



**Juvenile Justice in
Florida:
What Kind of Future?**

Barry Krisberg, Ph.D.
Vanessa Patino, MPA

March, 2004



NATIONAL COUNCIL ON CRIME AND DELINQUENCY
Headquarters Office 1970 Broadway Suite 500, Oakland, CA 94612
(510) 208-0500 FAX (510) 208-0511

Midwest Office 426 S. Yellowstone, Suite 250, Madison, WI 53719
(608) 831-8882 FAX (608) 831-6446

Juvenile Justice in Florida: What Kind of Future?

Executive Summary

The National Council on Crime and Delinquency (NCCD) conducted a study to determine the potential benefits to Florida of adopting a data-driven approach to juvenile corrections that is based on the best national research. The NCCD relied heavily on the Office of Program Policy Analysis and Government Accountability (OPPAGA) reports and supplemented these with additional data collection to answer the following questions:

Is the current structure of detention and commitment programs for youthful offenders

guided by the most research-supported strategies? NCCD found that Florida is making

modest progress in operating programs that are informed by the best research, but that much

more needs to be done. It is NCCD's conclusion that the Florida Department of Juvenile

Justice (DJJ) possesses a sophisticated research capacity and potential, but this capacity is not

being fully utilized for program planning or to improve operations. Although the state of

Florida does have programs that have proven effective through rigorous national research

studies, such as drug courts, Multisystemic Therapy (MST), and wraparound services, there

needs to be more rather than less of these programs available to the juvenile court. Programs

such as Associated Marine Institutes, Youth Advocacy Programs (YAP), and high-quality,

gender-specific programming such as the PACE Center for Girls, are promising programs

that have been evaluated and that incorporate a variety of characteristics of effective

programs. In general, we found that

research-tested, home-based services such as wraparound programs are underutilized in Florida. Additionally, there does not appear to be a strong aftercare component within the Florida juvenile justice continuum for the most serious, chronic offender.

Is the state making maximum use of its fiscal resources to protect public safety and promote the rehabilitation needs of youth in the juvenile justice system? NCCD found that presently there is no effective system that matches the control and supervision needs of youth with the residential programs that are funded. Furthermore, there is not a sound forecasting system used by the department to determine future needs for beds or program spaces. As a consequence, DJJ reacts to what beds or community treatment slots are available. Ad hoc decisions to defund successful programs, remove day treatment as a front-end alternative, and use of moderate risk programs for low-risk youths (because of the absence of treatment in the low-risk programs) are not cost-effective strategies and appear to not take into account an understanding of systemic consequences.

Are the needs identified by local communities, including judges, state attorney, law enforcement officials and youth advocates, reflected in state juvenile justice programming? Floridians across the state call for more early prevention and treatment options and support their importance at a time when significant cuts to prevention programs have been proposed. When local representatives were asked about gaps in services and the types of new programs that are needed, responses ranged from specialized services for youth to wraparound, intensive services that include the entire family. At the individual level: mental health services, programs for girls, programs for younger youth, programs for

runaway incorrigible youth, continuum for sex offenders, and minority youth services were among the popular responses. At the system level, the need for trained, quality staff; proper assessment and identification of the need for appropriate placement; education and support for youth offenders with children; programs that are closer to home so that family can visit; life skills curriculum; and aftercare services were among the most popular responses from the people with whom we talked. Representatives from local communities are expressing that, in order for youth to be better served, funding priorities need to shift, new programs need to be implemented, and specific policy changes need to occur. It does not appear that much of the local input and comprehensive planning is incorporated in current DJJ policies and programming. NCCD recommends that the DJJ plan ways to channel more resources at the local level and leave more discretion for programming to judges and community officials, as other states have done.

Important Trends

Florida is experiencing the lowest levels of juvenile committed crime since DJJ was created in 1994. At the same time, Florida is also experiencing a growth in the population of youth ages 10-17. Important trends in youth population, juvenile crime, detention, commitment, and recidivism in Florida are highlighted. It is important to note that it would be expected that juvenile commitments would be declining, as the rates of juvenile crime and seriousness of offenses decline. Issues regarding detention, girls in juvenile justice programs, and disproportionate minority representation are also discussed in this report. These trends present opportunities for implementing alternative programs and policies.

Implications of alternative programs and policies

If Florida implemented research-based programs that are responsive to local needs, the State could make better use of current fiscal resources. NCCD estimates that as much as \$42 million of existing DJJ expenditures could be spent on smarter placement strategies. These monies could be made available to enrich prevention and early intervention programs at the front end of the system. Additionally, these funds could be reinvested to enrich treatment services in residential programs, and to recruit and retain better staff. In this report, NCCD simulated the cost-savings effect of three options for implementing research-tested alternative programs and policies. The options presented are very conservative estimates about the proportion of youth that could qualify for alternative programming. The report ends with a set of specific recommendations for next steps for DJJ and the Legislature.

Juvenile Justice in Florida: What Kind of Future?

I. Introduction

The National Council on Crime and Delinquency (NCCD) conducted a study to determine the potential benefits to Florida of adopting a data-driven approach to juvenile corrections that is based on the best national research. The Council's goal is to stimulate a vigorous public discussion of the future of juvenile justice in Florida.

This study seeks to complement the excellent ongoing work of the Florida Office of Program Policy and Government Accountability (OPPAGA), an office of the Florida Legislature that provides evaluative research and objective analyses to promote government accountability and efficient and effective use of public resources. But this study goes beyond the issues of analyzing the vacancy rates of Department of Juvenile Justice (DJJ) beds and the process for tracking capacity and utilization within DJJ. NCCD has assessed the potential impact of alternative program and policy options and provided recommendations that move towards a model continuum of graduated sanctions. Our work is closely informed by the approach to graduated sanctions that is part of the Comprehensive Strategy for Serious, Chronic, and Violent Offenders developed by the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) (Howell ed., 1995).

NCCD has performed similar analyses for states such as Louisiana, Georgia, Maryland, New Jersey, Colorado, and Indiana, and for the Annie E. Casey Foundation's

Juvenile Detention Alternatives Initiative (JDAI) (1997). This Florida study was funded by a generous grant from the Jessie Ball duPont Fund.

Since its beginning in 1907, NCCD has been at the forefront of juvenile justice reform, especially designing program strategies and policies to help communities place youth in settings that best meet their needs for services and the community's need for public protection. It is NCCD's position that placement decisions should be based on clearly defined objective criteria focusing on the seriousness of the delinquent act, the youth's risk of continued offending, and the individual's need for services. Many juvenile justice systems across the country are being criticized for inappropriate or inconsistent placement decisions. They are also dealing with youth needs that are currently overwhelming available resources with dramatically rising costs. Additionally, worker liability is increasing—that is, large workloads mean less knowledge about individual cases. States that are expanding community-based programs need to know which youth can safely be placed in these programs.

NCCD produced a report on promising graduated sanctions for the OJJDP. A model system of graduated sanctions combines treatment and rehabilitation with reasonable, fair, humane, and appropriate restrictions. This system also offers a continuum of care that consists of diverse programs—immediate sanctions programs, intermediate sanctions, secure care programs, and aftercare programs. Research has shown that community-based graduated sanctions programs appear to be at least as successful as traditional incarceration in reducing recidivism, and the most well-structured graduated sanctions programs appear to be more effective than incarceration (Krisberg, 2003).

Our study was guided by three core questions:

- Is the current mix of detention and commitment programs for youthful offenders guided by the most research-supported strategies?
- Is the state making maximum use of its fiscal resources to protect public safety and promote the rehabilitative needs of youth in the juvenile justice system?
- Are the needs identified by local communities, including judges, state attorneys, law enforcement officials, and youth advocates reflected in state juvenile justice programming?

In Florida, more and more youth are being placed into commitment programs at a time when the overall juvenile crime rates have been declining. From national research, we know that many of these youth can be better served by intensive home-based services, and shorter institutional stays, followed by very high quality reentry services (Krisberg, 2003). The Florida juvenile justice system could do a lot to improve its processes of assessment and placement. Attention to classification and placement decision making systems could produce short- and long-term fiscal savings as well as better outcomes for youths. At this point, in Florida, there is not a model system of structural decision making (SDM) based on objective risk criteria to find appropriate placement for youth. DJJ has parts of this system, but it is not fully implemented, nor does it appear that some of the excellent research-based tools developed by DJJ are being used to guide long-term budget and planning decisions.

Currently, there are many program types and models within the residential programming DJJ budget, but they are insufficiently linked and integrated to comprise a real continuum of care.

In order to inventory the types of services and program gaps, NCCD spoke with many professionals who work directly with youth. Input from groups and individuals included Florida youth advocates, representatives of community-based programs, DJJ central office and field staff, judges, state's attorneys, public defenders, and law enforcement officials. These viewpoints were integrated with available data and the best national research to form recommendations about needed policies and programs. The following sections will examine the extent to which the state of Florida is moving toward a model system of graduated sanctions that is research-based, cost-effective, and responsive to local needs.

II. Background

The Florida Department of Juvenile Justice (DJJ) was created in 1994. The Juvenile Justice Act of 1994 removed the responsibilities for many juvenile justice programs from Department of Health and Rehabilitative Services (HRS), a social service agency, and created a new criminal justice state agency to oversee juvenile justice (effective Oct. 1, 1994). The Secretary of DJJ is appointed by the Governor and is charged with planning for and managing all programs and services including prevention, Children in Need of Services/Families in Need of Services (CINS/FINS), intervention and diversion, case management, detention care, contracted community-based commitment programs, state-operated juvenile justice institutions and families, and aftercare programming. Throughout the decade of the 1990s, Floridians were interested in the local planning aspects of juvenile justice. However, changes in laws and DJJ policies have shifted the focus from local initiatives. Differences between the 1990 and 1994 Florida Juvenile Justice Reform Acts are noted in the table below. Essentially, reforms enacted in 1994 increased the length of stay in detention and provided facilities for maximum-risk serious offenders. In 2000, the Department of Juvenile Justice was restructured to create five program and budget areas: prevention and victim services, detention, residential and correctional facilities, probation and community corrections, and administration. Whereas the Juvenile Justice Act of 1994 had local components of 15 DJJ districts across the state, this new law eliminated them; thus, DJJ operations became more centralized.

| Juvenile Justice Act of 1990 | Juvenile Justice Act of 1994 |
|---|---|
| Created statewide risk tool to limit detention | Created overrides of risk tool for several minor offenses |
| Emphasized less restrictive alternatives | De-emphasized less restrictive alternatives |
| Limited post-adjudicatory detention | Removed limits from post-adjudicatory detention |
| Restricted pre-adjudicatory detention eligibility | Expanded pre-adjudicatory detention eligibility |
| Detention was not used for punishment | Allowed detention to be used as punishment |
| Reduced deep-end placements | Expanded deep-end placements |

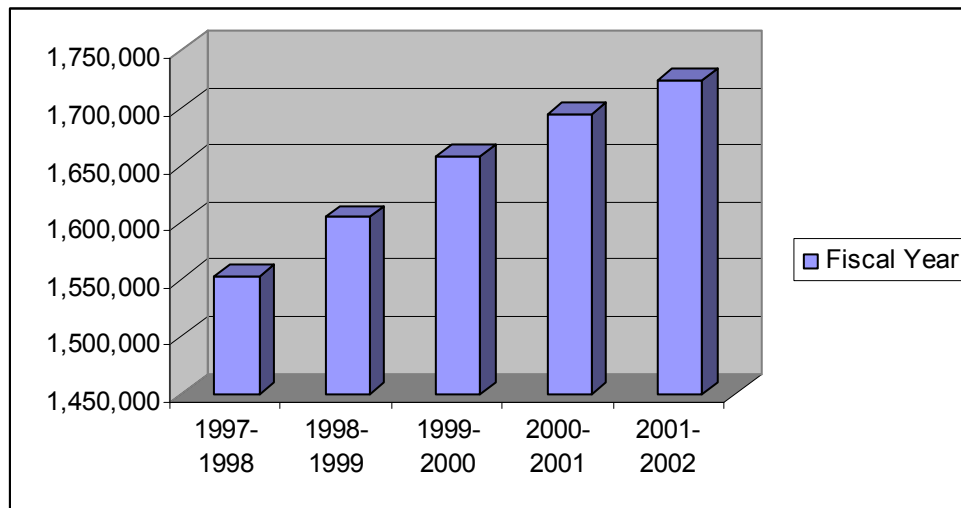
Source: Bishop and Griset, 1999, pg 22

The budget for juvenile justice has more than doubled since the separate department was created. Today, approximately \$620 million are appropriated for the operation of the Department of Juvenile Justice compared to approximately \$300 million in FY 1994-95.

