

- 67.2% were for nonviolent crimes
- 32.8% were for violence-related crimes
- 33.0% were for drug-related crimes
- Unauthorized use of a vehicle (76), Possession of Cocaine with intent to deal (66), and simple assault (29) constituted the top three committing offenses

Finally, a note about the demographic characteristics of youth who were committed to the Department of Human Services and the Youth Services Administration over the period explored above:

- **Age.** The average age of YSA caseload of committed youth: 17.5 years
- **Sex:** Males constituted 89% of the population; Females, 11%
- **Race:** African American and Latino youth made up 100% of the committed population.
- **Wards:** Please see Figure 13 to capture the percentage of commitments from the various areas and Police Districts. There is a marked disparity in youth commitment based on ward, with Ward 3 reporting an average of 1.5 for the period and Ward 7 reporting a high of 91 during the same interval.

Data related to the committed and detained populations held at Oak Hill are quite limited in the scope of detail related to demographic characteristics of the population.

The average monthly securely confined population at Oak Hill declined from 222 in 1994 to 146 in 1995. Since 1999, when the average population was 124, an increase occurred in 2000 to 145 and, in 2001, to 156. Between 1999 and 2000, the average detained population at Oak Hill increased from 63.83 to 83.22 (Figures 14 and 15). During the same period, the average detained population in Shelter Homes increased from 59.29 to 72.63.

In terms of detention rates in the District of Columbia, Lisa Feldman, Michael Males, and Vincent Schiraldi recently completed an analysis demonstrating a stark decline in the District of Columbia over the 1990s.⁸ According to their study- "A Tale of Two Jurisdictions: Youth Crime and Detention Rates in Maryland and the District of Columbia"- the District of Columbia witnessed a 71% decline in juvenile detention between the period 1990-1992 and 1999. This was in comparison to a 3% increase over the same period in the state of Maryland. Their analysis also illuminated a 55% decrease in the juvenile violent crime rate in the District of Columbia, in comparison to a 15% decline in the state of Maryland. Though the factors that contributed to the decline in the District of Columbia will remain a source of contention for researchers and community advocates, it is clear that violent offenses have witnessed a dramatic decline in the city. At bottom, these findings counters public images of youth delinquency in the capital city.

There are also data outlining the characteristics of the 178 children and youth in Residential Placement as of May 20, 2001. According to the analysis conducted by the

Commission, the Youth Services Administration, and the Office of the Deputy Mayor for Public Safety and Justice, youth are placed by court order in 40 facilities across 12 states and the District of Columbia. Males constituted 87.64% of placements, while females represented 12.36%. In terms of offense, Vehicle (20.22%), Assault (19.1%), Drug (19.1%), Weapon (6.18%), and Unknown (6.18%) represent the top five offenses for this population.

Racial and Ethnic Disparity in Detention and Commitment

Commission members expressed a strong desire to understand the marked racial and class disparities revealed in arrest and commitment data and suggested that further study is warranted under the *Juvenile Justice Prevention Act's* disproportionate minority confinement provisions and other funding streams. In addition, rumor legitimated as social science in popular discourse and media obscures an analysis of these trends and also asserts that blacks, latinos, and other ethnic minorities are responsible for crime, as new data from the Georgetown Law Center and other work demonstrates.⁹ The objective should be to understand at which point and why such pronounced disparities are generated in the juvenile justice system. During their analysis of 2000 and 2001 Central Processing Unit data, Commission researchers found white children and youth who were arrested for a range of Part I and Part II offenses but who never showed up in

⁸Lisa Feldman, Michael Males, and Vincent Schiraldi, *Building Blocks for Youth: A Tale of Two Jurisdictions- Youth Crime and Detention Rates in Maryland and the District of Columbia*. (Washington, DC: Youth Law Center, October 2001), pp.6-7.

