

CHALLENGE #1: REDUCE OVERRELIANCE ON INCARCERATION

“Evaluation research indicates that incarcerating young offenders in large, congregate care juvenile institutions does not effectively rehabilitate and may actually harm them... A century of experience with training schools and youth prisons demonstrates that they constitute the one extensively evaluated and clearly ineffective method to treat delinquents.”¹

Barry Feld, University of Minnesota Law School

Nationwide, juvenile justice agencies spent between \$10 and \$15 billion in 2000 to prosecute, supervise, punish and treat adolescents accused or convicted of delinquent or criminal behavior, or to prevent adolescent crimes before they occur. The majority of these funds were paid to confine a small segment of the juvenile offender population, and most confined youth were sent to “training schools” – large correctional institutions typically housing 100 to 500 juvenile offenders. Conditions of confinement in these facilities are often poor, and educational and mental health services are often inadequate. Moreover, the process of isolating youth exclusively with other delinquent peers tends to exacerbate rather than mitigate the law-breaking tendencies of youthful offenders.

Decisions to send youthful offenders to training schools (or correctional boot camps) are typically based upon two rationales: (1) the young person poses a danger to society and must be removed; or (2) a period of confinement will teach the young person a needed lesson. The evidence belies both of these rationales as justification for devoting the lion’s share of juvenile justice resources to incarceration.

Most youth placed into training schools are not dangerous criminals. Nationwide, 27 percent of youthful offenders in out-of-home placements in October 1997 were guilty of violent felony crimes. (The large majority of these placements were to correctional units, with the rest being residential treatment centers or group homes.) A 1993 study of 28 states found that only 14 percent of offenders in correctional training schools were committed for violent felonies. More than half of the youthful

offenders in state institutions were committed for property or drug crimes and were serving their first terms in a state institution.²

Meanwhile, large training schools have never proved effective in rehabilitating youthful offenders or steering them from crime. Recidivism from large training schools is uniformly high. A follow-up study on youth released from Minnesota’s two training schools in 1991 found that 91 percent were arrested within five years of release. In Maryland, a study of 947 youths released from correctional facilities in 1994 found that 82 percent were referred to juvenile or criminal courts within two and one-half years after release.³ In Washington State, 59 percent of incarcerated youth re-offended within one year and 68 percent within two years.⁴

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In fact, virtually every study examining recidivism among youth sentenced to juvenile training schools in the past three decades has found that at least 50 to 70 percent of offenders are arrested within one or two years after release. Clearly, training schools are not derailing the criminal careers of youthful offenders.

Why then do states continue to rely so heavily on training school incarceration – despite the powerful evidence against its effectiveness? One factor is that public pressures to “get tough” on youth crime have dissuaded political leaders from embracing less punitive rehabilitation strategies. Also, many

local jurisdictions have declined to invest adequate resources in *community-based* juvenile corrections programs that can punish, supervise and rehabilitate young offenders without removing them to state institutions. Many states have created financial incentives against local investment in these needed programs.

Experience shows that states and localities which overcome these obstacles can substantially reduce their reliance on incarceration – saving millions for taxpayers, increasing public safety, and sparing many youth a needless and potentially damaging experience in corrections

UN-PRISONMENT: MISSOURI DEPARTMENT OF YOUTH SERVICES

Steel-gray cement floor. White cinder-block walls. Narrow cot and open, stainless steel toilet. The room looks like tens of thousands of training school cells throughout our nation.

Yet here at the Riverbend juvenile correctional facility in St. Joseph, Missouri, this cell is the only one of its kind – and it is empty. Though the young people confined at Riverbend clean the cell every week, it has remained unoccupied for more than one year, reserved for emergencies that seldom arise. Rather than living in individual or two-person cells, the 33 residents of Riverbend – most convicted of felonies – sleep in three open dormitories. There are no handcuffs here, and no restraints. Only the 14-foot perimeter fence signals that this is a correctional facility.

