**Coordinating Council on Juvenile Justice and Delinquency Prevention**

**Quarterly Meeting**

**July 26, 2013**

**U.S. Department of Justice, Office of Justice Programs**

**810 Seventh Street NW, Washington, DC 20531**

**10:00 am – 11:45 am**

**ABSTRACT**

At the July 26, 2013, quarterly meeting of the Coordinating Council on Juvenile Justice and Delinquency Prevention (Council), an expert panel presented on the National Academy of Sciences (NAS) report *“Reforming Juvenile Justice: A Developmental Approach.”*  Anchored in the evidence of neuroscience in developing brains, and the behavioral evidence of adolescent psychological experimentation, the NAS report offers both optimism and warnings about the implications, for federal and state programs, policies, and practices, of pursuing informed developmental approaches to juvenile justice. The report’s findings and recommendations have the potential to transform how policy makers, practitioners, and researchers address the needs of children who are at risk for involvement or involved in the juvenile justice system. Moreover, they have applicability not only to juvenile justice, but also to child welfare and related systems.

Robert Listenbee, Administrator, Office of Juvenile Justice and Delinquency Prevention (OJJDP), DOJ, and Council Vice Chair, greeted attendees and announced the Senate confirmation on July 24, 2013 of Tony West as Associate Attorney General of the United States. Mr. Listenbee also welcomed incoming Council member, the Honorable Maura Corrigan, former Chief Justice of Michigan’s Supreme Court and current Director of the Michigan Department of Human Services. He praised outgoing Council member Judge Steven Jones for his tireless service over the years.

Tony West, Acting Associate Attorney General,\* DOJ, welcomed attendees, and reported on the progress and next steps of the advisory committee and the federal working group that comprise the American Indian/Alaska Native Task Force on Children Exposed to Violence. *Mr. West’s full remarks can be found by visiting http://www.justice.gov/iso/opa/asg/speeches/2013/asg-speech-130726.html.*

The Council’s primary focus during this quarterly meeting was the panel presentation and discussion of the NAS report.

**BD10289_MEETING SUMMARY**

**Welcome, Opening Remarks, and Introductions**

***Robert Listenbee,*** *Administrator, Office of Juvenile Justice and Delinquency Prevention (OJJDP), DOJ, and Council Vice Chair;* ***Tony West, Acting*** *Associate Attorney General, DOJ;* ***Kathi Grasso****, Director, Concentration of Federal Efforts Program, OJJDP*

**Kathi Grasso** welcomed Council members and all other meeting attendees. She indicated that several Council practitioner members would participate in the meeting by video-conference or by telephone, due to budgetary constraints. Meeting materials, a written meeting summary, and a video-recording of the meeting would available at the Council’s website, [www.juvenilecouncil.gov](http://www.juvenilecouncil.gov), and members of the general public could submit written questions or comments directly to Ms. Grasso at OJJDP. She related that minutes will be posted on the website 90 days after the meeting. Oral testimonies or comments from the general public would not be accepted at this meeting. However, individuals were directed to submit them in writing to Ms. Grasso, via her contact information on the Federal Register or the OJJDP Council’s website. Provisions were made for in-person non-Council member, audience participants to submit written questions to the panelists after the presentation, time permitting. Council members, panelists, and federal staff were invited to meet immediately after the quarterly meeting to share information on federal collaborative activities.

**Robert Listenbee** welcomed all meeting attendees and issued congratulations to Tony West, who had, just the day before, been confirmed by the U.S. Senate as Associate Attorney General of the United States. He acknowledged outgoing Council member Judge Steven Jones for his unending commitment to the Council and the nation’s children, over the past decade. Judge Jones related that he had been honored to work with the committed individuals of the Council. He expressed his confidence in Council leadership under Administrator Listenbee and related that this leadership would benefit the nation’s children.

Administrator Listenbee then welcomed the Honorable Maura Corrigan, Director of the Michigan Department of Human Services, who had been appointed to the Council on May 23, 2013. Chief Justice Corrigan previously served as a judge on the Michigan Court of Appeals and as a justice of the Michigan Supreme Court for 19 years, including 4 years as the state’s Chief Justice. Mr. Listenbee also welcomed her back to DOJ. During her tenure as Assistant U.S. Attorney in Detroit, Chief Justice Corrigan was first appointed Chief of Appeals, and later as Chief Assistant U.S. Attorney.

