

Utah Board of Juvenile Justice

MINUTES

Committee:	UBJJ ANNUAL MEETING
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Date:	Friday, October 28, 2005	Time:	8:00am – 4:00pm	Place:	Huntsman Clinic Alta View Room
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Members Present	Pat Berckman, Andria Burton, Adam Cohen, Gary Dalton, Michael Di Reda, Gini Highfield, Maxwell Jackson, Willard Malmstrom, Holly Martak, Huy D. Nguyen, Carol Page, Fred W. Peake, Lonnie Thomas, Russ Van Vleet
Members Excused	Leslie D. Brown, Maria J. Garciaz, Jennifer Jolley, Gary Anderson, Tonia Hashimoto, Natllie Thronley
Staff	Reg Garff, Jo Lynn Kruse, Matt Davis, Karlie Lundel and visitors Duane Betournay, Susan Burke, Dan Maldonado, Mrs. Willard Malmstrom, Ray Wahl, David Walsh
Members Absent	Paul Tsosie

Agenda Item:	Welcome and Introductions
Notes:	<p>Fred Peake called the meeting to order and presented a certificate to Adam Cohen, who was nominated by Debbie Rocha for the 2005 Spirit of Youth Award, through the National Coalition for Juvenile Justice.</p> <p>Gary Dalton made the motion to retain the UBJJ executive committee members for the next two years. Russ Van Vleet seconded the motion and it passed unanimously.</p> <p>Pat Berckman will be attending the CJJ 2005 Fall Conference as Utah’s Chair Designee. Pat will suggest to the new chair elect to have legal representation of minority youth be a platform for the next conference.</p> <p>The board decided it would be good to write a letter including our ideas and send it to both Paul Lawrence and David Doi.</p> <p>Fred presented a letter from Elizabeth Wolf (OJJDP) to Michele Christiansen, executive director of CCJJ. The letter was a favorable report on Elizabeth’s site visit in August, 2005. There were no major findings and Utah continues to implement OJJDP programs in an exemplary manner.</p>

Agenda Item:	FACJJ Report
Notes:	The FAC met earlier this week. Gary Anderson had to be excused today so we will receive a report from him at a later time.

Agenda Item:	UBJJ Business
Notes:	<p>Do the Write Thing – Andria Burton UBJJ had a booth a UEA and gave out approximately 40 packets and hundreds of brochures to middle school teachers. Reg and Andria gave a presentation this past week to the prevention specialists in the Granite School District. We have a new video from the National Campaign to Stop Violence that we show when making presentations. If you have any suggestions for VIP judges, please let the youth committee know.</p> <p>Funding Update – Reg Garff There likely will be across-the-board cuts in funding due to recent hurricanes. Our state funding is unchanged from last month’s report. We have \$9,000 left in our supplemental.</p> <p>Grant Monitoring – Reg Garff We are getting new assignments. Every project was visited last year, either by the UBJJ board or CCJJ staff. See new assignments in table below.</p>

UBJJ MONITORING ASSIGNMENTS 2005-2006

UBJJ	Grant Name	Location	Director	End Date
Gary Dalton, Max Jackson	Kids-At-Hope	Brigham City	Tabbie Mayne	6/30/06
Russ Van Vleet, Carol Page	Washington Co. BBBS	St. George	Jason Wilde	9/30/06
Adam Cohen, Mike Di Reda	Young Refugees of Utah	SLC	Buba Roth	6/30/06
Pat Berckman, Gini Highfield	Delinquency Prevention	Salt Lake Co.	Te Phan	6/30/06
Natalie Thornley	Family & Youth Connections	Salt Lake Co.	Colors of Success	9/30/06
Pat Berckman	Ocho Pasos	Salt Lake Co.	James Yapias	6/30/06
Gary Dalton, Max Jackson	South Summit Mentoring	Kamas	Bill Gaston	9/30/06
Holly Martak	Truancy Mediation	SLC (Rural Utah)	Kathy Elton	9/30/06
Gary Dalton, Max Jackson	Youth & Families Instruction	Brigham City	Tabbie Mayne	6/30/06
Judge Brown, Gary Anderson	LEMY	Provo	Jose Silva	6/30/06
Russ Van Vleet	Juvenile Mental Health	Fort Duchesne	Quanah Powaukee	9/30/06
Judge Brown, Gary Anderson, Lonnie Thomas	Strengthening Families	Delta	Jackie Nielson	6/30/06
Jennifer Jolley	Motheread/Fatheread	SLC (Rural Utah)	Pippa Keene	6/30/06
Max Jackson, Carol Page, Mike Di Reda	The Dream Team	Ogden	Brian Morris	9/30/06
Tonia Hashimoto, Huy Nguyen	PRA Enhancement	SLC (Div. JJS)	Tom Darais	9/30/06
Gini Highfield, Andria Burton	Discovering Possibilities	Salt Lake Co.	Roger Gisseman	9/30/06
Holly Martak,	Polynesian Young Women	Salt Lake Co.	Lani Taholo	9/30/06
Maria Garciaz, Andria Burton	Grandfamilies	Tooele Co.	Dr. Beth Beck	9/30/06

