

ADVOCATE

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Spring 2008

The Dead Bill Society

A Summary of the 2008 General Assembly Session

By Deron Phipps

The legacy of the 2008 General Assembly session may come from the bills that died in committee rather than those enacted.

There are a myriad of reasons why legislation dies in session. A bill may fail because a majority does not support its intended policy changes due to fear of unintended consequences, confusion over the subject matter, its fiscal impact, governmental branch or state agency conflicts, or the bill being seen as unnecessary. This article focuses on the “2008 Dead Bill Society” because those bills are instructive on the legislative process and are far more interesting than those that passed.

Some bills die because the issues involved are polarizing, and a majority cannot agree on a policy choice. HB 1254 is one such example. Although the bill did not die, it was amended to become a shell of its former self. As introduced, HB 1254 would have, for the first time, mandated all DJJ employees



Deron Phipps

to release, to law enforcement and the local gang task force, information relating to criminal street gang involvement or the gang-related activity of others. The House amended the bill to also require the juvenile's identifying information to accompany any such release. In the Senate, concern was raised that the House version was doing something never previously required of juvenile information and would have a chilling effect upon DJJ

employees' relationships and communications with juveniles under supervision (because DJJ staff, including therapists in juvenile correctional centers, would have been required to disclose gang-related information obtained through any communications, including counseling or other treatment services). Members of the House supported and those of the Senate strongly opposed the mandated reporter part of the bill, and each chamber refused the amendments offered by the other. Ultimately, in conference committee, all amendments relating to the release of juvenile gang information were removed from the bill.

Another bill that would have made a significant departure in policy was SB 372. SB 372 would have required registration as a sex offender for a juvenile 12 years of age or older and adjudicated delinquent in juvenile court for an offense for which registration would be required. By far, SB 372 would have been the most significant policy shift of the 2008 session. This bill was continued to the 2009 session by the Senate Courts of Justice Committee.

Some bills fail to make it out of committee not because of their intent but for fear of unintended consequences. HB 750 & SB 394 attempted to make the juvenile court the exclusive court of original jurisdiction in termination of parental rights proceedings (TPR), to remove the jurisdiction of the circuit court to hear the *de novo* appeal, to provide that the appeal of a TPR case would go directly to the Virginia Court of Appeals, and to make the juvenile court a court of record for termination cases. The legislation stemmed from recommendations from First Lady Holton's "For Keeps" initiative and was supported by adoption advocates. However,

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Views from the Ledge...

By Gary Conway

Thank you to those readers who noticed the absence of this column in the last issue of the *Advocate*, and who took the time to write with their concerns. Readers like L.C. in

Chesapeake who wrote, "Finally, an issue where I don't have to read your drivel!" And R.P. in Nelson County, "An *Advocate* without you is like a day without a root canal. Thank you!" And, my personal favorite from "The Honorable" D.W.M. in Fairfax, "Does this mean that you are no longer the editor? Please don't toy with me this way!"

Sorry to disappoint, D.W.M., but in truth I did not submit an article for the Winter 08 issue in solidarity with my brethren and sistren of the Writers Guild of America. Now that the strike is over, I'm back to work.

As is our practice each Spring here at the *Advocate*, we have once again asked DJJ Legislative & Policy Wonk Deron Phipps to provide our Members with an overview of the recent Virginia Legislative Session. Deron's article can be found on the front page of this publication. If you haven't read it yet, go ahead. I'll wait.

Now, wasn't that an interesting twist? Deron focused on the legislation that **didn't** pass during the 2008 Session. Surely the esteemed members of the Virginia House and Senate voted to endorse **some legislation** during their recent Session. Let's take a look.

Well of course, here's HB 1372, "**Inspection of honey houses; repeal.**" This Bill repeals the duplicative authority of the Department of Agriculture and Consumer Services to regulate the sanitary conditions in places where honey is stored and manufactured under the beekeeping laws." There's a problem I've been losing sleep over for lo these many months.

HB 1429 was another piece of landmark legislation that had delegates and senators burning the midnight oil in the Emerald City: "**Golf carts on public highways.** Allows the operation of golf carts on public highways within the boundaries of the Town of Claremont." Can somebody answer this question for me: Where is Claremont, Virginia? And don't say it's the place where all those people ride around in golf carts, because that doesn't help.

Also on the subject of motor vehicle regulations, HB 1557 made the following into law: "**Mopeds.** Provides that a person who operates a moped in excess of 35 miles per hour will be

deemed to be operating a motorcycle." I guess that means if I get a donkey to go 35 miles an hour I'll be riding a horse.

