



# MULTNOMAH COUNTY OREGON DETENTION REFORM INITIATIVE

## Juvenile Justice Council (JJC)

November 24, 2008 (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

AGENDA TOPIC:	NOTES:	PLAN OF ACTION CONTACT INFORMATION
<b>Welcome &amp; Introductions</b>  Judge Waller	<p>The council members introduced themselves.</p> <p>Judge Waller announced Dawn Andrews would be leaving the council and thanked her for valuable work with the courts - her contact information is in the right column if you would like to send her a note.</p> <p>Please make appropriate referrals to PRS internally and mark "interview only" to ensure there is accurate sorting.</p> <p>The Governors' conference on over-representation was a success and the great work accomplished by groups was evidenced by the youth panel. This was a panel of youth who struggled, took advantage of services available and whose lives are now back in order. Governor Kitzhaber handed out awards to the youth which was very inspiring - don't miss it next year.</p>	<p>If you have general questions about This council or would like to apply for membership, contact:</p> <p>Judge Waller <b>Family Court Judge</b> 1021 SW 4th Avenue Portland, OR 97204-1123 Interoffice 101/362 (503) 988-3038 (503) 988-3425 fax <a href="mailto:nan.waller@ojd.state.or.us">nan.waller@ojd.state.or.us</a></p> <p>or contact her assistant, Gloria Martin at: <a href="mailto:'Gloria.J.MARTI@ojd.state.or.us'">'Gloria.J.MARTI@ojd.state.or.us'</a></p> <p>Dawn Andrews</p>

AGENDA TOPIC:	NOTES:	PLAN OF ACTION CONTACT INFORMATION
		<b>Supervisor, Incarcerated Youth Programs</b> Department of Instructional Services (503) 273-8216 (503) 243-6307 fax <a href="mailto:dandrews@mpdlaw.com">dandrews@mpdlaw.com</a>
<b>Juvenile Justice Council Executive Committee - CVU Recommendations Review</b>  Judge Waller  Handouts attached	The Juvenile Justice Council Executive Committee decided to discuss the 15 CVU report recommendations with representatives from Crime Victims United, then report back to the Council regarding what action, if any, to take on the recommendations. The group met again last week. PPB Commander Donna Henderson will join the group in December.	If you have questions or comments, please contact:  Judge Waller <b>Family Court Judge</b> 1021 SW 4th Avenue Portland, OR 97204-1123 Interoffice 101/362 (503) 988-3038 (503) 988-3425 fax <a href="mailto:nan.waller@ojd.state.or.us">nan.waller@ojd.state.or.us</a>  David Koch <b>Assistant Director</b> Juvenile Service Division 1401 NE 68th Street Portland, OR 97213 (503) 988-4171 <a href="mailto:david.m.koch@co.multnomah.or.us">david.m.koch@co.multnomah.or.us</a>  Steve Doell & Ken Chapman <b>Crime Victims United</b> <a href="mailto:contact@crimevictimsunited.org">contact@crimevictimsunited.org</a>
<b>DCJ Budget Update &amp; Request for Input</b>  Scott Taylor / David Koch	The current budget news is not good and has immediate impacts on what happens in juvenile service division. Chair Wheeler asked all departments to spend only 96% of their budgets this current fiscal year. He asks that during fiscal year 2010 a 15% reduction be considered for all departments. Scott Taylor would like to identify and discuss department priorities at a December meeting. He would also like to collect ideas for reductions by mid-January before submitting the Department budget February 13th.  <a href="http://mints.co.multnomah.or.us/jsp/MINT/EntryPoint?ch=c20852270ffb4010VgnVCM1000003bc614acRCRD">http://mints.co.multnomah.or.us/jsp/MINT/EntryPoint?ch=c20852270ffb4010VgnVCM1000003bc614acRCRD</a>  The temporary budget will come out late March, early April. In late June, the final budget will be in place. Currently, we are 35M short to support the current service level. It was noted	If you have questions or comments, please contact:  Scott Taylor, Director <b>Department of Community Justice</b> 501 SE Hawthorne Blvd Portland, OR 97214 (503) 988-5590 <a href="mailto:scott.m.taylor@co.multnomah.or.us">scott.m.taylor@co.multnomah.or.us</a>  David Koch <b>Assistant Director</b>

