Delivery of Juvenile Services

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Office of Policy Analysis
Maryland General Assembly

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December 21, 2005

Members of the General Assembly:

This report, *Delivery of Juvenile Services*, was prepared by the Department of Legislative Services, Office of Policy Analysis, in response to the continuing legislative interest in the area of juvenile law and policy. The report discusses the various organizational structures for providing juvenile services nationwide and analyzes in detail Maryland's juvenile services delivery system.

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I trust this information will be of assistance to you.

Sincerely,

Karl S. Aro
Executive Director

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Introduction

Nationwide, each state as organized the delivery of juvenile services to its delinquent youth in a unique manner. However, all states have adopted one of three different organizational structures for providing juvenile services – a centralized system, a decentralized system, or a combination system. In a centralized juvenile services system, a state executive agency is responsible for the delivery of juvenile services. Maryland is an example of a centralized system. A decentralized model, on the other hand, is characterized by local control of "front end" services (such as intake and detention) and state control of "back end" services (such as commitment of delinquent youth and aftercare). A combination system provides both state and locally controlled juvenile services.

This report provides an overview of these three models for delivering juvenile services nationwide and discusses in detail Maryland's juvenile services delivery system:

- Chapter 1 of the report provides a history of the delivery of juvenile services in Maryland and describes the organizational structure of Maryland's current juvenile services system.

- Chapter 2 provides an analysis of the three juvenile services models using case studies from the following six states: Connecticut, Delaware, Maine, Pennsylvania, Virginia, and Washington.

- Chapter 3 discusses the advantages and disadvantages of Maryland's centralized juvenile services system and provides a detailed analysis of the current regionalization plan for service delivery of the Maryland Department of Juvenile Services.

Chapter 1. Delivery of Juvenile Services in Maryland

History of Maryland's Juvenile Services System

Current efforts to improve the delivery of juvenile services in Maryland are not unique. Over the years studies and reports written by legislative committees and task forces have suggested different institutional models for providing services to troubled juveniles. The State has changed the structural organization for juvenile services in response to many recommendations. This chapter examines the evolution of the organizational structure for the delivery of juvenile services from the nineteenth century to present.

The Nineteenth Century and Early Twentieth Century

During the last half of the nineteenth century, private reformatories for youth received and served troubled children committed by courts, magistrates, justices of the peace, parents, and guardians. These institutions were considered quasi-public in nature because the State provided regular funding and the Governor made appointments to the governing boards.

In 1918, two private reformatories in the State became formal public agencies, known as training schools. These schools were placed under the Department of Education in 1922. That department took over supervision of two other training schools in 1937.

By the early twentieth century, the structure of juvenile services lacked cohesiveness and organization because each public or private institution caring for children set its own admissions, standards of care, and aftercare policies.

Department of Public Welfare, 1943 - 1966

In order to provide more uniformity to the delivery of services to juveniles, Chapter 797, Acts of 1943 required the Department of Public Works (DPW) to supervise public and private institutions "having the custody, care, or control of dependent, delinquent, abandoned, or neglected children." The Act established a Division of Institutions in DPW to administer the facilities and required the department to set standards for the admission, care, discharge, and aftercare of juveniles.

Department of Juvenile Services, 1966 - 1969

By the mid-1960s, the General Assembly noted significant problems with juvenile probation services. Statewide programs for providing probation and court services were deficient and lacked uniformity, court and probation staff received little training, and caseloads were large.

As a result of the unequal administration of juvenile services, the 1965 Special Legislative Committee on Juvenile Courts recommended that a single agency provide court and

probation services and establish standards. The special committee also found many problems with the institutional facilities for delinquent youth. Facilities were overcrowded and each operated independently. Furthermore, DPW lacked authority to establish uniform management policies and procedures. Juveniles detained before adjudication were housed with committed youth. Intermediate facilities such as halfway houses, group homes, and facilities for emotionally disturbed youth were needed.

To provide equality of service, the committee further recommended that the State establish a single "parent agency" to administer all services ranging from delinquency prevention to aftercare. Chapter 126, Acts of 1966 established the Department of Juvenile Services as the "central coordinating agency for juvenile investigation, probation, and aftercare services and for State juvenile, diagnostic, training, detention, and rehabilitation institutions."

