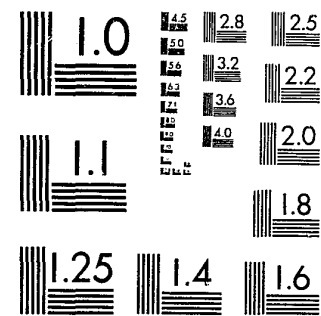


National Criminal Justice Reference Service

ncjrs

This microfiche was produced from documents received for inclusion in the NCJRS data base. Since NCJRS cannot exercise control over the physical condition of the documents submitted, the individual frame quality will vary. The resolution chart on this frame may be used to evaluate the document quality.



MICROCOPY RESOLUTION TEST CHART
NATIONAL BUREAU OF STANDARDS-1963-A

Microfilming procedures used to create this fiche comply with the standards set forth in 41CFR 101-11.504.

Points of view or opinions stated in this document are those of the author(s) and do not represent the official position or policies of the U. S. Department of Justice.

National Institute of Justice
United States Department of Justice
Washington, D. C. 20531

8/5/83

88725

N O
P L A C E



F O R A
C H I L D

CHILDREN IN NORTH CAROLINA JAILS
GOVERNOR'S ADVOCACY COUNCIL ON CHILDREN AND YOUTH - SEPTEMBER 1982

NO PLACE FOR A CHILD:
Children in Adult Jails in North Carolina

By Marian B. Durham

November 1982

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

North Carolina Governor's Advisory
Council on Children & Youth

to the National Criminal Justice Reference Service (NCJRS).

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

Governor's Advocacy Council on Children and Youth
N.C. Department of Administration
121 W. Jones Street
Raleigh, North Carolina 27611
(919) 733-6880

Prepared under Grant #80-JS-AX-0011, from the Office of Juvenile Justice and Delinquency Prevention, Law Enforcement Assistance Administration, United States Department of Justice.

Points of view or opinions in this document do not necessarily represent the official position or policies of the United States Department of Justice.

PREFACE

The Governor's Advocacy Council on Children and Youth (GACCY) designated the issue of locking children in adult jails as a priority issue in fall 1981. The harmful effects of confining children in adult jails are well documented. Indeed, four youths in our state have committed suicide in adult jails in the past seven years. The council's previous studies of our state's juvenile justice system, covering training schools, therapeutic camps, and adult prisons for youth under 21, made detention a natural extension of this review. The observation that use of secure detention had not declined as rapidly as the rate of admission to training schools drew our attention.

Also lending importance to this issue were the policy implications of the approaching deadline of July 1, 1983, after which incarceration of children in adult jails in North Carolina will be prohibited. Voices of retreat and repression had been heard suggesting that the deadline should be delayed, or that massive and costly new programs would have to be funded and put into operation to meet the goal. Some agency heads even said that "putting a child in an adult jail for a few days doesn't do a bit of harm." I hope this report lays to rest those archaic notions.

The council benefited from the expertise and assistance of a number of groups and organizations in this study. The Office of Juvenile Justice and Delinquency Prevention provided technical assistance and funding to enlist the help of nationally known experts in juvenile justice and use of secure detention. These experts were at the John Howard Association, a prison reform organization that assisted GACCY in an earlier study of the state's training schools and therapeutic camps, and the Community Research Center at the University of Illinois, which has done a number of national studies on removing children from adult jails.

Here in North Carolina, GACCY had the benefit of participating in a task force in the Department of Human Resources that was studying some aspects of this issue, and the cooperation and assistance of the Juvenile Services Division of the Administrative Office of the Courts and 30 of the 31 chief court counselors in accumulating a profile of children held in secure detention during March 1982.

The council expresses its thanks to Don Jensen of the John Howard Association, who helped design the study and analyze the data; Mike McMillen, Ed Lile, and Joe Thome of the Community Research Center, who helped design the profile survey and provided data-processing of survey results. Mr. McMillen also met with court personnel and other interested citizens and professionals in Raleigh and New Bern to assist in planning for jail removal by providing information on low-cost local alternatives to secure detention facilities. Mr. Jensen met with our council in June to present a preliminary analysis of the survey and the policy implications that held.

A word of special thanks is due to Dr. Thomas Danek, head of the Juvenile Services Division of the Administrative Office of the Courts, and the chief court counselors who cooperated in the survey for their extra effort to provide the study with timely and relevant data. Finally, Marian Durham of the GACCY staff deserves credit for the overall management of the study and the writing of this report.

GACCY hopes this report will be of interest and use to policy-makers and professionals involved in the issue of children in adult jails and use of secure detention. We are committed to following through on the recommendations contained in this report, and to removing all children from adult jails in North Carolina by July 1, 1983, as mandated by law.

Herb Stout
GACCY Chairman
November 1982

GOVERNOR'S ADVOCACY COUNCIL ON CHILDREN AND YOUTH

Herb Stout, Raleigh, Chairman

Leslie Anderson, Asheville
Richard C. Brake, Gastonia
Annie Belle Cherry, Monroe
Senator William A. Creech, Raleigh
Hannah Anne Davis, Winston-Salem
Rep. David Diamont, Pilot Mountain
Linda Garrou, Winston-Salem, Vice-Chm.
Curtis E. Holloman, Ahsokie

Betty Hinson, Greensboro
Senator Helen Marvin, Gastonia
John R. Peacock, Fremont
Elijah Peterson, Rockingham
J. Iverson Riddle, Morganton
Rep. Lura S. Tally, Fayetteville
Lisa Sell, Southport
Thelma Zaytoun, Cary

Staff

John S. Niblock, Executive Director
Marian B. Durham, Child Advocacy Specialist II
Pamela A. Holland, Child Advocacy Specialist I
Wynona P. Williams, Office Manager
Angela Mallonee, Youth Advocacy Initiative Project Coordinator
B. K. Herring, Project Secretary
Cari Whittington, Teenage Pregnancy Project Director
Norma Manuel, Field Specialist
Portia DeSilva, Project Secretary

EXECUTIVE SUMMARY

Children held in secure detention in adult jails or juvenile detention centers have not been judged guilty of committing any crimes. They are "awaiting trial," being held until the court hears their case, or being held temporarily--as runaways, for example--until they are transferred to another court or agency or returned to their parents.

Almost 4,000 children a year are held in secure detention in adult jails or juvenile detention centers. There are eight detention centers in Buncombe, Cumberland, Durham, Forsyth, Guilford, Mecklenburg, New Hanover, and Wake counties. All are locally owned and operated except the Cumberland County center, which is state-operated. Forty-five of the state's 100 counties have agreements to use these eight centers. Until 1967, state law prohibited the holding of children in adult jails. This was amended, however, to allow incarceration of juveniles if they were separated by sight and sound from adult prisoners. Eighty-seven adult jails meet this requirement for holding juveniles. In 1981, 2,361 children were held in detention centers, 1,614 in adult jails.

State laws that say whether a juvenile should be locked up in secure detention are vague. They allow broad discretion that often results in arbitrary and unnecessary placements. For example, a GACCY survey of children in secure detention in March 1982 found that 32% had no previous contact with the court; 93% had never failed to appear in court; 78% had never violated court supervision; 40% were runaways or were charged with drug possession, trespassing, or shoplifting; and 88% were not assaultive or disruptive. In fact, 15% eventually had their case dismissed, probably because the evidence against them was too weak to support conviction. Most experts agree that children should be locked up in detention only when they are a danger to themselves and others, have committed a serious crime, or when there is doubt they will show up for their hearing in court. Most children held in detention in North Carolina are not considered by court counselors to fit into these categories.

Jail is no place for a child. Suicide rates for children held in adult jails are eight times those for children in detention centers. Four children in North Carolina have committed suicide in adult jails in the past seven years. This is only a symptom of the emotional and physical harm that often results from locking children in adult jails. Jail conditions are harsh and inappropriate for children who have not been convicted of any crime, jail staff are untrained in supervising youth, and jails lack education, treatment, medical, recreational, and other services to which youth may be entitled. In fact, lawsuits in eight states are challenging the right to hold children in adult jails. Federal law makes it unlawful after December 1985, and North Carolina law makes it illegal after July 1, 1983.

GACCY RECOMMENDS:

1. North Carolina laws that determine when children should be held in secure detention should be made more objective and specific, so children will not be locked up unnecessarily. Specific criteria should be followed, which will result in 60% of the children now being locked up being set free, placed in nonsecure detention, or released under supervision.
2. No additional detention centers should be built, because research nationwide and North Carolina statistics indicate that the availability of facilities encourages courts to use them whether or not the juveniles actually require secure detention.
3. Experience and the GACCY survey results indicate the state should focus on use of "home detention," and nonsecure alternatives to detention such as shelter care and emergency foster care, and possibly short-term holding homes and transportation arrangements for rural counties with infrequent cases needing secure custody.
4. The 1983 state law prohibiting incarceration of children in adult jails should be upheld. This can be done by changing the criteria, as we recommend, which will reduce the number of children in secure detention by 60%. Also, existing resources can be used differently to provide alternative programs for rural counties.

CONTENTS

Preface.....	i
GACCY Membership.....	iii
Executive Summary.....	iv
Contents.....	vi
Introduction.....	1
Why Remove Juveniles from Adult Jails?.....	2
Criteria.....	4
Alternatives.....	8
Survey Analysis.....	10
Conclusion.....	16
Endnotes.....	17
Sources.....	18
Appendices.....	19

NCJRS

APR 14 1983

ACQUISITIONS

INTRODUCTION

Detention is defined as "the temporary care of children in physically restricting facilities pending court disposition or transfer to another jurisdiction or agency."¹ Currently, detention centers and adult jails are used for detaining juveniles in North Carolina. Juveniles may be detained in adult jails only if the juvenile "cannot converse with, see, or be seen by the adult population." (GS 7 A-507) As of July 1, 1983, however, this provision expires and juveniles may no longer be detained in adult jails under any conditions (unless they have committed serious crimes and are being tried as adults).

There are eight detention centers in North Carolina. They are located in Buncombe, Cumberland, Durham, Forsyth, Guilford, Mecklenburg, New Hanover, and Wake counties. All of the facilities are locally owned and operated except for the Cumberland county facility, which is operated by the state. Forty-seven counties have agreements with the eight detention centers which allow them to use these facilities for youth from their counties. Eighty-seven local jails for adults have been approved as having the necessary "sight and sound" separation of adults from juveniles required under current federal law. Many counties, therefore, have both an "approved" jail and an agreement with a detention center in another county.

In 1981, 3,975 juveniles age 16 or younger were held in adult jails or detention centers in North Carolina. Of these 2,361 were held in one of the eight detention centers and 1,614 were held in one of the "approved" adult jails.

Although the majority of North Carolina counties are within reasonable driving distance of a detention center, there are a few counties in the far east and far west areas of the state that are not. These regions are relatively sparsely populated, and do not detain large numbers of juveniles. Nevertheless, arrangements need to be made to keep juveniles in these counties that need secure detention near their homes without locking them in adult jails.

