

District of Columbia Superior Court, Family Court

Department of Youth Rehabilitation Services

Office of the Attorney General

Public Defender Service

Department of Mental Health

Court Services & Offender Supervision Agency

Department of Mental Health

Office of Juvenile Justice & Delinquency Prevention



Court Social Services

Metropolitan Police Department

Addiction Prevention & Recovery Administration

Child & Family Services Agency

Juvenile Justice Advisory Group

Pretrial Services Agency

Criminal Justice Coordinating Council

Juvenile Justice Summit Summaries

Presented by the
Criminal Justice Coordinating Council

Kellogg Conference Center
Gallaudet University

September 30, 2010



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The District of Columbia's Juvenile Justice Summit
 PRESENTED BY THE CRIMINAL JUSTICE COORDINATING COUNCIL
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Foreword

On behalf of the Criminal Justice Coordinating Council, we will like to thank the 100 plus participants in attendance at the 2010 Juvenile Justice Summit held Thursday, September 30, 2010 at Gallaudet University's Kellogg Conference Center. In creating this forum to discuss salient topics in juvenile justice, we envisioned facilitating an open dialogue concerning the District's most precious resource: our youth. Below, you will find summaries and recommendations flowing from the discussions around compliance monitoring, substance abuse and mental health, innovative programming and services, information sharing, confidentiality, and feedback from juvenile justice system-involved youth.

We will like to especially thank the agencies and representatives from the District of Columbia Superior Court, Family Court, Court Social Services, Department of Youth Rehabilitation Services, Metropolitan Police Department, Office of the Attorney General, Public Defender Service, Child & Family Services Agency, Department of Mental Health, Addiction Prevention & Recovery Administration, Office of Juvenile Justice and Delinquency Prevention, Juvenile Justice Advisory Group, the Court Services & Offender Supervision Agency and Pretrial Services Agency.

It is important to remember that the hard work of this Summit was not in the planning, execution or facilitation of these panels, but in working together to implement and secure the benefits of the recommended next steps.

Paul A. Quander, Jr.
 Executive Director
 Criminal Justice Coordinating Council



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Overview of JJDP Act and Compliance Monitoring 101

Advances understanding of the Juvenile Justice & Delinquency Prevention Act and the role of the Compliance Monitor and CJCC in maintaining the District's Formula Grants. Reviews the history of compliance, with particular focus on DMC, and the District's commitment to the JJDP Act.

Panelists:

Kristie Brackens, DMC Team Lead, Office of Juvenile Justice & Delinquency Prevention (OJJDP)
Joel Braithwaite, Juvenile Justice Compliance Monitor, Criminal Justice Coordinating Council

Summary

There are four core requirements of the Juvenile Justice & Delinquency Prevention Act:

1. *Deinstitutionalization of status offenders* (DSO). A status offender (runaway or truant) cannot be securely held in juvenile detention, correctional or adult facilities.
2. *Separation of juveniles from adult offenders* (separation). Alleged and adjudicated delinquents cannot be detained or confined in a secure institution (such as a jail, lockup, or secure correctional facility) in which they have sight or sound contact with adult offenders.
3. *Adult jail and lockup removal* (jail removal). Juveniles (individuals who may be subject to the original jurisdiction of a juvenile court based on age and offense limitations established by state law) cannot be securely detained or confined in adult jails and lockups.
4. *Disproportionate minority contact* (DMC). Address juvenile delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of minority groups, who come into contact with the juvenile justice system.

The role of the Compliance Monitor as defined by OJJDP requires: 1. Identification of all public and private facilities in the District that might hold juveniles pursuant to public authority. 2. Classification of all public and private facilities according to JJDP Act. 3. Collection of data from all public and private facilities holding youth. 4. Inspection of all public and private facilities that hold youth.

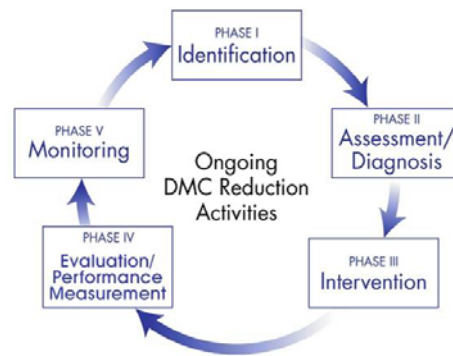


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All facilities that may hold youth pursuant to public authority must be inspected by the Compliance Monitor. The public authority includes placement under police authority and the power of the courts. Nonsecure and secure facilities that must be inspected include: police stations, adult jails, adult lock-ups, police substations and satellites, secure detention centers, secure correctional facilities, collocated facilities (holding juveniles and adults), court holding facilities, staff secure facilities (shelter homes and group homes), secure residential treatment programs and psychiatric hospitals with secure units where juveniles may be placed.

Disproportionate Minority Contact

In most jurisdictions, disproportionate juvenile minority representation is not limited to secure detention and confinement but is evident at nearly all contact points of the juvenile justice system continuum. Contributing factors to DMC are multiple and complex; reducing DMC requires comprehensive and multipronged strategies that include programmatic and systems change efforts.



