



Michigan Family Impact Seminars

Reforming Juvenile Justice: Fiscally Sound, Evidence- Based Strategies

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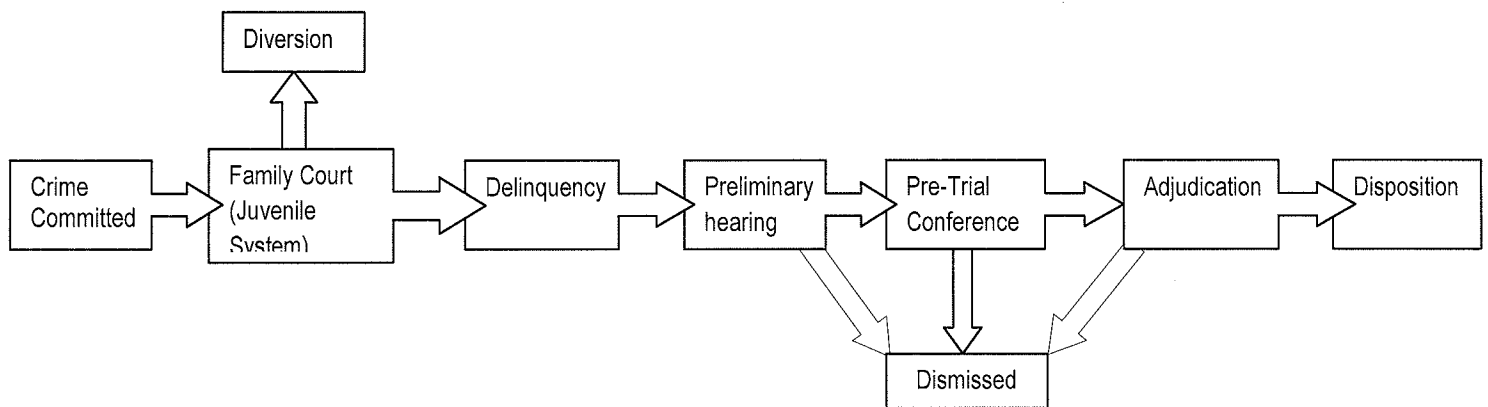
Advancing Knowledge
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Juvenile Justice in Michigan

By John Evans

Michigan truly exhibits a decentralized juvenile justice system. 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 don’t. For youth referred to the state, placement and services for juvenile offenders are handled by the Bureau of Juvenile Justice (BJJ).

The Flow of Juveniles in Michigan’s JJ System



Juvenile delinquency proceedings involve those juveniles under 17 who’ve either been charged with violating a status offense, or a criminal law/ordinance. Categories of status offense include truancy, incorrigibility, curfew violations, and running away from home. Juveniles who have committed status offenses are not detained in secure facilities or facilities designed for adults. However, if a juvenile is charged with a felony they can be treated and sentenced as an adult and the Family Court’s exclusive jurisdiction can be waived. Currently, over 450 youth under the age of 18 are sitting in Michigan Prisons.

Delinquency proceedings are handled by the Family Division of the Circuit Court. Complaints of a crime committed by someone under 18 can be filed by any individual, school, police or social agency. When a complaint is filed, the court may deny authorization of the petition, place the matter on the consent calendar, or place the matter on the formal calendar. From there, the juvenile can accept guilt or hire an attorney to plead their case.

The trial takes a similar format to that in adult court (jury, judge, defense, and prosecution). If the juvenile is found innocent the case is dismissed and they are free to go. If they are found guilty or accept guilt, the juvenile is adjudicated and given a disposition. The court may order a juvenile disposition such as probation placement at the county level or it can commit the juvenile to state custody, which is referred to as a P.A. 150 commitment.

Possible Court Dispositions

- Dismiss the petition.
- In-home probation with parents, relatives or guardians.
- Private or public institution or agency for treatment and rehabilitation.
- Programs, like counseling, education, drug or alcohol treatment.
- Pay full restitution to the victims of the delinquency behavior.

Who's in the System Now?

The State Court Administration Office (SCAO)'s 2009 Court Caseload Reports show that approximately 11,386 youth are under court supervision, with another 7,982 pending and an average of 2,493 juveniles are being supervised in Wayne County. Also, roughly 981 juveniles are supervised by The Department of Human Services (DHS) with 95 youths confined to state facilities, according to The Juvenile Justice On-Line Technology initiative (JJOLT).

Who Manages Them?

Youth who have been adjudicated delinquent by their county judicial system are either served at the county level or entrusted to the care of the BJJ for treatment and/or placement.