This report is an effort to chart the dimensions of the problem of juveniles in adult jails in North Carolina. It offers recommendations that should help policy makers and professionals as the state moves toward compliance with the July 1, 1983 deadline for removal of children from adult jails.

WHY REMOVE JUVENILES FROM ADULT JAILS?

While few people would argue that juveniles should be placed in adult jails, most are not aware of the harm which can occur. The absence of information regarding juveniles in adult jails has led to a general lack of public awareness and a low priority for the problem.

In 1973, the U.S. Senate Subcommittee to Investigate Juvenile Delinquency heard testimony regarding the damaging effects of confining juveniles with adults. Based on that testimony, the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974 was passed which required that juveniles "shall not be detained or confined in any institution in which they have regular contact with adult persons incarcerated because they have been convicted of a crime or are awaiting trial on criminal charges."

While separating juveniles from adults in jails protects them from abuse, other problems have become apparent. "The separation of juvenile prisoners from adult inmates may reduce the incidence of child abuse but it may also be conducive to juvenile suicide in adult jails."² In the past seven years, there have been four juvenile suicides in N.C. jails. In order to comply with separation requirements, juveniles are often placed in isolation without adequate supervision.

Many organizations have documented the potential damaging effects of isolation. The Children's Defense Fund states that isolation of juveniles in adult jails "can have severe traumatic effects on an already troubled and frightened youngster."³ The University of Illinois Community Research Center found that "suicide rates for juveniles placed in adult jails are nearly five times greater than the suicide rate for juveniles in the general population, and almost eight times greater than that of juveniles placed in separate juvenile detention centers."⁴

The damaging effects of detaining children in adult jails whether or not they have contact with adults has been well-documented over the past few years. The Community Research Center states that "having been built for adults who have committed criminal acts, jails do not provide an environment suitable for the care and keeping of delinquents or status offenders. They do not take into account the child's perception of time and space or his naivete regarding the purpose and duration of this stay in a locked facility."⁵

Additionally, the National Council on Crime and Delinquency in its Standard and Guides for the Detention of Children and Youth concluded:

The case against the use of jails for children rests upon the fact that youngsters of juvenile court age are still in the process of development and are still subject to change, however large they may be physically or however sophisticated their behavior. To place them behind bars at a time when the whole world seems to turn against them and belief in themselves is shattered or distorted merely confirms the criminal role in which they see themselves.

CRITERIA

While the threat of litigation is not a humane reason for removing children from adult jails, it is important to note that lawsuits have been instituted in eight states recently which seek to remove children from jails. In August 1982, U.S. District Court Judge Helen Frye issued an opinion declaring detention of juveniles in adult jail unconstitutional. The class action suit, D. B. v. Tewksbury, was filed in St. Helens, Oregon, on behalf of children who were incarcerated in the Columbia County Jail. Judge Frye found that confinement in the jail constituted punishment and violated the juveniles' rights under the 14th Amendment to the United States Constitution.

Since the Columbia County facility is a relatively new building, Judge Frye's decision was not based on the age or condition of the facility. Rather, it was the lack of appropriate programs, lack of adequately trained staff, and harsh environmental conditions which led Judge Frye to rule that incarceration in the facility constituted punishment. The conditions of North Carolina jails are thought to be at best equal to and most likely worse than the Columbia County jail.

Similar cases are presently being heard in seven other states, but since D. B. v. Tewksbury is the first federal court case to find the detention of juveniles in adult jails to be unconstitutional, the case will set a precedent throughout the country.

While jail facilities are generally not appropriate for juveniles, the facilities are not the only problem. Frequently, jails are not adequately staffed to provide proper supervision of juveniles. Also, jail personnel have not received sufficient training in handling the special needs of juveniles in this potentially traumatic setting.

It is logical to assume that all of these problems contribute to the excessively high rate of juvenile suicide in adult jails. Because of these problems, Congress amended the JJDP Act in 1980 to require that states receiving JJDP funds not detain juveniles in adult jails or lock-ups after December, 1985.

The authority to detain a juvenile in a secure or nonsecure facility in North Carolina rests with the chief district court judge, who may delegate that authority to another district court judge or a court counselor. A detention hearing must be held within five calendar days to review this decision and determine the need for continued custody. If detention is continued, the decision must be reviewed again in five days. Criteria for secure detention, found in GS 7 A-539, are as follows:

When a request is made for secure custody, the judge may order secure custody only where he finds there is a reasonable factual basis to believe that the juvenile actually committed the offense as alleged in the petition, and

- (a) the juvenile is charged with a nondivertible offense; or
- (b) that the juvenile is presently charged with one or more felonies; or
- (c) that the juvenile has willfully failed to appear on the pending delinquency charge or has a record of willful failures to appear at court proceedings; or
- (d) that by reason of the juvenile's threat to flee from the court's jurisdiction or circumstances indicating preparation or design to flee from the court's jurisdiction there is reasonable cause to believe the juvenile will not appear in court on a pending delinquency charge unless he is detained; or
- (e) that exhaustive efforts to identify the juvenile have been futile or by reason of his being a nonresident of the state of North Carolina there is reasonable cause to believe the juvenile will not appear in court on a pending delinquency charge unless he is detained; or
- (f) that the juvenile is an absconder from any state training school or detention facility in this or another state; or
- (g) that the juvenile has a recent record of adjudications for violent conduct resulting in serious physical injury to others, the petition pending is for delinquency, and the charge involves physical injury; or
- (h) that by reason of the juvenile's recent self-inflicted injury or attempted self-injury there is reasonable cause to believe the juvenile should be detained for his own protection for a period of less than 24 hours while action is initiated to determine the need for inpatient hospitalization, provided that the juvenile has been refused admittance by one appropriate hospital; or
- (i) that the juvenile alleged to be undisciplined by virtue of his being a runaway should be detained for a period of less than 72 hours to facilitate reunion with his parents or to facilitate evaluation of the juvenile's need for medical or psychiatric treatment.

While these criteria are helpful in deciding whether to detain a juvenile, there are parts that are vague and allow subjective decisions to be made. For instance, it is difficult to determine what constitutes a "threat to flee" or "reasonable cause". A review of the literature shows that groups such as the Community Research Center, the National Council on Crime and Delinquency, the American Bar Association, and the National Advisory Committee for Juvenile Justice and Delinquency Prevention recommend

objective and specific criteria for the detention of juveniles. Criteria should be based on offense, legal status and legal history. The Community Research Center and others have found that "the use of objective and specific criteria dramatically reduces the use of secure detention with no increased danger to the public safety or court process."⁶

The National Advisory Committee for Juvenile Justice and Delinquency Prevention has developed specific criteria for detention and recommends release of the juvenile unless it is necessary "to protect the jurisdiction or process of the court; to prevent the juvenile from inflicting serious bodily harm on others or committing a serious property offense prior to adjudication disposition or appeal or to protect the juvenile from imminent bodily harm."⁷

Using the national Advisory Committee criteria and criteria used in other states as a guide, the Governor's Advocacy Council on Children and Youth developed the following criteria for secure detention, nonsecure placement and supervised release. It is important to note that the criteria are designed to assist in determining whether a juvenile is eligible for detention. Juveniles who are eligible for secure detention do not necessarily need to be detained in a secure facility and could be placed in a less restrictive setting if local authorities determine that such a setting meets the juvenile's needs.

Criteria for Secure Detention

A juvenile subject to the jurisdiction of juvenile court should not be detained in a secure facility unless:

1. The juvenile is a fugitive from another jurisdiction with an active warrant, or
2. The juvenile is an absconder from a state training school or detention facility in this or another state, or
3. There is reasonable cause to believe the juvenile actually committed the alleged act and
 - a. is charged with one or more of the following offenses:
 1. Murder
 2. Rape
 3. Felonious Assault
 4. Kidnapping
 5. Arson
 6. Armed Robbery
 - b. is charged with a serious crime against person or property which would be a felony if committed by an adult, and
 1. is on conditional release or suspended commitment in connection with another delinquency proceeding.
 2. has threatened to flee from the court's jurisdiction, or with the intent of not appearing in court on the pending delinquency charge or
 3. has been convicted of a felony within the past year, or
 - c. has willfully failed to appear at a juvenile court delinquency proceeding within the past 12 months.

Criteria for Nonsecure Placement

All juveniles who do not meet the criteria for secure detention should be returned to their home unless:

1. The juvenile does not consent to go home;
2. The person taking the juvenile into custody is unable to contact the juvenile's parents, custodian, relative or other reasonable persons; or
3. The parents, custodian, relative or other responsible persons contacted live at an unreasonable distance for immediate transport, i.e., out of state/out of three counties; or
4. The parent or custodian refuses to permit the juvenile to return home, and no other living arrangement is agreeable to the juvenile and the parent or custodian; or
5. If the juvenile is alleged to be abused, neglected or abandoned the juvenile should be referred to social services.

Juveniles who are eligible but not placed in secure detention may be placed in nonsecure detention.

Criteria for Supervised Release

A juvenile awaiting a court hearing shall be placed under parental/guardian supervision with no conditions unless the juvenile:

1. is eligible for secure or nonsecure detention but is not considered appropriate;
2. has willfully failed to appear at a juvenile court proceeding;
3. has repeatedly run from placements (three or more times) during the past year; or
4. has been adjudicated delinquent in the past year.

It has been found that areas with secure detention facilities tend to detain more juveniles than those areas that use adult jails. "This tendency to detain more juveniles if a 'good facility' is available can only be avoided by the adoption and strict adherence to the specific and objective release/detention criteria mentioned earlier. It is clear from Community Research Center technical assistance experience that detention is greatly overused and that to simply shift those youths being held in adult jails and lockups to separate juvenile detention facilities is not only an expensive and unnecessary proposition, but one which could create an institutional environment not unlike the adult facilities."⁸

The Community Research Center conducted a study of detention practices in Gloucester County, New Jersey, and Salt Lake County, Utah, which are urban counties, and Taos County, New Mexico, and Lenewee County, Michigan, which are rural. Gloucester and Taos counties had implemented specific detention

criteria while Salt Lake and Lenewee counties had no specific criteria. The results of the study showed that the counties with specific criteria detained significantly fewer juveniles but there were no significant differences in the failure-to-appear rates or the rearrest rates. The study also showed that specific criteria can be successfully implemented in either urban or rural settings.

ALTERNATIVES

There are many types of programs which serve as alternatives to secure detention. An analysis of various programs by Thomas Young and Donnell Papperfort found that "upwards of 90 percent of juveniles in programs providing alternatives to secure detention neither committed new offenses nor ran away." ⁹Alternative programs may be residential or non-residential, and are limited only by the imagination and resources of the community.

Basic program types are described here but these may be modified to meet the needs of the community. More specific information on types of alternatives in New York may be found in the Appendix.

Home Detention, as its name implies, is a nonresidential alternative which allows a juvenile to remain in his home. Rules are established for the youth to follow, such as attending school, observing a curfew and notifying parents of whereabouts at all times. The requirements are written into a contract that is signed by the juvenile, his parents, and the court worker. The court worker supervises the juvenile and has personal contact with the juvenile on a daily basis. The court worker also has regular contact with the youth's parents, teachers, and employer.

