

## Juvenile Justice Symposium “Transitions” Workgroup

Meeting Minutes

April 15, 2010

8:30 – 11:30 am

Commission on Children and Families—Large Conf. Room

### **Members attending in person:**

Kathie Berger, Attorney  
Don Didier, Youth Progress Association  
Steve Doell, Crime Victims United  
Al Gaines, Lane County Youth for Christ  
Gary Kilmer, Department of Corrections  
Elizabeth Levi, Metropolitan Public Defender  
Steve Llanes, Oregon Youth Authority  
Julie MacFarlane, Juvenile Rights Project  
Ed Pierson, Oregon Youth Authority  
Jess Watkins, J Bar J Boys Ranch

### **Members attending by phone:**

Greg Van Vlack, AFSCME 191  
Pam Patton, Coalition of Advocates for Equal Access for Girls  
Patricia Ramirez, Salem Keizer Public Schools

### **Members unable to attend:**

Debbie Hansen, Oregon Youth Authority  
Mark Harris, Lane Community College  
Shari Bandes, Youth and Family Mediation Program  
Nancy Allen, DHS Addictions and Mental Health Division  
Daniel Robertson, Oregon Youth Authority  
Craig Bachman, DCJ – Juvenile Services Division

### **Others in attendance:**

Helen Hoang, OYA Public Policy and Government Relations Manager  
Cherie Lingelbach, OYA JJIS Policy & Standards Coordinator  
Amanda Lowe-Davies, OYA Communications & Government Relations Assistant

### **Items of Consideration Specific to the “Transitions” Workgroup:**

- From entry into the system to exit
- Integrated case planning
- Ability of systems to communicate
- OYA to DOC
- OYA to Community
- OYA to/from Juvenile Justice to Adulthood

### **Items of Consideration to be Incorporated into All Workgroups:**

- Data-driven
- County/state roles
- Gender issues
- Victims
- Disproportionality/over-representation of minority youth in the system
- Gangs
- Brain development/research (impulse control, cause-effect)

### **MEETING AGENDA**

1. Understand Background and Directive from Steering Committee
2. Come Together as a Group
3. Clarify the Deliverables
4. Identify What is Needed to Accomplish Goals
5. Outline Process to Achieve the Goal
6. Clarify Issue Statement
7. Defining Areas of Agreement/Non-Agreement
8. Closing and Next Steps

Kathie Berger welcomed everyone to the meeting and asked the group to introduce themselves. She gave the background of the symposium, including the summits in 1994 and 2004. One of the ideas of the 2010 symposium is for everyone to get together and talk about how the system can be improved to possibly give ideas to the legislature during tight budget times. The idea is for the members of the workgroup and steering committee to look at the juvenile justice system and

decide how to improve services and communication across the entire spectrum of the system. Everyone could agree the youth should exit the system successfully without committing future crimes.

This workgroup is focused on transitions, which looks at changes for youth moving between parts of the system. This group will look at how to make those transitions as smooth as possible and ensure they are successful.

Helen Hoang gave a brief background and explained the purpose of the Juvenile Justice Symposium Steering Committee and its members; in addition, she explained the differences in the four workgroups and the charge of each individual group.

Kathie shared that the stakeholder forum held on March 16<sup>th</sup> left the steering committee with many ideas and thoughts to consider. They tried to put everything into four general themes to make sure concerns were addressed. In this workgroup, there is a focus on better case planning and preparation to ease the transition of the youth from closed custody to community or DOC.

Kathie talked about the transition from OYA to DOC and how difficult it is for the youth to use what they learned in OYA in that type of environment.

She went on to talk about the transition from OYA to the community. This presents its own difficulties as these youth are often on the outskirts of society. OYA to adulthood also has its challenges, as many youth grow up in closed custody and don't know such basics as getting a job or an apartment.

Pam Patton pointed out that OYA has transition programs, such as the Young Women's Transition Program, but many youth don't go through those programs.

Kathie's vision is to invite a diverse group of people to generate ideas on topics and areas of concern that will be addressed in the symposium. She suggested talking about all transitions and then deciding as a group what to focus on.

Helen reviewed each of the bullet points under "Items of Consideration Specific to the Transitions workgroup."

