

juvenile justice and delinquency prevention

104839

U.S. Department of Justice
National Institute of Justice

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material has been granted by

Public Domain/NIJ/OJJDP

U.S. Department of Justice

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

PROBATION

The Jail Removal Initiative:
A Summary Report

104839

NCJRS

MAR 30 1991

ACQUISITIONS

The Jail Removal Initiative

A Summary Report

In 1980 the Federal Office of Juvenile Justice and Delinquency Prevention sponsored a \$5.3 million project called the "National Jail Removal Initiative" (JRI). The Initiative was designed to foster compliance with the Juvenile Justice and Delinquency Prevention Act of 1974. As amended in 1980, the JJDP Act made funding available for projects such as the JRI to assist states in their efforts to make improvements in local and regional juvenile justice programs. In particular, it was hoped that the Initiative would ignite "jail removal" efforts in areas of the country where for various reasons jail removal was difficult to accomplish. Although not all of the sites participating in the JRI were rural, for the most part the Initiative was designed to help rural jurisdictions overcome the unique set of obstacles they face in achieving jail removal.

The JJDP Act requires participating states to remove all juveniles from adult jails and lockups by December 8, 1988. Originally the Act only required "sight and sound separation" of juvenile and adult prisoners, but as time went on it became clear that the Act's separation requirements were inadequate. The intent of the JJDP Act was to protect juveniles from abuse at the hands of adult prisoners, and to insure that youths would receive solicitous care consistent with the principles of the juvenile justice system. But unfortunately, because of the overcrowded conditions in many jails, after the 1974 Act went into effect youths were often held in conditions which amounted to solitary confinement to insure compliance with the Act's separation requirements. In essence, these youths were being held under conditions usually reserved for extremely disruptive or violent adults. Thus the legislative reforms which were motivated by a genuine concern for the welfare of youths in the justice system had a bitterly ironic outcome: many juveniles, who by virtue of their lack of maturity were far less capable of handling such an experience, were being treated worse than adults who had committed similar offenses.

Consequently, to further insure that juveniles taken in custody would not suffer undue physical and psychological harm while in confinement, Congress amended the JJDP Act in 1980 to end all juvenile jailings. Following the 1980 amendments, however, it became clear that

compliance with the Act's new jail removal provisions would be uneven. Urban communities, since they already had access to a vast array of programs and services that could serve as alternatives to adult jail, would be able to achieve jail removal with a minimum amount of difficulty. But for rural jurisdictions, jail removal was often very difficult to accomplish. Not only are rural communities hindered by a lack of existing secure and nonsecure alternatives to jail, but many have no available funds or resources to remedy the situation.

The JRI thus represented an attempt to find creative solutions to the special problems of rural communities who wanted to eliminate juvenile jailings. The program, which ran for three years beginning in 1981, offered approximately \$200,000 to each of the twenty-three participating jurisdictions. During "Phase I" of the Initiative they conducted extensive pre-planning activities in order to qualify for the grant money. To assist them in this task, they were also offered substantial technical assistance and formal training in designing a community-wide network of alternative services. The sites receiving the grants ranged in size from single communities to entire states, and included local juvenile courts, regional and state youth service planning agencies, shelter programs and Native American tribal councils (See Table One). Although the sponsoring agencies were diverse, they all had one common goal, the complete removal of juveniles from adult jails and lockups.

