

Juvenile Justice Overview

CASA Training November 2021

Hello there person on the street.

How prevalent do you think juvenile crime is right now?

- A. It's terrible. Kids are running amok!
- B. I guess it's about the same as it always is. Kids will be kids.
- C. Wow. It's really low. This is the most law abiding generation we've ever seen!



The Answer is C.

Surprised????

No one knows exactly why but juvenile crime has plummeted since it's highest point in the late 1990s. Some theories:

- Removal of lead paint (which is known to cause aggression)?
- Cell phones and video games?

Who are juvenile justice kids?



- Public offenders: Youth charged with an offense that would be an offense if an adult committed the act. (burglary, theft, arson, etc)
- Youthful Offenders: Youth tried in the adult court. These youth are subject to basically the same penalties as an adult offender HOWEVER, in Kentucky these youth remain housed separately in juvenile facilities and get a “second chance” (more on that later)
- Status offenders: Youth charged with an offense that’s specific to their status as a child: runaway, truant, “beyond control” of parent. In many states these youth fall under juvenile justice agencies, but in Kentucky they remained under the Cabinet for Families and Children (child welfare) when DJJ was split off in 1996.

Kentucky Department of Juvenile Justice

With the passage of House Bill 117, Kentucky's General Assembly established the Department of Juvenile Justice in 1996. The Department strives to promote a comprehensive array of cost-effective services for at-risk youth. These services are directed toward prevented delinquency, providing efficient rehabilitation services, and altering the rate of recidivism with appropriate aftercare while minimizing risk to the community. In providing services, the DJJ supports and believes in the complete involvement of both the family and the community in the rehabilitation of troubled youth.

Kentucky's Department of Juvenile Justice has been nationally recognized for the continuum of care it provides for rehabilitating delinquent youth. While many state's out-of-home placement options are limited to two or three large institutions, Kentucky is able to serve youth in a variety of small programs designed to meet specific treatment needs.

Kentucky Department of Juvenile Justice

Centralized. DJJ pretty much does it all:

- Supervision/probation/prevention in community.
- Regional juvenile detention facilities
- Out of home placements: foster care, private child care, DJJ group homes, DJJ “youth development camps”, and Adair (secure facility)
- Aftercare (which many states would call parole)

Juvenile Justice Reform in Kentucky SB 200

Kentucky had the 4th highest (among 50 states) for juveniles detained for status offenses. • DJJ spent half of its \$102 million dollar budget on out-of-home placements. Detention beds and beds in the youth development centers cost over \$100,000 per year. • In addition, DCBS spent \$6 million in fiscal year 2012 for out-of-home placement of status offenders.

SB 200

- Increase access to diversion
- Limit the use of out-of-home placements for youth
- Increase and strengthen the use of evidence based programs, practices and policies in DJJ and in local communities
- Increase the use of assessment and structured decision-making tools
- Reduce recidivism rates



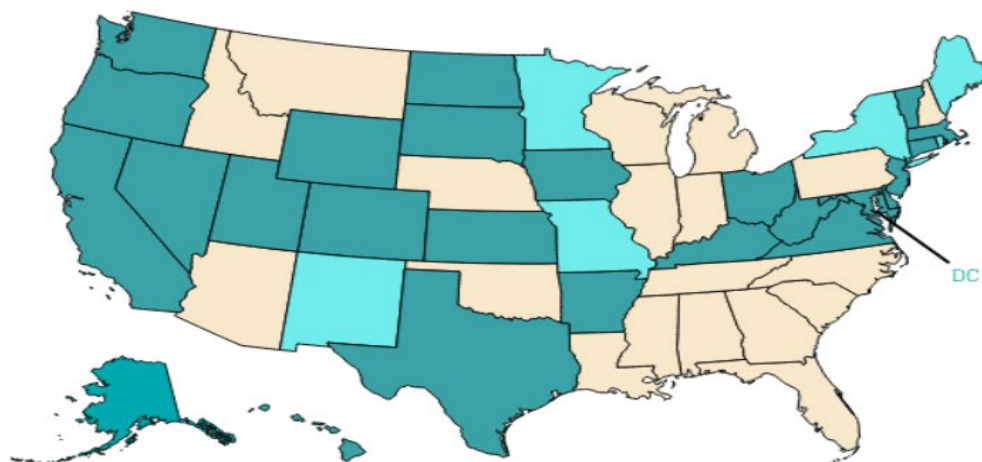
Kentucky is long known for being progressive about juvenile justice.

