



# Juvenile Justice System in Delaware 2012:

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 ***The Little Engine That Could***

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**The Comprehensive Strategy Group LLC** is a consultant group that believes that there is a practical solution to the problems plaguing today's juvenile justice service systems which involves using evidence-based services, best practice standards, state-of-the-art management tools, and integrating current research. CSG provides training, evaluation, and consulting services designed to creatively enhance the quality of juvenile justice, improve outcomes, and strengthen juveniles and their families.

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## Executive Summary

**The Delaware juvenile justice system** has a remarkable scorecard of accomplishments (shown below) over the past decade with very limited resources. And the juvenile delinquency load is heavy, because of a sizeable cadre of serious, violent, and chronic juvenile offenders. Yet Delaware's juvenile justice leadership has managed to improve system effectiveness while achieving a more balanced system of justice. The system should be nationally recognized for these reforms, as Delaware has accomplished what other states aspire to achieve. Given Delaware's small size and limited resources, the story of "The Little Engine That Could" comes to mind. Few juvenile justice systems achieve the level of interagency collaboration and service integration that is now everyday practice in the state. In other states that have active collaborative mechanisms, participants are willing to put their resources on the table, but it is rare when the funding attached to services they provide remain on the table once their hands are pulled away. This is not so in Delaware.

The heart of the Delaware juvenile justice system is the **Division of Youth Rehabilitative Services (DYRS)**, one of three service divisions within the **Department of Services for Children, Youth and Their Families (DSCYF)**. Collaborative and integrated services are naturally enhanced because DYRS is co-located in the DSCYF with two other child and family serving agencies, the **Division of Family Services (DFS)** and the **Division of Prevention and Behavioral Health Services (DPBHS)**. Most states can only dream of this level of service integration and long for the seamless manner in which family and child service needs are met in Delaware. Another key component that extends across these agencies and many others is the statewide **Juvenile Justice Collaborative**, the mission of which is to establish a more effective and efficient juvenile justice system. Bound together by a common mission, these entities have achieved noteworthy milestones that are documented in this report. Only a few of these are highlighted in this Executive Summary.

In the early to mid 1990's, juvenile justice system reforms nationwide were sparked by a "get tough" legislation movement that transferred large numbers of juvenile offenders to the adult criminal justice system. In Delaware, this inadvertently resulted in significant overcrowding of juvenile detention facilities while hearings to transfer many of these youth back to the Family Court were pending. The success of reforms in this arena led to important changes on two other fronts, in both secure juvenile correctional facilities and interagency collaboration in serving youth and their families.

A "Community Services Restructure" plan has also been adopted in Delaware, a development which has radically changed the culture from a predominant focus on punishment to a focus on rehabilitation. This change follows the latest research and thinking in the field of juvenile justice and evidence-based practices. In Delaware, placements have been expedited, and priority placed on providing community-based services for all but the small proportion of serious and violent offenders who require secure confinement for brief periods in the interests of both public safety and rehabilitation. At the same time, emphasis has been placed on family engagement and reunification. Low risk offenders are provided services in their communities, while reserving the manpower resources of the juvenile justice system for more serious and violent offenders. Important service delivery improvements, designed to make DYRS programs more evidence-based, in conformance with the highest national standards, have been adopted. This strategic re-alignment of Delaware's juvenile justice system is near completion.

This report is an independent short-term assessment of the performance of Delaware’s juvenile justice system, with a focus on DYRS and its coordination with other Delaware agencies and service providers. As shown in the methods section of this report, the Comprehensive Strategy Group reviewed historical and current reports, gathered information and data on programs and services, and interviewed more than 30 State juvenile justice system stakeholders. Based on these sources we make several recommendations for further juvenile justice system improvements.

Once the recommended steps are taken, Delaware’s juvenile justice system should be positioned to serve as a model for predominant reliance on prevention and early intervention with community-based services while protecting the public through sanctions, supervision, and rehabilitation of juvenile offenders who are identified in an objective manner as being on a trajectory of serious and violent careers.

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## **A Scorecard for the Delaware Juvenile Justice System**

The Delaware Juvenile Justice System has earned high marks for:

- Forging a dynamic Juvenile Justice Collaborative;
- Moving to a progressive rehabilitative approach;
- Re-engineering the role and functions of juvenile probation in the community;
- Implementing progressive detention reforms;
- Improving conditions of confinement by creating a rehabilitative environment in secure settings while enhancing community and institutional safety;
- Addressing the needs of juvenile sex offenders;
- Improving mental health treatment;
- The Delaware Girls Initiative;
- Implementing a “trauma informed” system of care in the juvenile justice system;
- Addressing gaps in services by contracting for evidence-based services;
- Adopting some of the essential structured decision making tools for management of juvenile offenders, including a risk and needs assessment tool;
- Providing vision focused leadership and excellent communication with the workforce, stakeholders and partners;
- Facilitating a highly motivated workforce supported by agency administrators: and
- Collaborating with federal and state stakeholders to garner support for new business models and reforms.

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### 1.1 Documenting Delaware’s Progress

This report documents the state of Delaware’s progress in improving its juvenile justice system over the past decade, with a focus on its success in implementing recent cost effective and evidence-based reform efforts. While much progress has occurred, continuing progress in a time of staff shortages and fiscal austerity due to state budget constraints will require all players in the Delaware juvenile justice system to rededicate their efforts, build and maintain collaborations, foster innovation, and identify additional cost effective methods to achieve critical program goals.

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### 1.2 The Delaware Department of Services for Children, Youth and Their Families (DSCYF)

The **Delaware Department of Services for Children, Youth and Their Families (DSCYF)** is very well structured for the multiple purposes it serves, including: adoption; strengthening families and nurturing abused, neglected, and abandoned children; providing children’s mental and behavioral health services, protecting the public from crimes committed by juveniles; holding these offenders accountable; and preparing them to lead productive lives as law-abiding citizens.

#### 1.2.a. DSCYF Divisions

The **Division of Youth Rehabilitative Services (DYRS)** is one of three service divisions within DSCYF. The other divisions are the **Division of Family Services (DFS)** and the **Division of Prevention and Behavioral Health Services (DPBHS)**.

DFS investigates complaints about child abuse and neglect, with a focus on the protection, safety and permanency plan of children as the first priority. It also provides foster care services, child care licensing, and child and family services designed to reunite families whenever possible.

In addition to providing access to an array of behavioral health services, DPBHS is responsible for community-based prevention services targeting the broad spectrum of risk reduction for children and families, including delinquency. During the current Administration, DSCYF has restructured in order to enhance coordination of services provided by the 3 Divisions to Delaware’s children and families. The impact of this restructuring is evident throughout the juvenile justice service system. For example, DPBHS staff provides direct services and staff consultation for confined youth, as well as training for DYRS facility staff.

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### 1.3 Common Techniques and Best Practices

There are multiple areas where approaches across DSCYF divisions are unified by common techniques and best practices such as family engagement using motivational interviewing and a trauma informed system of care. The organization, as a whole, has embraced evidence-based practices. DSCYF’s **Division of Management Support Services (DMSS)** supports the direct service divisions by ensuring those who work on the front line have the supports they need to do the challenging and demanding work involved

in addressing the complex needs of Delaware’s children. Current efforts include an overhaul of the case management information system—FACTS II—to reflect this unified service approach for families and children, using common identifiers and standardizing data collection criteria.

Delaware’s efforts to create a “One Delaware” approach to coordination of service delivery go a long way in supporting a cohesive system of care across the child services system and toward creating a culture of positive youth and family development.

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## 1.4 DYRS Functions

The Delaware juvenile justice system is a little engine that pulls a heavy load. DYRS alone serves approximately 5,000 delinquent youth per year, 3,000 of whom are served through community-based services. Approximately 2,000 youth are served in detention or residential commitment programs. The focus of the juvenile justice system has shifted to a rehabilitative model which is aligned with the overall goals of DSCYF, and this is evident in the continuum of prevention, community-based, and confinement services available to youth in the juvenile justice system.