⁹Georgetown Youth Law Center, *Building Blocks for Youth: Off Balance-Youth, Race, and Crime in the News* (Washington, DC: Youth Law Center, 2001); Cole (1999); Fergusson (1997).

commitment data.¹⁰ The fact that the Superior Court does not report race and ethnicity as part of a regular analysis of disposition findings also inhibits an immediate analysis of aggregate race and ethnicity trends.

The Juvenile Justice "System": Multiple Contexts and Oversight¹¹

For most lay observers, the juvenile justice system represents a complex maze of relationships and agencies. Each of the following entities potentially plays a formal role in the juvenile justice system in the District of Columbia:

- **Metropolitan Police Department:** Arrests and "book" youth or refers them to diversion.
- **Superior Court of the District of Columbia: Judges and Social Services Division.** Juvenile cases are brought before the Court, where adjudication and disposition occurs. The Social Services Division provides initial intake of juveniles, including psychological assessments, drug screening, probation services, and oversight of recommendations to the Court.
- **Office of the Corporation Counsel:** Reviews the case and decides whether to establish a "no paper" (drops case) or bring charges.

The Office of the Corporation Counsel may also make request to

¹⁰Racial and ethnic classification as well as pending dispositional status also obviously impact an analysis of these data.

¹¹ The steps outlined below were culled from descriptions in the Criminal Justice Coordinating Council materials, as well as outlines supplied by the Superior Court of the District of Columbia and the Office of the Deputy Mayor for Children, Youth, and Families.

transfer to U.S. Attorney for prosecution as adult if they meet one of three criteria: (1) youth is fifteen years of age or older and has been involved with a crime that would constitute a felony if they were an adult; (2) youth is sixteen years of age or older and already committed for delinquency; (3) or, the youth is eighteen years or older and is alleged to have committed a delinquent act before their eighteenth birthday.

- **United States Attorney:** May review cases of juveniles who are aged 16 or older if they have been charged with murder, forcible rape, burglary I, robbery while armed, or assault with the intent to commit any such offense.
- **Department of Human Services, Youth Services**
Administration: Provides pre-trial and post-adjudication/disposition placements (secure and non-secure) and aftercare services.
- **Public Defender Service¹²:** Provides defense attorneys for some youth who are charged with delinquency.

The stages outlined below constitute the critical steps of the process and the role of each agency or entity in the juvenile justice system:

¹² Both the Public Defender Service and attorneys supported by the *Criminal Justice Act* represent juveniles. There are no credible data related to the distribution.

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Initial Interactions with Youth. Upon making their determination about a specific delinquency offense, police arrest youth and bring them to a MPD's Youth Division on New York Avenue, which handles the juvenile for further "processing." Youth may also be brought in for status offenses, such truancy or underage drinking or curfew violations, and charged as Persons in Need of Supervision (PINS). Police have the authority to divert youth or release them into the custody of parents/guardians. If the decision is made not to release or parents do not pick the youth up, the youth is either taken to a Central Processing Unit at the Superior Court. Since there is no detention center in the District of Columbia, youth- whether status offenders or others charged with more serious delinquency offenses- are sometimes kept at Oak Hill Youth Center if pretrial detention is needed for youth.

Intake. The District of Columbia Superior Court's Social Services Division handles the initial assessment for youth who are brought into custody. Its job is to determine the risk to public safety, as well as any service needs. Its review offense history and family/home circumstances and make determinations related either to diversion, release, or detention in secure or non-secure placements. In consultation with the Office of the Corporation Counsel, it may also determine diversion placement, recommendations for pretrial status, and additional action related to charges. A probation intake worker prepares a formal report with recommendations to be presented at the Detention Hearing.

Disposition. This is the hearing at which recommendations from the Social Services Division, Corporation Counsel, and defense attorney are presented to guide the presiding judge in her/his decision related to status. If the judge finds that detention is justified, the

judge mandates a level of supervision (e.g., whether secure or non-secure) or establishes the Department of Human Services' authority to determine the placement. In the District of Columbia, youth are "found involved" when the burden of proof has been established through a review of the evidence.

