

Create New Opportunities for “Persons In Need of Supervision” (PINS) to Succeed Without Legal System Intervention

District of Columbia
Juvenile Justice
Advisory Group
Recommendation to
Mayor Bowser

FEBRUARY 21, 2020



**GOVERNMENT OF THE DISTRICT OF COLUMBIA
JUVENILE JUSTICE ADVISORY GROUP**



February 21, 2020

The Juvenile Justice Advisory Group (JJAG) is an advisory commission to the Mayor and other stakeholders on matters relevant to juvenile justice and delinquency prevention in the District of Columbia. Aligned with Mayor Bowser’s initiative to provide all District residents with a Fair Shot and opportunities to thrive, the JJAG set out to identify ways in which the juvenile justice system could continue to shift toward strength-based approaches that connect youth and families to meaningful opportunities and supports, while still fulfilling its obligation to maintain public safety.

With the implementation of the Comprehensive Youth Justice Amendment Act (CYJAA), the District made some key changes that embodied the shift towards more strength-based and research-informed approaches at all levels of the justice system, one of which included removing secure detention as an option for youth accused of status offenses. Status offenses include truancy, habitually running away, curfew violations, and being habitually disobedient and ungovernable by a young person’s parent(s) or guardian. (D.C. St. § 16-2301, et. Seq).

As the positive changes of the CYJAA took effect, members of the JJAG wanted to ensure that youth still received appropriate supports to address any needs signaled by status offense behaviors. This led to the JJAG undertaking a full review of best practices for responding to status offenses, and ultimately, to the development of a set of recommendations for the District to responsibly remove Persons In Need of Supervision (PINS) (a.k.a. status offenses) from the juvenile justice system.

The enclosed report outlines JJAG’s efforts and addresses critical elements, including examining the District’s current response to status offenses, identifying gaps and assets in the District’s systems of care, exploring opportunities for cross-system alignment, and enumerating the JJAG’s key recommendations and guiding principles.

The report makes the following recommendations to the Mayor:

1. Respond to PINS behaviors in the community, rather than through the juvenile justice system. Support legislation to remove all mentions of “PINS offenses” as prosecutable offenses from Chapter 23 of Title 16 of the DC Code and make conforming amendments including to the Attendance Accountability Act.
2. Invest in and realign resources to provide youth, families, and caregivers across all wards with 24-7 access to culturally relevant and linguistically competent opportunities to grow that meet the needs of every family.

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3. When PINS behaviors do occur, ensure multiple, “no wrong door” access points to services outside of law enforcement or juvenile justice agencies, including schools and community-based “hubs.”
4. Create a non-law enforcement mechanism for the safe transport of youth who are not suspected of a crime to home or to places where they can receive services.
5. Enhance training for all District employees and service providers on topics such as cultural humility, trauma-responsive care, and positive youth development.
6. Create mechanisms for youth, families of served youth and the community to lead reforms and to hold agencies, philanthropy, and service providers accountable.

The JJAG would like to thank everyone who contributed their time and expertise to the report, and our members look forward to working with the Mayor, our stakeholders, and cross-system partners to move this conversation forward and determine how to best meet the needs of youth and families in the District.

Respectfully,

The Juvenile Justice Advisory Group

Enclosures:

- (1) Create New Opportunities for “Persons In Need of Supervision” (PINS) to Succeed Without Legal System Intervention
 - a. Attachment A: Serving PINS Youth in the District: Assets, gaps and stakeholder recommendations for future change
 - b. Attachment B: JJAG Membership and Advisors List

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Attachment A: Serving PINS Youth in the District: Assets, gaps and stakeholder recommendations for future change

Attachment B: JJAG Membership and Advisors List

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INTRODUCTION

Each year in the District of Columbia, thousands of young people run away from home, are truant from school, are on the streets later than the District’s youth curfew time, or engage in other behaviors that are illegal only due to their age. Hundreds of these young people come into contact with the juvenile justice system for these behaviors, known locally as “PINS” (Persons In Need of Supervision) or status offenses.

The District and many states around the nation are moving away from punitive responses and toward strength-based approaches, reflecting current understanding of adolescent brain development, trauma, cultural responsiveness, and what works to change the behavior of youth. With the implementation of the Comprehensive Youth Justice Amendment Act (CYJAA), a key change in the law removed secure detention as an option for youth charged with PINS offenses. Following this positive

change, members of the Juvenile Justice Advisory Group (JJAG) for the District of Columbia (see Attachment: List of JJAG Members) sought to ensure that youth would safely receive appropriate services and support to address any needs signaled by PINS behaviors.¹

This led to the JJAG undertaking a full review of best practices for responding to status offenses. The JJAG dedicated its efforts in 2019 to understanding local current law and practice, identifying best practices, gathering youth and family input, and exploring possible alternatives to prosecution through the lens of respect, cultural humility, and restorative practices. The information and recommendations below reflect these research efforts, including the input and expertise of the JJAG, along with key experts such as youth, family members, and service providers.

¹ The Criminal Justice Coordinating Council (CJCC) held a Juvenile Justice Technical Assistance event in March 2019, entitled “Examining the Intent and Implementation of the Comprehensive Youth Justice Amendment Act,” where juvenile justice leaders gathered to discuss successes and challenges with respect to implementing two key provisions of the Act—prohibiting the secure detention of status offenders and transferring the custody of Title 16 youth from DOC to DYRS. Many JJAG members participated in this event and heard the justice community express concerns about the safety of youth who engage in PINS behaviors and the need for the provision of services to youth.

A. Core Recommendations for Reform

The JJAG makes the following recommendations to the Mayor. Information that contributed to these recommendations and concrete suggestions for a proposed alternative response to court intervention for PINS behaviors follow.

1. Respond to PINS behaviors in the community, rather than through the juvenile justice system. Support legislation to remove all mentions of “PINS offenses” as prosecutable offenses from Chapter 23 of Title 16 of the DC Code and make conforming amendments, including to the Attendance Accountability Act.
2. Invest in and realign resources to provide youth, families, and caregivers across all wards with 24-7 access to culturally - and linguistically - competent opportunities to succeed that meet the needs of every family.
3. When PINS behaviors do occur, ensure multiple, “no wrong door” access points to services outside of law enforcement or juvenile justice agencies, including schools and community-based “hubs.”
4. Create a non-law enforcement mechanism for the safe transport of youth who are not suspected of a crime to home or to places where they can receive services.
5. Enhance training for all District employees and service providers on topics such as cultural humility, trauma-responsive care, and positive youth development.
6. Create mechanisms for youth, families of served youth, and the community to lead reforms and to hold agencies, philanthropy, and service providers accountable.

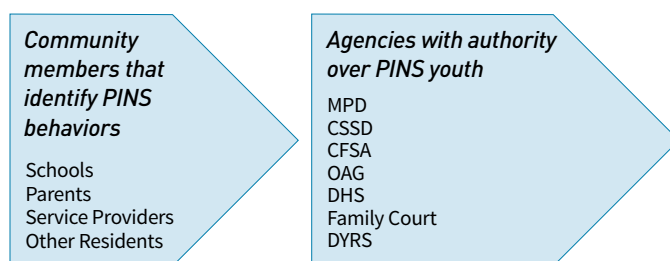
B. The District’s Current Response to PINS

1. Existing PINS Response

The majority of status offenses bringing District youth to the attention of the juvenile justice system are:

- Truancy (habitually missing school);
- Curfew violations; and
- Ungovernability, including running away from home.

