

THE LINK

CONNECTING JUVENILE JUSTICE AND CHILD WELFARE

St. Paul initiative helps 'All Children Excel' ACE program demonstrates multisystem intervention for young delinquents

By Hope Melton

Eight-year-old Daniel was in his elementary school class when he screamed vulgar obscenities and was sent to the intervention room. He kicked the wall, kicked a teacher who tried to stop him, and threw himself on the floor. Four adults restrained Daniel until he calmed down. When they released him, however, he resumed his attacks. It was several minutes before Daniel calmed down and began his time out.

Police were called to the school. School staff noted Daniel frequently had violent outbursts, was truant, and came to school with dirty clothes and hair. Police records showed past reports for theft and criminal damage to property. Daniel's mother was an alcoholic and suffered from depression; his father was incarcerated. Daniel told of witnessing domestic violence. His older sibling was a serious and violent juvenile offender and was in an out-of-state residential facility. Daniel also lived in a high-crime neighborhood.

At 8, Daniel is on a fast track into the juvenile and criminal justice system. Recent U. S. Department of Justice studies show most chronic, serious adult offenders begin their criminal careers between ages 7 and 9. Statistics reveal that while juvenile crime declined between 1988 and 1997, serious child offenses (age 12 and under) increased by 33%. Children under 12 now commit one-third of arsons, 20% of criminal sexual assaults, and 1 in 12 violent juvenile offenses.

Without intervention, children like Daniel are likely to become part of the 8% of American adolescents who

commit up to 70% of serious and violent juvenile offenses nationwide. These youth are also likely to perpetuate a cycle of gang involvement, teen pregnancy, substance abuse, domestic violence, and child abuse and neglect.

On a smaller scale, from 1995 to 1998, the St. Paul Police Department estimates that 702 children under age 10 committed delinquent acts. No county agency, however, had responsibility for child delinquents. These offenders were too young to prosecute in juvenile court, so police returned them to their parents or sent them to short-term diversion programs. As a result, children fell between the cracks of the child welfare system, schools, and a multitude of community agency programs until they landed in the juvenile justice system. By that time, their delinquent behavior was well established.

Waiting until delinquent children enter the court system makes intervention more difficult and expensive. In 1998, the Ramsey County, Minnesota, Board of Commissioners, led by Victoria Reinhardt, created the All Children Excel (ACE) program, which targets children under 10 who commit delinquent acts. The Ramsey County Bar Association, through its Youth and the Law Committee, has been involved in the program since 2000. It provides attorneys and

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DIRECTOR'S MESSAGE

Since we last spoke, busy times have been the order of the day. Our staff has conducted or presented at a variety of events in which we have been able to highlight the connection between maltreatment and juvenile delinquency and promote the need for improved coordination between the child welfare and juvenile justice systems.

In June, we convened a successful Juvenile Justice Symposium in Miami. The feedback we received has been outstanding, and I believe we have made solid progress toward future events. In August, we cosponsored a regional symposium in Colorado that attracted more than 130 participants. September was a particularly busy month as we presented opening remarks and a presentation at the Nevada Governor's Summit on Juvenile Justice, spoke at the Arkansas Statewide Juvenile Justice Conference, and conducted three trainings in Virginia in partnership with the Virginia Department of Social Services and the Virginia Department of Criminal Justice Services.

These efforts continue to raise awareness and interest in the work to more effectively coordinate the child welfare and juvenile justice systems, keeping in view the connection between maltreatment and delinquency. As we partner with the CWLA Midwest Region to convene the 2004 CWLA Midwest Region Training Conference and Juvenile Justice Summit in Indianapolis, we will be making a call for proposals for workshops. Please consider submitting a proposal that reflects your contribution to the field.

In other news, we recently released a new publication entitled *Promoting a Coordinated and Integrated Child Welfare and Juvenile Justice System: An Action Strategy for Improved Outcomes* (available on our website, www.cwla.org/programs/juvenilejustice, or by contacting our office for bulk copies). It serves as a companion piece to our monograph released earlier this year, *Understanding Child Maltreatment and Juvenile Delinquency: From Research to Effective Practice, Programs, and Systemic Solutions*, which outlines the issues, barriers, and obstacles within the framework of a five-phase strategy. I believe these publications will further open the door to strategic partnerships among CWLA, our members, and others in the field interested in addressing these important issues.

I continue to invite you to submit article ideas for *The Link*. Although we have many articles that highlight outstanding programs and practices, please feel free to share your work with us so we can continue to provide examples of efforts that are positively affecting youth, families, and youth-serving systems.

