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**INTRODUCTION
TO
JUVENILE JUSTICE**

COURSE VIII

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INTRODUCTION

Unfortunately, the expansion of violence in our youth population has grown significantly in the last decade. This growth has transcended boundaries to reach and touch every family, community, nation, county and continent in the world. Nationally, we have seen a dramatic rise in youth or juvenile violence. According to statistics obtained from the *Juvenile Justice Bulletin*,¹ "between 1988 and 1994, juvenile arrests for violent crimes increased more than 50 percent". They go on to report that a tremendous strain has been placed on the juvenile justice system to the point of overwhelming, from intake and detention to court and correctional services. This capacity overload has created an unsafe environment for communities, makes it nearly impossible to hold juveniles responsible for their actions, and renders the treatment and/or rehabilitation needs of juvenile offenders virtually inadequate to address the mounting mass of juvenile offenders in and out of the system. Basically, the system cannot keep up with the rate of offenses and violent crimes committed on a day to day basis. Our urban cities nationwide feel the brunt of a system that has "fallen short of meeting the challenge presented during the past decade.

There are many risk factors associated with youths that will eventually engage in risky behaviors. Many of these negative risk factors are contradictory to the 'protective dynamics that positively influence a youth's ability to circumvent the self-destructive behaviors. Dysfunctional families are tremendous stimuli that tip the delicate balance between a positively engaged youth and a negatively engaged youth. There are many

¹ Juvenile Justice Bulletin May 1998, U.S. Department of Justice – Office of Justice Programs

more triggers that precede a lifestyle of deviant behavior. According to helpingamericasyouth.gov “²risk factors function in a cumulative fashion; that is the greater the number of risk factors, the greater the likelihood that youth will engage in delinquent or other risky behavior. There is also evidence that problem behaviors associated with risk factors tend to cluster. For example, delinquency and violence cluster with other problems, such as drug abuse, teen pregnancy, and school misbehavior.” Risk factors according to helpingamericasyouth.gov that predict future risky behaviors by youth are listed below:

Individual

- Antisocial behavior and alienation/delinquent beliefs/general delinquency involvement/drug dealing
- Gun possession/illegal gun ownership/carrying
- Teen parenthood
- Favorable attitudes toward drug use/early onset of AOD use/alcohol/drug use
- Early onset of aggressive/violence
- Intellectual and/or development disabilities
- Victimization and exposure to violence
- Poor refusal skills
- Life stressors
- Early sexual involvement
- Mental disorder/mental health problem

Family

² www.Helpingamericasyouth.gov/programtool

- Family History of problem behavior/parent criminality
- Family management problems/poor parental supervision and/or monitoring
- Poor family attachment/bonding
- Child victimization and maltreatment
- Pattern of high family conflict
- Family violence
- Having a young mother
- Broken home
- Sibling antisocial behavior
- Family transitions
- Parental use of physical punishment/harsh and/or erratic discipline practices
- Low parent education level/illiteracy
- Maternal depression

School

- Low academic achievement
- Negative attitude toward school/low bonding/low school attachment/commitment to school
- Truancy/frequent absences
- Suspension
- Dropping out of school

- Inadequate school climate/poorly organized and functioning schools/negative labeling by teachers
- Identified as learning disabled
- Frequent school transitions

Peer

- Gang involvement/gang membership
- Peer ATOD use
- Association with delinquent/aggressive peers
- Peer rejection

Community

- Availability/use of alcohol, tobacco, and other drugs in neighborhood
- Availability of firearms
- High-crime neighborhood
- Community instability
- Low community attachment
- Economic deprivation/poverty/residence in a disadvantaged neighborhood
- Neighborhood youth in trouble
- Feeling unsafe in the neighborhood
- Social and physical disorder/disorganized neighborhood

Fewer studies have been conducted about protective factors but, the prevailing thought provides the following three beliefs³:

³ Helpingamericasyouth.gov/programtool.

1. They serve as a buffer to risk factors providing a cushion against negative effects

2. They may interrupt the processes through which factors operate. For example, a community program that helps families learn conflict resolution may interrupt a chain of risk factors that lead youth from negative family environments to associate with delinquent peers.

3. Protective factors may prevent the initial occurrence of a risk factor, such as child abuse. For example, infants and young children that are easy going may be protected from abuse by eliciting positive, rather than frustrated, responses from their parents and caregivers.

Protective factors that shield youth against delinquency and substance abuse are as follows:

Individual

- Positive/resilient temperament
- Religiosity/valuing involvement in organized religious activities
- Social competencies and problem-solving skills
- Perception of social support from adults and peers
- Healthy sense of self
- Positive expectations/optimism for the future
- High expectations

Family

- Good relationships with parents/bonding or attachment to family
- Opportunities and reward for prosocial family involvement
- Having a stable family

- High family expectations

School

- School motivation/positive attitude toward school
- Student bonding and connectedness (attachment to teachers, belief, commitment)
- Academic achievement/reading ability and mathematics skills
- Opportunities and rewards for prosocial school involvement
- High-quality schools/clear standards and rules
- High expectations of students
- Presence and involvement of caring, supportive adults

Peer

- Involvement with positive peer group activities and norms
- Good relationship with peers
- Parental approval of friends

Community

- Economically sustainable/stable communities
- Safe and health-promoting environment/supportive law enforcement presence
- Positive social norms
- Opportunities and rewards for prosocial community involvement/availability of neighborhood resources
- High community expectations
- Neighborhood/social cohesion

DESCRIPTION AND GENERAL ANALYSIS

Juvenile law is the body of law that applies to young people who are not yet adults. These people are called juveniles or minors. In most states, a person is a juvenile until eighteen years old. Juvenile cases are handled in a special court, usually called a juvenile court. Before the American juvenile justice system was created in the late 1800s, juveniles who broke the law were treated like adult criminals.

Historical Background

When the United States was born in 1776, children under seven years of age were exempt from the criminal laws. Courts, however, treated juveniles seven years and older like miniature adults. Juveniles could be arrested, tried, and convicted of crimes. If convicted, they received prison sentences just like adults. Children convicted of minor crimes found themselves in jails with adult murderers and rapists, where children learned the ways of these criminals.

In the early 1800s, immigrants from Europe filled American cities such as New York. Neglected immigrant children often roamed city streets and got into trouble while their parents looked for work. In 1818, the Society for the Prevention of Pauperism created the term "juvenile delinquents"⁴ to describe these children.

Social awareness led people to search for a better way to handle young people who broke the law. In the 1820s, the Society for the Prevention of Juvenile Delinquency suggested separating adult and juvenile criminals. The Society for the Reformation of Juvenile Delinquents (see appendix), worked to reform juvenile delinquents instead of punishing them. It sent them to ⁵live in dormitories and to go to school to learn to work in factories. Unfortunately, these programs often did more harm than good. Manufacturers overworked the young children while school directors kept the children's wages.

⁴ Society for the Prevention of Pauperism, 1818

⁵ The Society for the Reformation of Juvenile Delinquents - NYC 1824.

In the late 1800s, Americans decided it was time to treat juvenile criminals differently than adult criminals. As one man put it, "Children need care, not harsh punishment." Many people believed that if cared for properly, juvenile criminals could become law-abiding citizens. In 1872, Massachusetts became the first state to hold separate court sessions for children. In the 1890s, the Chicago Women's Club⁶ urged Illinois to create an entirely separate justice system for juveniles. Illinois did so by creating the world's first juvenile court in 1899.

By 1925, all but two states had juvenile justice systems. As of 1999, all states have such systems. The federal government even has a juvenile justice system for people under eighteen who violate federal law. The goal of all juvenile justice systems is to protect society from young people who break the law while reforming them into lawful adults.

Juvenile Law

Juvenile courts handle cases involving three kinds of problems: crimes, status offenses, and child abuse or neglect. Criminal cases involve the same kinds of crimes that adults commit, such as burglary, robbery, and murder. For serious cases such as murder, some states allow juveniles over a certain age, often fourteen, to be tried as adults. In such cases, if the court decides a juvenile cannot be reformed by the juvenile justice system, it sends him to the regular court system to be tried as an adult.

Status offenses are things that are illegal for juveniles but not for adults. Truancy (missing school), running away from home, smoking cigarettes, and drinking alcohol are status offenses. Abuse and neglect cases are lawsuits by states against parents or guardians who are abusing or not taking care of their children. In these cases, the parent or guardian is on trial, not the child. States can order parents and guardians to stop abusing children and to care for them properly with food, shelter, and clothing. States also can take children away from abusive parents and place them with loving relatives or in child care centers and foster homes.

⁶ Chicago Women's Club, 1890's.

Juvenile Courts

A juvenile case usually begins with a police investigation in response to a complaint by a citizen, parent, or victim of juvenile crime. In many cases, the police resolve the problem themselves by talking to the juvenile, the parents, and the victim. The police can give the juvenile a warning, arrange for him to pay for any damage he caused, make him/her promise not to break the law again, and make sure the victim is alright.

If the police think a juvenile case needs to go to court, they arrest the juvenile and take him or her to the police station. If the juvenile committed a serious crime, such as rape or murder, the police may keep him or her in jail until the juvenile court decides how to handle the case. After the police arrest a juvenile, an intake officer in the juvenile court decides whether there really is a case against the juvenile. If not, the police give the juvenile back to his parents or guardians.

If there is a case, the intake officer may arrange an informal solution. If the intake officer thinks the state needs to file a case against the juvenile, she makes this recommendation to the state district attorney. The district attorney then files a petition against the juvenile, charging him with specific violations. While a juvenile waits for his hearing to begin, the state prepares a social investigation report about the juvenile's background and the circumstances of his offense.

In court, a juvenile case is called a hearing or adjudication instead of a trial. Most hearings are closed to the public to protect the juvenile's privacy. The judge decides the case instead of a jury. As in a regular trial, the judge listens to testimony from witnesses for both the state and the juvenile. If the state has charged the juvenile with a crime, it must prove its case beyond a reasonable doubt. That means the case must be so strong that no reasonable person would doubt that the juvenile committed the crime.

After the judge hears all the evidence, he or she decides whether the juvenile has committed the offense charged. If so, the juvenile is called delinquent instead of guilty of

a crime. The judge next holds a dispositional hearing instead of a sentencing. At the dispositional hearing, the judge uses the state's social investigation report to decide how to reform the juvenile while protecting society from him. The judge may require probation, community service, a fine, restitution, or confinement in a juvenile detention center. Probation allows the juvenile to go home but requires him to obey certain rules under court supervision. Restitution requires the juvenile to pay for any damage he caused. Juveniles who commit the most serious crimes find themselves in juvenile detention centers. Although they resemble jails, detention centers are supposed to rehabilitate juvenile delinquents, not punish them.

Constitutional Rights

The U.S. Constitution gives adult defendants many rights in criminal cases. For example, ⁷defendants have the right to know the charges against them, to be represented by an attorney, and to have a jury trial in cases in which they face imprisonment for more than six months. When states created juvenile justice systems in the early 1900s, they did not give these same rights to juvenile defendants. Juvenile justice systems were supposed to help juveniles rather than punish them, so people did not think juveniles needed constitutional rights.

As the century passed, people began to question whether juveniles need constitutional protection. The Fourteenth Amendment says states may not deprive a person of liberty, meaning freedom, without due process of law. Due process of law means a fair trial. Juveniles who are found delinquent and either placed on probation or confined in juvenile detention centers lose their freedom.

In a series of cases beginning in the 1960s, the U.S. Supreme Court decided that the Fourteenth Amendment requires states to give juveniles many of the constitutional rights that criminal defendants have. In the first case, *Kent v. United States* (1966), the Supreme Court said ⁸the due process clause of the Fourteenth Amendment applies to juveniles.

⁷ United States Constitution

⁸ *Kent v. United States* 1966.

One year later in *In re Gault* (1967), the Court said ⁹juveniles have the right to know the charges against them and to be represented by an attorney. Juveniles also have the right to cross-examine witnesses against them and the right not to testify against themselves. Three years later in *In re Winship* (1970), the Court said ¹⁰states must prove criminal charges against juveniles beyond a reasonable doubt.

In *McKeiver v. Pennsylvania* (1973), the Supreme Court decided that ¹¹juveniles do not have the right to jury trials. The Court said jury trials would turn the juvenile justice system into the criminal justice system, making it senseless to run two systems. The trend in favor of juveniles continued, however, in *Breed v. Jones* (1975). There the Court said ¹²juveniles who are found delinquent cannot be tried again for the same offense as adults. Then in *Thompson v. Oklahoma* (1988), the Supreme Court said ¹³states may not execute a defendant who is younger than sixteen at the time of his offense.

The Future

At the end of the twentieth century, the American juvenile justice system received low marks from many critics. Extending constitutional rights to juveniles made hearings seem more like criminal trials. That made it harder to use the system to reform delinquents instead of treating them like adult criminals. The availability of drugs and weapons led to increased juvenile crime. According to the *Congressional Quarterly*, "¹⁴Between 1985 and 1995, the juvenile arrest rate for violent crimes rose 69 percent. For murders it rose 96 percent." Finally, some say the juvenile justice system is racist because minority youths are more likely to find themselves in detention centers.

Many people wonder whether the juvenile justice system is doing, or can do, its job of helping juvenile delinquents. A rash of juvenile shootings in schools across the country forced Americans to look at whether families are taking care of their children. Frustrated

⁹ *In re Gault* 1967.

¹⁰ *In re Winship* 1970.

¹¹ *McKeiver v. Pennsylvania* 1973.

¹² *Breed v. Jones* 1975.

¹³ *Thompson v Oklahoma* 1988. Supreme Court decision.

¹⁴ *Congressional Quarterly*

and scared, Americans looked to the future of juvenile justice with more questions and concerns than solutions.

Suggestions for further reading

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Feb 5, 2008

Encyclopedia of Everyday Law | Sentencing and Sentencing Guidelines¹⁵

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- [Types of Sentences](#)
- [Factors Considered in Determining a Sentence](#)
- ["Three Strikes" Sentencing Laws](#)
- [Uniformity and Consistency](#)
- [Alternative Sentences](#)
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Background

A sentence is a formal judgment pronouncing a specific punishment to be imposed for the [CONVICTION](#) of a crime. It may involve the payment of a fine, community service, [INCARCERATION](#), or, in capital offenses, the death penalty. It also may consist of a term of [PROBATION](#) or [PAROLE](#) (although parole has been abolished in many states).

Sentences may be meted out directly following the entry of a verdict or at a "sentencing hearing" scheduled for a later date. In the interim, prosecutors prepare a "sentencing report" which advises the court of the defendant's prior criminal record, aggravating or [MITIGATING CIRCUMSTANCES](#), and other information about the [DEFENDANT](#) that may assist the court in deciding an appropriate punishment.

There have been concerted efforts over the years to standardize the approach toward sentencing, particularly in [FELONY](#) offenses, and to diminish judicial discretion in sentencing. These efforts reflect a vacillating but recurring perception by lawmakers and the public at large that arbitrary or discriminatory practices may interfere with fair and just sentencing in certain cases or for certain crimes.

Types of Sentences

Listed below are the types of sentences imposed:

- A concurrent sentence is served at the same time as another sentence imposed earlier or at the same proceeding.

¹⁵ Enotes a comprehensive online educational resource. Used daily by thousands of students, teachers, professors, and researchers, eNotes combines the highest-quality educational content with innovative services in order to provide an online learning environment unlike any other.

- A consecutive (or cumulative) sentence occurs when a defendant has been convicted of several counts, each one constituting a distinct offense or crime, or when a defendant has been convicted of several crimes at the same time. The sentences for each crime are then "tacked" on to each other, so that each sentence begins immediately upon the expiration of the previous one.
- A deferred sentence occurs when its EXECUTION is postponed until some later time.
- A determinate sentence is the same as a fixed sentence: It is for a fixed period of time.
- A final sentence puts an end to a criminal case. It is distinguished from an interlocutory or interim sentence.
- An indeterminate sentence, rather than stating a fixed period of time for IMPRISONMENT, instead declares that the period shall be "not more than" or "not less than" a certain prescribed duration of time. The authority to render indeterminate sentences is usually granted by STATUTE in several states.
- A life sentence represents the DISPOSITION of a serious criminal case, in which the convicted person spends the remainder of his or her life in prison.
- A mandatory sentence is created by state statute and represents the rendering of a punishment for which a judge has/had no room for discretion. Generally it means that the sentence may not be suspended and that no probation may be imposed, leaving the judge with no alternative but the "mandated" sentence.
- A maximum sentence represents the outer limit of a punishment, beyond which a convicted person may not be held in custody.
- A minimum sentence represents the minimum punishment or the minimum time a convicted person must spend in prison before becoming eligible for parole or release.
- A presumptive sentence exists in many states by statute. It specifies an appropriate or "normal" sentence for each offense to be used as a baseline for a judge when meting out a punishment. The STATUTORY presumptive sentence is considered along with other relevant factors (aggravating or mitigating circumstances) in determining the actual sentence. Most states have statutory "presumptive guidelines" for major or common offenses.
- A straight or flat sentence is a fixed sentence without a maximum or minimum.
- A SUSPENDED SENTENCE actually has two different meanings. It may refer to a withholding or postponing of pronouncing a sentence following a conviction or it may refer to the postponing of the execution of a sentence after it has been pronounced.

Factors Considered in Determining a Sentence

Judges, not juries, determine punishments for a crime (in CAPITAL PUNISHMENT cases, the jury usually decides whether to recommend death or life in prison).

The Eighth Amendment to the U. S. Constitution made applicable to the states by the Fourteenth Amendment provides that "Excessive BAIL shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted." In addition to the

sentencing prohibitions contained in the Constitution, Title 18 of the United States Code, Part II (**CRIMINAL PROCEDURE**), Chapters 227 (Sentences), 228 (Death Sentence), and 232 (Miscellaneous Sentencing Provisions) also govern sentencing in federal courts. Similarly, state court sentencing procedures are governed by state laws and constitutions as discussed below.

Most crimes are specifically enumerated in constitutions or statutes, and the provision that identifies the specific crime will also identify the appropriate punishment. For example, a statute may read, "Violation of this statute constitutes a MISDEMEANOR, punishable by a fine not to exceed \$500 or imprisonment not to exceed 30 days, or both." Given this range of potential punishment, a judge will then consider certain "aggravating" or "mitigating" circumstances to determine where along the prescribed spectrum a particular criminal's punishment should fall. Common factors considered by judges include:

- Whether the offender is a "first-time" or repeat offender
- Whether the offender was an ACCESSORY (helping the main offender) or the main offender
- Whether the offender committed the crime under great personal stress or duress
- Whether anyone was hurt, and whether the crime was committed in a manner that was unlikely to result in anyone being hurt
- Whether the offender was particularly cruel to a victim, or particularly destructive, vindictive, etc.
- (Sometimes) whether the offender is genuinely contrite or remorseful

Under Federal Rule of Criminal Procedure 32(a), before imposing a sentence, the court must afford COUNSEL an opportunity to speak on behalf of the defendant. The court will address the defendant personally and ask him if he wishes to make a statement in his own behalf and to present any information in mitigation of punishment. The attorney for the government will have an equivalent opportunity to speak to the court. Similar provisions are contained in most state procedural statutes and rules. In many state courts, a victim or the survivors of a victim may also have the opportunity to address the court and recommend leniency or strictness for the sentence.

"Three Strikes" Sentencing Laws

Under the Violent Crime Control and Law Enforcement Act of 1994, the "Three Strikes" statute (18 U.S.C. 3559(c)) provides for mandatory life imprisonment if a convicted felon:

- Been convicted in federal court of a "serious violent felony" and
- Has two or more previous convictions in federal or state courts, at least one of which is a "serious violent felony." The other offense may be a serious drug offense.

The statute goes on to define a serious violent felony as including murder, [MANSLAUGHTER](#), [SEX OFFENSES](#), [KIDNAPPING](#), robbery, and any offense punishable by 10 years or more which includes an element of the use of force or involves a significant risk of force.

The State of Washington was the first to enact a "Three Strikes" law in 1993. Since then, at least half of all states, in addition to the federal government, have enacted three strikes laws. The primary focus of these laws is the containment of recidivism (repeat offenses by a small number of criminals). California's law is considered the most far-reaching and most often used among the states.

Uniformity and Consistency

In addition to "three strikes" laws, other state and all federal criminal statutes include mandatory sentences that require judges to impose identical sentences on all persons convicted of the same offense. Mandatory sentences are a direct result of state legislatures' or Congress' response to the public perception of judicial leniency or inconsistency in sentencing practices.

However, most crimes do not carry mandatory sentences. If sentencing is not mandatory, judges may "fit the punishment to the offender" rather than "fit the punishment to the crime." Competing theories about criminal justice help to fuel the different approaches to sentencing and punishment. These include the severity of punishment meted, and the specific objective sought by the punishment:

- **Retribution:** Some believe that the primary purpose of punishment should be to punish an offender for the wrong committed, society's vengeance against a criminal. The sentiment is to punish criminals and promote public safety by keeping them "off the streets."
- **Rehabilitation:** Others believe that the primary purpose of punishment should be to rehabilitate criminals to mend their criminal ways and to encourage the [ADOPTION](#) of a more socially acceptable lifestyle. Most experts agree that this theory is commendable but not practical in prisons. Many criminals boast of coming out "better criminals" than they were when they entered prison.
- **Deterrence:** Still others argue that the perceived punishment for a crime should be so undesirable as to result in deterring someone from actually committing a crime for fear of the likely punishment. Again, the theory is commendable, but many crimes are committed on impulse or under the influence of alcohol and other drugs. Fear of punishment is usually not a deterrent under these circumstances. Moreover, repeat offenders do not fear incarceration the way that people who have been free all their lives might.

Alternative Sentences

Forced to face prison overcrowding and failed attempts at deterrence or rehabilitation, many professionals in the criminal justice system have encouraged "alternative

sentencing," which refers to any punishment other than incarceration. Most alternative sentences are really variations of probation, e.g., a fine and community service, along with a set period of probation. Some judges have gotten more creative in their sentencing. In many jurisdictions, convicted persons have been required to do the following:

- Install breathalyzer devices in their vehicles ("ignition interlocks") to prevent their operation of the vehicle without blowing into the device to determine whether their breath is free of alcohol
- Carry signs which inform the community of their offense
- Stay at home under "house arrest"
- Complete alcohol or other drug treatment programs
- Attend lectures given by crime victims

Sentencing Commissions

The U. S. Sentencing Commission was created in 1984 as part of the Sentencing Reform Act provisions that were included in the Comprehensive Crime Control Act of 1984 (28 U.S.C. 994). The Commission's principal purpose is to establish uniform sentencing guidelines and practices for the federal court system. The guidelines provide 43 levels of offense seriousness that take into account not only the seriousness of the crime, but also the offender's criminal history. They apply to all federal felonies and most serious misdemeanors. Federal courts use the guidelines for presumptive sentencing and all determinations are subject to intensive [APPELLATE](#) review. Parole also has been abolished in the federal system.

Now and then, the U. S. Supreme Court may rule on a matter involving sentencing guidelines. In *Buford v. United States*, 000 U.S. 99-9073 (2001), the U. S. Supreme Court affirmed the earlier decision of the 7th Circuit Court of Appeals, which held that appeals courts should be "deferential" to a trial court's decision when reviewing the trial court's interpretation of federal Sentencing Guidelines (at least as to determinations on whether an offender's prior convictions were "consolidated" for purposes of sentencing).

Many states have established their own sentencing commissions. The National Association of Sentencing Commissions (NASC), which includes the federal sector as a member, provides a forum, complete with national conferences, to promote the adoption of uniform or similar presumptive sentencing guidelines among jurisdictions. Most state sentencing guidelines incorporate or adopt provisions from the Model Penal Code (MPC).

Selected State Sentencing Provisions

ALABAMA: As of 2001, the Alabama Judicial Study Commission was finalizing its creation of a permanent sentencing commission for the state.

ALASKA: Alaska has judicially-created "benchmark" guidelines for felonies, with moderate appellate review. Parole has been abolished for most (two-thirds) felonies. There is no active sentencing commission for the state.

ARKANSAS: State courts employ voluntary guidelines for felonies. There is no appellate review. Arkansas has retained its parole system. There are guidelines which incorporate intermediate sanctions, with preliminary discussions for guidelines in juvenile cases. State sentencing commission was established in 1994.

DELAWARE: Delaware utilizes voluntary guidelines for felonies and misdemeanors. Parole has been abolished in the state since 1990. There is moderate appellate review of sentencing decisions. The state's sentencing guidelines incorporate intermediate sanctions.

DISTRICT of COLUMBIA: The district has created a temporary commission to study sentencing guidelines and report directly to the City Council.

FLORIDA: In Florida, guidelines were repealed in 1997 and replaced with statutory presumptions for minimum sentences for felonies. The state sentencing commission was abolished in 1998 after the adoption of the new statutory presumptive sentences. There is moderate appellate review of sentencing determinations. Parole has been abolished in the system.

IOWA: Iowa has established a legislative commission to study sentencing reform.

KANSAS: Kansas uses presumptive guidelines for felonies, with moderate appellate review. Parole has been abolished in the state. There are no guidelines for intermediate sanctions.

MARYLAND: Maryland's legislature created a permanent sentencing commission in 1998. There are voluntary guidelines for felonies, with no appellate review. Parole has been retained.

MASSACHUSETTS: In Massachusetts, there are presumptive guidelines for felonies and misdemeanors. A proposal is pending in the legislature for appellate review of sentencing determinations. Parole has been retained.

MICHIGAN: Michigan has been a member of the National Association of Sentencing Commissions since 1999. The state employs presumptive guidelines for felonies, with appellate review as authorized by statute. The state also maintains a restricted parole system.