Responses available under District law include involvement in the juvenile justice system for these offenses, and over 200 PINS cases were filed in the Superior Court of the District of Columbia’s Family Court (Family Court) in 2017 and 2018. Under current practice, a federal agency (Court Social Services Division of the Superior Court for the District of Columbia, “CSSD”) makes an initial assessment of all youth and refers appropriate cases to the Office of the Attorney General for the District of Columbia (OAG) for prosecution. OAG then further reviews all cases to determine whether facts exist that would support a prosecution. If sufficient facts exist, OAG considers CSSD’s recommendations and reviews those cases to determine if diversion is appropriate or whether prosecution is warranted.



The JJAG identified several nuances in how the law is applied by District agencies regarding status offenses.²

Truancy: Several citywide coalitions are focused on improving school attendance. District of Columbia Public Schools (DCPS) and the Public Charter School Board (PCSB) support schools in monitoring chronic absenteeism, and the Attendance Accountability Act requires that schools refer all students who have unexcused absences consisting of 10 full days of school to the Office of the State Superintendent of Education (OSSE). They must also report to CSSD when children 14 through 17 years of age have 15 full days of unexcused absences.³ However, some stakeholders from other systems report concerns that schools, especially charter schools, may be under-reporting truancy. CSSD forwards some cases to OAG for prosecutorial review, and OAG independently reviews all truancy referrals. OAG diverts or declines to prosecute about 90% of those cases.

² Information about OAG and MPD response provided by those organization’s representatives to the JJAG.

³ DC Official Code §38-208 guides referrals to CFSA, CSSD, and the OAG. These referrals are based on full school day absences.

Curfew violations: Curfew law has remained consistent in the District since 1995, but the Metropolitan Police Department (“MPD”) and OAG very rarely enforce it through the Family Court. MPD interacted with over 500 youth out after curfew during each of the last two years but charged almost none of those youth with a status offense. MPD officers currently return youth to their

MPD interacted with over 500 youth out after curfew during each of the last two years.

parents/guardians and complete internal record-keeping. Youth who have also been reported missing are eligible for the Strengthening Teens Enriching Parents (“STEP”) program at the Department of Human Services (“DHS”).

Ungovernability-Runaway: While District law technically allows youth to be charged with “ungovernability,” most ungovernability charges are for running away from home. OAG policy guides prosecutors to consider charging a case at 3 or more reports of a child running away for 24 hours or after one longer term of absence. Typically, when youth have met this threshold, OAG diverts the youth to DHS for participation in the Alternatives to the Court Experience (“ACE”) diversion program. OAG only brings a case in Family Court when it determines that the youth requires more services than ACE can provide. MPD may arrest a child any time an officer determines that a youth has left home against the wishes of the youth's parent/guardian. MPD considers all youth who have run away as “missing persons” but delineates some missing persons as critical and others as non-critical.

Ungovernability-Not a Runway: In the rare cases when a youth is charged with ungovernability without having run away from home, OAG most often uses the charge to address an unmet or unstabilized mental health need. More often, agencies do not file charges but refer youth to DHS for early intervention services.

2. Related Behaviors Not Included in PINS Recommendations

The JJAG focused on interventions by the juvenile justice system in locally-defined status offenses only, and so does not include certain similar behaviors or system interventions in this recommendation. This includes youth who have not committed a crime or a status offense but may be placed in residential treatment programs when those services are deemed *medically or educationally necessary*. Similarly, this report does not include recommendations concerning *educational neglect*. Educational neglect refers to children who miss school but are under 14 years of age. These cases, rather than being referred to OAG for status offense prosecutions, are referred to the Child and Family Services Agency (CFSA). The JJAG is also not making recommendations concerning youth who abscond from court-ordered placements or services. Finally, while some jurisdictions include marijuana possession of an ounce or less or possession of alcohol as status or delinquency offenses, the District does not. (It is not illegal in the District for children to possess these substances.)

C. The Need and Opportunity for Local Reform

1. Relevant Local Data Informing the JJAG

The JJAG collected and analyzed many different DC-specific data sets to enhance its knowledge of the PINS youth and the justice-system landscape as it relates to status offenders. The chart below summarizes the quantitative data reviewed and our key takeaways.⁴

2. Current Assets and Gaps

As part of its work on PINS responses, the JJAG mapped current assets and gaps in the District. This process included speaking with numerous District agencies and private service providers about the services and supports currently available in the District and what additional resources are needed.

Agency Source	Data Reviewed by JJAG	Key takeaway from data reviewed
DC Superior Court, Family Court Operations Division	Number of PINS cases filed in FY18 and FY19 (post CYJAA)	The number of PINS cases entering the Family Court has declined significantly since the passage of CYJAA.
DC Superior Court, Family Court Operations Division	Average length of time for PINS case from charging to disposition	The length of time for adjudication or until a case is disposed varies widely for PINS cases, but can be more than a year in some instances.
Office of the Attorney General	Number of PINS referrals received in FY18 and FY 19 Of the referrals received, the number of cases filed, cases not filed, and cases diverted in FY18 and FY19	The vast majority of truancy and runaway cases are diverted to ACE. The data from the education system on the number of eligible truancy cases does not match the number of referrals that OAG receives (more youth are eligible than are actually referred).
Office of the State Superintendent/ Public Charter School Board	Attendance and Truancy numbers	Thousands of young people are eligible for truancy charges in the Family Court.
Criminal Justice Coordinating Council	System responses and demographic data related to runaway youth, missing persons (youth), and youth absconded from placement.	Most missing person cases are from Wards 5, 7, and 8. The vast majority of missing youth do NOT already have support service connections in place when initially entering the system as a missing person case.
Metropolitan Police Department	MPD interactions/stops for curfew violations	MPD interactions with youth violating the curfew laws remained steady in 2018 and 2019 (more than 500 interactions in both years).
Department of Human Services	Family Functional Therapy (FFT), ACE, PASS Crisis and Stabilization Team (PCAST), STEP and Parent Adolescent Support Program (PASS) program data	These programs currently serve about 1000 youth annually. Maximum caseloads vary by intensity of the program. ACE succeeds in reducing re-offense rates. PASS succeeds at increasing school attendance rate.

⁴ While much of the education and health and human services data reviewed by JJAG is public information, data provided by the DC Superior Court, Family Court Operations Division and the Criminal Justice Coordinating Council is not available to the public and is protected by court order. JJAG submitted data requests to the Court's Strategic Management Division and was granted permission from the Court to review raw data, which is summarized in the chart above, but permission was limited to internal review by the JJAG only.

