



# THERE'S NO PLACE LIKE HOME

Making the case for wise investment in juvenile justice

2013

Michigan Council on Crime and Delinquency

## Michigan Council on Crime and Delinquency

The Michigan Council on Crime and Delinquency (MCCD) is a non-partisan, not-for-profit organization dedicated to improving the effectiveness of policies and systems aimed at the prevention and reduction of crime and delinquency. MCCD advocates for sound public policy impacting individuals and families involved in the criminal and juvenile justice systems, and the communities in which they live. Through efforts in data-driven research, community organizing, training, and technical assistance, MCCD strives to engage and prepare Michigan citizens and leaders to collaborate for safer, healthier communities.

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# Executive Summary



Over the last decade, a movement in the field of juvenile justice has taken hold—youth are being treated closer to home and in less restrictive environments.

National data shows that 44 states have reduced the number of youth in residential placement and secure detention and are increasing community-based programs because they cost less, decrease reoffending, and improve youth and family well-being. At the same time, incidences of violent youth crime are plummeting dramatically across the country.

Michigan is among the states experiencing a decline in out-of-home placement. Within the past decade, the state has transformed its juvenile justice system away from harsh, punitive treatment into one celebrated for innovation and effectiveness. Large, overcrowded public institutions have closed and the responsibility of treating and placing delinquent youth was shifted away from the Michigan Department of Human Services (DHS) and put onto the counties—a change most states are striving to achieve. With this increased responsibility, many communities took the opportunity to seek better results for youth who entered the juvenile justice system. As a result, counties are focusing more on community-based options, like electronic monitoring and family therapies that treat youth while they stay at home.

Although the signs of progress are encouraging, the reconstruction of Michigan's juvenile justice system is far from complete.

The Office of Juvenile Justice and Delinquency Prevention estimates that, at its peak in 1997, Michigan placed 3,711 youth in residential placement. As of 2011, the federal estimate still hovered near 2,000 youth in placement. However, a 2012 report from the Michigan Senate Fiscal Agency reported that as many as 3,394 youth are in residential placements.

Furthermore, little statewide infrastructure exists to support counties as they implement and sustain their community-based models. This systemic gap, coupled with Michigan's recent economic downturn and drastic budget cuts, have begun to dismantle recent successes. In turn, years of progressive reform are threatened, costs are driving up, and youth, their families, and communities face increased risks if the system fails.

This report highlights the successful movement toward community-based programs in Michigan counties and reviews the strengths of the state's current juvenile justice system and its barriers preventing improvements. Recommendations are also provided, showing how a state-level reinvestment strategy can ensure that all counties are able to offer a continuum of high quality juvenile justice programs.

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***Approximately 2,000 youth are placed out-of-home, at a cost totaling \$270 million annually.***<sup>1</sup>

***Over 11,000 youth are served in-home, at a cost totaling \$115 million annually.***<sup>2</sup>

***Shifting 20 percent of youth from residential placement to in-home/community-based programs could save Michigan as much as \$120,000 daily or \$44 million annually.***<sup>3</sup>

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# A Failing System Creates a Push for Change

Michigan used to rely heavily upon a punitive juvenile justice model. At its peak during the mid 1990s, over 3,700 court-involved youth were held on any given day in residential placements.<sup>4</sup> About half of those youth were confined in large, state-operated secure facilities, even though 42 percent of them had

committed non-violent offenses, including property crimes, truancy, incorrigibility, and technical violations of probation.<sup>5</sup> During this time, Michigan's largest counties individually spent up to \$150 million each year on these placements.<sup>6</sup>

Youth were frequently held in over-crowded

institutions that emphasized custody and punishment over treatment and rehabilitation. Some facility conditions were so harmful that they prevented access to the most basic services. The U.S. Department of Justice found that the largest of these facilities violated the constitutional rights of youth by depriving them of medical, mental health, and educational programs.<sup>7</sup>

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## Community-Based Services Save Money, Reduce Crime, and Positively Impact Youth

### Reducing Crime

- States that use more community-based programs have lower rates of recidivism and youth crime.<sup>10</sup>
- Youth treated with punitive, non-therapeutic programs are 70-80 percent more likely to be rearrested.<sup>11</sup>
- 60 percent of youth served out-of-home return to custody within three years of release.<sup>12</sup>

### Saving Money

- Community-based program costs range from \$10 to \$65 per day per youth, whereas out-of-home placement costs from \$150 to \$500 per day per youth in Michigan.<sup>13</sup>
- Over the past three years, increased use of community-based programs has saved Michigan \$33 million.<sup>14</sup>
- Prioritizing community-based services can save an estimated \$1.7 million to \$2.3 million per child.<sup>15</sup>

### Keeping Families Together

- Families must be viewed as partners in the entire treatment process to ensure the best possible outcomes for their youth.<sup>16</sup>
  - 86 percent of families with youth in the juvenile justice system want to be more involved with their child's treatment, but most experience barriers to participating when their children are placed out-of-home.<sup>17</sup>
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Beyond the high costs and poor conditions, the reliance on state-operated secure placements did little to prevent future crime. Communities witnessed almost two-thirds of youth in placement return into custody after only six months of being released.<sup>8</sup> Michigan policymakers simply could not allow this dangerous trend to continue.

In 1998, under a mixture of state financial pressures and a desire to achieve better outcomes, the state legislature created the County Juvenile Agency Act, allowing Wayne County, the largest contributor to the juvenile justice system, to accept full responsibility of care and supervision for all of its delinquent youth.<sup>9</sup> With the new legislation, the county shifted to a community-based model of juvenile justice. Now it is one of the most successful juvenile justice systems in the country, receiving national accolades and being replicated in high-crime cities like New York City and Washington, D.C.

