



MULTNOMAH COUNTY OREGON DETENTION REFORM INITIATIVE

Juvenile Justice Council (JJC)

January 26, 2009 (Monday)
12:00 pm – 1:30 pm
Juvenile Justice Complex - large conference room
1401 NE 68th Avenue
Portland, Oregon 97213

MEETING MINUTES

Council Members:

Kathy Brennan	Lisa Fithian-Barrett	Linda Hughes	Julie McFarlane	Carla Piluso	Jim Stegmiller	Heather Updike	Donna Henderson	Bob Robison
Loren Calkins	Joanne Fuller	Rick Jensen	Keith Meisenheimer	Lorenzo Poe	Diane Stuart	Nan Waller	Ed Hamann	Thuy Vanderlinde
Tom Cleary	Carolyn Graf	Dave Knofler	Thach Nguyen	Charlene Rhyne	Susan Svetkey	Michael Ware	Keith Bickford	
Tracey Cordes	Rob Halverson	David Koch	Louise Palmer	Tom Ryan	Scott Taylor	Carol Wessinger	Sulma E. Flores	
Tina Edge	Debbie Hansen	Paula Kurshner	Dana Pearman	Hillary Demary	Katherine Tennyson	Sara Westbrook	Joan Williams	
William H. Feyerherm	Carol Herzog	Michael Loy	Christine Pedersen	Brett Smith	Rod Underhill	Merri Wyatt	Betty Wagner	

Guests:

- Steve Doell, Crime Victims United
- Ken Chapman, Crime Victims United
- Erica & Ruben Nunez, Victory Outreach
- Cynthia Thomas-Johnson, New Decision
- Sue Wallace, Boys & Girls Aid Society

AGENDA TOPIC:	NOTES:	PLAN OF ACTION CONTACT INFORMATION
Welcome & Introductions Judge Waller	Judge Waller welcomed the council and guests. The council members introduced themselves.	If you have general questions about this council contact: Judge Waller Family Court Judge 1021 SW 4th Avenue Portland, OR 97204-1123 Interoffice 101/362 (503) 988-3038 (503) 988-3425 fax nan.waller@ojd.state.or.us
JSD Shelter Services Provider Introduction (New Decisions, Victory)	Rick introduced Tina Edge who is the new JSD Shelter Services Program Coordinator who in turn introduced the shelter providers. Each provider gave an overview of their program and answered questions. Sam Shea from MapleStar could not attend so Tina asked Deena Corso, MST Supervisor to step in his place. Here is an overview of the programs:	If you have questions or comments, please contact: Rick Jensen System Reform Project Administrator

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<p>Outreach, Maplestar, and Boys & Girls Aid Society)</p> <p>Rick Jensen / Tina Edge</p> <p>Handout attached</p>	<p>Boys & Girls Aid Society - 5 beds for high risk white, African-American and Latino youth with history of violence</p> <p>Maplestar - 6 beds (2 MST / 3 GRIT) for high risk African-American and Latino youth with history of violence or gang-involved.</p> <p>New Decision - 5 long term beds for high risk African-American youth with history of violence or gang-involved</p> <p>Victory Outreach - 5 beds for high risk Latino youth with history of violence or gang-involved</p> <p>These providers now have a satellite office at Juvenile Service Division and a global email address 3DCJ JSD SHELTER SERVICES CONTINUUM. This group also meets once a month at Juvenile Service Division to troubleshoot operational issues.</p> <p>It was suggested to provide the latest utilization rates at an upcoming meeting.</p>	<p>1401 NE 68th Avenue Portland, OR 97213 Interoffice: 311/JSD (503) 988-988-5698 (503) 988-3561 fax rick.k.jensen@co.multnomah.or.us For more information on detention reform, go to: http://www.co.multnomah.or.us/dci/icidetreform.shtml</p> <p>Tina Edge System Reform & Community Placement Coordinator Juvenile Service Division 1401 NE 68th Street Portland, OR 97213 (503) 988-3083 tina.a.edge@co.multnomah.or.us</p>
<p>RAI Policy Update</p> <p>Rob Halverson</p> <p>Handout attached</p>	<p>The group reviewed proposed changes to the RAI policy in regards to overriding the score.</p> <p>The priority of the policy is to get the right youth to the right place. The policy needs to match what is taking place on the line with a clear understanding of what type of youth were being detained.</p> <p>Proposed changes modify language about detention overrides for a concern of serious physical injury. This standard is lowered to allow overrides for concerns about any physical injury. Changes also incorporate an override specifically for youth detained under the High Risk Probation Violator Pilot.</p>	<p>If you have questions or comments, please contact:</p> <p>Rob Halverson BIST Team Juvenile Service Division 1401 NE 68th Street Portland, OR 97213 (503) 988-4603 Robert.p.halverson@co.multnomah.or.us</p>
<p>Project Safe Streets Update</p> <p>Tom Cleary</p>	<p>Tom gave an overview of this program that proposes to bring together efforts of Law Enforcement, the Juvenile Service Division, and the District Attorney's Office to address increasing community concern regarding delinquent youth. This program will target Multnomah County's highest risk youth. This program is being implemented to increase public safety, enhance the safety of the youth, and ensure appropriate accountability for high risk youth on probation.</p> <p>The program seeks to achieve this purpose by allowing law enforcement to remove a youth from the community and transport to Detention Intake when the youth is observed in violation of probation and law enforcement has a reasonable belief based on their training and experience that the youth is likely to become involved in a serious offense or suffer injury if not brought to detention. Serious offenses include all felonies, all weapons possession/use, and all assaults. Juvenile Court Counselors will review each of these cases to determine whether necessary probable cause exists and the appropriateness of holding the youth</p>	<p>If you have questions or comments, please contact:</p> <p>Tom Cleary District Attorney 1401 NE 68th Street Portland, OR 97213 (503) 988-3460 david.m.koch@co.multnomah.or.us</p>