MINNESOTA: The state has presumptive guidelines for felonies, with moderate appellate review. Parole has been abolished in the state. There are no guidelines for intermediate sanctions.

MISSOURI: Missouri uses voluntary guidelines for felonies, with no appellate review. Parole has been retained in the state.

NORTH CAROLINA: In North Carolina, there are presumptive guidelines for felonies and misdemeanors, with minimum appellate review. Since 1999, the state has incorporated a special dispositional grid for juvenile cases. Parole has been abolished in the state.

OHIO: Ohio uses presumptive narrative guidelines for felonies. There is limited appellate review. Parole has been abolished and replaced with a judicial release mechanism. The state legislature is also considering structured sentencing for juvenile offenders.

OKLAHOMA: In Oklahoma, presumptive guidelines are in place for felonies. The state has retained a limited parole system. Legislative proposals are pending for appellate review of sentencing determinations.

OREGON: Oregon has presumptive guidelines for felonies, with moderate appellate review. Parole has been abolished.

PENNSYLVANIA: Presumptive guidelines are in place for felonies and misdemeanors, with minimum appellate review. Parole has been retained.

SOUTH CAROLINA: The state employs voluntary guidelines for felonies and misdemeanors with potential sentences of one year or more.

TENNESSEE: There are presumptive guidelines for felonies, with moderate appellate review. Parole has been retained. The sentencing commission was abolished in 1995.

UTAH: The state uses voluntary guidelines for felonies and select misdemeanors (sex offenses). There is no appellate review. Parole has been retained in the state. The state also uses voluntary guidelines for its juvenile sentencing.

VIRGINIA: Virginia has voluntary guidelines for felonies, with no appellate review. Parole has been abolished. The state is studying juvenile sentencing guidelines.

WASHINGTON: The state employs presumptive guidelines for felonies, with moderate appellate review. Parole has been abolished in the state. Special guidelines for juvenile sentencing are in effect.

WISCONSIN: In Wisconsin, the state employs voluntary guidelines for felonies. Legislative proposals are pending, which do not contemplate appellate review. The proposals also contemplate the abolishment of the state's parole system, as well as the creation of a new permanent sentencing commission.

Additional Resources

"An Overview of the Federal Sentencing Guidelines" United States Sentencing Commission. Available at <http://www.ussc.gov>

The Court TV Cradle-to-grave Legal Survival Guide. Little, Brown and Company, 1995.

Federal Rules of Civil Procedure. Available at http://www.law.cornell.edu/topics/civil_procedure.html

"Federal Sentencing Statistics by State." Available at <http://www.ussc.gov/linktojp.htm>

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U. S. Code, Title 18: Crimes and Criminal Procedure, Part II: Criminal Procedure, Chapter 227, 228, and 232. U. S. House of Representatives. Available at http://uscode.house.gov/title_21.htm

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Feb 5, 2008

¹⁶Great American Court Cases | Juvenile Courts

A System in Place for Children

A juvenile court is a special court that handles cases of delinquent, dependent, or neglected children under the age of 18. These courts are often a division of the state or county court system so each state follows separate mandates in the administration of juvenile courts. The same offense committed by youths in different states is subject to different rules and punishment. Some states only deal with youths up to age 17. Others allow serious cases, such as murder or armed robbery, to be transferred to adult courts involving youths as young as 11 years old. In most states, however, the juvenile courts have concurrent jurisdiction with adult courts for youths between the ages of 15 and 18. Youths adjudicated delinquent and who have been judged guilty of unlawful acts receive both a juvenile and adult sentence. The juvenile sentence is served first and adult sentence goes into effect in one of two circumstances: an incarcerated juvenile turns 21 and is sent to an adult prison to complete his or her sentence; or the juvenile is not responding to rehabilitation so the adult sentence goes into effect.

Though each state administers juvenile courts differently, all children's courts are dedicated to protecting the child's privacy and best interests. Rather than determining the guilt of a child in court cases, emphasis is placed on the best course of action to rehabilitate the child. A child comes before a juvenile court in one of three circumstances: delinquency, status offenses, or abuse or neglect. Depending on the circumstances, the procedures of the juvenile court differ slightly.

Types of Cases Handled in Juvenile Court

Delinquency cases involve a child entering the juvenile court system because of criminal charges such as robbery, murder, assault, or other felonies. Since the late 1960s, youths

¹⁶ Enotes.com 2008

charged with delinquency have the right to counsel, notice of charges, and protection against self-incrimination as well as the right to appeal the court's decision. A hearing determines whether the child will be released or held until a trial date. If the involved parties fail to work out a plea arrangement, the case goes to trial. A trial in juvenile court is called an adjudication hearing but is similar in proceedings to a trial in adult court. The prosecuting attorney must prove the charges, otherwise the youth is acquitted and goes free.

When a youth is convicted, a dispositional hearing is scheduled which is similar to a sentencing in adult court. Rather than punishment of the juvenile offender, the disposition focuses on rehabilitation and the needs of the child. Juvenile court judges have a wide range of alternatives available in determining the best course of action to take with the child. The most common action is probation, but the child can be incarcerated in a juvenile detention center, sent to "boot" camp or special training schools, or the case may be dismissed by the court. The evaluations of psychologists and social workers are crucial in these decisions as is input from lawyers and counselors.

While offenders in delinquency cases have many rights, these rights are often missing for status offenders. Status offenses are cases involving a juvenile charged with an act that would not be criminal if committed by an adult. Status offenses are sometimes termed "pre-delinquency" cases meaning the juvenile is on the road to repeatedly breaking the law and being labeled a "juvenile delinquent." Running away, truancy from school, malevolence or aggressive behaviors are examples of status offenses. Proceedings for status offenders do not involve proof beyond a reasonable doubt, a requirement in most other court proceedings, nor does the offender have a right to counsel or protection against self-incrimination. Cases are often diverted from the court system into a social program such as educational or training classes, foster care, family counseling programs, or community-based involvement directed by a social worker.

Children may also enter the juvenile court system not as respondents to the court, but as victims to be protected by the court under *parens patriae* or "the state as parent." In abuse and neglect proceedings, the court files a petition against the parent or adult caregiver of

the child. Abuse involves cruelty, mental and/or physical, toward the child or inappropriate physical or sexual contact. Neglect involves the failure to care for, or provide the basic needs of, the child or to protect them from abuse by others.

The adult defendant has the right to an attorney. Depending on the jurisdiction of the juvenile court, the child may have no counsel, may have counsel appointed for the child, or the court may appoint an "interim" guardian or other representative to act in the best interest of the child.

Unlike adult courts, all juvenile court sessions are closed to the public and all files are sealed. Often, the children's initials are used in court records and paperwork instead of full names to protect their identity from the public and the press. A major criticism of the juvenile court system is related to this issue of privacy. When juveniles are transferred to adult courts for trial, their files and past history of delinquency remain protected under the provisions of the juvenile justice system. Some states make this information available to the judge only during arraignment or pre-trial hearings when the future of the case is determined.

Development of Juvenile Courts

Children have not always been afforded the rights and privileges they now have through a juvenile court system. During the early years of America, children were considered miniature adults at the age of seven and therefore responsible for their actions. Crimes committed by a child were handled in the same manner as if the crime were committed by an adult. Children were arrested, detained, tried, and sentenced in criminal court and sent to prison with adults. All prisoners were housed together, whether male or female, child or adult, murderer or pickpocket.

A wave of social consciousness enveloped the country during the early decades of the nineteenth century. Opinions about children changed. Childhood became an important transition between infancy and adulthood. Social activists fought for the protection of children. While some worked to remove children from the drudgery of day-long labor, others saw children victimized by a judicial system that placed impressionable children

under the influence of hardened criminals. During the 1820s two groups emerged which helped shape the early juvenile justice system. The Society for the Prevention of Juvenile Delinquency advocated the separation of adult and juvenile criminals. The Society for the Reformation of Juvenile Delinquents worked on reforming children convicted of crimes. Rather than imprisonment, the children went to work schools. They lived in a dormitory, were trained for factory work, and jobbed out to manufacturers. The children were soon exploited by both the manufacturers and the school directors working long hours with all wages turned over to the directors and many boys ran away.

It was apparent that juvenile justice needed to address the hardship and troubles delinquent children faced and to work to mold them into responsible future adults. The home environment of young lawbreakers was often troubled with abuse, neglect, and poverty. If the state became the parent under the *parens patriae* provision, delinquent children could be reformed.

Special juvenile courts were established as an informal alternative to criminal court for children. The first court of this type was organized in Cook County, Illinois in 1899. By 1925 all but two states had followed Illinois' example. Early juvenile courts advocated using a combination of punishment and counseling to reform delinquent youths. For extremely serious crimes, the juvenile court could waive their right to jurisdiction over the youth and the criminal justice system would take the case.

Because juvenile courts were concerned with reforming the child rather than determining guilt, lawyers and official court proceedings were deemed unnecessary. Children had no lawyers or representatives, nor did they have a true trial. Instead, a judge, magistrate, or social worker reviewed the complaint against the child and determined what the child needed as far as punishment and/or training to turn his or her life onto a positive course of growth.

A child's "needs" were often met by sending him to reform school until "rehabilitated" or reaching the age of 21. Children were also brought into the system because their parents could not control them. They might run away from home, miss too much school, or

become unruly. These acts were termed "status offenses" and viewed by the juvenile court as pre-delinquent behavior. Status offenders were often placed in reform or training schools, just as juvenile delinquents were. As juvenile courts continued to evolve, differences in how each state handled these special courts also grew.

Regulating and Setting Standards

Though the social reformers who helped establish juvenile courts were fighting for the rights of children, juveniles entering the juvenile justice system had no legal rights. Three cases helped restore legal rights to children and establish some standards in the juvenile courts across the country. *Kent vs. United States* (1966), and *In re Gault* (1967) restored to accused juveniles the right to a fair trial and the right to counsel. Kent, a 16-year-old on probation through juvenile court, was accused of robbery and rape. His case was waived from juvenile court to adult court and in so doing, Kent should have been afforded the privileges given any adult accused of a crime.

In re Gault was a landmark case altering the procedures and rights of the accused within the juvenile court system. Gault, a 15-year-old with no previous juvenile record, was accused and sentenced for making obscene phone calls to a neighbor. He was provided with no attorney, the witnesses and complainant did not appear at his hearing, and he was presumed guilty without proof and sent to reform school until the age of 21. His parents appealed the decision, and the Supreme Court ruled that juveniles had the right to due process of law, including representation and the right to cross-examine witnesses, even in juvenile court.

In re Winship (1970) determined that when juveniles were accused of offenses that would be crimes if committed by an adult, proof of guilt beyond a reasonable doubt had to be established before conviction. Thanks to these three cases, when a juvenile appears in a juvenile court or his case is waived to adult court, he has the right to counsel, to be informed of his offense, to cross exam witnesses, to receive a transcript of the proceedings, to appeal the decision, and to be protected from self-incrimination. His accuser must provide a preponderance of evidence against him. In juvenile court,

however, he does not have the right to a jury trial as long as the presiding judge is fair, impartial, and due process is served, according to *McKeiver v. Pennsylvania* (1976).

In an effort to provide guidelines to state juvenile courts, and aid in reducing juvenile delinquency, two programs were established in 1974 within the United States Justice Department. The Office of Juvenile Justice and Delinquency Prevention assists state and local governments in improving the juvenile court system and preventing delinquency. The Juvenile Justice and Delinquency Prevention Act provides grants for reforming juvenile court procedures and providing counseling and educational programs to prevent delinquency.

Criticisms and Conflicts

Despite efforts by the federal government to help curb juvenile crime rates, the 1980s experienced an increase in serious crimes committed by youths. "Between 1985 and 1995, the juvenile arrest rate for violent crimes rose 69 percent. For murders it rose 96 percent," according to Dan Carney reporting in the *Congressional Quarterly*. Critics of the juvenile court system blame the rise of drug use, specifically crack cocaine which triggered turf drug wars, an increase in handguns available on the streets and to youths, and the juvenile justice system for not making children aware of the consequences of their crimes.

Reforms are demanded of the system, especially by victims of juvenile criminals who express frustration with the way young criminals are handled. When a child is charged with robbery and assault or attempted murder, but is placed on probation and in the custody of parents who fail to supervise the child, victims see a great injustice being served. More and more opponents of the juvenile court system are calling for waiver of serious crimes to the adult court system. Others disagree saying this will stigmatize the youth as a lost cause and encourage continued criminal behavior. They argue that youths tried in adult courts do not necessarily receive longer or tougher sentences because it is a first offense in criminal court, despite the number of appearances for the same or similar offenses in juvenile court. Still others argue the entire juvenile court system should be

abolished and all juveniles sentenced in adult courts. Individual states continue to try different methods to curb the high rate of juvenile delinquency. Where one state finds success, others implement the same procedure all in an effort to best protect and meet the needs of America's children.

See also: [Juvenile Law and Justice](#)

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Most Juvenile Offenders Use Drugs, Alcohol

From [CASA News Release](#)

About.com Health's Disease and Condition content is reviewed by [Steven Gans, MD](#)

Only 3.6 Percent Receive Help for Problems

Four of every five children and teen arrestees in state juvenile justice systems are under the influence of alcohol or drugs while committing their crimes, test positive for drugs, are arrested for committing an alcohol or drug offense, admit having substance abuse and addiction problems, or share some combination of these characteristics, according to a new report released by The National Center on Addiction and Substance Abuse (CASA) at Columbia University.

The 177-page report of the five-year study, *Criminal Neglect: Substance Abuse, Juvenile Justice and The Children Left Behind*, is the most comprehensive analysis ever undertaken of substance abuse and state juvenile justice systems. The report found that 1.9 million of 2.4 million juvenile arrests had substance abuse and addiction involvement and that only 68,600 juveniles receive substance abuse treatment.

"Instead of helping, we are writing off these young Americans," said Joseph A. Califano, Jr., CASA's chairman and president and former U.S. Secretary of Health, Education and Welfare. "We are releasing them without attending to their needs for substance abuse treatment and other services, punishing them without providing help to get back on track. If the Congress, the governors and the presidential candidates are serious about leaving no child behind, we must end the criminal neglect of these children who so desperately need our help."

System Must Address Juvenile Needs

"I have been there. I have witnessed the deplorable conditions forced upon these young people," added Charles W. Colson, Founder and Chairman of the Board, Prison Fellowship, the world's largest outreach to prisoners, ex-prisoners, crime

victims and their families. "The system must be changed to address the needs of these juveniles and prevent them from living a life crime and drug addiction."

The report reveals that drug and alcohol abuse is implicated in 64 percent of violent offenses, 72 percent of property offenses and 81 percent of assaults, vandalism and disorderly conduct.

"Juvenile justice systems were originally conceived as institutions to help young offenders get on the path to law abiding lives," said Califano. "As a result of their failure to address these problems, they have become colleges of criminality, paving the way to further crimes and adult incarceration for many of their graduates. We have 51 different systems of juvenile injustice with no national standards of practice or accountability."

92 Percent Tested Positive for Marijuana

Other notable findings in this report include:

- At least 30 percent of adults in prison for felony crimes were incarcerated as juveniles.
- Ninety-two percent of arrested juveniles who tested positive for drugs, tested positive for marijuana; 14.4 percent, for cocaine.
- Up to three-quarters of incarcerated 10 to 17 year-olds have a diagnosable mental health disorder.
- As many as eight out of 10 incarcerated juveniles suffer from learning disabilities.
- Compared to juveniles who have not been arrested, those who have been arrested once in the past year are: more than twice as likely to have used alcohol; more than 3.5 times likelier to have used marijuana; more than three times likelier to have used prescription drugs for non-medical purposes; more than seven times likelier to have used Ecstasy; more than nine times likelier to have used cocaine and more than 20 times likelier to have used heroin.

- The arrest rate for female juveniles increased almost 7.4 percent between 1991 and 2000 while the arrest rate for male juveniles decreased almost 18.9 percent.
- The arrest rate for black juveniles is more than 1.5 times the rate for white juveniles.

Based on the report's findings, the CASA report calls for a complete overhaul of the juvenile justice system to assure that each child receives a comprehensive assessment of needs, substance abuse treatment and other appropriate services.

Report Roundup

Juvenile Court Statistics 2003–2004

(January 1, 2008)

by [*Jen Moore*](#)

National Center for Juvenile Justice

The most recent in the Juvenile Court Statistics series, this report describes delinquency cases handled between 1985 and 2004, and status offender cases handled between 1995 and 2004. The data used in the analyses were sent to the National Juvenile Court Data Archive by nearly 1,900 courts that had jurisdiction over more than three-quarters of the nation's juvenile population in 2004. Among the findings:

- The number of delinquency cases processed by juvenile courts increased 44 percent between 1985 and 2004. Public order offense cases accounted for more than half of that increase, while “person offenses” made up another 43 percent.

- Between 2000 and 2004, the volume of juvenile court cases involving Property Crime Index offenses (burglary, larceny-theft, motor vehicle theft and arson) declined by 10 percent.
- In 2004, 57 percent of all delinquency cases processed by the juvenile courts involved youth age 15 or younger at the time of referral.

¹⁷Percent of all arrests involving persons under age 18 in the United States

	2000	2001	2002	2003	2004	2005
Coverage Indicator	65%	68%	71%	70%	72%	73%
Total Arrests	16.9%	16.6%	16.4%	16.3%	15.8%	15.2%
Violent Crime Index	15.8%	15.4%	14.9%	15.5%	15.5%	15.8%
Murder/nonneg. mans.	9.3%	10.2%	9.6%	8.6%	8.2%	9.0%
Forcible rape	16.4%	16.8%	16.7%	16.1%	16.2%	15.4%
Robbery	25.3%	23.6%	23.1%	23.7%	23.2%	25.2%
Aggravated assault	13.9%	13.6%	13.0%	13.7%	13.8%	13.6%
Property Crime Index	32.0%	30.4%	29.8%	28.9%	27.5%	26.0%
Burglary	33.0%	31.0%	30.0%	29.2%	27.7%	26.1%
Larceny-theft	31.2%	29.6%	29.5%	28.4%	27.3%	25.7%
Motor vehicle theft	34.3%	32.7%	30.4%	29.1%	26.5%	25.5%
Arson	52.8%	49.5%	49.4%	50.8%	50.2%	48.6%
Nonindex						
Other assaults	18.0%	18.2%	18.3%	19.4%	19.4%	19.0%
Forgery and counterfeiting	5.9%	5.1%	4.4%	4.2%	4.1%	3.5%
Fraud	3.1%	2.8%	2.8%	2.7%	2.7%	2.5%
Embezzlement	10.3%	9.1%	7.5%	6.9%	5.8%	6.1%
Stolen property	23.4%	22.0%	20.6%	19.2%	18.2%	16.6%
Vandalism	40.6%	38.9%	38.3%	39.4%	37.9%	37.2%
Weapons	23.6%	22.6%	21.4%	23.3%	23.1%	23.1%
Prostitution/commercialized vice	1.5%	1.8%	1.9%	1.9%	2.0%	1.9%
Sex offenses (other)	18.6%	19.7%	20.5%	20.0%	19.8%	18.2%
Drug abuse violations	12.9%	12.8%	12.1%	11.7%	11.1%	10.4%
Gambling	14.0%	12.9%	14.8%	15.5%	15.7%	18.1%
Offenses against family	6.4%	6.7%	6.7%	5.1%	4.7%	4.2%
Driving under influence	1.4%	1.4%	1.5%	1.4%	1.4%	1.3%
Liquor laws	23.3%	22.6%	22.9%	22.4%	21.3%	21.1%
Drunkenness	3.4%	3.3%	3.3%	3.2%	3.1%	2.9%
Disorderly conduct	25.9%	27.6%	28.8%	30.2%	30.2%	29.7%
Vagrancy	9.3%	8.2%	7.7%	7.9%	13.1%	14.0%
All other offenses	11.2%	11.0%	10.8%	10.4%	9.9%	9.4%
Suspicion	21.1%	31.7%	15.3%	21.5%	18.3%	14.6%
Curfew and loitering	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Runaways	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
Population Ages 10 to 17	32,607,300	32,991,100	33,393,200	33,503,200	33,583,300	33,627,500

These statistics are estimates that account for missing data and may differ from other published sources. The county-level files which are the source of this information are not official FBI releases and are being provided for research purposes.

The Coverage Indicator refers to the relative size of the sample from which these estimates are based. A coverage indicator of 90% means that data covering 10% of the jurisdiction's population are estimated and that data from 90% of the jurisdiction's

¹⁷ Easy Access to FBI Arrest Statistics 1994-2005

population are based on actual reports.

Suggested Citation: Puzzanchera, C., Adams, B., Snyder, H., and Kang, W. (2007). "Easy Access to FBI Arrest Statistics 1994-2005" Online. Available: <http://ojjdp.ncjrs.gov/ojstatbb/ezaucr/>

ACTUALIZATION

September 6, 1860, Cedarville, Illinois, U.S.
died May 21, 1935, Chicago, Illinois



18

Jane Addams, oil over a photograph, 1896.
The Granger Collection, New York

American social reformer and pacifist, cowinner (with [Nicholas Murray Butler](#)) of the Nobel Prize for Peace in 1931. She is probably best known as the founder of [Hull House](#) in [Chicago](#), one of the first social settlements in North America.

Addams graduated from Rockford Female Seminary in Illinois in 1881 and was granted a degree the following year when the institution became Rockford College. Following the death of her father in 1881, her own health problems, and an unhappy year at the Woman's Medical College, Philadelphia, she was an invalid for two years. During neither subsequent travel in Europe in 1883-85 nor her stay in Baltimore, Maryland, in 1885-87 did she find a vocation.

In 1887-88 Addams returned to Europe with a Rockford classmate, [Ellen Gates Starr](#). On a visit to the [Toynbee Hall](#) settlement house (founded 1884) in the Whitechapel industrial district in London, Addams's vague leanings toward reform work crystallized. Upon returning to the United States, she and Starr determined to create something like Toynbee Hall. In a working-class immigrant district in [Chicago](#), they acquired a large vacant residence built by Charles Hull in 1856, and, calling it Hull House, they moved into it on

¹⁸ Britannica.com

September 18, 1889. Eventually the settlement included 13 buildings and a playground, as well as a camp near Lake Geneva, Wisconsin. Many prominent social workers and reformers—[Julia Lathrop](#), [Florence Kelley](#), and [Grace](#) and [Edith Abbott](#)—came to live at Hull House, as did others who continued to make their living in business or the arts while helping Addams in settlement activities.

Among the facilities at Hull House were a day nursery, a gymnasium, a community kitchen, and a boarding club for working girls. Hull House offered college-level courses in various subjects, furnished training in art, music, and crafts such as bookbinding, and sponsored one of the earliest little-theatre groups, the Hull House Players. In addition to making available services and cultural opportunities for the largely immigrant population of the neighbourhood, Hull House afforded an opportunity for young social workers to acquire training.

Addams worked with labour as well as other reform groups toward goals including the **first juvenile-court law**, tenement-house regulation, an eight-hour working day for women, factory inspection, and workers' compensation. She strove in addition for justice for immigrants and blacks, advocated research aimed at determining the causes of poverty and crime, and supported woman suffrage. In 1910 she became the first woman president of the National Conference of Social Work, and in 1912 she played an active part in the Progressive Party's presidential campaign for Theodore Roosevelt. At The Hague in 1915 she served as chairman of the International Congress of Women, following which was established the [Women's International League for Peace and Freedom](#). She was also involved in the founding of the [American Civil Liberties Union](#) in 1920. In 1931 she was a cowinner of the Nobel Prize for Peace.

The establishment of the Chicago campus of the University of Illinois in 1963 forced the Hull House Association to relocate its headquarters. The majority of

its original buildings were demolished, but the Hull residence itself was preserved as a monument to Jane Addams.

Among Addams's books are *Democracy and Social Ethics* (1902), *Newer Ideals of Peace* (1907), *Twenty Years at Hull-House* (1910), and *The Second Twenty Years at Hull-House* (1930).

Additional Reading

Biographies include JAMES WEBER LINN, *Jane Addams: A Biography* (1935, reissued 1968), written by her nephew; JOHN C. FARRELL, *Beloved Lady: A History of Jane Addams' Ideas on Reform and Peace* (1967); DANIEL LEVINE, *Jane Addams and the Liberal Tradition* (1971, reprinted 1980); and ALLEN F. DAVIS, *American Heroine: The Life and Legend of Jane Addams* (1973). MARY JO DEEGAN, *Jane Addams and the Men of the Chicago School, 1892-1918* (1988), explores Addams's role in the development of American sociology.

Getting Juvenile Justice Right in New York: Proven Interventions Will Cut Crime and Save Money

(January 1, 2008)

by [*Jen Moore*](#)

Fight Crime: Invest in Kids – New York

According to this report, nearly three-quarters of the 17,500 juveniles held in New York state's juvenile justice system each year are arrested again within three years of their release, and 42 percent of those arrests are for violent felonies. The study looks at reforms implemented in other states and makes a series of recommendations that could eliminate 40 percent of repeat juvenile offenses in New York. Among its recommendations:

- More effective interventions for the most serious and troubled juveniles in custody.
- The use of intensive foster care as an alternative to lockup for less dangerous juveniles.
- A combination of community sanctions and effective interventions as an alternative to out-of-home placements.
- Reductions in pretrial detention for low-risk juveniles after their arrests.

The report says research-based approaches for cutting juvenile aggression and substance-abuse problems could reduce New York's current custody costs and future crime costs by between \$15,000 and \$75,000 per delinquent. Free. 32 pages. (518) 465-5462, <http://www.fightcrime.org/ny/rep/jjdist.pdf>.

