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RESEARCH

# Process Evaluation of the Bronx Juvenile Accountability Court

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## **I. Introduction**

The Bronx Juvenile Accountability Court (JAC) began operations in November 2001 within the Bronx Family Court. The project's purpose is to provide an alternative to residential placement for juvenile offenders through ongoing judicial monitoring, social service linkages and collaboration among multiple stakeholders. JAC was developed by the New York State Unified Court System, Center for Court Innovation, the New York City Department of Probation, and the New York State Division of Criminal Justice Services. Key partners include the New York City Family Court, the New York City Law Department, the local defense bar, and Full Circle Health. Dedicated staff currently includes a project director, resource coordinator, two probation officers, and one supervising probation officer. (There are plans to add a third probation officer in the near future.)

The primary target population consists of juveniles prosecuted in the Bronx Family Court who have been adjudicated delinquents for the commission of an offense and who are being considered for placement in a state facility. All participants must be under the age of 16 at the time of the commission of an offense. Not all of these placement-bound youth are "hardened" or "dangerous." While many have committed serious crimes such as assault or drug sales, others have committed relatively minor offenses such as vandalism or fighting in school. The reality is that the court's decision to remove a youth from the home typically has as much to do with that child's failing support network (e.g. an absent mother, a drug-addicted father, an overwhelmed grandmother) as with the seriousness of the offense. The project's secondary target population consists of the families of participating youth, who are encouraged to take an active role in their child's life.

Although initially piloted for three years in only one court part, JAC now operates in all four delinquency court parts in the Bronx Family Court. Each of these court parts designates an afternoon each week to hear JAC cases.

Service plans are individualized, and typically include community service; school attendance; social services such as drug treatment, individual therapy and family therapy; and related pro-social activities. Additionally, if the youth needs a mental health evaluation or mental health treatment, the youth is immediately referred to Full Circle Health, the program's contracted mental health services provider, for a comprehensive psychiatric evaluation and treatment recommendations. Full Circle Health evaluations are conducted by provider staff assigned to the courthouse.

Participants are placed in JAC for periods typically ranging from 12 to 24 months, the mandated period of probation. The participant's parent or guardian may also agree to participate in services, such as family and individual counseling. Parents or guardians are required to attend all court proceedings. Once admitted, the youth and their families participate in a program of intensive, ongoing supervision and case management.

JAC has confronted numerous challenges during its formative years and has worked hard to address programmatic obstacles. The primary challenges addressed by the JAC team during the study period were the following:

- *Volume:* JAC, since its inception, has had low volume. Over the first three years, when JAC was limited to only one of the four juvenile delinquency court parts (a part-time delinquency part, at that) in the Bronx Family Court, JAC enrolled approximately 11 participants annually, compared with a target objective of 30. This problem has been remedied by opening JAC to all four court parts and by building judicial confidence and support with additional resources. In its most recent year (2006), JAC enrolled 48 participants.
- *Goals and Mission Confusion:* The most common challenge that stakeholders stated during interviews was confusion regarding the goals and overall mission of JAC. Although representatives from all stakeholder agencies were involved during the planning stage, the individuals who work with JAC on a day-to-day basis felt that they were not part of the planning of the program and thus felt disconnected with the problem-framing and decision-making process. This problem has been partly remedied through regular stakeholder meetings and opportunities to become involved, particularly in the last two years.
- *Team Participation:* There has been a struggle to get all stakeholders to participate and work together. This problem, again, through meetings and persistence, has been addressed and there has been considerable progress made in creating and sustaining cross-institution collaboration.
- *Data Collection:* Until recently, there was not an effective system for collecting quality data on JAC participants. This has hampered the ability to assess efficacy. By mid-2007, JAC plans on utilizing an established management information system originally designed for other problem-solving courts in New York City; so it is possible that data collection and tracking will improve in the future.

JAC's team members have been persistent and diligent in meeting these challenges. JAC has made substantial progress over the years in increasing the amount and quality of resources offered to JAC participants and the overall support that has been built for the program.

This report presents a process evaluation of the first five years of the Bronx Juvenile Accountability Court (JAC), including a description of the model, accomplishments, implementation challenges, stakeholder perceptions, and future directions. In November 2006, the program was merged with Bronx Community Solutions (BCS), a larger initiative located in the same building and providing similar services for adult defendants in criminal court. This process evaluation presents a description of JAC pre-BCS partnership. The research for this process evaluation included program participant data, qualitative interviews with key stakeholders, meeting documentation, and structured courtroom observations. Although efforts were made to obtain the voice of the youth that participated in JAC, interviews were unobtainable due to logistical problems. As a result, this study can paint only an incomplete picture of JAC. Future research should focus on participant outcomes (using data collected from the improved management information system), the integration of JAC into BCS (examining whether this succeeds in making JAC outlive its initial private funding), and youth and family interviews (to determine how they experienced the project and how their views compare to staff).

