Reducing Recidivism and Improving Other Outcomes for Youth under Juvenile Justice System Supervision

Justice Center Presenters
Josh Weber, Program Director, Juvenile Justice

April 7, 2016
National nonprofit, nonpartisan membership association of state government officials

Represents all three branches of state government

Provides practical advice informed by the best available evidence
Challenges to Improving Outcomes for Youth

“What Works” to Improve Outcomes for Youth: Principles 1 + 2

“What Works” to Improve Outcomes for Youth: Principles 3 + 4
STATES’ JUVENILE INCARCERATION RATES HAVE DECLINED DRAMATICALLY

PERCENT CHANGE IN STATE JUVENILE INCARCERATION RATES (1997-2013)

-55%
REFORMS CONTRIBUTED TO DECLINE IN JUVENILE CONFINEMENT RATES IN TEXAS

REFORM HIGHLIGHTS and AVERAGE DAILY POPULATION IN STATE SECURE JUVENILE FACILITIES

2007 LEGISLATURE
Prohibited commitment to state-run secure facilities for misdemeanor offenses; age of state jurisdiction reduced from 21 to 19; $60 million in new funding for counties

2009 LEGISLATURE
$45 million for Commitment Reduction Program, with incentive funding for counties and community supervision

2011 LEGISLATURE
Merged former Texas Youth Commission and Texas Juvenile Probation Commission to form Texas Juvenile Justice Department (TJJD)

2013 LEGISLATURE
Mandated TJJD to close one additional state-run secure facility; $25 million designated for community mental health services
TEXAS POLICYMAKERS COMMISSIONED STUDY TO BETTER UNDERSTAND THE IMPACT OF REFORMS AND OUTCOMES FOR YOUTH UNDER SUPERVISION OF THE JUVENILE JUSTICE SYSTEM

August 10, 2012

Michael Thompson
Director
Justice Center, Council of State Governments
100 Wall Street, 20th Floor
New York, NY 10005

We are eager to work with you and your team to develop and implement a work plan so that we can generate the data that will address the questions described above. Please let us know what the next steps are. If you have any questions, do not hesitate to contact me at 512.424.6004.

Sincerely,

Jay Kimbrough
Interim Director
Texas Juvenile Justice Department

Michael Griffiths
Executive Director
Texas Juvenile Justice Department

The Senate of The State of Texas
Senator John Whitmire
Dean of the Texas Senate
August 14, 2012

Sincerely

JOHN WHITMIRE
Chair, Senate Criminal Justice Committee
TEXAS STUDY USED MORE THAN 1.3 MILLION RECORDS TO ANALYZE RECIDIVISM RATES FOR SIMILAR GROUPS OF YOUTH

Juvenile Probation and Secure Confinement Data
- 899,101 records
- 452,751 juveniles
- Dispositions and secure releases

Criminal History and Prison Admission Data
- 408,312 records
- 242,541 juveniles
- Arrests and incarcerations

Two Closer-to-Home Study Cohorts
- Pre-reform cohort: 27,131 juveniles
- Post-reform cohort: 31,371 juveniles

“Apples to apples” comparison of youth eligible for incarceration:
- Youth supervised in the community
- Youth released from state-run secure facilities
YOUTH KEPT CLOSER TO HOME HAVE BETTER OUTCOMES

**One-Year Probability of Rearrest**

- Released from State Secure Facilities: 41%
- Supervised in the Community: 34%

21% more likely to be rearrested

**First Recidivism Offense a Felony**

- Released from State Secure Facilities: 49%
- Supervised in the Community: 17%

3x more likely to commit a felony when recidivating
### Per Capita Funding for Juvenile Probation

#### Increased Significantly After 2007 Reforms

<table>
<thead>
<tr>
<th></th>
<th>FY2005</th>
<th>FY2012</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Per capita expenditures for local juvenile probation departments</td>
<td>$3,555</td>
<td>$7,023</td>
<td>98%</td>
</tr>
<tr>
<td>Expenditures adjusted for inflation to 2014 dollars</td>
<td>$4,337</td>
<td>$7,304</td>
<td>68%</td>
</tr>
<tr>
<td>Percentage of local juvenile probation department expenditures contributed by county</td>
<td>77%</td>
<td>71%</td>
<td>-8%</td>
</tr>
</tbody>
</table>
REARREST RATES WERE COMPARABLE REGARDLESS OF THE INTERVENTION AND DID NOT IMPROVE AFTER REFORMS

