

JUVENILE JUSTICE SYSTEM ASSESSMENT AND REINVESTMENT TASK FORCE

Tuesday, June 25, 2019 ♦ 9am – Noon
Capitol Judicial Center – 2nd Floor Conference Room
1 Court Street, Augusta

MEETING TRANSCRIPT

Jill Ward

Welcome everybody and thank you for being present for the second meeting of the Juvenile Justice System Assessment and Reinvestment Task Force. It's really good to see most everybody's face here again after the first meeting and a new face you are going to get familiar with who is going to be working with us over the next ten months.

I'd like to start by asking for everybody's forgiveness and patience that we didn't get a public notice out about this meeting in time. We just on-boarded the staff officially yesterday so it was a little bit of a mad scramble of the Chairs to get everything out to you all yesterday.

We appreciate your patience going forward, though we will have a protocol that puts the notice out and hopefully by the next meeting there will be a website that will be a resource for everyone with a calendar of events, list of resources and the transcript you received from the first meeting. We will do that for every meeting going forward. Just some administrative forbearance from all of you, if you can give us that.

I'd like to start with introductions again and take us around the room. I'm Jill Ward I'm one of the chairs of the Task Force and I work for the Maine Center for Juvenile Policy and Law at the University of Maine School of Law.

Michael Brennan, I'm a state legislator from Portland, and I represent District 36.

I'm **Sonia Morrison**, Corrections Compliance Monitor for the JJAG and I'm assisting Colin with his power point today.

Colin O'Neill, I'm the associate commissioner for the Department of Corrections.

Lindsey Tweed, president of the Maine Council of Child and Adolescent Psychiatry.

Good morning, I'm **Sarah Gagne-Holmes** Deputy Commissioner of DHHS.

Ned Chester, I'm attorney I've been defending juveniles for 30 years, I'm also chair of the JJAG. I thought one would be enough.

Hi. **Senator Deschambault**, I'm from Biddeford. I represent the six surrounding towns and before I was a senator I worked for 42 years with department of corrections, lastly with the Maine Corrections Center and before that with juveniles and they've all closed. Thank you.

Margaret Micolichek, Program Manager with Restorative Justice Project.

Atlee Reilly, I'm attorney with Disability Rights Maine, I handle mostly education.

Good morning, **Tessa Mosier**, I'm Director of Victim Services at the Maine DOC.

Malory Shaughnessy, Executive Director for Alliance for Addiction and Mental Health Services which is an association of community providers and safety net mental health services.

My name is **Caroline Jova**, I'm the manager of the Family Division at the Courts and the family division oversees juvenile matters.

My name is **Megan Sway** I'm policy council at the Maine ACLU and I'm standing in for **Alison** who is upstairs at another task force meeting happening at the same time.

I'm **Victoria Morales** I'm a state representative from South Portland which includes the Long Creek Development Center and I'm also co-founder of Maine Youth Court so thank you so much.

Morning I'm **Jill Allen** from NFI North and I'm also the president of the child and family provider network which has 14 member agencies.

I'm **Christine Thibeault**, ADA in Cumberland County where I specialize in juvenile prosecution.

I'm **Patrick Corey** I represent House District 25 which is part of Windham and I sit on the criminal justice and public safety committee.

Good morning my name is **Michael Sauschuck**, Commissioner of Public Safety.

Morning, **Rodney Mondor**, Dean of Students at USM, but here I'm a representative parent whose son went through probably every possible social service and Long Creek experience you could in four years working with Ned. So I represent a family member.

Julia Sleeper, Tree Street Youth Center in Lewiston

I'm **Greg Bowers**, Executive Director at Day One. We provide services for adolescents and youth.

I'm **Mark Soler**, I'm Executive Director of the Center for Children's Law and Policy (CCLP) which is a non-profit public interest law and policy organization in Washington, DC. I'm also the proud uncle of Emma Solar who is a rising senior at Bates College.

This is **Marianne Moore** and I represent Senate District 6 which is all of Washington County Goldsborough, Sullivan and Winter Harbor in Hancock County and I serve on the Health and Human Services Committee.

And I'm **Samantha Fenderson**. I'm the Assistant Director for the Division of Vocational Rehabilitation and I represent the Department of Labor,

Jill Ward: I do want to start with a little review and debrief from the May meeting, some of the themes that came up, and talk about any other reflections you all have before we move into laying out what the next 10 months are going to look like, which we will start with a little bit of a grounding and data presentation from Colin. But wondered if [there are] feelings about the conversation at our May meeting. Since then I've had some conversations with some of you, I know some of our other chairs have too. Questions?

You all have the transcript. Again apologies that as we are ramping up the administrative support for the task force things are not coming as quickly as I think we will, we will regularize, but any thoughts or reflections or questions coming out of the first meeting? I don't believe nobody has any.

Michael Sauschuck: I left a little early so it's not fair for me to ask a question

Jill Ward: No its okay!

Michael Sauschuck: You mentioned having youth involvement here at the sessions as a formal member of the task force, did we come to a conclusion of what that'd look like. It seemed like an outstanding idea.

Jill Ward: Yes, it is part of the original Task Force. So, Zack and Ryan are two young people who have been in Long Creek and work with Maine Inside Out and are tag-teaming the assignment on the Task Force and did respond to the questions, but have not, because of work purposes, been able to attend these meetings. They do have the schedule of future meetings and I think one of the conversations were going to have, and welcome the feedback loop here, is setting up some very distinct youth visioning sessions with those two as the point young people for the task force, but really setting up a couple of, some people call them focus groups.

There are a couple of different mechanisms where you can get the youth voice input on that isn't just to sit and talk to them. There's a walk through the system exercise we've talked about where a young person talks about their experience sort of like at the point of arrest this is what happened to me, what else could have happened to me, to kind of enlighten different ideas about different responses.

So, I think we have a bunch of young people through Maine Inside Out who are interested in participating in that way, but this Task Force should also bring other voices to the table and we can plug them into that structure. That has been a conversation that we have all had; in addition to the regular meetings what are some of those kinds of things in between that will inform the Task Force on youth voice? It's a good question. Thank you.

Victoria Morales: I had a thought just driving up here, and know we are going to get a detailed overview of the juvenile justice system, but coming from a place where I don't understand the interplay between the health and human services system, the DOE system and how they all intersect with the Juvenile Justice system, I would love to be able to sort of have a parallel, looking at the statutory schemes and the regulations for each system so that when we work toward bringing them all together along the way, we can see that.

Jill Ward: I'm looking at that; that has been discussed as well. I think in time for this meeting Colin was prepared to present the DOC data and just ground us and how the system works because in talking with Mark too, who's done this in other states, not everybody even understands commitment vs. detention, post adjudication vs. pre, what exactly happens with kids when they have access to what kind of services and who's delivering them. So I think we wanted to try to start there, but yes I think you're going to hear too, a request for some of the other agencies around data and process and some of that stuff. Another very good question.

Jill Allen: So after our first meeting I brought the information back to the providers, so there were the 14 member agencies there. They have asked me to at least bring back to this group the importance of, most of us were involved in the stakeholders meeting which is happening simultaneously around the continuum of care, whether or not we end up closing Long Creek or not we all believe, every member of this agency, that there needs to be some kind of continuum of care where it goes from least restrictive to most restrictive.

As we get into the details about what Long Creek offers and just the understanding of, most of the youth, there is always this debate on whether or not it's a mental health issue or it's a corrections issue. And the understanding of that there is a diagnosis which is conduct disorder, and there are some diagnoses that some of us mental health providers are just not equipped to serve. We don't have the resources we don't have the facilities so are not so making sure that whatever our outcome is here that we are doing our due diligence to serve the whole continuum. That was the most important thing that they wanted me to bring back to this group.

Colin O'Neill: Great point, I think we are going to be looking at that. I think ultimately we need to look at who we are serving. If we are going to serve them better or serve them in a more community base, we need to look at what types of issues, or diagnosis or whatever that we are treating there. And if we are going to replace it or close it or whatever I think we have to take an in depth look at that.

Lindsey Tweed: I think with all mental health. I am a mental health provider. DOC did a great job of documenting a couple of years ago all the kids committed at Long Creek, all the young people have had substantial mental health treatment that didn't work. People thought all along that this was a mental health problem and then...I think the point your making, you know when aggression can sometimes become proactive, we need a more secure treatment program which we don't have. Now, you know we obviously need the best community system we can. Thank goodness to the Division of Juvenile Services for saving wrap-around here in Maine. But anyway, we obviously need the tippy top of that pyramid a secure facility.

Jill Ward: So let me just ask too. There was intentionality about why you are all here and I think it would be good to align that conversation with this one so it's not duplicative. And I know Mark is going to want to interview many of the providers that are part of your network, but that we should also maybe align our schedules and timelines around what we're talking about and share information. This Task Force doesn't necessarily need to duplicate things, we are informing each other. So maybe even just getting with the two of you, you know Lindsey, I like to know the schedules of everybody all the time.

Lindsey Tweed: You know it's a great point that the stakeholder advisory committee, that these two processes, which arguably could have been one, but there are two so they need to be in long step. So for instance, PCG who's staffing that one, as their consultant the guy that developed wrap-round Milwaukee which is the poster program in our whole country for putting together JJ funds and Medicaid funds and child welfare funds for our deep end kids. The kids we are talking about right now. He is the expert on that.

Jill Ward: Can I just ask one logistical question, when that stakeholder group intends to make recommendations or what that looks like, like what's the timeline of that group? It's okay if they don't know.

Jill Allen: They don't have as clear of a timeline as this group does around making recommendations. They do have a very definitive meeting schedule, so we already know when the next meeting is. I can ask that question. I mean that group is being run by an outside entity. They're from PCG. So I can ask what their timeline is. I did want to just add the other piece of this that I think I could help and bring to the table is NFI north, we're nationwide, specifically in Maine and New Hampshire. New Hampshire already went through this process and we already closed our Youth Center there. And we've already developed wrap-around, and guess what? NFI is the provider of wrap-around. I'm not promoting that NFI north should be the new provider of wrap-around in Maine, but what I'm saying is let's learn from our neighbor-state just went through and find out why they're being so successful now around not having youth in a youth center and having them at home. And they decreased their residential beds at the same time. So let's find out how they did that and let's just do some due diligence around that.

Jill Ward: There's been a lot of good press coverage actually just recently, just yesterday there were folks meeting with the Office of the Child Advocate on sort of continuing what they've started there in New Hampshire and I do think there's some good learnings there. So I'll make sure we're sharing that and understanding that. And that's part of the role that Mark brings to, is the familiarity of what other states are doing well.

Jill Allen: Okay so I'll find out and we can find out about the stakeholder group and what is happening.

Malory Shaughnessy: I just want to add too, I'm also part of the other stakeholder group with the office of child and family services and there is also another group working with PCG that's also been meeting which is the office of Child Protective Services which also connects and there are several of these moving parts and I think us aligning with the behavioral health review is also important. I think also informing it through the work that is happening with other task forces. So there are so many moving parts, we should make sure there all.

Lindsey Tweed: And really the best system, merge, or blend them. And with all due respect when I was at the stakeholders advisory committee I witnessed two very fine public servants, Colin, and a woman named Elissa Wynne and another delightful person from DHHS basically politely arguing about who should pay what for MST. Because when we keep these things separate even the most collaborative ppl having that kind of discussion.

Another thing Mallory's talking about right now we have a shortage of obviously, foster homes. Unfortunately, our case workers right now are heavily incentivized to try to get their kids into residential treatment, out of the home and family setting into residential treatment, which is way more expensive to DHHS. But the problem is it's a funding cost shifting problem. So we're wasting lots of money because we are structurally sending people up to battle each other.

Jill Ward: If I said once to Colin, I said it a million times so he should not be solving these problems with his budget. I think that's right, and that's going to be some of what, and this is all good for Mark to be hearing to but I think that point is well taken. And there's the work that Muskie is doing; that mapping of where Investments could go in the community and tying that into it. So none of this is intended to duplicate any of those things but I think that this group needs to make sure we're bringing all of this to the table so that it's integrated and organized in a way that we can make informed decisions.

Christine: Just to let you know the stakeholders CBHS advisory group next meeting is Thursday July 25th 1 to 4 p.m.

Colin O'Neill: And many of us are on that.

Lindsey Tweed: I'm sure they would be happy for Jill to come.

Jill Ward: Because I love going to meetings. So I will reach out just generally and we can figure out what the best way to align the work is. As long as this is happening. Any other reflections, questions, things that you went away with and are coming back with? Anyone on the phone? I'm going to be good and not forget our phone friends.

Marianne Moore (phone): No Jill I'm good, I thought the meeting was great. It really helped to fill in the blanks for me.

Jill Ward: And we are doing that again. I'll just remind everyone. I'm going to turn it over to Colin who is going to give a little bit of a system overview and a data presentation. Again we want to start in the system that brought us all together here and get some grounding. I really encourage all of you if you don't understand anything Colin is talking about, to ask questions because we want to make sure this group has a pretty good understanding of what happens to kids when they enter the justice system. And we have other experts around the table who can answer questions too. So I'm going to turn it over to Colin.