After the shift in Wayne County, other counties continued the move toward community-based programs, and reliance on state-operated facilities began to decline. By 2010, Michigan closed seven of the ten public juvenile facilities. Even with private facilities available, many counties took this as an opportunity to develop local solutions to treating kids in the juvenile justice system, such as probation, electronic monitoring, family therapies, day treatment, wraparound services, and specialty courts.




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## Midland County

Beginning in 2005, Midland County Probate Court overhauled their juvenile justice system away from punitive-oriented treatment and towards local, evidence-based programs that treat the individual strengths of the youth. Because of their systemic changes:

- Midland saved more than \$2.1 million in FY 2008-2011. <sup>18</sup>
  - From 1998—2012, the delinquency rate has dropped 77 percent. <sup>19</sup>
  - No youth reoffended after completing the Day Treatment Program in 2011—a decrease from 64 percent reoffending rate in 2008. <sup>20</sup>
  - For youth participating in the Multi-Systemic Therapy program, the repeat offender rate is only 2 percent. <sup>21</sup>
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## Wayne County

In 2000, Wayne County transformed its juvenile justice system from one that was state-controlled and focused on incarceration, to a local, self-sustained system based on rehabilitation and prevention. Its localized system keeps youth in the community with close family involvement via case management and coordination using a non-profit Juvenile Assessment Center and five privately-operated Care Management Organizations. Because of their system's transformation:

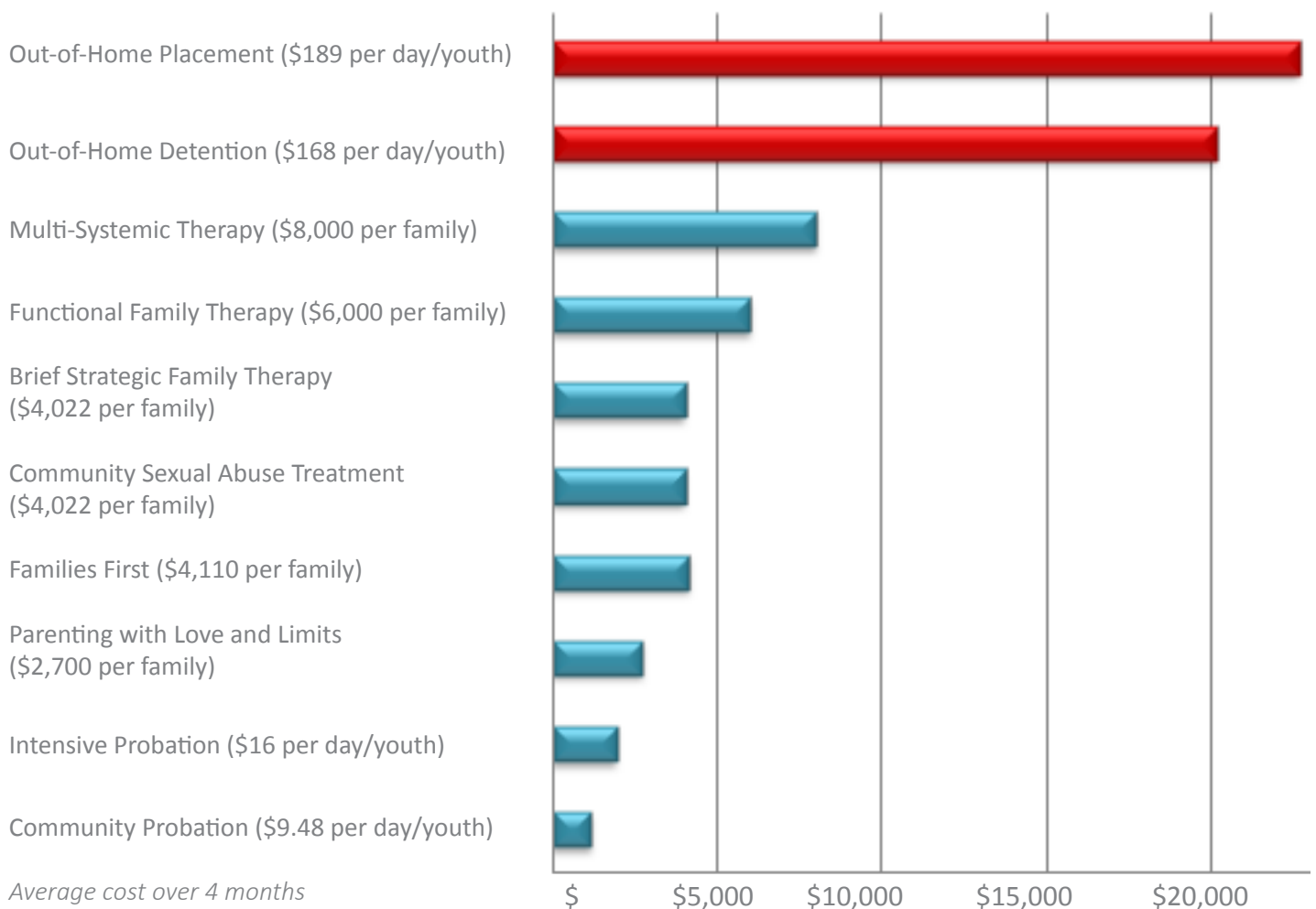
- Youth placement rates in state-operated institutions have decreased from 731 youth in 1998 to 7 youth in 2012. <sup>22</sup>
  - The total population of youth placed out of home has decreased from 1,271 to 633, a 50 percent drop since 2008. <sup>23</sup>
  - Recidivism rates dropped from a high of 56 percent in 1998 to 17.5 percent in 2012. <sup>24</sup>
  - Residential care costs decreased from \$115 million in 1998 to \$72.9 million in 2010. <sup>25</sup>
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## Berrien County