Sincerely,



John A. Tuell
Director, CWLA Juvenile Justice Division

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The Child Welfare League of America is the nation's oldest and largest membership-based child welfare organization. We are committed to engaging people everywhere in promoting the well-being of children, youth, and their families, and protecting every child from harm.

A list of staff in CWLA service areas is available online at www.cwla.org/whowhat/serviceareas.htm.

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judges who volunteer to tutor and present positive adult role examples for ACE children.

The program's goal is to reduce the number of children entering the juvenile and criminal justice systems and enhance the efficiency and cost-effectiveness of government services. It combines the efforts of county government, schools, police, parents, health and social service agencies, and community volunteers in a cross-disciplinary, multifaceted effort that reduces risk factors and builds resilience in the children, their families, and their communities. Research shows a broad community partnership is more likely to be productive and efficient at addressing a child's multiple risk factors.

ACE also uses private-sector budgeting practices that combine the resources of multiple county departments and shift the emphasis from input to outcomes. Outcome-Based Program Area Budgeting (OBPAB) supports service integration across multiple departments, monitors cost effectiveness, promotes continuous quality improvement, and enhances accountability to taxpayers through the Ramsey County Board of Commissioners.

Identifying Children at Risk

More than half the children with police contact before age 10 will commit a serious and violent offense by age 18. Failing to intervene early increases the likelihood that these children will be imprisoned. For an intensive intervention like ACE to be cost-effective, however, it is necessary to identify which children are likely to stay on the path to chronic delinquency. A multidimensional screening process is the key.

In Daniel's case in Ramsey County, either the police department or Daniel's school sends his police report to the Ramsey County Attorney's office where it is evaluated for legal sufficiency. Prior to screening, officials conduct a thorough background check on Daniel and his family, tracking residential mobility, involvement with the criminal justice system, and use of other county and community services.

The police report is then presented to a multidisciplinary team that includes the county attorney and other staff from public health, human services, and corrections. School staff, police officers, and other professionals who know the child and family are encouraged to attend the screening session and share information about risk and resiliency factors for Daniel, his parents, his school, and the community.

This comprehensive assessment enables the multi-disciplinary team to predict Daniel's level of risk for becoming a violent juvenile offender. His impulsive and violent temper, combined with his family's history of child neglect, domestic violence, drug addiction, mental illness, and criminality put Daniel at high risk. In addition, more than 80% of students in his elementary school receive free or reduced-cost lunches and the yearly student turnover rate tops 90%. Finally, he lives in a neighborhood with high levels of residential mobility, child and domestic abuse, and crime.

One promising note is that high-risk children like Daniel are highly resilient. They respond well to attention by caring adults. Most want to succeed in school and control their behavior so they can be accepted by their peers. These are strengths ACE builds upon because they offer hope that the child's life trajectory can be changed in a positive direction.

Intervention Strategy

ACE provides community agency social workers who meet with Daniel and his family to devise a plan that builds on their strengths and targets specific behaviors in a variety of settings. The ACE staff works to improve his school attendance, academic skills, and ability to control his impulses and anger. They connect him with prosocial adults and peers. The county team assists his parents with parenting skills and chemical dependency treatment, family violence counseling, job training, employment, and housing. The team tries to connect the entire family with positive adults in the community.

Successful interventions with children like Daniel and his family require coordinated outside help, incentives for positive behavior, and sanctions when families fail to address a child's misconduct. The courts must compel and enforce cooperation with needed services. Failure to cooperate can result in the child being removed from the home.

Challenges

Although ACE intervenes with children like Daniel while they are young and more open to help, one challenge is that family behavior patterns leading to violent juvenile behavior often are deeply ingrained and slow to change. Few programs have sustained funding that will support the long-term commitment

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On the Right Track

Youth detention reform succeeds in Oregon

In 1993, the new Donald E. Long Detention Home opened in Multnomah County, Oregon, ushering in a reform movement to redefine practices that resulted in an overreliance on youth incarceration that affected a disproportionate number of minorities.

The Risk Assessment Instrument (RAI), a key tool in the reform effort and developed by juvenile court counselors, judges, district attorneys, and public defenders, determines the level of risk a youth poses to the community using a 12-point scoring system. Youth who score between zero and six points are released the same day. Seven to 11 points also mean a same-day release to family, a short-term shelter, or a responsible adult. Those youth usually take a summons to appear in court the following day. Those who score 12 points or higher, or those whom counselors suspect are a greater risk than the score indicates, are kept in detention.

Juvenile justice experts say the scoring tool has helped reduce the disproportionate number of minority youth who are detained. For example, 8,642 African-American youth ages 10–19 live in Multnomah County—10% of the population. Last year, of the 4,766 youths referred to the juvenile justice department with criminal charges, 2,162 were brought in by police. Of that group, 786 were African American.