Department of Health and Mental Hygiene, Juvenile Services Administration, 1969 - 1987

Chapter 77, Acts of 1969 placed the Department of Juvenile Services under the Department of Health and Mental Hygiene (DHMH) and renamed it the Juvenile Services Administration (JSA).

Juvenile Services Agency, 1987 - 1989

In December 1986, Governor-elect William Donald Schaefer established a task force to develop a plan to restructure DHMH to "reduce its span of control and create a more manageable entity." Finding an appropriate organizational location for JSA was also a goal of the study.

The task force found that JSA performance suffered because DHMH operated too many programs and had a "health oriented mission which does not fully mesh with the Administration's mission." It recommended that JSA be removed from DHMH and reconstituted as a Department of Children and Youth directly under the Governor. The task force report concluded that accountability for the quality of juvenile services would be more clearly focused with such a structure and "[b]eing an independent agency would increase [JSA's] visibility and enhance its communications with State executive, judicial, and legislative leaders."

Chapter 290, Acts of 1987 reorganized JSA into an independent unit, the Juvenile Services Agency. The Act did not, however, change the internal management or structure of the former administration.

Department of Juvenile Services, 1989 - Present

Chapter 539, Acts of 1989 reorganized the Juvenile Services Agency as the Department of Juvenile Services, a principal department of State government. The department's name was changed to the Department of Juvenile Justice by Chapter 8, Acts of 1995. In 2003, the

department's name reverted back to the Department of Juvenile Services (Chapter 53, Acts of 2003).

Current Maryland Model

The Department of Juvenile Services (DJS) currently administers Maryland's juvenile programs. DJS utilizes State-operated, private, and out-of-state facilities to provide pre- and post-adjudication services.

To facilitate the delivery of services, Maryland is divided into five geographic areas or regions. A region is comprised of several counties. Juvenile counselors in regional offices provide intake, probation, and aftercare supervision.

Intake

The first point of contact that a child has with the State's juvenile justice system is at intake. Intake occurs when a complaint is filed with a DJS intake officer by a police officer or other person or agency having knowledge of facts that may cause a child to be subject to the jurisdiction of the juvenile court.

Jurisdictional Inquiry

Within 25 days after the complaint is filed, the intake officer is required to make an inquiry as to whether the juvenile court has jurisdiction and whether judicial action is in the best interest of the public or the child. In making this determination, the intake officer considers the nature of the alleged offense; the child's home, school, and community environment; and input from the victim and the police.

The intake officer may make any of the following decisions: (1) deny authorization to file a petition in the juvenile court; (2) propose informal supervision; or (3) authorize the filing of a petition in the juvenile court. A "petition" is the pleading filed with the juvenile court alleging that a child is delinquent.

Proposal of Informal Supervision

The intake officer may propose informal supervision if the juvenile court has jurisdiction and the child or the child's family needs assistance in preventing further legal violations, but the child does not require, and may not benefit from, judicial intervention or long-term formal supervision. To conduct informal supervision, consent must be received from the victim, the child, and the child's parents or guardian. Informal supervision may not exceed 90 days, unless extended by the court, and may include referrals to other agencies, completion of community service, regular counseling, supervision by DJS, family counseling, and other types of nonjudicial intervention. If the intake officer proposes informal supervision, the victim, the

arresting police officer, or the person or agency that filed the complaint may appeal that decision to the State's Attorney.

If, at any time before the completion of the agreed-upon informal supervision, the intake officer believes that the informal supervision cannot be completed successfully, the intake officer may authorize the filing of a petition alleging delinquency.

Authorization to File a Petition

If the intake officer determines that the juvenile court has jurisdiction over the matter and that judicial action is in the best interest of the public or the child, the intake officer may authorize the filing of a petition alleging delinquency.

Community Detention, Shelter Care, Detention

If the filing of a petition is recommended, the child may be released to the custody of a parent or guardian prior to the hearing. In certain cases, the child may be assigned to community detention, which is 24-hour supervision of the child in the community through the use of daily in-person and telephone contacts with a DJS worker. As part of community detention, the child may be required to wear an electronic monitoring device at all times to verify the child's whereabouts.

If there is no suitable home environment, the child may be placed in shelter care while awaiting a juvenile court hearing. Shelter care provides temporary care and a variety of services for children in physically unrestricting facilities. If the child is at risk of leaving the jurisdiction or poses a danger to himself or herself or to others, the child may be placed in a detention facility that provides 24-hour temporary confinement in a secure setting.