The OJJDP DMC Reduction Model is separated into five phases: 1) Identification, 2) Assessment/Diagnosis, 3) Intervention, 4) Evaluation/Performance Measurement, and 5) Monitoring. The OJJDP DMC Reduction Model requires the following important principles in DMC-reduction efforts:

1. DMC reduction must be a continual, ongoing and sustained effort.
2. Activities in each phase of the DMC reduction must be based on data obtained in the previous phase.
3. Findings and information gained in each phase provide important feedback to the previous phase.

There are currently two major efforts in DMC afoot in the District of Columbia which CJCC is principally involved in and continues to support. The first is the District of Columbia Superior Court, Family Court's Disproportionate Minority Representation Collaborative. The second is the Juvenile Detention Alternatives Initiative (JDAI).

The Compliance Monitor works with all juvenile justice stakeholders to ensure that facilities where youth are placed are compliant with the Juvenile Justice & Delinquency Prevention Act. Stakeholders are very



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involved in the compliance monitoring process and readily make available the necessary data and personnel to ensure that the core requirements of the JJDP Act are met. CJCC's Juvenile Justice Compliance Monitor is able to interact with responsible stakeholders such as the Metropolitan Police Department, Department of Youth Rehabilitation Services, Family Court, Court Social Services Division, the United States Marshal Service, and the Department of Corrections.

The Family Court's Model Court Collaborative on the Disproportionate Representation of Minorities, under the Leadership of the Honorable Zoe Bush, Deputy Presiding Judge of the Family Court, and the Juvenile Justice Advisory Group convened a retreat in July 2010 to create SMART Goals to reduce DMC. This retreat was coordinated and facilitated by CJCC. Participating agencies included Family Court, CSS, DYRS, Office of the Attorney General, Child & Family Services Agency, Public Defender Service, Counsel for Child Abuse and Neglect, Criminal Justice Act (CJA) Attorneys and Justice Grants Administration.

The District's JDAI effort is currently in Phase V of the OJJDP DMC Reduction Model and stakeholders continue to actively make strides in the reduction of the use of secure detention for low risk offenders and increase the number of alternatives to detention to allow appropriate youth to be placed in the community while protecting public safety.

OJJDP remains well impressed with the number and quality of alternative to detention programs the District has implemented.

OJJDP Recommendations for Compliance Monitoring & DMC

- Continue to support the Juvenile Detention Alternatives Initiative (JDAI) efforts as part of the District's DMC reduction plan.
- Funding detention alternatives and probation programs to ensure that youth are placed in the least restrictive setting that is consistent with public safety. (Examples: CSS' Balanced and Restorative Justice Drop-in Center/SE Satellite Office; Leaders of Today in Solidarity (LOTS); and GPS Electronic Monitoring).
- Continue to support the Family Court's Disproportionate Minority Representation (DMR) Collaborative and the agency SMART Goals to reduce DMC in the District.



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Juvenile Justice Summit Booklet Resources
for Overview of JJDP Act and Compliance Monitoring 101

- Juvenile Arrest Process
- Pre-Adjudication Process
- District of Columbia's Juvenile Pre-Disposition Continuum of Alternatives to Secure Detention
- Post-Adjudication Process
- Compliance Monitoring Frequently Asked Questions



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When Youth Run (or Fail to Appear)

Discussion of the cross-agency abscondence and failure to appear issue and the implementation of policies and procedures to improve the utilization of the District's juvenile justice resources.

Moderator: **Hon. Zoe Bush**, Deputy Presiding Judge, District of Columbia Superior Court, Family Court

Panelists:

Fannie Barksdale, Acting Deputy Director, Court Social Services

Commander Charnette Robinson, Youth Investigations Division, Metropolitan Police Department

Marybeth Manfreda, Special Counsel to the Interim Director, Department of Youth Rehabilitation Services

Barbara Chesser, Assistant Chief, Papering Operations, Juvenile Section, Office of the Attorney General

Jenna Beebe, Agency Ombudsman and Special Assistant to the Director, Child & Family Services Agency

Summary

The District recognizes that there must be various approaches to youth currently classified as "absconders." It is important to note that there are at least four types of youth absconders:

1. Youth accused of a crime and placed into the community at a shelter home.
2. Youth adjudicated of a crime and placed into the community at a group home.
3. Youth not accused of any crime, abused and neglected youth, placed into the community at a foster home.
4. Youth who are at their family homes, who may be accused, adjudicated, abused and neglected, or even not at all court-involved, who run away from their homes.

For foster children under CFSA supervision, older youth are more likely to abscond and run away from foster homes back to their birth families. However, the vast majority of CFSA youth are curfew violators. CFSA has created a team of social workers to try to locate CFSA youth and attempt to form better relationships with birth families and children placed outside of their homes. CFSA has specialized training for foster parents and staff and is planning to redesign placement units for those foster children that abscond.