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	<p>pending a probation violation hearing. The impact of this project will be measured.</p> <p>There was a concern that we do not lose progress made in assuring the right youth are brought to detention. There will be a weekly meeting to evaluate the pilot and problem-solve issues that arise.</p>	
<p>Prison Rape Elimination Act (PREA)</p> <p>Kathy Brennan / Heather Urdike</p>	<p>Kathy Brennan shared with council these new requirements in regards to becoming more aware of inappropriate sexual contact of staff, detained youth, community providers, etc.</p> <p>They need to develop safety plans, provide training to staff, and post notifications in public and staff areas stating zero tolerance along with making reporting options readily available to youth.</p> <p>The JSD Shelter Providers will also be required to meet this criteria and Kathy will be sure to include them in any future trainings that take place.</p>	<p>If you have questions or comments, please contact:</p> <p>Kathy Brennan JSD Detention Manager 1401 NE 68th Street Portland, OR 97213 (503) 988-3460 kathy.brennan@co.multnomah.or.us</p>
<p>Budget Priorities Discussion</p> <p>Judge Waller / Tom Cleary / David Koch / Commander Henderson</p>	<p>The budget is still being worked by all agencies and potential impacts can not be confirmed for the next month or two.</p> <p>There will be an update after the Chair reviews proposals then releases his budget.</p>	<p>If you have questions or comments, please contact:</p> <p>Scott Taylor, Director Department of Community Justice 501 SE Hawthorne Blvd Portland, OR 97214 (503) 988-5590 scott.m.taylor@co.multnomah.or.us</p> <p>David Koch Juvenile Service Division 1401 NE 68th Street Portland, OR 97213 (503) 988-4171 david.m.koch@co.multnomah.or.us</p> <p>Tom Cleary District Attorney 1401 NE 68th Street Portland, OR 97213 (503) 988-3460 david.m.koch@co.multnomah.or.us</p>
<p>CVU's Proposed Detention Priorities</p>	<p>The Juvenile Justice Executive Committee has been meeting to discuss these issues and the final meeting will take place Feb. 26th. After that a report will go to this council and</p>	<p>If you have questions or comments, please contact:</p> <p>David Koch</p>

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Recommendations David Koch	ultimately LPSCC on what was agreed upon and what is still at issue. David will report back to this council at that time.	Assistant Director Juvenile Service Division 1401 NE 68th Street Portland, OR 97213 (503) 988-4171 david.m.koch@co.multnomah.or.us
Delinquency Court of Excellence Subcommittee Julie McFarlane Handout attached	Julie talked about the proposal to the council in regards to Crime Victim's practices - one of the issues in regards to the Crime Victims Resource Cards that are to be carried by the police and handed out to crime victims. As of this date, they have not received any calls from victims and suggest that Judge Waller send a letter to the police precincts asking them to include these cards on the checklist of police reports. They are also requesting that refresher training be done.	If you have questions or suggestions for this subcommittee, contact: Julie H. McFarlane Supervising Attorney Juvenile Rights Project, Inc. 401 NE 19th Avenue, Suite 200 Portland, OR 97232 (503) 232-2540 ext. 227 Julie@jrplaw.org
Open Discussion Judge Waller	Jason Ziedenbergh, Communications & Policy Manager stated The National Juvenile Justice Network recognized Multnomah County for it's work on the Risk Assessment Instrument & Decision Making Policy. For more information about this, please go to their website: www.njjn.org - 2007 - 2008 Advances in Juvenile Justice Reform <u>February Agenda Items:</u> <ul style="list-style-type: none"> • One Judge / One Family - Julie McFarlane • JSD Shelter Services Utilization Rates - Tina Edge <u>March Agenda Items:</u> <ul style="list-style-type: none"> • COCP Update & Culturally Specific Treatment Providers • RAD Evaluation 	If you would like to receive meeting notifications or would like more information on this council - please contact: Tina Edge System Reform & Community Placement Coordinator Juvenile Service Division 1401 NE 68th Street Portland, OR 97213 (503) 988-3083 tina.a.edge@co.multnomah.or.us

