

Pulaski County Juvenile Justice System Assessment

Prepared By

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Children's
Law *and* Policy

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I. Introduction

On January 19, 2017, Pulaski County and the Center for Children’s Law and Policy (CCLP) entered into an agreement for CCLP to provide an assessment of strengths and challenges in Pulaski County’s services for at-risk youth, particularly youth in contact with the juvenile justice system. CCLP is a national public interest law and policy organization based in Washington, D.C. focused on reforming the juvenile justice system and protecting the rights of children in other systems that impact at-risk children.

CCLP’s staff work to help jurisdictions throughout the United States make their juvenile justice systems more equitable and effective. Over the last 10 years, CCLP has worked on juvenile justice reform in 32 U.S. states and the District of Columbia. CCLP has played a leading role in the largest juvenile justice reform initiatives in the United States, including the Annie E. Casey Foundation’s Juvenile Detention Alternatives Initiative (JDAI) and the John D. and Catherine T. MacArthur Foundation’s Models for Change Initiative. CCLP has also worked to help juvenile justice systems and agencies in the wake of litigation, investigations, and media coverage of policies and practices.

Since 2013, CCLP has partnered with officials in Benton County and Washington County, Arkansas to launch JDAI in those two counties with support from the Annie E. Casey Foundation and the Arkansas Department of Human Services’ Division of Youth Services (DYS). An important first step in implementing JDAI is an assessment that analyzes juvenile justice system practices and policies. The System Assessment is a qualitative review of how the juvenile justice system functions in a jurisdiction. It is conducted through series of interviews of key juvenile justice stakeholders in the county, a review of basic documents, and a visit to the county juvenile detention facility. The System Assessment complements a quantitative review of youth in the juvenile justice system, which together provide a roadmap for improvements to the juvenile justice system.

Although Pulaski County does not currently participate in JDAI, the County and CCLP agreed that the JDAI System Assessment and accompanying review of quantitative data would provide a useful framework for understanding the strengths and shortcomings of services in the County. As outlined in our recommendations below, we believe that Pulaski County could greatly benefit from participating in JDAI, as doing so would provide a structured framework for increasing collaboration among Pulaski County stakeholders for implementing the reforms recommended below.

II. Methodology

Tiana Davis, CCLP Policy Director for Equity and Justice, and Jason Szanyi, CCLP Deputy Director, conducted the assessment. Tiana and Jason have been the primary technical assistance providers for JDAI in the State of Arkansas, which meant they were familiar with many features of the juvenile justice system in Pulaski County.

In preparation for the assessment, CCLP requested and reviewed quantitative and qualitative information on existing services for youth in Pulaski County, youth's contact with the justice system, and current and past reform efforts. Quantitative data included information on arrests, referrals to juvenile court, admissions to detention, and commitments to DYS.

CCLP staff also conducted a series of in-person interviews with Pulaski County stakeholders during April 3 and 4, 2017, to learn about the strengths, challenges, and areas of need in Pulaski County's array of services for youth in contact with the justice system. CCLP staff also had many teleconferences and email exchanges with stakeholders who were unavailable during CCLP's time on site, as well as with those interviewed to obtain additional information. Stakeholders included the Pulaski County Judge; the Deputy County Attorney; the Pulaski County Director of Youth Services; the Pulaski County Director of Community Services; the Director of Juvenile Detention; the County Sheriff and Chief Deputy Sheriff; the Mayor of Little Rock; the Little Rock Chief of Police and Assistant Chief in charge of the Juvenile Unit; the three Circuit Judges in the 8th, 10th, and 11th divisions who oversee delinquency matters; probation staff and intake officers in each of the three Circuit Court divisions; prosecutors for the juvenile division; public defenders for the juvenile division; the Pulaski County Special School District Superintendent and the Director of Special Programs; the Little Rock Public Schools Senior Director of Student Services; the Little Rock Director of Community Services; and the Director of United Family Services, the primary service provider for youth involved with juvenile court in Pulaski County. On April 3, CCLP staff also conducted a brief tour of the Pulaski County juvenile detention center. DYS's Program Administrator accompanied CCLP for some of these interviews and for the JDC tour.

For organizational purposes, we have grouped our observations in accordance with the eight core strategies employed by the over 300 sites participating in the JDAI initiative. These are:

1. Promoting collaboration between juvenile court officials, probation agencies, prosecutors, defense attorneys, schools, community organizations, and advocates;
2. Using rigorous data collection and analysis to guide decision making;
3. Using objective admissions criteria and risk assessment instruments to replace subjective decision-making processes to determine whether youth should be placed into secure detention or placed out of home;
4. Implementing new or expanded alternatives to detention and incarceration programs – such as day and evening reporting centers, home confinement, and shelter care – that can be used in lieu of detention or out-of-home placement;
5. Instituting case processing reforms to expedite the flow of cases and provide more timely services and interventions;
6. Reducing the number of youth detained for technical probation violations and failing to appear in court, and the number held in detention awaiting transfer to a residential facility;
7. Combatting racial and ethnic disparities by adopting reforms that ensure a level playing field for youth regardless of race or ethnicity; and

8. Improving conditions of confinement in facilities that house youth.

The strategies outlined above are interconnected. As a result, observations and recommendations may be relevant under multiple headings. We have broadened the language around each of the JDAI core strategies to reflect that the scope of this assessment was broader than the examination of secure detention in the County. However, for most JDAI sites, a close examination of secure detention is the entry point for broader juvenile justice system improvements.