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Pre-adjudicated youth may be placed in a shelter home pending trial or disposition. Youth who are adjudicated and committed to DYRS while in the community may be placed in group homes. DYRS has created a unit for high risk youth who have absconded from placement. This unit works collaboratively with MPD to furnish names, pictures and addresses of youth in abscondance and attends MPD roll calls to disseminate the information to patrol officers. DYRS and the Family Court are working to expedite the custody order process so that youth can be brought into custody faster. DYRS reports bringing 87 youth back into custody under the direction of Interim Director Hildum in the last two months, in comparison to 53 youth in the two months prior to his appointment. DYRS reports that there are 63 youth currently in abscondance status, down from 84, two months ago. DYRS has also petitioned for a grant that would provide 175 GPS units to be deployed when youth, with history of abscondance, are placed in the community. DYRS notes that the reasons youth flee community placements include neighborhood arguments when the youth are placed in the rival neighborhoods or with the wrong people, personality differences between staff at non-secure facilities and youth, family emergencies, or a youth's desire not to be there.

CSS notes that youth failing to appear for Family Court hearings are the number one reason custody orders are sought. Collaborative efforts between CSS, MPD and DYRS are collocated in Building B. This collocated unit goes out four times a week from 7:30 am to 2:30 pm to look for youth. The CSS probation officer also makes continuous attempts to get in contact with youth including knocking on doors at night during curfew checks. Upon motion by OAG & CSS, the Family Court will issue a custody order when the youth fails to appear in court or fails to report home within a 24 hour period.

Recommendations & Next Steps

- MPD notes that reporting to foster homes, group homes, shelter homes and family homes are very demanding on patrol resources. Prior to a youth being determined to be in abscondance by the Family Court, MPD is required to take and issue a Missing Persons Report. Because the youth are first placed into the system as missing persons, neighboring jurisdictions who come in contact with the youth are not aware the youth is in abscondance. District and Maryland stakeholders are currently working to close gaps that may exist in communication and processes.
- Implement a system to notify relevant stakeholders when a juvenile has a parent involved with the criminal justice system.



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- DYRS and other stakeholders are in the process of determining a method for creating priority for absconding youth contingent upon risk/threat level.
- Agencies should revisit the process for determining abscondence and the use of missing persons report as it creates an inordinate strain on MPD's patrol resources.



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Juvenile Substance Abuse & Mental Health

Explores how the District is responding to the substance abuse and mental health needs of youth in the juvenile justice system. Allows stakeholders to showcase their best practices in dealing with substance abuse and mental health issues in the population they serve and discuss issues and recommendations.

Moderator: **Nancy Ware**, Senior Management Analyst, Court Services & Offender Supervision Agency

Panelists:

Dr. Michael Barnes, Program Manager, Child Guidance Clinic, Court Social Services

Dr. Andrea Weisman, Chief of Health Services, Department of Youth Rehabilitation Services

Valentine Onwuche, Public Health Analyst, Addiction Prevention & Recovery Administration

Dr. James Ballard, III, Clinical Program Manager, Department of Mental Health

Summary

CSS conducts over 800 clinical evaluations a year in the Child Guidance Clinic. At CSS Intake, there is an inquiry into mental health needs. Substance use or abuse can be detected by drug tests taken at the lockup, which, if positive, prompts a Gains I or Gains Q assessment. CSS also employs spot, random and routine drug testing. Psychosocial instruments include measures for substance use or abuse. At CSS Satellite Offices, the Mood Altering Chemicals Groups educate, intervene, and focus on drug use. Mental health needs are tracked by CSS, and youth may be referred to DMH Core Service Agencies, mentoring, counseling or family counseling as needed. CSS partners with DC Health Care Financing to identify the carrier and make a referral. If a psychiatric assessment is needed, the Health Care Finance Office explores the Medicaid Management System and a referral is made. There is a Children's National Medical Health Van that visits Building B monthly for those without insurance.

The CSS Child Health Care Clinic has done two studies relevant to the District's youth. The first study explores whether African American males express depression in the same way other males do. In particular a study is under way as to how African American males express depression, *The Millon Adolescent Clinical Inventory (MACI) and African American Males: What Are We Really Measuring?* That study found that several of the original factors posed by the MACI should be interpreted with caution when working with African American males. Second, an obesity study was also conducted: *Built Environment's*



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Influence on Childhood Obesity: An Environmental Analysis of Washington, DC's Ward 8. It was noted that the most prevalent food sources in the Ward are corner stores and fast food restaurants (81%), which sell fried and processed foods, providing little opportunity for healthy nutrition. The lack of full service grocery stores and other environmental factors impact youth physical and mental well-being. The study is currently being updated and will reflect the addition of grocery stores.

DYRS estimates that 70% of youth in the juvenile justice system have a mental illness diagnosis. Research on complex trauma may provide the most insight into the battle that these youth face. Youth are heavily influenced by their environment which many times is violent and abusive. DYRS interventions now focus on the youth's environment while in detention or confinement. DYRS attempts to provide supportive services in the environment, i.e., Youth Services Center and New Beginnings, rather than just address the individual (by taking them in an isolated room and counseling, which also leads to stigmatization). DYRS has implemented decentralized mental health services in both facilities. The juveniles with mental health needs are now co-mingled with other juveniles in the facility and clinicians are now out of the offices and on the units with youth. Increased training has been provided around issues of complex trauma and brain development. Due to the normalization of exposure to community crime, youth rarely recognize they are in a state of trauma; however, the effects of this exposure is readily reflected in their art and writings. DYRS notes, however, that the interventions and services provided while detained or confined are not available when youth are released. DYRS and DMH are developing a methodology for dealing with youth's complex trauma needs to allow core providers to continue to work with these youth once they transition out of detention or confinement. Extension of these services are also necessary in the community. Currently, DYRS is looking at the role of unmet mental health needs of kids in abscondence. Multi-systemic family therapy is a promising response.