As we work to effectively reduce the costly, inefficient, and frequently unnecessary overuse of secure confinement, this article provides a snapshot of a detailed, organized approach used in this jurisdiction that gives reason for optimism.

Portland Reduces Racial Disparity in Juvenile Detention

While concerns over racial fairness and equality plague most of the nation's criminal justice systems, one study finds that Portland actually reduced racial disparity in juvenile detention and lowered juvenile crime. Portland's breakthrough approach in reducing racial disparity is being touted as a national model to be duplicated across the country.

According to a new analysis of Multnomah County data by the Washington-based Justice Policy Institute (JPI),* racial disparities in Multnomah's juvenile detention center declined sharply through the 1990s. JPI found that in 1994, minority youth in Multnomah

County were 31% more likely to be detained than were white youth when they were referred to the Department of Community Justice (DCJ). By 2000, minority and white youth experienced identical detention rates.

"This analysis shows that we've made our detention system more effective in getting kids the services and programs they need, without compromising public safety," says Amy Holmes Hehn, Multnomah Senior Deputy District Attorney assigned to juveniles. "Today, we can show the nation how to help ensure that white youth and youth of color have the same potential for rehabilitation in the community, rather than being unnecessarily locked in detention."

Nationwide, minority youth make up 34% of the youth population, but 63% of the youth in custody. African-American youth, although just 15% of America's youth population, account for 44% of the youth in detention. As the nation's detention systems grew throughout the 1980s and 1990s, four out of five new youth added to detention were minorities.

Multnomah County was part of the same discouraging national story. In 1994, African Americans represented 10% of the youth population, and Hispanics 6%, but both groups were twice as likely as whites to be detained, as 42% of minority youth referred to detention were detained, compared with 32% of whites.

Since 1994, however, Multnomah County has been involved in the juvenile detention alternatives initiative, created and funded by the Annie E. Casey Foundation, and in 2000 reported an identical 22% of minority and white youth were detained.

As the use of detention in Multnomah County became more equitable, DCJ also reduced the number of youth entering detention each year and saw juvenile crime rates decline. Between 1994 and 2000, the number of youth detentions was cut by more than half, from 1,107 in 1994 to 478 in 2000, and by half for African American and Hispanic youth. During the

* *The data analyzed by JPI was provided by the Multnomah County Department of Community Justice Research and Evaluation Unit. This report was supported by a grant from the Annie E. Casey Foundation. The report is available online at www.cjcj.org/pubs/portland/portland.html.*

same period, the number of juveniles arrested for violent crimes dropped 24%, and the number of juveniles arrested for property crimes dropped 40%. The total crime rate for youth dropped 26% during this period.

“Multnomah County has shown the country that you can reduce racial disparities in juvenile justice, make more modest use of detention, and still uphold public safety,” says JPI President Vincent Schiraldi. “Cities and states around the country will be looking at the Multnomah model for some time to come.”

Bart Lubow, Senior Associate with the Casey Foundation, says, “Portland is trailblazing a route that the rest of the nation should consider following.”

To promote better outcomes for African American, Hispanic, Asian, and Native American youth, Multnomah County implemented several juvenile detention reforms, including

- reducing case processing times;
- creating more objective risk assessment instruments;
- hiring a more diverse workforce;
- developing alternatives to detention programs in communities of color;
- training staff in racial and cultural sensitivity; and
- providing resources for tracking overrepresentation in the juvenile justice system.

“These programs are promoting better outcomes for all youth,” says Kay Toran, President and CEO of Volunteers of America–Oregon. “But in particular, the juvenile justice system—with better intervention strategies—now works for African American, Latino, and other minority children in the way it works for white youth. We have found a formula that gives kids a chance to make a better choice.”

“In the past, youth were jailed because we did not have anywhere else to address their problems,” says Multnomah County Judge Elizabeth Welch. “Today, I don’t need to detain youth of color unnecessarily, and this county has successfully reduced the barriers that kids of color once faced in getting treatment in their communities.”

CWLA’s Role in Reducing Disproportionate Minority Representation

National data and case studies like Multnomah County’s validate the need for CWLA, its members, government agencies, foundations, advocacy groups,

and national organizations to assess and eliminate factors that contribute to the overrepresentation of minority children in the child welfare system and disparities in the services they receive.

