills and resources they need to address the difficulties that arise when rearing teenagers with behavioral problems, as well as to give youth the skills to cope with family, peer, school, and neighborhood problems. Therapists working in the home identify family strengths and use them to develop natural support systems and to improve parenting. The focus on family changes family interactions in ways that promote responsible behavior and strengthen the connections with community-based support systems such as schools, competent neighbors, friends, after-school programs, and religious institutions.

In contrast with most mental health interventions, MST is a collaboration between the family and the MST therapist. MST treatment plans are designed jointly with family members and are family-driven rather than therapist-driven. The family sets treatment goals and the therapist suggests strategies to accomplish them. Research has shown that this family-focused model has not only significantly reduced recidivism and drug use rates for justice-involved youth, it has also led to extensive improvements in family relations.

Evidence-Based Programming in Cook and Multnomah Counties

Both Cook and Multnomah counties have implemented **Multisystemic Therapy** (MST). The model, which offers four to six months of intensive

family-based treatment, has produced statistically significant benefits in 14 clinical trials since 1986 for youth with serious delinquency, substance abuse, and mental health problems. In those trials, MST reduced arrests by 25 to 70 percent and future placement in juvenile corrections or mental health institutions by 47 to 64 percent. A 2004 cost-benefit analysis found that MST returns $2.64 to taxpayers and victims for every dollar of program costs. (See table below.)

COST-EFFECTIVENESS OF MULTISYSTEMIC THERAPY

TAXPAYER COSTS AND SAVINGS

Program Cost	Taxpayer Savings	Net Gain *(Taxpayers)*	Victim Savings	Total Savings *(Taxpayers + Victims)*
$5,681	$7,238	$1,557	$7,758	$9,316

Total Benefits to Costs Ratio: $2.64

Source: Steve Aos, Roxanne Lieb, Jim Mayfield, Marna Miller, Annie Pennucci. (2004) *Benefits and Costs of Prevention and Early Intervention Programs for Youth.* Olympia: Washington State Institute for Public Policy, Technical Appendix, p.109. (Report and Technical Appendix are available online at http://wsipp.wa.gov/rptfiles/04-07-3901.pdf and http://wsipp.wa.gov/rptfiles/04-07-3901a.pdf, respectively.)

Multnomah County began using MST in 2001. Initially, the services were provided by a community-based organization located in an African-American neighborhood. The program served African-American youth primarily, many of them gang-involved with very high risk levels. For budgetary reasons, the county has since taken the MST program in-house, hiring and supervising its own team of four licensed MST therapists who serve 16 to 20 families at a time for approximately 90 to 120 days each.

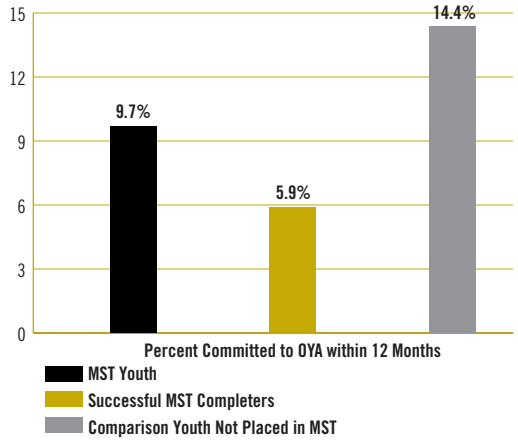
Since 2001, Cook County has partnered with a series of community providers to deliver its MST programs—initially targeting the service to youth returning home from residential placements. In recent years, Cook County has also used MST as a treatment alternative for youth at risk of residential or correctional placements who demonstrate serious behavioral problems and family stress. Currently, two agencies are providing MST services in Cook County. Together they employ six therapists each serving an average caseload of five youth (and families).

An October 2005 study of the MST program's effectiveness in Multnomah County found that "MST is serving some of the more severe juveniles in the

department and having an impact on successful results and outcomes for these youth." Half of all participants were chronic offenders (with four or more delinquency referrals within a 12-month period), and the program is improving the family functioning in the homes of participating youth and seems to be reducing the chance that they will end up in training school.[5] Specifically, the study found that only 10 percent of MST participants (and 6 percent of successful participants) were committed to the Oregon Youth Authority within 12 months of exiting the program, compared to 14 percent of youth in a comparison group not participating in MST. (See chart at left.)

FIGURE 5

COMMITMENTS TO THE OREGON YOUTH AUTHORITY: MST VS. COMPARISON GROUP



Cook County has not yet evaluated the local results of its MST program against a comparison group of similar youth receiving other services. But based on the scientific evaluations of MST and his own observations of the MST program, Probation Chief Mike Rohan believes it is helping both boost the post-release success of youth placed into residential programs and reduce their lengths of stay.

Notes

[1]M. Wald and T. Martinez, *Connected by 25: Improving the Life Chances of the Country's Most Vulnerable 14-24 Year Olds,* Unpublished paper, Stanford University, 2003.

[2]L. Steinberg, H.L. Chung, and M. Little, *Reentry of Adolescents from the Juvenile Justice System: A Developmental Perspective,* Urban Institute Reentry Roundtable, 2003, p. 14.