Phase I: Planning For Jail Removal

Jail removal planning throughout the project was based on a consistent methodology. First, all predispositional placement decisions—especially those involving out-of-home placements—were to be made according to objective placement criteria. Objective intake criteria would constitute a first step towards establishing formal and consistent admissions procedures for all custody referrals, an essential ingredient in any jail removal program. Second, the goal of court intake decision-making was to place each youth in the least restrictive setting possible, which meant that in addition to removing youths from adult facilities, each site had to develop or find access to alternatives such as runaway shelters and foster care. Transportation networks to and from secure juvenile detention centers or shelter homes in neighboring counties, for example, would enable rural jurisdictions to place any youth taken in custody in an appropriate setting. A site could arrange a "purchase-of-care" agreement with a neighboring facility for the needed bed spaces, thereby avoiding the considerable

expense of running such a facility itself. Since the population needing out-of-home placement in rural communities is often extremely low, it is usually more cost-effective for detention centers and shelter homes in rural areas to operate on a regional rather than a local basis. Also, most of the sites without access to secure or

from a youth advocacy perspective, the sites were careful to solicit the advice and opinions of child welfare organizations, private citizens, advocacy groups, and youths caught up in the system themselves. In fact, at the very beginning of the Initiative the sites decided to commit themselves to the principle of local planning, and each jurisdiction applying for JRI funds proceeded to develop a strategy for including key social services and juvenile justice officials in planning activities. Since local officials generally will understand the intricacies of their programs better than any outside state or regional advisors, it was felt that locally developed services would stand a better chance of meeting the community's specific needs. Also, part of the rationale was to avoid the noncooperation of those who resented the project because they felt that it had been imposed on them. It was fairly obvious to everyone concerned that a jail removal program would be successful only if local officials felt some "ownership" in the project and were comfortable with the course of action.

Because of the commitment to individual site planning, the sites used a highly flexible planning process model that allowed them to progress naturally from problem identification to plan implementation in six steps. Steps one through four simplified problem-solving tasks by arranging them in a systematic order, and step five organized plan implementation. Throughout the process sites were encouraged to weigh the impact of proposed changes on the entire local juvenile justice system, and the last stage, the plan monitoring phase, was designed to help the sites monitor their programs to insure that project goals were being met.

The needs assessments conducted by the sites clearly indicated that improvements were in order. Of all youths arrested by police or referred to the local juvenile court, nearly one-third were being placed in adult jails. The jailing rates among the sites ranged from eleven to one hundred percent. Use of secure and nonsecure alternatives to jail was sporadic, and less than three percent of all juveniles were placed in nonsecure settings such as emergency foster care, shelter care, and in-home detention.

The high jailing rates were directly related to the lack of available alternatives. Only seven of the twenty-three jurisdictions had access to separate secure juvenile detention facilities, and emergency shelter care and other crisis residential services were found in only five sites. Even for those few sites who were fortunate enough to have access to alternative services, their availability was often limited because of poorly devised intake procedures. Transportation networks to nearby secure facilities were loosely arranged and generally quite inconvenient, and only one site had adopted objective intake criteria. It was clear from this information that

Table One

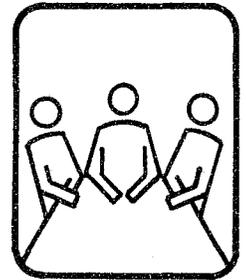
Sites Participating in the JRI

Location	Sponsoring Agency
Auburn, Alabama	Lee County Juvenile Court
Dothan, Alabama	Southeast Alabama Youth Services
The State of Arizona, in conjunction with:	Arizona Department of Corrections
Ft. Mojave Reservation	Tribal Council
Havasupai Reservation	Tribal Council
Hopi Reservation	Tribal Council
Hualapai Reservation	Tribal Council
Salt River/Ft. Mc- Dowell Reservations	Tribal Councils
San Carlos Reservation	Tribal Council
White Mountain Reservation	Tribal Council
Cecil, Arkansas	Western Arkansas County Judges
Yellville, Arkansas	Ozark Mountain Arkansas Rural Region
The State of Colorado	Colorado Division of Youth Services
Lihue, Hawaii	The Judiciary
Bolingbrook, Illinois	The Village of Bolingbrook
Carbondale, Illinois	Greater Egypt Regional Planning and Development Commission
Owingsville, Kentucky	Gateway Area Development Project
Franklin, Louisiana	Samaritan House
Rochester, Minnesota	Dodge-Fillmore-Olmsted County Corrections System
Browning, Montana	Blackfeet Law and Order Commission
Portland, Oregon	The Boys and Girls Aid Society
Portland, Oregon	Metro Criminal Justice Planning
The State of South Carolina	Division of Public Safety Programs
Neah Bay, Washington	Makah Tribal Council

nonsecure detention would be able to arrange such agreements within a matter of weeks, whereas building a new facility would have taken months.

