

Juvenile Justice Advisory Council
March 25, 2009
Maine Criminal Justice Academy

Attendees: Paul Vestal, Mark Boger, Richard Brown, Ned Chester, Carla Fearon, Jim Foss, Kristen Jiorle, Charles LaVerdiere, Margaret Longworth, Dan Nichols, Doug Patrick, Barry Stoodley, Christine Thibeault, Patrick Walsh, Tim Piekart, Hannah Kiernan, Abby McCourt, Kathryn McGloin, Dyana White, Betty Lamoreau, Ross Greene, Troy Varney and Joel Gilbert.

Acceptance of previous minutes:

Mark Boger requested a correction – bottom of page 1, should read “dispositional” alternative.

Move by Dan Nichols, 2nd by Jim Foss to accept minutes as change.
Passed.

CJJ Dues are due, \$5000.00. Move by Ned Chester, 2nd by Christine Thibeault to pay. Vote was unanimous to pay.

Janet Mills will be invited to the next meeting to discuss JJS and her plans.

LD 793 "An Act To Improve Juvenile Correctional Services" – copy provided:

Christine Thibeault led the discussion on the proposed amendments.

Section 1 – allow telephone and mail monitoring at juvenile facilities same as at adult facilities

Section 2 – Makes failure to pay fine for civil offense a new juvenile crime.

Christine opposes this change, as does Diane Sleek, Corrections’ AAG. All agree that something needs to be in place to manage these violations.

Judge LaVerdiere abstained from voting, but voiced strong concern about the need for a mechanism to allow the court to enforce it’s orders.

Offenders must be provided advance, written notification of the consequences of violation, this has not been done consistently.

Barry Stoodley asked if the notification must be done at the time of disposition or can it be done later if needed. Notice must be given at adjudication in accordance with statute and JJDP Act. What about at a violation hearing, giving ample time to comply and providing timely notice to counsel?

Barry is providing testimony on this bill; stating these violations need to be aligned with other violations in the Juvenile Code.

The suggestion to suspend a driver’s license is strongly opposed by the Secretary of State’s Office as the offense is not related to driving.

A full review of major juvenile issues is coming soon and that review would be the best forum for this issue.

Section 3 – Change to allow courts to have discretion when handling cases from other states where the offender is considered an adult but has not reached the age of majority in Maine.

Support as amended.

Section 4 – no changes

Section 5 – changes to remove the transport of juveniles from county jails to juvenile facilities to bring it into compliance with the OJJDP Act. This involves removing the language allowing a juvenile to be transported to another jurisdiction or facility and is in violation of the JJDP Act.

This change would create problems for many areas where timely transportation is not available.

Kathryn McGloin and Tim Piekart will seek clarification from OJJDP. Christine will have more discussions on this prior to the workshop.

Motion to support LD 793 accept as amended and follow-up with OJJDP by Christine Thibeault and Jim Foss 2nd.

Vote – Yes=8

NO=1

Abstain=5

Coalition for Juvenile Justice is sending a message the new administration to restore and increase funds for juvenile justice programs.

Paul asked the group to submit written testimony to the House Appropriations Committee in support Titles II and V. Templates are available if there is any interest. Also, a letter of support from this JJAG will be sent. The JJAG voted unanimously to have Kathryn submit the letter.

Grant Review – Betty Lamoreau, Division of Purchases:

Recently 3 RFPs have been challenged resulting in all awards being overturned. Betty joined the meeting to provide guidance to prevent challenges, she provided handouts outlining Do's and Don'ts and rules of RFP reviews.

Question & Answer:

Q – OJJDP sends a letter listing the strengths and weaknesses of a federal grant application – can we do this also?

A – It is suggested that this information be maintained but NOT sent out to the vendors. However, if they ask for the information it must be provided.

Q – Does a successful appeal lead to additional appeals?

A – No. Fewer appeals occur because of the tighter controls/processes.

Q – If there is an appeal in one category, can the others be combined later?

A – Yes, but we must be cautious on how the categories are split up.

Q – What happens if all proposals are rejected or there is no good reason to fund a specific category?

A – Typically that is a reflection on the RFP. Score thresholds can be imposed ahead of time. Awards can be given subject to negotiations with the vendor – be careful of funding changes. Give the award to the highest score and work with them to improve as needed.

Q – Can copies of winning proposals be had?

A – Yes. They are public record. Requests go to the agency that issued the RFP and the requester must pay all copying and shipping expenses incurred.

2009 to 2011 Comprehensive Three Year Plan for Juvenile Justice: Special Thank You to Kathryn and Tim for their work on this.

The plan is due March 31st, Kathryn wants to get it out by the 26th. She sent out the 2nd draft last week for review, discussion and approval. This Plan is based on the Group Needs and Problem Statement. The Need and Problem Statements are not listed in any particular order in this plan. Kathryn will add a statement explaining that there is no priority set here.