Beginning in 2001, the Berrien County Trial Court, Family Division made a strategic decision to focus its high-level programming only on high-risk youth, to develop community and family-based options for treatment, and expedite low-risk youth out of the system. Because of their systemic changes:

- The average cost of community-based programs in Berrien County is \$5,100 per year/child; the average cost of placement is \$87,500 per year/child.
- From 2001 to 2010, the average rate of residential placement dropped from 120 to 35.
- Recidivism rates dropped from a high of 56 percent in 1998 to 17.5 percent in 2012.

### Estimated Costs of Juvenile Justice Programs in Berrien County



# Elements of Successful Community-Based Programs

Community-based programs vary in their size, scope, purpose and effectiveness.



## A Locally-Operated System

The Family Divisions of the 57 County Circuit Courts, representing Michigan's 83 counties, retains exclusive, original jurisdiction over all youth 16 years of age or under who have violated any criminal, civil, traffic, or status offense in that county. When a youth enters the juvenile justice system, he or she is categorized as a "court ward." The majority of youth remain court wards, with only a very small fraction ever being committed to state care.

Each court oversees the full spectrum of juvenile justice services available to court wards. The range of services, which differs from county to county, may include diversion, detention, community-based programs, residential placements, and reentry services.

Michigan counties with the greatest success found that programs with the following characteristics are proven to be the best at reducing reoffending and achieving overall positive youth outcomes:

### **Risk assessments should be administered to determine treatment needs.**

Research suggests that individuals with a high risk to reoffend are more likely to benefit from higher intensity of services. Conversely, individuals with a low risk to reoffend require lower intensity of services. When service intensity and risk levels are

mismatched, particularly when low risk youth are mixed with high risk youth during treatment, it actually increases the likelihood of reoffending.<sup>27</sup>

### **Programs should be developmental and therapeutic rather than fear and control-based.**

Services that attempt behavior change through improving life skills, counseling, and case management are proven to reduce reoffending. On the other hand, programs that focus on deterrence via surveillance and control, like confinement, intensive probation and boot camps, are shown to increase delinquency rates.<sup>28</sup>

### **Youth should be given the appropriate dose.**

A program's duration and quality has a distinct impact on the level of its effectiveness.<sup>29</sup> Higher risk offenders will require a higher dosage of treatment and lower risk will require less treatment. Research shows that about 100 hours of is effective for low to moderate-risk youth and 200 or more hours is necessary to treat high-risk youth.<sup>30</sup>

### **Outcome evaluations are necessary to track progress and drive reinvestment.**

The most effective programs are able to track and demonstrate measurable improvements in public safety, mental health, substance use, school engagement, and any number of other outcomes related to child and family well-being. Through the use of ongoing data collection and evaluation, counties can see which programs have the greatest impact on youth and, therefore, should continue to receive funding.

### **Multi-system collaboration is necessary to treat a broad range of needs**

Because a child may be concurrently served by the mental health, child welfare, education and juvenile justice systems, it is important that all stakeholders develop a coordinated plan to deliver services. Research shows that about 70 percent of youth in the juvenile justice system have a diagnosable mental health condition and 80 percent have substance abuse issues that require some level of treatment.<sup>31</sup> Additionally, about one-third of youth in the child welfare system are also in contact with the juvenile justice system.<sup>32</sup>



## Community-Based Services: Saving Counties Money

Many Michigan counties are prioritizing community-based services and achieving great returns in costs and safety. Below are just a few examples of the benefits:

**Washtenaw County** has decreased the amount of youth delinquency petitions by 40% and saved \$1.8 million. <sup>33</sup>

**Livingston County** reduced residential placements by 50% in 2012. <sup>34</sup>

**Kalamazoo County** saw juvenile petitions decrease by 70% after implementing its Day Treatment Programs and other evidence-based in-home care services. <sup>35</sup>

**Kent County** has dropped the number of youth referred to the court system by 20%. <sup>36</sup>

**Ottawa County** saved \$1.5 million in the first year of its community-based Juvenile Community Justice program and 91% of participating youth had no convictions. <sup>37</sup>

## In-Home Care Programs

- Assessment
- Counseling
- Court Appointed Special Advocate (CASA)
- Community Service
- Diversion
- Day Treatment
- Electronic Monitoring
- Family Preservation
- Home Detention
- Intensive Probation
- Mentoring
- Multi-Service
- Multi-Systemic Therapy (MST)
- Substance Abuse Treatment
- Sex Offender
- Supervised Visitation
- Truancy Prevention
- Wraparound

# Statewide Accountability

**While the counties maintain responsibility for service provision, the State continues to play a role in the effective functioning of the juvenile justice system statewide.**

Statewide infrastructure is necessary to provide an adequate level of oversight and accountability, as well as ensure that each county has access to required training and technical assistance. Additionally, the state oversees policy dissemination, contract management, and administrative duties related to funding.