The District currently has many services that can benefit youth and address the underlying causes of PINS behaviors. These services and supports include family and individual counseling, mentoring, emergency shelter, and case management. Some services are provided through the District government, such as DHS's PASS and ACE programs. Other services are administered by private providers, such as Sasha Bruce, the Latin American Youth Center ("LAYC"), and the Boys Town DC Behavioral Health Clinic.

Interviewees identified high staff turnover as a barrier to consistent and effective services and a cause of significant waitlists.

All of the experts and stakeholders we spoke to were able to list important and useful services that youth and families were currently benefiting from. However, for a variety of reasons, these programs do not meet the needs of all youth who could benefit from them, and the JJAG identified many gaps in the services provided. Youth, families, and even service providers often do not know about existing programs to support families in crisis. Additionally, in many cases, programs would need to be significantly expanded in order to serve all families who need them.

Several providers noted that housing insecurity is one of the most common—and difficult to address—challenges facing the youth they serve. For example, one charter school serving youth with historically high truancy rates reported that 40% of their students had experienced homelessness in the previous year. And Bruce House, the only shelter serving minors in the District, has had to redirect some youth who called seeking emergency shelter because it did not have beds available at the time.

Waitlists and delays are also common for mental health services. One interviewee shared that a young person contemplating suicide might be told by a core service agency to wait a month for an intake appointment. This interviewee also noted the detrimental impact these delays have on building trust with youth, stating that "you can't earn kids' trust if they tell you their needs and you can't act on them for months." (It is worth noting that DHS is able to expedite

intake for about 25 youth at a time through PCAST, which serves families for 3-4 months. PCAST's capacity, however, does not allow for it to address all delays in the provision of mental health services.)

For many services, including mentoring, case management, and behavioral health care, interviewees identified high staff turnover as a barrier to consistent and effective services and a cause of significant waitlists.

In addition to these shortcomings, stakeholders identified the following needs in the District:

- A 24/7 crisis hotline with text capability;
- A youth drop-in center specifically for minors (who may not be comfortable accessing programming primarily used by young adults);
- Short-term respite beds;
- More flexible funding for nontraditional services (e.g., art therapy, martial arts classes, and other strength-based opportunities to grow); and
- Expanded access to high-quality and consistent mentoring and case management.

3. Related Resources and Initiatives in the District

While the JAG's recommendation would limit justice system involvement for "youth navigating risk,"⁵ it is important to note that additional public health responses and community-based initiatives are already in place or ramping up. At their core, each of these existing initiatives share a common mission: to help youth and families succeed by equipping residents with the tools they need to have a fair shot. The JJAG believes that these initiatives can work in concert with the recommended system of community-based supports detailed herein to accomplish that mission.

⁵ Like PINS or Status Offenders, "youth navigating risk" is a term of art used to describe the population of young people the JJAG is seeking to support through this recommendation. "Youth navigating risk" is the terminology used by the Students in Care of DC Committee (SCDC). SCDC is currently being developed and launched in the Deputy Mayor for Education's office.

Examples of District initiatives that share this common mission include:

1. The CFSA Families First DC Initiative has identified community-based providers and is engaged in planning for ten Family Success Centers in targeted neighborhoods with high rates of substantiated cases of child abuse and neglect. Family Success Centers will coordinate primary prevention services to families who walk in seeking support.
2. The Office of Victim Services and Justice Grants (“OVSJG”) Show Up Stand Out (“SUSO”) Program has partners working with approximately 60 elementary and middle schools in the District to support increased attendance by approximately 4,000 DC students. The SUSO program engages with young people both at school and through home visits outside of school hours (including weekends), when it is more likely that staff can connect with families to address truancy. In addition, OVSJG is currently piloting a parallel program supporting approximately 300 students in six District high schools.
3. The Every Day Counts! Taskforce and the Deputy Mayor for Education (“DME”) are working to improve data collection and analysis to increase school attendance and to promote responsive policy developments that are specific to education system monitoring.
4. The Interagency Council on Homelessness (“ICH”), DHS, and the Community Partnership for the Prevention of Homelessness (“TCP”) are collaborating on the Youth Homelessness Demonstration Project (“YHDP”), a federal grant program from the U.S. Department of Housing and Urban Development. Through this program, the coordinating agencies are in the process of developing a “Coordinated Community Plan” to prevent and end youth homelessness and establish programming and processes for disbursing grant funds to community-based organizations to support that plan. The YHDP focuses on young adults ages 18-24.
5. DCPS launched the Connected Schools Model in School Year 2019-2020. Through this program, 10 schools across the District have become resource hubs in their community to meet students’ and fam-

ilies’ needs, both in and out of the classroom. Each Connected School has a full-time Connected School Manager who facilitates student and family access to services and resources that set students and communities up for success.

6. OSSE partnered with Child Trends and Safe School Certification (“SSC”) to provide technical assistance to select DCPS and public charter schools in D.C. under a grant from the National Institute of Justice at the U.S. Department of Justice. The Improving School Climate in DC (“ICS-DC”) project provides ongoing support and guidance to 26 District schools to improve school climate and promote positive development among students in grades 7 - 10 via SSC.
7. DHS’ PASS works cooperatively with families and service providers to reduce challenging behaviors before the child welfare or juvenile justice systems become involved. Through intensive case management, youth and parent support groups, therapy, mentoring, after-school programming, and other resources, PASS works to prevent system involvement for youth and families.
8. The Department of Behavioral Health (“DBH”) School Mental Health Program offers prevention, early intervention, and clinical services to youth and their families at 62 public and charter schools throughout the District. Through this program, clinicians support students, families, teachers, and other school staff by providing on-site counseling, education, and training. In addition, the District’s School Based Behavioral Health Expansion partners support a target 119 schools in School Year 2019-2020.

Families want more support to improve the behavior of their children and less blaming of parents.

D. What Informed the JJAG's Recommendation

1. Youth and Family Input

A central component informing the JJAG's recommendations is input from youth and families engaged at multiple levels of system involvement, including youth in shelter care, youth in diversion programs for PINS offenses, and families and youth in aftercare following commitments to the Department of Youth Rehabilitation Services (DYRS).

Leading up to the development of this report, JJAG engaged youth and families to learn about their experiences and to receive their input in crafting recommendations. Youth and family voice is highlighted throughout the report.

"If we aren't safe at home, that's an adult issue."

Youth and families want the District to truly care about youth, keep youth safe, ask youth what they need, and reduce unnecessary law enforcement interactions with youth. The joint consensus among families and youth included their need to know about community-based services and programs.

Youth and families said that effective services would:

- Provide services before youth get in trouble or become involved in the juvenile justice system;
- Include services for the family and the youth;
- Be provided by people youth can trust, including caring, loving adults with them for the long-term and peers who've been through the same challenges they have;
- Include jobs/access to money or some other tangible benefit youth identify;
- Be easily accessible and close to home or provide transportation;
- Be located in safe, fun spaces where youth have the freedom to be themselves;

- Be respectful of everyone's time and not make youth or families wait for services or staff to come talk to them;
- Include more mental health services and supports;
- Give youth and families a voice in which service they use;
- Empower the youth and families by allowing them to be active leaders using a peer to peer model in the community; and
- Include program services that are inclusive of creative enriching services that encompass art, cultural, outdoors enrichment and vocational/trade programming.

