



The News from the National Detention Reform Movement

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NEW MEXICO'S CHILDREN'S CODE REVISIONS

New Mexico has taken a statewide approach to juvenile detention reform, starting with Bernalillo County in 1998, moving to five counties by December 2002, and ultimately expanding JDAI principles statewide. The statewide reform strategy has included the implementation of significant revisions to the State Children's Code that espouse and promote detention reform strategies. Effective July 1, 2003, the revisions to the State Children's Code became a reality for New Mexico.

issues by creating a new screening instrument, meeting each morning to develop a consensus

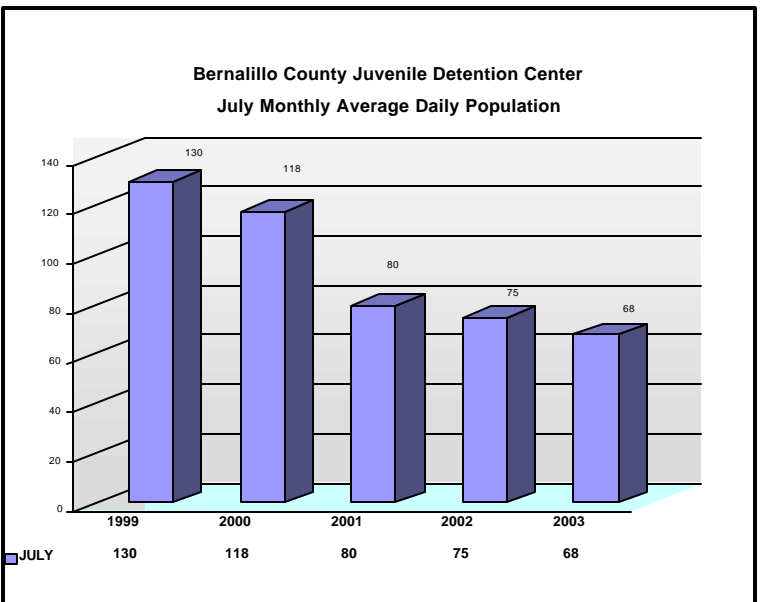
in detention on probation violations had been reduced by 50 percent. To-

About JDAI

To demonstrate that jurisdictions can establish more effective and efficient systems to accomplish the purposes of juvenile detention, the Annie E. Casey Foundation established the Juvenile Detention Alternatives Initiative (JDAI) in 1992. The objectives of JDAI are to reduce the number of children unnecessarily or inappropriately detained; to minimize the number of youth who fail to appear in court or re-offend pending adjudication; to redirect public funds toward successful reform strategies; and to improve conditions of confinement.

The Impetus for Change

In 1998, Bernalillo County administrators acknowledged that crowded detention conditions not only created safety issues for youth and for staff but also made normal programming impossible. An analysis of the detention population revealed that an alarming number of youth were being held on probation violations and bench warrants. Bernalillo's detention reform committee began to address these



recommendation for each youth scheduled for a detention hearing, and working diligently to release youth from the facility safely into a supervised detention alternative.

"The whole idea of the code is that we believe that children can be rehabilitated,"

Rep. Rick Miera
D-Albuquerque

The steering committee also created a "sanctions grid" prescribing the steps probation officers should follow before revoking probation. By 2002, youth held

day, the detention agency's Community Custody Program oversees more than 400 youth per year, without a resultant increase in recidivism. Tom Swisstack, Bernalillo County Detention Director, reports that no participating youth has committed a felony offense since detention alternative programs started three years ago. In fact, 76 percent of the participating youth complete the programs successfully and return to court as scheduled

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Welcome to the new JDAI Newsletter. A communications vehicle like this seems essential now that the juvenile detention reform movement has grown so much nationally. As we begin publication of this newsletter, I want to thank all of the sites that have joined JDAI for the leadership their participation entails, and I gratefully express special appreciation to our model sites for providing technical assistance to the newer participants. All of the JDAI sites –replication and model sites–have embarked on the path of detention reform because we share a common aspiration—we want a system that is effective, that is smart and that is fair. The model sites demonstrated that it is possible to safely reduce reliance on secure detention. The challenge now is to see if those experiences and lessons can influence the field in many places, affecting thousands of youth.

Sites that choose to replicate JDAI unfortunately confront a pretty miserable history of failed replication efforts in our justice system. I can list multiple innovations that were subsequently diluted, if not ruined, when efforts to reproduce them took place. In some ways, therefore, replication sites face an even more important task than the original JDAI sites. The original sites were an experiment. They did not know where they would end up, and if they failed, the field would have simply shrugged its shoulders and perhaps gloated over the intractability of its status quo.

So replication sites carry a bigger burden for two reasons: (1) a lack of success can not be explained by simply asserting that the reform strategies don't work (we know that they do) and, (2) the country is now watching. You are at the forefront of a movement that threatens to leave lasting and fundamental changes in juvenile justice. Earl Dunlap, the executive director of the National Juvenile Detention Association, recently told a large audience that he thought JDAI was the most significant reform in juvenile justice since the founding of the court 100 years ago. I think that Earl was exaggerating, but in an era in which we built thousands of new detention cells, decided to prosecute and incarcerate many kids in the adult system, allowed other systems to dump their children in ours, and greatly increased racial disparities in the system—in such a time, detention reform is truly a bold step in a different direction.