## II. Youth Placement: Issues and Challenges in New York State

Every year, thousands of New York's young people are "placed" in state facilities for having committed crimes.<sup>1</sup> Yet, many justice system experts have serious reservations as to whether placement is the best option for either the juveniles or the community. A much-cited 1999 recidivism study found that 81% of boys and 45% of girls released from state facilities in New York had been rearrested within 36 months.<sup>2</sup> In addition, placement is expensive. In 2006, the average annual detention cost for one youth in secure detention was \$170,820.<sup>3</sup> Put simply, placement is an extremely expensive resource that, while it may incapacitate a youth for a short period of time, does little to prevent future offending. Indeed, there is evidence to suggest that placement actually aggravates antisocial activity, producing youth more prone to criminal behavior. There are additional issues that New York's State facilities may not be well positioned to handle. For example, over 32% of youth in Office of Children and Family Services facilities were screened as needing mental health services and nearly 45% needed substance abuse treatment.<sup>4</sup>

In contrast, research has consistently found that community-based programs are generally more effective than incarceration or out-of-home residential programs in reducing recidivism, even for serious and violent juvenile offenders.<sup>5</sup> In particular, research has found that court-supervised community treatment was the most effective method in preventing recidivism.<sup>6</sup> Longer terms of community supervision were more effective than shorter terms, while longer terms of residential placement only resulted in higher rates of re-arrest.

Given this data, it is surprising that of the young people sent to state facilities, some include those who pose little threat to public safety and have been charged with relatively minor offenses. One reason could be that there are very few community-based alternatives that both reliably protect the safety of the community and address the needs of young people. Traditional diversion programs have several flaws. First and foremost, they lack the accountability mechanisms necessary to gain the trust and confidence of judges, prosecutors, and the general public. Few feature continuous judicial monitoring or the use of graduated sanctions to respond to noncompliance. Many offer only a limited range of services and cannot meet the multi-faceted needs of both young people and their families. Others haven't succeeded because they are not of sufficient duration or are not individualized to address the unique needs of each child.<sup>7</sup> The bottom line is that, for a variety of reasons, there have not been enough effective alternatives to placement that the system's gatekeepers (particularly judges, probation officers, and attorneys) feel comfortable using on a regular basis.

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<sup>1</sup> In 2003, 1,331 youth from New York City alone were admitted to facilities run by the Office of Children and Family Services, almost 30% of whom were from the Bronx (New York State Office of Children and Family Services, Division of Rehabilitative Services, 2003 Annual Report).

<sup>2</sup>Office of Justice Systems Analysis, New York State Division of Criminal Justice Services "Factors Contributing to Recidivism Among Youth Placed with the New York State Division for Youth," 1999.

<sup>3</sup> Mayor's Management Report, New York City Fiscal Year 2005, p 187. The annual cost of secure detention is based on a per diem cost of \$410.

<sup>4</sup> New York State Office of Children and Family Services (OCFS), Annual Report, 2005, p.3.

<sup>5</sup> Redding, J. "Characteristics of Effective Treatments and Interventions For Juvenile Offenders," Juvenile Forensic Evaluation Resource Center, 2000.

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*

### **III. The Juvenile Accountability Court Model**

The Juvenile Accountability Court was created to offer an alternative to residential state placement. It provides accountability mechanisms to increase the comfort of juvenile justice stakeholders, and is multi-faceted enough to meet the complicated needs of both participating youth and their families. Instead of removing the youths from their communities, JAC places participants on intensive probation and link them to an array of services (such as counseling, tutoring, and drug treatment) designed to address the underlying issues that brought them before the court. The project is designed to test the effectiveness of ongoing judicial monitoring, in combination with comprehensive community-based supervision, in preventing future delinquency and promoting socially productive lifestyles among troubled young people.

Unlike regular probation, young people in the Juvenile Accountability Court appear regularly before a judge to assess compliance with court and programmatic mandates. A team of specially trained probation officers, prosecutors, defense attorneys, and service providers work collaboratively to identify and address issues affecting each young person's behavior. A customized case management plan is crafted for each participant. The goal is to link young people and their families to supportive services such as mental health services, drug treatment, and educational assistance to prevent the escalation of minor transgressions into more serious infractions.

The Juvenile Accountability Court now operates in all four delinquency court parts in the Bronx Family Court. Each of the court parts designates an afternoon each week to hear JAC cases. At the inception of this project (November 2001), JAC was only available to one judge. In mid-2004, the availability grew to include another judge who hears delinquency cases and later that same year, JAC became available to a third judge. In 2005, JAC was made available to the remaining judge that hears delinquency cases. This expansion into multiple court parts has helped considerably in increasing enrollment numbers and stakeholder confidence. It also represents a significant statement of "buy-in" from the New York City Family Court.

#### **Goals and Objectives**

According to program planners at the Center for Court Innovation, the Juvenile Accountability Court seeks to achieve the following goals:

- Encourage the use of alternatives to placement in the Bronx Family Court;
- Engage families of program participants in services, keep families informed of their child's progress, and increase family involvement in the lives of program participants;
- Increase coordination among juvenile justice stakeholders;
- Reduce recidivism among participating juvenile delinquents; and
- Promote a new model of youth accountability within the juvenile justice system.

#### **Target Population**

The primary target population consists of young people prosecuted in the Bronx Family Court for delinquency who have been deemed responsible for the commission of an offense and who

are being considered for placement in a state detention facility by the judge and probation.<sup>8</sup> All participants must be under the age of 16 at the time of the commission of the offense. The secondary target population consists of the families of participating youth, who are encouraged to take an active role in their child's life.

From the onset, there have been very broad criteria for eligibility – the real possibility of a disposition of placement and the willingness of parents or family members to become actively engaged in programming. The planning team purposefully designated no specific criteria regarding charges, juvenile history, or specific psychosocial risk factors to trigger JAC eligibility. However, this expansive definition has led to confusion among some of the stakeholders interviewed. For example, one stakeholder felt that any youth who is currently in the court system should be eligible, saying “nothing should exclude them.” This is in contrast to other stakeholders, who believed that JAC was only intended for those cases where probation requests placement and the judge decides to give the youth one more chance. Many of the stakeholders who held this latter understanding, however, believed that JAC was targeting the wrong group of youth. One probation officer said “basically, I feel that the kids we are targeting are beyond help.” Targeting youth that are younger or are not as deeply involved in the juvenile justice system was a common recommendation made by many of the stakeholders.