HB 1482 is another beauty: "**Damage from bears; non-lethal control measures.** Authorizes the Director of the Department of Game and Inland Fisheries to employ non-lethal control measures to control bears that are damaging property. Currently the Director may relocate the bear, but is not explicitly authorized to use other non-lethal control measures such as fencing." *What's that number for Game & Inland Fisheries, sweet heart? I want the Director to come out and build us a bear fence. And let's have him Velcro those trash can lids while he's at it.*

According to HJ 5, "October in 2008 and in each year thereafter, is **Right Choices for Youth Month** in Virginia to promote the formation of character and integrity in young Virginians." So what are we supposed to do with our kids for the other 11 months of the year, help them make **wrong** choices? But wait! October is going to be pretty crowded from now on because by virtue of HJ 26, it will also be "**Dyslexia Awareness Month.** Designating October, in 2008 and in each succeeding year, as Dyslexia Awareness Month in Virginia." This reminds me of the dyslexic agnostic who wondered if there really is a doG.

But they weren't done yet. Oh, no. The Legislature then went on to pass HJ 27, "**Valentines, Virginia Day.** Designates February 14, in 2008 and in each succeeding year, as Valentines, Virginia Day in the Commonwealth." February 14 is ALREADY Valentines Day! It's been Valentines Day for as long as I can remember!! Does this mean another gift for my wife? Her birthday is February 12 and the jewelry store is bleeding me dry! And don't forget to mark your calendar for June 12. Thanks to our elected representatives (and HJ 220) that shall forever be **Philippine Independence Day** in Virginia. I hope we get the day off.

HJ 76 is a real winner: "**Town of Independence.** Recognizes the Town of Independence as the Official Home of the Grand Privy Race in Virginia." *Say, buddy, where ya from? I'm from Independence, Virginia. We race OUTHOUSES in the streets. We're the Official Home of the outhouse race. That's cool. I'm from Claremont, Virginia. We drive golf carts all over town.*

You folks think I'm making all this up, don't you. But I'm not. This is REAL! Check out HJ 184: "**Wild Spanish mustangs; resolution.** Recognizes the historic value and importance of the last known wild herd of Spanish mustangs living on the barrier islands of Virginia." Those mustangs should be

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Beth's Blog

By VJJA President, Beth Stinnett

For the past several years, our field has evolved such that there has been emphasis placed on the use of validated, structured decision making instruments in various aspects of community and institutional operations. Not unlike other juvenile justice

systems across the country, in the last decade our Virginia Department of Juvenile Justice has adopted a risk assessment instrument, detention assessment instrument (DAI), and JCC classification instrument. These instruments were put in place to bring consistency and effectiveness of activities in line with agency mission.

Recently the Department of Juvenile Justice has adopted a new risk assessment instrument, the Youth Assessment and Screening Instrument, or YASI, and as a member of the implementation team I have been traveling throughout the Commonwealth to assist in training staff. My travel thus far has included Roanoke and Abingdon, or as fellow VJJA Board member, Doug Poe, affectionately refers to all venues west of Roanoke, "The GREAT Southwest". And though I hate to admit when a Hokie colleague is correct, particularly Doug, he rightfully predicted that it would be a great trip.

My trip to the "Great" Southwest Virginia was great for a number of reasons. First, despite the long drive, as a former resident and employee of the western part of the state I always look forward to traveling west. Each trip I look forward to seeing the mountains, hearing the familiar "twang", and re-connecting with old friends and former co-workers. In addition to the usual reasons why I enjoyed my time in Abingdon and Roanoke, was an appreciation for the course content and a feeling that our field as a whole and our juvenile justice system here in Virginia are moving in the right direction. Though I was sent west to assist the instructor, I was as much a participant as an instructor. In addition to leaving with a deeper understanding of the instrument, I left with a greater appreciation for a why a new instrument is needed and optimism that implementation of the new tool and approach will yield positive results for both workers and the court-involved children with whom they work.

TOP 10 REASONS I LIKE YASI (in no particular order):

(1) Skill Development

The new instrument, approach and requisite training represent an opportunity for professional development and

skill building. Workers will have an opportunity to broaden their knowledge base, develop new skills and add new tools to their tool boxes.

(2) Motivational Style

YASI is more than an assessment instrument. It is an approach that uses a motivation-based, conversational interviewing style. It is an approach that moves us away from the widely practiced but largely ineffective confrontational style in which workers enforce conditions of supervision through rigid monitoring and punishment. While in the short-term the confrontational approach may sometimes appear to be successful and may look good politically, perceived changes are often artificial and short-lived and do not result in long term behavioral change.

(3) Based On "What Works"

Research is highly supportive of the validity of the tool. The YASI is a validated tool and the research-based "What Works" model serves as the foundation of the training.

