

Iowa Girls Justice Initiative

Meeting Notes

November 6, 2015

10:00am – 2:00 pm



Polk County River Place – Room 2

2309 Euclid Ave.

Des Moines, IA

Working Group Members

Ashley Artzer, *Juvenile Court Services*

Terri Bailey, *Achieving Maximum Potential Facilitator*

Jim Chesnik, *Iowa Dept. of Human Services, Div. of Adult, Children, and Family Services*

Kristin Corey, *Iowa Department of Human Rights, Office of the Status of Women*

Susan Cox, *5th Judicial District*

Steve Crew, *Iowa Department of Education*

LaTasha DeLoach, *Johnson County Social Services*

Kim Denning, *Juvenile Court Services*

Andrea Dickerson, *Youth & Shelter Services, Inc.*

Rita Ferneau

Jerry Foxhoven, *Drake University School of Law, Middleton Children's Rights Center*

Ruth Frush, *Juvenile Court Services*

Evelyn Garrison, *Achieving Maximum Potential Facilitator*

Jasmine Garrison, *Achieving Maximum Potential Member*

Nicole Hart, *Achieving Maximum Potential member*

Stephanie Hernandez, *Family Resources, Inc.*

Jeremy Kaiser, *Scott County Juvenile Detention*

Nathan Kirstein, *Disability Rights Iowa*

Steve Michael, *Iowa Department of Human Rights, Div. of Criminal and Juvenile Justice Planning*

Kristie Oliver, *The Coalition for Family and Children's Services in Iowa*

Brent Pattison, *Drake University School of Law, Middleton Children's Rights Center*

Lori Rinehart, *Polk County Juvenile Court*

Tom Southard, *Juvenile Court Services*

Monica Stone, *Iowa Department of Human Rights*

Jennifer Tibbets, *ITFYW Chair and Catherine McAuley Center*

Patti Wachtendorf, *Iowa Correctional Institutional for Women*

Julie Walton, *Scott County Attorney's Office*

Guests

Kris Gallagher

Danah Zepeda, *Children and Families of Iowa, offers substance abuse treatment programs and a children's PMIC program*

Pat Rogness, *VP of Mental Health and Clinic Services, Children and Families of Iowa*

Staff

Gracie Brandsgard, SPPG

Indira Karic, SPPG

Natalie Koerber, SPPG

Arlinda McKeen, SPPG

Kathy Nesteby, *Iowa Department of Human Rights, Div. of Criminal and Juvenile Justice Planning*

Julie Rinker, DHR

Welcome and Overview of the Day

The meeting began at 10:10 a.m. Indira Karic opened the meeting by thanking the group for being here today. We'll get to know each other better, listen to each other to get to know the depth and breadth of the issue of girls in the juvenile justice system. We'll talk about what we know and what we need to know to meet the charge of the group.

Each IGJI member introduced themselves to the rest of the group.

- Evelyn Garrison – work for apartment complex as on-site social worker, with AMP since 2007, conducts facilitation for AMP in support groups and act as a resource for kids to help them navigate the system and access to resources.
- Susan Cox – worked for 20 years at the Polk County Attorney's Office, wants to work on better services and resources for those who have experienced trauma, and kids react to trauma in different ways. Delinquency is often the result of un-resolved trauma.
- LaTasha DeLoach – hope is that we can do something better than we have done before. Allow space for creativity and innovation. More voices from AMP kids in what this ends up looking like.
- Nathan Kirstein – Disability Rights Iowa, serves juveniles with physical or intellectual disabilities or mental illness. The delinquent population is disproportionately experiencing mental illness or other disability. Wants the most community-integrated approach possible.
- Steve Crew – representing Iowa Department of Education, former educational administrator for Woodward Academy, assists schools and private agencies in delivering educational services to adjudicated juveniles.
- Jennifer Tibbets – ITFYW chair, program manager for women experiencing homelessness.
- Kathy Nesteby – hopes that we come up with an innovative solution for services as well as the way the services are developed.
- Ruth Frush – JCO in NE IA, wants to look at array of services and come up with an appropriate service for the state training school level of care.