Another viewpoint expressed by many stakeholders was that because the program eligibility criteria were not specific, the program ultimately rests on the discretion of individual judges. This was seen as problematic by some, particularly non-judicial stakeholders.

### **Project Activities**

Participants are placed in the Juvenile Accountability Court for periods typically ranging from 12 to 24 months, the mandated period of probation. The participant's parent or guardian may also agree to participate in services, such as family and individual counseling. Parents are required to attend all court proceedings. Once admitted, the young people and their families participate in a program of intensive, ongoing supervision, case management, and community-based services, with the following features:

- *Judicial Supervision:* In order to promote accountability, participants are required to appear before a judge regularly for the duration of the program. The frequency of appearances increases or decreases depending on the participant's compliance. At each hearing, the judge reviews a report on the youth's progress and may respond with a series of graduated sanctions and rewards. For example, a noncompliant youth involved in low-level misconduct like curfew violations or disruptive behavior in the home might be sentenced to community service or counseling. For more serious misconduct such as possession of contraband or fighting with peers, the court might heighten the intensity level of services or the frequency of reporting. If the misconduct continues, or if there are new arrests, the court can revoke probation and proceed with placement. Along with these sticks, the court can offer carrots as well; incentives for good behavior include reductions of curfew and less frequent court appearances. The court, however, does not

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<sup>8</sup> According to the Department of Juvenile Justice, a juvenile delinquent is a person at least seven and less than 16 years of age who commits an act which would be a crime if he or she were an adult, and is also found to be in need of supervision, treatment or confinement.

have a formal schedule of sanctions and incentives, meaning that each of the four juvenile delinquency judges must make case-by-case decisions on how to respond.

- *Inter-agency Coordination:* In a traditional Family Court setting, there is little communication among the various juvenile justice institutional stakeholders. In contrast, the Juvenile Accountability Court seeks to take a “team” approach in order to increase coordination and maximize resources. For example, prior to each youth’s scheduled court appearance, the Juvenile Accountability Court team, consisting of the program coordinator, a resource coordinator employed by the court system, designated probation officers, service providers, and legal players like the law guardian (the defense attorney in a juvenile case) and the Law Department (the prosecutor), attempt to meet as a group to review each youth’s case and discuss recommendations. These meetings have not always taken place however (see below). The team does hold ongoing planning meetings every other month to review policies affecting compliance. Meetings are attended by the Juvenile Accountability Court judges, representatives from the Law Department, Legal Aid’s Juvenile Rights Division, the New York State Office of Court Administration, the 18-B Panel (a panel of private defense attorneys whose members may also represent some of the youth), the Department of Probation, the Center for Court Innovation, and Full Circle Health. In the context of Family Court, these meetings are a dramatic break from tradition and a significant move towards a less fragmented system.
- *Service Links:* The Juvenile Accountability Court has a large network of community partners in locations throughout the Bronx, which can work with participants on a wide range of issues. Partners include:
  - Service agencies that offer a myriad of social services specifically tailored to youth such as Astor Family Services, Neighborhood Youth and Family Services, and the Kingsbridge Heights Community Center;
  - Mental health specialists such as Families Reaching In Ever New Directions (FRIENDS) Inc., Adolescent Skills Center, the Lincoln Empowering Adolescents Program (LEAP), and Full Circle Health (see below);
  - After-school programs such as Boys & Girls Harbor, and Urban Youth Alliance;
  - Adolescent domestic violence programs such as STEPS to End Family Violence, Dominican Sisters Family Health Services, Inc. and other health-related services agencies;
  - Substance-abuse treatment agencies such as VERTEX, Inc., which is an outpatient, OASAS licensed and certified substance abuse prevention agency; and Arms Acres, which offers inpatient substance abuse treatment for adolescents.
- *Service plans:* Service plans for the youth include community service; school attendance; social services such as drug treatment, individual therapy and family therapy; and related pro-social activities (see “service links” above). Additionally, if youth need a mental health evaluation or treatment they are immediately referred to Full Circle Health, the program’s contracted mental health services provider, for a comprehensive psychiatric evaluation and treatment recommendations. Full Circle Health evaluations are conducted by provider staff assigned to the courthouse.

- *Family Engagement:* Parents and guardians are encouraged to participate actively in the Juvenile Accountability Court. Since family support and involvement is vitally important to a young person's success, the judge requires parents, or a responsible adult, to attend all court proceedings. The JAC team also works to connect family members to community-based services that meet their needs, such as counseling, parenting skills training, or housing assistance. Additionally, Full Circle Health has created a special JAC Parent Support Group for caregivers of adolescents receiving mental health services at their agency. The goal is to take a holistic approach to each family's needs, with an eye towards creating a home environment that is supportive of law-abiding behavior. While JAC has been successful in engaging some parents/guardians, many times it is difficult to keep parents interested. To address this issue, new services and resources for parents are continuously researched, such as housing advocacy services and daycare.
- *Drug Testing:* Each participating youth is subject to an initial urine screen, with results made available to the Juvenile Accountability Court judge. Follow-up drug testing is conducted at the discretion of the JAC Court judge and/or the Department of Probation when drug use is suspected.
- *Education Specialists:* JAC has partnered with Advocates for Children in an effort to provide technical assistance to JAC probation officers on working with the Department of Education, and to facilitate referrals for young people who need academic help. The Juvenile Accountability Court is also exploring the availability of funding to hire an Educational Advocate to provide more support for the educational needs of program participants.