Families want more support to improve the behavior of their children and less blaming of parents. (This includes being able to easily access help without law enforcement involvement.) Families want to be able to obtain community resources to further support the families' needs and overall family goals of strengthening the family unit.

The consensus among youth was that adults in law enforcement and the juvenile justice system judge them based on assumptions about what's causing their behavior and should instead ask what's going on at home, at school, or in their neighborhoods to create their behaviors. Youth expressed that they are leaving school or home for a number of reasons, including lack of safety at school, home, or in neighborhoods; not seeing any real benefit from school, boredom at school or home, or that they are dealing with emotional issues; and don't find help navigating through those issues at home or school. Youth want appropriate spaces where they can go when home or school aren't safe or meeting their needs.

2. Best Practices and Model Policies

The trove of research into what works to improve youth behavior has dramatically grown in recent decades. Having compiled expert input on best practices around the country, including from the Urban Institute and Coalition for Juvenile Justice, models from other leading jurisdictions, and local information, the JJAG used the following best practices to inform the recommendations regarding the District's response to PINS youth. By enacting change guided by these best practices, DC has the opportunity to be a national leader in responding to PINS behaviors.

Follow evidence toward reducing juvenile justice system involvement.

- Research shows that juvenile court processing increases delinquency and does not reduce crime.⁶
- Juvenile court processing has also been associated with a higher likelihood of adult criminal justice system involvement later in life.⁷
- Research has repeatedly concluded that curfew laws do not reduce the risk of youth perpetrating or being victims of violence, and may, in fact, increase gun violence.⁸
- Many states, including Colorado and Connecticut, have conducted new research or used existing research to support improving local responses to youth who commit status offenses.

*“Keep locking us up
is not going to change nothing.”*

Provide “no wrong door” and “warm handoffs” to services.

- Youth and families should be able to access help through any agency or organization.
- Access points must exist across all wards, including easily accessible public spaces, such as community centers and libraries.
 - Assessment and service centers, or hubs, exist in communities across the country to co-locate a holistic array of services and provide easy walk-in access to youth and families.⁹

- When the initial access point cannot provide needed services directly, “warm handoffs” to the right service provider include staff going with youth or families, sharing relevant information among providers to help services get started without families repeating assessments, and consistent follow up to make sure the services are helping.
- School-based resources should also be offered since these are a major connection point for youth.¹⁰

By enacting change guided by these best practices, DC has the opportunity to be a national leader in responding to PINS behaviors.

Target services to best support youth and families.

- Youth benefit most from responses that take a positive youth development, asset-based approach, rather than focusing solely on risk and needs.
 - Connecticut law now requires flex funding be provided to Probation Officers to help purchase individualized services and fill basic needs based on each young person’s circumstances and interests.
- Parents should be able to access help without having to call law enforcement or the courts.
- Overwhelming a youth or family with too many services is counterproductive and can reduce positive outcomes.

⁶ Petrosino, A., Turpin-Petrosino, C., & Guckenburg, S. (2010). Formal system processing of juveniles: Effects on delinquency. Campbell Systematic Reviews. Available at <https://onlinelibrary.wiley.com/doi/pdf/10.4073/csr.2010.1>

⁷ Uberto Gatti, Amelie Petittclerc, Richard E. Tremblay, and Frank Vitaro, “Effects of Juvenile Court Exposure on Crime in Young Adulthood,” The Journal of Child Psychology and Psychiatry 54, no. 3 (2013), 291-297, <https://perma.cc/XMQ5-UVZA>.

⁸ See, e.g. Carr, J. & Doleac, J. (2017). Keep the Kids Inside? Juvenile Curfews and Urban Gun Violence. and Wilson, D., Gill, C., Olaghere, A., McClure, D. (2016). Juvenile curfew effects on criminal behavior and victimization. Available at <https://campbellcollaboration.org/better-evidence/juvenile-curfew-effects-on-behaviour.html>.

⁹ The JJAG reviewed community hub models in Minneapolis, MS; Calcasieu Parish, Louisiana; and Burlington, Vermont (National League of Cities Institute for Youth, Education & Families: Juvenile Assessment and Service Center Models, Centers for Addressing Truancy and Misdemeanors (2014)).

¹⁰ New York uses hubs in schools to provide services. https://www.washingtonpost.com/local/education/nyc-community-schools-their-eye-on-child-poverty-notch-success/2020/01/27/8c5793dc-4138-11ea-b503-2b077c436617_story.html.

Build in accountability to achieve measurable performance and equity outcomes.

- System actors and service providers must be held accountable for achieving meaningful positive outcomes with youth and families.
- Efforts to reduce racial and ethnic disparities within the justice system have routinely failed without data-centric accountability for all decision-makers.

3. Funding Considerations

The JJAGs juvenile reform recommendation aims to reduce the number of youth entering the juvenile justice system, and to reinvest the resources and cost-savings associated with that decrease into primary prevention supports and community-based programs that support positive youth development and limit risk to public safety.

a. Using District resources more efficiently

Outside of actual monetary savings, improved government efficiency can be achieved when justice-system personnel focus on youth with the greatest needs or posing the greatest risk. For the District, this reform supports administrative efficiencies for many agencies and government bodies including, but not limited to:

- (1) The Office of the Attorney General: This reform would enable OAG to reduce the amount of time, paperwork, research, and case preparation required to file and litigate PINS charges or to divert youth. This time can be reallocated to support prevention and diversion programming, such as the ATTEND program, as well as time spent on evaluation, filing, and presenting cases for youth with higher level delinquency charges.
- (2) The Metropolitan Police Department: The MPD Youth Division can also benefit, as improved and increased services reduce the number of youth reported missing, especially repeatedly. Officers in the Youth Division may be able to shift focus to criminal activity, and they could increase time on engagement with youth and families that foster positive relationships in the community through programs like Reaching New Heights, Youth Creating Change, and the Summer Youth Academy.

- (3) Department of Youth Rehabilitation Services: DYRS would benefit from decreased caseloads for social workers if PINS cases are no longer eligible for charging and commitment. This would also enable them to focus on more intensive care and supervision for youth charged with delinquent acts. In addition, DYRS will decrease their spending and administrative resources needed to support shelter housing for PINS youth and the pre-commitment assessment and support processes in place for PINS youth in the pre-adjudication phase.
- (4) Schools: Education partners will also see administrative resource benefits from this reform as they will no longer need to complete the required referrals to CSSD or OAG for truancy cases. Instead, they can focus on primary prevention and identification of resources of community-based supports that keep youth in school, consistent with the Every Day Counts Taskforce work.

“One of our biggest fears is police doing stuff to us.”

b. Monetary benefits of more appropriate PINS responses

The District has already recognized that secure confinement for PINS offenses leads to worse outcomes for youth and no longer follows this practice. As discussed above, Family Court involvement can lead to worse outcomes for youth and communities than doing nothing, or providing services without formal court processing. Given the high human and financial costs of delinquency and criminal justice system involvement, going beyond ending secure confinement to end all court involvement for PINS behaviors will provide many benefits to the District, including significant financial advantages.