[3]R. Mendel, "The Pitch for High Fidelity: Developers of Evidence-Based Models Track Programs for Strict Adherence," *Youth Today,* May 2006.

[4]For more information about evidence-based programs, see the Blueprints for Violence Prevention Initiative, Center for the Study and Prevention of Violence (CSPV) at the University of Colorado at Boulder.

[5]K. Pascual, "Multisystemic Therapy/Treatment Foster Care: October 2001 Through June 2005," (Powerpoint Presentation), Multnomah County Department of Community Justice, October 2005.

Chapter 5

SHARPENING THE FOCUS ON YOUTH AND THEIR FAMILIES

We saw in *Chapter 4: Keeping Youth at Home and in the Community* how justice systems developed new and stronger partnerships with community-based organizations. A similar paradigm shift has occurred with regard to youth and their families.

Traditionally, juvenile justice systems have done little to engage youth or their families when designing and implementing treatment interventions or sanctions. Because most justice-involved youth come predominantly from low-income families, parents often face barriers to participation in the court process due to limited language skills, transportation, phone access, employment during court hours, lack of understanding about the system, and (in some cases) fear for their own immigration status. In turn, probation officers seldom look to parents as resources or partners in a youth's rehabilitation or supervision; and they may even stereotype parents as drug addicted, abusive, or neglectful. There is often a perception, grossly exaggerated by staff, that families have given up on their children. Taken together, these dynamics often create a disconnect between children's most important assets—their parents—and the justice system charged with addressing their behavioral problems.

This chapter describes three initiatives undertaken by JDAI model sites to change staff perceptions of youth and parents, address barriers that keep parents from involvement, and develop protocols and programs for engaging youth and their families at both the system and case levels. Using techniques such as family conferencing, jurisdictions are learning to work with parents instead of against them for the benefit of the youth in the system. They are exploring ways to gather and use feedback from youth to improve juvenile justice policy and programming and to guide decisions about their own care and supervision. All of these reforms draw on the basic principles of youth development: treating youth as central to the process of change and drawing on their strengths and abilities to help them overcome the challenges they face.

Using Qualitative Data—Feedback from Parents and Youth

In addition to using quantitative data to inform decision-making (discussed in Chapter 3), JDAI model sites have established customer feedback loops to spur improvements in service delivery. Through surveys, focus groups, and case studies, sites are reviewing the efficiency and effectiveness of their programs: what is working, what is not working, and the ways in which youth are benefiting or not from the programs and services offered.

Listening to Parents in Santa Cruz

In 1997, the Santa Cruz County Probation Department decided to tackle a longstanding problem: despite the fact that a family's presence in court was critical to keeping youth out of detention, parents of youth who were being held in detention were frequently not showing up for court. Initially, probation assumed families lacked transportation and child care. Then they talked to the families.

Specifically, the probation department engaged a parent volunteer to station herself in the lobby of juvenile court for two weeks and survey parents, and it conducted a separate focus group of parents and other stakeholders. The consensus finding was that many parents failed to attend court hearings because they did not understand how the system worked and didn't feel they could impact the outcomes for their children. The parents in the focus group brainstormed the idea of making a "how to" video for parents involved with the juvenile court. The probation department acted on the recommendation, and several of the parents participated in video segments discussing how parents can involve themselves in their child's court hearings by knowing what the possible outcomes are for each type of proceeding and advocating on behalf of their child. They suggested that the actual judge, D.A., public defender/attorney, probation officer, bailiff, etc., portray their real life roles in the video so that parents could identify them when they attended court.

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. The parent group reviewed and approved the three pamphlets developed by the Family Partnership Program, each of which was translated into Spanish.

Finally, Santa Cruz also created the paid position of "Family Partners"—parents who have previously had children in the juvenile justice system—and it has hired three parents using a combination of local, state, and foundation funds. The Family Partners work with families both individually and in groups to help them navigate the juvenile court and probation systems. Family Partners conduct outreach to residential care programs within the county and offer services to families of youth transitioning out of local placements. Family Partners also meet regularly with department staff to help plan and design new programs, provide important consumer feedback about what is working, and help staff identify what youth and families need to benefit from the programs and services offered. This feedback is documented and presented regularly to an interagency management team of professionals from the probation department, the mental health agency, educators, and community providers in order to ensure that their feedback will guide system improvement efforts.

Family Partners also support parents who participate in the county's Wraparound Family Solutions Program—the intervention with the greatest degree of family involvement. Families are at the helm of decision-making in Wraparound—selecting the participants in the youth's wraparound team, crafting safety plans, and engaging extended family members and additional resources. Professionals assume a subordinate role as the family works toward self-sufficiency. In juvenile probation matters, this means helping youth complete their obligations to the court, as well as strengthening the home environment, so that the youth can remain safely at home and succeed in school. Both the youth and family are asked to complete satisfaction surveys, which help to better inform program managers and policymakers about ways in which the program could better serve children and families.