Colin O'Neill: That was a great segway into this. I'm going stand and walk around because this information is, I want to foster conversation as much as possible as I'm telling you about the system. The points are that we don't operate in a vacuum in our system. I'm going to go over the juvenile justice system; where it begins, and where it ends, statutorily and in practice. Our success and failure is really dependent on other systems that impact it. I think that even though I'm going to go over the juvenile justice system specifically, I think we need to keep that in mind and I can highlight some areas where there is overlap. This is the beginning of the conversation and I think what we wanted to do is give people some baseline information and realize not everyone come from the juvenile justice system, they come from different vantage points. I've been working the system for years and there are still parts of it that I don't know. So it's okay if

you don't know it because there is a lot of details to it. There is a lot of laws and rules that I'm not as familiar with. Hopefully I can answer all of your questions. But we really wanted to begin with an overview of the system. So I think the most important document, I assume everyone has this packet, the power point packet?

So the most important is the juvenile justice system in statute, in policy, and in practice. And it's driven by resources everything we are going to be talking about is in that slide and so it looks very confusing there's a lot of boxes, shapes and forms. And hopefully over time this will start to make sense to you all. As I go through my slides, keep that to the right of the left of you and we can identify what area we are talking about. So moving on, what I want to do is for the next 30-45 minutes I really want to illustrate and highlight major decision points in the juvenile justice system, because when Mark goes in, and looks at, and assesses our program they're really going to look at primary points of contact with youth, and decisions get made for youth in the juvenile justice system. And that's referral, that is potentially detention, or referral, diversion, detention supervision, commitment. Those are all major decision points in the juvenile justice system. Its driven by statute, its driven by policy and its driven by resources that are available in the state.

That impacts what happens to kids in those decisions points. Referral is simple. It is a polite way of saying a crime has been committed and there is a charge. So that is a point of entry into the Juvenile Justice system. So in order to get a charge usually a law enforcement officer will summon or charge a juvenile of a crime by the statute the Criminal code and that sparks a referral and that goes to the DOC and then we have about 30 days to process that referral. So if you look at the slide, this is just the last 5 years. I took the last 5 years of data. We can go back 10-15 years but I think the slides I have from the last 5 years really illustrates the downward trends that were seeing in the juvenile justice system. If you look at the overall number going back to 2015 we had a little over 3300 referrals and now we are down to about 2600 referrals back in 2018.

There is a lot of speculation as to why that number is low. Some of the things that we throw out there is the number of kids in that cohort ages 14-18 are down. I also think that I'd like to shout out to law enforcement. A lot of what they're doing their own form of relationship building and they're not charging as many kids with crimes. They are building relationships especially communities that have local law enforcement.

Christine Thibeault: I just want to add to that, that not all offenses that are committed actually end up going forward again the shout out to law enforcement. Especially with young offenders or particularly problematic behaviors, like sex offences or fire setting. The police will often call the prosecutors and talk about whether it's even appropriate to begin the referral process. There is often times collaboration before the system is even invoked.

Colin O'Neill: So to that end I also want to say too, as restorative justice practices are also are proliferating throughout the state. And we'll give a shout out to Youth Court and those other providers, that they are getting referred before a charge or a referral is made. So when I talk about referral it's a formalized referral that is coming to the department. So as we look at the trends of them going down, there's a lot of different reasons for why we believe it's going down.

[?]: I'm assuming YOC is youth of color, and that one is going up. And I'm wondering if there is some looking into what is happening.

Colin O'Neill: Yes, we are looking into that but I think what's important is that as we go through these slides and as we go through this process it's that we want to make sure that when we disaggregate the data, when we look at different race, or sex some of these kids aren't doing as well as some of the others, and I think that's important. Sometimes we can miss something. When we looked at them, and we say oh the numbers are down and think oh things are great, well actually they're not great and youth of color in referrals is one of them and we also like to look at girls.

Jill Ward: And I'd like to say that that is reflective of national trends too. So as the overall number of kids entering the system continues to decline nationally at a pretty rapid pace, the kids of color rates are going up as are the girls. So this is reflective of things of a national issue, which is in part why the federal law requires us to be looking at this issue.

Colin O'Neill: So you see at the different decision points along the way when I looked at it as an associate commissioner, I thought, okay, if that's the referrals what's happening to them as they get deeper or we defer them out of the system.

Michael Sauschuck: And what's the system, can you tell us why they are being referred what's the underlying charge or what's the circumstances around that?

Colin O'Neill: We can, it's harder to do that as you are well aware. Some arrest data is very variable throughout the state from law enforcement to courts and all that. We are looking to, as we go through this process with the task force, we are looking to drill down specifically what are some of the charges and more importantly where are they coming from. Because what we do, is I have a report on what are the major cities and towns that contribute to our referrals and I think you would be surprised what cities in Maine have the highest referral rate. It's not Portland, you know Portland, is about 7th or 8th on the list as we look at the highest referrals in the state. What we can do is target in on those cities and say well, geez what's going on? We need to education we need to talk to law enforcement and figure out different ways or are there certain charges that are up-ticking in a particular area. So we are able to do that and we will be getting into that level of detail. Any other questions before I move onto the next slide?

Jill Ward: Can I just ask Christine: So when you move on to the informal adjustment, referral may happen directly to a different agency and they might never touch the system? How does that happen that you describe, what is that next step? Because I think that that is an important thing to put on the table.

Christine Thibeault: I guess the best way to illustrate it is a real example of an eight year old who set fire to a clothing rack in Walmart. And you now that's an alarming behavior but he's eight. So the police department called my office and we talked about that and said gee, what do we do? We don't want to charge an eight year old but we got Mike Mac involved and got the eight year old set up with the juvenile fire-setter program. I don't even think it was an actual charge, there was no [arrest] number tracking the kid. But the services were there. In

another case, say he was 13, the decision might have been made, maybe we should have done an informal adjustment.

Colin O'Neill: We will get into the diversion stuff.

Jill Ward: Sorry. I just want everyone to understand, when you collaborate like that what happens, how do you pay for that service?

Victoria Morales: And who pays for that service if it's not you? Who pays for the juvenile fire setting?

Christine Thibeault: The juvenile fire-setter program, exists in a few different areas in the state and it's free to the families and it's usually funded in part by fire departments and sometimes towns, and JJAG just voted on a request from Paris Maine fire department to put together a juvenile fire safety program. So there's no cost to the family. And each area has its own source of funding.

Jill Ward: It's just an interesting example of how it's not DOC.

Ned Chester: The thing about that is you not only get a short term appropriate response, but there's not arrest tracking number. So once that summons goes out the Bureau of Public Safety now has a record of whatever that summons was. And even if that summons doesn't go anywhere, whatever happens, that is there and its permanent and it's on that record and it's there when somebody signs a release. There is all kinds of benefits to being able to divert that out front.

Susan Deschambault: You are going to talk about diversion, in your handout you say that MDOC has 30 days to respond to the referral are you going to speak about what that process is?

Colin O'Neill: Yes. So that's a great question and we can go to the next slide. So when we get a referral the formalized referral that comes in with facts and all that and the JCCO (juvenile community corrections officer) who's responsible for the area that that juvenile is from has 30 days to respond, by responding they're reaching out to the juvenile and his family, bringing him in for what we call preliminary interview, or investigation to look at the charge and to bring the family in to talk it over. Because what has to happen in that 30 days is that the JCCO is going to make recommendations to the DAs office to petition that case to court or to address it in an informal way. So the primary purpose of that meeting is to sort that out.

As you can look at it, this slide shows that in 2018 our diversion rate is 84.7% so that means out of all the referrals we had. We had about 2600 referrals, 84% of those were diverted, which means they never went to court. They were addressed in an informal way with a probation officer. Either there was no action or there was some type of informal adjustment as Christine talked about which sets up within a three to six month period of conditions for the juvenile, which might be community service to address the issue. The majority of our diversions we try to refer out to restorative justice program. That's probably the single biggest contribution the department of corrections has done over the last 10 years, is look at diversion.

One of the things we figured out is make sure you have the right... So by diverting we are able to divert low risk offenders out of our system. And we know it works and I don't have the slide up here and we can look at recidivism here in a minute. Our recidivism is less than 6% come back into the system once they've been diverted. So we aren't really doing much in all that, we are able to keep the kids out of our system and out of the courts and out of the deeper end of the system.

Because what typically happens when you look and watch an adolescent, what are you going to find? When you put conditions on an adolescent and you supervise, I don't know about you but I know how I grew up, if you watched me you would catch me doing something wrong. Definitely I would have violated some kind of conditions or something. So what we found over time when I first started at the department, is that we widened the net for low risk offenders. That was creating a significant increase in the deep end of our system. So that's why we had so many detained, committed kids. Which we'll talk about in a minute when we see that slide. So diversion is huge, but when we talk about diversion, its diverting from court.

Megan Sway: Do you have the breakdown of, on the previous slide you had youth of color?

Colin O'Neill: I think I left it out because there is no difference between youth of color and girls. So last year the diversion rate for white boys was about 85%, girls I think it was 84, it was all the same so there was not any variance. And when I leave it out there wasn't any variance.

Jeff McCabe: Question on numbers on the first slide the number looked like 1875. And then when you add these two numbers up its 1529 where are those other 300 kids.

Colin O'Neill: The kids that are eligible can be diverted.

Jeff McCabe: I'm sorry I didn't read your notes. sorry

Colin O'Neill: There are some crimes and some things statutorily we cannot divert. And again when we can recommend a diversion, we recommend diversion, but only the DA or ADA has to sign off on it. There are times when we say we think this case should be diverted but the DA says you know what I think this needs to go to court. But the Class A felonies are typically the ones that don't get diverted.

Christine Thibeault: By statute DOC has to provide written notice to the victim of the crime, the law enforcement agency, and my office if they intend to divert the case. And on that notice that they provide to law enforcement and the victims, they can call the prosecutor and say hey I'm not satisfied with this diversion and we can talk about it.

Colin O'Neill: And it goes back to someone else's question about the victim notification in the sense that when the probation officer does a preliminary interview and investigation they are required to reach out to the victim and ask him what do they think what would they like to see happen with this case?

Rachel Talbot Ross: So explain to us where the disconnect is, because you just said that youth of color do not have, I think I heard you say that youth of color do not have a different percentage of diversion. They are disproportionately represented in Long Creek, does that then mean that they are disproportionately represented in violent crimes, or are they being disproportionately arrested? But there is a disconnect between the points that your making because we know in long creek we have a disproportionate number of YOC and your earlier slide says we got a disproportionate number of referrals. Help us understand that, how we then can say that there isn't a disproportionality with diversion.

Colin O'Neill: So there isn't a disproportion as far as the rate. There are certain referrals that are coming in so that the diversion rate for YOC is 84-85% just as it is for white youth and girls. The number may be higher but the diversion rate is the same. So that is not necessarily going to impact the deep end because if the referrals are disproportionate then all the way down the line we are going to see some disproportionality in detention and commitments and all that. But the diversion rate is still the same.

Mark Soler: On that point, disproportionality is something that we want to look at it as an indicator of some implicit bias that's going on but we also want to know when youth of color and white youth are charged with the same offenses are they getting equal opportunity for diversion and that requires a deeper level of analysis that's all. And when we do our analysis we are going to go very deeply into that to try to understand how these things work.

Malory Shaughnessy: Kind of along the same likes but on the one chart where we have the total referrals and were talking around 2600 and now we have 800 who were eligible so it's like $\frac{1}{3}$ who were eligible and 2/3rds not, and then you got the percentage diverted, so the percentage diverted is equal across there is there any difference between those coming in on referral and those eligible that are broken down by youth of color or girls. I'd be curious to know who's eligible and how that breaks out. If we can find that out.

Victoria Morales: So something that I think is on my mind a lot lately and it's about victims and what victims want and I really strongly believe that victims do not want punitive action, particularly taken against our kids. They want accountability, true accountability. And what I know and what I've learned from Christine in Cumberland County and from other counties is that they approach it differently. There's different funding sources for victim services, some counties do it better, some do it differently. So I'd like to look at that because if we're driven by what the victims say they want and then we don't put enough effort into victims if we don't really educate them on what's better for our community, getting our kids back on track I think we're putting ourselves in danger of just going along with a policy that is more punitive towards what it the ultimate result for these young people.

Colin O'Neill: I agree. Two comments on that. If you ask the JCCOS who call the victims, 9 times out of ten, the victims don't want to see the kids locked up. They want to see things be right. So I think that's been our experience as well and I think that is why we love Restorative Justice Program. I think that that brings in the victim ad makes things whole where the more traditional response doesn't incorporate it as much. And the victims report out more that justice has been served when they're involved in that outcome. So I think that is why a significant part of our budget goes to restorative justice.

Jill Ward: Can I ask you a question, Tessa? I was going to ask you about whether you all had ever done any kind of formal documenting or an informal documenting or surveying of some of that victims' feedback that you get if it's not so anecdotal for this group? I hear what Victoria is saying. Christine and I have had this conversation multiple times about really not just using the victims voice in the context it feels it's convenient for the answer people want, but really understanding. I hear Colin say 9 times out of ten, I don't disbelieve that, because I do really think that that's true. But it would be nice for some tool or some mechanism to capture that in a little more quantitative way. So it's not just anecdotal.