## State-Level Oversight and Resources

At the state level, the Michigan Department of Human Services (DHS) is responsible for allocating juvenile justice resources to the counties and its three public facilities, overseeing special youth programming, out-of-state placements, and administering state-level policy.<sup>38</sup> In recent years the DHS has experienced sharp declines in responsibility and resources. From 2000 to 2011, the DHS decreased juvenile justice staff from 1,081 to 281, closed the majority of its public juvenile facilities and all of its community justice centers, and received \$120 million less in appropriation funds.<sup>39</sup>

The three remaining secure state-operated facilities—W. J. Maxey Boys Training School, Shawono Center, and Bay Pines Center — serve as the option of last resort and are primarily reserved for youth who have not been successful in private placements. About 40 percent of youth held in public facilities have been previously

rejected by private facilities.<sup>40</sup> At the height of placement, state institutions housed over 1,200 youth; today, all three facilities combined house only about 100 youth per day, including some youth who would otherwise be sent to adult prison.

## Private-Public Relationships

Most counties contract with private agencies to administer community-based programs and residential placements. Currently, there are 52 private facilities that house 88 percent of all the Michigan youth in residential placements.<sup>41</sup> Typically these agencies house both high-risk and low-risk youth, special treatment populations like sex offenders and youth with specific health needs, and range in capacity sizes from 10 to over 150 beds.

As the need for community-based programs increase, many private juvenile justice agencies who traditionally provided only residential treatment are broadening their scope of service to include in-home care options and reentry.

## Juvenile Justice Funding Sources

Federal, state, and county resources fund the Michigan juvenile justice system. While it is the individual courts





that decide how and what juvenile justice programs to operate, it is the executive branches of the counties and the DHS that oversee the allocation of funds supporting these programs. There are three main sources of funding for the juvenile justice system: the County Child Care Fund (CCF), Title IV-E, and State Ward Board and Care.

### The Child Care Fund

The Child Care Fund, a 50 percent cost-share between the state and counties, is the only funding source that can be used for community-based services and out-of-home placements. In Fiscal Year 2012, the CCF expended about \$398 million from the State General Fund and county budgets. For the state's portion, federal TANF (Temporary Assistance for Needy Families) dollars support the community-based programs and the Michigan General Funds pay for out-of-home placements.

To access the CCF, counties submit an Annual CCF Plan and Budget to the DHS with proposed expenses for the coming year. Once approved, the county receives a 50 percent reimbursement of eligible program costs from the DHS. Because it is the counties who pay first and are then reimbursed, the counties control all decisions regarding the types of juvenile programs to fund. Furthermore, the CCF is often characterized as being an "uncapped" funding source—a reference to a 1997 Michigan Supreme Court ruling which stated that the state could not reduce the state-reimbursed portion of the CCF.<sup>42</sup>

### Title IV-E

Title IV-E is a federal source of funding within the Social Security Act that supports delinquent youth in residential placement who also qualify for foster care services.<sup>43</sup> If a youth qualifies under the federal requirements, there is no cost to the county and the state pays less than half of the total for placement.

### State Ward Board and Care

State Ward Board and Care is Michigan's funding source for non-IV E eligible state wards and is only available for youth committed to the state public facilities. Unlike the CCF, the state pays up front for the placement and then the counties reimburse 50 percent of the cost.

# Reducing Crime, Connecting Families



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63 %

Youth are 63% less likely to be rearrested following in-home treatment <sup>44</sup>

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57%

Youth are 57% less likely to continue crime as an adult following in-home treatment <sup>45</sup>

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75%

75% of parents report difficulty getting involved in the treatment of their children in residential facilities <sup>46</sup>

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# A Long Road Ahead

Michigan's juvenile justice system has the elements of an effective, cost-efficient juvenile justice system - a strong role for local decision making and innovation, public-private relationships, and flexible funding sources. Yet, youth are still being placed out of home at alarmingly high rates.

## Michigan's statewide infrastructure favors out of home placement in juvenile justice

All of Michigan's primary juvenile justice funding sources can be accessed to pay for residential treatment. Only one source, the Child Care Fund, can pay for community-based services. Accessing the Child Care Fund requires up-front investment by the county to purchase the service then seek reimbursement. As county budgets shrink, many jurisdictions cannot afford the upfront investment to start new community-based programs, train staff on effective practices, or evaluate existing programs. Many counties have been forced to cut costs by eliminating community-based programs, even when they were producing good results. Once these programs disappear, the only remaining option for counties is to place delinquent youth in a residential placement anywhere in or out of Michigan, relying on state or federal dollars to cover most of the cost.

## Data is incomplete and inaccessible

Because there is no uniform, statewide system for tracking and reporting juvenile justice data, it is impossible to report with certainty how many children are involved in the justice system and whether treatment is achieving the best possible outcomes. Likewise, there is no accounting for how many youth are placed out of their homes, for how long, for which offenses, or the impact that treatment has on patterns of reoffending. Currently the Headlee Amendment of the Michigan Constitution prohibits the state from requiring counties to track, evaluate, and report their findings on juvenile justice programs unless it is funded on a state level.<sup>47</sup>

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# Reinvest in What Works

## Reinvestment Can Sustain Michigan's Juvenile Justice System



Reinvestment is a nationally-recognized strategy aimed at increasing use of community-based options by offering financial incentives at the local level. With a small investment, counties can develop new community-based programs, thereby serving youth that would otherwise be placed out-of-home. The reduced reliance on out-of-home services results in immediate and long term cost-savings.

Early adopters of community-based models have successfully demonstrated that desired outcomes can be achieved, and at lower cost. As these successes gain attention, reinvestment is looked upon as a way to encourage similar transformations in counties that would otherwise not be able to afford new programs.