DYRS Family Court Liaisons provide a central point of contact with families and between DSCYF service divisions and the Courts when a youth becomes involved with the juvenile justice system. The **Family Court Liaison Unit** was moved into DYRS in 2010 because its role is aligned with the DYRS mission and vision. Liaisons perform intake functions and make recommendations to the Court regarding community-based resources and programs.

Liaisons’ duties also include: providing information and referrals to families regarding Department and community-based services, supports, programs, and resources offered by DSCYF; representing DSCYF during Court proceedings and providing recommendations from a holistic, departmental perspective that support positive outcomes within a system of care framework; and enhancing effective communication between DSCYF and the Family Court.

Community Services are a key part of the DYRS continuum, serving youth who have been adjudicated delinquent and ordered by the Court to complete community supervision requirements. The **Community Services Unit** provides pre-adjudication, probation and aftercare services to roughly 3,000 youth per year. There are a total of 11 Community Services office locations across the state of Delaware. Many services are provided through Department contracted community-based and residential treatment programs that match youth and family needs. DYRS recently expanded community-based treatment interventions for adjudicated youth who are on probation and aftercare under new contracts for Level II and III services. Providers are expected to provide a combination of evidence-based and promising practice services and interventions.

The Community Services team works with youth and families to promote positive outcomes and successful completion of community supervision requirements. Family engagement and strengthening families are important hallmarks of Delaware’s system. Youth are served in programs that provide the least-restrictive environment, closest to their place of residence, through use of evidence-based practices and graduated sanctions as needed. Services are offered to youth and families with a focus on reducing risk of re-offense while providing youth and their families with an opportunity to both develop new skills and build on their strengths.

DYRS operates two secure detention centers for pre-adjudicated youth: the 64 bed New Castle County Detention Center (NCCDC) and the 55 bed William Marion Stevenson House Detention Center in

Milford. Both facilities are accredited by the American Correctional Association (ACA), the national organization that sets standards for adult and juvenile correctional facilities. The Division serves youth up to the age of 18 at the time a delinquent offense was committed.

DYRS also has four residential treatment facilities that have a range of bed-based services and capacities of 14 to 72 youth. Grace Cottage is a Level IV (staff secure) residential program focusing on the unique treatment needs of adolescent females in a safe, gender-sensitive environment. Additionally, Snowden Cottage, a 15-bed Level IV facility, is designed to address the needs of adjudicated male adolescents, assisting them in making a successful transition to the community. Both Grace and Snowden Cottages have a 90 day minimum stay. Mowlds Cottage is a Level IV transition program that houses male adjudicated youth who have completed the Ferris School program. Mowlds Cottage also accommodates short-term commitments for youth on aftercare program supervision who have been committed by the Family Court. The average length of stay is six weeks.

The DYRS Residential Cottages began program performance measurement in April 2012 as a part of the Council of Juvenile Correctional Administrators Learning Institute's Community-based standards (CJCA CbS) program, the only national standards process for juvenile residential treatment programs.<sup>1</sup>

Ferris School is a lock secure (Level V), ACA accredited, treatment facility providing services for up to 72 court committed males, ages 13 – 18. The average length of stay is six months, followed by a six week transition program at Mowlds Cottage. Youth committed to Ferris are identified as serious and/or chronic repeat offenders, who pose a risk to themselves or others and require intensive rehabilitative treatment. Ferris offers a structured learning environment that integrates all elements of rehabilitation: education, programming, treatment, and therapeutic clinical programs. Ferris has a licensed Drug and Alcohol Residential Treatment program within the facility, The Turning Point Treatment Program.

With both medical and dental healthcare providers fully integrated within DYRS secure care facilities, the Division continues to make quality improvements in the continuum of care. Youth served have benefitted from these state-of-the-art medical and dental services, some receiving dental care for the first time in their lives.

The **Educational Services Unit** provides comprehensive educational programs in both DPBHS and DYRS facilities. Programming is year round and is appropriate to each child's age, abilities, developmental stages, and placement. It is the responsibility of the Educational Services Unit to provide "*Educational Excellence for Every Student, Every Day*".

Once a student enters any one of the facilities, he/she is enrolled in the school program. Like all Delaware schools, attendance is required and recorded, grades (credits) are earned and report cards are administered. School programs are typically full-day and comparable to a public school schedule. Teachers are certified by Delaware's Department of Education. Special education and Title I programs are provided as needed and in accordance with state and federal regulations.

Approximately 10% of Delaware's committed juvenile residential population is served out of state through contracts and agreements. Many of the youth served out of state are sex offenders because Delaware does not currently have a residential sex offender treatment program.

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<sup>1</sup> The goal of the CJCA CbS program is to establish and sustain systems for continuous improvement and accountability. The standards address the areas of safety, mental health, programming, justice, health, reintegration, and security. Measurement consists of monthly data performance snapshots across each of the national standards, quarterly record reviews, and surveys of youth, families, and all staff who have direct contact with the youth in care

Not all juveniles are processed in the juvenile justice system. Youthful offenders ages 13 to 18 at the time the offense was committed may be deemed not amenable to the Family Court based upon either statutory requirements of the instant offense, and (or) their criminal and service history. Youth being prosecuted in the adult criminal court are transferred to and served under the state's Department of Corrections in a segregated living unit referred to as the Young Criminal Offenders Program.

## —Section 2. Delaware Juvenile Justice System Structure

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### 2.1 Overview

The **Delaware Juvenile Justice System (JJS)** has a structure that includes a state-administered system under a single agency (DSCYF), which serves the needs of children, youth, and families. Within this framework, Delaware has advanced some of the forward-most aspects in working with families holistically. These advancements include efforts to achieve a high degree of collaboration between the courts and services, engagement of families in case planning, ready access to early intervention and treatment services, implementation of state of the art risk and needs assessments, and the development of evidence-based contracted services that are designed to meet the identified needs of youth and families.

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### 2.2 Delaware Family Court

The **Delaware Family Court** is a unified statewide court with branches in New Castle County at Wilmington, Kent County at Dover, and Sussex County at Georgetown. Juveniles, defined as youth under the age of 18, are not considered "criminals" [except as specified in 10 Del. C. § 1010]. Family Court operates in the best interest of the child. Under certain conditions, the Family Court may order a juvenile to detention or other placement. Before deciding to place a juvenile in secure detention, judicial officers must consider all other less restrictive options.

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### 2.3 Justices of the Peace

Justices of the Peace hear cases brought in after regular Family Court hours, including nights and weekends. The **Justice of the Peace (JP) Courts** conduct original bail hearings which are reviewed by Family Court the next court day. The process is consistent throughout the state.

JP Courts are authorized by the Constitution of Delaware, Article IV, Section 1. The JP Courts are Delaware's entry-level courts through which the great majority of all criminal cases enter the justice system. The criminal jurisdiction of the JP Courts includes, but is not limited to, criminal misdemeanor cases as listed in 11 Del.C. § 2702 and all other criminal violations. As it pertains to juveniles, JP Courts handle truancy cases and have limited jurisdiction for other juvenile misdemeanor offenses.

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## 2.4 Delaware Department of Justice

The **Family Division** of the **Delaware Department of Justice** is focused on protecting Delaware's families by securing justice for victims of domestic violence, and is responsible for handling cases involving child protection, child support, juvenile delinquency, and truancy. The Family Division prosecutes most crimes committed by juveniles except certain serious offenses, including murder and first degree rape. The Juvenile Delinquency and Truancy Unit prosecutes some 7,000 cases per year. Nine Deputy Attorneys General prosecute juvenile delinquency cases.

