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Challenge Activities Program Areas

OJJDP

Challenge to the States

The 1992 reauthorization of the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974 added Part E, State Challenge Activities, to the programs funded by the Office of Juvenile Justice and Delinquency Prevention (OJJDP). The purpose of Part E is to provide initiatives for States participating in the Formula Grants Program to develop, adopt, and improve policies and programs in 1 or more of 10 specified Challenge areas.

Challenge Activity D

Developing and adopting policies and programs to provide secure settings for the placement of violent juvenile offenders by closing down traditional training schools and replacing them with secure settings with capacities of no more than 50 violent juvenile offenders with ratios of staff to youth great enough to secure adequate supervision and treatment.

Introduction

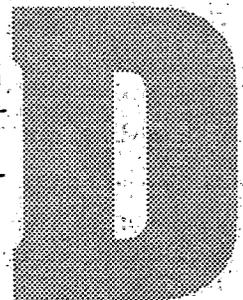
Through the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974, Congress sought to reduce the juvenile justice system's reliance on large congregate institutions for most juvenile offenders. This goal is stated by the legislation in sections related to the deinstitutionalization of status and nonstatus offenders, the removal of juveniles from adult jails and lock-ups, and in the amendment to address the disproportionate confinement of minority youth in secure facilities. States and local communities are encouraged to develop a continuum of community-based programs and facilities that is flexible enough to meet the needs of young offenders and their families, while at the same time ensuring community safety and the integrity of the court process.

Juvenile justice professionals concur that a comprehensive system of community-based programs and facilities offers the best approach for treating most youthful offenders. They also agree that the risk presented by serious and violent juvenile offenders may often require more restrictive sanctions. Section 101 of the JJDP Act states that "recent trends show an upsurge in arrests of adolescents for murder, assault, and weapons use . . . and the small number of youth who commit the most serious

and violent offenses are becoming more violent." Crime data support this trend. The Violent Crime Index (homicide, forcible rape, robbery, and aggravated assault) for juvenile offenders increased by 54 percent between 1987 and 1991.¹

To address this upsurge in arrests, Congress has urged Federal action to help States and local communities stem serious and violent juvenile crime. To carry out this congressional authorization more effectively, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) has adopted a *Comprehensive Strategy for Serious, Violent, and Chronic Juvenile Offenders*. Under this plan the five principles for preventing and reducing juvenile delinquency are to: (1) strengthen families; (2) support core social institutions; (3) promote prevention strategies and programs; (4) intervene immediately and effectively when delinquent behavior occurs; and (5) identify and control the small percentage of serious, violent, and chronic juvenile offenders.²

The components of the Comprehensive Strategy are: (1) to prevent youth from becoming delinquent by providing prevention programs for at-risk youth, and (2) to improve the juvenile justice system's response to delinquent offenders through a system of graduated sanctions and a continuum of treatment alternatives. These alternatives include immediate intervention, intermediate sanctions, and community-based corrections sanctions. When appropriate these sanctions emphasize restitution and community service.³



The graduated sanctions component recognizes that traditional probation services and sanctions have not had the resources to target effectively delinquent offenders, particularly serious, violent, and chronic offenders. States and local communities are urged to pursue a "balanced approach" that holds offenders accountable, protects public safety, and enhances the competency of juvenile offenders.⁴

Although the strategy stresses the importance of immediate intervention and intermediate sanctions, it also recognizes the need for secure corrections for serious, violent, and chronic juvenile offenders. Central to this concept of secure corrections is "community confinement" or "small community-based facilities that offer intensive treatment and rehabilitation services." These facilities would offer a range of services, including individual and group counseling, educational programs, medical services, and intensive staff supervision. The programs support the juvenile offenders' ties to community and family and provide for "a phased reentry into the community that draws upon community resources and services."⁵

This State Challenge Activity provides States with guidelines in developing community confinement facilities, assessing needs, and using specific and objective criteria for placement. Promising approaches to community confinement facilities at the State and local levels are examined, but their economic costs and conditions of confinement must be considered first.

A Word of Caution About the Costs and Conditions of Confinement

The costs of the construction and operation of a community confinement facility, the rigorous State licensing standards, and the requirements of the courts and Federal and State legislation are three critical considerations in building a secure confinement facility for juveniles. Although necessary in certain situations, building community confinement facilities is an expensive and long-term commitment to a single approach to youth crime. Even a small facility can have annual operational costs of \$500,000.⁶ Moreover, once the decision to build a facility is made, it cannot easily be reconsidered after construction has begun.

