

1 talk to parents and they can tell you that.

2 JUDGE BLITZMAN: Right on.

3 CHAIRMAN WALTON: Ms. Gadow. Thank you.

4 MS. GADOW: Members of the Commission, my name is  
5 Diane Gadow. I appreciate very much being able to testify  
6 with you today. I'm going to say I've only been in this  
7 system almost 30 years and give deference to my colleagues  
8 here who've been in 30 plus, but in that period of time and  
9 working with the juvenile corrections system I've worked in  
10 three different states, so, hopefully some of the comments I  
11 make can be generalized beyond the State of Arizona where I  
12 serve as the Deputy Director.

13 I'd like to just make a distinction between adult  
14 and juvenile corrections. And, by the way, I really  
15 appreciated the comments this morning because it's obvious  
16 that the Commission is very aware of and seeking more  
17 clarification as to the distinctions between adult and  
18 juvenile corrections. I was very appreciative of those  
19 comments earlier on.

20 But we're held to a different standard by law, and  
21 by the child abuse and neglect laws of the different states,  
22 and that goes by requiring, we are required that minors be  
23 protected from harm, including abuse and neglect, rape and  
24 sexual assault, and each state has mandatory reporting  
25 requirements for these kinds of abuse and neglect.

1 Highlights of that that make us more -- and we may not be  
2 hitting the mark, but we are held to these standards -- is  
3 that the infliction of or allowing another person to cause  
4 serious emotional damage and also omissions of an individual  
5 having care, custody and control of a child.

6 Abuse shall include inflicting or allowing sexual  
7 abuse, sexual conduct with a minor, sexual assault,  
8 molestation of a child, commercial sexual exploitation of a  
9 minor, incest or child prostitution. The results of these  
10 kinds of acts should be investigated and the results of  
11 investigation should lead to disciplinary action up to and  
12 including dismissal as well as criminal prosecution where  
13 the evidence allows. I say that because this happens quite  
14 often in institutions, and I think you've heard over the  
15 morning the testimony that sometimes those things are  
16 neglected or looked the other way or a preponderance of  
17 evidence is not available to actually do the prosecution.

18 Training staff on appropriate expectations,  
19 including proper supervision and applied accountability, are  
20 of extreme importance to all administrators responsible for  
21 the care and development of youth in our custody. We may  
22 not be doing a good job, as you heard from Ms. Becker this  
23 morning about the number of states that are under agreement  
24 or investigations by the Department of Justice. Arizona  
25 happens to be one of those states, the second time that

1 we've been -- that the state has been under investigation in  
2 probably the last ten plus years. And I cannot answer the  
3 question that was asked this morning as to how do you get  
4 out and stay out, but we're working very hard in that  
5 direction. We are held to a higher standard, and I think we  
6 have to continue working to reach those higher standards.

7           Let me give you a snapshot of the youth that are  
8 committed to the Arizona Department of Juvenile Corrections,  
9 and I think you'll see some similarities of some of the  
10 things that you've heard already. The average age of  
11 commitment is 16 years. Typically a youth is committed to  
12 the department for property offenses. Forty-five percent of  
13 our population is Hispanic. Forty-five percent are  
14 identified as special education eligible. I think in most  
15 of your public school systems it's probably 15, ten to 15  
16 percent of youth are identified as special education. Forty  
17 percent of the department's population has a history of  
18 abuse. Seventy-eight percent of that population is female;  
19 32 percent is male. Twenty-seven percent of the female  
20 population has a history of family sexual abuse. Ninety-six  
21 percent of the youth have drug and alcohol environment prior  
22 to coming to our area.

23           Now, youth should be held accountable for their  
24 acts which violate the community and law. States and  
25 communities have a part in this also. They need to do a

1 better job assessing the whole child instead of placing them  
2 in institutions that are not conducive to maintaining a safe  
3 environment. States and communities must make available the  
4 services needed of a youth and have a philosophy of  
5 preparing the youth to return to the community with the  
6 skills, knowledge, practices and decision-making needed to  
7 be successful. Youth who have experienced abuse and neglect  
8 and victimization present very differently and are more  
9 vulnerable to the environment in which they're being placed.  
10 And I think you've had comments, information relevant to  
11 this in previous hearings as well as what we heard this  
12 morning.

