Reforming Juvenile Justice: Forty Years After Gault

On October 26th and 27th, NCCD and the Berkeley Center for Criminal Justice (BCCJ), co-sponsored the conference “Juvenile Justice Reform: Forty Years After Gault” at UC Berkeley’s Boalt Hall School of Law. Assuming roles fitting a 100-year old organization and one that is finishing its first year, NCCD president Barry Krisberg conceived of the conference and offered guidance, while the BCCJ did the lion’s share of the organizing.

The conference featured top juvenile justice leaders from the bay area and across the nation. It focused on the key juvenile justice policy issues that face the nation forty years after the seminal Supreme Court case of In re Gault, which established due process rights for children in the juvenile justice system.

BCCJ’s Executive Director David Onek welcomed the participants and introduced San Francisco District Attorney Kamala Harris, who delivered an opening statement on the significance of the Gault decision and its relevance today.

Plenary panels on the first day included Juvenile Justice: A View from the Bench and Juvenile Justice in the Media. The morning’s breakout session topics included reforming juvenile corrections in California; the overlap between juvenile justice, child welfare, and mental health systems; and disproportionate minority confinement.

The afternoon’s topics included alternatives to incarceration, legal representation of juveniles, and restorative justice.

Bernardine Dohrn, who is Clinical Associate Professor of Law, Northwestern University Law School and the Director of the Children and Family Justice Center, delivered the keynote address on the state of the juvenile justice system today and the developments since the Gault decision in 1967, particularly as they regard the system’s racial disparity.

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There are many ways in which what takes place in the corrections system is invisible. One of the most hidden aspects of corrections is the plight of incarcerated women. Relative to men, the number of women in prison may seem small. But at over 111,000, they are a growing and significant population.

Not only are women prisoners hidden, they are different than men. They have different reasons for being in prison, different histories of abuse and addiction, different family roles and relationships, different health concerns, and different motivations to change. The vast majority of women in prison (66%) are incarcerated for property or drug crimes rather than crimes against persons. When women are prosecuted, they have less to bargain with, but much to lose—physically, mentally, and financially. They are often dependent on men who are involved with drugs or other crimes. The majority of women in prison have histories of physical, emotional, and sexual abuse, and trauma. Their patterns of drug use often stem from untreated mental health issues. Most women in prison are mothers of children under the age of 18. And women prisoners are more likely than men to have had the responsibility of caring for their children prior to their arrest. They tend to be unskilled and have sporadic work histories in low-wage jobs. Women’s health issues call for treatment in prison differing than that for men. Women’s relationships, especially with their children, are often key to their desire to improve their lives.

A significant number of women prisoners do not represent a serious threat to public safety. We envision a greater reliance on community corrections rather than large remote prisons for women.

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Unfortunately, women prisoners appear to be left out of the prison reform efforts in most states. State legislation aimed at prison improvements rarely addresses women prisoners or their specific rehabilitative needs. Nonviolent, low-risk women offenders could be housed in small community correctional centers nearer to their children instead of in prisons far from home. Shifting women to community settings that are rich in services and nearer to their families is a key to reducing recidivism. Helping women maintain links to their communities is simply smarter and more efficient than keeping them locked in costly, high-security institutions.

Of course there are other options, including sending fewer women to prison in the first place. If we expanded drug courts, we could reduce the women’s prison population by a third over time. If we instituted restorative justice and made consequences fit offenses, we could better respect and address the needs of the victims and improve outcomes for women offenders.

We could eliminate or reduce parole supervision for women who are low risk for re-offending and continue to provide them with much needed services after they complete their sentences. This involves a reallocation of resources to support community drug treatment, physical and mental health care, housing, employment development, and other resources.

For women who are in prison, we could make meaningful strides toward breaking the cycle of neglect and abuse by recognizing the harms that are done to the women we incarcerate. Services in prison should include medical and mental health care, counseling, education and job training, drug treatment, and parenting on a scale that can make a true difference. None of this is possible without acknowledging that the women we lock up are human beings. They are our mothers, daughters, sisters, relatives, and friends, and they should no longer be hidden in the politics of correctional reform.