Communities should therefore consider this decision carefully and proceed only after making a thorough needs assessment. The facility should be part of a continuum of responses to youth crime, not the sole response. Local jurisdictions should form partnerships with their State government to create state-wide regional networks to reduce jurisdictional overlap and allocate expensive confinement space on an appropriate, cost-effective basis.

The high-cost item in every continuum is secure confinement. The following example provides an estimate of the minimum costs of a 16-bed community confinement facility:⁷

Construction, including an architect, furnishings, and related items

\$125,000 per bed x 16 beds = \$2,000,000

Bond issue authorized 10 years = \$2,000,000

Operation, including custody, program, administration, clerical staff, and related items:

\$26,000 x 10 staff = \$260,000 (salary and benefits)

\$32,000 x 5 staff = \$160,000

Other operations (10 percent of staffing costs) = \$42,000

A 16-bed, medium-security juvenile detention facility will cost an estimated \$12,924,000 in construction, interest, and operations over a 20-year period, or \$646,000 per year (\$110 per day per bed).⁸ Recent estimates in a western State concluded that its plans to develop 6 small community confinement facilities with 16 beds in each would cost an estimated \$77,344,000 over 20 years, or \$3,876,000 per year. Given the intense competition for limited public tax dollars available to youth services, these costs are not easily accommodated at the State and local levels.⁹

Another area of caution involves the stringent requirements imposed by State legislatures and the court system on juvenile confinement facilities. State and local jurisdictions considering a community confinement facility should clearly understand recent Federal and State court decisions concerning the issues of classification, health, access, programs, staff training, physical plant and environment, restraints, and safety.

The Youth Law Center's *Federal Law Relevant to Protecting Children from Harm in Out-of-Home Settings* (1992) provides a useful checklist for meeting these requirements. The items are drawn from Federal law and scores of civil rights cases dealing with conditions of confinement in adult jails and lockups, juvenile detention and corrections facilities, mental institutions, and similar types of residential facilities.¹⁰

Classification and Separation Issues

- Prohibition on confinement of juveniles in adult jails and lockups.
- Prohibition on confinement of status offenders and nonoffenders in secure juvenile facilities.
- Segregation of juveniles from adult inmates.
- Separation of violent individuals and nonviolent individuals.

Health Care

- Medical screening at admission.
- Medical services.
- Psychological screening at admission.

- Psychological services.
- Administration of medications.
- Treatment refusal rights.

Access Issues

- Mail.
- Telephone.
- Visitation.
- Access to counsel/courts.

Programming

- Education.
- Exercise and recreation.
- Forced labor.
- Religion.

Training and Supervision of Employees

Environmental Issues

- Sanitation.
- Food.
- Ventilation, heating, and cooling.
- Fire safety.
- Lighting.
- Clothing and personal items.
- Overcrowding, adequate living space, and privacy.

Restraints, Punishment, and Due Process

- Restraints.
- Isolation practices.
- Corporal punishment.
- Due process in disciplinary hearings.
- Grievance procedures.

Safety

Community confinement facilities are expensive and prone to litigation. States and local jurisdictions interested in pursuing this State Challenge Activity must also consider how the facilities will fit into the larger context of community-based

youth services whose purpose is to provide a flexible menu of options for the juvenile justice system. See a companion State Challenge factsheet *Community-Based Alternatives to Incarceration*, which contains further discussion of these issues.

Promising Approaches for Community Confinement Facilities

While programs will be as different as the youth they serve, a number of research studies and programs offer useful insights into increasing the number and success of community-based alternatives to incarceration. The RAND Corporation, in *One More Chance: The Pursuit of Promising Intervention Strategies for Chronic Juvenile Offenders*, identified seven elements that should be present in successful programs. The program must:¹¹

- Provide opportunities for each youth to overcome adversity and experience success, thus encouraging a positive self-image.
- Facilitate bonds of affection and mutual respect between juveniles and their guardians and promote involvement in conventional family and community activities.
- Provide frequent, timely, and accurate feedback for both positive and negative behavior.
- Reduce or eliminate negative role models and peer support for negative attitudes or behavior.
- Require juveniles to recognize and understand thought processes that rationalize negative behavior.
- Create opportunities for juveniles to discuss family matters and early experiences in a relaxed, nonjudgmental atmosphere.
- Vary the sequence and amount of exposure to program components to adapt to the needs and capabilities of each participating youth.

The RAND study emphasizes the fact that programs must be effective in the following areas, especially when planning for and providing aftercare:¹²

- Prerelease assessment and planning.
- Continuity in programming.
- High frequency of contact.
- Highly motivated and energetic staff.
- Mobilization of educational, vocational, family services.
- Drug and alcohol prevention.
- Recreational programming.