<table>
<thead>
<tr>
<th>INTERVENTION TYPE</th>
<th>PRE-REFORM STUDY GROUP One-Year Probability of Rearrest</th>
<th>POST-REFORM STUDY GROUP One-Year Probability of Rearrest</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Incarceration</td>
<td>41%</td>
<td>41%</td>
</tr>
<tr>
<td>Skill-Based Program</td>
<td>29%</td>
<td>27%</td>
</tr>
<tr>
<td>Treatment Program</td>
<td>28%</td>
<td>30%</td>
</tr>
<tr>
<td>Surveillance Program</td>
<td>31%</td>
<td>29%</td>
</tr>
<tr>
<td>Secure County Placement</td>
<td>33%</td>
<td>34%</td>
</tr>
<tr>
<td>Non-Secure County Placement</td>
<td>35%</td>
<td>35%</td>
</tr>
<tr>
<td>No Intervention</td>
<td>33%</td>
<td>32%</td>
</tr>
</tbody>
</table>
## Significant Percentage of Low Risk Youth under Supervision Placed in Programs

<table>
<thead>
<tr>
<th>County</th>
<th>% of Low-Risk Youth on Supervision* in Programs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tarrant</td>
<td>44%</td>
</tr>
<tr>
<td>Travis</td>
<td>71%</td>
</tr>
<tr>
<td>Victoria</td>
<td>91%</td>
</tr>
<tr>
<td>Harris</td>
<td>80%</td>
</tr>
<tr>
<td>Lubbock</td>
<td>43%</td>
</tr>
<tr>
<td>Cameron</td>
<td>40%</td>
</tr>
<tr>
<td>Dallas</td>
<td>55%</td>
</tr>
<tr>
<td>El Paso</td>
<td>77%</td>
</tr>
</tbody>
</table>

* Supervision includes youth on deferred prosecution and probation supervision

Risk level as calculated by CSG Justice Center
Low Risk Youth in Most Locations Stayed Longer in Programs Than High Risk Youth

<table>
<thead>
<tr>
<th>Location</th>
<th>Low Risk Youth</th>
<th>High-Risk Youth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tarrant</td>
<td>105</td>
<td>77</td>
</tr>
<tr>
<td>Travis</td>
<td>115</td>
<td>112</td>
</tr>
<tr>
<td>Victoria</td>
<td>125</td>
<td>69</td>
</tr>
<tr>
<td>Harris</td>
<td>75</td>
<td>104</td>
</tr>
<tr>
<td>Lubbock</td>
<td>167</td>
<td>118</td>
</tr>
<tr>
<td>Cameron</td>
<td>193</td>
<td>135</td>
</tr>
<tr>
<td>Dallas</td>
<td>94</td>
<td>124</td>
</tr>
<tr>
<td>El Paso</td>
<td>136</td>
<td>133</td>
</tr>
</tbody>
</table>

Risk level as calculated by CSG Justice Center
* Supervision includes youth on deferred prosecution and probation supervision
### Few Youth With Substance Abuse Issues Participate in Treatment Program

<table>
<thead>
<tr>
<th>County</th>
<th>Number of Youth at Referral</th>
<th>Percentage of Youth in Substance Abuse Treatment or Intervention Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tarrant</td>
<td>659</td>
<td>2%*</td>
</tr>
<tr>
<td>Travis</td>
<td>497</td>
<td>27%</td>
</tr>
<tr>
<td>Victoria</td>
<td>0</td>
<td>0%*</td>
</tr>
<tr>
<td>Harris</td>
<td>3,731</td>
<td>12%</td>
</tr>
<tr>
<td>Lubbock</td>
<td>131</td>
<td>32%</td>
</tr>
<tr>
<td>Cameron</td>
<td>287</td>
<td>25%</td>
</tr>
<tr>
<td>Dallas</td>
<td>1,835</td>
<td>23%</td>
</tr>
<tr>
<td>El Paso</td>
<td>518</td>
<td>0%**</td>
</tr>
</tbody>
</table>

* Department did not serve any youth in this program type is FY2012.
** No youth were identified as having a substance use treatment needs at referral.
TEXAS STUDY HAS KEY IMPLICATIONS FOR ALL STATES AND COUNTIES

1. Texas **reduced the number of incarcerated youth** without compromising public safety.

2. Youth supervised “closer to home” have **lower rearrest rates** than similar youth released from state-run secure facilities.