Tessa Mosher: So I'm not aware of a quantitative way that we have measured the victims' impact or input in the past because it does come from different sources. So sometimes the DA's office are getting their impact through a victim advocate, or sometimes through a JCCO. Other times I'm getting it to my office when someone is committed and so there's different mechanisms and different ways of providing input. What I can say from my experience over 20 years working with victims of crime and working at the DA's office is, I was involved in reaching out to victims of crime when we'd would try to figure out what should we do with this youth? And I don't have the numbers, but I can say is that a high percentage of victims who have been affected by crime, do want the juvenile to do well, they want services to be offered. What they don't want is the punitive piece. However, what I can tell you is that when there is an objection to that process and the victim does want something punitive because the harm to them has been much greater and usually it is in the types of crimes that we can't divert. Especially domestic violence cases etc. So without the numbers to show us exactly what the input has been, I can tell you know that information. So it's really important that we have a mechanism for the input but then also being able to take that input and having it effectively be utilized for the decision making, even if it's not that final decision maker.

But education is very important in talking with victims of crime about they are juveniles. This is why our system is set up the way that it is. These are the options that we have, and this is why we do it this way. Because lots of times you can get a different response that way, rather than what do you want to happen. You know, "Do you want to them to go to Long Creek, do you want to go through a weekend program?" Well that in itself is very different than explaining the system, and we do a lot of that on our end. But it's different across the state. So that's why it's hard to measure.

Christine Thibeault: If a case gets to the court level it's problematic to look at the process state wide and I hope if anyone is listening from other DA's offices they will forgive me for saying this, in my office where we have specialist prosecutors and we actually have a different dedicated victim assistant where that education occurs. There are places in the state where I'm not sure the prosecutors even fully ascribe to the philosophy of the juvenile justice system. So to expect those offices to reach out to the victims and educate them about the specific purposes of the juvenile justice system is going to require education, not just of the staff that has direct contact with the victims, but of the prosecutors themselves. So I think if you were to do a victim survey I often thought that that needs to be done, we just don't have the resources or the time to do it. But if you did I suspect you would have disparity throughout the state based on the level of commitment to the juvenile justice system that each collective DA's office has.

Jill Ward: Yes, no that's fair and it's good to lift that up.

Michael Brennan: And just on the other side from a treatment perspective, often times you find juveniles that have been victimized themselves. That then fuels the behavior that manifests itself in juvenile delinquency in some way shape or form, and particularly if you have a youth that has been in the child welfare system, has been victimized in that system. So simultaneously trying to get recognition that the behavior they have is not appropriate, at the same time recognizing the fact that they have been victimized themselves, and that can oftentimes fuel that behavior.

Christine Thibeault: And I think the prosecutors who do exclusively juvenile justice do understand that.

Rodney Mondor: I think part of it is we are talking about the diversion, or going to court depending on the situation, sometimes the only way to get what, as a parent, what I thought we needed is that we had to go through the system. And that is the only way. So sometimes it's just access to what we think is the right choice.

Colin O'Neill: That's a good point. I want to look into these cross roads these decision points where the nexus point is for other system involvement. One of the systems we look at upon referral is diversion is that this kid might be suffering from mental illness, how are we going to leverage the diversion or some of this piece in order to get them into the right program. So many of the officers are trained to do brief screening and assessment for mental health. we do the ACOJ and we do some other screening and we do a lot of referral. Part of the diversion is you know if you go to that system and you go get a substance abuse assessment going to treatment, that's a way of kind of diverting him out of our system and pointing him in the right direction.

Jill Ward: Margaret, and then Mallory and then Greg.

Margaret Micolichek: I work with the diversion program working directly with JCCOs. But I think we also need to take a step back and look at local law enforcement because oftentimes they are the holdup. The event could have happened in November the referral doesn't come to a JCCO until January, February and it's three or four months out since that youth committed the act whether they're doing informal or they're given the summons they are slow in getting those referrals in.

Yes, DOC has a 30 day time period in order to make the referral but oftentimes, by the time we get the kids into the referral through a restorative process it is four or five months out and they have been sitting on that trying to figure out what's going to happen, you know where am I going to go? So we need to take a step back when the crime originally happens and how that comes into the system. So the work that in particular restorative justice project is working on, is working with local law enforcement to make direct referrals to a restorative process. So that they do the work with the victim and checking in with them to see if they would be interested in participating, getting admittance from the juvenile that they have committed those acts and then we can take them through the restorative process and its completely stays out of DOC. So

I think that's another avenue where we can look at diversion, but also how do we collect those types of statistics to look at the law enforcement making those initial interventions.

Jill Ward: That's great I was not aware of the delay in some jurisdictions. So Malory and then Greg.

Malory Shaughnessy: You were talking about screening and group intervention, are you screening for things like trauma, ACES is that happened on a regular basis or anything like that?

Colin O'Neill: We are not screening for ACES or anything like that. I think we're looking to referring out to so we see that there issues we will referral to a case management form.

Malory Shaughnessy: What all is being assessed to refer for that treatment for mental health or that trauma what all your using to assess that?

Colin O'Neill: I think looking at the criminal act and get a sense of what is going on, if it's a family conflict if there are issues, the juvenile may be using substances, are they self-medication, check the mental health conditions. In general terms we look at the nature and talking to the family about what's going on, usually most it's the tip of the iceberg. It's usually needs that aren't being met, that the JCCOs are homing in on. So that's in the intake process, the preliminary investigation. It's not formalized yet.

Greg Bowers: These intersections are interesting I'm wondering about education and we're seeing a lot of referrals that Day One for residential programs, directly from school now much more. And they're using it as a diversion from school expulsion so I'm just curious what that intersection is with your folks and how closely that's linked.

Colin O'Neill: I think that it's linked further down the road. So I think as we get out of diversion we start talking about probation. I think we do a more in depth assessment, a risk assessment that looks at education, how someone is doing in school are they going to school are they thriving aren't they not doing well do they need some other support. The school is a major player in the success or the outcome of a young person. I think at the diversion level and that the referral it's a basic interview and if its goes on to court and the youth is put on probation we do risk assessment and then we are required to have a relationship with the school.

Greg Bowers: So would this committee be interested in looking at upstream diversion strategies through education. I would think would be a good.

Jill Ward: I think that's a system thing that's going to come into it. I don't know how deeply will be able to get into it but I think identifying it is important. And I wish the Education Commissioner we're here as it did come up with the first meeting, I think I Alison raised it, about municipalities generally needing to be more engaged and sort of the way the education system works. It's so local that way and gets more superintendents into this conversation too. So I think there's some opportunities.

Greg Bowers: Just seems like a diversion tool that could be very effective, the alternative schools.

Colin O'Neill: I definitely think that as we get further, deeper into the system there is more of a dialogue, a relationship with the schools.

Susan Deschambault: I'm glad you brought that up because I've been thinking about the same thing. But what you said do the schools who refer to you expect you to do some of the educational piece as well?

Greg Bowers: Yes, so they attend school there in our program.

Susan Deschambault: Attend school where?

Greg Bowers: Right within our programs with the school district providing resources. To them it's not an additional cost to them because the schools paid for and it's a resource that they can use. But a lot of schools I don't think know all the resources out there, so there's a lot of Education and a lot of connecting that can be done.

Susan Deschambault: I'm glad they are having the conversation. My son is on the school board in Biddeford, he's the youngest one there so he does not like to expel people. He says he's been suspended enough times and he's a good man now. But I'm glad they're having the dialogue because there are still schools with members who just want to send them to Long Creek, but they are looking at and a lot of us have been around for 40 years and I've held back because I know the history. It's cyclical. It wasn't the victims that stopped the having resources it used to be the DA they were the most powerful group in corrections. If the DA didn't like what you were going to do you didn't do it because you didn't want to be in the front page. Now we're fighting back in the dialogue and in the community and restorative justice so

Michael Brennan: Well this past session we passed a bill that Victoria put in required education to develop a model discipline policy to minimize suspension, minimize expulsion, use restorative justice techniques, and strategies and try to utilize more of those Community Resources. The intent was to do a little bit of what you're talking about to have that initial diversion occur within the school, the discipline occur within the school so that you're not ending up in the criminal justice system

Margaret Molichek: Can I just add to the education piece is that the Maine Education Association has started a group bringing in educators in to talk about, this is the case brought in by a superintendent, how can we use restorative justice practices to all the schools in Maine that are interested. And a lot of the issues in schools is the capacity to be able to use those processes within that school have it be in the forefront of the climate and culture of that school to be more restorative rather than pushing kids out.

What often happens is they don't have the capacity to maintain those relationships and offer the kids the services. So the school struggle with what is available. Just like Greg is saying they don't have the resources available, they get to crunch and it's just like, they fall back into old habits just to isolate and eventually push those kids out of school. So I've been working with Rockland which used to have a really high rate of expelling kids and for the last four years they have been bringing in restorative practices, they have almost a zero expulsion rate right now. And so if we

can help the schools build the capacity to take the time I think we can divert a lot more kids and get them the services that they need. They want to be in school. I thank you for that bill which is really helping to incentivize.

Jill Ward: Julia and then Rodney.

Julia Sleeper: So to comment on a pilot that we ran the past year. Essentially that was exactly what was happening, I mean Lewiston is quite a vulnerable district as we all know. But with the behavioral dynamics in the school, with the responses, the policies we all know what's happening. So naming honestly that the capacity is just not there. And even in some cases the interest and will it's just not there for some individuals is just not there. So what we were able to do is pilot a model this year in which Tree Street really engaged in restorative practices and that is sort of the natural and we also have those deepened relationship in the community as a community based organization. We were able to meld that together. So teachers, we actually piloted a school program at the center this year, it was for 25 students who were off track to graduate mostly due to behavioral or social /emotional tendencies or academic disengagement. 65% of those kids had MDOC numbers. You know it was the same group of kids.

What was really cool about that was we had some really great Innovative. Educators, you know, that were wonderful and were able to develop a really unique curriculum. But simultaneously we had staff that were essentially that were doing all the restorative work with kids so when kids came in or blew out of a class, the teacher doesn't have to stop what they were doing, the administrators weren't even on sight which was honestly very helpful. Because what it allowed was Tree Street staff to be able to work with those kids using the relationships that, I'm not your teacher, I'm not grading you, I'm not an administrator, I'm not putting anything on you and that sort of melding of Community Partnership led to like tremendous results with 7 of the 10 seniors catching up and graduating on time. And that was just in a pilot year with 25 kids.

But to see the greater impact in Lewiston that changes the graduation percentage rate by almost 2%. Because it only takes 4 more kids to graduate each year. These are like nuanced things but it really came down acknowledging the capacity isn't there. So who doesn't have the capacity to do this and it was at a fraction of the cost. I can't even articulate how cheap it was comparatively to having to do it in the same nature as the way the schools would have been able to.

Rodney Mondor: This was a while back as a parking lot component but maybe and have a talk with you in regard to what the schools and what the truancy policy and the fact is that there really isn't. I received a letter saying I was going to be charged for truancy. I was like what? And when I pushed back they and said we don't actually have the ability to enforce it. But you send me a letter. How do we work with that kind of created a whole thing, we go to avoid this, and then when push came to shove, he was like, hmmmm. So maybe it's working with you about the education that's all part of it.

Jill Ward: And let me just add there are a couple of you in this group too to add another group that is doing some work around the restorative justice stuff generally is the council this JJAG has supported and Colin was at the last meeting. There was some conversation about a survey of schools and who's doing restorative justice and what does it look like because there's a little bit

of a question. Some schools say they are doing it, but they aren't really doing it. Not to disparage, but to be really clear that there are some quality issues too and it comes to making sure you're actually doing real restorative practices. So I do think that's another piece of the conversation that can inform at least this front end piece to make sure we're also not duplicating because I know that there's some effort to try to do a survey of superintendents and really get a handle of what RJ looks like across the state.

Victoria Morales: I just want to briefly mention that this bill around supporting restorative practices and creating the model doesn't come with any funding so Commissioner Makin really wanted to get on board with doing this and really believed that they could provide some technical assistance for doing it. But it's really needs to have funding because my husband's a high school teacher and they are meeting in a couple weeks as a high school to figure out how can we have a real restorative approach without any funding, without any money. It's just the teachers doing it because I think that all schools would love to have something like this but again like you mentioned, if you don't do it right then you get the folks who are saying we just have to go back to the old way because this restorative justice stuff just doesn't work. So I think we have to collaborate in some way. And also you mentioned a point, Julia, that I think there are some issues around school not knowing which kids have MDOC numbers and like there some privacy issues around that.

Colin O'Neill: They may not know.

Victoria Morales: Just that there may be privacy issues so school might not even be able to find out about that?

Julia Sleeper: So that was what was interesting because the schools wouldn't, but as a partnership we can. So that's when all the sudden kids are missing school because of court dates, or kids are missing school because of all these required things, or they are freaking out because all of the community service isn't done in time. That's why they are not in class and that's why they are freaking out and having a meltdown, or the parent is showing up at the door and it's important. That was the cool part was like basically the schools couldn't understandably so and justifiably why, the community partnership was sort of able to pick up the difference while still respecting the privacy for, also still allowing the teachers to assume that the kid was just grumpy that day or skipping school are claiming they have this when they didn't. But you know it was just like an interesting approach to the blending. While still honoring sort of the privacy and policies that schools should and do have for reasons. But simultaneously, still getting the kid what they needed. So complicated.