### **Intensive Mental Health Intervention**

JAC has consistently made mental health services a priority. In 2003, funds were acquired to provide multi-systemic therapy (MST) to JAC participants. This unique treatment has been proven to have positive effects on serious, violent, and chronic juvenile offenders.<sup>9</sup> MST is a treatment model that provides training to organizations that offer services to the families of youth with serious behavior problems. In 2003, contracts were awarded to the MST licensing agency and to Children's Village in the Bronx, an approved MST service provider.

MST specifically targets those factors in each youth's social network that are contributing to his or her antisocial behavior. Thus MST interventions typically aim to improve caregiver discipline practices, enhance family affective relations, decrease youth association with deviant peers, increase youth association with pro-social peers, improve youth school or vocational performance, engage youth in pro-social recreational outlets, and develop an indigenous support network of extended family, neighbors, and friends to help caregivers achieve and maintain such changes. Treatment plans are designed in collaboration with family members and is, therefore, family driven rather than therapist-driven. The ultimate goal of MST is to empower families to

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<sup>9</sup> Borduin, C.M., Mann, B.J., Cone, L.T., Henggeler, S.W., Fucci, B.R., Blaske, D.M., & Williams, R.A. (1995). Multisystemic treatment of serious juvenile offenders: Long-term prevention of criminality and violence. *Journal of Consulting and Clinical Psychology*, 63, 569-578.

build an environment that promotes health. The typical duration of home-based MST services is approximately four months, with multiple therapist-family contacts occurring each week.<sup>10</sup>

Ultimately, Children's Village and JAC proved to be a less than perfect match for a myriad of reasons. Children's Village was not able to provide ongoing reporting with respect to compliance and updates on strategies used with families and JAC participants. Moreover, JAC was not able to provide a sufficient amount of referrals to Children's Village to satisfy contract requirements. JAC began looking for a community-based provider of intensive mental health services and began contracting with Full Circle Health at the beginning of 2005. It was selected as the mental health service provider based on its expertise in adolescent mental health, extensive work with the justice system, understanding of and familiarity with the community, and the cultural sensitivity it brought to the process. Full Circle Health is not an MST provider per se, although its services are comprehensive and directed at both youth participants and family members.

Full Circle is a multi-disciplinary mental health and training resource. Its highly skilled and licensed clinicians, social workers, psychologists, psychiatrist, case managers and educators provide JAC participants with in-depth mental health and educational evaluations. In addition, Full Circle Health offers professional counseling and adolescent mental health and mentoring programs to JAC participants and their families. Staff members are present at all stakeholder meetings and are available to educate judges and legal professionals about mental or behavioral challenges.

Initially, Full Circle Health was contracted to provide comprehensive aftercare counseling and services to 15 youth and families, as well as provide 23 psychosocial evaluations, thereby providing the court and probation with greater insight into the underlying factors driving participants' antisocial behavior. Due to the great need for quality mental health intervention, however, the contract with Full Circle Health has been expanded. Full Circle Health can now service up to 50 youth at a time and can provide 66 bio-psychosocial evaluations per year.

Judges, attorneys, youths, and probation officers have uniformly reported high satisfaction rates with the work performed by Full Circle Health. Representatives from Full Circle Health attend every meeting and are willing to speak with any stakeholder. Interviews confirmed that stakeholders feel that addressing mental health issues is of vital importance and had not previously been addressed appropriately.

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<sup>10</sup> Borduin, C.M., Mann, B.J., Cone, L.T., Henggeler, S.W., Fucci, B.R., Blaske, D.M., & Williams, R.A. (1995). Multisystemic treatment of serious juvenile offenders: Long-term prevention of criminality and violence. *Journal of Consulting and Clinical Psychology*, 63, 569-578.

## **IV. The JAC Team**

### **Planning Team and Issues**

To understand JAC's origins, it is necessary to outline New York City's previous history and strong interest in finding quality alternative to placement projects. In 1990, the New York City Department of Probation created the Juvenile Intensive Supervision Program (JISP). The program provided comprehensive oversight of juvenile probationers and linked them to services that allowed them to stay in their homes and communities, instead of being placed in secure facilities. JAC was originally designed to build on this model, providing young people with the structure they need to meet their probation requirements. JAC was intended, however, to differ from JISP in that the judges would oversee the process directly, requiring probationers to return to court frequently to report on their progress. Also, a dedicated project director and resource coordinator would work to link each participant and family to additional services. Several program elements were adapted from "problem-solving court" models successfully implemented by the Center for Court Innovation in other contexts. Budget constraints forced JISP to be dismantled shortly after JAC was developed in 2001. Probation, however, has continued its commitment to JAC. Its dedicated probation officers have caseloads that are not to exceed 20 cases at any one time, well below the citywide probation average, so that they can provide intensive supervision to these young people.

JAC was conceived through the cooperative efforts of the New York State Unified Court System, the New York City Department of Probation, the New York State Division of Criminal Justice Services and the Center for Court Innovation. The original team consisted of representatives from the Bronx Family Court, the New York City Family Court Administration, the New York State Office of Court Administration, the New York City Corporation Counsel, the Legal Aid Society, the New York City Department of Probation, and the Center for Court Innovation.