DMH offers several programs for children in the community and there is no need to be involved with the juvenile justice system to access these programs. DMH advocates keeping youth in their homes with wrap-around services as opposed to community, secure or hospital placements for those community members referred to DMH. DMH is working with DYRS, CSS and DCPS to increase the capacity of Functional Family Therapy (FFT) to benefit up to 400 youth. Therapy with community based providers has reduced substance abuse and mental health crisis which can make youth more functional.



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APRA has alleviated the territorial issues for youth, which have sometimes inhibited youth from accessing substance abuse services. Now there are services in all territories (see APRA Adolescent Substance Abuse Treatment Expansion Program directory). Before there was a single entry point, but now there are multiple entry points in different communities. Anyone under 21 can ask for help themselves. Parents, teachers, doctors, mentors, and others can also help open the door to treatment.

Previously, the District paid 100% of the costs, now through funding and medicare, 79% of the costs are covered. The Choice in Drug Treatment Act created a nonlapsing fund for substance abuse treatment, meaning funds left over from one fiscal year are automatically added to the budget of the next fiscal year. Unlike other agencies, APRA funds do not lapse and APRA is able to use the funds saved by Medicare and reinvest the savings back into treatment services. Residents need only review the list of substance abuse providers, and schedule an appointment where treatment professionals administer a comprehensive substance abuse assessment and create treatment plans.

Recommendations & Next Steps

- DMH notes that while youth undergo many assessments, they are generally used for judicial purposes, but those recommendations are not shared with providers. DMH advocates for the use of a centralized database of all assessments conducted on youth. Agencies currently have to initiate assessments rather than having the benefit of relevant information for assisting youth and their families. It would be valuable if providers have information on services provided to the youth and their families.
- DMH has identified several policies that can be instituted to discourage obesity in Ward 8, (and presumably throughout the District) such as: (a) city supported farmers' markets, community gardens, and food cooperatives, (b) tax incentives to supermarkets serving underserved areas, (c) assistance for corner stores in providing healthier choices, (d) revamping of school physical education programs, and (e) increased security in high crime areas.
- CSS (and presumably DYRS community placements) should be able to offer youth substance abuse services reimbursable through Medicare using APRA providers. DMH and APRA have a grant, Hillcrest and other agencies that are dual-certified to meet mental health and substance abuse needs, and these programs are under capacity.



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- A cross-agency approach needs to be developed to deal with the stigma attached to receiving substance abuse and mental health treatment services as most families and youth that need intervention will not seek help. Coaching and training to work with DMH Core Service Agencies to deal with mental health and substance abuse in youth and how the issue is presented to children and families to get services in place can potentially reduce the stigma.
- Functional Family Therapy is short-term treatment in family homes for children showing problems with sticking to rules or expected behavior. It involves 12 sessions over 3-4 months in the home. DYRS has seen excellent results for youth with substance abuse and mental health needs.

**Juvenile Justice Summit Booklet Resources
 for Juvenile Substance Abuse & Mental Health**

- Adolescent Substance Abuse Expansion Program (ASTEP) Provider Directory
- Department of Mental Health's Resource Guide for Young Adults: Supports and Services and Where to Find them
- Court Social Service: The MACI and African American Males: What Are We Really Measuring?
- Court Social Service: Built Environment's Influence on Childhood Obesity: An Environmental Analysis of Washington, DC's Ward 8



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Innovative Programming & Interventions for Juveniles

Spotlight on innovative responses to issues in the juvenile justice system employed by our stakeholders. Allows stakeholders to showcase newly implemented programs and interventions and relevant data and statistics.

Moderator: **Hannah McElhinny**, Deputy Trial Chief, Juvenile Section, Public Defender Service

Panelists:

Commander Charnette Robinson, Youth Investigations Division, Metropolitan Police Department

Cheryl Rogers-Brown, Supervisory Probation Officer, Southeast Balanced & Restorative Justice- BARJ Drop-In Center, Court Social Services

Lorenious McDonald, Supervisory Probation Officer, Southeast Balanced & Restorative Justice- BARJ Drop-In Center, Court Social Services

Linda K. Harlee Harper, Acting Chief, Committed Services Administration, Department of Youth Rehabilitation Services

Summary

CSS provides the majority of the alternatives to detention programming in the District's continuum. One particular program is the Balanced & Restorative Justice (BARJ) Centers. BARJ Centers cater to pre-adjudicated youth who are found to need additional structure in their lives. Centers are open from 3:30 pm to 9 pm on weekdays and on Saturday. CSS creates the forum for services to be delivered to the youth at the BARJ Centers, so providers, such as tutors and clinicians, come to the youth. There, CSS probation officers prepare nutritional meals daily and probation officers have down time and eat with the youth. CSS makes rehabilitation the priority and actively works with youth to change their behavior. Part of CSS strategy includes unique opportunities to engage the youth, such as, shopping trips which emphasize budgeting and conscious decisions, with a commitment to community service. On September 14, CSS held a mock election to foster citizenship in the youth. CSS has had exceptional results for the BARJ programs including a 90% completion rate of youth, and 92% youth not re-offending. CSS has placed a premium on rehabilitation, working with the families, having the youth serve their communities, and public safety. CSS is set to open BARJ Drop-In Centers in NE and SW satellite offices to help youth in those communities. CSS



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affirms these programs work because the youth are involved and in constant contact with their probation officers.