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	<p>state level agencies will take cuts this biennium also and it will be vital to review all cuts across the board to get an idea of the overall impact.</p> <p>David welcomes feedback on what folks feel would make the most sense to cut or keep. It was suggested to develop a picture of what is being cut between juvenile, DHS, OYA, etc to get a clearer picture. More discussion is planned at the December meeting.</p> <p>Julie McFarlane will update the council at the next meeting on current legislation such as Senate Bill #1092 (notification to schools when a petition is filed) that will impact our services. It was suggested that nothing should be put forward with a fiscal impact.</p>	<p>Juvenile Service Division 1401 NE 68th Street Portland, OR 97213 (503) 988-4171 <a href="mailto:david.m.koch@co.multnomah.or.us">david.m.koch@co.multnomah.or.us</a></p>
<p><b>Detention Screening Policy "almost final draft"</b></p> <p>Rob Halverson</p>	<p>Rob gave a progress update on this policy that has been in the works for more than 2 years which involved collaboration with many stakeholders with regular updates to this council. He noted the re-offense rate and failure to appear has declined. Overall, at this preliminary stage of the process the rate of the African American youth has declined by 15%. Ongoing and lengthy input from all aspects of juvenile justice system and can still modify as needed but would like to get a finalized policy by the end of December.</p> <p>Rob talked about results and outcomes and the fact that re-offense rates improved for every group while the warrant rate stayed the same. Common overrides were for strong indications of no show to court and Measure 11 and firearms.</p> <p>Judge Waller asked for consensus of approval from the council noting the policy can be modified at a later date if needed - the council agreed.</p>	<p>If you have questions or comments, please contact:</p> <p>Rob Halverson <b>BIST Team</b> Juvenile Service Division 1401 NE 68th Street Portland, OR 97213 (503) 988-4603 <a href="mailto:Robert.p.halverson@co.multnomah.or.us">Robert.p.halverson@co.multnomah.or.us</a></p>
<p><b>Open Discussion</b></p> <p>Judge Waller</p>	<p>The January and February meetings fall on holidays so they have been rescheduled for:</p> <p style="text-align: center;"><b>January 26, 2008</b></p> <p style="text-align: center;"><b>February 23, 2008</b></p> <p>- same time and location.</p>	<p>If you would like to receive meeting notifications or would like more information on this council - please contact:</p> <p>Tina Edge <b>JSD Treatment &amp; Specialized Services</b> Juvenile Service Division 1401 NE 68th Street Portland, OR 97213 (503) 988-3083 <a href="mailto:tina.a.edge@co.multnomah.or.us">tina.a.edge@co.multnomah.or.us</a></p>

Facilitator: Judge Nan Waller    Note-taker: Tina Edge

Next meeting ...  
**January 26, 2008 (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\*\*

# 15 POINT CRIME VICTIM UNITED REVIEW

(excerpt from The State of the Multnomah County Juvenile Justice System: A Report to the Policymakers and Citizens of Multnomah County - Crime Victims United of Oregon 2008)

## PART 7: RECOMMENDATIONS

Before discussing our recommendations, it is important to acknowledge that Crime Victims United and Juvenile Services share a number of similar views. We both believe that a clear majority of youth being referred to the juvenile justice system do not need to be dealt with formally through the court nor do they need to be placed in detention. We both believe that the juvenile justice system offers many advantages over the adult justice system. We both believe that long-term incarceration should be reserved for dangerous offenders. We would both like to see offenders change while living in their own communities, when they can safely do so. Finally, we support all current efforts to provide treatment to youth offenders. In fact, a prime motivation in making these recommendations is to enhance the effectiveness of treatment by recognizing the realities of dealing with delinquent youth. Despite these similarities, this report has highlighted the very significant differences that Crime Victims United has with the governing philosophy of Juvenile Services. Our recommendations, if adopted, would change that philosophy fundamentally.

**1) Multnomah County should convene a top to bottom review of the policies and practices of Juvenile Services for their adherence to the purpose clause of the Oregon Juvenile Delinquency Code.** This review should include the Commissioners' Office, District Attorney's Office, and leadership within the police departments of the county, the judiciary and interested members of the general public. There should also be representatives from custody and probation. This review would inevitably engage the issue of whether Multnomah County wants its juvenile justice agency to be a part of law enforcement, or an adjunct to the child welfare system, as too often appears to be the case at the present time. If the decision is to rejoin the law enforcement system as a true juvenile justice agency, major and far-reaching policy changes will be necessary.