In this assessment, we also identified opportunities for new funding to support juvenile justice programs and reforms. However, we have also recommended a number of reforms that have been implemented in other jurisdictions that would allow for more efficient uses of limited existing resources throughout the system.

We recognize that it is difficult to be scrutinized by relative strangers, and that a two-day visit is hardly exhaustive or definitive. In addition, an assessment such as this will significantly understate the many strengths of Pulaski County and its stakeholders. Since we focused on opportunities for reform, these comments may appear far more critical than would a description of the many services available for youth in Pulaski County. Indeed, we recognized many strengths and positive trends during our assessment, including:

- the development of a diverse array of prevention and intervention services for youth at the County and municipal level;
- a significant decrease in youth arrested in the Little Rock Public Schools from the 2014-2015 to 2015-2016 school year;
- a 37% reduction in citations and citizen's complaints referred to intake from 2013 to 2016;
- a 35% reduction in youth admitted to detention from 2012 to 2016.
- recent reforms to restructure and streamline juvenile court operations and juvenile probation services; and
- the adoption of a validated risk and needs assessment in juvenile court.

However, our primary focus here was identifying what can and should be done to make the juvenile justice process in Pulaski County more equitable and effective. It is important to note that many of the observations outlined below would apply to other jurisdictions in Arkansas and throughout the country. That is to say, Pulaski County is not alone in facing many of the challenges identified in this report. However, our recommendations are grounded in the work of other jurisdictions that have begun to tackle those systematic challenges.

We are happy to answer any questions about this assessment, and we would be happy to work with Pulaski County officials on these reforms moving forward.

III. Acknowledgments

We would like to acknowledge the insight, cooperation, and assistance we received from everyone we met in Pulaski County. We are particularly indebted to Chastity Scifres for her time and effort coordinating the logistics of the assessment and for ensuring that our team was able to cover as much ground as we did in the time we were on site. We would also like to recognize County Judge Barry Hyde for his leadership and focus on improving services for at-risk youth and families in Pulaski County.

IV. Observations and Recommendations

A. Enhancing Collaboration among Juvenile Justice Stakeholders

Collaboration through consensus-building allows different agencies, branches and levels of government, and community representatives to devise strategies that promote the success of young people and the safety of the community. Collaboration and leadership by multiple agencies and the community is a core feature of successful juvenile justice reform efforts, and it is crucial in building efficient and responsive juvenile justice systems. Without strong authority and leadership to ensure interagency coordination, comprehensive system reform can become a daunting challenge.

Observations

- Many of the stakeholders we interviewed were enthusiastic about this assessment and expressed a desire for improved collaboration and coordination among stakeholders within Pulaski County. However, many also noted that aspects of services and supports for at-risk youth in the jurisdiction were “siloeed” from each other and often “short-lived,” with limited opportunities for ongoing formal collaboration on issues of shared interest and need. Although some questioned how effective a stakeholder collaborative would be in Pulaski County, almost all recognized the need for broader collaboration to pursue needed reforms. As mentioned above, this type of collaboration has been essential in jurisdictions that have engaged in comprehensive reforms to services for at-risk youth.
- Some individuals noted that, in previous years, stakeholders within the county partnered to form the Pulaski County Juvenile Crime Prevention Coalition (JCPC), which developed an online resource directory, with support from DYS. However, this group did not seem to stay active and was not convening stakeholders on a regular basis at the time of our assessment.
- The lack of a stakeholder collaborative is impeding Pulaski County’s ability to pursue funding opportunities that could bring additional resources and programs to the jurisdiction. For example, there is no one within juvenile court at this time with the

official responsibility of monitoring federal funding opportunities from the Office of Juvenile Justice and Delinquency Prevention. Even if such an individual were identified and given the time and authority to pursue those opportunities, many requests for proposals require coordination with other local and state partners for applicants to be successful. In the absence of a stakeholder collaborative that can review and respond to opportunities, Pulaski County will miss important opportunities to apply for funds from the federal government and national and state-based foundations.

- Stakeholders recognized the importance of collaboration among juvenile court, law enforcement, and public schools given the number of referrals to juvenile court from schools in the County. We were encouraged to hear about significant reductions in school-based arrests in Little Rock, which are reflected in an overall reduction in juvenile arrests by the Little Rock Police Department of 40% from 2015 to 2016. However, we also noted that school-based arrests continued to represent at least 41% of youth arrests by the Little Rock Police Department during 2016. We learned that in the past, representatives of the county's school districts met on a quarterly basis with juvenile court officials to discuss trends in referrals and strategize about ways of reducing school-based arrests. Those meetings have not occurred recently, but stakeholders expressed interest in resuming them, particularly to discuss trends involving social media as a contributor to incidents at school.
- Law enforcement and public school officials have collaborated to introduce strategies aimed at improving school climate and supporting students within the school setting whenever possible instead of referring students to juvenile court. However, we did not find that agencies had codified agreements about roles and responsibilities in memoranda of understanding. Many jurisdictions that have successfully reduced school-based referrals have also taken the step of outlining shared views about the appropriate role of law enforcement within a public school system. Memoranda of understanding promote accountability and help ensure the sustainability of work to reduce the number of students arrested at school.
- As we noted in the introduction, Pulaski County does not currently participate in the Annie E. Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI). However, there was interest among many interviewed in the results and improvements that JDAI sites have seen in Arkansas and around the country. DYS expects to make funding available to counties this year to support juvenile justice innovations, including the expansion of JDAI. This funding could provide additional resources to support reform efforts in Pulaski County. Participation in JDAI would also allow Pulaski County to collaborate with peers across the country to draw upon lessons learned. Additionally, the Annie E. Casey Foundation recently launched a new online platform for JDAI sites and other jurisdictions, JDAIconnect, to allow officials throughout the country to share resources and allow peers to ask questions and share effective practices.