Women Prisoners are Ignored in the Politics of Prison Reform

—Barry Krisberg and Barbara Bloom
Recent NCCD Publications

Continuing the Struggle for Justice: 100 Years of the National Council on Crime and Delinquency

Edited by Barry Krisberg, Susan Marchionna, and Christopher Baird
May, 2007

This centennial collection of essays and original research studies captures the varied spectrum of philosophies and concerns of the board and staff of NCCD over the past century. The criminological experts represented in this volume are renowned for their study into the far reaches of this field. As a chronicle of NCCD’s development, editors Barry Krisberg, Susan Marchionna, and Christopher Baird include some of the most groundbreaking material to come out of the workings of NCCD.

Hardcover List Price: $89.95  Paperback List Price: $44.95
Sale Price: $71.96  Sale Price: $35.96


NCCD Fact Sheet: The Nation’s Most Punitive States for Women

By Christopher Hartney
July, 2007

The imprisonment of women across the United States has repercussions in every aspect of society, including the huge costs of incarceration at the local and state levels, the splitting of communities and families, the tragic disruption at crucial developmental stages in the lives of thousands of children, and the unchecked deterioration of the physical and mental health of women in prison.

This Fact Sheet reports the latest state and national data available for women and girls involved in local and state corrections systems across the nation. Rates per 100,000 females in the general population are reported to compare and contrast each state’s response to crime. The information presented here will be useful in discussions about underlying causes of crime, justice policy, and correctional practice.

Healthy Returns Initiative-Process Evaluation

NCCD is about halfway through its process evaluation of the Healthy Returns Initiative, funded by The California Endowment. The $6.5 million Initiative is directed at system change and funds five California counties: Humboldt, Los Angeles, Santa Cruz, Santa Clara, and Ventura. Its mission is to improve access to health and mental health services for youth booked into juvenile hall, both while detained and upon reentry to the community.

The services to be provided include screening for mental health issues using an evidence-based instrument, development of a case plan using the screening tool information as well as other assessment tools, provision of services during detention, and working with the youth and family to establish links to community-based agencies for continued services.

NCCD’s evaluation plan includes regular site visits to each of the counties, monthly updates via conference call with county teams, collection of individual level data to describe the population served by HRI, and surveys of county teams regarding system changes they have observed. The Fourth Evaluation Report to The California Endowment indicates that the Healthy Returns Initiative is well on its way to attaining its near-term outcomes.

Pro Humanitate Literary Award

NCCD’s President Barry Krisberg was nominated and selected by the North American Resource Center for Child Welfare to receive this year’s Pro Humanitate Literary Award. Dr. Krisberg’s article, *Hate the Player and Hate the Game*, was one of three articles awarded for literary works which best exemplify the intellectual integrity and moral courage required to transcend political and social barriers and to promote best practice in the field of child welfare. He will receive a medal and a prize of $1000 in an awards ceremony in San Diego in January.

The article spells out the continuing “war against the young” and the increased punitiveness and criminalization of youth behavior in the courts, legislatures, media, schools, and on the streets. Dr. Krisberg examines three case studies in California of struggles over pertinent legislation and concludes by describing the latest evolution in reform strategies, with youth as key leaders. It was published in NCCD’s new book, *Continuing the Struggle for Justice: 100 Years of the National Council on Crime and Delinquency*, which can be ordered from Sage Publications. See page 3 for ordering details.

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The second day’s plenary panels included Youth Voices on Juvenile Justice and Juvenile Justice: Legislators’ Perspective. The breakout session topics included reforming juvenile detention, trying juveniles as adults, and girls in the juvenile justice system.

Saturday’s keynote speaker was Lateefah Simon, MacArthur “Genius” Fellow and San Francisco District Attorney’s Office Director of Reentry Programs. She spoke about community issues affecting both victims and offenders.

