

FRONT
PAGE
NEWS

IN THIS ISSUE

Race and Incarceration.....1
 HB 200: Passed.....2
 What Do You Think?.....2
 Women's Work Release
 Center Opens.....3
 Delaware Girls Initiative
 Moves Forward.....4
 Domestic Abuse
 Conference.....5

Attention and Action Follow Release of "Race and Incarceration" Report

The Delaware Center for Justice (DCJ) and the Wilmington Metropolitan Urban League (MWUL) hosted a press conference on July 21 to publicize the release of *Race and Incarceration: A Preliminary Consideration*, a report completed by Tom Eichler, former executive director of Stand Up for what is Right and Just (SURJ), and co-published by DCJ and MWUL. The report highlights the racial disparity throughout Delaware's criminal justice system, including the significant disparity in incarceration rates for minorities.

According to the report, minorities comprise 64.3 percent of the state's incarcerated population, but they constitute only 41 percent of all arrests. By comparison, the incarceration percentage for non-minorities is disproportionately low at 35.6 percent, yet they comprise 56 percent of arrests.

Subsequent to the release of the report, the *News Journal* published an opinion piece by Tom Eichler, summarizing the report's findings as well as an editorial, "Ask Why Some Arrests End with Prison While Others End in Leniency." The editorial stresses that correcting the injustice reflected in the numbers will depend upon the ability to gather more detailed information on Delaware's criminal justice system and acquire the resources to analyze the data.

Actions that followed the release of the report, the editorial, and opinion piece began in September, when State Representative Robert J. Valihura (R-Delaware North), chair of the House Judiciary Committee, called a meeting

of his committee to explore issues raised in the report. Rep. Valihura stated, "I believe we cannot wait until the General Assembly returns in January to examine these findings in a serious manner... By starting the process now, if we find the need for legislative intervention, we'll be prepared to take action as soon as the session resumes."

"It is simply not acceptable to have a justice system that creates and maintains inequity, especially one based on race."

State Representative Robert J. Valihura

At the meeting were representatives of the State Attorney General's office, the Department of Correction, the Administrative Office of the Courts, MWUL, DCJ, and community leaders. Rep. Valihura made clear that "we're not sure why these disparities [in incarceration rates] exist, but it demands further

investigation. If the picture this report paints is the result of a dual system of justice – one for minorities and one for non-minorities – we need to take steps to fix it. It is simply not acceptable to have a justice system that creates and maintains inequity, especially one based on race." At a follow-up meeting chaired by Representative Valihura, discussion focused on seeking a House rule change to require a "demographic impact statement" for any bill that affect titles 11, 16, and 21 of the Delaware Code and to annually update the statistics in the "Race and Incarceration report."

Other plans are also underway. Copies of the report were distributed at the September meeting of the Criminal Justice Council (CJC), followed by discussion to consider the report as the topic of the next CJC retreat. Further, Chief Justice Myron T. Steele is planning a summit on diversity issues as a follow up to release of the report.



DELAWARE CENTER FOR JUSTICE
 100 WEST 10TH STREET, SUITE 905
 WILMINGTON, DE 19801
 PHONE: 302-658-7174
 FAX: 302-658-7170
 E-MAIL: center@dcjustice.org
 WEBSITE: www.dcjustice.org

ON
THE
ISSUES

A Positive Change for Juvenile Justice

Senate Bill 200, ensuring that fewer juveniles will be transferred out of the juvenile justice system and into adult court, was passed unanimously by the Senate and the House and signed into law by Governor Minner on July 12, 2005.

The need for this law is rooted in legislation passed in 2003, when Delaware law changed to provide that any juvenile charged with the crime of Robbery in the First Degree be prosecuted in Superior Court rather than Family Court. These juveniles could be transferred to Family Court if the Superior Court or the Attorney General determined that the interest of justice would be best served by transferring the case.

In the ensuing two years, while waiting for their cases to come up in Superior Court, many juveniles remained in detention for up to six months on Robbery in the First Degree charges only to have their cases returned to Family Court. These extended stays in detention made a strong case for a change in the law.

This new law means that Family Court rather than Superior Court will have original jurisdiction over juvenile defendants accused of Robbery in the First Degree, as long as the juvenile had not previously been adjudicated on a felony charge and thereafter committed a robbery involving a deadly weapon or serious injury to a victim.

WHAT DO YOU THINK?