3. The state invested significant resources in **community-based supervision and services**.

4. Recidivism rates for youth under community supervision did not improve after the reforms. Texas is not realizing the **full potential of its investment** in community-based supervision and services.
OVERVIEW

Challenges to Improving Outcomes for Youth

“What Works” to Improve Outcomes for Youth: Principles 1 + 2

“What Works” to Improve Outcomes for Youth: Principles 3 + 4
GROWING MOMENTUM TO IMPLEMENT “WHAT WORKS” TO IMPROVE OUTCOMES FOR YOUTH

Core Principles for Reducing Recidivism and Improving Other Outcomes for Youth in the Juvenile Justice System

Ten Key Questions Judges Can Ask to Improve Outcomes for Youth in the Juvenile Justice System

1. Does the court play a leadership role in helping to coordinate case planning and services across the juvenile justice, education, child welfare, and behavioral health systems by connecting service providers to each other and sharing information about children’s needs?
2. Have youth and families involved in court processes and in their input used to guide court decisions?
3. Does the court track whether a youth is on track with services at entry and whether services are coordinated and if the court uses a data-driven approach to determine the effectiveness of the services provided?
4. Do the court’s case plan and services reduce recidivism and other outcomes?
5. Are youth and families involved in court processes and in their input used to guide court decisions?
6. Does the court play a leadership role in helping to coordinate case planning and services across the juvenile justice, education, child welfare, and behavioral health systems by connecting service providers to each other and sharing information about children’s needs?
7. Does the court track whether a youth is on track with services at entry and whether services are coordinated and if the court uses a data-driven approach to determine the effectiveness of the services provided?
JURISDICTIONS STRUGGLE TO TRACK OUTCOMES FOR YOUTH UNDER SYSTEM SUPERVISION AND WHETHER INVESTMENTS ARE MAKING A POSITIVE IMPACT

39 STATES TRACK RECIDIVISM RATES; 11 DO NOT

OF THOSE 39 STATES, ONLY 25 TRACK MULTIPLE MEASURES OF RECIDIVISM

OF THOSE 25 STATES, ONLY 13 ANALYZE RECIDIVISM RATES BY RISK LEVEL

OF THOSE 13 STATES, ONLY 9 USE THIS DATA TO EVALUATE PROGRAM EFFECTIVENESS
CORE PRINCIPLE 1: USE VALIDATED RISK AND NEEDS ASSESSMENTS

**STEP 1:** Assess risk of reoffending using validated tool

Low Risk

Medium Risk

High Risk

**STEP 2:** Minimize supervision for low-risk youth and focus resources on high-risk youth

Diversion

OR

Probation

Probation

OR

Residential Placement

**STEP 3:** Assess needs and match youth to services

Referrals to behavioral health system if needed

Identify and address risk factors that drive delinquent behavior
USE VALIDATED RISK AND NEEDS ASSESSMENTS: CHALLENGES AND BEST PRACTICES IN UTAH

**CHALLENGE**

Average Length of Stay (in Days) for Youth in Confinement by Assessed Risk Level, 2014

<table>
<thead>
<tr>
<th>Risk Level</th>
<th>Secure Facilities</th>
<th>Non-Secure Facilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low Risk</td>
<td>475</td>
<td>421</td>
</tr>
<tr>
<td>Moderate Risk</td>
<td>471</td>
<td>405</td>
</tr>
<tr>
<td>High Risk</td>
<td>465</td>
<td>390</td>
</tr>
</tbody>
</table>

**BEST PRACTICE**

Risk-based lengths of stay and release matrix/policies
# Key Implementation Challenges

<table>
<thead>
<tr>
<th>Use validated risk and need assessments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Inconsistent assessment practices</td>
</tr>
<tr>
<td>2. Inconsistent assessment scoring and frequent overrides</td>
</tr>
<tr>
<td>3. Case planning not based on assessments</td>
</tr>
<tr>
<td>4. Lack of service matching</td>
</tr>
<tr>
<td>5. Release decisions based on behavior and time served</td>
</tr>
<tr>
<td>6. Assessments results not shared with and used by all key parties</td>
</tr>
</tbody>
</table>
Implementation Best Practices

Staff Training and Performance
- Ongoing staff training and make required competencies part of hiring/evaluations

Assessment Policies and Tools
- Scoring, override, reporting, and reassessment policies
- Dispositional, length of stay, and service matching tools

Case Planning Checkpoints
- Formal case planning checkpoints with all stakeholders guided by key performance measures

Quality Assurance
- Electronically capture assessment data and conduct regular case/data audits
CORE PRINCIPLE 2: IMPLEMENT PROGRAMS AND SERVICES PROVEN TO REDUCE RECIDIVISM

Research shows that services that promote youths’ positive development can reduce recidivism rates by up to 40 percent.