Mr. Listenbee requested all Council members to introduce themselves by name, title, and agency affiliation and thanked them for their dedication. Council members introduced themselves.

**Tony West** expressed regrets on behalf of U.S. Attorney General Holder who was unable to attend this Council meeting. He related that the Attorney General appreciated the Council’s efforts on behalf of children and families. As a former judge, prosecutor, and father, the Attorney General is deeply concerned about and dedicated to our nation’s youth. As part of his Defending Childhood Initiative, the Attorney General’s Task Force on Children Exposed to Violence recommended the creation of a task force specifically devoted to American Indians and Alaska Native children—the American Indian/Alaska Native Task Force on Children Exposed to Violence—to address the unique and complex set of challenges they face. This task force will consist of two groups: an advisory committee and a federal working group.

The advisory committee consists of non-federal experts and will convene to examine the pervasive problems associated with American Indian/Alaska Native children’s exposure to violence. The committee will act in accordance with the Federal Advisory Committee Act (FACA) and OJJDP will soon engage in a member selection process.

OJJDP has issued a solicitation seeking a grantee to provide technical assistance and other support for the Advisory Committee of the Task Force [applications due July 29, 2013].

Acting Associate Attorney General West anticipates that the advisory committee will:

* convene hearings and listening sessions throughout the U.S. and prioritize consultations with American Indian/Alaska Native youth (AI/AN);
* explore ways to improve the identification, screening, assessment, and treatment of AI/AN children who are traumatized by violence, and ways that they may overcome the impact of violence;
* examine the needs of children in urban/rural areas outside reservations or tribal villages, and pay special attention to the traumatic experiences of those who have been incarcerated in state, federal, and tribal judicial systems; and
* provide additional recommendations on a rolling basis, so that the federal working group can begin identifying and addressing issues.

The federal working group consists of federal officials experienced in Indian Country and children exposed to violence, including: U.S. attorneys whose districts include Indian Country; DOJ’s own National Indian Country Training Coordinator, Leslie Hagen; representatives from DOJ’s Office of Tribal Justice, including Tracy Toulou; and individuals from the U.S. Department of the Interior, under the leadership of Assistant Secretary for Indian Affairs Kevin Washburn. The federal working group has already convened several times, identifying gaps and needs that can be addressed immediately, and will simultaneously implement policy and programmatic changes in the near term.

This group will be a very active task force; one that will move with a sense of urgency. The advisory committee and the federal working group will review federal recommendations from the *Report of the Attorney General's Task Force on Children Exposed to Violence* to determine how they may be applied in Indian Country, and highlight areas for further exploration relating to AI/AN children’s exposure to violence. The task force will focus on improving the lives of AI/AN children—and their families—exposed to violence. Council members should look forward to relaying their feedback about the implementation of the Advisory Committee’s recommendations, as well as hearing about the progress of this group in the coming months, with final recommendations in the next 12-18 months.

Acting Associate Attorney General Tony West then focused on the three distinguished panelists prepared to provide their insights on a recently published report from the National Research Council of the National Academy of Sciences (NAS, or Academy), *“Reforming Juvenile Justice: A Developmental Approach.”* Mr. West thanked them for their presence and indicated that Administrator Listenbee would offer further remarks that are more specific to the work of this panel.

Mr. West concluded that the findings and recommendations of this NAS report are closely aligned with the Council’s ongoing work related to the Defending Children Initiative, and other major DOJ priorities addressing racial/ethnic disparities in the juvenile justice system and enhancing youth access to qualified legal counsel. As Mr. West noted, the NAS report highlights the critical importance of fairness in the juvenile justice system and the need for juvenile courts to ensure that youth “are represented by properly trained counsel and have an opportunity to participate in proceedings.” He added that the Attorney General Eric Holder continues to work to ensure that the promise of the U.S. Supreme Court decisions, *Gideon* and *In re Gault*, becomes a reality for youth involved in the nation’s juvenile and criminal justice systems. He stated that he was interested in learning more about how the findings of the NAS report can inform the initiatives of the Department of Justice and its federal partners.