While home detention may be successful for some juveniles, there are occasions when family problems and conflicts make this alternative impossible. In such cases, Specialized Foster Care may be utilized. With this program, adults are trained to provide 24 hour care and supervision in their homes. Varying degrees of counseling and other support services which may be needed are provided by community agencies.

Attention Homes are generally converted single-family dwellings that house between five and twelve juveniles plus one set of live-in house parents. The homes are structured enough to maintain control of the juveniles but much less restrictive than jails or detention centers. As with specialized foster care, counseling and other support services are usually provided by community agencies.

All program types can be effective alternatives to secure detention, but all types do not meet the needs of all juveniles. Except for small rural areas, a combination of alternatives would be feasible and would allow those making decisions a range of options, which should increase the chances for success. An example of a range of options exists in the State of Michigan.

In 1979, the Michigan Department of Social Services submitted a comprehensive detention plan to the legislature for the Upper Peninsula, a rural area which jailed an extraordinarily high number of juveniles. The plan included non-secure alternatives such as non-secure holdover, in-home detention and shelter care. After several years, the components are in place and have proved to be successful.

Non-secure holdover sites have been established in 10 counties. The remaining five counties determined that they did not need this service. Holdover sites are located in places such as mental health centers, hospitals, etc., where attendants may supervise juveniles for up to 16 hours. In order to be approved, holdover sites had to be in a non-secure area that is accessible to the public, had bathroom facilities, had a cot and could provide meals.

In-home detention services were also developed in each county. Written agreements were required for each juvenile participating in the program, and college students were used to assist the court in supervising the juveniles. The students were paid \$4.00 per hour.

Shelter care facilities were included in the plan, and were supervised by the Department of Social Services (DSS). Support staff from DSS and the court were made available to the shelter parents in order to provide additional security when necessary.

While the non-secure components have been successful for the overwhelming majority of juveniles, a small number have needed secure detention. Juveniles are then transferred to the secure facility in Flint, Michigan, a distance of as much as 500 miles. Plans are currently underway to develop a small secure facility in the Upper Peninsula area.

It is important to remember, however, that "since overuse of secure detention continues in many parts of the country, the main alternative to secure detention should not be another program. A large proportion of youths should be released to their parents or other responsible adults to await court action."¹⁰

SURVEY ANALYSIS

The first step in planning for the removal of juveniles from adult jails is to develop a profile of the juveniles that are being detained. In order to obtain this information, court counselors in each judicial district were asked to complete a questionnaire (see Appendix) for every child who was detained during the month of March 1982. Surveys were returned from all judicial districts except the twelfth.

According to the surveys, 291 children were held in secure detention while awaiting a hearing during the month; 162 were held in detention centers and 112 in adult jails. There were also 39 children placed in detention as part of the judges' disposition. Nineteen juveniles were detained in nonsecure placements.

The counties where detention centers are located detained 125 juveniles but did not place any in adult jails. The counties with agreements with nearby detention centers placed 35 juveniles in detention centers and 38 in adult jails. Counties with no agreement with a detention center placed 74 detained juveniles in adult jails and two in a detention center.

The following represents some major observations and findings regarding the survey of juveniles held in jails and detention centers in North Carolina. These observations are drawn from an analysis of the data as well as the John Howard Association's familiarity with trends and practices nationwide.

AGE: The frequency distribution of the age of youth held in detention reveals that 54.8% of the youth held were 15 or 16 years old. Forty-seven juveniles (17%) were 13 years or younger.

During the survey period, 105 youth age 15 and younger were held in adult jails. Fifteen of these youngsters were under the age of 14. Many states which do not have an outright prohibition of the jailing of juveniles do prohibit youth of certain age groups from being held in adult jails. For instance, it would have been against the law to hold any of the 105 youngsters age 15 and younger in an adult jail in the state of Illinois.

RACE/SEX: During the survey period, 191 or 67% of the juveniles were white. Ninety-four (32%) were black and three (1%) were Indian. The N. C. Office of State Budget and Management figures for 1980 estimate that 71% of the child population in North Carolina is white. While this figure is an estimate, it does indicate that the number of non-whites who were detained is disproportionately high.

A greater difference appears when looking at the sex of the juveniles who were detained. One hundred and six (36.8%) of those detained were female while 182 (63.2%) were male. Population estimates indicate that 48% of the child population in North Carolina is female which shows that the number of detained females is disproportionately low. This figure would lead one to assume that those individuals making detention decisions are more reluctant to detain females than males.

PREVIOUS INVOLVEMENT WITH THE COURT SYSTEM: According to the survey, 33% of the juveniles detained had no previous court involvement. Only 4% were charged with non-divertible offenses. There was no history of failing to appear in court in 92% of the cases, and 78% had never violated court supervision.

All of the above figures would lead one to the conclusion that a number of concerns frequently voiced as reasons for the use of secure detention simply

are not problems for the majority of North Carolina's detention population.

COUNTY USE OF DETENTION: The counties utilizing detention most frequently during the study period were Guilford and Mecklenburg with 32 and 34 youth, respectively. The majority of counties surveyed had less than five youngsters detained. Only nine counties had 10 or more youth. This indicates that for the majority of the state the level of need in many areas is very slight. Utilizing objective criteria will significantly reduce that need.

OFFENSES AND CHARGES: Assault and assault with a deadly weapon accounted for 8.9% of the juveniles who were detained. One hundred-sixteen juveniles (39.8%) were charged with breaking and entering, breaking and entering and larceny, or felonious larceny.

Eighty-seven juveniles (29.9%) had status offenses (runaway, undisciplined, truant) listed as their "single most serious offense charged against the juvenile at intake." Of those, 74 (25.4%) were runaways. Trespassing, shoplifting, and the possession of controlled substances were reasons cited for the use of detention for an additional 8% of the youth. These offenses account for almost 39% of the detentions. These are youth held for very minor offenses, and unless there were other intervening circumstances, youth who could have been returned safely back to their homes.

The vast majority of the juveniles (81.1%) were in the custody of their guardians or parents at the time of their being placed in detention. For the most part, the remaining youth (16.5%) were in the custody of the Department of Social Services.

PLACE OF DETENTION: Of the 291 juveniles who were held in secure detention, 171 (59.4%) were held in juvenile detention centers while 117 (40.6%) were held in adult jails. The survey was not specifically designed to capture all the youth coming into the intake-to-detention process. Therefore, the usage of facilities as alternatives to secure detention is not adequately reflected by the data. However, the suggestion that there is a great lack of such alternative facilities and programs can be inferred from the above data. Further study of this issue is needed in order to identify the availability and the use of such alternative programs.

REASONS FOR DETENTION: Questions designed to elicit information concerning frequently used reasons for detaining a youth revealed some interesting information. Intake personnel in other states often cite problems of not being able to contact the youth's parents or guardians. This was not the case in North Carolina with 95% of the youth. Sometimes transportation is difficult in terms of getting the youth back to his home. Again, this was not a problem with 93% of the youth detained. In the judgement of the intake workers, 88% of the youth were not assaultive nor disruptive, nor were 97.5% of the youth suicidal. Therefore, these youngsters did not fit into the criteria of being dangerous to self or others.

In 91.5% of the cases, the parents or guardians consented to have the youth return home. Interestingly, however, the court counselors reported that 22.8% of the youth refused to go home. To have one-fifth to one-quarter of the youth detained because they refuse to go home is quite high. This would seem to indicate that domestic problems of an acute nature contributed significantly

to the utilization of secure detention for juveniles. If this is the case, the implementation of a crisis intervention capability could have a significant impact on whether these juveniles are detained or not.

It is also seen that most youth (98.3%) were not identified as neglected, or abandoned.

RUNAWAYS: Only eight youth in the detention sampling were escapees from either training schools or detention centers. Only 15 were out-of-state runaways. The latter group is often singled out as being a priority need for the use of detention, yet it can be seen that only 5% of the youngsters detained fit into that category. Of the 82 youth who had run-away listed as their most serious charge, it appears that only 15 of them were from out of state. Additionally, only two were verified as being fugitives from another jurisdiction.

Survey results indicate that 54 youth (18.6%) had threatened to flee. According to the John Howard Association, this is particularly high. Generally, some juveniles will be very adamant in their desire to run from the jurisdiction (such as out-of-state runaways), but the majority of youth seldom admit or are verbally antagonistic enough to threaten officials with the fact that they will run away if they are not securely detained. It would be interesting to examine in some detail whether intake officials answered this question because the youth actually threatened to run away or if they were utilizing their best judgement regarding the intentions of the youth.

PREFERRED PLACEMENT OF YOUTH: For the majority of the youth, the intake workers selected the actual placement as the preferred placement (58.7% of the time). Close to one-quarter of the youth should have been held in a secure juvenile facility, according to the workers (23.3%). No doubt this was frequently a choice in counties that had no secure detention facility and had to utilize a jail.

In 12.6% of the cases (40 youth) the preferred placement would have been a non-secure alternative such as a shelter care facility or foster home. Only a very small portion of the youth would have been returned home either on some type of supervised release or unsupervised release (2.2% or seven youth). This information is particularly important when one utilizes objective criteria to establish the placement of youth. It will be seen that a significantly higher percentage of youth will be eligible for home placement when objective criteria are utilized. Such criteria tend to conform more closely with what happens when the youngster is released from secure detention. Although the intake workers felt that only 2.2% of the youth should be on supervised or unsupervised release, eventually 44.8% of the youth detained were returned to their parents with an additional 3.8% of the youth going to other relatives.

In order to implement objective criteria, however, it is necessary for the intake workers to have some definitive knowledge about the youth's background. For instance, the youth's current legal status is important. The survey revealed that only in 20 cases (6.3%) was there no knowledge of what the youth's current legal status was. Workers also knew whether the youth was involved previously or currently with the court system. For instance, almost one-third of the youth were not currently involved with the court system. Also, it was the intake worker's judgement that in almost two-thirds of the cases, the juvenile

was not considered to be dangerous. The latter is a frequently-used criteria in many states regarding the decision of whether to place the youth in secure detention.

OTHER VARIABLES: Some youngsters had a disposition in their case during the time the survey was being implemented. One of the outstanding variables coming from this data is the fact that 8.9% of the youth had their case dismissed (26 youngsters). Only about half (53.3%) the cases had a disposition by the end of this survey so this percentage is much more significant than it would initially appear. More than likely, over 16% of the youth held in secure detention eventually had their case dismissed with no further action. This could happen for a variety of reasons, not the least of them being that the facts surrounding the case would not support conviction. Intake to detention as well as intake to the court should be very cognizant of the quality of the evidence supporting the charges alleged against the youth.

Of the 291 juveniles detained, 245 were released during the survey period. Of those released, 62 (25.2%) were placed in another secure setting such as training school or jail. The remaining 183 were released to non-secure settings.

