

# Maine Juvenile Justice Advisory Group

MINUTES  
October 26, 2011



Paul R. LePage  
Governor, State of Maine

Paul K. Vestal, Chair  
Edwin P. Chester, Esq. Vice Chair

## I. Roll Call:

Present: Mark Boger, Richard Brown, Ned Chester, Denise Giles, Jamie Johnson, Randall Liberty, Margaret Longworth, Joan McDonald, Dan Nichols, Doug Patrick, Jonathan Shapiro, Barry Stoodley, Christine Thibeault, Paul Vestal, and Patrick Walsh

Absent: Abigail Comee-McCourt, Dalene Dutton, Jim Foss, Jacinda Goodwin, Charles LaVerdiere, and Hannah McMullen

Staff: Kathryn McGloin, Juvenile Justice Specialist; Ryan Andersen, Compliance Monitor; Noël Bonam, DMC Coordinator

Paul Vestal, JJAG Chair, called the meeting to order at 9:03 AM, and welcomed JJAG members and guests. Paul then asked Ryan Andersen to introduce himself to the group, for those who may not know him.

## II. Minutes:

The minutes for the September 2011 JJAG meeting were approved.

**Motion:** To approve the September 28, 2011 Minutes

**Moved:** Jonathan/Christine seconded

**Action:** Approved

## III. Chair Report – Paul Vestal, Jr.:

Paul discussed membership and reappointments, noting that the JJAG membership is generally restored, and Jonathan Shapiro had been reappointed by the commissioner. Paul then discussed the Department of Education position, and that it has supposedly been filled, but the specific person is still unknown, the main problem being that Shelley Reed's position at DOE was not kept after her retirement. Paul also discussed Wrap Around Maine, and that it has been recommended it be eliminated, along with Headstart. Paul noted that once it reaches the level of the Appropriations Committee that it is possible for people to testify for or against this recommendation. Paul noted this may not be of the greatest concern at the moment, but it would be good to keep an eye out on the progress of the elimination.

## IV. Restorative Justice Initiative for the State of Maine – Jonathan Shapiro:

Jonathan discussed how he had been asked to present to the District 1 Council on restorative practices, and that it is his hope restorative practices can become

a viable and practicable alternative, especially for use with juveniles. Jonathan discussed how many goals of restorative practices line up with those of the Juvenile Justice Task Force, such as reducing incarcerations, expulsions, and suspensions, and increasing graduation rates. Jonathan made note that restorative practices can sometimes be hard to implement because it is such a deviation for the normal way of handling delinquent juveniles. Jonathan discussed the idea of a “juvenile review board” which is based upon the premise of restorative practices, and that he has looked at some that are used in Connecticut, that have been used for thirty years in some places, to help decide which format would be best for Maine. Jonathan then described that the juvenile review board he would like to see used in Maine would be based upon the idea of restorative practices and would span several domains, especially those of schools and communities. The people running the review boards would be people already trained in this area of work, thus money and effort would not be spent hiring, training, etc. Jonathan also described how this would fill a missing gap in dealing with juveniles who are committing non-violent offenses, and children who are much too young to become involved with even the juvenile justice system (1<sup>st</sup> and 2<sup>nd</sup> graders for example). Jonathan discussed the problem of younger children committing offenses, and how that greatly increases their risk factors, but because of their age are treated very leniently, thus are not given the services and resources they might need to help pull them off that track.

Discussing implementation, Jonathan noted how there is no basis in the law for using restorative practices, and perhaps if legislation was introduced to support the effort of restorative practices, it would create the legitimacy police departments need to feel comfortable with such an implementation. Jonathan also mentioned that, when researching review boards in Connecticut, the most expensive review board cost \$25,000 a year, which does not seem out of reach for Maine, considering that our review boards would not be nearly as busy.

When asked about the possible organization of review boards in Maine, Jonathan answered that he originally considered school districts to be the strongest option, but that it could also go by court or corrections districts, based upon who is willing to take the lead in establishing the review boards.