Facilitator: Judge Nan Waller Note-taker: Tina Edge

Next meeting ...
February 23, 2009 (Monday)
12:00noon - 1:30pm
Juvenile Justice Complex - Large conference room
1401 NE 68th Avenue Portland, OR 97213

**** Meetings normally take place 3rd Monday of every month 12:00noon - 1:30pm****



Multnomah County Juvenile Court
MULTNOMAH COUNTY OREGON

January 22, 2009

The Honorable Nan Waller, Chief Juvenile Judge
Multnomah County Juvenile Court
1401 NE 68th Avenue
Portland, OR 97213

Recommendations of Delinquency Court of Excellence Subcommittee – Victim Access and Services

Dear Judge Waller and Juvenile Justice Council Members:

The Delinquency Court of Excellence Subcommittee is pleased to report our continued progress in reviewing and making recommendations to the Juvenile Justice Council to implement practice improvements in our Juvenile Justice System consistent with the Key Principles of a Juvenile Delinquency Court of Excellence as adopted by the National Council of Juvenile and Family Court Judges.

Over much of the last year we have been working on Key Principle 8:

Juvenile Delinquency Court Judges Should Ensure Crime Victims Have Access to All Phases of the Juvenile Delinquency Court Process and Receive All Services to Which They are Entitled by Law.

Virtually all of the recommendations we ask the Juvenile Justice Council to approve today have already been implemented by the partners who have participated in the subcommittee.

Initially, to aid us in a more specific review of practices related to victim access and services, we organized our review and discussions on the Oregon Crime Victim's Rights Compliance Project's publication, *Honoring Crime Victim's Rights in Oregon Best Practices*. A copy of that resource is attached. We were pleased to note that many if not most of the best practices recommended in that publication are already in practice in the Multnomah County Juvenile Justice System. The Juvenile Justice Council should approve the following recommendations:

1. **Victim's Rights Cards** – (see attachment). There are questions concerning whether the cards are being distributed by law enforcement and whether they are having the desired impact. The subcommittee worked on urging law enforcement to stock the cards and do training. There was discussion with Commander Henderson about whether the form police report could have a check box to indicate the card was provided. The card gives victims information about their rights and among other numbers provides a number to a phone that is answered by Juvenile Department staff for questions. During the time the subcommittee has been receiving information, there have been no call to this line. Nonetheless, there is no other practical way for victims to be informed of this important information early on in the case. Thus, the subcommittee recommends that the Juvenile Justice Council continue to monitor utilization of the cards and continue to encourage law enforcement to provide the cards to victims, provide training on a regular basis about distribution of the cards and continue to consider a "report back" system, such as a check box on the police report, so that there is a way to check as to whether the cards are being provided. We recommend that the Juvenile Justice Council through Judge Waller send a letter to all law enforcement chiefs asking that they follow-up on these recommendations.

2. **Policy Revisions and Practice Improvements by the District Attorney's Office** – (see attachment). The District Attorney's Office reviewed its policies, forms and notification practices in formal cases. As the attachment indicates, the district attorney takes responsibility for informing the

victim of the right to be present and be heard at preliminary hearings, and other hearings and developments in the case. The District Attorney's Office and the Juvenile Department reviewed the forms used by each to notify and provide services to victims for consistency. At the request of the subcommittee, the form for continuances has been changed by the Juvenile Clerk's Office to reflect that the victim has been contacted by the District Attorney to the end that the victim's availability can be considered.

3. Policy Revisions and Practice Improvements by the Juvenile Department – (see attachment). The Juvenile Department also reviewed its policies, forms and notification practices and made revisions consistent with best practices. The attached policy has been adopted and changes have been made to forms.