Initially, savings occur due to the lower costs of administering

programs while a youth stays at home rather than in a residential facility. In the long-run, money is saved because youth in these programs commit fewer crimes, have better educational and health outcomes, and stay out of adult corrections.

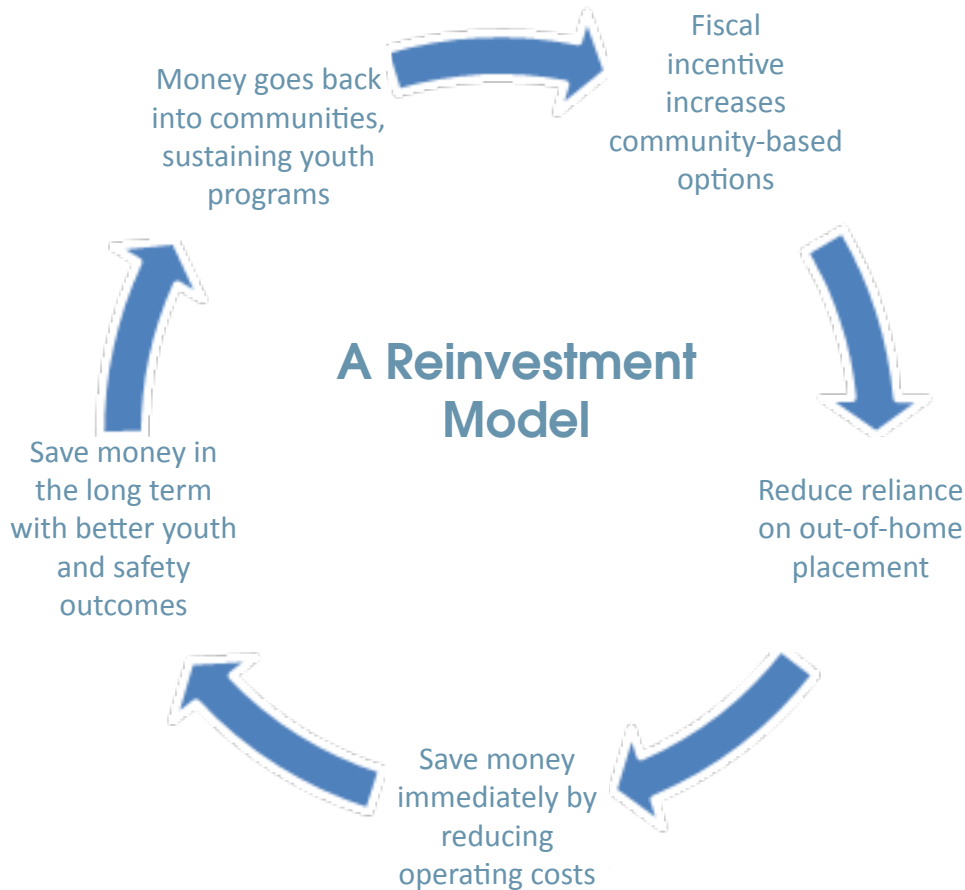
Once in place, reinvestment requires little to no additional spending; the financial incentive is merely a shift of already existing funds used for residential programs towards community-based programs. This could be done via increasing the reimbursement rates of community-based options or by simply offering a grant that can only be accessed for community-based programming.

Reinvestment proposals in Michigan began emerging as a direct result of the county shift to community-based models. The Michigan DHS first crafted the idea to use fiscal incentives via the Child Care Fund to encourage new or improved community-based youth programs.

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***The final, sustaining key to a sound reinvestment model is ensuring that cost savings are re-invested back into juvenile justice programs to build infrastructure for prevention and early intervention.***

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The original idea explored an increased reimbursement from the Child Care Fund to Michigan's counties if they agreed to enhance or implement new, low-cost community-based services and track their outcomes for statewide data collection. In fact, all viable reinvestment proposals have included common elements aimed at encouraging local innovation and effectively documenting outcomes.<sup>48</sup>

- An optional fiscal incentive to counties to increase or enhance their community-based programs;
- A requirement of participating counties to track data, evaluate program outcomes, and provide this information to the DHS;
- Protection of courts to retain their autonomy to use either residential placement or community-based programs;
- Continued DHS oversight and administration of the Child Care Fund; and
- Assurance that cost savings are cycled back into juvenile justice diversion, prevention or other community-based programs, ensuring sustainability.

The most recent proposal, the In-Home Care Incentive, suggests that an initial investment of \$15 million for new or improved community-based programs could redirect twenty percent of youth away from residential placement. An economic analysis of this proposal found that savings would be guaranteed. Based on the highest estimate of 3,394 youth in placement, the savings from a twenty percent reduction would be about \$120,000 daily, or about \$44 million on an annual basis. Using the lower figure of 1,998 youth in placement, the savings from a 20 percent reduction would be about \$70,000 daily or \$25.6 million on an annual basis. The estimated savings would easily cover the cost of the initial investment, and produce immediate savings within the first year.<sup>49</sup>

Ideally, the savings would be reinvested into community-based programs with the greatest success at reducing recidivism, further driving down the long term costs associated with repeat offending.

# Moving Michigan Forward

## Creating a Statewide Structure for Driving Local Innovation



Juvenile justice advocates and stakeholders want safer, more cost-effective outcomes for youth and communities affected by the juvenile justice system. They believe the common elements of a reinvestment strategy fit within the current structure and can be used to move the system forward.