Recommendations

1. Formalize a Governing Committee that can oversee the implementation of reforms and improvements to services for youth in contact with the justice system. This should include (a) appointment of Governing Committee members; (b) identification of sub-committees and related assignments as informed by reform priorities; (c) preparation of an initial work plan that clarifies key tasks and milestones for the next 12 months, based on shared goals and the recommendations below; and (d) some sort of formal resolution—for example, a memorandum of understanding among all the key agencies involved in the Governing Committee—establishing the mission, purposes, and leadership of the Committee.
2. Speak with DYS to determine whether the agency will provide resources for part or all of a staff person's time to support the launch of a Governing Committee and Pulaski County's participation in JDAI.
3. Join the JDAIconnect community at www.JDAIconnect.org, which provides free online access to resources, training, and information on juvenile justice reform. JDAIconnect is an interactive community of officials in JDAI sites and others interested in juvenile justice system improvement.
4. Resume quarterly collaborative meetings between juvenile court and representatives of the school districts and law enforcement to help reduce the number of youth arrested and referred to court from school.
5. Develop memoranda of understanding between law enforcement and public school systems that clearly outline the appropriate roles and responsibilities of public school officials and law enforcement in responding to student behavior.
6. Assign a point person within the County to monitor funding opportunities for juvenile justice reform, including those through the federal Office of Juvenile Justice Delinquency Prevention (<https://www.ojjdp.gov/funding/funding.html>), and ensure that individual signs up for the agency's JuvJust listserv. The Council of State Governments' Justice Center website also contains a page featuring federal and foundation-funded opportunities, which should be regularly reviewed (<https://csgjusticecenter.org/reentry/online-tools/funding/>).
7. Review the resources available on the National Juvenile Justice Network's Fiscal Policy Resource Center website (<http://www.njjn.org/our-work/juvenile-justice-publications-fiscal-policy>), which contains guides on identifying sources of funding for juvenile justice reforms to determine which have not been fully tapped by Pulaski County.

B. Collecting and Strategically Using Data

Stakeholders should regularly review data drawn from all sources in the system to obtain an accurate picture of how the juvenile justice system operates. Stakeholders should use that information to identify points where policy and practice reforms may lead to significant improvements, as well as to monitor the impact of reforms.

Observations

- Officials in Pulaski County do not regularly review data reports that provide a picture of how the juvenile justice system is functioning from arrest to out-of-home placement. This is, in part, because there is no active County-wide collaborative currently focused on looking holistically at youth involved with the justice system. However, it was also clear that many in the county were not accustomed to regularly sharing data with fellow agencies and entities. There was significant interest in sharing data across systems to obtain a better understanding of how the juvenile justice system is functioning.
- Although there were some entities, such as the Juvenile Detention Center, that regularly produce reports that allow for disaggregation of data by age, race, ethnicity, gender, and reason for admission, it was clear from our attempts to obtain information at other juvenile justice system decision points that many entities did not have a process for routinely collecting, analyzing, and producing data that could be disaggregated by different variables. Moreover, there were data quality concerns among some of the data that we did receive as part of the assessment. For example, the Arkansas Administrative Office of the Courts (AOC) provided us with juvenile intake data for the past several years in Pulaski County. However, the data contained so much missing data for race, ethnicity, and gender that an analysis of intakes by those variables was impossible.
- Data on school-based referrals was of significant interest to many stakeholders, as school-based arrests had been a significant source of referrals to the juvenile justice system in years past. Although we were able to work with certain data sets to identify a rough number of school-based arrests made by law enforcement, there is no standardized report for juvenile justice stakeholders that provides regular information on school-based arrests. Given that school-based arrests have been and continue to be an area of focus, it would be helpful to have routinely produced reports that capture school-based arrests disaggregated by age, race, ethnicity, gender, offense, and school. Those reports would help assess progress with existing reforms and identify the schools for which additional resources or programs are necessary.
- As of 2017, the Administrative Office of the Courts (AOC) requires that jurisdictions collect data on whether a court referral was a result of a school-based arrest. This may provide some information on school-based referrals to juvenile justice stakeholders

going forward. However, AOC indicated that as of April 2017, Pulaski County had not reported any school-based referrals, suggesting that these data were not being collected as required.

- Many stakeholders expressed interest in receiving more information about the effectiveness of diversion programs and other services being provided to youth in the community. Many stated that while they occasionally received information on the number of referrals to particular programs or services, they generally did not receive much information on the results of those services (e.g., how many youth successfully completed the program or treatment without reoffending; how many youth avoided future system involvement).
- We were very limited in our ability to look at youth booked into the County jail, as the data provided were not presented in a way that allowed for easy analysis of many trends of youth who were booked into the facility.

