

Update on API Risk & Protective Factors Study

The special issue of *Crime and Delinquency* (April edition, 2005) will contain several peer-reviewed articles that discuss some of the findings from the API Risk/Protective Factor Research Project. Two of the articles focus on main predictors of API youth delinquency and academic achievement, comparing parental, school, and peer delinquency factors. As other studies of racial and ethnic groups have found, peer delinquency was the strongest risk factor for youth delinquency, accounting for nearly 50% of the variance. For Chinese and Vietnamese youth, school engagement was a significant protective factor.

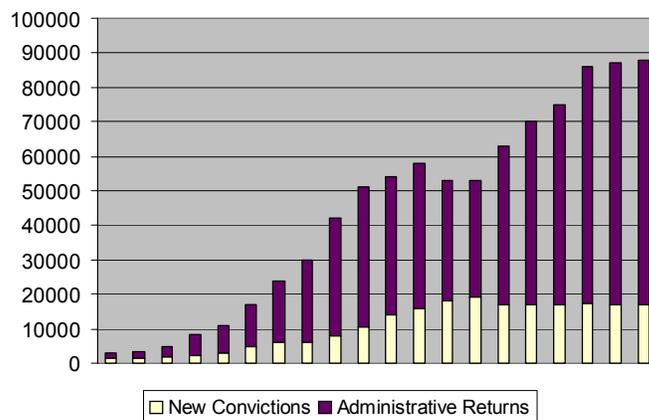
We also have several manuscripts that discuss the prevalence of API youth violence and victimization that are currently under review. One particularly interesting finding shows that API youth's self-reported violence (e.g., aggravated assault, robbery, rape) is equal to that reported by African American youth and lower than that of European American youth as illustrated in the Denver, Rochester, and Pittsburg Youth Study. API research staff are also examining culturally-related factors for

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What will it take to turn around California's system of corrections?

Some of the best and most experienced minds in the state convened in January at the Stanford Law School to express their ideas on California's prison system. The attendees came from many different arenas—academia, corrections, advocacy, policy making, the judiciary, and the media. They spent an entire day brainstorming and discussing two main topics: how to re-instill principles of rehabilitation into the corrections system, and how to govern that system.

Parole Violators Returned to Prison 1980-2000



Source: Reproduced from *Back to the Community: Safe and Sound Parole Practices*, The Little Hoover Commission, November, 2003.

The group's objective for the day was not to reach a consensus. It was to express visions, air viewpoints, and listen to different opinions. It is clear that creative thinking is needed to solve the complex and far-reaching problems of corrections in California.

There was some general agreement. This is an historically opportune moment in the state, given budget constraints, the political climate, and two decades of citizen experience with sentencing experiments such as three strikes. There is also general

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California Juvenile Corrections at the Crossroads

For 18 months in 2002-2003, I was intensely involved in a comprehensive review of the California Youth Authority (CYA) in response to a lawsuit filed by the Prison Law Office. This review involved interviews with hundreds of staff and inmates, site visits to six facilities, and an exhaustive examination of documents. I reported a number of very alarming conditions including extraordinary levels of institutional violence, frequent use of chemical restraints, excessive use of prolonged solitary confinement, the provision of educational services to some youthful inmates in cages not suitable for zoo animals, decrepit housing units, and inadequate attention to security classification. Other members of this review team documented substandard mental and physical health care, as well as major deficiencies in educational services.

Subsequent to the submission of our reports, four more CYA youths died. Three were deemed suicides and the fourth was to be investigated. Californians saw a videotaped beating of two young people by staff as other employees looked on. Another young inmate was attacked by a dog used by CYA security staff.

The path away from the tragic and unacceptable conditions and practices in CYA institutions requires several things. First, the CYA must embrace evidence-based practices. Second, the CYA must reconnect with juvenile justice officials and community leaders at the local level. Third, the CYA must become more subject to meaningful, independent scrutiny guided by objective performance standards and established legal mandates.