**OJJDP Administrator Robert Listenbee** thanked Acting Associate Attorney General West for his comments and indicated that he anticipated working closely with the Council. Of particular concern is how DOJ can help the Council enhance work being done to ensure children are healthy, educated, and free from violence. Youth contact with the judicial system should be rare, fair, and beneficial to them. Mr. Listenbee related that he would continue his visits with the federal partners to improve coordination activities, obtain greater insight, and identify initiatives that will help OJJDP further the advancement of children in the juvenile justice system.

He thanked his predecessors Jeff Slowikowski and Melodee Hanes for their legacy of leaving him an office well-poised for continued progress, and especially for Mr. Slowikowski’s vision to commission the NAS report on the developmental approach to the juvenile justice system. The National Research Council of NAS was charged with the following:

1. Reviewing recent advances in behavioral and neuroscience research;
2. Drawing out the implications of this knowledge for juvenile justice reform;
3. Assessing the new generation of reform activities occurring in the United States;
4. And assessing OJJDP’s role in carrying out its statutory mission as well as its potential role in supporting scientifically based reform efforts.

The Academy created a panel that, within two short years, produced a comprehensive, 442-page report. OJJDP continues to digest the report’s substantial findings and recommendations and has provided executive summaries to meeting attendees. These are also available on the website. Mr. Listenbee stated that the report had inspired him. It is a credible report stemming from the combined perspectives of practitioners, academics, researchers, legislators, mental health specialists, criminologists, economists, lawyers, judges, victims’ rights advocates, prosecutors, and others. The report consolidates much of what we know about youth development, the adolescent brain, current practices (what works and doesn’t work) in the juvenile justice system, and how we can best move our nation forward.

As Administrator Listenbee asserted, the central premise of the report is stated in very optimistic terms which bear repeating:  “If the procedures for holding youth accountable for their offending and the services provided to them are designed and operated in a developmentally informed way, this approach will promote positive legal socialization, reinforce a pro-social identity, and reduce reoffending.” The Academy was just as bold in its warning about the failure to pursue such an approach: If a developmental approach is not taken, “the outcome is likely to be negative interactions between youth and justice system officials, increased disrespect for the law and legal authority, and the reinforcement of a deviant identity and social disaffection.”

Administrator Listenbee and related that the NAS speakers would emphasize the applicability of the report to not only juvenile justice, but child welfare and related concerns. He stated that OJJDP believes that this report’s findings and recommendations can transform how policy makers, practitioners, and researchers address the needs of children who are at risk for involvement or involved in the juvenile justice system.

The Administrator thanked the members of the NAS Committee on Assessing Juvenile Justice Reform, including the three panelists, who invested so much of their time, energy, and expertise in preparing the NAS report. He also commended NAS staff: Betty Chemers, Senior Project Officer, for facilitating the development of the report, and Arlene Lee, Director, NAS Committee on Law and Justice, who has been integrally involved in the report’s dissemination and assisted us in convening this panel. He then introduced the panelists: Robert “Bob” Johnson, who served as Chair of the Committee and is the Director of the Division of Adolescent and Young Adult Medicine at Rutgers University – New Jersey Medical School, would both present and moderate the discussion. He would be joined by fellow committee members, Edward Mulvey, Director of the Law and Psychiatry Program at the Western Psychiatric Institute and Clinic at the University of Pittsburgh’s School of Medicine, and Gladys Carrion, Commissioner of the New York State Office of Children and Family Services.