**2) Juvenile Services should eliminate the RAI, and replace it with an instrument which has a goal of community safety, accountability and efficiency, not a reduction in detention population.** State law already significantly restricts the sorts of crimes which can result in immediate detention. Even with those existing restrictions, however, nobody would argue that all youth who commit a detainable crime should be locked up. On the other hand, a system, like the RAI, which requires a certain score to qualify for detention, acts as an extra layer of law. It is designed to lower admissions, not use available space more appropriately or efficiently. A more rational system would prioritize all legally detainable crimes and offenses such as probation violations and court warrants to guide detention decisions. Factors to be considered other than the crime would obviously include prior referrals, warrants, past and present, premeditation of the crime and trauma to the victim. The priority of the crime would then be applied to the available detention space. For instance, if detention is full, it would not be appropriate to lodge a youth for Burglary in the Second Degree. If space is available, however, it would be appropriate. Staff should also be given discretion to make decisions based on other factors which impact public safety.

**3) Treat front-line staff as an asset, give them the latitude to make discretionary decisions within broad policy guidelines, seek their opinions and ideas when appropriate and hold them accountable to state law, not JDAI philosophy.** While phrases like "data driven" or "objective criteria" are used to dress up the lack of discretion allowed to juvenile court counselors and custody staff, they really amount to little more than old-fashioned micro-management and a lack of confidence in staff. Thirteen years after Juvenile Services started adopting the Casey model, there is still so little staff buy-in to that philosophy that it is necessary to seriously limit the professional judgment of those doing the day-to-day work of the department. That alone should make the county in general and Juvenile Services in particular rethink their current direction. Juvenile court counselors should be allowed to make the recommendations which fit the youth and his crime(s), not the sanctions grid. They should also be able to make basic decisions about detention, motions and warrants. Matrixes should be guidelines based on state law, not strait jackets based on the Casey philosophy. For its custody staff, Juvenile Services should also put both discretion and authority into the hands of those who receive the calls from police. Those personnel hear some of the details of the crime from the police officer. They should be making decisions about which youth are to be detained within the constraints of juvenile law, available space and a list of priorities when detention space is not available. Despite the fervent wish of Casey and Juvenile Services management, a

matrix cannot and should not substitute for staff that are empowered to ask questions and make judgments consistent with public safety and offender accountability.

Within detention, Juvenile Services should be concerned that 81% of those answering the survey thought that detention was not being operated to maximize safety for youth and staff. The disciplinary procedures should be reviewed to see whether they are proportional and credible to the offenses. Detention standards adopted by Juvenile Services make it necessary for youth to have unsupervised and free phone calls. Instead of spending so much time mandating privileges for the detained, management should spend more time defining appropriate and credible disciplinary actions that can be imposed by staff without supervisory approval, and overturned only in the exceptional case. A belief that their judgment and actions will be supported is crucial for staff morale. Staff who feel valued and supported are far more willing to accept responsibility and make positive contributions to the county.

If Multnomah County decides that its juvenile justice agency will be part of law enforcement, requiring management approval for such basic decisions as the use of detention, filing of a warrant, filing of motions, detention overrides for obviously violent, dangerous or chronic behavior and the imposition of credible discipline in detention would be like requiring a police officer to get permission to make an arrest. Staff should be trained appropriately, allowed to exercise their judgment within broad policy guidelines and judged on the timely and appropriate execution of their duties.

**4) Juvenile Services should utilize its full funded capacity in detention. The standard should be community safety, not adherence to the Casey philosophy.** While Multnomah County provides funds to operate 80 detention beds, the average population has been far fewer. The District Attorney's Independent Review showed an average population of 64 in 2006. After 2006, the average population continued to go down, though in the last few months, as pressure for reform has increased on the department, the detention population appears to have gone up dramatically. Since mid to late February, detention has often been at capacity.

This has not been the general rule. More commonly over the past years, there has been significant unused capacity in detention which could be as many as 15-20 beds. Unless the current population is a reflection of a change in philosophy, the use of detention could decline once again if Juvenile Services believes that the pressure for more community safety and offender accountability has abated.

**5) Juvenile Services needs to forge a positive, working relationship with police officers throughout the county.** Instead of just informing the police that changes are being made, Juvenile Services should seek out the opinions of both police management and police on the streets. While the police are the single most important agent for providing help to delinquent youth, Juvenile Services shows little interest in their involvement in planning and implementation. Showing a willingness to listen to and respond to police concerns will lead the police to look more closely at the complexities of dealing with youth and their families, and allow them to see Juvenile Services as a part of the law enforcement team, rather than as an impediment to public safety.