The Washington State Institute for Public Policy (WSIPP) has developed cost-benefit analyses for many forms of juvenile justice programming, taking into account costs and benefits to taxpayers, participants, and others. WSIPP has determined that diverting youth with no services provides a **\$9,902 benefit**, per participant, compared to formal court processing.¹¹ For youth who participated in *diversion with services*, there was a **\$6,730 benefit**, per participant, compared to formal

Family-based therapies generate a \$37,358 benefit,¹³ per participant and mentoring provides a \$19,258 benefit.¹⁴

court processing.¹² (Note that this analysis looked at a range of types of diversion, from

pre-arrest to post-adjudication diversion, so at least some of the studies included youth with some level of court involvement.)

WSIPP has also shown the benefit of specific programs that could be offered to PINS youth. For example, *family-based therapies* generate a **\$37,358 benefit**,¹³ per participant and *mentoring* provides a **\$19,258 benefit**.¹⁴ The Adolescent Diversion Project (“ADP”), a Michigan program in which “youth are matched with a volunteer caseworker who provides tailored community-based services that focus on skill-

building (e.g., strengthening family relationships, improving school involvement, garnering employment, or enrolling in extracurricular activities),” generates a **\$22,831 benefit** per participant compared to traditional juvenile court processing.¹⁵

Additionally, in 2001, Florida TaxWatch estimated that community-based prevention services could generate \$10 million in cost savings, based on a projection of delinquency prevention for 895 youth.¹⁶

E. Reform Recommendations

The JJAG proposes removing the juvenile justice system as a possible response to PINS behaviors and strengthening a community-based and community-accountable set of services to meet the needs of youth and families. The JJAG identified key principles central to its recommended alternative, initial concrete ideas for how to implement a continuum of recommended response to PINS behaviors, and outstanding questions crucial to successful implementation.

¹¹ Washington State Institute for Public Policy (2019) Diversion, no services (vs. traditional juvenile court processing). <http://www.wsipp.wa.gov/BenefitCost/Program/549>. (The research used in WSIPP’s analysis was not specific to status offenses, but looked at youth with “with no previous criminal history or with non-violent misdemeanor/felony offenses.”)

¹² Washington State Institute for Public Policy (2019) Diversion with services (vs. traditional juvenile court processing). <http://www.wsipp.wa.gov/BenefitCost/Program/547>.

¹³ Washington State Institute for Public Policy (2019) Other (non-name brand) family-based therapies for court-involved youth. <http://www.wsipp.wa.gov/BenefitCost/Program/563>.¹⁵

¹⁴ Washington State Institute for Public Policy (2019). Mentoring for court-involved youth (including volunteer costs). <http://www.wsipp.wa.gov/BenefitCost/Program/369>.

¹⁵ Washington State Institute for Public Policy (2019). Adolescent Diversion Project (ADP) (vs. traditional juvenile court processing). <http://www.wsipp.wa.gov/BenefitCost/Program/21>.

¹⁶ Florida Network of Youth and Family Services: Assessment of Services. Florida TaxWatch. September, 2001.

1. Principles

The JJAG recommends a community-based response to PINS behaviors that follows four evidence-based principles.

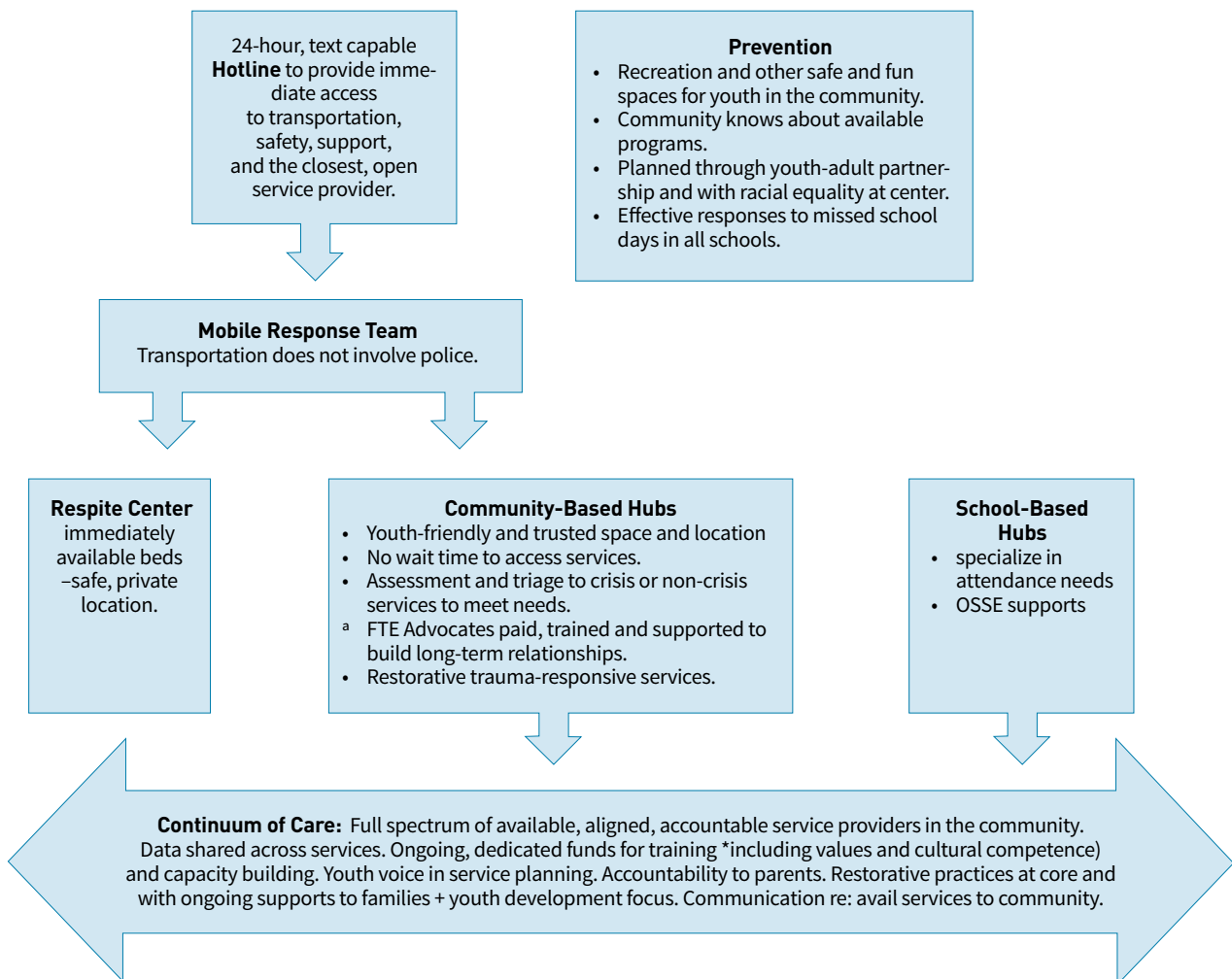
1. Avoid unnecessary system involvement. The District should provide services without the involvement of any agency associated with the juvenile justice or child welfare systems, except where abuse or neglect are suspected or an actual crime is alleged.
2. Provide a continuum of care with no-wrong door to access support. Providers should coordinate warm handoffs among services from any entry point.
3. Prioritize youth and family-partnership to implement the reforms and hold service providers and agencies accountable.