Third, during Phase I site officials tried to imagine how actual participants would view proposed changes in local justice programs. Since the JJDP Act mandated that services funded with OJJDP grant money be designed

The Jail Removal Initiative



Total Systems Planning

Step One: Get Organized.

Identify problems and goals, establish advisory boards, set detention criteria, choose data collection methods, and devise timetable.

Communities wanting to improve their juvenile justice programs often don't know where to begin. Here is a six step process that will ease one through the task of implementing new programs and services.

local officials usually had only two choices: either jail or outright release.

The needs assessments also showed that in general, secure placement decisions were made on a haphazard basis. Youths who appeared to threaten the community were usually placed in jail in order to prevent them from committing further delinquencies before their court hearings. In many of these cases, an appropriate form of secure placement appeared to be justified. But a large number of jailed youths were *not* charged with serious personal crimes. In fact, serious offenders (as defined by the 1980 amendments to the JJDP Act) comprised only three percent of the entire jailed population.

Furthermore, status offenders—youths accused of committing offenses that would not be crimes if committed by adults (such as truancy and running away)—were being jailed on a fairly consistent basis. Nearly half of the juveniles jailed in JRI jurisdictions were charged with status offenses. The JJDP Act requires that status offenders be placed in nonsecure settings rather than adult jails or secure juvenile detention, the rationale being that their offenses pose no material threat to the community and that a status offender's behavior, while certainly a problem for both the family and the community, is technically noncriminal. In order to conform to the requirements of the Act, it was clear that the sites needed to devise several nonsecure placement options so that status offenders, the largest portion of

their court referrals, could be placed in some form of appropriate custody when they could not be returned home.

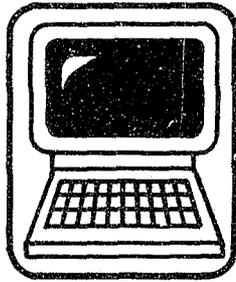
Phase II: Implementing the Plans

Overall, the information collected during Phase I indicated that the sites had some serious problems to solve. Many youths were being jailed for minor or status offenses, and most of the participating jurisdictions lacked the network of alternatives necessary to divert these youths from jail. But most of the sites remained committed to their goals, and during the second phase of the JRI they were able to implement a variety of innovative programs which substantially reduced inappropriate pretrial placements. In fact, eight of the twenty-three jurisdictions reduced the number of juvenile jailings to zero by the end of the project, and of the remaining jurisdictions, all but one reduced their jailings between 23 to 98 percent.

Some of the participants feared, however, that local officials would simply use secure juvenile detention facilities to "replace" adult jails, and as a result inappropriate placements of less serious offenders would

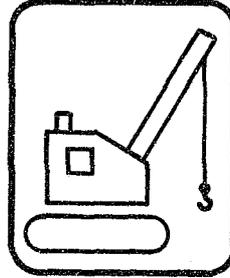
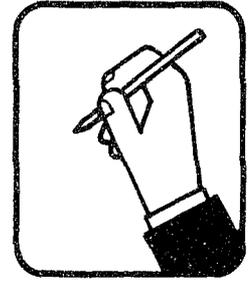
Step Two: Assess Needs.

How many organizations serve troubled youths in your community? Analyze the entire local juvenile justice system to assess its needs and pinpoint its weaknesses and strengths. Use the proposed detention criteria to identify actual bedspace needs in juvenile residential facilities. Develop a profile of juveniles referred to court.



