

Supervision and Community Placement Strategies for Justice Involved Youth

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Supervision Strategies for Justice-Involved Youth

Antoinette Davis, Angela Irvine, and Jason Ziedenberg



Table of Contents

Introduction. 1

Three Strategies That Work 2

Improving Practice 2

Reducing Unnecessary Revocations. 3

Engaging Youth and Families 7

Summary 9

Information

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NCCD promotes just and equitable social systems for individuals, families, and communities through research, public policy, and practice.

Introduction



Hundreds of thousands of youth cycle in and out of local and state juvenile justice systems each year, often for minor offenses and technical violations. These youth are visible in a variety of settings across the United States: probation offices, juvenile detention centers, courts, and correctional facilities. While many of these youth exhibit a high need for services, others have low to moderate levels of criminality and thus pose very little risk to the public.

Through a series of interviews and state-based focus groups, juvenile justice stakeholders told NCCD that far too many of these low- to moderate-risk youth are unnecessarily entangled in juvenile justice systems, receiving varying degrees of probation, out-of-home placements, and incarceration. This is mostly due to the many states and local jurisdictions that rely on compliance, control, and incarceration as a means of supervising youth in the juvenile justice system. Without effective training or developing effective approaches, the default supervision approach focuses only on enforcing the regulations and “trailing, nailing, and jailing” youth who do not comply. Systems face challenges in engaging youth and families or addressing the root causes of delinquency.

The result is that juvenile justice systems are flooded with the casualties of an antiquated supervision system—and youth outcomes are worse. The research shows this is a damaging and costly way to supervise youth. It is also the reason many believe that

states’ juvenile correctional agencies have become destinations for difficult youth who can be sources of frustration but rarely are dangerous.ⁱ

More effective ways to supervise justice-involved youth exist. Typically, these methods do not require removing youth from their homes; they are less restrictive, more cost-effective, and they demonstrate better outcomes for youth and communities. During its interviews and focus groups, NCCD learned how juvenile justice stakeholders are exploring and implementing new and innovative ways to supervise justice-involved youth. Not only are stakeholders developing policies and practices to reduce out-of-home placements and secure confinements for youth, they are working to build infrastructures to increase their capacity to serve youth within the community. They also are partnering with and including families and community-based organizations in the task of supervising youth.

Simply stated, juvenile justice stakeholders are creating smart and effective supervision strategies in an effort to keep more youth in their homes and communities rather than in out-of-home placements and secure facilities. Although some of the concepts and practices may appear simplistic, they are supported empirically and rooted in research and theories of best practices. A sample of strategies described to improve supervision practices for youth follows.

Three Strategies That Work

Systems Are Improving Practice by Reducing Supervision for Youth Who Do Not Need It

The overall approach to supervision relies on risk assessments, screening instruments, and other tools to help systems shift youth to the lowest form of supervision needed to meet their needs and, in some cases, to divert youth from the system entirely.

Justice Systems Are Working to Reduce Revocations

Probation departments are engaging in training with line staff to encourage different responses to behaviors to avoid revocation, clarifying which rules may no longer result in revocation, and problem solving with the youth and families around the right response.

Systems Are Working to Build Stronger Supervision Partnerships With Families and Service Providers

Strategies include clearly articulating roles for each member of the supervision team in the work and their relationships to each other, shared access to information systems, joint trainings, reliance on models that seek to place families at the center of the process, hiring people to work with families in the system, and developing family orientation programs.

Improving Practice

“Probation caseloads will vary in intensity based on risk of re-offense and offense severity; probation officers supervising higher-risk/severity clients will have smaller caseloads, allowing them to provide more intensive supervision and support.”—Re-Envisioning Juvenile Justice in New York City, A Report from the NYC Dispositional Reform Steering Committeeⁱⁱ

Supervision terms should be based on a youth’s risk of re-offending and the severity of offense while allowing those who need additional support services to receive them. NCCD heard that states and youth-serving agencies are revising longstanding practices within their own systems and developing new processes to address the real supervision needs of youth.

Respondents agreed that the old “one-size-fits-all” model of supervision is overtly expensive and fails to improve outcomes. Respondents support policies and practices tailored for the specific needs/supervision requirements of individual youth. This includes providing less supervision for some young people and diverting others out of the system entirely when possible.