Michigan has achieved systemic successes by localizing control and forming intelligent public-private partnerships. However, additional changes are necessary to support a full continuum of effective, cost-efficient community-based treatment options over

confinement, strengthen measurable outcomes, and emphasize approaches that treat the whole family, as well as the individual youth. As various groups work on these issues, it is important that they consider how changes can intertwine seamlessly with the well-established structure, ensuring a smart path to safer, more cost-effective juvenile justice.

The following policy recommendations are put forth as sustainable juvenile justice solutions that promote public safety, financial stewardship, and positive outcomes for youth and families. These recommendations promote a reinvestment strategy designed to ensure that all Michigan counties have a strong infrastructure to provide high quality juvenile justice services.

**Implement a reliable and validated risk assessment tool to ensure that youth are matched to the appropriate services for their level of risk and need.**

Delinquency cannot have a one-size-fits-all approach. By providing individualized assessments, courts will be better able to design interventions that target specific factors that contribute to delinquency, and reduce the likelihood that a youth will reoffend.

**Limit the use of out-of-home placement.**

Once an assessment is in place, counties should design a system that prioritizes community-based programs for all low to moderate risk youth, and evaluates the use of placement only for high risk youth and on a case-by-case basis.

**Develop a continuum of care in each county that includes prevention and high quality community-based programs.**

Programs should be focused on working with a youth before they enter the system or diverting them away from overly harsh, unnecessary treatment. Counties should offer a range of therapeutic programs that engage the whole family and work with a youth to prevent problem behavior.



### **Adopt best practices for supervising youth in the community.**

The use of case management and family engagement are proving to be a superior approach when compared to traditional probation techniques that focus only on supervision and technical violations. Similarly, the expansion of diversion and community-based programs provide an effective and safe alternative to short-term detention.

### **Utilize fiscal incentives to encourage the creation of new community-based programs and drive reinvestment toward programs with the greatest outcomes.**

Sustainable and consistent funding is the top priority to ensure high quality juvenile justice services are available in every county. By providing fiscal incentives to the counties, the state can ensure that resources are being directed toward new or enhanced programs. In turn, as counties spend less on residential placement, they should reinvest cost-savings into the most effective community-based programs.

### **Improve data collection and analysis and require consistent reporting of outcomes from all county and state juvenile justice programs.**

Without a proper understanding of who is in the juvenile justice system and how they are being served, it is nearly impossible to target funds efficiently and effectively. It is imperative that every county have the capacity and infrastructure to collect and analyze data in a way that promotes outcome-driven decision-making and targeted investments of limited resources.

### **Increase capacity for prevention, early intervention and community partnerships.**

Counties with the most successful juvenile justice programs have effectively collaborated and blended funding with local partners, including child welfare, community mental health, substance abuse services, education, businesses, and faith communities. Coordination across systems must be increased so youth and families who are served in multiple systems can access appropriate resources.

## Appendix A

# National Trends of Community-Based Models

The recent financial hardships of state and local governments and the overall decline in youth violence create a prime opportunity to reevaluate juvenile justice policies as smart investments.

Numerous cities and states have seized this moment and systems are changing nationwide.

## OHIO — RECLAIM Ohio

RECLAIM is a funding initiative that encourages juvenile courts to develop or purchase a range of community-based options. With this statewide program, Ohio counties are increasing the availability of juvenile justice funds by diverting youth from more costly state institutions to less costly community-based services.

- From 1995 to 2004, the counties saved over \$274 million with RECLAIM<sup>50</sup>, saving the state \$11 to \$45 for every one dollar spent.<sup>51</sup>
- As of 2009, youth arrest rates have decreased by 25%.<sup>52</sup>

## ILLINOIS — Redeploy Illinois

Redeploy requires participating counties agree to cut the number of youth sent to state secure facilities by at least 25 percent below the average of the previous three years. In return, the state reimburses the counties for funds they spend managing the youth in community-based alternatives.

- In the first 3 years of the program, counties saved \$18.7 million.<sup>53</sup>
- From 2004 through 2007, youth commitments decreased by 51%.<sup>54</sup>

## TEXAS — Senate Bill 103 & Commitment Reduction Program

The combination of SB 103, which prohibits youth commitments of misdemeanor offenders, and the Commitment Reduction Program, which expands county funding for use of evidence-based programs, has created statewide financial incentives to manage youth locally and fund more effective alternatives to incarceration.

- From 2007 to 2010, over \$215 million was saved through reductions of youth in state commitments.<sup>55</sup>
- From 2006 to 2010, youth commitment levels decreased by 63%.<sup>56</sup>

## FLORIDA — Redirection Program

The Redirection program diverts select youth from residential programs to less costly therapy-based community programs. Only evidenced-based, family therapy programs are used: Multisystemic Therapy, Family Functional Family Therapy, and Brief Strategic Family Therapy.

- Since its inception in 2004, the state has cumulatively saved \$211 million, averaging a savings of \$31,000 per graduating youth.<sup>57</sup>
- Participating youth are 31% less likely to be arrested after completion and 35% less likely to enter adult prison than non-participating youth.<sup>58</sup>

## CALIFORNIA — Senate Bill 81

SB 81 limits the use of state placement to the most violent offenders and sex offenders, prohibited non-violent youthful offenders from being committed to the state system, and provides funding to the counties to operate community-based alternatives in lieu of state commitment of such youth.