The court system formally announced plans for the implementation of JAC before any decisions regarding policy and procedure had been formally determined. JAC has been a work in progress since inception. A consistent challenge has been resources. The program was originally implemented using only existing personnel and resources with no additional funding. Funding was not available to hire a dedicated project director until September 2003. Thus for the first two years, JAC did not have an on-site leader or project administrator, greatly limiting its capacity to implement program components.

During interviews, stakeholders mentioned several obstacles during the planning and early implementation phase. First and foremost, most of the stakeholders indicated that although they were contacted and meetings were held, they did not have meaningful involvement with the planning of JAC. Due to this lack of involvement at the beginning, many expressed confusion and frustration concerning what exactly JAC was and what it was intended to do. Many stated that they felt JAC was developed backward – that the project was developed first, without thinking out the problem that needed to be solved or who would be best served by intensive probation. Many expressed a belief that only a few people made important decisions that affected a much larger group, without first obtaining feedback or gaining an understanding the full scope of the problem.

This lack of adequate understanding during the planning process was exacerbated in the early years by the lack of a full-time project manager to lead JAC. No one “owned” the project. Although the success of JAC depends on the quality of the inter-agency partnership, this also proved difficult to achieve, particularly in the early days of the project. For example, the relationship with the Department of Probation has been challenging. There have been personnel changes within the department and, as JAC has grown to four court parts, there has been a need to increase probation officer staff time dedicated to JAC – without any additional funding being provided to the agency. JAC imposes additional case management requirements on probation officers without relieving them of any prior responsibilities: they must attend meetings, talk to community-based providers, attend court proceedings, and have paperwork ready for each appearance. Despite these additional responsibilities, Probation’s commitment to JAC has grown stronger in recent years as the program has gained traction.

### **Current JAC Team**

Fundraising support from private sources, the New York City Council, and the federal government allowed for the hiring of staff dedicated to the overseeing of JAC. The current dedicated JAC team consists of a project director and a resource coordinator. In addition, funding supports the availability of contractual services. Much of the progress that was made with JAC – expansion to multiple court parts, strengthening inter-agency collaboration, finding a capable mental health service provide – came from the consistent on-site presence and persistence of the dedicated project director.

JAC’s original project director was hired in September 2003 (and stayed through October 2006). Prior to 2003, JAC did not have a project director. The project director is responsible for the overall operation of the court, including overseeing day-to-day court operations, working with the resource coordinator, building a network of community-based treatment and social service programs and implementing the required technology. The current resource coordinator began in April 2005 and it still with the project. Her primary role is to monitor the progress of JAC participants, work closely with the probation department, and be available in court to assist the judge with any JAC-related questions.

A promising development for JAC is that in November 2006, Bronx Community Solutions (BCS), a problem-solving initiative in the Bronx Criminal Division (handling criminal defendants aged 16 and older) assumed management and administrative responsibility for JAC. This arrangement provides JAC participants with access to a more extensive menu of social service and community service options. In addition, this merger provides JAC with increased staff capacity, including on-site clinical staff. Early in 2007, as a result of this new partnership, JAC launched an innovative community service project designed to promote accountability among participants while addressing issues like truancy, drug use, family problems, criminal mischief and anger management. Participants in the project are required to complete a series of meaningful community service projects (such as reading to children at a local library, painting over graffiti or working at a soup kitchen) and academic workshops (on topics such as conflict resolution or family journaling). The advent of the BCS/JAC merger has given the program the capacity to respond to a frequently-voiced judicial concern – that community service options for young people have historically been too limited, offering few learning opportunities or meaningful pathways to genuinely restore the community. Under the new BCS/JAC format, the

community service program has been reformatted and tailored to combine practical learning with meaningful service opportunities.

### **Stakeholder Meetings**

Once the Juvenile Accountability Court was underway, stakeholders began to meet routinely every other month for updates and to discuss problems or concerns. Updates, such as possible new resources, were discussed. For example, representatives from Adolescent Health Center, Advocates for Children, and Covenant House have come to talk to the group about their services. At one meeting, the judge from the Brooklyn Mental Health Court came to share his experiences. Challenges such as case conferencing and addressing the educational needs of participants have also been discussed. After challenges are raised, brainstorming sessions often follow. For example, one such session focused on responding to technical infractions – several members of the team felt that the court and probation rarely provided intermediate sanctions and alternatives to revocation at times of non-serious noncompliance. The team discussed possible intermediate sanctions that could be issued to JAC youth, instead of placement. These discussions serve to raise awareness of issues and concerns.

## **V. JAC Courtroom Operations**

JAC participants are required to complete their probation mandates, which range from 12-24 months. During this time, participants are required to come to court regularly as well as attend a variety of services. At each appearance the judge is presented with a progress report, prepared by the Department of Probation, documenting the youth's compliance with court-ordered mandates and services, such as regular school attendance, curfew, counseling, community service, etc.

Although there is no written protocol, the longstanding aspiration has been for participants to return to court once every two to three weeks until the judge becomes confident about the participant's progress – and once every month thereafter. While there is a written sanctions schedule, individual cases are addressed on a case-by-case basis. Thus noncompliance (e.g., rearrest, not attending mandated program, truancy, disappearing on a warrant, etc.) can lead some participants to be placed immediately, whereas others can be given a warning or mandated to return to court more often. From courtroom observations, it seems clear that the judicial response is determined on a case-by-case basis influenced by the probation report, parental feedback, youth attitude and the severity of noncompliance.