All juvenile justice sub-systems in Michigan follow a similar process but differences occur at the disposition stage. In Wayne County for example, dispositions are handled by Care Management Organization (CMO), a case-management system and subcontracting agency that arranges for other organizations to provide supervision and services to each juvenile in Wayne County. Services and treatment provided to youth are based on assessments carried out by the Juvenile Assessment Center (JAC). In other counties, pre-sentencing dispositions are carried out by probation officers who assess youth and offer disposition recommendations to the court. Under certain conditions youth are referred to state facilities. By the time the court sends juveniles to BJJ the intention is to place them in services outside the home.

The Michigan BJJ operates within the DHS Children's Services Administration (CSA). Services in this department are focused on treatment rather than punishment. Many of the services available to neglected or abused children and families are also available to juvenile justice youth and their families. When the court orders juveniles to DHS/BJJ they are considered temporary state wards under P.A. 150. Youth can also remain court wards and be referred to DHS for care and supervision. At this point, DHS will assign the juvenile to a case worker, referred to as a Juvenile Justice Specialist (JJS), and provide services in a private facility, community placement, or a BJJ residential facility.

Justice for Juveniles

Public safety is at the forefront of all decision making. The philosophy of the Juvenile system to rehabilitate and treat delinquent youth, rather than punish them, is embodied in Michigan's "Juvenile Code". The code states:

712A.1

(2) Except as otherwise provided, proceedings under this chapter are not criminal proceedings.

(3) This chapter shall be liberally construed so that each juvenile coming within the court's jurisdiction receives the care, guidance, and control, preferably in his or her own home, conducive to the juvenile's welfare and the best interest of the state. If a juvenile is removed from the control of his or her parents, the juvenile shall be placed in care as nearly as possible equivalent to the care that should have been given to the juvenile by his or her parents.

BJJ Administration Responsibilities include:

- Federal grants to local communities.
- Assignment of JJ youth to residential treatment.
- Field and residential policy.
- Interstate Compact for the Placement of Children.
- Regional detention support services.
- Michigan Youth Re-entry.
- Special Emphasis Programming.
- Collaboration with JJ stakeholders.

In the year 2000, the Bureau of Juvenile Justice had:

- 1,081 persons on staff
- 10 facilities
- 5 Community Justice Centers
- More than 1,200 youth in direct care
- \$159 million in gross appropriation –not including Child Care Funds

A number of factors (e.g., budget-saving efforts, private-first movement, reform, security, type of programming) however, have contributed to a decline in the Bureau's resources over the years. There are currently (as of 2011):

- 218 persons on staff

- 3 facilities
- No Community Justice Centers
- Less than 150 youth in direct care
- \$39 million in gross appropriation – excluding Child Care Funds

Despite the changes which occurred in the Bureau's resources, legal mandates on how the systems should operate and what it is expected to provide remains unchanged.

PA150

- Provide youth's food, clothing, housing, educational, medical and treatment needs.
- Counseling services at home.
- Facilities and programs for the care of public wards.

MCL Sec. 400.55

- Investigate matters pertaining to dependent, neglected and delinquent children and wayward minors
- Supervision and foster care as provided by court order.
- Promote programs and policies with eye on prevention.

Operating a high quality, secure residential treatment facility, and providing quality programming, is challenged by the lack of or limited resources. Other challenges include becoming a recognized resource for juvenile justice and providing services through partnership with private and local partners.

The Department of Human Services works continuously to improve the quality of service to youth and families entrusted to its care. As such, the youth referred for juvenile justice supervision, along with their families, are afforded a continuum of care, from entry into the system through, and including, their return to their community. Throughout their programming, community safety and security are of utmost importance while administering the best care available.

References

Proscio, T. A report to the After School Project of the Robert Wood Johnson Foundation.

<http://www.theafterschoolproject.org/RepoProg-list0.html>

Livingston County 44th Circuit Court – Juvenile delinquency information. (n.d.) Livingston County Michigan Juvenile Court. <http://co.livingston.mi.us/JuvenileCourt/dl.htm>

State Juvenile Justice Profiles. Michigan. (2008). Retrieved on April 27th, 2011, from <http://70.89.227.250:8080/stateprofiles/profiles/MI06.asp>

The Juvenile Justice and Delinquency Prevention Act. Michigan Guide to compliance with laws governing the placement of juveniles in secure facilities. Retrieved on April 18th, 2011 from http://www.michigan.gov/documents/dhs/DHS-BJJIJuvenileJusticeBookletWebVersion_292401_7.pdf

A Balanced Approach: Striving for Fair, Effective, and Affordable Dispositions in Delinquency Cases

By Hon. Michael J. Anderegg

Characteristics and Funding of the Michigan Juvenile Court System

Juvenile delinquency proceedings in Michigan involve juveniles, under the age of 17, charged with violating a criminal law or ordinance, or with a status offense. Delinquency proceedings occur within a county-based juvenile court system. If the juvenile is found responsible for the offense, the court may order a juvenile disposition. Juvenile dispositions in Michigan are focused on the rehabilitation and development of juvenile defenders. The juvenile court system is supported by both state and county funds. State funding covers judicial salaries, the Trial Court Equity Fund, DHS Delinquency workers, DHS treatment facilities and half of the Child Care Fund. County funding covers court staff, court facilities, prosecution costs, juvenile probation staff, and the other half of the Child Care Fund.