- Counties are saving an average of 25% more per youth, some counties as high as 79%, by treating youth locally rather than in confinement.<sup>59</sup>
- From 1996 to 2010, state confinement of youth declined by 88%.<sup>60</sup>

# Endnotes

<sup>1</sup>Sickmund, M., Sladky, T.J., Kang, W., and Puzzanchera, C. (2011) "Easy Access to the Census of Juveniles in Residential Placement, Detailed Offense Profile in Public and Private Facilities for Michigan, 2010" Washington, D.C.: Office of Juvenile Justice Delinquency Prevention, U.S. Department of Justice. <http://www.ojjdp.gov/ojstatbb/ezacjrp>. The OJJDP collected their data through self-reported surveys from all public and private licensed residential facilities in Michigan.

<sup>2</sup>Michigan Department of Human Services (2013). PA 200 (2012) Section 512 of the Department of Human Services Fiscal Year 2013 Appropriations Act Report. Lansing, MI: Author.

<sup>3</sup>Great Lakes Economic Consulting (2013). The socio-economic benefits and associated savings of community-based programs for juvenile offenders. Lansing, MI: Author.

<sup>4</sup>Sickmund, *supra* note 1.

<sup>5</sup>1,953 youth were held in public facilities versus 1,758 in private. Sickmund, M., Sladky, T.J., Kang, W., and Puzzanchera, C. (2011) "Easy Access to the Census of Juveniles in Residential Placement, Detailed Offense Profile in Public and Private Facilities for Michigan, 1997" Washington, D.C.: Office of Juvenile Justice Delinquency Prevention, U.S. Department of Justice. <http://www.ojjdp.gov/ojstatbb/ezacjrp>.

<sup>6</sup>Latona, Carl J., Cynthia J. Smith and Daniel L. Chaney (2006). *Advocating success: A groundbreaking approach to juvenile justice*. Detroit, MI: The Juvenile Assessment Center.

<sup>7</sup>U.S. Department of Justice. (2004). Findings Letter of the CRIPA Investigation of W. J. Maxey Training School. [http://www.justice.gov/crt/about/spl/documents/granholm\\_findinglet.pdf](http://www.justice.gov/crt/about/spl/documents/granholm_findinglet.pdf).

<sup>8</sup>Evans, D, N. (2012). *Pioneers of Youth Justice Reform: Achieving system change using resolution, reinvestment, and realignment strategies*. New York, NY: Research and Evaluation Center, John Jay College of Criminal Justice, City University of New York.

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<sup>10</sup>Lipsey, M.W., Howell, J.C., Kelly, M.R., Chapman, G., Carver, D. (2010). *Improving the effectiveness of juvenile justice programs: A new perspective on evidence-based practice*. Washington, D.C.: Center for Juvenile Justice Reform, Georgetown University; The Annie E. Casey Foundation (2013). *Kids Count Data Snapshot: Reducing Youth Incarceration in the United States*. Baltimore, MD: Author.

<sup>11</sup>Mendel, R. (2011). *No Place for Kids: The case for reducing juvenile incarceration*. Baltimore, MD: The Annie E. Casey Foundation.

<sup>12</sup>*Ibid.*

<sup>13</sup>These are Michigan-specific rates of community-based programs and private and public out-of-home placements. Gonzalez, Elvin, Family Division Administrator, Berrien County Trial Court. "The Berrien County Experience." 4th Annual Michigan Systems of Care Conference. 2011. Carley, F. (2012). *A comparison of Michigan's residential placement options for juvenile delinquency cases*. Lansing, MI: Michigan Senate Fiscal Agency.

<sup>14</sup>Michigan Department of Human Services, *supra* note 2.

<sup>15</sup>Cohen, M. (1998). "The monetary value of saving a high-risk youth." *Journal of Quantitative Criminology*, 14: 5-33.

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<sup>17</sup>Justice for Families. (2012). *Families unlocking futures: Solutions to the crisis in juvenile justice*. Oakland, CA: Author.

<sup>18</sup>Allen, D. (2011) Annual Report. Midland, MI: Circuit Court, Family Division, Midland County Probate Court.

<sup>19-21</sup>Ibid.

<sup>22</sup>Wayne County Children & Family Services (2012). Juvenile Justice Services Outcome Report through FY 2012. Detroit, MI: Author.

<sup>23-24</sup>Ibid.

<sup>25</sup>Wayne County Children & Family Services (2010a). Key performance measures and outcomes: Juvenile justice services through FY 2010. Detroit, MI: Author.

<sup>26</sup>Gonzales, *supra* note 13.

<sup>27</sup>Lipsey, *supra* note 10.

<sup>28</sup>Ibid.; Steve Aos, Marna Miller, and Elizabeth Drake. (2006). Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs, and Crime Rates. Olympia: Washington State Institute for Public Policy.

<sup>29</sup>Lipsey, *supra* note 10.

<sup>30</sup>Latessa, E. (2011). Presentation from the Council of State Governments Justice Center's Making the Most of Second Chances Conference, Understanding the Risk and Needs Principles and their Application to Offender Reentry. Washington, DC: Author.

<sup>31</sup>Shufelt, J., Coccozza, J. (2006) Youth with Mental Health Disorders in the Juvenile Justice System: Results from a Multi-State Prevalence Study. Delmar, NY: National Center for Mental Health and Juvenile Justice; Chaney, D. (2012). Presentation to Center for Juvenile Justice Reform, Georgetown University, Before it's too Late: Transformation of Juvenile Justice Services in Wayne County, Michigan. Wayne County, MI: Wayne County Department of Children and Family Services.

<sup>32</sup>Chaney, *supra* note 31.

<sup>33</sup>Correspondence with Washtenaw County Trial Court, Juvenile Division, Court Administrator, email, January 26, 2012.

