**Juvenile Justice Advisory Group (JJAG)**

**Virtual Meeting Agenda**

Tuesday, March 1, 2022

4:30pm - 6:00pm

**Member Attendance**

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| --- | --- | --- | --- |
| **Name** | **Present** | **Absent** | **Proxy** |
| 1. **Anderson**, Patrina (Trina)
 | X |  |  |
| 1. **Burton**, Lisette
 | x |  |  |
| 1. **Clark,** Sheila
 | X |  |  |
| 1. **Del Valle,** Nataly
 | X |  |  |
| 1. **DiToro,** Jennifer
 |  | X |  |
| 1. **Eismann,** Audrey
 | X |  |  |
| 1. **Furr**, Laura
 | X |  |  |
| 1. **Goodman,** Jonah
 | X |  |  |
| 1. **Gregory-Dowling**, Shyra
 | X |  |  |
| 1. **Holtz,** Jamal
 | X |  |  |
| 1. **Mobley,** Brittany
 | X |  |  |
| 1. **Odom**, Terri
 | X |  |  Jacqueline Wright |
| 1. **Patterson**, Jenise (Jo)
 | X |  |  |
| 1. **Richmond,** LaShelle
 | X |  |  |
| 1. **Rosenthal**, David (Dave)
 | X |  | Jullian Brevard |
| 1. **Spain**, Penelope
 | X |  |  |
| 1. **Wheeler- Taylor,** Pamela
 | X |  |  |
| 1. **White,** Aaron
 | X |  |  |
| 1. **Wright**, Bruce
 | X |  |  |
| 1. **Woods,** Kyla
 | X |  |  |
| Staff Present | Melissa Milchman (OVSJG), Kristy Love (CJCC), Suzie Dhere (OVSJG), Toni Lemons (CJCC), Michelle Garcia (OVSJG) |
| Guests or Advisory MembersPresent | Jose DeArteaga (DYRS)Kate Weisburd (GW Law)Helen McClure (DMPSJ)Tiffany Reid-Collazo (PDS)Floyd Bronson (Restorative DC/School Talk)Ronald Williams (CSSD Acting Assistant Deputy Director for Intake)Jullian Brevard (OAG)Kevin Whitfield (Committee on the Judiciary – DC Council)Caroline Brown (KIPP DC Legacy)Joshua Collins (Policy Analyst Kapindi Kroma (MCIP)Jayy (Youth Panelist – confidential identifier)Mylan Barnes (YLA & DBH)Clare Kruger (PDS)RaChelle Dennis (Community Member – Martha’s Table)Asante Laing (CFSA)Nika Gogishvili-Matthew (community member)D.D. Davis (Community Member/Panel Attorney) |
| Notes Prepared by | Melissa Milchman and Lisette Burton |