“Some of these kids need to get the hell out of my office and we need to not touch them because all government touches, just like all social services touches, aren’t good touches. They almost all have unintended side effects.”—Vincent Schiraldi, Senior Adviser, New York City Mayor’s Office of Criminal Justice, and former Commissioner, New York City Department of Probation

NCCD also found stakeholders to be well-versed in research that exposes the problems associated with unnecessary supervision. Multiple respondents reported that some youth, whether supervised or not, will not re-offend; monitoring youth with no assessed need or risk and putting them on probation is a waste of resources. Others described the sinkhole effect on youth caused by involvement with any aspect of the juvenile justice system: Youth touched by these systems typically spiral in rather than out. Because of this, stakeholders said, it is important to keep contact with low-level offenders to a minimum and ensure that the “right” kids are served and supervised.

For example, at both the state and local levels in Alabama, California, Michigan, Texas, New York, and Ohio, efforts are being made to reduce supervision for youth who do not need it. Jurisdictions are using risk assessment tools to objectively assess young people’s needs for supervision and services. Others are reducing supervision terms and completely diverting suitable young people out of the justice system, strategically meeting their service needs in community settings. Some systems also are re-targeting resources previously used for “low-risk, low-need” youth to those in need of more attention. NCCD’s investigation revealed the following.

- Some Texas counties are diverting low-level youth, particularly those expected to have limited (one-time) contact with the system, out of the juvenile justice system. Counties also are downgrading low-level offender supervision status from a deferred prosecution (a more formal process) to supervisory caution (a less formal process).
- Jefferson County, Alabama, uses a risk assessment instrument and structured decision-making grid to help probation workers make objective decisions and dispositional recommendations that favor the least-restrictive environments for youth.ⁱⁱⁱ

- New York City informally adjusts probation terms for four out of 10 arrested youth; the statewide rate is even higher. For youth with formal probation supervision, New York City uses a three-tiered model of supervision that varies in intensity, duration, number of contacts, and caseload size. An objective risk assessment is used to determine the placement of youth within the tier system. Nearly 30 community-based programs provide services to youth diverted from the system as a result of an adjustment.^{iv}

Reducing Unnecessary Revocations

Respondents spoke of the value and utility of using data when making revocation decisions. They noted the importance of implementing supervision terms and practices that speak to public safety, youth’s specific behaviors and risks, and the rehabilitation needs of youth. As one participant in the Alabama focus group session asked, “Let’s look at all these dumb rules, and can we stop making every child go through this process?” This respondent described the superfluous rules and regulations that probationary youth must meet. Rather than aiding in positive changes for youth, these rules set youth up to fail. Youth on probation are required to jump through





a variety of hoops—many of which are difficult for high-functioning adults to maneuver and almost impossible for young people. Moreover, many of the regulations are not tied to public safety, treatment, or rehabilitation.

Respondents also acknowledged that many of the reasons for revoking youth are unnecessary and essentially based in a desire for compliance and control. As one respondent who has observed a poorly functioning supervision system said, “Many probation staff have a ‘you-do-what-I-tell-you-to-do’ mentality. It’s a mindset that does not focus on youth but instead on power and mental control, with no legitimate outcomes in mind except for power and control over the child.” Respondents reported that supervision terms must be directly tied to probation goals and point to facts. They disprove of harsh practices and processes that revoke and incarcerate youth without good reasons to do so; they said that locking up youth typically does not improve behavior. Subsequently, respondents pointed to research studies and practical examples that describe sound ways to serve and hold youth accountable in a community setting.

In conjunction with research and information, stakeholders highlighted the need for changes in attitudes and practices among those in authority, particularly probation staff. These individuals need to see themselves as agents of change: individuals who can connect young people to service providers, broker services for youth and families, and work with young people and families rather than just enforce the rules. A variety of stakeholders in leadership roles reported this as a requirement for those under their management.