Cook County Juvenile Advisory Council

In 2002, the Cook County Juvenile Probation and Court Services Department created the Juvenile Advisory Council (JAC)—a working group of current and former probationers assembled to help probation staff assess the effectiveness of

COOK COUNTY JUVENILE ADVISORY COUNCIL – MISSION STATEMENT

The mission of Cook County's Juvenile Advisory Council is to create a forum for youth to assist the Probation Department in:

- Assessing the Effectiveness of Its Present Supervision and Services;
- Better Understanding the Needs of Its Clients; and
- Enhancing Its Programming to Meet Those Needs.

their programs from a youth perspective, and to help youth newly assigned to probation understand the probation system.

"It's one of the most exciting and important things we've done here in Cook County in many years," says Deputy Steve Eiseman, the council's staff coordinator. "Never before in the entire proud history of this department has it gone out and asked kids and families how did their experience with the probation department work for you. What have we done well with you and what could we do better?" Youth on the council receive stipends for their work in recognition that their efforts have real value, and JAC activities are designed to help participating youth develop leadership skills and practical competencies in areas such as public speaking and group facilitation. (See mission statement of the Juvenile Advisory Council in text box above.)

As one of its first tasks in early 2003, the Juvenile Advisory Council helped conduct focus groups with young people who had been through probation. The most striking finding was that—even after completing probation—many youth did not understand the basics of the probation system. As a result, Juvenile Advisory Council members now lead orientation sessions every six to eight weeks for all youth placed on probation. In the sessions, advisory council members use games and role plays to engage the probation youth and make learning fun.

JAC members also conduct exit interviews with youth leaving probation. They then debrief probation staff and provide suggestions for how the department can make services more responsive to youth concerns. For instance, after many youth expressed concerns about their privacy, the advisory council recommended that probation officers refrain from wearing badges when they meet with probationers

at school or in the neighborhood. Youth explained that they felt stigmatized in front of peers and neighbors when approached by badge-wearing officers. Officers initially resisted the request. But over time they came to see how this change might improve the attitudes and outcomes of the youth they were responsible for supervising. When they heeded the urging of department heads and agreed to the change, youth on the council felt they had won a significant victory.

In addition to JAC's value in helping the probation department fine tune its programs, the department has compiled evidence that the JAC-led orientation sessions are producing results. During the first two years of the orientation program, the violation rate for youth who attended the orientation sessions (about 40 to 50 percent of all youth starting probation) has been significantly lower than the rate for youth who did not attend.

Probation Chief Mike Rohan believes that JAC has offered important benefits for his agency, and recommends that other probation agencies create similar mechanisms to ensure that the voices of youth are heard in the juvenile justice and probation processes. But, "You can't use youth as window dressing," Rohan warns. "You have to show good faith."

Family Conferencing: Intensifying Family Involvement in Santa Cruz

In 1999, the Santa Cruz Probation Department implemented a family conferencing model. Adapted from the family group conferencing technique used in many child protective systems, and known locally as a Placement Assessment Conference Team (PACT), family conferencing attempts to put families in charge of their own lives and helps them plan for the well-being of their children.

The Placement Assessment Conference Team brings the extended family of a youth at risk of out-of-home placement together, under the guidance of a trained facilitator, to develop a disposition plan for the youth. In the conferences, family members, the youth, and any extended family begin by listing the family's and youth's strengths and concerns. Strengths and concerns are also presented by probation officers, institutional staff, mental health clinicians, and other concerned parties. The probation officer is responsible for presenting victim's concerns (in

some cases the victim will participate), public safety concerns, and requests that the plan include restitution for the offense.

During the conference, the family is given a list of resources and works alone to develop a plan that both builds upon strengths and attends to concerns raised during the conference. Upon completion, the family presents its plan to the probation officer and service providers for endorsement. Assuming all concerns are adequately addressed, the plan is endorsed and the probation officer presents the plan to the court at the disposition hearing. (If a plan is not endorsed, the team and family may provide separate plans for the judge to consider.)

Santa Cruz personnel have found that family conferencing empowers families to invest in their own strength and energy to create a workable plan. Family-driven plans tend to be more comprehensive because they are designed to help families mobilize their own resources, and they are also more likely to be implemented, because families plan knowing what resources are available and what is expected of them. Judy Cox notes, "With family conferencing, the us-and-them between parents and the juvenile justice system melts away."

Chapter 6

PROMOTING RACIAL JUSTICE

It is the American credo, the core of our constitution: equal justice under the law. And yet, in juvenile justice systems throughout the United States, youth of color are routinely given harsher punishments and fewer treatment services than white youth. Even when they've been arrested for the same crimes as white youth, youth of color are more likely to be formally charged with crimes, more likely to be detained behind bars, more likely to be sent to correctional institutions, more likely to be tried as adults, and more likely to be sentenced to adult correctional institutions.[1] As a result, disproportionate minority confinement (DMC)[2] and disparity in sentencing[3] are rampant.

As part of the JDAI process, all sites strive to identify and remove biases (both structural and human) that produce racial disparities in detention.[4] In these efforts, sites have found that to effectively reduce racial disparities, they need to examine each decision point in their system—from arrest to detention to disposition—through a DMC lens. With active participation from judges, prosecutors, public defenders, police, probation, political leaders, service providers, and community groups, the JDAI model sites have learned to recognize symptoms of racial disparity throughout the juvenile justice system, discovering that these symptoms are often the unintended consequences of seemingly race-neutral practices.