<sup>34</sup>Correspondence with Livingston County Court Administrator, 44th Circuit Court, email, 13 Feb. 2013.

<sup>35</sup>9th Circuit Court, Family Division (2006 –2010). Day Treatment Program Kalamazoo County Juvenile Home, Program Assessment/Evaluation. Kalamazoo County, MI: Author.

<sup>36</sup>17th Circuit Court & Kent County Probate Court. (2011). 2010 Annual Report." Kent County, MI: Author.

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<sup>39</sup>John Evans, J. (2011). Presentation from the Policy Institute for Family Impact Seminar, Reforming Juvenile Justice: Fiscally Sound, Evidence-Based Strategies, Overview of Juvenile Justice in Michigan Lansing, MI: Bureau of Juvenile Justice, Department of Human Services 2011. [http://www.familyimpactseminars.org/s\\_mifis17c01.pdf](http://www.familyimpactseminars.org/s_mifis17c01.pdf).

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<sup>41</sup>Ibid.

<sup>42</sup>Oakland County v. Mich., 456 Mich. 144 (1997). See also the Headlee Amendment, Michigan Constitution, Article IX, § 6, 25-34 (1978).

<sup>43</sup>Youth Law Center (2006). Title IV-E for Youth in the Juvenile Justice System. [http://www.njjn.org/uploads/digital-library/resource\\_425.pdf](http://www.njjn.org/uploads/digital-library/resource_425.pdf).

<sup>44</sup>There are various community-based or in-home care programs available to practitioners that are proven to lower youth recidivism and crime. For example, Multisystemic Therapy produced a 63% reduction in rearrests for violent and other serious crimes and Family Functional Therapy shows a statistically significant reduction of (35%) felony, (30%) violent crime, and (21%) misdemeanor rearrests for youth. Borduin, C. M., Mann, B. J., Cone, L. T., Henggeler, S. W., Fucci, B. R., Blaske, D. M., & Williams, R. A. (1995). Multisystemic treatment of serious juvenile offenders: Long-term prevention of criminality and violence. *Journal of Consulting and Clinical Psychology*, 63, 569-578. Sexton, T., Turner, C.W. (2010). The effectiveness of functional family therapy for youth with behavioral problems in a community practice setting. *Journal of Family Psychology*, 24(3), 339-348.

<sup>45</sup>A 13-year-study showed that youth treated with Multisystemic Therapy have 57% fewer days incarcerated as an adult than those with simple individual therapy. Schaeffer, C. M., & Borduin, C. M. (2005). Long-term follow-up to a randomized clinical trial of Multisystemic Therapy with serious and violent offenders. *Journal of Consulting and Clinical Psychology*, 73, 445-453.

<sup>46</sup>Justice for Families. (2012). *Families unlocking futures: Solutions to the crisis in juvenile justice*. Oakland, CA: Author.

<sup>47</sup>The Michigan Supreme Court has interpreted the Headlee Amendment of the Michigan Constitution, Article IX, § 6, 25-34 (1978), to require "any service or activity required by the Legislature or a state agency, whether now or in the future, to be funded at an adequate level by the state and not by local taxpayers." *Durant v. State Bd. of Educ.* 424 Mich. 364, 379-80 (1985) (emphasis in original). See also *Oakland County v. Mich.*, 456 Mich. 144 (1997).

<sup>48</sup>Michigan Family Independence Agency (1999). *Child Care Fund-In Home Care Enhancement Implementation Proposal*. On file with author.

<sup>49</sup>Great Lakes Economic Consulting, *supra* note 3.

<sup>50</sup>Ohio Department of Youth Services (2004). *Annual report fiscal year 2004*. Columbus, OH: ODYS Central Office.

<sup>51</sup>Lowenkamp, C. T., & Latessa, E. J. (2005). *Evaluation of Ohio's RECLAIM-funded programs, community correctional facilities, and DYS facilities: Cost benefit analysis supplemental report*. Cincinnati, OH: University of Cincinnati.

<sup>52</sup>National Juvenile Justice Network (2011). *Bringing youth home: A national movement to increase public safety, rehabilitate youth and save money*. Washington DC: Author.

<sup>53</sup>Illinois Juvenile Justice Initiative (2008). *Redeploy Illinois annual report: Implementation and impact*. Chicago, IL: Author.

<sup>54</sup>*Ibid.*

<sup>55</sup>Butts, J. A. & Evans, D. N. (2011). *Resolution, reinvestment, and realignment: Three strategies for changing juvenile justice*. New York, NY: Research and Evaluation Center, John Jay College of Criminal Justice, City University of New York.


<sup>56</sup>National Juvenile Justice Network, *supra* note 52.

<sup>57</sup>Evidence Based Associates (2011). *Redirection project fact sheet*. Retrieved from [http://www.evidencebasedassociates.com/featured\\_projects/Redirection\\_Fact\\_Sheet.pdf](http://www.evidencebasedassociates.com/featured_projects/Redirection_Fact_Sheet.pdf)

<sup>58</sup>The Florida Legislature Office of Program Policy Analysis & Government Accountability (2011). *Redirection saves \$51.2 million and continues to reduce recidivism (Report No. 10-38)*. Tallahassee, FL: Author.

<sup>59</sup>De Leon, B.H. & Teji, S. (2012). *Juvenile justice realignment in 2012*. San Francisco, CA: Center on Juvenile and Criminal Justice.

<sup>60</sup>National Juvenile Justice Network, *supra* note 52.



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