USE OF CRITERIA: In developing the survey, the Governor's Advocacy Council on Children and Youth developed a set of criteria based upon national standards and the juvenile law of North Carolina. The survey results were then compared to these criteria.

Utilizing the proposed North Carolina detention criteria, 40.2% of the youth surveyed would have been eligible for secure detention, (excluding juveniles detained as a disposition). Almost 60% of the youth would have been released to a nonsecure setting. According to the survey, 291 children were detained during the survey period. Utilizing the proposed criteria, only 117 youngsters would have been eligible for secure detention.

SEX OF JUVENILES DETAINED
March, 1982

	Held in Jail		Held in Detention		Total	
	Number	Percentage	Number	Percentage	Number	Percentage
Male	70	24.3	112	38.9	182	63.2
Female	47	16.3	59	20.5	106	36.8
Total	117	40.6	171	59.4	288	100.0

Sex information was not available for 3 cases

RACE OF JUVENILES DETAINED
March, 1982

	Held in Jail		Held in Detention		Total	
	Number	Percentage	Number	Percentage	Number	Percentage
White	87	30.2	104	36.1	191	66.3
Black	30	10.4	64	22.3	94	32.7
Other	0	0	3	1.0	3	1.0
Total	117	40.6	171	59.4	288	100.0

Race information was not available for 3 cases

AGE OF JUVENILES DETAINED
March, 1982

Age	Held in Jail		Held in Detention		Total	
	Number	Percentage	Number	Percentage	Number	Percentage
10	1	.4	2	.7	3	1.1
11	1	.4	1	.4	2	.7
12	2	.7	10	3.6	12	4.3
13	11	4.0	19	6.9	30	10.8
14	35	12.6	41	14.8	76	27.4
15	55	20.0	76	27.4	131	47.3
16	5	1.8	16	5.8	21	7.6
17	2	.7	0	0	2	.7
Total	112	40.4	165	59.6	277	100.0

Birthdate was not available for 14 cases

CONCLUSION

Detention studies in the United States in the past few years have shown the following problems:

1. Overuse of detention for juveniles who appear to be no threat nor likely to run away before their adjudicatory hearings;
2. Inconsistent detention decisions varying widely among jurisdictions;
3. Continued use of jails for the detention of juveniles, especially in rural areas; and
4. Lack of appropriate alternatives for juveniles who require supportive supervision but who do not need to be detained.¹¹

Results from the GACCY study show that North Carolina has the same detention problems as other states. Establishing specific criteria for detention would address the first two problems listed above and establishing programs such as those discussed in the alternatives section would address the third and fourth problems.

Based on the results from the survey, *the Governor's Advocacy Council on Children and Youth acknowledges the need for specific criteria for detention in North Carolina and recommends that the Juvenile Code be amended to include the criteria suggested in the Criteria Section of this report.*

While the implementation of these criteria will greatly reduce the number of juveniles being detained, there will still be juveniles who need to be detained in either secure or nonsecure settings. The council believes that adult jails are inappropriate facilities for juveniles, but at this time, secure facilities other than adult jails are not available for many counties in North Carolina. Nonsecure facilities are also not available in every county.

Since different areas of the state need different types of facilities, planning efforts for removing juveniles from adult jails should occur on the local level. The Community Research Center, through a contract with the Office of Juvenile Justice and Delinquency Prevention, has assisted many states in determining what services are needed in each judicial district and in developing such services. The council has requested and received approval from OJJDP for the Community Research Center to provide technical assistance to North Carolina during this effort. The council feels that this expertise will be most beneficial in planning for the removal of juveniles from adult jails, and hopes that state and local officials will utilize this resource which has been made available.

The council pledges its continued support both in planning and developing needed resources to ensure that juveniles are no longer detained in adult jails. In addition, the council hopes that others will assist in the establishment of specific criteria as recommended.

ENDNOTES

1. National Council on Crime and Delinquency, Standards and Guides for the Detention of Children and Youth (New York: National Council on Crime and Delinquency, 2nd Edition, 1961) p. 1.
2. Michael G. Flaherty, Assessment of the National Incidence of Juvenile Suicide in Adult Jails, Lockups, and Juvenile Detention Centers. (Champaign, Illinois, University of Illinois, 1980) p. 1.
3. Ibid., p. 1.
4. Office of Juvenile Justice and Delinquency Prevention, It's Your Move: The Unjailing of Juveniles in America (Washington, DC: OJJDP, 1981) p.3.
5. Community Research Forum, Removing Children from Adult Jails: A Guide to Action. (Champaign, Illinois, University of Illinois, 1980) p. 21.
6. Ibid., p. 14.
7. Ibid., p. 39.
8. Ibid., p. 38.
9. Community Research Forum, Removing Children from Adult Jails: A Guide to Action p. 7.
10. Donnell M. Pappenfort and Thomas M. Young, Use of Secure Detention for Juveniles and Alternatives to Its Use (Chicago, Illinois, University of Chicago, 1977) p. 92.
11. Ibid., p. 1.

BIBLIOGRAPHY

- Brown, James, and Doyle Wood. "National Priority: Removing Juveniles from Adult Jails and Lockups." Corrections Today, May, 1979, pp. 29-33.
- Children's Defense Fund. Children in Adult Jails. Washington, DC: Washington Research Project, Inc., 1976.
- Commission on Accreditation for Corrections Manual of Standards for Juvenile Detention Facilities and Services. Rockville, Maryland: CAC, 1979.
- Community Research Forum. Forum on Deinstitutionalization: Selected Readings on Children in Adult Jails and Lockups. Champaign, IL: University of Illinois, 1980.
- National Student Design Competition 1980: A Juvenile Services Center. Champaign, IL: University of Illinois, 1980.
- National Symposium on Children in Jail, Champaign, IL: University of Illinois, 1980.
- Removing Children from Adult Jails: A Guide to Action. Champaign, IL: University of Illinois, 1980.
- Flaherty, Michael G. An Assessment of the National Incidence of Juvenile Suicide in Adult Jails, Lockups, and Juvenile Detention Centers. Champaign, IL: Community Research Forum, University of Illinois, 1980.
- Kihm, Robert C. Prohibiting Secure Juvenile Detention: Assessing the Effectiveness of National Standards Detention Criteria. Champaign, IL: Community Research Forum, University of Illinois, 1979.
- King, Jane. A Comparative Analysis of Juvenile Codes. Champaign, IL: Community Research Forum, University of Illinois, 1980.
- National Coalition for Jail Reform. Juveniles in Jails: Fact and Fiction. Washington, DC: NCJR, 1979.
- National Council on Crime and Delinquency. Standards and Guides for the Detention of Children and Youth. New York: NCCD, 1961.
- Office of Juvenile Justice and Delinquency Prevention. It's Your Move: The Unjailing of Juveniles in America. Washington, DC: OJJDP, 1981.
- Office of Juvenile Justice and Delinquency Prevention. Standards for the Administration of Juvenile Justice: Report of the National Advisory Committee for Juvenile Justice and Delinquency Prevention. Washington, DC: OJJDP, 1980.
- Pappenfort, Donnell M. and Thomas M. Young. Use of Secure Detention for Juveniles and Alternatives to Its Use. Chicago, IL: University of Chicago, 1977.

APPENDIX A

DETENTION AND JAIL POPULATION

MARCH 1982

County	# In Jail	# In Detention	# Eligible For Secure Detention	County	# In Jail	# In Detention	# Eligible For Secure Detention
Alamance X	0	4	3	Johnston X	1	7	1
Alexander	0	0	0	Jones X	0	0	0
Alleghany	1	0	1	Lee X	2	0	2
Anson X	0	0	0	Lenoir	3	0	1
Ashe	2	0	1	Lincoln X	0	0	0
Avery	2	0	1	Macon X	0	0	0
Beaufort	1	0	1	Madison	0	0	0
Bertie	2	0	2	Martin	1	0	0
Bladen X	0	0	0	McDowell	4	0	0
Brunswick X	0	2	1	MecklenburgX	0	23	7
Buncombe X	0	11	1	Mitchell X	0	0	0
Burke	4	0	2	Montgomery X	1	0	0
Cabarrus	1	0	1	Moore X	1	0	1
Caldwell	12	0	1	Nash	2	0	2
Camden	0	0	0	New HanoverX	0	13	7
Carteret	6	0	0	Northampton	1	0	1
Caswell X	0	0	0	Onslow X	2	3	3
Catawba	3	0	3	Orange X	0	0	0
Chatham X	0	0	0	Pamlico X	0	0	0
Cherokee	0	0	0	Pasquotank	1	0	1
Chowan	1	0	0	Pender X	0	3	0
Clay	0	0	0	Perquimans	0	0	0
Cleveland X	3	0	0	Person	1	0	1
Columbus X	1	0	0	Pitt	4	0	0
Craven	3	2	1	Polk X	0	0	0
Cumberland X	-	-	-	Randolph X	0	0	0
Currituck	1	0	1	Richmond X	0	0	0
Dare	0	0	0	Robeson X	0	5	3
Davidson X	5	4	4	Rockingham X	0	1	1
Davie X	0	0	0	Rowan X	4	0	2
Duplin X	0	0	0	Rutherford	2	0	1
Durham X	0	20	5	Sampson X	1	0	1
Edgecombe	1	0	1	Scotland X	3	0	1
Forsyth X	0	27	15	Stanly	0	0	0
Franklin X	0	0	0	Stokes X	0	0	0
Gaston X	0	2	2	Surry X	2	1	0
Gates	0	0	0	Swain	0	0	0
Graham X	0	0	0	TransylvaniaX	0	0	0
Granville	0	0	0	Tyrrell	0	0	0
Greene	0	0	0	Union	1	0	0
Guilford X	0	21	15	Vance X	6	0	2
Halifax	4	0	2	Wake X	0	10	2
Harnett X	0	3	1	Warren X	1	0	0
Haywood X	0	0	0	Washington	0	0	0
Henderson X	2	0	0	Watauga	1	0	0
Hertford	0	0	0	Wayne	1	0	1
Hoke X*	-	-	-	Wilkes	4	0	2
Hyde	0	0	0	Wilson	4	0	0
Iredell X	2	0	1	Yadkin X	1	0	0
Jackson X	0	0	0	Yancey X	0	0	0