“What has happened and what is so exciting about what is going on is that, in this state, among probation and the officers, the attitude is transitioning now. We are in fact here to work with that family to keep these kids out of trouble and solve problems with the family. We’re not here as law enforcement to catch you. And what I’m seeing over the last few years is a complete turnaround in the idea about why we exist, what we’re supposed to be doing with kids, and it’s all positive.”—J.

Walter Wood Jr., Director, Alabama Department of Youth Services

J. Walter Wood Jr., director of the Alabama Department of Youth Services, reported that the attitudes and expectations of probation staff and officers are changing; his staff recognize that their jobs involve much more than monitoring behavior and compliance. Wood said that “staff are there to work with families and solve problems”; and NCCD found that agency and division leaders share this belief. Those interviewed described various ways in which they altered longstanding policies and practices, including requiring staff to do their jobs differently and go the extra mile when working with youth and families. For example, some respondents require their staff to show extensive proof as to why a youth needs

to be revoked, prove the needs for re-incarceration versus community supervision, and show specific efforts to mediate problem behavior exhibited by youth. Part of this process includes highlighting case planning and specific treatment and services provided to youth. NCCD found these to be mandatory, rather than voluntary, changes implemented by system leaders—from the top down.

“The Tarrant County chief probation officer believed in alternatives and tried to reduce the detention population. He really educated and trained his probation staff in the strengths-based approach and incarceration as the last resort, looking at behaviors and the root causes of the behavior and then really creating a continuum of care of community-based providers that were in sync with the philosophy. Probation officers learned to respect the role of the youth and family advocate on the street. We did not undermine each other.”—Jeff Fleischer, CEO, Youth Advocate Programs, Inc.

Staff training is another important component of reducing unnecessary revocations. Respondents discussed the tremendous power assigned to probation officers. In some systems, the probation



officer or case manager can trigger a process to bring a young offender back to court in response to non-compliant behavior; this can lead to a youth's re-incarceration for fairly minor actions. Training and the availability of tools (i.e., graduated sanctions grids, risk assessment tools, etc.) are needed by probation officers and others with the power to trigger a revocation. System staff also need to recognize that incarceration is damaging to youth in very specific ways. Information on alternatives to incarceration should be made available, along with models and programs shown to effectively address youth behavior. NCCD found that probation officers in some states and jurisdictions are being trained on, and expected to use, graduated responses to address probation violations; this allows an appropriate but escalating level of accountability for youth behavior. In addition, alternative sanctions are applied to hold youth accountable without the formal revocations that can lead to incarceration.

“We’re investing a lot in working with our officers to be more engagement-focused rather than order-focused both with the young people and the families to find what is the common ground. The most important one is we want this young person to be able to thrive. That’s a common goal that a probation officer should be expected to have and a parent is going to have.”—Ana Bermúdez, Commissioner, New York City Department of Probation

“We’ve trained, we’ve coached, we monitor them.”—Edward Latessa, Professor and Director, School of Criminal Justice, University of Cincinnati, Ohio, describing the training component for juvenile parole and probation officers

Revocation decisions should not be made in isolation. An extra layer of oversight can help in this process and widen the options outside of incarceration.

Stakeholders noted that some jurisdictions are effectively using families, community-based organizations, and service providers to help in the supervision of youth within the community and to address a variety of related problems and challenges. For example, in Alabama, California, Michigan, New York, Ohio, and Texas, probation departments have engaged in training with line staff to encourage different responses to behaviors in order to help youth get off the path to revocation. This can be as simple as engaging service providers and community partners in supervision and problem solving. Examples include calling a meeting with parents and partners to develop a plan to address/respond to a youth's non-compliant behavior, providing assistance and services to youth and their families that help them understand and meet court requirements, and pinpointing the specific behaviors (or "rule breaking") that can lead to a formal revocation.



Staff Training

A prominent portion of staff training must highlight the ills of out-of-home placement and address attribution fallacies and other faulty assumptions held by staff. An unwavering message that out-of-home placement and incarceration should only be used in the most extreme situations is needed.

Probation staff must examine the impact of their practices on young people, recognize the shift toward best practices, and provide staff with the tools to make this shift. They need to receive training and information that show "teaching a lesson" through revocation is not necessary or effective; it does not change behavior or benefit the youth or community.