Christine then asked for Jonathan to explain the process of a review board more specifically, while also suggesting that the currently policy of diversions through the Department of Corrections might allow for restorative practices and review boards to take place without having to attain separate legislation. Jonathan then went on to describe how the board would be set up, who it would include (representatives from various courts, state agencies, schools, and community members), and also noted that the most important aspect of restorative practices is the offender admitting his/her guilt before any kind of review board can take place. Ned commented on the need for that practice and how beneficial it can be, while also supporting Christine’s comment about the

need for detail for restorative practices to be put in place and work well. Jonathan said that he understood their concerns, but that he also believes that a restorative practices system could work in Maine.

There was significant follow-up discussion amongst the members about some concerns and barriers, with Christine, Ned, Denise, Patrick, and Paul offering input.

Jonathan concluded his presentation saying he would do his best to research the problems, concerns, costs and other items that members brought up.

## **V. Long Creek Youth Development Center Report – Barry Stoodley**

Barry discussed “the matrix” – sometimes called the National Correctional Matrix – which looks at all the correctional facilities around the country and their functions, and their resources to perform those functions, to determine how best to perform those functions with the least amount of staff, while reducing the amount of overtime to as close to zero as possible. Barry noted that LCYDC is having to change some of its routines, policies, and staffing procedures to comply with what has been suggested through the matrix. Barry also noted that these kinds of changes are happening all through the state and around the country in an effort to save money, while also maintaining the expected results and safety. Barry explained how this matrix and changes coming from it are a work in progress, and that this leaves room for staff considered “off-matrix” to partake in some interesting work like Collaborative Problem Solving and TARGET training.

Paul asked how these changes are going to affect Mountain View Youth Development Center. Barry stated that he believes similar off-matrix work could take place at MVYDC, and that he would like to see a “pass/leave” system implemented, in which staff could transport and supervise juveniles offsite so they can prearrange employment and education for when they are released, in hopes they do not return.

Ryan asked about juveniles being able to obtain their driver’s license while detained, so that when they are released they are able to transport themselves to their places of employment and education. Barry agreed with Ryan that this was a significant problem and that it did need to be worked on at both juvenile facilities.

There was some follow-up discussion involving other possible programs LCYDC and MVYDC could put into place that members believed would help the juveniles there.

## VI. Request for Proposals Discussion – Joan McDonald

Joan reported that a total of 24 proposals had been submitted to the JJAG for review, and that out those 24, 12 had been disqualified in the initial staff review. Joan went on to report as the member review meeting took place, the total of disqualified proposals increased to 18. Joan noted the proposals that were disqualified were so because of missing components that are required by the RFP process, such as Memorandums of Understanding and Denial of Funding Letters. Joan also noted that the members who were responsible for reviewing the proposals put in many hours and read thoroughly, and that the consensus of the review members was disappointment in the quality of the work in the proposals. [Patrick Walsh of Broadreach Family & Children's Services was asked to leave at this time because his organization had submitted a proposal. Dalene Dutton, another member of the JJAG whose organization had submitted a proposal, was not in attendance at this meeting]. Joan made clear that while the review team was disappointed in the amount of proposals they disqualified, they felt comfortable with the decisions they made, and that the same standards were held for each proposal. Joan reported the Penquis organization had scored a 93, and that the next highest scored proposal scored a 63. Joan announced that the review team's recommendation was to fund Penquis CAP and then resubmit the RFP so others can apply or reapply.

Ned then asked what the RFP had asked for, and what kind of programs were applying. Kathryn answered that the RFP had combined a need for Delinquency Prevention and School Programs, and that there was \$420,000 in grant money available, up to \$75,000 per program. Penquis CAP had asked in their proposal for \$69,200.

Joan then noted that there might be a problem with the same organizations routinely receiving funding, and that JJAG grant money is supposed to be temporary subsistence and aid, and perhaps a deadline on how long a program can receive funding should be put in place to make sure these organizations are becoming independent from JJAG funds, and that other organizations are receiving aid they need. Kathryn then suggested issuing a new RFP and asking for a particular program in a particular area/region, after the JJAG and its staff have researched, using data, where programs are most in need of aid and implementation. Joan then added there should be a three year limit with declining funding.

Christine then asked what the Penquis CAP program was hoping to accomplish, and Kathryn explained they were going to implement Coping and Support Training (CAST), which is an OJJDP program.