BD10289_

**NAS Report “Reforming Juvenile Justice: A Developmental Approach”: Implications for Federal and State Programs, Policy, and Practice**

***Robert L. Johnson****, MD., Director, Division of Adolescent and Young Adult Medicine, and Dean, Rutgers University – New Jersey Medical School (panel moderator);* ***Edward Mulvey****, Ph.D., Director, Law and Psychiatry Program, Western Psychiatric Institute and Clinic, University of Pittsburgh School of Medicine;* ***Gladys Carrion****, Commissioner, New York State Office of Children and Family Services*

**Dr. Robert L. Johnson** thanked the Council for its invitation. His passion is taking care of teenagers and young adults, and he has dedicated the last 40 years to being an adolescent and pediatric physician in Newark and New York City. In NY, he has had the opportunity to work with many youth who have run afoul of the law. His hope is that their encounters with the justice and other systems will lead them forward into adulthood in a more productive way. Unfortunately, the system tends to exacerbate their problems because it is not designed to appreciate and accommodate youth development. During the last 30 years, we have learned much about adolescent brain development and the neurophysiological aspects, in conjunction with the fact that many intervention approaches don’t work … and actually worsen the situation. The panel is delighted to apply science to solve these problems. Dr. Johnson discussed the history of NAS, including its charter in the mid-19th century to advise the nation on critical national issues. NAS applies the filter of objective science based on evidence and is independent of federal agencies. It has the ability to involve the leading scholars in the nation, who offer their expertise pro bono. Further, NAS boasts a rigorous quality control discipline, followed by an extensive and lengthy review process, to ensure all recommendations are connected to solid evidence, prior to issuing reports to the nation. This report represents the labors of six renowned social scientists, two physicians, three practitioners, two law and policy subject matter experts, and one neuroscientist. Dr. Johnson presented panelists Dr. Edward Mulvey and Gladys Carrion.

**Dr. Edward Mulvey** expressed his thanks for the opportunity to present and indicated he would summarize the goals and recommendations that comprise the full report. There are two types of evidence the committee examined: the neuroscience in developing brains, and the behavioral evidence of adolescent psychological experimentation. He presented a graph depicting the neuroscience of “pruning,” the establishment of proper “wiring highways” or pathways that take place between adolescent and adult brain development. Different pathways are created at different times; most notably, last to develop are pathways in the frontal lobe that govern control, judgment, and reasoning to function effectively in society. The behavioral science indicates that adolescents are different from very young children and adults in three important ways: self-regulation in emotionally-charged situations; heightened sensitivity to influences in their environments, particularly peer pressure; and decreased ability to make sound decisions/judgments for events with future ramifications/orientations – in other words, they are more concerned with immediate gratification. These cognitive tendencies are associated with biological immaturities seen in the brain. There are entire series of studies about impulse control, judgment, and thinking for youth between the ages of 14-20; especially cognitive control systems (the ability to logically think things through) and socio-emotional incentive processing systems (irrational thinking). Capacity plus the environment equals the developmental path, and is often a product of environmental stresses and opportunities.

Dr. Mulvey posited that adolescents need three things: the presence of involved parents or parental figures; peers who value and model academic success; and participation in activities which require independent decision making and critical thinking skills. The juvenile justice system is responsible for creating that environment in which adolescents develop. The goals of the system are to:

* Promote accountability which is not the same as punishment, but more involved, where youth must accept responsibility.
* Ensure fairness, given the culpability of youth to not exercise their legal rights. This is more procedural, including adjudication only when youth are competent and informed (e.g., they have access to properly trained counsel and understand the proceedings), have been treated with dignity, and—most importantly—when youth and families perceive fairness.
* Prevent reoffending since the majority of offenders are not serious. Punitive policies and programs do not have a good track record of reducing recidivism or fostering pro-social development; in fact, they contribute to reoffending. Convincing evidence suggests that there is a specific window of time to provide adolescent treatment, beyond which there are diminishing returns. Developmentally sensitive interventions have better track records of reducing reoffending. Much progress has been made with structured needs assessments to identify low-risk youth, who can be handled less formally in community-based settings, to better mobilize the more intensive treatments and resources for high-risk youth. The challenge is to get these approaches into practice by engaging families, and by using neighborhood resources to eliminate harmful interventions.

Dr. Mulvey emphasized that data deficiencies are repeatedly cited as problematic; the presence of accurate data is critical to the success of ongoing evaluative assessments. The committee made four groups of recommendations to adopting this developmental approach to youth programs, when working with agencies throughout the nation.

* Create multi-stakeholder task forces for long-term oversight;
* Strengthen OJJDP as a national leader, especially its ability to enforce the core requirements of the Juvenile Justice and Delinquency Prevention Act;
* Promote research by the National Science Foundation, the Centers for Disease Control and Prevention, the National Institutes of Health, and OJJDP to advance the science of adolescent brain development; and
* Improve data: OJJDP leadership role should include the implementation of a data improvement program.