Following the last hearing, a social summary report is prepared by the Social Services Division to assist judges in making decisions for placement. Commonly, the District's Youth Services Administration is not consulted at this stage of the process. In addition, it often does not receive the social summary in a timely manner in order to establish service provision or continuity in care for specific identified needs.

Post-Adjudication. After a determination is made that a youth is "found involved" or not, judges and Court personnel exercise several options. A youth may be released on community service or probation with varying degrees of supervision if not deemed a threat to public safety. Youth are entitled to a variety of services if placed on probation, including psychological counseling, family counseling, drug education, and other services. For youth who are found involved and committed to the Department of Human Services, there are a number of options based on level of supervision. These include home detention or supervision, shelter or group home placement, or placement at the Oak Hill Youth Center in Laurel, Maryland for the most serious offenders.

Perceptions of the Juvenile Justice System

Youth, Youth Providers, and Probation Officers

In order to gather more qualitative data about the operation of the juvenile justice system, the Commission invited a variety of agencies to present their recommendations to strengthen various components and the overall integration of the juvenile justice system. Chapter 3 will outline challenges associated with programming in the juvenile justice system, but the following themes emerged from a variety of agency perspectives:

- Provide more alternatives to arrest and detention
- Establish more uniform criteria for placement decisions
- Collaborate on case management to implement individual treatment plans
- Create a new state of the art detention center is needed to handle intake and assessment
- Establish firmer linkage among Courts, District agencies, and the DC Public Schools for risk assessment, service delivery, and evaluation of juvenile justice system
- Provide inpatient and outpatient substance abuse and mental health treatment options to address special needs among youth
- Close Oak Hill Youth Center and create a new design for treatment-based rehabilitation services for committed youth
- Continue expansion of community-based capacity for youth serving programs
- Amend burdensome policies and procedures in contracts and procurement and personnel that inhibit the ability to attract and retain high quality youth workers in several children and youth-serving agencies
- Create a single agency for juvenile justice in the District of Columbia to address discontinuity in care and treatment of youth and increase accountability

In addition to hearing from public agency representatives and program directors, the Commission engaged youth, providers, and probation officials in a conversation about the scope and quality of programming in the juvenile justice system.¹³ Commission

¹³ All of the youth who were asked to make comments without attribution or use of their names were between the ages of 13 and 17.

members, several of whom visited community-based facilities during the course of the year, also spent significant time at Oak Hill during fall 2000 and spring 2001 trips.

The following themes emerged as major areas of concern about the juvenile justice system in conversations with youth, probation officers, and providers:

- *No promotion of behavior modification:* Probation officers observed that behavior modification is difficult since youth do not respect the system. Because youth are familiar with the system and the process, they can easily anticipate the punishment. One representative youth remarked: "it's like they design the system to keep you in it."
- *Complexity of the System:* Some youth shared their desire for the current juvenile justice system to be more accessible and less "complex." Youth on probation shared that court appearances scheduled during school hours often result in penalties for "truancy." Similarly, other youth suggested that probation officers be available within the community because travel for urine testing sometimes "punishes" youth by forcing them to miss school.
- *Need for Better Assessment at Intake:* Service Providers argued that there are an increasing number of very young children in the juvenile justice system who are misdiagnosed. Truants, runaways, and youth suffering from emotional and psychological problems should not be detained at Oak Hill. There are also

problems, such as sexual abuse, for which there are no specific programs or specialized treatment options.