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## 2.5 Public Defenders' Office

Delaware's **Public Defenders' Office (PDO)** provides representation to adults in misdemeanor cases involving domestic violence or child victims. It also represents adults at violation of probation hearings. The PDO's **Family Court Unit** attorneys also provide representation of juveniles in criminal cases which include felonies, misdemeanors, bail hearings, amenability hearings, preliminary hearings and violations of probation. For both indigent adults and juveniles, it provides representation through every stage of the process from arraignment through trial and appeal, if necessary. The PDO trial attorneys also represent juveniles in the Justice of the Peace Courts who are charged with Contempt of a Truancy Order. These charges are handled by the Family Court Unit in the county in which the offense occurred.

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## 2.6 Criminal Justice Council

The Delaware **Criminal Justice Council (CJC)** is an independent body committed to leading the justice system through a collaborative approach that calls upon the experience and creativity of the Council, all components of the justice system (adults and juveniles), and the community. The **Council** consists of 26 members (or their designees) as represented by the Supreme Court, Superior Court, Chief Judge of Family Court, Chief Magistrate of the Justice of the Peace Courts, Attorney General, Public Defender, Commissioner of the Department of Correction (DOC), Director of the Division of Youth Rehabilitative Services, Chairperson of the Board of Parole, Superintendent of the State Police, Chief of the New Castle County Police Department, Chief of Wilmington Police Department, Chairperson of the Delaware's Police Chiefs Council, Chief Medical Examiner, Secretary of the Department of Health and Social Services, Secretary of Labor, US Attorney for the District of Delaware, Secretary of Education, Secretary of the Department of Technology and Information, Chief Judge of the Court of Common Pleas, Secretary of Public Safety, a sitting judge of the US District Court, and four at large members who serve at the pleasure of the Governor for five-year terms. The Council is chaired by the Lieutenant Governor.

In July 2011, the Delaware **Statistical Analysis Center (SAC)** was realigned under the CJC. The SAC provides the Governor, Legislature, and criminal justice agencies with objective research, analysis and projections relating to criminal and juvenile justice issues in order to improve the effectiveness of policymaking, program development, planning, and reporting as delineated in Delaware Code, Chapter 89, Sections 8901 – 8905.

## Guiding Framework for Delaware Juvenile Justice System Reform

### 3.1 Charting the Course of Reform

Beginning nearly a decade ago, a series of troubling circumstances involving the treatment of juvenile offenders in the Delaware juvenile justice system led to a “chain reaction” of reform. The initial stimulus was a backlash against House Bill (HB) 210, “get tough” legislation enacted in 2003 that resulted in the transfer of a large number of juvenile offenders to the criminal justice system. This, in turn, inadvertently resulted in significant overcrowding of juvenile detention facilities while hearings to transfer many of these youth back to the Family Court were pending. The success of reforms in this arena led to important changes on two other fronts, in both secure correctional facilities and interagency collaboration in serving youth and their families. Important service delivery improvements followed that were designed to make DYRS programs more evidence-based, in conformance with new standards that were spreading across the country. Fortunately, the Delaware juvenile justice system was well positioned for this major step. DYRS leadership charted the course, and a remarkable level of interagency collaboration ensured the success of system reforms that have continued to this day.

Concurrent with the debate over HB 210, the Annie E. Casey Foundation’s (AECF) Juvenile Detention Alternatives Initiative (JDAI), was invited to take a leadership role in bringing stakeholders together to address another critical problem: the excessive placement of children and adolescents in Delaware’s secure detention centers. Implementation of JDAI got underway in March 2003 (JDAI News, 2004) and continues to this day.

Delaware stakeholders were galvanized around the detention issue in the aftermath of HB 210 and the resulting increase in the number of juveniles transferred to the adult criminal justice system. Specifically, HB 210 automatically transferred original jurisdiction from Family Court to the Superior Court for juveniles who were charged with 1st degree robbery and/or 1st degree assault and established a one year mandatory sentence for juveniles who were adjudicated delinquent in Family Court for possession of a firearm during commission of a felony and for 1st degree robbery. “Judges in both the Family and Superior Courts were ‘shocked and upset’ to discover that the new law resulted in children as young as 12 appearing in Superior Court and a large number of youth being ultimately returned to Family Court after lengthy stays in detention awaiting a (Superior Court) hearing” (Ward, 2009, p. 2). It soon became apparent that, instead of trying these cases in Superior Court with HB 210 mandated criminal charges, prosecutors were recommending that a majority of these youth be returned to Family Court.

Within the first few months of implementing HB 210, the population of Delaware’s two juvenile detention centers increased dramatically. Youth facing processing in the adult criminal court typically were detained, in pretrial status, for much longer than those detained for hearings in Family Court. On closer examination, it became apparent that most transfer cases were handled in essentially the same manner as before the change in the law except that some very young offenders were being unnecessarily detained for long periods before their cases were resolved. Following two years of data collection and analysis, a widely disseminated research report confirmed that a majority of juveniles who were automatically transferred to Superior Court under HB 210 remained in detention at least twice as long as necessary (Rodriguez-Labarca & O’Connell, 2005).

The Delaware General Assembly exercised strong leadership and coalesced lawmakers, advocates, judges, prosecutors, public defenders, and other juvenile justice professionals in an effort to correct the miscarriage of justice resulting from HB 210. In 2005, Senate Bill (SB) 200 was passed by the Delaware General Assembly. This law strictly limited the automatic transfer of HB 210 youth to adult criminal court.

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### 3.2 Delaware Code Reform

**Delaware Code Title 10, Section 1007** specifically outlines the offenses, by class and circumstance, under which a youth can be detained in secure detention. The statute became the basis for several of Delaware's system reform initiatives. Despite the statutory requirements, detention decisions often appeared to be subjective in nature. In an effort to assist the Courts in having objective measures to assess a youth's need for secure detention, a Risk Assessment Instrument (RAI) was developed. It is important to note that Delaware requires bail for juveniles, and that, therefore, the RAI is used as an advisory tool for the judiciary when making bail and detention determinations. Through adherence to the existing statute and utilization of the RAI, over reliance on secure detention began to diminish.

Overall, JDAI produced a 27% reduction in the average daily juvenile detention population by mid-2009 (AECF, 2009, p. 15). A Delaware SAC review (O'Connell & Rodriguez-Labarca, 2010, p. 3) found that the March 2010 population was 77 youth in detention—65% of the 119 bed capacity. Average daily populations in the detention centers continued to decline in 2010, by a total of 48% from 2003, with overall admissions decreasing by 60% compared to 2003, DYRS's baseline reporting year (Juvenile Justice Collaborative Results Report, March, 2012).

## —Section 4. Juvenile Justice Collaborative

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### 4.1 Moving Forward

Upon achieving reduced detention populations, the JDAI stakeholder group reorganized in January 2009 as the **Juvenile Justice Collaborative (JJC)** in an effort to implement additional reforms across the larger juvenile justice system. The JJC's goal is to establish a more effective and efficient juvenile justice system in Delaware (Juvenile Justice Collaborative Results Report, March, 2012). The JJC is comprised of representatives from DSCYF, Family Court, Justice of the Peace Court (JP), Delaware Center for Justice, Office of the Public Defender, Department of Justice, Criminal Justice Council, Department of Education, law enforcement, and other juvenile justice stakeholders representing Delaware community-based organizations and agencies.

The level of collaboration and the success of coordinated efforts were evident during the onsite interviews conducted by the Comprehensive Strategy Group. Interviewees consistently noted the improvement in coordination and service responsiveness. The mutual respect within the Collaboration was notable. One noted outcome was that there is less lag time between disposition and the initiation of services.

In 2009, the Collaborative drafted an amendment to Delaware Code Title 10, Section 1007, which was signed into law on July 12, 2010. The amendment authorized the admission of youth who have committed violent misdemeanor offenses against their parent/guardian or staff within a non-secure

detention environment, youth who have escaped from a non-secure detention placement, and youth who have breached an order for conditional release. Prior to seeking the amendment, the JJC reviewed these circumstances and approved them as being appropriate for secure detention. Since the amendment was enacted, there have not been any identified instances of abuse of the use of secure detention under these circumstances. The Family Court and the Justice of the Peace Court continue to consider and utilize less restrictive options when appropriate and to monitor override decisions authorized under the RAI.