The best research would lead us to reduce the population of all CYA facilities and replace existing institutions with much smaller units. The CYA's own research in the 1970s showed that smaller living units were less prone to violence and produced better results. The Independent Review Panel appointed by Governor Schwarzenegger, and chaired by former Governor George Deukmejian, recommends closure of a number of

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CYA institutions and suggests a living unit size of no larger than 26 and a staff-to-youth ratio of 1 to 8—steps that would reduce the current unacceptable levels of institutional violence. No current CYA facilities can support effective juvenile correctional programs; some are decrepit, others are simply juvenile prisons. Chief security officers at each of the six largest facilities expressed to me their opinions that these places are not safe for other staff or the youth residing there. No doubt, replacing all these youth prisons would carry a hefty price tag and perhaps require a bond measure. All the more reason to reduce the CYA population. Improving the YCA will also require balancing education with high-quality counseling, increasing aftercare services, decreasing the use of solitary confinement except as a very temporary last resort, increasing

positive incentives for participating in programs, and increasing the constructive bonds between CYA youth and their families.

State juvenile justice practitioners have argued that the CYA has become increasingly isolated from local officials. Judges describe committing a youth to CYA as sending him or her into the “Bermuda Triangle.” Policies that discourage state linkages harm both the CYA and county juvenile justice programs. The CYA was once a statewide leader in strengthening local juvenile justice programs, establishing professional standards, and training community practitioners.

Knowing what we do about the deterioration of care in the CYA, Californians must resolve to never allow this situation to reoccur. A civilized society should demand no less of its public agencies. The Prison Law Office brought the problems of the CYA into bold relief; however, the citizenry cannot rely solely on outside litigation to ensure accountability. Existing civilian oversight groups lack legislative authority. The Office of the Inspector General has done little more than identify critical issues. Internal CYA investigations have been similarly hamstrung. Even when CYA leadership fired offending employees, the State Personnel Board often rehired them. The legislature can shine a bright light on problems that come to its attention, but new laws are only partial solutions. California needs a new and strengthened citizen-led approach to ensuring the accountability of its correctional agencies and programs.

In the interim, reducing the number of youths in CYA facilities is an

important next step. There are several ways to get this done. Under present law, youths who are actively participating in educational and treatment programs could receive modest reductions in their sentences. But, decisions of the Youth Offender Parole Board (YOPB) have resulted in many added months of confinement, with few time reductions for positive behavior. In the Florida Department of Juvenile Justice, the most serious offenders stay an average of 20 months, compared to over 36 months in CYA. Better oversight of YOPB release decision making, together with strengthened parole case management services, could safely reduce the CYA population.

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The CYA population could be further reduced by soliciting proposals from community-based groups to rehabilitate current CYA residents in proven local programs. Keeping youths close to home produces recidivism rates as good as or better than those of large-scale correctional institutions located far from families and home, and at much lower costs. Developing meaningful alternatives to CYA should be a top state and local juvenile justice priority. Almost all CYA wards will return to their home communities. We all have a strong public safety stake in these young people making a successful transition home. Now more than ever, California needs a better coordinated juvenile justice system.

Two Additional Australian States Incorporate SDM

Nearly ten years ago, Tim Hetherington, then of South Australia, attended a Risk Roundtable in San Francisco to learn about using risk assessment tools in public child welfare. Chris Baird and Dennis Wagner presented at that conference on using actuarial risk assessment tools to increase the validity and reliability of decisions. Mr. Hetherington reported his favorable impressions back home, and in 1996 the Children's Research Center (CRC) worked with South Australia to develop a research-based risk tool there. Ten years later, that tool is still in use in South Australia.

Recently, the Australian state of Queensland began a project with CRC to implement the entire Structured Decision Making (SDM) model. Queensland is undergoing large-scale reforms in public child welfare, and SDM is central to those efforts. Although there are many similarities between U.S. and Australian operations, there are also interesting new ideas to cross-fertilize SDM. For example, U.S. agencies stress achieving permanency for children within very limited time frames. In Australia, legislation notwithstanding, this has been slow to take hold in practice. While the value of legal permanency will surely increase in Australia, time frames are likely to remain longer than those in the U.S. These different policy approaches will create opportunities to research the questions regarding optimal balance between the need for permanency and the need to afford parents time to create safe and loving homes for their children.

U.S. public child welfare agencies face serious concerns over the disproportionate representation of African American children throughout the system, and particularly in foster care. Similarly, Queensland must address an overrepresentation of Aboriginal and Torres Strait Islander children in their system. SDM's approach to decision making has great potential to counter bias and provide data that can help to tease out factors that contribute to overrepresentation.