13 I'd like to just cover two areas. I think the  
14 area of physical environment has been covered fairly  
15 significantly, but there are a couple of highlights that I  
16 might make in that area, and I'd like to look to see what  
17 can be done and try to keep the perspective that we'll  
18 continue working to make it a much better system. Whether  
19 we'll get to the point where it will be totally risk-free of  
20 returning to a bad situation or not, I'm not sure of.

21 I want to talk a little bit about the vision and  
22 the mission of the agency and services provided and  
23 available to the assessed needs of the youth, actually  
24 interagency collaboration. The vision and mission of  
25 agencies across the states vary. They're dependent upon

1 state statute, the organizational structure, and the  
2 philosophy developed within the administration of the  
3 agency. Victimized youth are more vulnerable and have  
4 developed coping skills that make them more susceptible to  
5 abuse, inappropriate sexual behavior, and rape in  
6 institutions, rape in institutions that promote the lock-up,  
7 continuous confinement, minimal programming, inadequate  
8 staff-to-student ratios, and inefficient training for staff  
9 in areas such as adolescent development.

10           How staff perceive their roles within the  
11 institution is critical. If they perceive themselves just  
12 as a guard, viewing juveniles as criminals or inmates limits  
13 their ability to make appropriate assessment of the risk and  
14 needs of offenders. Rather, staff should perceive  
15 themselves as facilitators who are trained to consider  
16 social and behavior histories of each offender and then they  
17 are more apt to be able to service and supervise the youth  
18 in their custody.

19           One of the things that we have really been  
20 struggling with and working hard and focusing on in Arizona  
21 is actual agency cultural change. Many times, because your  
22 systems, your agencies are in different systems, the  
23 mentality -- and it's impacted also by your legislature and  
24 your governor -- but the mentality more is of lock the youth  
25 up, security is the major focus, and if that kind of a

1 culture is the only thing that's prevalent within your  
2 institution, it doesn't matter how beautiful the building is  
3 or how much money you put forth, that's what it's going to  
4 be. So, we have been focusing very heavily on culture  
5 change within the agency of our organization. Our vision  
6 statement is "Safer communities through successful youth."

7           Some of the norms and expectations that we have,  
8 not just of our youth, but also of our faculty and staff,  
9 are responsibility, respect, accountability, and a safe  
10 environment, and articulating what those four areas are and  
11 detailing it out as to what exactly that means for each  
12 child and also for each staff member is critical, and we're  
13 working very hard to change the culture and expectations  
14 down to our staff members who in many instances consider  
15 themselves guard, but how do they change and how do they  
16 apply what they do on a daily basis in their daily  
17 interactions with kids when they think about respect,  
18 responsibility, accountability and what is really a safe  
19 environment.

20           We've already talked about the physical  
21 institutions, as I said, and I just wanted to highlight that  
22 the issue of privacy is of critical importance. The  
23 structure of the facility institutions adds to that as well  
24 as the supervisory -- supervision that the staff do and the  
25 way they're supervised and how they're supervising the young

1 men and young ladies. Visual access, and also I think a  
2 critical part is programming space. Classroom space and  
3 programming space for groups and social skill development  
4 programs and that sort of thing are very, very important.

5           The environment has a significant impact on how a  
6 young man or young woman sees themselves and thus handles  
7 himself. It's the same way with the staff is how and in  
8 what conditions they work.