(4) Focused On Changing Behavior

The YASI approach recognizes and encourages autonomy, self-determination, and positive reinforcement. It is an approach that recognizes that young people are capable of change and that well-trained and highly skilled youth workers can be the impetus for that change. Most importantly the tool helps workers focus exclusively on those areas that contribute to behavioral change and recidivism.

(5) Utility / Application

The YASI has a variety of potential applications in juvenile probation, corrections, and other youth service settings. YASI results can help set contact levels for probation cases, assist in decisions regarding supervision of cases in community and custodial settings, identify needs and strengths to target in service plans, select appropriate candidates for focused programs, monitor progress over the course of supervision, adjust supervision levels over time, and gather information about the characteristics of a service population. Based on triage principles, the using the pre-screen version of the instrument is an efficient method for quickly identifying low risk cases that do not require intensive services, improving diversion decision-making and identifying higher risk cases that need more thorough assessment and subsequent services/interventions at intensive levels.

(6) Case Planning

The YASI features an integrated case planning component that is driven by the assessment results. It allows for a

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Just Us

By R. Erich Telsch

Advocacy Forthwith

I was pondering the question the other day, “Who are we?” Not as a species or phylum or such, but rather who are we as the VJJA. Individually I came up with plenty of answers. VJJA members are the people

who care for and care about others’ children, and as a result we are protectors of public safety. Depending on where we work and in what capacity, we are the folks who wake up children for school; teach those children; and feed those same children. Some members clean up vomit when the children are ill (using approved bio-hazard protection materials of course). Others physically prevent children from harming themselves or others’ selves. Some of us treat their wounds and ailments. Many work to protect children from harm from others. Others with special talents help them through that psychological maze we call childhood. A lot of members stay awake at night to provide for the children’s safety and comfort. Some represent these children in court before other members who adjudicate and establish controls and limits on their behavior based on laws passed by other members. Most encourage parents to be more involved with their children, to love more, accept responsibility, be accountable, and to stimulate positive family environments. Some clean out sewer traps of the debris children throw down the drain when angry. Overall, we stand in aid and comfort to those children who need supervision and assistance beyond what life has provided them.

As those answers came to me, I realized it was easier to reflect on what we do rather than who we are. Not who we are to the clients with whom we work — we are many things to them. The labels and names they attach to us include counselor, nurse, mentor, Your Honor, officer, and the like. Sometimes they call us things that are not as flattering as other descriptors. All of that is a part of our establishing effective communication and positively influencing these sentient folks to divert them from destructive paths and to encourage them to reach their full potential. We are inexorably entwined with the clients whom we serve through the activity we engage in with them and the actions we take on their behalf. My thinking kept leading me to seek what it is that defines us as VJJA members.

I found the answer in advocacy. Simply stated, we support others. We encourage others. We promote, we sponsor — we do unto others. As VJJA members we take action. We are best defined by verbs rather than nouns. At a recent Board meeting, we took time to put our feet up on a cloud and just talk about how we can stimulate advocacy. We started work on developing an approach so we may support all VJJA members to more effectively advocate for children. Let me briefly share some of our preliminary conclusions with you.

Principally we are looking at dividing our efforts into passive, active, and legislative advocacy because each seems to progressively require different and increasing effort. Passive advocacy may take the form of simply displaying plaques, awards, bumper stickers, license plate frames, slogan buttons, banners, and the like. Active advocacy seemed driven by the activity required to gain community support for initiatives like reporting centers, speakers’ forums, graffiti removal, pamphlet distribution, and so forth. Last, legislative advocacy (local, state, and federal) appears to require more effort, not just in tenacity but through time investment and placing oneself publicly on record. Each of these has its advantages. Each requires differing skill and effort levels. And each represents an important element of our overall scheme to improve the lives of children in the Commonwealth. It is our Association’s task to develop ways to help support our members’ contributions. To that end, a sub-committee has been formed to address those pertinent areas such as education, legislative comparisons, information mechanisms, campaign organization, research, and how best to take a position on every piece of legislation offered. Whether we opine for, against, or remain neutral, we want the VJJA to speak up and out, and let the voice of our thousand members be heard.

You may be thinking that I have a request up my sleeve, and indeed I do. If you wish to be involved with the sub-committee to help us fashion the advocacy direction for the Association, please contact me — you are welcome, your ideas and thoughts will help even if all you bring to the table is a smile. But my request is much more personal than that. It seems to me that fundamentally, the first step for all of us as advocates is to work to stop what harms children — to prevent child abuse — and the first step in advocating

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Membership Matters

By Samantha Higgins, VJJA Membership Chair

The Third Quarter Comes to a Close

March 31, 2008 brought a close to the third quarter of the membership year. Totals far exceed that of any previous year. We currently have 1047 members, 55 more than this time last year. Wow, every quarter has record breaking numbers!