- One of only 8 states to have no one under age 18 in an adult jail or prison.
- Juvenile offenders by law cannot receive the death penalty or life without parole.
- Eliminated mandatory waiver/return to discretionary.
- Small treatment oriented facilities instead of large “juvenile prisons”.
- Statewide system of diversion.



The **CAMPAIGN** for the
FAIR SENTENCING
of **YOUTH**

31 states and DC
BAN OR HAVE NO ONE SERVING
life without parole for children



25 states and DC ban juvenile life
without parole (JLWOP)



6 states have no one serving
JLWOP

cfsy.org



Tweet your reply

Diversion



- Kentucky is very fortunate to have a state-wide system of diversion. Most states may have a site or two but not a whole system.
- Diversion is run through the Administrative Office of the Courts. They have Court Designated Workers (CDW's) in each judicial district. All youth initially proceed through CDWs. The decision, based on the charges, may be to divert from the system entirely or send on to formal court processing. They also make the decision as to whether the youth should be detained vs. released to parent/guardian or an alternative to detention setting such as a youth shelter or "court resource home" (basically a foster home)
- Establish Family, Accountability, Intervention and Response (FAIR) teams to provide oversight and support to youth in diversion

Juvenile Detention Centers



The Kentucky Department of Juvenile Justice operates eight (8) secure Regional Juvenile Detention Centers that provide secure detention to all counties in Kentucky. The Detention Centers provide programs with a wide range of services including education, counseling, acute medical and mental health care, behavior management, observation, and assessment, as well as continuous supervision.

DJJ Group Homes



- Serve a variety of youth and needs. These programs are able to serve younger and/or less serious offenders than youth development centers. Some group homes also function as step-down programs for youth leaving a residential center that could benefit from a less restrictive level of care before they return home.
- Group homes use either day treatment or local public schools for the education component of their programs. Individual and group counseling, substance abuse treatment and community service are all components of group home programs. Generally, youth are placed as geographically close to home as possible.
- Each of the 9 state operated group homes house up to 8 youth who require a structured setting but pose less risk to youth in development centers.

Youth Development Centers are small campus-type settings with capacities ranging from 30 to 45 youth per center. These programs provide monitoring of youths' activities 24-hours per day, seven days per week. Security level and measures vary by facility. Youth placed in these programs are typically between the ages of 14 and 18 and have been adjudicated as public youthful offenders.



Youth tried as adults

- Mandatory vs. Discretionary Waiver
- After 25 years Kentucky just returned to discretionary waiver.
- Now there are offenses where youth CAN be tried as adult but doesn't HAVE to be.
- In Kentucky, a youth tried as an adult returns to the sentencing court at age 18 and can be released, placed on adult probation, sent on to prison, or return to juvenile justice facility until age 21.

Education on Crossover kids

Dept. Juvenile Justice

Child Welfare

She's yours! No, she's yours!!



[This Photo](#)

by
Unknown
Author



CROSSOVER YOUTH

Youth who are at risk of or are fluctuating between the child welfare and juvenile justice systems.