As the first cohort of replication sites, you have identified your jurisdictions as leaders in the field, willing to bear special responsibilities. You deserve support, encouragement, nurturing and, occasionally, amusement. AECF commits itself to your success, in part through this newsletter. We hope replication sites will use this as a tool to share ideas, to promote community between sites, and to build a network of peers. We hope to publish a newsletter like this every four months. Sites will play a major role in planning these newsletters, providing ideas, material, feedback and, especially, site reports documenting their accomplishments and problems. We'll learn what each other is doing, hear about significant innovations, identify and work through obstacles, learn how to be more effective in communicating what it is we are doing, strengthen our commitment to results, and help every JDAI site produce their best work.

I hope this newsletter is another step forward for JDAI. Please let us know how to make it work for you.

Bart Lubow

without committing any new offenses. Since these reforms have been implemented, the Bernalillo detention population has plummeted from 143 in February 1998 to a low of 68 in 2003. This decrease enabled Bernalillo officials to close down a detention unit of 15 beds, allowing funds to be redirected into detention alternatives. The 684,375 dollars of annual savings will be redirected to community supervision programs like the Youth Reporting Center, Community Custody Program and the Mental Health Clinic. Meanwhile, new arrests and court referrals for youth have decreased, demonstrating that relying less on secure detention does not result in a subsequent rise in crime.

State Children's Code Revisions

Bernalillo's detention reforms inspired legislators and other New Mexico counties to look at how detention is used. The state code revisions came about after unprecedented public comment on needed revisions from juvenile justice system stakeholders, including law enforcement officials, service providers, prosecutors, child advocates and others. David Schmidt, Director of the New Mexico Council on Crime and Delinquency, reported that his office sent over 2,000 emails seeking public comment. Many suggestions were eventually put into bill form by legislators and the new code was passed in the last legislative session. "The whole idea of the code is that we believe that children can be rehabilitated," said Rep. Rick Miera, D-Albuquerque, who sponsored the legislation.

One major change in the code is the requirement that each detention center in the state utilize an objective detention screening instrument when making detention admission decisions, based upon seriousness of the crime, criminal history, and flight risk. Support for the changes came from Cabinet Secretary for the Children, Youth and Families Department ("CYFD"), Mary-Dale Bolson, and the Juvenile Justice Division Director, Lawrence Barreras. Barreras commented, "Previously... [the decision to detain]... was a discretionary call," said Barreras. "[Now]... to be detained, young people must pose a substantial risk of harm to themselves or others or pose a demonstrated risk of flight."

"Previously... [the decision to detain]... was a discretionary call...[now]... to be detained, young people must pose a substantial risk of harm to themselves or others or pose a demonstrated risk of flight."

-Lawrence Barreras

*Juvenile Justice Division
Director*

Case Processing Time Expedited

Strict guidelines have also been added to the Code to reduce case processing time in juvenile detention cases. This amendment to the Code requires that petitions for detained cases be filed within 24 hours of admission instead of 48 hours, which will substantially reduce the number of detention bed nights annually and support alternative placement decisions by the court.

Although the option for juveniles to have their records sealed already existed in the Children's Code, it had required a judge's order. Beginning July 1, 2003, juvenile records will be sealed automatically two years after completion of the sentence or probation, unless the youth is 15-18 years-old and sentenced as an adult for a serious crime such as kidnapping, rape or murder. These new provisions offer early off-ramps for juveniles who stop lawbreaking behaviors before they travel too far down the road of crime and reduce the chances for juveniles to be negatively affected by labeling.

Measuring Results

Statewide data collection and analysis will be conducted over the next year to closely monitor detention admissions, length of stay and juvenile recidivism rates. More information on results of these reforms will be available after January 1, 2004, when CYFD will report to the Legislature on the new risk assessment instrument. In a preliminary evaluation at three detention sites, CYFD found that detention populations would have declined by 25 percent had the risk assessment tool been used at intake.

Written by Tom Swisstack and Rick Miera.

For further information contact: Dick Lindahl or Tom Swisstack

With Santa Clara County's Law Enforcement Leading the Juvenile Detention Charge—A Detention Protocol Results

Starting on November 1, 2003, police officers from sixteen agencies across Santa Clara County began playing a pivotal role in keeping kids out of jail who do not belong there. This shift in policy is embodied in a new detention protocol initiated by the Police Chief's Association and adopted this past January 2003. Police officers were trained on the protocol during the months of September and October 2003. The purpose of the detention protocol is to give clear guidelines to police on the street about who should be brought to detention. The anticipated result would be fewer children delivered to detention. In the alternative, the officer is enabled to handle the encounter informally by simply giving a citation and then releasing the child to a parent or turning the child over to a residential center. Prosecutors estimate that the protocol could potentially reduce juvenile detention at the San José jail by forty percent.

How it happened: Law Enforcement Leadership and Relationship Building

This policy shift by law enforcement is remarkable. While most of the JDAI sites have put significant energy into developing and implementing detention risk instruments, relatively few have worked with law enforcement to develop detention criteria. In Santa Clara County, stakeholders involved in the JDAI effort decided early on that a countywide law enforcement protocol was an essential piece of their detention reform effort, although, the idea was actually brought to the stakeholders by law enforcement leadership, not the other way around. This effort was spearheaded by now retired Palo Alto Police Department Chief Pat Dwyer and former San José Police Chief William M. Lansdowne.