- *No Promotion of Rehabilitation:* Each of the focus groups noted the need for programming “promotes rehabilitation.” The youth share their “need for people who will support [them]” so they are encouraged to “change [their] mindset.” One teenage male expressed the view that there is “an excessive amount of punishment and not rehabilitation.” Other also expressed that programs also need to be created that aid the youth “when [they] get out of the juvenile justice system.”
- *Quality and accessibility of lawyers:* Several youth expressed that they often “could not find my lawyer.” Still, others expressed that they had to miss school in order to meet with their lawyer and that this process interrupted their studies and general participation in other activities.
- *Oak Hill:* Since many of the youth who shared perceptions of the juvenile justice system were being held at Oak Hill or were recently released from Oak Hill on probation, comments disproportionately reflected their experience at Oak Hill. Overwhelmingly, youth admitted their disrespect for the current juvenile justice system, particularly the physical conditions and programming at Oak Hill. Even as some youth shared their own sense of positive self-discovery at Oak Hill, they recounted a lack of programming. “What programs,” several youth responded to Commission members and staff when asked at a focus group session about the impact of programming on their aspirations and experiences. Some shared an

ease in obtaining drugs at Oak Hill. Others joked: "Oak Hill is like a playground... all your friends are down there."

- *No GED Program:* Youth argued that the educational provision at Oak Hill is sub-par implying that stigmatization is associated with the Oak Hill diploma. Some youth would like an accredited GED Program to replace the existing education system at Oak Hill. They perceive that successful completion of the GED would enable them to obtain better jobs within the community without the stigma of going to the Oak Hill Academy.
- *Lack of Job Placement Opportunities:* While youth recognized the importance of jobs within the community, they found that job information is not easily accessible. During the focus group meeting, each of the subgroups involving youth recommended the need for more job fairs and recruiters.
- *Lack of Substance Use Prevention and Treatment Programs:* One detained youth articulated the need for prevention programs. He reasoned that in understanding how drug use leads to adverse biological effects, youth might be prevented "from wanting to use drugs." Other youth agreed that programs need to be developed "that don't just kill time, but really help." Program directors and probation staff also recommended more specialized training in drug counseling, prevention, and treatment education for youth and providers.

- *Unmet needs and lack of training to deal with youth and youth issues within the community:* One of the issues that arose from the focus groups was a clear statement about the lack of quality services for youth received from some community-based organizations. For example, a proportion of the detained youth recognized the need for faith-based programs and the importance of access to proper community services and outreach programs at the churches. Service providers recommended other services including sexual abuse counseling, family therapy and counseling, mental health services, special education, and kinship care.
- *Lack of Mentorship:* Youth shared their “need to talk to someone sometimes. They cited the importance of MPD and counseling at Oak Hill as examples of areas where there was great need to shift current paradigms. Specifically, they indicated counselors are needed at Oak Hill to discuss drug treatment options. Probation officers and service providers also admitted that staff members occasionally possessed limited specialized treatment skills. Youth also recommended that police officers receive training in anger management.

Members of the Faith Community: Feedback from a Roundtable

Members of the faith community were also asked to share their perceptions of the juvenile justice and where their insights might be useful in the delivery of services. A roundtable was convened on June 28, 2001 at St. Augustine Church. The main objective

was to discuss barriers to the provision of services by faith organizations, identify promising practices, and hear ideas about policies related to youth services delivery.

There are several barriers which members of the faith community identified as important in their experiences dealing with youth and youth services. Chiefly, members of the community face challenges from a poor volunteer base, poor interactions with school officials, insufficient staff to carry operations, and territoriality with other organizations (i.e. lack of collaboration). In general, roundtable participants felt that collaboration, education, and cultural and racial sensitivity were key practices in providing a continuum of care for youth in the juvenile justice system. While holistic and individualized approaches, including educating and informing youth about options in their future (e.g. college, jobs, and other post-school options), a local approach advocating citywide revivals, public forums/ hearings, and seminars for both youth and parents was highly valued as well.