DUAL SYSTEM

Crossover youth who are referred for an investigation and/or have involvement with both the CW and JJ systems

DUALY INVOLVED

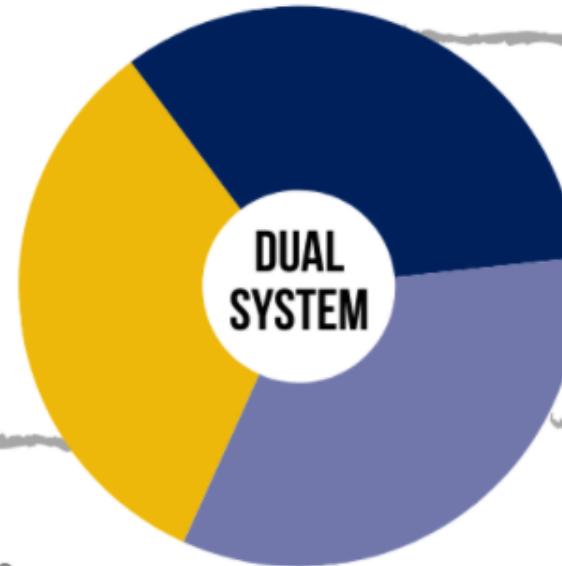
Dual systems youth who are referred for an investigation and/or have involvement with both the CW and JJ systems concurrently

DUAL CONTACT

Dual systems youth who are referred for an investigation and/or have involvement with both the CW and the JJ systems but the referral/involvement across systems is non-concurrent

DUALY ADJUDICATED

Dual systems youth who are formally adjudicated in both the CW and JJ systems concurrently.



Herz, D. & Dierkhising, C. (2018). OJJDP Dual-System Youth Design Study. Summary of Findings and Recommendations

Following the research: trying to do what works instead of how we've always done it before

Poor results:

Boot camps

Scared straight

Wilderness programs

Juvenile detention as a sanction

**Anything that emphasizes custody and control vs. counseling and services.*

Back to person on the street (and beyond)

Which of the following has proven to reduce school truancy?

1. Putting a washer and dryer in the school for students to use.
2. Taking students to court and placing them on probation.
3. Taking students to court and putting them in juvenile detention for a day or two.



States that have decriminalized truancy saw:

Attendance rates went UP!



What does the research tell us?



Washington State: 3 year study. Youth broken into two groups: Taken to court vs not. Youth taken to court showed an initial increase in school attendance but this soon declined. By 2 years later these youth had *greater* number of absences and were *less* likely to graduate from high school than youth not taken to court.

One recent report by the nonprofit Council of State Governments Justice Center found that South Carolina students placed on probation for truancy issues **wound up with even worse school attendance than they had before the courts got involved.**

Costs \$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$

- Current cost to Ky taxpayers to house one youth in a KY juvenile detention center for one day: \$538
- Amount charged to county for each truant detained: \$94 a day
- For a 30 day stay it costs almost \$3,000 to the county. 3 kids=\$9,000
6 kids=18,000

What have we figured out:

- The best thing for kids is to have as little contact with the justice system as possible. The deeper they go, the more likely they are to become a habitual, serious, and/or violent offender.
- Juvenile probation is undergoing a complete overhaul because “traditional” probation (give kid a list of rules and check for compliance) shows to be completely ineffective
- Being placed in juvenile detention is the single factor for becoming an ongoing, serious adult offender. More so than having drug issues, a parent incarcerated, poverty, gang influences, etc.

What's proven to work:

- Mentoring (Youth Advocate Program)
- Multisystemic Therapy
- Therapeutic Foster Care
- Positive Youth Development activities (giving things to kids to say yes to)
- Programs that develop pro-social skills (Anger Replacement Therapy)

****With kids it's all about relationships.***

cost

ANNUAL EXPENDITURE FOR ONE CHILD IN THE JUSTICE SYSTEM



Michael in
juvenile
detention

Juvenile Detention¹
\$76,600

Kentucky Juvenile Correctional Facility²
\$71,500

Adult Prison³
\$21,600

COST TO SOCIETY
High risk youth's life of crime⁴

\$3.8 million

benefit

ANNUAL INVESTMENT FOR ONE CHILD ON THE ROAD TO SUCCESS



Michael attending
a community
program

After-School Program⁵
\$3,800

University of Kentucky Education⁶
\$22,300

Job Corps Training Program⁷
\$39,700

BENEFIT TO SOCIETY
College graduate's lifetime tax contribution⁸

\$1 million

see footnotes on back

Heroes

Thanks for all you do each and every day to help kids!!

