



Juvenile Justice Collaborative

Establishing a more effective and efficient juvenile justice system

Quarterly Collaborative Meeting June 11, 2009

Minutes

The meeting began at 10:05 am with introductions.

The Minutes from the March 2009 quarterly meeting were reviewed and approved as written.

Administration Changes- Office of the Public Defender

With the recent appointment of Brendan O'Neill to Public Defender for the State of Delaware, there have been changes in the administration. Todd Conner will be Chief Deputy and Lisa Minutola has been promoted to Chief of Legal Services. Lisa introduced Dawn Williams as the new head of the Family Court unit.

Collaboration for Youth/SURJ

Janet Leban and Tim Brandau currently serve as co-chairs for the Collaboration for Youth. The collaboration was formed in 2000 as a partnership between the private/non-profit and public sectors and focused primarily on legislative issues impacting youth. There has not been much activity in the past few years although the group has met as needed. SURJ (Stand Up for What is Right and Just), a grassroots organization dedicated to reforming the criminal justice system, recently formed a juvenile committee. The Collaboration for Youth and the SURJ juvenile justice committee will be joining together as one advocacy group. The group will continue to meet as needed.

Anne E. Casey Update

Alison McGonigal provided an update on the assessment process that will take place in coordination with the Annie E. Casey Foundation. The Foundation has identified three target areas for further review: Disproportionate Minority Contact (DMC) (to include school offenses), Data (to include the RAI), and Out of Home Placements (pre- and post- adjudication). It was suggested that school offense issues be incorporated under DMC due to youth of color with learning disabilities accounting for a high percentage of school based offenses in most jurisdictions.

Alison will meet with Jim Payne from the Foundation at the end of June to develop a meeting schedule to discuss the target areas with various stakeholders.

House Resolution #22

A task force has been established to study Delaware's laws, regulations, and school district policies relating to school discipline and violations of school codes of conduct. The task force will begin meeting after the legislative session is over, with a final report being due by January 15, 2010. Patricia Dailey Lewis stated the task force is looking to make significant changes and stressed the importance of buy-in from law enforcement in order for change to occur. Carlyse Giddins asked if there was a need for a subcommittee to address HB 85 given the establishment of the task force. David Jones suggested the subcommittee not disband and that the committee be responsible for conveying the positions of the Collaborative to the task force. Pat stated that it was her intent to convene a subcommittee meeting prior to the task force meeting in order to gather thoughts and ideas. Carlyse voiced her appreciation for Representative Mike Barbieri's leadership in getting this task force established.

SAC Reports

Reports from the 4th Quarter of 2008 were distributed. Jack O'Connell stated that detention populations are relatively low. Superior Court involved youth still account for approximately one-third of the detention population. Jorge Rodriguez will continue to track this population and will be working with the Superior Court subcommittee on specific data requests.

Carlyse Giddins stated that she is pleased to see the lower populations as it allows the Division to focus on operational improvements.

SAC reports can be viewed by accessing the link below:

<http://sac.omb.delaware.gov/publications/juvenile.shtml>

Subcommittee Briefs

Superior Court- Lisa Minutola provided an update on behalf of the Superior Court subcommittee. An action plan was developed and the group has identified goals and objectives. The primary goal is to ensure that only the appropriate youth are prosecuted in Superior Court, and that if prosecuted in Superior Court, cases are processed and resolved in a timely manner and youth receive ample treatment services. The Juvenile Task Force meetings have been re-established in New Castle County and the committee is hoping to initiate similar meetings in Kent and Sussex counties. The group has also identified data needs and will be working closely with the Statistical Analysis Center and DYRS to obtain the information. The next meeting is scheduled for June 26.

Legislation- Andrea Mills provided an update on behalf of the Legislation Subcommittee. The committee is currently reviewing 10 Del. Code § 1007 for possible amendments. Judge William Nicholas from Kent County Family Court drafted legislation which the group is using as a template. The proposed amendments would give the Court more discretion in making detention determinations for juveniles and cite specific instances when secure detention would be appropriate. Concerns have been raised regarding net-

widening and undoing the progress we have made with reducing unnecessary and inappropriate detentions. The committee will work to address these concerns as they move forward.

Community Programs- Carlyse Giddins provided an update on behalf of the committee. The committee is tasked with assessing the current services provided in the community from pre-trial through re-entry and identifying opportunities for service enhancement while ensuring that we are investing our resources effectively. The committee has reviewed current contractual and non-contractual services. Carlyse stressed that the data component is critical in measuring the effectiveness of programs moving forward. The committee hopes to have recommendations to the Collaborative by the end of year.

