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.

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...continued on page 7
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 best research would lead us to reduce the population of all CYA facilities and replace existing institutions with much smaller units. The best research would lead us to reduce the population of all CYA facilities and replace existing institutions with much smaller units. The best research would lead us to reduce the population of all CYA facilities and replace existing institutions with much smaller units. The best research would lead us to reduce the population of all CYA facilities and replace existing institutions with much smaller units. The best research would lead us to reduce the population of all CYA facilities and replace existing institutions with much smaller units.

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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’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**

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[Image of NCCD staff members]
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 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.
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.
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.

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

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 CA AG 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