Step Four: Establish Policy and Develop Plan.

Prepare a plan for action that is based on the needs analysis and input from all sectors of the juvenile justice/youth services community.

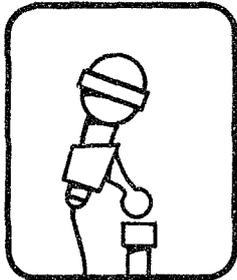


Step Five: Implement Plan.

Develop residential and non-residential programs. Revise operating procedures and policies. Train staff and reallocate personnel.

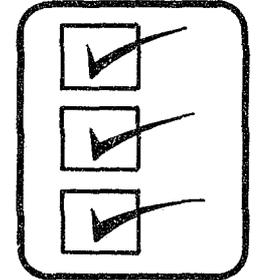
Step Three: Take Your Plans to the Public.

Inform local community leaders of changes being considered and solicit widespread community support.



Step Six: Monitor System.

Design a monitoring system to insure that your original goals are being met and to identify potential problems. Fine-tune operations over time to adjust to new situations.



continue and jail removal would only have limited benefit. But Phase II data indicate that this did not happen. The use of secure detention did increase, but this was only to be expected, since part of the plan of attack was to make secure detention facilities easily accessible through transportation networks and purchase-of-care agreements with neighboring counties. As mentioned earlier, prior to the Initiative only seven sites had access to secure juvenile detention; by the end of the Initiative, this number had risen to seventeen. Yet despite the greater accessibility of secure detention, the increase in secure detention placements amounted to less than half of the decrease in jailings. In other words, the sites were using other alternatives besides secure detention to hold youths in custody. Total secure placements during Phase II, which included both jail and secure detention, decreased by about one-third.

Before Phase I planning began, nonsecure alternatives were available in only five sites. A great deal of effort was focused on remedying this situation, and as a result combinations of shelter care, emergency foster care, and home detention programs—the core of a nonsecure alternative network—were developed or expanded in twenty jurisdictions. The results were dramatic: the percentage of youths placed in nonsecure settings increased threefold.

The nonsecure alternatives developed during Phase I also enabled site officials to handle their nonoffender

population (abused/neglected youths, minors in need of supervision, etc.) more appropriately. The Phase I needs assessments showed that a number of jailed youths did not need to be placed outside their homes. Quite often these youths were nonoffenders who could not be returned home immediately because their parents were unavailable. Since the sites had no alternatives, many of these youths were held in jail for several hours. With the implementation of nonsecure alternatives, however, these youths could be held temporarily in an emergency shelter or foster home instead. By expanding their services and committing themselves to the goals of jail removal, the sites were able to increase their release rate by eight percent.

Although the sites had been able to tailor their programs to their own specific needs, some were more successful than others at implementing their plans and reaching their goals. As Phase II data came in quarter by quarter, project coordinators began to look for patterns that would explain why certain jail removal programs were more successful than others. It soon became clear that the sites who were able to accomplish jail removal had several characteristics in common, one or more of which were lacking to some degree in less successful jurisdictions. These characteristics are highlighted on the enclosed insert.

The Jail Removal Initiative

Impact on the Community

The sites' jailing reductions alone are sufficient reason to consider the Jail Removal Initiative a success. But jailing statistics cannot tell the entire story, since jail removal was not the only Initiative goal. All jurisdictions, for example, hoped that they would be able to reduce jailings without endangering the community or disrupting court processes. Initially some JRI participants feared that in their zeal to eliminate juvenile jailings, local officials would begin releasing arrested youths indiscriminately prior to their hearings, and that

Apparently the use of detention criteria, 24-hour intake, and a core of secure and nonsecure alternatives enabled court officials to make better placement decisions without jeopardizing the safety of the community or the court process.

this would threaten the safety of the community. Keeping juveniles in jail would at least prevent them from committing further delinquencies before their dis-

positions. These fears proved unfounded, however. In fact, there appeared to be a slight improvement in the Initiative's "rearrest rate." Before the Initiative began, rearrests averaged around four percent for all out-of-home placements. But during the Initiative the rearrest rate fell to about two percent.