There were many recommendations offered as part of suggestions for more comprehensive strategies to address youth and their risk for crime and violence. Other comments and themes advocated the following:

- More diversion programs
- More policies and programs that support the family (e.g., strategies to empower parents)
- Opportunities to reduce competition and hiding of information among different entities

- Less territoriality
- Development of more meaningful afterschool facilities that work in partnership with the faith community
- Sharing of information with schools
- Support of a hotline to share information with youth and families
- Courts in the community
- Pastoral/faith presence in juvenile psychiatric wards
- Aggressive recruitment of volunteers to work with youth
- A review of existing community-based programs and facilities to make recommendations for improvement since Oak Hill is too large and too institutional

Finally, faith community members advocated after-school partnerships with schools, more sustained outreach programs, youth treatment services provided in the community, and increased pastoral/faith presence in the juvenile wards. The faith community members who participated in the roundtable extended their willingness to work with youth wherever they may be located, whether they are in juvenile facilities or in communities. They expressed an interest in providing educational, vocational, and recreational services in collaboration with other community organizations and governmental agencies.

Even as youth crime and violence rates exhibit marked declines, the juvenile justice “system” in the District of Columbia is fragmented and without a coherent

structure or vision. The “processing” of youth involves a maze of relationships that cross federal and local jurisdictions. Court probation intake workers, public agency directors, community-based providers, and youth themselves all attest to the significant barriers that sometimes make it difficult to build effective relationships and networks of services, share information, and integrate new models of youth and community development into practice. In their conversations with the Commission, agencies and youth involved in juvenile justice have raised crucial themes about how the character of these relationships influences the scope of programming- the subject of the next Chapter.

Chapter 3

Programming in the Juvenile Justice System: Building a Continuum of Effective Human and Social Services

Detention population is a function of the number of admissions and the average length of stay. In order to reduce unnecessary detention, then, either one variable or both needs to be reduced. Practically speaking, detention rates can be lowered if intake probation officers, who are the principal gatekeepers to detention, release children who are not dangerous and who do not present a risk of flight and direct families to appropriate referrals within the communities. Similarly, the number of admissions can be reduced after effective alternatives to detention, coupled with proper monitoring and supervision, are established for children who do not pose a danger to the community or at risk of flight. Moreover, reducing the length of stay by case processing should be explored, given that pretrial and pre-disposition detention is, on average, extraordinarily long in the District of Columbia (Lubow, 1995).¹

Currently, District government spends \$160 a day for youth placed at Oak Hill, on average \$192 a day per youth for residential placement, and \$130 a day per youth at group homes. Given that the average length of stay for committed youth is 12 months, up to 12 months, and 6 months, respectively, District Government spends \$58,400, \$70,080, and \$23,400 per youth committed at Oak Hill, residential placement, and group homes per day. For example, from the period July 16-

¹ The average length of stay in secure detention has risen significantly from 9 days in 1979 to 16 days in 1988, an increase of 78%. Because most youths are detained for only a few days, these averages mask a distressing trend of selected cases remaining in detention for extremely long periods, in many instances for several months (Lubow, 1995).

August 22, 2001, Youth Services Administration spent \$16,497.36 per day for youth placed in residential placements and \$494,920.80 per month (YSA Administrative data).

Given these expenditures and the historical trends in over detention, the Programming Subcommittee sought to look for best practices for implementing a continuum of care and support through diversion, alternatives to incarceration, specialized treatment, and community-based aftercare provisions.

A. Mapping a Continuum of care and support

In order to map a continuum of care and support, the Programming Subcommittee came to consensus on program definitions, literature and data on programming in the juvenile justice system, strengths and weaknesses of Oak Hill, and criteria for site visits. Identification of best practices in other state jurisdictions and establishment of a site visit outline were subsequently conducted. Intake, risk assessment, post-detention screening, follow-up, case management, and data and information were among the factors considered.

1. Consensus on Definitions of Programming in the Juvenile Justice System

The Programming Subcommittee adopted their working definitions of programs, correctional facility, community residential facility, and group homes from the third edition of Standards for Juvenile Training Schools, Detention Facilities, Community Residential Facilities by the American Correctional Association (see Appendix F).