While Queensland is preparing to implement the entire SDM model from the screening of reports to case closure, New South Wales (NSW) is also preparing to implement one component of SDM in a unique application—an action research Early Intervention Program (EIP). The EIP aims to reduce or avoid the need for protective investigative action by providing support services to families before risks to children escalate. It is designed to offer voluntary early intervention services to families who are reported to the agency, where the concerns reported are assessed as being low or medium. SDM's Family Strength and Need Assessment will be used for case planning. The goal is to strengthen families and prevent maltreatment and subsequent re-referral.

CRC is privileged to work with wonderful staff at U.S. child protection agencies and is now honored to work side by side with partners in Australia.

NCCD Board of Directors

NCCD's most recent Board Meeting took place in January at the Asilomar Conference Grounds in Pacific Grove, California, a serene retreat on the central coast, nestled between Monterey and Pebble Beach. Asilomar's relative proximity to NCCD's home base in Oakland allowed much of the local staff to attend. Many of our current staff members were hired on after serving in our internship program, which brings in eager young students whose talents and dedication always inspire us. Eight new staff members came to address the board about their backgrounds, their experiences at NCCD, and their aspirations.

We also recognized long-time staff members. Janice Ereth is reducing her time commitment as Director of the Children's Research Center, and Raelene Freitag is moving into that position. Janice and Raelene are working together for a seamless transition. We also celebrated the *lack* of transitions for Jan Martinelli of the Oakland accounting department. She has been with NCCD now for 25 years. Congratulations to all our dedicated staff.

The NCCD Board has undergone some major changes in recent months, mostly due to some well-deserved retirements. We are saying a grateful goodbye to Allen Breed and Judge Thelton Henderson, among others. New faces, with a variety of expertise, will fill some of the vacancies.

To brief our new members on NCCD history and inner workings, the CRC staff recounted their accomplishments of late, their visions and ambitions, and strategies to make those ideas a future reality. We heard an update from Dr. Thao Le on the API Center risk and protective factors study, a report on one of our newest projects—decarcerating women in California prisons, and an update about President Barry Krisberg's work on the California Youth Authority.

In addition, the board considered several new and perennial issues. Prompted by the U.S. Supreme Court decision on *Blakely v. Washington*, we had a spirited discussion of NCCD's views regarding federal sentencing policy. A board committee is revising an NCCD policy statement on sentencing issued last in 1993. Given the renewed questions about guidelines at the federal level, now is the time to revisit our position, clarify the related issues, and publicize anew a statement of our organization's philosophy and position on sentencing policies.

NCCD welcomes new board members

Grant Specialist, Austin, TX **Pablo Hernandez**

Juvenile Justice Consultant, Braselton, GA **Orlando Martinez**

Professor of Clinical Law, NYU **Kim Taylor-Thompson**

Professor of Law, NYU **Anthony Thompson**



Theresa McKinney, Chris Lim, Raina Lee, Hieu Ngo, Lanita Williams, and Howard Crumpton address board members



. Anthony Thompson, Lovely Dhillon, Cheri Ho, Michael Bernard, and CRC Director Janice Ereth.

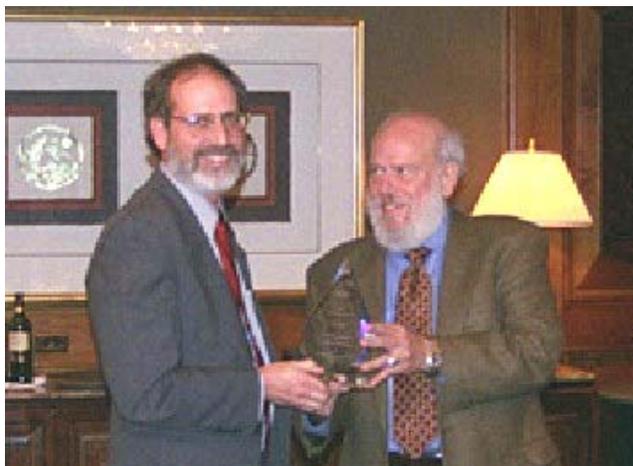
In Appreciation of Excellence

Each year, NCCD recognizes excellence in juvenile justice, criminal law, the compassionate care of youth, academic contributions to criminology, and community service. For 2004, the recipient of NCCD's Katie Nichols Award for dedication and excellence in community service was Don Specter of the Prison Law Office.