As we develop new proactive approaches to this issue, CWLA will take the following initial steps:

- Engage member agencies, allied organizations, and nontraditional partners (such as Black Administrators in Child Welfare, National Council of Latino Executives, National Indian Child Welfare Association) in an ongoing dialogue to establish shared goals to better serve the cultural, ethnic, and racial communities in the child welfare system.
- Present relevant information, data, and research on the CWLA website through the National Data Analysis System.
- Consult with diverse cultural, ethnic, and racial communities to obtain their perspectives on existing challenges.
- Collaborate with families in these communities to develop potential solutions to minority overrepresentation in the child welfare system.
- Solicit agency participation in developing culturally competent policies, services, practices, and supports that establish a foundation for healthy relationships, effective interventions, and positive outcomes for children and their families.
- Heighten the attention the child welfare system pays to issues that affect children and families, including recruiting and hiring culturally diverse staff, specifying the need for cultural competence in job descriptions and assessing such qualities in performance evaluations, and providing opportunities for staff from diverse groups to assume supervisory and management positions.
- Provide a status report on efforts, progress, and accomplishments made at *Children 2004*, CWLA’s 2004 National Conference. **

**CWLA anticipates the release of an issue brief about disproportionate minority representation by Spring 2004.

Editor’s Note:

Read about how Multnomah County’s RAI influenced the creation of a similar model in Clayton County, Georgia, in “Using collaborative strategies to reinvent juvenile justice,” on page 9.

necessary to achieve healthy development outcomes with this population.

Another challenge is the need for more cross-disciplinary and multifaceted programs. Multi-problem children and families don't fit well into single-focus programs. For example, Daniel, like most ACE children, suffered more from chronic neglect than abuse. Although this type of neglect often results in serious delinquency, it fails to qualify for county child protection services.

Short-term voluntary services are highly dispersed throughout the community, seldom provide follow-up, and have little accountability. Daniel received a mental health diagnosis, yet there was no oversight to be sure he received his medication. Daniel's parents had been through several short-term treatment programs without lasting success.

Finally, little coordinated structure is in place to support communication between health and social service programs, community volunteers, and the school.

Successes

ACE is effective because it coordinates the efforts of police, schools, health and social service providers, and community volunteers. It sets unified goals, specific targets, and establishes clear lines of accountability to the community through the County Board of Commissioners. The result is streamlined, coordinated, flexible, and well-focused efforts that put child delinquents on the path to becoming productive members of society.

Although the prevention end has significant costs, diverting these children from becoming career criminals will save the American public millions per child and avoid the ominous future that otherwise awaits them.

Hope Melton is the Director of ACE in Ramsey County, Minnesota. She has worked to address cross-system barriers that affect successful intervention with at-risk children and youth. Contact Melton at hope.melton@co.ramsey.mn.us.

NOW AVAILABLE!



Promoting a Coordinated and Integrated Child Welfare and Juvenile Justice System: An Action Strategy for Improved Outcomes

The CWLA Juvenile Justice Division is happy to announce the availability of its latest publication.

- To download, visit www.cwla.org/programs/juvenilejustice/jjintercord.htm.
- To order, e-mail juvjus@cwla.org.

JUVENILE JUSTICE NEWS AND RESOURCES

Juveniles in Court

Sickmund, M. (June 2003).

Washington, DC: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention.

The latest in the National Report Series, this bulletin provides a summary of the most up-to-date statistics on juveniles in court and an overview of how courts process cases involving juvenile offenders. The bulletin uses court data and research findings from several different sources, and provides a summary of state statutes that define who is under juvenile court jurisdiction, and how juvenile courts transfer juveniles to criminal court. Also discussed are research findings about court handling of very young offenders.

To view online, visit <http://ojjdp.ncjrs.org/pubs/court.html#195420>. Copies can be ordered online at <http://puborder.ncjrs.org> or by calling the Juvenile Justice Clearinghouse at 800/638-8736. Use document number NCJ 195420.

Emerging Practices in the Prevention of Child Abuse and Neglect

Thomas, D., Leicht, C., Hughes, C., Madigan, A., Dowell, K. (April 2003).

Washington, DC: National Clearinghouse on Child Abuse and Neglect Information.

This 80-page report profiles effective, innovative prevention programs, and is part of the National Clearinghouse on Child Abuse and Neglect Information's initiative to promote greater visibility for prevention activities. Featured programs include Fathers and Children Together, an organization working with incarcerated parents in Kentucky, and Healthy Families Arizona, a program for at-risk families with newborns.

The report is free from National Clearinghouse on Child Abuse and Neglect Information, 330 C Street SW, Washington DC 20047; 800/394-3366; or www.calib.com/nccanch/prevention/emerging.

Managing for Outcomes: A Basic Guide to the Evaluation of Best Practices in the Human Services

Mordock, J.B. (2002).

Washington, DC: Child Welfare League of America

This guide responds to the need for accountability by providing human service managers with basic guidance on program evaluation philosophies and procedures. It provides invaluable information on develop-

ing best practice and documenting results gained, as well as detailed information on assessment procedures and tools, quality assurance practices, and determining cost-effectiveness. This unique manual also stresses the management practices necessary to correctly implement evaluation procedures.