Several immediate steps could be taken to show good faith and recognition of the importance of a good police/Juvenile Services relationship. Officers have complained about additional requirements when taking a youth to detention as opposed to jail. For detention, all reports have to be completed before the officer leaves the facility. At the jail, the reports have to be submitted by 9 AM the following day. Since both facilities have the same legal standard-- probable cause-- and both the police and Juvenile Services are represented by the District Attorney's Office, the difference seems arbitrary and aggravating to police who must baby-sit youth while completing their reports.

Second, officers don't know when they pick up a youth whether or not he/she is on probation unless there is a warrant. If the department put the names of probation youth in the law enforcement data system (LEDS), or simply issued a monthly list to Multnomah County police agencies giving the names of the youth, the charges which resulted in detention and the name and contact numbers of the juvenile court counselor, it would allow a more accurate screening of high-risk youth. This would be no greater courtesy to the police than that extended to the Homeless Youth Continuum which is informed of the warrant status of homeless youth without a corresponding duty to report those youth.

Juvenile court counselors would think nothing of checking with therapists, school officials or others working with probationers. The police, however, are seldom contacted. Juvenile court counselors who supervise a caseload should be known to the officers who patrol the areas where their probationers live. This can be done with an occasional drop-in at a precinct office. During that visit, the juvenile court counselors can leave the list of their probationers, any special concerns that they might have about those youth and contact numbers if their probationers have police contact or if the officers

need to make contact with the juvenile court counselor. After a few months, the juvenile court counselors, if they respond to police inquiries and requests, might see the beginning of a more positive and trusting relationship with the police.

Juvenile Services should also consider instituting a policy that lets police know the disposition of the cases they submit. In the police survey, a number of officers referred to Juvenile Services as the "black hole" where reports go and are never seen or heard from again. Informing police of the disposition of a case seems a rather obvious courtesy, but one which has not yet been extended in Multnomah County. Instituting such a courtesy could be as simple as a form in triplicate which gives a case number, youth's name, officer, officer's department, offense and disposition. Given the current case handling profile, however, the results might be less than favorable to the department. A more aggressive stance, however, would inevitably lead to more credibility with police departments.

## **6) There needs to be a culture shift which recognizes that enforcement is necessary for treatment, and that treatment without enforcement is futile.**

Many non-criminal people are in treatment to help them have a better, more fulfilled life or to deal with trauma. Those are the voluntary clients, the persons Dr. Stanton Samenow refers to as "the worried well". It is entirely different, however, for criminal adults and delinquent youth. Truly voluntary clients for programs dealing with criminal behavior are non-existent. Therefore, looking at treatment with the same assumptions for the voluntary and/or traumatized client as for the criminal and traumatizing client is doomed to failure. Those whose value systems allow them to engage in serious or chronic criminal behavior don't initially attend treatment or other required activities because they believe it is good for them. If they attend, it is because they believe that the consequences of not doing so will outweigh the benefits. Any sex offender, violent youth, chronic thief, or addicted youth would prefer the freedom of the street to attending afternoon or evening treatment programs. When enforcement is minimal to non-existent there is little motivation to attend treatment as mandated by court order, and even less motivation to work hard in treatment.

The reason most justice systems have probation officers is to provide for enforcement of court mandates. When those personnel are not allowed to enforce in a credible manner, the justice system is seriously out of balance.

An officer's most immediate contact with Juvenile Services is usually through detention. This is where Juvenile Services must communicate the change of culture to its law enforcement partners. Currently, the impression left with officers is similar to that expressed by a Portland police officer in one of the surveys:

"I recently took a juvenile to JDH for Burglary I [burglary of a residence, a Class A Felony]. When I asked how long he would stay, the intake person acted like I had asked a ridiculous question. I was told he would be released to his parents immediately because this was his first offense and JDH's philosophy is 'rehabilitation, not incarceration'."

It is imperative that Juvenile Services correct the simplistic and incorrect view that detention is not an integral part of rehabilitation for seriously delinquent youth. Instead, it must communicate the more inclusive and holistic view that detention is an important ingredient of rehabilitation for serious criminal conduct. It will be incumbent on the county's political leadership to make sure that Juvenile Services management is able to make such a culture shift, and then help lead its employees out of the 13 or 14 year period of indoctrination which saw incarceration as antithetical to rehabilitation.