Recommendations

1. Convene a stakeholder group to identify routine data reports that would help stakeholders understand how well the juvenile justice system is functioning in Pulaski County. These reports could include standard information on arrests, referrals to juvenile court, detention admissions, commitments to DYS, transfers of youth to adult court, and effectiveness of community-based services.
2. Create a data-sharing agreement among county stakeholders that would allow for the regular review and analysis of data from the decision points outlined above. Ensure that data are disaggregated by age, race, ethnicity, gender, and offense or reason for involvement. For example, many JDAI sites generate and review detention utilization data using an automated Quarterly Reporting Spreadsheet, which pulls data from existing databases and presents a variety of helpful data in tabular and graphical formats.
3. Implement a way to track and regularly review arrests of youth charged with school-based offenses. Ensure that these reports are disaggregated by age, race, ethnicity, gender, offense, and school.
4. Implement a quality assurance process within juvenile court to ensure that data on race, ethnicity, gender, whether referrals stem from school-based arrests, and other variables are accurately entered.
5. Conduct deeper data analyses of specific target populations, such as youth referred to court for minor offenses, youth admitted to detention for relatively minor offenses, and youth released at initial detention hearings to determine if youth within those populations could benefit from diversion options or alternatives to detention.

C. Using Objective, Evidence-Based Tools to Make Decisions about Diversion, Detention, and Supervision of Youth

Well-run and efficient juvenile justice systems rely on evidence-based and objective tools to make decisions about a youth's involvement with the juvenile justice system. This means having tools in place at key decision points – intake, detention, and adjudication – that help guide decisionmaking using standardized criteria that are informed by research.

Observations

- The Arkansas Juvenile Code mandates detention for a small number of crimes: unlawful possession of a handgun, possession of a handgun on school property, unlawful discharge of a firearm from a vehicle, any felony committed while armed with a firearm, and criminal use of a prohibited weapon. Otherwise, Arkansas law states that intake officers and juvenile court judges should consider a range of factors when deciding of whether to detain a youth.
- Many youth in Pulaski County who are admitted to detention are released very soon after they are admitted, raising the question of whether detention was necessary in the first place. In 2016, one-third of youth were released in three days or fewer and more than half (54%) were released within a week. Moreover, many youth who are admitted to detention are charged with offenses that may not indicate that they are a risk to public safety. For example, in 2016, 42% of detention admissions were admissions of youth charged with misdemeanor offenses. Even short stays in detention can cause substantial disruption for youth and family members, especially with respect to a youth's education.
- Interviews with and a survey of Pulaski County stakeholders revealed wide variability in views about the purpose of detention in the County. Many of those interviewed and surveyed said that they agreed that the primary purpose of detention was to ensure court appearances and minimize risk of re-offending prior to adjudication. Many also agreed that detention should be used rarely and always as a last resort. However, virtually everyone recognized that detention is often used in Pulaski County for other reasons: e.g., to sanction youth for violating orders of the court, to ensure that services are in place for the youth and his or her family, or to serve as a “wake-up call” for youth. There did not seem to be widespread awareness of the research on the short and long-term harms of detention on youth.
- Juvenile court officials do not currently use a detention risk assessment instrument (RAI) to screen youth for eligibility for detention. Intake officers rely on the factors outlined in the Juvenile Code, as well as the results of other screening instruments, including the Ohio Youth Assessment System (OYAS) screening, the CRAFFT substance abuse screening tool, and the MAYSI-2 mental health screening tool. However, none of these

instruments have the same focus as a RAI, which provides an objective assessment of a youth's likelihood of failing to appear in court or committing a new offense prior to adjudication. A RAI applies objective criteria, such as the nature of the offense and the youth's offense history, to produce a risk score that indicates the youth's suitability for secure detention, referral to a detention alternative program, or release to parent or guardian. RAIs bring objectivity, fairness, and efficiency to the detention screening process. JDAI sites use RAIs to standardize decisions about youth admitted to detention and to help avoid unnecessary admissions for youth unlikely to reoffend prior to adjudication or miss their court appearances. Implementation of a RAI could have an immediate and significant impact on avoiding unnecessary detention admissions in Pulaski County.

- Law enforcement agencies in Pulaski County have a variety of diversion programs available for youth at the point of arrest. Additionally, juvenile court uses a variety of programs to divert youth at intake, such as structured community service, referrals to the North Little Rock Teen Court, referrals to United Family Services, and deferred prosecution agreements. There was interest among many stakeholders in obtaining data on the effectiveness of different diversion options, which did not seem to be readily available for many programs. Moreover, there did not seem to be standard written criteria for youth's eligibility for diversion programs, or a process for matching youth charged with particular offenses to specific diversion options. The top 5 categories for delinquency referrals to juvenile court during 2016 were theft (21%), assault and battery (16%), probation violations (11%), burglary (10%), and obstruction (9%). Some of those cases were diverted from further involvement with the juvenile justice system, and some of these referrals would not be appropriate for diversion. However, a closer analysis of the types of situations leading to referrals for these reasons could help identify and tailor additional diversion options. For example, some stakeholders mentioned that a peer court based in Little Rock could serve as a diversion option for certain offenses.
- Juvenile court officials recently worked with AOC and the National Youth Screening and Assessment Project at the University of Massachusetts to implement a nationally recognized evidence-based tool that identifies youth's criminogenic risk factors: the SAVRY (Structured Assessment of Violence Risk in Youth). The SAVRY is administered post-adjudication but pre-disposition, as its recommendations are designed to inform supervision and service plans. Many stakeholders expressed concern that the SAVRY was not being used as intended – i.e., to tailor services and supports for individual youth and to prioritize services that target a youth's identified risk factors. Many stakeholders also felt that the time and effort needed to complete the SAVRY was not being translated into individualized court orders and case plans focused on a targeted treatment goals. This likely contributes to the high rates of detention admission for probation violations, discussed below.