Just a few decades ago, a life sentence often did not mean a life sentence. But today, with tougher laws, increased political pressure being put on pardon boards and governors, and an especially sharp increase in life sentences “without parole,” thousands of prisoners are serving true life sentences. In many states, including Delaware, only a few lifers, if any, are coming back to the community. Is this the best policy?

As you think about this, consider this national statistic: Of those lifers sentenced between 1988 and 2001, about a third are serving time for sentences other than murder, including burglary and drug crimes.

There is a connection between life-without-parole sentences and the death penalty. Opponents of the death penalty have promoted life-without-parole sentences as an alternative to execution. According to the *New York Times*, “As the nation’s enthusiasm for the death penalty wanes and restrictive

Supreme Court rulings and a spate of death row exonerations [have occurred], more states are turning to life sentences without parole.” As a result, the United States is now housing a large and permanent population of lifers who will die of old age in prison. It is estimated that it costs over \$3 billion a year to house America’s life-sentenced population, a figure that will only increase as this population ages and medical costs skyrocket.

Opponents of what they observe to be overuse of sentences of life without parole state that studies show as prisoners grow more mature, they grow less violent and are no longer a public safety threat. Supporters believe that life-without-parole sentences are not overused.

What Do You Think?

VISIT US WITH YOUR THOUGHTS ON LINE:
WWW.DCJUSTICE.ORG

ON
THE
ISSUES

Long-Awaited, the Women's Work Release/Drug Treatment Center Opens

Program will help women transition into the community

It took determination, consistent attention, and the allocation of necessary resources for the Women's Work Release/Drug Treatment Center adjacent to Baylor Women's Correctional Institution to open its doors on October 17 to its first nine participants.

These women are part of CREST, a drug rehabilitation program at Plummer Center. Six more women transferred to the new Center on October 17, and the Center expects to admit four to six more women each week from Baylor Women's Correctional Institution, Central Violation of Probation Center (CVOP), and some will be referred through the courts. The anticipated population will be approximately 90 women.

Under the direction of Elizabeth Neal, there are currently two Department of Correction counselors, a Crest program director, a clinical supervisor, and a senior counselor, along with a full complement of facility workers who will help with the administration, food service, and housekeeping.

To help build job skills and strengthen learning, Crest North for Women, the name being used

for the program at the Work Release Center, is establishing a library and a computer lab. DCJ and the Women and the Law Section of the Delaware Bar Association are seeking funding for the purchase of computers, printers, and other accessories. Students from

the University of Delaware are being brought in to teach computer courses, and software will be funded by the New Castle County Residents' Fund.

Crest North for Women will continue to include the "Sista Project," focusing on

HIV/AIDS education, which is provided by the Beautiful Gate Outreach Center, and the Survivors of Abuse in Recovery program (SOAR).

"Program development for the Women's Work Release Center is in its initial stages," said Neal. "We are very excited about ideas for program growth and enrichment, and everyone on staff looks forward to helping our participants succeed in their transition to the community."

*Crest North for Women at the
Work Release/Drug Treatment
Center will help build job skills
and strengthen learning.*

Reentry Roundtable Springs into Action

The Delaware Reentry Roundtable, formed to better ensure the successful transition of ex-offenders from prison to the community, will convene in the fall of 2006, when DCJ and Stand Up for what's Right and Just (SURJ) will host a one-day event. SURJ and DCJ have secured a commitment from the

University of Delaware's School of Urban Affairs and Public Policy to provide the Roundtable with essential data and research on reentry in Delaware, and this information will serve as the foundation for discussion and devising a path forward.

ON
THE
ISSUES

Delaware Girls Initiative Readies for Creation of Strategic Plan

The Delaware Girls Initiative (DGI), a task force of Delaware juvenile policymakers working with the National Council on Crime and Delinquency (NCCD), and the PACE Center for Girls, is well into completing its mission of designing a gender-specific programming model for at-risk girls. On October 5, about 60 people gathered at the Goodstay Center for a strategy session, which was the third of four scheduled meetings in a year-long process of exploring and defining the needs of girls in the juvenile justice system in Delaware.

Attendees included representatives from the Office of the Child Advocate, Delaware Center for Justice, Christiana Care, ACLU, Girl Scouts, Prevent Child Abuse Delaware, Coalition Against Domestic Violence, Girls, Inc., Boys and Girls Club, Project Stay Free, YMCA Resource Center, Agenda for Delaware Women, Contact Delaware, Delaware Guidance Association, the Children's Department, Family Court, the Public Defender's office, the Attorney General's office, Senator Biden's

office, the General Assembly, the Statistical Analysis Center, and the Department of Homeland Security. Chief Judge of Family Court, Chandlee Kuhn, Denise Bray, National Director for Training, PACE Center for Girls, and Angela Wolf, Senior Researcher, National Council on Crime and Delinquency facilitated the meeting.