**Commissioner Gladys Carrion** manages the New York juvenile justice system and she emphasized that it was a privilege and honor to sit on the committee with so many scholars and learn the science. Practitioners rarely have the opportunity to reflect on their work, to be informed about the underlying science, and to do what works.

The system she initially inherited cost $166M annually to operate and appeared to be doing everything wrong, based on the science and research. Her priority was to identify what works and implement steps. The NAS report should serve as a framework for change because, after six years of committee research and changes, the NY system has been transformed and is no longer based on punishment or negative controls. Unfortunately, too many other juvenile justice systems in the country still operate under regressive/punitive practices

She continually emphasized that these are our children and there is a shared responsibility to improve their life chances and outcomes for success. The NAS report stressed the need for collaboration, as no one can do this in isolation. Like many states, the child welfare system functions as the front door, accounting for nearly 70% of the children in the NY juvenile justice system (even higher in some counties). Youth in the NY system typically cannot access mental health supports, substance abuse services, appropriate educational programs, or programs designed for youth with cognitive deficits and challenges. Also key is the issue of getting children back into housing with their families, to avoid separation from these crucial support systems and placement into shelters.

Ms. Carrion, looking forward, articulated that states could use help to do the hard work of changing very large systems. They need a stronger federal voice, leadership, and informed vision and guidance from OJJDP, DOJ, and other federal partners to understand and incentivize what works, and to support and promote the science and research. Doing what doesn’t work is expensive and currently is not a shared philosophy. In NY, $262K is spent annually to house one youth, with a recidivism rate of almost 80%. Less than 5% of youth continue onto higher education; instead, most graduate into the adult criminal justice system. Ms. Carrion has now closed over 21 facilities and only those children who commit serious infractions now come into her system. Along with a number of other states, NY was sued by DOJ and is now under consent decree. While this action facilitated the leveraging of resources, she believes there are better ways to deploy change than through litigation. Her experiences while serving on the committee, and the resulting relationships, have helped to inform the work in NY: the system is now trauma-informed, much smaller, and works through partnerships with the U.S. Department of Education (ED), and housing and mental health agencies. This approach now values families, who are the key to developing better outcomes for youth.

**BD10289_**

**Acting Associate Attorney General Tony West** conveyed thanks for the insightful presentation, one that represents a culture shift in how we perceive our juvenile justice system. Once perceived as a stepping stone to the adult criminal justice system, the juvenile justice system is now being viewed in a manner that promotes the development and accountability of youth, and reinforces a positive system of self. This type of thinking is helpful to achieving our outcomes and Mr. West agreed that litigation was not the best tool. Nevertheless, he anecdotally indicated this was his first awareness that anyone sued by the Department ever said thank you. He asked the Department and all partners to focus on incentivizing effective outcomes and to ferret out any disincentives unwittingly being promoted.

**Dr. Robert Johnson** reiterated the need for comprehensive and accurate data to audit and make appropriate determinations.

**Response**

***Clare Anderson, Deputy Commissioner, Administration for Children, Youth and Families, U.S. Department of Health and Human Services***

**Deputy Commissioner Anderson** responded to the panel with an acknowledgement of the pruning process, as described by Dr. Mulvey, within the context of a child’s daily experiences, and the need for cultural change mentioned by Mr. West. Her remarks focused on how to use the same science to create a culture change in child welfare, the impact to her Department in terms of policy, and how the NAS report can push all partners forward toward a shared, developmental framework. Many children coming to the attention of the child welfare and juvenile justice systems share the common experiences of maltreatment and trauma. This is quite important to brain development, because those who experience severe traumatic distress develop survival strategies. Often becoming edgy, hot-tempered, and hyper-vigilant, these individuals have very different outcomes from other children. Committee member Dr. [Terrence] Thornberry drew a causal link between adolescent maltreatment and later criminal concerns (e.g., arrest, incarceration, violent crimes). In 2012, they released an Information Memorandum, articulating to those in the child welfare field, on how to focus more intensely on promoting emotional and social well-being to address trauma, exposure to violence, and other adverse childhood experiences.

