

Multnomah County strikes back at controversial juvenile justice report

juvenilejusticereport.jpg

Clackamas County District Attorney John S. Foote and retired Multnomah County deputy district attorney Charles French issued a report in late August that concluded the Annie E. Casey model of juvenile justice in Oregon isn't working. They cited Oregon's poor performance in reducing juvenile property and drug crimes. Multnomah County responded by hiring a national research analyst to critique the Foote and French report. *(The Oregonian)*

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A national consultant is taking aim at a recent report highly critical of the state's and particularly Multnomah County's juvenile justice system.

Multnomah county hired the consultant to review findings by Clackamas County District Attorney John Foote and retired Multnomah County prosecutor Charles French.

Foote and French argued that juvenile property crime rates in Oregon are high largely because the state has adopted a hands-off policy for juvenile drug offenders. Juvenile justice authorities often don't detain youths on drug offenses, and routinely close their cases and take no action when teens are referred to them by police, the two said in their report.

They also said that the approach by the **Annie E. Casey Foundation**, which has helped fund the county's effort to reduce juvenile detention and find alternative ways to handle young offenders, isn't working.

But **Melissa Sickmund, director of the National Center of Juvenile Justice, said that the report contained errors** and was based on "faulty logic."

Sickmund came to different conclusions about the juvenile drug arrests rates in Multnomah County and in Oregon and the detention of juveniles compared to other states. According to Sickmund's report, for example, Oregon was one of 12 states showing an increased detention rate from 1997 to 2011.

She was commissioned by the county to analyze the French/Foote report and is expected to be paid about \$6,000 by the county Department of Community Justice for her analysis.

Multnomah County Presiding Judge Nan Waller, who has spent much of her time on the bench in family court handling juvenile matters, Multnomah County Chair Deborah Kafoury and county Juvenile Services Director Christina McMahan are speaking out to defend how the county deals with juvenile offenders.

The county follows state laws that direct it to find the "least restrictive" interventions for young offenders, they said.

"It's far, far better to save a child than deal with the aftermath of imprisoning an adult," Waller said.

For Foote and French to contend that Multnomah County's justice system is solely shaped by the Casey Foundation ignores the collaboration that's gone on for years between the community justice department, the District Attorney's Office and other

criminal justice partners, Waller said.

"Our concerns with the French/ Foote report are based on many factual inaccuracies, a philosophical difference on how to address juvenile crime prevention, and its assertions and recommendations that are contrary to well-established research," **McMahan wrote in a response.**

Foote and French said they are preparing a detailed reply.

They are not among **32 people on a new Multnomah County task force that Waller formed in response to the report**, but are expected to be invited to speak to the group. They're also set to meet with Waller on Wednesday.

In her review, Sickmund wrote that French or Foote relied heavily on data developed by her center but "they did not, however, contact us for assistance."

Yet, according to emails provided to The Oregonian, there were several exchanges between French and Sickmund and other staff from the National Center on Juvenile Justice in November 2013, regarding how the data should be interpreted. French also explained to Sickmund in the emails that he was reviewing how Oregon's juvenile justice system compared to other systems in the state and would like to talk to her on the phone.

When asked about those email exchanges, Sickmund acknowledged French and Foote were correct and said she would be removing that statement from her report.

"I don't think I looked back to Nov. 2013," Sickmund wrote in an email early Wednesday. "I withdraw that statement."

Foote and French also argue that Sickmund has a conflict of interest and should not have been the one selected to critique their report. They contend that the National Center on Juvenile Justice and its parent group, the National Council of Juvenile and Family Court Judges, list the Casey Foundation as a major financial contributor.

"This substantial conflict of interest colors all the opinions expressed by Ms. Sickmund in her 'Critique,' as it also colors the actions of the Multnomah County Department of Community Justice, which engaged her to conduct this study," **Foote and French wrote in a response.**

Waller and McMahan countered that Sickmund's National Center for Juvenile Justice receives no funding from the Annie E. Casey Foundation.

Cheryl Dailey, chief financial officer for the National Council of Juvenile & Family Court Judges, said the council does receive funding from the Casey Foundation and is the parent group to Sickmund's center. Dailey, though, said the National Center on Juvenile Justice does not receive any funding directly from the Casey Foundation.

The National Center on Juvenile Justice is the research division of the larger National Council of Juvenile & Family Court Judges, according to Sickmund.

The Clackamas County District Attorney's Office hired French part-time in November 2013 to investigate why the state's juvenile property crime rate was so high and has paid him by the hour, totaling \$28,600 so far, according to Foote.

"It was felt this was a very important public safety issue that was not being examined or investigated by any other public entity in Oregon," Foote said.

The Multnomah County task force met for the first time Monday morning. Its meetings are closed to the public. Waller said that's because she wanted to encourage a frank discussion.

"These are serious concerns that are raised and we need to drill down and look at them," she said.

Foote said he and French hoped their report would spur discussion, but expected it to be in a public forum.

"We were disappointed to learn that," Foote said. "We were hoping this process would be open and transparent, but we'll work with them however they want to."

--Maxine Bernstein

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