Adjudication

After a petition has been filed, the juvenile court must hold an adjudicatory hearing. The hearing may be conducted by a judge or by a master. If conducted by a master, the recommendations of the master do not constitute an order or final action of the court and must be reviewed by the court.

The purpose of an adjudicatory hearing is to determine whether the allegations in the petition are true. Before a child may be adjudicated delinquent, the allegations in the petition that the child has committed a delinquent act must be proved beyond a reasonable doubt.

Classification Process

Prior to the disposition hearing, each child goes through a classification process administered by DJS to standardize case management and structure DJS's recommendations to the juvenile court. The classification process assists in determining the level of risk of harm that

the child presents to himself, herself, or the public as well as the risk that the child will escape from placement.

Disposition

After an adjudicatory hearing, unless the petition is dismissed or the hearing is waived in writing by all of the parties, the court is required to hold a separate disposition hearing, which may be held on the same day as the adjudicatory hearing. A disposition hearing is a hearing to determine whether a child needs or requires the court's guidance, treatment, or rehabilitation, and, if so, the nature of the guidance, treatment, or rehabilitation.

In making a disposition on a petition, the court may:

- place the child on probation or under supervision in the child's own home or in the custody or under the guardianship of a relative or other fit person, upon terms the court deems appropriate, including community detention;

- commit the child to the custody or guardianship of DJS or other agency on terms that the court considers appropriate, including designation of the type of facility where the child is to be accommodated; or

- order the child or the parents, guardian, or custodian of the child to participate in rehabilitative services that are in the best interest of the child and the family.

Additionally, a disposition may include the suspension or revocation of the child's driving privileges under certain circumstances.

Probation

Juvenile counselor in DJS regional offices operate as case managers and supervise juveniles placed on probation.

Commitment to the Department of Juvenile Services for Placement

Residential Programs

If the disposition ordered by the juvenile court includes commitment to DJS for placement, the court may recommend the level of care for the child and the type of facility that the court considers appropriate. DJS determines the particular residential facility and program that will best suit the needs of the child.

Residential programs administered by DJS include family foster care for children whose families cannot appropriately care for them, short-term programs designed to confront a child's

behavior and provide consequences for misbehavior, group homes, specialized substance abuse and mental health programs, and secure programs. DJS operates seven secure commitment facilities, including the four minimum secure youth centers.

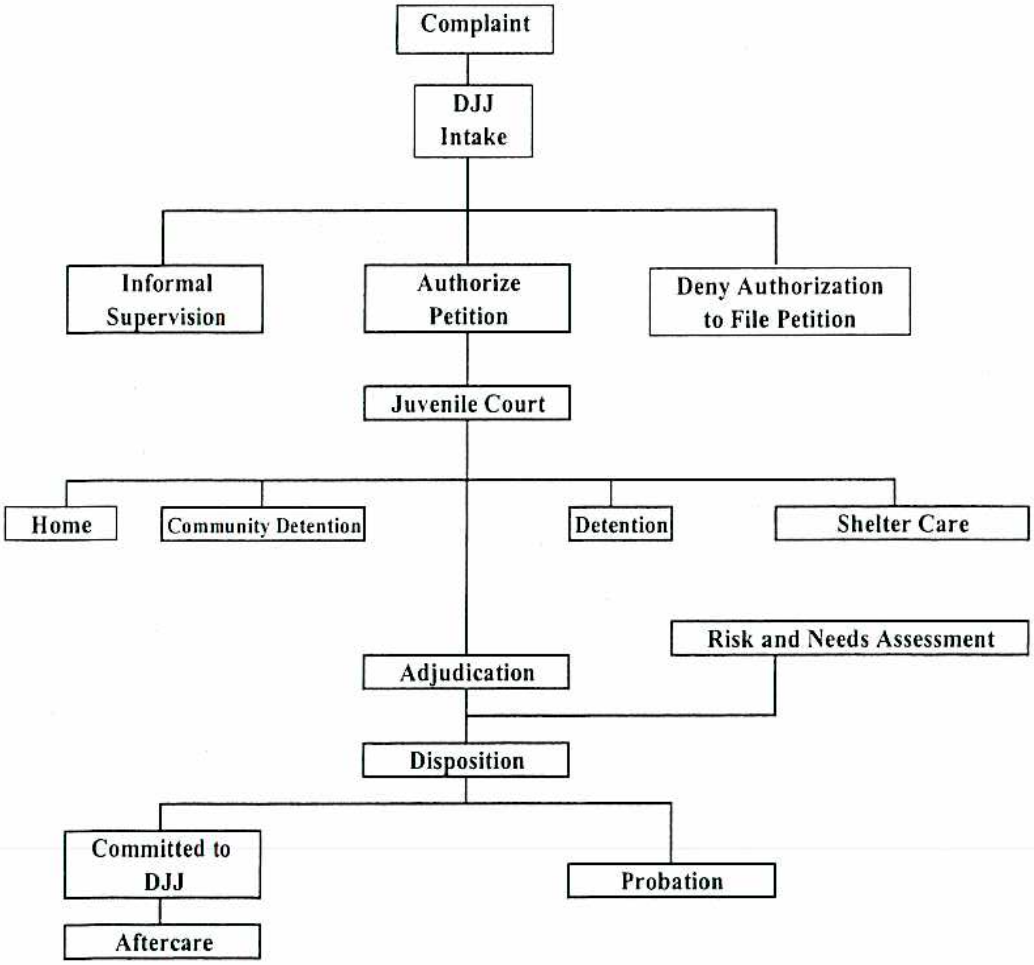
Residential programs are either State owned and operated, State owned and privately operated, or privately owned and operated.