- Monica Stone – division administrator for community advocacy and services and deals with minority populations as well.
- Terri Bailey – statewide chair for AMP, carrier of the stories of the youth. The youth are very interested in this topic.
- Nicole Hart – AMP member, how they treat young girls in treatment centers and group homes.
- Ashley Artzer – carry a female-only caseload, and task force member.
- Patti Wachtendorf – Mitchellville warden, invited the group to come to Mitchellville and meet some of the women.
- Kim Denning – would like another state training school.
- Tom Southard – was also a cottage director at girls' state training school at Mitchellville. Currently operating two girls' state treatment programs in their judicial district.
- Steve Michael – we are building on the task force created to look at these issues.
- Andrea Dickerson – oversees residential programs for both genders in Ames. Employs female-responsive programs there. Important to make sure staff and programs are gender responsive and trauma informed.
- Jim Chesnik – emphasized the level of the care, making sure resources and services are appropriate, not more or less. Echoed that we should take what the youth have to say and we take that seriously.

Why are we here?

Kathy Nesteby provided background information and context for the Iowa Girls Justice Initiative (IGJI) working group members on the creation of IGJI and the current situation in the juvenile justice system. Iowa Task Force for Young Women (ITFYW) has been around since 1995, and has focused on promoting and implementing female responsive services within the juvenile justice system. To accomplish this goal, the ITFYW has conducted research and data analysis on specific sub-topics, advocated for more funding from the state legislature, and offered a yearly conference.

The IGJI working group is funded through a grant applied to by ITFYW, with Friends of the Iowa Commission on the Status of Women as the non-profit partner. Tibbets explained the timing of the scope of work in the grant seemed ideal for Iowa because the closing of girls State Training School in Toledo raised awareness of the need for more services for deep-end girls. Out of seventy-seven applicants nationwide, we are one of only three who received the grant.

There have been a multitude of studies and reports done previously. This group will take the next step to put together actual plans with an emphasis on the implementation aspect – this plan shouldn't just gather dust.

Charge:

The IGJI planning group will develop and coordinate implementation of a plan for services and supervision of young women who are involved in the juvenile justice system at the deepest levels.

This plan will be:

- *Innovative, viable and effective;*
- *Female and culturally-responsive, trauma informed, strength-based, and developmentally appropriate;*
- *Data-driven and research-based;*
- *Applicable in a variety of settings and levels of supervision, while emphasizing the needs of young women who are high risk and/or high need.*

The charge reflects what needs to be done but also what will be reported back to the funder. Tibbets explained that the charge to the group was taken straight from the grant proposal. Two key aspects of the charged were noted:

- Will develop a plan
- Will coordinate implementation a plan

Arlinda McKeen went through the required elements of the process. Smaller break out groups within the larger working group may be necessary to ensure everyone has adequate time to share their expertise, experiences, and ideas on a variety of aspects of the system. A working group member suggested that the group identify the passion and strengths of its members to focus on specific aspects of the plan in order to break up the work into each other's interests.

Kathy Nesteby provided the working group with an overview of some base data. CJJP conducts a substantial amount of data collection on the juvenile and adult corrections system. Nesteby asked the working group to be thinking of what kinds of research questions we want to answer; this will help CJJP determine what kind of data analysis should be conducted and what kind of data they should pull for the group. CJJP has already begun collecting data for prior placements, offense history, and other basic data to begin putting together a profile of girls being served at the deep end. CJJP will also be working with juvenile court offices to provide qualitative data as an addition.

1. Developing the plan

The group is charged with developing a plan of services for girls in the deep end of the juvenile justice system. McKeen emphasized that while the group members do not have to actually write the plan, every member will be responsible for deciding the content of the plan so that SPPG can write the document. This plan will span all levels of government – local, state, and federal and will span across branches of government to ensure there is breadth and the depth in this plan.