Youthful Offender Program- Carlyse Giddins provided an update on behalf of the committee. The group has identified a target age group of youth aged 12 and under. The goal is to develop a service model that will more effectively meet the needs of this younger population. The group has reviewed DYRS snapshot data, diversion program information, and completed an extensive research and literature review. The committee hopes to have a recommendation to the JJC in October.

Chandlee Kuhn asked if these youth are being tracked through adjudication. It was agreed that this population should be tracked through disposition across the system. Chandlee stated that Plea Before Adjudication cases should be included in diversion statistics.

Gun Court- Chandlee Kuhn provided an update on the Gun Court. Through the coordination and collaboration among the Family Court, Attorney General's office, defense counsel, and the Department, the majority of cases being handled as part of the Gun Court pilot initiative are being kept in Family Court for prosecution. This is significantly decreasing case processing time, reducing length of stay in detention, and expediting involvement in treatment services for youth. Agency representatives believe they have been able to achieve appropriate dispositions due to having a small calendar and time to focus on the individual circumstances of each case. DYRS is currently working to establish specialized interventions for youth involved in Gun Court. The group discussed the importance of individualized treatment while still addressing the youth's involvement with firearms.

Susan Cycyk stated that there has been an increase in referrals to Child Mental Health from DYRS. Susan stressed the need for parental involvement in treatment services. Jack O'Connell asked if family involvement is being tracked for youth involved in Gun Court. Chandlee Kuhn stated that although it is rare for a parent not to show for a hearing, it is important to look for ways to engage the parent and keep them involved. It was suggested that the social workers involved with the drug court be consulted for ideas. Jack suggested obtaining information on the source of the firearm and the youth's motivation for carrying a firearm as additional data elements to consider.

ICJ State Council

Susan Burns provided an update on the new federal regulations on the Interstate Compact for Juveniles. According to the Interstate Compact, each state shall create a State Council for Interstate Juvenile Supervision. In an effort to avoid the creation of a separate Council, Susan asked the Collaborative to consider establishing a formal

structure for the ICJ State Council under the umbrella of the Juvenile Justice Collaborative. The State Council will advise and provide oversight and advocacy regarding policy, procedures, and compliance with the Compact. Chandlee Kuhn suggested that Susan inquire as to if the Council would need to be established through an Executive Order from the Governor. Susan will follow up with Secretary Rapposelli as to next steps.

Agency Updates/New Business

Charles Madden distributed copies of the Hope Commission's recent newsletter. Additional copies or information on the Hope Commission can be requested through their website: www.wilmingtonhopecommission.org.

Carlyse Giddins provided follow-up information regarding how Delaware defines recidivism. Carlyse raised the issue at the April Leadership meeting and subsequently met with Jack O'Connell. Carlyse is in agreement with continuing to define recidivism as "felony re-arrest" in an effort to build upon the data that has been collected over the past several years and formally withdraws her request for consideration of a new definition.

Carlyse stated that the DYRS Action Plan for 2009-2012 has been released and includes the initiatives of the Collaborative. The plan can be viewed by accessing the link below:

http://kids.delaware.gov/docs/yrs_Action%20Plan_20090603.doc

The meeting adjourned at 11:25am.

Attendance Sheet attached.

The next meeting is scheduled for:

Thursday, September 10

10am-12pm

DSCYF Administration Building, Room 199

In Attendance:

Jim Adams, Department of Justice
Tim Brandau, Child Inc.
Susan Burns, DSCYF
Allison Cassidy, Delaware Girls Initiative
Susan Cycyk, DSCYF
Patricia Dailey Lewis, Department of Justice
Darryl Dawson, DSCYF
Lisa DiBuo, Family Court
Lisa DiStefano, DSCYF
Aileen Fink, DSCYF
Carlyse Giddins, DSCYF
David Jones, Family Court
Nicholas Krayner, Office of the Child Advocate
Chandlee Kuhn, Family Court
Janet Leban, Delaware Center for Justice
Charles Madden, Hope Commission
Alison McGonigal, Coordinator
Annette Miller, DSCYF
Andrea Mills, Family Court
Lisa Minutola, Office of Public Defender
Jack O'Connell, Statistical Analysis Center
John Polk, JP Court
Susan Radecki, DSCYF
Mitchell Rock, DSCYF
Jorge Rodriguez, Statistical Analysis Center
Carl Schnee, YMCA
Rick Shaw, DSCYF
John Stevenson, DSCYF
Dawn Williams, Office of Public Defender