Core Principles of the Michigan Juvenile Court System:

The Michigan Juvenile Court System has several core principles:

- Individualized Justice
 - Consider Age, Previous Record
 - “Graduated Sanctions”
 - Family
 - School Performance
 - Mental Health
 - Substance Abuse
 - Evaluations
 - May Continue Juvenile Court Supervision To Age 19, 21
- Rehabilitation, Not Punishment
- Least Restrictive Alternative
- Local Treatment
- Balanced Approach to Restorative Justice
 - Community Safety
 - Offender Accountability
 - Competency Development

Case Processing

Juvenile cases go through several processing steps, dependent upon the nature and circumstances of the crime. A case is initiated with the apprehension of a juvenile and a prosecutorial review of the case. During the initial court appearance, a juvenile may be represented by a court-appointed lawyer and have the right to request a trial by jury. When a juvenile is found responsible for having committed an offense, the court may enter a disposition order. The following is a list of juvenile disposition options in the state of Michigan:

- a) Warning and Petition Dismissal
 - Court warns juvenile or juvenile's parent, custodian or guardian and then dismiss the petition.
- b) Appointing a Guardian
- c) In-Home Probation
- d) Community Service
- e) Foster Care
- f) Juvenile Boot Camp
- g) Placement in a Private Institution or Agency
- h) Placement in a Public Institution or Agency
- i) DHS Wardship
- j) Mandatory Restitution
 - This is only ordered when the juvenile is in a position to be able to pay.

* Placement in jail or a detention center is not used as a disposition for juvenile offenders, except for cases that involve the use of a firearm during a criminal violation. If a juvenile is found to have used a firearm during a criminal violation, he/she must be committed to a detention facility for a specified period of time.

Adult Sanctions

There are two processes through which a juvenile may be tried as an adult:

1. Designation

- ☐ In these instances, the juvenile court prosecutor has designated, or asked the court to designate, that the juvenile be tried in the same

manner as an adult. These cases still fall under the jurisdiction of the circuit court, but result in adult criminal punishments.

2. Waiver

- ☑ In these instances, the prosecuting attorney requests that the Family Division waive its jurisdiction over the case so the juvenile can be tried as an adult in the Criminal Division. A juvenile must be at least 14 years old and charged with a felony for this process to be used. Following a conviction, the juvenile will be sentenced as an adult, subject to regular criminal punishments.

“Blueprints” Programs

These programs can be used as dispositions in juvenile court cases, if available. 11 programs have been selected, from more than 900 studied programs, as effective in reducing adolescent violent crime, aggression, delinquency and substance abuse:

1. Midwestern Prevention Project (MPP)
2. Big Brothers/Big Sisters (BBBS)
3. Functional Family Therapy (FFT)
4. Life Skills Training (LST)
5. Multisystemic Therapy (MST)
6. Nurse-Family Partnership (NFP)
7. Multidimensional Treatment (MTFC) Foster Care
8. Olweus Bullying Prevention Program (BPP)
9. Promoting Alternative Thinking (PATHS) Strategies
10. The Incredible Years: Parent, Teacher (IYS) & Child Training Series
11. Project Towards No Drug (Project TND) Abuse

Expungement of Juvenile Records

Juvenile offenders may be eligible to have their records expunged. Expungement of juvenile records is unavailable for those offenders who have more than one offense. Juvenile records may be expunged 5 years after jurisdiction ends or the offender has reached age 25, whichever instance occurs latest. Although juvenile records can be expunged from public records, a non-public record of the offense will exist for law enforcement use. Juvenile offenders who commit crimes that result in placement on the Sex Offender Registry may be required to continue complying with the registration requirement, even after a conviction has been set aside. Traffic and life-sentence offenses do not qualify for expungement.

Issues

1. Cost of Placement to Court

- In-Home care costs are split evenly between the state and county.
- Court-Operated Foster Care costs an average of \$37.62/Day.
- DHS Foster Care costs an average of \$16.74/Day for children ages 0 – 12 and \$26.59/Day for children ages 13 – 18.
- Private Agency Foster Care costs an average of \$53.75/Day for children ages 0 – 12 and \$63.59/Day for children ages 13 – 18. Both of these rates include a \$37/Day Administrative Rate.
- TITLE IV-E costs are split evenly between the state and federal government.