Order for \$24.95 from CWLA (Stock No. 8145), PO Box 932831, Atlanta GA 31193-2831; 800/407-6273 or 770/280-4164; fax 770/280-4160; e-mail order@cwla.org; or online at www.cwla.org/pubs.

Long-Term Trends in the Well-Being of Children and Youth

CWLA Press (2003).

Washington, DC: Child Welfare League of America

A collection of essays assembled to identify the peaks and valleys of contemporary youth policy and behavior patterns, this publication offers a framework for analyzing social indicators; behavioral indicators, such as teen pregnancy and drug use; and family indicators such as maltreatment and health care access.

Order for \$32.95 from CWLA (Stock No. 8242), PO Box 932831, Atlanta GA 31193-2831; 800/407-6273 or 770/280-4164; fax 770/280-4160; e-mail order@cwla.org; or online at www.cwla.org/pubs.

Juvenile Justice: Policies, Practices, and Programs

Rubin, H.T. (2003).

Kingston, NJ: Civic Research Institute

This publication spotlights the policies and practices of some of America's most innovative juvenile justice programs. The author evaluates dozens of programs and explains what works, what needs fixing, and how we can improve juvenile justice in the 21st Century.

Order for \$125.00 (plus \$8.95 shipping and handling) from Civic Research Institute, PO Box 585, Kingston NJ 08528, or fax 609/683-7291.

Effective Program Practices for At-Risk Youth: A Continuum of Community-Based Programs

Klopovic, J., Vasu, M.L., and Yearwood, D.L. (2003).
Kingston NJ: Civic Research Institute

This volume provides from-the-trenches examples of how strong, collaborative community partnerships have been built and targeted to deal with prevention and intervention program needs for youth. It also describes in detail effective programs for children of

all ages and shows how to use the project life cycle approach to develop, manage and maintain successful, adequately funded local programs to address specific youth services needed in communities.

Order for \$125.00 (plus \$8.95 shipping and handling) from Civic Research Institute, PO Box 585, Kingston NJ 08528, or fax 609/683-7291.

Bullying Prevention Is Crime Prevention

(2003) Washington, DC: Fight Crime: Invest in Kids

Using data from the National Institute of Child Health and Human Development survey of 15,686 youth, this study details the harmful effects of bullying on bullies and their victims. According to the study, approximately 30% of all children are bullies, victims of bullies, or both. Children who are bullied are more likely to suffer from depression than those who are not bullied. Nearly 60% of boys classified as bullies in sixth through ninth grades had been convicted at least once for a crime by age 24, and 40% had been convicted three times. The report, available free online, profiles three bullying prevention models considered highly effective: The Olweus Bullying Prevention Program, Linking the Interests of Families and Teachers, and The Incredible Years.

Order from Fight Crime: Invest in Kids, 2000 P Street NW, Suite 240, Washington DC 20036; 202/776-0027; or www.fightcrime.org.

No More Islands: Family Involvement in 27 School and Youth Programs

(2003) Washington DC: American Youth Policy Forum.

This study highlights 27 school and youth programs that successfully incorporate family participation. Researchers found that although many youth programs focused on youths strengths and talents, they did not apply this concept to family involvement, but rather related to families in a more problem-based manner. The study refutes myths that might discourage organizations from involving families, and provides tips on how to work family involvement into youth programs.

Order for \$10.00 from American Youth Policy Forum, 1836 Jefferson Place NW, Washington DC 20036; 202/775-9731; or www.aypf.org.

Federal Agencies Release Latest Child and Family Statistics ***2003 report includes more than two dozen key indicators.***

America's Children: Key National Indicators of Well-Being, 2003, is the seventh report in an annual series prepared by the Federal Inter-agency Forum on Child and Family Statistics. The report presents 25 key indicators on important aspects of children's lives, based on substantial research and reliable data on child well-being.

Data show trends over time, represent large segments of the population, and present nine contextual measures that describe demographic changes and shifts in children's family settings and living arrangements.

As in previous volumes, the report includes a section on population and family characteristics and sections that present key indicators in four domains—economic security, health, behavior and social environment, and education. This year's report reflects several significant improvements:

- The health indicators section has been expanded to include the percentage of overweight children.
- Two new measures have been added in the population and family characteristics section—the percentage of children living with at least one foreign-born parent and the percentage of children exposed to secondhand smoke.
- The summary list of indicators has been expanded to include three population and family characteristics measures.
- This year's special feature highlights changes in the lives of America's children for nine key indicators, based on 1990 and 2000 census data for all 50 states and the District of Columbia.