- ***Programs:*** The plan or system through which a correctional agency works to meet its goals; often this program requires a distinct physical setting, such as a correctional institution, community residential facility, group home, or foster home.
- ***Correctional Facility:*** A facility used for the incarceration of individuals accused or convicted of criminal or delinquent activity. A correctional facility must have a separate perimeter, a separate budget managed by a Chief Executive Officer (CEO) and staff that are permanently assigned to the facility.
- ***Community Residential Facility:*** A non-secure residential center, such as a halfway house or aftercare center that provides a structured living environment and personal and social services to juveniles, who have been placed there through court commitment or as a condition of probation. These facilities typically serve from 12 to 25 juveniles. Residential programs provide a range of services and emphasize normal group living, school attendance, securing employment, working with parents to resolve problems, and general participation in the community. These facilities are not constructed as or intended to be detention facilities, therefore they are without security fences and security hardware or other major restraining construction typically associated with correctional facilities.
- ***Group Homes:*** These are non-secure residential programs emphasizing family style living in a homelike atmosphere. Program goals are similar to those for large

community residential programs. Although group homes usually house juveniles who are court-committed, they also house abused or neglected juveniles who are placed by social agencies. Small group homes serve from four to eight juveniles. Large group homes serve eight to twelve juveniles.

2. Review of Literature and Data for programming in the juvenile justice system

After the Programming Subcommittee came to consensus on the concept and definitions of a program and its associated distinct physical facilities, presenting problems, and barriers to service delivery, other factors for analysis within the juvenile justice system were identified. The Subcommittee reported that barriers such as inadequate funding and resources, lack of integration within the juvenile justice system, zoning issues, and community opposition threaten the delivery of services to youth through all stages of the system. Moreover, the juvenile justice system is unsuccessful in rehabilitating many of the juveniles who commit the most serious crimes and opportunities for detention and treatment within community based residential treatment facilities are sometimes lacking. Given these problems, examination of effective programs conducive to rehabilitation, determination of cost associated with promising best practices, and submission of recommendations for secure and non-secure correctional settings conducive to rehabilitation were considered in delineating the Subcommittee's programmatic approach to the assessment of the Oak Hill facility in Laurel, Maryland, as well as other out-of-District facilities.

3. Identification of Oak Hill's strengths and weaknesses

Identification of Oak Hill's strengths and weaknesses aided the Programming Subcommittee in composing guidelines and recommendations to examine best practices in other state jurisdictions. Strengths include staff commitment, educational programming, and administration support and leadership. Weaknesses include limited family visitation, poor physical condition and locale of facility, insufficient programming for female offenders, and lack of youth housing, schedule, and constructive activity. Varying lengths of stay, which contribute to operational dysfunction, and lack of cultural and language sensitivity constitute service barriers.

Given these strengths and weaknesses, the Subcommittee determined not to support the closure of Oak Hill if there is no realistic opportunity of constructing a new facility to address the above concerns. The Commission endorses the plan for a "sunset" and "sunrise" as depicted in Appendix F.

Further, the Subcommittee agreed to examine best practices with regard to:

- Sentencing options (indeterminate, determinate, blended)
- Educational programs
- Housing (open bay versus single rooms)
- Programming for extremely young offenders, both male and female (e.g. military model and specialized treatment)
- Family involvement and participation
- Strategy for transitional services (institutional to community-based)
- Pre-service training for staff
- American Correctional Association Accreditation

4. Establishment of Site Selection Criteria

The strategy in selecting criteria for site visitation outside the District of Columbia required examination of juvenile justice reform resulting from current judicial, legislative, and executive

interventions. Whereas judicial intervention includes those jurisdictions that had experienced major reform in the area of juvenile justice system (involvement and relief from consent decree), legislative action include those jurisdictions whose juvenile justice reform resulted from improvements to their respective systems by construction of "state of the art" facilities and implementation of effective programmatic systems. Executive leadership includes those jurisdictions that demonstrated successful implementation of reform measures, whether judicial or legislative. Furthermore, the Programming Subcommittee agreed to examine jurisdictions with similar demographics to the District of Columbia in terms of population and especially with respect to the juvenile offender population.