4. Ensure personnel training, stable and adequate funding, and accountability measures so youth and families receive the most effective, culturally-responsive services, with consistent providers they trust to help them achieve positive outcomes.

2. Continuum of Responses to PINS Behaviors

The JJAG envisions a set of interlocking community-based supports and services available to meet the needs of youth and families without system involvement. The flow chart below shows the basic structure and components for the alternative responses.

The JJAG envisions a set of interlocking community-based supports and services available to meet the needs of youth and families without system involvement.



a. Prevention

A key message from the JJAG’s conversations with youth and families was the need for more safe spaces where youth can be themselves and have earlier access to supportive services. This message also aligns with positive

JJAG identified the need for a 24-hour, text-capable hotline for youth.

youth development principles. To be effective, the JJAG heard certain key principles as crucial to prevention efforts. These are to:

- Provide meaningful access to enough recreation and other safe and fun spaces to meet the needs of youth in the community;
- Create jobs and paid skill development programs that lead to jobs for youth and families;
- Ensure the community knows about available programs; and
- Center youth-adult partnership and racial equity in planning positive youth development programs and spaces.

Family Success Centers, as currently envisioned, will meaningfully contribute to meeting these needs. In addition, existing services like the ATTEND model could be implemented in response to earlier warning signs. Specifically in addressing truancy, OSSE and the Department on Disability Services could support all schools to equitably implement effective responses to missed school days and hold all schools accountable for attendance.

b. Hotline

During community conversations, the JJAG identified the need for a 24-hour, text-capable hotline for youth. Hotline staff should be able to triage a young person’s needs, including their immediate safety, direct them to services based on their needs, and provide immediate transportation to a safe space if needed through a Mobile Response Team. To ensure youth know about the Hotline, the JJAG recommends a District-wide awareness effort focused on where youth gather or may seek help.

c. Mobile Response Team

Law enforcement should not be the only mechanism to transport youth out of unsafe situations or to services. A Mobile Response Team would include trained professionals and credible messengers who can steer youth toward services and recognize signs of harm or risk. Should the risk of harm to a young person be imminent, police are the best first line of defense, but young people in many other situations would be better served without the stigma and fear inherent in police contact.

In addition to responding to calls via the Hotline, the Mobile Response Team could conduct proactive outreach during particular hours of concern. The Mobile Response Team would meet youth where they are, provide immediate triage and counseling, and transport youth to Hubs, respite centers, or other safe places and services. The existing Child and Adolescent Mobile Psychiatric Service (“ChAMPS”) may be an expandable foundation for the proposed Mobile Response Team.

“City leaders need to show the community love. They’re all talk and don’t really care about us.”

d. Community and School-based Hubs

A central component of the proposed system is the Hub model. Based on several models studied by the JJAG, Hubs act as the central intake for youth and families seeking services, a home base for individual case advocates, a co-location space for services, and a safe, trusted space where youth can be themselves. The JJAG’s discussions revealed DHS as a suitable agency to manage the Hubs, especially given the agency’s existing services responding to PINS behaviors, including ACE, PASS, and STEP.

Youth and families can walk into a Hub or can be referred by any agency or organization across the District. Some services would be co-located at the Hub, while others would require a referral with warm handoff. Youth and families need to be able to access immediate services when they are in crisis, and the Hubs must be able to immediately provide or secure access to services for youth and families.

This may mean that at least one hub will be in a non-public safe location. Some Hubs may be school-based and specialize in responding to chronic absenteeism, while also responding to any presenting PINS behavior.

“There’s no such thing as a safe neighborhood.”

Principles for the Hubs to be successful include the following:

- Avoid the stigma associated with juvenile justice or child welfare agencies.
- Include a youth-friendly and trusted space. The Hubs, similar to Bruce House and DYRS Achievement Centers, should include spaces where youth can relax and be comfortable.
- Sufficient number of hubs in neutral locations around the District. Some Hubs may be co-located at libraries, rec centers, and other spaces youth gather. Hub locations should not create restrictions for who can or will be safe traveling there.
- At least one Hub should be open 24 hours a day, 7 days a week.
- Triage and connect to crisis and non-crisis services across systems that meet the needs of the youth and families.
- Provide access to necessities, such as food, clothing, and transportation.
- Minimize wait time to access the Hub and services.
- Training and policies that equip staff to use restorative, trauma-responsive, and strength-based practices, respond to the root causes of behaviors, and properly address levels of need from the least to most severe.
- Support, pay, and train full-time case advocates to create stable, long-term relationships with youth and families.
- Following the ATTEND model, empower advocates to quickly and easily fix bureaucratic problems, ensure eligibility for needed services and benefits, and connect youth and families to all services and resources the District has available.

- Train all staff to identify and respond to human trafficking, including access to a screening or assessment tool. (Fair Girls, an organization that currently provides training and services regarding trafficking of minors in the District, has indicated that they could be a partner in this effort.)

e. Respite Center

The Hotline, Mobile Response Team, and Hubs must be able to quickly secure a safe bed for youth who have left home while determining the safest and best next steps. The District’s current capacity for immediate, crisis or respite shelter is limited without a court referral for minors. Licensing and funding requirements set a very high bar that housing service providers seeking to serve youth must overcome. Meeting this need will require funding and referral pathways independent of a court order and that enable service providers to reach the bar set for safe, effective youth housing.

The JJAG is concerned about risks to youth from human traffickers or others who would do youth harm, therefore rotating respite centers should be scattered across the city and some should be accessible, as needed, only via transport by the Mobile Response Team or authorized service providers.

f. Continuum of Care

Youth and families need diverse services to support their positive development and navigate challenges.

Advocates at the Hubs will require a holistic, culturally-responsive array of services to which they can refer youth and families. The District should:

- Fund appropriate and effective services, and hold service providers accountable for measurable outcomes that accurately reflect their impact instead of solely relying on numbers.
- Include strength-based services, such as arts and creative expression, animal care, and mentoring.
- Build up smaller community-based service providers who bring a wealth of knowledge but may not traditionally receive funding. The JJAG has focused

Youth and families need to be able to access immediate services when they are in crisis

small grant making to these providers to date, but scaling up would enable the continuum of care to fully meet the community's needs.

- Increase the capacity of behavioral health services, including low-barrier and school-based mental healthcare and substance use disorder treatment.
- Provide training for families about their rights and tools within the various systems interacting with families. For example, the Office of the Chief Student Advocate currently runs family support centers, where families can be referred for case management, conflict resolution, conflict management, and educational advocacy support.