COGNITIVE BEHAVIORAL THERAPY

- Thoughts create feelings
- Behavior reinforces thoughts
- Feelings create behavior

FAMILY/COMMUNITY-CENTRIC APPROACHES
IMPLEMENT PROGRAMS AND SERVICES PROVEN TO REDUCE RECIDIVISM: CHALLENGES AND BEST PRACTICES IN KANSAS

**CHALLENGE**

Discharge Location for Youth Placed in Private Residential Facilities, 2014

- Home: 38%
- AWOL: 25%
- Secure facility: 19%
- Non-secure facility: 13%

**BEST PRACTICE**

All service providers must use evidence-based models and meet specific performance measures.
## Implementation Challenges

<table>
<thead>
<tr>
<th>Adopt effective service models and implement them with high quality</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Lack of clear definition for “evidence-based”</td>
</tr>
<tr>
<td>2. Unidentified treatment models, target population, or dosage</td>
</tr>
<tr>
<td>3. Lack of implementation fidelity/quality</td>
</tr>
<tr>
<td>4. Underestimation of capacity needed to be a service procurer</td>
</tr>
<tr>
<td>5. Insufficient data collection and reporting</td>
</tr>
<tr>
<td>6. Lack of provider improvement and accountability processes</td>
</tr>
</tbody>
</table>
Implementation Best Practices

Funding
- Require the use of funding for only programs that meet specific research/outcome standards

Contracting
- Require documentation and adherence to target population, service matching, and program model

Service Policies and Oversight
- Establish referral, eject/reject, dosage, and service delivery policies; track outcomes; and provide QA

Assessment and Accountability
- Conduct service quality assessments
- Mandate data collection and reporting and establish formal improvement/corrective action processes
Challenges to Improving Outcomes for Youth

“What Works” to Improve Outcomes for Youth: Principles 1 + 2

“What Works” to Improve Outcomes for Youth: Principles 3 + 4
CORE PRINCIPLE 3: COLLABORATE ACROSS SYSTEMS TO ADDRESS YOUTHS’ NEEDS

60 to 70 percent of confined youth have a mental illness.

25 to 50 percent of confined youth have a substance use disorder.

65 percent of youth under supervision have past/current involvement in the child welfare system.

More than 50 percent of confined youth have reading and math skills significantly below their grade level, have repeated a grade, and have been suspended or expelled.
COLLABORATE ACROSS SYSTEMS TO ADDRESS YOUTHS’ NEEDS: CHALLENGES AND BEST PRACTICES IN NORTH CAROLINA

CHALLENGE

State Juvenile Justice Agencies Collection of Educational Outcome Data For Incarcerated Youth after Release, 2015

(NC in Red)

20 States

16 States

15 States

13 States

12 States

Enrollment in Public School

GED or Equivalent Earned

High School Diploma Earned

Enrollment in Job Training Program

Enrollment in Postsecondary Institution

BEST PRACTICE

Cross-systems committee (education and juvenile justice) to improve educational/vocational outcomes

North Carolina Comprehensive Statewide Juvenile Reentry Systems Reform Planning

Improving the successful reintegration of juveniles into the community

A proposal submitted by:
Juvenile Community Programs, Juvenile Court Services, Juvenile Facilities, and Juvenile Clinical Treatment Services
Division of Adult Correction and Juvenile Justice
North Carolina Department of Public Safety

For:
OJJDP FY 2014 Second Chance Act
Comprehensive Statewide Juvenile Reentry Systems Reform Planning Program
Office of Juvenile Justice and Delinquency Prevention
Office of Justice Programs
## Implementation Challenges

### Employ a coordinated approach to address youth’s needs

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Limited availability/quality of mental health and substance use services</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Child welfare and juvenile justice systems don’t coordinate</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Youth’s educational records/credits are not transferred in a timely or complete manner</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Youth are not re-enrolled in an appropriate school in a timely manner, and outcomes not tracked</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>“Meeting” syndrome</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Implementation Best Practices

**Collaboration Structures**
- Establish taskforces with key decision makers focused on specific policy changes, and identify system liaisons

**Information Sharing**
- Develop information sharing agreements and/or shared management systems

**Cross-Agency Policies and Protocols**
- Establish treatment-team meetings and cross-agency policies and training

**Blended Funding**
- Use Medicaid, IVE Waiver funding, systems or care, or other funding streams to address shared service needs
CORE PRINCIPLE 4: TAILOR SUPERVISION/SERVICES TO YOUTHS’ DEVELOPMENTAL NEEDS

Youth Are Different from Adults

• They are susceptible to peer influence.
• They engage in risky behaviors.
• They fail to account for long-term consequences.
• They are relatively insensitive to degrees of punishment.
• They struggle to regulate impulses and emotions.