Jill Ward: I'm so happy were taping all of this and make sure we are picking up on all of the themes being brought up.

Colin O'Neill: So we can go to the next slide. As we move down into that diagram. What we mean by that is that now if the youth isn't diverted they are sent to court. I want to say not every case that goes to court ends in an adjudication or in commitment, or in probation or anything like that, the court often times does its own "diversion" and all that, so even if the kids get sent to court it doesn't necessarily mean it's going to end in a disposition where a youth is committed or on probation. So when a court gets a case they can do their own piece of that.

The DAs in the room and the attorneys also can chime in. I just want to keep moving down the line as we go deeper into the system to supervise youth. Primarily supervision is probation, so a kid is adjudicated or there is a sentence or disposition and they can be placed on supervision or probation. All the things that we talked about around diversion and things that could keep things out of the system are also very salient in probation. So I want to keep that nexus of systems and programming, health and human services, education alive and well because there still part of this process and more so as the deeper the kids get into the DOC system. So when we look at supervision violation, probation violation and all of that I think the conversation we just had about violations, one of the primary violation of probation is kids not in school. For whatever reason. I would argue my two sense on this, these zero tolerance rules around suspensions and expulsions really hurt a case. If a youth isn't somewhere during the day it's an unhealthy place, then where are they going to be. It really sets them up for failure.

So whatever we can do whether or not its legislation or programing to keep them in school. Programming that's someplace they want to go to is really important, because we can refer them to therapy we can refer them to doing some community service things, but therapy is an hour a week. They are in school is 6 to 7 hours a day. That's a huge protective factor, not to mention what happens after. Do you graduate do you move on. That conversation is real. When we look at violations and violations rates, its gone up. We believe the reason why it's gone up is because the number of kids on probation has gone down. So the kids that are in the system are higher risk, so that's our take on it.

Ned Chester: So this is only kids on probation. You have supervision for essentially bail, and in between the time your charged and its adjudicated. So those kids are not counted. And you have supervision for kids who are on deferred disposition. And do you have a sense of what the numbers, how many actually end up on probation?

Colin O'Neill: I don't know. I can split that number for you and we can tease that out.

Ned Chester: But there is a much larger number, probably of kids who are on conditions of release.

Colin O'Neill: We have that number deeper in the slides and all that. As of today all of those things you described we have 585 kids on some type of supervision. The number of kids just on probation is a lot lower.

[?]: As we are moving through this process chart, the informal adjustment over here is the district attorney?

Colin O'Neill: no, well yes and no. The informal adjustment is part of the diversion. So what happens after the 30-day preliminary interview, investigation then usually what happens 85% time the kid says yeah, I made a bad decision. The parents are there and they come up with an agreement, if it's a crime that can be diverted, they will make recommendations to the DA and say they're going to do an informal adjustment, they're going to do 10 hours of community service their going to go to counseling and that's the recommendation so that's how it happens. So that usually happens within 30 days.

Alison Beyea: Quick question about probation lengths, I know back in under JDAI, when Representative Brennan brought JDAI, there was a big question on juvenile detention alternatives initiative. There was a big push to reduce the length of probation because of the data said that kids can't keep it together. Were we able to reduce that? Do we have a slide?

Colin O'Neill: No I don't have a slide but I can, I think we should look at that I haven't looked at it in depth like that. If using different months, but I don't know the different jurisdictions that are using six months or less for probation. I can look at that.

Jeff McCabe: Question on the actual caseload. What is the typical caseload for a Juvenile probation officer?

Colin O'Neill: It averages right now at between 20-30 cases give or take. What's important to look at in juvenile probation officers work compared to say an adult probation officer what specific about the juvenile justice system is the pre adjudicatory work the JCCOs do. So the referrals come in the kid hasn't come into court yet. All adults see is post-conviction. The work that the JCCOs do is a lot of legwork prior to helping to keep kids out of court. Bringing the kid, doing the interview making referrals doing supervision, making sure that work is happening. Prior to a kid going on probation. Let's say the average caseload is 20-30 kids maybe $\frac{2}{3}$ of that are kids that are on some kind of probation the rest are really in the mix

Greg Bowers: Do we have demographics or profiles of what these 585 look like in terms of treatment services being provided, family involvement. You know just how many are on waitlist for services. I think about MST or other interventions, maybe not for today.

Colin O'Neill: I think it's a great question, when I became the Associate Commissioner I was bewildered when I found out that we had 500 kids or 400 kids on probation and then we never even sent them a letter or anything when they got off probation. Wow, what a missed opportunity, we don't really know what works. We're thinking, well maybe it was this maybe it was that.

Maybe a little over a year ago with the help of Muskie we created an exit review process. So what we did is start attaching data, unfortunately it's post-probation, but we looked at all that. We looked at all the services that were utilized. We asked questions of the kid, of the parents: what was the relationship with your JCCO? Was it helpful? Was it not helpful and all that. And so we created this report and it was our first attempt to look at youth on probation and about what service did they utilize and did they improve in their emotional, social, are you getting along better with your parents? All these sorts of things, did they improve in educationally, did they advance a grade, did they graduate, did they hold a job and all that. It was our way of measuring success beyond recidivism. It's one thing we wanted to look at and say gee, it's more than just whether they came back into our system, did we actually help them, and improve them and make sure they're growing into a successful adult. So there is that and I can get you a copy. Or we can put it on the website, and it's our attempt to look at it. So you can see that the majority of kids that left probation were in fact in mental health treatment, substance abuse treatment, MST, a lot of programming that we share with DHHS. So it was really the first attempt, say okay where we need to improve our practices on probation. So does that answer your question?

Greg Bowers: Yes.

Colin O'Neill: I would just like to add to that too. You know we get these young people that come into the system through probation, we give them all of this support, people to checking on them, giving them Kudos when they're successful and then their probation ends and we take them back out and we say, see ya! good luck, I hope I don't see you again.

Margaret Micolichek: We also need to consider and people talk about the continuum of care. What happens when they're down with the organized system? How do we support them? Do we have more Tree Street types of organizations that can give them a home to go when things start to fall apart. So in working with Long Creek and bringing restorative justice into Long Creek, one of the things that we initially had in that process was to follow them from Long Creek out to the community and say we aren't part of DOC when we come to the community so you can always come back to us if things start to fall apart, and we have had kids come back and say I'm struggling in residential treatment can you come and do a circle with us and give us that support. I think we have to think about what we can have in their communities, or circles of support or whatever we want to call those so that they have a place to go on things start to crumble. I think that's a really big piece that's missing and we expect them to be adults when they leave.

Colin O'Neill: I think that is probably one of the biggest challenges that we have. I think Alison alluded to it that we don't want to prolong supervision, right? The bottom line is that there is an intervention, they make recommendations, the kid follows through with it, we don't want probation to last forever, because you will find something wrong, you will end up in the deep end of the system. But you also want these kids to thrive and they're still growing and the identified issues, and the support that maybe they had on probation, what the difference between success and failure and when that probation goes away how do you maintain that level of support without that piece. That's a challenge that we have. I don't think we've figured it out.

Rachel Talbot Ross: The other think I wanted to add about that is I appreciate the point but we've been talking about this for at least a decade. Round and round we go. I remember putting in a bill drawing them both because there wasn't the political will or the funding to go along with any of that transition. It's not, I think we all agree that's where we need to invest, but the conversation for me at least, is where is the political will, where is the investment? Because we don't need any more models to tell us that that is the right thing to do. I think everyone around here is invested in that. But there has not been the political will, or the state has not determined that this is a priority, nor invested in building up the capacity of community that are not for mainstream white kids. So I just think that we need to put a narrative around this because it is not new, we just haven't done it.

Michael Brennan: Just to interject a strong bias I have. I didn't want Colin to skirt over this too quickly. I'm sure the umbers haven't changed dramatically, in 2010 50% of all the people that are in our adult prison sister were high school dropouts. And generally speaking in the Maine public school system K through 12, 15-18% of students have IEPs for special education, at Long Creek it runs 70-80%. And so it's incredibly important to have a system of chare that works but

even more important when you fall behind in school they don't catch up. And if we're not talking about that protective factor that you mentioned about having youth in school or at least in continuing educational progress, and I'll just say this with Greg here, all the substance abuse counseling in the world probably isn't going to overcome that education deficit. So I just want to make sure that we continue to have that on the table while we talk about building out this Continuum of Care and community response, that if we don't have a continuing education plan for continuing to make progress on the education side, you really struggle when that youth gets be 18, 19, and 20.

Colin O'Neill: To that end, I think the primary, kids are on probation that is where there is a significant amount of overlap, crossover, and referrals to activity to education and behavioral health programing. To me my experience success or failure on probation is really dependent on those services and those programs. Primarily in my experience, home based treatment programs. When we talk about multisystemic therapy, talk about functional family therapy. These are intensive home based treatment program. Home based is where the treatment team comes to the youth and the family. It can be up to tent to 20 hours a week that they're in the home. They're intensive, their evidenced based, and so those are some of the primary programs that we refer to that we are dependent on. These keep kids out of the deep end of the system. Obviously substance abuse treatment keeping them in school, keeping them in vocational training. Those are primary pieces as well

Victoria Morales: Do we measure poverty in any way within the juvenile justice system? And what I've been focusing a lot on this session has been housing, and establishing that basic foundational support whereby education, you can have the best education in the world, but if you don't have housing you can't access that education system. So Greg is talking about going upstream even more, and if we don't measure it we don't know. My guess is a number of youth in our system have lost housing a number of times with their families are living in poverty and therefore they've never been able to establish those roots needed to grow in an education system. I know in the system my kids go to which is in the Long Creek district. Since last year my son was in second grade, 3 second grade classes and eight kids moved in and out of the classroom. So they're going to other schools and they're falling behind no doubt. And We know it's related to poverty its housing related. And we know the school don't keep that data, the DOC doesn't keep that data. I'm not sure about DHHS about keeping that data. But we really need to drive down the what is the root causes of this, to go as far upstream as possible.

Susan Deschambault: You know you focus on poverty, I keep going back to my superintendent of schools was telling us for the last year and a half that 80 of the high school students are homeless and I don't if its poverty, abuse, drugs, what have you and just as he was focusing on what deal we wanted him to do was get statistics on truancies and he says I don't even know where they live. That was not the issue, that was a departments issue, the truancy, yes that's his issue. I don't want to take that away, but that's a phenomena. The kids really help each other. Someone might come from Portland and all of a sudden he's registered at Biddeford High School he makes a friend, the parents take him in. It's not your 1950 family lifestyle.

Michael Brennan: We have 2500 youth in our K through 12 systems that are homeless, and in the state of Maine.

Jill Ward: I was just going to say that some of interesting solutions should take that into account, but aren't programmatic not sticking a kid in a program but how do you support that kid in their community in their chosen home and keep them in school. It's a different way of thinking, I think, for most agencies who administer programming and I know that there are legitimate programming things that have to happen to meet specific kid's needs, but I think what we're talking about is recognizing we're not going to solve poverty or housing, but these are crucial elements and if there is a way to spend resources that address those needs that might not look what we've been doing.

We might need to get comfortable with a different family dynamic and helping support that kid in that place. If we know the outcomes are working. I think some of that is, we're not going to fix education, we're not going to fix everything. But I think we with the kids that have the behaviors that get them to this system, to try to respond in ways that are community-oriented that are different; that are a little more flexible. I know this is going to require a little more political will to think that way. I hear Representative Talbot Ross's comment really clearly. I think that what you're describing is the way we need to start thinking about it more.

Michael Brennan: Central to what you just said Jill, which I think is important, and I think Colin understands this. Commissioner Sauschuck and I worked on a project in Portland. The primary purpose of the program was not to have people be in recovery, stop using drugs or engaging in certain behaviors, it was just to have them stop committing crime. And if we had as an outcome as a state that everyone was going to graduate from high school, then a lot of these behaviors that you hold youth up for probation, become secondary to the overall goal. I think that is what you were trying to say was that if we have an overall goal of youth staying out of the criminal justice system, our overall goal of completing school then we look at all the supports and other things to achieve those overall goals and we don't get caught up in some of those behaviors that we would look at us probation violations.

Colin O'Neill: Well, I would add that Representative Morales is right on not being in school is not being at home. So what is home? So we're going to say you need to be here. Mom and Dad's or residential group home program and all that. We've got to be rethinking. The goal is the kids going to treatment, he's going to school but you know what, the couch surfing we've got to be good with that. Homeless piece is huge on that and from our experience, it's more about where he is? Well we don't know, but he's checking in with us, he's doing okay he's hitting all these other areas. Traditional probation, that's a violation right off the bat. So we have to think, that's the nature of some of these kids and girls in particular were finding out, that there's a lot of issues, that home may not be safe place for them to be and it's okay that they take off because they are being safe if they do take off. That's a protective factor and shouldn't be a violation. I agree with you that we need to think about our policies and practices in that sense.