III. Trends

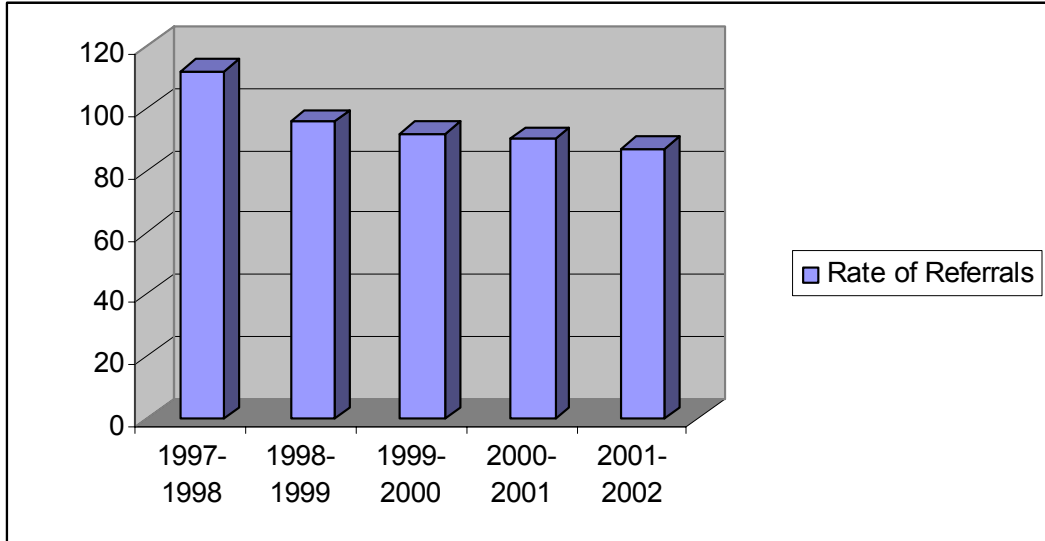
Florida is experiencing the lowest levels of juvenile crime since DJJ was created in 1994. At the same time, Florida is also experiencing a growth in the population of youth ages 10-17. The following section highlights some important trends in youth population, juvenile crime, detention, commitment, and recidivism in Florida. It is important to note that one would expect to see juvenile commitments decline as the rates of juvenile crime and seriousness of offenses decline.

Juvenile Population Ages 10-17



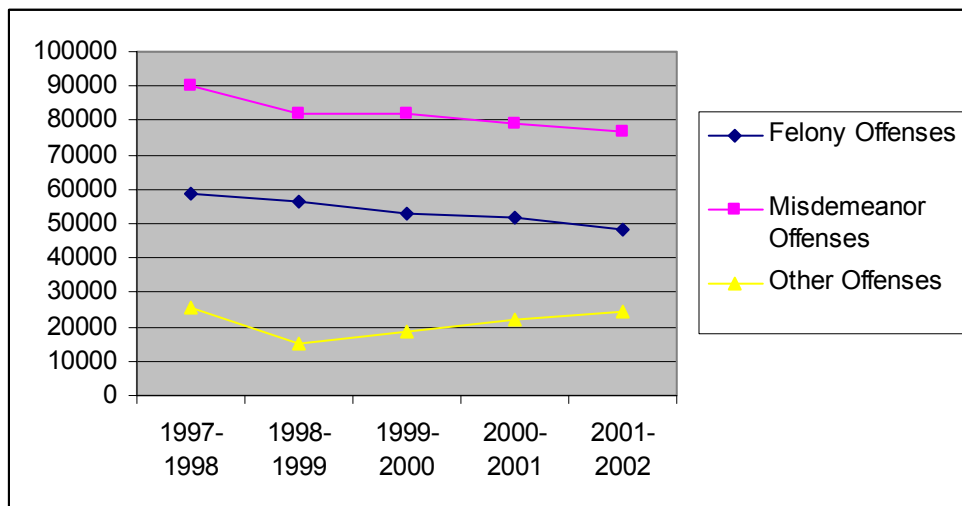
The number of juveniles in the general population, ages 10-17 in Florida has increased by 11% between FY 1997-98 and FY 2001-02 (Florida Department of Juvenile Justice, Outcome Evaluation, 2003).

**Rate of Referrals to DJJ Per 1000
Youth Age 10-17 by Fiscal Year**



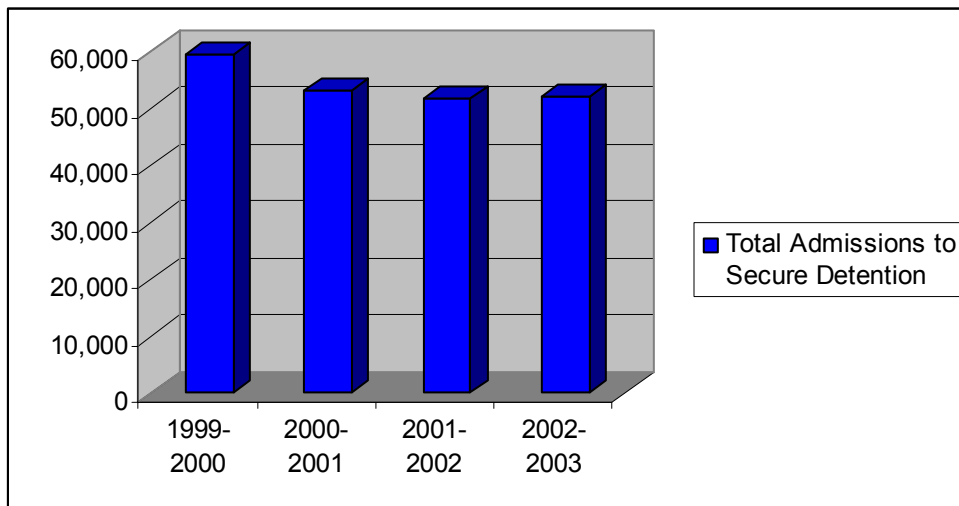
During the same time period, there has been a 22% decrease in the rate of juvenile crime per 1,000 youth ages 10-17 from 112 in 1997-98 to 87 in 2001-02. Compared to 10 years ago, the rate of juvenile crime per 1,000 youth has decreased almost 30% (Florida Department of Juvenile Justice, Long Range Program Plan, 2003).

**Delinquency Referrals Statewide
5-Year Overall Trend**



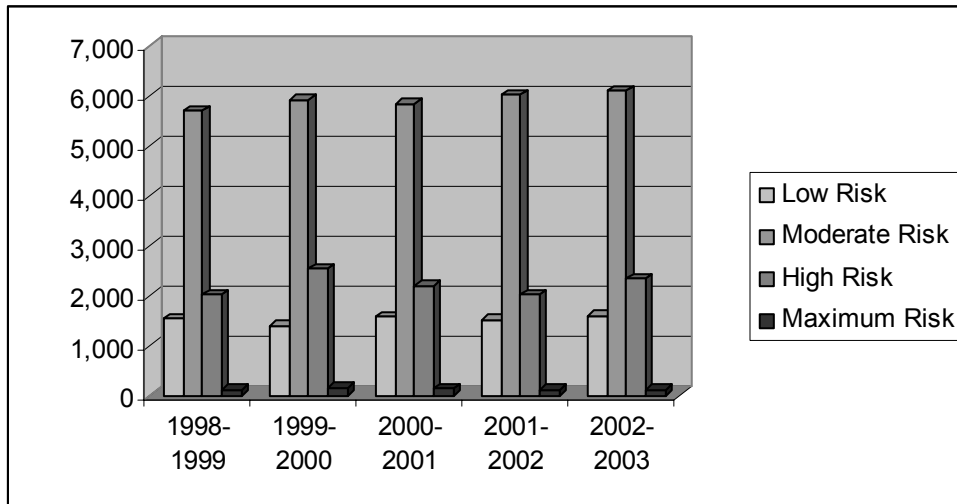
In addition to the decline in rates of referrals in Florida’s juvenile justice system, there is also a decline in seriousness of offenses. For example, since FY 1997-98, felony offenses have declined by 17%, and misdemeanor offenses have declined by 15%. However, “other offenses,” which include violations of probation, have been increasing since 1998-99 (DJJ Outcome Evaluation, 2003). The Department of Juvenile Justice has noted an increase of more than 50% in the number of youth who violate probation or aftercare and are placed back into residential programs between FY 2001-02 and FY 2002-03 (Florida Department of Juvenile Justice, Long Range Program Plan, 2003).

**Admissions to Secure Detention
FY 1999-2003**



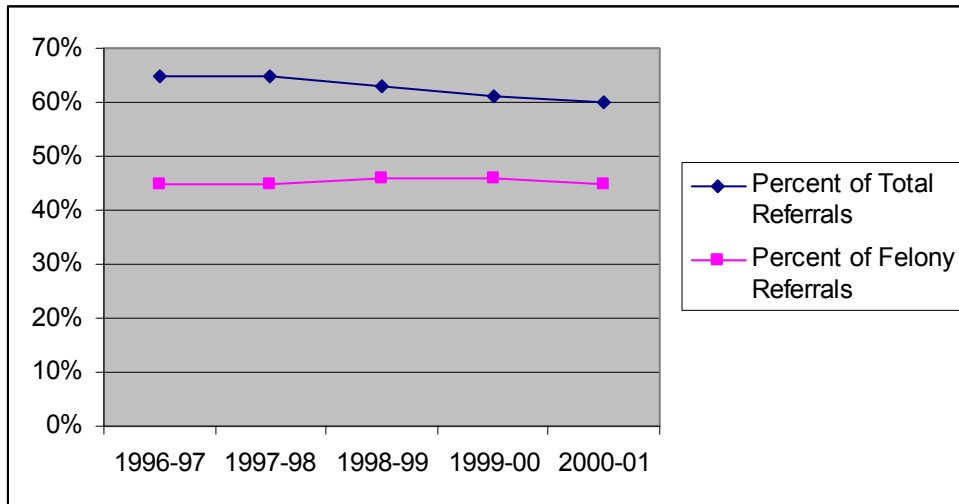
Although there was a slight decrease in the number of admissions to secure detention, the number of admissions has remained over 50,000 each year. OJJDP reports that the rate of detention of youth in Florida is 25% greater than the national average (Sickmund & Snyder, 1999).