"Incarcerating kids is the easiest way, but once they get in the juvenile justice system, it's very hard to get them out."

San José Police Chief
Bill Lansdowne

Local news coverage has dubbed the shift a "growing consensus among law enforcement that locking up first-time and lightweight offenders does not make the community any safer. It may actually increase crime by fostering criminal behavior in youths." Additionally, some San José County police officers acknowledged the subjectivity, inconsistency, and inefficiency of the decisions made on the street about whether to book the youth. Other officers noted that even though many youth are quickly released, the process to book the youth absorbs a significant amount of the police officer's time and energy—time and energy that could be better spent addressing more serious crime.

The development of the criteria and adoption of the protocol has been evolving for more than a year. Those leading the Santa Clara juvenile detention reform effort credit relationship building as a critical ingredient in bringing this significant change. As Shirley Lee, Partner, Community Crime Prevention Associates, notes, "whether between impacted parents and police officers or probation officers and community-based mental health staff, successful juvenile detention reform must have relationship building, renewing, and healing at its core."

Accounting for Detention Decisions

Law enforcement leadership further demanded that accountability be built into the protocol. When finalizing of the protocol, they insisted on documenting how these decisions to incarcerate were made and who made and approved them. Reliance on one of the exceptions listed in the protocol must be documented by listing the specific circumstance present to justify detention. The identity of the officer who made the decision to detain also must be documented. Lastly, the identity of the supervisor who approved the ultimate decision to incarcerate the youth must be

"We shouldn't arrest kids because we are mad at them; we should arrest kids because they are a danger to the community."

San José Police
Chief Bill
Lansdowne

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documented. This collective information will be captured at intake and subsequently reviewed. Shirley Lee highlights the value of gathering this information by stating, "because if one jurisdiction has a large number of kids getting locked up then we can look specifically at who is making these decisions and why release was not possible."

Challenges Ahead

One primary concern is that the implementation of the protocol will cause the community-based agencies that take in youth to be overcapacity. Then again, an increased demand on community-based agencies might create a ripe opportunity to advocate for the shifting or leveraging of resources to provide an adequate number of alternatives. On a different note, some skeptics fear that police might try to get around the policy by bumping up charges. And there has been some resistance by victim advocates who believe that release of some youth is not appropriate without other programs in place to intervene and address such issues as restitution. Nevertheless, the protocol is in place and the potential for dramatic reduction in the number of juveniles sent to detention is promising.

PROTOCOL

Goal:

"To minimize unnecessary incarceration of youthful offenders by seeking alternatives to custodial confinement."

Policy:

"The alternative that is least restrictive to the juvenile is preferred."

Procedure:

Officers **shall** release juvenile offenders, including:

- ?? Release to parent
- ?? Release with a written promise to appear
- ?? Release to a diversion program
- ?? Release to Alternative Resources

Unless one of the following exist:

The juvenile is 14 years old, or older, and commits a violation specified under section 707(b) W&I.

An outstanding arrest warrant exists for the juvenile, or a probation officer directs incarceration,

The release of the juvenile would create a continuing threat to public safety and/or an individual,

The crime is violent, serious, or involves a firearm, including Domestic Violence

Release of the juvenile would compromise an investigation,

The juvenile demands to be taken before a magistrate.

Exceptions shall be reviewed and approved by a supervisor and documented on the JCR and arrest report.

Community Alternatives to Incarceration:

Santa Clara County Law Enforcement agencies can refer those offenders not eligible to be admitted to Juvenile Hall and whose parents are not available or unwilling to accept the youth to the following resources on a 24-hour basis:

- | | |
|---|---|
| Alum Rock Counseling Center (ARCC) | Bill Wilson Center |
| Community Solutions | Social Advocates For Youth (SAY) |

To help effectively implement the protocol, the Chiefs' association has developed a short training video for all local police agencies to use. Retired police have conducted the training sessions throughout the various districts. As other jurisdictions look on, the protocol will be "walking the beat" (so to speak) with police in Santa Clara County. Hopefully this protocol will become a genuine police practice, and, in turn, more youth will be walking the streets.

*Written by Shannon O'Connor
For more information contact: Shirley Lee*

"Even though we are not incarcerating these kids for a lifetime, incarceration has a lifetime effect, lifetime consequences and lifetime results. If we can extend and explore every possible method of keeping them out of juvenile hall...then down the road they'll be better off and certainly our communities will be better off."

- Lt. Luther Pugh

Kids under lock and key

Article from the [Newark Star-Ledger](#), *Editorial*, Sunday, September 21, 2003

Some of the youths in New Jersey's 18 county detention centers have committed serious crimes and may be dangerous.

But many of these children are locked up for nonviolent infractions, such as trespassing and truancy or failing to meet with a probation officer after some minor offense.

We even lock up victims. When parents are absent or unfit, courts send some kids to detention until the Division of Youth and Family Services finds a foster home. Youngsters with emotional problems go to jail until DYFS secures treatment facilities for them.

The inappropriate placements are a major reason these facilities are overcrowded. And overcrowding is one reason things go tragically wrong.

The Union County detention center was at 168 percent of capacity when it admitted 17-year-old Edward Sinclair Jr. in May. His original crime was stealing a bicycle. He missed a probation meeting, was sent to the detention center and 12 hours later was found hanging from a bedsheet attached to a fire sprinkler.