The authority of youth, families, and neighborhood leaders to hold agencies and service providers accountable for success must be built into the foundation of services from the start.

g. Oversight and Accountability

The authority of youth, families, and neighborhood leaders to hold agencies and service providers accountable for success must be built into the foundation of services from the start.

3. Additional Questions

The JJAG identified several outstanding questions for future consideration.

- » What alignment is most productive between Families First sites and hubs?
- » How can the District better utilize Medicaid funds to support services for youth and families?
- » What changes can be made to Medicaid contracts to private insurance providers to require certain types of treatments?
- » What spaces are available in the District that are in neutral locations to site hubs or a 24/7 youth-friendly space?

CONCLUSION

This recommendation incorporates the best advice from among the JJAG's diverse membership and following a year of study, collaboration, and consensus-building.

The JJAG is committed to ongoing support of this recommendation throughout the planning, implementation and monitoring phases.



***Serving PINS youth in the District:
Assets, gaps, and stakeholder recommendations for future change***

The information below is a summary of what services are most commonly used in the District when youth engage in PINS behaviors (or are at risk of doing so), and what key experts and stakeholders think is missing. This is not a comprehensive mapping of all services that are available in the District that could be relevant in PINS cases, and several additional stakeholder interviews will likely be needed before the summary below should be shared with external stakeholders. Additionally, the term “PINS behaviors” is used throughout--this is not a preferred term, but is the term currently used in the District.

Types of services:

The basic services that can address PINS behaviors (and the underlying needs that lead to them) are already available to many youth and families in the district including:

- family counseling
- individual therapy
- mentoring
- emergency shelter and longer-term housing support
- medical care
- tutoring
- education advocacy (e.g., to meet special education needs)
- case management
- parenting education and support

However, more innovative or specialized services are not readily available. Examples cited by stakeholders/experts of services that would be useful to have in DC ranged from inpatient psychiatric treatment (PRTF) to opportunities for youth to grow and heal through art or equine therapy.

Access to services:

Youth who have been charged with PINS behaviors (or have otherwise come to the attention of MPD, CSSD, or OAG) can access many of the above services through different programming offered by DHS, including the STEP, PASS and ACE programs, tutoring provided through Georgetown University, and nonsecure shelter housing (offered by community providers through contract with DYRS). Some services are offered in the community, through District agencies and nongovernmental organizations, and can be accessed by anyone who meets program requirements, which in some cases include large numbers of youth who've engaged in PINS behaviors. For example, YouthBuild Public Charter School (YouthBuild PCS) provides alternative educational offerings to District youth aged 16-24 and finds that the vast majority of its 16- and 17-years olds were truant before switching to their school, although they are not specifically a truancy intervention.

Service capacity

Some of the services currently available are able to serve most of the youth who are referred to them and meet their criteria. Although there are sometimes waitlists, some programs can prioritize (e.g., continue to serve runaway youth immediately but wait on youth who are truant).

There are some very troubling gaps in capacity, however. For example, Sasha Bruce shared that in 2018-2019, they redirected some youth who called seeking emergency shelter at Bruce House because they did not have beds available at the time. Providers working in other areas also noted that housing is one of the most common--and difficult to address--areas the youth they serve face. For example, YouthBuild PCS reported that 40% of their students had experienced homelessness in the previous year.

Waitlists and delays are also common for mental health services. One interviewee shared that a young person who is suicidal might be told by a core service agency to wait a month for an intake appointment, and commented that delays for any needed service were a significant problem because “you can’t earn kids’ trust if they tell you their needs and you can’t act on them for months.”

For the programs that are *not* at capacity, it is also important to note that some experts/stakeholders suggested that the reason for this (at least for some services) was because they were “under the radar” and not all youth who needed them were being referred or self-referring. When asked if those programs could be serving significantly more youth, stakeholders felt that additional resources would be needed for that to happen. Some programs may also be scaling back what they offer in order to serve most or all youth referred, which means that the youth served are not getting the most effective programming possible. For example, one program used to have funding equivalent to \$15,000-\$16,000 per youth per year, but now has only \$11,000, meaning that they have less staffing and flex funding to serve each young person.

Geography and transportation

Many services are located in the places where the youth who need them the most live and spend time (e.g., school-based services). Sasha Bruce noted that they are located in a “neutral” area (discussed more below), and they are accessible by public transportation. Some programs require that youth and families get themselves to the services, while others provide transportation or ensure that youth are able to use public transportation for free (e.g., through a DC OneCard). When private transportation is provided, this generally is carried out by the providers, rather than government agencies directly (e.g., the Georgetown program has a vehicle to take students to tutoring, Bruce House has a van).

Other barriers to serving PINS youth

Many of the challenges noted are common social services barriers, rather than unique to PINS youth or the District:

- Mental health professionals, caseworkers, and other providers are underpaid and undersupported, leading to frequent turnover.
- Programs don’t have the resources they need.
- Accessing services can be cumbersome and difficult, particularly for mental health/Medicaid funded services.
- Long waitlists sometimes exist for time-sensitive services, such as behavioral health care.
- Families and youth may avoid services for fear of becoming system-involved (particularly child welfare-involved).

Although these are common challenges, they may be particularly harmful to PINS youth and their families, given the trauma and disrupted relationships they’ve already experienced.

Gaps in services

Interviewees shared many services they felt needed to be developed or expanded, including:

- A 24/7 crisis hotline with text capability
- More short- and long-term shelter/housing options
- Mental health services overall, and specifically an inpatient psychiatric treatment facility

- A drop in center specifically for minors, since minors may not be comfortable accessing programming primarily used by young adults.
- A greater/easier ability to use flexible funding for nontraditional services (e.g., art therapy, martial arts classes)
- Expanded access to high quality, consistent, mentoring and/or case management.

Other findings and recommendations

Numerous interviewees noted that the current response to PINS behaviors is somewhat haphazard--for example, the school a youth attends, rather than the severity of their absences, may be what determines if they are referred for truancy or not.

Several interviewees highlighted the importance of schools as a place to connect with students before they engage in PINS behaviors. This includes encouraging schools to help youth meet basic needs (e.g., providing access to food and the ability to wash clothes), which could increase engagement and attendance.

Additionally, there are several current initiatives that are addressing some of the same issues, through a different lens. For example, the Every Day Counts Task Force has a broader focus (all attendance, rather than just unexcused absences) but is still addressing several of the circumstances that lead to truancy, such as unsafe routes to school and school environments. The RAISE DC Disconnected Youth Change Network is addressing many of the same issues as the JJAG, but includes young people through their early/mid-twenties. Additionally, the School Based Behavioral Health centers that are currently expanding throughout the District could be an important entry point.

Several stakeholders expressed that future work to meet the needs of families involved with PINS behaviors should *not* be sited within DCFS, for numerous reasons. Several providers seemed open to expanding their work with DHS to meet the needs of this population.

Services for youth need to be accessible, meaning either that they are available in all places that youth need them, or that they are in neutral areas (e.g., not considered the territory of any one group) and youth can reach them through public transportation or provider-supported private transport. Some stakeholders suggested that for efficiency, existing youth-friendly locations, such as community/rec centers, could be used.