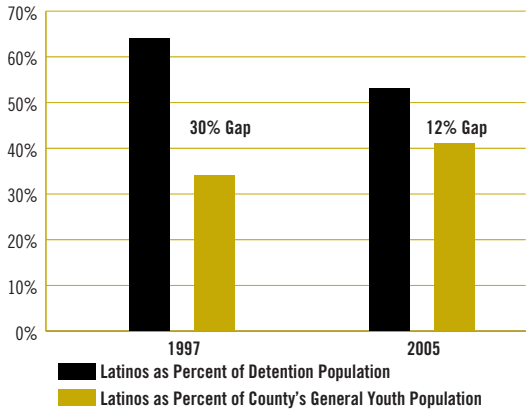
Each of the model sites has made significant reductions in their aggregate detention populations, and each has substantially reduced the numbers of detained youth of color, though only some lowered the proportion of detained minority youth compared to white youth.[5] For instance, before Santa Cruz began its work to reduce DMC, 64 percent of youth in juvenile hall were Latino (versus 34 percent Latino youth in the general population). After eight years of concerted effort, the juvenile hall population dropped to 53 percent Latino in 2005 even while Latinos' share of the total youth population had surged to 41 percent. (See Figure 6 on p. 64.) And as noted in Chapter 3, between 1993 and 2000, Multnomah County eliminated what was once a substantial disparity in the odds of detention for minority vs. Anglo youth, though a small gap has reappeared in the years since 2000.

Indeed, sustaining these gains requires constant vigilance, and the sites themselves maintain that there is more work to be done in combating disproportionate treatment. Yet, from their experiences, several keys to JDAI's success in combating disproportionality have become clear:

1. a high level of sophistication in data collection and analysis that frames the problem objectively, creates a more neutral context for discussion, and provides a mechanism for measuring progress;
2. strong, multilevel leadership to facilitate meaningful organizational and cultural change in how their systems process juvenile cases; and
3. a well-organized and well-articulated implementation plan that includes targeted objectives, specific agendas, and goal-oriented work plans to confront structural, systemic injustice.

FIGURE 6

REDUCING IN DISPROPORTIONATE CONFINEMENT OF LATINO YOUTH IN SANTA CRUZ COUNTY JUVENILE HALL



Data Collection and Analysis

Every year since 1998, Multnomah County has published a report on minority overrepresentation presenting detailed data on how youth of color are faring in the juvenile justice system.[6] The reports document the rate at which white, African-American, Hispanic, Asian, and Native American youth are referred to the Department of Community Justice (DCJ) on delinquency charges, brought to detention (versus given paper referrals), detained (versus released once brought to detention), adjudicated (versus placed in having their cases closed prior to adjudication or being placed into informal diversion), and, for those adjudicated delinquents, the number committed to a youth correctional center (versus being placed on probation or receiving another disposition).

In fact, JDAI sites now analyze data by race and ethnicity to detect disparate treatment of youth as well as imbalances in how services are provided not only at

the detention phase but throughout the juvenile justice process. Specifically, the sites are:

- mapping each decision point in their systems;
- disaggregating data by race and ethnicity;
- examining and addressing race effects throughout case processing;
- conducting detention and detention alternative utilization studies;
- geo-coding and community mapping; and
- developing and distributing routine management reports that highlight disparity.

Through these efforts, they are making noteworthy progress in reversing this most disturbing and persistent problem plaguing our nation's juvenile justice systems.

Latino Youth in Santa Cruz

Collection and analysis of data increases a site's sensitivity to issues of racial justice. It also defuses some of the tension that discussions of racial disparity tend to ignite by allowing decision-makers to ground their considerations in fact rather than anecdote and accusation. Deeper analyses into how and when racial disparities emerge leads to more accurate, intentional, and effective remedies.

For instance, by reviewing its data Santa Cruz County's probation leaders learned several years ago that it was taking much longer to place Latino boys compared to youth of other ethnic and cultural backgrounds. Latino youth were spending twice as much time in the detention facility awaiting placement than any other group. A deeper study revealed that Latino boys needed a culturally competent treatment program that would address drug and alcohol issues. Santa Cruz worked with a local residential drug treatment provider and the county health services agency to design a culturally relevant drug treatment program for Latino boys. The new program enabled the county to eliminate the disparate processing time for Latino boys. (The program has since closed its doors, but, thanks in part to the new Evening Reporting Center described in Chapter 3, the need is still being met and processing times for Latino youth remain in line with youth of other ethnic groups.)

Another study revealed that the Latino youth were returning to detention due to probation violations and bench warrants at a significantly higher rate than

Caucasian youth. The county used this study to improve its bench warrant process by having bilingual staff assist youth and their families in setting a new court date when youth fail to appear for a court date, rather than having the youth arrested and booked on a bench warrant.

Strong Leadership

Cook County's Probation Recruiting and Hiring Practices

When Mike Rohan took over as chief of the Cook County Juvenile Probation and Court Services Department in 1994, he conducted a department-wide analysis to determine what systemic changes were needed. One of the findings was that the department had gravitated toward an older, white male-dominated staff with "a law enforcement predisposition" and was "not culturally sensitive" to the department's mostly minority client population, says Rohan, who is white himself.