The Conference was a huge success and was the largest Gault case convening held anywhere in the nation. The event drew 375 people including service providers, law enforcement officials, corrections officials, policymakers, attorneys, advocates, community leaders, funders, academics, students, and others interested in juvenile justice reform. The conference was supported by the van Lōben Sels/Rembe Rock Foundation, The San Francisco Foundation, and the Wallace Alexander Gerbode Foundation.
Three years later, he was promoted to tenure and Associate Dean of the School. He was the first Nisei to become a tenured professor in the social sciences and the first Nisei Dean on the Berkeley campus.

He is best known for his research and writings on Police Use of Deadly Force. He traveled extensively throughout the US, including Alaska, with members of the US Department of Justice, in training programs on Community Policing. During the Carter Administration, Professor Takagi served as a consultant for LEAA, a federal funding program for criminologists.

Also, this fall, NCCD hosted a dinner to celebrate Dr. Barbara Bloom and present her with the Donald Cressey Award. On October 13, at the Stanford Court Hotel, in San Francisco, Dr. Bloom was surrounded by her family, fellow professionals, and longtime friends as she received recognition for her excellent and dedicated work on programming for women in prison.

NCCD President Barry Krisberg said of Dr. Bloom, “Your consistent, excellent, and tireless work to draw attention to the issues of prisoners, especially women, has had a significant impact on the field and makes the work easier for those of us also working to improve our society. Your work on gender-responsive strategies for women will no doubt be the foundation for all future work in this area.”

In addition to many publications and a long list of accomplishments, Professor Bloom serves on the Governor’s Rehabilitation Strike Team, to advise the Governor and the CDCR about the state’s growing prison crowding crisis. She has also contributed, as one of 15 experts, to a recent report on effective programming to be used by the state legislature. With her long-time associate, Dr. Stephanie Covington, Dr. Bloom co-directs the Center for Gender and Justice. Monica Smith from Assemblywoman Sally Lieber’s office presented Dr. Bloom with a Resolution from the California Assembly commending her work in the legislature.

Other NCCD Awards for 2007

**Katie Nichols Award:** to a leader in the private or nonprofit sector who shows a significant and sustained commitment to community service consistent with NCCD’s values.

*2007 David Kakishiba, East Bay Asian Youth Center*

**Ira A. Lipman Award:** to a public official who exemplifies enlightened and forceful leadership in implementing effective crime prevention and control policies that are fair, humane, and economically sound.

*2007 Governor Jim Doyle, Wisconsin*

**Grace B. Flandreau Award:** to an individual in the field of juvenile justice or child welfare who, through writing and actions, advanced the compassionate care of troubled youngsters.

*2007 Janice Ereth, Children’s Research Center*

**Albert Elias Award:** for outstanding contributions to juvenile justice.

*2007 Lawanda Ravoir, PACE Center for Girls*
NCCD Board Meeting, New York, New York

Returning to New York, the NCCD Board of Directors convened on September 27 and 28. Met with lovely warm weather, the board still managed to accomplish all of its work. Thanks to longtime board member, Drucilla Ramey, we had stunning accommodations in the 39th floor, midtown conference room of Morrison and Foerster.

Aided by the conducive surroundings and helpful office staff, the group focused on the demands of the agenda with very satisfactory results. Thursday was devoted to the preliminaries of succession planning. In anticipation of the passing on of leadership in the coming years, NCCD is ensuring that the challenge of transition is met with thorough planning and evaluation. Our intent is to move through any future leadership change with smooth transitions and clear communications to all stakeholders. At this stage of the process, we are looking at the membership of the board, needed expertise, roles and responsibilities, and other key facets of the organization. This is important work for our board members, and they are enthusiastically engaged.

The following day, we heard reports from Oakland and Madison. Both offices have been tremendously busy. In Oakland, staff have been writing and submitting a large number of proposals and earmarks. While awaiting notification of additional grants, work is progressing in Oakland on current projects, such as the California Cities Gang Prevention Network, and the Center on Culture, Immigration, and Youth Violence Prevention. The Madison office’s work with SafeMeasures and Structured Decision Making continues to win favor in more counties across the nation and in Australia.