For more information, visit www.childstats.gov.

Using collaborative strategies to reinvent juvenile justice

By Steven C. Teske

Despite the overwhelming research that supports the use of risk-classification systems to guard against the detention of low- and medium-risk youth to detention, many juvenile justice systems nationwide continue to detain children at an alarming rate.

Between 1985 and 1995, the daily population of children securely held in detention facilities in the United States increased approximately 61%, according to research by David Steinhart. He also found that in 1995, 34% of the youth in detention on a single day were being held for status offenses and technical violations of probation. By contrast, 29% were detained for violent offenses, and 37% for property offenses. In other words, many youth without delinquent conduct were housed with violent and other high-risk offenders.

Of equal concern is the overrepresentation of minority children in detention. In 1985, children of color represented 43% of those in detention. By 1995, that number increased to 56%, Steinhart found.

Current data reflect similar trends, and, unfortunately, Georgia is no exception. The state continues to experience obstacles to implementing its risk-classification system due to several systemic issues. One Georgia county, however, has transcended the politics and turf issues that often preclude the application of progressive methods to improve outcomes for its youth by using collaborative strategies. In Clayton County, a suburb of Atlanta, the juvenile court reinvented its system of juvenile justice using a comprehensive model that incorporates a collaborative systems approach, consequently lowering its detention rate and rate of recidivism.

Juvenile Justice System Background

A U.S. Department of Justice (DOJ) investigation in the late 1990s exposed the abuses sustained by children in Georgia's juvenile justice system and led to sweeping changes to improve the conditions and treatment of youth committed to state care and custody, including a mandated reduction of overcrowded detention facilities. Pursuant to the agreement between the state and DOJ, the Georgia

Department of Juvenile Justice (DJJ) implemented a risk-classification system designed to assess the risk to the community of each child taken into custody on a delinquent act. This system, using a Detention Assessment Instrument (DAI), classified youth as high-, medium-, or low-risk. Upon assignment of risk scores, high-risk youth are detained pending the next hearing. Medium- and low-risk youth are released to the community. The medium-risk youth receive alternative detention measures, such as electronic monitoring, in-home monitors, and other wraparound interventions. This system helped achieve mandated reductions in overcrowded detention centers, both at the state and regional levels.

Despite the positive results from these initial efforts, numbers remained high at the regional level, where youth were being held awaiting adjudication and disposition hearings. In part, this trend was attributable to Georgia's somewhat unique juvenile justice system, in which juvenile courts fall into one of three categories: DJJ Courts, in which the state provides all intake and probation services to the court; Shared Courts, in which DJJ shares the responsibility for providing services with intake and probation; and Independent Courts, in which the court provides both intake and probation services. Independent courts are not required to use DAI at intake.

Of the 159 counties in Georgia, only 16 have independent courts. These 16 courts, however, serve approximately half of the juvenile population. Some of the state's independent courts have refused to use DAI due to concerns about limits on their discretion. As a result, a substantial number of juveniles are placed in detention without a standard set of objective guidelines to support that decision. Absent the use of an objective risk instrument, these courts regularly house low-risk youth with high-risk youth in detention facilities.

Comprehensive Model of Juvenile Sentencing

Unlike the adult system, which largely focuses on punishment, the juvenile system is founded on the principle that children are amenable to treatment. Since a 1967 Supreme Court decision guaranteed children the basic rights afforded adults in criminal proceedings, the juvenile system has come to reflect characteristics very similar to the adult system.

Although the decision did rid the system of various abuses to children, some have argued the emphasis on due process has opened the door for other problems that come with adult procedures. For example, the adversarial nature of the adult system now imbedded in adjudication and other phases of the

juvenile process does not always serve to promote the treatment approach historically unique to the juvenile justice system. Some have also argued that the trend toward adult proceedings has opened the door for punitive approaches taken by many states, including Georgia, resulting in statutes permitting children as young as 13 to be transferred to criminal court.

How do we strike a balance to ensure that due-process requirements contribute to fair and balanced use of proven treatment models in the juvenile justice system? Using a comprehensive model of juvenile sentencing, Clayton County has preserved the right to due process guaranteed each child while ensuring treatment is not jeopardized.

Clayton County identified “detention decision points” in the case-flow process and evaluated each point in relation to its effect on other points in the process. The court identified intake, detention hearings, arraignments, adjudication proceedings, disposition hearings, and probation. Police arrest decisions and school actions were added to the list of key points for analysis. Using literature that details promising or proven effective programs in reducing recidivism, Clayton County identified appropriate practices that could be applied for each point in the process, and what resources were required to accomplish change.