4. Training – The Subcommittee recommends that the Juvenile Justice Council should encourage the different agencies involved with victims in the Juvenile Justice System to provide training to staff on changes in policies, forms and notification of victims. The Juvenile Department has already provided this training for their staff. Several subcommittee members indicated willingness to participate as trainers in such training.

Thank you for your consideration and action on our recommendations.

Respectfully submitted,

Julie H. McFarlane, Attorney
Chair – Delinquency Court of Excellence Subcommittee

Detention Screening Decision & Preliminary Hearing Recommendation Policy

Proposed Edits to Detention Override Criteria

Before:

b. Strong Indications of Imminent Violence – No Appropriate

Release: The youth's circumstances provide clear and convincing evidence that the youth poses a danger of serious physical injury to or sexual victimization of the victim or another person while the youth is on release, and for whom a safety plan to adequately provide for public safety cannot be made. Circumstances include but are not limited to the presence of a qualifying current offense AND override criteria below:

1. Qualifying Current Offenses:

- a) Rape I, Sodomy I, Sexual Penetration I **not** involving forcible compulsion
- b) Class C Felony involving violence or use or threatened use of a weapon
- c) All other Class A and B Felonies
- d) Misdemeanor involving violence or possession or threatened use of a weapon (reminder: youth must meet grounds for preadjudicated detention or 36-hour hold).
- e) Probation Violation

2. Override Criteria:

- a) The youth makes a threat of, the youth's behavioral patterns indicate the likelihood of, or the victim states a credible, serious concern about:
 - Serious physical injury of another person
 - Sexual victimization of another person
- b) The youth's behavior is volatile, impulsive, unstable
- c) The youth's behavior can't be controlled by an adult/placement
- d) No Safety Plan is possible

- c. Very Dangerous Probation Violation** – the youth was brought to detention based on probable cause to believe the youth violated probation, the youth was observed by police to be involved in behavior that would very likely result in serious physical injury to or sexual victimization of another person or the youth if not brought to detention. There is no safe placement that meets appropriate release criteria.

After:

d. Strong Indications of Imminent Violence – No Appropriate

Release: The youth's circumstances provide **a compelling reason to believe that the youth poses a danger of physical injury to or sexual victimization of the victim or another person while the youth is on release**, and for whom a safety plan to adequately provide for public safety cannot be made. Circumstances include but are not limited to the presence of a qualifying current offense AND override criteria below:

1. Qualifying Current Offenses:

- a) Rape I, Sodomy I, Sexual Penetration I **not** involving forcible compulsion
- b) Class C Felony involving violence or use or threatened use of a weapon
- c) All other Class A and B Felonies
- d) Misdemeanor involving violence or possession or threatened use of a weapon (reminder: youth must meet grounds for preadjudicated detention or 36-hour hold).
- e) Probation Violation

2. Override Criteria:

- a) The youth makes a threat of, the youth's behavioral patterns indicate the likelihood of, or the victim states a credible, serious concern about:
 - Serious physical injury of another person
 - Sexual victimization of another person
- b) The youth's behavior is volatile, impulsive, unstable
- c) The youth's behavior can't be controlled by an adult/placement
- d) No Safety Plan is possible

e. Very Dangerous Probation Violation – the youth was brought to detention based on probable cause to believe the youth violated probation, **and there is a compelling reason to believe that the youth will commit a serious offense or suffer injury if not held in detention. Serious offenses include all felonies, all weapons possession/use, and all assaults.** There is no safe placement that meets appropriate release criteria.



JSD Shelter Service Provider Overview

(4 providers w/ 6 contracts - 21 beds total - 7,300 bed nights)

VICTORY OUTREACH

3012 NE Alberta Street
Portland, OR 97211
Phone #: (503) 335-3264 Victory Outreach Church Portland
Phone #: (360) 687-1991 Program number for Battle Ground
Fax Number: (503) 335-9828
(website) <http://www.voportland.com/>

Contact Person(s):

Pastor Max & Linda Garza
Grants Manager: Erica email: erican7@yahoo.com (cell: 503-997-2671)
Program: Ruben rubenvop1@yahoo.com
Email to: church@voportland.com

5 beds - these beds are for high-risk Latino youth with history of violence and/or gang involved.