The task objective was to learn from other state jurisdictions and to benefit from their experience. The Programming Subcommittee sought to obtain data regarding the effectiveness of reducing recidivism and, in the case of those jurisdictions under consent decree, to obtain historical data with respect to program evaluation. Part of the program component involves provisions for quality programming, sound correctional practices, and implementation of a treatment modality with measurable results in an environment conducive to the rehabilitation of juvenile offenders. Emphasis was placed on promising programs that have received national exposure in terms of its ability to reduce recidivism. Thus, by reducing recidivism a jurisdiction is able to provide public protection and successfully integrate juveniles into the community to become productive citizens.

5. Establishment for Site Visits

A strategy in conducting site visits was devised to assist Subcommittee members to identify and examine key essential elements of best practices as well as to examine programmatic strengths

and weaknesses. Seven elements referenced in the American Correctional Association Standards for Secure and Community Residential Facilities were examined: (1) programming of juveniles; (2) case management; (3) juvenile offender rights discipline and due process; (4) staffing patterns and juvenile supervision; (5) security and control; (6) life safety, sanitation and hygiene; and (7) staff recruitment, training and retention.

Programming of Juveniles: Regardless of the terminology used (i.e. “individualized service plan”, “individualized program plan”, “individualized treatment plan”) every juvenile in custody should have a written plan outlining short-term and long-term objectives that are realistic and achievable. This plan should be reviewed with the juvenile on a regular basis. Information contained in the individualized service plan should include but is not limited to information obtained as a result of a juvenile’s intake, orientation, and assessments, and may address such issues as:

- Educational and Vocational Goals
- Psychological and Psychiatric Services
- Individual, Family, and Group Counseling
- Structured Recreational Activities
- Specialized Treatment (i.e. sex offense, chemical dependency, mental health restoration)
- Religious and Cultural Services
- Offense Cycle and Victim Awareness
- Independent Living Preparation

Case Management: There should be policies and procedures to address each juvenile's intake, orientation, and assessment process under the guidance and direction of qualified staff to include case managers. The information on each juvenile should include, but should not be limited to the following:

- Appropriateness of Placement
- Security Assessment
- Medical/ Dental/ Medical Health Needs
- Program Description and rules
- Mail
- Visitation
- Grievance Procedures
- Sanctions
- Gang Management

Juvenile Offender Rights Discipline and Due Process: It is essential that procedures be in place to balance and preserve facility safety and protection of the constitutional rights of all juveniles. Written policies, procedures, and practices regarding juvenile discipline must clearly define the differences between an offender's privilege and basic constitutional rights guaranteed by the United States Constitution. This system must balance public protection, victim rights, and juvenile accountability. The disciplinary system requires that the discipline be proportional to the violation committed. It is important that due process requirements are an integral part of the sanctions process to include:

- Discipline
- Criminal Violations
- Disciplinary Reports
- Disciplinary Hearings
- Hearing Decisions
- Appeals Process
- Use of Physical and Mechanical Restraints

Staffing Patterns and Juvenile Supervision: Recognizing that there are differences between adult and juvenile staffing patterns, it is necessary that all juveniles in custody are supervised, 24 hours a day, seven days a week, twelve months a year. Direct supervision requires that staff become more involved with observation, interaction, and counseling with juveniles. Therefore, no offender or group of juvenile offenders is to be given control or authority over other juvenile offenders. The staffing ratio for juveniles to staff is lower than adult facilities (e.g. one staff member for every eight offenders during wake hours; and one staff for every sixteen offenders during sleep hours).