X-Counties with detention centers or agreements

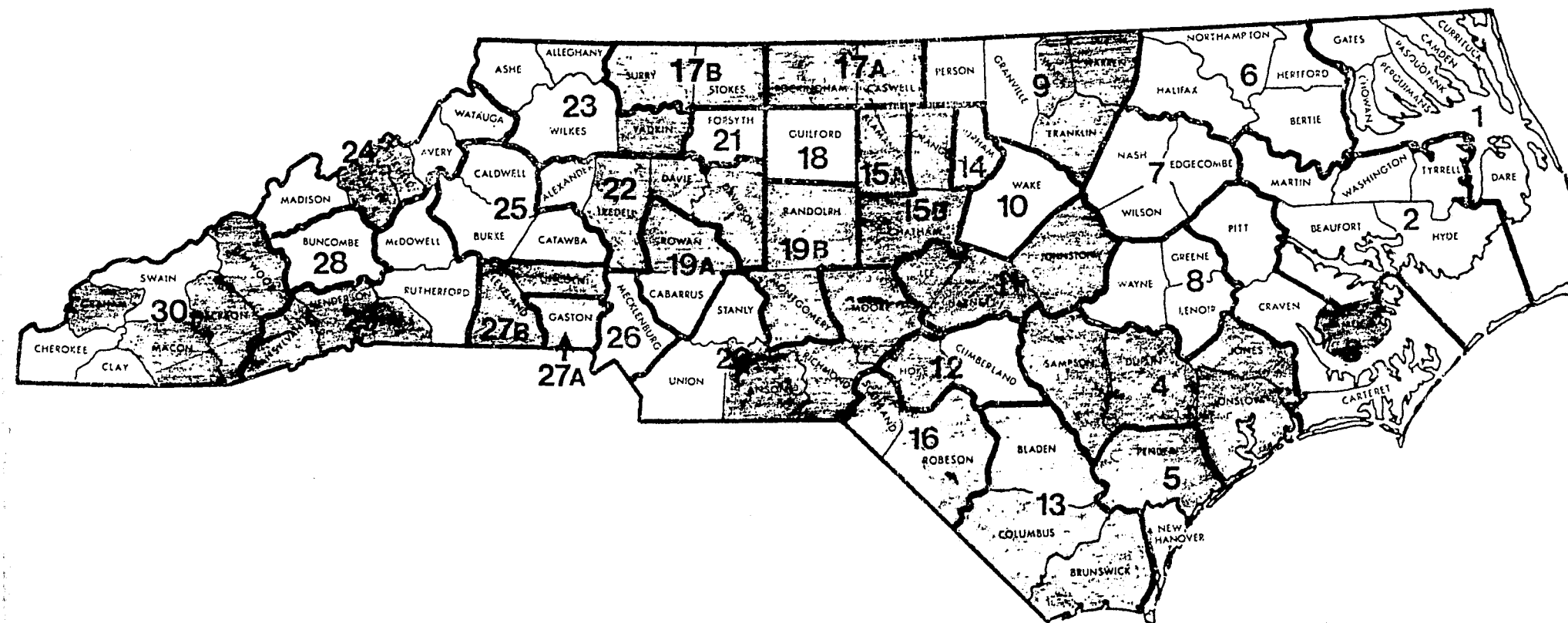
*-Survey information not received from these counties

(Eligibility is based on recommended criteria - see page 5.)

Figures do not include juveniles detained as part of disposition.

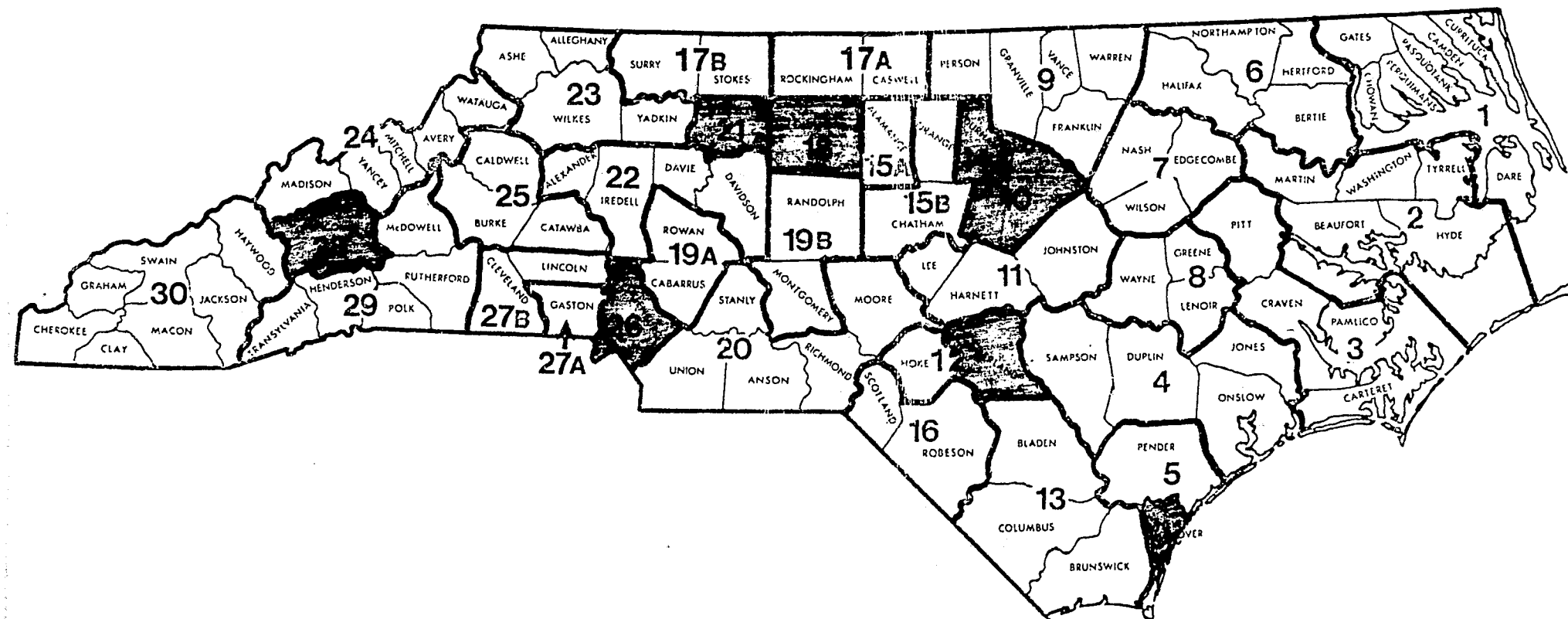
COUNTIES WHICH HAVE AGREEMENTS WITH DETENTION CENTERS

NORTH CAROLINA JUDICIAL DISTRICTS
SEPTEMBER 1, 1981



COUNTIES WHICH HAVE DETENTION CENTERS

NORTH CAROLINA JUDICIAL DISTRICTS
SEPTEMBER 1, 1981



APPENDIX B

PART I
NONRESIDENTIAL PROGRAMS

DETENTION / ALTERNATIVES / DETENTION / ALTERNATIVES / DETENTION

FAMILY COURT COMMUNITY AIDE PROGRAM

PROJECT EMPHASIS:

Youth who can remain in their own home during the court process but who require some supervision or assistance in order to insure their court appearance.

SUITABLE LOCATION:

Counties of any size or regional program could be operated by a private agency through a purchase service agreement with several counties.

PROGRAM CHARACTERISTICS:

- No facility.
- Use of paraprofessional community liaison workers.
- Added supervision for youth during the court process.
- Design of individualized programs during court process.
- Limited caseloads, intensive contact.

COST FACTORS:

- No capital investment.
- Staff salaries are primary cost. In some areas volunteers and part-time staff could be considered.
- Per diem cost related to size of worker case-load.

Many youth who are currently placed in detention may not run away or become involved in petty criminal activity if they remain in their own home during the court process. Often detention is necessary because of the nature of the parent/child relationship at the time of the petition. Strained family relationships may have resulted from a number of factors including particular parenting techniques, levels of interest, lack of family support or other family crises.

In order to prevent youth in this situation from running away or becoming involved in delinquency during the court process, some increased supervision is necessary. Rather than remove the child from his home, the Community Aide concept has been developed to provide the needed supervision

for these youth while they remain at home. Depending on their needs, the Community Aide can coordinate the child's use of community resources, act as a companion, provide family support and be an advocate for the child. For example, the program would allow youth to remain at home, but receive intensive, daily counseling services from the Community Aide. The Aide would also pick youth up on scheduled court dates and accompany them to court. In addition, the Community Aide might make referrals to local agencies to obtain services which the youth or the family might need. Services such as tutoring, family counseling, homemaker assistance and others could be arranged through voluntary agreement by the Community Aide. This program allows a wide variety of services to be offered to the child based on individual requirements.

DETENTION / ALTERNATIVES / DETENTION / ALTERNATIVES / DETENTION

EVENING REPORT CENTERS

PROJECT EMPHASIS:

Youth whose primary problem focuses around the poor use of leisure time and negative peer group influences.

SUITABLE LOCATION:

This program is suited to urban and semi-urban counties. The family court must process enough cases to make the service economical. Also the service must be centrally located and accessible to youth referred.

PROGRAM CHARACTERISTICS:

- Store front or other useable space.
- Staffed by counselors and recreation workers.
- Encourages positive peer group interaction.
- Provides assurance of added supervision during the court process.
- May be an added service of an existing community program.

COST FACTOR:

- Rental or purchase of program location.
- Materials and supplies.
- Staff salaries; staff augmented by volunteer use.

Evening Report Center programs provide a way of assuring the family court that youth are not becoming involved in further petty delinquency during the court process. They also provide the advantage of avoiding the high cost and potentially harmful effects of secure detention. Youth who are before the court are required to report daily to the "Evening Report Center" for three to four hours in the evening. The Report Center operates activities such as counseling, recreation and tutoring.

Counseling activities at the Center focus upon the youth's peer and family problems. Both group and individual counseling sessions are held. While counseling is conducted daily, participation in all "counseling treatment" at the center is voluntary on the part of the youth and is seen in this way by the court. Individual counselor's primary efforts are aimed at establishing a constructive adult-youth relationship.

Recreation activities make up the major part of the Centers programs. Special recreation programs are designed to involve youth in a range of activities at the level where they feel most comfortable. Activities such as photography, pottery making, crafts, marshall arts, modern dance and gymnastics can be conducted by community volunteers working closely with the Center's youth workers. Other activities include traditional sports, games and field trips conducted by the Center's staff.

Education assessment and remedial teaching activities could be included in the Center's program. Educational and legal consultation should be available for youth who attend the Center.

Overall, the Center would use a client-centered team approach for the initial and ongoing planning of contact with each youth. An interdisciplinary team of staff members establishes an approach to each youth on the basis of his particular problems and needs. Youth's input program planning would be arranged for as an integral part of the planning.

The Evening Report Center would have the limited goal of providing evening supervision for youth before the court. However, while at the Center, officials may gain a more accurate picture of the youth and his problem. At the same time, youth themselves may benefit from positive relationships and learn constructive ways of approaching problems and interests.

The Evening Report Center could be an expanded service of an existing agency or program. An example of this would be The Door in New York City, but any community program could be considered. Program adaptation could be discussed with Local Youth Development, Delinquency Prevention Field Staff.

DETENTION / ALTERNATIVES / DETENTION / ALTERNATIVES / DETENTION

DAY TREATMENT CENTERS

PROJECT EMPHASIS:

Youth who probably would have been detained or who may have a family crisis during the court process and who require intensive diagnosis, the development of a plan of service and some support services during the court process in order to avoid detention.

SUITABLE LOCATION:

Urban and semi-urban counties.