CSS administers Ultimate Transitions, Ultimate Responsibilities Now (UTURN) another alternative to detention for high risk offenders and youth charged with high level offenses who might otherwise be committed. CSS UTURN is a six month intensive community supervision program for youth. Program components include: electronic monitoring (1st 30 days), nightly curfew checks, bi-weekly office visits, bi-weekly urine screenings, monthly school visits, monthly home visits, and community service.

CSS has received a lot of positive accolades nationally for its gender-specific program Leaders of Today in Solidarity (LOTS). LOTS provides a community supervision unit for pre-adjudicated and adjudicated females. Programs designed to meet unique needs of adolescent females. Full range of supervision levels and treatment curriculums are available in LOTS. CSS also engages LOTS participants in an Annual Civil Rights bus tour taking the young ladies to historic sites in southern states and the Civil Rights Walk.

DYRS has taken a reduced role in providing alternatives to detention as CSS has successfully implement programs for youth under pre-trial supervision. DYRS ARCH Evening Reporting Center provides highly structured and well-supervised group activities during the high risk-time periods for the youth awaiting trial, awaiting disposition or who are in committed status with DYRS awaiting revocation hearing. Youth are transported back to their homes at 9 pm nightly. Saturday participation from 10 am to 3 pm is also required. The Evening Reporting Center can serve 30 youth a day.

DYRS contracts with Sasha Bruce to provide Intensive Third Party Monitoring. ITPM conducts case management and supervision to court-involved youth who have been released back to the community from the juvenile detention center. ITPM services youth released from secure custody, group homes, shelter houses, residential treatment centers, aftercare/probation violators. Youth meet with a monitor three times a week to three times a day, depending on level of intervention recommended in assessment and specified in the individualized release plan. Services may include assessment, counseling, crisis response, family preservation, mentoring, skills training. ITPM's goal is to prevent recidivism among committed or detained adolescents through intensive case management, counseling and family reunification.



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MPD provides several innovative interventions for youth including a gender-specific response, Girls Time Out. Girls Time Out works with young ladies to prevent delinquent behavior, address its root cause, and provide family intervention/involvement prior to these young ladies being involved with the juvenile justice system. Youth in Girls Time Out are expected to participate for a minimum of six months and the program is divided into two phases. It focuses on restorative justice and community service. Participants read and discuss various chapters in *Got It Going On*, authored by Janice Ferebee, which allows them to take responsibility and provide remedies with the goal of promoting healing. Girls must do community service in their neighborhoods as well as workshops and mentoring sessions. There is also a life skills development portion of the program that focuses on academic development, family relations, etiquette classes and career development, among other things. Completion leads to the Rites of Passage Cotillion for older girls (16 and 17 year olds) with the 14-15 year old girls serving as aides. The older girls are recruited as mentors to younger ladies in the program.

MPD, in collaboration with CSS, DYRS and other District agencies, had developed the Partnership for Success Program. PSP works with youth in the greatest risk of being perpetrators or victims of violence and provides increased supervision and wraparound services for 35 youth in the community. PSP services include: mentoring by MPD Officers, school engagement, job readiness and training, counseling for behavioral health needs, treatment for substance abuse, and home visits and parental engagement.

MPD utilizes Time Dollar Youth Court (TDYC) as one of its primary diversion programs. TDYC reallocates a youth's early encounters with the law into a turning point in that youth's life, leading to enhanced self-esteem, contribution, and opportunity. Time Dollar's diverts first-time non-violent youth offenders away from the juvenile justice system. TDYC provides alternative sentencing for juvenile offenders by involving them in activities that help themselves and the community. This program is for victimless cases (disorderly, shoplifting, thefts) or cases where the victim does not wish to participate in a mediation or prosecution of the case. Over 700 cases have been referred to the program thus far.

MPD launched its Early Intervention and Juvenile Mediation Program which is JGA grant-funded program and an alternative to arresting first or second-time non-violent youth offenders. The goal is to reduce youth recidivism and increase rehabilitation by sensitizing youth to the consequences of their behavior. Mediation between the juvenile offender and the victim is intended to help the juvenile understand the impact of his/her behavior, take responsibility for those acts, and consider community service, restitution, and/or



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apology with the goal of preventing similar behavior in the future. Victims also gain closure by articulating the impact the crime had on their lives. The program is currently conducted in conjunction with ACCESSDC Youth (Ms. Jodi Ovca) who offers mediations between the victim and offender. So far 102 youth have been referred for mediation. MPD has had no recidivist thus far. MPD reports an improved rapport with youth in their programs. The relationship between youth and MPD officers show the programs' success.

