

**STATE OF THE INITIATIVE
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Good morning. I am flattered that so many of you have gotten up this early for this annual review of the status of the Juvenile Detention Alternatives Initiative. It is always a great pleasure to share these thoughts with you.

I want to begin by thanking some of the many people who have worked so hard to make the conference a stimulating and fulfilling experience. My colleagues on the Initiative Management Team—Gail Mumford, Raquel Mariscal, Stephanie Vetter and, especially, Julie Pope—have worked tirelessly over the past few months. Many people from JDAI sites have also contributed, some as faculty, some as planners, some as on-site staff, keeping the logistics moving smoothly. JDAI inter-site conferences are really peer-to-peer education at its best. You should give yourselves a hand for the great work you've done on the conference and for the work you do, generally, to improve outcomes for disadvantaged kids and communities. Finally, I want to thank Bob Crane, the president of the JEHT Foundation, our partner in funding JDAI, for his leadership, his friendship and for the example he has set for the field of philanthropy. JDAI's success over the past three years would not have been possible without Bob's support.

It has been a big year for juvenile justice, at least at the Annie E. Casey Foundation. The *Chronicle of Philanthropy*, the trade newspaper of the foundation world, published a major front page article on foundation-supported juvenile justice reform efforts this spring. This article featured JDAI prominently, but also discussed the work of our colleagues at MacArthur, JEHT and OSI. Missouri's Division of Youth Services, long supported by Casey for its model youth corrections system, received national recognition in the form of a prestigious "Innovations in Government" award from Harvard's Kennedy School of Government. A broad coalition of juvenile justice advocacy and service organizations—many of which are represented at this conference--came together to support amendments to the Juvenile Justice and Delinquency Prevention Act. While reauthorization has not yet occurred, there are many reasons to believe that this coalition's advocacy efforts will not only sustain the JJDPA, but will significantly enhance it.

And this year, the Annie E Casey Foundation published "A Road Map to Juvenile Justice Reform" as our essay in the annual *Kids Count Data Book*. The "Road Map" is our most extensive articulation of what ails juvenile justice and what ought to be done to fix it. Before discussing its message in greater detail, however, I want to take a moment

to acknowledge and thank Dick Mendel, who was my co-author on this essay. Many of you know Dick because he wrote the two most recent volumes in the *Pathways*' series, as well as numerous other important juvenile justice publications. Working with Dick on the "Road Map" essay was a great pleasure and, without doubt, his contributions made that lengthy discourse more cogent, more comprehensive and more compelling than would have been the case without his collaboration. Dick deserves special credit for this work and I'm pleased to have this moment to publicly express my gratitude to him.

What does the "Road Map for Juvenile Justice Reform" say? Notwithstanding the dedicated efforts of so many of you here today, the essay paints a damning picture of juvenile justice in America. It describes a system that has lost sight of our youth, especially how they are different from adults and what they need in order to make successful transitions to adult life. It describes a system whose facilities are often fraught with abuse and scandal; a system that incarcerates children recklessly, often out of anger and frustration; a system into which youth with significant needs are often "dumped"; a system that demonizes whole neighborhoods and excludes families from its decisions and interventions. It describes a system unaccountable for results and unable or unwilling to critique itself.

Though bleak, the essay intentionally does not seek to lay blame. Indeed, it does not really attempt to analyze why we went so wrong, only that we have, for many complex historical reasons. Our point was not to belabor the past; it was to draw a road map for the future.

In contrast to this basic analysis, JDAI sites stand out as beacons of hope. But the essay consciously avoids being JDAI-centric, as that would have been immodest and inappropriate. Still, your jurisdictions give reason for hope, despite the essay's grim description. JDAI sites have significantly reduced their use of detention, improved public safety outcomes, provided more and better community programming, saved millions of taxpayer dollars and reduced racial disparities.

And, your sites' innovations have extended well beyond the detention component of your systems. Most JDAI sites have significantly reduced commitments to state corrections and other forms of out-of-home placements. Many sites have developed important new ways to engage youth and families. Others have come up with innovative responses to vexing problems that plague the average system, like domestic violence cases, youth with mental health problems, or special education cases.

JDAI sites may not be "cured" of the ills outlined in "A Road Map for Juvenile Justice Reform", but your progress to date certainly provides reasons for optimism. You have shown that the future of juvenile justice need not be determined by the system's historic or current shortcomings.

In the coming year, we will build upon your successes and strengthen JDAI efforts in two important ways. First, we will seek to scale-up JDAI implementation in states. As most of you know, JDAI is increasingly being taken on at the state level, but

many of those states have gotten “stuck”; they have found it difficult to expand beyond their initial cohort of participating counties. To promote state-scale expansion in these places, we will establish two new resources in 2009.

First, I am especially pleased to announce this morning that New Jersey will become JDAI’s first “model state”, joining Bernalillo, Cook, Multnomah and Santa Cruz counties as a learning laboratory for JDAI site delegations. However, unlike the original four model sites, New Jersey will serve as a *state* model, offering visitors examples and lessons relevant to state-scale implementation of detention reform. New Jersey has been, without a doubt, the most thoughtful, the most intentional and the most successful JDAI state. It has already doubled the number of counties participating and, by 2010, every county in the Garden State will be in the initiative. New Jersey has built an impressive infrastructure to support these local reform efforts and it has mobilized political will to institutionalize JDAI. When delegations begin visiting New Jersey in the coming year, they will learn key lessons of state-level juvenile justice reform so that they can return home to promote similar expansions.