The membership breakdown by district is as follows:

DISTRICT	2006-07	2007-08
BLUE RIDGE	66	90
CAPITAL	219	338
NORTHERN	156	125
SOUTHWEST	76	77
TIDEWATER	389	322
VALLEY	86	95
TOTAL	992	1015

Many folks are joining for more than one year at a time. We have 52 members who have already paid for the 2008-09 year, and six have paid through the 2010-11 membership year. Paying membership dues in advance is welcome. The new rates were effective July 1, 2007, and it is probably safe to say that they will not increase again in the near future.

(But don't look for it to be another 20 years!)

Oh! Speaking of paying in advance reminds to let folks know, anyone who joined after January 1, 2008 at the \$20 rate needs to contact me. The membership year runs July 1 to June 30 and the dues for the first six months of the calendar year is reduced to \$10.00. I ask that you let me know if you would like your additional \$10 credited to the 08-09 dues or if you would like to donate a portion to the Child Advocacy Fund.

2008 brought new features and new faces to the VJJA website. A complete list of State Board Officers, Local District Officers and Committee Chairs is available with pictures and biographies. An Information Center has been added along with a Professional Development page and Advocacy page. The Job Bank has been also expanded. The website now offers advertising opportunities for our providers and an option to pay your dues online.

If you are interested in becoming more involved with VJJA, visit the website's Committees page. There are committee chair positions still available. And for those of you who do not know, there is now a Member Benefits Committee. This committee is charged with securing benefits like coupons and discounts to various businesses and will more than likely begin to utilize membership cards.

For the Membership Committee, I would like to organize a "working" committee. A committee comprised of a representative, or representatives, from each district to assist with the distribution of membership renewals, certificates and stickers, and to be the go to person in your district for member updates. With a consistent 1,000 members and a current membership committee of one (me), I'm finding it difficult to keep the pace. So any interested party is encouraged to contact me by email at Membership@VJJA.org.

As always, don't forget to send me updates to your employment, email and mailing addresses! Email addresses are especially helpful for quick cost-effective communication. Membership renewal notices will be coming out soon, but if you would like to get a jump on it, the 2008-09 renewal forms will soon be available on the website at www.vjja.org.

Membership Tip: Add your VJJA membership renewal to your Outlook or other electronic calendar. The new year begins July 1, 2008.

Dead Bill

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concern was expressed that making the juvenile court a court of record for TPR hearings would open the door for all juvenile court proceedings to be of record. The bill was not adamantly opposed, but there were concerns about its actual effects. The concept was ultimately too complex during this year's fast-paced session and the bills were carried over until the 2009 session.

HB 1568 also created concerns, not with the policy implications, but with unintended consequences. HB 1568 was introduced at the request of a circuit court judge with the intent to "give the juvenile a fair hearing" and would have changed the circuit court appeal of a juvenile transfer decision from a "hearing to take further evidence" to a "*de novo* hearing." Thus, the circuit court would review the case as if the transfer hearing in the juvenile court had never occurred. Under current law, the circuit court only considers whether the juvenile court substantially complied with the law. Again, while there did not appear to be significant opposition to the bill, there was great uncertainty concerning unintended consequences of such a major policy shift without more careful deliberation or study. At the request of the patron, HB 1568 was passed by indefinitely by Senate Courts of Justice.

Sometimes legislation is carried over not necessarily because of opposition, but confusion. HB 1263 would have amended the truancy statutes to change the timeframes for required actions by schools, the court services units, and the juvenile courts. The bill would have required the filing of a petition upon the student's fifth absence following the first "three consecutive absences," instead of after seven unexcused absences, as is currently required. It also allowed a petition to be filed alleging the student is either a child in need of services or a child in need of supervision (current law only allows for a petition alleging a child in need of supervision). This bill confused committee members as to the actual impact of changing the number of absences and types of petitions and, at the request of the patron, was carried over.

Some bills die not because of the policy implications but the fiscal impact. Expanding the list of predicate crimes under the definition of criminal street gang has been a popular activity during the previous three General Assembly sessions. However, this session three bills that would have expanded the list of such crimes failed to report out of House Appropriations. HB 590 would have added the larceny of a motor vehicle, HB 1182 would have added all grand larceny crimes, and HB 496 would have added shooting at certain vehicles and within an occupied dwelling to the list. The policy implications of the bills were approved by House Courts of Justice, and the bills were sent to the House Appropriations Committee due to the potential fiscal impact. The Sentencing

Commission estimated increased incarceration costs of HB 590 at \$26,778, HB 1182 at \$303,013, and HB 496 at \$12,829. Given the current fiscal state of the Commonwealth, HB 590, HB 1182, and HB 496 failed to report out of House Appropriations.