The JDAI/JJC efforts have resulted in streamlined case processing and the development of specialized courts: Mental Health Courts, including statewide expansion; Drug Courts; and Gun Courts, including a Gun Violence Prevention Program for Level IV Cottages and Ferris School. These efforts have also resulted in targeted interventions and supervision, legislative changes around school codes of conduct, and mandatory reporting for school-based offenses. Conditions of confinement have been enhanced through the elimination of overcrowding, improvements in the physical plant of facilities, and enhanced rehabilitative and educational services within the residential facilities. This major initiative is described in the next section, “Improved Services in Secure Care Facilities”.

With assistance from the JDAI Team Leader, the JJC made a renewed commitment to systematically examine policies and practices across the system that may create disparities for youth of color. The Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974 (P.L. 93-415) as amended (42 U.S.C. Sec. 5633[a][23]) requires that states receiving JJDP Act formula grants provide assurances that they will develop and implement plans to reduce the overrepresentation of minorities in the juvenile justice system—that is, where the proportion of minority youth at different points in the system exceeds the proportion those minority groups represent in the general population. Each state must apply the OJJDP Relative Rate Index (RRI) in making this determination.

A subcommittee was convened to work in collaboration with the **Delaware Juvenile Justice Advisory Group’s Disproportionate Minority Contact (DMC) Committee** to review statewide demographics and Relative Rate Index (RRI) values. Their intent is to focus more broadly on system reform strategies with the goal of establishing a more effective and efficient juvenile justice system.

## —Section 5. DYRS Reform

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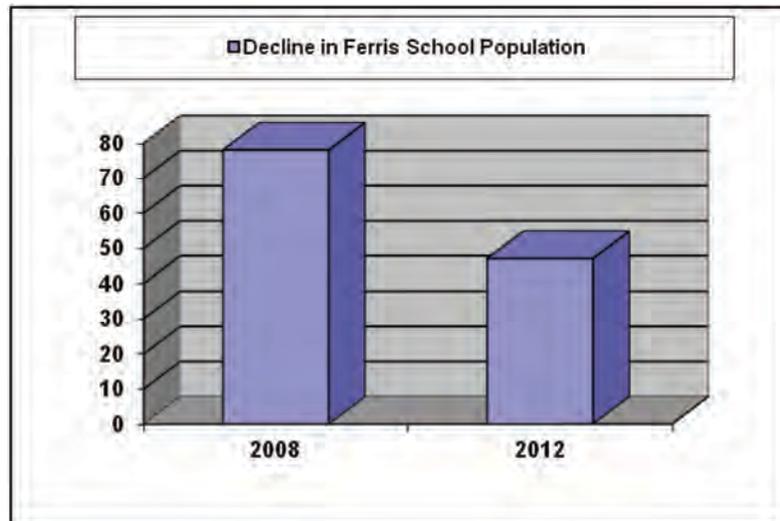
### 5.1 Four Year Action Plan

In 2009, the DYRS Director announced a four-year action plan, developed by DYRS senior leadership, which provided a blueprint for DYRS system-wide reforms. Major goals and accomplishments of the reform initiative are highlighted below.

#### 5.1.a. Improved Services in Secure Care Facilities

DYRS Level V facilities are American Correctional Association (ACA) certified. In addition, a thorough self-inspection, using ACA modeled tools, was undertaken by DYRS in 2009 to identify areas needing improvement in each residential facility. Program improvement plans were then developed. These plans guide improvements in service delivery to the clients and their families, staff, and the juvenile justice community.

One aspect of the DYRS reform is to assure that youth committed to Level V (Ferris) are youth who match risk and needs criteria: 1) identified as serious, violent and/or chronic repeat offenders, 2) pose a risk to themselves or others, and 3) require intensive rehabilitative treatment. Lower level offenders are no longer placed in these facilities; rather, these youth are served in less restrictive treatment placements. By 2008, there was emerging evidence of the effectiveness of this juvenile justice reform strategy (Bilchik, 2008). Since then, the number of Level V placements has continued to decline and facility overcrowding is no longer a reality. The average Ferris School population in FY 2008 was 78 youth. The average population in March 2012 was 47 youth, a 40% reduction over just 4 years (See *Figure 1*).



**Figure 1**

To be sure, the DYRS facility self imposed inspection requirements set very high standards. In conjunction with the facility self-assessment, DYRS completed a review of its behavioral management system. The previous system was replaced in 2010 with the nationally recognized Cognitive Behavior Training (CBT) system. In addition to DYRS staff training, other disciplines (Medical, Education, Mental Health and Substance Abuse) were cross-trained in the model. The updated CBT behavioral management system is now implemented in all DYRS facilities. Care has been taken to assure initial training of staff by national experts and in the development of procedures to guide DYRS staff. Interviewees expressed confidence in this model and noted positive changes in esprit de corps and enhanced safety for both staff and juveniles. This was observed during a tour of the New Castle County detention facility.

DYRS has undertaken a “continuous quality improvement” effort designed to strengthen facility-based programs and services. Treatment plans now emphasize the importance of family engagement within secure care and by Community Services staff to reduce recidivism rates and enhance youth’s successful reintegration into the community. DYRS has also adopted re-entry strategies that are aligned with the Governor’s adult re-entry initiative

#### **5.1.b. Detention Improvements: Changes in System Flow**

The overall DYRS lock-secure detention population has decreased significantly from 2008 to 2011, with this decrease largely accounted for by a decrease in both detention admissions and

in the average daily population of the detention centers (Weidlein-Crist, 2012). The previously over-capacity lock-secure detention facilities, the New Castle County Detention Center and the William Marion Stevenson House Detention Center (Stevenson House), currently operate below capacity. Each of these detention facilities house non-adjudicated male and female youth and provide academic education, psycho-educational programs, medical, dental and psychological services.

While pre-adjudication detention admissions decreased 21% during the 4-year period of the Criminal Justice Council study, post adjudication commitments to Level V and Level IV declined even more significantly, with decreases of 58% and 30%, respectively. The average daily population of the detention centers dropped from 120 in the last quarter of 2008 to 73 in the same quarter of 2011—a decrease of 40%.

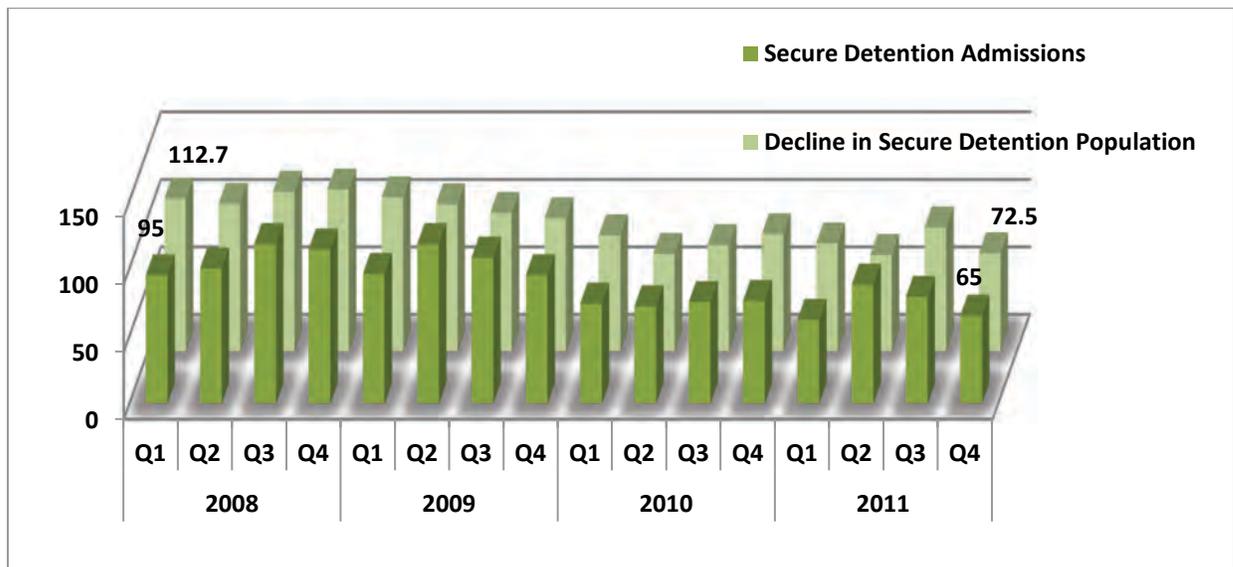


Figure 2

The overwhelming majority of juveniles spend less than 30 days in DYRS facilities (70%). Of those juveniles who spend more than 30 days in detention, the stays are post-adjudication for felonies, violations of probation (VOP) or misdemeanor and VOP offenses, and administrative holds. Only 2% of juveniles spend more than 30 days in secure detention for administrative holds.

