

Reforming Juvenile Justice:
Fiscally Sound, Evidence-Based Strategies

Juveniles in Michigan are not receiving the justice they deserve. Often the systems in place to distribute justice are too centralized to distribute it efficiently. Other times the services that are distributed are misguided, ineffectual, or damaging. Programs that are implemented based on anecdotes and opinion, rather than evidence and data, are too common. The often complex needs of juveniles can many times go unconsidered in creating programs to address their delinquency. What is needed is effective policy that uses evidence-based data to verify a program's effectiveness, agencies that can more effectively cooperate and coordinate services, as well as services that take families and communities into account. How do we approach these problems on a holistic basis, yet tailor to individual needs? How does policy facilitate and/or inhibit the individual's cohesion with friends, family, and community? The Michigan Family Impact Seminar brings experts and policymakers together on these critical issues. This year, our four speakers present their unique perspectives on juvenile justice as well as the reforms needed to bring about its success.

John Evans

In the first chapter, John Evans, Director of the Bureau of Juvenile Justice, presents an overview of the juvenile justice system in Michigan. He outlines the flow of juveniles through the system from the juvenile's point of view; including the services they receive, the agencies they are referred to, and what levels they are governed from. In Michigan, the courts retain jurisdiction over all cases, and decisions are often made at the county level, with relevant information flowing to the state. Some counties maintain a "juvenile division" to provide services ranging from probation to residential care. Other counties do not. For youth referred to the state, placement and services for juvenile offenders are handled by the Bureau of Juvenile Justice (BJJ). Evans also defines their charges: status offenses vs. felonies, and which juveniles go where depending on the charge. When juveniles reach sentencing, called "dispositions," judges can order the petition (complaint against the juvenile) to be dismissed; they can order in-home probation with parents, relatives or guardians; they can order the juvenile to a private or public agency for treatment and rehabilitation; they can order them to programs, like counseling, education, drug or alcohol treatment; or judges can order them to pay full restitution to victims. Currently, there are approximately 11,386 youth under court supervision, another 7,982 pending and an average of 2,493 juveniles supervised in Wayne County. Also, roughly 981 juveniles are supervised by The Department of Human Services (DHS) with 95 youths confined to state facilities. Evans points out that operating a high quality, secure residential treatment facility, and providing quality programming is challenged by the limited resources. Other challenges include

becoming a recognized resource for juvenile justice and providing services through partnership with private and local partners. Finally, Evans presents a refined philosophy of juvenile justice: That it is Michigan's responsibility to juveniles as well as to their community to ensure their rehabilitation, as opposed to their punishment. Corrections should be corrective, not punitive.

Honorable Michael Anderegg

In the second chapter, Judge Anderegg, a Michigan Juvenile and Probate Court Judge since 1977, examines the details of case processing and issues related to it. Anderegg first outlines the principles of case processing: That justice should be "individualized" to the individual, considering their age, family, mental health and school performance, that the least restrictive disposition should be chosen, and that local treatment should be chosen, as opposed to sending juveniles away from their homes and communities. He then brings up the topics of "adult sanctions," -under which circumstances juveniles should be tried as adults, and "expungement," - under which circumstances juveniles should have their records expunged. Anderegg explains that there are certain issues with case processing that are becoming more apparent. For example, data collection and analysis are incomplete in some jurisdictions. The costs of placement to courts and to institutionalized care are expensive. Oftentimes the juvenile's competency to stand trial (availability of legal counsel, mental competency, etc.) needs to be addressed. There is extremely limited funding and availability for juvenile inpatient substance abuse treatment, which is important given the high percentage of substance related offenses. Finally, that special attention should be paid to status offenders, whose behaviors may be predictors of more delinquent behavior in their future.

Dr. Ed Latessa

In the third chapter, Ed Latessa, Professor and Director of the School of Criminal Justice at the University of Cincinnati, addresses recidivism (the rate at which juveniles return to delinquency) and the principles of effective programs. He first tells us that in juvenile justice, programming is too often vetted by opinion and anecdote, as opposed to evidence-based data. Programs that are effective are ones whose success is verified by data. The most successful programs at reducing recidivism have been found to follow 4 principles. The first principle, "Risk," identifies who is high-risk youth, and who is low-risk youth. Evidence shows that intensive programming reduces recidivism for high-risk juveniles, but increases it for low-risk juveniles for certain reasons. The second principle, "Need," discusses the unique problems juveniles may have. Certain behaviors, beliefs, and attitudes that juveniles display are warning signs for risky behavior now and in the future. Good programs thus need to identify these risk factors so they know exactly what they are treating and how to treat it. The third principle, "Treatment," shows how interventions work, specifically family-based interventions and cognitive interventions, the two most successful kinds of programming. The fourth principle, "Fidelity," states that the most reliable programs use evidence to evaluate their success as they intervene. Finally, Latessa wraps up by explaining what does not work in reducing delinquency.

Commissioner Vincent Schiraldi

In the fourth chapter, Vincent Schiraldi, Commissioner of the New York City Department of Probation, offers his case for what he calls “realignment,” a decentralization of the juvenile justice system into community-based alternatives that emphasize positive youth development, non-incarceration, and keeping juveniles close to home. Juvenile justice is too centralized, punitive, and institution-based, and should be realigned based on what we know about juvenile success. Institutions grounded in the “training school” model isolate youth from their families and communities, expose them to other youth who are more intensely delinquent or disturbed, and increase risks of suicide and recidivism. Schiraldi gives the example of New York. Recent shifts of juvenile management from the state to evidence-based city/community programming has led to a 62% decrease in the number of youth in New York training schools and the closure/downsizing of 18 youth prisons. Further legislation is expected to improve public safety by placing youth in local programs that are proven to reduce crime and recidivism. The shift will show more positive outcomes by delivering local, high-quality programming that will better connect youth with their families, and will result in significant cost savings for the City and State as a result of reducing overcapacity at state facilities. Schiraldi then turns to Wayne County as an example of change. Prior to realigning services, Wayne County primarily placed 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 now a 90% compliance rate while youth are under care. Felony reconviction rate dropped to 18% two years after a return to the community for those released from secure care. Finally, the crime rate for Wayne County declined 38%. By realigning, we 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.