Helen provided packets of printed material, which includes detailed information with regard to statistics and the overall subject of youth offenders. All members present received this packet of information; packets will be mailed to members not attending in person. Cherie Lingelbach briefly went through the information contained in each packet.

There was discussion around required data elements in JJIS. Cherie went on to explain JJIS policies and how this applies to case planning.

Helen said that one element being consistent in each workgroup is a data-driven discussion. The information provided this morning will assist with a piece of that. She offered that if there is any more data that the group needs, please contact her.

**ACTION: Cherie will provide detailed offender data broken down by gender.**

Kathie asked the group to talk about who they feel needs to be at the table. The group suggested special education (Pat Rameriez will connect with a colleague for this), vocational specialists, juvenile department directors and detention staff (Craig Bachman), DHS – Child Welfare, OYA Community Resources Unit, a juvenile judge, district attorneys, homeless/runaway youth assistance (Pat Rameriez will talk to Salem/Keizer’s Homeless Runaway Advocate – Pam also offered OCCF), youth and/or parent (Steve Llanes offered to connect with a successful former MacLaren youth), Hispanic community leader, and volunteer/faith-based groups (Al Gaines offered to speak with Mike Langly).

There was mention of geographic diversity. Jess Watkins noted that there was no one at the table from Southern Oregon.

Helen asked the group what will be produced today to help build the momentum to the next meeting in May and what do they hope is the outcome at the Symposium.

Kathie noted that the Steering Committee’s job is not to prescribe what the workgroups will discuss and focus on. The workgroup will decide that.

Elizabeth Levi asked for more information on the current transition programs. Kathie mentioned that some youth do not go through these programs and wondered how it is decided which youth go where. Pam is interested in looking at the recidivism data from those groups to see if youth are more successful when they go through these transition programs.

**ACTION: Cherie will collect data on recidivism rates for offenders that successfully complete transition programs**

Pam also pointed out that we don’t fund transitions, we fund programs. Many times, kids fall between the cracks when there’s no support. One of her hopes for this workgroup is to show that

when you plan and fund support for transition of youth, it will ultimately save money in preventing future crimes and youth going into DOC.

Greg Van Vlack countered that OYA has many transition programs, but he does feel that sometimes they are used in the wrong way, such as OYA and DOC youth mixed together in populations. Pam agreed there should be a better way to determine which youth gets which support systems.

Steve Doell talked about how it is determined what programs work. He said that there needs to be more stringent review of programs, beyond evidence-based. Kathie noted that part of what this workgroup will discuss is what is missing. Right now there is not a lot of information on what is working and what is not. Kids need different tools to be successful – not all programs will fit every youth. Sometimes we put kids into programs or foster care homes because there is an open bed, not because it is a good fit for the youth.

Pam noted that discussion around evidence-based practices will take away from the point of the workgroup. We need to be very clear about what we're doing and being very clear about results.

There was discussion about looking at individual services and programs. Kathie noted that this is about using the resources we have in a smarter way. There was further discussion around evidence-based practices.

Pam talked about adequate training and continuing training in each of these programs.

Julie MacFarlane asked about the end-result. What is expected of the workgroup, and what will happen beyond?

Kathie responded that the Steering Committee has asked the workgroups what the symposium will be. What is the best way to get where we want to be? The Steering Committee is not prescribing anything about the symposium; they want the workgroup's input.

Steve L. noted that many of the summits he has been to have never actually effected the youth he works with. He wants this symposium to be something that will actually touch the youth in his care. He talked about his work with the youth and the personal stories of the youth. He talked about how he uses spirituality and culture to reach the kids. How do you measure that?

Kathie noted that the focus is to look at putting money into the most effective programs. We are trying to “grow” human beings, and not all things can be measured.

Ed offered that we need to deal with certain, specific transitions. He feels it is the group's responsibility to provide a framework around those transitions. In order for it to be successful, people need something to work toward. We are going to be in a historical situation with budget cuts that will put us in a place where we need to be more effective and efficient with fewer resources.

Helen revisited the charge of the symposium – to look at the juvenile justice system as a whole to see what can be done in a more efficient manner with the best outcomes. She summarized the group's discussion of having the right services for the right kid at the right time. The ultimate vision and purpose at this point is to provide information and recommendations to the Steering Committee that will, after the symposium, be shared with the legislature and the new governor. The Steering Committee will remain engaged with advocating for and monitoring the progress of these recommendations.