McKeen summarized the timeline for the work. SPPG and CJJP will take care of the behind the scenes work. The working group members will identify information and resources needed. She emphasized that this will be a dynamic process. This will be an incremental discussion, with information accumulating

throughout the process, allowing thoughtful processing and deliberations. McKeen reiterated that the Iowa Task Force for Young Women and SPPG appreciate the working group's willingness to do this hard work in advance.

2. Coordinate an implementation plan

The creation and coordination of the implementation plan is an official aspect of the grant's scope of work. This is to ensure that there is follow through and there are specific assignments for each responsible organization and agency with regards to implementation. The end result of this group will impact how each stakeholder group does their job in their work outside of the task force.

Not everything will require a change in the rule or law – some of the things that come out of this will be changing how things are done within an organization or how we carry out services.

A working group member asked if there would be any legislative input during this process, and added that their input now could help get some buy-in from the legislature later. Nesteby answered that legislators have been invited, one Senate Democrat and one House Republican, but neither have been appointed yet. The goal is that there will be legislative involvement. She added that ideally, the working group's final plan will make its way to the legislature and the governor, state board administrators, and the heads of state departments.

Guiding Principles for Our Work

The planning group was asked to think about and discuss how the group will work together in their sessions, that is, what guiding principles will they adopt by consensus to guide their work and group dynamics. Discussion followed with a number of elements of both working group principles and hopes for the plan itself being raised.

- Understanding trauma
- Being innovative, be willing to think outside the box
- Girls have a voice
- Working together, collaboratively
- Don't dwell on the past – focus on the future, but learn from the past
- Stopping the cycle, keep them from entering the adult system
- Gender equity
- Building a system, taking a holistic approach
- Remembering why we're here – it's about the girls
- Building personal interconnection with girls – we aren't imposing a system on the girls, they are a part of the plan from the beginning stages
- Promoting authenticity, empowerment
- Helping girls be their authentic self
- Stay solution-focused, remain practical
- Relationship-focused, ensuring positive support
- Creating a continuum within the system, eliminating silos
- Environmentally-sensitive to how the girls fit into the community

- Consider the public safety aspect
- Considering how girls fit in the community, including re-entry
- Educating the public, getting public support
- Not coming up with solutions out of fear, but rather facts and research
- Data-driven, evidence based
- Being willing to learn, listening to each other
- Culturally conscious and culturally responsive
- Making services and levels of care appropriate for the girl, separation of environments or services when necessary
- The system should be customizable (appropriate services, resources, levels, when services are offered)
- Timing is critical
- Looking at the way we use medicines to address issues
- Don't be afraid to ask question to get more information or clarification
- Showing up to each meeting, be consistent with attendance
- Willingness to do homework and do work outside of the meetings
- Recognizing the different needs of girls within the system (mental health, etc.)
- Use and rely on each other's experience and knowledge

What We Know and What We Need to Meet the Charge

With a process based upon research, data, gap analysis, and planning group deliberations, the attention turned to some very basic premises for the planning group to understand.

State training school eligibility requirements

Kathy Nesteby reviewed the eligibility requirements for placement in a state training school, which were used to define the “deep-end “population for planning purposes. There was considerable discussion over the eligibility requirements. Particular attention was paid to requirements concerning public safety risk levels. It was explained that when community services are exhausted or the crime is severe enough that community services are no longer thought to be appropriate, a youth may be deemed State Training School eligible. Community safety plays a large role in determining eligibility, and, ultimately, it is up to the judge's discretion and interpretation to determine safety concerns. One member added that when the judges are determining safety, they consider both public safety and safety for girls from themselves as well.

Only 1 out of 20 cases of girls who are eligible actually end up in the state training school level of services. A member asked if the term “deep end girls” referred to girls eligible for a state training school or those who have actually gone to a state training school. Nesteby clarified that “deep end” means those girls who are eligible for a state training school because it allows us to capture the larger group of girls. And there are services we need to provide to girls who need some type of placement, but cannot be accommodated in the state training school. There was consensus from the group that we need to start at the beginning of the system to really address deep end girls – and to answer the question, “how

do we minimize the number of girls who make it to the deep end of the system?” Another member raised the question of whether or not the statute for state training school eligibility was meaningful given the large discrepancy between the number of girls eligible and the number who are actually sent to a state training school.