Tim Piekart will be added to the staffing in two locations.

There is no DMC data included in the Plan as it won't be available until the end of April. Kathryn has already spoken with OJJDP about this and they have approved the late submission of that data since Maine's numbers are so small.

Christine warned against the use of "all", "always", "never" as it could put us in a dangerous position, she recommends finding other language. She is still reviewing the plan and will provide her comments as soon as she finishes.

ACA accreditation at the juvenile facilities, to include Mt. View's recent score, will be added to the Performance Measures portion.

Kathryn will incorporate the changes discussed here.

Patrick Walsh moved to accept the plan with these changes, Ned Chester 2nd the motion. Vote as unanimous to accept.

Collaborative Problem Solving: Dr. Ross Greene

Town of Sanford update:

Ross reports the project is going well, it is taking a long time to make system changes. As a comparison, it is going better than at the juvenile facilities for the same time period.

There was a change of Superintendent of Schools in Sanford that caused a slow down. Currently the project is going very well through the Junior High School level; the High School is moving slower but overall he is happy with the impact CPS is having.

There is some difficulty with the police department; the Chief is having some challenges with getting the desired response from the officers on the street. Ross will be able to provide them some additional support over the summer months.

The family component of the project is doing the least well. The parent group did not take hold, the JCCO in Sanford is trying to push it with the families she works with. Ross did not feel that the parent group will be the key to success in Sanford there are larger issues to resolve at this time.

Sanford received a grant for Safe Schools/Healthy Students at the same time this project started. Because there is so much being offered to this town at once there is competing priorities to manage.

There was an attempt to overlap CPS with Safe Schools/Healthy Students, however these programs do not support each other and they remained 2 separate initiatives.

Ross is not optimistic the Town Council will fully embrace CPS for the whole town. There will likely only be an impact on small pocket of the population given the amount of time available to work on this project.

Future goals/plans:

The level of support the schools are receiving creates an atmosphere of dependence on that support, limiting their ability/willingness to take it on independently.

Ross would like to focus on the 20-25% of the population that need the most and would benefit the most.

Goal #1:

Pilot program on a small scale to generate buy-in from multiple agencies that work with the 20-25% referred to earlier. He would like to see common methods, thought processes and models used by all to work with this population.

Goal #2:

School interest in CPS is at an all time high in Maine; Ross is getting requests daily for his services.

In an effort to meet the demand without fostering dependency on continuous support, he is envisioning a web-based support system. He would be able to help many people in many areas at the same time.

He would teach CPS to schools and then direct them to the web-based service for coaching and assistance. He is considering using Blog Talk Radio for this service.

He needs funding to develop the web service with streaming video, audio, and interactive capabilities. This service would only be available in Maine.

Open Discussion:

Ned asked about community providers and how they fit into this. Ross believes there may be some resistance. Evaluators need to be brought into this process as their recommendations are often taken as rule.

The Community Programs Committee with Roxy Hennings and Dr. Cook would be a good place to start to bring CPS to other agencies and providers.

Ross needs to find a location that has no other competing programs, however, because the Title V funding restrictions are so tight the number of locations to choose from is quite minimal. The other option is to find the location he believes to be appropriate, set it up to qualify for Title V funding and then bring in CPS.

He has learned a lot from the Sanford project about how to bring this to an area, he will be better prepared next time. Kathryn reports that she is now more knowledgeable about Title V issues and that she and Ross will be able to work together to get this moving forward.

Other Business:

Pat reported out on the FACJJ national meeting he attended.

There was a motion to change the responsibility to writing the Annual Report back to the CJJ. He said that generated a great deal of discussion, it has gone to legal review. He'll provide more information as it becomes available.

He found that Maine's priorities are in line with national issues. He also learned that funding of full-time positions will take longer to do.

LD 1132 "An Act To Establish the Maine Commission on Indigent Legal Services:" Ned Chester reported.

This is regarding legal services be provided by the Judiciary. It needs to be moved from that arena and a separate agency needs to provide oversight and manage this. As it is currently creates ethical and conflict of interest issues.

He expressed concern with the quality of services provided by staff and would like to ensure that services are only provided in a particular area by people specifically trained in that discipline, e.g. juvenile justice.

Judge LaVerdiere strongly supports this citing the conflict of interest.

Christine asked if this is something that should be included in the 3-year plan. The JJAG's position on this must be very clear. Kathryn states that this is included in the Needs and Problems Statement.

Planning for the Juvenile Summit is moving forward. The first meeting of the Steering Committee is soon.

Barry reported that he is chairing a national recidivism committee. They conducted a survey of states to see how they measure recidivism, there are numerous definitions nationwide.

Congratulation to Dick, he is the recipient of the 2009 Dorthea Dix Award for Public Service.

With no further business the meeting was adjourned.