Aftercare

Aftercare is a term used to describe the array of supervision and ancillary services that a child receives after the completion of a long-term residential placement. The aftercare program is currently administered by DJS and is similar in concept to "parole" in the adult criminal system. The purpose of aftercare is to ease the transition from the highly supervised environment of the residential program to the less structured home environment. Aftercare workers from DJS begin contact with the child, the child's school, and other necessary services and programs prior to the child's release. After release, aftercare workers visit the child's home and school to monitor the child's progress and compliance with the terms of the aftercare contract. During the period of aftercare, the child continues to be held accountable for his or her actions in order to ensure public safety.

Exhibit 1.1 shows the manner in which cases flow through the juvenile justice system.

Exhibit 1.1
Case Flow through the Juvenile Justice System



Source: Department of Juvenile Justice

Chapter 2. Analysis of the Juvenile Services Delivery Organizational Models

Centralized, Decentralized, and Combination States

Centralized States

Centralized states are characterized by a state executive agency with across-the-board state control of juvenile services. Twelve states, including Maryland, utilize a centralized system.

Some advantages of a centralized system include uniformity of services and direct control over spending priorities and policies for juvenile services. Some disadvantages include a lack of local input in addressing juvenile crime and higher state costs, as the state is responsible for the provision of all services.

Decentralized States

The decentralized model means that "front end" services, including intake, investigation, and supervision, are controlled locally. Local authorities often administer the pre-adjudication detention of juveniles. "Back end" services, including secure commitment of delinquents and aftercare services, are usually state responsibilities. In some decentralized states, local entities share responsibility for providing aftercare services with state agencies. Eighteen states are characterized as using a decentralized model in providing juvenile services.

A decentralized system encourages local stakeholders to develop local strategies and initiatives to address juvenile crime. A state may accomplish this by allocating a budget to local jurisdictions and requiring the local jurisdiction to pay a fee for each juvenile placed in a state facility.

A disadvantage of the decentralized model is a lack of consistency in the delivery of juvenile services. Additionally, the state may be in a better position than the local government to provide a wider range of sanctions and services. Finally, a decentralized system does not provide the direct control over spending priorities and policies for juvenile services that a statewide system would. If all sanctions and services are administered from a single state agency, the system theoretically would better reflect the juvenile services policies of the Governor and legislature.

Combination States

The third model, a combination model, features a mix of state-controlled and locally-operated juvenile services. In some instances these systems may be largely state-run but with significant local control in urban areas. In other combination systems, although the state

operates most juvenile services for youth, responsibility is divided between the Executive and Judicial branches.

There are both benefits and shortcomings to organizing state juvenile services between statewide entities and locally-operated programs. On one hand, a structure allowing for significant local control fosters regionalized services and supervision. In this manner, juveniles are rehabilitated and reintegrated within their own communities, rather than being sent to unfamiliar and distant facilities. On the other hand, creating a juvenile services system whereby various state and local entities play an equal role may result in an inconsistent approach to the provision of services.