Patrick Corey: So people are saying that they couldn't a lot of real information on truancy and absenteeism I have this great client in my professional life outside of the legislature who does this in Maine. And she runs has organization called Count Me In and they're actually looking at this and working with schools and they actually improved these rates and she might be a resource in that area, her name is Susan Lieberman.

Christine Thibeault: She's been involved for a while. Malory and then we'll get back.

Malory Shaughnessy: I just want to follow up on Representative Talbot Ross's point that we really have to name that this is going to be an investment, we keep paying for what we have to pay for when we end up with a kid who is incarcerated, when we end of with a kid who's in different places. We have to pay for those times but we have to spend the investment and we are going to have to pay more money out and more resources out to shift this huge, titanic ship before it hits the iceberg. We have to invest in it so we get the long term savings. But we do have to have the political will to actually not just talked about different ways to arrange the deck chairs and thinking differently about, well if we try this little manipulation here that here we have to think of it in terms that we have to investment to see those long term. And it's in the continuum of care that's in those community supports and that in the residential. But you have to really name that and put that on the table that this is not going to be just a net 0 shift of resources, we're going to have to invest for a time to see the long term savings. And I think that's really critical that we be clear about that at this table.

Rodney Mondor: Just really quickly. The dean, the d.. I forgot the letters, they had a meeting yesterday at USM and they were sharing with the governor's office the statistics that we are basically a dying state. We're dying faster than we're giving birth. They were showing that there was this increase of immigration from other countries as well as other states. But I think this may be a time as the investment and say okay we've got potential we have kids; we have youth who could be future employees. Now we have to start investing, just with our juvenile justice system, just with our schools I mean everything gets cut. The first thing that gets cut is investment in our schools and investment in our kids. So I think this would be a time to tie those two up.

Jill Ward: I think that's right.

[?]: Just to the investment piece, there is research out there that we can tell when a child is 3 years old whether they are going to end up in the criminal justice system. So why is it that we don't invest in that early childhood place and follow that kid all the way through the system?

Jill Ward: Well I'm going to just punt it over to the children's cabinet to answer that question because we are staying squarely in the 14 to 25ish age range. Happy to contribute to that piece.

Sarah Gagne Holmes: Absolutely, we are focused on how we can improve outcomes from 0-5, 0-8 we haven't landed on where that cut off is because its until your 20. And we are also looking at older kids and how youth, the various departments that are part of the children's cabinet, how we can pool our resources and put the kids in the center and make sure they have what they need.

Jill Ward: So we are at the end of Colin's time, but there is always wiggle room. So if we could let Colin get through this presentation because I do want you all to here Mark and the work plan. And you have a preliminary schedule of task force meetings and some of the beginning conversations we started to have about how about what the next ten months look like... so go ahead Colin.

Colin O'Neill: So the next slide please. Some of you may know this, some of you may not. There is a very clear distinction between detention and committed. Both are, in the State of Maine, at the same place. They are both at Long Creek, at other states they will use other facilities to separate out detentions versus committed. Really the difference is most detentions are not adjudicated youth and for youth that are have been arrested and that there needs to be a decision made as to whether not a kid should be released or needs to be detained. If the youth is detained we are required have youth within 48 hours, working hours in front of a judge in order to look at the detention. JCCOs are the primary drivers in a sense that detention where kids need to meet purpose and criteria.

But there needs to be a purpose of it, in the sense of what is it going to do, is it going to ensure the youth shows up for court, is it for the public safety, is it for the safety of the juvenile. So those three questions need to be asked and answered. And then the criteria, in a sense that it needs to be a crime that is actually detainable. There are some criminal acts that aren't actually detainable. So that's primary the use of detention. There are a number of youth in detention that are not there for those reasons. There are youth that are there who are probation violators. If a kid on probation commits a crime and there is a public safety issue, the kid on probation can end up in detention until a team can be put together to make some changes to that probation and release him back in to the community. Or the kid can remain in detention waiting a forensic evaluation, waiting some kind of court order.

And another reason a kid may stay in detention is that they may be awaiting a placement. They may be waiting, that youth may qualify, that there needs to be in a mental health placement or residential program. And so in the state of Maine often times 10, 20, 30 percent of the kids in detention are waiting placement. That the placement was available they would not be locked up. So that is pretty much detention in a nut shell. The average detention lasts 10 days. The longest is over a year. Those are primarily bind over kids, those that are waiting for court proceedings to take place.

Rachel Talbot Ross: So not even adjudicated, not even sentenced, spending a year in there?

Julia Sleeper: Do you have the breakdown of the why?

Colin O'Neill: The why? No, I don't have the breakdown of the why. So today there's about 19 kids in detention. It can flux in any given day or week from 5 to 10 kids give or take.

Rachel Talbot Ross: We don't have any tracking as to why?

Colin O'Neill: We can track it in the sense.

Rachel Talbot Ross: Because that would be pretty interesting to see. Who they are and why and how long.

Christine Thibeault: So just to answer Rachel's question, in Cumberland County we have a form that takes about a minute and a half to fill out it every detention hearing and we collect data like, on things like is the kid in school are they frequently absent, are they suspended, expelled are the parents homeless are their concerns about drug addiction in the home. We have some

very rich data about why kids are there. Obviously the basic demographics: do the parents speak English, if not what language do they need to have an interpreter for. All of that very rich data and I've been trying mightily for fifteen years to get my colleagues in other courts to adopt that. For me, a minute and a half of my time and I have this very rich data on why kids are detained. Whether the parents will refuse to take their kids home. Believe it or not some parents will take their kids home after they've violated the law. I think one of the low-hanging fruits is getting the form standardized.

Rachel Talbot Ross: Because if you don't know that how are you making all of these determinations about what happens to the youth. You don't have all the information that should determine the next step.

Colin O'Neill: The system does, the probation officers, they have that information and the judge gets it.

Rachel Talbot Ross: But not all that other detail that Christine is talking about?

Jill Ward: It's not being used in any way to inform practices. It's a case by case. It's not being captured.

Colin O'Neill: Okay I guess, but I just want to say, so we mentioned JDAI all the mentioned all these things these detention numbers that's just 5 years if you went back in time 10-15 years it would be a ski slope. And so that's driven by policy and a practice shift since that. JCCOs are the primary driver are ensuring that the kids go home, and there needs to be a significant public safety risk in order to lock kids up. So historically we overused it and with our connection with JDAI we use it much less than we ever have. IN that sense we use the data all the time. We also are supervised by our managers oversee our JCCOs use of it. So the kids that are there, those kids that can leave, leave and the use of detention is used few and far in between.

Rachel Talbot Ross: If we have information as we have been harping on all morning. It would be helpful to know the other players in that child's life also has this information so that everyone is moving at the same pace trying to protect the health and safety of the juvenile. All the places where they touch, education, DHHS, Health all of these places understand what is happening with this individual. And I don't think that's how it's happening now.

Jill Ward: And I think not all of this is, some of what I think is being said too, is that it's not public. And it would be useful for everyone to understand what the system is doing. Families to understand. I think there is a lot of stuff that people just don't know and this feels very opaque to a lot of people. I think it's fair to say, especially the end-user.

Allison Beyea: Colin I think it would be really helpful to have more of a breakdown on disparities because that graph doesn't really, does not really reflect how horrific the disparities are by race. And what we are seeing nationwide at the ACLU is that were making a lot of reforms and what we're are not touching is racial disparity. Whatever we're doing is not working, so I think it would be really helpful, and it's something that is often forgotten amongst the conversation. We notice those percentages really have made progress; the girls have not moved much. I'm sure Mark, that is a huge part of what you are going to look at, why is there a

certain community that we're not able to keep out of the system. Even though the numbers are small its deeply and morally troubling.

Colin O'Neill: I think it's a great point and you weren't here when I said it that we hold to disaggregate the numbers to show, because we don't want to get a false sense of success. And yes a lot of numbers are moving in different directions. And that we want to pay attention to those populations.

Alison Beyea: And the percentages I think are helpful to show. Maine has some of the highest disproportional rates in the country. And you made progress in the juvenile the system. Sorry if I missed that.

Colin O'Neill: I agree with you in that sense and I think that the reason why do it is to try not only state why, because that doesn't helpful with the story. There are a lot of variable within certain cities and towns and courts where referrals and that's where we target...

Jill Ward: So Colin, I'm going to ask you to go through this slide and then we are going to hold questions so we can get through the data presentation. If you have more than them to me. I have put that in several emails or jay and they will get incorporated into the transcript.

Colin O'Neill: So commitment in Maine the juvenile justice system has indeterminate sentencing. Youth are committed to a maximum release date so typically from 16, 17, 18 up to the age of 21. So, if a youth is committed they usually get a year to two years commitment that we could potentially hold a youth in Long Creek for that period of time, but it's an indeterminate sentence. So that means if they do well, if they do a program and we can transition them back into the community prior to that we do. And so here are the commitments of the last five years. Last year results, the lowest commitment that I've ever seen in 20 years plus I've been in the system.

This year we are certain to see a little bit of an uptick, but commitments by July of this year are a lot lower, but the numbers of kids that wind of int he deep end of the system is getting lower. So that's great news but what that doesn't show is who does wind up there. So I just want to lead again of the theme of we don't live in a vacuum, and the kids that wind up there and the kids those you see in court and the report that we published from 2016 the profiles report of the youth that were committed at the time. I think we took a little over 50 youth and went back 7 years looking at mental health treatment that the kids received prior to commitment.

We found and I think the ratio and percentages are the same today, 30% came directly from residential treatment. That means they left Sweetser or one of those programs and came directly to Long Creek. 40% had at least been one place in one of the residential programs prior to commitment and at least 50% had psychiatric hospitalization prior to being committed. So I think that illustrates the content of the kids that are there, and it's great that the numbers are going down, but the need is high. As we start to tackle this problem of who's at long creek the gaps not only in corrections but also in the behavioral health system as well. That's about it.

Jill Ward: The report that Colin mentioned, and all the reports that have been mentioned we may send a resource list to all of you can link to them. It'll also be on this eventual web page

that we've yet to build but be able to check those out yourselves. So, if you need to take a minute and take a break that's fine. We are going to move right into Mark's presentation. We have an hour, if we finish a little early that's fine. But I wanted to give Mark a little bit of time to talk about how the work is going to be structured over the next ten months.

We will at the end before we break, briefly go over the outline of the schedule and talk a little bit about that and also get any kind of feedback from you all on what you don't see there, what you want to see there, what questions you might have as we start to really flush this out with the goal of by the July meeting really having a concrete work plan with a whole bunch of different strategies put out over that calendar time frame that will require engagement from all of the task force members. So Mark, why don't you talk a little bit about who you are and what you're going to do.

Mark Soler: I like I'd like to do three things; I'd like to do who I am, and my organization and what our experience is, second what our plan is for doing this assessment, and then third have plenty of time for questions. You all demonstrate you ask good questions and good meaty ones to get into. I have to say as someone from the outside listening to the last 2 hours to me it's very impressive the engagement that you have. I tend to think that the success of this endeavor is going to depend on that engagement.

We can crunch numbers we can look at that we can look at what services are needed but it's really the political will as soon as this race, and the engagement of all of you and key stakeholders in the state and at the local level that are going to determine whether this is actually going to work. We've done work with other jurisdictions where there's a lot of studies and they end up on the shelf and not doing anything with them. It's clear that nobody wants that to happen here, you want something that is practical and is going to lead some needed changes in the system here.

I am an attorney; I am the executive director of the Center for Children's Law and Policy which is a small nonprofit in Washington DC. We've been around for 13 years. I started doing this kind of work about 40 years ago in San Francisco at the Youth Law Center which is a nonprofit public interest law office, and we grew that organization and did work all over the country both in the child welfare and Juvenile Justice systems. I moved from San Francisco to Washington in 1994 as way of opening up a Washington office and then after number years, 13 years ago we broke off and on the separate non-profit. So that's what the Center for Children's Law and Policy is we work in three major areas: one is to reduce unnecessary incarceration of young people we were very active in the Annie Casey Foundation's Juvenile Detention Alternatives Initiative (JDAI). JDAI is 27 years old this year. I was involved initial planning before JDAI actually started so I've been involved with it the whole time. For the last several years my organization has been responsible for managing JDAI in about 15-20% of the sites. So at one point we were responsible fifty-one different JDAI sites in 17 States. We are now narrowing the focus to focus on where the most creative energies are coming in. But my organization is part of the management of JDAI.

I am continuing with the foundation and two other organizations we set the policies and practices. JDAI is now probably the most successful reform initiative in the history of the country both for being going on for so long, but also it has affected more children than other

initiative in the country. JDAI started with five original sites and now is in some 300 cities and counties around the country. It's at different levels obviously not exactly the same level at all the sites, but all of the sites have made use of the basic core for strategies of JDAI which means they have done data collections. They've looked at their alternatives to secure detention. They have created a governing body of like this they are collecting data and using that data to make decisions about how they use their resources within the system. They also have looked at racial disparities within their systems they looked at conditions inside those detention facilities. It's a very good model and has just affected an awful lot of people around the country. So that is the reduction of unnecessary incarceration of young people.