9           The other area that I really want to stress very  
10 highly is the interagency collaboration, and those are words  
11 that have probably been thrown around and discussed for  
12 quite a period of time, but I think it's very critical.  
13 You've heard testimony today that talks about throwaway  
14 kids, it talks about other systems not being able to handle  
15 our kids, and, so, they get sent to us, sent to juvenile  
16 corrections. But I think it's very important to really take  
17 a serious look at how to develop and how to work with the  
18 continuum of services because the kids who come into our  
19 system, as you are very aware, come from very difficult and  
20 varied backgrounds, and I think the better we are at helping  
21 and working with other agencies, child welfare agencies,  
22 mental health and education, I think the better we can help  
23 them work with the kids in a less restrictive environment  
24 and more appropriate setting and give them the services that  
25 they need. Interagency collaboration, they're state

1 agencies, and you would think and hope that they could work  
2 together very well, and many times that's not totally the  
3 issue. We have to very much work to tear down the silos  
4 within our agency and also interagency-wide.

5           The services, I really believe services need to be  
6 developed in the community for the youth and hopefully  
7 deferring youth to and maintaining youth in the community  
8 will be helpful. When not, the services need to be ready  
9 for the youth when he or she re-enters into the community.  
10 And the services in the institution, in order to get the  
11 kids ready for that, have to include education programs, the  
12 clinical, medical and mental health services and basic skill  
13 programs.

14           One of the two areas that are of critical  
15 importance to maintain the safety of the youth and prevent  
16 actual additional sexual abuse towards youth who are within  
17 our institutions and within our agencies I think we have to  
18 have a very strong investigative system in place -- we've  
19 talked about that a little bit today -- but an investigative  
20 system that kind of goes beyond being able to write a report  
21 and do an internal investigation. Within our agency we have  
22 ex-police officers that are licensed police officers who do  
23 the actual investigations. Any allegations of abuse or any  
24 incident reports, all incident reports, actually, are  
25 reviewed by them before they go back to the institution to

1 be reviewed and administered by the superintendents. These  
2 investigations on allegations have to be completed on a  
3 timely basis and additional staff training follow-up has to  
4 happen, whether it be disciplinary action, criminal charges  
5 filed, and/or additional staff training to correct the  
6 issues within the institutions.

7           Now, this aspect can be costly. I know in the  
8 adult system that there are investigative units that may be  
9 connected with the Department of Corrections and Juvenile  
10 Corrections. That's not as prevalent and yet I think with  
11 the significance of some of the cases that have occurred, I  
12 think it's of value to take a look at. It can be costly and  
13 it needs the support of the legislature and the community to  
14 make sure and maintain that.

15           It's also important that each institution put  
16 publicly stated standards in place and work towards gaining  
17 and maintaining accreditation. Allowing audits based on  
18 performance-based standards raises the level of delivery of  
19 services, and putting this quality assurance process in  
20 place requires both internal and external application.  
21 External auditing is of value. You can get compliance,  
22 non-compliance; you can also have performance-based  
23 standards that say here's how you rate and are compared to  
24 other institutions within the nation. You also have to have  
25 an internal process which is part of the cultural change

1 that staff, individual staff members, are looking at and  
2 determining whether or not they can make improvements in the  
3 system that they have, and whether or not they are, in fact,  
4 in compliance with the standards that they have. So, it has  
5 to be -- the quality assurance process has to go both  
6 internally and externally. The departments within  
7 institutions need to have the expectation of using quality  
8 assurance programs to identify problems and issues.

9           So, what can be done? I think the public  
10 perception and sentiment needs to continue changing. We  
11 deal with the very difficult and very high risk and high  
12 need population of youth in our country. Youth in the  
13 juvenile justice system need to be kept safe and to be given  
14 services needed to be successful.

15           The public agency interdependence and  
16 collaboration needs to improve to provide services at all  
17 levels and in all levels of a community.

18           Juvenile institutions should share the mission of  
19 public safety and provisions of services necessary for youth  
20 to be successful when transitioning to the community.

21           And lastly, funding sources at all levels of  
22 government should be reviewed and increased to support the  
23 above initiatives.

24           Thank you.

25           CHAIRMAN WALTON: Thank you.