Of equal importance is a system of overarching case management for residential and aftercare programming. OJJDP's program summary *Intensive Aftercare for High-Risk Juveniles: A Community Care Model* defines overarching case management as "the process required for high-risk delinquents to make the transition from secure confinement to intensive aftercare." Key staff are involved with designated high-risk cases from the point of secure care disposition until discharge from parole status. They must consider the five components of case management, including:¹³

- Assessment, classification, and selection criteria.
- Individual case planning incorporating a family and community perspective.
- A mix of intensive surveillance and services.
- A balance of incentives and graduated consequences coupled with the imposition of realistic, enforceable conditions.
- Service brokerage with community resources and linkage with social networks.

The aftercare counselor must be actively involved from the moment secure confinement begins and provide for some form of service before the youth's discharge from secure confinement. One of the most serious problems in the aftercare process is aftercare workers who are not meaningfully involved in the juvenile's case until the final phase of confinement.¹⁴

In the past 20 years, numerous States have attempted to abandon large congregate juvenile institutions in favor of community-based programs and facilities. Massachusetts, Missouri, and Oklahoma made successful transitions in the 1970's and 1980's.¹⁵ More recently, however, the transition achieved in Utah has served as a model approach for other States.¹⁶

In the 1980's Utah successfully moved violent juvenile offenders from a single, century-old, 450-bed training school to a variety of decentralized community-based programs and facilities. The change was prompted by a class-action lawsuit in the mid-1970's charging that conditions in Utah's corrections system had become intolerable. A panel appointed by the Governor recommended that Utah adopt an approach similar to that used in Massachusetts, which placed delinquent youth in the least restrictive setting consistent with public safety. In 1980 a detailed master plan to develop a network of community-based programs and residential facilities became the basis for legislative action and a grant from OJJDP.¹⁷

Conclusion

While community-based programs are usually the best approach for treating juvenile offenders, serious and violent juvenile offenders, whose needs are greater and who present more risk to themselves and the public, often require more

restrictive sanctions. One of the components of the graduated sanctions approach is community confinement facilities. Case management and aftercare programming are critical to accurately placing juveniles and providing them with the services that meet their needs. States wishing to modify or transform their secure corrections facilities with a State Challenge grant can look to other States such as Massachusetts, Missouri, Oklahoma, and Utah for successful models.

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The Office of Juvenile Justice and Delinquency Prevention is a component of the Office of Justice Programs, which also includes the Bureau of Justice Assistance, the Bureau of Justice Statistics, the National Institute of Justice, and the Office for Victims of Crime.

Appendix

The programs listed in this section contain one or more of the elements associated with effective graduated sanctions programs and have been judged to be effective by officials in the jurisdictions where they have been implemented. However, these programs do not yet have evaluation results. Some of them are currently undergoing evaluations and more information on their effectiveness will soon be available. The following section contains brief descriptions of these promising programs and identifies the specific target population that each one serves.

Secure Corrections

Cheltenham Young Women's Facility

Target

Population: Adolescent females adjudicated for serious and violent offenses

This secure treatment program provides education, vocational training, counseling, individualized case management, and recreation for up to 28 females. The treatment modality is a four-level behavior modification program. Average length of stay is from 4 to 6 months.

Contact: *Herman Ingram*
Superintendent
Cheltenham Young Women's Facility
P.O. Box 160
Cheltenham, MD 20623
301-782-4223

Robert F. Kennedy School

Target
Population: Serious offenders

This small, secure program for serious offenders provides individual and group therapy, individualized educational services, and recreational activities. The psycho-educational curriculum includes sex offender therapy, drug and alcohol counseling, health education, and violence prevention.

Contact: *Edward Kelley*
Executive Director
RFK Action Corps
11 Beacon Street
Boston, MA 02108
617-227-4138

Weaversville Intensive Treatment Unit

Target
Population: Chronic violent male offenders

This intensive group psychotherapy program uses a delinquency-specific model that is directive and psycho-educational, emphasizing personal prosocial development and accountability. Services include academic and vocational programs; recreational, social, religious, and work programs; and a family therapy program.

Contact: *Arthur Eisenbuch*
Project Director
Weaversville Intensive Treatment Unit
Career Systems Development Corporation
6710 Weaversville
Northampton, PA 18067
215-262-1591

Dunbar and Kincaid Cottages

Target
Population: Adjudicated sex offenders

This program assists juveniles in processing their denial and assuming responsibility for sexually offending behaviors. The program offers three weekly groups for sex offenders, a weekly community meeting, and weekly meetings with assigned primary staff. Students also attend a specially designed program at a local school.