Ms. Anderson stated that a deep dive into the literature revealed a healthy developmental framework that would address cognitive functioning, emotional behavioral functioning, physical health and development, and social functioning. There are very specific and measurable indicators that have tremendous implications to determine if a child is on track, developmentally. As they mine the data, they understand more now than 5 years ago, like being able to screen for trauma symptoms. They pick strategic evidence-based interventions to help youth get back on track. Of particular note is a July 11, 2013, document—released from the U.S. Department of Health and Human Services/Substance Abuse and Mental Health Services Administration (SAMHSA), the Administration on Children and Families, the Centers for Medicare and Medicaid Services—articulating how states and jurisdictions could begin to think strategically about financing and organizing their systems to more effectively screen, assess, and intervene on complex trauma, caused by maltreatment and exposure to violence.

Ms. Anderson directed the Council to page 153 of the full report, containing descriptions of known successful interventions. She referenced the National Child Traumatic Stress Initiative from SAMHSA, which surveyed children both in child welfare and in juvenile justice, reviewing improvements over time in trauma symptoms, after an evidence-based intervention was implemented (for example, in outcomes for behavioral problems, academic problems, and law enforcement encounters). Ms. Anderson echoed Ms. Carrion’s comments that we should scale up on these practices and de-scale those interventions in our systems that are not achieving the desired results, and rely on functional assessments to monitor children’s progress and make mid-course corrections, as needed. And the implications for a shared developmental approach: this is a call to action for everyone … to think about children’s developmental issues, screening and assessment tools, the appropriate trajectories, maximizing resources, and guiding policies to achieve better results. A shared developmental approach that targets child welfare and juvenile justice—coupled with this Academy report, the Defending Childhood Initiative, and an Institute of Medicine [of the National Academies] report of 2009, *“Preventing Mental, Emotional, and Behavioral Disorders Among Young People: Progress and Possibilities”*—could be a very powerful approach to achieve broad public health results.

BD10289_

**COUNCIL MEMBER DISCUSSION**

**U.S. Department of the Interior (DOI)**

***Kevin Washburn, Assistant Secretary, Indian Affairs***

Assistant Secretary Washburn asked Ms. Carrion how, following the closure of 21 facilities over the six-year period, she redeployed resources that were freed up and to what other areas were these funds reinvested? What were the key investments that made a difference?

Ms. Carrion indicated that 99%of her budget was in facilities and not in programs. She focused on the following: narrowing the front door and creating funds to support detention and placement alternatives; implementing validation and risk assessment tools for both probationary and judicial officials; and improving conditions of confinement for youth in those systems, shifting money initially targeted for detention services over to alternative programming. She shrank the system—shifting dollars from the front door—and implemented a developmental approach that is trauma-informed and designed, from day one, to shorten the length of stay and get youth back into the community. She intensified support systems to include psychiatrists and psychologists, and made heavy investments in clinician training.

**Office of National Drug Control Policy (ONDCP)**

***Gil Kerlikowske, Director***

Director Kerlikowske asked Dr. Johnson about assessments and of the availability and quality of the substance abuse treatment programs in the juvenile justice system across the landscape. Dr. Johnson reviewed many programs and noted the lack of a strong database on quality. Substance abuse is very high and there is a need to know more about quality.

**U.S. Department of Education, Office of Elementary and Secondary Education**

***David Esquith, Director, Office of Safe and Healthy Students***

Director Esquith asked Ms. Carrion what an ideal relationship would look like between ED and her department. Ms. Carrion described her struggles to address educational issues—a capability outside her scope—within her systems. Juvenile justice systems just can't seem to get the State Departments of Education to care about the juvenile justice population and is a common complaint from colleagues in other states. We think that if US DOJ focused more on the educational outcomes, setting expectations and requirements and partnered with U.S. Department of Education, we hope that state Departments of Education will be more responsive. She cannot even apply a uniform system for credits for educational progress made within her systems. Young people may follow rigorous rules for many months or years and make great academic strides, yet find that their work may not be recognized. This is because each school exercises autonomy in determining the merits of the educational certifications her children have achieved, and that can be frustrating for youth trying to reenter mainstream schools. She has a robust GED program but cannot issue high school diplomas or credit for those learning at the collegiate level.

