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

March 9, 2012

Good morning, Chairman Graham and members of the Committee. I am June Kress, Executive Director of the Council for Court Excellence. With me today is Priscilla Skillman, the Assistant Director. The Council for Court Excellence is a local, non-partisan civic organization. For 30 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.

The reform, to date, of the District's juvenile justice system 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 – youth who have committed delinquent acts to be able to turn their lives around, build on their strengths, develop new skills, and become productive adults in our city.

The Council for Court Excellence commends the Department of Youth Rehabilitation Services for its continuing efforts to improve its performance. We especially commend the Department for its increased commitment to transparency by publishing three new reports this past year: the *Lead Entity/Service Coalition Quarterly Performance Report* in November 2011 and March 2012, the *Report on DYRS Youth in Psychiatric Residential Treatment*



Facilities and Residential Treatment Centers in December 2011, and the *DYRS 2011 Annual Performance Report* just this week. All those reports provide the public with valuable data and analysis on agency performance and plans for improvement. Such transparency is crucial to building and sustaining community support.

However, the reports also make clear that several important public policy questions remain unresolved. As we have for the past two years, the Council for Court Excellence urges prompt attention to the following issues so that the District can effectively plan and budget for appropriate juvenile justice services:

- Increased Commitments. Family Court judges place most adjudicated juveniles on probation, under the supervision of the DC Superior Court's Social Services Division. However, for the eight years 2003-2010 – when juvenile arrests for serious crime were relatively stable (and in fact declined by 20.6% from 2007 to 2010, the last year for which totals have been released) – judicial commitments of delinquent youth to DYRS increased dramatically: 134 in fiscal year 2003; 141 in 2004; 261 in 2005; 271 in 2006; 247 in 2007; 340 in 2008; 358 in 2009, and 332 in 2010. This surge in commitments was not predicted and has taxed the capacity of DYRS. What objective factors explain this dramatic increase? The Mayor's and the DC Council's ability to predict, plan, and budget for DYRS depends on being able to answer this question with precision, and we believe such research is essential. The DC-funded DC Crime Policy Institute at the Urban Institute announced more than a year ago that it was conducting such a study, but it has not yet produced a report. Urgency is needed. That commitments in 2011 fell back to 243 does not reduce the urgency of understanding the reasons behind the decade's increase.
- Residential Placements. For the past several years, DYRS has relied heavily on out-of-state residential placements. DYRS sends many more committed youth to out-of-area, mostly-secure residential facilities than it serves close to home at New Beginnings. Its December 2011 report says that, in fiscal 2011, DYRS sent a total of 378 youth to such facilities, and on November 14, 2011 it had 188 youth in 46 such facilities, most farther than 100 miles away. Doesn't placement far from home increase the difficulty for DYRS of case management and of planning with the youth, his or her family, and community providers for the youth's successful reentry to the District? Doesn't using 46 different



facilities exacerbate oversight and quality-control problems? Should the District rely so heavily on residential placements, when national research studies have found little evidence that such facilities provide quality treatment or rehabilitation? But if residential treatment is warranted, shouldn't the District develop its own capacity for those committed youth who need such residential services, rather than sending those youth away to facilities far from home?

- Appropriate Number of Secure Beds. The extensive reliance for numerous years on out-of-state mostly-secure residential facilities continues to raise another question not yet addressed: 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 eight years? And does the District need local secure-bed capacity for committed girls, who are not served by New Beginnings but are instead sent away to residential facilities?
- Community Supervision. The majority of youth committed to DYRS are being supervised within the DC community, not at New Beginnings or away in residential facilities. According to DYRS's November 2011 report, the Lead Entities were supervising 468 youth during the 3rd quarter of fiscal 2011. DYRS's publication of a second quarterly Lead Entities report, and its promise of further quarterly updates, provide an excellent basis for tracking performance over time and taking appropriate corrective actions. But the quality of rehabilitation will continue to depend on DYRS case managers developing thorough case plans, the Lead Entities's care coordinators implementing those plans through the Service Coalitions, and everyone tracking positive and negative outcomes for each committed youth.
- Outcomes Data. 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, the DC Council's committee structure, and the fact that the Court is not locally funded, complicate doing so. However, the Superior Court does run the majority of the



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District's juvenile justice system – supervising the great majority 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. The Superior Court has engaged the National Center for Juvenile Justice (NCJJ) to study and report on the reoffending rates in both DC and Maryland of DC adjudicated juveniles, both those placed on probation and those committed to DYRS. Chief Judge Satterfield tells us that the report will be published this spring and that NCJJ has established a system so that the Superior Court can replicate the report periodically on its own. The Court's reoffending reports and DYRS's quarterly reports on positive and negative outcomes will together provide the DC Council and the community with the data needed to assess the success of our reformed juvenile justice system.