Like all of Missouri’s juvenile correctional facilities, Riverbend’s 33-bed capacity is far smaller than the “training schools” that dominate juvenile corrections in most other states. Nationwide, only 12 percent of youth confined by public correctional agencies are housed in facilities with 30 or fewer residents, and 62 percent are confined in facilities with more than 110 residents.⁵ Missouri closed its only training school in 1983 (and converted it for use as an adult prison). Today in Missouri, no juvenile correctional facility contains more than 85 beds, and all except three contain 33 beds or fewer.

AN ALTERNATIVE TO “TRAINING SCHOOL”

Clearly, Missouri’s secure juvenile corrections facilities look quite different from those in most states. They are also used more sparingly. Whereas neighboring Nebraska, Illinois, Kansas, Arkansas, Oklahoma, Iowa, and Tennessee each confine between 200 and 2,200 youth in training schools and other high-security correctional facilities, Missouri confines only 180 youth in heavily locked facilities like Riverbend.⁶ Three-fourths of youthful offenders committed to Missouri’s youth corrections agency, the Division of Youth Services (DYS), are assigned to non-residential community programs, group homes, and less secure residential facilities.

Community-Based Programs. On any given day in Missouri, 255 juvenile offenders committed to state custody participate in “day treatment programs” like the Star program in Gladstone, where 15 youth spend from 8 a.m. to 3 p.m. every weekday in a combination of academic education and counseling. After school, many participate in community-service or academic tutoring activities, or in individual or family counseling. For most youth, the day treatment program is a step down

A central tenet of the Missouri approach is that “treatment occurs 24-hours-per-day.” Not only therapy sessions, but all activities must reinforce the messages of individual responsibility and discipline – and never reward youth for overpowering others or slacking in their assigned tasks or behavioral standards. Missouri maintains this 24-hour regimen by ensuring that youth are overseen at all times by at least two skilled, educated, and highly trained staff members.

following residential confinement. This allows DYS to provide eyes-on supervision when youth return to the community, and it provides the young people extra support during the difficult and dangerous transition period. Day treatment also enables youth to continue their education without interruption, rather than enduring a delay between their release from confinement and the opening of a new semester in the public schools.

In addition to day treatment, DYS assigns “trackers” to monitor and support 800 delinquent teens each day in community supervision. These trackers – usually college students pursuing a degree in social work or a related discipline – maintain close contact with delinquent young people and their families, offering support, mentoring, and troubleshooting assistance. In addition, 500 youth statewide are supervised each day on “aftercare” status – through which youth who have graduated from DYS programs continue to be supervised by the same case manager who has overseen their case all throughout their time with DYS.

Statewide, only 12 percent of youth committed to state custody are enrolled immediately into a community-based program. However, the length of stay for Missouri youth in residential care programs is typically short – median stay is six months – and most youth spend time in community programs following their return from residential care.

Less-Secure Residential Programs. In addition to these non-residential programs, the Missouri Department of Youth Services also operates six non-secure group homes with 10-12 beds each, as well as 18 “moderately secure” residential programs serving 20-30 youth each. The group homes typically house youth who have committed only status offenses or misdemeanors. These young people pose no danger to the community, but require more structure, support and supervision than their families can provide. Group home youth spend considerable time away from their facilities in jobs, group projects, and other community activities. Within the facilities, they participate in extensive individual, group and family counseling.

Missouri’s “moderately secure” residential programs are dotted across the state in residential neighborhoods, state parks, and two college campuses. Though many youth sent to these facilities are felons, they too spend time in the community. Closely supervised by staff, residents regularly go on field trips and undertake community service projects. Those who make progress in the counseling component of the program and demonstrated trustworthiness are often allowed to perform jobs with local nonprofit or government agencies – thanks to a \$678,000 per year DYS work experience program.