Carol Page, Lonnie Thomas	Reconnecting Youth (Title V)	Delta	Jackie Nielson	12/31/06
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Agenda Item:	UBJJ Business (continued)
Notes:	<p>Members of the board suggested that the grant monitoring form not be so long and would like short answer style questions that are categorized.</p> <p>Federal Legislation – Reg Garff</p> <p>On October 14, 2005, Reg and Judge Brown made a presentation to the Utah Board of Juvenile Judges regarding federal gang legislation. Two bills are making their way through Congress right now. HB1279 (Gang Deterrent and Community Protection Act) has passed the House and has been referred to the Senate Judiciary Committee. Section 115 is troubling, because it would allow the direct filing of charges against juveniles sixteen years or older in Federal Court. Federal courts are ill-equipped to deal with the youthful offender. Mandatory sentences for juveniles to federal penitentiaries will no doubt create more hardened, violent and angry people upon release. Research shows that youth held in adult facilities, compared to youth held in juvenile facilities are five times as likely to be sexually assaulted by other inmates, twice as likely to be beaten by staff and fifty percent more likely to be assaulted with a weapon and eight times as likely to commit suicide. Utah’s juvenile justice system has proven successful in the treatment and rehabilitation of minors and does an excellent job of protecting our citizens through the use of effective programming and sanctions. UBJJ supports the amendment deleting Section 115 of HR 1279 and urges you to contact your legislators on your own time.</p> <p>The Sex Offender Registry has three separate bills: HR 3132 (Children’s Safety Act of 2005): Has passed the House, received by Senate Judiciary Committee S 792 (Dru Sjodin National Sex Offender Public Database Act of 2005): Has passed the Senate, referred to House Committee on the Crime Terrorism and Homeland Security S 1086R (Sex Offender Registration and Notification Act 2005): Referred to the Senate Judiciary Committee, passed out of Senate Judiciary Committee and Place on Senate Legislative Calendar under General Orders. Calendar No. 251.</p> <p>All these bills would require the registration of juvenile sex offenders. Under HR 3132:</p> <ol style="list-style-type: none"> 1. All youth would now be included on the Federal sex offender registry. 2. Youth may be required to register for the rest of their lives. 3. Youth will have their photos and addresses publicly available. 4. Youth on the registry will have to tell their schools and volunteer organizations. 5. Youth who commit another crime could have their sentences inordinately increased. <p>The National Mental Health Association sees real problems with this bill. Sometimes the individuals are young, and even though young, may be experimental. It would be detrimental to have them to have to register as a sex offender for the rest of their lives. UBJJ feels there has got to be an opportunity for judges, prosecutors and others to make decisions which also look into the best interest of the child. Someone with multiple assaults, a repeat offender is of course, another thing. We applaud clamping down on sex offenders, but feel this bill goes too far.</p>

Agenda Item:	Juvenile Delinquency Guidelines
Notes:	<p>Susan Burke from the AOC gave a presentation on improving court practice in juvenile delinquency cases. The OJJDP partnered with the National Council of Juvenile and Family Court Judges have created these guidelines. It is patterned after <i>Resource Guidelines: Improving Court Practice in Child Abuse and Neglect Cases</i>. (Available online at: http://www.ncjfcj.org/content/view/411/411) The goals are to improve the nation’s juvenile delinquency courts and thus improve outcomes for youth, families, victims and communities they serve. Copies of the guidelines are available at: The guidelines</p>