Training must also challenge the distorted view that getting a youth off the streets automatically makes the community safer and gives problem youth a second chance, a respite from street life, and a dose of rehabilitative structure. This is particularly important when serving youth from poor and otherwise distressed communities. Research and common sense tell us that incarceration should never be considered normal for any child.

Engaging Youth and Families

“When I joined juvenile corrections in 1970, the prevailing attitude was to keep the families away from the kids. The families were the problem. These kids were not with us because of their problems, they were with us because of their families’ problems. Dysfunctional families, high incidence of drug abuse in the family, child abuse in the family, the list went on.”— Ned Loughran, Executive Director, Council of Juvenile Correctional Administrators

Traditional supervision approaches often have created adversarial relationships between systems’ players, youth, and their respective families.^v Indeed, obstacles make it difficult for youth and families to engage in the supervision process. Stakeholders admit that families are viewed routinely as the source of young peoples’ problems. One stakeholder in particular noted that early in his probation career he, like many others, strongly believed that families were the real problem—they were the root cause and driving force of delinquent and problem behavior among youth.



It appears that most respondents agree that families are an important part of the supervision equation. However, some question the most effective and efficient ways to include families in the process, especially since doing so represents a significant shift in practice. Improving relationships with families requires changes in mindsets and beliefs regarding what a probation officer’s job entails and his/her view of family. According to one stakeholder, this approach changes the role of supervision agents from simple surveillance to “brokers” of services, problem solvers, and change agents.

“They are just giving referrals and they see themselves as the tough person who is supposed to hold [the youth] accountable and keep them in check and then the treatment providers are the ones who are supposed to fix them. So we’re merging that and saying [to officers], ‘Look. You have a dual relationship. Your job is part agent of change and part of that is to build a relationship and hold kids accountable.’”—Brian Lovins, Assistant Director, Community Supervision and Corrections Department, Harris County, Texas

NCCD found that juvenile justice stakeholders believe that supervision approaches must build relationships between supervision agents, youth, and their families. This fact is irrespective of a supervising agent; it can be probation, parole, aftercare, or caseworker with a department or a nonprofit case manager or service provider. Strategies described include working collaboratively with youth, families, and the courts to ensure goals developed for youth are achievable and measurable; setting clear expectations and structure for supervision processes with the inclusion and help of families; ensuring that systems staff and probation are amenable to working with youth in their homes when needed; and utilizing best and promising practices to improve youth’s cognitive development and problem-solving skills.

Along with the changes in mindsets and beliefs regarding a probation officer's job responsibilities, models that value the inclusion of families and natural support systems are needed in order to improve relationships with families. For example:

- New York, Alabama, and Washington, DC, are using the Youth Family Team Meeting (YFTM) model, a case planning system designed to develop service plans tailored to the strengths and needs of youth. Participants in a YFTM include the youth and his or her family members, mentors, teachers, case managers, service providers, and other interested adult supporters. YFTM and similar case planning systems can be repeated at various stages, depending on the progress or challenges a youth may be facing.
- Ohio's Effective Practices in Community Supervision and Functional Family Community Supervision in Multnomah County, Oregon, are two models that encourage supervision staff to make frequent home visits with their supervisees.
- New York, Texas, and Washington, DC, provide an orientation to families whose young people are system-involved. This orientation is designed to provide support and help families understand and navigate the system.

Unfortunately, these examples are the exception rather than the rule. Although parents and families can be key components in improving outcomes for troubled and delinquent youth, more often than not, systems negate their input and involvement. When describing her experience with the justice system, one stakeholder highlighted that parents usually have no voice in regards to what happens to their children. Even when invited to participate, parents are expected to be seen but not heard.