**Delinquency Commitments Statewide:
By Program/Risk Level
FY 1998-99 to 2002-03**



In FY 2002-03 there were 10,151 total admissions into DJJ commitment programs (DJJ admissions data collected on September 12, 2003). Over the last five years, there has been about a 4% increase in residential commitments. Five-year trends for commitments to residential programs show that moderate-risk programs consistently have the highest number of admissions compared to other levels. Residential capacity within the department has increased 30% over the last five years from 5,579 beds in 1999 to 7,256 beds in 2003 (Florida Department of Juvenile Justice, Long Range Program Plan, 2003).

**Recidivism* Trends for Youth Completing
Residential Commitment Programs
FY 1996-2001**



*Recidivism is defined as a subsequent arrest/referral to DJJ within one year of completion of a residential program. The total percent of referrals has slightly declined from 65% in FY 1996-97 to 60% in FY 2000-01, while the percent of subsequent referrals for felony offenses has remained relatively the same at about 45%. (Florida Department of Juvenile Justice, Outcome Evaluation, 2003).

IV. Research Questions

There has been a series of published reviews raising concerns about the policies and practices of DJJ. OPPAGA has played a major leadership role in closely examining the Florida juvenile justice system. NCCD has relied heavily on the OPPAGA reports and supplemented these with additional data.

On a systemic basis are the programs operated by DJJ informed by the best research?

NO. Florida is making modest progress, but much more needs to be done.

When looking at the programs operated by the DJJ and whether they are informed by the best research, OPPAGA has found that:

- Many times, changes or decisions to discontinue programs were not based on a systematic planning and decision making approach. Planning is ad hoc and in response to the budget (Report No. 02-17).
- The Department does not design programs that replicate what research has shown to be effective (Report No. 02-17).
- The state has not conducted randomized designs or rigorous testing to determine true effectiveness of the programs it supports.
- The Quality Assurance (QA) system by which programs are rated by DJJ has little correlation with reduction of recidivism as a program outcome (Report No. 03-73).
- There is no tool for assessing cost and effectiveness of community-based programs (Report No. 02-17).

- While the Department has used national research models like *Communities that Care* and the *8% Solution* to develop delinquency prevention policies, it can benefit from using additional research to assess results of their strategies and also to identify ways to refine their programs (Report No. 02-62). Additionally, not all the important features of these models have been incorporated. For example, The Intensive Delinquency Diversion Services (IDDS), modeled after California’s successful 8% Solution, is different from the model in that it does not have the entire service response (daily, comprehensive day treatment program for 18 months), and it also is used as a program to divert youth from the juvenile justice system instead of to serve youth who are on probation status.
- There are only four Multisystemic Therapy (MST) contracts in the state and none of the other type of multiple approach intervention programming that addresses family, school, and community issues, and that has higher levels of treatment intensity and duration, and more structure (Report No. 02-17).

On the issue of using research to inform program development, OPPAGA has recommended that:

- DJJ “use a systematic, research-based approach to initiating and discontinuing programs” (Report No. 02-17) in order to improve its community supervision programs. Community supervision programs are the most common disposition; in 2000, 79% of youth that were handled judicially went to community supervision programs.
- Apply research findings on risk factors and successful prevention programs when selecting and funding delinquency prevention programs (Report No. 02-62).

- Because only one-third of projects address the family risk category, consider funding more activities and programs that include family participation and that serve younger children (Report No. 02-62).

NCCD and others have conducted research to show what kinds of programs are most effective for different types of youthful offenders. Effective programming such as Multisystemic Therapy, Family Functional Therapy, Wraparound Milwaukee, and other well-structured community-based programs continue to produce significant benefits for at-risk youths, their families and for taxpayers. Rather than designing research-based programs and requesting budget support, many programs in Florida are developed in response to ongoing budget situations. Research-proven programs that can be more cost-effective than many current approaches are discussed in the recommendations section.

Currently, DJJ is trying to implement a research-based approach for selecting programs for a solid continuum of care, but the agency has to move further in this direction. For example, the DJJ's research on Program Accountability Measures (PAM) scores, and other descriptive program data can be an important tool for policy makers. It is NCCD's view that DJJ possesses a sophisticated research capacity and potential, but this capacity is not being fully utilized for program planning or to improve operations. Although the state of Florida does have programs that have proven effective through rigorous national research studies, such as drug courts, multi-systemic treatment programs, and wraparound services, there needs to be more rather than less of these programs available to the juvenile court. Sentencing options that are responsive to public safety concerns and youth needs should be available for judges. Programs such as Associated Marine Institutes, Youth Advocacy Programs (YAP) and high quality gender-specific

programming such as PACE Center for Girls, are promising programs that have been evaluated and that incorporate a variety of characteristics of effective programs. These include: continuous case management; emphasis on reintegration and reentry services; opportunities for youth achievement and involvement in program decision-making; clear and consistent consequences for misconduct, enriched educational and vocational programming; and, a variety of forms of individual, group, and family counseling matched to youth's needs (Altschuler & Armstrong, 1984). Among programs for institutionalized offenders, program characteristics found to be strongly related to positive intervention effects were the duration and intensity of service provided and the quality of service delivery, program age (2 or more years old), administration of treatment by mental health personnel, and the specific type of treatment (Lipsey & Wilson, 1998).

In general, we found that research-tested, home-based services such as wraparound programs are underutilized in Florida. Because OPPAGA has found little correlation between quality assurance ratings and program outcomes, resources could be better used on research-based and data-driven approaches to measure program effectiveness. Such evaluations and planning to operate many research-based programs could have a great impact on youth in the Florida juvenile justice system. Improvements in the effectiveness of residential treatment can be modeled after Missouri's smaller correctional facilities. Over the last 20 years, Missouri's Division of Youth Services (DYS) has operated small sites across the state that house fewer than 36 youth in each, providing a positive, treatment-oriented approach that is not punitive or prison-like. Compared to other states, Missouri's approach shows more success in reducing recidivism and in protecting the safety of confined youth, preventing abuses, and fostering learning (Annie E. Casey Foundation, 2003). Treatment is a part of every aspect of their programs including

group processes and personal development. The state invests in staff training (hiring primarily college educated “youth specialists” rather than traditional correctional officers), case management and family counseling as well as community-based aftercare (Annie E. Casey Foundation, 2003).

Because of statute language changes by the Florida Legislature in 2000, all commitments are for residential placement. Thus, the option for judges to place youth in minimum-risk nonresidential programs (Level 2) as part of the first of five restrictiveness levels within the placement continuum were eliminated (FS 985.03-(45)(a). Level 2 programs offered community based services to both committed and non-committed youth. Success rates for youth completing non-residential programs were high and these types of programs, which included day treatment and special intensive groups can be very cost effective. Additionally, there does not appear to be a strong aftercare component within the continuum for the most serious, chronic offenders. DJJ continues to fund boot camps, and although PAM scores show considerably lower recidivism rates in Florida than other states using boot camps, research has shown shock strategies to be ineffective. Furthermore, DJJ continues to contract with programs that have little research to support their efficacy.

The new DJJ “What Works Initiative” is a step towards introducing research-tested assessment, intervention, treatment, and management practices that have proven their worth across the nation. Evaluation of such pilots and statewide replication of national research-tested program models should be accelerated. A workgroup has been established to develop a juvenile placement classification instrument, but the validation of this tool is unknown. DJJ has recently issued an RFP to implement a validated risk assessment system for youths on probation. These steps are encouraging and need more focus and support from top DJJ leadership.

Does Florida make the best use of its fiscal resources to provide for public protection and the treatment of troubled youths?

NO.

With regards to Florida making the best use of its fiscal resources, OPPAGA has found the following:

- Although the Department has improved its prevention programs in order to direct resources to high-risk youth and measure program effectiveness, significant problems still remain (Report No. 02-62).
- According to DJJ, a 1% reduction in juvenile recidivism can save \$16.4 million over a 5-year period (Report No. 02-62).
- Use of a consequence bed or other alternative instead of placing youth who violate probation in residential programs is less costly, more efficient, and serves as an intermediate sanction available to judges (Report No. 02-17).
- Appropriateness of residential placements by the department was questioned at a time when judicial commitments to the department increased and referrals to court decreased. Therefore, OPPAGA examined the delinquency histories of youth committed for misdemeanor offenses and non-law violations of probation (Report No. 01-49). Appropriate sanctions for youth with intermediate delinquency histories are in question (Report No. 01-49). Today, 40% of youth committed to residential facilities are committed for misdemeanor offenses and non-law violations of probation (Report No. 03-76).
- Bed vacancy rates and utilization show that there is a high demand for special needs treatment services. Because more moderate-risk and high-risk programs have treatment

resources, many youth are placed in residential programs to meet their treatment needs (Report No. 03-74).

- Eighty-seven percent of residential programs are contracted to and operated by for-profit or nonprofit organizations (Report No. 03-73).
- Security measures and treatment services within the residential levels are unclear and sometimes overlap. Additionally, there may be differences in the levels assigned by judges with youth whose criminal histories may be similar. Daily rates to contracted programs differ (Report No. 96-48).

In addition, the Florida Corrections Commission (2001) conducted a review of the organizational and management structure of DJJ for the purpose of recommending improvements in administrative efficiency to achieve savings. OPPAGA further recommended the following:

- The Department of Juvenile Justice should create an alternative (i.e., tune-up program, consequence units, etc.) to placing youth in costly residential programs for violation of community control (Report No. 98-75; 96-48). OPPAGA estimated that creation and utilization of consequence units or an intensive tune-up program, where youth spend two weeks instead of six months in a commitment program, could save the state approximately \$6 million per year. The legislature appropriated \$3 million for 60 beds in FY 1999-00 and \$7.4 million for 96 beds in FY 2000-01. Rather than using the beds for their intended “consequence” unit for probation violators, the beds were used for detention center overflow.

- The Department is not currently operating consequence units, and implementation has indefinitely been postponed due to budget shortfalls (Report No. 02-17)
- In their latest report, OPPAGA endorsed the treatment concept of diverting non-law violators of probation into a Re-direction Program without detention. DJJ proposes a Re-direction Program that begins with a 45-day detention. OPPAGA recommends a study for cost savings of the MST or FFT treatment without detention proposed by DJJ and recommended that the Department initiate 2 pilot studies. OPPAGA estimates that the Department could save an additional \$1 million and achieve comparable results (Report No. 03-76).
- In order to maximize use of state funds, the department should reduce residential commitment programs beds in areas where there is a high vacancy rate (Report No. 03-74).
- Use a risk-based approach to improve program monitoring or contract management of programs, thus reducing the number of monitoring visits to providers who are not likely to have performance problems (Report No. 03-73).
- Reconfiguring the level structure of residential commitments, either by better differentiating between the levels or by arranging the system in two tiers that are more consistent with the characteristics of committed youth, could reduce program costs, and be more efficient when placing youth (Report No. 98-75).

The good news is that juvenile crime in Florida has declined, but the bad news is that juvenile justice system spending has increased. The increased use of confinement is an expensive way to lower crime rates. Graduated sanctions and research-based programs can be a more

efficient use of taxpayer dollars, while providing for public safety and treating troubled youth. Effective use of good risk assessments achieve cost-effectiveness in that they help juvenile justice resources to be directed towards higher-risk youth (Aos, 2002). While the department has a supervision and risk classification instrument (SRCI) as well as a placement matrix, these are not used to examine the fit between youth and their placements. Use of a disposition chart that sets out graduated treatment options, where the first level is community disposition, the second level is intermediate disposition, and the third level is commitment to the juvenile justice department, as is the case in North Carolina, can help lead to more appropriate placement. The validity of Florida's risk instrument is still under question. There is no system that effectively matches the control and supervision needs of youth with the residential programs Florida is funding. Furthermore, the department does not use a state-of-the-art forecasting method to determine future bed or program needs. As a consequence, DJJ reacts to what beds or community treatment slots are available. Specialized programming for youth who violate probation is not available and thus resources for detention and commitment are inappropriately used. Ad hoc decisions to defund successful programs, remove day treatment as a front-end alternative, and use moderate-risk programs for low-risk youths (because of the absence of treatment in the low-risk programs) are not cost-effective strategies and appear to fail to understand systemic consequences.