No one was supposed to be in that room because the fire sprinkler had been declared an obvious suicide hazard, a perfect gallows. But in a facility that was bursting at the seams, Sinclair and two others were assigned to that room.

The Star-Ledger recently obtained documents indicating that the state had been pressing the county to do something about the center because it was filthy, overcrowded and substandard on almost all counts. Built for 34, it had more than 50 kids the day Sinclair was admitted. It routinely housed 90.

An investigation is under way into Sinclair's death. The county will have to answer for its failings.

But the state can't pass the buck while it harangues Union County. After Sinclair's death, the Juvenile Justice Commission exercised its authority and ordered children out of Union and into other, less crowded facilities.

In fact, 10 county detention centers averaged populations at or way over capacity throughout 2002. The worst was Camden, approved for 37 kids and averaging 82 a day.

Assemblywoman Mary Previte is administrator of the Camden County Youth Center. She says the courts keep sending kids, many under 13, some as young as 10. Previte and others say courts are incarcerating children who would never be locked up under the stricter criteria that many other states use.

Our juvenile code allows the state to lock up children for no good reason, beyond the convenience of a system that's overburdened and underfunded.

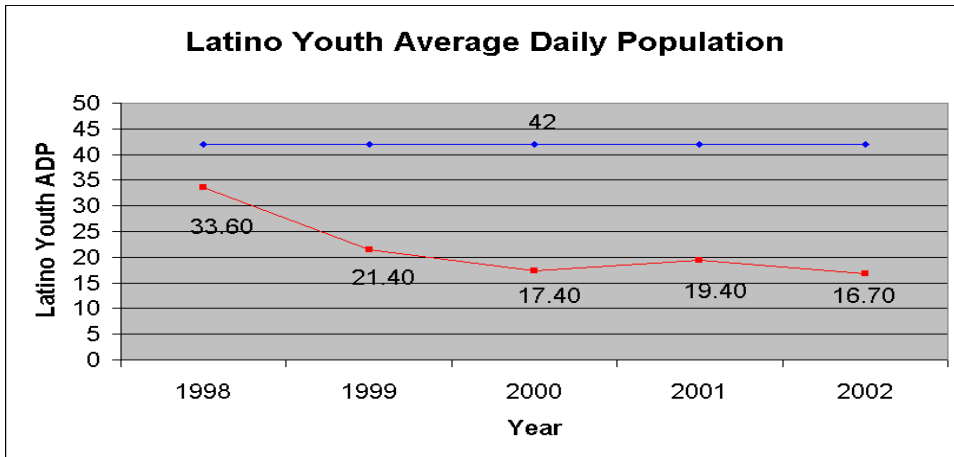
The state does not even keep careful statistics on these children. It has no good data on the reasons kids are being locked up or the ages of the inmates. DYFS does not even know how many of its kids are locked up in detention awaiting placement or for how long they have been there. It knows only that it is sending 250 kids out of state -- for as much as \$50 a day more than it would cost to keep them in New Jersey. But we do not have facilities in the state. Even in good fiscal times, the state did not make this a priority. It is a shameful story of neglect.

The first step toward reform is to get better information about who is being locked up and why. The governor should then devise a plan that allows us to begin constructing the right kind of programs to relieve the detention centers and do right by children.

Some kids need to be locked up. But these crowded facilities cannot provide adequate education or recreation. They can't even ensure the safety of the children in their care. The populations are mixed in these settings, and the more hardened kids have nothing much to do but teach and threaten the rest. Studies show that the kids sent to detention centers are likelier to graduate to more serious crimes than those handled within the community.

We are a society that wants the law to get tough with bad kids. But overcrowded detention centers are not preventing crime. They are breeding more of it.

"This article is a reminder of the need to continue towards a national detention reform movement. I am pleased to announce that four counties in New Jersey, including Camden, Atlantic, Essex, and Union will be joining JDAI efforts to reform their detention policies." Raquel Mariscal



SANTA CRUZ COUNTY
JUVENILE HALL

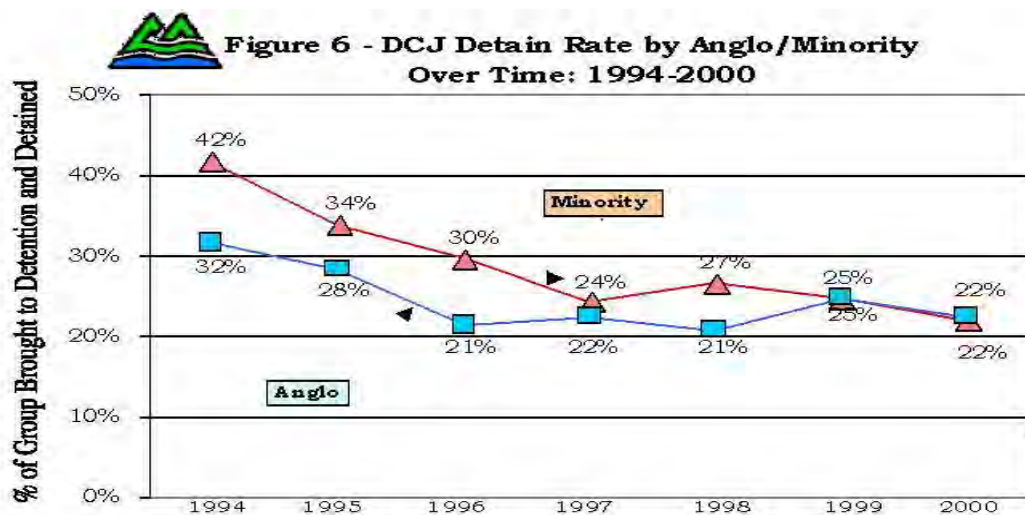
**DISPROPORTIONATE MINORITY CONFINEMENT:
MULTNOMAH AND SANTA CRUZ COUNTY MAKE SIGNIFICANT PROGRESS**