PROGRAM CHARACTERISTICS:

- Not necessarily for detention use only.
- Professional and paraprofessional staff.
- Use of extensive diagnosis and assessment for case planning.
- Advocacy with service providers on behalf of child.
- Design of individualized treatment plans.
- Goal of establishing a community based plan for youth.
- Goal of dismissing petition or gaining adjournment with contemplation of dismissal.

COST FACTORS:

- Program location.
- Professional and paraprofessional salaries.
- Technical consultation for educational and psychological testing.
- Fixed cost with per diem or per capita costs varying with utilization.

Status offender youth who are referred to Day Treatment Centers by the family court are assigned to a professional and paraprofessional day treatment team who provide emergency counseling to them and their family, if needed, develop a complete assessment of problems and broker and advocate for the services needed. Services are arranged to maintain youth in the least restrictive and least detrimental placement alternative (including their own home whenever possible).

A complete educational history and diagnosis evaluation of educational needs include IQ, reading level, math level, learning disabilities, vocational interests and attitude toward school is completed on each youth. This information is made available, in writing, to the team within forty-eight working hours. The educational testing and diagnosis process and the gathering of preliminary information from community schools is conducted by the Center's own staff. Early in the course of contact with the Day Treatment Center, full medical and psychological information on the youth is obtained through the use of consultants. Team social workers interview family members to obtain information on family related problems.

Usually within one week of referral to the center, a full assessment of the youth's problems is made and some crisis counseling is provided. The Day Treatment Center can operate in conjunction

with emergency shelter placement in a group or foster home where the youth may be placed for a short period, if necessary, during the court process.

After initial contact with the Center, referrals will be made to the local agencies to meet the youth's and family's needs. Referrals for family counseling, special or alternative education programs, remedial education, vocation training, work study programs, medical treatment and other types of service will be made according to individual youth's needs. Where referrals are made, families will be followed up to insure that appropriate linkages with community agencies have been established and that the services are appropriate and effective in each case. Where access to services is difficult to obtain, the Center's staff will act as advocates to obtain services to the extent of working closely with community structures for advocacy such as the Committee on the Handicapped, the Legal Aid Society and local law clinics. While individual service plans are being developed, the Center staff will continue to provide support services to the youth and family or to arrange for needed temporary service.

Day Treatment Centers are currently operating in New York City and Buffalo, New York. Further information on these programs may be requested from the New York State Division for Youth.

DETENTION / ALTERNATIVES / DETENTION / ALTERNATIVES / DETENTION

FAMILY CRISIS INTERVENTION

PROJECT EMPHASIS:

Status and minor delinquency offenders for whom detention can be avoided through intensive family counseling and, if necessary, temporary and voluntary alternative placement.

SUITABLE LOCATION:

Counties of any size.

PROGRAM CHARACTERISTICS:

- Immediate, intensive handling of case rather than piecemeal adjudication.
- Avoiding compartmentalizing services by creation of special unit handling cases from beginning to end.
- Spending the majority of staff time in critical stages of case — when it is in crisis — rather than weeks or months later.
- Providing special training and on-going consultation to enable staff to develop skills.
- Accomplish diversion by setting up a unit with existing staff available to handle this type of case.

COST FACTORS:

- Staff training, initial and continued.
- Staff salaries.

This program is based upon the Sacramento County Probation Department's "Juvenile Diversion Through Family Counseling" Program.

Ready access to the client group and ready access by client group to counselor is a primary service component. Every effort is made to insure an initial family session is held to discuss the problem as soon as possible after the family or the police contact family court to file a petition. Sessions should be held within the first hour or two after referral to be most effective. The unit maintains a 24 hour, seven-days-a-week telephone crisis service. Counselors use a family therapy model which does not identify the child as the problem. The approach assumes that problems are best dealt with the context of the whole family rather than blaming the youth and dealing with him only through an external agency.

Once a referral to the unit has been made, removal of the youth from his or her home is discouraged because it is antithetical to the assumption that the entire family can best deal with the problems. If underlying emotions are too strong to permit the youth's return home immediately, placement in a non-secure setting, where the youth could stay temporarily, is found. Consent by both the parents and the youth for temporary placement is sought and the youth is returned home as soon as possible.

Extensive initial training sessions and con-

tinuing training and consultation in traditional family counseling and crisis intervention techniques should be provided for the staff. These techniques include

- concepts of family process and family rules
- concepts of the family as an interacting system
- techniques of enlisting the family's own effort to work on problems
- techniques of improving communication among family members
- understanding of one's self and one's own family system as related to counselor interventions

A change in the definition of the traditional approach to intervention is necessary. Expectations of families who come to the family court for help often are that the court will represent an authoritarian solution to the problem. This expectation must be changed to one which encourages the entire family to address the problem and which enlists the family's efforts to solve the problem and facilitates deeper communication among family members.

Contacts with clients will range from six to ten family sessions. During the period of contact, referral and advocacy services are used by counselors to help meet the family's need for health, educational or employment services. The goal of

FAMILY CRISIS INTERVENTION — 2

each contact is to find a long range solution to problems outside of the juvenile justice system and to prevent further involvement by utilizing and mobilizing the family's ability to solve the problem.

The service can be established by a unit of government or contracted to a private agency. An example of this type of program is the Sacramento Probation Department's Juvenile Diversion through Family Counseling Program.

PART II
RESIDENTIAL PROGRAMS

**NEW YORK STATE
DIVISION FOR YOUTH
PROGRAM DESCRIPTION**

**PETER B. EDELMAN
DIRECTOR**

DETENTION / ALTERNATIVES / DETENTION / ALTERNATIVES / DETENTION

FOSTER HOMES

PROJECT EMPHASIS:

To provide care for youth in a home-like stable atmosphere and to meet the needs of youth who require a specialized type of care with emphasis on personal attention.

SUITABLE LOCATION:

Counties of any size.

PROGRAM CHARACTERISTICS:

- No facilities purchase or lease.
- Capacity of from 1 to 6 youth.
- Limited administrative problems.
- Low per diem costs.
- Many potential designs to meet special needs.
- Personal attention to youth.
- Close supervision.

COST FACTORS:

- Lowest cost of any type of residential care.
- Administration and agency support services.
- Training programs for foster parents.

The most common form of non-secure alternatives to secure detention in New York State is the Foster Home. Homes may be certified to care for from one to six youth.

Foster homes have certain programmatic and administrative advantages. They provide a home-like atmosphere and allow young people to become comfortable in a non-threatening, non-authoritarian environment. They also provide the opportunity for close supervision because of the limited number of youth in one home. Therefore a youth who may need a great deal of supervision need not be placed out of the community or in a secure setting, but may rather be placed in a home with a sufficiently low population to meet his needs. From an administrative view, the foster home involves no capital expense, and only minimum operating expense. Foster homes operate from private homes. The parents generally receive a monthly reserved accommodations fee to guarantee their availability, then receive a per diem rate whenever a child is placed in their care.

Various communities in New York State and elsewhere in the nation have successfully recruited foster parents for adolescents to help eliminate the inappropriate placement of truant and runaway youth in secure detention where they come into contact with more serious offenders. (See a following Program Description on Florida's Foster Home recruitment effort).

Foster home programs can be operated using various designs. Programs can employ primarily volunteer foster parents who, as ordinary citizens, open their own homes to troubled youth who need temporary shelter and the reinforcement of a stable home. The Proctor Program design is another variation on the traditional foster parent model. In this type of program, young single adults provide 24-hour a day care in their own home or apartment for an individual seriously troubled youth. The Proctor design gives confused and rebellious young people the personal attention of a resourceful adult and provides the opportunity to youth for cultural and leisure time activities previously unknown to them. (A more complete Program Description of Proctor-type foster homes is included in a following section of this handbook).

Other types of specialized foster homes can be created. Very often individuals with special skills helpful to adolescents are interested in becoming foster parents. Adults with skills in special education, caring for developmentally disabled youth, psychology, social work, nursing and counseling have been employed as specialized foster parents to provide care for youth who have special needs. Also additional staffing can be added to regular or specialized foster homes for temporary periods as the need arises in more difficult cases.

FOSTER HOMES — 2

Training programs can also provide inexperienced foster parents with the skills needed to care for troubled youth. These programs provide skills in communication, problem identification, behavior negotiation and contracting, positive behavior reinforcement and numerous other techniques that have been proven effective in working with adolescents.

Whatever types of foster home programs are adopted, one of the crucial elements to successful administration is agency support. Homefinding for alternative homes should not be assigned as a step-child operation to the usual foster-home finding unit, but should be given priority and adequate resources and should be considered a part of a county's overall youth service activities. To a great extent, developing a foster care program is a communications and community organizations problem and must be addressed as such. County youth bureaus, through their on-going youth service activities, can be helpful in initiating this effort.

Supportive services to foster parents are also necessary. Initially, this helps the foster parents to provide better care, and later helps to maintain good foster parents. Minimal support should include crisis intervention training and training in agency procedures. One of the most useful support services is a foster parent organization in which foster parents exchange experiences, support each other through personal contact and by telephone, recruit new foster parents and keep administrators aware of common problems. Admission screening must also be provided by an agency so that the foster parents are not asked to make intake decisions. Adequate provision should be made for relief staff and respite periods when this is appropriate. An overall program goal should be to maximize communications about youth in care as well as about administrative or community problems related to the foster care program.

NEW YORK STATE DIVISION FOR YOUTH PROGRAM DESCRIPTION

PETER B. EDELMAN
DIRECTOR

DETENTION / ALTERNATIVES / DETENTION / ALTERNATIVES / DETENTION

Adapted from:

National Clearinghouse for Criminal Justice Planning and Architecture Transfer

VOLUNTEER FOSTER HOMES

PROJECT EMPHASIS:

To provide volunteer services as the alternative to placement in detention centers.

SUITABLE LOCATION:

Any location — urban and rural communities.

PROGRAM CHARACTERISTICS:

- No facility implication.
- Residential services for juveniles before the court.
- Volunteers recruited and supervised by local departments of social services.

COST FACTORS:

- Administrative and training costs.
- No cost for care.
- Emergency costs — medical, clothing.

Early in 1973 the Florida Department of Health and Rehabilitative Services was given the total responsibility for funding and operating all of the state's 22 secure juvenile detention centers. At that time, conditions in detention centers were particularly bad, primarily because of overcrowding. There was inadequate staff to work with the youngsters, and it was impossible to properly separate status offenders from children charged with serious crimes. Almost 45 per cent of all children in secure detention centers were status offenders. Concerned officials began a careful examination of the total youth services program in Florida. They were especially committed to the goal of developing alternative services for the hundreds of children charged with status offenses who had to be temporarily removed from their homes. Ultimately, with the strong support of the John Howard Association and Juvenile and Criminal Justice, International, the Youth Services officials initiated in March of 1975 a statewide volunteer home program, which was to give immediate relief to the dangerously overcrowded detention centers.