Detention Screening Instrument

The establishment of a risk-classification instrument is the basis by which a juvenile justice system promotes its mission to guard against unnecessary detention, reduce disproportionate minority confinement, and reduce recidivism. For this reason, Clayton County elected to evaluate the intake process and determine how a risk instrument could be employed.

Research shows overtreating low-risk offenders, and undertreating high-risk offenders, increases the likelihood of recidivism. Further, detaining low-risk offenders increases the chances of recidivism. Absent a risk-classification instrument, the court or probation agency may increase a child’s chance of reoffending when relying solely on clinical and discretionary judgement.

Understanding this concept, Clayton County became the first independent court to voluntarily use DAI after a site visit in 2000 to the Juvenile Justice Center in Portland, Oregon, and learning how the use of that risk-assessment instrument substantially reduced the number of detained youth. The instrument also reduced disproportionate minority confinement among African American youth, a population whose

rate of detention was reduced by 20% over seven years. Without a risk-assessment instrument, Clayton County experienced high detention rates, some days reaching nearly 167% of capacity in its 60-bed facility. African American youth were also overrepresented.

The Clayton County court first implemented DAI in 2001, although with some limitations. The intake office did not have sufficient personnel to employ staff around the clock at the Youth Detention Center (YDC); therefore, the judge presiding over the detention hearing completed DAI and used it in making detention decisions. By the end of 2002, a 24-hour intake program was established; currently, all children taken into custody are screened using DAI. DAI proved helpful in screening children taken into custody to ensure low-risk children were not detained. Those children detained, however, presented high-risk issues and required serious, immediate attention.

The court, therefore, began to look at how to bring resources to the initial point of detention to help reduce risk and diminish the likelihood of further detention when the disposition hearing arrived. A lack of coordinated, multisystem assessments and other obstacles, however, prevented the immediate application of service and program resources to reduce the risk of reoffending while awaiting the next hearing.

Front-End Loading Approach

Many services existed in Clayton County to help children and families, but little or no collaboration occurred between service providers to address the multiple issues that were the underlying causes of delinquency, dependency, and other dysfunctional conduct. Often, these families bounced between agencies or services with no cross-agency communication.

The court recognized the need to exert a leadership role to bring all agencies together to assess and recommend alternatives for detained youth. This approach became known as *front-end loading* and embraced collaborative strategies to bring all agencies with juvenile treatment components to convene as a panel that would meet before detention hearings to ensure adequate and proper evaluation of each child.

The first step required identifying a coordinator dedicated to effective use of detention alternative programs. With a grant from the Georgia Children and Youth Coordinating Council, the court secured a coordinator and adopted a name to present to the community and to market to the other agencies: Finding

Alternatives for Safety and Treatment-Stabilization Through Assessment, Recommendation, and Treatment (FAST-START). The program developed two primary components, the alternative detention programs component (FAST) and the treatment or intervention component (START).

Clayton County identified stakeholders in the juvenile justice process—mental health and social services agencies, local shelter care facilities, school system, defense bar, prosecutor, victim assistance, police, faith-based organizations, and private youth service providers—and a judge visited each entity, explaining the program and requesting participation. Additionally, the court sponsored a day of training to promote the program and provide data showing the success of employing collaborative strategies in implementing and maintaining alternatives to detention. The newly formed coalition reached consensus on mission, structure, and goals.

Each of the service providers, public and private, offered representatives from their respective agencies to be specially trained in reviewing the detention of children and in making recommendations to the court. This multidisciplinary team, called the FAST Panel, includes a child protective services investigator, school social worker, shelter care worker, school psychologist, mental health counselor, victim assistance worker, private service provider, DJJ representative, prosecutor, defense attorney, and citizen volunteer.

The program coordinator presents the allegations of each case and provides each member with a copy of the complaint and the detention assessment questionnaire, which provides background information on the youth's status at home, school, and mental health. The coordinator moderates the panel and guides members toward its recommendations, then attends detention hearings and makes the recommendation of the panel to the court.

The panel has revolutionized the sentencing process by focusing on the needs of the child immediately after detention and before his first court appearance. The judge receives better information and more informed recommendations that minimize risk to the community and serve the treatment needs of the youth before release from YDC. The effect on the juvenile justice system in Clayton County has been greater communication between the agencies; elimination of turf issues; increased sharing of information, responsibility, and resources; and improved service delivery, quality of services, and accountability.

The Juvenile Detention Alternative Collaborative

The Clayton County Juvenile Detention Alternative Collaborative (JDAC) comprises the same stakeholders that make up the FAST Panel. It is yet another component of the overall multisystem collaborative work in Clayton County.