**AGENDA**

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| Welcome | Welcome and Introductions (*Laura Furr, Chair)* *Welcome Toni Lemons, new Compliance and RED Monitor!* |
| Follow up on critical issues action items | Electronic Monitoring (*Facilitated by Brittany Mobley, PDS*)* Panel discussion of agency representatives and youth with lived expertise
* Moderator: Brittany Mobley (PDS)
* Panelists: Ronald Williams (CSSD), Bruce Wright (DYRS), Nataly Del Valle (YLA), Mylan Barnes (YLA) and Jayy (Confidentiality identifier)
* Discussion Questions:
* From the agency perspective, what is the purpose?
* Bruce Wright (DYRS) – To monitor youth whereabouts when there is an ongoing issue (compliance with community placement agreement) or when a youth is considered high risk for engaging in illegal activity. The use of GPS gives the social worker/care coordinator more knowledge. It can be used specifically to identify exclusion zones (places where a youth has been ordered not to go by the Court) and monitor compliance with curfew rules set in the community placement agreement. The GPS system identifies location and serves as a supervision tool.
* Ronald Williams (CSSD) –To provide an instrument in supervision and a tool that is an alternative to detention. CSSD operated a Delinquency Prevention Unit (DPU) out of the Youth Services Center (Youth Detention Center in DC). The DPU unit uses GPS monitoring for surveillance of stay away orders and exclusion zones. The GPS is used as a deterrent from going to places you are court ordered to stay away from. There have been instances where use of the device ruled out a youth from being a suspect in a crime (data showing not in the area). When a youth is released with conditions of electronic monitoring, the DPU location at YSC allows them to implement the electronic monitoring the minute a young person walks out the door after being processed by juvenile intake. The use of GPS allows youth to be released faster and can reduces administrative holds and the need for waiting on a ride. For CSSD, the primary goal is to support arraignment court in JM 15 (ensure youth appear for hearings).
* How does electronic monitoring align with trauma informed care?
* Bruce Wright (DYRS) – GPS use is at the discretion of the case managers (when to put on and take off). The case managers should be incorporating use of device in the youth’s plan of care. This method of use (discretionary) can lead to abuse if not monitored. We do run the risk of GPS overuse. However, if done appropriately, it can be a good tool and can be incorporated into case planning, but utilization needs to be monitored carefully.
* Ronald Williams (CSSD) – We can limit the time it is used or look at how long a person is on electronic monitoring. We should remove when there is a demonstration of compliance. In addition, we see it as an alternative to detention and a tool of supervision. The young person should have the goal of earning it removed. We also use it as a tool that promotes safety.
* What are the alternatives?
* Bruce Wright (DYRS) GPS can be used as a short-term tool. In the alternative, we can actively implement more one-on-one supervision (Example: case workers can show up at a youth’s home during curfew hours to see that a youth is where they should be OR communicate more with parents, who can offer insight into their youth’s treatment and whereabouts.
* Ronald Williams (CSSD) – It can be a valuable tool to ensure accountability. If applied correctly and used effectively, AND ensuring the youth is fully informed, it provides an opportunity to build responsibility for the youth. Make use more flexible (rules or agreements tailored to each individual youth).