Kathie noted that the Steering Committee had expressed concerned with spending all of this time and money, just to produce a report that will sit on someone's desk and never go anywhere. This is a kick-off of the stakeholders taking ownership of this system. It is our job to tell the legislature what is needed, what is working and what is not working. We are the experts of this system. This includes taking ownership of what we are doing badly.

Steve D. offered that focus will be very important for these workgroups. The group needs to get down to a manageable list of topics to focus on.

The group discussed this and identified transition junctures on which to focus:

1. OYA to DOC (either sent from OYA for disciplinary reasons or aging out)
2. OYA to community, with or without parole (including a look at youth who transition via a transition camp versus those who don't)
3. County to OYA

There was discussion around age and where to cutoff adult or juvenile, including brain development. There was further discussion around where youth go when they're convicted near their 18<sup>th</sup> birthday (OYA or DOC). Julie said there should be collaboration between OYA and DOC and there should be continuity in that transition.

The group discussed the different transition groups. Greg offered that nearly 40% of OYA's parole caseload is 18 or older. Prior to the first summit, it was the juvenile parole and probation officers that provided vocational training.

Steve D. talked about failure of youth to engage. He asked about the parameters of moving youth because of behavior to DOC. Ed noted there is protocol for that move. There was discussion around the process sending a youth to DOC.

Jess asked if there is an OYA policy on moving a youth from a closed custody facility to a residential program. Ed said are not actual criteria – most often the decision is bed-driven. There is a policy and protocol for the decision; each youth must be approved by an administrative review board or an agency case review before any transition can occur.

Steve D. talked about the continuous reductions of beds in OYA and how there is a growth in the population of Oregon. He feels there needs to be advocacy around holding the number of beds steady or to increase the beds to what it used to be.

Kathie said we need to go in as a system and advocate for the entire system, not pitting against each other. There was further discussion about the lack of beds in the system. Youth realize that beds are scarce and it doesn't act as a deterrent against them committing crime.

**ACTION:**

**Cherie will get the numbers of number of youth in the three transition, including specifically youth moving into DOC custody. She will also gather the ACR policy on moving youth to DOC.**

Pam emphasized the transition programs and those youth that are over 18 years of age. Don and Jess both work with youth over 18 in the residential treatment programs. Greg pointed out that many residential programs do not take youth who are older than 18, but J Bar J is an exception. One thing we can do is revisit what worked in the past prior to Senate Bill 1.

Kathie asked, if a youth is developmentally disabled, can they go into a developmental disability (DD) program after release from closed custody? Ed and Greg confirmed that they can. It varies from county to county. Lee Lederer at OYA has that information.

**ACTION:**

**Lee Lederer will be contacted to find out how many, county by county, DD programs are available, and Cherie will try to look into how many DD youth there are.**

Steve D. talked about the range of mental illness diagnoses and how hard it is to determine where they are in the spectrum. Kathie agreed. If there are services in another area, we should be doing everything we can to ensure those services are accessed. If there are services out there, make sure those youth are actually qualified.

The group further discussed mental health issues. Cherie highlighted the numbers on this, which was outlined in the handouts provided to the group at the beginning of the meeting. There was further discussion about the data.

Kathie guided the discussion to what the group would like to accomplish before the next meeting. Don noted there is a lot of reading to do, and Cherie will also get the requested data to the group in time to review before the next meeting.

Kathie said that the DD request is probably the least important as that is a probably a very low number. She noted that the request for OYA to DOC numbers, the reasons for the transitions and the related policies are the most important information for the group to have.

**ACTION: Cherie will also provide ARB, ACR and MDT processes to the group. Gary will help provide information on youth in DOC.**

Elizabeth asked about the programs offered at OYA and DOC. Steve L. pointed out that youth know these better than anyone. The group offered that video conferencing at the next meeting might make it possible for a youth currently in closed custody to join that discussion.

Julie asked about a comparison of JCP and RNA. Cherie noted that this is being looked at in the Risk-based System workgroup. She talked about the need to have the two tools.