As we all know, it is impossible to address juvenile detention reform without addressing the disproportionate confinement of youth of color. As a core JDAI strategy, it is imperative that the reduction of racial disparities in the juvenile justice system is an everyday aspect of our justice work. With the graphs illustrated on this page we acknowledge the significant impact both Santa Cruz County, California, and Multnomah County, Oregon, have made on ensuring that youth of color are treated equally at the front gate of our detention centers. Santa Cruz County has reduced the average daily population of Latino youth by approximately 50%. Multnomah County has not only reduced their minority representation, but has ensured that the probability of being detained is the same for Anglo youth and youth of color. The result of the work accomplished by Santa Cruz and Multnomah County demonstrates the need to develop intentional strategies that will lead to the reduction of racial disparities. After more than a decade of focus and dozens of studies, we have examples of success—strategies that can be used to begin and to continue in reducing the number of youth of color in detention and to create a fairer and more equitable system. In future newsletters we look forward to highlighting the work that all of our sites are doing in addressing this core strategy.

"In Santa Cruz, the overall reduction in the juvenile hall population has also resulted in a dramatic decline in the number of Latino youth detained. However, Latino youth in custody are still over-represented as compared to Latino youth in the general population. Our Core Work Group is 'digging deeper' into the data in an attempt to improve our policies, practices, procedures and outcomes in this area."

-- Judy Cox
Assistant Chief Probation Officer

MULTNOMAH COUNTY



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

Multnomah County's Felony Drug Diversion Program: A Youth Development Approach

Another innovative partnership is taking hold in Multnomah County, Oregon, that further reduces detention for youth and could serve to equalize justice disparities for youth of color faced with drug charges. Thanks to Reclaiming Futures, a Robert Wood Johnson Foundation initiative, Multnomah Embrace is diverting first-time felony drug charges and offering youth the opportunity to handle the charge informally—getting treatment without having to go on probation. The program, a partnership among the Multnomah County District Attorney, the Department of Community Justice (DCJ), the Juvenile Rights Project, the Multnomah Public Defenders, Tualatin Valley Centers and Dr. Gilberto Lusero, is planning to serve approximately 40 youth per year through a variety of community-based treatment providers, including Cascadia Behavioral Health Care, DePaul Treatment Centers, Morrison Center, NARA and Tualatin Valley Centers.

Racial Disparity in the context of Drug Use and Enforcement

Nationally, African-American youth are overrepresented in drug arrests but underrepresented in drug treatment. Anglo youth report using drugs at six to seven times the rate of African Americans, yet African-American youth are arrested at higher rates than Anglos for drug crimes. Additionally, African Americans arrested for drug offenses are a third less likely to be diverted to drug treatment facilities than Anglo youth. A recent National Institute of Drug Abuse (NIDA) survey of high school seniors and the National Household Survey on Drug Abuse found substantially higher involvement in serious self-reported drug behavior for Anglos than for African Americans. In the National Household Survey, Anglo youth ages 12-17 reported selling drugs one-third more frequently than African-American youth. Both in the national and local contexts, research indicates that the racial disparities found in populations at juvenile training schools and state prisons are the end products of actions that occur at earlier points in the juvenile justice system—the decision to make the initial arrest, the decision to hold a youth in secure custody prior to a hearing, or the decision to petition the case.

Under the guidance of the Juvenile Justice Council, Multnomah Embrace developed the Felony Drug Diversion Program (FDDP) to ensure that two fundamental objectives are met: 1) youth have access and can obtain drug and alcohol treatment without having to go on probation, and 2) that youth of color are not unfairly put on probation when treatment may be all they need to succeed. In the past, youth charged with violations such as possession of controlled substance and delivery of less than an ounce of marijuana were handled formally, adjudicated, placed on probation and, in some cases, spent time in detention. This practice at the juvenile level is significantly more punitive than the adult justice system in Portland. Research demonstrates that most youth take several “tries” to successfully complete alcohol and drug treatment and that family involvement increases that chance.

Youth Development Approach

Eligible youth are identified by DCJ's intake staff, the district attorney and the defense bar, by using objective criteria. Once a youth is determined eligible for the FDDP, the youth's attorney and the juvenile court counselor (JCC) meet with the youth and family to discuss the program option. If the youth agrees to participate, he/she signs a Petition to Make Admission, Waiver of Rights and Consent to Diversion. Next, the district attorney makes a motion to dismiss at trial readiness, the youth participates in a drug and alcohol evaluation, and a case plan is developed jointly among the youth, the family, the Juvenile Court Counselor and one of the program's five treatment providers.

Under this model, more youth will be getting the drug treatment they need and less youth will spend time in detention as a result of the drug charge. If youth successfully complete the program, there will be no loss of driving privileges, no payment of a fine, and no felony drug law violation goes on their records. DCJ files a motion to have the record expunged when the youth turns 18 years-old, or the record can be expunged sooner, if all parties agree.