Any legislation that poses a real or perceived workload battle between two branches of government or state agencies will have problems as the General Assembly tends to pass on such conflicts. Three bills this session exemplified this tendency. Unfortunately, the bills were intended to remove workload headaches for probation and parole officers. HB 591 would have removed the requirements for probation officers to advise juveniles of their right to counsel and to determine a person's financial qualification for a court-appointed counsel. Concerns expressed by staff from the Supreme Court about the workload impact upon the Clerk's Office doomed the bill in the House Courts of Justice, and it was stricken from the docket. HB 1252 would have removed any requirement for court services units to conduct custody investigations (as previously attempted in the 2001 session). As in 2001, the Department of Social Services raised concerns about the workload impact of the bill (despite the fact that CSUs conducted only 84 custody investigations in 2007). In addition to the agency conflict, the Supreme Court testified that some judges prefer the CSUs to conduct custody investigations, which ultimately doomed the bill. It was carried over to the 2009 session. The third bill, HB 1255 attempted to provide for the transfer of jurisdiction of juvenile parole violations to where the juvenile lives without a court order. The bill was intended to allow parole officers to file violation of parole petitions in the jurisdiction where the juvenile resides when a juvenile moved from where he was originally committed, upon release from a juvenile correctional center. Concerns were raised with the language in HB 1255 on the grounds that some judges may want to retain jurisdiction over cases and would not want the appropriate venue changed absent a court order. With little discussion thereafter, HB 1255 was left in House Courts.

If the General Assembly did not like the bill before, it's very probable they will not like it again. Two bills that have died in previous sessions were killed again this year. HB 1519 would have lowered the age for placement in post-dispositional detention from 14 to 11. Similar legislation died in previous sessions due to intense opposition from local detention facilities. This year's version allowed the detention facility to determine whether or not to lower the age rather than mandate it. This discretion was intended to alleviate some of the fiscal and programmatic concerns raised by detention home superintendents. However, the bill was never docketed in House Courts of Justice and died due to lack of committee action. HB 606 would have required law enforcement to record all custodial interrogations of juveniles suspected of committing a violent juvenile felony when the interrogation

takes place “in a place of detention.” This proposal continued to have a very cool reception, and the bill was left in House Courts of Justice.

Sometimes legislation may die because the General Assembly believes the existing law adequately addresses the issue. HB 321 & HB 893 attempted to raise the penalty for the assault on a juvenile correctional officer or staff in a secure juvenile detention facility to a Class 6 felony. The problem was that current law already makes it a Class 5 felony for a person to knowingly and willfully inflict bodily injury on staff working in a juvenile correctional or detention facility.

Sometimes legislation may get carried over because the time available is insufficient to fix the bill. HB 587 was intended to allow a juvenile court to have juveniles paying restitution without being on probation or parole. As introduced, the bill had a very narrow scope because it amended a section in the criminal procedure code (Title 19.2) and, thus, applied only to those juvenile cases transferred to circuit court. HB 587 was continued until the 2009 session.

Sometimes legislation dies because the intent of the legislation is too much to accomplish. This session SB 732 would have required law enforcement to make reports to school authorities on all incidents involving students and Class 1 misdemeanors. Under current law, law enforcement makes reports to school officials only when it is a felony offense and for certain gun and drug offenses occurring on school property. SB 372 would have expanded the reporting requirements to include all Class 1 misdemeanor offenses, including offenses such as shoplifting and making prank phone calls, whether or not the offense occurred on school property. The Virginia Association of Chiefs of Police opposed the legislation as nearly impossible to perform and due to concerns about the workload impact on local law-enforcement agencies. Ultimately, SB 732 was passed by indefinitely by the Senate Committee on Education and Health.

Finally, some issues just do not fare well in certain sessions. This session, sex and gangs did not. Two bills with the intent of making it a crime to engage in consensual sex (targeting “sex-in” practices) as part of a gang initiation failed to make it out of the Committee for House Courts of Justice (HB 589 & HB 969). Also, Senate Joint Resolution 45 sought to study the juvenile transfer process and to determine whether the list of crimes that are subject to automatic transfer should be revised as it relates to the prevention and prosecution of gang-related juvenile crime. This bill was stricken at the request of the patron.

Mr. Phipps is the Legislation & Regulatory Manager with the Virginia Department of Juvenile Justice.

Views

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thankful they were born Spanish horses instead of Virginia bears! They might get a tranquilizer dart in their butts and wake up behind a fence watching the privy races in Independence.