Key Components of a Developmentally Appropriate Approach

• Engage youth and families in system decisions/interventions.
• Focus supervision on positive youth behavior change.
• Hold youth accountable using a graduated response matrix.
• Require youth to repair the harm caused to victims/communities.
**CORE PRINCIPLE 4: TAILOR SUPERVISION/SERVICES TO YOUTHS’ DEVELOPMENTAL NEEDS**

<table>
<thead>
<tr>
<th>Focus on Surveillance</th>
<th>Focus on Positive Behavior Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Laundry list of supervision conditions</td>
<td>Developmentally appropriate conditions</td>
</tr>
<tr>
<td>Fixed and uniform case contact requirements</td>
<td>Contact requirements based on youth’s assessed risk level</td>
</tr>
<tr>
<td>No collateral contact requirements</td>
<td>Required family and school collateral contacts</td>
</tr>
<tr>
<td>Large caseloads, “check-in” visits</td>
<td>Small caseloads with sessions focused on behavior change/skill development</td>
</tr>
<tr>
<td>Minimal training</td>
<td>Training in engagement and cognitive behavioral techniques</td>
</tr>
<tr>
<td>Minimal use of incentives/rewards</td>
<td>Frequent use of incentives/rewards</td>
</tr>
</tbody>
</table>
TAILOR SUPERVISION/SERVICES TO YOUTHS’ DEVELOPMENTAL NEEDS: CHALLENGES AND BEST PRACTICES IN UTAH

**CHALLENGE**

Youths’ Most Recent Offense Type Prior to Confinement, 2014

<table>
<thead>
<tr>
<th>Facility Type</th>
<th>Delinquent Offense</th>
<th>Probation Violation/Status Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>Secure Facility</td>
<td>62%</td>
<td>38%</td>
</tr>
<tr>
<td>Non-Secure Facility</td>
<td>58%</td>
<td>42%</td>
</tr>
<tr>
<td>Detention</td>
<td>57%</td>
<td>43%</td>
</tr>
</tbody>
</table>

**BEST PRACTICE**

Statewide graduated sanctions matrix

- Enhanced monitoring and services
- Reassessment of risk/needs and required level of supervision and service plan
- Graduated sanctions matrix

- Cognitive behavioral and accountability activities
- Restricted privileges, and cognitive behavioral and accountability activities
- Reassessment of risk/needs and required level of supervision and service plan

- Warnings and reinforcement of conditions
- Restricted privileges
- Enhanced monitoring and services

Risk of Reoffending + Level of Misbehavior = Graduated Response

- Low Level of Misbehavior
- Medium Level of Misbehavior
- High Level of Misbehavior

- Graduated Response

- Risk of Reoffending

Delinquent Offense
Probation Violation/Status Offense
# Implementation Challenges

| Establish a developmentally-appropriate approach |
|---------------------------------|---------------------------------|---------------------------------|
| 1. Youth/families are engaged in token ways or ways convenient for staff | 2. Supervision staff do not buy-into or are not trained in promoting positive youth behaviors | 3. Case contact requirements are inconsistently followed, burdensome, or perfunctory |
| 4. Graduated response systems are ignored | 5. Restorative justice practices become punishments |  |
Implementation Best Practices

**Family-Based Perspective**
- Form family councils or hire family advocates
- Establish family-based policies and processes

**Staff Training and Performance**
- Provide ongoing training in techniques for engaging youth and promoting positive behaviors

**Supervision Policies**
- Establish specific supervision performance measures
- Develop contacts/graduated response criteria/policies

**Quality Assurance**
- Electronically capture and analyze supervision contacts, the results, and the use of graduated sanctions
Thank You

Additional Resources:

Core Principles:

Measuring Juvenile Recidivism:

Juvenile Justice Technical Assistance:
https://csgjusticecenter.org/youth/reducing-juvenile-recidivism/

Juvenile Justice Project:
https://csgjusticecenter.org/youth/about-the-youth-program/

The presentation was developed by members of the Council of State Governments Justice Center staff. The statements made reflect the views of the authors, and should not be considered the official position of the Justice Center, the members of the Council of State Governments, or the funding agency supporting the work. Citations available for statistics presented in preceding slides available on CSG Justice Center web site.