Infocus Vol. 2 #1 January 2005

¹⁹**Young Adults in New York City – New Challenges New Pathways**

http://fred.fcny.org/ydipubs/pubs/InFocus_young_adults_01-05.pdf

Imagine Margarita. She is eighteen years old and lives in Brooklyn with her mother and three younger siblings. She has a three-year old named Alex whose twenty-three year old father, Gregory, is in jail serving a one-year sentence. Margarita was an average student who completed the tenth grade but dropped out not long after Alex was born. Gregory does not have a high school diploma

¹⁹ **Infocus** Vol. 2 #1 January 2005. -Entire newsletter-

either. He dropped out at 17, frustrated that he could not pass enough classes to complete ninth grade. Gregory tried to enroll in a GED program while in jail, but his sixth grade reading level was too low for the program.

Now imagine Margarita, Alex, and Gregory five years later. Margarita is twenty-five and unemployed. After a brief period of homelessness, she and Alex recently found an apartment. They receive public assistance and Margarita works for the Parks Department. Alex attends public school and is in the third grade. His teacher is concerned that he may not test high enough on the citywide reading test to be promoted next year and has referred him for extra support. Upon release from jail,

Gregory visited Alex regularly—but did not pay child support because he could not find a steady job. Two years ago he was rearrested, and is currently serving an eight-year prison sentence.

Why did these three lives have to take this downward track? Margarita was on course for graduation until she became a mother. Gregory showed remarkable persistence sticking with school until the legal dropout age—despite his limited reading ability. Why didn't Margarita find childcare and stay in school, or at least return to get a diploma or a GED when Alex was old enough for preschool? How come Gregory at seventeen was still in the ninth grade and only reading at an elementary school level? Why didn't he find a job to support himself and his son? How did these youth become disconnected from employment, education, and social support systems? How can they be reconnected?

When young people without diplomas do find work, periods of unemployment are longer. Between 1997 and 2001, twenty-seven percent of those aged 16 to 24 years who had dropped out of high school were unemployed for a year or longer, compared to eleven percent of those with diplomas or a GED.

WHO ARE THESE YOUTH?

More than half will be men—half of whom will be incarcerated. Among the young women, many will be single mothers without steady jobs. Almost all will have grown up in poverty.⁴ The youngsters most likely to find themselves disconnected at twenty-five will have dropped out of high school, experienced arrest and incarceration, spent time in foster care, or become a teenage mother.

Across the United States, just over five million 16 to 24 year olds are out-of-school and unemployed.⁵ In 2002, roughly 3.8 million youth between 18 and 24 were considered disconnected—not employed, not in school, and lacking a high school diploma.⁶ The number of older youth living in New York City who are unemployed or facing lifetimes of sporadic to no employment is significant. Among the roughly half-million City residents between 16 and 19 years old, almost eleven percent, or 46,000, did not graduate high school. The vast majority is also unemployed.⁷ Among 19-24 year olds the unemployment numbers are probably even higher. One study that followed a large group of high school-aged youth from 1979 until 1992 found that “80 percent of those without a high school diploma were unemployed for at least a full year, and half were out of work for three or more years between their 18th and 25th birthdays. ”⁸ These are young adults from poor families and they are not working. How will they support themselves and when the time comes their families?

The problem is particularly acute among young black men. By 2002, one of every four black men in the United States was jobless. A rate twice that of whites and Hispanics. The lack of a high school diploma reduced a black man’s chance of working even further—“44 percent of black men without a diploma were unemployed year-round versus 26 percent of those with a diploma, and 13 percent of those with a bachelor’s (or higher) degree.”⁹ In New York City, just 51% of African American men are working.

In New York City, roughly 185,000 young adults between the ages of 18 and 24 do not have a high school diploma.¹⁰ In 2001, statewide, nine percent of teens between the ages of 16 and 19 years old had dropped out of high school, and ten percent were neither in school nor working.

11 Recent reforms in New York City, including the creation of numerous small high schools, are increasing retention for all students. South Brooklyn Community High School, described in this issue, as well as Diploma Plus, and the Young Adult Borough Centers are engaging many youth who have struggled in high school. These models offer small classes, intensive academics linked to youth development and hands-on experiences such as work and community service. All work through partnerships with community organizations that provide a wide range of supports to both the schools and the young people directly. All of these new programs are being expanded through the NYC Department of Education's Multiple Pathways initiative, which will be profiled more fully in a forthcoming issue of InFocus. The commitment of the City's education system to change the prospects for large numbers of these youth is unprecedented, and offers promise.

As the process of change moves forward, large high schools remain a critical problem, one of the only options for many youth who fall into this group. Success rates at these schools are significantly lower than citywide averages. Cumulatively, only half of the ninth graders who enter high school in a given September graduate with a diploma four years later. Even with additional students getting diplomas or GEDs in an additional three years, tens of thousands go out into the work world without a proper education.

12 WHY INVEST IN OLDER YOUTH?

Young adults are the strength of tomorrow. Each is potentially a community asset: a parent, worker, employer, voter, role model, community member, or civic leader. However, when these youth reach adulthood without a high school

diploma and little prospect for gainful employment, policymakers must ask themselves—how are these young adults supporting themselves?

EDUCATION TRANSLATES INTO EMPLOYMENT AND EARNINGS

There are many ingredients to becoming a successful young adult. However, none is as powerful as a basic education. Youth who drop out of high school face lifelong consequences, including long-term periods of unemployment and diminished earnings. While most high school graduates eventually find work, only more than half (fifty-eight percent) of high school dropouts were employed at the time of the last US Census report. Those with more education have a substantially greater chance of being employed. Even a GED increases opportunity.¹³ When young people without diplomas do find work, periods of unemployment are longer. Between 1997 and 2001, twenty-seven percent of those aged 16 to 24 years who had dropped out of high school were unemployed for a year or longer, compared to eleven percent of those with diplomas or a GED.¹⁴

Similarly, earnings are a consequence of education. The annual median salary for a person with a bachelor's degree is \$47,000 compared with \$29,200 for a high school diploma (including GED) and \$22,400 for those without a diploma.¹⁵ However, a diploma is not always a guarantee of earnings mobility. Young men without a high school diploma or a GED, and those with high school diplomas but no college, experienced the largest relative decline in income in the last three decades. These young men lost roughly twenty-five percent in their real annual earnings between 1973 and 2000.¹⁶

EMPLOYMENT REDUCES THE NEED FOR MORE EXPENSIVE PUBLIC EXPENDITURES

Young people who find employment are more likely to become productive members of their communities. They are housed, vote, pay taxes, send their children to public schools, shop in neighborhood stores, and join community

organizations. Those who cannot find employment are often temporarily housed and dependent upon public programs for support. 17 In 2003 alone, the Federal government spent \$223.5 billion to help needy children and their families.18 An estimated 1.1 million youth are on welfare or are members of a family receiving welfare.19

The public safety costs of high school failure are also very high. Roughly sixteen percent of all young men between 18 and 24 years old who dropped out of high school and did not obtain a GED are under criminal justice supervision at any given point in time. The effects are profound. According to the London School of Economics, having been in jail is the most important deterrent to employment, and its effect, even years later, is persistent and sustained. 20

JUST COMMUNITIES PROVIDE OPPORTUNITIES FOR THOSE WITH THE GREATEST NEED

Most of the youth who reach young adulthood without connecting to the labor force have had few opportunities along the way. The vast majority grew up in poverty, some were in foster care or incarcerated; most attended failing schools. Low basic literacy, a history of behavior problems, untreated mental illness, and substance abuse are common characteristics. Large numbers are male and African-American. More than ten percent of minority males are disconnected by age 25 as compared to five percent of the overall youth population.21 These youth did not grow up with social and financial networks capable of seeing them through the tough times of adolescence like their more advantaged peers. An opportunity for success is little to ask.

Some argue that the time to invest is when these youth are still young children. They believe that Head Start programs, child nutrition, parenting programs, and other prevention services are a more worthwhile investment. Similarly, some argue that programming for adolescents that focus on reducing school failure and delinquency should be priorities. No doubt these are critical programs that will

reduce the number of disconnected youth in the long run. However, some adolescents will always slip through the cracks. Prevention programs do not reach all the children in need. Some do not produce long-term benefits—certainly not for every child who attends. Finally, no matter how seamless the net below, there will always be young people who do not get adequate support and cannot make it through school or find employment on their own. By focusing merely on prevention, and not acknowledging the need for intervention later on, this group of young adults is, for the most part, consigned to a lifetime of poverty. ■

YOUNG ADULTS IN NEW YORK CITY

New Challenges New Pathways

VOL 2, # 1, JANUARY 2005

InFocus provides information to strengthen community-based youth development services. Published periodically, InFocus describes the practices of youth workers, teachers, programs and organizations that serve youth; policies that affect their work and young people.

Young Adult Lives

Continued on page 8

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PROMISING PATHWAYS IN NEW YORK CITY

South Brooklyn Community High School (SBCHS)

A SCHOOL-BASED PATHWAY

Did you ever sit through a class and wonder what the teacher was talking about? Did you raise your hand and ask for help? Suppose the confusion extended to several of your classes. If you attended a high school with 4,000 students—with more safety officers than guidance counselors— who would you turn to? Many young people make a simple decision. They stop going to school. Some attend sporadically, others dropout entirely. As time passes, these young people find themselves older and further behind. After a while it seems like there is no way to catch up.

Fortunately, in a small corner of Brooklyn, young people who have been chronically truant or who have dropped out can catch up. South Brooklyn Community High School (SBCHS) is a small public high school that offers the possibility of a diploma to under-credited, over-aged students who have stopped going to school. By offering a rigorous instructional program, SBCHS prepares its students for post-secondary education, meaningful employment, healthy personal and family relationships, and participation in the life of their communities. An authentic partnership between the New York City Department of Education (DOE) and Good Shepherd Services, SBCHS is the antithesis of the big anonymous high school.

SBCHS opened in September 2002, but the partnership has history. For twenty-two years, Good Shepherd had run an off-site program to reengage and educate chronic truants from John Jay High School. With a New Century High School

grant (a consortium of funds from the Bill and Melinda Gates Foundation, the Carnegie Corporation of New York and the Open Society Institute), Good Shepherd and the Superintendent of the Brooklyn and Staten Island High Schools (B.A.S.I.S.) collaboratively designed a school that offered a larger pool of young people, up to 150 at any point in time, the chance to do what they thought they never could—obtain a high school diploma.

Since opening its doors two years ago, students living in South Brooklyn who have been absent from school for more than 35 days, have a minimum of eight credits, and read above the sixth grade level are potentially eligible to attend SBCHS. Staff reaches out by phone and letter, to young people in the catchment's area to invite them to return to school. Those who respond meet with counselors to discuss their educational history, interests, and expectations. Some are admitted to SBCHS and others are referred to programs that are better aligned with their needs, abilities, and interests.

EDUCATIONAL PROGRAM

At the bedrock of South Brooklyn's approach is youth development. Youth development is a fluid approach to working with young people that views youth as central actors in their own lives. Through close relationships with caring adults, high expectations, engaging activities, opportunities for participation in decision-making activities, and a continuity of support, young people build competencies that enable them to succeed as they enter adulthood.

SBCHS blends the best practices in youth development with a standards-based instructional model and a support structure that focuses on leadership development, goal setting and community building. The needs, interests, capacities, and desires of the students are the raw material around which the school and curriculum are structured. Young people played a central role in the development of the school and continue to play a critical role in its daily operation and ongoing growth.

The school culture explicitly fosters relationships between youth, adults, and peers in a safe environment that provides multiple opportunities for participation. Positive peer support through small biweekly group meetings and monthly community meetings create space for youth and staff to build and maintain a sense of community and mutual responsibility within the school.

A student describes the school culture: “In my old school, the teachers didn’t care. Here they watch out for us and make sure everyone understands.” The students at SBCHS need this support structure. By definition all of them have missed a considerable amount of school. Many are coping with a range of challenging life circumstances that further interfere with their educational success. Some are raising children or younger siblings; others are dealing with the death of a parent or other close relative. Still others are managing with little or no adult support.

To further support the needs of its students and ensure their continued attendance, Advocate Counselors provide a strong personalized support system for each student. Through regular meetings with students in school, and if need be, at home, Advocate Counselors locate needed services, including health care and day care. They help students plan for graduation including employment and post secondary education.

Consistent with the youth development approach, the instructional model is premised on the belief that every student can learn and achieve at a high level. Students are supported through a demanding standards-based instructional program that prepares them to pass the required Regents Exams. Through longer classes and more frequent meetings, students earn more credits per semester than they would at a typical high school - an attractive incentive for older students.

The curriculum focuses on the core academic subjects: math, English, science, and social studies, but includes hands-on activities that help students connect with the learning. A student says, “In science, we grow the plants instead of reading about it in a textbook.” Given the poor academic track record of many SBCHS students, literacy is essential to all instruction. The entire faculty is trained in a balanced literacy approach to improve comprehension while making reading a more enjoyable activity. Similarly, writing is integrated into every subject area and students are expected to practice the skills associated with good writing in English class as well as science. Technology is also infused across content areas to ensure that students graduate with the skills to connect to today’s job market and to compete in other post-secondary opportunities.

When the school was in the design phase, student team members remarked that throughout the course of their educational history, no one had ever told them what they were supposed to know at the end of each year to progress to the next grade. The SBCHS educational program responds directly to this legitimate concern. Expectations at SBCHS are high, and all students know exactly what they need to do to succeed. Each course has clear proficiency targets that are provided to the students and posted in the classroom.

Every two weeks students are assessed in each of their classes to measure their progress towards meeting the course goals. There are no surprises. When students are not meeting the goals, teachers examine their own practice to develop better strategies.

SBCHS is a partnership between a community organization and the DOE (now Region 8 since B.A.S.I.S. ceased to exist with the DOE reorganization). A principal and a Good Shepherd Division Director jointly run the school. Generally, participating as one body—regardless of which payroll a staff member is on - the staff engages in joint professional development activities, regular meetings, and ongoing assessment activities, ensuring their growth as an effective team

working together to fulfill the school's mission. The principal and director meet frequently and align decisions and supervision. An advisory board comprised of members of both partner agencies guides long term planning. The school is richly staffed thanks to extensive fundraising by Good Shepherd and its designation as a federal Title I school. The Department of Education staff includes a principal, eleven teachers (including art and physical education), a technology specialist, a guidance counselor, and 5.5 support staff. Good Shepherd funds an additional twelve staff, including a division director, two program facilitators, six Advocate Counselors, and three additional support team members.

Young Adult Programs

"In my old school, the teachers didn't care. Here they watch out for us and make sure everyone understands."

SUCCESSES TO DATE

In only two years, SBCHS has achieved enormous success. With a Regents pass rate surpassing most high schools in New York City, SBCHS boasts a near perfect pass rate on the US History Regents, with roughly three-quarters of the students passing the Math A and Global History Regents. Almost as impressive, nearly 7 out of 10 students passed the ELA and Living Environment exams.

These remarkable scores are even more astonishing when compared to the student's previous performance. Prior to attending SBCHS, cumulatively the students passed only one in five of the Regent exams they sat for. During their tenure at SBCHS, they were passing three out of five. Before entering SBCHS only two students had passed both the Math and English Regents. Since entering SBCHS, 63 are closer to a Regents Diploma. Credit accumulation shows the same improvements. In the year prior to enrolling in SBCHS students earned an average of 5.41 credits. In their first year at SBCHS students doubled their credits with an average of 11.34.

Graduation statistics are also impressive for such a young school. In the 2003-2004 school year, SBCHS graduated almost a third of the young people who attended over the course of that school year—57 students out of 185 young people. Most of the remaining students returned the next school year for additional credits. Most graduates move on to college or employment. One graduate currently attends Manhattanville College.

IMPLICATIONS FOR PROGRAMMING FOR YOUNG ADULTS

The achievements of a school like SBCHS do not come easily. Good Shepherd and the DOE have worked together for over two decades and have built a partnership based on mutual respect. While that is an enormous accomplishment, the partners still face significant obstacles to this work. There are no government guidelines describing this type of partnership leaving it up to the agencies to hash out the details. For example, currently DOE and union rules prohibit the community agency from playing a significant role in selection of the principal—despite its obvious importance to the future success of the school.

Specific structures geared towards these special relationships will benefit new and existing schools as they face the inevitable challenges of operating a small learning community that is enhanced by external resources and support. While there has been a proliferation of small schools in the last several years, small schools cannot operate by the same rules as the old zoned high school. Budgeting, supervision, and assessment criteria need to be adapted to the different realities of operating on a smaller economy of scale.

Funding is also a serious challenge for small schools. It is expensive to operate a school that offers the kinds of supports found at SBCHS. Good Shepherd raises significant private funds each year. They raised the outside money to construct their own state-of-the art building. Currently, roughly 52% of the SBCHS annual budget is private, with government providing the remainder. It should also be noted, that the government funding is not guaranteed, and in fact, is anticipated

to decrease in the coming year. This is an enormous burden on the agency and many community organizations-particularly those without the history and reputation of Good Shepherd. And many will not be able to sustain their contribution over time. New York City must develop a funding strategy that supports the vital contribution of Good Shepherd as well as its many other community partners over time.

3 New York City Initiatives for Young Adults

Multiple Pathways/Expanded Options: The New York City Department of Education (DOE) is creating new schools and programs for young people who are under-credited and/or overage for their grades. For more information: JoEllen Lynch, Executive Director, DOE Office of Youth Development and Community Services: 212 374 6713.

The Young Adult Capacity Initiative (YACI): The Youth Development Institute/Fund for the City of New York (YDI) has brought together 13 community organizations and schools to build program capacity through training, networking for sharing and support, and to address policy issues. All of the programs described in this newsletter are part of YACI. For more information, Pardeice Powell McGoy, Director, the Young Adult Capacity Initiative, YDI, 212 925 6675.

Out of School Youth and Adult Literacy: The New York City Department of Youth and Community Development (DYCD) administers the Federal WorkForce Investment Act (WIA) and the NYC Adult Literacy Initiative, both of which fund programs for young adults. Through WIA's older youth component, 16 agencies receive funds to provide comprehensive services that help young adults achieve employment; while the Adult Literacy Initiative provides literacy programs in libraries, community organizations, and the City University of New York. For

more information: Michael Ognibene, Director of External Affairs, the NYCDYCD, 212 442 5989.

In the 2003-2004 school year, SBCHS graduated almost a third of the young people who attended over the course of that school year—57 students out of 185 young people. Most of the remaining students continued in the school for the following year

YOUTHWORKS

St. Nicholas Neighborhood Preservation Corporation (St. Nicks) A COMMUNITY-BASED PATHWAY FOR YOUNG ADULTS

According to the Program Director, Felipe Balado, the clients at St. Nick's are "like the 'forgotten people.'" Outside the usual categories of youth defined by their relation to high school and middle school, these "disconnected youth" have expanded needs. "In all honesty," reports Balado, "prior to YouthWorks our division only looked at youth development through a school-age, middle-school, or high-school lens. We now see that there is a huge population of young people who don't fall into any of those categories but are not yet independent adults either." And, he adds, "When you see them at intake and then a year from that—it's amazing!"

YouthWorks reaches out to those young adults who are disconnected from school and work, and in need of a place to begin building their lives by: solving problems; confronting their needs; developing skills, competencies, and credentials that will enable them to become self-sufficient, active citizens.

At St. Nicks, the process begins in getting clients through the door and into educational and training programs. Educational opportunities include GED, college preparation, and for some 80% of participants, basic academic skills.

A childcare training program that offers internships placements at four St. Nick's childcare sites provides valuable links and training for jobs, right away. Some

participants select YouthWorks' childcare track as a "back up career" while they figure out what they want to do. Others focus on the work experience itself rather than the ultimate career. One young man offered another benefit: "Before I was working at a restaurant, but I'm trying to learn social skills and take the lessons I learn with kids for when I have them."

Job options, expanded by client initiative, also include access to jobs in manufacturing, information technology and entrepreneurship. Occupational-skills and job-readiness classes are services that support employment tracks and career ladders. The services include for each client both a Youth Employment Specialist and partnership with a Follow-up Coordinator who keeps close tabs on the individual's progress and needs regarding employment, education, and additional social services.

Success is possible because the program is able to take clients' social and economic needs seriously as obstacles to educational and occupational progress. Those needs are extensive and, in the beginning, were almost overwhelming for the staff. "Frankly we were naïve in estimating the depth of this population's issues," Balado says. "Our participants are experiencing homelessness, domestic violence, parenting problems, and they often don't have childcare.... While St. Nick's has always worked with young adults, we've never worked with an out-of-school population of this size before."

YouthWorks' quality lies in a carefully crafted approach to these young adults' very critical needs. For Balado, the direction was obvious. "These youth can't concentrate on work readiness or anything else if they're in violent situations at home." Once acknowledging the extent of need among their clients, YouthWorks staff developed multiple services to strengthen participants' ability to overcome roadblocks that bar their way to productive and healthy lives. In just two short years, 131 young adults have completed YouthWorks.

A steadfast commitment to excellence at every level is essential in YouthWorks' wrap-around approach. It starts with the program's very clear sense of identity rooted in the core belief that all youth can succeed, given the right supports. The program integrates its wide range of internal and external resources into its model so that in the end, the services equal far more than the sum of their individual parts. YouthWorks now collaborates with the Department of Education and Career Education Center that has brought two GED instructors directly on staff. And there are links to outside sources for unexpected numbers of youth who need a more intensive, basic academic component.

For the coming year Balado says, "Our goal is to transform YouthWorks into not just an effective youth employment program but an outstanding youth development program." He expects great strides to be gained through additional services that include Friday workshops that directly address ongoing issues of parenting; domestic violence, health care, HIV and drug prevention. For staff development, Balado points to the "co-option" or "re-deployment" of the Division's Director of Adolescent Support Services for weekly training and supervision of staff. "His integration into the program has been a crucial factor in improving our ability and confidence in dealing with our participants in the personal arena."

In fact, staff is at the heart of YouthWorks' quality. They bring degrees, experience, and passion with them. But a good deal of their success rests on something that can't be learned in school: the ability to seamlessly balance the roles of mentor, confidant, and advisor. What fuels their dedication is success. As one counselor put it, "Once you do it and it works—the success becomes its own motivator."

Growth at YouthWorks does not end, nor does their review of their successes, the assessment of their stepping-stones, or review of their final goals for their clients. The childcare career track is one case in point. The childcare career is a

logical choice for clients, given St. Nick's existing achievements and the resources that are already in place. The training fills an employment need of their client base. "Working with kids was something I always wanted to do," Collete remarks. While she began there, the experience inspired her to enter college and become a social worker with young youth. The childcare track, at the same time, is a relatively low-paying job opportunity with few chances for significant advancement. It is still an option but new areas of career exploration are being developed.

YouthWorks has diversified its employment tracks, its services for clients, its professional development and support of staff. Given the program's ever-persistent self-appraisal, the future is an open book. For Balado, the book is a wide one. "It takes years; I have them for the rest of their lives. I look forward to seeing YouthWorks grow."

T H E N O W W H A T . . ? P R O G R A M P i u s X I I Y o u t h a n d F a m i l y S e r v i c e s A C O M M U N I T Y - B A S E D P A T H W A Y F O R Y O U N G A D U L T S

In 1998, the leadership of Pius XII Youth and Family Services, with support from the Pinkerton Foundation, initiated the **Now What...? Program** to provide opportunities for recent high school dropouts and to direct their energies and services to the problems they face. The program has grown more comprehensive over the years and today engages youth who have dropped out of high school and are unemployed.

By integrating intensive support services with existing educational and employment opportunities **Now What...?** has proven that effective programs and employment can be offered to 17 to 22 year olds, an age group largely left unattended to by most social services and education programs.

The services at **Now What...?** range from initial outreach to older youth, and their retrieval to:

- Academic support through pre-GED and GED preparation;
- Assistance in finding part time jobs and internship experiences in business settings;
- 12-week occupational skills training in office skills;
- Placement into full- and part-time jobs and college advisement and support.

This great range of educational and occupational services is built upon a continuum of support throughout programs and after. Intensive counselor support is at the heart of this program, with staff following-up students regularly to make sure that they remain in the program.

Five elements have been crucial to the growth of **Now What...?**:

- High involvement of the agency's leadership in designing and refining the program;
- The ability to identify and retain caring and experienced staff;
- The ability to provide access to a comprehensive and changing set of services that are needed for youth to enter and remain in an increasingly competitive workplace;
- An outcome-based system for tracking participant performance;
- The ability to acquire a diverse set of private and public funding necessary to support and sustain a comprehensive program.

Because of active leadership, caring and very experienced staff, flexibility and forward-looking programming, and strong assessment of performance, with generous foundation support, **Now What...?** is a powerful example of what older youth need to unleash their own talent and be successful in the face of difficult conditions in their communities and schools.

The history of the **Now What...?** program is one of continual expansion to fill newly identified needs. During the early days of the program, in 1998, Pius XII staff developed a working relationship with the GED program at Walton High School located in the Kingsbridge section of the Bronx. Pius XII had a vigorous outreach program to bring youth back into the school for GED classes. Despite initial worries that young people would not come back to a high school that they had left, many did return. The Pius XII staff provided counseling, removed obstacles to participation in the class through a variety of social services, and arranged for part-time and flexible employment during the program and upon graduation.

The Walton collaboration was an outgrowth of Pius XII's long relationship with the school in providing attendance improvement services for younger students. Young people knew the staff from when they had been students at Walton and many had visited the room occupied by the Pius program. As the program has increased services, Pius XII has been able to offer college placement and support; a 12-week occupational skills training program and a pre-GED program located at the organization's Marie Smith Academy. These later services were major and exciting expansions and were made possible through core funding support provided by the Pinkerton, Clark and Tiger foundations with a large Workforce Investment Act grant.