Conceived originally as an emergency program for one of Florida's largest juvenile facilities, the basic concept of the program was simple: using volunteer homes, refer status offenders who briefly require residential services and who do not pose serious problems when the program became operational with the first 30 volunteer families. In general, the children successfully adapted to their

temporary homes, and the volunteers remained enthusiastic supporters of the Tampa Volunteer Relief Program. The results of the Tampa model were so impressive that in March 1975 Florida officials decided to expand the program statewide.

This program provided critically needed services requiring no capital investment and at costs sharply below the expense of conventional detention centers. The year's experience with the crisis home program also gave a reliable frame of reference for developing program policies and operational guidelines. It was learned, for instance, that to be assured of immediate and appropriate placements there should be three volunteer homes for every youngster eligible for the program. Also, for planning purposes the administration of the program should anticipate a 40 per cent turnover rate per year for volunteers. The Tampa model proved the importance of various services needed to back up the volunteer homes. Specific arrangements were necessary for liability insurance to cover the volunteers when they had youngsters placed in their homes. Also, a plan for emergency medical care for the juveniles had to be established. It was important to make sure that the detention hearing was scheduled after the child was placed in the home just as if the youngster were in secure detention. Most important, Youth Services staff must be in contact with the volunteer home at least once a day in order to monitor the situation while the child is placed in the home and to provide the volunteers with needed backup services.

VOLUNTEER FOSTER HOMES — 2

Not surprisingly, the techniques of successful recruiting became an important part of the program. To start with, television and radio announcements informed the public about the problem of status offenders in detention centers, and explained the goals of the volunteer program. News stories about status offenders caught up in the justice system appeared in newspapers and neighborhood shopping guides. Ministers and rabbis were contacted, and asked to identify families that might volunteer to house juveniles charged with status offenses. Lists of volunteers from other agencies were used, and community leaders and organizations were asked to help. It was soon learned that personal contact, honest salesmanship, and the appeal to community pride were most successful in enlisting volunteers.

The Tampa Volunteer Program gave the Youth Services officials confidence that the volunteer approach to providing crisis homes for status offenders was basically sound. There were some reservation, however. The task of securing a sufficient number of quality volunteer families quickly enough was a major hurdle. Then there were doubts about placing a large number of runaways in totally non-secure settings, and apprehensions about theft in volunteer homes. However, an evaluation made during the program's first year shows that the program has an impressive record. The recruitment and training of volunteer families went smoothly. In one month, 282 homes recruited statewide by July 31, 1975, following four months of intensive recruiting and screening.

The statewide endorsement of the volunteer homes program was more energetic than officials had anticipated. During the first quarter, 1,181 children were temporarily provided food, shelter, and supervision, involving 7,506 days of actual program participation. The \$36,650 cost of administering the volunteer program for the status offenders was less than one sixth the expense of

placing those same children in a conventional detention center. There were few behavior problems during the initial phase of the program's first year.

In 1973, 45 per cent of all the children assigned to Florida's 22 secure detention centers were status offenders. Today, partially because of the widely publicized success of the volunteer home program, recently enacted legislation has removed status offenders from delinquency status in Florida. The volunteer home program has proven incontrovertibly that status offenders do not need to be locked up. The program has also demonstrated that a statewide network of residential services for juveniles can be implemented by drawing extensively on volunteer resources.

The Florida model showed that when a volunteer program is properly managed, ordinary citizens will open their homes to troubled youngsters who temporarily need shelter and the personal reinforcement of a stable home. The volunteer home program has permitted the state to provide critically needed services at a moderate cost and with no long-term commitment to a building program. At the same time, Florida status offenders avoid being labeled "delinquents." Instead of being caught up in the criminal justice system, the troubled juveniles are accepted by concerned families and learn firsthand that there are adults who care about them as individuals. There are 850 volunteer homes distributed throughout the state of Florida.

Further information may be obtained from

Florida Department of Health and
Rehabilitative Services
1323 Winewood Boulevard
Tallahassee, Florida 32301

or the New York State Division for Youth.

NEW YORK STATE DIVISION FOR YOUTH PROGRAM DESCRIPTION

PETER B. EDELMAN
DIRECTOR

DETENTION / ALTERNATIVES / DETENTION / ALTERNATIVES / DETENTION

Adapted from:

National Clearinghouse for Criminal Justice Planning and Architecture Transfer

PROCTOR PROGRAMS

PROJECT EMPHASIS:

To provide individual attention to severely troubled juveniles awaiting court appearance.

SUITABLE LOCATION:

No facility implications. Juveniles reside in conventional apartments and houses of any size in communities.

PROGRAM CHARACTERISTICS:

- Short term stays
- Personal, individualized services.
- Intensive feedback and supervision.
- Well trained staff.
- Could utilize volunteers and part time staff.

COST FACTORS:

- Salaries and expenses for proctors are stable.
- Training and administrative costs.
- No new facilities or offices necessary.

Teenagers coming before the court almost inevitably have had stormy family relationships. More than that, many of the youths have failed to adjust to prior foster home placements or other types of substitute care. It has been reasoned that, during the crisis of arrest and waiting for court appearance, perhaps the more severely troubled youths would respond to an intensive one-to-one program unlike the family setting which most of the young people were rebelling against. Rather than parental hostility or indifference, each youngster would live with a Proctor, whose only assignment is to work with the young client 24 hours a day, seven days a week. Rather than the disappointments and antagonism resulting from sibling competition, the program participant would receive the Proctor's exclusive attention. Rather than living in a detention center, labeled as a "delinquent" and visibly assigned to "a program" the clients of this program remain anonymous and are immersed in routine neighborhood activities.

These ideas became the rationale for the Proctor Program. The objective of the program is quite simple — to give confused and rebellious young people the personal attention of a concerned and resourceful adult. The program is not rigidly formal. It simply becomes the total pre-occupation of a Proctor to establish face-to-face contact with a youth whose behavior and circum-

stances would, in most states, warrant commitment to a secure detention center. The structures of the face-to-face contact are the only security measures in this program. The client is to be exposed to an orderly, disciplined way of life, and to be shown ways to constructively fill the hours of each day, rather than sleeping until noon and then retreating to the passive world of television and records. Care and planning are to be given to every-day activities such as meals, personal grooming, and household chores. In addition, there is to be an exposure to a variety of cultural recreational and sports activities previously unknown to most of the youngsters. During all the activities every day there is the companionship of the Proctor, who soon becomes someone to look up to, someone to please and to imitate.

By the program's nature, the success of the Proctor Program must depend almost totally on the energies and resourcefulness of the Proctors, themselves. The Proctor constructs a total program to be implemented in a conventional domestic setting. Each Proctor is expected to function as an independent, self-employed subcontractor. The Proctor not only contracts to provide personal services, but is obligated to supply such real items as bedroom space, telephones, transportation, food, and other personal items needed by the youth.

PROCTOR PROGRAMS - 2

By contract, the Proctor should agree to participate in a sustained in-service training program. The Proctor is to be actively working with clients 32 weeks of the year, seven days a week, 24 hours a day. Each youth stays with the Proctor about four weeks, with a six-week maximum, so that from five to eight young clients are served by each Proctor during a year. This is by no means a complete description of the Proctor's direct services, however. Strong bonds develop between the Proctors and their youngsters. Contacts continue after a young person leaves the program, and it is common for a Proctor to provide informal counseling and referral services long past the four weeks of the resident's program.

A Proctor must be young, between 20 and 30 and have interests and talents that will enhance a youngster's experiences. The Proctor must be in good health, live alone, have a car and a valid driver's license, and have an apartment or house with at least two separate bedrooms. Perhaps the most important, all candidates accepted as Proctors have been judged to have such intangible traits as compassion, perseverance, a sense of humor, creativity, and an indefatigable interest in the problems of young people.

Throughout the year Proctors have in-service training and conferences with agency staff to resolve problems which arise. But before the new Proctor even meets his/her first youngster, he/she participates in an intensive training program lasting about three days. Included in the training is an introduction to the Agency and the Proctor Program, an overview of juvenile justice as well as referral service agencies. The Proctors are given a brief exposure to the psychological dynamics of juveniles, with special attention to the type of youths they will work with. There is a short course on drugs and their abuse, and first-aid training. The Proctors are thoroughly briefed about recreational resources available in the area, and are also instructed concerning recordkeeping and day-to-day management techniques essential to make the program work.

The Proctor Program has both immediate and long-term objectives. Of overriding importance, the Proctor sees to it that the child appears in court when scheduled. In addition to this most important objective, the Proctor insures that the detained youth does not inflict self harm or does not harm others. Consistent with these objectives, the Proctor goes to great pains to see that the youth does not come in contact with others who might be harmful influences. On a more constructive note, an immediate objective of the program is to encourage the troubled youngsters to improve their self-esteem, and to think through their problems in a calm and thoughtful way.

The long-term goals of the program include seeking ways to improve relationships between the youths and parents so that the family unit can be strengthened. At the same time, the Proctor tries to enable the young person to attain self-sufficiency and to acquaint the youngster with community resources and services that can be used in a plan for self-improvement and growth.

Though the Proctor Program is intentionally flexible to permit the staff to adapt to the different circumstances of each placement, there are components which become a part of each individual plan. For instance, the bond that typically grows between the Proctor and the child gives a base for valuable counseling, however informal it might be. At least once a week each child has a more formal counseling session with a social worker at the Agency office. Later in the program, each youth is encouraged to work with the Proctor and Agency staff to develop a treatment plan and to arrange for future placement and aftercare. In addition to the counseling component of the program, the youth and Proctor work out a daily schedule of activities and recreation. Depending on the mutual interest of the Proctor and child, the two remain busy with arts and crafts, visiting museums and attending concerts, horseback riding, camping and so forth. These activities are in addition to the day-to-day chores required for an orderly household. Depending on the youths involved, on some occasions two or more Proctors might arrange for joint activities. Care is exercised to insure that the personalities of the youngsters are compatible, and that such association will have no adverse effects. Each activity schedule must be approved by Agency Staff.

Because of the program's brevity, educational activities are informal. In addition to scheduling cultural events and museums, a Proctor might provide academic tutoring if warranted. A thorough evaluation of each child's education status is part of the long-range treatment plan. Also, health and dental aftercare is an important part of each case plan.

The unique one-to-one feature of the program requires a manageable number of clients, whose day-to-day activities can be carefully monitored.

The Proctors should be paid a salary equivalent to that paid a youth counselor, probation officer or caseworker. In the Proctor Program, all the money spent goes directly to client services. There is no expensive physical plant to maintain, no capital expenses to amortize.

The success of the Proctor Program cannot be entirely quantified by numbers. In terms of the program's primary goal of insuring that the participating youths appear at their court hearings, the record is impressive. With over 200 severely troubled youths in a program in New Bedford, Massachusetts, only 17 ran from their proctors. Nine of these runaways were in contact with the Proctor office within 24 hours.

There is a Proctor program in operation in New Bedford, Massachusetts. Further information on the program may be obtained directly from

New Bedford Child and Family Service
141 Page Street
New Bedford, Massachusetts 02740

or from the New York State Division for Youth.