Other areas to consider making changes on usage in the District: Bruce Wright (DYRS): Youth placed out of state are also on GPS –who can even respond if an issue occurs when that youth is out of state is not clear. We could also do a better job of limiting who is being monitored, and when we do use the GPS monitoring as a tool, we could be more flexible (examples: take it off for a job interview or to go to the beach). Being clear and accountable for the way it is utilized is so important. Additionally, we know school systems treat youth differently when they see the GPS box, and there is a real challenge there. YOUTH VOICES* What are challenges youth face while being on Electronic Monitoring?
* Nataly Del Valle – Confidentiality Issues - it put my business out there to the public, and I was treated differently. Made me a target to peers, teachers, and the public. In high school, I had to go through the metal detector and felt so embarrassed (trauma and stigma). Confidentiality is a huge issue. It also affects self-esteem as people treat you differently and then you see yourself differently. Stigmas creates cycles. Without the right support, I could have easily gone down the wrong paths because I was being treated as “other”.
* Prevention and changes in the juvenile system can help us make it better so youth do not become adults who are system involved.
* Mylan Barnes – Confidentiality and Personal Liberty Issues – I remember being stuck in a classroom charging my box. I was definitely treated differently. Vibrations and beeping box affects self-esteem constantly! I was also worried about what to wear to cover the box (needed different pants). Limitation on Personal Autonomy -There was no discussion with me about the best way to support me while in care. Electronic monitoring was pushed/forced on me as a reaction to behavior without any discussion.
* Rehabilitation is not supposed to be punitive or prison like. Programs are supposed to help youth rehabilitate.
* Isolation issues: Sometimes exclusions zones prevented youth from being near family.
* Abusive and prolonged utilization: It was not meant to be a tool to make it easy for the system to monitor youth. Services were not tailored to my needs and constant GPS monitoring created paranoia about getting in trouble.
* Lost Opportunity: It made it so hard to get a job.
* Impingement on Freedom - I felt like a was fighting for freedom that I was already supposed to have by being in the community but did not feel free.
* Self-esteem and dignity: Figuring out how to shower and sleep with a box on affected how she saw herself.
* Alternatives – create more trusting relationship with and really do work to create a bonding relationship with social workers to build trust. With trust, maybe GPS would not be an automatic response.
* Not appropriate for youth in care, makes us feel like animals: Youth should not be treated like animals.
* Racism: it affects black and brown youth.
* Provocation and the mental health toll it takes: Youth are targeted when wearing a box by adults and peers. Sometimes, we feel provoked to violate the agreement and may give in to provocation or to the feeling of desperation to be free from the box. The consequences imposed in those situations are only doing more harm.
* Jayy – Privacy and Confidentiality issues – being on electronic monitoring feels invasive.
* Punitive utilization - It was used punitively (to punish) and without considering how it affects our ability to engage with our community (e.g., stigmatized in job interviews, treated differently at school, etc.), which doesn’t fit with the goals of rehabilitation, community-support, and care.
* Presentation of research and best practices by Kate Weisburd, Associate Professor of Law, George Washington University Law School
* Background about use of Electronic Monitoring
* On average, GPS agreements include between 24 and 41 separate rules that young people must comply with, and the rules are written at an 11th grade reading level (above the average reading level for teenage youth)
* In DC, the DYRS GPS agreement aligns with national trends
* There are significant racial and ethnic disparities in the use of electronic monitoring. While championed as alternative to detention, the research shows the use of e-monitoring ultimately leads to more incarceration for non-criminal activity (violations of agreements).
* There are several other champions of reform to the use of electronic monitoring, some which were raising awareness during the pandemic (at time which saw increased utilization of electronic monitoring as an alternative to incarceration). Some resources to look at include: [Media Justice Report: No More Shackles](https://mediajustice.org/resource/no-more-shackles-report/) (calling for an end to use on adults on parole)– and #NoDigitalPrison Campaign - <https://mediajustice.org/challengingecarceration/>
* We ask ourselves isn’t it better than jail? But electronic monitoring is NOT really an alternative to detention, rather it is an alternative FORM of incarceration that just exists outside of traditional carceral settings like prisons and jails.
* There are significant net widening concerns when we look at how electronic monitoring is used and on whom it is used. More individuals end up on it than are necessary for reasons that are NOT based on what is appropriate for their treatment or care (e.g., safety concerns or administrative convenience/abusive use in lieu of supervision)