## **7) Juvenile Services needs to recommend the use of the full range of alternatives available within the juvenile justice system.**

Juvenile Services seldom recommends the use of the youth correctional facilities such as MacLaren. Often, Multnomah County has 20-30 beds available in MacLaren which it does not utilize. Residential treatment facilities that are available through the Oregon Youth Authority are used even more infrequently. This leads to a vicious circle where youth who should be placed in more controlled settings remain on probation and those who should be on probation don't even make it to court.

One of the most persistent comments heard during this investigation was that by the time Multnomah County youth are sent to residential or youth correctional facilities, they are so delinquent and have so many criminal referrals that they have less chance to change than youth from other counties. Allowing a delinquent youth to chronically offend in the name of keeping them in community is inherently harmful to the youth and the community.

## **8) Juvenile court counselors need to be trained to use the enforcement powers granted by state law.**

Multnomah County has far too much crime to afford to give up powers that help provide control of juvenile offenders. Considering the lack of enforcement powers of a juvenile court counselor in Multnomah County, they have functioned essentially as caseworkers in a child welfare system. State law grants juvenile probation officers peace officer powers for those under their jurisdiction (ORS 419A.016). Juvenile Services has far too little credibility with youth to continue with its current child-welfare approach to serious delinquency.

The employee of a metro-area juvenile department, who was mentioned earlier in this report, also mentioned the “caseworker-mentality” of Multnomah juvenile court counselors. A caseworker mentality is just right for a caseworker with a caseload of abused and neglected children. It is not appropriate when dealing with seriously delinquent youth. A probation officer is most appropriately a combination of caseworker and cop, blending support, direction and enforcement. The cop part has diminished to the point of irrelevance.

Under state law, those who supervise delinquent youth can be referred to as either juvenile court counselors or probation officers. Some departments have retained the old description of juvenile court counselor while mandating that those employees exercise the authority allowed by law. Juvenile Services seems to literally see their juvenile court counselors as counselors only, not probation officers. To make the change clear and unambiguous, it will probably be necessary to change the title of Juvenile Court Counselor to Juvenile Probation Officer.

A change to probation officers empowered to enforce court mandates is especially important in Multnomah County where youth who in other counties might be sent to residential treatment or secure custody are instead kept in the community. For the community to support juvenile probation there needs to be an assurance that all reasonable measures are being used to protect the public and hold the youth accountable. That assurance is not possible without the use of enforcement powers.

Adding enforcement to social work will take new training and a leadership which supports a more robust presence in the community and on the streets. This would most appropriately be done in stages, first by empowering juvenile court counselors to take the legal steps of enforcement, such as filing of motions, warrants, and authorizing the use of detention. The department should then have several personnel trained in defensive tactics and arrest procedures or perhaps contract with the Portland Police Bureau for training. Once the trainers are in place, personnel dealing with youth should be required to take the level of training necessary to make cooperative arrests, use handcuffs appropriately and transport restrained youth safely. The vast majority of arrests are cooperative, i.e. the youth is neither anticipated to physically resist, nor does he resist. When there is reason to believe otherwise, the police would still be used.

State law changed in 1995, making prime goals of the juvenile justice system the protection of the community and the reduction of juvenile delinquency. Juvenile Services needs to adapt to those goals, rather than cling to a newer version of the old, pre-1995 child welfare system.

**9) Juvenile Court Counselors need to get out of the office, and spend more time on the streets and in the homes.** A more visible presence in the community would involve probation officers/juvenile court counselors spending more time visiting youth in their homes, making their own patrols of areas where youth spend idle time and checking on youth in schools. This presence would be with the assumption that those doing the supervising are trained and prepared to take immediate enforcement action when necessary. Ideally, a youth on probation should never know when a supervising officer might visit and where that visit might take place. In the Davonte Lightfoot case, his mother said that in 18 months of probation there was only 1 home visit that she could remember, though she was willing to say 2, just to be fair. Other information we have received confirms a lack of emphasis on home visits, especially those that are unscheduled. Homes and streets are where juveniles act out their criminal behavior. This is where those given the responsibility for supervision should be spending the bulk of their time.