- Some stakeholders felt that the SAVRY was not being used to its fullest potential to identify youth who score as high risk to receive the most intensive supervision and services. Others believed that many of the community-based services to which youth were routinely assigned did not match the treatment and supervision needs identified by the SAVRY. Although we reviewed a Service Referral Matrix that had been developed by officials in juvenile court, we understood that many of the key services listed were missing or had very limited availability.

Recommendations

1. Develop and implement a detention risk assessment instrument (RAI) by convening a workgroup of relevant stakeholders, including judges, intake staff, juvenile probation officers, detention staff, prosecutors, public defenders, and representatives of local police departments. The Annie E. Casey Foundation offers a free online training on development and implementation of a RAI on JDAIconnect, along with a written practice guide on RAI development with sample tools from other jurisdictions.
2. Clarify the “purpose of detention” in Pulaski County, which will help determine how to change policy and practice so that they are aligned with those purposes. We recommend that stakeholders conduct a half-day retreat in which officials come together for a frank discussion of the purpose of detention in Pulaski County and the specific objectives that stakeholders hope to achieve. This retreat should include an honest and open discussion of research showing that detention and out-of-home placement of low-risk youth is inherently damaging to the youth and ultimately tends to undermine public safety.
3. Gather data on the number of youth diverted from the formal juvenile justice system by police and intake, agree upon common metrics of success among diversion programs, develop formal written diversion criteria, identify target populations for particular programs, and analyze common reasons for referral to identify whether other targeted diversion options could be effective interventions at the point of arrest or intake.
4. Ensure that the SAVRY is being used to tailor disposition orders and case plans to focus on the most significant risk factors identified by the SAVRY. Consider replacing standard terms and conditions in court orders and case plans with individualized requirements that reflect the SAVRY’s recommended areas of focus.

D. Using Alternatives to Detention and Out-of-Home Placement

Ample research demonstrates the short and long-term negative impacts of detention and out-of-home placement on youth and public safety. Jurisdictions with well-run juvenile justice systems have an array of services to help youth succeed in the community without resorting to incarceration. This means having pre-adjudication alternatives to detention that can provide

enhanced supervision so that youth appear in court and do not re-offend pending adjudication. It also means having an array of community-based services and supports that have a demonstrated track record of helping youth and families avoid future involvement with the justice system.

Observations

- The County currently relies on electronic monitoring as an alternative to detention, as well as placement with a relative (if available) in cases involving domestic violence allegations. Many stakeholders expressed interest in expanding the array of pre-adjudication alternatives to detention, such as day or evening reporting centers and shelter beds.
- Some stakeholders did not seem to be aware of a legislative change in 2015 that allows intake officers to release youth upon certain conditions pending further court review. Act 1010, codified in Arkansas Code § 9-27-322(a), allows intake officers to release youth to a parent, guardian, or custodian with written conditions, place youth on electronic monitoring, or place youth in temporary shelter care, all *prior* to the youth's first appearance in juvenile court. Act 1021 was designed to give intake officers authority to release youth under these conditions, in part to avoid unnecessary stays in detention.
- In 2016, Pulaski County committed 42 youth to DYS. Of those youth, 42% were committed either for a misdemeanor charge (31%) or for a revocation of probation (11%). Although commitments were down by 23% from 2012 to 2016, the fact that nearly a third of youth were committed on a misdemeanor charge suggests that more could be done to support youth in the community. This is particularly important given research that shows worsened outcomes for youth who score as low or moderate risk when they are congregated with youth who score as higher risk.
- Stakeholders interviewed had general praise for the work that juvenile justice officials and service providers were doing for youth involved with the juvenile justice system. However, almost everyone interviewed identified the need for additional effective services for adjudicated youth. Many individuals felt that some of the services routinely assigned to adjudicated youth, such as counseling, were not particularly effective without greater individualization.
- Many individuals expressed a greater desire for vocational and technical programs that would help older youth build skills that would help them find employment. However, those individuals suggested that Arkansas' compulsory education laws can make it difficult for many youth to participate in those programs, even if they have been disengaged from school for an extended time and have no plans to return.

- Many stakeholders expressed frustration with the lack of effective services focused on working together with youth and their family members to address dynamics at home that contribute to problem behaviors. Stakeholders noted that existing parenting classes did not seem to be particularly effective, and we were unable to obtain data on results of those services. There are evidence-based and cost-effective programs that show lasting results with youth and family members, including Functional Family Therapy and Multisystemic Therapy. However, the County’s primary service provider for juvenile justice-involved youth did not offer either program and did not seem to have any plans to add those programs to its service array.
- Some stakeholders noted that the State of Arkansas has not accessed federal funding under Title IV-E of the Social Security Act, which other states and localities have tapped to improve and expand services for youth in the juvenile justice system. Title IV-E funding can be used for services for adjudicated youth in the juvenile justice system if youth are placed with a foster family or in a child care institution that meets certain requirements. Stakeholder expressed an interest in working with state officials to pursue new funding under Title IV-E.