Nestey directed the group’s attention to the last requirement: “Previously placed in a treatment facility outside the child’s home or in a supervised community treatment program.” She explained that the Toledo facility provided services for multiple other populations in addition to the girls state training school level services. The last requirement gave the judge flexibility to send non-delinquent youth to the Toledo facility after they have failed in multiple other placements. One member asked if the working group was only looking at delinquent girls or if they would also be providing a plan for CINA youth who have failed in previous placements. Nestey clarified that the IGJI plan would only apply to delinquent girls.

Several working group members raised concerns of the issues that eligibility requirements in general can cause, especially when services are attached to such eligibility. One member noted sometimes it hurts girls to “play too much to the rules,” and using these requirements could lead to cases where some girls are not receiving the services they need and some are being put into the court system just to be able to be reimbursed for services provided.

A working group member asked where our plan would place state training school eligible girls now that Toledo has been closed. There was general consensus from the group that IGJI’s plan will not necessarily include a state training school, and that the group is definitely not necessarily putting together an Eldora for females. One member added that the purpose of this working group, and of our final plan, is to develop something that will keep girls from being placed somewhere out of state or sitting in a detention center where they do not receive any services.

McKeen recapped the previous comments on this discussion topic and provided a big picture analysis of the work of the group. Despite concerns over the validity or effectiveness of the state training school eligibility requirements, McKeen noted, this is how the state defines girls with the highest needs and it is important to understand the context of the system – how we got to the current situation. It may be important for us to revisit these requirements at a later meeting and make changes as we see fit, but in the process of putting together our plan we must know how the deep end girls arrived at this part of the system.

Data requests

A key portion of the work of the planning group is to review and analyze data to provide information for decision making. Group members identified what they need to know to use as they develop this plan over the coming months.

- Data on where the failed placement was. Or where their previous placement was. Nesteby noted that is a harder data pull to complete, to get an individual's path is difficult, but CJJP is working on this in collaboration with JCOs.
- Mental health diagnosis is required to access federal funding, so there is a need to identify which diagnoses are true diagnoses which are diagnoses of convenience to obtain funding.
- Sometimes children receive diagnoses or get pulled further into the system in order to access services. Or sometimes girls can't get services without being pulled into the juvenile court system in the first place. Both systems have issues with this.
- Data on the impact on the individual of giving them a diagnosis they shouldn't have, including the impact on their identity.
- A given point in time snapshot of youth in each level of care (out of home placements) in Iowa
 - How many have been placed out of state and where
 - How many are placed in each level of care (group foster care, detention center, shelter, PMIC, etc.)
 - How many days spent in each level of care. Nesteby noted that this type of data collective is too time-intensive to be productive CJJP can get this type of information for detention centers, and noted that the length of stay at detention centers has increased over the last few years.
- In-depth data on out-of-state placements
 - Has there been an increase in out-of-state placement since Toledo has closed? If so, where are Iowa girls being sent?
- Research on boot-strapping and overserving

Research questions to be answered:

- Where are the gaps in the continuum?
- What are the things that we aren't doing that other states are doing that might keep kids at home? What are the best practices in other states?
- What gender-specific programs are in our community already?
- How do we minimize the number of girls who make it to the deep end of the system?
- How do we create a continuum of services within the system?

Nesteby reviewed the numbers of youth in the system and complaints received each year, and the gender breakdown of each. Girls make up about 30% of the system and this is very consistent over the years. As they progress through the system, that gender proportion gets more skewed and boys make up about 85% of the deep end.

One group member added that although the numbers are divided between male and female, not every juvenile in the system identifies as either male or female and the group should remain sensitive to those who identify elsewhere on the gender or sexuality spectrums.

A working group member asked for the definition of a complaint and for more information on how complaints were taken. Nesteby explained that complaints imply contact with law enforcement, as police must file the complaints reports with Juvenile Court Services. However, these complaints are not necessarily taken to formal court. Status offenses are offenses that would not be considered crimes if they were committed by an adult (e.g. possession of alcohol or running away). Complaints do not include status offenses.