"We needed to make a purposeful shift in our hiring practices," Rohan recalls, one that would break with longstanding probation department traditions. "The department should reflect the clients we serve."

Rohan says it took time for him to develop the credibility to propose a departure from traditional practices, and that change in policy and practice happened

VALUES-BASED TRAINING IN COOK COUNTY

Once Cook County changed its hiring patterns, it had to change its staff training as well. The County initiated open discussions with staff, conveying a core set of values reflective of many of the JDAI principles. The new training curriculum emphasizes to department staff members how some court procedures can have detrimental affects on youth and how officers can inadvertently stigmatize kids. Detention alternatives are highlighted to avoid institutionalizing or bringing youth deeper into the system wherever possible. Following is a list of the Department's Core Values:

- pursue least restrictive setting without compromising public safety
- reduce institutional stigma
- subscribe to strength-based assessments and programs
- promote cultural competence
- utilize performance outcome measures
- incorporate youth/family perspectives

incrementally. "We met with some significant resistance," he says. Yet gradually, employing a multipronged strategy, the department has achieved significant progress in changing the composition of probation staff to reflect the cultural and ethnic backgrounds of the youth in their care.

Rohan began by carefully framing the issues of racial disparity and cultural competency for the department, something that had never before been done. Presenting the specific objectives he sought to achieve, Rohan persuaded both the chief judge of the Circuit Court and the probation officers that an intentional change in recruitment and hiring practices could improve the way youth in the system were treated, improve public safety outcomes, and increase program success.

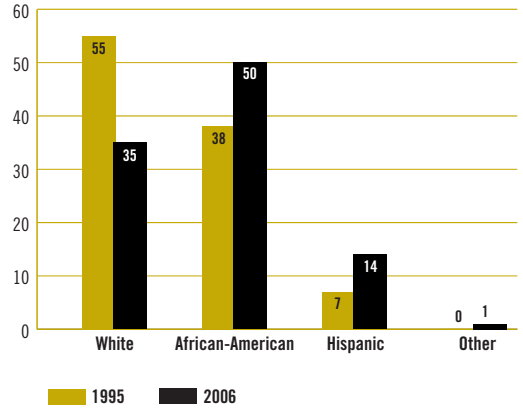
The department began recruiting officers with a background in social work, rather than law enforcement. Given that the social work profession is comprised primarily of women, including many African Americans and Latinos, the shift led naturally to a surge in younger officers as well as officers of color.

In addition, Rohan's department took several other innovative approaches. First, the department began hiring youth who were former probation clients into each new group of probation officers. With the agreement of the chief judge, who approves all hires, the department has hired ten former probation clients, despite facing two extended hiring freezes in recent years. To help increase the pool of former probationers who become candidates for probation officer positions, the department has raised substantial scholarship money for former probationers to attend college. After hearing one youth on probation address a community forum, one county resident pledged to donate over $100,000 a year to a scholarship fund for former probationers. The department then worked to leverage this donation, requesting additional funds from regional philanthropic institutions. Probation officers volunteer their time to mentor youth who receive the scholarships and to operate the private foundation established to administer the program. Scholarships are now offered on a competitive basis to about 50 former probationers each year, almost all of whom are youth of color.

In addition to hiring former probationers, the department changed its expectations of the community-based organizations (CBOs) with which it contracts,

FIGURE 7

CHANGING FACE OF THE COOK COUNTY JUVENILE PROBATION AND COURT SERVICES DEPARTMENT: STAFF DEMOGRAPHICS IN 1995 vs. 2006



requiring them to consider former youth probationers in their hiring decisions.

Taken together, these strategies have helped the Cook County Juvenile Probation Department develop a more diversified workforce, one that is more age and culturally representative of the youth it serves. From 1995 to 2006, the percentage of staff who are African American grew from 38 percent to 50 percent, and the percentage of Hispanics doubled from 7 percent to 14 percent. Meanwhile, the percentage of white staff members dropped from 55 percent to 35 percent. (See chart at left.)

Management at the department has also become more diverse—as of October 2006, 52 percent of supervisors and managers were African American or Hispanic—which has proved important in recruiting new staff. According to Rohan, "the organization changed dramatically," and Cook County has found that diversifying its juvenile probation staff correlates with clients being more responsive to staff.

Intentional Implementation

Generally, the core components of effective juvenile justice programs are the same for all youth, regardless of their ethnic or racial heritage. The keys involve building on engaging youth in the treatment process, involving their families (and often their communities), building on strengths, employing the least restrictive placements, and holding youth accountable through graduated sanctions coupled with rewards for good behavior. What makes a program culturally competent is a lot about who is offering the curriculum and the cultural context and location in which it is offered.

Communities of Color in Multnomah County

In an effort to address disparities in the provision of services to youth of color, JDAI model sites have made a point to form alliances and direct funding to programs and community organizations that are culturally representative of justice-involved youth. An example is the "Communities of Color" initiative in Multnomah County.

As Multnomah began its work on detention reform, reports JDAI Coordinator Rick Jensen, "we recognized that many children of color ended up in detention because we didn't have enough culturally competent providers who could work with our kids—kids from minority backgrounds with serious needs."