And let’s not forget all those Commendations the Legislature took time to formulate during their time in the Planet Richmond; Three Cheers for everybody from the **Augusta and Rockbridge Counties 4-H livestock judging team** (HJ 268) to the **National Fruit Product Company, Inc.** (HJ 304) and to what must have been **every high school volleyball team in the state!**

And last but most assuredly not least, for those of you State Employees who use a computer to conduct daily business there is HJ 613: “**Commending the Information Technology Investment Board, Virginia Information Technologies Agency, Northrop Grumman Corporation, and the agencies and vendors for successfully moving the Commonwealth’s computing and network processing center.**” I kid you not. You can look it up.

Juveniation?

“Juveniation” is written and published by Mark Sorkin, a journalist living in Brooklyn, New York. It is a news site covering developments in juvenile justice, a forum for exploring ideas on how to reform the system, and a resource for anyone interested in or curious about the subject. Along with regularly updated blog posts, “Juveniation” is also a repository of links to relevant articles, policy papers, websites and books. To join in the discussion visit: <http://juveniation.wordpress.com>



Alaska

Book 'Em

By Eric Assur

School Violence: Fears Versus Facts

Dewey G. Cornell, Erlbaum Associates, 2006, paperback, 254 pages

University of Virginia professor, researcher and nationally recognized expert on gang and youth violence Dewey Cornell has written a short, well annotated, and easy to follow book that belongs on your bookshelf. VJJA members may even want to purchase and share copies with local school administrators. The insight you can gain from the list of 'fears' and 'facts' could affirm your current thinking and acting or lead to changes that help you to do your job even better.

Cornell, a clinical forensic psychologist and VJJA conference speaker, translates scientific research into language that helps us better address bullying, school violence and myths or misconceptions related to what works. Cornell shares some programs that have been judged failures - Scared Straight, Boot Camp, DARE, psychological profiling of students and the application of 'zero tolerance' practices. Based on the facts behind several of the twenty 'myths,' we are asked to re-examine how we discipline, who we expel or who we even adjudicate or detain. Despite the lasting effect of sensational

press coverage related to the rare act of a school shooting, we are assured that our schools are very safe. After-incident study by the U.S. Secret Service is touted as sound and is now the tool used in prevention training for school safety and security by administrative staff. The 'threat assessment' model has been in use since 1999 and may lend itself to some court or intake decision-making. The chapters on bullying are especially good. It is also important to realize that zero tolerance policies are not effective and can easily cause harm.

Rest assured that some of the programs, if properly implemented in your JCC, DH, CSU, local alternative school or other juvenile justice site are both effective and important. Youth crime is not going up, but the national figures on incarceration certainly go up and up. The thousands of research studies (p. 130) of 'hundreds of different kinds of prevention or rehabilitation approaches' now show that much of what we do is effective. The annotations on SAMHSA, R. Catalano, D. Olweus, the well known 'blueprint' programs (<http://www.colorado.edu/cspv/blueprints/model/overview.html>), and the federal Safe and Drug Free Schools and Community Act are potentially helpful as you evaluate what you do each and every day. Perhaps you can get an autographed copy of this book at a future VJJA training conference.



Member Selected for Minority Leadership Institute

Long time Capital District member, Julie Truitt, has been selected to participate in the Class of 2008 Minority Political Leadership Institute (MPLI). Through her participation, Ms. Truitt will be connected with members of elected local, state and federal governments, particularly the Virginia Legislative Black Caucus Foundation. She will also be exposed to the operational dynamics of campaigning, fundraising, lobbying, and the significance of the impact the media has in political life. Julie hopes to use some of the insight she gains as a member of VJJA's Legislative Team. A former employee of the Newport News Court Service Unit and the Beaumont Juvenile Correctional Center, Ms. Truitt is currently employed as a Substance Abuse Planning Coordinator with the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services. She recently completed a Master of Public Administration (MPA) degree through the University of Central Michigan.

New KIDS COUNT Data Center

The Annie E. Casey Foundation has given the KIDS COUNT state level online database a whole new look and feel, and added data for the 50 largest U.S. cities. In addition, this powerful tool contains more than 100 measures of child well-being, including the most recent data available on education, employment and income, poverty, health, and youth risk factors for the United States as a whole, all 50 states, the District of Columbia, Puerto Rico and the U.S. Virgin Islands. Featured city level data include child poverty rates, infant mortality rates, and percent of teen high school drop outs. Try it out and create your own maps, charts and graphs by topic or geographic area. Visit: www.kidscount.org/datacenter

The 17th Annual VJJA Spring Conference scheduled for March was cancelled due to state budget cuts.



Virginia Colleagues Among Speakers at Upcoming National Conference

The Honorable Teena Grodner, The Honorable Jay Dugger, Retired Judge Kimberly O'Donnell, Lelia Hopper, John Tuell, Beth Stinnett, Robert Bermingham, Jr., and Kim Koeppen are among the faculty announced for the 71st Annual Conference of the National Council of Juvenile & Family Court Judges (NCJFCJ).