### **Court Operation**

At inception, JAC judicial hearings were held on Wednesday afternoons in one court part. Currently JAC operates in all four court parts, and each one designates an afternoon each week to hear JAC cases. Case conferencing ideally was supposed to take place prior to the calendar call so that progress reports could be reviewed and discussed and recommendations proposed to the judge during the hearing. This has only happened consistently in one of the court parts.

While case conferencing has been a goal since inception, many problems have been encountered in the other three court parts. Various brainstorming sessions have been devoted to working out a protocol for case conferencing. Partner agency representatives all are made aware of any developments in a case during the judicial hearing and can discuss such developments at that time. Although a departure from the original vision for JAC, this compromise has allowed JAC to operate while also addressing the concerns of partner agencies, which understood the importance of case conferencing in theory but could not always make the required accommodations to their schedules to allow conferencing to occur regularly.

### **Judicial Interaction**

Researchers observed a total of 97 appearances (see Attachment A). Probation reports, whether written or expressed orally by the probation officer, were provided to the judge at every judicial hearing. The judge consistently reviewed the report and always addressed the youth, parent/guardian, or law guardian. This often took the form of engaging the youth in direct conversation (91% of the observed appearances) and asking probing questions (71%). The judge discussed how the youth was doing in each of their programs; encouraged those doing well (100%); admonished those doing poorly (94%); and at times administered a system of intermediate sanctions and rewards in response to progress or noncompliance. The judge also conversed with the attorneys and probation officers as needed.

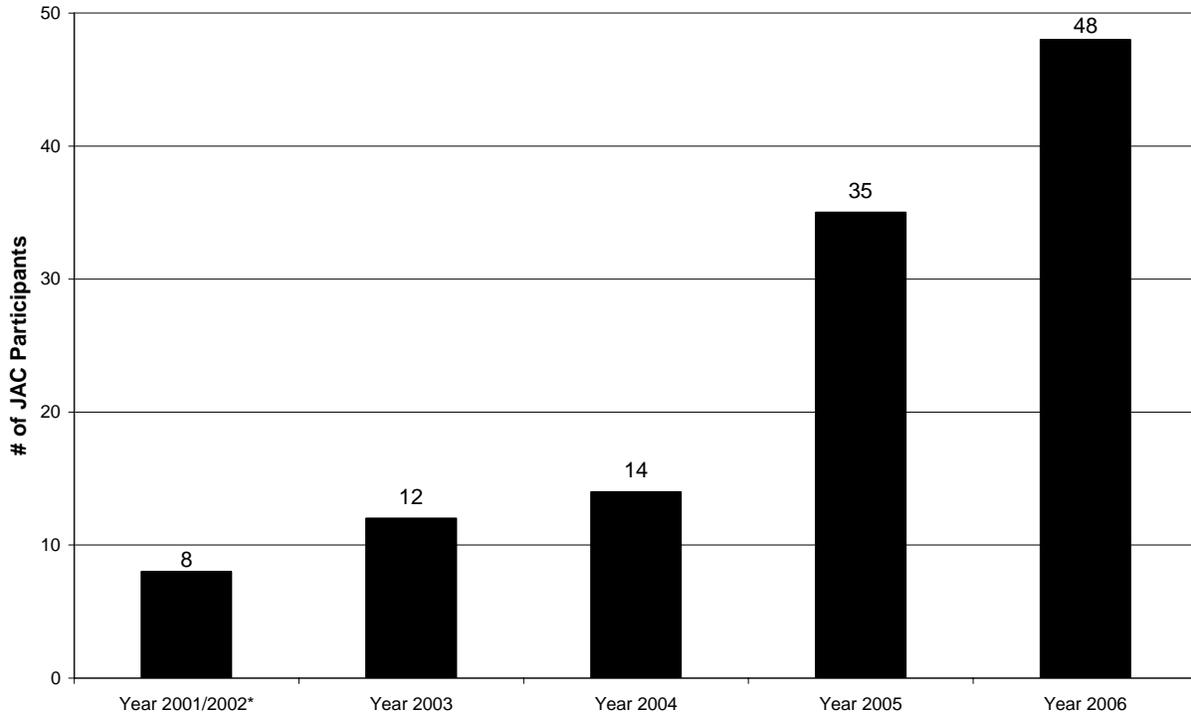
Qualitative observations revealed that each judge had a different approach; some were very supportive and focused on the positive aspects of the progress report. Others gave less positive reinforcement and focused on the negatives. Interestingly, all of the judges focused much of their attention on the parents and guardians – asking them questions about the youth and reinforcing mandates regarding curfew and school attendance. One of the judges assigns books for the youth to read and book reports due at their next court appearance. The books are about youth and the criminal justice system; youth were observed to express positive feedback about the reading experiences during courtroom observation.

## VI. Program Status of All Participants

### Volume

Figure 1 demonstrates the steady increase of JAC participants since project inception. There was much lower volume than anticipated during the first three years, but volume has increased during the past two, meeting projected levels.

**Figure 1. JAC Volume**



\* The project began operations in November 2001.

### Current Program Status

Table 1 shows the current status of all 117 participants entering as of March 31, 2007. The data indicates that 74 participants have either graduated or are still active in the program and 43 have failed and been placed in a state facility. Unfortunately, data is unavailable concerning the reason for failure. Anecdotally, stakeholders report that the reasons are that the youth is beyond parental control; rearrested for a new crime; or there is no viable resource to adequately supervise the youth in the community.