Exhibit 2.1 shows the juvenile services delivery organizational models and the jurisdictions that fall within each category.

Exhibit 2.1
Organization of Juvenile Services Delivery

Centralized	Decentralized		Combination	
Alaska	Alabama	Ohio	Connecticut	New Jersey
Delaware	Arizona	Oregon	District of Columbia	North Dakota
Florida	Arkansas	Pennsylvania	Georgia	Oklahoma
Kentucky	California	Texas	Hawaii	South Dakota
Maine	Colorado	Washington	Iowa	Tennessee
Maryland	Idaho	Wisconsin	Louisiana	Utah
New Hampshire	Illinois		Massachusetts	Virginia
New Mexico	Indiana		Minnesota	West Virginia
North Carolina	Kansas		Mississippi	Wyoming
Rhode Island	Michigan		Missouri	
South Carolina	Nevada		Montana	
Vermont	New York		Nebraska	

Source: Griffin, Patrick and Bozynski, Melanie. 2004. "National Overviews." *State Juvenile Justice Profiles*. Pittsburgh, PA: National Center for Juvenile Justice. Online. Available: http://www.ncjj.org/stateprofiles/.

The states can further be divided based on the type of agency providing the juvenile services. Juvenile services may be provided by an agency that is (1) part of the division of adult corrections, (2) within a child welfare/social service system, (3) under a human service umbrella, or (4) free standing in the Executive Branch. **Exhibit 2.2** shows the agency configurations.

Exhibit 2.2
Agency Configuration

Adult Corrections	Child Welfare/ Social Service System		Human Service Umbrella		Free Standing Agency	
California	Arkansas	Rhode Island	Alaska	Washington	Alabama	New Jersey
Illinois	Connecticut	Tennessee	Delaware	W. Virginia	Arizona	N. Carolina
Indiana	Michigan	Vermont	Hawaii	Wyoming	Colorado	Ohio
Maine	Iowa		Louisiana		Florida	Oklahoma
Minnesota	Missouri		Massachusetts		Georgia	Oregon
Montana	Nebraska		Mississippi		Idaho	S. Carolina
N. Dakota	Nevada		New Hampshire		Kansas	Texas
S. Dakota	New York		New Mexico		Kentucky	Virginia
Wisconsin	Pennsylvania		Utah		**Maryland**	

Source: Council of Juvenile Correctional Administrators. 2002. *Juvenile Corrections: A National Perspective.* pp. 3.

Case Study of a Centralized System – Delaware

In Delaware, responsibility for juvenile services lies with a single state agency. The Department of Services for Children, Youth, and Their Families, Division of Youth Rehabilitative Services (DYRS) administers detention, diversion, probation supervision, commitment programs, and aftercare.

Snapshot: Delaware

Model:	Centralized
Administrative Entity:	Department of Services for Children, Youth, and Their Families, Division of Youth Rehabilitative Services (DYRS)
Agency Configuration:	Human services umbrella agency
Budget:	Approx. $38 million
No. of Youth Served:	Approx. 3,000 (2004)
Detention:	Two secure DYRS-operated detention facilities, totaling 94-beds and several contracted nonsecure detention centers
Disposition:	Five levels of dispositional programming ranging from nonsecure (Levels I-III) to staff secure (Level IV) to locked secure (Level V)
Probation Services:	DYRS Community Service Unit provides probation supervision through eight districts
Commitment:	DYRS operates one 72-bed maximum secure facility for males, The Ferris School for Boys
Release/Reentry:	DYRS determines when to release committed youth but must notify the Family Court of its decision to release a youth
Aftercare:	DYRS provides aftercare services, including the Serious Juvenile Offender (SJO) Program
Diversion Programs:	Diversion decisions and referrals are made by the prosecutor's office and, in some cases, by the Family Court
Pending Placement:	None

Source: Griffin, Patrick and Bozynski, Melanie. 2004. "Delaware." *State Juvenile Justice Profiles*. Pittsburgh, PA: National Center for Juvenile Justice. Online. Available: http://www.ncjj.org/stateprofiles/.