Bill Harrell Retires



Before



After

Thanks for All You've Done!
from VJJA

Just Us

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in this manner is to know our own responsibilities and the requirements of our professions.

The Code of Virginia (§63.2-1509) gets rather specific about who needs to report suspected child abuse. Who is a “mandated reporter” is enumerated with detail and is not really an issue, but knowing how to report and taking that action may benefit from our collective focus. Almost every child-serving agency, provider, and entity must be prepared to report abuse but, honestly, when was the last time your employer reviewed those reporting procedures with you? Most VJJA members are responsible individually under the Code to report suspected child abuse. It’s simple, you just pick up the phone and make a call, and it is the Department of Social Services’ responsibility to determine if it was abuse or not. As an individual you are “off the hook” as it were and not subject to a substantial fine for failing to do so within 72 hours. You are also protected from reprisals in the bargain. Those of us who work for schools, hospitals, and institutions have it even easier. You can report it to the person in charge (or their designee) and they must make the report to DSS *forthwith*. It is hoped that they will also take immediate action on site to prevent any further possibility of abuse from occurring.

In a nutshell, that’s it: **Suspected Child Abuse Reporting 101**. If you are serious about advocating for children, you might start with this issue. It falls somewhere between passive and active depending on your employer and position. What can you do? Stimulate discussion. Ask for clarification of policy. Seek training. As a supervisor, ensure you have reviewed expectations and responsibilities with all your staff. As an employer, formulate a training program outlining responsibilities, procedures, and designated personnel - you’d be surprised how few employees really know how the process works. Call DSS in advance and learn who “those people” are in your community, so you’ll be familiar with them should you ever have a need to call. Most importantly, take action if you observe or suspect child abuse. Get rid of your discomfort, suppress your nervousness, and make that call. It’s not about you (or me) feeling better in the end, although lighting candles in the dark comes to mind, it’s about a child feeling better, feeling safe, feeling protected. The world is a harsh enough place for a child to find their way; don’t let abuse be an obstacle if you can prevent it. Please join us in our effort to educate others, analyze research, and promote remedies to help our communities provide what children need to grow up safe, to love and to be loved, and to achieve their potential. Be involved. Be an advocate.



Florida

2nd DMC Conference Planned for VSU

On April 24, 2008, the Institute for the Study of Race Relations and the Virginia State University Department of Sociology, Social Work, Criminal Justice will present their 2nd Disproportionate Minority Confinement (DMC) Conference, “Beyond Urgent.” Featured speakers will include First Lady of Virginia, Anne Holton, the Honorable Judge Jerrauld Jones, Norfolk Juvenile & Domestic Relations Court, and Shay Bilchik, Founder and Director of the Center for Juvenile Justice Reform at Georgetown University’s Public Policy Institute. Download the full agenda and registration materials at: www.vsu.edu/pages/4484.asp

“Girl Trouble” Film Screening & Panel Planned

Presented through a partnership among the University of Richmond, the Virginia Coalition for Juvenile Justice, the Virginia Juvenile Justice Association (VJJA), JustChildren, the League of Women Voters, Families and Allies of Virginia’s Youth, and other sponsors and co-sponsors, there will be a screening of “Girl Trouble,” an award-winning documentary that provides an intimate look at the compelling personal stories of three teenagers entangled in San Francisco’s juvenile justice system. The screening will be complemented by a panel discussion on the unique needs of girls in the juvenile justice system. Panelists include: the Honorable Judge Angela Roberts, moderator, VADJJ Agency Director Barry Green, and the Executive Director for the Center for Young Women’s Development, Marlene Sanchez. Both the film screening and panel discussion will take place in the University of Richmond’s Moot Court, May 15, 2008, from 7:00 p.m. until 9:00 p.m. A reception will follow and admission is free.



Overton

Norfolk Leaders Tapped for National Leadership Network

Norfolk Court Service Unit Director Claudette Overton and Deputy Director Antonio Sutton have been selected for the inaugural class of the Annie E. Casey Foundation's Applied Leadership Network (ALN). Their selection came as a result of their significant leadership in Norfolk's Juvenile Detention Alternatives Initiative (JDAI), Ms. Overton and Mr. Sutton were chosen from among juvenile justice leaders throughout the country. Leadership teams in only seven U.S. localities were chosen for the honor.



Sutton

Beth

Continued from page 3

seamless, efficient and comprehensive process of assessment and case planning. This is important so that the case plan is individualized to the particular young person and specifically targets the areas most likely to impact recidivism.

(7) Resource And Time Challenges

The approach is recognizant of the resource and time challenges faced by workers in our field. The assessment is not just another piece of paper in an endless sea of paperwork, but rather a meaningful document with a clear connection to case planning and case supervision. In addition to the integrated case planning component, the YASI software utility includes a feature that develops a computer-generated narrative report.