Recommendations

1. Analyze the reasons why youth are detained and released within three days of admission (e.g., parent refusal) to determine which detention alternatives may help avoid unnecessary incarceration of youth.
2. Ensure that all stakeholders are aware of the legislative change granting intake officers additional authority to release youth with certain conditions prior to their first appearance in court, which will help avoid unnecessarily detention admissions.
3. Convene a meeting with DYS and representatives of service providers to review outcome data from services that are currently provided. Discuss how to provide nationally recognized evidence-based programs, such as Multisystemic Therapy and Functional Family Therapy, that are cost-effective and demonstrate long lasting positive public safety outcomes.
4. Convene a meeting with DYS to discuss how Pulaski County and DYS could partner to apply for Title IV-E funding for adjudicated youth under the Social Security Act.
5. Explore potential partnerships with local community colleges to identify vocational and technical skill-building opportunities for youth involved with the juvenile justice system, as well as potential partnerships with national organizations such as AMIkids (<http://www.amikids.org>) and the Home Builders Institute (<http://www.hbi.org/>).

6. Meet with the Arkansas Department of Education to review compulsory school rules and regulations and explore the possibility of streamlining youth's ability to access vocational and technical programs, consistent with state law.

E. Expediting Service Provision and the Juvenile Court Process

Reducing unnecessary delays in justice systems allows stakeholders to maximize the use of diversion programs, services, and other alternatives to incarceration; to increase the likelihood that youth will appear for their court dates; and to connect youth with services and supports soon after their involvement with the justice system. Moreover, the population of a juvenile detention facility at any time is a function of two factors: the number of youth admitted and the length of stay of those admitted. Reducing either, or both, results in a lower detention population.

Observations

- Many stakeholders expressed frustration with delays in connecting youth who come into contact with the juvenile justice system with needed services and support, be it at the time of contact with law enforcement, at adjudication, or while youth are being supervised on probation. Some individuals attributed delays to slowdowns within the juvenile court process itself. For example, some stakeholders noted that in a Sheriff's Department with limited resources, service of papers for juvenile matters may not be as high of a priority as service for more serious crimes committed by adults, let alone other law enforcement priorities within the Department. Others attributed delays to the time it takes to meet with youth and family members to complete the SAVRY, while others stated that waiting lists for existing services contributed to delays.
- Many stakeholders expressed concerns with the travel demands placed upon youth and families to receive court-ordered and voluntary services, and the fact that many services were not located within the communities from which the County sees the greatest number of referrals to the justice system. Many individuals also noted that the current juvenile court facilities are in poor condition and do not have space for services, even though it could be convenient for youth and families to obtain referrals and access services while at a scheduled court appearance.
- Many stakeholders expressed a desire for a "one-stop" shop for youth in contact with the juvenile justice system that could provide assessment, shelter care, and service provision and referrals. Stakeholders expressed a desire to locate such a program in parts of the County that see the greatest number of referrals to the justice system. Many jurisdictions have created such reception and assessment centers. Indeed, shortly before our interviews, a group of officials from DYS, Benton County, and Washington County traveled to Calcasieu Parish, Louisiana, to learn more about their Multi Agency Resource Center or "MARC." The purpose of the MARC is for area agencies and

organizations to provide services and referrals for area youth all under one roof. The MARC is a collaborative effort with the Calcasieu Parish Police Jury and the Calcasieu Parish Children and Youth Planning Board. MARC coordinates with the Family Court, the Calcasieu Parish School Board, the Calcasieu Parish District Attorney, the Calcasieu Parish Public Defender, local law enforcement, and others. Places such as Calcasieu Parish have seen great benefits and efficiencies by pooling resources in the MARC. More information on the MARC is available online (<http://www.cppj.net/services/juvenile-justice-services/m-a-r-c>).

- Stakeholders noted that there was wide variability in the amount of time youth and families can expect to be on probation, with some youth assigned to terms of a few months while others are assigned indeterminate terms that can stretch for longer than a year. Some stakeholders noted that especially long periods of probation with no clear end may lead youth and family members to feel a sense of helplessness about their ability to successfully complete a term of supervision. Other stakeholders noted that lengthy probation terms are almost certain to lead to additional or deeper involvement with the justice system for technical violations of probation. This observation seems to be borne out in the high number of admissions to detention for violations of probation, described in greater detail below.
- Currently, youth who are referred to intake are assigned randomly to one of the three Circuit Judges. Each Circuit Judge has his or her own dedicated probation officers, which we understood to be a recent change from past practices where probation staff regularly rotated among judges. We understood that youth who receive a subsequent referral are not assigned to the same judge and probation officer to whom they had previously been assigned. Instead, they are subjected to the same random assignment process as first-time referrals. Many stakeholders noted that this arrangement led to inefficiencies and duplication of work, as probation officers have to re-do interviews with youth and families to obtain information that had already been collected.
- As part of our assessment, we learned that juvenile probation services in the County had been the subject of a year-long independent evaluation by the Robert F. Kennedy Children's Action Corps' National Resource Center for Juvenile Justice from January to December of 2016. It did not appear that the report and recommendations had been shared widely outside of juvenile court, but there were many recommendations and observations that are relevant to efforts to improve the county's juvenile justice system. We did not learn of any formal plans to implement the recommendations outlined in the report.