In 2004, Pius XII expanded to include a new collaboration, serving as a partner with the City University of New York (CUNY) at their new CUNY Prep Program. This program uses a similar set of strategies in reaching and supporting youth who have dropped out or are on the verge of dropping out. Utilizing intensive academic and support services, students find pathways to either return to high school or complete a GED.

Today, Pius XII serves nearly 450 students per year in three different sites. The current range and scope of education and training services of the **What Now...?**

Program is displayed in the sidebar. Its success is demonstrated by the outcomes for its clients this year: In the past year, **Now What...?** Has

- Assisted 98 students in obtaining their GEDs
- Assisted 25 students in entering college and maintained a 100% freshman retention rate
- Assisted 106 students in finding employment.

reports

Growing Up is Harder to Do

Frank Furstenberg, Jr. Sheela Kennedy, Vonnie C. Mcloyd, Ruben. G. Rumbaut and Richard A. Settersten, Jr.

Contexts, Vol. 3, Issue, 3, pp. 33-41, 2004, American Sociological Association

Between Adolescence and Adulthood; Expectations about the Timing of Adulthood, Frank Furstenberg, et.al. The Network on Transition to Adulthood and Public Policy, Working Paper No.

1 www.ssc.upenn.edu/~fff/adulthood.html

According to Members of the Interdisciplinary Network on Transitions to Adulthood, funded by the John D. and Catherine T. MacArthur Foundation, it takes much longer today to make the transition to adulthood than any time in American history. In fact, according to these researchers, adulthood no longer begins when adolescence ends, nor can Americans expect to be self-supporting before the end of their twenties, largely due to the complexity and difficulties of a highly competitive labor market.

Furstenberg, et. al. describe survey results of opinion data they have collected indicating contemporary attitudes on the nature and timing of adulthood. While many Americans believe that the transition to adulthood will begin in late teens and early 20s, demographic data indicate a very different trajectory, and one

darkly different for individuals in poorer households and/or those with histories of reliance upon public programs.

The growing demands on young Americans (17-24 years old) to gain skills and credentialing for the future comes at a time of curtailed government support, placing a heavy burden on families. Those from families with means see early adulthood as a time to figure out what they want to do. They may proceed directly to college, travel or work for a few years, or do community service. Yet, even with privileged families, more than any other time in recent history, parents are stepping in to sustain young adult children. Two thirds of young adults in their twenties receive economic support from their parents.

Almost half of Americans do not have those options, making them highly vulnerable and requiring them to shuttle back and forth between work and school to gain a foothold on financial independence. The least privileged, consisting of 10 to 15 percent of young adults, may have no family support at all, may come out of the foster care system, exit special education programs or jails and prisons. These young adults most at-risk may not gain a foothold in the economy at all. This is emerging as a major public policy concern.

According to the authors, “the timetable of the 1950s is no long applicable. It is high time for policy makers and legislators to address the realities of the longer and more demanding transition to adulthood.” The Network recommendations include “efforts to increase educational opportunities, establish school-to-career paths;” programs to help students who cannot access postsecondary education; expansion of military and alternative national service as bridges to the labor force, and the creation of special programs targeting those young adults coming out of public programs in mental health, education and foster care.

Out of School, Out of Work ... Out of Luck? Disconnected Youth in New York City Mark Levitan, the Community Service Society

A report soon to be released by the Community Service Society explores trends in school enrollment and labor force participation among New York City's 16 to 24 year-olds. Looking back to the late 1980's and comparing New York to the national scene, it finds both progress and emerging problems. For females, trends are positive; more youth are in school and a growing proportion of school youth are either working or actively seeking employment. Males, by contrast, have suffered significant setbacks since the onset of the recession in early 2001. Longerterm trends for males are also troubling. Since the mid-1990s there has been no increase in the proportion of male youth who are enrolled in school. There has been a long-term deterioration in labor force participation among males who are out of school. Rates of labor force participation and employment are particularly low for young African American males.

To obtain a copy of the report, email mlevitan@cssny.org or look for it at www.cssny.org.

Annie E. Casey Foundation - KIDS COUNT DATA BOOK

June 2004 www.aecf/kidscount/databook/

The 15th annual KIDS COUNT Data Book released in June 2004 by the Annie E. Casey Foundation reports that national trends in child well-being are moving in a positive direction. However, an alarming trend is emerging among American youth. Over 4 million youth face a difficult road to successful adulthood. Profiling "disconnected youth" in an extensive introductory essay - Moving from Risk to Opportunity - the report finds that the number of disconnected youth is roughly fifteen percent of all 18 to 24 year olds nationwide.

According to the essay, "Since 2000 alone, the ranks of these young adults grew by 700,000, a nineteen percent increase over just three years." The data counts show that specific subgroups make up the most at-risk youth in this older age group. They are largely ones who have been failed by public programs. They are

youth who are in the foster care and the juvenile justice systems, young parents and youth who never finished high school.

Connected by 25: Improving the Life Chances of the Country's Most Vulnerable 14-24 Year Olds Michael Wald and Tia Martinez

Stanford University, William and Flora Hewlett Foundation Working Paper, November 2003 www.hewlett.org

Connected by 25... identifies the most vulnerable young people between 14 and 25 years old (dropouts, youth offenders, foster youth and unmarried teenage mothers), and describes their mostly unsuccessful efforts to reach support that can connect them to a productive adult life. According to Wald and Martinez, over the last twenty years between four and six million young adults (ages 18-24) have been out of work at any given time. However, specific cohorts of youth: dropout, youth in justice systems, foster youth and unmarried teen age mothers, have a great risk of being disconnected long term from any support that can sustain them. Alternatively, among non risk-groups, ninety percent of four million fourteen year-olds will have a minimally successful transition to adulthood buttressed by positive social support from middle school to high school, some to college, and some to employment. Those who are “disconnected,” on the other hand make up the:

- Five to seven percent (200,000 to 300,000) who will reach 25 and will not have transitioned to adulthood. 60 percent will be men and 40% will be women.
- Almost 100 percent of women age 25 who have started families, but without means, Education or employment enough to provide for their children.

The report offers an extensive set of recommendations for a young adult system of support (support for youth after 18 years old), beginning with basic education, changes in foster care, changes in youth criminal justice and utilization of community colleges as reconnection venues. According to the report, all resources are in need of improving their practices for this age group. The key to change is “accepting public responsibility.”

The Time is Now: Building One System for New York’s Emerging Workforce
Developed by the Young Adult Taskforce Available in January 2005

Available from [wbloomfield@civicstrategies.org](mailto:w bloomfield@civicstrategies.org)

A task force comprising representatives of government, funders and not-for-profits developed this paper about the nature of the challenge to better prepare young adults for the workforce.

Sponsored by the Clark Foundation, the paper describes the opportunities provided by a consensus of leaders in New York City, the nature and scale of the population of young adults, and makes recommendations about program and systemic approaches that might be effective in helping them transition to productive adulthood.



WHO ARE THE YOUTH AT RISK OF BECOMING UNEMPLOYED YOUNG ADULTS?

Like tens of thousands of other young adults in New York City, Margarita and Gregory represent a largely ignored group of older youth. Rather than growing into self-sufficient adults—workers, entrepreneurs, community leaders, and engaged citizens—they emerge as frustrated young adults dependent upon costly state and municipal services. Their personal loss is staggering, and the fiscal and social costs to communities and the city are enormous.

¹ For purposes of this newsletter older youth refers to 16 to 24 year olds who are at risk of dropping out of high school or who have already dropped out and are

unable to find steady employment. Precise data describing the youth who meet this broad definition are difficult to find because policymakers and government agencies do not traditionally view these young adults as a discrete cohort in need of support or services. However, the contours of this population are clear, and the size and depth of their need suggest it is time to recognize these older youth as a group in need of thoughtful public investment.

There are over thirty five million 16 to 24 years olds in the United States.² New York City is home to just under a million.³ While most of these young people will grow into young adults with jobs, families, and friends, many will not make the transition easily or successfully. Most will experience obstacles along the way and rely upon the guidance and financial support of family, friends, and communities. Others will not have that assistance, and reach 25 unable to support themselves.

Notes Annie E. Casey Foundation, *Moving from Risk to Opportunity*, 2004 Kids Count Data Book, Baltimore, MD., 2004, p. 12 Sum, A., Kjatiwada, I., Pond, N., & Trub'skyy, M., with Fagg, N., Palma., S. *Left Behind in the Labor Market: Labor Market Problems of the National's Out-of-School, Young Adult Populations*. Boston, MA: Center for Labor Market Studies, Northeastern University, November 2002.

³ Supplementary Survey Summary Tables, US Census Bureau

⁴ M.Wald and T. Martinez. *Connected by 25: Improving the Life Chances of the Country's Most Vulnerable 14-24 Year Olds*, Stanford University, November 2003.

⁵ Sum, A., Kjatiwada, I., Pond, N., & Trub'skyy, M., with Fagg, N., Palma., S. *Left Behind in the Labor Market: Labor Market Problems of the National's Out-of-School, Young Adult Populations*. Boston, MA: Center for Labor Market Studies, Northeastern University, November 2002.

6 The Annie E. Casey Foundation. 2004 Kids Count Data Book, Baltimore MD, 2004, p. 50.

7 Roughly 70% or 32,173, of the youth without high school diplomas were reported as unemployed or not in the labor force in the 2000 U.S. Census.

8 Annie E. Casey Foundation, Moving from Risk to Opportunity, P. 12

9 Bob Herbert, New York Times, July 19, 2004, p. A17, quoting a study by Andrew Sum at the Center for Labor Market Studies at Northeastern University.

10 PCT033, Sex By Age By Educational Attainment For The Population 18 Years, 2001 Supplementary Survey Summary Tables, US Census Bureau

11 2004 Kids Count, p. 129

12 The graduation rate increases to 70% after an additional three years for obtaining a diploma or a GED. Division of Assessment & Accountability, NYC Department of Education. Flash Research Report #6, An Examination of 4-Year Cohort Graduation and Dropout Rates for the Class of 2001 and Final School Completion Outcomes for the Class of 1998 in the New York City Public Schools, May 2, 2002.

13 According to the 2000 Census, 64 percent of those with a GED were working, 79 percent of high school graduates and 93 percent of those with an Associate's degree or higher. Wald, p.7.

14 Wald, p. 7.

15 Occupational Outlook Handbook, Bureau of Labor Statistics,

<http://www.bls.gov/oco/home.htm>

16 Andrew Sum, Leaving Young Workers Behind, National League of Cities Special Report, 2003

17 2004 State of the States, www.Stateline.org, p. 39 (Accessed November 5, 2004).

Additionally, 90,000 recently have left foster care and another half million children live in homes under state supervision. These youth fall into one of six categories: out of-school (and no GED); parent(s) incarcerated; receiving welfare; leaving incarceration; runaway or homeless; or leaving foster care.

18 Executive Summary of the White House Task Force for Disadvantaged Youth: October 2003; Appendix D, www.ncfy.com/disadvantaged/index.htm (Accessed November 03, 2004)

9 Philip Kaufman, Jin Y. Kwon, and Christopher D. Chapman, Dropout Rates in the United States: 1999, NCES 2001-022 (Washington, DC: U.S. Department of Education, National Center for Education Statistics, 2000), 19. (Note: In some states and localities, this percentage is substantially higher.)

20 Ibid.

21 Wald, p. 4.

Young Adult Lives Programs and Initiatives Research Reports Poems by Young People

Young Adults in New York City The Youth Development Institute/ Fund for the City of New York

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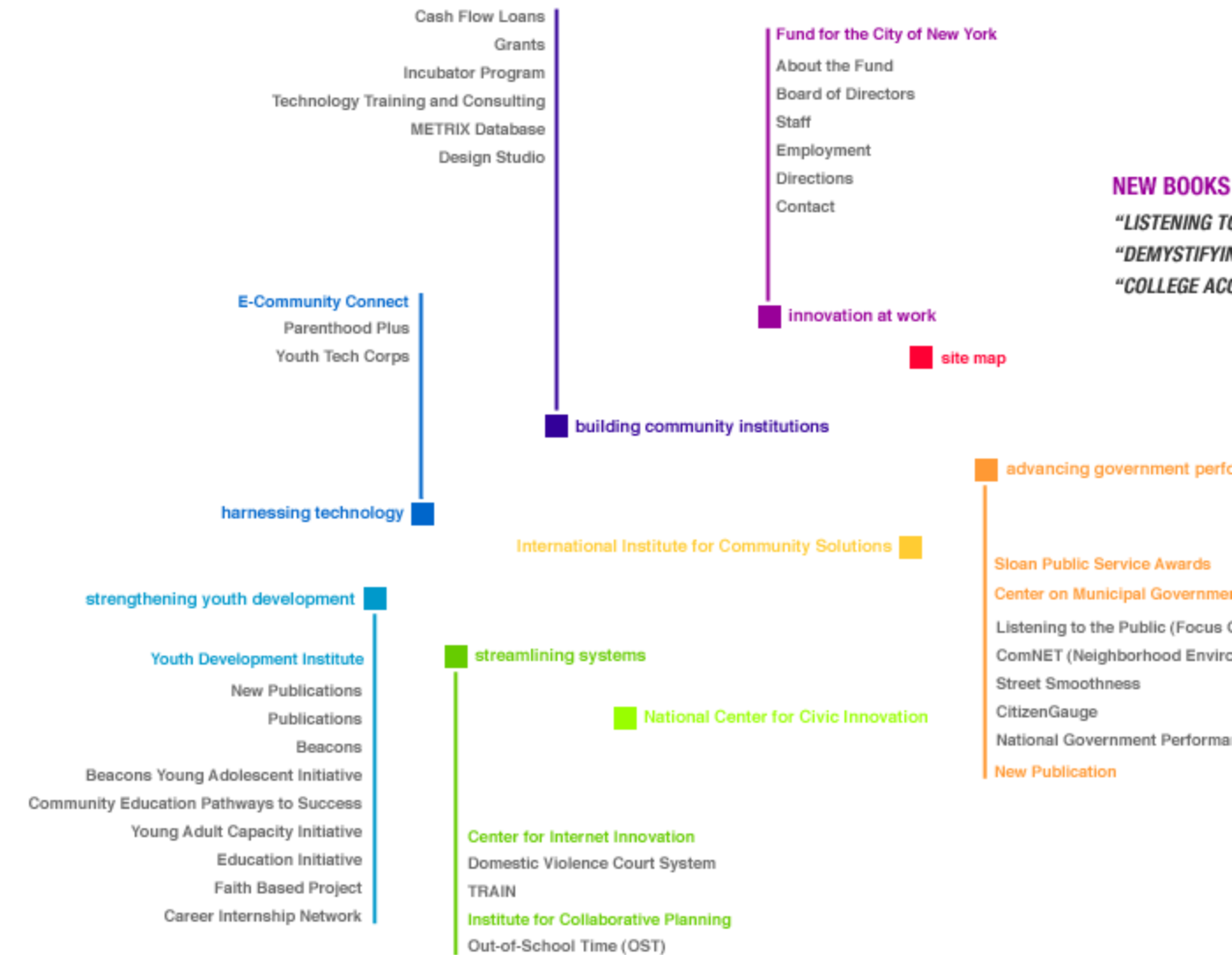
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■ THE CAREER INTERNSHIP NETWORK



Professional Development for Member Career Internship Programs Serving New York City Youth

The Career Internship Network (CIN), a program of the Youth Development Institute/Fund for the City of New York, comprises more than twenty New York City institutions with established internship programs for adolescents that provide exposure to, understanding of, and experiences in potential careers. Members include museums,

libraries, botanic gardens, parks, hospitals, business improvement districts and arts, science and social service organizations.

CIN provides professional development for staff of member programs including workshops, structured site visits and information via the Internet. Designed in consultation with members, these experiences are designed to promote promising practices in their programs. CIN was developed by its funders and member programs.

CIN provides a dynamic, participatory network that:

- Promotes high-quality internship experiences for young people, based on youth development principles
- Guides staff in their work and the work of their programs
- Builds understanding and support among member institutions
- Provides interested young people and their families or guardians, teachers, guidance counselors, community organization staff and others with information about internship opportunities
- Raises awareness among policymakers, funders, employers and others about the value of internships in the lives of young people

Visit CIN at www.careerintern.org.

CIN is supported through the generosity of the Clark and Pinkerton Foundations. The CIN Advisory Council comprises: The Clark Foundation, The Pinkerton Foundation and the Youth Development Institute/Fund for the City of New York.

■ BEACONS YOUNG ADOLESCENT INITIATIVE

Beacons Young Adolescent Initiative (BYA) is a four year project that seeks to improve outcomes for young people ages 9 to 14 by increasing their participation in high quality activities in the after school, evening and weekend hours. The initiative is being implemented in two cities: New York and a second city with multiple Beacon sites.

Beacons are comprehensive programs operated by community-based organizations (CBOs) with the involvement of school, family and community organizations, located in public schools.

Young adolescence is a time of special opportunity and vulnerability. Research has shown that participation in out-of-school time programs has significant benefits for young people, but that many youth, as they enter adolescence, reduce their attendance. Still others, who are most of need of these services, do not participate at all. Investments by government and private funders in non-school hour programs offer the possibility of improved outcomes for young people. However, low attendance significantly reduces the benefits of participation and thus the value of these investments.

YDI will identify and work with nine Beacons, building more effective practice through technical assistance and training as well as small incentive grants. Lessons learned will be disseminated nationally through an advisory council and targeted publication and presentation. The initiative will draw upon exemplary practice and research to increase participation, engagement and retention of young people, including those who do not currently participate.

Another important outcome of the project will be to increase capacity of YDI and other youth development intermediaries to improve practices of organizations that serve young adolescents.

Initiated in 2006, the project has received core funding from the Atlantic Philanthropies.

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■ YOUTH DEVELOPMENT INSTITUTE

The Work of the Youth Development Institute

The Youth Development Institute works in New York City and nationally to build policies, programs and practices of youth development. The focus of YDI's work is on the youth programs and classrooms where young people interact with youth workers, teachers and others. YDI helps adults who work with youth create environments that youth find caring, engaging and challenging and in which young people work as partners with adults. Through its work, YDI seeks to bring together family, school and community in order to create coherent and supportive environments for young people.

YDI conducts research, provides technical assistance and disseminates information to strengthen the quality and increase the availability of positive developmental opportunities for young people. It works with communities, government, funders and the institutions that serve youth—schools, community organizations and collaborations among organizations. YDI also enhances the craft of youth work by developing programs and systems to support the professional growth of those who work with youth.

Organizations, policy-makers and others are supported by YDI in the design of programs, the development of guidelines and the provision of funds. This assistance strengthens the application of youth development practices.

Support for YDI comes from sources such as foundations, corporations, banks, and other charitable organizations. Contributors include: Altman Foundation • Lily Auchincloss Foundation, Inc • Booth Ferris Foundation • The Louis Calder Foundation • The Annie E. Casey Foundation • ChevronTexaco Foundation • The Citibank Community Fund • The Clark Foundation • The Edna McConnell Clark Foundation • Ford Foundation • Bernard and Alva Gimbel Foundation • The William T. Grant Foundation • The John A. Hartford Foundation, Inc. • Charles Hayden Foundation • William Randolph Hearst Foundations • Institute for Community Peace • W.K. Kellogg Foundation • New Visions for Public Schools • The New York Community Trust • Open Society Institute • The Philanthropic Collaborative • The Pinkerton Foundation • Daniel and Joanna S. Rose Fund • The Wallace Foundation • WB11 Fund/McCormick Tribune

GENERAL RECOMMENDATIONS AND CONCLUSION

According to helpingamericasyouth.gov there were “73 million children under age 18 in the United States, 900,000 more than in 2000. This number is projected to increase to 820 million in 2020²⁰.”

Parents and family are the first human encounters that a child has and as such, become the most influential factor in the formative years of a child. Essentially, infants are born with a clean slate. Their young minds have no cognizant formation of life and the parents and family begin the introduction to life process as the child grows and moves from stage of development to another. Thus, the relationship that is forged between parent, family and child, becomes the only yardstick for the child to measure the essence of life and humanity by. Parents help a child to develop a foundation that will guide their lives for a very long time.

It has been proven that children that have loving, supportive and “²¹satisfying relationships with their parents are more likely to do well in school, be academically motivated and engaged, have better social skills, and have lower rates of risky behavior than their peers. According to Henrich et al, “²²Teens who believe that their parents cared about and supported them were less likely to be exposed to weapon violence or to commit violence with a weapon.” Ackard, D., et al states that, “²³Youth who have positive relationships with their parents, meaning they perceive their parents as caring,

²⁰ Federal Interagency Forum on Child and Family Statistics (2006).

²¹ Moore, K.A., & Zaff, J.F. 2002.

²² Henrich, C.C., Brookmeyer, K.A., & Shahar, G. 2005.

²³ Ackard, D., Neumark-Sztainer, D., Story, M., & Perry, C. 2006.

value their parents' opinions about serious decisions, and feel that they can talk to their parents about problems, are less likely to use alcohol or drugs, attempt suicide, have low self-esteem, or use unhealthy strategies to control their weight". The list goes on in favor of positive parental relationships and healthy domestic lifestyles.

Our global society as we know it will continue to experience the devastating effects of a youth generation gone out of control, if there is no intervention in place to nurture and assist children before they fall into the unhealthy negative trap. There are so many dynamics that provide the underpinning of unhealthy lifestyles. Poverty and the depredation of war are two significant dynamics that foster a negative and harmful environment.

Some have observed that unhealthy and dysfunctional behaviors begin to manifest very early, and in most cases once a child has reached 7 or 8 years of age (which is about the 3rd grade), they begin to 'act out'. This is the time intervene. Waiting only allows the self-defeating and destructive behavior to establish a strong foothold in the child's life. This makes it more difficult to reverse the unwanted behavior and fosters an environment conducive for other negative factors to develop.

The parents in need should also receive the necessary support that will engage them in the process of either creating or restoring a healthy domicile. If this is done early in a child's life, that child will have the benefit of a solid foundation to replace the

dysfunctional one. He or she will have the opportunity to have their negative life averted, and make an entrance into the juvenile justice system unnecessary.

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Electronic Resources

Fund for the City of New York 2008. www.FCNY.org
<http://fcny.org/portal.php/sitemap/search?query=pathways>

<http://www.courtinfo.ca.gov/programs/cfcc/programs/description/delproj.htm>

<http://www.fightcrime.org/ny/rep/jjdist.pdf>

www.helpingamericasyouth.gov

http://ojdp.ncjrs.org/jjbulletin/9810_1/intro.html

http://www.ncjrs.gov/html/ojdp/jjbul2000_04_5/intro.html

http://www.youthtoday.org/publication/article.cfm?article_id=33

APPENDICES

A.



Feb 5, 2008

West's Encyclopedia of American Law | Gangs

The rise in gang violence since the 1980s caused lawmakers to seek a variety of methods to curb the formation and activities of these gangs. According to statistics from the National Youth Gang Center, more than 24,500 gangs, consisting of more than 770,000 members, exist in about 3,330 cities in the United States. Congress spends as much as \$20 billion per year in HEALTH CARE costs treating victims of gunshot wounds, and many of the incidents involving guns also involve street and other types of gangs.

A gang is sometimes difficult to define, especially in legal terms. Although gangs typically involve a congregation of individuals, primarily young males, certainly not all congregations or informal gatherings of young individuals constitute gangs. Definitions of gangs or street gangs vary among the laws governing them. Alabama law, for example, defines a "street gang" as, "[Any combination, confederation, alliance, network, conspiracy, understanding, or similar arrangement in law or in fact, of three or more persons that, through its membership or through the agency of any member, engages in a course or pattern of criminal activity." Ala. Code § 13A-6-26 (2002).

Congress, state legislatures, and municipal governments have responded to the growing tide of gangs by considering a variety of bills addressing gang violence. Although efforts at the federal level have largely been unsuccessful, many states and municipalities have enacted laws designed to deter gang-related violence. Several of these statutes and ordinances have been fashioned as anti-loitering statutes, which often raise [FIRST AMENDMENT](#) concerns. The U.S. Supreme Court in 1999 made it more difficult for municipalities to draft gang loitering ordinances when it found that an ordinance such as this in the city of Chicago was unconstitutional. *City of Chicago v. Morales*, 527 U.S. 41, 119 S. Ct. 1849, 144 L. Ed. 2d 67 (1999).

Background

Activities of gangs predate the formation of the United States, though the common perception of these gangs has changed over time. The level of violence among street gangs is a relatively new phenomenon. Because different organizations and individuals define the term gang differently, accurate statistics are often difficult to compile. Many of the crimes committed by gangs are violent crimes, including [HOMICIDE](#). Moreover, many of the gang members are juveniles or young adults.

According to the 1999 *National Youth Gang Survey*, 90 percent of gang members are male. Seventy-one percent of these members are between the ages of 15 and 24, and 16 percent are age 14 or under. About 79 percent of the gang members, according to this survey, are Hispanic or black, while only 14 percent are white. Because of the large discrepancy in the number of minorities, some commentators have suggested that young minority males are unfairly stereo-typed, leading to [RACIAL PROFILING](#) of groups consisting of these young minority males.

Until the late 1980s, public and law enforcement agencies perceived gangs as racially and ethnically segregated, loosely organized fighting groups. However, a 1988 study of two major Los Angeles gangs, the Crips and the Bloods, showed that these gangs had become highly organized and entrepreneurial. These gangs had begun to engage in drug trafficking and had expanded their operations to multiple cities and states. As the gangs' interest in drug trade increased, so too did the level of violence perpetrated by their members. Between 1984 and 1993, the number of homicides committed by juveniles increased by 169 percent, representing a sharp increase in the number of gang-related crimes. Gang membership also increased markedly during this time. Between 1989 and 1995, the number of students reporting a gang presence at their school increased from 15 to 28 percent.