The FDDP taps into the many strengths of youth and the community by partnering in several ways. DCJ, the treatment provider, the youth, family and advocate jointly develop the case plan which focuses on a combination of compliance and treatment. Save Our Youth and the Family Service Units offer a variety of skill groups. Additionally, strength-based case management is used. A web of informal supports are developed for youth in their communities and a Family Advocacy Coordinator recruits and trains volunteer family advocates from diverse communities to take part in case planning and management. All youth in the program are expected to give random UA's.

Success in the FDDP is reached if the youth successfully completes treatment which is defined as completing two-thirds of the treatment plan goals and abstinence from all mind-altering substances as verified by random testing for 30 days prior to having completed treatment. The youth is required to complete 90 days of post-treatment supervision which includes random UAs and other support and supervision as appropriate based upon the recommendations of the youth's treatment provider.

As with other diversion programs, the policy clearly states that the youth may not be placed in detention as an intervention or sanction. It also identifies the criteria for termination from the FDDP. The JCC provides monthly compliance reports to the district attorney and the defense counsel for each youth. Data is also collected on all youth referred for law violations to this program.



UPCOMING EVENTS

Intersite Meeting—New Mexico

Monday, December 1, 2003 - Wednesday, December 3, 2003

The event will begin with a reception and dinner on Monday evening and wrap up after lunch on Wednesday. There will be a number of workshops and dynamic plenaries to capture your interests.

RECENT EVENTS

Virginia Kick-Off Event—*Juvenile Detention Reform*

Wednesday, October 29 – Thursday, October 30, 2003

The Virginia Department of Juvenile Justice (VDJJ) kicked off its initiative at the Virginia Crossings Resort in Glen Allen, Virginia. The event included national, state, and local presentations. The Virginia initiative is focused initially on four facilities or jurisdictions. In a press release, Scott Reiner, program manager, VDJJ, stated, “[w]e believe these efforts will result in a more effective use of public resources, protection of community safety, and fair and equitable administration of justice in the Commonwealth.”

Washington State Detention Conference—*Juvenile*

Disproportionate Minority Confinement & Detention Alternatives

Wednesday, November 19 – Thursday, November 20, 2003

Faculty from across the nation gathered in Mt. Vernon, Washington to discuss the need and the methods for reducing disproportionate minority confinement of juveniles.

These Are Our Kids: Transforming Juvenile Detention in Three American Cities

NATIONAL VIDEO SCREENINGS

Official Debut—New York City

Over two hundred people in New York City attended the debut of the film, *These Are Our Kids: Transforming Juvenile Detention in Three American Cities*. The event honored and recognized the director, Natalie Bimel, an NYU doctoral student who has founded and directed a number of alternative to-detention and incarceration programs in New York City. The event was held in the Langston Hughes Auditorium at the Schomburg Center for Research in Black Culture. The Schomburg Center is a research unit of the New York Public Library.

John Bess, Executive Director of the Valley, hosted the event and began the evening with a moving speech about why reducing the numbers of kids inappropriately detained is essential. A panel discussion followed the screening and enabled those in attendance to raise questions and voice comments. A special “thank you” goes out to various individuals and organizations that mobilized people for the event.

Model Site Debut—Santa Cruz County, California

Approximately 200 community members, youth, state and county elected and appointed officials and law enforcement executives attended the local debut of the film. A panel presentation following the video included the voice of the community, youth, law enforcement, the judiciary and the County Board of Supervisors. The Santa Cruz County Probation Department and the Juvenile Court received special recognition from the Annie E. Casey Foundation and from California State Assembly member John Laird, for their exemplary detention reform efforts.

Replication Site Debut—San Francisco, California

The video debuted in San Francisco to a crowd of approximately 150 people. The reception, screening and community testimony took place at Delancy Street, a residential treatment program that is a testament to a community driven and comprehensive approach to recovery. Community folk and elected and appointed officials were present to voice and demonstrate their continued commitment to detention reform efforts in San Francisco.

The following is an excerpt from the East Inter-Site Conference:

Remarks by Douglas W. Nelson, President
The Annie E. Casey Foundation
Juvenile Detention Alternatives Initiative Inter-Site Conference
Baltimore, Maryland
April 10, 2003

Good morning everyone. It's reassuring to see so many old friends and so many veteran champions of fairness for kids at this conference, but it's even more encouraging to see the presence of new places, new faces and new leaders taking up the work of detention reform.

I'm not precisely sure what my contribution ought to be this morning, but at least part of it ought to be extending - on behalf of the Casey Foundation - some deeply felt congratulations to each of you in this room. The challenge you have embraced is an important one and the success that many of you are achieving is inspiring.

Fifteen years ago the Casey Foundation made a commitment to improving juvenile justice in this country and over ten years ago we pledged a sustained investment in detention reform. I'm proud to say that while we're wiser, older and grayer, we remain undiminished in our commitment to these goals and in our willingness to invest in their achievement.

This steadfastness, by the way, has not been without challenges. From the beginning, we knew this would be hard work. The principles and values of Casey's reform agenda were always highly rational, data grounded, rehabilitative in orientation, sensitive to race inequities, and optimistic about the potential in the lives of troubled teens. We set out, quite consciously, to apply these principles in a juvenile justice policy world where emotion, retribution, misinformation, deep seated racial anxieties, media sensationalism, sound-bite politics, and a pervasive apprehension about adolescent malice were often the drivers of juvenile justice systems and practices.