The board voted to amend the bylaws to reflect the current organization structure and process. The last time such an update occurred was in 1991. The Bylaws Committee will remain intact in case another review becomes necessary.

Finally, as an interlude to the business agenda, we heard an inspiring talk on motivations and morality in correctional policy and practice from our visitor Martin Horn, Commissioner of the New York City Department of Corrections and Probation. Commissioner Horn’s comments, springing from his impressive experience, showed his determined adherence to a humanistic view—all too rare in the field—and were an inspiration to everyone at the table.

“[At the end of the day, running a corrections agency that is consistent with our democratic values] is about a moral vision. The only way to control behavior in total confinement in prison, is by imbuing in the people who work there some moral vision of what they do and why they do it.” —Martin Horn

Our next board meeting will take place in March, 2008, in Los Angeles.
The work of NCCD’s Children’s Research Center (CRC) has been recognized by two organizations whose missions include the improvement of the quality of services in child welfare, juvenile justice, and other human services fields. In September, the American Society for Quality released two issues of their newsletter, Making the Case for Quality, which outlined improvements in child welfare performance that have resulted from the use of SafeMeasures® in California and New Jersey. The second of these publications also describes a quality assurance training program for managers developed by CRC Director, Raelene Freitag, to assist managers in effectively using SafeMeasures information to improve services to children and families. These reports are available on the CRC website.

Several CRC products have also been endorsed by Stewards of Change, an organization affiliated with the Yale School of Management and supported by funding from the Annie E. Casey Foundation. The Stewards held their third annual conference at Yale in late October. Conference materials included a publication on optimizing the delivery of human services and the effective use of data to inform practice. Four CRC systems are presented in this publication, Structured Decision Making® (SDM), SafeMeasures, the Juvenile Assessment and Invention System (JAIS) and the Correctional Assessment and Intervention System (CAIS). Each system is prominently discussed as a means of improving decision making and service delivery. This publication can be accessed at the Stewards of Change website: http://www.stewardsofchange.org.

CRC, working with Bobbie Huskey of Huskey & Associates, recently completed a comprehensive master plan for the Illinois Department of Juvenile Justice (IDJJ). This plan establishes the foundation for a major reform effort in Illinois. Midwest staff are now working directly with IDJJ to design and implement major components of the plan, including a comprehensive case management system that will drive decisions throughout the life of a case. The first design effort will merge the JAIS system with other SDM® components and add evidence-based practices to the JAIS output report. For further information on this development, please contact Chris Baird or Robert DeComo at NCCD’s Midwest Office in Madison.
New Publications
“Continuing the Struggle for Justice: 100 Years of the National Council on Crime and Delinquency” May, 2007
“A Profile of Pacific Islanders in Oakland, California” September, 2007

New Projects
Succession Planning
Girls Reentry
Florida Blue Print Commission on Juvenile Justice
Street Outreach Research Project
PAVE Educational Outcomes
New Hampshire Adult Protection SDM
Michigan Case Reading
San Francisco Ad Hoc Reports
Santa Cruz County Ad Hoc Reports
Structured Decision Making—Solano County, Sierra County, Calaveras County, Tuolumne County, Mono County, Kern County, Riverside County, Lassen County, Del Norte County, Modoc County, Louisiana, California, Washington State, South Australia
JAIS—CJ CJ, Solano County, Ft. Peck, Contra Costa County
CAIS—CJ CJ, Pride, San Francisco, Contra Costa County
SafeMeasures—Glen County, Mairposa County, Amador County

Jessie Ball duPont Fund
Haigh-Scatena Foundation
Jessie Ball duPont Fund, JEHT Foundation
Evelyn & Walter Haas, Jr. Fund, The California Endowment
Partners Advancing Values in Education
New Hampshire
Michigan
City and County of San Francisco
Santa Cruz County

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