JDAC is broken into an executive committee and several standing committees. The standing committees include education, law enforcement, cultural diversity, restorative justice, court services, program development, and deprivation prevention, and examine issues and make recommendations relative to these areas of interest. The executive committee meets quarterly to receive reports and consider recommendations. Clayton County is already seeing examples of the effect of this type of approach, as seen in the development and implementation of a diversion program for youth who commit offenses at school, which has reduced recidivism for these youth.

Conclusion

Changes made through judicial edicts last only as long as the judges that issue them. Changes in the juvenile justice system through collaborative strategies are longer-lasting and will continue to thrive beyond the tenure of judges. The court must be ready to implement JDAC's recommendations to ensure continued functioning beyond changes in the judiciary or administrative leadership.

Altogether, the use of collaborative strategies has reformed the way Clayton County treats children who come before the court. It has provided the opportunity to more effectively use resources and rely on promising, proven strategies and practices to improve outcomes for the county's children and families.

Steven Teske is a judge with the Juvenile Court of Clayton County, Georgia.

PUBLIC POLICY UPDATE: Juvenile Justice funding faces severe reductions

Under separate bills approved by both houses of Congress, funding would be cut drastically for juvenile justice programs in fiscal year 2004. Funding levels for the Juvenile Accountability Block Grant are cut in the House bill to only \$100 million, down from \$190 million in FY 2003. The Senate bill eliminates funding altogether for this program.

Other juvenile justice programs fared somewhat better. Funding for the Title V Local Delinquency Prevention Grant program is increased in the House bill to \$92.3 million, close to its historic funding level of \$95 million before it was cut to \$46.5 in FY 2003. The Senate bill, however, funds Title V

at only \$50 million. The new Delinquency Prevention Block Grant receives \$40 million in the House bill; the Senate bill, however, does not state a funding figure for this new initiative.

There is good news regarding funding for the state juvenile justice formula grants. Both the House and Senate bills increase funding for these grants. The House bill would increase this funding to \$90 million, the Senate to \$100 million. Current funding for formula grants is \$83.8 million.

A House-Senate conference committee is expected to meet soon to work out a compromise between the two bills.

In Focus: NICWA

The National Indian Child Welfare Association (NICWA) is dedicated to the well-being of American Indian children and families. NICWA's vision is to provide "every American Indian child access to community-based, culturally appropriate services," designed to "help them grow up safe, healthy, and spiritually strong—free from abuse, neglect, sexual exploitation, and the damaging effects of substance abuse."

NICWA is expanding its focus to include native youth and the juvenile justice system, similar to the efforts of the CWLA Indian Child Welfare Task Force. Thus, NICWA and CWLA have begun discussions about native children and families and their involvement in the juvenile justice system, and the effects thereof.

For more information about NICWA, visit www.nicwa.org, or call 503/222-4044.

Let's All Get in the Victory Lane Making Children a National Priority

June 7-11, 2004 | Indianapolis, Indiana



Deadline for Workshop Proposals:
January 21, 2004

We invite you to submit proposals for the Child Welfare League of America (CWLA) 2004 Mid-West Region Training Conference/National Juvenile Justice Summit, "Let's All Get in the Victory Lane: Making Children a National Priority." The joining of these two conferences highlights the importance of systems and communities working together to strengthen our children and families.

Improving services for children, youth, and families in the child welfare and juvenile justice systems can only come from the combined effort of direct service practitioners, supervisors, senior management, executive leadership, board leaders, and foster/adoptive parents. These efforts must be reinforced by training and networking opportunities that sharpen our skills and promote the exploration of effective collaborations.

- Are you a child welfare professional who is part of a dynamic program you'd like to share with others?
- Are you involved in "cutting edge" initiatives that positively impact the juvenile justice system?
- Perhaps you're a community-based youth worker who is actively engaged in services, which empower and support families and kinship caregivers?
- Are you the supervisor or director of a nonprofit or public sector organization charged with protecting and enhancing the lives of vulnerable children and their families?

2004 CWLA Mid-West Region Training Conference & National Juvenile Justice Summit

We encourage you to submit a workshop proposal that, if selected, will contribute to building a complete conference program that helps us "All Get in the Victory Lane." By partnering with you in this way, we hope to make the 2004 conference our best ever!

Presentations should be submitted electronically through our website at www.cwla.org/conferences. Submissions are due no later than 5:00 P.M. (ET) January 21, 2004. Please consider submitting a workshop proposal and share this announcement with your colleagues and peers. Then mark your calendar for June 7-11, 2004, and plan to learn and network with hundreds of your colleagues in Indianapolis, Indiana.

For more information, e-mail midwest@cwla.org or call 312/291-0235.

Save the Dates and Call for Papers