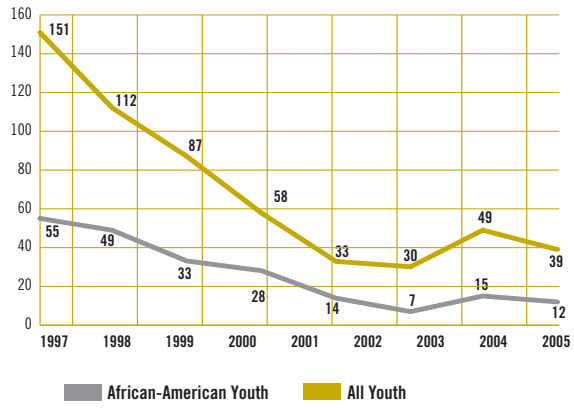
To fill this void, the Department of Community Justice reached out to two community organizations—Self Enhancement, Inc., which serves a predominantly African-American community, and the Latino Network, serving Hispanic neighborhoods. Prior to JDAI, both organizations were up and running in Multnomah but neither had previously worked with delinquent youth.

Applying funds from the Oregon Youth Authority's Gang Transition Services program, Multnomah began contracting with the two organizations to serve youth of color with serious behavior problems who were at risk of correctional placements. The organizations act as lead agencies in the program—partnering not only with the juvenile probation officer and the youth and his or her family, but also with local religious organizations and community members who can provide needed support to keep youth at home and in their communities. The lead organizations also serve as "fiscal agents" in Communities of Color, subcontracting with local service providers for culturally relevant case management, treatment, educational, and mentoring services. Given the bureaucracy and complexity surrounding government procurement processes, "many of these nontraditional providers could never have gotten contracts with [DCJ]," Jensen says. "SEI and the Latino Network are able to circumvent that and get money into the hands of people who are right there in the neighborhoods where these kids live."

According to the Department of Community Justice, Communities of Color has been a key factor in helping Multnomah County reduce the number of

FIGURE 8

NUMBER OF YOUTH COMMITTED TO OYA CORRECTIONAL FACILITIES: 1997–2005



minority youth committed to OYA correctional facilities. Despite the fact that more than half of all participants enter the program with five or more prior criminal referrals, just one-tenth of youth served by Communities of Color were committed to correctional facilities in 2004. Seventy-seven percent of youth had no new criminal referrals while participating in Communities of Color, and 68 percent had no referrals in the six months after leaving the program. The program has been a key part of reducing the number of African-American youth committed from Multnomah to state training schools from 55 in 1997 to 12 in 2005—meaning that African-American youth saw an even greater reduction in correctional placements (78 percent) than did the overall Multnomah youth population (74 percent). (See chart above.)

Notes

[1]Poe-Yamagata and Jones, *And Justice for Some.*

[2]Disproportionate minority confinement (DMC) is a condition that exists when a racial/ethic group's representation in confinement exceeds their representation in the general population.

[3]Disparity occurs when individuals who are similarly situated or who have common characteristics are treated differently.

[4]E.H. Hoytt, et al., *Pathways to Juvenile Detention Reform 8: Reducing Racial Disparities in Juvenile Detention,* Baltimore, MD: Annie E. Casey Foundation, undated.

[5]Ibid.

[6]The latest report is *Juvenile Minority Over-Representation in Multnomah County's Department of Community Justice: Calendar Year 2005 Youth Data,* Multnomah County (Oregon) Department of Community Justice, June 2006.

Chapter 7

CONCLUSION

Based on the many innovative and ambitious efforts detailed in the previous chapters, it is clear that in the model JDAI sites of Cook, Multnomah, and Santa Cruz counties, reform efforts have not ended at the detention center door. Rather, all three sites are deeply engaged in improving their juvenile systems top-to-bottom.

This penchant and capacity for taking reform efforts beyond detention is also evident in many other JDAI sites.

1) In Bernalillo County, New Mexico, which began as a replication site but has recently been named a JDAI model site, local leaders have opened a free-standing adolescent mental health clinic adjacent to the local detention facility. The clinic, which was launched in part using funds reallocated from detention (following a sharp JDAI-enabled drop in the average daily population), provides medication management; supervision; individual, group, and family therapy; and clinical evaluations, assessments, and diagnosis primarily for juvenile justice youth, though other youth are also eligible. Thanks to the center, which is accredited and receives Medicaid reimbursements, youth are now unlikely to be dumped in detention due to a misdiagnosis or unmet mental health needs—a pervasive problem in many juvenile systems nationwide.
2) In Clayton County, Georgia, local juvenile justice officials have forged an agreement with local school officials to limit referrals to juvenile court for youth who misbehave on school grounds. Prior to the agreement, Clayton County's juvenile courts had been inundated with referrals from school police due to a so-called "zero tolerance" policy adopted by the school system. Between 1993 and 2003, delinquent referrals from schools mushroomed from 200 to 1,100. To remedy the situation, court officials reached out to education leaders and explained the potential dangers of criminalizing behavior that might be better addressed outside of the formal court system. Ultimately, school resource counselors and resource officers were retrained, and an agreement was reached that schools would no longer refer youth to juvenile court for misdemeanor public

order offenses—like fighting and disorderly conduct—until the third offense. As a result, school-based referrals have been reduced by 52 percent.