2. Cost of Institutional Care

- Private Non-Profit care costs between \$130 - \$400/Day, depending on the intensity of the programming.
- Camp Shawano costs approximately \$473/Day.
- Bay Pines costs approximately \$385/Day.
- Maxey Training School costs approximately \$667/Day.

3. Data Collection/Analysis

State-level aggregate data collection includes only the number of filings, charges filed and the age, gender and race of a delinquent. Local-level data includes the state-level information, plus individual data on number of offenses, participation in services, length of time under jurisdiction and placement (number and location). While this data is useful, not all jurisdictions collect it.

4. Competency

Questions of competency present significant difficulties for the juvenile court system. A juvenile cannot be tried in he/she is found unable to assist counsel in the defense or does not understand the proceedings. If a juvenile is found to be incompetent, efforts to restore competency are made so the individual may be tried. If restoration of competency is not possible, however, the juvenile court system faces the difficult decision of what to do with the accused offender. Neither option, dismissal of the petition or incarceration without trial, is in the best interests of both the individual and community.

5. Substance Abuse

Substance abuse is a major problem in the juvenile court system. Because substance abuse may cause or contribute to a juvenile's decision to commit an offense, rehabilitation is often

considered to be an important element of juvenile dispositions. However, a large lack in funding and availability for juvenile inpatient substance abuse treatment keeps many juvenile offenders from getting the help they necessary for rehabilitation. In total, only 40 beds currently exist in the state of Michigan for disposition orders for juvenile offenders who need substance abuse treatment.

6. Status Offenders

Status offenses include behaviors or actions that are only illegal for juveniles because of their age. These offenses include running away from home, truancy, incorrigibility, and the use of tobacco products and alcohol. These offenses are treated differently within the juvenile court system because the actions are not criminal for adults. Status offenders cannot be securely confined. Additionally, clear and convincing evidence must be presented that court services are necessary in ordering dispositions for these offenders. Family support services are often recommended or ordered for status offenders and their families. Although these offenses are not handled as seriously as some other offenses, there remains concern that these offenses may be predictors of later, more serious delinquency offenses.

References

Juvenile Delinquency Guidelines: Improving Court Practice in Juvenile Delinquency Cases, The National Council of Juvenile and Family Court Judges (NCJFCJ), (2005) <http://www.ncjfcj.org/content/view/411/411/>

Juvenile Justice Benchbook, Michigan Judicial Institute, (2009)
<http://www.courts.michigan.gov/mji/Resources/jjbook/jjbench.htm>

Reconnecting: The Role of the Juvenile Court in Re-entry, NCJFCJ (2004)
<http://www.ncjfcj.org/images/stories/32146%20final.070.arc.pdf>

Blueprints for Violence Prevention, University of Colorado at Boulder OJJDP (2001)
<http://www.colorado.edu/cspv/blueprints/>

Performance Measures, American Prosecutors Research Institute (2006)
http://www.ndaa.org/pdf/performance_measures_jj_system_06.pdf

Juvenile Court Statistics 2006 – 2007, National Center for Juvenile Justice (2010)
<http://www.ncjservehttp.org/ncjjwebsite/pdf/jcsreports/jcs2007.pdf>

Michigan Juvenile Crime Analysis, Public Policy Associates, Inc. (2009)
http://www.michigan.gov/documents/dhs/DHS-BJJ-2009JuvenileCrimeAnalysisReport_292614_7.pdf

What Works and What Doesn't in Reducing Recidivism with Youthful Offenders: Understanding the Principles of Effective Intervention

By Edward J. Latessa

The Meaning of Evidence

In creating programs to reduce recidivism, evidence can mean several things. Edward Latessa makes a distinction between a lower form of evidence- anecdotes, opinions, testimonials, etc., and a higher form, for which successful programming is paramount. This evidence is empirical. It is the result of peer-reviewed research, tested data-sets, and controlled studies. Programs whose success is measurable and proven through this form merit the title "Evidence-based."