Recommendations & Next Steps

- These programs are all affected by the realities of funding and subject to termination in the event funding is no longer available. Dedicated funding for alternatives to detention and arrest must become a part of budgets. As there is an increased focus on the use of alternatives to detention and arrest, resources become freed up for the system to focus on violent and high risk offenders.
- Stakeholders identified the following needs:
 1. Support programs that constructively fill youth's unstructured time,
 2. Continue gender-specific programming,
 3. Hold youth accountable,
 4. Provide continuity with youth beyond the programs,
 5. Provide for public safety while creating alternatives to arrest and detention,
 6. Engage in early intervention and system-wide diversion prior to juvenile justice system involvement, and
 7. Have programming available for youth in community placements.

Juvenile Justice Summit Booklet Resources for Innovative Programming & Interventions for Juveniles

- MPD Youth Investigations Division Programs Currently In Effect
- CSS Excerpt from the Family Court 2009 Annual Report for the District of Columbia
- District of Columbia's Juvenile Pre-Disposition Continuum of Alternatives to Secure Detention
- Guide to Juvenile Pre-Disposition Continuum of Alternatives to Secure Detention
- Juvenile Detention Alternative Initiative Frequently Asked Questions



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Information Sharing

Discusses juvenile information sharing as an essential tool to assist juvenile justice and youth-serving agencies in their efforts to improve services for at-risk and delinquent youth and their families.

Moderator: **Paul A. Quander, Jr.**, Executive Director, Criminal Justice Coordinating Council

Panelists:

Terri Odom, Director, Court Social Services

Carissa Pappas, Research Analyst, Department of Youth Rehabilitation Services

Commander Daniel Hickson, Criminal Investigations Division, Metropolitan Police Department

Alicia Washington, Acting Deputy of Public Safety Division, Office of the Attorney General

Summary

The Superior Court issued an administrative order in August 2010 that further allows agency information sharing among DYRS, CSS, CSOSA and PSA. The agencies are establishing a memorandum of understanding.

The benefits of information sharing were readily seen in past collaborations. In particular, CSS was integral in providing information that allowed MPD to capture a child predator. In that case, Bureau of Prisons, the United States Postal Service, CFSA, OAG, United States Attorney for the District of Columbia all came together to share information that lead to the capture of a released felon that left prison with the intent to prey upon a juvenile female under CSS supervision.

CSS has five full-time psychologists. CSS will now share information with CSOSA if Title 16 applies. The information to be shared includes whether a youth was detained, whether or not they absconded from placements, risk level, level of compliance and demographics around last known address, whether a parent is also incarcerated or criminal justice system involved and potential for shared resources.

DYRS noted the use of CJCC's JUSTIS information portal to share information across entities such as the Family Court. Currently, DYRS shares placement information, commitment status and histories but can view juvenile arrest records from MPD, CourtView data from the District of Columbia Superior Court, and



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adult information. DYRS notes it will like to be able to see DYRS information alongside Family Court CourtView data in one interface in real-time. If DYRS workers are able to access certain case related information on youth, youth with an open custody orders for failure to appear or abscondance might also be brought to court by the DYRS case worker during regularly scheduled visits.

DYRS also provides daily population reports for YSC, the juvenile detention center via email to various juvenile justice stakeholders. This daily email also includes information on the population of DYRS shelter homes and programs for pre-trial youth such as Sasha Bruce's Intensive Third Party Monitoring and the ARCH Evening Reporting Center. DYRS also participates with CSS and MPD to provide monthly data reports for the Juvenile Detention Alternative Initiatives (JDAI) data subcommittee. This JDAI report presents information from CSS, MPD and DYRS and looks at the stakeholders data and the results of youth involvement in the various alternatives to detention programs.

DYRS uses a structured decision making tool which is used to predict future actions of youth. It processes information such as the history of violence in the youth's household or neighborhood, past delinquent history, and present accusations. The structured decision making tool allows DYRS to rank youth as high (secure detention), medium or low (home or other community placement). DYRS is in the process of validating the instrument. CSS employs a Risk Assessment Instrument for the limited purpose of making a decision to securely hold youth in the absence of a Family Court judge which has been twice validated in 2004 and 2007.

OAG understands the importance of sharing information with victims of crime. Sharing information allows juvenile justice stakeholders to collaborate and help agencies working with youth and preserving public safety. While OAG respects the fact that some information must be protected, it is balanced with the requirements of sharing information with youth serving agencies.

MPD tries first to prevent crime. The more information MPD has to prevent crimes the better. MPD notes the deployment of JUSTIS Lite which operates on the secure BlackBerry of MPD patrol officers. Use of JUSTIS Lite help officers on foot search for open warrants and custody orders and bring youth back into custody quicker. Currently, officers are not able to run these checks while encountering youth during a foot patrol. MPD can only act when it has access to the information it needs to make proper decisions.



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Recommendations & Next Steps

- DYRS believes an administrative order from the District of Columbia Superior Court may still be necessary before MPD can access information not currently covered by the Mayor's Order.
- CSS is fully onboard with sharing information with CSOSA and PSA but the parameters of what can be shared and the interaction of sharing with HIPPA laws is still under review.
- DYRS seeks access to real time CourtView information so it can view Family Court orders, like custody orders or other placement orders. Currently that information is scanned manually by DYRS to be included in their system.