* Electronic monitoring is freedom impingement. There is not really a gray area, but two choices, when it comes to freedom. You are free or not free. Policy narrative that something is “better” does NOT necessarily mean fair, equitable, or right. Consider segregation and Jim Crow laws as examples that are demonstrative of our history of racism and freedom impingement. These themes are still applicable to the use of incarceration and its alternative forms like electronic monitoring.
* To learn more about the research done by Professor Weisburd, check out two of her reports: (1) [Electronic Prisons (Operation of Ankle Monitoring in the Criminal Legal System -Adults)](https://issuu.com/gwlawpubs/docs/electronic-prisons-report?fr=sOGI5NDcxODg3) and (2) [Electronic Monitoring of Youth in the California Juvenile Justice System](https://www.law.berkeley.edu/wp-content/uploads/2017/04/Report_Final_Electronic_Monitoring.pdf) – researching how electronic monitoring operates and the consequences of use.
* Key findings of her research and work:
* There are heavy consequences to the use of electronic monitoring, including increased incarceration, falling behind in school, and lost job opportunities.
* The rules/terms of use limit liberty, limit privacy (of the young person and the family), increase crime correlation, undermines autonomy and dignity, impacts home life and social connections, and places burden on families.
* Allows for detection of inevitable imperfections – sets young people up to fail and be reincarcerated for non-criminal activity
* Key Themes:
* Rules and requirements are incompatible with adolescent development and inappropriate for youth with disabilities
* No privacy for families or youth
* Monitoring/House arrest results in social isolation and undermines rehabilitation
* There is no empirical evidence that monitoring improves case outcomes for youth. We have no research demonstrating effectiveness. We do know that it sets kids up to fail.
* The technology is not reliable. Exact error rates unknown.
* Expensive for cities/courts – carceral surveillance is big business.
* Legal issues – validity of consent, constitutional concerns
* Recommendations
* We can do more to study monitoring data in DC
* Children should not be prosecuted for failure to charge their device
* The best form of supervision is no (or light) supervision
* Invest in alternatives to supervision/monitoring (community-based support programs)
* Revise, limit and simplify user rules and policies
* GPS/House Arrest should not be used for children with cognitive or intellectual disabilities
* The precise use of GPS and house arrest should be individually tailored
* Detention should not be the go-to response to violations
* Impose greater privacy protections (e.g., not sharing data with police or requiring a warrant to do so)
* Alternative models – Some counties in California have programs where they drive people to and from court and/or provide text reminders for court appearances in lieu of using electronic monitoring.
* Q&A
* Jose DeArteaga – many jurisdictions charge fees and know that these devices have huge fail rates, break, interfere with access to other services or stigmatize access (like healthcare where some providers are creating back doors so other patients don’t see them. How can we make the case for moving away from not only GPS but intensive supervision in favor or lighter supervision (which is supported by research)? What are the resources that show what works? Professor Weissburd will share citations with Melissa
* Bruce Wright – How can we move away from fear-based approaches – put on GPS in case something happens (for safety net) as an accountability or risk management safety net for high risk cases? Sometimes, we see that if the youth violated their community placement agreement, the question that comes next is always WHY are they NOT on GPS. This leads case workers to use GPS preemptively.
* Professor Weisburd – think about how can we use it more limitedly? Increase privacy options like not automatically being able to share the data with law enforcement (without a warrant), decrease or limit exclusion zones, take a look at the criteria of WHO can be on it.
* Professor Weisburd – Also consider that there are often Judges who seek to use electronic monitoring as a security blanket – but the problem is that we net widen and put too many youth on it that should not be.
* Nika – Is there any research about the Hawthorn Effect – psychological effect that people behave differently when being watched? Is there evidence that they behave differently when we remove the monitor – what then?
* Professor Weisburd- We do not have evidence that says that youth on monitors have better case outcomes – we don’t have evidence that they are value added to case outcomes or rehabilitation.
* RaChelle – are there options to NOT have a big device on the leg – can we make it more discrete? What about when there were fees associated for devices -what are the options to decrease or waive fees \*burden on parents\*?
* Bruce: DYRS does not charge parents – unless you lose the device – no supervision fees in DC
* Bruce: Another consideration for alternatives to the point about devises is that there are two types of electronic monitoring – active system and passive system – active requires device on leg – passive is phone calls – you have to answer the phone.