The second area we work in is for those young people who are incarcerated we work to ensure that they're safe and humane conditions. At the beginning of my career and before I started working on children's issues, I was a litigating attorney focusing on civil rights cases. I've done a lot of litigation as part of the Youth Law Center mostly on abusive conditions of confinement. And that work has given me a lot of experience going into juvenile facilities. I've probably been in more juvenile facilities than almost anybody else in the country because I've been doing it for so long and stayed in the field. But also it's an interest of mine. I got upset the first juvenile facility I went into 40 years ago and I'm upset going into juvenile facilities now.

So we do a lot of work through JDAI on conditions of confinement. We worked to develop a very comprehensive set of standards for JDAI. First for juvenile detention facilities, and then we modified them for commitment facilities. And when we did our assessment of Long Creek we used a version of those JDAI standards. The standards are very comprehensive. The JDAI standards are some 900 standards and when we do an assessment for JDAI are we actually go over every one of the 900 standards to look whether there is conformity to the standard or not and if there's not why not and what could be done to remedy that.

We also have a lot of extra specialties involving conditions of confinement. We have some staff who are expert in PREA, the Prison Rape Elimination Act and how to protect the young people in facilities from sexual harassment, sexual abuse. We do a lot of training of that for juvenile justice professionals all over the country we have a particular interesting ending solitary confinement, a room confinement in facilities. We are leading a national campaign to end solitary for young people. It's called Stop Solitary for Kids. You can go to our website stopsolitaryforkids.org. We are about to release a major report, actually on Thursday, that will look at four case studies of jurisdictions that successfully, sharply reduced the use of room confinement.

We work with a lot of jurisdictions and as we go in and tell people you should not be locking up children in their rooms for days or weeks or months at a time, and the response usually is we don't do it, what can we do? And our report we're releasing on Thursday is at least a partial answer to that. It covers the state of Massachusetts, state of Colorado, state of Oregon, and also with a local jurisdiction Shelby County, Tennessee which is Memphis, Tennessee. And it comes with a lot of data on how they made their reductions but more importantly how they actually did it. What prompted them to do it. Sometimes the federal government is knocking on their door, sometimes there was a tragedy in a facility, sometimes people just realize there were doing things the wrong way and wanted to make changes.

It involved getting staff on board which sometimes can be a challenge. Staff who lose the ability to lock up kids in their rooms often sincerely fear for their own safety. Often they have been using solitary as their go-to procedure when kids get destructive or when kids get assaultive and they're very much afraid and I certainly take them seriously. If they can't use it what's going to happen am I going to be in danger of getting hurt?

So any kind of Reform involves making sure the staff get the right kind of training, so that they know how to handle themselves. These issues always involve whether there are enough staff. Many, many juvenile facilities around the country are short-staffed, they have to have staff on involuntary double shifts. That means staff has to be at work at 8 a.m. is ready to get off at four and at three they're told. That leads as you can imagine to staff not coming in at all on the Friday of the three-day weekend or before they have vacation planned it exhausts the staff. Working in a juvenile facility I think is one of the hardest jobs in the country. I usually say the hardest country to do well that are low paid for the work and are less appreciated by the public, are working in a juvenile facility, being a public school teacher and being a police officer.

So it's hard it's hard to do that work, and it's hard to do it when you don't get enough sleep. And I talked to lots of staff who have work double shifts, double shifts multiple times a week. And what happens is they lose patience and so after in a 14-hour I really don't want to listen to the news going to complain about something. They're going to get him out of the way so they don't have to deal with him.

These issues of solitary also involve how they use on mental health clinicians who were in the facilities. It looks at whether there's an effective behavior management program in the facility. The best behavioral management programs are based on incentives, rather than punishment. Most facilities don't realize that. We even know that the ratio of incentives to punishments should be about 4 to 1. the research shows that the maximum effective leverage most places don't do that and so we work with them to help them do that.

The third area we are working in reducing racial and ethnic disparities in the Juvenile Justice System. We started this, I started this work more than 20 years ago she needed when the MacArthur Foundation do their models for change initiative, my organization coordinated all of the work to reduce racial disparities. So we worked with 17 counties in eight states over course of 8 or 9 years. For the MacArthur Foundation we've also worked in Connecticut looking at racial disparities in the four major cities in Connecticut. We've worked in Maryland. We work in a lot of other states on that. We have a contract from the federal office of Juvenile Justice and Delinquency Prevention to provide training in technical assistance on reducing racial disparities.

We have a project now funded by the Kellogg Foundation. We're working with four police agencies that are trying to reduce racial disparities in what they do, including Baltimore city, which is a, has had many, many problems its very challenging, but we are getting in there and working with the police department with community stakeholders and with others. As part of that process I do work in Lake Charles, Louisiana, working with police department. We've already done some training with them and looked at their data because the data issues have come up. If you look at where the juvenile arrests are in Lake Charles, Louisiana, and look for the public housing projects are they are in the same places. They actually cluster around the public housing projects, because there's actually nothing for the kids to do at night. So they

tend to hang out in the parking lots and then they get boisterous and some start drinking, and they get loud and then the residents called the police to come in and break up and the kids get arrested and pick up records that way. And there's actually ways to solve the problem without resorting to the juvenile, criminal justice system.

So we work in all these three areas are and all are clearly relevant to doing this assessment. I read the transcript from the last meeting. I can see the kinds of issues that all of you are concerned about and so we're going to try to address as many of those as we can. As you know we did a very comprehensive assessment of Long Creek and made a lot of recommendations about how to improve conditions, policies, and practices in that facility. But as we were doing the assessment, we also looked at who were the kids who were in Long Creek, why were they in there.

And we had limited information we didn't have the ability to go deeply into looking at them I think we'll do the work that is part of this assessment. But even from a relatively brief look at the data of who those kids were at the end of our assessment we thought of the 81 people young people who were in the facility on the days that we were there. Probably half of them didn't need to be locked up at all and the rest of them would do much better in small secure programs, the programs might be 15 or 20 beds. Their research shows very clearly shows that those kinds of programs are much better for young people. If our goal is to reduce recidivism. They have much better result and recidivism just in terms of thinking about what it's like for the children they're much better in small facilities, small programs where the staff can have much closer relationship with them, rather than large facilities. Large facilities I've come to learn over a long time working on this facility is inherently depersonalize everybody who's in them. And so the staff end up doing things to the children that they wouldn't do to their own children in a hundred years and yet they get caught up in the role of guardians in a prison, people do things they just are amazed that they would do they would never do with you talk to them about it beforehand and there is something about the environment in big lock up facilities that makes it bad for everybody.

So the field is certainly moving in the direction of closing large facilities. For those children who do need to be locked up and there certainly are some. that there are smaller facilities closer to their communities and those kinds of things.

The other things that got us when we did the assessment was seeing the children whose lives had been ruined by the opioid crisis. It has haunted me since the days that I was interviewing children, and I'd talk to child after child, 13 or 14 years old who were really raising their own sibling and describe to me sleeping under bridges with parents who were not able to provide any supervision at all. It was just heartbreaking. And for many of those children they were in Long Creek because to a large extent there was nowhere else for them. And to me that's a travesty they don't need to be in a jail for kids because there's no place for them. That's a problem that a different system should solve. And so we're very excited to be working on this assessment.

We have done other assessments there are comparable to this, not exactly similar but comparable. We were asked by the State of New York to do an assessment of the Close to Home program that they did in New York. The Close to Home was an initiative to close most of

the state commitment facilities for juveniles most of them were Upstate. Although over 80% of the children in those facilities lived in New York City. The children were a hundred to two hundred miles from home. Making it very difficult to maintain contact with their families and to maintain contact with their communities.

Under Close to Home, the Commissioner of Juvenile Justice for the state closed 23 juvenile facilities in upstate New York. And NY was able to move the children who did need to be in programs into communities in the boroughs of New York City. Little difficult in Manhattan because real estate is so expensive, but otherwise children from the boroughs in New York City are in communities are in programs that are in their communities, or they came from Manhattan, or a bus ride or subway ride away from their communities. That has had enormous benefits. For one thing they've downsized the system very considerably, and the kids who are in the system for getting very focused specialized care that they actually need mostly in non-secure settings. They're very few kids in NYC who are in secure settings. In detention in New York City, the number of kids in detention in New York City has been running under 30. In the city with millions and millions of people they're doing a good job of using community-based alternatives.

All of this is very important. The model for what we're proposing for the assessment is the model that we've used in JDAI when we start a new JDAI site there's really a process that we go through. Of first is actually convening governing committee to talk about what we're going to do and that's what we're doing right now in real time.

We do a major data collection and we look at two kinds of data one is the quantitative data and so the discussions that we've had here and the data that Colin has presented, are really to me the first cut at the data. When we say that the violations of probation rate has gone up that's a matter of concern but we certainly want to know lots more about that. I want to know why are kids being violated at all on probation. Are there are some criteria are there written criteria or is there an understanding. And if there's understanding, is there a consistent understanding across the entire state or even within a single county about when kids should be violated.

We do a lot of work and our in our office working with jurisdictions that have violations of probation leading to incarceration. Before we started doing our work, when going into a facility, I would estimate before knowing anything I would assume that 60 to 70% of the kids there were there for violations of probation. And that was borne out of data both in detention and commitment facilities.

And there are other ways of doing things in many places around the country children who violate probation with what we call technical violations. Maybe not the first time they miss a meeting with a probation officer, maybe the third time they miss a meeting with a probation officer. The probation officer wants to get the child's attention and so the PO goes into court asks for an order to violate the child, the judge has ordered the child to comply with the conditions of probation and when children don't obey court orders judges want some accountability on that.

I'm in favor of that. I'm in favor of accountability all the discussion at the very beginning. I think kids should be held accountable. All of us were held accountable when we were children I'm

meeting most you for the first time although some of you I have met before, but I can tell by the job you have that you were held accountable by adults for the misbehavior that you engaged in because that's part of the way that you learned. Certainly part of the way I learned. By making mistakes and being held accountable. Accountability does not necessarily mean incarceration. In most places it doesn't. And so a lot of the task in Juvenile Justice systems is to find accountability for young people to hold them accountable in ways that they can learn and can become productive citizens. None of these kids are going away forever. None of them are going away for the rest of their lives. They're all going to be coming back to our communities. We don't want them coming back to our communities having had an experience where force controls what happens to their lives.

When staff get into using restraints, and using force, and using a room confinement as the main way they handle disruptive behavior by young people, they're teaching our young people the lesson that the most people with the biggest arms are the ones who going on who's going. Those aren't the lessons we want kids to learn. We want kids to learn to talk out their disputes, that their ways of doing that without resorting to force and that there is help that they can have if they need help for education, because of mental health problems, that they need help because of family problems. All of which is true here in this state. And we need to find ways of getting them that help and making it a positive experience when they go through the system so that are more equipped to be productive citizens in our communities when they get out.

As we look at the system closely, we want to look at race in the system and we do a lot of work looking at racial disparities. We do a lot of trainings working with people. Race is the issue in the United States that nobody wants to talk about. The hardest we encounter when we talk about race is getting the conversation started, because people will talk about almost anything to avoid talking about race. They will talk about the need to end poverty and if we only end poverty then the issues of race will go away actually that's not true. People say, "I handle every case individually that comes before me in the system and therefore I can't have any racial bias. I just look at the facts of every case," and yet you can look at the data on what happens at key decision points in the system as Colin was talking about arrest and referral, probation, adjudication, transferred to adult Court commitment to secure facilities we know what those decision points that the data shows that are racial biases that affect what's going on.

Now, we're not going to everybody and saying you're racist and we're going to reform you because guess what that ends the conversation. We can't have discussions like that. When we do our trainings we say this is a no judgement zone and nobody is going to point a finger at somebody who did something in the past. Our goal is a fair system. We want young people of color to be able to be treated equally with other young people in the system.

In Maine, my niece goes to Bates and she's done some work with the Somali Community there. And frankly when we look at Lewiston, I want to see what's going on with that community and if they're getting involved in disproportions ways. I don't know if you saw that article in the New York Times yesterday about African immigrants coming into Portland and the problems at Cumberland County's had dealing with that. And that's going to continue to be an issue.

Maine is a largely a white state but that's even more reason to focus on what happens to the smaller number of children of color because there are so many things that push our system to

look differently at children of color. And those goes back for hundreds of years, those reasons, but we want to see what they are and the way we look at that is to look at how decisions are made. What are the decisions, how are they made, what criteria are made.

So in general, what we're going to do, we're going to collect a lot of data. We're going to collect a lot of quantitative data Colin and I have already talked. We're going to give him a very large data request we're going to want the data to come in as a data dump that we can analyze in our office and we have a consultant specially to do research Dr. Naomi Goldstein from Drexel University I work with her a lot. Drexel is in Philadelphia. She's done some very good research and she's very good to work with very smart. She's got some graduate students who she brings into the work.

We're going to look at it and we're going to look not only at the level of data that Colin was able to report on but we are going to go two or three or four layers below that. Because the surface data tell us when we have things to look at. When we look at disproportionality for young people of color, when we look at other trends in terms of violations of probation that tells us there is something to look at, but it doesn't tell us why these things are happening and one way you find out why is by going deeply into the data.