**Juvenile Justice Summit Booklet Resources
 for Information Sharing**

- Mayoral Order to Share Information from DYRS to MPD
- Administrative Orders for Information Sharing from Superior Court



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Juvenile Confidentiality Mysteries, Myths & the Law

Allows audience to interactively parse through vignettes utilizing common scenarios and how they intersect with the particular confidentiality laws governing that agency. Audience will hear points of view on vignette from OAG and PDS attorneys.

Moderator: **Paul A. Quander, Jr.**, Executive Director, Criminal Justice Coordinating Council

Panelists:

Hannah McElhinny, Deputy Trial Chief, Juvenile Section, Public Defender Service

Dave Rosenthal, Acting Assistant Deputy of Public Safety Division, Office of the Attorney General

Summary

The purpose of confidentiality of juvenile records and proceedings is to protect juveniles from life-long stigmatization for delinquent acts committed as youth. Juvenile confidentiality has two aspects, confidentiality of records and confidentiality of proceedings.

Confidentiality is governed by statutes that limit the use of Case Records, Social Records, and Law Enforcement records. Statutes that govern confidentiality are source-based, not content-based. This means that you cannot disclose information you learned in your capacity as an employee from the covered sources. Thus, information learned in your official capacity while attending court proceedings or working to create or review court records, social service records, or law enforcements records cannot be disclosed except in accordance with the law.

1. D.C. Official Code § 16-2316 (e) – Conduct of hearings; evidence (Family Court Proceedings)
2. D.C. Official Code § 16-2331 – Court Records (Family Court)
3. D.C. Official Code § 16-2332 – Social File Records (Court Social Services)
4. D.C. Official Code § 16-2333 – Law Enforcement Records (Metropolitan Police Department)
5. D.C. Official Code § 16-2336 – Prosecutions for Violations of these Confidentiality Provisions (Responsibility of the Office of the Attorney General)
6. D.C. Official Code § 2-1515.06 – Confidentiality of DYRS Records

The confidentiality created by the statutes do not expire upon a youth's death. Furthermore, redaction, i.e., not disclosing the youth's name, address or identifying information prior to disclosure is not allowed. The



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disclosure of information gained from the protected sources is what's prohibited. Disclosure includes trying to correct information if an unauthorized person has the wrong information. There can be no disclosure to unauthorized persons.

The victim may obtain the information by attending court hearings, but agencies cannot disclose this information to the victims. Victims should be referred to the OAG's office to speak with the prosecutor of the case. OAG may release information to victims in their discretion. Victims can look at law enforcement records (police reports) as long it was developed for and pertains to their case.

A child may waive confidentiality of certain things contained in records, however, other things in the child's file may be protected by other laws. For example, if information pertaining to the parents and other siblings are contained in the records, such as social security numbers, mental health treatment records, HIV status(es), etc., the records may still not be disclosed absent a review for each applicable law or statute.

Here is a partial list of confidentiality statutes which may apply to youth records which may prevent disclosure even with the youth waiver: 1. Child Welfare Records, 2. HIV Information, 3. Mental Health Information, 4. Vital Records, 5. Medical Examiner Records, 6. Public Assistance Records, 7. Substance Abuse Records, 8. Physician-Patient Privilege, and 9. Mental Retardation Records. The Freedom of Information Act is also covered in the Juvenile Justice Booklet.

The parent(s) consent is not required for the youth to execute a waiver. Rather, if the youth gives a full and knowing waiver, it must be respected.

There are some gray areas of the law with respect to ability to share information with certain members of the community who have an interest in the youth, for example, a coach. It is more clear that information can be disclosed where the person is a provider of services having an active role in rehabilitating the youth such as a mentor. In case of uncertainty, a court order from the District of Columbia Superior Court, Family Court issued under Juvenile Rule 55 which governs the review or inspection of information contained in juvenile case records can be sought.

All persons not authorized by statute, can petition the Family Court to have the information released to them. Interested persons not authorized by statute to access certain records should contact the OAG.



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Recommendations & Next Steps

- A manual outlining the relevant statutes and discussing the confidentiality laws from the perspective of the frontline employees of the various stakeholders would be of great benefit to the juvenile justice community. Such employees include police officers, probation officers, youth development specialists, nurses, mental health clinicians, substance abuse counselors, mentors, community based providers, family members, victims, attorneys, judges, case workers, and social workers of the various child serving agencies. Such a manual was developed by the Kings County, Washington juvenile justice system and goes a long way to present formal standardized guidance to all involved.

**Juvenile Justice Summit Booklet Resources
 for Juvenile Confidentiality Mysteries, Myths & the Law**

- An Overview of the Juvenile Confidentiality Rules



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Wrap Up Youth Panel

Allows youth to share their experience with various programs and provide feedback about their perspective on the District's Juvenile Justice System.

Facilitated by **Quincy Booth**, Special Assistant, Criminal Justice Coordinating Council

Summary

The youth panel stressed the need for 'second' chances. They also stressed the importance of child serving workers taking the time to get to understand the youth and family history. Noting that, youth are more accepting of honest and genuine persons, it is important that the youth be around persons genuinely interested in their success. Second chances were a major theme in that some youth may not get it the first time, or the second or the third in some instances. Rather, consistency, in terms of expectations, contact and follow through with the youth were important instead of a singular focus on punishment. A survey conducted on the audience on what they thought were the most important issues concerning the youth had the following results:

Family issues-75% | Community Violence-72% | Peer Pressure-44% | Education-38% | Resources-19%
 The youth panel agreed with the results.