To what extent are DJJ's program and policy priorities responsive to the needs expressed by policy makers and professionals at the community level?

In looking at whether DJJ's program and policy priorities are responsive to the needs expressed by policy makers and professionals at the community level, NCCD went back to

the Comprehensive Strategy implementation effort in Florida. In the late 1990s, NCCD and Developmental Research and Programs, Inc. (DRP), with support from OJJDP and DJJ, interacted with six communities and hundreds of local stakeholders in Florida to assess the gaps in services. The stakeholders included local law enforcement officials, judges, school leaders, community-based organizations, city and county officials, and private philanthropies. The communities included Lee County, Miami-Dade County, Volusia County, Leon County, St. Lucie County, and Duval County. To begin with, the sites' preeminent interest was in prevention. All six sites called for services such as:

- Development of a validated, reliable risk measurement, valid, structured decision making tools
- Transitional/Independent Living
- Aftercare
- Management information system (MIS) that is integrated and can track outcomes
- Drug Court
- Sex Offender Programs
- Community Assessment Centers
- Programs that empower families
- Targeted prevention and early intervention efforts, pre-arrest diversion services
- Enhancement of juvenile education services
- Implemented restorative justice and victim services
- Community alternatives for arrested youth with mental health and substance abuse problems
- Expansion of Family Preservation Program and Family Builders Program
- Mobile crisis counseling intervention
- Increased specialty beds
- Resource directories for treatment and referral services

Floridians across the state called for early prevention and treatment and supported its importance at a time when significant cuts to prevention programs were proposed across the state. Additionally, a statewide juvenile crime poll conducted by the Children's Campaign in 2001 revealed that frequent voters in Florida (n=608) support prevention and treatment programs that will reduce juvenile crime and save money spent on incarceration in the future. Eighty-five

percent of those surveyed believe that state funding for prevention and intervention programs should not be cut. More than 75% of those surveyed said they would rather have more prevention and treatment programs than pay lower state and local taxes if given the choice. Eighty-nine percent agreed that juvenile crime could be greatly reduced if elected officials expanded prevention efforts such as after-school programs and early childhood education. These polling results show a public that believes in a balanced approach to fighting juvenile crime and not one that is merely punitive.

Although the state was funding some excellent non-residential programs, communities were calling for even more of these types of programs and more successful diversion options, but were getting fewer. Before the Juvenile Justice Advisory Board (JJAB) was defunded, their Prevention Outcome Evaluation report noted that DJJ did not have an overarching, unified approach to delinquency prevention activities. Funds allocated to prevention as a percentage of the total allocated to DJJ are approximately 10%, and have remained consistent over the past 3 years (Report No. 02-62). Operating residential programming is approximately half of DJJ's \$633 million budget. One of the recommendations from OPPAGA's program evaluation of the Prevention and Victim Services Program of DJJ was to "hold quarterly meetings with other state agencies involved in prevention activities to share information and coordinate state prevention policy (Report No. 02-62; p. 26)."

Today, ten years after the state planned for the 1994 Juvenile Justice Reforms, and in addition to the community planning and campaign polls, NCCD contacted a cross-section of approximately 20 professionals working closely with the system to add more qualitative/anecdotal information to the discussion of local needs. NCCD talked with several people including judges, public defenders, law enforcement, juvenile justice personnel, and child

advocates around the state who were interested in sharing their thoughts on juvenile justice in Florida. Specifically, NCCD wanted to inventory the types of services and program gaps. Additionally, NCCD wanted input on the types of policies and programs that, if instituted, would give Florida a better system of graduated sanctions. The following is a synthesis of some of their responses.

When asked about the gaps in services that exist and the types of new programs that are needed, responses ranged from specialized services for youth to wraparound, intensive services that include the entire family. At the individual level, mental health services, programs for girls, programs for younger youth, programs for runaway and incorrigible youth, continuum for sex offenders, and minority youth services were among the most popular responses. The overall consensus is that good risk and needs instruments can help guide appropriate placements so that youth may receive the services they need.

A public defender from the northern part of the state noted that younger youth are entering the system and that there are no services designed for them, nor are there many commitment programs available for girls. Additionally, there is a need for outpatient sex offender programs for low-level offenders who do not require residential care and a need to keep smaller, proven prevention programs. A law enforcement officer in the northern part of the state relayed the need for diversion programs for smaller counties with fewer resources. A law enforcement officer representing South Florida relayed that judges can make choices when more treatment options are available. This may include the re-establishment of community-based, non-residential programs as options available to judges.

At the system level, the need for trained, quality staff; proper assessment and identification of need for appropriate placement; education and support for youth offenders with

children, programs that are closer to home so that family can visit, life skills curriculum, and aftercare services were among the most frequent responses from the people with whom we talked. One respondent divided the system into levels and said that youth cannot move freely within the continuum of services and that, if the system were set up with a master plan for graduated sanctions where youth could move through the continuum based on their needs, staff could make better placement decisions. If the goal were to reduce residential placement or to develop alternative placements, then the system and its partners could plan better. One representative of boards and councils emphasized the importance of input from youth, parents, and the community when making policy decisions.

When asked about policies that could better serve youth, recommendations ranged from funding priorities to specific policy changes. Representatives from local communities are expressing that, in order for youth to be better served, funding priorities need to shift, new programs need to be instituted, and specific policy changes need to occur. The chart below groups the types of funding areas, programming, and policy areas that were commonly recommended to meet the needs of youth in Florida.

Florida used to have a vibrant network of local boards and councils that advised the DJJ about their needs. Florida statute 985.4135 established juvenile justice circuit boards and county councils in each of the 20 judicial circuits and in each of the 67 counties to provide advice and direction to the department regarding development and implementation of juvenile programs. It does not appear that much of the local input and comprehensive planning is incorporated in current DJJ policies and programming.

| Funding | Programs | Policies |
|---|--|--|
| Integrate systems: child welfare (dependency/delinquency), schools. | Age-appropriate diversion programs for younger offenders. | Mandate better tools: increased, in-depth assessment of youth and treatment needs. |
| Put more money into prevention programs. | Aftercare programs that are effective. | Appropriate placement for youth. |
| Put more money into alternatives to detention. | Promote holistic services that look at the family and emphasize treatment over punishment. | Clearly defined procedures for moving youth up a level of commitment for violations. |
| Funding for CINS/FINS process. | Prevention programs. | Expand eligibility for diversion. |
| Collaboration between DJJ Law enforcement, and the courts. | Make programs smaller and less institutionalized. | Sensitivity and cultural training of detention staff. |
| | Interventions that are evidence-based. | Reduce caseloads of juvenile probation officers (JPO's). |
| | Place case managers in schools with highest number of offenders. | Equity in the referral process across the state. |

Other states have moved toward a localized delivery of services, particularly for prevention. Examples include Ohio, Texas, and California. A funding initiative in response to the growing need for local alternatives and overcrowded institutions called “RECLAIM Ohio” (Reasoned and Equitable Community and Local Alternatives to the Incarceration of Minors) encourages juvenile courts to divert youth from the Ohio Department of Youth Services (DYS) institutions and corrections facilities. As a result, more youth are served locally (between 36% and 42% reduction in state commitments), and families are better able to participate in the treatment of their sons and daughters. Recidivism among RECLAIM youth has remained low (Latessa et al., 1998). Additionally, the Ohio DYS can focus treatment on the youth who are repeat offender, serious, or felony-level. Juvenile Courts receive an allocation from DYS to develop or purchase a range of community-based options to treat youthful offenders and at-risk youth. Early in the initiative, the state deducted from total county allocations a certain amount for each youth sent to an institution or community

corrections facility. Today, allocations are based on a four-year average of felony adjudications and deductions for bed usage from the previous year (Latessa et al., 1998).

In North Carolina, the Juvenile Justice Reform Act of 1998, based on OJJDP's Comprehensive Strategy for Serious, Violent, and Chronic Juvenile Offenders, was enacted as the most comprehensive reform in the state's juvenile justice system in twenty years. Juvenile Crime Prevention Councils were created to develop and implement comprehensive prevention and intervention programs. These were based on assessment of risk factors for youth in the community and resources available in each of their respective counties. The state has seen a 52% decrease in the number of annual commitments to youth development centers since 1998 (North Carolina Department of Juvenile Justice and Delinquency Prevention, 2001).

Wayne County, Michigan, the state's most populated county, where more than half of the adjudicated delinquents of the state reside, responded by creating a system of care in their Department of Community Justice to effectively reduce and prevent juvenile crime. Care management organizations are implemented with a goal to create a "virtual wraparound program where everyone involved in a child's life: parents, teachers, caseworkers, the court, can keep each other apprised of the child's progress toward achieving the goals set out in their case plan" have helped to reduce the use of secure detention and out-of-home placements during the two years the program has been implemented. Additionally, as a result of the care management process, a drop in drug use and recidivism has also been noted (Wayne County Department of Community Justice, 2002).

In California, the Juvenile Justice Crime Prevention Act (JJCPA) created a stable funding source available to counties for collaborative efforts and programs aimed at

addressing and curbing crime and delinquency among at-risk youth. Programs must be based on approaches that have proven effective and must respond to the identified needs of each county. Additionally, programs are required to address a continuum of responses for at-risk youth and juvenile offenders including prevention, intervention, supervision, treatment, and incarceration. Preliminary results indicate that these programs are making a positive quantitative difference on at-risk youth on their statutorily mandated outcomes (arrest rates, incarceration rates, completion of probation rates, probation violation rates, completion of restitution, and completion of community service) as well as various program outcomes such as school attendance, improved academic performance, and decreased drug usage (California Board of Corrections, 2003).

Alternative philosophies in states that support their local communities with resources to provide prevention and early intervention and treatment services for youth are showing reductions in the numbers of youth being sent to state residential programs. In addition to financial support for communities and increased participation in the comprehensive planning process by the communities, youth are served closer to home and are offered treatment in the least restrictive environment. NCCD research supports comprehensive strategies and the responsibility of states to remain the fiscal agents for local community programming. As the fiscal agent, DJJ can plan ways to channel more resources at the local level and leave more discretion for programming to judges and community officials.

V. Other Concerns

Detention in Florida

The following section discusses issues that have not been fully addressed by OPPAGA, but which NCCD would like to put on the table. These issues include the overuse of detention, girls in juvenile justice programs, and disproportionate minority representation in juvenile correctional facilities.

Like many other states, Florida faces crowded and costly detention facilities. In Florida, there were 51,774 admissions and 7,779 transfers to secure detention centers in FY 2001-02 (Florida Department of Juvenile Justice, Outcome Evaluation, 2003). There was a 77 % growth in the number of admissions to secure detention between FY 1991-92 and FY 1996-97 (www.djj.state.fl.us/detention). Much of this growth can be attributed to an expansion of detainable offenses through changes in statutes.