This misfit between our principles and the political realities of the 1990s had real consequences. Our efforts to export the successes of Broward County's detention reforms to other jurisdictions in the state of Florida confronted more frustration than fruition. Our carefully selected first cohort of JDAI sites included a couple prominent jurisdictions who concluded that good politics and the status quo were actually more valuable than fairer and more efficient detention systems or a few Casey dollars. And mainstream media and mainstream politics - throughout much of the last ten years - gave far more prominence to the prospect of a rising predatory generation in need of containment than they did to the promise of risk instruments, cost savings, rights protections or the reduction in racial disparities in the operation of detention systems.

It was at the height of this misfit that I experienced one of the most reassuring days I've had in this job. It was December of 1996 and I was defending to our Board my recommendation for an increase in the Foundation's detention reform budget. I tried not to pull punches. I told them JDAI was swimming up stream, that it was earning us, in certain quarters, the liberal, "soft-on-crime" label, and that replication and critical mass were going to take a lot longer to achieve than they may have bargained for. I summed it up by saying I was convinced we had the right idea, that we had hard evidence of its practicality and superior outcomes, and that we were truer to core American legal and fairness principles than all the get-tough populists who were getting elected, appointed and published. But I admitted that our good ideas did not yet have a big market. To that warning, our chairman said: "well that's precisely the time you need to spend more and try harder" - a conclusion that received unanimous Board support.

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In looking back, this might have been seen as a noble, but Quixotic decision. But it really wasn't. By the mid-nineties, Bart Lubow, myself and Casey as a whole, knew we had an asset far more important than our own persistence and conviction. We had Broward, Cook County, Portland, and Santa Cruz - all delivering exemplary results from their deliberately redesigned detention systems. We had real places, producing real documentable change, demonstrating greater system efficiencies, greater fairness - and doing all of that without jeopardizing community safety or enabling greater juvenile delinquency. This hard evidence, combined with the willingness of the sites to be nagged, measured, scrutinized and endlessly visited gave us the foundation for believing a movement - even a movement upstream - was becoming a real possibility.

I happen to believe that this possibility has been affirmed. In the last five years, awareness of JDAI principles, reform sequences, and improved outcomes has grown and a significantly expanded number of sites have begun to apply JDAI goals and technologies to their own systems. While we still have a long way to go - a very long way - I think it's not unreasonable to believe that we now have - reflected by the talent and diversity and jurisdictions in this room - the beginning of a genuinely powerful momentum for reform.

You know, I'd like to think that the Casey Foundation was the key variable in producing this expanding potential. But, fact is, our role wasn't the critical one. No, the essential ingredient in the progress we've made has been the presence in every successful reform jurisdiction of committed, competent, and steadfast system leaders and political leaders. What's made the difference is detention chiefs, lawyers, judges, county supervisors, and state commissioners who have been willing to acknowledge, rather than obscure, the defects in their existing systems - who have been willing to find and master the often tedious detail of new interagency protocols, new screening instruments, new data collection and analysis tools, and the most promising non-secure alternative programs. The real difference has been made by courageous system managers and political leaders willing to articulate and execute a reform vision even in the environment of skepticism, indifference, or criticism from stakeholders above them, below them and around them. The real difference has been made by system leaders who can manage both the introduction of painstaking organizational, policy and practice change, while at the same time attending to the day in-day out operational emergencies and demands that are part of any juvenile justice system. Finally, the key to real change has been the presence of political leadership that promotes evidence, not emotion; who seek sound results, not sound bites; who incentivize collaboration and thoughtful change among the key stakeholders in the courts, law enforcement, detention and community programs.

In important ways, this recognition of the critical role of on-the-ground system and political leadership has had significant implications for the Casey Foundation's own role in this movement. Less and less do we need to be the fashioners of a vision, the proponent and subsidizer of reform possibilities. Instead, I think we need to be, more and more, the enabler and supporter and network builder for the men and women who are willing to take up detention reform as system managers or political leaders in their own communities. We must continue to offer ways of assuring that such leaders have access to the experience of other jurisdictions, that they have access to the best available tools, techniques and methods; that they have the right technical advice available; and that they get the leadership development support that this very difficult work requires.

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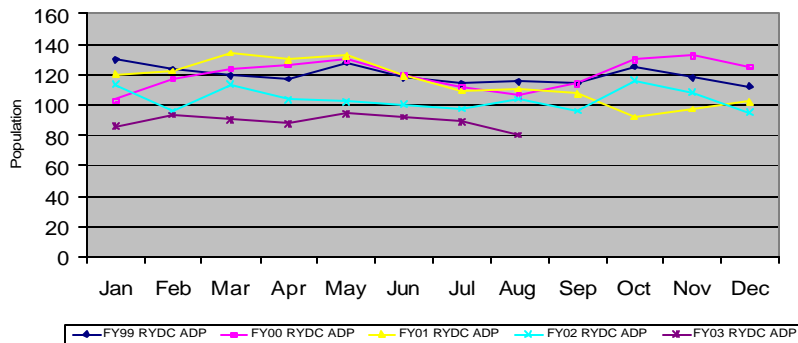
We intend to stay in this support role with leaders like yourselves and hopefully hundreds of others we've yet to reach - until this work is done - that is, at least until thoughtful, efficient, rehabilitative, fair and non-discriminatory juvenile detention systems are the rule in this country - rather than the inspiring exception.