What the Evidence Tells Us

A large body of existing and ongoing research is telling us that correctional services and interventions can indeed be effective for reducing recidivism, however, not all programs are equally effective. The most effective are based on certain principles when intervening:

- **Risk (who needs intervention)**
- **Need (what should be targeted to reduce risk)**
- **Treatment (how we intervene)**
- **Fidelity (whether the program is implemented as designed)**

1. The Risk (who) Principle

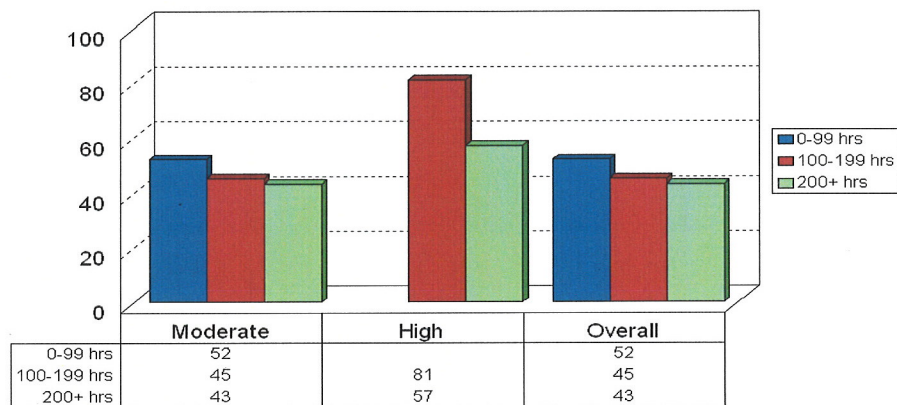
Effective programs are those that target those youth with higher probability of recidivism, and provide most intensive treatment to higher risk youth. However, it must also be taken into account that intensive treatment for lower risk youth can actually increase recidivism

Unfortunately, even with evidence-based programs, there will be those who fail. A typical cross-section of failure rates looks like this:

- If you have 100 high risk youth, about 60% will fail
- If you put them in a well designed, evidence-based program (for sufficient duration), you may reduce the failure rate to about 40%
- If you have 100 low risk youthful offenders, about 10% will fail
- If you put them in the same evidence-based program mentioned above, the failure rate will increase to 20%

A rule of thumb when providing treatment is 100 hours for those with moderate risk, and 200+ hours for those who are higher risk. This is because studies have shown 100 hours for high risk juveniles usually has no effect.

Recidivism Rates by Intensity and Risk Level



Studies have shown that when lower risk juveniles are placed in programs alongside those who are higher risk, they tend to learn more anti-social behavior from them. Also, when lower risk youth make friends with higher risk youth, pro-social networks like family, community, friends, and other supports are disrupted.

2. The Need (what) Principle

What are the problems we need to address? 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 we know exactly what we are treating and how to treat it. Studies have shown a juvenile is at risk when he or she has:

- Anti-social/pro-criminal attitudes, values, and beliefs
- Pro-criminal associates and isolation from anti-criminal individuals
- Temperamental and anti-social personality patterns conducive to criminal activity, like:

- Weak socialization with others growing up
- Impulsivity
- Adventurous behavior
- Restless/aggressive behavior
- Egocentrism (“I matter more than others”)
- A taste for risk
- Weak problem-solving skills
- Weak self-regulation/coping skills
- A history of anti-social behavior
- Familial factors, like:
 - Having family members who are criminals
 - Family members who have psychological problems
 - Members who show low levels of affection, caring and cohesiveness
 - Parents with poor supervision and discipline practices
 - And parents exhibiting outright neglect and/or abuse
- Low levels of personal, educational, vocational, or financial achievement
- Low levels of involvement in pro-social leisure activities
- Substance Abuse

3. The Treatment (how) Principle

The treatment principle requires that programs use a behavioral approach to target risk factors. There are several important attributes: focus on current risk factors, and use action oriented techniques that attempt to teach youth new ways to behave by practicing and reinforcing appropriate behavior. Two of the most effective interventions for juveniles are:

A. Family-Based Intervention

B. Cognitive Intervention

Both of these interventions rely on what’s called “behavioral” treatment. Behavioral treatments are those that see the behavior of the juvenile as the target for therapy. For example, both of the above techniques provide a structured environment for juveniles to learn social skills. As juveniles learn to practice these skills and behave in pro-social ways; mental, cognitive, emotional, familial, communal, and other forms of well-being tend to follow.

A. Family-Based Intervention

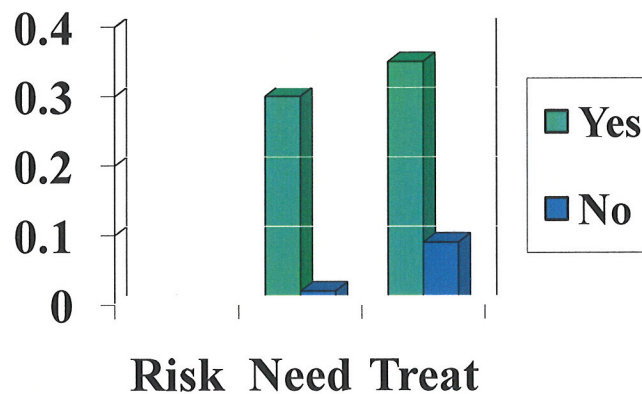
These interventions train family members in appropriate relational techniques, though different programs approach this goal in different ways. Four such programs have been identified and proven through evidence to be successful in reducing recidivism:

- Functional Family Therapy
- Multi-Systemic Therapy
- Teaching Family Model
- Strengthening Families Program

After 38 primary studies and 53 effects tests, the average reduction in recidivism between these programs was an astounding 21%, though variability was broad (-0.17 - +0.83)

Dowden & Andrews, 2003

Mean Effect Sizes: Whether or not the family intervention adheres to the principles



B. Cognitive Intervention

Cognitive interventions are treatments that wish to change juvenile behavior by influencing thinking patterns in positive, healthy directions. If unhealthy, destructive thinking patterns can be reoriented this way, then positive behavioral outcomes may follow, and chances for the juvenile's success will increase. This type of intervention carries with it a number of assumptions:

- That thinking affects behavior
- That anti-social, distorted, unproductive, and irrational thinking can lead to anti-social, distorted, unproductive, and irrational behavior
- Thinking can be influenced
- And that we can change how we feel and behave by changing how we think

58 peer-reviewed studies, featuring 19 random samples, 23 matched samples, and 16 convenience samples, found that cognitive-behavioral therapy reduced recidivism by 25% on average, but the most effective configurations found reductions of more than 50%.

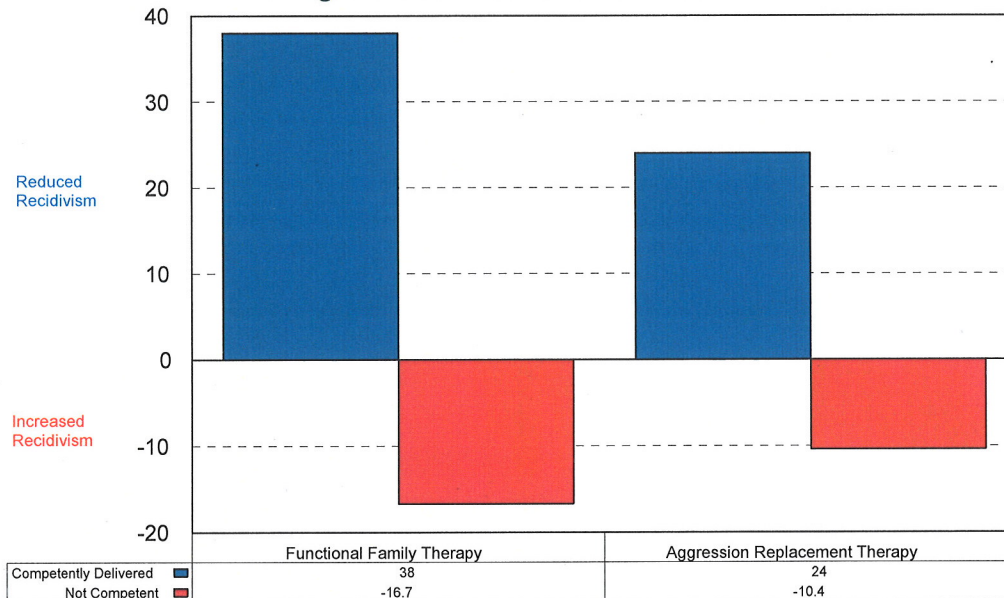
Effects were stronger if...

- There were 2 or more sessions per week (Treatment)
- Implementation was monitored (Fidelity)
- There was a higher proportion of juveniles completing treatment (Responsivity)
- The offenders being treated were higher-risk... (Risk)
- Cognitive-behavioral therapy was combined with other services (Need)

4. The Fidelity (how well) Principle

Finally, the most reliable programs use evidence to evaluate their success. Evidence-based programs like those featured here assure their validity by internal and external quality assurance.

Effects of Quality Programs Delivery for Evidenced Based Programs for Youth Offenders



Source: Outcome Evaluation of Washington State's Research-Based Programs for Juvenile Offenders. January 2004. Washington State Institute for Public Policy.

What Doesn't Work with Juvenile Offenders?

1. Programs that cannot maintain fidelity
2. Programs that do not target the problems underlying criminal behavior
3. Drug education and prevention programs focused on fear and other emotional appeals
4. Shaming offenders
5. Non-directive, client centered approach
6. Expressive therapy (art therapy, poetry/writing therapy, etc.)
7. Talking cures
8. Self-help or self-esteem programs
9. Vague, unstructured rehabilitation programs
10. Treatment plans using the medical model (regarding juvenile behavior as a disease)
11. Programs that claim to "punish smarter" (boot camps, scared-straight programs)

References

Latessa, E. J., K. Sperber, and M. Makarios (2010) Does Dosage Matter? Presented at the International Community Corrections Association, Louisville, KY.