Juvenile detention is a short-term program for youth who are awaiting court proceedings and also for youth who are awaiting placement into a program. A standardized detention risk instrument is used to screen youth who are a risk to public safety and to determine if detention care is warranted—whether the child should be placed into secure, nonsecure, or home detention care (FS. 985.13 (2)(b)2). In secure detention, youth are held in a secure, jail-like facility operated by DJJ. There are currently 25 centers across the state. The use of secure detention is based on finding that 1) youth present a substantial risk of not appearing at a hearing, 2) there exists a significant risk of the youth inflicting bodily harm to others as evidenced by recent behavior, history of committing a property offense prior to adjudication, disposition, or placement, or 3) the youth committed contempt of court, and

there are requests for protection from imminent bodily harm (Florida Department of Juvenile Justice, Outcome Evaluation, 2003; 29). Non-secure detention involves temporary custody of youth in a community-based residential home that is contracted with the department. There is virtually no funding for this type of alternative, and therefore it is not a real option, though authorized in statute. Home detention care is used for youth who can be released to a physically non-restrictive environment such as their home, usually to a parent or guardian. Funding for this type of alternative was also eliminated. For youth who are on electronic monitoring, home detention is still used. Additionally, the statute also recommends that DJJ shall continue to identify alternatives to secure detention care and shall develop such alternatives and annually submit them to the Legislature for authorization and appropriation FS 985.214 (4)(b)4.

There have been several recent crises in Florida detention. In Miami, a 17-year old youth, Omar Paisley, died when his appendix burst, after being sprawled on the floor of his Miami-Dade detention cell and crying of pain for three days. In the Tampa area, a fatal fight between two inmates at the Pinellas Juvenile Detention Center left Danny Matthews dead. Parents are sharing their personal stories about the lack of appropriate supervision and treatment of children in detention centers. In response to this, the Florida House of Representatives formed a Select Committee on Juvenile Detention Facilities. The Select Committee will continue to investigate the death of Omar Paisley, but also will investigate the conditions that exist in other state facilities across Florida and seek ways to prevent other abuses. As a result, these problems have led to more questions about the operations of DJJ and what could be done to improve detention. These include:

1) What alternatives to detention remain for local law enforcement, state attorneys and judges, allowing the public safety to be served by placing children in the least restrictive environment? What should be reinstated?

2) What needs to be done to redirect DJJ to provide the services most needed locally, by the people on the “front lines”?

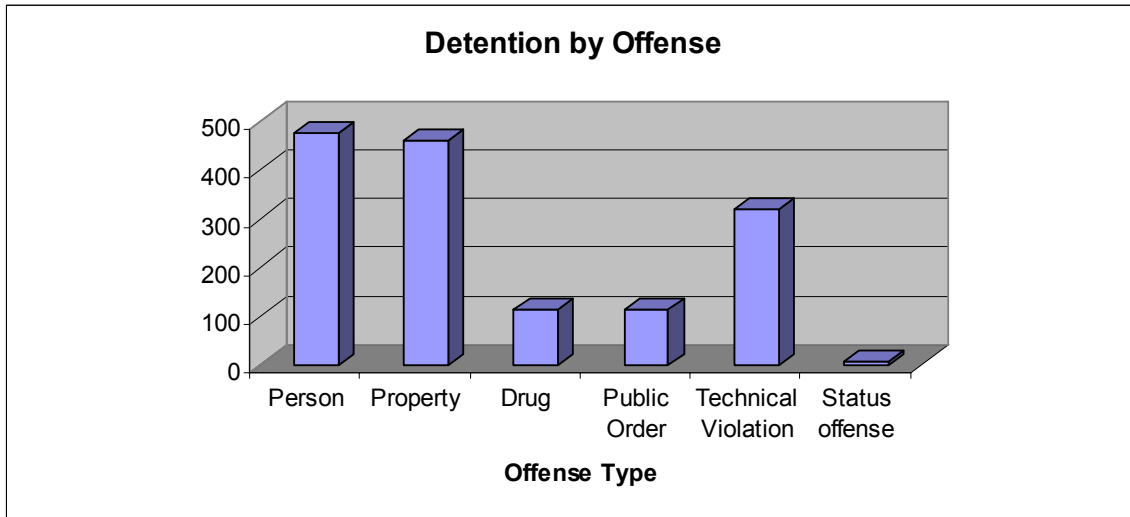
3) Do existing policies ensure that the right children are getting the right help at the right time?

According to DJJ, reductions in detention may be attributed to the increase in the number of residential beds, leaving less wait time for program placement, in addition to the fact that length of stays in residential programs have increased, thus shortening the period youth can cycle back through the system (detention) again. With regards to detention, OPPAGA has found that:

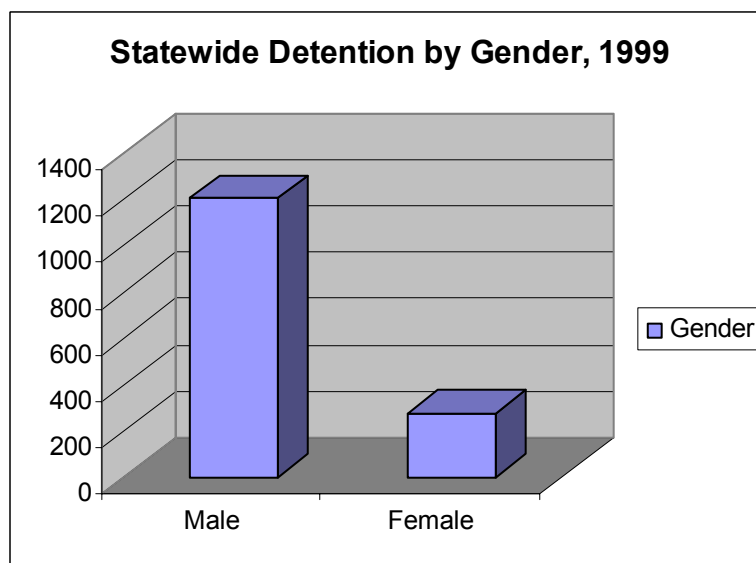
- The department has not identified and implemented critical post staffing patterns for each secure detention facility, as recommended in 2000, in order to reduce problems such as high turnover, high overtime, outdated staffing patterns, and high training costs (Report No. 02-47).
- High turnover of staff as compared to other state personnel exists: 26% of detention care workers compared with the statewide separation of 13% (Report No. 02-47).

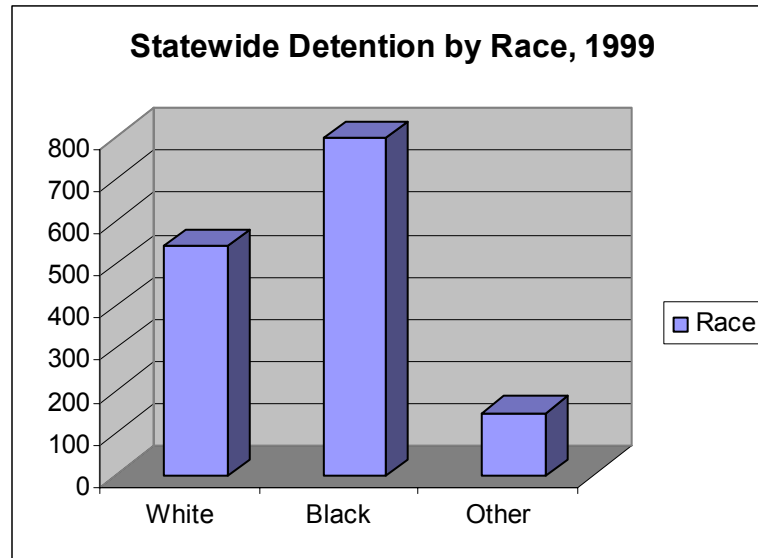
However, there has not been a thorough study done to show the impact of elimination of home detention as an alternative to costly, secure detention in Florida.

This section uses detention data from OJJDP's Juveniles in Residential Placement 1999, for which there is demographic data available for Florida (Sickmund & Wan, 2001). DJJ will be publishing demographic data regarding youth in detention in the coming month.



Most youth held in secure detention were referred for person offenses (n=474) followed by property offenses (n=459). Of note, there were 318 youth detained for technical violations in 1999 (Sickmund & Wan, 2001).





Similar to trends for commitment, there were more males detained ($n = 1209$) compared to females ($n = 276$). There were more black youth detained ($n = 798$) than White and “Other” youth combined ($n = 690$).

The Juvenile Detention Alternatives Initiative, funded by the Annie E. Casey Foundation, to establish more effective and efficient systems in juvenile detention across jurisdictions, was inspired by a successful pilot endeavor in Broward County, Florida. It is part of the initiative to safely minimize populations in juvenile correctional programs through policies and practices that are fair and better informed, as well as through community-based alternatives that are effective. Four objectives of the JDAI initiative were 1) to eliminate the inappropriate or unnecessary use of secure detention, 2) to minimize the failures to appear and incidence of delinquent behavior, 3) to redirect public finances from building new facility capacity to responsible alternative strategies, and 4) to improve conditions in secure detention facilities (Bishop & Griset, 1999). Without affecting public safety or rates of court appearance, Broward County was able to change its detention operation. Broward County successfully collaborated with agencies and used data-driven policies and programs to reduce

the number of youth in secure detention in the late 1980's and created and used new alternatives to detention as well as others which had been underutilized at an unprecedented level. Additionally, these changes brought about substantial cost savings.

The Annie E. Casey Foundation built upon the early successes in Broward County and launched a national demonstration project based on the Broward experience. The JDAI demonstration produced impressive results in Cook County, IL, Multnomah County, OR, and Santa Cruz, CA. The national evaluation showed that detention admissions could be safely reduced, and that detention crowding could be eliminated. The JDAI sites also demonstrated an impressive ability to improve the conditions of confinement for the remaining youths who were still placed in secure detention and to reduce the disproportionate detention of minority children (Krisberg, Noya, Jones, & Wallen, 2001). The NCCD evaluation proved that these detention reforms did not result in any measurable increase in juvenile crime or in failures to appear for court hearings.

While the communities mentioned above produced the most dramatic and sustained results, the JDAI model also showed early progress and positive results in New York City and Sacramento, CA. In these latter communities, new elected officials did not embrace the JDAI reforms, and the initial progress was reversed. Effective detention reform requires a durable consensus among the elected officials and the top juvenile justice professionals. The JDAI showed that the technology of reforming secure detention is well known; the question is whether the political will exists to implement this technology. The Casey Foundation is now working in dozens of jurisdictions to replicate the JDAI model. Interestingly, the Casey Foundation attempted to stimulate a statewide replication of the Broward experience in the

late 1990s, but these efforts did not meet the expectations of the Casey Foundation or the local reformers (Bishop & Griset., 1999).

The JDAI experience, which is well documented in a series of specialized replication manuals produced by the Casey Foundation, reveals that a detention system should contain a continuum of home-based care and community-based alternatives that offer various degrees of supervision and treatment services matched to the risks and needs of individual young people. Youths can be moved to more or less restrictive settings as a function of their behavior in the alternative setting. There should also be a structured decision making tool in place that guides the decisions for frequency of contact, intensity of supervision, and placement needs. The continuum should include home confinement or community supervision, day or evening reporting centers, and non-secure shelters that provide 24-hour supervision. Additionally, like effective graduated sanctions programming, detention alternatives should be staffed by people who can best relate to youth, located close to home, and should consider the special needs of their clients.