I hope, together, we continue the struggle to make it the rule.

Replication Site

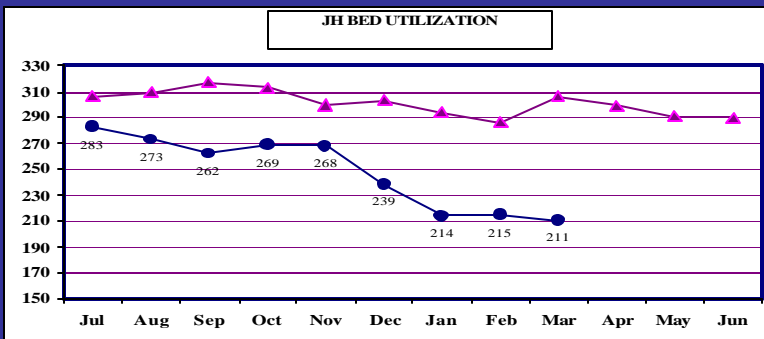
Results-Impact

San Francisco ADP '99-'03



Results-Impact

Santa Clara County



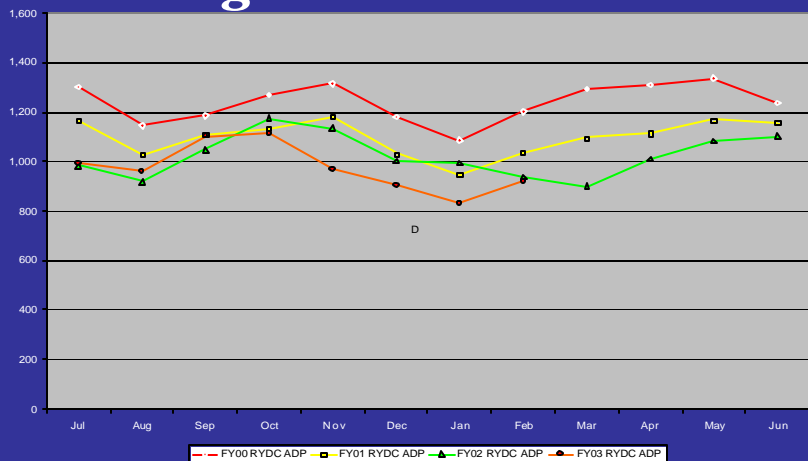
FY02

FY03

Outcomes

Results-Impact

Georgia ADP 2000 - 2003



Model Site

Results-Impact

Cook County Outcomes

Average Daily Population (1996-2002)

37%

Youth Violent Arrests (1993-2000)

54%

Results-Impact

Santa Cruz Outcomes

Average Daily Population (1996-2000)

52%

Juvenile Felony Arrests (1996-2000)

38%

Results-Impact

Multnomah County Outcomes

Average Daily Population (1993-2002)

66%

Juvenile Felony Arrests (1994-2000)

45%

Outcomes

AECF

701 St. Paul Street
Baltimore, MD 21202

Phone: 410-547-6600

Fax: 410-547-6624



Future JDAI Newsletters

With the number of JDAI sites ever expanding, we would like to use this newsletter as a forum to share with each other not only the work that we are doing in our sites, but also the culture of each of our sites. Relevant and useful strategies can be adopted and transferred, connections can be made amongst different sites, and continued building of a national movement for detention reform are some of the newsletters intent and purpose. We will be requesting excerpts providing a highlight of progress and/or challenges experienced by each of the sites. Op Ed pieces and ideas on format and future articles are welcome with open arms. With all of our active contributions we can produce meaningful newsletters. Our intent is to publish the newsletter on a quarterly basis, please provide Raquel Mariscal with your input and overall impressions. Gracias!

TA Meeting, February, 2003, Ft. Lauderdale, Florida

Additions to the JDAI Family

- ?? Pierce County
Tacoma, Washington
- ?? Virginia

Multnomah Juvenile Drug Diversion (Continued from page 8)

System Change

There is a growing body of administrative responses to managing detention logically and objectively. These responses provide cost savings, reduce the harm done to youth and expedite court-ordered treatment, nevertheless, system change can be difficult especially in the face of budget reductions and resource shortages. System change is part of the culture at Multnomah's Department of Juvenile Community Justice, as a JDAI model site, and stakeholders have experienced success both in the process and products of JDAI. However, the process of examining past practices, going deeper and reaching new agreements is demanding. Multnomah County's Senior Deputy District Attorney, Amy Holmes-Hehn explains, "[i]t 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. When we saw that defendants in our adult criminal system were being given an informal resolution option, however, it seemed only just 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."

As the FDDP opened its doors to youth, the courts were closing their doors once a week for several months due to county budget cuts, affecting the start up of FDDP, but the overall attitude of stakeholders is positive. Data entry backlogs at various points in the system delayed the identification and review of eligible cases. As a result, FDDP has been slow to accept youth into the program. Training has also been an issue, but in Amy offered these final words about the process, "[w]e are overcoming these barriers, improving communication, and moving forward."

For more information contact: *Benjamin Chambers, Reclaiming Futures – Multnomah Embrace, 503-988-4516, benjamin.s.chambers@co.multnomah.or.us*

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