"Let's involve parents in these committees, but usually what we want to do is have them sit there and sign the attendance sheet. There's a saying that goes way back, children are to be seen, not heard. Sometimes they invite me to a meeting and I feel they're saying to themselves, 'Oh, there goes the devil who wants to say something again.' So we become confrontational. But if we really believe in parent engagement and listening to the concerns of families, we have to engage them and listen to some of their recommendations because we know. We don't leave the community. We might leave the community for a meeting, but when everyone else goes to their nice suburb from New York to Pennsylvania, Connecticut, or New Jersey, we stay and deal with the same issues day by day, evening by evening, when the lights go out. And this to me is not Monday through Friday, 9 to 5. If there was an extra day, I would work it. I don't know how to take a day off because the issues don't just go to sleep."—Jeannette Bocanegra, Mother impacted by the justice system and Family and Community Organizer, Community Connections for Youth, New York, New York



Summary



Results of the NCCD study show that a variety of supervision strategies are needed to meet the needs of the wide range of youth who come into contact with juvenile justice systems in the United States. Less supervision—or even complete diversion out of the system—may serve many low- to moderate-risk youth, and communities, as well or better than deep entanglement in the system. The sampling of strategies to improve supervision practices for youth described in this paper is offered as a resource to other jurisdictions in their work to rid state and local juvenile justice systems of the “one-size-fits-all” mentality and its accompanying practices.

Probation departments—and the youth they serve—have much to gain from partnering more effectively with communities most impacted by incarceration.

The proportion of White youth in the system has dropped over the past 10 years. In 2002, 24.1% of all youth disposed by the court were White youth sentenced to probation. This percentage fell to 11.2% in 2012. During the same time period, the proportion of youth of color receiving probation dispositions grew. In 2002, 44.4% of all youth sentenced by courts were youth of color receiving probation terms. This dropped only slightly, to 44.1%, in 2012. This translates to a proportion of probation-sentenced youth of color that is four times larger than the proportion of White youth being sentenced to probation. In this context, the field must identify the culturally relevant, community-based strategies that help all youth permanently transition out of the juvenile justice system.

Close to Home: Strategies to Place Young People in Their Communities

Antoinette Davis, Angela Irvine, and Jason Ziedenberg



Table of Contents

Introduction.	1
Placement Strategies to Keep More Youth Close to Home.	3
Develop a System to Review and Reduce the Number of Out-of-Home Placements	3
Develop a Local Continuum That Includes a Range of Options.	4
Reducing Lengths of Stay	7
Summary	8

Information

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Introduction



Incarceration can be the default reaction to juvenile delinquency and crime in many states and local jurisdictions. Unfortunately, it is not the most beneficial response to a young person in trouble or threats to public safety (real or perceived). In some communities—particularly poor, urban communities of color—the impact of youth incarceration is more concentrated. For residents of these communities, youth incarceration is sometimes seen as law enforcement and supervising agencies sweeping through and arresting, removing, and relocating youth to large congregate care facilities (i.e., juvenile prisons) far from their homes.

Until recently, “tough-on-crime” communities were purported as being “safer” when they incarcerated youth; young people were seen as getting a second chance, a respite from street life, and even a dose of

rehabilitative structure. For those residing in poor and/or otherwise challenged areas, out-of-home placements were sometimes even considered a chance for a “normal” life. Yet, as the juvenile justice stakeholders we interviewed suggested, being removed from one’s community and placed in a cell is anything but normal. For many youth it means long separations from their homes, communities, and natural support systems. These punitive practices have fueled mistrust and friction between law enforcement and communities of color.

To picture this scenario, one only has to imagine states like Texas, Michigan, and California, where a person can easily drive for four to six hours and barely cover half of the state. Or, consider some of the nation’s large urban centers: New York, Los Angeles, Chicago, Philadelphia, and Baltimore. Transportation within

these cities may be difficult but manageable; however, travel outside of these locales is next to impossible, particularly for those without cars and resources, which is the case for a large number of justice-involved families. As one Northeastern stakeholder reported:

"This is one of the things we are doing. We don't ask families, 'how far away do you live from the facility where your kid is confined?' I only ask them, 'how long does it take you to get there?'"

It is well-established that removing system-involved youth from their homes or communities can, and often does, have devastating impacts on their futures. It impedes critical links to families that all youth need to thrive. In addition, these youth are more likely to reoffend, are less likely to reconnect to school and work, and often see more health challenges.ⁱ

The National Council on Crime and Delinquency (NCCD) spoke with 140 juvenile justice stakeholders across the country in a series of interviews, focus groups, and convenings.ⁱⁱ Through these conversations, stakeholders described reductions in the overall number of youth sentenced to out-of-home placements and secure confinement

in the last decade. Study respondents said that reductions and reforms often were driven by financial constraints and that declining youth crime rates were a factor in shrinking the pool of youth who might be incarcerated. In addition, respondents said that targeted reform efforts have resulted from juvenile justice leaders and advocates believing in the juvenile justice system's responsibility and potential to serve youth and families more effectively within their own communities.