Service providers noted that approaches need to be flexible, and that working with youth in crisis can be labor and skill-intensive. One person noted that beyond physical spaces youth can go, there should be an ability for professionals to “be able to dispatch out to where a family thinks a young person is” when they have run away or are truant. Additionally, given the varied and complicated needs of youth engaged in PINS behaviors, an *individualized approach and service plan* for each young person is essential. When service referrals are made, they need to be *warm handoffs* that will encourage the youth and family to actually participate in what may be one of many service referrals they’ve received. Services should also be informed by and targeted to youth’s strengths and interests, not just their needs.

Family engagement could and should be improved, including training for professionals on key adolescent development topics as well as cultural humility, and education for parents to help them understand and support their children through the transition to adolescence and young adulthood.

Finally, as identified by several stakeholders, any future service offerings or changes in services should be informed by youth input, to ensure that services created and provided are ones youth will want to engage in and stick with.

PINS Landscape Summary Chart

ASSETS		GAPS	
<p style="text-align: center;"><i>(Services currently available to at least some PINS youth in DC)</i></p> <ul style="list-style-type: none"> • Family counseling • Individual therapy • Mentoring • Emergency shelter and longer-term housing support • Medical care • Tutoring • Education advocacy (e.g., to meet special education needs) • Case management • Parenting education and support 		<p style="text-align: center;"><i>(Services that are not present, do not have sufficient capacity or are difficult to access)</i></p> <ul style="list-style-type: none"> • Short- and long-term housing • Behavioral health services (including inpatient psychiatric) • Consistent, high quality, and easily accessed mentoring and case management • A 24/7 crisis hotline with text capability • A drop in center specifically for minors • Ability to easily use flexible funding for nontraditional services (e.g., art therapy, martial arts classes) 	
BARRIERS			
<ul style="list-style-type: none"> • Inconsistent identification and referral of youth • Long waits or complicated processes to access services, particularly behavioral health • Insufficient capacity/offers for minor shelter beds and long term housing support • Staffing turnover (often due to lack of support and inadequate pay) • Program-wide underfunding • Family/youth reticence to engage in services (sometimes due to fear of system involvement) 			
STAKEHOLDER RECOMMENDATIONS			
<ul style="list-style-type: none"> • Recognize that the current system isn't working well and can be inconsistent • Focus on schools as a connection point to youth and a venue for meeting basic needs • Coordinate with initiatives with overlapping goals (e.g., Every Day Counts) • Ensure services are informed by and accessible to youth • Emphasize family engagement and cultural humility • Consider siting new offerings in DHS, given stigmatization concerns and families' hesitation to be involved with some other systems • Ensure services for PINS youth are: <ul style="list-style-type: none"> ○ Flexible, ○ Well resourced (including adequate staff who have skills and time needed to meet youth needs), ○ Individualized, and ○ Strength-based. 			

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
JUVENILE JUSTICE ADVISORY GROUP**



The following appointed Juvenile Justice Advisory Group members, JJAG staff, and JJAG advisors contributed to the content in this report.

First Name	Last Name	Local Representation/Role	Role on JJAG under Federal JJDP A and Title II Requirements
Patrina	Anderson	Department of Behavioral Health Representative	Representatives from law enforcement and juvenile justice agencies, including juvenile and family court judges, prosecutors, counsel for children and youth, and probation workers
Dominique	Burton	Community Member	Public Member
Lisette	Burton	Community Member/Secretary of the JJAG	Public Member
Sheila	Clark	Department of Human Services Representative/Co-Chair PINS Working Group	Representatives from law enforcement and juvenile justice agencies, including juvenile and family court judges, prosecutors, counsel for children and youth, and probation workers
Audrey	Eisemann	Community Member	Public Member
Laura	Furr	Community Member/Chair of JJAG	Representative of private non-profit organizations, including persons with a special focus on preserving and strengthening families, parent groups and parent self-help groups, youth development, delinquency preventions and treatment, neglected or dependent children, the quality of juvenile justice, education and social services for children
Jonah	Goodman	ANC 4C10 Representative	Locally elected official representing general purpose government
Shyra	Gregory-Dowling	DC Public Schools Representative	Representatives of public agencies concerned with delinquency prevention or treatment, such as welfare, social services, mental health, education, special education, recreation, and youth services
Miracle	Johns	Youth Member	Youth Member
*Peter	Krauthamer	DC Superior Court, Family Court Representative	Law Enforcement and Juvenile Justice Agency member
Ramey	Kyle	MPD Youth Division Representative	Representatives from law enforcement and juvenile justice agencies.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
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First Name	Last Name	Local Representation/Role	Role on JJAG under Federal JJDPa and Title II Requirements
Brittany	Mobley	Public Defender Services Representative	Representatives from law enforcement and juvenile justice agencies, including juvenile and family court judges, prosecutors, counsel for children and youth, and probation workers
*Terri	Odom	Court Social Services Division Representative	Representative of public agency concerned with juvenile probation
Jenise	Patterson	Community Member/Vice Chair of JJAG	Public Member
LaShelle	Richmond	Community Member/Co-Chair, PINS Working Group	Representative of private non-profit organizations, including persons with a special focus on preserving and strengthening families, parent groups and parent self-help groups, youth development, delinquency preventions and treatment, neglected or dependent children, the quality of juvenile justice, education and social services for children
David	Rosenthal	Office of the Attorney General Representative	Representatives from law enforcement and juvenile justice agencies, including juvenile and family court judges, prosecutors, counsel for children and youth, and probation workers
Penelope	Spain	Community Member	Representatives from law enforcement and juvenile justice agencies, including juvenile and family court judges, prosecutors, counsel for children and youth, and probation workers
Bruce	Wright	Department of Youth Rehabilitation Services Representative	Representatives of public agencies concerned with delinquency prevention or treatment, such as welfare, social services, mental health, education, special education, recreation, and youth services

*These members abstained from voting on this report and related actions of the body, as the recommendations discuss legislative action.

JJAG Staff Melissa Milchman (OVSJG) and Keith Hasan-Towery (CICC)

GOVERNMENT OF THE DISTRICT OF COLUMBIA
JUVENILE JUSTICE ADVISORY GROUP



**JJAG
Advisors**

Lisa Pilnik, Independent Consultant to the JJAG on Status Offenses

Destiny Jackson, Advisory Youth Member

Aaron White, Advisory Youth Member

Kyla Woods, Advisory Youth Member

Eduardo Ferrer, Advisory Community Member

Courtney Allen (Deputy Mayor for Education), Advisory Agency Representative

Julian Brevard (OAG), Advisory Agency Representative

Hilary Cairns (DHS) Advisory Agency Representative

Erin Cullin (OAG), Advisory Agency Representative

Jose DeArteaga (DYRS) Advisory Agency Representative

Shae Harris (Deputy Mayor for Public Safety and Justice), Advisory Agency Representative

Kristy Love (CJCC) Advisory Agency Representative

Elizabeth Weiser (OAG) Advisory Agency Representative

Kevin Whitfield (DC Council Committee on the Judiciary and Public Safety), Advisory Agency Representative

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