Recommendations

1. Examine whether the MARC or a similar type of reception and assessment center could help the County's stakeholders pool resources and provide for faster and more efficient access to services. Calcasieu Parish regularly hosts visitors who are interested in

exploring how they were able to partner to launch and operate the MARC.

2. Consider ending the use of indeterminate probation in lieu of finite and shorter probation terms that incorporate short, medium, and long-term goals over a shorter timeframe.
3. Consider implementing a system within juvenile court that would allow youth with subsequent referrals to stay with the probation officer and judge they were assigned to during their previous referral to eliminate unnecessary duplication of effort among probation officers and free up time for more work in the field.
4. Explore alternatives for service of papers within the Sheriff's Department or another agency that could help expedite the court process.

F. Reducing Youth Incarceration for Probation Violations and for Parent Inability or Refusal to Take Custody of Youth

In many jurisdictions, youth are not incarcerated because of the severity of their offense or their risk to public safety, but for other reasons. Those reasons can include youth detained for probation violations, warrants, or writs; youth who are detained awaiting a placement or service; and youth whose parents are unable or unwilling to take custody of their child at the time of intake. Many jurisdictions have significantly reduced their reliance on incarceration of youth for these reasons.

Observations

- Our review of data on detention admissions revealed a very high rate of detention admissions for violations of probation. 54% of detention admissions during 2016 were for probation violations – a percentage that is among the highest that we have seen in our work on juvenile justice reform. Of the youth admitted to detention for violations of probation, 44% were charged with misdemeanor offenses. As mentioned above, these youth may not have an underlying charge that would warrant secure detention in and of itself. Moreover, of the youth who were admitted for violations of probation, 25% were released within three days and half (49%) were released within a week. The short stays of most youth admitted for violations of probation raise the question of whether detention is used because of public safety concerns, or simply as a sanction. These detention admissions can unnecessarily drive youth deeper into the justice system and disrupt progress youth and his or her family had been making in the community.
- There is no formal system of graduated sanctions and incentives for youth on probation. There was wide variability among stakeholders in (1) familiarity with research on the importance of incorporating incentives alongside sanctions in order to create lasting behavior change, and (2) the willingness of some stakeholders to employ incentives as

part of a youth's case plan. Many jurisdictions throughout the country have developed graduated response systems that incorporate a wide variety of interventions for youth who are struggling on probation, and incentives to motivate youth who make progress on short, medium, and long-term goals. Those jurisdictions have seen significant reductions in the incarceration of youth for violations of probation.

- Many stakeholders suggested that many of the short stays of youth in detention stem from parents' unavailability or unwillingness to pick up their child. Although we were unable to obtain data on the extent to which parent unwillingness or refusal leads to detention admissions, this is something that the County could track moving forward. Understanding more about the reasons for these admissions would help tailor a program or service that could help reduce admissions for these reasons. For example, if a significant number of incidents stem from domestic violence incidents where parents refuse to take custody of their child and another relative cannot be located, the County may need additional respite or shelter bed capacity. If, however, parents are unwilling to take custody of their child because they want to "teach their child a lesson" or because they feel unprepared to manage their child's behavior, a program or service that provides support and service referrals may be more appropriate. One example of such a program is the Parent Youth Empowerment Program (PYEP) in Baltimore, Maryland, which was selected as a best practice program by the federal Office of Juvenile Justice and Delinquency Prevention. The East Baltimore Community Corporation operates PYEP, in partnership with the Maryland Department of Juvenile Services and the Family League of Baltimore City. PYEP is designed to work with parents and guardians whose children are arrested in Baltimore City and deemed to be releasable – however, parents or guardians have either refused or are unavailable to pick up their children. PYEP staff works with the needs of the parents to enable reconnection with their children and assumption of parental responsibility. In addition, PYEP connects the parent and child with community-based services based on their needs. More information about PYEP is available online (<http://ebconline.org/programs/parent-empowerment-program/>).

Recommendations

1. Implement a system of graduated responses for youth on probation that incorporates a wide array of responses for non-compliant behavior (other than secure detention), and that includes incentives for youth to make progress on short, medium, and long-term goals. Train juvenile justice stakeholders on the research behind the use of incentives alongside other interventions to promote behavior change, as well as how to set SMART case plan goals for youth (Specific, Measurable, Achievable, Relevant, and Time-bound).
2. Gather data on the extent and reasons for detention admissions for parent unavailability and refusals, and implement programs or protocols that address the underlying reasons for the unwillingness or refusal.

G. Reducing Racial and Ethnic Disparities

Ensuring that juvenile justice systems are not only effective, but also equitable, is a critical feature of juvenile justice reform. This is particularly true in Pulaski County, where youth of color – and African American youth in particular – are overrepresented in the juvenile justice system relative to other youth. For example, 2015 data from the Office of Juvenile Justice and Delinquency Prevention indicated that African American youth comprised 47% of the overall youth population age 10-17 in Pulaski County.¹ However, during 2016, African American youth represented 87% of admissions to detention and 81% of commitments to DYS.

Observations

- Many stakeholders interviewed recognized the need for reforms to include a focus on reducing racial and ethnic disparities in the juvenile justice system. Some noted that the requirements placed on youth and families of color (e.g., travel and time commitments for appointments with service providers) often strained the resources of families that were struggling with many other challenges. Some also highlighted that many services were not available in the communities where the greatest number of youth and families in contact with the justice system live. Stakeholders wondered whether there were ways of providing certain services in the community as opposed to requiring youth and family members to travel to receive them.
- Some stakeholders expressed a greater desire to partner with organizations and individuals from communities of color to assist with the support and supervision of youth involved with the justice system. This included a desire to partner more intentionally with the faith-based community.
- Some stakeholders suggested that tensions between law enforcement agencies and communities of color may be impacting the willingness of individuals – including youth – to assist law enforcement with crime prevention and intervention strategies.