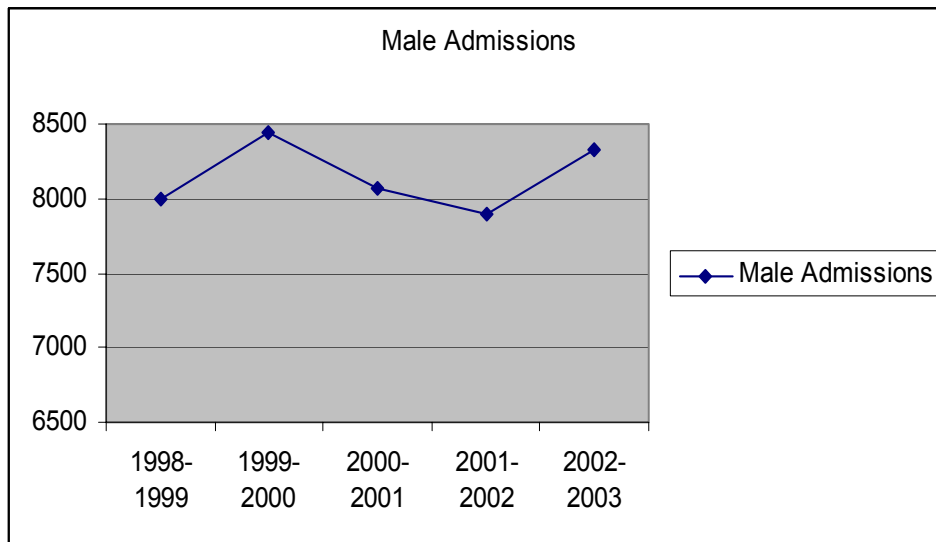
Florida currently spends nearly \$106 million per year for secure detention (Florida Department of Juvenile Justice, QA, 2002). The governor's budget has recommended that local counties could pick up the fiscal responsibility of secure detention services for youth awaiting judicial disposition. Although NCCD believes that localized programming is beneficial, it does not support a change in fiscal agent, but rather getting more resources into the hands of professionals at the local levels. Data on the characteristics of detained youth suggest that there might be a substantial number of young people who could be better handled in less restrictive and less costly programs. While the issue of short-term secure

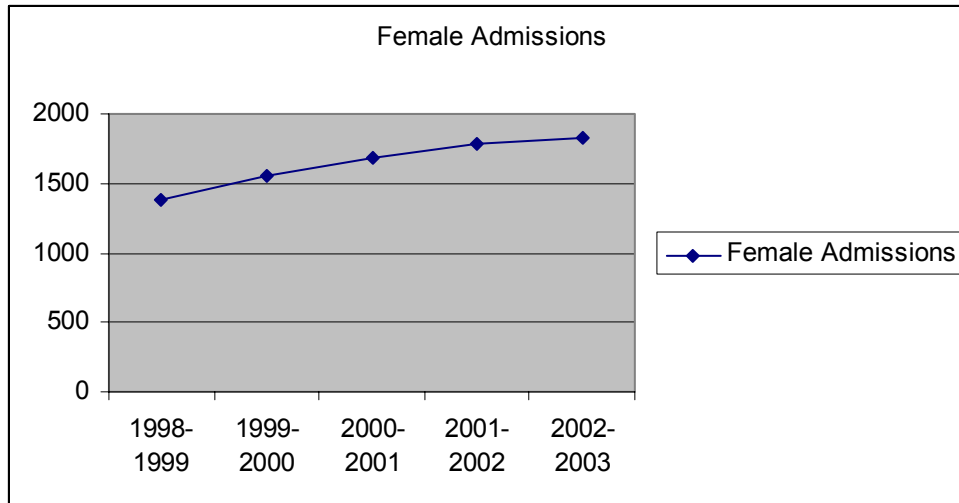
detention deserves a separate and in-depth analysis, it seems clear that Florida could realize substantial cost savings without threatening crucial public safety and child protection goals.

Growing number of girls in the system.

A report entitled *Educate or Incarcerate* by NCCD on girls in the Florida and Duval County juvenile justice systems in 2000 profiled the girls in the system and identified specific risk factors leading to girls' continued offending. Between 1993 and 1998, crime committed by young women increased by 30% statewide, and NCCD found that girls in Duval County were increasingly likely to be detained for minor, nonviolent offenses (Acoca, 2000). The chart below shows delinquency commitments by gender.

**Youth Admitted to Residential Commitment Programs (All levels)
by Gender**





Although the number of boys in the Florida juvenile justice system is significantly greater than the number of girls, the number of young women who are committed to residential programs is steadily increasing, while commitments for males have been more stable. During the last five years, commitments for females have increased 25.2% from 1,200 to 1,604. By contrast, male commitments increased 7.6%, from 6,815 to 7,379 during the same time period (Florida Department of Juvenile Justice, Fact Sheets, 2003). This growing proportion is of concern, because the rates for juvenile crime for girls have dropped by over 7% during this same period.

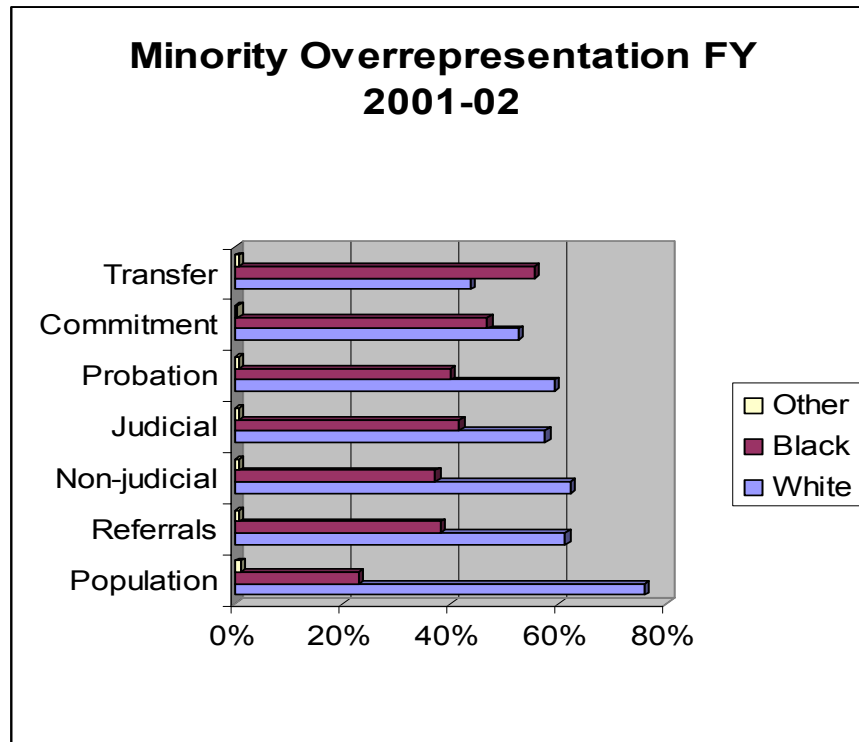
Together with the PACE Center, NCCD developed a research-based legislative and program-related blueprint to effectively combat risk factors and halt the surge of girls entering the Florida juvenile justice system. Voices from many Florida communities are calling for more options to deal with delinquent girls. Many community-based service providers have stepped up to develop increased services for at-risk young women. Yet, successive state budgets have witnessed proposals to cut back on services for young women. Fortunately, most of the worst budget reductions were averted. But, it is important to note

that community-based resources for at-risk women need to be expanded. Averting savage budget cuts is not enough. Florida possesses the blueprint of what is needed to better prevent and respond to illegal conduct by young women. The state is blessed with the most outstanding service providers for girls in the nation. The imperative now is to find the budget resources to fully fund the blueprint.

DMC: Growing number of minority youth in the system

Minority youth are overrepresented at all levels in the juvenile justice system in Florida. While minority youth are only about 23 % of the population of children ages 10-17, they compose 40 % of the children who are under the control of the juvenile justice system. This percentage tends to increase as the level of control by the system increases. For example, minority youth constitute 37% of the youth who are referred for delinquency (arrested); 46% of the youth who are committed (incarcerated); and, 57% of the children who are transferred to adult court (tried as adults). The chart below shows the overrepresentation of minority youth at various stages of the juvenile justice system.

Minority Overrepresentation at Stages in the Florida Juvenile Justice System



Source: Florida Department of Juvenile Justice, 2002a.

In 1998, the DJJ initiated the Minority Over-Representation Initiative (MORI) and was able to increase its rate of success with minority youth. Evaluation of the MORI projects found positive impact at the individual level, that is, only 14% of the youth discharged from these programs were re-arrested within one year of discharge, but there was little impact on the processing of youth through the system (Nelson, 1999). Nelson recommended that DJJ re-examine the juvenile justice continuum and identify the special needs of minority youth. Additionally, incorporating the services provided by MORI projects into the prevention, diversion, intervention, and aftercare continuum and forming partnerships and collaborations with other state agencies as well as community-based organizations were recommended. Lastly, Nelson proposed a scientific study that could identify the causes and factors that contribute to the disproportionate rates of failure of minority youth served (Nelson, 1999).

Other studies regarding the overrepresentation of minorities in juvenile justice systems have recommended the important need for expanding local diversionary options. Moreover, implementation of structured decision making models that utilize culturally competent assessment tools and training of staff at all levels of the continuum has been shown to reduce the over representation of minority youth in secure confinement.

VI. Implications of alternative programs and policies

Simulations

If we implemented research-based programs that are responsive to local needs, we could make better use of current fiscal resources. These monies could be made available to enrich prevention services and to increase the budgets of remaining placement programs. This would allow for better paid staff and more enriched treatment services. Below are some examples that will show the fiscal impact of modest programs and policies. The options presented below are based on very conservative estimates, if not underestimates, about the proportion of youth that could qualify for alternative programming. It is also a presentation of the minimum amount of savings that could be achieved by implementing these example options and does not consider bolder options that could increase savings.

The basis of all of these simulations is a rudimentary equation that takes the number of admissions and multiplies it by the average number of days that each youth spends in different kinds of placement. The result is the number of bed days required for the different types of admissions. Dividing the number of bed days by 365 yields the number of beds that would be needed on an average day. We have also used DJJ cost data to calculate the cost of fewer bed days, and we relied mostly on DJJ estimates to add back in the costs needed to support enhanced community-based services.

The bedspace chart uses information about the number of youth admitted to juvenile justice residential programs in the FY 2002-2003. This chart will be used as baseline information to guide discussions of alternative program and policy implications.

**Current Practices
Bedspace Chart**

| | Admissions | ALOS (days) | Bed Days | ADP | Total DJJ Exp. | Exp. per day |
|---------------|-------------------|------------------------|---------------------|--------------|---------------------------|-------------------------|
| Level | | | | | | |
| Low | 1,590 | 140 | 222,600 | 610 | \$18,155,222 | \$81.56 |
| Moderate | 6,110 | 227 | 1,386,970 | 3,800 | \$118,415,787 | \$85.38 |
| High | 2,329 | 336 | 782,544 | 2,144 | \$81,392,073 | \$104.01 |
| Maximum | 122 | 595 | 72,590 | 199 | \$15,681,159 | \$216.02 |
| | | | | | | |
| Totals | 10,151 | | | 6,753 | \$233,644,241 | \$486.97 |

Definitions:

- Admissions: based on the number of youth placed in a commitment program in FY 2001-2002.
- ALOS (Average length of stay): is the average number of days for youth to complete a program in the distinctive level.
- Bed days: the average number of days required for availability of a bed, given the average length of stay and the number of admissions for a particular level.
- ADP (Average daily population): the number of bed days divided by 365. This number represents the amount of beds needed to maintain the status quo at each level.
- Total DJJ Expenditures: by each level of residential commitment as reported in the 2002 Annual DJJ Quality Assurance Report.
- Expenditures per day: the total expenditures by level divided by the number of bed days.