Contact: *Robert Jester*
Acting Superintendent
MacLaren School
2630 North Pacific Highway
Woodburn, OR 97071
503-982-4476

Free Venture Program

Target
Population: Incarcerated youth

In this program private industries operate their businesses within the correctional institution, using offenders as employees. Offenders receive meaningful job training, and victims receive restitution payments. The program teaches occupational skills and positive work habits and attitudes.

Contact: *Frederick Mills*
Administrator
Free Venture Program
Department of the Youth Authority
4241 Williamsborough Drive
Sacramento, CA 95823
916-262-1467

Independent Living Program

Target
Population: Incarcerated males and females ages 16-18 about to return to the community

This program provides youth with an 8-week prerelease program and with financial assistance after release. Prior to their release, youth must meet a specific set of performance measures that includes adult skills training, community service, employment, special offender treatment, and a transition plan.

Contact: *Tom Tye*
Chief of Independent Living
Texas Youth Commission
4900 North Lamar, P.O. Box 4260
Austin, TX 78765
512-483-5122

Intensive Sexual Intervention System (ISIS)

Target
Population: Sex offenders committed to the Gibault School for Boys

This two-tiered program provides 80 to 100 hours of group counseling for less severe sexual offenders and more intensive treatment for multiple sex offenders. Both tiers provide individualized counseling, treatment plans, and therapeutic assignments in an effort to build up a morality base, empathy, responsibility, and social skills in offenders.

Contact: Norbert Gottschling
Director of Programs
Gibault School for Boys
6301 South U.S. Hwy. 41, P.O. Box 2316
Terre Haute, IN 47802
812-299-1156

Minority Youth Concerns Program

Target

Population: Incarcerated, gang-involved minority youth

This program promotes self- and social awareness by challenging minority students to evaluate and redefine their values. Intervention techniques include reality therapy, problem solving, guest speakers, and role playing.

Contact: Robert Jester
Acting Superintendent
MacLaren School
2630 North Pacific Highway
Woodburn, OR 97071
503-982-4476

Secure Intensive Treatment Program

Target

Population: Violent offenders

This program provides offense-specific treatment and educational along with vocational services. The program is housed in a self-contained, 20-bed, maximum-security unit with an inhouse school, shop, and gym. Treatment focuses on holding students responsible for their behavior and on helping them develop new behavior patterns.

Contact: Robert Jester
Acting Superintendent
MacLaren School
2630 North Pacific Highway
Woodburn, OR 97071
503-982-4476

Sex Offender Treatment Program

Target

Population: Incarcerated male sex offenders

This program focuses on youth adjudicated for sexual and aggravated assault and seeks to modify behavior and reduce risk of reoffending. Release requirements are performance related. Treatment addresses denial, sexual assault cycle, relapse prevention, behavior and skills training, victimization, and empathy.

Contact: Linda Reyes
Chief of Mental Health
Texas Youth Commission
4900 North Lamar, P.O. Box 4260
Austin, TX 78765
512-483-5152

Vermont Intensive Treatment Program for Aggressive Adolescents

Target

Population: Serious violent offenders requiring secure care

This program is designed to eliminate criminal relapse, develop positive relationships with adults, and promote long-term personal change. Program components include education, treatment, skill development, monitoring, recreation, and community service work.

Contact: Stephen Coulman
Director
Woodside Juvenile Rehabilitation Center
26 Woodside Drive East
Colchester, VT 05446
802-655-4990

Young Men as Fathers Program

Target

Population: Incarcerated fathers

This program works with wards, parenting experts, State agencies, and community-based organizations to improve the parenting skills of incarcerated males. The program contracts with community-based organizations and local service providers to implement culturally sensitive parenting classes that total 60 hours.

Contact: William Kolender
Director
Department of the Youth Authority
4241 Williamsborough Drive
Sacramento, CA 95823
916-262-1467

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Organizations

Florida Department of Health and Human Services, 1344 Cross Creek Circle, Tallahassee, FL 32301; Kimberly Budnick, 904-488-3302; Fax: 904-922-6189.

Massachusetts Committee on Criminal Justice, 100 Cambridge Street, Room 2100, Boston, MA 02202; Lynn Wright, 617-727-4300; Fax: 617-727-5077.

Missouri Department of Social Services, Division of Youth Services, P.O. Box 447, Jefferson City, MO 65102-0447; Randy Thomas, 314-751-3324; Fax: 314-426-4494.

Oklahoma Commission on Children and Youth, 4545 North Lincoln, Suite 114, Oklahoma City, OK 73105; Grace Kelley, 405-521-4016; Fax: 405-524-0417.

Utah Commission on Criminal and Juvenile Justice, 101 S Capitol, Salt Lake City, UT 84114; Willard Melmstrom, 801-538-1031; Fax: 801-538-1024.

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