	<p>identify sixteen key principles, which are:</p> <ol style="list-style-type: none"> 1. Judicial Leadership – Judges should engage in judicial leadership and encourage system collaboration. 2. System Resources – Systems must have adequate staff, facilities and program resources 3. One Family – One Judge – Courts should have integrated one family-one judge case assignments. 4. Judicial Status – Judges should have the same status as the highest level of trial court in the state and should have multiple year or permanent assignments. 5. Decorum & Sensitivity – All members of the court shall treat youth, families, crime victims, witnesses, and others with respect, dignity, courtesy and cultural understanding. 6. Diversion – Judges should ensure their systems divert cases to alternative systems whenever possible and appropriate. 7. Legal Representation – Youth charged in the court must have qualified and adequately compensated legal representation. 8. Crime Victims – Judges should ensure crime victims have access to all phases of the process and receive all services to which they are entitled by law. 9. Timeliness – Courts should render timely and just decisions and trials should conclude without continuances. Time Frames From Filing to Completion of Disposition – 1-2 weeks for youth in DT who admits, 1-4 weeks for youth in DT who denies, 1-5 weeks for non-detained youth who admits, 3-6 weeks for youth transferred to the adult system, 3-11 weeks for youth not detained who denies 10. Family Involvement – Staff should engage parents and families at all stages of the court process to encourage family members to participate fully in the development and implementation of the youth’s intervention plan. 11. Stakeholders – The court should engage the school and other community support systems as stakeholders in each individual youth’s case. 12. Individualized Justice – Judges should ensure court dispositions are individualized and include graduated responses, both sanctions and incentives. 13. Reviews – Judges should ensure effective post-disposition review is provided to each delinquent youth as long as the youth is involved in any component of the juvenile justice system. Review Time Frames – Review no less than 90 days until finalized reentry is submitted. Reentry plan submitted within 30 days of reentry. Upon release, high risk offenders reviewed every week for next 30 days, then reviewed every 30 to 60 day until case is terminated. 14. System Accountability – Judges should hold their systems and the system of other juvenile delinquency court stakeholders accountable. 15. Data – Judges should ensure the court has an information system that can generate the data necessary to evaluate performance. 16. Training – The judge is responsible to ensure that the judiciary, court staff and all system participants are both individually trained and trained across systems and roles.
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Agenda Item:	Systemic Priorities
Notes:	<p>DCFS: Duane Betournay, Deputy Director of DCFS spoke about the SAFE system. He noted that child abuse in Utah is on the rise. Utah is right at the top of the scale when it come to children in in-home care being adopted and also leads the nation in the number of children adopted within 24 months of entering foster care. The biggest fear is budget cuts.</p> <p>Future priorities will focus on: 1. Under funded prevention efforts (“You don’t stop an epidemic by treating the victims.”) 2. Shrinking community resources; 3. Family support; 4. Domestic Violence.</p> <p>Juvenile Court: Ray Wahl, Administrator, and Susan Burke spoke next on Systemic Priorities, <i>A Report from Juvenile Court to the Utah Board of Juvenile Justice.</i></p> <p>Juvenile Court Purpose – To promote public safety and individual accountability. To order measures to promote guidance and control, rehabilitation. To adjudicate ungovernable, abuse, neglect, dependency. To remove only when minor’s safety or public safety not otherwise safeguarded.</p>