Proposed Options

NCCD proposes that home-based care programs such as Multisystemic Therapy (MST), Functional Family Therapy (FFT), or wraparound services such as Wraparound Milwaukee be considered for some youth who are now going into low- or moderate-security DJJ residential programs. MST is an intensive, home-based intervention that emphasizes treatment and intense contact, and provides services to youth who are chronic, violent, or substance abusing offenders in their homes, schools, and communities. The Washington State Institute for Public Policy found that taxpayers gain a cost savings averaging \$31,661 per

participant (Aos et al., 2001). FFT is an empirically-grounded intervention program that targets youth between the ages of 11 and 18, while also treating their younger siblings. FFT is a short-term intervention with, on average, 8 to 12 one-hour sessions for less severe cases and up to 26 to 30 hours of direct service for more difficult situations. Sessions are extended over a three-month period. Target populations range from at-risk preadolescents to youth with very serious problems such as conduct disorder. The data from numerous outcome studies suggest that, when applied as intended, FFT can reduce recidivism between 25% and 60%. Additional studies suggest that FFT is a cost-effective intervention that can reduce treatment costs to a level well below that of traditional services and other family-based interventions. The Washington State Institute for Public Policy found that taxpayers gain a cost savings average of \$14,149 per participant (Aos et al., 2001).

Wraparound Milwaukee is a coordinated system of community-based care and resources for families of children with severe emotional, behavioral, and mental health needs. The wraparound approach is based on identifying what services families really need to care for a child with special needs, to identify personal, community, and professional resources to meet those needs, and to obtain and “wrap” those services around the child and family.

Option 1: Divert youth in low-risk residential programs and some youth in moderate-risk residential programs into intensive home-based programs.

This option assumes that 50% of youth in low-risk residential programs may still need residential care, but that the other half (n=795) could safely be diverted into intensive home-based care programs for 140 days. The option further assumes that 25% of youth in moderate-risk residential programs (n=1527) could be safely diverted into the same type of intensive home-based care programs for 240 days. Intensive home-based care programs provide youth with effective, research-based, intensive wraparound services that will include their families in their homes. A program such as MST is expected to cost approximately \$3,500 per youth for a 120-day period, or approximately \$30 per day. If these proposed youth (n=2,322) were to remain in residential programs, the state would currently spend \$38.6 million in providing services at the low-risk and moderate-risk levels. Implementing NCCD's diversion option would cost slightly under \$14 million for these youth, while providing research-based effective programming, ensuring public safety, and saving \$24.7 million. Additionally, diverting 50% of youth in low-risk programs and 25% of youth in moderate-risk programs creates capacity in these programs for the transfer of youth from high- and maximum-risk programs into these programs as part of a graduated sanctions process.

OPTION 1

Divert 50% of admissions to low-level residential programs into home-based care programs such as MST, FFT, or AMI. Additionally, divert 25% of moderate risk admissions into the same home-based care programs.

| | Admissions | ALOS (days) | Bed Days | ADP | Cost (In Millions) |
|---|-------------------|------------------------|---------------------|------------|-------------------------------|
| Low Risk (Current Cost) | 1,590 | 140 | 222,600 | 610 | \$18.1 |
| Keep in low-risk residential (50%) | 795 | 140 | 111,300 | 305 | \$9.1 |
| 50% Alternative diversion | 795 | 140 | 111,300 | 305 | \$3.2 |
| Proposed Cost | | | | | \$12.3 |
| Bed day savings | | | | | \$5.8 |
| | | | | | |
| Moderate Risk (Current Total) | 6,110 | 227 | 1,386,970 | 3,800 | \$118.4 |
| Keep in moderate risk residential (75%) | 4,583 | 227 | 1,040,341 | 2,850 | \$88.8 |
| 25% baseline services | 1527 | 227 | 346,629 | 950 | \$29.6 |
| 25% Alternative diversion | 1527 | 240 | 366,480 | 1004 | \$10.7 |
| Proposed Cost | | | | | \$99.5 |
| Bed day savings | | | | | \$18.9 |
| | | | | | |
| Total cost savings | | | | | \$24.7 |

Option 2: Reducing length of incarceration and Increasing intensive, home-based aftercare

This option assumes that the length of stay for 50% for the remaining youth (n=2,291) in moderate-risk residential programs could be reduced. That is, these youth could remain in residential facilities for a reduced period equal to 120 days and then receive home-based care services such as MST, FFT, or AMI for an additional 120 days. Currently, the average length of stay for a moderate-risk program is 227 days. This alternative would

reduce the amount of time a youth is in a residential facility, but at the same time, it would increase the total time a youth and family receive services (n=240 days). This alternative sentence that combines residential care and wraparound services would cost approximately \$31.5 million, compared to approximately \$44.4 million that the state would spend to keep these same youth in residential care for an average of 227 days, a cost savings of \$12.9 million.

OPTION 2

Reducing length of incarceration and increasing intensive, home-based aftercare

| | Admissions | ALOS (days) | Bed Days | ADP | Cost (In Millions) |
|---|-------------------|--------------------|-----------------|------------|---------------------------|
| Remaining moderate-risk (baseline) | 4,583 | 227 | 1,040,341 | 2,850 | \$88.8 |
| 50% baseline services (reg LOS) | 2,291 | 227 | 520,057 | 1,425 | \$44.4 |
| Combined alternative sentence total (50%) | 2,291 | 240 | 549,840 | 1,506 | \$31.5 |
| | | | | | |
| Total Cost savings | | | | | \$12.9 |

Option 3: Slightly reduced length of stays for a small proportion of youth in high risk and maximum-risk facilities coupled with intensive aftercare services.

This option assumes a 90-day reduction in length of stay for only 20% of the youth sent to maximum-risk (n=24) and high-risk programs (n=465) coupled with intensive, aftercare services for an additional 90 days. These youths require placement in a secure facility, however, the average length of stay in maximum-risk facilities in Florida is 595 days, greater than the average in many other states. This alternative would just reduce the length of stay for some youths to 505 days and provide for 90 days of intensive aftercare

such as Intensive Aftercare Program (IAP), Associated Marine Institutes (AMI), or group homes. While some research has found that there is little difference in rates of recidivism between youth who are incarcerated and those who are receiving intensive supervision, using intensive conditional release/probation/aftercare is less costly. The Washington State Institute for Public Policy estimates that about \$18,000 per participant can be saved (Aos et al., 2001). In 1998, the Juvenile Justice Accountability Board (JJAB) recommended that more attention should be given to aftercare programming at the state and local levels (Florida Department of Juvenile Justice, Juvenile Justice Fact Book, 2000). Youth with systemic and high treatment needs require more comprehensive and targeted services. Similar to assessment for placement into a residential program, an objective risk assessment instrument should be used to identify risks and needs of youth and to provide appropriate services. Florida currently spends almost \$100 million on residential care for high-risk and maximum-risk programs combined. NCCD estimates that the state can save approximately \$4.4 million by implementing a combined sentence for 20% percent of youth in high-risk (n=465) and maximum-risk (n=24) facilities that reduces length of stay by 90 days and increases intensive aftercare services by 90 days.

OPTION 3

Slightly reduced length of stays for a small proportion of youth in high risk and maximum-risk facilities coupled with intensive aftercare services.

| | Admissions | ALOS (days) | Bed Days | ADP | Cost (In Millions) |
|--|-------------------|------------------------|---------------------|------------|-------------------------------|
| Maximum | 122 | 595 | 72,590 | 199 | \$15.6 |
| High | 2,329 | 336 | 782,544 | 2,144 | \$81.3 |
| 20% baseline(maximum) | 24 | 595 | 14,280 | 39 | \$3.0 |
| 20% baseline (high) | 465 | 336 | 156,240 | 428 | \$16.3 |
| Combined alternative sentence total (max) | 24 | 505+90 | | | \$2.6 |
| Combined alternative sentence total (high) | 465 | 246+90 | | | \$12.3 |
| Cost savings (maximum) | | | | | \$.4 |
| Cost savings (high) | | | | | \$4.0 |
| | | | | | |
| Total cost savings (max+high) | | | | | \$4.4 |

Cost Savings of Combining all 3 Options

While the aforementioned NCCD options are mutually exclusive, combining all three options could total a savings of approximately \$42 million. The alternatives affecting the proposed number of youth (e.g., diversion to home-based care, combination of residential treatment and home-based care, reduced length of stay and increased aftercare) are supported by research and are cost-effective. Although these are “possible options,” they provide a picture of what the state of Florida can achieve. As mentioned, the state could also consider a strategy for gradual de-escalation of youth from high-risk programs into moderate-risk and low-risk programs, thus achieving more cost savings and improving the process and ability of youth to move through the continuum of services that DJJ operates. Such a response system allows for increased supervision and services as the youth’s behavior becomes more

delinquent, and allows for gradual de-escalation of those controls as the youth shows improvement. This option creates an opportunity to reduce the penetration of resources at the deep end while being able to reinvest resources in low- and moderate-risk programs. For example, 20% of youth in high-risk programs could serve 300 days and the remaining time in an appropriate moderate- or low-risk program.

NCCD is suggesting a strategic reinvestment of current resources. The options presented by NCCD could effectively free up resources that could be used to enhance a full range of high-level services including substance abuse and mental health, improved education, and vocational education as well as enhancing the all important aftercare for the youth remaining in residential care and returning to the community. Portions of these current resources could also be directed for recruiting, retaining, and training care and custody staff at existing programs. In 2001, KPMG found that the turnover rate for care and custody staff at residential programs was 55%. A cost model workgroup found that salaries at Florida DJJ were lower than comparable positions at the Florida Department of Corrections (DOC). In Florida, starting salary for a juvenile detention officer is \$24,009 and \$27,651 for a juvenile probation officer. Salary for a care and custody staff person at a contracted provider is \$16,640. However, starting salary for a correction officer at DOC is \$28,461 and \$30,928 for a probation officer. In comparison, a juvenile probation officer in the state of Georgia beginning salary range is from \$30,000-\$35,000 (NCJJ, 2003). Increasing salaries could help recruit and retain professionals to work with youth and to provide better, quality services. These resources could also be used to help strengthen services at the front end as well. Further planning will be required in order to implement these alternative options, including a