In response to the concerns caused by gang violence, several states and cities enacted statutes and ordinances designed to address street crime. In 1988, California enacted the Street Terrorism Enforcement and Prevention Act (STEP Act), Cal. Pen. Code §§

186.20–.33 (2001). Since that time, at least 28 other states have enacted similar legislation. Cities with traditional gang strongholds, such as Chicago and Los Angeles, enacted a series of ordinances that enabled law enforcement to take a more proactive approach in fighting street gangs in those cities.

Boston, which experienced the most number of homicides in its history in 1990 due in large part to gang violence, initiated a community-based strategy designed to target at-risk youth before they considered joining a gang. It also developed strategies for youth intervention and enforcement of [GUN CONTROL](#) laws. Due to this initiative, youth homicides dropped 80 percent from 1990 to 1995. Similarly, Salinas, California, experienced a 200 percent increase in the total number of homicides from 1984 to 1994. After receiving federal funding, the city improved its anti-gang task force and developed a series of additional programs. As a result of these programs, gang related assaults decreased by 23 percent, and the homicide rate fell by 62 percent.

Federal Law

In his 1997 state of the union address, President BILL CLINTON requested that Congress "mount a full-scale assault on juvenile crime, with legislation that declares war on gangs," including more prosecutions and tougher penalties. The same year, Congress considered two bills under the title Anti-Gang Youth Violence Act of 1997 (S. 362, H.R. 810, 105th Cong.). Despite initial support for this legislation, which would have provided \$200 million in funding for local programs, neither bill passed through its respective committee.

Although Congress has been unable to enact comprehensive anti-gang legislation, other federal law and actions of federal authorities have been used in the effort to curb gang violence. Federal prosecutors have relied upon the RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS (RICO) statute to prosecute gang members. In the 1990s, the number of RICO prosecutions against gang members more than doubled. Federal authorities have also assisted local law enforcement through a variety of funding programs. For example, in February 2003, the Los Angeles City/County Community Law

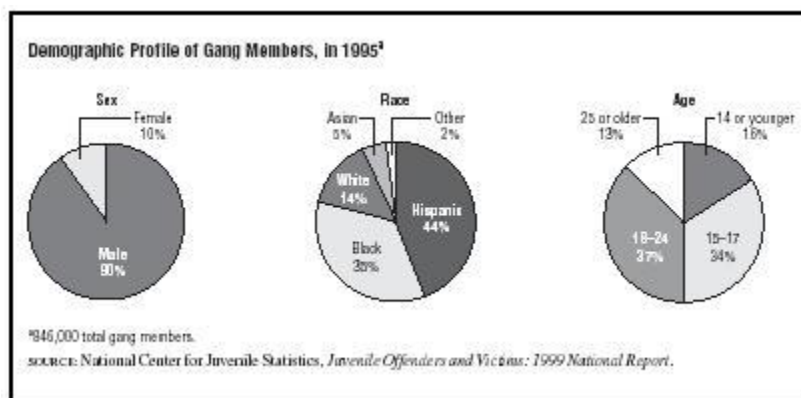
Enforcement and Recovery (CLEAR) anti-gang program received \$2.5 million in federal funding for its efforts in reducing gang-related violence.

State Law

State legislatures have approached the problems related to gang violence through the enactment of a number of different statutes. Due to rulings by the courts within the various states, some legislatures are more restricted than others in enacting these types of legislation because of potential violations of state constitutional provisions.

Gang Participation A number of states proscribe participation in criminal street gangs, though these statutes vary from state to state. In Georgia, for instance, it is unlawful "for any person employed by or associated with a criminal street gang to conduct or participate [in such a gang] through a pattern of criminal gang activity." Ga. Code Ann. § 16-15-4 (1998). Likewise, in Texas, a person commits an offense "if, with an intent to establish, maintain, or participate in a combination of or in the profits of a combination of or as a member of a street gang, he commits or conspires to commit" one of several crimes, including violent crimes or distribution of controlled substances. Tex. Pen. Code Ann. § 71.02 (Vernon 1997).

Gang Recruitment Several states make it a crime for a person to recruit another to join a



criminal gang. In Florida, an individual "who intentionally causes, encourages, solicits, or recruits another person to join a criminal street gang that requires as a condition of membership or continued membership the commission of any crime" commits a third

degree felony. Fla. Stat. Ann. § 874.05 (1999). In Kentucky, an individual who solicits or entices another person to join a criminal gang is guilty of the crime of criminal gang recruitment. Ky. Rev. Stat. Ann. § 506.140 (2000).

Gang-Related Apparel A number of states permit schools to prescribe a dress code, and several of these states specifically allow the schools to prevent gang members from wearing their gang apparel at the schools. For example, under New Jersey law, "a board of education may adopt a dress code policy to prohibit students from wearing, while on school property, any type of clothing, apparel, or [ACCESSORY](#) which indicates that the student has membership in, or affiliation with, any gang associated with criminal activities." N.J. Rev. Stat. § 18A:11-9 (1999). Tennessee law allows similar restrictions for students in grades six through twelve. Tenn. Code Ann. § 49-6-4215 (1998).

DO ANTI-GANG LAWS VIOLATE THE CONSTITUTION?

The national aversion to gangs has sparked debate over FIRST AMENDMENT rights of gang members versus citizens' safety at home and on the streets. Anti-gang injunctions and the enactment of anti-gang loitering ordinances are the two most prominent legal weapons currently employed against gangs. Critics of these efforts, most notably the [AMERICAN CIVIL LIBERTIES UNION](#) (ACLU), contend that these initiatives violate the First Amendment's right of free association. Defenders of anti-gang initiatives reply that society's rights to peace and quiet and to be free from harm outweigh the gang members' First Amendment associational rights.

Critics reject the idea that public safety allows the government to tell citizens they may not associate with each other. As long as citizens are not committing a crime, the state cannot tell them not to stand on a street corner together or walk down the street. The Supreme Court has recognized that FREEDOM OF ASSOCIATION is on par with [FREEDOM OF SPEECH](#) and [FREEDOM OF THE PRESS](#).

The Court has allowed municipalities to require permits for parades, sound trucks, and demonstrations, in the interest of public order. However, the courts have been careful not to abridge the right of unpopular assemblies or protests. In 1977, the largely Jewish

suburb of Skokie, Illinois, enacted three ordinances designed to prevent a march through the city by the American Nazi Party. The ACLU sued the city, and a federal court ruled that Skokie had violated the First Amendment by denying the Nazis a permit to march (*Collin v. Smith*, 578 F.2d 1197 [7th Cir. 1978]).

Critics of anti-gang laws also argue that just because gang members are unpopular to a large segment of society does not give society the right to restrict their right to association. Why, for example, should the [KU KLUX KLAN](#) be allowed to march through an African-American neighborhood while persons in that neighborhood cannot congregate on a playground to talk or play sports?

Critics believe there are better alternatives to controlling illegal gang activity than loitering laws and community injunctions. The ACLU contends that anti-gang injunctions do not work and may even make things worse. The resources of law enforcement are concentrated in one area, causing the shift of criminal activity into other neighborhoods. In addition, arresting a gang member for violating a loitering ordinance will not change the underlying dynamic of gang activity in urban areas. Critics argue that these anti-gang efforts are a cynical, political ploy that has more to do with creating a tough-on-crime appearance than with effective law enforcement.

As an alternative, critics would emphasize community policing, increased resources for law enforcement, and efforts to improve the economic status of urban areas. They note that crime prevention and effective enforcement of criminal laws will do more to make a community safe than telling a suspected gang member to leave a street corner. In time, they believe, both the public and law enforcement will realize that solid, everyday police work produces better results.

Defenders of anti-gang initiatives contend that although First Amendment rights should be protected as much as possible, no constitutional right is absolute. In the case of gangs, the violence and criminal activity in certain parts of urban areas have reached a stage where normal law enforcement techniques do not work. Although the ACLU may say that individual rights must be protected, such a claim rings hollow when a gang can take

over a neighborhood through violence and intimidation and yet evade law enforcement. In a crisis situation, additional steps must be taken to restore public confidence in the police and local government.

Restricting gang activity is not unconstitutional, argue defenders of the laws, because the Supreme Court has made it clear that no group of persons has the right to associate for wholly illegal aims. Moreover, associations engaging in both legal and illegal activities may still be regulated to the extent they engage in illegal activities. Defenders emphasize that the mere existence of an association is not sufficient to bring all that association's activities within scope of the First Amendment. Therefore, nonexpressive gang activities can be regulated.

Defenders also emphasize that injunctions and loitering ordinances are constitutional because they serve significant, and often compelling, government interests by reducing the threat to public health and safety caused by gang activities. They note that in the case of an [INJUNCTION](#), gang members are free to conduct their expressive activities outside of the geographic area defined in the injunction. Thus, the injunction is likely to be upheld because it is narrowly tailored.

Though defenders believe these anti-gang initiatives will become important weapons for law enforcement, they acknowledge the danger of guilt by association. They believe, however, that this problem can be avoided if law enforcement officials adhere to constitutional standards in determining who should be subjected to anti-gang provisions. Judges must also carefully review evidence for each defendant to make sure the person has not been unfairly prosecuted.

Despite criticisms leveled by the ACLU and others, proponents of anti-gang laws adamantly support their use. While some of these initiatives may prove ineffective, law enforcement should be given the chance to test new ways of addressing destructive elements within their communities. Modifications can be made, and new initiatives plotted, but proponents insist that the law is necessary to protect the health and safety of citizens.

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Enhanced Penalties for Gang-Related Activities Some states now allow courts, including juvenile courts, to enhance the sentences of individuals convicted of gang-related activities. In Illinois, if a juvenile age 15 or older commits an offense in furtherance of criminal activities by an organized gang, then a juvenile court is required to enter an order to try the juvenile as an adult under the criminal laws of the state. 705 Ill. Comp. Stat. § 405/5-805 (1999). An organized gang under the statute is defined as "an association of 5 or more persons, with an established hierarchy, that encourages members of the association to perpetrate crimes or provides support to members of the association who do commit crimes."

Local Ordinances

Municipalities have enacted a variety of measures designed to curb gang violence. Some ordinances contain provisions similar to state statutes. For example, the city of Albuquerque, New Mexico, enacted an anti-gang recruitment ordinance to protect its citizens from the fear, intimidation, and physical harm caused by the criminal activities of gangs. The ordinance provides a laundry list of offenses that are considered gang crimes and prohibits individuals from recruiting members to join criminal street gangs.

One of the most common forms of municipal ordinances aimed at reducing gang activities appears in the form of anti-loitering laws. The use of these laws to reduce unwanted elements within a city has a long history. Many cities have enacted such laws

to allow police to arrest vagrants and others deemed to be menaces to society. Several cities adapted these laws to apply specifically to gang members. However, some courts have determined that these laws are unconstitutional either on their face or as applied to particular defendants.

Local governmental entities have also enacted public [NUISANCE](#) laws designed to allow local law enforcement to enjoin criminal activities. Like the anti-loitering ordinances, these laws have come under attack on a variety of constitutional grounds.

Constitutionality of Anti-Gang Laws

Laws aimed specifically at prosecuting members of gangs have come under attack due to a variety of constitutional theories. Anti-loitering laws have been challenged on several grounds, including First Amendment prohibitions against vagueness and overbreadth, [FOURTH AMENDMENT](#) proscriptions of unreasonable SEARCHES AND SEIZURES, and constitutional provisions that prevent the government from punishing individuals merely because of their status.

Vagueness has been the primary reason why the Supreme Court has determined that anti-loitering statutes have been unconstitutional. In *Coates v. Cincinnati*, 402 U.S. 611, 91 S. Ct. 1686, 29 L. Ed. 2d 214 (1971), the Court determined that an ordinance prohibiting people from assembling on a sidewalk in such a way that it would be annoying to passersby was unconstitutionally vague because its application was based on sole discretion of police officers to determine what was "annoying." One year later, in *Papachristou v. City of Jacksonville*, 405 U.S. 156, 92 S. Ct. 839, 31 L. Ed. 2d 110 (1972), the Court held that an ordinance which encouraged [ARBITRARY](#) and erratic arrests was also unconstitutionally vague. Likewise, in *Kolender v. Lawson*, 461 U.S. 352, 103 S. Ct. 1855, 75 L. Ed. 2d 903 (1983), the Court held that a California statute that allowed police to arrest individuals who could not show credible and reliable identification and account for their presence at a particular location was unconstitutional due to vagueness.

The Chicago City Council in 1992 enacted the Gang Congregation Ordinance that prohibited loitering among criminal street gang members at any public place. The ordinance allowed police officers to order any group of individuals who were congregated "with no apparent purpose" to disperse if the officer believed one of the group was a street gang member. In three years, Chicago police issued more than 89,000 dispersal orders and made more than 42,000 arrests under the ordinance.

In *City of Chicago v. Morales*, the Supreme Court, per Justice JOHN PAUL STEVENS, determined that the ordinance was unconstitutional due to vagueness for two primary reasons. First, according to the Court, the ordinance failed to provide fair notice of prohibited conduct. Noted the Court, "It is difficult to imagine how any citizen of the city of Chicago standing in a public place with a group of people would know if he or she had an 'apparent purpose'" under the ordinance. Accordingly, citizens, even those who appeared in public with a gang member, were not provided fair notice of the type of conduct proscribed under the ordinance. Second, the ordinance failed to provide minimum guidelines for enforcement. The determination of whether individuals were standing around with no apparent purpose was based on the discretion of the officer.

After the 1992 gang ordinance was declared unconstitutional the city of Chicago enacted a second Gang Congregation Ordinance in 2000. The second ordinance authorizes police to command gang members to disperse when they are congregated on streets for the purpose of establishing control over certain areas of the city.

Other efforts to curb gang violence have been ruled constitutional. In *People ex rel. Gallo v. Acuna*, 929 P.2d 596 (Cal. 1997), the city of San Jose successfully requested an INJUNCTION against local gangs based on violations of state public nuisance laws. The gang members brought suit, challenging that both the statute and the injunction violated the First Amendment. The California Supreme Court determined that neither the injunction nor the statute violated the gang members' associational rights and that the gang members' conduct qualified as a public nuisance under the statute. Several cities in California have sought and received temporary and permanent injunctions against local gangs preventing the gang members from congregating in public places.

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B.

Proven Interventions Will Cut Crime and Save Money

Fight Crime: Invest in Kids *New York*

Fight Crime: Invest in Kids *New York* is a project of **Fight Crime: Invest in Kids**. **Fight Crime: Invest in Kids** is a national, bipartisan, nonprofit anti-crime organization. The national organization has a membership of more than 3,500 police chiefs, sheriffs, prosecutors, other law enforcement leaders and violence survivors. The members take a hard-nosed look at what works — and what doesn't work — to prevent crime and violence. They then recommend effective strategies to state and national policymakers.

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Fight Crime: Invest in Kids New York

The good news is that, nationally, *6 in 10 juveniles brought before a juvenile court for the first time will not return to court on another charge.* However, some youth come back repeatedly. Too many New York juveniles are well on their way to becoming chronic, violent criminals. One study looked at those New York juvenile delinquents whose crimes were serious enough or frequent enough that they had been placed in state custody. It found disturbing results: “For males and females combined, *75 percent were arrested [again] for a felony or misdemeanor, and 42 percent were arrested for a violent felony.*”

Nothing will make juvenile crime totally disappear. But research from Missouri, Ohio and elsewhere shows that, if fully implemented, *the reforms New York State is beginning to put in place can eliminate 4 out of 10 or more of the repeat crimes now committed by juvenile delinquents.*

What the Research Shows

Research has identified several effective approaches that help young delinquents avoid committing additional crimes. Here’s what works:

1. The most serious and troubled juveniles in custody need effective interventions to become productive citizens instead of career criminals. Missouri found that by moving teens who need confinement from large, impersonal institutions to smaller facilities and helping them learn to control their anti-social behaviors, reconviction rates within three years of release could be cut 40 percent below the rates experienced in New York State. In Wisconsin, seriously troubled juveniles who did not receive a specialized mental health intervention while in custody were three times more likely than similar youths to commit violent crimes when released.

Chicago found that, when its most dangerous violent offenders returned home to one high-crime area of the city after serving their sentences, a carrot-and-stick program helped cut homicides in those neighborhoods by almost 40 percent. This approach combines increased law enforcement supervision of the offenders, expedited return to custody if needed, and expedited access to jobs, substance abuse treatment or other services. The same approach has worked with juveniles in Boston, Philadelphia and many other cities.

2. Use intensive foster care as an alternative to lock-up for less dangerous juveniles.

Many delinquents in custody who are not in high-security lock-up would re-offend less if placed in intensive foster care. Strict, specially-trained, foster parents ensure these medium-

risk teens learn how to avoid criminal behavior while their parents are being trained to use the same methods to keep their children on track and away from crime when they leave foster care and return home. Research shows this approach can cut new crimes in half. There are currently 30 intensive foster care homes in the Bronx and 20 upstate. Hundreds more are needed.

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3. Combine community sanctions with effective interventions as an alternative to out-of-home placement for many youth.

Many young delinquents committing serious or repeated crimes may not need placement outside the home. Along with the typical sanctions the courts are likely to impose on them, such as probation, curfews, and community service, if the troubled youth receive proven interventions, such as Cognitive Behavioral Therapy and Family Therapy, that effectively change their negative patterns of behavior the youth can be diverted from expensive custody and still commit fewer new crimes than if they are placed in custody. Those approaches, beginning to be used throughout New York, teach young people becoming involved in crime the social skills they need to sharply reduce further aggression, substance abuse or other criminal behavior.

4. Reduce pretrial detention for low-risk juveniles following arrest.

Data show that nationwide six out of 10 teens brought before courts are unlikely ever to return on new charges, yet many of them wind up being held in pretrial detention. *One way to help finance effective interventions for juveniles who are more violent or chronic criminals is to reduce the unnecessary—and expensive—warehousing in pretrial detention of arrested young people who are not a high risk to their communities.* This can be accomplished by using evidence-based screening tools coupled with alternative interventions. New York City and some upstate counties have already begun reforming how they handle children brought in for running away or other charges that would not be crimes if committed by adults.

5. Collect data and increase accountability.

Florida and Washington State systematically collect data on juvenile and adult repeat offending and use that data to increase accountability in their states. *New York needs the legal framework and funding to support similar data collection and analysis so policymakers will have the information they need to replace failing approaches with effective efforts that cut crime.*

Save Money by Cutting Crime

Analysis shows that research-based approaches for cutting juvenile aggression and substance abuse problems reduce current custody costs and future crime so much they can save an average of \$15,000 to \$75,000 per delinquent. RECLAIM Ohio redirected moderate-risk juvenile delinquents to community sanctions and interventions. Those left out of the interventions offended 5 times more often, costing on average \$47,000 more per delinquent. New York City reported that, in 2005, its initial efforts to redirect youth had already saved \$18 million simply by cutting the number of youths in state custody. The real savings will come from cutting future juvenile and adult crime because the criminal justice cost for juvenile and adult crime in New York State is over \$4 billion every year, and that figure does not begin to account for the costs to victims.

Making New York Safer

The 300-plus members of Fight Crime: Invest in Kids New York are convinced by the research and their own experience that change is necessary. They are discouraged that they are arresting a few kids over and over again. The most important message is probably the simplest: when deciding how to invest wisely in stopping juvenile crime use science, data collection, and accountability to guide policy. Investing in what really works to prevent crime will produce

both huge savings and safer streets.

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Introduction

Fight Crime: Invest in Kids *New York* is an anti-crime organization led by more than 300 law enforcement leaders—police chiefs, sheriffs and district attorneys—and survivors of crime. Most of the survivors are parents of murdered children. Crime requires punishment. Punishment may be placing a young delinquent in custody or, depending on the crime, imposing a range of other tough sanctions. The bottom line is that New York residents must be safe walking the streets. Research shows, punishment alone will often not be enough; troubled teens will need help to stop their aggression, substance abuse, or other antisocial behaviors. It is usually not too late to change antisocial patterns of behavior. Sanctions that include strict and effective interventions can direct anti-social and dangerous juveniles onto a different path that will make New York safer.

The Problem

New York law enforcement is working hard to make sure offending juveniles are arrested. Almost 50,000 juveniles are arrested every year.¹ The most dangerous are put in custody. But New York is currently facing a problem with disastrous consequences for public safety. Police, prosecutors and sheriffs find themselves arresting, prosecuting, and housing some of the same kids again and again. Approximately 2,500 juveniles are held in custody after their trial.² After they are released, 75 percent of these juvenile delinquents are re-arrested within three years.³ These rates indicate that New York is failing its young people and endangering its communities.⁴ The cost of the system is staggering. The price for a juvenile placed in the custody of the New York Office of Children and Family Services is \$125,000 over 10 months⁵, and in New York City, it costs over \$200,000 to hold a juvenile in custody for a year.⁶ By contrast, the State University of New York reports that typical expenses for tuition and room and board are about \$17,000 a year. In addition, repeat crime results in massive economic and human costs for enforcement, loss of property, and loss of life. The researchers who provide cost of crime estimates to the Justice Department conclude that the total criminal justice costs of juvenile and adult crime for taxpayers in New York State is over \$4 billion. That figure does not include the even larger costs that accrue to crime victims.⁷ Maintaining a broken juvenile corrections system is clearly not cost-effective, and it does not effectively serve troubled kids or protect our communities. High rates of repeat offending among incarcerated youth are the warning signs that we are not effectively correcting criminal behavior; that troubled kids with mental health problems are not being properly identified and treated; and that kids who serve time are not being adequately monitored and provided with proven interventions that reduce their anti-social behavior when they return to their communities.

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* Technically, youth in New York State charged with a crime have a hearing on the facts, not a trial, but the more commonly understood term, trial, is used in this report.

Proven Interventions Will Cut Crime and Save Money

Who is doing most of the crimes?

Any analysis of juvenile crime in New York must keep in mind two key points:

- **Most juveniles arrested for the first time do not go on to be arrested for additional crimes.**

Nationally, 6 in 10 juveniles brought before a juvenile court for the first time will not return to court on another charge.⁸ And most are not detained pretrial or held following trial because their crimes are minor: of the almost 50,000 juvenile arrests in New York State in 2001,⁹ there were approximately 15,000

admissions into detention facilities pretrial;¹⁰ and following trial, 2,500 juvenile delinquents were in state custody in 2005.¹¹ This report will show how those numbers for juveniles held in detention pretrial or in custody following trial could be reduced further while cutting additional crimes, but most juveniles' contact with the juvenile court system does not involve detention or custody and is not ongoing.

• The small number of juveniles who are serious delinquents do not usually stop committing crimes when they turn 16.

In New York State, young people aged 16 and over are charged as adults, as are some younger teens who commit very serious crimes.* The repeat offending rates among the serious young delinquents processed through the juvenile justice system — the approximately 2,500 a year who are in juvenile justice custody — show that most of those young offenders are not learning to change their ways and far too many are on their way to becoming chronic criminals as adults. A 1999 study of repeat offending found disturbing results. Among the juvenile delinquents committed to state custody in New York State, “for males and females combined, 75 percent were arrested [again] for a felony or misdemeanor, and 42 percent were arrested for a violent felony.”¹² A number of changes have been instituted in many localities throughout New York since 1999 to bring those numbers down, but much more can and should be done to reduce repeat offending by the small proportion of juvenile delinquents who are on their way to becoming chronic, serious, or violent offenders.

Academic research and the first-hand experience of law enforcement professionals confirm that serious violence is confined to a small minority of young people. For example, in the mid-nineties, criminologist David Kennedy carefully studied violence in Boston and found that, “Even in dangerous neighborhoods, only a tiny minority, fewer than one percent of the juveniles and young adults, were caught up in the violence.... They were involved in drug dealing street groups and enmeshed in shooting disputes with other chronic offenders. Most of the violence was not about the drug business, but about respect, boy/girl matters and standing vendettas, the origins of which were unclear even to the participants.”¹³ This report will begin by focusing on what works with juveniles who pose the greatest risk to their communities.

What works with the highest-risk young offenders

While they are in custody

There is no question that some young offenders 15 and under need to be placed in secure juvenile facilities because of the high risk they will repeat their dangerous crimes. In 2005, New York courts placed nearly 2,500 juvenile delinquents in custody. Many of those 2,500 could be more effectively served by community interventions instead of lock-up — as described below. But others will still need to be in custody, and merely warehousing high-risk young offenders during their time in custody is not adequate. They need to do the hard work of confronting and changing their anti-social beliefs and behaviors. If we use approaches proven by research to accomplish this, then high-risk young offenders are more likely to return to their communities less dangerous than when they went into custody. Research shows that the best results in reducing crime are achieved by targeting the more serious young offenders. The reason why is straightforward: one cannot prevent most low-risk juveniles from committing more crimes because they were not going to do more crimes

Getting Juvenile Justice Right in New York

Nationally, 6 in 10 juveniles brought before a juvenile court for the first time will not return to court on another charge. However, among the serious offenders committed to New York State custody as juveniles, 75 percent were arrested again for a felony and 42 percent were re-arrested for a violent felony.

* In New York those younger youth are known, technically, as juvenile offenders, while all other juveniles processed through the juvenile court system are known as juvenile delinquents. But in this report we will use the term young offenders at times in the less technical way to refer to all young delinquents, not just those juveniles processed as adults.