**Motion:** To fund Penquis CAP \$69,200, as asked, and no other proposals.

**Moved:** Joan/Does not need to be seconded

**Action:** Approved

Joan started the discussion, following the vote, about the changes in the RFP process. Joan explained the two options, which are reissuing the RFP as it was originally issued and update the RFP in the next scheduled release, or release a new RFP with the new stipulations (particular program in a particular region with a three year limit with declining funding) now, with the remaining funds. Paul suggested that a new RFP is issued with the time and declining funding requirements, but to leave the region issue to the next release, to leave time for the proper research to be done. Kathryn then noted the lack of programs that have been funded in counties such as Aroostook and Washington and that waiting to fund them might not be the best option.

There was follow-up discussion, regarding the time and resources needed to obtain the data to decide which regions should be targeted by a RFP, and how the RFP should be reissued. [Patrick Walsh was asked to return to the room to add input]. A suggestion of those wanting to submit a proposal having to attend a pre-bid conference was well accepted by the members.

**Motion:** Issue an RFP (after researching specific problems in particular areas) requesting a particular program and region, with a three year maximum with declining funding, and a mandatory pre-bidders' conference.

**Moved:** Joan/Ned seconded

**Action:** Approved

## **VII: DMC Coordinator Report – Noël Bonam and Ned Chester**

Ned reported on the strategic planning meeting held at LCYDC that included eight youth being held there, members from the Youth Advisory Council, and Joan, Christine, Ned, Kathryn, and Ryan were also in attendance. Ned reported that the afternoon was spent meeting with the youth and breaking down the nine points that DMC tracks: initial contact, arrest, detention, diversion, petition, adjudication, commitment, and so forth. Ned said the group discussed what their goals should be for the next year that would have the most impact. The group decided to focus on diversions, where data has shown there to be issues with DMC. Ned also reported that the group also took time to review family education and empowerment and community engagement, and that the youth shared their experiences with common problems about understanding how the juvenile justice system works.

Kathryn then shared the youth's responses to the question "what would keep you out of LCYDC?", which were: fate, a higher power, relationships with people at the local Boys & Girls Club, and earning respect for their individual learning styles.

Christine remarked that she noticed the youth felt comfortable sharing their ideas and concerns.

## **VIII: Juvenile Justice Specialist Report – Kathryn McGloin**

Kathryn reminded the members of the November 14<sup>th</sup> Lives in the Balance Conference and encouraged all to attend. She then reported that anyone receiving funding from OJJDP is not allowed to provide food of any sort at any kind of meeting or training, which is a recent change. She then noted that there has been a large amount of confusion about what this means for already contracted events, and that she would update the group when more information becomes available.

Kathryn also reported on her experiences with the OJJDP National and NECJJ conferences. She shared some information she gained regarding school arrests and diversions, DMC, and law enforcement and youth partnerships. Kathryn also shared the highly discussed topic of juvenile recidivism, and what has been working for youth who do not recidivate. Kathryn proposed releasing an RFP to allow someone to investigate that information at some point in the future.

Kathryn also reported on OJJDP training, and that there has been a change in the application process. She also noted that the new Formula grant solicitation is due out on December 11, 2011.

## **IX: Compliance Monitor Report – Ryan Andersen**

Ryan first mentioned his interest in doing some work regarding some kind of athletic organization or league that would involve members of both law enforcement and detained/delinquent youth, an idea from the OJJDP National Conference.

Ryan reported that in the past two months, he has been doing a lot of work regarding youth held in Aroostook and Washington counties, which are considered a part of the Rural Exception. Ryan noted he had been concerned about the possibility of holding violations due to misunderstandings surrounding the use of the Rural Exception along with youth being held for something other than an initial court appearance. At the OJJDP National Conference he gained a better definition of what is and isn't considered an initial court appearance. Ryan stated that an initial court appearance does not include any type of probation violation, unless a new criminal charge, not a status offense, was included in the probation violation. Ryan then noted that three of the extended holds in Aroostook and Washington counties were youth being held for probation violations, thus a jail removal violation had occurred. Ryan mentioned that this number is still considered to be a very low violation rate, especially considering the calendar year is almost over. Ryan said he is looking into meeting with the Region 3 correctional administrators to help cut down on this confusion, and work out ways to diminish the possibility of violations.

The meeting adjourned at noon.

The next meeting will take place on December 7, 2011 at the Maine Criminal Justice Academy.