So we're going to be looking at that, and we're going to look at race, ethnicity, gender, age, we want to look at geographical coordinates especially residence where young people are. We want to look at where young people live and where crimes occur and see if those are in the same places are different places. If different places, why different places where lots of crimes occur are the best places to have programs and so they are accessible to where young people live so their families can get to them. So we are going to look at those kind of issues.

We're also going to collect qualitative data, which means we're going to be interviewing key stakeholders, were going to be interviewing most of you as we go through. We want to look at the state level on how the system works. Starting an assessment like this in some ways is like traveling to a foreign country. The foreign country actually has its own language of what people talk about sometimes there are other people outside the country don't know about. They have their own culture within the country. The ways of doing things.

Many times that culture is very deeply seeded in what goes on. They have conflicts in foreign country and we need to understand what those conflicts are. There are needs. There are money needs and other kinds of needs, we need to understand how they work. So we're going to come in we were not understand what the system looks like from the state level and so we'll be talking to a lot of people in the room and people who are represented by the agencies here who we're not in the room.

We also need to understand what happens at the local level. All juvenile justice systems are local to some extent, even when there is a state agency that runs most of the functions. I've done a lot of work in Maryland as a single state agency that runs its Juvenile Justice Systems, but prosecutors are always local and probation officers depending on the system, may be state employees or maybe local employees. Judges are local and there are other and local service providers are usually local, and there are other local players. And so we need to understand how the system works at the local level.

We proposed that we would look at four different population centers in the state and look pretty deeply into what's going on in those population centers. So we look those are Portland and South Portland, Augusta, Lewiston, and Bangor and the north part of the state. And if people think we should modify that were perfectly open to talk about that. But it seemed like a reasonable way to go to try to cover as many kids as we could in the system. As we go into the local systems were going to have site visits, our group is going to work in teams. Our teams will go to the site they will interview a lot of people who work there to look for local data coming out of the sites some of that DOC has, some of this local people would have Christina want to talk to you about your data because it sounds very juicy and a lot of good stuff for us.

In JDAI we've done lots of system assessments of county systems and so we're really comfortable doing that and frankly the way we do it is we usually go in and do two days of interviews. We schedule interviews like every hour on the hour. You can do seven or eight of them per person. Our teams are two people each. So we could theoretically do 14 interviews a day or 28 interviews in two days. We should be able to learn a lot about the system in that. We also want to do focus groups particularly with children and parents because we want to see what the system looks like from their point of view. From working with a lot of parent groups around the country we know, and I all of you know the system work looks very different from a parents point of view.

Many parents find incredible frustration by having contact with the system, they often don't know what's going on, it's not even talk about language problems but even if they can surmount the language problems they don't understand the power structures, especially for immigrant young people who are coming from government systems that are not like the American government systems. They may be fearful that their lives are in danger when they come into contact with any authorities. We've got to work with that situation and see how that plays out.

So we're going to collect quantitative data as well as qualitative data at the local levels. We also have a mental health consultant Dr. Andrea Weitzman who has run mental health systems in Juvenile Justice over the last 25 years. She ran the mental health system within the DC jail, which is a large urban jail. They were under a court order so she had to literally create a mental health system from scratch within the jail.

She ran the metal health system within the juvenile justice system in state of Maryland for a number of years so she was in charge there, I think seven or eight different facilities, that Maryland was running plus all the kids that were on probation. In the District of Columbia, urban setting, she ran all Health Services so she had doctors working under her and she was in charge of all mental health services. So she knows how the system work s and she's going to go to all the site visits with our team. She's going to want to talk to providers, particularly mental health providers in the community. She's also going to be requesting data on the mental health information we have on children who are in the system.

And I should mention that our first look is the children who are at Long Creek because we want to see if we were going to close Long Creek where would those kids go and what kind of service would they need. but then we're going to expand you want to look at all the kids in the system.

We will probably want to do a one-day snapshot of all the children in the juvenile justice system in the state. Just to get a sense on July 31st who are all the kids in the system, where are they in the system, what kinds of services are they getting what are the plans for them, and what is needed for those kids. We also will look at a large body of data probably take calendar year 2018 because data is usually aggregated that way and Colin is way ahead of us, and has lots of data available, and I know he's going to help us and he's also going to help us get to the other key agencies that we need to get to. We need to get to DHHS.

Think about what kind of data there is for treatment and for mental health services that are available. We also we have our mental health consultant, we have our research consultant, we are also going to hire a financing and funding stream consultant who will be able to look at all the money that going into the system. There is plenty of money going into the system right now to operate Long Creek. If we took the operating money and used it in different ways what could we do with that money. And we are going to be looking at the research literature, we tend to keep up with the literature as a part of our work. There is a lot of literature on how programs such as MST and functional family return many dollars on the dollar of investment. MST returns 12-14 dollars for every state dollar invested in the program. And we need to look at others like that.

As state officials, you all want to get the most effectiveness and efficiency for your money. We want to be able to see, if we make these kinds of changes in the system, what is the money going to look like? What other sources of money that has not been used in the past? There are Federal money that is available that has not been used in the past, and what does it look like? We want to be able to give you a rich menu of information like that.

Jill Ward: I want to get to the questions. I'm following you with your notes.

Mark Soler: We're on the clock as of yesterday, but we've been doing a bunch of work on this already. So we looked to suggest a list of dates for the next task force meeting, we looked at the last Tuesday of the month going forward. And talked to Jill and Michael and others and Colin. And then we looked at what would site visits look like? So we're grouping our sites around the Task Force meetings which means that over the next nine months I'll be here at the Task Force meeting for seven of those meetings and our Deputy Director Jason Szanyi will be here for two as we spread the wealth in visiting.

There always will be somebody from my organization here at the task force meeting to bring you up-to-date on what's going on and to answer your questions. We want you to be engaged and what's going on. This is not a project of the Center for Children's Law and Policy. This is a project of the Task Force for Assessment and Reinvestment. It will be successful if all of you can continue to stay engaged, use the recommendations that we make, I ask for other information that we haven't gotten for you, and follow through on it. That's what will make this project successful.

So we're hoping that each time we do a site visit that there will be a public hearing or at least would be four of them. We'd like to go to the public hearings and see what people have to say and also if people in the communities want to hear what we found were happy to talk about that we're all about transparency we're not going to keep any secrets at all from anybody.

There will be pockets of activity for us in Maine that will continue each time around what are you doing and what's going on. By December we should have at least a rough idea of what we want to propose and we will want to talk to the appropriate people. We've talked with Colin about getting to the Governor's office as just a preview of some of the things we need. And by the February meeting we will have the report done.

Our entire team will come up here in February to present the report to you and answer any questions about any aspect of the report. That way you'll be engaged, you'll know what is going on and you will be able to carry information about this assessment back to your agencies, back to your constituents and be able to tell them what this is about.

Susan Deschambault: You did an assessment of Long Creek? When was that?

Jill Ward: Yes, it was 2017

Susan Deschambault: Very briefly, what was the focus of that assessment?

Mark Soler: It was a long report so I have to a very quick job. We did the assessment along the line of the JDAI standards. The JDAI standards are broken up into 8 categories. They are classification and intake, health and mental health, I'm using an acronym in my brain so I can remember, classification and intake, health and mental health, access, which means telephone, visitation, programming which includes school, but also includes all other activities that are going on. The environment, heating cooling, clothes that kids wear, sanitation things like. Training and training and recruitment of staff. Restraints, isolation, use the force, discipline and use of grievances, that is all the things that happen when kids break the rules in the facility.

And grievances are about when the young people believe that staff broken the rules in the facility. So we look very carefully at room confinement use of force, use of restraints and those kinds of things. Over the 40 years I've been doing this, and I did a lot of lawsuits, over conditions of confinement and every single one, restraints were key issues. Then the final one safety and that includes safety of staff as well as safety of young people. What we found was that there are some good programs and some very good staff at Long Creek but there were a number of policies and practices that concerned us a lot, including overuse of isolation, and other problems like that.

When we do these assessments we find that it not effective to simply say "you're doing this wrong, you're doing this wrong, you're doing this wrong, you're not complying here" that really doesn't help. What is helpful is saying "you're not learning you're not in conformity to the standard here, here is something you could do to come into compliance with the standard." So every time we found something that was a matter of concern, we make recommendations for how those things could be fixed. And DOC has been working on those things since we did that assessment.

Jill Ward: And let me just add, Ned isn't here, but Christine is here from the JJAG. The JJAG resourced that audit based on some things that were being reported in the news, and other concerns about what was happening inside the facility and Colin was very open to let's see

what's going on here. We are all here too, in part of the recommendation that came out of that audit was because we saw such a high incidence of the mental health needs of the kids and kids with other kinds of needs that there needed to be some system assessment too because these kids shouldn't be in the facility.

And so there were facility concerns being addressed in the audit and recommendations made to improve that, but there is this larger question that got raised from what Mark saw about needing to say, "Well, what's going on with the larger system because so many of these kids probably shouldn't even be here in the first place?". So that is how we've gotten here today. In the Juvenile Justice Advisory Group, which is a construct of federal law and that's how the federal dollars that come into this state has supported both the audit, and in this work and lots of other good work. But just to give you some background and for continuity.

Susan Deschambault: That's really helpful. For me today to say, well why am I here. You know I make a comment to what Representative Talbot Ross said, there are 5 legislators here, 6 on this board. Criminal Justice and Public Safety number 1, where were all from. It's the dialogue, it really rests with us to talk about it more and educate 180 other legislators. But you mentioned also children's growth, and 3 years, did they develop, we have a very excellent Committee on Education and that's all they focus on and I got an editorial and it's probably fallen on deaf ears because they talk about it so much. I've taken something away from that so we need to talk more. I know Victoria is all juvenile, and so that's part of the dialogue. So the more we're learning what's happening outside the walls. Boy, I'm referring to the state house as outside the walls!

Jill Ward: For sure and there is someone on the phone someone wanted to speak on the phone. Go ahead.

Marianne Moore: I was just wondering if it's possible for us to get a copy of that assessment that was done in 2017.

Jill Ward: Yes. What I'm going to do, because I think that the website is probably a few weeks away, I will send a resource list with links to the Department of Corrections Mental Health Report that Colin referenced, to the Long Creek audit, to some of the stuff we didn't send it ahead of time because we figured you all are going to read all of that and now have some context for it. So we will send that resource list, it's all linkable Representative Talbot Ross is not here but she had requested at the last one to have a summary of some of the major legislation that had passed with links to the testimony. And I know there's a lot of rich information that it's very relevant here. So we will be pulling that all together, but the resource list with some of those key reports that were mentioned today will be part of the follow up immediately to this meeting so that you all have access. And Colin's slides.

Lindsey Tweed: You might as well put the PCG up too.

Jill Ward: Sure, that's on the list too. So is the blueprint for restorative justice for the state. I have a running list and what I will do is I will just turn that around quickly and not wait to have it get on the website because everyone should have access. And we do have that list.

Alison Beyea: Mark, I'm delighted you're joining us. I have great respect for you and your organization. I think it's great. So thank you for coming to Maine. This question is for Jill or Mark, I'm interested in how you see the task force itself working over the fall, because my instinct is that you're going to do your magic, and then we can get back together. But I'm not sure, we have a meeting schedules and I take this point very well, that there is also just a part of this that's important information sharing. And yet being sensitive of peoples time and then the fall comes, and that kind of thing. So I'm interested in how you're seeing, until your report is done, how you see this groups role in these monthly meetings. That would be very helpful to hear about.

Mark Soler: I think that you don't want to recess until February and have us present to report you. I think that's not good for this kind of thing. There are situations where you would engage somebody to do a report and you come back can you get the report, but you're going to be... When I read the transcript of the first meeting all of you have very serious concerns and even stay in the discussion about of lots of aspects of how children are treated in this State. And you're going to at least consider recommendations that go to some fundamental way that things are done. How money is spent and how services are provided particularly mental health services and other services too. And I think it makes more sense to see this as a journey that we are going to go through. We will have a team visiting Maine every month for the next 8 months, and we'll be learning more and we'll be learning course from the state data, and everything else.

I think that it would be valuable in several ways for us to give you updates each month. For one thing I want you know what we've done, that we've been working, and the kinds of issues we've seen because we're going to start surfacing issues. As soon as we start looking at race issues, we're going to see if disproportionality, if there is none that would be terrific and then we cannot worry about that issue, but probably not. When we start looking at probation violations, and who these kids are, and what they're being violated for, we're going to start surfacing issues. So I think we should be telling you those issues as we see them but equally important, we want your feedback. We want to know what you think.

Just as all of you participated in the discussion, very energetically, that was very, I was thinking sitting here thinking this is great, this is going to be an engaged committee. Just as you have questions and raised very good points this morning, you're going to want to do that during the entire time and by the end of the process you'll know what's going on. The last thing you want is to go in recess for 8 months and have us come back and see you've got it change 10 million dollars in the way that you do things and here are three things that you have to do. Wow, because then we discuss it for the next 6 months.

Alison Beyea: But you'll be driving the agenda, you'll be bringing information to us.