Additionally, she needs help with the recognition of special education needs. The larger and more difficult message to convey across all partners is that they all own these children, and have very specific responsibilities toward these youth. There is a sense of urgency – these children do not have a lot of time – 6 months is a long time in their lives, especially when separated from families and other support systems. They have made progress: there is a new Commissioner in NY City, who is very open to working with her department but it takes a lot of time. Education is the key: ED has been hard to engage or missing altogether, and she wants them at the table to help resolve these issues.

**Alameda County Superior Court, California**

***Trina Thompson, Immediate Past Presiding Judge***

Judge Thompson stated that her biggest complaint relating to shared responsibilities, as a judicial officer, was that she never received accurate information. She and her colleagues requested educational or health passports, that could have contained bar-coded history to provide judicial officers with a more comprehensive picture of a child to implement a trauma-informed, developmental approach. Judge Thompson relayed frightening situations where young people in the special education system may simply have been managed due to behavior issues, or had been administered expired psychotropic medications, of which the judicial officers had no prior knowledge.

How can they educate bench officers or juvenile justice providers with a more comprehensive picture, in order to take youth off the trajectory, flirting with the delinquency system due to mistakes made by adults? Collaboration in these areas would help. Dr. Johnson responded that electronic medical records will help, and that agreements are needed between hospitals and mental health officials to allow for better, more seamless interventions.

**TASC, Inc. of Illinois**

***Pamela F. Rodriguez, President***

Ms. Rodriguez complimented the panel and the NAS report, especially on the concept of switching the emphasis from widening to narrowing the net, and on the use of the developmental approaches. She expressed concern about how we get it out to the rest of the country.

Dr. Johnson pointed to the availability of documents on the internet and was pleased with the volume of report downloads. He further asserted that these findings have broader implications than the juvenile justice system – they impact every aspect of a child’s life, highlighting the importance of a holistic view of youth. Ms. Carrion indicated the need for a roadmap to determine how best to operationalize the report’s recommendations. Dr. Mulvey stated we don’t want to tell OJJDP what to do; but the developmental framework mandates federal leadership to consolidate and get the information out into the field.

**U.S. Department of Health and Human Services (HHS)**

***Larke Huang, Ph.D., Senior Advisor, Administrator’s Office of Policy Planning and Innovation, Substance Abuse and Mental Health Services Administration (SAMHSA)***

Dr. Huang also commended the committee on the report and appreciated the concept of rare, fair, and beneficial – choosing to help youth avoid their systems. SAMHSA is invested in diversionary programs and has collaborated with OJJDP around the issue of youth mental health courts; did the committee document this collaboration? She was also interested in knowing if there are any large jurisdictions that are currently doing it right for kids and specific strategies for gender issues.

Dr. Mulvey indicated there are lots of little pockets where the right activities are being done, and that some states are more integrated in their efforts than others. Also fostering consistent leadership at the state level, with cross-agency collaborations, tends to promote more progressive, thoughtful practices with a long-term perspective. Regarding specialized programs – there are a great number of effective programs, but one area that appears to need evidence-based practices is in reducing DMC.

**Michigan Department of Human Services**

***Maura Corrigan, Director [former Chief Justice of the Michigan Supreme Court]***

Chief Justice Corrigan expressed thanks to everyone for their work on this project to reform the juvenile justice system, especially to Ms. Carrion and Judge Thompson for the problems they have faced (similar to hers) across departments. Justice Corrigan questioned if the Council will have opportunities at future meetings to reflect in greater depth on these recommendations. She is frustrated that they are too “silo’ed” across departments. Michigan has huge problems with truancies and suspensions/expulsions of minority youth that affect the pipeline, first into juvenile courts and later into the adult criminal justice system.