Intake

Following an arrest or complaint by a private citizen, the prosecutor's office decides whether a case should be formally prosecuted or whether a child should be sent to a diversion program. If the case is to be formally prosecuted, a petition is filed with the Family Court.

Diversion

The prosecutor's office is generally responsible for making juvenile diversion decisions. However, the Family Court also may order a juvenile to arbitration. Diversion programs can range from arbitration to enrollment in teen court or drug court to referral to the Center for Community Justice.

Center for Community Justice

The Center for Community Justice contracts with Delaware to provide a community-based approach to resolving minor criminal offenses. The prosecutor's office may refer cases to be mediated through the Center for Community Justice. Victims and offenders can agree to resolve the case through the mediation process and decide on the appropriate outcome for all parties.

Detention

Delaware operates two secure detention facilities that house both pre-adjudicated males and females. The New Castle County Detention

Center has 64 beds and the Stevenson House has 30 beds. DYRS contracts with several nonsecure detention centers.

Under Delaware law, a juvenile may not be placed in secure detention unless the court determines that there are no less restrictive means to give reasonable assurance that the juvenile will attend the hearing and the juvenile (1) is a fugitive from another jurisdiction, (2) is charged with an offense that would constitute a felony or certain misdemeanors[1], (3) willfully failed to appear at a hearing on a delinquency petition and there is substantial probability that the juvenile will flee or otherwise be unavailable for a subsequent court appearance, or (4) has a pattern of failure to comply with court-ordered placement pursuant to a delinquency petition.

First Chance Evening Reporting Center

Delaware has established a community-based alternative to detention operated by A Friend of the Family, Inc. and funded by the Annie E. Casey Foundation and the Delaware Criminal Justice Council. The First Chance Evening Reporting Center provides a supervised environment for up to 15 less serious offenders[2] in New Castle County. Services include homework assistance, structured activities, and meals.

Dispositional Guidelines

The Committee on Dispositional Guidelines for Juveniles developed specific guidelines for determining dispositions for juvenile offenders. DYRS makes dispositional level recommendations to the court, which makes the final determination. There are five levels of programming for juvenile offenders: three nonsecure levels, one staff-secure level, and one locked-secure level.

Probation Services

Nonsecure programs involve placement in a community setting under the supervision of a parent, community representative, private provider, or DYRS probation worker. Family Services Specialists, employed by the Community Services Unit of DYRS, supervise youth on probation.

Committed Care

DYRS operates one maximum secure care facility for males, The Ferris School for Boys. The average length of stay is six months and is followed by a six-week transition program at Mowlds Cottage. DYRS contracts with several private residential facilities for female offenders. DYRS also relies on out-of-state placements but is currently working to reduce the number of juveniles placed in other states. In 2004, DYRS had 111 youth in out-of-state placements.

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[1] Including third degree assault, second degree false imprisonment, third degree unlawful sexual contact, and carrying a concealed dangerous instrument.

[2] Offenders charged with certain misdemeanors and nonviolent felonies.

Direct Placement

The court cannot place a juvenile in a private residential facility without first committing the juvenile to DYRS.

Case Study of a Centralized System – Maine

In Maine, juvenile services management is the responsibility of a single unit within a state agency. Juvenile Services Division (JSD) administers intake, probation supervision, commitment, and aftercare. JSD is a division within the Department of Corrections, the State's adult correctional facility.

Snapshot: Maine

Model:	Centralized
Administrative Entity:	Maine Department of Corrections, Juvenile Services Division (JSD)
Agency Configuration:	Adult correctional agency
Budget:	$34.3 million (FY 04)
No. of Youth Served:	Approx. 6,500
Detention:	Two state-operated secure detention facilities
Probation Services:	Juvenile Community Corrections Officers (JCCOs) provide probation supervision; Juvenile Intensive Supervision Services provides intensive probation supervision in a juvenile's community; JSD also contracts with private providers
Commitment:	Two state-operated secure detention facilities
Release/Reentry:	Superintendent of the Department of Corrections makes release decisions
Aftercare:	JCCOs provide aftercare supervision and develop community reintegration plans
Diversion Programs:	JCCOs and law enforcement may divert youth to other programs
Pending Placement:	Youth may be housed in detention temporarily while awaiting a long-term placement

Source: Griffin, Patrick and Bozynski, Melanie. 2004. "Maine." *State Juvenile Justice Profiles*. Pittsburgh, PA: National Center for Juvenile Justice. Online. Available: http://www.ncjj.org/stateprofiles/.