Mark Soler: Yes, and...

Jill Ward: But we will also be driving the agenda. So Mark is off collecting this data, finding from you all, talking to you all finding from you all, who else he has to talk to, and I think it will be a little bit iterative. Maybe we need to have the service providers conversation. Maybe we need to go present at this stakeholders group. Maybe we need to have a dialogue, which is why I

think the tools - the website and the calendar – and the tools that reflect all of the conversations that are happening and how we can start to integrate them are going to dictate some of the activities of this task force in between the actual meetings, where I think Mark will report on things.

But for instance, we have public hearings that are in the charge. We've co-located them with the site visits but we don't have to, but if we do maybe this Task Force decides, okay the first one is in Lewiston. We know we've unsurfaced some racial and ethnic disparity issues there. We've surfaced some school issues there. What does that public hearing look like? Who is going to be on task to answer questions, what is the structure of it going to look like? What do we want to get out of it from that community, based on some of the data that Mark has already collected?

My hope is that is we get into this and it's a short timeframe, it's super aggressive. Not everybody's going to be able to do all of the things, it is not just an open-ended, like please give us feedback if you're not seeing something or you think this really needs to happen to youth voice we are going to get structured and something that happens in multiple places. If demographically it feels like we're not hitting on something, then we will use this Task Force to collect that information, either qualitatively or quantitatively to the extent that were able to do it.

I think one of the other thing I was going to suggest to this group is in between these set meetings is to have a listserv, so there can be conversation. There will be a portal to give feedback on the website. If there are other tools you see that you think would be useful to either foster the exchange of information, the dialogue, the sharing of ideas the kinds of activities this Task Force should engage in, you need to tell us because we will enter great commitment of, I'm speaking for my chairs here, the way that we have talked about this with Mark.

I mean these task forces look different in different places; they have the charge of a governor or a judge or group like us. And so we get to make it up as we go and make sure that we are hitting on all of the issues we want to have explored and to get some recommendations that are just not just informed by what Mark seen in the state, but what he's seen around the country that is applicably helpful. It'll get better now that we've got a little bit of resource staff onboard to sort of put those structures in place. So you'll see that a little bit more clearly for the whole group.

Alison Beyea: Thank you, that sounds great.

Jill Ward: I know, right? I'm so excited. Victoria and then Mallory.

Victoria Morales: I too am very hopeful with your presentation, so I'm very thankful that you're here. Thank you Jill, thank you Representative Brennan, for bringing this together, thank you Colin as well for being a participant. When you bring the snap shot to us, I would love to see you like both a micro and a macro. To really be looking at race, disability, gender identity, looking at social determinants as health. Not only for that young person, but also for their siblings, whether they are connected. another agency and services, and their parents.

And also looking at the protective factors that are available and the resources in that community. And I just want to say that Colin and I and Judge Powers, we toured Long Creek back in the fall, I think it was right after I got elected, and you made a statement to me about what I asked you where are all these kids coming from and you identified all the areas, which included all the areas you are going to look at, but you didn't include Biddeford, Saco, kind of the Sanford area, the Waterville area. And then I put in a bill around lead in housing, and I was up at the DHHS committee meeting, and I was testifying on this bill and the state toxicologist said exactly the same places that you are going to be looking at from where our young people are coming from, that's exactly where the highest level of lead in the state are in the houses. So I was sort of floored there speechless sitting there. But just kind of looking at the big picture would be helpful.

Mark Soler: Yes, and it was helpful that the Urban Institute did a look at what kind of data is available. Some kinds of data are very available. DOC has very good data from referral through the end. Where crime is occurring is actually different because crime is that the same as arrest. We don't know how much crime is occurring. Some people get arrested for crime, a smaller number are referred, and as you go to the system number peel off. We want to look at it as much as we can at as many of those as we can get data on.

There are some pieces of information that may not be available. We may need to, we may not have the resources to do it, but we may point to other research that's necessary in terms of looking at trauma, impact on kids. I don't know what data is available right now. I would love to know on ACES scores for all the kids in the system, and how those relate to everything else because the kind of data that Colin put up looks at 2 or 3 variables. We want to look at 7 or 8 variables at one time, because that's how we start understanding why these things I'm really going on.

And one of the values for our coming to the Task Force meetings is that you are all going to ask us questions about you know why does this happening or what is this. And we're going to see is there data on that that we can include in our analysis does the data not exist what would it take for the data to exist. We've done work in places, sometimes you can't look at all the kids in the data and there is not stuff there. We have done file reviews. People do review 250 files, 405 files, something like that, and I know you took 50 cases and looked deeply on that. That's also a very good way of getting information. It's not everything. No one way of looking at it tells you everything, but looking at the information in a lot of different ways gives us around picture and the best we can do. Nothing is perfect, but we'll do the best we can.

Jill Ward: And I think we are going see it coming out of USM, again not to duplicate, to leverage Mark's time with some of the other things that are happening. Erica King is working on the Place Matters social determinants of health report that is going to have some of that demographic data by those determinants that I think can inform places where Mark may want to go deeper given this charge.

And so I think that some of that is coming and I know getting some of the same data out of the agencies to inform that will be. I think we're going to make sure those folks are talking so that Mark doesn't go out trying to get it all on his own if it's already started to be collected by other, you know allies, and partners in the state, to make sure that we have all of the information and

don't regenerate the same information if it's already been done. That's sort of easier to share, but some of that analysis is already happening and will inform this process too.

Malory Shaughnessy: Just a quick question in looking at the meeting dates going forward, there is a date, there's the fact that the Task Force meets and then there is a hearing. What time frame are we, I'm trying to block off in my calendar.

Jill Ward: I know and I know you're going to have to stay tuned for a little more detail on that and to the extent that any of you have asked about that I mean I do. These hearings I want to be sort of reflective of what we think we want to get out of that particular community. And so we just sort of aligned them that way because Mark would like to attend. We were trying to get efficiency. So I would block the day.

Malory Shaughnessy: I was going to say, is it going to be like evening hearings or during the day?

Jill Ward: Yes, I mean I think for some communities we want to make sure they're in the evening so parents and young people can be there. People have jobs. Some people work at night. So we're going to have to, depending on the community, try to actually be as responsive as we can. I'd ask you to just try to keep those days open as much as possible. I know it's difficult but I think we'll try to get a little bit more precise by the July meeting, as much as possible. That's the best answer I can give you right now.

Patrick Corey: Last year I set up sort of a Task Force that looked at land conservation in the state. But we were also very mindful of the legislative calendar in that.

Jill Ward: And we were not, is that what you were about to tell me? [laughs]

Patrick Corey: 28 dates and if anything were to come out of this, I know with Colin here in the Department of Corrections actually helping out with this we could probably get the executive to probably give us a bill probably anytime. But this final, you know next steps or implementation of recommendations that's at the dead end of the legislative calendar. We adjourn in mid-April or something like that. So I'm wondering if any recommendations can come before that unless you plan on pushing that off too.

Jill Ward: So the idea is in December some preliminary information to inform the legislature and the governor will be made available through the Task Force. But the final report is February but the hope is the information is shared even if it's not in any kind of, can start those conversations. And March is just the end of Mark's contract but we then as the Task Force are going to have to decide how we carry the work forward too. So we were trying to be mindful of some of what you're suggesting.

Michael Brennan: We don't know how this will play out yet. But typically a governor presents a supplemental budget in January. And that discussion with the Department's start in the fall in terms of the supplemental budget. So the idea would that if we had had some information we had some preliminary thoughts a discussion with all the departments in terms of how they might respond. As you know nothing is a perfect scenario. It would be better for the Governor

recognize that maybe include that in a supplemental budget, rather than have it be a standalone request that would then go before the legislature. But if we don't have enough information the Governor gee I don't feel like putting fifty million dollars here at this particular point, then we'd be looking it at a standalone appropriations that would then go to appropriations, criminal justice committee for further discussion.

Patrick Corey: Some of these recommendations end up having broader DOC implications. So like a get example in this last session, we talked about moving women to Long Creek, and then separating the women from the children by sight and sound. That was to defray is some construction cost that we were looking at MCC and sort of everything else. So some of this may have implications and how do we utilize space, staff.

Michael Brennan: And that's why the idea was to try to get more specific final recommendations by February because we would be a churning by mid-April and I gives the legislature roughly a month and a half to do something. I just wrote a note to myself here, to make sure that at all these places we have public hearings, that we make sure that we invite all the local legislators attend the public hearing so we start to build some understanding of the work of the task force, and some of the information that we've gathered and some of the directions that we're going in. So, I agree with you that we try to look at a way to frame the dates and things so that were not at the end of the legislative session, but it's going to take a little bit of work to get there by mid-February.

Jill Ward: I think if we identify federal streams, and I mean there's the short-term meeting this need, but this is a longer term thing. And so my hope is some of the recommendations that come out of this inform the next biennium budget. This is a longer-term strategy than whoever had the Titanic analogy about moving the deck chairs around and it was Rachel, or Malory sorry, we are sort of going to move these things and sustain them in those new ways, it's going to be beyond next year. I completely hear what you're saying but I do think some of what we want to be thinking about is what we want to be thinking about are the big picture recommendations in the next biennium that can be sustained. And so I think it's the short view and the long view.

Michael Brennan: But as you know there is nothing that irritates me more than to be sitting in the last week of the legislature have the Dept. of Education give us a 50 page bill to do things.

Patrick Corey: My fear as always that there are some discussion at the beginning of this about people creating something like this and then that being shelved and then warehoused. If you don't build off that initial piece, and you know you say we're going wait until next year to do this, and then new people come in with new ideas and everything else. It ends up sitting on the shelf.

Michael Brennan: There are carry over bill that provide vehicles to move forward with this next session.

Mark Soler: Also in terms of the way we do the work. We are going to learn how the system works. We have, three of us on the team are lawyers, we have a hard-working law students now, we're going to become familiar with the relevant statutes.

Michael Brennan: We're supposed to feel better because of that? [laughter]

Jill Ward: The lawyer thing will not necessarily sell you to this crowd.

Michael Brennan: I don't know if that's a real selling point.

Mark Soler: But just in our team and the way we work we actually have meetings scheduled every two weeks from now until February. We set up a schedule that on Friday. So our staff we travel a lot, we're currently working in about 22 states so we're all over the place. But we have ongoing work that we're doing we are going to be collecting all of the reports that have been done we want to digest that material. We're going to be framing our data request not only to DOC but to the other agencies too. The discussion earlier about education, we want to know what are the drivers of kids ending up in the system. What's pushing them in? Are they coming in because of school are they coming in because they are walking away from court-ordered placements? Are they coming in because they're in residential treatment facilities and they're getting aggressive and the facility is not comfortable.

All these are reasons that kids are in the system. We want to know how many, why where they're from, we want to get into all that kind of stuff. I certainly think that by December will have the broad outlines of what we think needs to be done. We go through the months in part because theoretically if we do one week in Lewiston and one week in Augusta, and one week in Portland but we would wear out the assessors very quickly. And so we spread that out over time, but it also give us time for more thinking, and for thinking more broadly.

We also have lots of people who we get advice from in the field who are experts in this. Gladys Carrion who closed all those facilities in New York City is on the board of directors and we actually put money into our contract for some of her time too. She is just terrific and has been through these kinds of major changes in state systems. We know other people in other states. Nate Balis who runs juvenile justice work for the Anne Casey Foundation when New York did their Close to Home work, he was part of the data team, and he has been really helpful to me in thinking about how we get the data and how we keep the task force involved. New York had a state task force with about 40 people on it who they were trying to keep engaged. It gives us time too but will be taking in information all the time.

Susan Deschambault: Just one comment, will there be a focus on rural areas? Maine is mostly rural, I just hear you keying in on the larger urban areas, but what about the rest of the state.

Mark Soler: I'd be interested in suggestions on how to do that.

Susan Deschambault: You won't get the support of the legislature behind you if you don't do that.

Jill Ward: Yes and that's been a conversation

Colin O'Neill: It's been very relevant; geography plays a significant role. I mean it's got a direct relationship with programming. DHHS has the same issue as we do on that piece of it.

Jill Ward: And that has been a topic of conversation. We've looked at some counties that are geographically similarly situated and trying to grapple with that has not been a conversation with Mark to date. But it has been a conversation about how to provide services in those areas and what's happening with those kids. Region three has been doing a pretty good job keeping kids out of secure confinement actually.

Colin O'Neill: I mean yes and no, there is a programmatic part to that. And then there is a legal or the judicial part of that. If you go into the judicial practices I think we need to be going into the judicial practices to their ability to help them.

Jill Ward: Yes, is the short answer to that question. I think some of the strategies that Mark has articulated, some of them are applicable to rural areas, not just urban areas even though it feels like it when you hear New York and DC. But some of the wraparound, 24/7 mentoring kind of on the ground, local community people supporting the kids are things that can be replicated in rural areas. And we just have to figure out how to do that and resource that appropriately.

Alright we're five minutes over it was a long morning, I gave you no break and you had no water. So you are an awesome team! Colin got through his presentation. So there will be a follow up email and more information to come over the next few weeks. So thank you everybody, thank you very much for hanging on the phone I appreciate it.