In the fourth quarter of 2011, felony detention admissions accounted for 42% of the juveniles who were detained, down from 57% in 2008, although this proportion fluctuated between 40% and 60% over the 4-year period. Almost one in five (19%) detention admissions in the last quarter of 2011 were for VOP. A consistent pattern is evident: Felony offenders have longer lengths of stay for public safety purposes, further assessment, and appropriate placements for more intensive services.

The majority of secure detention admissions are Black juveniles (ranging from 60% to 75% across the 4-year period). Hispanic juveniles make up only 6% to 8% of secure detention

admissions. This skewed distribution is not unexpected given the disproportionate arrests of Black youth for felony and violent offenses in Wilmington and New Castle County.

Females comprised 20% to 35% of all admissions across the 4-year period, with a decrease in female admissions in 2010, followed by an increase in 2011. However, the proportion of female admissions in the last quarter of 2008 versus the same quarter of 2011 increased from 20% to 33%.

	2008				2009				2010				2011			
	Q1	Q2	Q3	Q4												
<b>Female</b>	60	84	88	58	81	101	83	54	42	43	59	47	62	67	58	64
<b>Male</b>	270	271	313	286	227	278	228	190	154	217	239	197	206	221	216	197
<b>% Female</b>	22.2	30.9	28.1	20.3	35.7	36.3	29.9	28.4	27.3	19.8	24.7	23.9	30.1	30.3	26.9	32.5

**Figure 3**  
*Secure Detention Admissions by Sex*

The majority of juveniles admitted to secure detention across the 4-year period were between 15 and 17 years old. Only 14 admissions during this period were children ages 9-11. Thus, with few exceptions, children this age have consistently been provided with other services by DSCYF.

### 5.1.c. Interventions for Youth with Sex Offenses

One area that was just beginning to be addressed prior to the adoption of the DYRS action plan was improving case management and treatment services available to youth adjudicated delinquent for sex offenses. DYRS sought and was awarded a Comprehensive Approaches to Sex Offender Management (CASOM) grant to support the development and enhancement of comprehensive strategies for sex offender management by providing: training to all system stakeholders, including judges, commissioners, deputy attorneys general, public defenders, and department staff; training to treatment providers; and specific training for the probation officers who volunteered to form the first statewide **Inappropriate Sexual Behavior (ISB) Unit**. The ISB Unit took over the supervision of all youth identified with ISB adjudications in the state, effective in March of 2009. Since then, adjudicated youth identified for assignment to this unit have been assessed by trained clinicians using specialized diagnostic and risk assessment tools.

A key goal of the ISB Unit is to provide youth and their families with effective treatment services. The same probation officer follows each youth throughout the life of their involvement with the Division. This model also influenced DYRS' strategic planning around case assignments to probation officers in Community Services and was an important part of the Division's 4-year plan, as will be described in the "Community Services Restructure" section of this report.

As a result of the success of this grant, a second CASOM grant was awarded to the Division to secure further training across DSCYF and, in particular, to train foster parents who may be needed to provide a home for ISB youth unable to return to their homes. It is also used to train foster parents to recognize signs of possible inappropriate behaviors that need to be addressed through therapy.

It should also be noted that during the early stages of the new probation unit being formed, the Chief Judge of the Family Court commissioned a 2009 study of the state's juvenile sex offenders in which youth under DYRS care in Delaware were compared to youth in the eleven other states where the researcher (who was the primary trainer during the first CSOM grant period) had performed similar evaluations (Burton 2009). The study revealed that Delaware youth adjudicated on sex charges are noticeably younger than the samples that were reviewed in other states. In addition, ISB youth in Delaware reported very little sexually deviant interest compared to similar youth in other states.

Other research suggests that younger juveniles who sexually offend are more likely to be situational offenders, often impulsively acting inappropriately with other children or peers (Leon and colleagues, 2011). "Thus, the measures of deviant sexual interest, young age, and relative lack of adverse events reveal a picture of Delaware youth who are far removed from the 'super predator' [raising questions as to whether they] warrant residential placements in terms of treatment need or risk to the community" (p. 144).

#### **5.1.d. Community Services Restructure**

In 2011, DYRS undertook a Community Services Restructure initiative geared toward improving service delivery and system responsiveness to better meet the needs of the youth and families it serves. This is a very progressive initiative that is commonly recognized as a new frontier, most recently in a 2010 national symposium on linking juvenile offenders with evidence-based services through system-wide improvements (Lipsey, Howell, Kelly, and colleagues, 2010).

More specifically, the primary goal of the restructuring effort is to create a responsive rehabilitative system where youth receive supervision based on objective assessments of their risk to re-offend and the severity of their offense, and are also matched with services based on their needs. The reasonable expectation is that, by ensuring that youth at risk of further delinquency involvement receive needed services early on, DYRS will be able to reduce recidivism while building and promoting life skills and other protective factors which will increase youth success. This important initiative is undergirded by the adoption of state-of-the-art assessment and reporting software, the Positive Achievement Change Tool (PACT), which has been adopted by a number of states. Following adjudication and sentencing, youth and their parent(s) meet with a member of the **Assessment Unit** staff, who also research prior history with the Department, gather school information, mental health and any other historical information to complete the PACT.

In addition to their training on how to ask questions to get accurate responses on the PACT screen, all Community Services staff has received training on motivational interviewing skills to help youth reflect on their areas of interest and motivate them to address those areas positively. The PACT outcomes assist in decision making for the assessors and their supervisor regarding case assignments.

## —Section 6. An Emerging National Model

### 6.1 Delaware's Strategy

Delaware has implemented a highly innovative strategy in serving youth with low level offenses and needs.

#### 6.1.a. Response to Low to Moderate Risk Youth

One available option is to refer youth at low to moderate risk of reoffending to community-based contract providers who work with the youth, helping them to develop skills and connecting them to services in the community that can continue beyond their term of supervision. Youth served by contract service providers are not assigned to a probation officer. If the youth successfully meets the terms of the court order, the youth is discharged by Family Court. This creative process of having shared responsibility and accountability between DYRS and the service provider community has the potential to become a national model as the agency continues to track program outcomes and complete evaluations.