Dowden, C., and D A Andrews (2003) Does Family Intervention Work for Delinquents? Results of a Meta-Analysis. *Canadian Journal of Criminology and Criminal Justice*;5, 3; 327-342.

Aos, S. Outcome Evaluation of Washington State's Research-Based Programs for Juvenile Offenders (2004). Washington State Institute for Public Policy.

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.

References

New York State Division of Criminal Justice Services, 2010.

Susan Mitchell-Herzfeld, Vajeera Dorabawila, Leigh Bates, and Rebecca Colman, "Juvenile Recidivism Study: Patterns and Predictors of Re-Offending Among Youth Reentering the Community From OCFS Facilities and

Voluntary Agencies,” PowerPoint presentation. At the New York State Division of Criminal Justice Services, April 27, 2010.

Loretta King, acting assistant attorney general, U.S. Department of Justice, Civil Rights Division, to David Paterson, Governor of New York, *Re: Investigation of the Lansing Residential Center, Louis Gossett, Jr. Residential Center, Tryon Residential Center, and Tryon Girls Center*, August 14, 2009.

New York City Office of Management and Budget, 2011.

Brooks, Kim. “Juvenile Justice in Ohio: Strategies for Institutional Reform”, Children’s Law Center; October 2010.

Redeploy Illinois Annual Report to the Governor and General Assembly (2002) IL; Redeploy Illinois Oversight Board, 6.

Krisberg, Barry Ph.D., Christopher Hartney, Susan Marchionna, Linh Vuong, “A New Era in California Juvenile Justice: Downsizing the State Youth Corrections System”, 27 August 2010, 7.

Wayne County Children & Family Services “Juvenile Services Reform in Wayne County, Michigan” Report. (2009)

Decker, Tim. “*The Missouri Division of Youth Services and Juvenile Justice System: Brief Overview.*” July 23, 2009.

Biosketches

John Evans

John Evans, Director of the Bureau of Juvenile Justice (BJJ), received his Bachelors Degree in Social Science from Siena Heights College and his Masters Degree in Criminal Justice from Michigan State University.

Prior to becoming the Director of BJJ, John was the President and Chief Executive Officer of Highfields, Inc. John has more than 30 years experience in juvenile treatment and services beginning as a treatment specialist at Boysville of Michigan in the late '70s. John also has served as Juvenile Probation Officer in Ingham and Lenawee Counties and has worked in the detention facilities of both counties.

Previously with DHS for more than 17 years, John was a state division director for the Community Support Division within the BJJ & the Child and Family Services. John administered the Child Care Fund as well as other community based programs.

John has also served many professional and community groups including the Michigan Federation for Children & Families Board of Directors, Ingham County System of Care (IMPACT) Stakeholders Board, Chairperson for the DHS Juvenile Justice Waiver Workgroup, Committee Chair in DHS Director's Public Private Partnership Initiative, Williamston Schools Board of Education Treasurer and past President, State Interagency Coordinating Council for the Handicapped Infants and Toddlers, State Incentive Grant for Drug Abuse Prevention, Blended Funding Initiative Interagency Workgroup, Jurisdictional Planning-Partnership with State Court Administrative Office, and Board member for Williamston Schools Foundation.

Honorable Michael Anderegg

Honorable Michael Anderegg graduated from Harvard College with a Bachelor of Arts (cum laude) and then proceeded on to University of Michigan Law School for his Juris doctor.

Judge Anderegg has been a Juvenile and Probate Court Judge since 1977. He became the Presiding Judge of the Family Division of the 25th Circuit Court when the Family Division was created in 1998. Judge Anderegg is a past President of the Michigan Probate judges' Association and in 2009 received the first "Jurist of the Year" award from the State Foster Care Review Board. In 2010, he was named "Individual of the Year" by the Upper Peninsula Children's Coalition. Before becoming a judge, he worked as a Legal Services staff attorney and as an assistant prosecutor.

Judge Anderegg has also worked in teaching positions for Northern Michigan University and as a Bar Representative and Commentator for Michigan Institute of Continuing Legal Education.

Judge Anderegg is involved in several committees including the National Council of Juvenile and Family Court Judges, Steering Committee of U.P. Children's Coalition, Marquette Area Public Schools' Finance Committee, and Marquette General Hospital's Mental Health Advisory Committee. He also services as a member in the following Michigan Supreme court Committees: Juvenile Court Rules, Family Division Rules, Probate Court Academic Advisory, Benchbook, and Legal Guardian ad litem Protocol.

Edward Latessa, Ph.D.

