



Juvenile Justice Collaborative

Establishing a more effective and efficient juvenile justice system

Leadership Team January 28, 2010

Minutes

In attendance: Vivian Rapposelli, Chandlee Kuhn, Carlyse Giddins, Chris Kervick, Jan Jurden, Janet Leban, Jack O'Connell, Dennis Rozumalski, Lisa Minutola, Alan Davis (telephone), Alison McGonigal.

The meeting began at 10:05am.

Review of 1007 Draft

Alan Davis completed a final draft of the proposed changes to 10 Del. Code § 1007 based on comments and suggestions received from various stakeholders. The group reviewed the final draft and proposed additional revisions for the following sections:

Current (h)/ Proposed (e):

Change the existing language from "shall require an evaluation" to "may require an evaluation..."

Current (f):

Insert into proposed draft and amend as follows:

"A detention review with counsel shall be heard within 14 days of the initial detention hearing and if detention is continued, detention review hearings shall be held thereafter at intervals not to exceed 30 days."

It was suggested that language be inserted to allow for reviews to be heard in person or via teleconference or video conference.

Current (g):

Insert into proposed draft as is currently written in statute.

Vivian and Chandlee will review and draft the desired language and forward to Alan Davis within two weeks. The final draft will also need to be forwarded to the AG's office for review and approval to ensure that all primary stakeholders are in support of the amendments.

Carlyse asked where the language noted in the proposed section (C) would be documented.

“...the Court shall state in writing the basis for its detention determination...”

Alan stated that it is currently captured on the hard file documents; however, he is currently working with DELJIS to develop an electronic form for adults. Once completed, he will inquire about doing the same for the juvenile form. Chandlee stated that Family Court will pursue using the same form for the purposes of uniform data tracking. Alan agreed that while the amended draft allows for more discretion, the court will be accountable for the new requirements.

School Discipline Task Force Report

The task force report was reviewed and a discussion initiated on how the JJC could support DOE and the recommendations of the task force. The group agreed to support the legislative recommendations pertaining to the age of the alleged offender. Lisa Minutola reported that Representative Barbieri has drafted this piece and it focuses on misdemeanor reporting and does not address felony offenses. Lisa, Drew Fennell, and the AG's office are working on the remainder of the legislative recommendations and will send to Robin Case from DOE for review. Dennis stated that advocacy will also be needed to support the other recommendations including training, programs, and other school supports.

JJC Goals for 2010

Significant progress was made in 2009 in all of the focus areas established by the Leadership team. The group discussed the current status of each group in an effort to set the goals for 2010.

Superior Court- Lisa Minutola reported that a representative from the Young Criminal Offender Program (YCOP) presented information to the committee at their last meeting and the representative has agreed to join JJC. Of particular concern is the availability of mental health services offered to the juveniles housed in YCOP. Services are currently provided through the prison and the inmates are placed in the infirmary if they are placed on precaution or require separation from the general population. The group agreed that it would be helpful to have information on the mental health services provided at Howard R. Young Correctional Institution.

Jan Jurden voiced concern regarding services being offered through the infirmary not being psychiatric or therapeutic in a nature, only measures to prevent self harm. It is also a concern that this population of youth is only provided services while in prison and not eligible for services provided at the Delaware Psychiatric Center or in the community because of their age. They are not viewed as adults by the adult mental health system and they are no longer eligible for Child Mental Health services because of their court status.

Jan will ask Jim Welch to attend the next quarterly meeting to discuss available mental health services and needs. Janet Leban suggested that now might be a good time to raise questions since the Department of Correction is currently reviewing contracts and exploring vendor options.

Lisa stated that the population of youth in the detention centers involved in Superior Court is steadily decreasing. Carlyse agreed that this is a common theme across the country with the focus shifting to community-based interventions. It will be important for us to leverage our resources accordingly and target intensive supervision at reentry.

The group agreed that the Superior Court committee could meet as needed regarding the populations and facilitate information sharing with the Department of Correction and Superior Court.

Gun Court- Jan Jurden asked if the Gun Court was currently operating under a grant and if measures have been established. Grant funding is current being reviewed and pending approval of the Juvenile Justice Advisory Group and the Criminal Justice Council board. Measures still need to be established. Judge Jurden asked if there would be an ability to follow the youth involved in Gun Court if they become involved in Superior Court. The Statistical Analysis Center has been assigned to track the data, but resources are limited. A question was raised as to the criteria in determining who stays involved in the Gun Court and who is either reassigned to a regular calendar or transferred to Superior Court. Judge Jurden stated that she has noticed a recent trend with 18 year olds charged with Possession of a Firearm by a Person Prohibited. Chandlee suggested that this could be a project for a law clerk- to coordinate the gun court model and define the data needs. Judge Jurden suggested contacting the University of Delaware or using law students who are requesting internships. A meeting will need to be coordinated with the key players including the AG, PD, Family Court, DYRS, SAC, and possibly Superior Court.

Truancy- Ed Atwood is chairing the Truancy committee and the group is meeting on a quarterly basis. The committee is focusing on three areas: 1) Contempt proceedings and progressive discipline, 2) Establishing sentencing guidelines, 3) Examining the decrease in truancy filings over the past year.

Legislation- Alan Davis will introduce the proposed amendments to 1007 during this legislative session. The Leadership team will examine legislative needs as they arise.

DMC- Alison suggested that a co-chair be appointed to assist Craig Fitzgerald with the DMC committee. This group is likely to make great strides in addressing DMC issues from a data perspective. The group made suggestions as to who might be interested in serving in this capacity. Alison will pursue some of the suggestions and bring prospects back to the team for review.

The following areas were not discussed during the meeting but will remain priorities for 2010:

- Community Services Restructuring (Community Programs Committee) – Carlyse

- Services for Youth and Families with Limited English Proficiency – Dawn Williams
- Risk Assessment Instrument- Family Court/DELJIS

Documentation of the Reform Effort

The group had a brief discussion around the need to document the accomplishments that have been made in Delaware through the JDAI partnership and the Juvenile Justice Collaborative. It was agreed that documenting the process is important and the data is available. The challenge is finding someone who has the time to dedicate to doing the work. It was suggested that the University of Delaware be contacted as a possible resource. Options will continue to be explored.

The meeting adjourned at 12:00pm.

The next **Leadership Team** meeting is scheduled for:
Wednesday, April 28
10am-12pm
DSCYF Administration Building, Room 199