**ACTION: Cherie will provide JCP and RNA comparisons.**

Julie also asked about JJIS, if there is a piece of the case-plan that deals with transitions. Kathie asked if there is a way to get a sample of JJIS information for those who do not use the program. Cherie explained JJIS and where the data comes from and what kind of reports are produced. The group talked about JJIS.

**ACTION: Ed suggested to providing copies of a sample transition case plan, parole agreement and RNA.**

There was further discussion around case reviews.

Kathie noted that there is some lack of knowledge in the justice system about what happens in OYA and moving youth to DOC. There needs to be a lot of education on the legal side of what happens in the corrections and education side. Cherie noted there should also be some education around risk assessments and criminal history and how those relate to each other.

Helen asked the group to form an issue statement from the overall ideas that have emerged from the discussion.

Kathie added that the group must see this as a continued effort that does not end with the symposium.

Julie talked about getting the kids into the right place so they are not being set up for failure. This weighs heavily on transitions.

Cherie offered looking at what supports are needed to ensure a successful transition. Kathie pointed out there are two types of transitions – one we can plan for and one we cannot plan for, such as a transition to DOC for behavioral issues.

There was discussion about the latter type of transition and where the youth are housed when they go to DOC. Kathie noted that OYA and DOC are attempting to look at youth who age-out to DOC, to make that transition easier, moving them into a unit where they might know somebody. It is in a preliminary stage, but there is an ongoing conversation around this.

Don offered that our ultimate goal is reducing recidivism and Steve D. added reducing the crime rate.

Helen talked about the next meeting and looking at an analysis worksheet and figuring out what is working and not working, and looking at the product that they would like to have at the symposium.

Kathie offered that if the group has any thoughts or ideas, to contact Kathie.

**ACTION: Amanda will send out Kathie's contact information to the group.**

**NEXT MEETING: May 13, 2010**

**8:30-11:30 am**

**OYA Central Office  
530 Center Street NE, Suite 200  
Salem, Oregon 97301**

## **ADDENDUM:**

**419C.001 Purposes of juvenile justice system in delinquency cases; audits.** (1) The Legislative Assembly declares that in delinquency cases, the purposes of the Oregon juvenile justice system from apprehension forward are to protect the public and reduce juvenile delinquency and to provide fair and impartial procedures for the initiation, adjudication and disposition of allegations of delinquent conduct. The system is founded on the principles of personal responsibility, accountability and reformation within the context of public safety and restitution to the victims and to the community. The system shall provide a continuum of services that emphasize prevention of further criminal activity by the use of early and certain sanctions, reformation and rehabilitation programs and swift and decisive intervention in delinquent behavior. The system shall be open and accountable to the people of Oregon and their elected representatives.

(2)(a) Programs, policies and services shall be regularly and independently audited. Audits performed under this subsection must include program audits and performance audits, as defined in ORS 297.070. Programs, policies and services that were established before, on or after June 30, 1995, are subject to audit under this subsection.

(b) The programs, policies and services of county juvenile departments shall be subject to regular review pursuant to this subsection.

(c) The Secretary of State shall perform an audit that includes the performance of county juvenile departments.

(d) ORS 297.405 to 297.555 do not apply to an audit conducted pursuant to this subsection.

(e) Notwithstanding ORS 297.040, the costs and expenses of audits conducted under this subsection may not be charged to the county juvenile departments. The Secretary of State shall pay the costs and expenses of audits conducted under this subsection from funds available to the Secretary of State.

(3) To facilitate an audit under subsection (2) of this section:

(a) The Secretary of State may subpoena witnesses, require the production of books and papers and the rendering of reports in such manner and form as the Secretary of State requires and may do all things necessary to secure a full and thorough investigation.

(b) The custodian of information that the Secretary of State deems necessary to conduct the audit shall provide the Secretary of State or the auditor selected by the Secretary of State access to the information notwithstanding the fact that the information may be made confidential or access to the information restricted by ORS 419A.255 or another law. Information obtained by the Secretary of State or the auditor pursuant to this paragraph and made confidential by ORS 419A.255 or another law may be used by the Secretary of State, the officers and employees of the Secretary of State or the auditor solely for the purpose of performing the audit required by subsection (2) of this section and may not be used or disclosed for any other purpose. [1995 c.422 §1a; 2001 c.904 §16; 2007 c.688 §1]