Friends, peers, and family gathered at the Stanford Court Hotel for an evening of celebrating Don, not only the work and accomplishments, but the man. Don's colleagues spoke with sincere affection and admiration of his brilliant lawyering, which has helped lead the way toward critical changes in California corrections,

both adult and juvenile. Perhaps more than any other individual, Don helped bring attention to the horrendous conditions facing prisoners at Pelican Bay and throughout the adult corrections system, as well as the California Youth Authority. That attention has proven critical to instigating essential reforms, now in progress, reforms we all hope will bring meaningful and lasting change to the state's beleaguered systems.

Confirming much of the comments of his peers, Don deflected the praise



Don Specter accepts his Katie Nichols Award from NCCD President Barry Krisberg.

to others, without whom, he claims, the work would not have been fruitful. Among others, he named Sue Burrell of the Juvenile Law Center, and Sarah Norman and the Prison Law Office staff.

NCCD is turning 100!

At the Asilomar meeting, Board members formed another committee to plan and oversee the celebration of NCCD's centennial in 2006. One hundred years of continuous excellence in criminal and juvenile justice reform.

One of our daunting tasks is to try to reach the many people who have a connection to NCCD.

We are asking for your help.

If you know of anyone that should be on our mailing list, please forward any relevant contact information to:

Susan Marchionna
Director of Communication
510-208-0500 x346
smarchionna@sf.nccd-crc.org .

GIRL Trouble

California Women in Prison

Our November screening of *Girl Trouble* was also the launch of our California Women in Prison project. A coalition of funders, led by the JEHT Foundation, is fostering this centerpiece of our larger initiative on Women and Justice. The California project will collect data on women in prison and tell us why they are there and what their needs appear to be, inventory the existing alternatives to detention in communities throughout the state, and tell the personal stories of a set of individual women. Integral to this study is a cost-comparison between community alternatives and incarceration.

We already know that majorities of women in prison suffer from physical and mental health problems, have histories of abuse and neglect, and have committed nonviolent drug and property offenses. They need physical and mental health care, substance abuse treatment, and job training. We believe that women and their families will be better served, and with less of a drain on state coffers, by staying close to home and receiving the rehabilitative services they need to succeed.



Youth advocates Marlene Sanchez and Melanie Jagers.

Dr. Angela Wolf is leading a team of NCCD staff for this one-year, initial project. Professor Barbara Bloom of Sonoma State, a renown authority on the needs of incarcerated women is a close collaborator. We fully expect this to be the beginning of a long-term effort to restructure the treatment of women in California's penal system.



Essau Robbins-Bilal expresses his curiosity.

We are a society of moviegoers, taking in much of our information about the world and forming our opinions based on what comes across in this most powerful medium.

In November, NCCD sponsored a screening at Delancey Street in San Francisco of what we feel is one of the year's most important works from an emerging independent filmmaking team, Lidia Szajko and Lexi Leban. The film is entitled *Girl Trouble*. It follows three young women over the course of four years, documenting their involvement with San Francisco's juvenile justice system and with the Center for Young Women's Development (CYWD). CYWD is a peer-run advocacy group for at-risk young women whose dynamic director, Lateefah Simon, was present at the film screening, as were many of the center's young, working women.

Our near-capacity audience included people from law enforcement, foundations, probation, advocacy, research, the judiciary, corrections administration, and the legislature. The overwhelming reaction was one of support for the women in the film and those at CYWD. The film revealed to many in the audience some of the complexities of the lives of these young women. Their stories are indicative of so many other stories, so many other young women who are struggling to get and keep a job, take care of young children, make sense of their relationships, understand their own needs and feelings, and fathom the broader political environment in which they are trying to operate.

Following the film, and before breaking for refreshments, a group of women from the center offered their comments and heartfelt appreciation for the chance to speak out. They fielded questions from the audience with honesty and passion. Clearly, theirs is no easy path and those of us in a position to help have a huge opportunity. They are not looking for a free ride, they are looking for a helping hand, a bit of encouragement, and an expression of belief that they can not only make their lives work, but turn around and contribute, making it easier for their younger sisters coming up behind them.

NCCD wishes Lidia and Lexi a long and fruitful career in film. We hope to work with them again soon.