3) In DuPage County, Illinois, local leaders have not only embraced detention reform since 1998, but they have also taken bold steps to reduce reliance on correctional and out-of-home placements. Through objective decision-making, the adoption of two evidence-based family therapy models (Multisystemic Therapy and Functional Family Therapy), and other reforms, DuPage has reduced its annual commitments to secure care from 25 to 10 and lowered total spending on out-of-home placements from $3 million per year in the mid-1990s to just over $1 million in 2005.

4) When the California Endowment announced a new $6.5 million "Healthy Returns" pilot project to improve mental health services for justice-involved youth in 2004, three of the five communities selected to participate (Santa Clara and Ventura counties, in addition to Santa Cruz) were JDAI sites. "We selected counties that had a demonstrated commitment to systems changes to provide effective services for detainees and those youth at risk of becoming deeply involved in the JJ system," says Gwen Foster, the senior program officer for the California Endowment who oversees Healthy Returns. "This automatically included the JDAI sites." Moreover, the California Endowment has asked JDAI staff to assess the two remaining sites and to assist them in adopting key aspects of the JDAI model.

In addition, the successes achieved by JDAI sites have led in some cases to broader policy reforms at the state level. When New Mexico substantially rewrote its children's code in 2003, legislators approved new objective criteria for all detention admission statewide as well as expedited court processing and other JDAI-related policies and practices.

Over the past two years, Illinois has enacted two major juvenile reform initiatives—a 2004 juvenile justice refinancing initiative (Redeploy Illinois) that addresses a longstanding financial incentive for counties to send youth into state custody, rather than treating them locally; and a 2005 reform, removing juvenile corrections from the state's prisons and creating a new youth-focused juvenile corrections agency. While JDAI was not the driving factor behind either reform, insiders and

observers report that JDAI did play an important behind-the-scenes role. For instance, a paper published by the Juvenile Research and Services Association in March 2006 cited JDAI as one of the important elements creating "an effective synergy for reform in Illinois" on juvenile issues.

Paula Wolff, a senior executive at Chicago Metropolis 2020 business roundtable and one of Illinois's leading criminal justice reform advocates, says that JDAI "absolutely … was an important factor in subsequent legislative change." Specifically, Wolff cites three ways in which JDAI helped spark legislative reforms: (1) the core principles JDAI helped spread in Cook County and other Illinois jurisdictions that later became JDAI replication sites "were at the heart of later changes"; (2) the reform coalitions JDAI helped build through its statewide replication efforts "became essential elements of later change"; and (3) JDAI's successes in the state generated momentum by showing "that change was possible … and treating youth as if they could be rehabilitated would not result in increased crime and violence." Mike Rohan, director of Cook County juvenile probation and the leader of the Cook County JDAI effort, says that "absent the process we've had with detention reform, I think [the new juvenile justice department] wouldn't have happened."

Explaining JDAI's Catalytic Effect: A Culture of Reform

In the preceding chapters, this report offered many explanations regarding why JDAI sites are pursuing reforms so aggressively and effectively. These included:

- New appreciation for and skill in using data to guide decisions;
- New commitment and capacity for objective decision-making;
- Greater interagency cooperation and improved staffing of cases;
- Heightened commitment to reducing reliance on correctional training schools and other out-of-home placements, combined with a determination to build and enhance community-based programming;
- Renewed outreach to families, combined with a new commitment to including the voices of youth and families in the decision-making process;
- Creative and energetic efforts to combat disproportionality and disparate treatment of youth by race.

All of these elements are important for understanding the success achieved by model JDAI sites in translating detention reform into broader changes throughout their local juvenile justice systems. But when you study these sites at close hand, when you speak with leaders of these sites, a deeper and less tangible commonality emerges: what might be termed a "culture of reform."

None of the model JDAI sites has "figured it all out" or developed anything like a perfect system. But having achieved substantial success in reducing detention populations, they have whetted their appetites for further successes and embarked on a course of continuing experimentation, innovation, and progress.

In each of the sites, leaders and staff throughout the juvenile justice system—from top to bottom, and across all of the various agencies involved with youth—have embraced a common vision for effective and youth-friendly juvenile justice. None of the sites has "figured it all out" or developed anything like a perfect system. But having achieved substantial success in reducing detention populations, they have whetted their appetites for further successes and embarked on a course of continuing experimentation, innovation, and progress.

"It makes what you do much more gratifying when you know that what you're doing works," says Judge Elizabeth Welch, who recently retired after more than a decade as a juvenile judge in Multnomah County. "You have to look at each and every decision point and ask why are we doing that, is it rational, is it working, and then adjust it. For us, that process started with JDAI."

"Once we adopted the value of relying on the least restrictive setting without compromising public safety, we were able to concentrate on developing a set of skills which could be readily applied to all juvenile justice services," says Santa Cruz County Probation Chief Judy Cox. "Mastery of JDAI's core strategies and fundamental tools unleashed both creativity and credibility among juvenile justice practitioners. The momentum JDAI generated has inspired others to get on board the train thus attracting more new resources to the effort."