Although stories differed by location, NCCD found three overarching themes among beliefs that most, if not all, study participants shared: (1) Out-of-home placements, including secure confinement, should be used sparingly (or be the exception rather than the norm); (2) whenever possible, youth in these placements should remain close to home; and (3) youth should be in the least-restrictive setting. Some of the specific strategies that respondents are implementing to align their practices with these beliefs include ensuring that an out-of-home placement is necessary and other options have been tried; building a local continuum of placement options within the community; and reducing lengths of stay in out-of-home placements.



Placement Strategies to Keep More Youth Close to Home

Develop a Decision Point Where Alternatives Are Reviewed

In California, Connecticut, Illinois, New York, Oregon, and Washington, DC, juvenile justice systems developed a decision point—a place in the process—where they review the decision to place a youth out of the home and identify other options to keep youth at home.

Build a Local Continuum

To build a better continuum, states are developing and funding networks of local nonprofit placements for youth; making a reduction in state placements a benchmark for success with providers; targeting the treatment needs of youth; and using halfway houses, treatment centers, and local facilities as alternatives to placing youth far from home. Nongovernmental agencies are providing technical assistance to localities and nonprofit partners to help develop a more robust continuum than existed before.

Reduce Lengths of Stay in Facilities and at Various Points in the System

States used strategies as diverse as repealing mandatory minimum sentences, specifying the lengths of stay in provider contracts, and hiring expeditors to move youth through the system to reduce the time they are incarcerated.

Develop a System to Review and Reduce the Number of Out-of-Home Placements

An explicit and systematic process can be developed so that each decision to remove a youth from his/her home is monitored, controlled, and used as the exception rather than the rule. Respondents stated that probation departments should support and strengthen relationships between youth and their families. To achieve this, many jurisdictions make out-of-home placement decisions prior to adjudication using multi-agency teams when possible so that mental health, child protection, and education needs can be taken into consideration. These teams ensure that all other options have been explored and exhausted before an out-of-home placement is recommended. Alternatives may include placement

with extended family members who can help transition youth back to their primary families as soon as possible.

Erie County, New York, reduced the use of out-of-home placement by ensuring that case planning occurs early in the decision-making process. According to an East Coast study participant, this procedure has reduced the use of out-of-home placements.

“In Erie County they have a model delinquency court in their family court and they really frontload case planning like a multi-disciplinary team. They bring a group of people from different specialties, and they all come to the table very early in a case. What they found is that when they do that processing and case planning very early and get a plan in place, kids are able to go home. And so

they have really reduced their use of out-of-home placement by doing upfront, cross-systems case planning, service planning, and implementing those case plans right away.”—Jacquelyn Greene, Director of Juvenile Justice Policy, Division of Criminal Justice Services, New York State

System stakeholders in New York, California, Connecticut, Illinois, and Washington, DC, have developed formal structures to review the decision to place youth outside of their homes and ensure that other alternatives have been exhausted and utilized.

Connecticut; Santa Cruz County, California; Erie County, New York; Multnomah County, Oregon; and Cook County, Illinois, use committee structures that include juvenile representatives from the courts, public defenders, prosecutors, the local juvenile probation department, and local providers. These committees review decisions around placement or detention. Santa Cruz County, for example, has a placement screening committee. Founded in the late 1990s, this committee provides fiscal and administrative oversight for placement decisions. Their goal is to reduce the county’s reliance on the most restrictive placements that remove youth from their homes.

In Washington, DC, a supervisor is responsible for convening a group within the department to review the information and decide whether all options besides out-of-home placement have been exhausted. This approach has helped reduce the number of young people sent to secure residential treatment centers (RTC) outside of the city. The DC Department of Behavioral Health serves a key role in determining whether other options were tried and if the RTC is necessary. In addition, a panel within the DC Department of Youth Rehabilitation Services can review RTC recommendations any time a case manager requests such a review.