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identity, intergenerational conflict, parent's refugee experiences, and individualism/collectivism. Of special interest is the paradox of the second generation—Why do second generation youth have rates of violence higher than those of their first generation counterparts? We found that at least from our sample of Chinese and Southeast Asian youth, one link between the acculturation (as indicated by second generation status) and violence is through changes in cultural values and beliefs, such as a change from a more collectivistic orientation to a more individualistic orientation. We will also be exploring the developmental process and trajectories of first versus second generation youth.

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agreement that something fundamental has to change. The work before the group was to specify what exactly those changes should be and how to bring them into reality. Where to start?

Many salient ideas came forth in the course of the discussion. To transform a system so large and complex, this must be an effort of many fronts. We need people dedicated to rehabilitation at as many points in the system as possible. This is the only way to bring about a fundamental change in the culture of the corrections institutions. How will this shift come about? What are the roles of respective entities, such as families, the media, the judiciary, probation, police, wardens, guards, service providers, advocates?

The gist of the day's aggregated recommendations are as follows:

- Seize the moment* ➤ We have an opportunity for new approaches.
- Build constituencies* ➤ Unity can lead to lasting change.
- Use existing experts* ➤ An advisory council is essential.
- Expand what is working* ➤ Develop strategies to maximize success.
- Prepare for obstacles* ➤ Anticipate and build bridges.
- Focus on reentry* ➤ Rehabilitation is possible.
- Start with the "do-able"* ➤ Work with non-violent offenders.

This event was made possible with generous support from the Roney Family Foundation and with sponsorship from Stanford Law School Professor Robert Weisberg.

NCCD MISSION STATEMENT

The National Council on Crime and Delinquency, founded in 1907, is a nonprofit organization that promotes effective, humane, fair, and economically sound solutions to family, community, and justice problems. NCCD conducts research, promotes reform initiatives, and seeks to work with individuals, public and private organizations, and the media to prevent and reduce crime and delinquency.



NCCD proudly announces the

2004 PASS Award Winners

Winning entries include the HBO series "The Wire" and the film "Hotel Rwanda" in addition to many fine pieces from newspapers, magazines, radio, theater, and more. Each year, NCCD recognizes members of the media for excellence in responsible treatment of criminal justice, juvenile justice, and child welfare issues.

The subjects of this year's pieces cover a wide range of topics such as the California Youth Authority, mental health services for the incarcerated, the fallout from sentencing policies, and exonerations from death row.

*The full 2004 PASS Award Winner's list is posted on our website on What's New.
www.nccd-crc.org*

New Publications

“NCCD Focus: California Corrections at the Crossroads” *March, 2005*

“API Currents” *API Center Newsletter, Vol. 4, No. 2*

New Projects

- California Women in Prison, *JEHT Foundation* +
- History of the CYA, *William T. Grant Foundation* +
- API Center FY 2005, *Centers for Disease Control* +
- Shield Program Evaluation, *The California Wellness Foundation* +
- Gender Specific Programming in Delaware, *Jessie Ball duPont Fund* +
- Strategic Opportunities Concept Paper, *Walter S. Johnson Foundation* +
- Structured Decision Making, *Kern County, CA* +
- Quality Assurance Curriculum, *American Society for Quality* +
- Structured Decision Making Data Services, *Waukesha County* +
- Structured Decision Making Technical Assistance, *San Luis Obispo County* +
- California Foster Care Risk Assessment, *Multiple Counties* +
- Structured Decision Making Training, *Ventura County* +
- SafeMeasures, *Ventura County* +
- SafeMeasures, *Colusa County* +
- SafeMeasures, *Virginia DJJ* +
- SafeMeasures, *Santa Clara County* +
- SafeMeasures, *San Francisco County* +
- SafeMeasures, *Plumas County* +
- SafeMeasures, *San Mateo County* +
- SafeMeasures, *San Luis Obispo County* +



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2004 Winners List
2005 Call for Entries
available at www.nccd-crc.org
Go to More About NCCD,
then PASS Awards

Upcoming Events

- Board Meetings—**July 13-14, 2005, Madison, WI**
- CRC Structured Decision Making Conference—**October 4-5, 2006, Portsmouth, NH**
- NCCD and CAAG Office co-sponsor Statewide Conference on API Youth Violence—**To Be Announced**

For additional information, please visit www.nccd-crc.org or phone (510) 208-0500