(8) Collaborative Approach

We know from our own experiences that we are more likely to be invested in a plan in which we have input. The YASI uses a collaborative approach to working with youth and families to plan how to address their needs. The case planning session includes an emphasis on engaging youth in the process of selecting and committing to their own goals for change.

(9) Protective Factors

While the department's old risk assessment instrument was still valid in that it accurately assessed risk, the tool failed to consider protective factors. The YASI assesses risk, need and protective factors. Protective factors are strengths or assets that help reduce negative outcomes. Promising new research now points to the potential for strengths to "buffer" the negative effects of risk by helping to reduce negative outcomes even when risk factors are present.

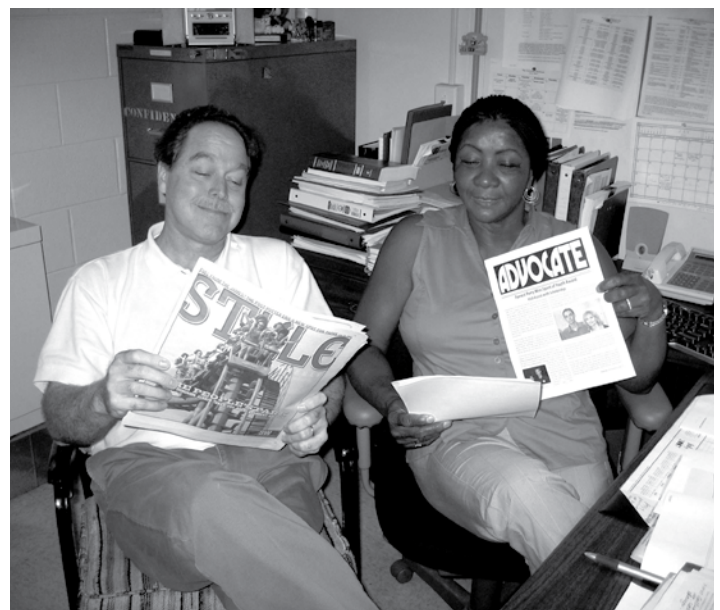
(10) What's In A Name?

My final reason for liking the YASI is that I have a good association with the name. The name for me conveys warm,

"fuzzy" feelings and that seems appropriate for a tool and approach with a proven track record and the promise to have a far reaching impact on workers and court-involved children in Virginia for many years to come. That's something that I believe even those most averse to all things warm and fuzzy can feel good about. (I have a warm, fuzzy, chocolate Labrador retriever affectionately known as "Yazzie.")

Interested readers can download a PowerPoint presentation and learn more about YASI at <http://www.orbispartners.com/frame.htm>. For more on the original "Yazzie" visit www.youtube.com and search for "Yoga Yaz".

(In addition to serving as VJJA President, Beth Stinnett works in central administration at the Virginia Department of Juvenile Justice. Among her responsibilities is serving as the Statewide JDAI Coordinator.)



Richmond

ADVOCATE

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*“Advocating for court-involved children
and the professionals who touch their lives since 1966.”*

Research On Mentors

Research findings from several formal evaluations suggest that mentoring is successful in producing positive effects toward reducing juvenile delinquency; however, not all mentoring programs are successful. Researchers evaluating the *Big Brothers Big Sisters* program found that certain aspects are essential in implementing successful mentoring programs. These include:

- A high level of contact between mentor and mentee.
- A relationship that defines the mentor as a friend rather than an authoritative figure.

The researchers also found several other factors that serve as prerequisites for successful mentoring programs: 1) volunteer screening to eliminate unfavorable mentors, 2) communication and limit-setting training for mentors,

3) procedures that take into account youth and volunteer preferences, and 4) intensive supervision and support of each match.

From the OJJDP Model Programs Guide’s page on Mentoring, discussing *Making a Difference: An Impact Study of Big Brothers Big Sisters*, by Joseph P. Tierney and Jean Baldwin Grossman, with Nancy L. Resch, Philadelphia: Public/Private Ventures (1995, reissued 2000).

ADVOCATE

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Rio

SAVE THE DATE – MAY 16, 2008

13th Annual Juvenile Law & Education Conference

REPRESENTING THE WHOLE CHILD

- Sponsors:** Virginia Indigent Defense Commission, The University of Richmond School of Law, The Mid-Atlantic Juvenile Defender Center and Virginia Juvenile Justice Assoc.
- Location:** University of Richmond School of Law
- Audience:** Defense Attorneys, Court Service Unit Staff, DJJ Administrative Staff

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Questions? Contact Jessie Munn at 804-289-8921