Recommendations & Next Steps

- Two panelists stressed the need for the continuation of the DYRS Intern Program. They both participate in the program and are enrolled in college.
- Most expressed positive desires to make better lives and believe that all system-involved youth share that hope. Youth believe there can be more success stories like themselves if the juvenile justice system uses the successful youth as examples. Most system involved youth do not get to see the fact that they can still lead very successful lives after contact with the juvenile justice system.
- The panelists encouraged youth serving agencies and workers to stay on top of the families and never give up on them. Constant contact was noted as a key to success with difficult cases.



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- Youth noted that interaction with police in the numerous MPD-operated diversion programs increased their respect for police officers. While it did not erase all previously held aversions to police officers, it did create a positive bond with officers and increase trust in these specific officers.



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PARTICIPATING AGENCIES

	<p>The District of Columbia Superior Court, Family Court is one of 36 in the nation to participate in the 2007 Victims Act Model Courts program of the Permanency Planning for Children Department of the National Council for Juvenile and Family Court Judges. Each model court system is charged with identifying “impediments to the timeliness of court events and delivery of services for families with children in care, and then designing and implementing court- and agency-based changes to address these barriers.”</p> <p>The mission of the Court Social Services Division is to assist the District of Columbia Superior Court’s Family Court and juvenile justice system in the rehabilitation of youths through the provision of comprehensive services and probation supervision with an eye toward public safety to prevent recidivism and protecting the community.</p>
	<p>It is the mission of the Metropolitan Police Department to safeguard the District of Columbia and protect its residents and visitors by providing the highest quality of police service with integrity, compassion, and a commitment to innovation that integrates people, technology and progressive business systems.</p>
	<p>The mission of Department of Youth Rehabilitation Services is to improve public safety and give court-involved youths the opportunity to become more productive citizens by building on the strengths of youths and their families in the least restrictive, most homelike environment consistent with public safety.</p>
	<p>The Office of Attorney General prosecutes certain violations of criminal law, including all juvenile criminal cases, traffic infractions, and adult misdemeanor cases in the District of Columbia Superior Court, and defending appeals of these matters.</p>
	<p>The Public Defender Service for the District of Columbia provides and promotes quality legal representation to indigent adults and children facing a loss of liberty in the District of Columbia and thereby protects society’s interest in the fair administration of justice.</p>
	<p>Addiction Prevention and Recovery Administration’s Mission is to establish a substance abuse prevention, treatment and recovery support system of care for District residents and families coping with the disease of addiction or at risk of becoming addicted to alcohol and illicit drugs.</p>



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	<p>The Mission of the D.C. Pretrial Services Agency is to assess, supervise, and provide services for defendants, and collaborate with the justice community, to assist the courts in making pretrial release decisions. We promote community safety and return to court while honoring the constitutional presumption of innocence.</p>
	<p>The mission of Department of Mental Health is to develop, manage and oversee a public mental health system for adults, children and youth and their families that is consumer driven, community based, culturally competent and supports prevention, resiliency and recovery and the overall well being of the District of Columbia.</p>
	<p>The Child and Family Services Agency is the District of Columbia public agency that protects child victims, and children at risk, of abuse or neglect. CFS has four basic functions: (1) Child Protective Services (2) Supportive Family Services (3) Foster Care and (4) Permanence.</p>
	<p>The Office of Juvenile Justice and Delinquency Prevention (OJJDP) provides national leadership, coordination, and resources to prevent and respond to juvenile delinquency and victimization. OJJDP supports states and communities in their efforts to develop and implement effective and coordinated prevention and intervention programs and to improve the juvenile justice system so that it protects public safety, holds offenders accountable, and provides treatment and rehabilitative services tailored to the needs of juveniles and their families.</p>
	<p>The Juvenile Justice Advisory Group advises the state juvenile agency, provides active consultation to the government and private agencies, and ensures the provision of comprehensive delinquency prevention programs that meet the needs of youth through the collaboration of many local systems with which a youth may interface.</p>
	<p>Court Services and Offender Supervision Agency for the District of Columbia's mission is to increase public safety, prevent crime, reduce recidivism, and support the fair administration of justice in close collaboration with the community. In the District of Columbia, eighty percent of pretrial defendants are released to the community and approximately 70 percent of convicted offenders serve some portion of their sentence in the community. As such, CSOSA's effective supervision of pretrial defendants and convicted offenders provides a crucial service to the courts and paroling authority and is critical to public safety.</p>



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	<p>The mission of the Criminal Justice Coordinating Council (CJCC) is to serve as the forum for identifying solutions, proposing actions and facilitating cooperation that will improve public safety and the related criminal and juvenile justice services for District residents, visitors, victims and offenders. CJCC draws upon local and federal agencies and individuals to develop recommendations and strategies for accomplishing this mission. Our guiding principles are creative collaboration, community involvement and effective resource utilization. We are committed to developing targeted funding strategies and comprehensive management information through integrated information technology systems and social-science research in order to achieve our goal.</p>
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