UN-PRISON ATMOSPHERE

At the moderately secure residential sites – and even at high-security facilities like Riverbend – the atmosphere is anything but prison-like. Residents joke easily with staff, with whom most are on a first name basis. The furnishings are new and cheerful, and the grounds are immaculate. Each of the facilities is organized into treatment groups of 10-12 youth who share a dormitory and participate together in academic classes and group therapy sessions. Many groups tend their own pet or pets – a dog, a turtle, a rabbit. Colorful bulletin boards designed by youth cover most of the walls – featuring their work or positive messages written by youth expressing gratitude to staff or other participants.

Youth attend six 50-minute periods of academic instruction every weekday all year round. They break into small groups for GED instruction or classwork toward their high school diplomas, work together on special projects or current events, or do individual lessons in a computer learning lab. In some DYS facilities, youth participate in a statewide stock market game where groups invest a theoretical \$100,000 over 10 weeks. These DYS groups study the markets carefully, and many participants can knowledgeably discuss the stock performance of dozens of companies. Several DYS groups have ranked among the top groups statewide in the performance of their investments – outdueling classes from Missouri’s regular public schools.

Treatment. In addition to academics, another critical element of the DYS residential programs is what residents and staff refer to as “treatment.” Ninety-minute group sessions are conducted five times per week at all of Missouri’s residential and day treatment programs. Facilitated by highly-trained, college-educated youth specialists and group leaders, these sessions help youth explore their own identities, reflect on their family histories, learn to understand their emotions, and build skills to recognize and reverse their destructive behavior patterns.

The walls at all DYS facilities are covered with work completed by youth as part of this treatment process. “Genograms” are family trees which include not only the names of relatives but also the

In conversations with DYS youth, the impact of these treatment activities is unmistakable. Young people speak openly about their troubled pasts, their hopes for the future, and the changes they are making in themselves to ensure they don’t repeat their past mistakes. Without prompting, many youth acknowledge the pain they have caused the victims of their crimes – and their determination not to create any future victims.

problems and challenges they faced: alcoholism, drug abuse, domestic violence, mental health problems, physical disabilities, or others. For the “line of body” exercise, participants trace the outline of their own bodies and then write and illustrate essential elements of their histories, hopes, emotions and identities.

Families are also a critical element of the Missouri treatment approach. Unlike most other states, Missouri’s juvenile corrections systems is divided into five sub-state regions, enabling almost every youth to be housed within a one or two hour drive from their family homes. DYS family therapists travel to the homes of residents’ parents and guardians, or they drive family members to and from the residential facilities to make visits and participate in family therapy sessions.

In conversations with DYS youth, the impact of these treatment activities is unmistakable. Young people speak openly about their troubled pasts, their hopes for the future, and the changes they are making in themselves to ensure they don’t repeat their past mistakes. Without prompting, many youth acknowledge the pain they have caused the victims of their crimes – and their determination not to create any future victims. Many relate how resistant they were at first to examining the emotional wounds and traumatic experiences that helped propel them into anti-social behaviors and thus into trouble. And those who have been confined for some time talk about the responsibility they feel to help new arrivals overcome their skepticism and fear about opening their feelings to others – and to themselves.

SAFETY, SAVINGS, AND SUCCESS

Missouri’s emphasis on treatment and on least-restrictive care, rather than incarceration and punishment, is paying big dividends. While the Division of Youth Services does not track the long-term recidivism of youthful offenders released from its care, several indicators demonstrate that Missouri’s unconventional approach is far more successful and cost-effective than the training school-oriented systems of most state juvenile corrections agencies.

Ohio and California: Using Financial Incentives to Reduce Counties' Dependence on State Training Schools

Whereas Missouri has developed its continuum of community-based and non-residential programs at the state level, other states are using financial incentives to encourage county courts and probation agencies to meet the challenge at the local level.

