



COUNCIL FOR COURT EXCELLENCE

**Statement of  
the Council for Court Excellence  
to the  
DC Council Committee on Human Services  
Concerning Oversight of the  
Department of Youth Rehabilitation Services**

September 23, 2010

Good morning, Chairman Wells and members of the Committee. I am Priscilla Skillman, Assistant Director of the Council for Court Excellence. The Council for Court Excellence is a local, non-partisan civic organization that works in a variety of ways to improve the administration of justice in our city. For 28 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 board of directors participated in preparing this statement.

As we stated in our testimony before this committee last winter, the Council for Court Excellence joins with others to commend this committee, the DC Council, the Mayor, the Department of Youth Rehabilitation Services, and the DC Superior Court for designing, implementing, and supporting this decade's reform of the District's juvenile justice system. The reform to date has conformed the system to its longtime statutory mandate to hold delinquent youth accountable for their actions in the least restrictive setting that is consistent with their safety and the safety of the community. All national research studies confirm that such a system of accountability coupled with humane rehabilitation services yields the best outcomes for both the delinquent youth and the community. We all want – and need – delinquent youth to be able to turn their lives around, build on their strengths, develop new skills, and become productive adults in our city.

In the prior fiscal year, closing the disgraceful Oak Hill facility and opening the New Beginnings center were a major achievement by DYRS and the District of Columbia. The District now has a state of the art facility in which to confine those committed youth who pose the greatest risk to the community and who need the high-end round-the-clock rehabilitation



## COUNCIL FOR COURT EXCELLENCE

services of a locked facility. By all accounts, the intensive rehabilitation programming provided by DYRS at New Beginnings is of high quality.

At the end of fiscal 2009, DYRS also achieved another key milestone by launching its Lead Entity/Service Coalition networks of community-based non-governmental service providers to implement the DYRS individual case plans for the majority of committed youth who are not in locked facilities or residential treatment facilities but are instead being monitored and rehabilitated in our community.

These two 2009 DYRS achievements at last provided the structure for the reform envisioned by the 2001 report of the Mayor's Blue Ribbon Commission on Youth Safety and Juvenile Justice Reform: closing Oak Hill, replacing it with a smaller facility, and redirecting resources to community-based alternatives to incarceration.

We commend DYRS's past leaders, Vinny Schiraldi and Marc Schindler for those important accomplishments. We hope that Interim Director Robert Hildum will not turn away from the rehabilitation emphasis that the DC Code mandates for the city's juvenile justice system as he implements further reform efforts at DYRS.

As this committee, Mr. Hildum, and the coming DC-Council-initiated Commission on Juvenile Justice Reform all focus on analysis of what is working well and what needs improvement, the Council for Court Excellence urges attention to the following public policy questions so that the District can plan and budget for appropriate services:

- Family Court judges place most adjudicated juveniles on probation, under the supervision of the DC Superior Court's Social Services Division. However, judicial commitments of delinquent youth to DYRS have increased dramatically over the past six years: 141 in fiscal year 2004; 258 in 2005; 245 in 2006; 210 in 2007; 340 in 2008; and 358 in 2009. What factors explain this dramatic increase, when juvenile arrests for serious crime during that period have been relatively stable? The District's ability to predict, plan, and budget for DYRS depends on its being able to answer this question.
- Does the District need more secure-bed capacity than the 60 beds available at New Beginnings, given the dramatic increase in judicial commitments of youth to DYRS over the past six years since New Beginnings was planned?



## COUNCIL FOR COURT EXCELLENCE

- Does the District need secure-bed capacity for committed girls, who are not served by New Beginnings?
- CCE has heard that a significant proportion of the 60 beds at New Beginnings are now being used to temporarily house youth who are awaiting transfer to another facility. This practice reduces the number of beds available for youth who need and would benefit from the intensive, six-months-or-longer rehabilitation programming that is the purpose of New Beginnings. Should the District develop separate secure-bed capacity for youth who are awaiting transfer and restore New Beginnings to its full 60-bed capacity?
- DYRS's performance plan anticipates that the agency will send 25% of all committed youth to out-of-area residential treatment and other facilities, a figure greatly exceeding the number of youth served close to home at New Beginnings. Should the District develop its own residential substance abuse and mental health treatment capacity for those committed youth who need such residential services, rather than sending those youth away to facilities far from home? Doesn't placement far from home increase the difficulty for DYRS of planning with the youth, his or her family, and community providers for the youth's successful reentry to the District?
- The majority of youth committed to DYRS are being supervised within the DC community, not at New Beginnings or away in residential treatment facilities. According to DYRS's performance plan, only 69% of newly committed youths in fiscal 2009 underwent a complete case-planning process and were in placements and receiving services that were consistent with their case plan; the agency's performance target on this measure for the current fiscal year is 90%. The agency now relies on the private-sector Lead Entities to ensure that the DYRS-developed case plans for youth in community settings are being followed. Does the District have a robust system for tracking the performance of the case managers at DYRS and the care coordinators at the two Lead Entities for developing thorough case plans and implementing those plans fully to provide supervision and rehabilitation to each delinquent youth who has been committed to DYRS?
- The coming Commission on Juvenile Justice Reform is charged with reporting on "an analysis of recidivism rates at the Department of Youth Rehabilitation Services (DYRS)



COUNCIL FOR COURT EXCELLENCE

and Court Social Services (CSS) over the last 3 years.” Such a report will provide an important snapshot of outcome data, but shouldn’t the Commission also be charged with establishing a data collection and reporting protocol that will provide recidivism (and other, positive outcome measures) data to the DC public on a regular basis after the Commission has completed its work?

Finally, as we do each time we testify about juvenile justice, the Council for Court Excellence urges this committee and the full DC Council to provide close attention to the performance of the District’s whole juvenile justice system – including the Metropolitan Police Department, the Office of the Attorney General, and the Family Court, not simply DYRS. We recognize that the complexity of the District’s governance structure, and the fact that the Court is not locally funded, complicates doing so. However, the Superior Court does run the great majority of the District’s juvenile justice system – supervising the more than 80% of adjudicated juveniles who are placed on probation rather than committed to DYRS – and the results of this supervision are critical to understanding how the juvenile system as a whole is functioning.