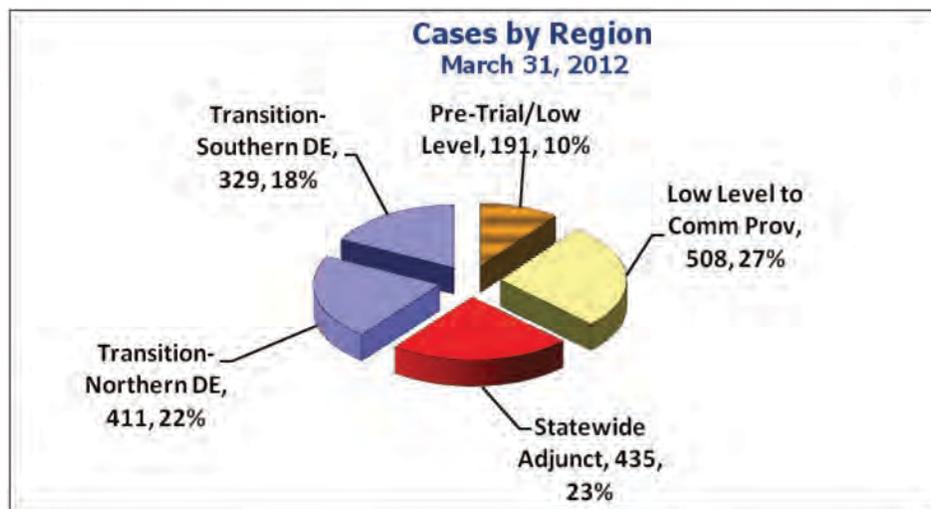


Figure 4

DYRS reports that as of March 2012, 27% of adjudicated youth on community supervision and aftercare were managed by a contract service provider. This allows DYRS probation officers to have smaller caseloads and provide more intensive service interventions to youth with higher level offenses and needs.

#### 6.1.b. More Intensive Community Based Response

A second option is to assign youth who are at moderate-high to high risk of reoffending to DYRS probation officers. Once youth are assigned to a probation officer, they continue with that probation officer throughout the life of the case. The probation officers make referrals based on

the youth’s risk level and criminogenic needs to evidence-based or promising practice services. Youth are reassessed periodically to ensure that they are connected to appropriate services. Probation Officers report back to the court on the individual case outcomes, the results of services, and the completion of the court ordered conditions.

Community-based probation officers continue services to youth adjudicated to secure or staff secure levels of commitment. They continue to work with families, remain connected to the youth, assure that the court order is followed, address review hearings, and provide court updates. Another important aspect of their work is to coordinate reentry services that are planned from the time a youth enters Ferris School, one of the Cottages, or an out of state placement. This work is facilitated by one of the critical elements of the DYRS Community Services Restructure -- lower caseload averages for probation officers.

As a result of community-based service providers supporting youth with low level offenses and needs, probation officers’ lower caseloads now allow more quality time for intensive supervision of youth with higher level of offenses and needs which ensures greater public safety. *Figure 5* reflects the decline in each probation officer’s average caseload volume, a 28% reduction, from December 2008 to March 2012.

	12/31/2008	12/31/2009	12/31/2010	12/31/2011	3/31/2012
<b>Average caseloads</b>	32	30	23	22	23
<b>Total cases</b>	2,440	2,206	1,941	1,762	1,747

**Figure5**  
*Probation Officer Average Caseload Reductions*

Community Services utilizes a sanctioning matrix to guide and assist in decisions around the filing of Violations of Probation. This instrument was developed by Community Services managers in collaboration with a Family Court commissioner, members of the Public Defender’s office and the Office of the Deputy Attorney General. The matrix helps to ensure that decisions are made uniformly after all other options have been explored and implemented as appropriate.

For youth returning to the community on Aftercare status, community re-entry services may require curfew checks, GPS ankle monitoring, and, should a youth abscond from supervision, apprehension services. These are among the services that the **Adjunct Services Unit** provides. Youth in need of these services are those who are the most serious offenders and, consequently, only this unit is authorized to carry firearms.

DYRS Community Services has implemented multiple strategies over the past several years that are aimed towards youth being served in the least restrictive environment with a strong continuum of evidenced-based services and practices to best meet their needs. It will be imperative that DYRS evaluate the effectiveness of its programs through data analysis and identification of positive youth outcomes.

## —Section 7. In the Spotlight

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### 7.1 School Zero Tolerance Policies

House Resolution #22 was passed in 2009 to create a task force to study Delaware’s laws, regulations and school district policies relating to school discipline and violations of school codes of conduct. The School Discipline Task Force final report, issued in January 2010 (see <http://www.delawareonline.com/assets/pdf/BL165015105.PDF>), detailed the unforeseen consequences of the original state legislation that was intended to create a safe, positive school environment. This “zero tolerance” approach had, instead, negatively impacted school climate, the education of youth, and placed new demands on the juvenile justice system. Redirecting the intent to allow greater discretion at the local school level and appropriate supports to better meet the needs of staff and students became a primary focus for the Task Force’s recommendations.

Other findings and recommendations of the Task Force centered on legislative changes to mandatory reporting and suspension requirements, the development of uniform codes of conduct and due process procedures for all districts, defining an intervention continuum to identify and adequately address student needs, and clearly delineating the responsibilities of School Resource Officers and school administrators around school discipline.

Upon review of the final report, the JJC agreed to support the legislative recommendations made by the Task Force and to advocate on behalf of the Department of Education regarding recommendations that focused on training, intervention programs and other school-based supports. Initial legislation was passed during the 2010 legislative session, with additional bills being submitted for consideration during the 2011 session. The 2011 legislation is designed to simplify the mandatory reporting requirements for schools in a manner that assures that serious crimes are reported, while minor offenses can be handled at the school’s discretion.

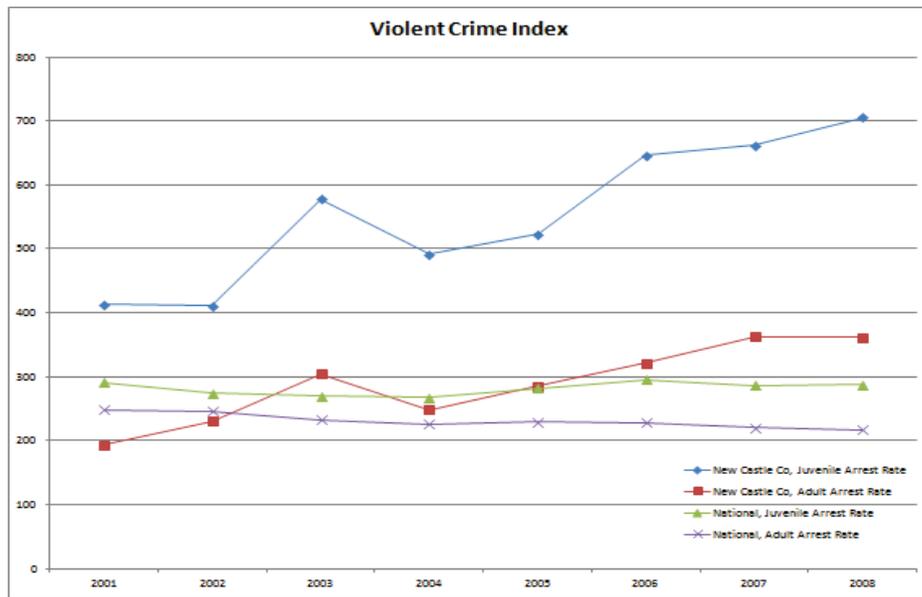
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### 7.2 Youth Violence in Wilmington: A Top Priority