Fight Crime: Invest in Kids *New York*

anyway. But high-risk delinquents are very likely to commit more crimes and more serious crimes. Therefore, any progress achieved with higher-risk juveniles results in very meaningful reductions in future crime. Two states have implemented reforms targeted towards those young offenders. Missouri has reformed how it handles juvenile delinquents in state custody and produced positive results. Wisconsin also has achieved impressive results with a specific intervention targeted to juveniles in custody who have serious mental health problems.

Missouri

In 1994, Missouri began replacing its large juvenile corrections facility, known as a training school, with smaller facilities closer to the communities where the young offenders lived. Fulton Treatment Center, which opened in 1997, has become the prototype for Missouri's reforms. It uses an open-dorm model within a locked perimeter fence that guarantees security for the surrounding community. The facility has 33 beds, and the very carefully chosen staff members work constantly with the young offenders to ensure they address their problems with aggression, substance abuse, or other anti-social behaviors. Staff members are not the only ones teaching the teens new social skills and holding them accountable for their behavior. The other juveniles, in groups of 10 to 12, are enlisted through group meetings and individual interactions throughout the day to ensure that everyone learns to behave appropriately. These troubled teens are not just doing their time. By working together, they are also learning how to change their lives. A special team tracks their activities when they return to their communities to make sure they stay out of further trouble.¹⁴ States collect data differently on re-arrests, reconvictions, and additional incarcerations and they collect the data over different periods of time, making it hard to compare results across states. Missouri does have reconviction data that can be compared to similar New York reconviction data. The three-year reconviction rate for juveniles leaving Missouri's juvenile custody system is 37 percent.¹⁵ That rate is 40 percent lower than the closest comparable New York three-year reconviction (not arrest) rate of 62 percent for juvenile delinquents leaving state custody.¹⁶ (New York's re-arrest rate is 72 percent.) Unlike many states, New York does not have very large facilities for its juvenile delinquents so it will not have to build many smaller facilities in order to adopt Missouri style reforms. But if Missouri-style reforms are adopted, New York should phase in reforms in order to make sure the reforms are being properly implemented. Renovated facilities that are more like dormitories may be needed and staff members need to be fully trained to follow the approach Missouri uses for working with young offenders.

Wisconsin

Some of the most troubled teen boys in Wisconsin state custody who had failed their other placement were transferred to the Mendota Center to receive special help in changing their behavior. The center is located within a high-security state mental health institute. In their prior placement, the behavior of most of the troubled teens had been in a spiral downward during which sanctions were imposed repeatedly for negative behaviors. Each time sanctions were imposed, the young offenders became antagonistic and responded with more negative behaviors. By using skilled mental health staff members, instead of corrections officers, the center was able to stop this downward spiral and connect with these very troubled teens. Then the staff began teaching them how to control their aggressive, anti-social behaviors. Similar to what was discovered in Missouri, Dr. Gregory Van Rybroek, the director, reported that finding the right staff who can bond with the young offenders was essential, as was being able to combine enhanced security with continued training of youth in changing their behaviors.

¹⁷

Missouri Reforms Cut Crime

State data from MO and NY

Missouri

New York

The percent of juveniles held in state custody who are released and return to a state juvenile facility within three years **62% 37%** One evaluation of the intervention matched 101 teens going through the Mendota center with 101 similarly troubled teens in the regular juvenile corrections system.

Within an average follow-up period of 53 months after their release, teens who had not been in the center were charged with twice as many offenses per person and had more than three times the number of violent offenses per person as teens who were treated at the center. ¹⁸ Another analysis of the Mendota Center intervention compared the serious young offenders at Mendota to another similar group of 147 other seriously troubled offenders in state custody and followed them upon release over a period of 54 months. None of the 101 offenders from the center committed a homicide during that follow-up period, but 10 of the 147 offenders in the control group were charged with murder. A total of sixteen people were killed by the 147 young offenders not going through Mendota.¹⁹ More research is needed to confirm that this approach can be replicated elsewhere with similar results. These results, however, appear to provide further strong evidence that the negative behaviors of even very troubled juveniles can be changed, improving the safety of New York communities.

When they return home

Even if they serve substantial time, dangerous juveniles at high risk of committing more violence usually end up back in their communities for their crimes. This can be a danger to the safety of their neighbors if they receive little or no supervision and assistance to avoid more crime. A combination of intensive police supervision, expedited sanctions for repeated violence, community pressure, and expedited access to jobs, drug treatment or other services — a carrot-and-stick approach — has shown in a number of cities that it can cut homicides among violent juveniles in high-crime neighborhoods.

Chicago copied and further refined the carrot-and stick approach for turning violent young men's lives around that was first developed in Boston for use with juvenile and adult gang members. In Chicago's use of this approach, violent offenders returning from prison were called into a meeting where a team of police officers and prosecutors explained the "stick." The young men on parole were being carefully watched and were facing expedited and severe sanctions if they committed another violent offense, especially one involving a gun. Then they heard about the "carrot" from former gang members who had successfully turned their lives around and social service providers who offered expedited access to services. As Andrew Papachristos of the University of Chicago explained, if the parolees needed drug treatment or a job (if necessary, a government-subsidized job), they were told, "You can sign up now and start Monday." ²⁰ In the most rigorous research to date on this carrot-and-stick method, this approach was tried in a group of west side Chicago neighborhoods with a population of nearly 8,000 residents. The neighborhoods had a long history of high levels of homicide. The research was done under the auspices of the federally-funded Project Safe Neighborhoods (PSN). Meanwhile, another set of neighborhoods in the south side of Chicago with a similar, though less serious, history of homicides served as the control group because there was not enough funding initially to do this carrot-and-stick approach citywide. In the carrot-and-stick area there was a 37 percent drop in quarterly homicide rates following the offender notification meetings of PSN while the decline in homicides in the other neighborhood during the same period was 18 percent. ²¹ A similar carrot-and-stick approach was originally tried with gang members in Boston. David Kennedy, then at the Kennedy School at Harvard and now at John Jay College of Criminal Justice in New York City, explained that their coalition of law enforcement leaders, local religious leaders, street mentors, and service providers "used

Wisconsin Intervention Reduces Repeat Crimes

Caldwell, Vitacco, & Van Rybroek 2006

Mendota Center juvenile offenders

1.09

2.49

Very troubled juvenile offenders who were not treated at a secure mental health facility in Wisconsin averaged more than twice as many total offenses after release, and more than three times as many violent offenses, as those who received treatment.

0.25

0.85

Similar juvenile offenders in Wisconsin Mendota Center juvenile offenders. Similar juvenile

offenders in Wisconsin **Violent offenses per juvenile offender All offenses per juvenile offender**

Getting Juvenile Justice Right in New York

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enforcement as sparingly as possible, and combined it with services and the moral voice of the community.” Kennedy found that, “After adjusting for existing trends, youth homicide (victims ages 24 and under) went down by two-thirds.” When replicated in Indianapolis, homicides went down quickly by 34 percent. ²² In Philadelphia, a similar targeting of young offenders on probation or parole—those who were most likely to “kill or be killed”—was implemented in three police districts. An evaluation showed that homicides decreased by between 32 and 62 percent in those districts. Since that data were collected, homicides have gone up overall in Philadelphia, and two of the districts where the programs are operating have also seen recent increases, but the increases have been slower than citywide. In the other district where the program operates, homicides have continued to go down. ²³ The Chicago effort was specifically targeted at violent offenders returning to their neighborhoods from adult prison, whether they entered custody as teenagers or adults. However the experience of Boston, Philadelphia and other cities show that the most dangerous juvenile delinquents, not just young adults, should also be targeted for carrot-and-stick style sanctions and interventions. This approach has also been successful in medium-sized cities, such as Baton Rouge, La. and Stockton, Calif. ²⁴ Sustaining a team focus is essential. Indianapolis has a paid staff member to ensure their team stays together and their meetings with high-risk juveniles and adults continue. ²⁵ Unfortunately, in Boston, as the coalition of law enforcement, service providers, and community leaders broke up over time, homicides started going back up. ²⁶ Currently, there are several carrot-and-stick approaches in operation across New York State. For example, Nassau County has been targeting gang members since January 2006 with both community intervention and prevention strategies that capitalize on the “moral voice” of the community. In 2005, before the program began, Nassau County had 7 gang related homicides. After the program was instituted, Nassau County reported 4 gang related homicides in 2006. ²⁷ 0 20 40 60 80 100 PSN/Offender Notification Areas Control Group Areas The Rest of the City Homicide rate per 100,000

Project Safe Neighborhood included increased federal prosecution for gun crimes and used offender notification meetings and increased services—a carrot-and-stick approach—that sharply brought down homicides in the west side Chicago neighborhood where it was tested. Homicides also dropped, but not as fast in a similar south side control neighborhood and city-wide.

The Carrot-and-Stick Approach Cuts Homicides

1982 1984 1986 1988 1990 1992 1994 1996 1998 2000 2002 2004 Year PSN Begins
Papachristos, Meares & Fagan, 2005

Getting Juvenile Justice Right in New York

What works with medium-risk offenders

Who need out-of-home placements

The prior section discussed what to do with the highest-risk, most violence-prone juveniles. However, many juvenile delinquents aged 15 and under in New York have been placed in state custody or are being held following trial in local facilities even though they are not at high-risk of committing violent crimes. In New York City, four out of ten beds for juvenile delinquents (188 of 461 beds) are for juveniles held in what are called group-care facilities instead of secure facilities. Upstate, 6 out of 10 beds for juveniles are in group-care facilities (337 of 564 beds).²⁸ This section will explore what works with many of those juveniles held in medium- or low-level-security facilities to reduce their future involvement in crime. The Missouri approach to juvenile facilities was discussed above as a solution for the most serious young offenders. Missouri also follows the same model at its less-secure facilities. These facilities, located throughout the state, are aimed at reducing repeat crimes among juvenile delinquents who do not need high-security confinement, but who do need intensive help to change their criminal behaviors. The Missouri

model should be considered as one option for how to more effectively deal with less-dangerous juvenile delinquents who cannot remain in their homes.

Another option for many of these young offenders is individual placement in a Multidimensional Treatment Foster Care (MTFC) home instead of with other delinquent juveniles in a county or state facility. For teens who are often used to running the streets, a month in custody may become a chance to socialize with other young offenders and learn new criminal behaviors. In contrast, the MTFC approach creates a highly controlled environment and is a very tough intervention with constant monitoring and appropriate sanctions. The foster parents are carefully chosen and trained, and usually only work with one child at a time. When young offenders come into their homes, the youngsters are initially not allowed to leave their sight during waking hours. They must earn the right to be alone those first few days. Then they must attend school regularly, carrying a card each day for their teachers to sign. Teachers from every period must sign the card, noting whether the students showed up and behaved appropriately. Eventually, the youngsters can earn opportunities to interact with positive peers outside of school, but negative behaviors quickly result in the loss of those privileges. Meanwhile, a professional works with each teen to train them in the social skills they need to avoid fights or situations that can lead to further crime. While the child is living in this very controlled environment for six months to a year, his or her parents are being trained to take over and establish and enforce the same rules and expectations when their child returns home. ²⁹ Treatment foster care is more effective at reducing future arrests than placement in a group home. Research shows the MTFC approach successfully cuts the average number of arrests for seriously delinquent juveniles in half (2.6 arrests per teen vs. 5.4 arrests), and six times as many of the boys in MTFC as boys in a group home successfully avoided any new arrest (41 percent vs. 7 percent). ³⁰ MTFC can also be an option for young offenders reentering their communities after state or city custody if they do not have stable homes to return to. At a treatment foster care home, young offenders leaving custody can learn the skills they will need to stay out of trouble as they return to school or seek employment. And their parents will receive the training they need to continue this process once their children transition fully back home. MTFC is becoming more widely used in a number of states, including New York. Yet there are currently only 30 MTFC beds in the Bronx and 20 MTFC beds upstate.³¹ Hundreds more beds are needed because there are over 500 group-care (non-MTFC) beds for juveniles in custody statewide and many of the kids filling those beds would commit fewer crimes if they were placed with MTFC instead.

³² Boys in Foster Care with Specially Trained Foster Parents vs. Group Homes are One-sixth as Likely to Have any More Arrests

Percent of youths re-arrested at least once **41% 7%** Boys in group home Boys in Multidimensional Treatment Foster Care

Blueprints for Violence Prevention

For MTFC to work in counties with smaller populations of delinquents, the counties may have to develop partnerships with neighboring counties to cost-effectively arrange for the training, supervision, and support that is needed for MTFC foster families.

Who may not need custody

Six counties in New York are exploring placing many juvenile delinquents in interventions instead of custody — it worked in Ohio.

There are times when the nature of the crime or crimes committed simply demands that a juvenile be sentenced to state or city custody following trial. In other situations though, court-ordered alternative sanctions that do not include custody may actually work better to reduce future crime. If, in addition to the usual probation measures such as community service and curfews, a judge also orders participation in a carefully structured intervention, juveniles can be taught to avoid crime by adopting new social skills, attitudes and beliefs. Six counties in New York State — Albany, Nassau, Orange, Rensselaer, Schenectady, and Suffolk — are currently exploring an initiative that would take more of their juveniles who are at low- or moderate-risk of endangering their community and shift them into probation with strict sanctions and effective community

interventions, such as family therapy, instead of placing them in custody. By keeping these youth in their homes or in special foster homes, whenever that can be done safely, the interventions that are part of this initiative help the young offenders and their families to gain control of their troubled behaviors so they can avoid further involvement in crime. With initial guidance from Dennis Maloney, who was an innovative juvenile justice reformer from Oregon who had advised other states and localities on similar efforts, these New York counties are working collaboratively on this initiative. It is known as Reform New York, and has been moving forward under the auspices of the New York State Council of Children and Families and the New York State Community Justice Forum. New York City has also been moving forward with a similar effort, called Redirect New York, designed to keep troubled kids out of custody and to use effective interventions whenever possible (see chart, page 22 On reforms underway in New York City).

There is strong evidence that this approach of redirecting juvenile delinquents to effective interventions will save money and cut crime. The analysis of a similar effort in Ohio, called RECLAIM Ohio, found that diverting low, moderate, and in some cases even high-risk juveniles to community sanctions with effective interventions in place of custody successfully cut future crime. The data collected by Christopher Lowenkamp and Edward Latessa, professors at the University of Cincinnati, showed that, if low-to moderate-risk delinquents were placed in local custody and not in a community RECLAIM intervention, they returned to custody upon release at five to seven times the rate of juveniles in the RECLAIM interventions. RECLAIM also worked better for many lower-risk youth in state custody, not just those in local custody. ³³ It is important to note that this approach should not be directed to the “very high-risk” delinquents. The RECLAIM researchers found that the very highest risk juveniles — teens with a combination of current felonies, prior felonies and at least three referrals to the courts starting before age 14 — should not be diverted to community interventions because they committed more crimes over time than if they were sent to RECLAIM instead of to state custody.³⁴ But for low- medium- and even some high-risk delinquents, RECLAIM reduces crime better than placing kids in custody. Any New York counties considering adopting this approach should therefore continue to send the “very high-risk” delinquents to state or local custody.

Risk assessments are essential

The RECLAIM results clearly showed the importance of taking into account a juvenile’s risk of committing more crimes. Decisions on where delinquents will serve their sentence and what services they need to avoid future crime should be carefully informed by scientifically valid risk assessments. To its credit, New York’s Division of Probation and Correctional Alternatives (DPCA), which helps counties provide probation services throughout the state, spearheaded development of a risk assessment tool known as the Youth Assessment and Screening Instrument (YASI). YASI is based on a well respected risk assessment instrument developed in Washington State.³⁵ It looks not only at the number and nature of crimes committed, as was done for assessing RECLAIM, but also at the juvenile’s personal history and the strengths and weaknesses of the support systems the young offender can rely on to stay free of crime. DPCA has been promoting the use of YASI as part of its ongoing efforts to increase the use of evidenced-based practices to cut crime. The YASI instrument is currently used in 54 of 57 New York State jurisdictions and will be used in all counties except New York City by the end of 2007.³⁶ New York City, with the help of the Vera Institute of Justice, is currently developing its own Risk Assessment

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Instrument (RAI).³⁷ DPCA and others are helping to ensure that judges and other court personnel are taking full advantage of the YASI findings when making their sentencing or probation plans for individuals. YASI or the RAI will never reach their full potential to prevent crime unless there are also a range of effective interventions in place where young offenders can be directed for treatment.

The wisdom of using scientifically-tested interventions

The best way to ensure that streets will be safer is to rely on sanctions and interventions proven by the best methods of scientific testing. It is common practice now in the medical sciences to randomly assign half the people in a test to receive a medicine while the other half received placebos. In juvenile justice research this is done by randomly assigning half the juveniles to receive a new intervention and the other half to receive the usual services they would otherwise receive. Then the researchers monitor crime data over time to see which group commits more crime. There is now solid evidence emerging from a growing number of such randomized controlled trials that shows what works. Two general approaches, in particular, have been shown to reliably cut crime: Cognitive-Behavioral Therapy (CBT) and the related Family Therapy. In short, the first one gives troubled teens the tools they will need to behave responsibly, and the second approach gives parents the tools they will need to regain control of their kids, keep them off the streets, and steer them away from crime.

Cognitive-Behavioral Therapy teaches teens to control their aggression or stop using drugs

Cognitive-Behavioral Therapy for teen offenders is an approach, not a specific intervention. It was developed from original research on what works to help many people, not just youths involved with crime or drugs, to change their undesirable behaviors or to cope with depression. When applied to delinquent juveniles, the researchers found that many young offenders have developed thinking, beliefs, and behaviors that repeatedly land them in trouble. They often misinterpret others' benign actions as threats. Many troubled juveniles approach challenging situations as victims, feeling they are hated and unfairly blamed.³⁸ CBT interventions use tested methods to teach teens to "stop and think before acting, to consider the consequences of their behavior, to conceptualize alternative ways of responding to interpersonal problems and to consider the impact of their behavior on other people, particularly the victims."³⁹ By learning what triggers their own negative behaviors and by identifying and practicing more socially acceptable

10
20
30
40
50

RECLAIM Interventions Local Custody 4% 29% 8% 40% 22% 43% 44% 37%

Low-risk offenders Medium-risk offenders High-risk offenders Very-high-risk offenders Ohio's RECLAIM Community-Based Interventions Cut Re-Offending Among Most Juvenile Offenders

Percent of juvenile offenders returning to custody Note: while the data in this graph only refers to diversions from local custody, similar results were achieved by diverting youth from state custody. Lowenkamp & Latessa, 2005

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Cognitive Behavioral Therapies (CBT) Results

Aggression Replacement Training (ART)

At under \$1,000 per juvenile, this CBT intervention that targets aggression is a relatively low-cost intervention for teens on probation or in custody.¹¹⁴

Motivational Enhancement Therapy & Cognitive Behavior Therapy (MET/CBT)

This intervention is for outpatient use with substance-abusing teens.¹¹⁶ Offenders leaving a New York State Division of Youth (now known as OCFS) facility were almost three times more likely to have been arrested within 6 months of release if they did not receive ART services while in custody than if they did (43 percent vs. 15 percent).¹¹⁵ The average number of days in a year that persons who successfully complete an outpatient substance abuse treatment intervention are drug free increases by 25% to 35% if they receive MET/CBT (251, 256, and 269 days drug free in three trials of MET/CBT vs. 200 drug free days in an average outpatient treatment intervention).¹¹⁷ and effective ways to respond, CBT consistently reduced repeat crimes among both juveniles and adults.

A recent review by Mark Lipsey and Nana Landenberger from Vanderbilt of 58 CBT randomized

controlled trials and other careful trials found that, on average, the re-arrest rate among the adults or juveniles in CBT was 25 percent less than for those not in a CBT intervention. And the CBT interventions using the most effective configurations—programs that treated delinquents at higher risk of committing more crimes, were implemented well, and included anger control and interpersonal problem solving—reduced re-arrest rates by 50 percent.⁴⁰ CBT can be successfully used with juveniles as an alternative to custody following trial, while they are in custody, or with juveniles returning home from custody. Many different providers have delivered CBT services, and as long as what they provide faithfully applies the CBT model, the research by Lipsey and Landenberger showed it worked.⁴¹ One of the most widely used CBT approaches, Aggression Replacement Training, was tested among youths in New York State (see box). The Lipsey and Landenberger review found that CBT is one of the most rigorously tested and reliably successful interventions to be found anywhere in the social sciences.⁴²

Training families to control their troubled children

Another series of proven interventions (which typically incorporate cognitive behavior therapy as part of their set of tools) is family therapy. Family therapy is a very broadly used term that includes marriage counseling and various other interventions. But a more specific range of family therapy interventions that target young offenders with aggression and/or substance abuse problems have proven results.

Most troubled young people, even if they go into custody, will return to their families. Families play an influential role in their children's aggression or substance abuse. That influence can be either positive or negative. Many parents, who may have made many unwise decisions themselves, do not want their children to make the same mistakes. They may be poorly trained, however, in how to keep their children off the streets, out of fights, and away from drugs, especially if they live in dangerous neighborhoods. Effective family therapy typically begins by convincing families that change is possible. It usually involves teaching family members how to stop arguing with each other. Then, parents are taught how to keep better track of their child's behavior, to set clear limits, and to reinforce positive behaviors. For example, a child who has repeatedly behaved well will be rewarded with the opportunity to spend more unsupervised time with positive friends. Once parents have been given the right tools, the professionals help them practice until they are getting results on their own and their children are no longer out of control and getting into trouble. Others are brought into the process, such as extended family members, teachers, positive peers, and service providers. They can increase the quantity and quality of positive influences in troubled teens' lives, and help strengthen the parents' ability to manage their children's behaviors. Together this extended network helps embed the juveniles in a positive environment that keeps them away from drugs and crime. A number of family therapy interventions have been repeatedly evaluated using randomized controlled trials. The body of research shows that — when properly implemented — quality family therapy interventions can reduce substance abuse and repeat crimes.

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High-quality interventions and an effective staff produce the best results

Mark Lipsey and his team looked at a large number of studies of interventions to prevent juvenile delinquency that typically compared the intervention being studied to the usual services that would otherwise be available in each locality (such as simple probation, placement in a group home, or probation with individual counseling). Lipsey not only looked at whether the interventions worked better than the usual services the juvenile would be assigned to, he also looked for clues from the various studies as to why they worked. Specifically, he looked at whether the design of the interventions was weak (interventions cobbled together) or whether they were strong designs (interventions based on past scientific research and development which were then carefully tested). Lipsey also looked at whether or not a well-trained, experienced staff was implementing the program being tested. Lipsey and his team found that a weak intervention

with ineffective staff, not surprisingly, does not reduce repeat crimes compared to usual services. Interestingly, if the intervention was either strongly designed but poorly staffed, or weakly designed but well staffed, it produced

Family Therapies Results

Functional Family Therapy (FFT)

FFT is available in juvenile justice or mental health programs in 13 counties and New York City. It is for moderate to high-risk teens with delinquency, aggression and/or substance abuse problems.¹¹⁸ FFT can be used for youths on probation, in lieu of custody, or for youths returning to their families from custody.¹¹⁹

Multisystemic Therapy (MST)

Similar to FFT, MST is now, or soon will be, operating in 17 counties and New York City.¹²¹ It serves moderate to high-risk teens, though MST often serves teens more involved in drug abuse and/or crime than those served by FFT.¹²² It cut re-arrests in half in one study (26 percent vs. 50 percent) and out-of-home placements by three quarters in another study (18 percent vs. 72 percent).¹²⁰ One MST study followed juvenile offenders until they were, on average, 29 years old. Individuals who had not received MST were 62 percent more likely to have been arrested for any offense (81 percent vs. 50 percent), and more than twice as likely to be arrested for a violent offense (30 percent vs. 14 percent).¹²³

Multidimensional Treatment Foster Care (MTFC)

This family therapy intervention can be used for offenders in place of being placed in low-security custody in a group setting, or as a step-down intervention for offenders leaving custody who do not have stable families to return to.¹²⁴ There are currently 30 MTFC beds in the Bronx and 20 MTFC beds upstate.¹²⁵

Brief Strategic Family Therapy (BSFT)

This is a family therapy aimed at reducing a youth's drug use and conduct disorder.¹²⁷ MTFC cut the average number of repeat arrests per teen in half compared to boys in a group home (2.6 arrests vs. 5.4). Six times as many of the boys in MTFC as boys in a group homes had successfully avoided any new arrest (41 percent vs. 7 percent).¹²⁶ Forty three percent of youth in BSFT with conduct disorder (defiant and/or delinquent behavior) showed clinically significant reductions, while youth in group counseling with conduct disorder saw no reductions. Additionally, youth using drugs in BSFT were 3.5 times more likely to show clinically significant reductions in drug use than youth using drugs in group counseling.¹²⁸

For more information on each of these evidence-based interventions, see Appendix A.

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the same results: a 24 percent reduction in repeat crimes compared to the usual services being offered young offenders. But, if the intervention was both strongly designed and well staffed, the results were almost twice as strong: a 46 percent reduction in repeat crimes.⁴³ This table below shows that localities in New York that have not started using proven interventions for their delinquent juveniles can cut repeat crimes almost in half among eligible young offenders. Even in counties and cities already using proven interventions they can cut repeat crimes an additional 22 percentage points among eligible young offenders by ensuring the intervention is run by well-trained, experienced staff.

Advice for choosing programs

Based in part on the above research, experts in the field suggest that, when choosing which scientifically tested intervention to adopt, policymakers and administrators need to carefully consider whether they have the ongoing funding to support a particular intervention, and also whether they have the ability to recruit to their area the level of trained personnel necessary for that particular intervention. Some interventions are more expensive or require more highly-trained personnel than others. Picking an intervention with proven results that cannot be implemented well locally will get a county only half way down the road to lowered crime rates. Picking the right intervention and providing it with well-qualified and well-trained staff, however, can easily pay for itself many times over by reducing future crime.

