

Testimony of Kathryn Quaintance, Presiding Judge of Hennepin County Juvenile Court Minneapolis, Mn.

Our focus in the juvenile court system is dual:

- to rehabilitate juvenile offenders while protecting public safety under delinquency jurisdiction
- to put children who have been the victims of abuse and/or neglect into safe and permanent homes under child protection jurisdiction

We have 7 judges and 1 referee handling 15,000 filed cases per year in Hennepin County.

Because of recent budget cuts we have been challenged in our ability to accomplish these goals. Both the Juvenile Probation Department and the Human Services Department have faced enormous budget cuts which have meant that services are cut or sometimes even eliminated for “lower priority cases.”

When we take services away from low level offenders and save resources for murders and serious sex offenses, we lose any potential for prevention. Truancy and Runaway cases, for example, are considered “low level” but have been recognized in the research and by practitioners as gateway offenses. Start looking at one of these cases closely and you will often find family dysfunction, sexual abuse, chemical dependency, domestic violence, or neglect. If we do not identify and address those issues when they come to light, then they will grow and fester until we see that same child back on an assault or a gun charge, having been expelled from school and having become a serious risk to public safety.

We do not have the resources currently to assess and treat truants and runaways. Faced with a financial dilemma, probation and human services have cut funding for services and supervision of truants and runaways in order to direct resources to “more serious” criminal and child protection cases.

Likewise, in response to enormous underfunding of the state courts, our own Chief Justice here in Minnesota has responded by saying to the legislature and the governor, “Which part of justice are you asking us not to do?” We cannot continue to handle the same number of cases and devote the same amount of time to each when we are losing resources. Minnesota Judges handle more cases per judge than any comparable area in the country and our urban courts in Minneapolis handle more cases per judge than other metropolitan areas nationwide. Chief Justice Eric Magnuson has told the governor and the legislature that we will not be able to accept filings or hold hearings for misdemeanor offenses under city jurisdictions, traffic offenses, truancy, runaways, and other “low priority” matters if there are further budget cuts. And yet we know as citizens that the enforcement of these laws is, in fact, essential to maintaining the quality of life that we are used to.

We cannot continue to do more and more with less and less. We are a branch of government, not a state agency and we are entitled to be fully funded.

That said, I will tell you that in Juvenile Court we have tried to see this budget crisis as an opportunity to make sure that we are spending smartly. We have taken a look at research on evidenced based practices in Missouri and New York City and begun to determine how we can do a better job here in Minnesota. We have committed to stop sending juvenile offenders to out of home placement when their treatment needs can be met in the community without compromising public safety. This is not only cost effective but gets better results. We have decided that it often doesn’t make any sense to send an

urban kid outstate and treat him in an isolated structured environment because at some point he will have to come back to the same family, the same neighborhood, the same school and the same peers.

So, we are making changes in how we do business:

- We are use a nationally verified risk assessment tool to make sure that treatment decisions are based on the child's risk to reoffend and his or her identified areas of need.
 - High risk, high needs offenders whose history indicates entrenched criminal behavior and who have not been successful with services in the past, go to residential treatment at a secure State Department of Corrections facility at Redwing.
 - On the other hand, the kid who has an involved family, who is a minimal risk to public safety but may have problems with authority and has been thrown out of school, shoplifted and vandalized local businesses may be assessed to be low to moderate risk. That kid remains at home while we work with his family to keep him in school and deal with the peer issues and/or thrill seeking that is leading to the vandalism. He pays restitution from money earned on a paid work squad or maybe he works off his obligation with local merchants who can teach him skills.
 - This makes sense from a treatment standpoint because we are not removing this child from his strengths (family) and we are addressing his risks
 - This makes sense financially because instead of spending \$60,000 for 9 months of residential treatment, we are supporting local providers and delivering the necessary rehabilitative services for far less money.
- Our goal is to develop an array of community based services for offenders who are at low to moderate risk to reoffend so that we do not institutionalize them with high risk kids who will teach them more about crime.
 - These services include Family Functional Therapy that research indicates is highly effective with juvenile offender populations. This family therapy is intensive, in-home and involves siblings, which we hope will have an added value of preventing those siblings from engaging in criminal behavior. This therapy protocol is cutting edge so we may have to train existing community agencies to do this work. But in doing so, we do business with local agencies.
 - We have identified Aggression Replacement Therapy as an evidence-based effective treatment for anger issues. School personnel, probation officers and community providers can be trained to administer ART.
 - Wraparound chemical dependency and mental health services will complete the array of community based services available to delinquent kids and their families where those needs are indicated.
- Community coaches are another important part of our array. These adults commit to keeping neighbor kids on track by serving as 24 hour mentors. The community coach's job is to make sure the kid makes it to school and court; fulfills any restitution obligation and stays accountable. Beyond that the coach is a role model, a caring adult, a mentor who will help the kid make the changes he or she needs to.
- We in the Hennepin County juvenile justice system hold ourselves accountable for any disproportionate confinement of minority youth. We have committed with the assistance of the Annie E Casey Foundation finding alternatives to pretrial detention. For example, we use

electric home monitoring which we have bolstered by operating it 24/7 and having an immediate response to violations. We use shelter homes instead of incarceration where appropriate based on a risk assessment tool.

- We impose Sentence to Service instead of incarceration for low level property offenses. These work squads include vocational training with transferable skills like landscaping in addition to graffiti removal and clean-up crews.
- We build Evening Reporting Centers in the community that give kids a place to do homework, have meal, participate in supervised athletics and community service and stay productively occupied during high risk hours of the day. We are exploring a partnership with the City of Minneapolis to use foreclosed properties as neighborhood locations for these Evening Reporting Centers.
- We invent ways to combine electric home monitoring and school and evening reporting centers and sentence to service for probation violators so that they can be consequence while remaining engaged in school and community. We make sure that we know where our probationers are and that they are busy and this protects public safety.
- We provide services to offenders that play to their strengths, and shore up their weaknesses. That is the job of juvenile court in Minnesota. We are not a youth authority state. We rehabilitate. Our charge is to return juvenile offenders to law abiding behavior. Those who are the highest risk to reoffend and the greatest danger to public safety will be removed to residential treatment. But, where possible, we will work with the kid in the community to which he or she belongs, providing culturally appropriate, strength based services.
- We monitor the effectiveness of the services we provide by establishing outcome measures; and analyzing service delivery. We continue to evaluate the effectiveness of services, policies and practices in order to inform decisions on the use of resources.

One of the challenges we face in treating kids in the community instead of at residential treatment centers is the issue of reimbursement. Residential treatment is re-reimbursable under IV-E federal funding. New evidenced-based practices like Multi-systemic family therapy which have been shown to be highly effective with our populations are **not** reimbursable either by insurance or federal funding. We would like to see reimbursement funding expanded to cover any and all evidence-based treatment.

In addition, we do not have the funding necessary to implement aftercare sufficient to address ongoing education, mental health, employment and housing needs of kids graduating from juvenile probation or foster care.

I have described the ways in which we are attempting to make the most of existing funding. As I have indicated, the criminal justice system is the back end. Clearly additional funding for prevention services and early intervention would help us do our job. Many children have substance abuse and/or mental health issues that do not get attention until they land in juvenile court. It would be far preferable to have these issues addressed in the community to avoid criminal involvement.