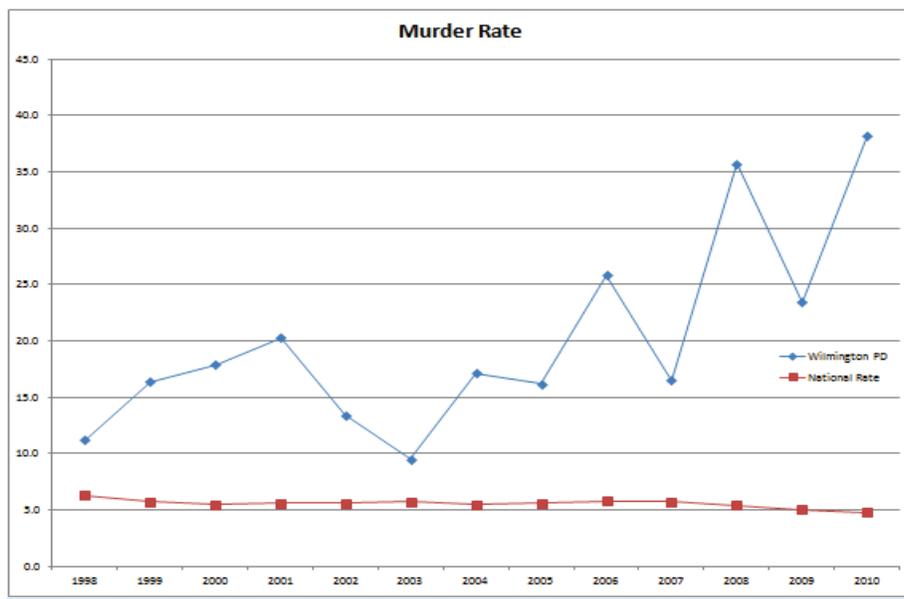
The youth violence problem in the City of Wilmington is very serious, and it appears to have a street gang component which calls for a sense of urgency to address it. CJC studies (Garrison, 2002; Kervick, 2002) documented more than 400 shootings in the city from 1996 to 2000. The age range of victims and suspects spanned ages 14 to 30, but the overwhelming majority of perpetrators and victims were between 18 and 25 years of age, including many repeat violent offenders (felony, misdemeanor, drug and weapons arrests) (Garrison and Kervick, 2005). These studies show that more than 8 out of 10 shootings in Wilmington involved young Black suspects and victims between the ages of 18 and 25. In addition, more than half of the suspects had a history of multiple felony arrests and more than one arrest for weapons violations.

More recent data indicate that the violence problem in Wilmington has expanded in recent years to encompass a broader age range of active offenders. *Figure 6* shows the violent crime rate in New Castle County in comparison with the national rate, according to FBI Uniform Crime Reports. In contrast with national rates for juveniles and adults, which are flat over the seven year period 2001-2008, both juvenile and adult violent crime rates have increased during the past few years in Wilmington.

Importantly, violent juvenile arrest rates have sharply escalated. We next examine murder rates, as demonstrated in *Figure 7*.



**Figure 6**  
*Violent crime in New Castle County in comparison with the national rate.*



**Figure 7**  
*Murder rate in Wilmington in comparison with the national rate, according to FBI Uniform Crime Reports.*

According to the FBI Supplemental Homicide Report data for 2009, one-third of Wilmington homicide offenders were 18 years of age or younger and, overall, 8 out of 10 homicides were committed with a firearm, typically a handgun. A key issue is the extent of street gang involvement in homicides and violence in Wilmington. In the 2009 National Youth Gang Survey, the Wilmington Police Department reported 8 gangs with 300 members, but only one gang-related homicide. Delaware State Police (in conjunction with the Delaware Information and

Analysis Center) identified about 1,000 members of 80 gangs in the state during 2011, up from 720 members of 79 gangs in 2010 (Chalmers, 2011). DYRS has acknowledged that gang involvement sometimes causes problems at Ferris School, Stevenson House and Delaware's other juvenile correctional facilities (Chalmers, 2011). The predominant DYRS management strategy is to separate members of rival gangs from one another to prevent tensions from turning violent.

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### 7.3 Juvenile Competency Legislation

The JJC has been instrumental in developing House Bill (HB) 253, which would amend Title 10 of the Delaware Code relating to juvenile competency. HB 253 would amend Title 10 to establish a procedure for evaluating the competency of a child for the purpose of Family Court proceedings. **This would be the state's first juvenile competency legislation, and it would move Delaware ahead of most other states** that typically use adult legal standards to gauge juveniles' competence to stand trial and their ability to waive *Miranda* rights and right to counsel. Because of developmental differences, formal legal equality results in practical inequality for juveniles in the justice system. Forensic evaluation and assessment services are currently available to the Family Court. (Note: On May 9, 2012, the Bill passed the Delaware Senate unanimously.)

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### 7.4 Civil Citation

Delaware is currently exploring the feasibility of a Civil Citation system for the state. This model offers youth the opportunity to strengthen family supports, reduces referrals to the Juvenile Justice System for minor crimes, and helps to avoid youth obtaining criminal records for low level offenses. The model was recently adopted statewide by the Florida legislature. Several members of the Delaware juvenile justice system have visited Miami-Dade and Brevard counties in Florida to review the operational aspects of those local models. The implementation of this strategy would further promote Delaware's juvenile justice reforms.

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### 7.5 Trauma Informed Care

One of the priorities identified in the DYRS four-year strategic plan was enhanced training for secure care staff. In March 2012, DYRS, in partnership with DPBHS, was selected to participate in the Juvenile Justice Mental Health Training Initiative through the National Center for Mental Health and Juvenile Justice (NCMHJJ). As noted by NCMHJJ, 43 strong applications were submitted by states and local jurisdictions across the country. Delaware's application was among the strongest received, demonstrating a commitment to improving staff knowledge in this area, and a clear plan for how this training will be institutionalized to maximize the impact. This training will be delivered to over 275 division and contracted service provider staff over the next year.

DYRS and DPBHS were also the successful recipients of a National Child Traumatic Stress Network grant for trauma and grief comprehensive therapy for adolescents in juvenile justice and probation settings. Three staff members are participating in a national training consortium that focuses on staff training, screening and assessment for trauma, using a trauma focused intervention for youth, creating an environment that is trauma sensitive with ways to help youth and staff to use skills learned, creating policies/procedures and practices consistent with creating a trauma sensitive environment (consider policies around seclusion, restraint /discipline/ bedtimes/ behavioral improvement plans), evaluating

outcomes related to dysfunctional behaviors (seclusion, restraint/threats) and evaluating clinical outcomes such as reductions in PTSD symptoms, depression and anxiety. The training will be delivered first at Ferris School and then implemented in the state's other juvenile residential facilities.

## —Section 8.

# Recommendations for Further Juvenile Justice System Improvements

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### 8.1 Assess and Address Gang Problems

Our recommendation is that a comprehensive assessment of gang problems (using the protocol provided in the OJJDP (2009a) *Guide to Assessing a Community's Youth Gang Problems*) be conducted and that the OJJDP (2009b) Comprehensive Gang Prevention, Intervention, and Suppression Model should be implemented city-wide in Wilmington. *Best Practices to Address Community Gang Problems* is also available (National Gang Center, 2010), along with a variety of effective programs (Howell, 2012). However, existing juvenile delinquency programs can effectively address early gang involvement by addressing risk and protective factors for juvenile delinquency and gang involvement if properly targeted in gang problem neighborhoods. Technical assistance may be requested from the National Gang Center.

In conjunction with the Wilmington assessment, DYRS should review results of PACT assessments to identify potential gang involved youth. This is very important because gang members have elevated rates of serious and violent juvenile delinquency and violence, particularly while actively involved in gangs. Although the PACT assessment instrument does not ask staff that administer it to determine whether or not the offender may be a gang member, two PACT questions inquire about gang involved peers. This information should be monitored closely for the purpose of selecting gang members for more intensive services and supervision, commensurate with objectively determined risk levels.

Finally, gang awareness and training in prevention and intervention should be provided to DYRS, Family Court, JJC stakeholders, correctional staff, and school officials.

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### 8.2 Fully Implement Comprehensive Strategy

**Continue to adopt and implement the OJJDP Comprehensive Strategy for Serious, Violent, and Chronic Juvenile Offenders.** The Comprehensive Strategy for Serious, Violent, and Chronic Juvenile Offenders is a forward-looking administrative framework that bases program placements and supervision upon objective risk and needs assessments, and supports individualized case management focused on improving future behavior rather than punishing past behavior. DYRS has taken several important steps toward embracing the Comprehensive Strategy philosophy, but full scale implementation is needed.