Substance abusing teens

Drug and alcohol abuse are a huge problem among juvenile delinquents. While only six percent of young people in detention awaiting trial or delinquents in custody following their trial in New York were actually being held primarily because of drug charges,⁴⁴ the National Institute on Drug Abuse (NIDA) of the National Institutes of Health reports that, nationally, “in 2002, ... 60 percent of detained boys and nearly half of the girls tested positive for drug use.”⁴⁵ Only about one in twenty New York young people 12 to 17 years old who are abusing or dependent on drugs (beyond just those experimenting with drugs) are receiving treatment.⁴⁶ The juvenile justice system is the most common pathway for young people to receive substance abuse treatment in America. Nationally over 50 percent of the referrals for juvenile substance abuse treatment in 2003 came from the juvenile justice system.⁴⁷ One problem with getting teens into treatment, either those who have been ordered by the court to attend or those who have not, is getting them to take it seriously. The reality is that teens have even more trouble than adults in admitting they have problems with alcohol or drugs.⁴⁸ There is also a severe shortage of treatment options, especially for low-income juveniles.

Young delinquents entering the juvenile justice system should be routinely and appropriately screened for drug or alcohol problems. Michael Dennis, a national expert on adolescent drug abuse, explains that catching substance abuse early is important because “90 percent of all individuals who become dependent started using before the age of 18, and half started using before the age of 15.”⁴⁹ Appropriate questioning will differentiate juveniles who are just experimenting from juveniles who are

What works (and doesn't work) to reduce repeat crimes by juveniles
A poorly trained staff A well-trained and effective staff **24% reduction in repeat crimes**
46% reduction in repeat crimes **24% reduction in repeat crimes** **No reduction in repeat crimes compared to usual services** **A weakly-designed intervention**
A strongly-designed ¹²⁹ **intervention**

regularly abusing or actually dependent on drugs or alcohol. The juveniles who are abusing or dependent should receive effective treatment.⁵⁰ Dennis also cautions that substance abuse needs to be treated as a chronic health problem. “Seventy percent of the kids who are treated will relapse. But if you go through and treat them three or four times, 70 percent will recover,” Dennis writes.⁵¹ “To reduce the long-term costs of chronic [dependence on drugs or alcohol] to individuals, their families and society, it is important to diagnose and intervene as early as possible, ideally with adolescents and young adults.”⁵²

Drug treatment for youth in custody: An approach to drug treatment, known as therapeutic communities, has shown consistent success with adults in custody and also has been shown to work with juveniles in custody. In this approach teen delinquents play a very active role in confronting their peers' behaviors.⁵³ The approach also incorporates some aspects of cognitive behavior therapy. In one test, within 21 months after release, the drug abusing teens not receiving the therapeutic community treatment were more than twice as likely to be re-incarcerated (37 percent incarcerated vs. 17 percent) as those receiving therapeutic community treatment.⁵⁴

Outpatient drug treatment for delinquent juveniles:

NIDA has recommended that many substance-abusing young people should be directed to outpatient family therapies including FFT, MST, and BSFT.⁵⁵ Michael Dennis and his colleagues have conducted other randomized controlled trials of the most promising interventions and found that a cognitive behavioral intervention, MET/CBT, that included a motivational component, could also be effective for redirecting drug use (see graph, page 22).⁵⁶ **Assertive follow-up works after treatment:** For young delinquents leaving treatment, supportive services and— if needed— additional treatment, greatly increases the likelihood of eventual success. The Adolescent Community Reinforcement Approach (ACRA) provides assertive follow-up after treatment instead of the typical less-intensive after-care, such as simply providing directions to the local 12-step meetings for teens. It has proven results. Teens receiving ACRA were 68 percent more likely

to abstain from further marijuana use (52 percent vs. 31 percent).⁵⁷ (See Appendix A for more information on ACRA).

Many other youth do not need juvenile justice programs

Often, parents taking responsibility for their troubled youth will be enough to prevent more crime if the parents can also draw on community resources. Juvenile justice programs are not necessary for many first-time or low-level offenders. Research shows that young people who have committed a large number of crimes before being caught the first time may not find one arrest enough to convince them to stop, but for teenagers who are just starting to commit crimes, such as shoplifting, one arrest can be enough to turn them away from further criminal behavior.⁵⁸ Nationally, six in 10 juveniles who are referred to juvenile court do not return.⁵⁹ Juveniles need to learn they must pay a price for their crimes, but that price may not need to include custody or extensive interventions paid for by the juvenile justice system for many first-time delinquents. With help from local programs in their community, parents can usually step in to make sure a first time offender does not return to court on additional charges. There is a physiological reason why many teenagers break the law. Most adolescents are more impulsive, inattentive, and insensitive to the consequences of their actions than adults. Scans of adolescents' brains show their prefrontal cortex, which is the seat of rational thought and the ability to control impulses, is not fully developed until early adulthood.⁶⁰ That tendency to impulsive behavior frequently includes impulsive criminal behavior. National surveys of teens conducted from 1997 to 2001 found that 38 percent of 17 year-old boys and 30 percent of girls that age admitted having committed a petty theft.⁶¹ Another national survey conducted in 2003 found that over half of all high school seniors admitted having tried an illicit drug.⁶² Relatively minor sanctions, such as a fine or community service, may serve justice and be adequate to stop many young offenders from committing more crimes — especially if parents do their part. Restorative justice interventions are another option that recognizes how crime impacts victims and communities. These interventions allow victims to speak about the impact of the offense, and work with the offender on the best way to repair the harm. Typically this is done through agreed upon restitution or community service. Restorative justice often includes victim-offender dialogue, victim impact panels, and community-based

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accountability boards. Research shows these programs are very popular with crime victims.⁶³ At the state and local level, The New York State Community Justice Forum is the primary resource for training and technical assistance in the area of community and restorative justice.⁶⁴ If delinquent young people have other risk factors for crime or are very young when arrested the first time, it may be especially wise for parents to carefully monitor and control which peers they associate with and to enroll them in proven community programs such as Boys and Girls Clubs, Big Brothers/Big Sisters, or other interventions for at-risk youth that are not necessarily part of the juvenile justice system.⁶⁵ But, funding for the more expensive interventions described above that are provided through the juvenile justice system should be reserved for young offenders whose risk assessments show they are more likely to continue committing more crimes.

Reducing pretrial detention saves money

Changing how truants, runaways, and youth who are out of control of their parents are treated

New York City and other localities throughout the state have already begun to reform how they deal with truant youth, youth staying away from home or youth otherwise out of the control of their parents. Juveniles with these behaviors are known as Persons In Need of Supervision, or PINS cases. PINS offenses would not be a crime if committed by an adult. Prior to 2002, throughout New York State, Persons In Need of Supervision, or PINS cases were clogging up the court, detention, and out-of-home placement systems. This was true even before PINS legislation required counties to also treat 16 and 17 year olds PINS cases as eligible for supervision through

the juvenile court system. In 2003, 22 percent of all youth in out-of-home placement or in custody for delinquency statewide were PINS youth. This was far higher than what was reported for almost all other states in the country. In fact, 41 out of 50 states reported that less than 10 percent of their youths being held in custody were being held on PINS-type offenses.⁶⁶ New York City found that, with PINS reforms, PINS youth and their parents could receive assessments and services earlier and far more youths could be diverted from the courts. Since 2002, probation intakes of PINS cases dropped by more than 80 percent in New York City. The number of cases going to court was cut by more than half, and out-of-home placements for PINS are down by one quarter. That will potentially free up personnel, and funding which should be redirected to youths committing more serious non-PINS offenses. Similar reforms are beginning to show results throughout the state. For example, Orange County cut PINS cases under probation supervision by 43 percent and youth placed outside their homes by 31 percent, while Onondaga County cut PINS placements by 95 percent, from 67 cases in 1995 to 5 in 2003.⁶⁷

Reducing pretrial detention of first time and low-level young offenders

The changes underway in handling PINS cases are already reducing the number of children held in detention, but other reforms are also underway in how young offenders are being handled pretrial. Reducing the number of juvenile delinquents who are detained pretrial may not immediately reduce repeat crimes. In fact, if some high-risk young people involved in dangerous criminal behavior are not placed in detention pending trial, the number of violent offenses committed between when they are arrested and when they come back to court for trial on the crime may actually go up. However, New York City and a number of counties in New York, as well as Cook County in Illinois, and other locations around the country have found that, under the right circumstances, pre-trial detention reforms can be used to safely redirect and supervise the large number of young delinquents who are not a serious threat to their communities. Pretrial detention reforms will free up juvenile justice resources that should be redirected by policymakers into proven interventions for the more serious delinquents. If funding can be redirected to a combination of typical sanctions (custody or community service, etc.), and proven interventions to reduce the continuing criminal behaviors of the more serious delinquents, crime in New York communities can be reduced not just immediately, but for years to come. Across the United States local jurisdictions are showing they can successfully reduce the number of young people held in pretrial detention by 30 to 60 percent while maintaining public safety.

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What works to keep offenders at low-risk of committing violent crimes out of pretrial detention

Screening. Properly screening young people arrested, rather than routinely detaining them, is the most crucial step in reducing unnecessary pretrial detention. In Seattle, efforts are succeeding in diverting young people who are arrested before they are ever placed in detention. ⁶⁸ Even if youth are initially detained to wait for trial because their parents could not be found or for other reasons, an effective screening tool—such as New York State’s Youth Assessment and Screening Instrument (YASI)—can be used to divert the lower-risk youths out of detention and into other forms of supervision (discussed below) until their trial.⁶⁹ In New York State, a PINS petition is designed as a tool to help kids younger than 18 years old until they are able to make positive decisions on their own behalf. In most cases, it is more appropriate to divert these cases of truancy, running-away or other family problems to the child welfare system and community-based organizations instead of the juvenile justice system.

Reducing bureaucratic delays. Even when young people must be held pretrial, often their stay in detention can be shortened. Simple reforms such as utilizing “case expeditors,”⁷⁰ common discovery request forms,⁷¹ and quick, initial screens for mental health problems can streamline the process.⁷² When initial screens show that young offenders need a full mental health work-up, either placing the mental health clinic in the city detention facility⁷³—if the facility is in a city or county that serves enough juveniles—or simply ensuring that the mental health evaluations are expedited can reduce individuals’ time in detention and thus help reduce the total

number of young people held in detention facilities.

Timely warnings and follow-up. Juvenile delinquents often end up in detention because they miss court dates. Often, the delinquents purposely ignore the court date and a new warrant for their arrest and detention should be issued. But other times it is not that purposeful. One solution that works is to do what doctor's and dentist's offices frequently do: have court or detention staff call the juvenile's house with a reminder shortly before the court date.⁷⁴ If a court date is missed, having court personnel quickly check on why that happened may, at least in some cases, cut short the automatic process of issuing a court order and sending police out to arrest and detain the delinquent juvenile.⁷⁵

Alternatives to detention. In some localities, the only options available to authorities are to detain those accused of a crime or to send them home. Unfortunately, this can mean many juveniles at relatively low-risk of committing violent crimes end up detained before trial, wasting scarce juvenile system resources. A wider range of options would reduce the need for holding juveniles pretrial. The alternatives being used around the country include:

•**Short-term alternatives to detention placement**

allow police to get back out on the streets by dropping off juvenile delinquents with personnel who can take the time to track down the juvenile's parents or guardians instead of placing the youths directly into detention.⁷⁶

•**Parental supervision** combined with effective outside supervision using probation staff members or a community representative to ensure the young people are attending school and observing curfews.

•**Electronic monitoring** for some teens to track whether they are staying where they are ordered to be.

•**Evening Reporting Centers** are a successful innovation used by Cook County. These reporting centers are a place where teens are required to be when they are not at home or in school. The centers are especially useful in the after-school hours—the prime time for juvenile crime on school days. The centers can serve as an important location for delivering much needed support for troubled teens.

Success stories from other states

Cook County, Ill. cut its average daily population in locked detention by more than a third from 1995 to 2005 in part because of detention reforms.⁷⁷ The reformers are especially proud of the fact that 97 percent of young people directed to evening reporting centers instead of detention before their hearings are arrest free and showing up for their appointed court date.⁷⁸ In part because of detention reforms, Cook County's detention admissions decreased by 30 percent between 1989 and 2000, while **Getting Juvenile Justice Right in New York**

Cook County's detention admissions decreased by 30 percent between 1989 and 2000, while admissions went up 81 percent in the rest of

Illinois. admissions went up 81 percent in the rest of Illinois.⁷⁹ By using MST and other reforms, Cook County has also dropped the number of youth it sends to state facilities following adjudication by 44 percent — from 902 in 1997 to 505 in 2004.⁸⁰ **Santa Cruz County, Calif.** is experiencing a 95 percent success rate with home supervision and a 98 percent success rate with electronic monitoring in terms of offenders who show up for their hearings without having been arrested for any new crimes. Time spent in detention is also down: the average length of stay in Santa Cruz County's juvenile hall is now 10 days compared to a state average of 27 days.⁸¹ Juvenile felony arrests are down 47 percent from 1997 to 2004, and youths in juvenile hall have dropped 65 percent from an average of 47 per day in 1997 to 16 in 2005.⁸² By implementing community-based alternatives to incarceration following any hearing, Santa Cruz has also reduced the youth going to state facilities by 64 percent — from 104 in 1996 to 38 in 2004.⁸³

Bernalillo County, N.M. implemented pretrial detention reforms coupled with effective intervention, such as family therapy, following trial. Testifying before Congress, Dr. Ken Martinez, the State Children's Behavioral Health Director, reported that the Bernalillo County Juvenile Detention Center now has:

- **An average daily census of 65 youth held in detention, down from 140.**
- **An average length of stay of nine days, down from 33 days.**
- **A cost for community custody intervention of \$19.59 per day compared to a prior cost of \$96.37 per day for secure detention.**
- **A recidivism rate of 13 percent, down from 46 percent.**

⁸⁴

New Jersey has also experienced success in reducing the number of juveniles held in detention. In just over two years of detention and child welfare reforms, the number of juveniles held in detention in some counties dropped sharply. The reductions range from an 11 percent drop in Atlantic County to a 43 percent drop in Essex County.⁸⁵

Changes to detention for young people who are arrested are beginning in New York State

Upstate reforms catch troubled youth early and redirect them. The Vera Institute's Center on Youth Justice is very active in detention reform. They report on their website that: Vera has already provided technical assistance to those three counties and New York City and reforms are being set in place. Other counties are also interested. Vera held a symposium on juvenile detention reform in February of 2007, and top officials from 15 New York Counties attended.

New York State's Office of Children and Family Services (OCFS) has contracted with the Center to offer a program geared toward reducing reliance on detention for court-involved youth, shortening detention lengths of stay, and providing more sound outcomes for young people and their families in the community. As part of this project, we are providing strategic planning assistance to three upstate New York counties-Onondaga (Syracuse), Erie (Buffalo) and Albany and New York City.⁸⁶

The goal: not just fewer kids locked up, but fewer kids committing crimes

The goals are not simply to cut the number of kids in detention or custody as a cost-saving measure, or to give juveniles who committed real crimes an easier time prior to trial. One goal is to keep kids who should not be in the court system out of it. The other goal is to cut crime by ensuring that serious young offenders receive the interventions proven to turn many of them away from becoming career criminals. Reducing the warehousing of young people, especially prior to trial, can be an important part of efforts to cut crime if reduced costs help fund interventions for more troubled teens to keep them from harming more people. Though these efforts often require significant funding, they are far cheaper than placing juveniles back in custody. And if done effectively, they will save communities millions of dollars by keeping more juveniles from becoming adult career criminals.

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Measuring repeat offending and using it to guide decisions

As the New York City Police Department has shown with its CompStat data collection and response system, careful collection and use of data can help reduce crimes. Across the United States, the collection and use of repeat offending data on young offenders and adults is often far from adequate, and New York State has its own challenges in trying to coordinate New York City data collection systems with upstate data systems. It is essential to break through legal, bureaucratic, and funding challenges that hinder the effective collection of repeat offending data at the city, county and statewide levels. The next step is to use the data to hold facilities and programs accountable for producing better results. Better data will produce better policies. Two states are pioneers in doing this:

Washington

Washington has excellent statewide data available on repeat crimes. The Washington State Institute for Public Policy, a legislative-sponsored agency under the leadership of Steve Aos, produced a truly exceptional cost-benefit study of interventions that reduce juvenile crime and other problem outcomes.⁸⁸ The Institute analyzed more than 3,000 interventions from around the country that reduced crime and produced a cost-benefit analysis. The state has used the analysis as a guide for choosing effective interventions. The Institute then studied the results of those interventions and tested whether they worked in Washington State or not, and why. For example, its tracking found that FFT counselors who were well qualified cut repeat crimes sharply among the juvenile delinquents they served, but unqualified FFT counselors actually increased repeat crimes among the delinquents they served compared to delinquents in a control group receiving another intervention. Based on that evidence, the state legislature took the Institute's advice and now requires strong new quality-control measures in all its juvenile justice interventions for delinquents. The Institute continues to track repeat crime rates among the participants in the various interventions it has convinced the state to adopt. Aos and his team have thus developed a sophisticated continuous-improvement process that uses data and science to help the state save money and cut crime.

Florida

Florida has also developed a statewide system to mon-

RE-ENTRY AFTER CUSTODY:

Reviewing what works

Too often, when juveniles return to their communities after being held in custody they return to their old ways. Of teens committed to state juvenile custody, 75 percent are re-arrested within three years.⁸⁷ This report has already discussed in various sections what can help young offenders in custody to re-enter their communities without committing more crimes.

Key conclusions:

High-Risk Young Offenders

For the young offenders at highest-risk of committing violent crimes who are leaving custody, intensive carrot-and-stick approaches are needed.

They combine intensive law enforcement supervision with severe sanctions if necessary, as well as intensive social support and services to get these juveniles on the right path. This approach has repeatedly shown it can save lives.

Juveniles Without Stable Families

For juveniles in custody who do not have stable families to return to, Multidimensional Treatment Foster Care (MTFC) can provide a step down approach. For six to 12 months, specially trained foster parents teach the young people social skills and attitudes to help them avoid crime. At the same time, the juvenile's parents are being carefully trained to take over and follow the same system of close supervision when their child returns home.

Other Youths Returning Directly Home

Other delinquents returning directly home may need Functional Family Therapy (FFT) or Multisystemic Therapy (MST) in order to ensure they learn more productive patterns of behavior that will keep them from recycling repeatedly through the juvenile and adult criminal justice systems.

Substance-Abusing Youths

Finally, for substance-abusing youth, assertive follow-up is needed. For a juvenile who received drug treatment in custody, assertive follow-up upon release, such as provided by the Adolescent Community Reinforcement Approach (ACRA), can help ensure that relapses—which are common—do not cause a juvenile to abandon efforts to stay clean.

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itor the repeat crime rates of all its juveniles and adults who were held in custody.

Florida has a statewide risk-assessment used for each young offender based on their individual criminal and social history. (In New York, upstate counties are using the YASI tool and New York City will be using its own RAI tool).⁸⁹ Using their common risk-assessment information, Florida is able to give each facility or intervention program a report on the level of risks the juveniles in their care have for committing more crimes when they leave. Then, the statewide system has the capability to track the actual crimes committed by persons leaving those facilities or programs. This allows Florida to provide ongoing feedback to each institution. Programs can look at the risk-level of the youths they are serving and the crimes being committed by those youths when they are released and assess whether the program's efforts are meeting reasonable expectation for reducing future crime. In extreme cases, ineffective facilities or programs will be closed down and the youths transferred to more effective institutions where better crime prevention results are more likely.⁹⁰ Developing a similar system will be challenging in New York because New York City does not share much crime data with the state. The latest available state-wide analysis of re-arrests for juveniles leaving state custody is from 1999.

Cutting Crime Saves Money

The average cost statewide in New York for placing youth in custody following trial for an average period of confinement of 10 months is \$125,000 per youth.⁹⁹ By contrast, the State University of New York reports that its typical expenses for tuition room and board are about \$17,000 a year.¹⁰⁰ While reducing crime among juvenile delinquents will require some initial up-front investments in interventions that work, reducing the number of youths held in detention pretrial or in custody following trial can immediately produce savings. For example, New York City reported that, in 2005, it saved \$18 million in payments to the state juvenile justice agency, OCFS, in part by reducing placements of youth in OCFS custody.¹⁰¹ Florida found that during two years of redirecting 405 youth from county residential delinquency programs to MST or FFT community-based programs the state saved \$5.8 million by avoiding the extra costs of out-of-home placements.¹⁰² DuPage County Illinois has also used MST and FFT to cut its out-of-home placement costs from \$3 million a year in the mid-1990s to \$1 million in 2005.¹⁰³ But the real test of whether reforms produce long-term savings — or actually end up costing society more — will be whether the interventions successfully reduce repeat crimes. Each high-risk juvenile prevented from adopting a life of crime could save the country between \$1.7 million and \$2.3 million. And, the researchers who provide cost of crime estimates to the Justice Department have concluded that criminal justice costs alone in New York total over \$4 billion every year.¹⁰⁴ Florida found that, when its MST and FFT programs were implemented as planned, they reduced repeat arrests by 45 percent (FFT in Broward County) and by 48 percent (MST in Escambia County). The MST program in Escambia County also cut felony arrests by 64 percent.¹⁰⁵ Florida has not yet added the savings from reduced crime into its \$5.8 million reported savings, but Ohio did have projections for both reductions in custody and future crime costs. Ohio's RECLAIM effort cut custody costs — on average \$28,000 per juvenile — by reassigning moderate-risk young offenders to community sanctions with strict interventions. In addition, Ohio found RECLAIM produced an average of \$19,000 in savings per youth from reductions in future crime committed by the juveniles in the program. Total savings from reduced custody costs and lower crime costs averaged \$47,000 per moderate-risk juvenile re-directed to community interventions. Steve Aos and his team at the Washington Institute for Public Policy further confirmed that impressive savings

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RECLAIM Ohio Saves Money

By reducing custody costs and cutting repeat crimes, RECLAIM Ohio saves taxpayers and crime victims \$48,000 per moderate-risk juvenile offender in Community Custody. **\$17,674**

\$65,211 RECLAIM Ohio's Community Sanctions and Interventions Community Custody Lowenkamp and Letessa, 2005

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are possible in a report released October, 2006. Typically, the studies Aos and his team looked at compared the new intervention with the services youth would regularly receive. Out of their comprehensive review of evaluations — his team originally looked at over 3,000 interventions — they produced a cost benefit analysis. Many interventions tested did not produce reductions in repeat crimes or savings, and a few, such as Scared Straight, made things worse. Far too often, good intentions were not enough. But Aos and his team found that some well-tested interventions delivered very strong results, as the table below shows. These proven interventions reduced repeat crimes so effectively that they saved taxpayers and victims an average of from \$15,000 to over \$75,000 for each young offender served. In addition to the public safety imperative to better protect our communities, there is also a fiscal imperative to doing so.

Next steps in New York

An effective juvenile justice system must meet three objectives:

- **Ensure the safety of the community.**
- **Hold youths accountable.**
- **Enable youths to become capable, productive, responsible citizens.**

The 300-plus members of Fight Crime: Invest in Kids New York are convinced reform is necessary to keep juveniles from committing more crimes. Fortunately, reform is already happening in many places and in many different ways. The following reforms are needed to reduce crime:

1. Ensure that juvenile delinquents at high-risk of committing violent crimes are held in facilities that are better designed and staffed in order to teach them how to avoid more crime.

Missouri is one model for how to achieve this. Many facilities in New York City and upstate are already reasonably sized, but more needs to be done to ensure that they are following successful approaches that include training or hiring new staff so they can change, not just warehouse, troubled juveniles.

2. Provide special treatment for juveniles in custody with serious mental health problems.

Wisconsin has had success in doing this. Wisconsin's example is promising but this is an area where more research and changes are needed to ensure New York adopts the right approaches to work with juvenile delinquents who have severe mental problems. The high number of homicides committed by troubled offenders leaving custody who had not received a mental health intervention in Wisconsin demonstrates clearly why effective efforts with this special population are necessary.

3. Make sure that the most dangerous juveniles are included in carrot-and-stick efforts that provide increased supervision, expedited return to custody if necessary, and expedited access to jobs and substance abuse treatment.

David Kennedy, the researcher behind the initial effort in Boston who is now at John Jay College of Criminal Justice, is advising communities throughout the country, including Nassau, Orange, and Westchester counties in New York. He is helping them to form teams that can do a better job of dealing with the juveniles and young

What reduces crime saves money¹³⁰ Costs avoided by crime victims¹³¹ Savings to Taxpayers from crime reduction only¹³² Program Costs Net savings to taxpayers Net savings to taxpayers and victims Savings or costs per participant

Functional Family Therapy for youth on probation (FFT)	Multi-Systemic Therapy (MST)												
Multidimensional Treatment Foster Care (v. regular group care) (MTFC) ¹³³	Aggression Replacement Training (ART)	\$19,529	\$12,855	\$51,828	\$8,897	\$14,617	\$9,622	\$32,915	\$6,659	\$2,325	\$4,264	\$6,945	\$897
		\$12,292	\$5,358	\$25,970	\$5,762	\$31,821	\$18,213	\$77,798	\$14,660				

Washington State Institute for Public Policy 10/06

adults in their communities who are most likely to kill or be killed.

4. Place many medium-security juveniles who need to be removed from their homes in intensive foster care homes instead of custody.

