Introduction

The decline of crime rates in recent years has allowed lawmakers to focus more on cost-effectiveness and the impact of juvenile justice policy. Juvenile justice systems throughout the nation have been focusing more on down-sizing correctional facilities, and the number of juvenile offenders in residential facilities declined in most states between 2000 and 2008.

Policy Context

- Incarceration is no longer an automatic response for juvenile offenders in many jurisdictions across the nation.
- Traditionally, it was more cost-effective for city and county governments to send youthful offenders to state institutions because the confinement costs were covered by the state.
- This excessive reliance on incarceration not only involved high costs; it did not improve public safety.

The Role of Secure Confinement

Numerous policy decisions and actions taken by state legislators, judges, prosecutors, police officials, probation workers, and correctional facility administrators determine how many and what type of offenders are seen as suitable for confinement.

- Many juveniles are placed in secure confinement for reasons other than the offense(s) with which they were charged.
- Numerous studies have shown that institutional settings involve an inherent conflict between control and treatment; the subculture of confinement may breed violence rather than suppress it.
- Other research has shown that length of stay in institutional settings does not contribute to crime rate decline; more incarceration does not result in less recidivism.
Three Models of Reform

A growing number of states recognize the need for a more localized, flexible juvenile justice system that provides confinement when necessary, but only if and when other services and sanctions are inappropriate. When confinement is necessary, the facility should be close to the offender’s home so that family ties may be maintained and community re-entry and aftercare planning can be effective.

In recent years, three basic strategies have been used to introduce this approach in juvenile justice systems still dependent on state-operated confinement facilities. The John Jay College report describes these strategies: 1) Resolution; 2) Reinvestment; and 3) Realignment.

1. **Resolution Models**: Achieving system change with leadership, managerial influence, and will power.

   Examples:
   - **Massachusetts**
     - In the 1960s, the leader of the Massachusetts Department of Youth services closed the state's large juvenile facilities and developed a network of community-based programs.
   - **Utah**
     - In the 1970s, state officials closed Utah's juvenile correctional facility and reduced the total number of secure beds from 350 to 60.
   - **Missouri**
     - Since the 1990s, Missouri officials have moved hundreds of youth out of the state's traditional juvenile correctional facilities and into community-based services and small, regionally distributed residential programs.

   Achieving reform with managerial resolution means that ongoing resolution is necessary to sustain reform, which is why a number of states have expanded their reform strategies to include more durable forces.

2. **Reinvestment Models**: Enacting change through financial incentives that encourage state and local governments to reduce spending on confinement and to invest in community-based programs.

   Examples:
   - **Reclaim Ohio**

     - Requires counties to pay higher proportion of costs for intervening with youthful offenders when intervention includes correctional placement.
• Supports more rehabilitation and treatment to meet the needs of adjudicated youth, but judges retain the authority to incarcerate juvenile offenders when necessary.

Redeploy Illinois

• Allocates state funds to participating counties for the provision of treatments and intervention programs for at-risk youth. Secure confinement requires more local expenditures than in-home supervision.

Texas Reinvestment

• Senate Bill 103 prohibited institutional commitments for misdemeanor offenders and provided $58 million to county probation departments to support community-based youth services.

3. Realignment models: Implementing change using organizational and structural modifications.

Examples:

Wayne County, Michigan

• County officials signed an agreement with the Michigan Department of Human Services to shift the responsibility for managing adjudicated youth to the county from the state.
• Using a mix of local and state funds, the Juvenile Assessment Center/Care Management Organization (JAC/CMO) was created.
• The JAC/CMO is a privatized system in which substance abuse and mental health providers teamed with case managers and youth workers to provide all services and supervision for juvenile offenders, including out-of-home placement.
• The JAC is now the entry point for all juveniles referred by law enforcement

California Senate Bill 81

• Introduced a requirement for counties to pay for youth placements on a sliding scale
• Counties seeking to confine offenders adjudicated for minor offenses such as drug possession must pay up to 100% of the costs of confinement.
• More recently, Senate Bill 81 transferred most juvenile justice responsibilities to counties, with the goal of removing all but the most violent offenders from state facilities and into local programs.
Policy Concerns about Implementing Strategies

1. Issues with Equity
   - Smaller towns and rural areas may not have the resources to provide appropriate interventions for every type of youthful offender; they need help from the state.
   - Hybrid reform models may help this issue.

2. Restricting access to juvenile confinement may increase demand for criminal (adult) alternatives including prison

3. Changes in structure and policy can have unintended consequences
   - Some of the expanded funding sources in Wayne County came from behavioral health agencies.
   - It became customary in Wayne County to speak of delinquent offenders in terms of their “disorders”.
   - This created bias and stigma.

➢ State and local policymakers should pursue reform systematically and transparently, with ongoing efforts to monitor and evaluate results.
➢ For long-term, more permanent change, realignment strategies may be best.

*Material gathered from

References


[http://bitly.com/nytaskforce](http://bitly.com/nytaskforce)

[http://www.rwjf.org/reports/grr/044660.htm](http://www.rwjf.org/reports/grr/044660.htm)


[https://www.ncjrs.gov/pdffiles1/ojjdp/231683.pdf](https://www.ncjrs.gov/pdffiles1/ojjdp/231683.pdf)


Publications.


Maloney, Dennis and Deevy Holcomb (2001). In pursuit of community justice: Deschutes County, Oregon. *Youth and Society, 33*(2), 296-313.


http://bitly.com/WI1999

http://bitly.com/JPI2006

http://bitly.com/Wayne2010a

http://bitly.com/Wayne2010b