What can incentivize states at the national level to work together, to not only prevent reoffending, but even offending in the first place? They have models in place that they know will work, e.g., truancy initiatives, that can cut juvenile crime altogether. She is hopeful that these issues can be further explored, especially since she has joint responsibilities for juvenile justice and child welfare in Michigan. The silo effort of DOJ’s responsibility for juvenile justice, versus what occurs at the Administration for Children and Families (ACF) and HHS, means that juvenile justice youth are frequently left out of resources enjoyed by foster and adopted youth. Justice Corrigan would like to see further studies done in this area, including opportunities for higher education. Cross-cutting opportunities are being missed. She believes this affects reoffending.

**Massachusetts Trial Court**

***Gordon A. Martin, Jr., Associate Justice (retired)***

Justice Martin built on on Justice Corrigan’s comments about suspensions: they have been previously discussed at Council meetings with deep concerns expressed by Attorney General Holder, but certainly more can be done. This behavior in some jurisdictions is rewarded by many children being simply put out of the classroom and onto the street without any alternative setting.

**U.S. Department of Agriculture (USDA)**

***Lisa Lauxman, Ph.D., Director of Youth Development, National Children, Youth, and Families at Risk (CYFAR) Coordinator, National Institute of Food and Agriculture (NIFA)***

Dr. Lauxman stated we need to address how to help youth with positive risk taking and decision making, with the developmental approach, and inquired how this can be addressed from the systems approach.

Ms. Carrion agreed that youth need normative experiences. One of her facilities has a program where youth work in a store setting. They learn to use a cash register, develop job skills, and view the experience positively – in a very affirming way. The youth have also designed an aquaponics program that gives them a sense of self-efficacy, and a Boys & Girls Club. Her system also celebrated a Family Day, where they taught youth how to ride and care for horses, and the youth, in turn, became trainers for other family members that day. We must be creative and see youth in a different context; and see the value in them. Regarding DMC – just keep them out of the system.

Dr. Johnson explained that much of human development is directly related to positive risk taking. Most of us learn everything, especially responsibilities and relationships, through positive risk taking in a protected environment, typically the family. However, many youth lack this protective environment, where individuals can safely learn how to achieve positive development.

BD10289_

**AGENCY ANNOUNCEMENTS**

Agency announcements were not made, in part due to a lack of time. Kathi Grasso, the Designated Federal Official (DFO), advised that if members had announcements, they share them with her after the meeting. Upon receipt, she would circulate to others. (No agency had contacted the DFO prior to the meeting to advise that its member wished to make an announcement.)

**BD10289_**

**SUMMARY AND MEETING ADJOURNMENT**

**Administrator Listenbee** communicated his thanks to everyone and assured Council meeting attendees that OJJDP is indeed very interested in examining the NAS report in detail, and identifying the best approach. He asked NAS to help identify gaps requiring further consideration; offer implementation ideas for DOJ, OJJDP, and other federal partners; and recommend cost-benefit analyses all can use. Some states have already begun the reform process so efforts are underway to understand what’s working in those states, and consider them as pilots for the nation. DOJ and the Council understand the urgency: that lives are at stake for every day we fail to deliver the best practices. Within and across DOJ, OJJDP, and OJP, we have reconstituted our research division and will follow up on the NAS report recommendations. We will carefully address the data collection issues since that is within our scope of authority to effect change. Regarding school issues: Attorney General Holder and Education Secretary Arne Duncan did speak on the issue of the Supportive School Discipline Initiative (SSDI). We anticipate that the results of all SSDI efforts will be highlighted at a Council meeting early next year. Efforts are underway for guidance information from ED on these issues to identify legalities on suspensions and expulsions. The Council of State Governments is also preparing consensus reports to identify effective consensus-building efforts with various school superintendents around the nation. Judge Steven Teske is working to develop special tools for the judiciary. Daily, the Department is working to address these myriad issues.

**Kathi Grasso** regretted that there is no time remaining to cover agency announcements. Please share them with her and she will ensure they are communicated. She also acknowledged the valuable contribution of so many OJJDP and OJP staff and contractors, whose hard work ensured that the Council had a comfortable and technologically sound meeting: AEIO, LLC; OJP administrative and building facilities, the Office of the Chief Information Officer; the Office of the Attorney General; and the Office of the Associate Attorney General. A final reminder was given about the brown bag lunch immediately following the meeting.

**Administrator Listenbee** adjourned the meeting at approximately 11:49 a.m.