Develop a Local Continuum That Includes a Range of Options

In addition to other reforms, juvenile justice systems can build robust continuums of local placement and treatment options in order to keep more young people at home or in placements in their home communities. NCCD learned that juvenile justice system stakeholders are developing placement options (secure and non-secure) closer to communities in which young people live, networks of nonprofit placements that serve youth close to home, and treatment options for youth who need treatment in their home communities.

NCCD found that some states intentionally closed facilities located far from their urban areas and communities with high volumes of youth commitments. Appropriate placements in closer proximity to each young person’s home have replaced these facilities. But, as one stakeholder acknowledged, the term “home” is often used generically—what matters is that youth maintain or develop links to supportive adults.





"I think that 'close to home' is an open definition in many ways. It's not necessarily geography. It's not a house. It's a significant individual—parent, aunt, uncle—your support. It's not a physical location. It's a connection."—Kim Godfrey, Executive Director, PbS Learning Institute

For example, in just 10 years the Ohio Department of Youth Services (DYS) closed one half of its juvenile correctional facilities. Ohio DYS now has four state correctional facilities and funds and supports 12 community corrections facilities and other programs throughout the state. This "outside-the-fence" continuum has helped the state system reduce the number of juveniles in secure confinement.

Similarly, after developing a continuum of secure and non-secure post-adjudication facilities in local counties, Texas reduced its number of youth prisons from 16 to six while developing a continuum of secure and non-secure post-adjudicative facilities within counties.ⁱⁱⁱ Now 33 secure post-adjudication facilities are located throughout the state. Through this structure, probation departments can broaden their network of services by contracting with nearby counties. This allows delinquent youth to receive rehabilitative services without being shipped far from home.

"Texas has been very effective in terms of working with county juvenile probation departments to rally around the vision of providing juveniles with the right services at the right time. Many juvenile probation departments will contract with another juvenile probation department to access services they are not able to provide. This occurs whether the service is pre-adjudication detention, post-adjudication residential, and other services in between; local departments will work together to create, access, or share services necessary for the juveniles they serve."—Vicki Spriggs, CEO, Texas CASA, and former Executive Director of the Texas Juvenile Probation Commission

New York State and New York City have worked together to develop the Close to Home initiative, which keeps youth tied to their families and communities. Through legislation, this initiative created a collaborative agreement between the state Office of Children and Family Services (OCFS) and the city's Administration for Children's Services (ACS). Before this agreement, adjudicated youth from New York City were placed in state facilities that could be many miles from family and other support systems. Together these agencies developed a range of local placement options for New York City so that youth who would ordinarily be placed in state OCFS facilities can now be placed in ACS facilities in the city. This initiative has been implemented for youth in limited-secure and non-secure facilities. It will be implemented eventually for youth in secure facilities.^{iv}

Illinois and Michigan also implemented strategies, targeted grant funding to specific regions in their states, and reduced reliance on out-of-home placements.^v Other jurisdictions developed networks of nonprofit placements with the capacity to serve youth close to home. For example, Wayne County, Michigan, uses a network of preferred nonprofit providers. This structure enables the county to better serve the needs of youth through regional service

coalitions that target specific communities. Since developing this network of preferred providers, Michigan's largest county has seen a decline in the number of youth placed in youth correctional facilities—a decrease from 731 in 1998 to seven in 2012.^{vi}

“What we did in Wayne County is we went to a group of agencies and we said, ‘We want to create a preferred provider network. If you agree to participate in this network and you agree to work with our private management organizations around reduced length of stay, we will give you first referral of kids in Wayne County that are ordered to be in out-of-home care.’ In addition to doing this, we have to take a 10-percent rate reduction over what the state-approved rate is. In return, they receive first referral on these kids.”—Dan Chaney, Director, Department of Children and Family Services, Wayne County, Michigan

While the names and structures may vary, the preferred provider network model also is being used in other juvenile justice systems including those in Milwaukee, Wisconsin; Philadelphia, Pennsylvania;^{vii} and Washington, DC.