Recommendations

1. Identify ways of providing services in the communities with greatest rates of involvement with the juvenile justice system, as opposed to requiring youth and family members to travel throughout the County to receive those services.
2. Engage faith-based leaders from communities of color to discuss the needs of youth and families in contact with the justice system, and explore potential partnerships that could

¹ Puzanchera, C., Sladky, A. and Kang, W. (2016). "Easy Access to Juvenile Populations: 1990-2015." Online. Available: <http://www.ojjdp.gov/ojstatbb/ezapop/>.

help enhance current approaches to supporting and supervising youth in the community.

3. As mentioned above, explore the idea of creating a reception and assessment center that would serve as a one-stop-shop for services, and locate the center in the community or communities that serve as the greatest source of referrals to the justice system.
4. Consider implementing law enforcement training strategies that help build trust between youth of color and law enforcement. One potential training program is the Pennsylvania DMC Youth/Law Enforcement Curriculum, which allows for structured interactions between law enforcement and youth designed to break down barriers in communication and build trust (<https://padmc.org/law-enforcement-curriculum/>).

H. Improving Conditions of Confinement for Youth in Custody

Although the focus of most juvenile justice initiatives, including JDAI, is preventing unnecessary youth incarceration consistent with public safety, JDAI also focuses on ensuring that youth in detention are not subjected to dangerous or inhumane conditions. JDAI has independently developed a comprehensive set of best practice standards for detention, which are the most demanding set of standards available for juvenile detention facilities. JDAI sites are expected to periodically gather and train teams from their communities to assess the conditions in their detention facilities according to those standards. Facilities are then required to develop corrective action plans, along with plans for periodic re-assessments.

During this assessment, we had a very limited opportunity to assess conditions in the County's juvenile detention center (JDC) because of the limited time on-site. However, we did have several observations and recommendations based on discussions and a brief tour of the facility.

Observations

- Pulaski County has the benefit of a detention director with many years of experience working with youth, which was evidenced during our tour. We were also grateful for how responsive the detention director was to our information request. Some of the most detailed and accurate data about youth in the Pulaski County juvenile justice system came as a result of her data collection practices.
- The County recently made an investment in additional mental health resources for youth at the JDC, which is important given the high prevalence of mental health problems faced by youth in contact with the juvenile justice system.
- Although we understood that youth received educational services while at the JDC, we also heard that it was the responsibility of parents of youth at the JDC to request

records from the JDC to transfer to the youth's home school. In many juvenile facilities, school personnel routinely request and obtain educational records from the youth's home school upon admission and provide information about credits earned to the home school upon the youth's release. Given that youth in contact with the justice system are often struggling academically or disengaged with school, routine and timely request and transfer of educational records would remove a barrier to re-engaging with a youth's home school.

- We understood that youth admitted to the JDC are routinely placed on "lock down" for 24 hours after admission for monitoring for medical conditions, and that youth may be placed on lock down for up to three days for disciplinary reasons. Many jurisdictions do not impose a standard period of isolation upon admission with proper medical screening. Additionally, more and more juvenile facilities are moving away from solitary confinement as a disciplinary measure, recognizing that it may cause or exacerbate mental health problems in youth. National data has indicated that over half of suicides in juvenile facilities occur when youth are in solitary confinement.
- Following our tour, we observed youth in orange correctional-style clothing being transported to appointments. The JDAI detention facility assessment standards provide that youth wear shirts or sweatshirts and pants, not prison-like clothing. Although the issue may seem to be a minor one, the clothing given to youth can send strong signals about what is expected of them in the facility and after they leave. Many juvenile facilities have moved to using khakis and polo shirts for that reason.
- We understood that while the JDC had housed some youth charged as adults in the past, the facility had not done so recently. We had limited opportunity to discuss this issue with other stakeholders, but it is clear that youth housed at the JDC have many more opportunities than youth at the jail to receive developmentally appropriate services and supports, including educational services and mental health care. If officials in Pulaski County are successful with reforms outlined above, there would be even more space to house adult-charged youth at the JDC.

Recommendations

1. Implement a system that provides for routine school record requests to a youth's home school upon admission to the JDC, as well as routine transfer of educational records and credits earned to the youth's home school upon release.
2. Reconsider the rule on having a fixed 24-hour period of lock down for all youth upon admission.
3. Consider how to safely reduce the use of lock down for disciplinary violations. Stop Solitary for Kids is a national campaign to end solitary confinement of youth in juvenile and adult facilities in the United States. The campaign is a joint effort by CCLP, the

Center for Juvenile Justice Reform, the Council of Juvenile Correctional Administrators, and the Justice Policy Institute. More information on the issue, including ways agencies and facilities have reduced or eliminated the use of solitary confinement is available at <http://www.stopsolitaryforkids.org/>.

4. Consider uniforms for youth that are not styled after adult correctional uniforms.
5. Consider housing adult-charged youth at the JDC using unused bed space and consult with peers (e.g., Washington County) that have a history of doing so regarding important considerations and best practices.