Julie Biehl, who developed and now oversees Cook County's Court Clinic, was not integrally involved in JDAI detention reform efforts. Yet she sees a direct connection between JDAI and her success in developing the Court Clinic and improving

mental health services to court-involved youth. “JDAI has been a really credible reform that has produced longstanding change,” and that gives a lot of confidence to people, Biehl says.

“There’s a culture of accepting change in this building, so people are more open to thinking about the way things work,” adds Biehl. “It’s been a huge culture shift.”

BEYOND DETENTION:

INNOVATIVE PRACTICES PURSUED BY JDAI MODEL SITES (SUMMARY TABLE)

For original documents, go to www.jdaihelpdesk.org.

PROJECT/INNOVATION	TYPE OF INNOVATION	CONTACT PERSON
COOK COUNTY		
Girls Study	Using Data to Drive Policy and Practice	Mike Rohan Director, Cook County Juvenile Probation and Court Services Department 312-433-6569 mrohan@cookcountygov.com
Placement Calendar	Improving Staffing of Cases & Reducing Out-of-Home Placements	Kevin Hickey Deputy Chief Probation Officer Cook County 312-433-7859 khickey@cookcountygov.com
Court Clinic	Improving Staffing of Cases & Reducing Out-of-Home Placements	Julie Biehl Director, Clinical Evaluation and Services Initiative Cook County Juvenile Court 312-433-6649 j-biehl@northwestern.edu
Multisystemic Therapy	Improving Community-Based Programming & Reducing Out-of-Home Placements	Kevin Hickey Deputy Chief Probation Officer Cook County 312-433-7859 khickey@cookcountygov.com
Juvenile Advisory Council	Sharpening the Focus on Youth and Parents	Steve Eiseman Deputy Chief Probation Officer Cook County 312-433-4465 seiseman@cookcountygov.com
New Recruiting and Hiring Practices	Reducing Racial Disparities	Mike Rohan Director, Cook County Juvenile Probation and Court Services Department 312-433-6569 mrohan@cookcountygov.com

MULTNOMAH		
Analyses of Disproportionate Treatment for Minority Youth	Using Data to Drive Policy and Practice	Charlene Rhyne Research Manager, Multnomah County Department of Community Justice 503-988-4126 charlene.e.rhyne@co.multnomah.or.us
System of Objective Decision Tools	Objective Decision-Making	Thach V. Nguyen Multnomah County Juvenile Counseling and Court Services Manager 503-988-5635 thach.v.nguyen@co.multnomah.or.us
Alternative Placement Committee	Interagency Collaboration & Reducing Out-of-Home Placements	Thach V. Nguyen Multnomah County Juvenile Counseling and Court Services Manager 503-988-5635 thach.v.nguyen@co.multnomah.or.us
Felony Drug Diversion Project	Reducing Out-of-Home Placements & Combating Disproportionate Minority Confinement	Benjamin Chambers Project Director, Reclaiming Futures Multnomah County Department of Community Justice 503-988-4516 benjamin.s.chambers@co.multnomah.or.us
Multisystemic Therapy	Improving Community-Based Programming & Reducing Out-of-Home Placements	Wayne Scott Multnomah County Juvenile Treatment Services Manager 503-988-6904 wayne.scott@co.multnomah.or.us
Communities of Color	Reducing Racial Disparities & Improving Community-Based Programming	Thach V. Nguyen Multnomah County Juvenile Counseling and Court Services Manager 503-988-5635 thach.v.nguyen@co.multnomah.or.us

SANTA CRUZ		
Data Analysis to Target New Probation Programming	Using Data to Drive Policy and Practice	Scott MacDonald Assistant Chief Probation Officer Santa Cruz County 831-454-3377 scott.macdonald@co.santa-cruz.ca.us
Placement Screening Committee	Improving Staffing of Cases & Reducing Out-of-Home Placements	Scott MacDonald Assistant Chief Probation Officer Santa Cruz County 831-454-3377 scott.macdonald@co.santa-cruz.ca.us
Community Resource Developer	Improving Community-Based Programming	Scott MacDonald Assistant Chief Probation Officer Santa Cruz County 831-454-3377 scott.macdonald@co.santa-cruz.ca.us
Neighborhood Accountability Boards	Improving Community-Based Programming	Scott MacDonald Assistant Chief Probation Officer Santa Cruz County 831-454-3377 scott.macdonald@co.santa-cruz.ca.us
Listening to Parents	Sharpening the Focus on Youth and Parents	Scott MacDonald Assistant Chief Probation Officer Santa Cruz County 831-454-3377 scott.macdonald@co.santa-cruz.ca.us
Enhancing Services for Latino Youth	Reducing Racial Disparities	Scott MacDonald Assistant Chief Probation Officer Santa Cruz County 831-454-3377 scott.macdonald@co.santa-cruz.ca.us

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2. Collaboration and Leadership in Juvenile Detention Reform

3. Controlling the Front Gates: Effective Admissions Policies and Practices

4. Consider the Alternatives: Planning and Implementing Detention Alternatives

5. Reducing Unnecessary Delay: Innovations in Case Processing

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11. Promoting and Sustaining Detention Reforms

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To find copies of these reports and learn more about JDAI, visit **www.aecf.org**.
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