As a compliment to New Jersey’s model site status, we will establish an “incentive” grant program in 2009 to provide funding to interested states to travel to New Jersey and to establish their own concrete expansion plans based upon what they will learn. Details regarding these incentive grants will be made available to all JDAI sites in the first part of 2009.

The second major step we will take in 2009 to strengthen and deepen work in JDAI sites will focus on reducing racial and ethnic disparities in your systems. Few in this audience will disagree with our assessment that reducing the disproportionate treatment of youth of color in juvenile justice has been as intractable a problem as any we confront. To push our work ahead in this arena, we will significantly expand the role of the Burns Institute in JDAI in the coming year. We will provide more training for sites, more tools for your reference, and more coaching. At the same time, however, all sites can expect that we will also promote increased accountability for concrete actions that can change the shameful disparities that are perhaps the most prominent characteristic of juvenile justice systems nationally.

These new resources—New Jersey as a model state; incentive grants; and increased resources to address racial disparities—will certainly deepen, strengthen and expand JDAI beginning in 2009. And, if history is a predictor, many sites will build out from detention reform to make significant improvements in other parts of their systems.

But, the hypothesis that detention reform is an “entry point” to stimulate and support broader changes, while proven true in many JDAI jurisdictions, is certainly not a given. The progress needed to achieve the kind of system outlined in the Kids Count essay is unlikely just because a jurisdiction undertakes detention reform. Put another way, without intentionality, without an articulated agenda with explicit goals—like reducing incarceration, expanding community-based programming, improving conditions of confinement, genuinely engaging youth and families—sites should not expect to

automatically make progress with the “Road Map’s” reform agenda simply as a byproduct of JDAI participation.

For the Annie E. Casey Foundation, the focus of that intentionality in the years to come will undoubtedly be on the deep end of the system, on reducing the numbers of youth committed to state corrections systems or to other forms of out-of-home placements. And, ultimately, our ambitions in this regard extend beyond reducing the numbers of children in the system’s deep end to eliminating the youth corrections model—of large so-called training schools--that has dominated our juvenile justice landscape for more than a century.

Why will we sharpen our focus on reducing commitments and placements in future years? The system’s deep end, for better or worse, defines it. When I worked in state government many years ago, I learned that budgets are mathematical statements of policy. The domination of juvenile justice funding by incarceration-related expenditures currently defines what our system is about. Without change in dispositional patterns and options, juvenile justice will remain defined by institutions that repeatedly fail to keep both youth and communities safe. Certainly, absent reform in the deep end, we are naïve to think we will ever have the resources to achieve our loftiest aspirations for our most disadvantaged youth.

And the deep end, we must remember, is certainly where our most troubled, most disadvantaged and most at-risk youth can be found in juvenile justice. It is where the black and brown kids are concentrated. It is where we, as a society, find those youth least likely to make successful transitions to adulthood. If we want to extend our progress beyond detention reform—if we want to pursue the full set of ambitions laid out in the “Road Map”—we have to break the stranglehold that the current deep end has on both our resources and our vision.

This will be no easy task. In the coming years, there is likely to be an intensified battle regarding how to treat youth. The worsening economy will threaten those who profit from incarceration and they will not surrender market share willingly. And, since hard economic times are typically accompanied by increased crime, those who benefit materially from incarceration will use any emerging trends to hammer home their case for expanding the deep end. Just as JDAI has shown that public safety is improved by a more rational use of detention, so we will be challenged to show—as Missouri’s Division of Youth Services has—that a different approach to youth incarceration can result in improved youth development, increased public safety and reduced public expenditures.

We are still working to define this future agenda, but its broad outlines include at least two pieces. First, we anticipate working in selected JDAI sites to introduce policies, practices and programs to reduce their deep end populations. During 2009, in consultation with many in this room, we will plan the details of this effort and prepare the materials, training opportunities and new technical assistance services necessary to help interested sites. Current plans anticipate actual site work beginning sometime in 2010.

The second component of this work will be a much larger gamble, a long shot, if you will. We hope to work intensively in one or two states, beginning in 2010, to replace the training school model with a more comprehensive, robust, fully-scaled system of supervision, services and living arrangements.

We do not know whether it will be possible to fully accomplish these ends; we only know that we should try. We should try because we should no longer tolerate the lawsuits and scandals characteristic of these institutions, abuse we would not tolerate if it were our own children who were confined.

We should try because, as Angela Blackwell so powerfully clarified in her speech yesterday, we can't have both a prosperous and inclusive society if we continue on the path of mass incarceration.

We should try because we all have the right to safety and the current system is simply not getting it done.

We should try because 150 years after the abolition of slavery, and 50 years since *Brown v. Board of Education*, our justice system has become the defining focus of the color line...and it shames us.

We should try for the same reason we do JDAI: because these are our kids and they deserve our best shot at a life filled with productivity and peace, not just punishment and isolation.

And, we should try because, as our Foundation's president, Doug Nelson, said when introducing "A Road Map to Juvenile Justice Reform" this summer, "We can no longer endure this fundamental contradiction between our articulated beliefs in justice and equal treatment and the actual workings of our juvenile justice system".

I look forward to working with you in pursuit of these goals. Thank you for your attention.