Edward J. Latessa received his Ph.D. from Ohio State University in 1979 and is a Professor and Director of the School of Criminal Justice at the University of Cincinnati. Dr. Latessa has published over 110 works in the area of criminal justice, corrections, and juvenile justice. He is co-author of seven books including *Corrections in the Community*, and *Corrections in America*. Professor Latessa has directed over 100 funded research projects including studies of day reporting centers, juvenile justice programs, drug courts, intensive supervision programs, halfway houses, and drug programs. He and his staff have also assessed over 550 correctional programs throughout the United States, and he has provided assistance and workshops in over forty states.

Dr. Latessa served as President of the Academy of Criminal Justice Sciences (1989-90). He has also received several awards including; Marguerite Q. Warren and Ted B. Palmer Differential Intervention Award presented by the Division of Corrections and Sentencing of the American Society of Criminology (2010), Outstanding Community Partner Award from the Arizona Department of Juvenile Corrections (2010), Maud Booth Correctional Services Award in recognition of dedicated service and leadership presented by the Volunteers of America (2010), Community Hero Award presented by Community Resources for Justice, (2010), the Bruce Smith Award for outstanding contributions to criminal justice by the Academy of Criminal Justice Sciences (2010), the George Beto Scholar, College of Criminal Justice, Sam Houston State University, (2009), the Mark Hatfield Award for Contributions in public policy research by The Hatfield School of Government at Portland State University (2008), the Outstanding Achievement Award by the National Juvenile Justice Court Services Association (2007), the August Vollmer Award from the American Society of Criminology (2004), the Simon Dinitz Criminal Justice Research Award from the Ohio Department of Rehabilitation and Correction (2002), the Margaret Mead Award for dedicated service to the causes of social justice and humanitarian advancement by the International Community Corrections Association (2001), the Peter P. Lejins Award for Research from the American Correctional Association (1999), ACJS Fellow Award (1998), ACJS Founders Award (1992), and the Simon Dinitz award by the Ohio Community Corrections Organization.

Vincent Schiraldi

Vincent N. Schiraldi received his Masters in Social Work from New York University and holds a Bachelor of Arts degree in Social Psychology from Binghamton University in Binghamton, NY.

Mr. Schiraldi was appointed Commissioner of the New York City Department of Probation in February 2010, bringing nearly 30 years experience working with troubled youth and juvenile justice systems to New York City. He leads the Department in its mission to protect the community by intervening in the lives of probationers, holding them accountable, and serving as a catalyst for positive change. In collaboration with the community and other justice partners, he is applying innovative thinking to the Department's role of servicing the courts, the probation population and the community. Mr. Schiraldi's goal is to provide every child and adult on probation with the support they need to achieve a crime-free, healthy lifestyle. He is responsible for managing a staff of over 1,000 people. The Department annually conducts approximately 30,000 pre-sentence investigations for the courts, and at any given time is actively supervising approximately 28,000 adults and youth.

As Director of the Department of Youth Rehabilitation Services (DYRS) for the District of Columbia from 2005 to 2010, Mr. Schiraldi managed the agency's \$80 million dollar budget and transformed the department by creating one of the nation's most comprehensive continuums of care, one that is strength-based and community and family-focused.

Prior to his appointment at DYRS, Mr. Schiraldi founded the Justice Policy Institute (JPI), where he served as the Executive Director. JPI conducts research on the impact of mass incarceration and the overrepresentation of people of color behind bars, and has worked collaboratively on criminal and juvenile justice campaigns in Alabama, California, Illinois, Louisiana, Maryland and Texas.

JPI grew out of the Center on Juvenile and Criminal Justice (CJCJ), a private, non-profit criminal/juvenile justice agency dedicated to reducing society's reliance on imprisonment as a solution to social problems, which Mr. Schiraldi founded in 1991. As Executive Director, Mr. Schiraldi supervised all aspects of agency operations. Successful projects included juvenile justice programming, continuum of care programming, an alternative sentencing program, a supervised citation release program and a supportive living program.

Mr. Schiraldi also worked with the National Center on Institutions and Alternatives, both in New York City and San Francisco, for nine years. Among its successful programs was the Parole Assistance Project, which developed social service plans for 156 California Department of Corrections parolees.

A recognized expert in the field of juvenile justice, Mr. Schiraldi has provided research findings and commentaries that have been featured on the *Today Show*, *The New York Times*, *The Washington Post*, evening newscasts for ABC, CBS and NBC, National Public Radio, CNN and the BBC, to name a few. He has also published numerous papers and articles, and has spoken before a variety of academic and governmental audiences. He served as an advisor on the Washington, DC Blue Ribbon Commission on Youth Safety and Juvenile Justice Reform in 2001, and has been a member or advisor to the California Blue Ribbon Commission on Inmate Population Management, and the California Commission on the Status of African American Men. He was the founding Chair of San Francisco's Juvenile Probation Commission in 1990.