Jayy – how can we use passive monitoring more instead of automatically putting kids on active monitoring? We need to avoid creating automatic labeling and barriers to community-based supports which happens when we automatically use GPS implementation at the outset of community placement.* Consideration of the JJAG’s Next Steps on Electronic Monitoring - TBD
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| Policy and Legislative Subcommittee Updates | Update PINS Subcommittee (*Sheila Clark, Committee Co-Chair, LaShelle Richmond, Vice Chair and Melissa Milchman*) * Title V grant update- working on vision and candidates for advisory board, received data from schools to start to determine where to implement supports, and waiting on official budget authority still to distribute dollars
* Follow up to decision point memo to DMPSJ – Moved up the decision-making ladder from Deputy Mayor for Public Safety and Justice to the Office of the City Administrator

Update from Policy and Legislative Committee: RED Subcommittee (*Bruce Wright, Committee Chair*) * Community engagement/survey update – determining how to provide incentives to survey takers, and completed the process to make the survey electronic
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| JJAG and Compliance Update | Update on JJAG Business and Compliance Monitoring (*Melissa Milchman, OVSJG and Kristy Love, CJCC*)* CJJ Conference registration - CJJ's 2022 Annual Conference will take place in person on from May 18-21 at the DC Hyatt Regency (on New Jersey Ave NW, near Union Station). The theme for the conference is "Creating a New Normal: Drawing on Lessons From the Pandemic to Comprehensively Address Young People’s Needs." Laura will be presenting a the conference about youth-adult partnerships!
* Please let Melissa know by March 10, 2022 (next Friday) if you are interested in attending. We are members of CJJ, so we get a discounted member rate for registration. If you are a student, there is also a special rate for registration. JJAG’s SAG funding allocation of Title II grant funds can cover the full cost of participation for those that wish to attend, so please let Melissa know ASAP if you want to register.
* More details about the conference are available here: <https://www.juvjustice.org/events/conferences/cjj-2022-annual-conference>
* OJJDP is accepting applications to serve on the [Federal Advisory Committee on Juvenile Justice](https://lnks.gd/l/eyJhbGciOiJIUzI1NiJ9.eyJidWxsZXRpbl9saW5rX2lkIjoxMDQsInVyaSI6ImJwMjpjbGljayIsImJ1bGxldGluX2lkIjoiMjAyMjAyMjUuNTM5OTk5OTEiLCJ1cmwiOiJodHRwczovL2ZhY2pqLm9qcC5nb3YvIn0.Y0kVg5amyr_KrQ_E0YicObrIazeijFHXhs2PqBQT7hc/s/1064549210/br/127161933059-l) (FACJJ). Composed of members of state advisory groups (SAG) on juvenile justice, the committee advises the President and Congress on matters related to juvenile justice, evaluates the progress and accomplishments of juvenile justice activities and projects, and advises the OJJDP Administrator on the work of OJJDP. All eligible SAG members are invited to apply. Selected FACJJ members will serve a 2-year term with the possibility of renewal for another 2-year term. Download and submit the [membership application](https://lnks.gd/l/eyJhbGciOiJIUzI1NiJ9.eyJidWxsZXRpbl9saW5rX2lkIjoxMDUsInVyaSI6ImJwMjpjbGljayIsImJ1bGxldGluX2lkIjoiMjAyMjAyMjUuNTM5OTk5OTEiLCJ1cmwiOiJodHRwczovL2ZhY2pqLm9qcC5nb3YvbWVtYmVyc2hpcC8yMDIyLWZhY2pqLW1lbWJlcnNoaXAtYXBwbGljYXRpb24ucGRmIn0.5QjUaLxCLV1GNkVuewn7jWxQw12odUL_vXXilc5ggXA/s/1064549210/br/127161933059-l) along with a [Certification of No Conflict and Non-Disclosure form](https://lnks.gd/l/eyJhbGciOiJIUzI1NiJ9.eyJidWxsZXRpbl9saW5rX2lkIjoxMDYsInVyaSI6ImJwMjpjbGljayIsImJ1bGxldGluX2lkIjoiMjAyMjAyMjUuNTM5OTk5OTEiLCJ1cmwiOiJodHRwczovL2ZhY2pqLm9qcC5nb3YvbWVtYmVyc2hpcC9jZXJ0aWZpY2F0aW9uLW5vLWNvbmZsaWN0LW5vbi1kaXNjbG9zdXJlLTIwMjIucGRmIn0.9YgSektJiGjGi3pZIkDxCHIEjGy6hPwtX2BZ4SM8-pg/s/1064549210/br/127161933059-l) and resume to Maegen Currie at Maegen.Currie@ojp.usdoj.gov. The deadline to apply is April 1, 2022.
* Notes on the Compliance Manual Revisions: We are still working on the Compliance Monitoring Manual revisions, but Toni (new Compliance Monitor) and Melissa met to discuss what those changes will be. We hope to have the revisions process completed and submitted to OJJDP soon.
* Annual Compliance Monitoring Site Visits to detention centers, jail, court holding facilities, and MPD precinct lockups are being scheduled and will occur in the coming weeks.
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| Updates and Announcements | Invitation to members, advisors, and partners to share updates, opportunities for collaboration, news, etc.Aaron – DBH is planning a job fair and is looking for partners – are you hiring? Let Aaron (Aaron.white@dc.gov) or Melissa (melissa.milchman@dc.gov) know.Nataly – DYRS AC – evening programs will be open to the commnunity – youth need to have an ID to access programming at either Achievement Center. See flyer for programming options.Lisette – U.S. Senate held a hearing on carjacking and the narrative around youth was not good – Act 4 JJ is releasing a statement and the record is open to submit comments to the senate committe. * [Senate Judiciary Committee Hearing](https://www.judiciary.senate.gov/meetings/federal-support-for-preventing-and-responding-to-carjackings) 3/1/22, *Federal Support for Preventing and Responding to Carjackings* – Act4JJ Coalition issued formal [response](http://www.act4jj.org/sites/default/files/resource-files/Letter%20-%20Youth%20%26%20the%20Post-Pandemic%20Public%20Health%20Crisis.pdf)

Lisette- The Biden Administration focused on [Mental Health in State of the Union Address](https://www.whitehouse.gov/briefing-room/statements-releases/2022/03/01/fact-sheet-president-biden-to-announce-strategy-to-address-our-national-mental-health-crisis-as-part-of-unity-agenda-in-his-first-state-of-the-union/) – local opportunities with 988 implementation, funding for crisis stabilization and mobile response units, along with school-based mental health and community behavioral health centers align with JJAG recommendations to serivce PINS youth outside fo the justice systemFor those that may need to connect with Jo Patterson (Parent Watch DC) , please note they have a new email address - pwwithjopatterson@gmail.com |
| Adjourn | 6:00 PM - our next JJAG meeting is scheduled for April 5 via WebEx at 4:30 PM. |