Security and Control: The facility's perimeter should be controlled by an appropriate means to ensure that juvenile offenders remain within the perimeter and to prevent access by the general public without appropriate authorization. Perimeter security may be enhanced by electronic surveillance, but should not be considered a substitute for direct supervision of juveniles. There should be a central control center, staffed 24 hours a day, seven days a week, twelve months a year.

The control center maintains all communication, key and lock control and security aspects of the facility. Entrance and exit to the facility should be by sally-port arrangement. There should be policies, procedures, and practices for the control of contraband.

Life Safety, Sanitation, and Hygiene: Juvenile facilities are responsible for ensuring the safety, care, security, control, accountability, and custody of juvenile offenders, and providing for public protection through a system of written policies and procedures that are based on recognized juvenile correctional practices. The facility must comply with all local, state and national health, safety, and environmental and building codes. A representative of the local or state authority having jurisdiction must inspect the facility in accordance with local and state fire building codes.

Some other areas include:

- Electrical Safety
- Toxic, Caustic, and Flammable Materials
- Pest Control
- Weekly Facility sanitation inspections
- Yearly inspections by federal, state, and/or local sanitation and health officials
- Food service and approved food service provider
- Clean bedding and linen for juveniles
- Personal hygiene items
- Appropriate hair grooming
- Compliance with all applicable zoning ordinances, and building, sanitation, health and fire codes
- Appropriate square footage for living units, sleeping areas, and day rooms
- Air conditioning
- Temperature control
- Lighting
- Furnishings
- Showers
- Secure storage space
- Housing for handicapped
- Special management housing for disruptive youth

Staff Recruitment, Training and Retention: Juvenile facilities are responsible for staff development and training programs designed to satisfactorily meet the mission and goal of ensuring that each offender receives quality programming from qualified and properly trained staff, in an environment conducive to rehabilitation. Direct supervision should be trained in but should not be limited to:

- Crisis Assessment
- Crisis Intervention
- Communication Skills
- Physical Restraint Techniques (if applicable)
- CPR
- First Aid
- Suicide Prevention and Intervention
- Sexual Abuse and Prevention
- Mental Health Awareness
- Standards of Conduct

Such training must be provided during Pre-service training (prior to a staff member's direct supervision of any juvenile) and subsequent annual refresher training.

Pursuant to establishing the protocol and outcomes for the site visits established by the Blue Ribbon Commission on Youth Safety and Juvenile Justice Reform, the Programming Subcommittee reached a consensus on proposed recommendations for on-site visits to both secure and non-secure juvenile facilities outside the District of Columbia as part of the overall strategy to enhance the Subcommittee's assessment of "model programs" and "best practices." As a result, Tarrant County Juvenile Probation Department in Fort Worth Texas, and two facilities of the Texas Youth Commission (Marlin Orientation and Assessment Center and Giddings State School), as well as the Ferris School in Wilmington, Delaware, were recommended and selected for site visits. In addition,

the Department of Youth Services in Missouri was highlighted as a State with several best practices providing a model for alternatives to incarceration and aftercare.

B. Diversion and Alternatives to Incarceration

Among youth who are arrested and referred to juvenile courts, the vast majority are not incarcerated. Less than half of those detained are not charged with a delinquency offense, while one-third of arrests result in a court conviction. However, while only 11 percent of delinquency cases result in out of home placement to corrections or to a group home or residential treatment center, the national juvenile justice system devotes most of its funding to confining these 11 percent (Mendel). Monetarily, juvenile justice agencies nationwide spent between \$10 and \$15 billion in 2000 to prosecute, supervise, and treat adolescents accused or convicted of delinquent or criminal behavior, or to prevent adolescent crimes before they occur. It is obvious that too much funding is devoted to incarcerating youth.

Far fewer resources are used to treat and monitor youth in home environments or to address the underlying problems that may be causing their delinquent behavior. Many options exist to address youthful offenders who are permitted to remain in the community, including restitution, community service, home curfew, academic tutoring, anger management training, individual or family counseling, and substance abuse treatment.