New York City has 30 intensive foster care homes and there are 20 more upstate. But there are beds for over 500 youths in group care facilities in the state. Many of the youths held in those facilities would be half as likely to commit more crimes if they were placed in intensive

foster homes instead. The citizens of New York could eventually save an average of \$77,000 per youth from reduced crime.

5. Place other young offenders in court-ordered family therapy.

There are already 13 counties in New York using

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Juvenile Justice Reforms in New York City

PINS Reforms

PINS reforms: By using earlier assessments of youths who were truant, running away, or otherwise out-of-control of their parents – and diverting more of them away from juvenile courts to community services – New York City has cut the number of court cases in half and reduced out-of-home placements by 25 percent.⁹¹

Pre-trial Detention Reforms

Pre-trial detention reforms: In addition to better handling of PINS offenses, New York City is working with the Vera Institute of Justice to develop a new screening instrument, the RAI, and to develop a continuum of options for placing fewer youths in detention pre-trial. For example, the city is already beginning to set up reporting centers where many youths awaiting trial will report in after school and receive services in lieu of being detained while awaiting trial. New York City expects to have its risk assessment and detention reforms up and running citywide by the end of the year.⁹²

Family-Based Drug Treatment

Family-Based Drug Treatment for Juveniles: the Vera Institute of Justice is testing a new program in New York City that “treats the heaviest substance users in their homes and elsewhere in the community [rather than in custody] and intimately involves their primary caregivers in the treatment process.” It provides family counseling and behavior support. Vera reports that “initial findings are encouraging,” but longer-term results are not yet available.⁹³

Enhanced Supervision Process

Enhanced Supervision Process: The Department of Probation has a program to “divert serious cases from [state custody] when the youths do not pose a threat to community safety, but where general probation supervision appears likely to be insufficient.” The probation officers have fewer cases, meet more often with the young offenders, work closely with schools, and there is “wrap-around” funding to provide additional support services when needed.⁹⁴ Savings are already being realized through reduced custody costs.⁹⁵ Adequate data collection and analysis is needed to ensure this promising approach is indeed saving money by reducing future crime.

Esperanza

Esperanza: the Vera Institute of Justice is helping to reduce the number of juveniles in state custody by providing them and their families with family therapy and crisis management. Over four to six months, counselors provide home visits and counseling and are available in emergencies around the clock. They help families institutionalize house rules and rewards and consequences and ensure that youths receive educational assessments and services. Preliminary indications are promising, but final results of evaluations are not yet available.⁹⁶

Juvenile Justice Initiative

Juvenile Justice Initiative (JJI): The Administration for Children’s Services, which handles child welfare cases, is working with the Family Courts to divert youths from placement and custody with the State, if possible, to three of the proven family therapy programs we cite in this report: MST, FFT, and MTFC. Nine million dollars have already been directed to this effort and it currently serves 200 youth but it is expected to continue growing to serve 380 youth a year. Although these are proven programs, data should be systematically collected to ensure they are being implemented with fidelity.⁹⁷

Multidimensional Treatment Foster Care

Multidimensional Treatment Foster Care (MTFC): Along with the MTFC programs being implemented as part of the JJI effort above, Cayuga Home for Children, an experienced provider, is currently serving 30 juveniles in treatment foster homes in the Bronx.⁹⁸

Functional Family Therapy and 17 counties that already are or soon will be using Multisystemic Therapy. But the other counties should adopt these interventions, and the counties that already have them should ensure they are reaching all who need them.

6. Whether juveniles are in custody or not, ensure they receive effective interventions if needed to address their problems with aggression or substance abuse.

Aggression Replacement Training was tested in New York and found to be effective, but it is still not routinely available for most aggressive youths in the juvenile justice system. And while many youths receive drug treatment through the juvenile justice system, many more need it. Those who are receiving drug treatment are less likely to stay clean unless they receive active follow-up programs such as the Adolescent Community Reinforcement Approach.

7. Provide safe alternatives to pretrial detention for most first-time and low-level offenders.

New York City and many counties in New York are already reforming how they handle PINS youth who are truant, running away or beyond the control of their families and clogging up the juvenile court systems. The PINS reforms are saving money that should be captured and re-directed to interventions for young people more likely to commit more crimes or violent crimes. But more reforms for other low-level and first-time offenders such as the evening centers discussed above are needed to reduce the number of youths held in expensive pre-trial detention.

8. When juveniles return to their communities following custody, ensure that they receive the interventions for aggression, family functioning, substance abuse and other supports they will need to stay crime-free.

If more is not done throughout the state to expand access to effective programs that help youths returning from custody, too many youth will continue to be a danger to their community.

9. Systematically collect juvenile and adult arrest data and use it to hold programs accountable for reducing crime.

New legislation and new policies must be adopted to ensure that juvenile and adult arrest data is being shared between New York City and the state and that it is being analyzed. Effective data collection is the first step in holding facilities and programs accountable for reducing crime. Six counties in the state and New York City have begun efforts to adopt successful comprehensive reforms similar to RECLAIM Ohio. New York State already has extensive experience in implementing FFT, MST and treatment foster care programs. And both Mayor Michael Bloomberg and Governor Eliot Spitzer have voiced strong commitments to juvenile justice reform. But to more fully realize the enormous potential to reduce juvenile crime, and the adult crime that follows when chronic young offenders become adult criminals, major efforts will be needed, both to “prime the pump” with new investments in what works, and to redirect existing dollars more wisely into programs and services proven to work. This will take vision, courage, and hard work. The most important recommendation for all policymakers deciding how to invest wisely in crime prevention is probably the simplest: use science, data collection, and accountability to guide policy. The members of Fight Crime: Invest in Kids New York are committed to supporting changes in state and local juvenile justice systems. They know that effective interventions will produce both huge savings and safer streets.

"My son David was murdered at age 28 by a man who was his same age and was also born in New York City. From an early age that person was constantly in trouble with the law. He was in juvenile custody and in and out of prison since he was 16. During the trial there was never anyone in the court who was his family or friend. I often wonder if during those early troubled years if he had been exposed to social and educational interventions his life, and of course David's, would have been different."

— Carolee Brooks.

Her son, David Brooks, was murdered at age 28 in 1991.

Getting Juvenile Justice Right in New York

Cognitive Behavior Therapies

for aggressive and/or substance abusing individuals:

Aggression Replacement Training (ART)

At under \$1,000 per young offender, this is a relatively low-cost, 10 week CBT intervention that can be used fairly widely with many juveniles who have serious problems with aggression, whether they are on probation, in custody, or returning to their communities following custody. A test of ART with juvenile delinquents returning to their communities found that, within 6 months after release, juveniles not receiving ART were almost 3 times more likely to be re-arrested for a crime (43 percent vs. 15 percent). Young people in Brooklyn gangs without ART services had 4 times the number of arrests of similar young gang members receiving ART (52 percent vs. 13 percent).¹⁰⁶ Tests of ART for delinquents in custody were also positive.¹⁰⁷ For more information on this program see: <http://www.researchpress.com/product/item/5004/>

Motivational Enhancement Therapy & Cognitive Behavior Therapy (MET/CBT)

This intervention is designed for outpatient substance abuse treatment and uses motivation techniques to first convince teen substance abusers they need treatment. Then cognitive behavior therapy is provided to give juveniles the beliefs and skills they will need to change their substance abusing behaviors. (Cognitive Behavior Therapy by itself has been shown to be less effective in reducing substance abuse.) MET/CBT produces results in randomized controlled trials that compare favorably with the results and the benefits per cost of family therapy for substance abuse. For more information on this program, see: http://www.chestnut.org/li/Bookstore/Blurbs/Manuals/CYT/CYT-v1-MET_CBT.html

Functional Family Therapy (FFT)

This family therapy intervention has been successfully used for teens with serious delinquency, aggression and/or substance abuse problems who present a moderate to high-risk of re-offending. It is delivered over a period of 8 to 30 hours by trained providers. They range in background from paraprofessionals to mental health professionals. It costs \$2,000 per juvenile delinquent. In one study it cut re-arrests in half (26 percent vs. 50 percent) and in another study juveniles in the intervention were one-fourth as likely to be placed outside their home in juvenile justice custody, in a psychiatric placement, or in foster care (18 percent vs. 72 percent).¹⁰⁸ It can be used for youth on probation, in lieu of custody, or as support when youth return to their family after custody. For more information on this program see: <http://www.ffiinc.com/>

Multisystemic Therapy (MST)

MST is a family therapy intervention for teens with moderate to high-risks of re-offending similar to FFT, though MST often serves some teens who are more serious or violent offenders than those served by FFT. It costs over \$5,000 for each youth and typically involves 60 hours of professional interventions over four months. The staff members are on call, if need be, around the clock. When properly implemented, MST shows strong results. One study followed-up the youth until they were an average of 29 years old. Individuals who had not received MST but were randomly assigned to receive individual therapy instead were 62 percent more likely to have been arrested for any criminal offense (81 percent vs. 50 percent), more than twice as likely to be arrested for a violent offense (30 percent vs. 14 percent), and more than twice as likely to be arrested for a drug offense (33 percent vs. 13 percent).¹¹⁰ It can also be used for youth on probation, in lieu of custody, or as support when youth return to their family after custody. For more information on this program see: <http://www.mstservices.com/>

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Examples of Scientifically-Tested Family therapies

to help manage seriously delinquent juveniles

Multidimensional Treatment Foster Care

This intervention is a longer-term, 6 to 12 month, family therapy intervention that can be used for seriously offender youth who would otherwise be placed out-of home in group facilities. It involves carefully selecting and training foster parents and training them to tightly manage the youth's behavior. The youth are also taught to better control their behaviors. While the youth are in the foster parent's custody, their parents or guardian receive training so they can also tightly manage their child's behavior once they return home. It costs \$2,500 more than typical group care. Research shows it successfully cut the average number of arrests per youth in half (2.6 arrests vs. 5.4 arrests) and six times as many of the boys in MTFC as boys in a group homes had successfully avoided any new arrest (41 percent vs. 7 percent).¹¹¹ MTFC can also be used for youth returning to their communities from custody if they do not have a stable family to return to. For more information on this program see: <http://www.mtfc.com/>

Brief Strategic Family Therapy (BSFT)

BSFT is a family therapy intervention aimed at reducing a youth's drug use and conduct disorder. A randomized clinical trial of BSFT found that 66 percent of youth in BSFT with conduct disorder (defiant and/or delinquent behavior) showed significant reductions in conduct disorder-related problem behaviors, while youth in group counseling saw no reduction. Additionally, youth in BSFT who used drugs were 3.5 times more likely to show significant reductions in drug use than youth in group counseling who used drugs.¹¹² For more information on this program see:

<http://www.brief-strategic-family-therapy.com/bsft>

Adolescent Community Reinforcement Approach (ACRA)

ACRA is a behavioral and family therapy intervention for adolescents, which focuses on getting them to change their environment so they are surrounded with pro-social activities, instead of activities and friends who lead them back into drug abuse. A study was conducted of ACRA as an active effort to follow-up youth who had completed residential treatment for substance abuse. ACRA was compared to what usually happens when youth leave a treatment intervention: they are told to find follow-up support and are given some phone numbers, but continuing care is not assertively provided to them. Three months after leaving treatment, youth receiving active continuing care with ACRA were 68 percent more likely to abstain from further marijuana use (52 percent vs. 31 percent).¹¹³ For more information on this program see:

<http://www.chestnut.org/li/Bookstore/Blurbs/Manuals/CYT/CYT-v4-ACRA.html>

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Interventions Shown to be Successful

Family therapies to help manage seriously delinquent juveniles (cont)

Endnotes

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131. This includes tangible losses due to medical costs, lost earnings etc. but also pain, suffering and reduced quality of life estimates for different crimes developed by Miller et al. for the National Institute of Justice. The intangible costs are based on jury verdicts and other measures. This attempts to take account of the reality that a rape usually causes more suffering to an individual than a burglary or robbery, even though the tangible costs may be similar. See: Miller, T.R., Cohen, M.A., & Wiersma, B. (February 1996), Victim costs and consequences: A new look. Washington, D.C., National Institute of Justice.

132. This is based on police, court, and jail or prison costs in Washington State. Aos, S., Miller, M., & Drake, E. (October 2006). Evidence-based public policy options to reduce future prison construction, criminal justice costs, and crime rates. Olympia, WA. Washington State Institute for Public Policy retrieved from www.wsipp.wa.gov

133. The costs for MTFC are marginal costs above what would already be spent. Because all juveniles eligible for the MTFC program were to be placed out-of-home, the cost of MTFC reported here is only the additional cost beyond what it would cost to place the juvenile offenders in a group home.

Getting Juvenile Justice Right in New York

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C.

Juvenile Detention in New York -- Then and Now



Excerpts from *Juvenile Detention in New York: Then and Now*, a display at John Jay College of Criminal Justice by the city Dept. of Juvenile Justice marking its 20th anniversary. It was written and designed by Sarina Roffe, DJJ Director of Public Affairs.



Spofford Juvenile Center

- [1800 - 1861: The Beginnings of the Juvenile System](#)
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1800-1861: The Beginnings of the Juvenile System

Detention of juveniles in New York City began shortly after the opening of the New York State penitentiary in 1797. Prior to that time, as juvenile crimes were rare, the state preferred to allow parents to deal with the misbehavior of their children - a practice rooted in English common law. Parental authority was the accepted first tenant of youth treatment, and the state was hesitant to assume the failing parent's duties.

By the beginning of the nineteenth century, attitudes towards treatment of crime had changed. The state, it was thought, could be a tool of rehabilitation, rather than simply the arbiter of punishment. . . .

Accordingly, juveniles began to be tried in criminal courts. If imprisonment could help the adult criminal, it would surely assist a youth less practiced in crime. Imprisoning juveniles, however, mixed impressionable youth with adults more practiced in crime. . . .

In the early 19th century, the New York Society for the Prevention of Pauperism began to lobby intensively for a separate juvenile justice institution modeled on the prison



DJJ 1800-1861 panel display.

system. . . . Their efforts led the New York State Assembly to approve construction of the House of Refuge for delinquent children in 1824. The House was to be operated by the Society for the Reformation of Juvenile Delinquents, which the Assembly incorporated as a subsidiary of the Society for the Prevention of Pauperism.

The House of Refuge opened on January 1, 1825, at the intersection of Broadway and 23rd Streets, then a semi-rural area of Manhattan. For thirty-five years, any child in the state convicted of committing a criminal offense was sent to the House of Refuge in lieu of imprisonment. In 1851, the Children's Aid Society built the New York Juvenile Asylum to house children under the age of 12.

1861-1916: Juvenile Delinquency

A rising concern as the population growth of the City continued and increased after the Civil War, the problems of juvenile reform became larger and more dynamic. The large numbers of immigrants from Italy and Eastern Europe, who increasingly dominated New York's cultural landscape, became a source of tension with their Irish and German predecessors. These immigrants worked longer hours and rented smaller quarters. . . .



DJJ 1861-1916 panel display.

As a result, their children had more opportunities to play, work, and find mischief on the streets. . . . [t]hough it is difficult to demonstrate a growth in juvenile delinquency as a result of New York's changing demographics. . . .

In 1865 the New York State Legislature enacted a bill to control the "disorderly child." The act provided that, upon complaint of a parent or guardian, a magistrate or justice of the peace could "issue a warrant for the apprehension of the offender." If found to be disorderly, the court was required to commit the child to the House of Refuge. Though the Disorderly Child Act hinged on the parental complaint, it represented a move away from parental authority. Under the Act, a child did not need to have committed a crime - "disorderly" conduct was sufficient justification for detention. . . .

In 1875 the Society for the Prevention of Cruelty to Children was formed to protect the rights of children. It and other groups like it campaigned for a series of legal reforms in the 1870s and '80s that resulted in a child neglect statute, the parents patriae doctrine (which granted the state the inherent right to assume the custody of children), and a codified assemblage of children's laws. These efforts culminated with the creation of separate children's court system in 1892, which allowed for all cases involving the commitment or trial of children to be heard and determined by a court devoted to juvenile cases.

1917 - 1957: Defining a Juvenile Justice System

. . . .As immigration into the United States slowed after 1920 with the federal passage of the National Origins Quota Act, the problem of unruly "un-Americanized" youth seemed to decrease. There were, of course, other diversions; world wars and worldwide depression made juvenile detention a secondary consideration. . . .

As the century began, state statute strengthened earlier laws: children's courts were legally strengthened, segregation of children's cases and records were mandated statewide, and conviction of juveniles was limited to misdemeanors except in the case of capital crimes.

Perhaps the most significant developments in the way juvenile justice was administered stemmed from a pair of changes in the late 1920s. The Children's Court Act of New York City established a new tribunal for children and altered the substantive laws governing youthful behavior. The act took the significant step of merging the categories of criminal activity, disorderly conduct, truancy and desertion under the larger heading of juvenile delinquency. Three years later, in 1927, the state Court of Appeals applied the standards of criminal procedure to delinquency cases.



DJJ 1917-1957 panel display.

Changes in conception were accompanied by an expansion of the physical space of detention. In 1928, the Lavenburg Foundation opened the Hanavah Lavenburg Home for Working Girls at 331 East 12th Street. This building became a focus of juvenile detention services in New York City for thirty years. It served as Lavenburg Corner House for Boys and Youth House for Boys in 1944 and 1945, respectively. Once moved from the 12th street facility, delinquent girls were housed at Youth House for Girls on Welfare Island, and then in 1953, Manida Juvenile Center, a 102-bed facility for girls on Manida Avenue in the Bronx in the former Sevilla Mansion.

1957-1978: The Early Spofford Era

. . . . In 1957, due to overcrowding at East 12th Street, Youth House moved to more spacious facilities. Its new location in the Hunts Point section of the Bronx was comprised of two separate buildings - one for boys and one for girls. Over time, the boys facility became known as Spofford Youth House, and then simply Spofford Juvenile Center; the girls facility was known as Manida Juvenile Center.



DJJ 1957-1978 panel display.

The facilities were at first operated by Youth House Board Incorporated, a non-profit group. . . . Throughout its first twenty years of operation, Spofford was a focus of criticism and controversy. For a variety of reasons-ranging from administrative failures, to staff abuses, to the physical limitations of the facility - it became known as a place that exacerbated the problems of juvenile delinquents. . . Moreover, escapes were alarmingly common; between 1976 and 1978 alone there were 202 escapes.

. . . . Many attempts at reform had already failed. One such effort was the creation of Non-secure Detention in 1971, which allowed residents with less serious offenses to live in a non-restrictive environment. While this helped some, did little to alleviate the problems at Spofford.

During the 1970s the Human Resources Administration and the Department of Probation had both attempted to run Spofford without any marked improvement. In 29 years the building had 27 executive directors. To address these problems, Mayor Edward Koch appointed a commission to examine juvenile justice. The commission recommended that Koch create a Department of Juvenile Justice to run Spofford and the non-secure facilities. In 1979, DJJ was asked to coordinate detention for the city's youth in the hopes that clear and singular responsibility would prevent past problems.

1979: The Creation of DJJ

In 1978, the New York State Legislature passed the Juvenile Offender Act. Previously, all young offenders were treated as juvenile delinquents. The 1978 legislation created a new category - the Juvenile Offender - who, while charged as an adult, had to be housed with juveniles. The Department of Juvenile Justice was created in this environment; it was expected to not only offer youth a chance for reform, but to concurrently hold them accountable for their actions.

When the New York City Department of Juvenile Justice (DJJ) was created and given responsibility for the juveniles in detention, the agency was allowed an agency head, the commissioner, and up to two deputy commissioners. Managerial responsibilities were divided into three categories: the operation of Spofford, Non-secure Detention, and administration (which included community-based programs). The Director of Spofford managed the facility on a daily basis. The Administration division was responsible for the agency's budget, financial and programmatic planning, and, eventually, Community Based-Interventions (CBI). The Director of non-secure detention was responsible for the Beach Avenue group home and oversight of independently contracted community-based homes.



DJJ 1979 panel display.

. . . . To reverse Spofford's descent, the agency's first commissioner, Paul Strasburg, made safety -- for the public, the staff and the residents -- a priority. At the same time, the agency embraced detention as an opportunity to make a difference in a young person's life, an affirmation of juvenile justice's reform roots. . . . Residents began to receive educational assessments and DJJ began operating its own state approved school, the Carter G. Woodson Academy.

. . . Replacing Spofford with smaller, less institutional facilities in a more accessible location, was an immediate priority.

Commissioners of DJJ: Paul Strasburg (July 1, 1979 -1982), Ellen Schall (1983 - 1989), Rose Washington (1989-1994), José Maldonado (1994-1996), Marta Moczó-Santiago (1996 - 1997), Tino Hernandez (1998- present).

DJJ's Programmatic Initiatives

As Spofford became orderly and safe under the new agency, focus shifted to the underlying problems of the juveniles in detention. Second Commissioner Ellen Schall, who had a history as an advocate for youth, broadened the agency's focus beyond simple detention beginning in 1983. Her administration adopted a mission statement that made clear DJJ's commitment to helping its residents



DJJ Programmatic panel display.

. . . . This dedication was reflected in a series of initiatives that transformed the detention experience. Foremost among these was the creation of case management. Under this system, each resident is assigned a case manager with whom he or she meets regularly. . . .

In addition, the agency instituted a Behavior Management Program (BMP) that clearly defined positive and negative behavior for the residents, many of whom came from poorly structured homes. Administered by Juvenile Counselors (the agency's core direct service staff) this program helps residents understand what is expected of them, and offered an opportunity to reward success as well as experience with the consequences of negative behavior. . . .

. . . . Through [its] Aftercare program, DJJ helps youth returning to their communities find the right placements in school, address problems at home, and join counseling programs that can meet their individual needs. This approach has been reinforced at DJJ under the leadership of Commissioner Tino Hernandez. The agency has stressed staff and resident accountability, merged Aftercare with the Reduce Children's Violence Program and expanded the two, and instituted a series of management indicators that help guarantee that detention is safe and efficient.

The Detention Experience in DJJ

. . . . In secure facilities, like Horizon, Crossroads, and Bridges Juvenile Centers, movement is restricted by both physical doorlocks and requirements that residents be accompanied by staff at all times. In Non-Secure facilities, like Beach Avenue and St. Germaine's Lincoln Hall, residents bear the responsibility of greater freedom. In both, residents are regularly searched for contraband.

Typically, residents wake each morning at 5:30 A.M. He or she is given time to shower and eat breakfast before school. . . . After school, residents do their homework and are allowed time for recreation. Although use of this period varies, residents may see a case manager, go to chapel, visit a psychologist, or play sports or video games. Dinner is served at 5:30 and bedtime is typically 9:30.



DJJ Detention panel display.

On the days a resident must go to court, they wake up a half-hour earlier than usual . . . DJJ's Court Services division provides transportation

DJJ's Capacity Issues

When DJJ was created it was asked not only to oversee detention, but to spearhead an effort to build four new secure detention facilities -- one in each borough except Staten Island. . . . [W]ork on the new facilities did not begin until 1988, and by then the number had been reduced from four to two.

The buildings were not completed until Tino Hernandez became commissioner in 1998. . . . The cinderblocks and dark hallways of Spofford were replaced with less institutional sheet rock and natural light. . . . In addition, the new facilities were smaller. As planned, the combined capacity of Horizon and Crossroads was 248 (124 per facility), compared to a 289 bed capacity at Spofford.



DJJ Capacity Issues panel display.

However, a surge in the juvenile detention population that began in 1989, as well as a temporary decrease in beds in Non-secure Detention during the 1990s, left the agency searching for room for its residents. To meet the need for space, DJJ leased the Vernon C. Bain Center from the Department of Correction in June 1998. The agency used that facility as a temporary Intake and Admissions Center for boys as well as a processing facility for residents awaiting transfer to state facilities. The lease of the Vernon C. Bain Center (VCBC) allowed the Department to renovate three wings of the Spofford building. In December 1999, DJJ returned to that facility - renamed Bridges Juvenile Center.

Bridges is currently used as an Intake and Admissions facility for both boys and girls, as well as a transfer point for state ready youth. In 1998 and 1999, DJJ also opened six new group homes under contracts with community-based organizations, increasing its non-secure capacity. In total, DJJ now oversees 14 such facilities including two directly operated group homes, Beach Avenue Intake facility for boys in the Bronx and a girls intake facility on West 145th Street in Manhattan.

D.

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THE SOCIETY FOR THE REFORMATION OF JUVENILE DELINQUENTS.

In the annual report the managers of the Society for the Reformation of Juvenile Delinquents have just sent the Legislature—the sixtieth since the organization of the society—especial stress is laid upon the great pecuniary loss to the House of Refuge which will be caused by the recent legislation upon the system of contract labor in the State institutions. The average receipts of the house for the past four years from the labor of children employed under contracts have been more than \$32,000. The existing contracts will expire in two years. The legislation referred to has already resulted in the enforced concession to contractors of \$1,838 37. The substitution of piece work for contract work is declared by the managers to be impracticable owing to the lack of the necessary plant and equipment. The present receipts are threatened with a curtailment of \$30,000 annually, and any substituted system will require a large outlay for preparation and instruction.

The abandonment of all industrial instruction seems to the managers the only alternative. This course, the report says, would strip the House of Refuge of its most important feature in training children to habits of industry and providing them with means of future support. It is asserted that in addition to the money usually received from the school fund and theatre licenses the amount required for the expenses of the institution this year will exceed \$70,000. Several thousand dollars will be required for repairs and improvements. Last year 655 children were received into the house. The total money receipts for the year were \$135,592 17. The managers announce that since the institution was founded 21,704 children have been cared for by it, and that "nearly three-quarters of this number have been redeemed from the condition of outcasts and restored to the community as moral and industrious citizens."

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