Attendees divided into groups to explore several issues related to gender-specific

program development, including creating partnerships, expanding gender responsive programming, judicial proceedings, new programming, a legislative agenda, expanding financial resources, and assessments. As a result of this work, a strategic plan will be developed and presented to the community at a meeting to be planned at the end of 2005 or early in 2006.

Funding for this initiative is provided by a grant from the Jessie Ball Dupont Fund.

*The shared focus is on
designing a gender-specific
programming model for
at-risk girls.*

Many Gain Insight and Information at Forum on Domestic Abuse

Attendees learn how to support battered women

On October 7, domestic violence advocates, representatives from law enforcement social organizations, and community members gathered in the Rollins Ballroom at Dover Downs to participate in “The Batterer as Parent,” a day-long forum exploring domestic violence and its impact on families. Supplementing a number of workshops was a presentation by featured speaker Lundy Bancroft, one of the nation’s experts on domestic abuse. Mr. Bancroft is a counselor, trainer, and activist on issues of abuse and recovery, and he has authored several books, including *The Batterer as Parent*, *Addressing the Impact of Domestic Violence on Family Dynamics*, and *Why Does He Do That? Inside the Minds of Angry, Controlling Men*.

To help participants better understand the conditions created by abusive men and the impact this abuse has on their partners and children, Mr. Bancroft provided a profile of abusers’ tactics and behaviors, drawing on research and clinical data. He focused on the sophisticated tactics batterers use to control

and manipulate, especially in terms of child custody, visitation, and post-separation parenting. He also discussed ways that advocates can best support battered women as they try to continue to protect their children and help them recover emotionally.

Before Mr. Bancroft’s presentation, DCJ Project Target program coordinator Geri

Lewis-Loper spoke on “Why Victim’s Stay in Abusive Relationships.” Using her personal experience as a victim/survivor, Ms. Lewis-Loper delivered a presentation that inspired a standing ovation.

The forum was sponsored by the Delaware Coalition Against Domestic

Violence in collaboration with the Department of Justice, Delaware Center for Justice, Prevent Child Abuse Delaware, Domestic Violence Coordinating Council, People’s Place II, Inc., Division of Family Services, and the Child Advocacy Center of Delaware.

Participants learned much about the best ways to protect and support battered women and their children.

ON
THE
ISSUES

OPPORTUNITY
PLACE

OUR MISSION:

For 85 years, the Delaware Center for Justice has dedicated itself to building a safer, more secure Delaware through advocacy, education, research, and direct services that work toward restoring justice to all who are involved in and affected by Delaware's criminal justice system, including victims, offenders, their families, and the community.

Become a member and help to ensure justice in Delaware.

Senior Friend	\$20	Organizational Sponsor	\$100
Friend	\$35	Leader	\$250
Advocate	\$50	Patron	\$500+

Individuals and organizations are invited to join by choosing the membership level most appropriate for you, making your check payable to the Delaware Center for Justice using the envelope enclosed in this newsletter, and dropping it in the mail today. Your support is vital to building a safer, more secure Delaware for every citizen.

Mentoring Programs Need You

Guiding hands and supportive hearts are needed for two programs.

- If you would like to volunteer for DCJ's Project REACH program and mentor children who have a parent incarcerated at Baylor Women's Correctional Institution (BWCI), call Big Brothers-Big Sisters of Wilmington at 998-3577.
- If you would like to volunteer at BWCI to assist incarcerated mothers read books on tape to their children, call Janet Leban at 658-7174, ext. 14.

COMMENTARY

Published by the Delaware Center for Justice
100 West 10th Street, Suite 905
Wilmington, DE 19801

Phone: 658-7174 • Fax: 658-7170
Board President: Judy Mellen
Executive Director and Commentary Writer: Janet Leban
Editor: Sima Robbins
Design: Hughes Design, Inc.



Delaware Center For Justice
100 WEST 10TH STREET, SUITE 905
WILMINGTON, DE 19801
Phone: 302-658-7174
Fax: 302-658-7170

NON-PROFIT ORG.
US POSTAGE
PAID
PERMIT #44
WILM., DE

Bringing issues to light
that will help improve
Delaware's system of justice...