In Ohio, counties have historically inundated state juvenile correctional institutions with many non-serious offenders. That began to change in 1993, however, when the state legislature enacted a new funding initiative, **Reclaim Ohio**. Until then, the state bore the entire cost of training school confinement for any young person the counties chose to send, while counties bore the full cost for any young person retained in the community and enrolled in a non-residential or community-based treatment program. Thus, the counties faced a powerful financial incentive to commit youth to state facilities – whether or not such a commitment was in the best interests of the individual young person (or public safety).

Reclaim Ohio turned these incentives upside down. The new program offered counties a yearly funding allocation (based on each county's percentage of statewide felony delinquents) for the treatment of juvenile offenders. The state then began charging counties 75 percent of the costs for any young person committed to state care, but only 50 percent of the costs for any young person retained in a local corrections facility. Any unspent funds could be used by the counties for non-residential community corrections programs. Thus, Reclaim Ohio provided counties both the incentive and the means to establish local alternatives to training school confinement of juvenile offenders.

When it was tested in 1994 in nine pilot counties, Reclaim Ohio caused a 43 percent drop in commitments to state custody. Reclaim Ohio is now a permanent program statewide, serving more than 15,000 youth per year in local juvenile corrections programs costing \$25.6 million in 1999 alone. Meanwhile, the percentage of juvenile felony offenders committed to state care declined every year from 1994 to 1997, and overcrowding in state training schools has fallen substantially.

California has also taken steps to reduce over-reliance on training school incarceration. For decades, the state paid almost the entire cost of confinement for any youth committed by county courts to the California Youth Authority. In 1996, California created a new sliding scale funding formula. For serious offenders, the state continued to pay the lion's share of costs for training school confinement. However, the state began charging counties 50 percent of the costs of confinement for moderately serious offenders, 75 percent of the bill for youth with less serious felonies, and 100 percent for youth with technical parole violations or misdemeanors – a hefty \$2,600 per juvenile per month. The impact of this new funding scheme was immediate: within two years the admission rate for less serious offenders declined by 41 percent.

CONTACTS:

Reclaim Ohio
Carol Rapp Zimmerman, Asst. Director
Ohio Department of Youth Services
51 North High Street
Columbus, OH 43215
Phone: (614) 466-8783

California's Sliding Scale Funding Formula
Tracy Kenny
Legislative Analyst's Office
925 L Street, Suite 1000
Sacramento, CA 95814
Phone: (916) 445-4660

In each of the past two years, only 11 percent of young people released from DYS custody or transferred from a residential to a non-secure community program were either rearrested or

returned to juvenile custody within one year. A 1993 DYS study found that only 28 percent of youth released from residential care violated parole or were recommitted to DYS within three years of

their release – a failure rate one-half to two-thirds below that of most other states. More than 90 percent of the 917 youth committed to DYS in 1991 were first time commitments; only 8 percent had been committed to DYS previously. And a study of five thousand youth discharged from DYS in the 1980s found that only 15 percent were arrested as adults.⁷

Perhaps most impressively, *Missouri's juvenile corrections system has achieved these superior outcomes at a cost well below that of most states.* By avoiding over-reliance on expensive residential confinement programs, limiting the length of stay in these programs, and minimizing recidivism, Missouri's Division of Youth Services operated with a budget of just \$61 million in 2000 – about \$94 for each young person in the state aged 10-17. By comparison, juvenile corrections budgets in the eight states surrounding Missouri average approximately \$140 per young person – one third more than Missouri.⁸

THE KEYS TO SUCCESS

Despite these impressive results, other states have not been willing or able to emulate Missouri. Less than a handful of states have entirely scrapped training schools, as Missouri has, and all but a handful have declined to develop a broad network of small residential and non-residential juvenile corrections programs. Why not? And how can youth advocates and taxpayer rights groups in other states overcome resistance and build support for Missouri-style juvenile justice reform? Several factors appear most important:

- ♦ **Attention to safety.** Given the public's understandable concerns about youth crime and violence, placing adjudicated youth into non-secure programs and allowing confined youth to participate in off-campus activities is a dangerous proposition. One major incident can create a firestorm of political protest. Missouri has been extremely successful in avoiding such incidents, thanks to a combination of: 1) **careful screening** of youthful offenders before allowing them to interact with the general population; 2) **careful supervision** of confined youth during occasional outings into the community; and 3) use of **trackers to monitor youth** residing in the community to identify and address problem situations as they arise.
- ♦ **High quality staff.** A central tenet of the Missouri approach is that "treatment occurs 24-hours-per-day." *Not only therapy sessions, but all activities must reinforce the messages of individual responsibility and discipline – and never reward youth for overpowering others or slacking in their assigned tasks or behavioral standards.* Missouri maintains this 24-hour regimen by ensuring that youth are overseen at all times by at least two skilled, educated, and highly trained staff members. All youth specialists and direct care workers in Missouri are college graduates, and all must complete 120 hours of in-service training during their first two years on the job. In most states, incarcerated youth spend only a handful of hours per week in therapy activities with trained counselors. For the remainder of the time, youth are overseen by less skilled, lower-paid correctional officers who often lack the skills (and perhaps the inclination) to rigorously enforce a treatment philosophy.
- ♦ **Constituency-building.** To overcome public fears of delinquent youth and political momentum toward ever-tougher approaches to delinquency, *long-time Division of Youth Services Director Mark Steward has carefully cultivated a network of prominent supporters statewide – including leaders in both political parties.* By inviting judges, state legislators and other powerful figures to tour its facilities – and by allowing youth themselves to guide these tours and describe in their own words the value of the DYS treatment process – Steward and DYS have gained the faith of Missouri leaders across the political spectrum. Also, by placing dozens of facilities throughout the state, it has built a powerful base of grassroots support to maintain its decentralized programming at a time when most other states are only building more training school beds. "Missouri has resisted the get large philosophy,

mostly [because] Steward went out and talked with people around the state and built a consensus in support of his approach,” reports Paul DeMuro, a leading juvenile justice consultant. “Steward may be the most longstanding juvenile corrections director in the nation. He knows how to work the system, and he’s very well respected.”⁹

CONCLUSION

Missouri’s *un-prisonment* approach to juvenile justice is by no means perfect. Investments in community-based delinquency prevention efforts are not extensive statewide, and the state contributes only a modest (though growing) \$6 million per year to support local juvenile court programs that intervene early in the delinquency careers of adolescents and reduce the chances that youth will be committed to DYS in the future. Missouri also fails to collect long-term recidivism data for youth after leaving its juvenile corrections programs.

On balance, though, *Missouri’s approach should be a model for the nation. Its success offers definitive proof that states can protect the public, rehabilitate youth, and safeguard taxpayers far better if they abandon incarceration as the core of their juvenile corrections systems.*

“It’s the best system in the country in my opinion for [the correctional phases of] juvenile justice,” says Paul DeMuro. Bart Lubow, a Senior Associate at the Annie E. Casey Foundation, also ranks Missouri’s Division of Youth Services among the finest juvenile corrections agencies in the nation. “It shows what’s possible,” Lubow says, “when you put in place a smart array of options and you tailor the dispositions to the needs and risks of the individual kids.”¹⁰

Operating Agency	Missouri Division of Youth Services
Program Type	State Juvenile Corrections Agency
Program Goals	Public Safety, Rehabilitation of Youthful Offenders
Target Group	Youthful Offenders Committed to State Custody
Key Strategies	Small correctional facilities, heavy treatment emphasis, extensive use of non-residential “tracker” and “day treatment” programs, intensive family outreach
Primary Funding Source(s)	State of Missouri, US Office of Juvenile Justice and Delinquency Prevention
Evidence of Effectiveness	Very low recidivism, far lower cost than juvenile corrections systems in most surrounding states
Contact Information	Mark Steward, Director Missouri Division of Youth Services P.O. Box 447 Jefferson City, MO 65102 Phone: (573) 751-3324; Fax: (573) 526-4494