Some officials were also concerned that releasing less serious offenders from secure custody would "disrupt court proceedings"—meaning that a larger number of youths would fail to show up for their court hearings. This also did not occur. The failure-to-appear rate held to around three percent during the Initiative, the same rate as prior to the Initiative. Apparently the use of detention criteria, 24-hour intake, and a core of secure and nonsecure alternatives enabled court officials to make better placement decisions without jeopardizing the safety of the community or the court process.

The sites learned many useful lessons from their experiences during the JRI, but probably the biggest lesson of all was discovering that jail removal involves much more than simply reducing the number of children placed in adult jails and lockups. It also involves improving the entire network of pretrial placement services and getting the most that one can out of available resources. To remove juveniles from jail without developing adequate and appropriate services for them is an injustice to the court system, the community, and the juveniles themselves. System planners must be willing to examine closely each aspect of their juvenile justice system, from referral practices to placement options, if effective and lasting improvements are to occur.

Profile is published by the Community Research Associates under contract number OJP-85-C-007 awarded by the Office of Juvenile Justice and Delinquency Prevention, United States Department of Justice. Points of view or opinions stated in this document do not necessarily represent the official position of the U.S. Department of Justice. For further information about the Jail Removal Initiative, contact Joe Thome, Community Research Associates, 115 N. Neil, Suite 302, Champaign, IL 61820 217/398-3120.

JRI FACT SHEET

Where Were Juveniles Held in Custody During the JRI?

Custody Setting	Pre-JRI	During JRI	Percent change*
Adult Jails	8,955 (32%)	4,029 (18%)	-44%
Secure Juvenile Detention	1,815 (7%)	1,825 (8%)	+19%
Nonsecure Detention	707 (3%)	2,407 (11%)	+319%
Release	16,040 (58%)	14,118 (63%)	+8%
TOTAL	27,517	22,379	-19%

*Adjusted for decrease in intakes.

How Well Were Intake Guidelines Observed in Secure Facilities?

Percent of Jail Removal Achievement	Number of Admissions to Secure Detention Facilities	Number of Admissions with complete Intake Data	Number of Inappropriate Admissions
100% (8 sites)	1,524	1,449	277 (19%)
99-75% (5 sites)	170	26	19 (73%)
74-50% (4 sites)	1,029	854	155 (18%)
49-25% (5 sites)	3,054	1,917	756 (39%)
Under 25% (1 site)	78	78	41 (53%)

Adult Court Waivers, Failure-to-Appear, and Rearrest Rates For the Last Four Quarters of the JRI

	Intakes*	Q ₃	Q ₄	Q ₅	Q ₆	Total
Number of Youths Waived to Adult Court	7,031	38	31	48	54	171
Number of Youths Failing to Appear for Court Hearings	7,082	33	24	26	3	86
Number of Rearrests (between preliminary hearing and disposition)	2,854	13	19	18	15	65

*Total intakes vary in each category because of missing data.

Program Costs

Percent of Jail Removal Achievement	Dollar Allocation	Number of Youths Receiving Services	Investment Per Youth
100% (8 sites)	\$1,169,880	7,850	\$149.03
99-75% (5 sites)	950,357	1,114	853.10
74-50% (4 sites)	682,550	1,521	448.75
49-25% (5 sites)	1,037,051	5,332	194.05
24-0% (1 site)	50,158	95	527.98
TOTAL	\$3,889,996	15,912	\$244.47

profile

juvenile justice and delinquency prevention

Bulk Rate
U.S. POSTAGE
PAID
Permit No. 168
Champaign, Ill.

Cassandra Howard
Juvenile Justice Clearinghouse/
NCJRS
Box 6000
Rockville, MD 20850