NEW YORK STATE
DIVISION FOR YOUTH
PROGRAM DESCRIPTION

PETER B. EDELMAN
DIRECTOR

DETENTION / ALTERNATIVES / DETENTION / ALTERNATIVES / DETENTION

RUNAWAY HOMES

PROJECT EMPHASIS:

Runaway youth who can be assisted to resolve problems without the necessity of arrest, detention and court appearance.

SUITABLE LOCATION:

Counties or cities of any size. Structure of program is related to type of location - urban, suburban or rural.

PROGRAM CHARACTERISTICS:

- Short term residential component.
- use of trained volunteers.
- Maximizes youth's responsibility for problem solving.
- Focus on assisting youth to resolve crisis cooperatively with adult assistance.
- Positive and cooperative relations with police, government and private service agencies.
- Youth advocacy and conflict mediation.
- Youth outreach.

COST FACTORS:

- Temporary residential component, either foster homes or group homes.
- Limited professional staff salaries because of reliance on volunteers.
- Ongoing volunteer training.

Runaway programs have a philosophy of assisting youth by involving them actively in the solution of their own problems. These programs are designed for youth who are avoiding family problems and disagreements by leaving and staying away from their home. Some youth served by runaway programs have even been thrown out of home by an angry parent. Various program models for assisting these youth in urban, suburban and rural settings have been developed.

Urban runaway programs usually include a group home component which provides shelter and food, twenty-four hours a day, seven days a week to runaway youth. These programs maintain a close liaison with the local police and the family courts and often receive referrals from these agencies. Once a youth contacts a runaway program, parental permission is obtained to allow the youth to remain long enough to work out immediate problems.

Youth are asked to participate voluntarily in finding a solution to their current problems. They are often asked to sign a contract through which they agree to provide the program's counselors with information concerning their problems and to participate in the program's activities such as counseling and household chores. In return youth receive assistance from the program's staff in resolving their problems.

Runaway programs often become involved in providing short term family counseling and making referrals to other community agencies for long term services such as continued family counseling and long term residential care if this seems necessary. Successful urban runaway programs maintain a close liaison with other community agencies serving youth such as youth centers, outreach programs, Travelers Aid, family service agencies and local social service departments. These agencies make referrals to the program and the runaway programs, in turn, depend upon referrals to these agencies for follow-up services.

Runaway programs have also been established in suburban and rural communities. Suburban programs have made use of town owned residences for the temporary shelter of youth in conflict with their family. These programs operate on a similar model to the urban programs by obtaining parental permission for youth to remain for short periods and encouraging active youth involvement in solving their problems. The program also maintains a close liaison with police agencies. Some suburban programs rely on youth outreach workers and school counselors to gain the trust and confidence of youth would ordinarily be reluctant to seeking help to solve their problems.

RUNAWAY HOMES — 2

Runaway programs have also been set up in rural areas and suburban areas by operating out of a youth center and utilizing a network of volunteer foster homes for short term residential shelters. These volunteer foster families agree to accept runaways in homes for a few days to a few months depending upon the child and the nature of his problem. The programs employ professional and paraprofessional youth workers, either full-time or part-time, through a coordinating agency to provide counseling and other support services for youth in short-term residential care. Programs like these are used to address a range of community problems by focusing the limited resources of these areas upon target groups of youth especially in need of services. Rural communities have found runaway programs to be successful in addressing the problems of youth who face increased drug accessibility and use, the need for psychological counseling and a lack of recreational and entertainment activities.

The Federally funded Runaway Programs currently operating in New York State include:

- G.L.I.E. Community Youth Program
New York City
- Covenant House
New York City
- Sanctuary
Huntington, Long Island
- Runaway Youth Coordinating Council
Hempstead, Long Island
- The Family
Woodstock, New York
- Project Equinox
Albany, New York
- Center for Youth Services
Rochester, New York
- Compass House
Buffalo, New York

NEW YORK STATE DIVISION FOR YOUTH PROGRAM DESCRIPTION

PETER B. EDELMAN
DIRECTOR

DETENTION / ALTERNATIVES / DETENTION / ALTERNATIVES / DETENTION

AGENCY-OPERATED BOARDING HOMES

PROJECT EMPHASIS:

Youth who require some supervision and structure away from their own homes, and who do not need or cannot tolerate substitute parenting.

SUITABLE LOCATION:

Rural or urban setting, particularly useful when a county or other operating agency owns an appropriate building.

PROJECT CHARACTERISTICS:

- Capacity up to six children - coed if desired.
- Operating agency owns or leases the building.
- Houseparents are members of agency staff.
- Combines elements of family and small group living situation.

COST FACTORS:

- Stable costs for salaries and building.
- Operational costs will vary with the number of staff and the amount of utilization.

An Agency-Operated Boarding Home is a special type of foster home. The primary difference is expressed in the title, "Agency-Operated." In this program, the agency acquires the building, and the foster parents or houseparents are employees of the agency.

Programmatically, the Agency-Operated Boarding Home has many useful resources. The population, which is usually 4 - 6, is limited enough to allow a home-like atmosphere and close supervision as well as a non-restrictive environment. Unlike the regular foster home, the parents have a staff relationship with the agency. This relationship provides the houseparents with opportunities for closer supervision and more in-service training, resulting in a more highly trained, professionally oriented staff. Also, the building and furniture are owned by the agency. This allows a greater latitude in placing children, and in the way the houseparents react to acting-out children, because any damages are not to the parents' personal property. In addition, extra staff can be added for emergency coverage, one-to-one supervision of a particularly needy child, and/or available night-time supervision without "invading" someone's home.

Like the foster home, by hiring staff with specific skills and/or providing them with intensive training in a certain area, the home could present itself as a special resource.

Administratively, an Agency-Operated Boarding Home is considerably different than a foster

home. The agency must assume the cost of the building, maintenance, utilities, repairs and damages. The agency also pays salaries to the houseparents. Most costs do not increase under maximum usage, but neither do they decrease with low utilization. Since this is largely a fixed cost program, capacity should be planned carefully. Agency-Operated Boarding Homes are administratively attractive when there is an unused county property that can be utilized at minimal cost, or when a county wishes to contract with a private child-caring agency for less than seven beds.

An Agency-Operated Boarding Home would be the recommended model for a detention program where population characteristics and commitment to using non-secure rather than secure detention would justify regular use of 4-6 beds, in a program that provides more than normal parental supervision. It is ideally suited for children who would be foster care candidates but do not need, or cannot tolerate, supervision in the substitute parent form. An Agency-Operated Boarding Home also provides more supervision and support services through the sponsoring agency, and could therefore, be used as an alternative or "back-up" program for foster home programs on a local or regional basis.

An example of an Agency-Operated Boarding Home is currently operating in Schenectady County. Information on this program may be obtained from the New York State Division for Youth.

DETENTION / ALTERNATIVES / DETENTION / ALTERNATIVES / DETENTION

GROUP HOMES

PROJECT EMPHASIS:

Youth who will relate more readily to peer pressure than to adult authority, and who require supervision but not one-to-one attention.

SUITABLE LOCATION:

Primarily urban because of the population required to make it economically feasible. Could be established in a rural area if operated on a regional basis.

PROGRAM CHARACTERISTICS:

- Flexible program based on staff skills and children's needs.
- Flexible houseparent or shift staffing patterns.
- Capacity 7 to 12 children - should be planned for an average daily population of 7-8.
- Community based recreation, education, etc.

COST FACTOR:

- Agency owns (or leases) and maintains the house.
- Staff are salaried - costs will vary with number of staff.
- Costs are fixed regardless of utilization.

A Group Home by definition, has a capacity for seven to twelve children. Group Homes have a wide variety of program advantages, based on group dynamics, peer pressure and concerned adult guidance, and have demonstrated the ability to maintain a social runaways as well as delinquents in community-based programs.

A Group Home detention program requires a certain minimum average daily population to make it financially practical. A Group Home detention program will cost between \$75,000 and \$175,000 per year depending on the building, the staffing pattern, the salary levels, and the cost of living in the locality where the home is situated. In order to justify that cost, the home should be highly utilized. Some counties have a sufficiently high use of detention to justify a program of this

size, but generally, Group Homes should be designed to serve a regional, multi-county population. Administratively, detention Group Homes can be operated by private child-care agencies, by a county, or by a group of counties.

In a regular group care detention program, the children are provided with counseling, concerned adult supervision, and an alternative living situation. The children attend school in the community, and use community recreation facilities. Staffing in the home is similar to an Agency-Operated Boarding Home, but would be augmented by caseworkers either from a private agency, or from a county social service department.

NOTE: Also see "Structured" Group Residences for dealing with more difficult youth.

DETENTION / ALTERNATIVES / DETENTION / ALTERNATIVES / DETENTION

"STRUCTURED" GROUPS RESIDENCES

PROJECT EMPHASIS:

Youth who require constant supervision and/or a highly structured program.

SUITABLE LOCATION:

Could be located in rural or semi-rural areas to reduce temptation to abscond. Should be in a large metropolitan area or regional to be fiscally sound.

PROGRAM CHARACTERISTICS:

- 24-hour awake shift staff.
- 12-hour structured day program.
- Constant adult supervision and feedback.
- Capacity 7 to 12 children - should be planned for an average daily population of 7-8.

COST FACTORS:

- Agency owns (or leases) and maintains the house.
- Staff are salaried - costs will vary with number of staff.
- Most costs are stable.
- Cost is high compared to other group homes but has proven effective in reducing use of secure detention.

In the structured non-secure detention group residence, the emphasis is placed on containing PINS and JDs by supervising their movements and involving them in an active, structured, day program. This program utilizes various techniques including crisis intervention, peer pressure and in-depth one-to-one counseling to engage the child immediately, thereby reducing his or her need or desire to run away. There are no physically restricting procedures, nor are there locks or other restricting hardware. The objective of this program is to avoid the use of secure detention while protecting the community and temporarily meeting the needs of the child.

Staffing in this type of home will vary, but would typically include 24-hour awake supervision involving double staffing by child care workers on all three shifts. Education would be provided in the group home, although it may be provided by the local school district (i.e., with tutors). Counseling services would be provided in the home, but like education, could be supplied by local departments of social services. Recreation will be provided either in the home or under close supervision in community facilities at scheduled times.

The structured non-secure residence is primarily designed as a support program for other types of non-secure detention programs. It is ideally suited for the chronic PINS runaway who has traditionally been securely detained and the delinquent with numerous petitions. With this program, secure detention will rarely be necessary.

While the structured non-secure detention program is expensive to operate, it is cheaper than secure detention on a per diem basis and can supplant most secure detention use. Most counties do not have sufficient individual need for this type of program to justify the cost. However on a regional basis, this program is financially feasible. By considering transportation time and costs, current use of secure detention, and the probable effects of deinstitutionalization, a regional plan can be developed that would include a regional structured non-secure detention program.

This program is technically classified as a group home. There are several group home detention programs in New York City, and throughout the state. The most highly structured of these is the Rensselaer County non-secure detention facility, at Wynantskill, New York.

END