

Juvenile Justice Realignment: A Strategy for Watershed Reform

By Commissioner Vincent Schiraldi

Problems in the Current Juvenile Justice System and the Need for Realignment

Currently, the juvenile justice system is a centralized system that is punitive and institution based. Recently, there has been a push to transform these systems into local, decentralized systems, because of:

- Recent unprecedented public attention on the failures of juvenile correctional facilities
- Various states' attempts to move away from the failed model
- Fiscal challenges on the local, state, and federal level of current financing of youth prisons

These decentralized systems are community-based and they emphasize positive youth development, alternatives to incarceration, and keeping kids close to home. This is known as **realignment**.

Realigning the juvenile justice system is important because there are many harmful effects when youth are placed in training schools and isolated from their families and communities. These harmful effects include:

- Exposure to youth who are more intensely delinquent or disturbed
- Increased risk of recidivism
- Increase risk of suicide
- Negative effects on educational and employment prospects

In New York, vast majority of youth training schools are located in rural areas, but 90% of the youth confined in these facilities are from New York City, Long Island, and Rochester. The education programs in these institutions are not accredited, so the time youth spend in "school" while detained is not recognized by their local school system; this increases the likelihood that these youth will drop out of school. Additionally, 90% of boys and 80% of girls released from New York State training schools are re-arrested by age 28.

Reform Efforts in New York

In August of 2009 the Department of Justice released the findings of a 2-year investigation that uncovered extremely brutal conditions in the state's training schools. As a result of these findings, the State of New York was threatened with a lawsuit by the federal government, as the conditions that these youth were living in were considered a violation of their civil rights. Since then, New York City and other counties in the state made efforts

to create a range of evidence-based, community programs to serve as an alternative to youth incarceration. These alternatives contributed to:

- a 62% decrease in the number of youth in New York training schools
- The closure/downsizing of 18 youth prisons.

Unfortunately, as a result of the lowered population in these youth correctional facilities, New York State has increased the per diem rates to house youth in state facilities; it now costs **\$270,000 per year** to incarcerate one single youth, which is a 150% increase since 2002. Recently, New York City has proposed new legislation that will grant the City to authority to operate all juvenile services for adjudicated youth. It is anticipated that this transfer of responsibility from the State to the City will:

- improve public safety by placing youth in local programs that are proven to reduce crime and recidivism
- promote positive outcomes for youth by delivering local, high-quality programming that will better connect youth with their families
- result in significant cost savings for the City and State as a result of reducing overcapacity at state facilities.

New York City is currently engaging in a comprehensive planning effort to design a continuum of community-based services and residential programming, including residential placement facilities. The locally-operated services will include rigorously-studied alternatives to placement that show better outcomes than incarceration. The City will also operate secure (locked) and limited-secure (not locked but secured by sufficient staffing).

Reform Efforts in Other States

New York is following in the steps of other states who have reduced their reliance on costly and ineffective state placement facilities, including California, Michigan, Ohio, Illinois, Wisconsin, and Pennsylvania. Ohio's realignment program is called RECLAIM Ohio, which has reduced commitments to the Ohio Department of Youth Services facilities by 42%. Redeploy Illinois which was modeled after RECLAIM Ohio, and created fiscal incentives for counties to keep youth in the community, leading to a 51% drop in state juvenile commitments. Illinois Legislature has recently passed a law to replicate the realignment program statewide.

In 2007, California passed landmark legislation that banned all future commitments of non-violent youth to the state system and established a state fund that paid counties the equivalent of \$117,000 for each non-violent youth retained by or returned to county control. Today, the average daily population of youth in California's Department of Juvenile Justice is 1,300, which indicates an 87% reduction since 1996. Juvenile arrests also declined by 44%.

Additionally, Missouri has created a network of day treatment centers to help ease the transition of youth back into the community following release from secure care. Three

years after discharge, 91% of DYS youth are productively involved in their communities through either school or work.

What's Happening in Wayne County

Recently, New York has been looking to Wayne County as a model for realignment because its previous system was similar to the one in New York city in a city (Detroit) was driving the state confinement system. Instead of legislation that enabled realignment of juvenile services in other places, Wayne County and the State of Michigan signed a memorandum of understanding that transferred the responsibility and resources for juvenile services from the state to the county.

Prior to realigning services, Wayne County primarily on placing youth in state training schools at a total cost of \$133 million annually. After contracting with community-based service providers in Detroit:

- The average daily population of youth in state-run juvenile facilities dropped from 731 youth to only 2 youth today
- Youth in out-of-state placement went from 200 to zero.
- There is 90% compliance rate while youth are under care
- Felony reconviction rate dropped to 18% two years after return to the community for those released from secure care.
- Crime rate for Wayne County declined 38%.

Much of Wayne County's success is its partnership with community-based organizations and other non-profit service providers to work with justice-involved youth. This partnership led to the creating of the Juvenile Assessment Center (JAC), which is the single point of entry for all youth involved in the juvenile justice system. The JAC ensures that all court-involved youth receive uniform and comprehensive screenings and are connected to appropriate services.

In addition to the JAC, Wayne County created a regionalized system of providing case management and services in which youth are assigned to one of five community based Care Management Organizations (CMOs) based on where they live. The CMO coordinates a range of locally-run services and resources which include community-based and residential placement options. The CMO also has an unconditional responsibility to each youth in that the organization cannot eject young people from their program or transfer responsibility to another agency.

Commissioner Schiraldi's Transformation of the Oak Hill Youth Correctional Facility

Commissioner Schiraldi inherited a training school at the Oak Hill Youth Correctional Facility, which was one of the worst youth facilities in the country. Schiraldi and his team shut down the facility and transformed it into a more humane center called New Beginnings. For youth under care of the agency who were in the community, a continuum of youth- and family-focused, asset-based services and supports was created for youth, either in lieu of secure confinement or as aftercare following secure confinement. This continuum of care includes evidence-based programs such as

- Multit-Systemic Therapy
- Multidimensional Treatment Foster Care
- Functional Family Therapy

Conclusion

There are many benefits to establishing locally operated, community-based continuum of care. Locally operated systems:

- Are responsive and accountable to community needs to operate juvenile justice services helps adjudicated youth by:
- Are able to invest in youth development programming that provides young people with the long-term supports and opportunities they need to become successful adults and agents for positive change in their communities.
- Allowing youth to stay close to home,
- Help the youth develop and maintain positive ties with families, schools and communities.

Additionally, local school districts provide continuous schooling in order to minimize disruption in education so youth receive academic credit for their work in custodial settings. By redirecting local and state resources toward programs that have been proven to reduce recidivism, realignment promotes public safety by redirecting local and state resources toward programs that have been proven to reduce recidivism.

Many states are rethinking the logic of a juvenile justice system that operates much like the adult criminal system—a system in which people are shipped hundreds of miles away from their families and communities to be locked up in remote institutions characterized by a culture of control and punishment. In creating locally operated juvenile services, policy makers now have a broad menu of approaches to achieve complete deinstitutionalization and replacement of their training school-based systems with a Positive Youth Development-evidence-based continuum of care. This type of system should utilize small, home-like, Missouri-style facilities that promote rehabilitation and family and community reintegration.

The ultimate goal should be to engage youth in meaningful community-building activities that will lead neighborhood residents to see youth as community assets. There should be partnerships between justice stakeholders and community groups to serve as a catalyst for positive change.

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