**Table 1. Current Program Status of All Participants**

	<b>Male (n=91)</b>	<b>Female (n=26)</b>	<b>Total (n=117)</b>
<b>1. Open</b>	<b>30</b>	<b>3</b>	<b>33</b>
<b>2. Graduated</b>	<b>26</b>	<b>15</b>	<b>41</b>
<b>3. Failed</b>	<b>35</b>	<b>8</b>	<b>43</b>
<b>Total number of participants as of 3/1/07</b>	<b>91</b>	<b>26</b>	<b>117</b>

**Program Completion Status**

Completion rates are a critical measure of program success. The following information reflects participants who entered JAC at least 18 months prior to the analysis (prior to September 30, 2005). This is to ensure that those participants included in the analysis had sufficient time to reach their final status (graduation or failure). Of the 60 participants who entered JAC prior to September 30, 2005, 32 (54%) graduated and 28 (46%) failed.

**Participant Profile**

Table 2 provides the demographic, socioeconomic, substance abuse history, and criminal justice profile of some of the 117 participants at intake. Unfortunately, data is not complete on all 117 participants.

Findings include:

1. The median age is 15 years old – both for females and males;
2. Educational disadvantages are prevalent, especially for females: 23% of male participants and 44% of the females are in special education;
3. Nearly all of the participants (93%) are black or Hispanic;
4. Not surprising since participants are youth, over 70% live with their parents or other relatives;
5. Although there are ten neighborhoods in the Bronx (defined by the New York State Department of Health), over 60% of JAC participants come from three disadvantaged neighborhoods;
6. A large plurality of youth self-reports both a history of drugs (38%) and crime (29%).
7. Almost half of participants (46%) were originally arrested on assault charges and 22% were arrested on theft charges. In addition, a significant percentage of male participants were arrested on drug charges (13%).

**Table 2. Participant Profile**

	<b>Male (n=91)</b>	<b>Female (n=26)</b>	<b>Total (n=117)</b>
<b>1. Basic Demographics</b>			
Median Age	15	15	15
Grade (mean)	9	8	9
Special Education	23%	44%	27%
Race / Ethnicity			
Black/African-American or West Indian	50%	54%	51%
Latino/Hispanic	41%	46%	42%
Caucasian	2%	0%	1%
Other	7%	0%	6%
<b>2. Residential Profile</b>			
Current Living Situation			
Lives with parents or siblings	86%	73%	84%
Lives with other relatives	9%	7%	8%
Lives with foster family	2%	7%	3%
Other situation	3%	13%	6%
Neighborhood			
High Bridge – Morrisania	18%	8%	16%
Fordham – Bronx Park	14%	23%	16%
Pelham – Throgs Neck	30%	23%	29%
<b>3. Criminal Justice Information</b>			
History of drugs	40%	31%	38%
Criminal history	31%	22%	29%
<b>4. Case Processing</b>			
Probation mandate (months)	14.5	13.1	14.2
Community service	35%	56%	39%
Charges			
Assault	42%	62%	46%
Theft <sup>1</sup>	23%	15%	22%
Drug Sale/Possession	13%	0%	11%
Weapons	10%	8%	6%
Criminal Mischief	4%	8%	5%
Sex Offense	5%	0%	4%
Burglary <sup>2</sup>	3%	0%	3%
Other	1%	11%	3%

Note: Percentages may not add up to 100% due to rounding.

<sup>1</sup> Includes larceny and robbery.

<sup>2</sup> Includes criminal trespass, possession of burglar's tools.

## VII. Challenges and Accomplishments

This section reviews the major challenges and accomplishments of the Juvenile Accountability Court.

- *Funding:* JAC was originally implemented with no dedicated funding, using only existing resources and staff. Over the years, funding has been acquired from a range of private and government funders and has allowed for the hiring of dedicated staff and mental health services. There is little doubt that this has improved the quality of the program.
- *Institutional resistance:* Possibly the largest challenge for JAC was stakeholder resistance. In an environment where agencies such as Probation, Family Court and the Law Department do not usually have to work as a collective unit, JAC encountered considerable resistance. This, in combination with a substantial degree of confusion during the planning and early implementation of JAC concerning its goals and policies, led to a significant period of struggle trying to get all stakeholders “on board.” Convening team meetings consistently has led to open communication and improved the ability to identify and solve issues. Moreover, access to vital services, particularly those provided by Full Circle Health and through the merger with Bronx Community Solutions, has increased stakeholder confidence and helped the program meet its ambitious goals.
- *Volume:* The low volume that JAC experienced in the first three years of operation seems to be closely tied to a few issues: that JAC was only available in one part-time delinquency court part and the lack of confidence and resistance of many of the stakeholders. As relationships have grown stronger and the quality of services has improved, JAC has been able to expand into four court parts, which in turn has increased volume.
- *Case conferencing:* Many of the stakeholders commented on the value, at least in theory, of conferencing the cases before each court session, but JAC has continuously had a problem with getting all the necessary players to share information before each court hearing. Many ideas were tried, changing the time and location, but it remains a challenge in all but one court part.
- *Providing quality mental health services:* JAC has consistently made providing mental health services to its participants a top priority. When problems began to arise with the original mental health service provider, the JAC team had to make the decision to switch agencies in midstream. This was a tough decision but definitely the right one. As noted, the current provide, Full Circle Health, has helped to strengthen the program and increase stakeholder confidence.
- *Participant educational challenges:* Many of the stakeholders interviewed commented on the need to address the educational problems of participating youth. This is an ongoing concern.