BOYS AND GIRLS AID SOCIETY (BGAS)

018 SW Boundary Court
Portland, OR 97239
Phone #: (503) 222-9661
(503) 224-5960 fax
Toll Free #: 1-877-932-2734
(website) <http://www.boysandgirlsaid.org/index.html>

Contact Person (s):

Manager(s): Andrea Vira / Sue Wallace
(swallace@boysandgirlsaid.org)
Jen (503) 542-2357 cell phone (913-9397) jkernott@boysandgirlsaid.org
After 4pm call (503) 542-2389

1st program

4 foster home model beds
Average length of stay: 14 - 30 days (any longer needs supervisor approval)

2nd program

2 shelter home - emergency beds
Average length of stay: 1 - 2 weeks (any longer needs supervisor approval)

6 beds - these beds are for both high-risk White, African-American and Latino youth with history of violence and/or gang involved.

MAPLESTAR OREGON, INC.

825 NE 20th Ave, Suite 140
Portland, OR 97232
website: http://www.maplestar.net/oregon/OR_home.htm

Contact Person(s):

Robin C. Buck



Contract holder:

Adrian Navarro

Community Justice Mgr.
1401 NE 68th Ave
Portland, OR 97214
(503) 988-5061 phone
(503) 988-3115 fax
adrian.m.navarro@co.multnomah.or.us

Topi Lopez

Juvenile Counselor
1401 NE 68th Ave
Portland, OR 97214
(503) 988-5061 phone
(503) 988-3115 fax

tori.lopez@co.multnomah.or.us



Contract holder:

Patty Iwamoto

Community Justice Mgr.
1401 NE 68th Ave
Portland, OR 97214
(503) 988-5591
(503) 988-6007 fax
patty.k.iwamoto@co.multnomah.or.us

Kathy Brennan

Detention Manager
1401 NE 68th Ave
Portland, OR 97214
(503) 988-6066
(503) 988-6009 fax

Kathy.c.brennan@co.multnomah.or.us

Oregon Executive Director
825 NE 20th Ave, Ste 140
Portland, OR 97232
Ph: (503) 231-6547
Fax: (503) 231-6594
rbuck@maplestar.net

Charles B. Hodge
Recruiter/Certifier
825 NE 20th Ave, Ste 140
Portland, OR 97232
Ph: (503) 788-2777
Fax: (503) 231-6594
chodge@maplestar.net

Samuel Shea
Family Care Coordinator
Ph: (503) 235-8430
Fax: (503) 231-6594
sshea@maplestar.net

Emergency Hotline: (503) 349-7316

Under one contract:

1st program

2 MST emergency beds
Average length of stay: 1 - 4 weeks (any longer needs supervisor approval)

2nd program

3 long term GRIT beds
Average length of stay: 30 -90 days (any longer needs supervisor approval)

The MST beds are dedicated to MST youth and then ATYF youth. The 2nd program are 3 long/short term beds dedicated to high-risk African American and Latino youth with a history of violence and/or gang involved.

NEW DECISION TREATMENT FOSTER CARE, INC.

11737 SE Alder Street
Portland, OR 97216
Fax: (503) 253-5531
Website: <http://newdecisiontfc.com/contact.htm>

Contact Person(s):

Phillip Johnson
Phone: (503) 890-0643
phillip@newdecisiontfc.com

Cynthia Thomas-Johnson
Phone: (503) 890-4913
cynthia@newdecisiontfc.com



Contract holder:

GRIT beds
TBD (was Jamie Cruz)
4815 NE 7th Ave
Portland, OR 97211
(503) 988-3978 phone
(503) 988-3970 fax
jamie.l.cruz@co.multnomah.or.us

MST (*then ATYF*) beds
Deena Corso
1401 NE 68th Ave
Portland, OR 97213
(503) 988-4067 phone
(503) 988-4664 fax
deena.m.corso@co.multnomah.or.us



Contract holder:

Jan Bishop
Community Justice Manager
1401 NE 68th Ave
Portland, OR 97213
(503) 988-3978
(503) 988-3970 fax
ian.m.bishop@co.multnomah.or.us

Les Taylor
Community Justice Manager
1401 NE 68th Ave
Portland, OR 97213
(503) 988-3978 x230
(503) 988-3970 fax
les.b.taylor@co.multnomah.or.us

These 5 long term beds are for high-risk African-American youth with history of violence and/or gang involved. Average length of stay: 30 - 90 days (any longer needs supervisor approval).

JSD Shelter Services Contract Management

Rick Jensen
Address: 1401 NE 68th Avenue Portland, OR 97213
Phone: 503.988.5698
Fax: 503.988.3409
Email: rick.k.jensen@co.multnomah.or.us

Tina Edge
Address: 1401 NE 68th Avenue Portland, OR 97213
Phone: 503.988.3083
Fax: 503.988.3409
Email: tina.a.edge@co.multnomah.or.us