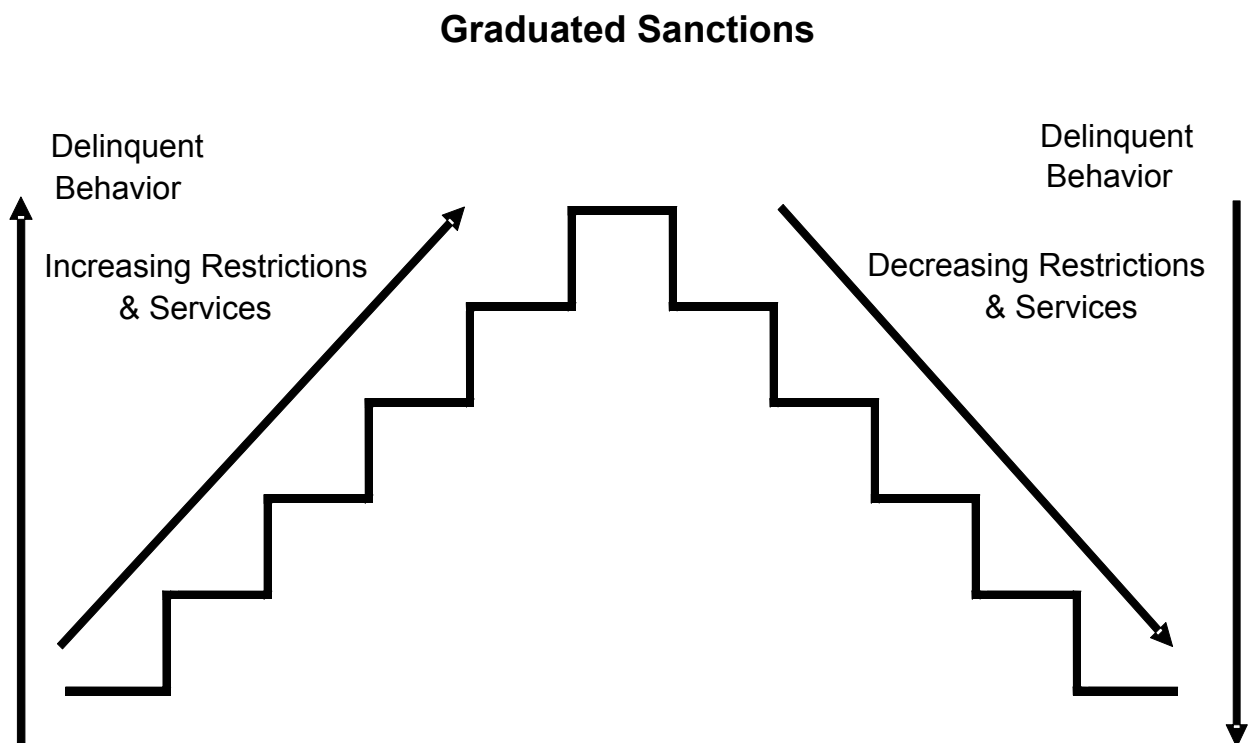
service plan that delineates a graduated approach for implementation, pilot programs and evaluation, and building judicial support.

| Cost Savings | Current Cost | NCCD Proposed Alternative | Difference (Savings) |
|--|---------------------|----------------------------------|-----------------------------|
| Option 1 | \$38.6 | \$13.9 | \$24.7 |
| Option 2 | \$44.4 | \$31.5 | \$12.9 |
| Option 3 | \$19.3 | \$14.9 | \$4.4 |
| Combining all options | \$102.3 | \$60.3 | \$42.0 |
| (All numbers refer to millions) | | | |

VII. Conclusions and Final Recommendations

Based on the work of OJJDP and others, a clear picture has emerged about the core elements of a model system of graduated sanctions. If Florida were to move rapidly in this direction, the likely outcomes would be both reduced recidivism *and* reduced costs. While Florida has made some steps towards the model, there needs to be greater focus and consistency in this pursuit.

The first principle of a model system of graduated sanctions is to have in place a broad array of sentencing options that are responsive to public safety concerns and youth needs. The juvenile justice system needs a flexible response system that can increase supervision and services as a youth's behavior becomes more delinquent, and can gradually deescalate those controls as the youth shows improvement. The figure below illustrates this concept of graduated sanctions.



This idea assumes an interconnected continuum of programs, not just a set of independent contracts with providers.

To plan for a very cost-effective system of graduated sanctions, the state would greatly benefit from implementing a research-based structured decision making system, and to actually use this system to make most juvenile justice decisions. This structured decision making process includes objective risk assessment tools, highly structured needs assessment profiles, and a strategy that links these measurements of risks and needs to existing sanctions. Further, an effective system of structured decision making includes tools for periodic reassessments that allow for the changing nature of youth behavior and circumstances during the supervision period.

We have stressed the importance of utilizing the best research-based intervention approaches. Our preliminary analysis suggests that there are many highly successful programs involving intensive home-based services that are presently not being used or that are underutilized in Florida. Moreover, the State must augment its existing residential programs with well planned and well funded aftercare or reentry services. Very strong aftercare programs can substantially increase the success of residential services, and save money through reduced lengths of institutional stays. Further, since all of these youths will return to the community, the mechanism for making these returns successful are crucial to public safety.

Finally, the research tells us that youths can be successful to the extent that they are effectively reconnected to positive or pro-social community institutions. Strengthening families should be a top priority. Young people need safe places to live, trustworthy people

on whom they can rely, and mentorship. Getting reconnected to schools and to the legitimate labor force have proven to be powerful pathways to success.

Below are some of the priority recommendations that should be considered by the citizens of Florida:

- **Develop and implement a structured decision making model (SDM) which includes objective risk instruments and an effective operational grid for placement.**
- **Improve DJJ's forecasting ability for both placement beds and community-based program slots to allow state officials to plan wisely for expenditures.**
- **Expand the implementation of research-based programs. Florida needs more programs that provide wraparound, and other high quality models of home-based care.**
- **Re-energize local input into programming, including ways to channel more resources to the local level and to leave more discretion for programming to judges and community officials. Look at the strides made in Ohio, North Carolina, and other jurisdictions as potential approaches for Florida.**
- **Revisit the guiding philosophy of the Juvenile Justice Act of 1990 calling for reduced juvenile justice caseloads and increased use of innovative alternatives to secure detention. In 1990, state officials wanted an expansion of community-based commitment programs so that juvenile offenders could be served nearer their home communities.**

- **Undertake a serious examination of detention practices in Florida and examine the highly successful results of the Annie E. Casey Foundation Juvenile Detention Alternatives Initiative.**

References

- Acoca, L. (2000). *Educate or Incarcerate: Girls in the Florida and Duval County juvenile justice systems*. San Francisco: National Council on Crime and Delinquency.
- Altschuler, D., and Armstrong, T. (1984). Intervening with Serious Juvenile Offenders.” In R. Mathias, P. DeMuro, and R. Allinson (eds.), *Violent Juvenile Offenders*. San Francisco, CA: National Council on Crime and Delinquency, p. 140.
- Annie E. Casey Foundation (2003). “Small is Beautiful: The Missouri Division of Youth Services” AdvoCasey.
- Annie E. Casey Foundation (1997). “The Juvenile Detention Alternatives Initiative.”
- Aos, S. (2002, October). *The Juvenile Justice System in Washington State: Recommendations to Improve Cost-effectiveness*. Washington State Institute for Public Policy.
- Aos, S. et al. (2001, May). *The Comparative Costs and Benefits of Programs to Reduce Crime, Version 4.0*. Washington State Institute for Public Policy.
- Bishop, D.M., & Griset, P.L. (1999). *Replicating detention reform: Lessons from the Florida Detention Initiative*. Annie E. Casey Foundation.
- California Board of Corrections. (2003). *Juvenile Justice Crime Prevention Act (JJCPA) 2003 Annual Report*. Sacramento, CA: Author.
- Florida Corrections Commission (2001). *Annual Report: Review of the Florida Department of Juvenile Justice*. Tallahassee, FL: Author.
- Florida Department of Juvenile Justice (Revised October 22, 2003). *Long Range Program Plan FY 2004-2005 through FY 2008-2009*. Tallahassee, FL: Author.
- Florida Department of Juvenile Justice (2003). *2003 Outcome Evaluation Report*. Tallahassee, FL: Author and Justice Research Center.
- Florida Department of Juvenile Justice (2003). *Fact Sheets: Female Offenders*. Tallahassee, FL: Author. Retrieved January, 2004, from:
<http://www.djj.state.fl.us/djj/research/statsnresearch/factsheets/femaleoffenders.html>
- Florida Department of Juvenile Justice (2002). *2001-02 Profile of Delinquency Cases and Youths Referred by the Bureau of Data and Research*. Tallahassee, FL: Bureau of Data and Research.
- Florida Department of Juvenile Justice (2002). *2002 QA Annual Report*. Tallahassee, FL: Bureau of Quality Assurance.
- Florida Department of Juvenile Justice (2000). *Juvenile Justice Fact Book*. Tallahassee, FL: Juvenile Justice Accountability Board.

Florida Statutes (FS):

985.4135 Juvenile justice circuit boards and juvenile justice county councils.

985.13(2)(b)2 Juvenile detention

985.214 (4)(b)4. Alternatives to Juvenile Detention

985.03-(45)(a). Residential Commitment: Minimum risk nonresidential

Howell, J.C. (Ed.). (1995). *Guide for Implementing the Comprehensive Strategy for Serious, Violent, and Chronic Juvenile Offenders*. Washington, DC: Office of Juvenile Justice and Delinquency Prevention.

Krisberg, B. (2003). *Promising Approaches for Graduated Sanctions*. Unpublished manuscript.

Krisberg, B., Noya, M., Jones, M., & Wallen, J. (2001). *Juvenile Detention Alternatives Initiative: Evaluation Report*. Unpublished manuscript.

Latessa, E.J., Turner, M.G., Moon, M.M., et al. (1998). *A Statewide Evaluation of the RECLAIM Ohio Initiative: Executive summary*. Columbus, OH: Ohio Department of Youth Services.

Lipsey, M. and Wilson, D. (1998). "Effective Intervention for Serious Juvenile Offenders: A Synthesis of Research." in *Serious and Violent Juvenile Offenders: Risk Factors and Successful Interventions*. R. Loeber & D.P. Farrington (eds.). Los Angeles, CA: Sage Publications.

National Center for Juvenile Justice (NCJJ). (2003). "Georgia." *State Juvenile Justice Profiles*. Pittsburg, PA: NCJJ. Retrieved March, 2004, from: <http://www.ncjj.org/stateprofiles>

Nelson, R. (1999). *Statewide evaluation: Multi-site minority overrepresentation projects*. 21st Century Research.

North Carolina Department of Juvenile Justice and Delinquency Prevention. (2001). *Annual Report*.

Office of Program Policy Analysis and Government Accountability (OPPAGA) Reports:

[Report No. 03-76](#) (2003, December). Information Brief: *More youth are admitted for less serious offenses, in part to meet treatment needs*

[Report No. 03-74](#) (2003, December). Information Brief: *Juvenile bed tracking system improves; Bed vacancy rates high for some programs*.

[Report No. 03-73](#) (2003, December). Information Brief: *Juvenile justice can improve its quality assurance and program monitoring processes*.

[Report No. 02-62](#) (2002, November). Justification Review: *Prevention and victim services program Department of Juvenile Justice*.

[Report No. 02-47](#) (2002, September). Progress Report: *Juvenile home detention staff reduced; Critical secure facility posts not identified; Transit changes beneficial*.

[Report No. 02-17](#) (2002, March). Justification Review: *Most delinquents sent to community supervision; program could improve*.

[Report No. 01-49](#) (2001, October). Information Brief: *Misdemeanant and non-law violation youth in juvenile justice commitment beds.*

[Report No. 98-75](#) (1999, March). *Follow-up report on Department of Juvenile Justice residential commitment services.*

[Report No. 96-48](#) (1997, February). *Review of the Department of Juvenile Justice residential commitment services.*

Sickmund, M., & Snyder, H. (1999). *Juvenile Offenders and Victims: 1999 National Report*. Chapter 7, "Juveniles in Correctional Facilities." Washington, DC: Office of Juvenile Justice and Delinquency Prevention.

Sickmund, M., & Wan, Y. (2001). *Census of Juveniles in Residential Placement Databook*. Retrieved September, 2003, from: <http://www.ojjdp.ncjrs.org/ojstatbb/cjrp>

Wayne County Department of Community Justice (2002). *Juvenile Justice Services* Retrieved February, 2004, from: <http://www.waynecounty.com/youthFamily/childFamSvcs.htm>