- *Lack of intermediate sanctions:* There is disagreement among stakeholders regarding how to respond when JAC participants display resistance or troubled behavior. In practice, these participants are often recommended for placement by Probation. Yet, some stakeholders have argued that noncompliance does not automatically indicate that a young person is unwilling to comply with JAC; these stakeholders suggest the use of intermediate sanctions. Indeed, incremental sanctions are part of the official JAC model and could be utilized more often to provide consequences while still offering support and services.
- *Technology/Evaluation:* Over the past five years, there have been many iterations of a data collection tool. The latest data collection tool is a Quattro pro document that the resource coordinator keeps up to date. Unfortunately, only limited information is entered. By mid-2007, JAC plans on utilizing an established management information system originally designed for other problem-solving justice court projects in New York City; it is hoped that data collection and tracking will improve in the future; without better data, the project's ultimate impact on participating youth and their families cannot be rigorously examined at this time.
- *Going to scale:* JAC is now available in all four delinquency parts, an important achievement as the project seeks to move from pilot status to becoming a permanent component of the judicial system. With growth have come challenges: As mentioned previously, each judge has a different approach when dealing with these youth, and issues and concerns are often dealt with on a case-by-case basis. In the days ahead, JAC must grapple with the tension between promoting a single, coherent model in all courtrooms and allowing for individual differences among judges.

## **VIII. Future Directions and Conclusion**

In November 2006, Bronx Community Solutions (BCS), a “problem-solving” initiative in the Bronx Criminal Division (handling criminal defendants aged 16 and older) assumed responsibility for JAC. BCS seeks to provide judges in the Criminal Division with increased sentencing options for misdemeanor offenses such as drug possession, prostitution and shoplifting. The partnership of BCS and JAC provides JAC participants access to the extensive menu of social service and community service options available to many adult criminal defendants in the Bronx. Early in 2007, as a result of this new partnership, JAC launched an innovative community service project designed to promote accountability while addressing issues like truancy, drug use, family problems, criminal mischief and anger management. Participants in the project are required to complete a series of meaningful community service projects (such as reading to children at a local library, painting over graffiti or working at a soup kitchen) and academic workshops (such as conflict resolution or family journaling). The workshops are designed to complement the community service projects, offering guidance that makes the community service more meaningful to participants and enhances their understanding of the work being done. The program lasts a total of 60 hours over a 13-week period.

Staff members’ focus for the upcoming year is providing the young people in the Juvenile Accountability Court with an educational support system that will both help them succeed academically and keep them in school. Students who struggle academically and socially in school - including almost all of the young people in the Juvenile Accountability Court - are far more likely than others to be truant. For JAC participants, truancy may constitute a serious violation of probation, leading to placement in a state facility. Helping program participants succeed in school is therefore an important priority. Program staff members are currently exploring various programming options, and JAC plans to intensify its work with local schools and educational providers to address program participants’ academic deficiencies. Through an academic support program, the Juvenile Accountability Court hopes to help at-risk youth to stay in school, comply with the terms of their probation, and remain in the community.

JAC has seen its share of challenges and problems. As a result of the strength and determination of those that are committed to this project, many of the challenges have been addressed over time. The next phase of JAC, under the auspices of Bronx Community Solutions, will provide more staff and new ideas.

**Appendix A.**  
**JUVENILE ACCOUNTABILITY COURT - COURT OBSERVATIONS**

Date: \_\_\_\_\_

# JAC cases: \_\_\_\_\_

# non-JAC cases: \_\_\_\_\_

	1	2	3	4	5
Start time of appearance					
End time of appearance					
<b>SPOKE DURING APPEARANCE</b>					
Judge					
Corporation Counsel					
Law Guardian					
Parent					
Youth					
Other					
<b>JUDGE'S TACTICS</b>					
Engaged in direct conversation					
Made eye contact					
Issued sanction (specify)					
Issued reward (specify)					
Positive feedback					
Negative feedback					
Asked probing questions					
Asked non-probing questions					
<b>APPEARANCE INFORMATION</b>					
Parent (or other family member) present					
Good report					
Negative report					

**Appendix B.**  
**STAKEHOLDER INTERVIEW QUESTIONS**

1. What do you think the primary goal was in creating JAC? (probe: what problems was JAC trying to fix?)
2. What are your opinions in whether or not JAC is achieving those goals?
3. In what ways did you understand that JAC would represent an improvement on business as usual?
4. Who, in your mind, should be candidates for JAC?
5. What, in your mind, are key factors leading to success?
6. What, in your mind, are key factors leading to failure?
7. Now lets talk about the JAC model. What do you like/dislike/see that needs improvement with respect to the model? (probe: value of ongoing judicial monitoring / and intermediate responses to misconduct)
8. An important part of the JAC model is the collaborative aspect. Do you feel that you are kept in the loop as observers or active participants in project development/growth? Do you feel like you are part of the process and that your voices and needs are being heard?
9. Tell me about the problems with the JAC model since it started?
10. What kinds of changes or adjustments have you seen that have been made to the daily operation of JAC?
11. Do you think JAC is beneficial? To who? If so, in what ways?
12. How could JAC be improved?
13. *Asked only to probation:* How has JAC affected probation work? (probe: increased work, more paperwork, more court appearances, etc)