A working group member noted that in some cases, girls become state training school eligible for running away from other placements or facilities. The member wondered if CJJP could pull those numbers and if those data points would change the overall picture. Another member noted that there has been a concerted effort to avoid bootstrapping simple cases to larger consequences, but there are still examples of child welfare cases falling into the delinquency system because they have exhausted all of the child welfare services.

Best Practices

Suggested research topics or specific research pieces to look at during this process:

- Work that Francine Sherman (Boston Law) has done – “Gender Injustice” report
- OJJDP now has policy of gender-specific recommendations
- Meda Chesney Lind – University of Hawaii
- Need to compare both child welfare and delinquent cases in each placement – in order to look at the continuum of services
- Gap in information on adjudications
- Look at top forcible felony charges committed by girls in state training school. How many of these offenses are being committed within a facility and then being charged as a criminal charge? Should we rethink how we treat these offenses within a facility? Keep perspective when we talk about the forcible felony charges because it is a very small number of girls in the system. So we can’t create a system that is meant to address those forcible felony charges – needs to be more holistic.
- List of forcible felonies
- Basic terms of charges (what is a simple misdemeanor, etc.)
- Definitions of levels of care (why does a child go to a shelter vs. a PMIC vs. a detention center)
- Data on women and youth in the adult system
 - Number of juveniles who have parents in the system
- Iowa Delinquency Assessment Tool – includes different domain questions (mental health, family environment, etc.)
- What are best practices we would like to implement but don’t have the funding for?
- State training school eligibility requirements
- Basic training or materials on what gender-responsive means and what makes a program girl-specific

Existing gender-specific programs:

- Mosaic Counseling – Des Moines
 - Provides community based therapy services
 - EMDR therapy (used for young women who have experienced trauma, very successful approach)
 - Almost all female therapy staff
 - DBT therapy – is effective for women with borderline traits, has a group setting
 - Provides services to women coming out of prison
 - Funded through Insurance Title XIX, a diagnosis may be required to receive services
- Too Good to Lose – a girls court started in Polk County.
- ArtForce Iowa –
 - Has gender specific programs, works with delinquent youth
- Girls day treatment programs in Mason City and Ft Dodge
 - Based on Girls Circle and uses ART classes
 - Families First sponsors program with Ft Dodge schools
- Girls Weekend offender program – Quakerdale
 - For probation offenders
 - Closed in spring because financials – number of girls participating each weekend was too low.
- G World – Johnson County
 - Serves over 100 girls
 - Uses philosophy of Girls Circle and focused on building resiliency.
- Girls Circle
 - Is the first evidence-based girl responsive program
- Young Woman’s Resource Center
- Women Offenders Case Management Model – Linn County
 - A step down from a drug court, used in adult court.

A member noted that many of these services are location-specific and not being implemented on a greater scale. We may want to look at why they aren’t being offered or implemented on a greater scale and if there are resources we can dedicate in our plan to help.

It was also noted that many of these models (ART, etc.) are not female-responsive. Some of these programs were originally created for boys and have had modifications to support girls, but they are not female -responsive programs.

Public health

There were several comments from group members concerning public health aspects of the juvenile justice system. One member wondered about the coordination of mental health services, specifically who is funding and managing the services girls get? There was concern that with a mix of public and private providers, there may be girls who fall in the gaps. It was suggested that the group not focus on Medicaid-funded programs because they are mostly out of our control with switch to a managed care

model. Instead we should drive the focus to programs we have more control over. Another member asked about representation from the Iowa Department of Public Health and whether we should include someone from that Department in the working group.

Closing Comments

McKeen thanked the working for their thoughtful discussion and thanked the guests for attending. The meeting ended at 2:00 pm.

Next Iowa Girls Justice Initiative Working Group meeting is December 4, 2015 – Polk County River Place – Room 2, 2309 Euclid Ave., Des Moines, IA