Elements of future work should include:

- Engage local stakeholders or consider legislative solutions to address educational issues pertaining to truancy, return to home school following confinement, suspensions, and expulsions.
- Provide Quality Assurance related to risk and needs assessment including an on-going validation study based on Delaware's recidivism data.

- Provide Quality Assurance related to inter-rater reliability in the implementation of PACT, supervision and on-going training to assure high quality implementation.
- Conduct capacity mapping of the available service options by targeted risk level to assure that capacity matches offender risk/needs and to quantify service gaps for future funding/development.
- Assure that there is adequate capacity to engage youth in services appropriate to their needs and avoid secure confinement by having sufficient alternatives capacity.
- Establish a systematic review of all programs using standardized measures to assure that programs are having their intended outcomes.
- Develop evidence based practice expertise within the DYRS so that contracted programs have adequate technical guidance.
- Address the gaps in measurement, data management, and analysis to create a consistent evaluation system of community and confinement services.
- Provide annual reports of DYRS performance.

The Comprehensive Strategy for Serious, Violent, and Chronic Juvenile Offenders (Wilson & Howell, 1993) promotes a statewide continuum of graduated sanctions and services that parallel offender careers. It incorporates best practice tools including validated risk and needs assessment instruments, a disposition matrix that guides placements in a manner that protects the public, and protocols for developing comprehensive treatment plans that improve the matching of effective services with offender treatment needs (Lipsey, Howell, Kelly et al., 2010).

Having been successfully implemented in several states' juvenile justice systems (Howell, 2003, 2009), the Comprehensive Strategy provides practitioners a blueprint for making disposition decisions that take into account the developmental trajectories of system-involved youth. In other words, it provides a mechanism for integrating actual risk and treatment needs with appropriate services and supervision for chronic serious and violent offenders to protect the public and promote desistance.

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### 8.3 Data Development and Management

As previously noted, the Delaware SAC was reorganized and moved under the umbrella of the Criminal Justice Council, which also serves as the state's juvenile justice advisory group. As part of the reorganization, the SAC workforce was downsized, including elimination of the position that was assigned to juvenile justice reporting. This development has left a gap of a year and a half in measuring DYRS recidivism data, although, it is noted, steps are being implemented to capture this data and a remedy to the staffing problems has been proposed. **Delaware's juvenile justice system cannot advance significantly without objective data and performance outcomes.**

Most notable for this report, DYRS is unable to quantify the results of new programming and structural improvements. DYRS recidivism reports and quarterly reports were promised by the end of February; however this has been postponed by the Criminal Justice Council. As of this writing the only report that is available is the DYRS Facility Population 2009-2011. This report includes only the small percentage of youth who are committed to DYRS confinement.

Based on a statewide assessment of the Delaware juvenile justice system, Bilchik (2008, p. 20) recommended that "there should be an ongoing stream of ... automated data that are readily available as management tools for public safety and the welfare of the affected youth. In a state that has become quite data savvy, this need can be easily met if the decision is made to do so." Unfortunately, four years later, this decision is yet to be made. Analysts specifically trained in handling juvenile justice system

data and advanced analysis techniques, and having a vested interest in the long term stability of the data systems, are needed. This is especially important now that risk assessment protocols have been instituted. The power of risk classification; reliability and validity of the data; and the macro-level analysis for management of the system is fundamentally linked to risk of recidivism. It is impossible to establish a data driven system without valid and reliable data!

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## 8.4 Dispositional Matrix/Guidelines

**A more robust dispositional grid that considers the full range of placement decisions is strongly advised.** The stakeholders group has begun to consider revisions to the Juvenile Dispositional Guidelines. This is timely with the implementation of the risk and needs assessment process. The goal of a dispositional matrix should be to create a consensus driven guide with respect to the placement of youth within the resource continuum and Delaware’s sanctions level system. During the interviews with system stakeholders, it was noted that judicial districts have widely varying practices with respect to the duration of probation services and the level of sanctions.

The dispositional matrix should provide general guidance in how to identify the least restrictive environment in an objective manner which is also helpful in addressing DMC. It is very important that a matrix model provide for flexibility, especially in consideration of both aggravating and mitigating circumstances, and be couched in the language of guidelines. Delaware has an excellent foundation in Title 10 of the Code for developing and adhering to dispositional guidelines that are non-adversarial and consider the best interest of the child as well as the nature of their offenses.

We also are concerned that the violent felony or non-violent felony is a trigger for level IV and V confinement. This may be the best understanding at this time; but a wider dispositional grid could provide for a broader range of options for the one-time felony where situations escalated, versus serious intentional assaults.

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## 8.5 Other Key Priorities / Initiatives

**It is of critical importance that existing program priorities and initiatives continue to be aggressively implemented,** including:

- establishing and expanding viable alternatives to predispositional detention while continuing efforts to address disproportionate minority contact (DMC);
- addressing public school-juvenile justice system coordination to interrupt the “school to juvenile justice pipeline” by addressing truancy, expulsions, overuse of alternative schools, high dropout rates, etc.;
- pursuing reform in juvenile sex offender registration;
- expansion of evidence-based prevention and early intervention programs;
- maintaining the quality of defender services for juvenile offenders;
- enhancing probation services through permanent staffing, training, staff recognition, and caseload standards;
- evaluation and expansion of specialized courts and court services;
- enhanced services for female offenders (Delaware Girls Initiative);
- expansion of foster care services and eligibility to age 21;
- implementation of FACTS II, and many others that are not specifically noted as recommendations above.

## —Conclusion

**The Delaware Model** is one that reflects a vision of how a state can meet the needs of children, youth and families in a unified, comprehensive, compassionate and cost effective manner. The belief in family and adolescents' capacity for change and in the strength of communities is evident in the structure of the system of care. Collaboration and partnership among system agencies and stakeholders suggest that these values are universally embraced. The evidence of the effectiveness of this approach is mirrored in the enthusiasm of staff, children and families who informed this report. The genuine investment in the well-being of Delaware's children and urgency to be excellent is a model platform on which to launch future efforts.

At the outset we characterized Delaware's juvenile justice system as "The Little Engine That Could." This report references many impressive system reforms and improvements that have been accomplished in recent years. Remarkably, many obstacles have been overcome with few resources. We underscored the critical importance of the very high level of interagency collaboration and service integration that is now everyday practice in the state. The result is an explicit blueprint for moving the State to the one level higher that remains, to national recognition as a model juvenile justice system. Delaware is well-positioned to achieve this goal.

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## Study Methods

This brief assessment of the Delaware Juvenile Justice System is based on the following sources of information.

### Interviews and Consultation

- Interviews with more than 30 State stakeholders onsite on February 9-10 and follow-up phone consultation.
- Conference calls with Director Giddins and the DYRS leadership team.
- Meeting with Director Giddins and the DYRS leadership team onsite on April 30.

### Reviews of Key Reports

- Management reports and source documents of the Division of Youth Rehabilitative Services, particularly the four-year *Action Plan for 2009-2012*, the *Community Services Restructure* plan, DYRS Graduated Sanctions Response Grid, Community Supervision Matrix, and Facility Inspection and Improvement Plans;
- Juvenile Justice Collaborative Results Reports;
- Delaware Criminal Justice Council, Statistical Analysis Center reports;
- Truancy Court Annual Reports;
- Prior studies including:
  - Bilchik (2008) *Assessment of Juvenile Justice in Delaware: A Snapshot During the Period April-June 2008*;
  - Dillard (2010). *Reducing Disproportionate Minority Contact in Delaware's Juvenile Justice System*;
  - Garrison (1997). *Issues in Juvenile Justice in Delaware: Mental Health Services in the Juvenile Justice System*;
  - Garrison (2002). *Wilmington Shooting Report: A Five Year Analysis, 1996-2000*.

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## Other sources

The National Gang Center kindly provided analysis of national Delaware FBI Uniform Crime Report trend data and Wilmington Police Department responses to the National Youth Gang Survey.

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