In Ohio and Illinois, local alternatives to placing youth out of the home due to serious mental health challenges has been a focus. Through their initiatives to meet the mental health needs of juvenile offenders, these states have leveraged federal Medicaid and Substance Abuse and Mental Health Services Administration dollars with local funds to keep young people out of the state system. They also have paired these funds with specific approaches to meet young people's mental health needs outside of juvenile facilities and focus on returning youth to their home communities. New York's Supervision and Treatment Services for Juveniles Program provides moneys to counties with the aim of developing local alternatives to detention and residential placement and treatment, including drug treatment services for youth.

In some states (e.g., New York, Illinois, Ohio), technical assistance was provided by the state agency or a nongovernmental partner, such as a foundation (e.g., The Annie E. Casey Foundation in Alabama, Models for Change in Ohio) or a university (e.g., Case Western Reserve and the University of Cincinnati in Ohio). Respondents reported that this technical assistance was a key factor in helping to expand local and community-based placement options.



Reducing Lengths of Stay

“When you look at the numbers in terms of the decrease, one of the biggest drivers was to reduce the length of stay. For many, many years kids who would be placed under OCFS could sometimes spend 12 or 18 months in a voluntary agency or OCFS facility. By investing in aftercare by opening community multi-service offices in neighborhoods across the state, and by investing in therapeutic and positive youth development programs, we reduced length of stay to seven months. We actually immediately decreased the number of beds that had to be used by the state.”—Felipe A. Franco, Deputy Commissioner, Division of Juvenile Justice and Opportunities for Youth, New York State Office of Children and Family Services

Length-of-stay actions and decisions should be closely monitored and tied to research. In the past, juvenile justice systems kept young people incarcerated and in out-of-home placements longer than required by the courts or deemed necessary by those providing supervision and treatment. This often was due to the faulty belief that long placements changed behavior and kept communities safer. However, longer stays



in juvenile institutions do not reduce recidivism.^{viii}

Research published by the Office of Juvenile Justice and Delinquency Prevention confirms this fact. NCCD found that a number of juvenile justice systems across the country are responding to the aforementioned research by reducing the length of time youth are placed out of home and ensuring that youth return home expeditiously. Systems are using a variety of strategies to reduce lengths of stay. These include the following examples.

- In some Michigan juvenile justice departments, systems have specified shorter lengths of stay through contracts with the courts or with the nonprofit providers with whom they contract directly.
- In Washington, DC, staff are assigned to ensuring the removal of systemic barriers to the release of young people or instilling a sense of mission that the system must move young people home as soon as possible. As one Northeastern stakeholder of the length-of-stay challenge said, “I want to know by worker how many kids are in the facilities and how long each one of them has been there. And I am demanding that they ask the question every day: ‘Why is this kid still there and what the hell are we doing about it?’”
- Ohio recently changed a provision mandating that young people convicted of certain offenses be held for a set number of years; the system now has more flexibility to bring a young person back before a judge for a hearing to determine whether that youth can be served closer to home for the remainder of the sentence. In Oregon, the legislature recently voted to convene a task force to look at barriers to reducing the length of stay for youth sentenced under a mandatory minimum and give judges the ability to place youth in the community after a shorter term with the state.

Summary



This project has uncovered countless individuals and organizations working at grassroots and systems-based levels to keep delinquent youth close to home and to reduce out-of-home placements. This report outlines a fraction of these efforts and illustrates that the movement has seen success in many US states.

As discussed, partnering with group homes, service providers, families, and youth in the communities most impacted by incarceration can help build strong multi-disciplinary teams, stem the flow of placements, and offer broader continuums of care that are closer to home and more culturally appropriate than those that currently exist. Efforts to reduce lengths of stay may help young people build the connections to their

families and other support systems needed for better youth outcomes and safer communities for all.

Despite the gains and the strategies discussed in this report that have reduced the total number of youth in out-of-home placement, problems remain for the field to address. Glaring racial and ethnic disparities in the use of out-of-home placements continue (see “Trends in Deincarceration” in [this report](#)). These findings do not diminish the efforts of those working in this area; however, they point to the need for families, advocates, community members, and systems leaders to continue their efforts until outcomes are improved for all youth.