	<p>The Judiciary – One family – one judge philosophy. Twenty-seven judges, 1 commissioner. Subscribe to balanced and restorative justice philosophy.</p> <p>Population Trends – Utah’s population grew by 510,319 or 29.6% between 1990 and 2000. The population is projected to reach 5.4 million in 2050. The school-aged population is expected to rise from 509,092 in 2000 to 862,532 in 2030.</p> <p>Juvenile Court Referrals – Dependency cases are 7% of the referrals, but take up to 55% of the court’s time.</p> <p>Top Five Felonies for FY 02-04 – 8.2% Burglary – Dwelling, 7.9% Theft \$1000 - \$4,999, 7.8 % Sexual Abuse Child Under 14, 6.7% Burglary – Non-Dwelling, 5.2% Sodomy Upon Child Under 14.</p> <p>Top 5 Misdemeanors for FY 02-04 – 11.9% Contempt, 10.4% Alcohol Possession, Consumption, 6.4% Assault, 6.2% Shoplifting \$299 or less</p> <p>Top 5 Status – 37.7% Possession of Tobacco, 25.9% Curfew, 24.4% Habitual Truancy, 10.8% Curfew/Truancy 0.9% Ungovernable</p> <p>Recent Initiatives – Protective and Risk Factor Assessment (PRA) instrument, Functional Family Probation Resources Services (FFPRS), Court Agencies Records Exchange (CARE).</p> <p>Priority #1 CARE Implementation, Priority #2 State Supervision Study, Priority #3 Implementing Juvenile Delinquency Guidelines (initial phase cost approximately \$63,000)</p> <p>Dan Maldonado, Director JJS Dan spoke about the close working relationship JJS has with DCFS and Mental Health. A third of the children currently in custody have had dealings with DCFS before. There has been some difficulty in working with Division of Mental Health. There is a misconception that there are more mentally ill kids in the system. They spend approximately \$7 million a year on mental health services and have been working to help create a juvenile mental health court. The turn-over rate for JJS was around 21% two years ago. The Division plans to focus on internal consistency and continuity in the future.</p>
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Agenda Item:	Youth Advocate of the Year Award
Notes:	Gary Dalton and Russ Van Vleet presented the Youth Advocate of the Year Award to Willard Malmstrom. The wording on the award reads: “2005, UBJJ Youth Advocate of the Year, Presented to Willard Malmstrom, For years of devoted service promoting innovative policy and programs benefiting the youth and families of Utah.” Willard is a previous Juvenile Justice Specialist and serves on the UBJJ Board from 1997 to the present.

Agenda Item:	Statistical Reports
Notes:	Matt Davis states that this year’s report had a lot more information than last year’s report. The information for the report comes from the surveys completed by youth in the various programs supported by grant monies. This year the data was divided up into standard evaluations and individualized evaluations. The standard evaluations are the usual risk and protective factor and youth outcome survey. The individual evaluations include information from specific programs. In past years we have been having trouble with attaining post tests or in some cases, any type of survey. Matt’s report contained all the charts and graphs that reflect cumulative years of work. Karlle Lundel gave a report on <i>Risk and Protective Factors and Other Indicators of Population Needs for Utah Youth, dated October 2005</i> . One major finding is that most crimes committed by juveniles occurs twenty minutes after school gets out, which emphasizes the importance of after-school programs.

Agenda Item:	Review 2005 UBJJ Goals
Notes:	<ol style="list-style-type: none"> 1. Increase and improve crisis intervention and treatment needs of youth in the juvenile justice system with mental health problems or developmental disabilities. 2. Increase success of girls in the juvenile justice system through gender specific/female-

	<p>responsive services. Priority will be given to projects providing services to minority girls.</p> <ol style="list-style-type: none"> 3. Projects to reduce the disproportionate representation of minority youth at decision points within the juvenile justice system, from arrest through commitment to the Division of Juvenile Justice Services. 4. Early delinquency intervention and prevention projects for children grades kindergarten to twelve. 5. Projects that prevent the use of illegal drugs and alcohol by youth.
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Agenda Item	Discuss and Establish 2006 UBJJ Goals
Notes:	Mike Di Reda made the motion to adopt priorities 1 through 5 with the addition of alcohol and club drugs and add system improvement and court improvement reporting through the PRA. And establish order of importance when it comes time to release the RFP. Pat Berckman seconded the motion and it passed unanimously . Reg will prepare a draft before the RFP is released.

The next meeting is scheduled for Friday, Dec. 2nd, 2005, 8:00am, Utah State Capitol Complex, East Office Bldg., Beehive Room

Minutes prepared by Jo Lynn Kruse - Executive Secretary, CCJJ