**10) Stop ignoring entry level crime.** Though we did not get access to many files showing referrals received but not dealt with, the overall statistics available in JJIS make it clear that the police officers’ complaints that their reports usually result in nothing but a warning letter to parents are unfortunately accurate. This is corroborated by Juvenile Service’s failure to take any enforcement action on alcohol and marijuana charges. Allowing youth to conclude that crime is being ignored, or at least not taken seriously, erodes any future attempts to stop the escalation of criminal behavior. Any responsible parent can attest to the fact that if you deal with the small issues first, there are fewer larger issues in the long run. This runs contrary to Juvenile Services continual talk of “risk based” decision making, which gives the philosophical justification for ignoring early signs of criminal conduct.

**11) Unless there is a significant change in the philosophy of Juvenile Services, the District Attorney’s Office should consider rescinding the current case handling agreement.** This agreement allows Juvenile Services to decide on the disposition of almost all misdemeanors and Class C property felonies. Although misdemeanors are the exception in court in any county, they do occur in fairly significant numbers in other counties. Class C property felonies include such crimes as Unauthorized Use of a Vehicle, Identity Theft, Theft I and Burglary in the Second Degree, which involves entering a building other than a residence and committing a crime inside. Adjudications for those offenses are common in other juvenile courts. A reasonable adherence to state law would lead to a significantly higher rate of adjudication, and one more in line with the state average.

**12) Make probation a sanction, not just a word.** Failing to detain probation youth who are contacted by the police in violation of probation rules or who are arrested on other than a major new crime, makes a mockery of probation in general. It should be no surprise that the word "joke" was used so often by police officers when describing the current juvenile justice system in Multnomah County.

Up to the extent of funded capacity, youth found to be in violation of probation, whatever the level of "risk" assigned to them by the department, should be lodged at least until the preliminary hearing. At the hearing, their level of risk and compliance would determine whether there was a recommendation for continued detention or release. Although detention might just be until the preliminary hearing, it is crucial to disrupt the criminal mindset which allows a probationer to violate probation with impunity.

**13) Resources are not the issue, at least not in the near term.** Juvenile Services has funds for 80 beds in detention. Considering their contractual obligations to Washington and Clackamas Counties, Multnomah has the use of 52 of those beds. If detention space becomes an issue, Juvenile Services should look at whether Measure 11 suspects, who are 16 or 17, should remain in detention or be transferred to jail as allowed by law. In fact, the law actually specifies that 16 and 17 year olds shall be lodged in jail unless both the sheriff and the director of the juvenile department agree to house them elsewhere. There are normally 12-16 Measure 11 suspects in detention at any one time. Additionally, a more appropriate use of commitments to a youth correctional facility (MacLaren) would also be likely to free up space in detention.

Avoiding the appropriate use of detention now because space is limited, is a direct contradiction of past assertions that detention space could be closed because it was not needed. If detention is being used appropriately and is, therefore, often at capacity, there is more justification for the political leadership of Multnomah County to increase the funded capacity of the Donald E. Long Home.

**14) Be prepared for strong resistance from those philosophically opposed to dealing with delinquent youth according to current state law, those who benefit from the present system and the youth who expect few consequences for violating law and the orders of the court.** If Multnomah County calls for a new direction for its old-line child-welfare-like system, there will be a need to make a number of scheduled transitions to change. Each will be painful for an administration, and some employees, who have been schooled in a system where community safety and meaningful accountability has been viewed as being harsh and punitive. While those invested in the present system may see their role as being in danger, a system based on the stated purpose of the Oregon Juvenile Delinquency Code, would still have the need for a healthy partnership with non-profit agencies which can appropriately provide services to youth involved in criminal conduct.

It would be naïve, however, not to acknowledge the fact that many of the current participants in Multnomah County's juvenile justice system would be vocally and strongly opposed to fundamental change in the system. Once a decision for change has been made, it will be important for the leadership of Multnomah County to decide which of the changes to implement quickly, and which to implement over a period of 12-18 months.

**15) Acknowledge that the constituency of Juvenile Services is the entire citizenry of Multnomah County.** All the citizens are impacted when a crucial part of the law enforcement system fails to take community safety and offender accountability seriously. Those citizens are not well served by a mission statement which fails to mention crime, community safety or offender accountability. The importance of mission statements can be overblown. For Juvenile Services, however, a new and more inclusive mission statement which seemed in harmony with state law could help the department make the changes which are so obviously needed.