



**Statement of
Priscilla Skillman, Assistant Director
of the Council for Court Excellence
before the
DC Council Committee on Human Services
Concerning Performance Oversight of the
Department of Youth Rehabilitation Services**

March 11, 2009

Good morning, Chairman Wells and members of the Committee. I am Priscilla Skillman, Assistant Director of the Council for Court Excellence. I am pleased to be here on behalf of CCE, which is a local, non-partisan civic organization that works to improve the administration of justice in our city. For 27 years, the Council for Court Excellence has been a unique resource for our city, bringing together members of the civic, legal, business, and judicial communities to work in common purpose to improve the administration of justice in the courts and related agencies. As is our policy, no judicial member of the Council for Court Excellence participated in preparing today's testimony.

From the Department of Youth Rehabilitation Services' FY09 Performance Plan, we know that DYRS has two areas of responsibility within the DC juvenile justice system:

First, DYRS is responsible for "providing secure detention and effective detention alternatives" for youths whom a judge has ordered into the custody of the Family Court Social Services Division pending trial in the DC Superior Court Family Court.

Second, DYRS is responsible for "providing safe and stable secure residential and community-based programs to youths who" have been found guilty of a crime and "have been committed" by a judge to the custody of DYRS.

As to the first group, youth detained before trial, the Council for Court Excellence performed an evaluation for the DC Council in fiscal year 2009. We studied the District of Columbia's performance from January to July 2008 on meeting new and pre-existing Juvenile Speedy Trial Act trial deadlines aimed at reducing the time youth spend in secure and community-based detention until their cases are adjudicated in Family Court.



As we reported in testimony before the Committee on Public Safety and the Judiciary last October, the DC Council's legislation achieved its twin goals of holding youth accountable more promptly for their actions and ending the practice of locking-up youth before trial only because there is a waiting list for shelter care beds. The DC juvenile justice system moved the cases of youth in shelter care more quickly to adjudication in the first half of 2008 than in 2007, before the trial deadline was enacted. From January 15 to July 15, 2008, 83% of shelter care cases were adjudicated within the Act's new 45-day deadline, compared to only 53% in 2007. In addition, juveniles ordered to shelter care spent substantially less time in the first half of 2008 than in 2007 in secure detention waiting for an available placement in shelter care. Shelter care wait list times for the 2008 study period averaged two days with a median of one day. By comparison, from January to June 2007, the monthly average length of stay for males – who comprise the largest percentage of these cases – varied from a low of 10 days to a high of 18 days spent in secure detention while awaiting the court-ordered placement in shelter care.

Our testimony last October also said: It appears to the Council for Court Excellence that this compliance record is a result of several factors:

1. strong leadership and commitment to the goal within each stakeholder agency [DYRS, the Office of the DC Attorney General, and the DC Superior Court Family Court];
2. the history of collaboration among all stakeholder agencies through their participation together since 2005 in the Juvenile Detention Alternatives Initiative;
3. an increase in public resources devoted to achieving compliance with the Act's mandate of prompt juvenile case resolution; and
4. a keen awareness among all stakeholder agencies that the six-month performance record was being evaluated for the purpose of this report to the DC Council.

So we are here today to repeat our praise of DYRS for the role it played this fiscal year in successfully implementing the legislation to move detained youths more quickly to trial. However, it is important to note that we have – and you have – no data on performance after July.

Furthermore, we are also here today to express our frustration with the almost total absence of public information about the District's juvenile justice system in general and about DYRS's performance as one part of that system in particular.



As to the juvenile justice system in general, the Council for Court Excellence is working to fill part of the gap in public information. We will publish shortly a *Community Guide to the DC Juvenile Justice System* to describe, in general, what happens from the time a youth is taken into custody by the police until he or she leaves the juvenile justice system at any stage along the way. The guide will describe what general options are available at each step, what the consequences are of each option, and who has authority to make the decisions; it will answer frequently asked questions; and it will provide contact information for the various agencies and organizations that play a role in the system. We are hopeful that this guide will lift some of the cloud of mystery and misconception about DC's juvenile justice system.

But the CCE guide is purely descriptive, not analytic. It will not tell the DC community how its juvenile justice system is performing -- to improve public safety or to improve the likelihood that the city's young people who pass through the juvenile justice system will be rehabilitated and better-equipped to be productive adults. What little information is available is not readily available to the public and is presented piecemeal rather than comprehensively:

- There is no juvenile justice data on the DC Council's website, neither the evaluation report CCE did for the Council last fall, nor as far as we can tell any testimony presented at DC Council hearings.
- There is comprehensive adult and juvenile arrest data on MPD's website, but it is not easy to find, so most people have no idea that juveniles account for only 7-8% of arrests in the city (though they are 13% of the population).
- There is comprehensive data provided by the Family Court in its annual reports posted on the DC Courts website, but the detailed juvenile data includes only cases filed, cases where the juvenile was detained before trial (only 36% of juvenile cases), and case processing time but only for the detained cases, not the other 64% of cases. There is no outcome data at all: percent and number of juveniles who are found "involved" in a crime, percent and number of those "involved" juveniles who are placed on probation under the supervision of the court, or percent and number of those juveniles who are committed to DYRS, let alone any data showing the outcomes of those court-supervised or DYRS-supervised dispositions.



- And, of particular importance for today's hearing, there is essentially no data at all on DYRS's website and very little information of any kind – only 1 report, dated September 2005; two testimonies in 2008; no newsletters; nothing in the “newsroom” since April 2008.

This absence of public access to DYRS performance data is in sharp contrast to the impressive record in that regard of the Child and Family Service Agency, another agency overseen by this committee. CFSA has a comprehensive website with extensive information about the agency, its services, and its performance, with two full pages of links to a wide range of statistical and performance-assessment reports over several years. As noted on the CFSA website: “In compliance with the Child and Family Services Agency Establishment Act of April 2001, CFSA prepares an annual report...to inform the Mayor, District Council, and the community of the District's achievements and challenges....” The DC community deserves no less from DYRS.

We urge this committee and the full DC Council to provide close oversight of the performance of the District's juvenile justice system -- including the Metropolitan Police Department, the Office of the Attorney General, and the Family Court, not simply of DYRS. We especially urge you to require that DYRS begin providing the public with full information about its performance, and that it make that information readily available on its website. Only then will members of the community be able to make their own informed assessments of how well DYRS's limited but crucial portion of the city's juvenile justice system is performing on their behalf.