Intake

As with most other states, law enforcement is often the first contact that a juvenile has with the juvenile system. Law enforcement officers may divert a case or refer the case to JSD. Once a referral has been made, intake is administered by Juvenile Community Corrections Officers (JCCOs), who work in one of Maine's four community corrections offices (South Portland, Lewiston, Augusta, and Bangor). JCCOs then determine whether to recommend a diversion program or a petition filed by the district attorney.

Diversion

Both law enforcement officers and JCCOs can refer youth to diversion programs, and JCCOs may divert youth through informal adjustment. A commonly utilized diversion program in Maine is the Community Relations Team, which consists of community volunteers trained in restorative justice principles. Teams meet with the offender and victim and assist the offender in attempting to resolve the harm done to the victim.

Under an informal adjustment, a juvenile may be ordered to pay restitution, perform community service, or comply with other requirements as set by JCCO. Informal adjustment may not last longer than six months.

Detention

JSD administers two secure detention facilities which also house committed youth. The Long Creek Youth Development Center serves the southern part of the state and can house 160

juveniles, with 30 in detention. Mountain View Youth Development Center serves northern Maine and can house 140 juveniles, with 30 in detention.

While secure detention is primarily used for holding youth pre-adjudication, the facilities also house predisposition juveniles, those who are pending placement in a long-term residential facility, and those who have received a 30-day "shock" disposition. Detention cannot be ordered as a sanction for violation of probation but can be used for juveniles who have had probation revoked or for youth who have been sanctioned by a drug court.

Probation

Terms of probation are set by the district court judge. JCCOs provide probation supervision from the four regional community corrections offices. Juvenile Intensive Supervision Services provides intensive supervision in a community setting. Additionally, JSD contracts with social services agencies, including Catholic Charities and Volunteers of America, to provide probation services to juveniles.

Commitment

As noted above, JSD combines secure detention with secure commitment institutions. The Commissioner of the Department of Corrections has ultimate placement decision authority. Placement decisions are made based on a predisposition investigation and the Youth Level of Service/Case Management Inventory used to assess the risk of recidivism.

Direct Placement

Although the court may only commit a juvenile to JSD facilities and not to any specific program, it may add conditions of probation that require placement out of the home or participation in a general treatment program.

Aftercare/Reentry

In addition to making pre-adjudication decisions about youth and acting as case managers throughout supervision, JCCOs also provide aftercare supervision. Unit Treatment Teams, comprised of facility staff and the youth's JCCO, develop community reintegration plans.

Case Study of a Decentralized System – Pennsylvania

Pennsylvania uses a decentralized model characterized by local control and the use of private services to supplement its public network of juvenile services. The court of general jurisdiction in each of the state's 67 counties has jurisdiction over juvenile delinquency matters. Some courts have permanent juvenile divisions while other courts regularly schedule juvenile days.

Snapshot: Pennsylvania

Model:	Decentralized
Administrative Entity:	Department of Public Welfare's Bureau of State Children and Youth Programs (BSCYP) administers state-secure and staff-secure commitment facilities
Agency Configuration:	Agency within a child welfare/social service system
Budget:	$73,346,000 (BSCYP – FY 06)
No. of Youth Served:	41,036 (2003)
Detention:	23 facilities county administered; capacity for 793; number of admissions in 2003 – 13,923, with median stay of 10 days
Disposition:	In 2003 – placed 5,701 youth; placements in private institutions were most common type of placement (33.3%), followed by group homes (15.6%), boot camps (14.1%), wilderness placements (9.6%), and drug and alcohol placements (8.9%)
Probation Services:	By county probation departments
Commitment:	By juvenile court judge
Release/Reentry:	By juvenile court judge
Aftercare:	Variety of programs administered by county probation departments
Diversion Programs:	Variety of programs administered by county probation departments, police departments, district attorneys offices
Pending Placement:	Less than 6% of those detained in 2003 (845) detained pending placement or pending transfer to a placement

Source: Griffin, Patrick and Bozynski, Melanie. 2004. "Pennsylvania." *State Juvenile Justice Profiles*. Pittsburgh, PA: National Center for Juvenile Justice. Online. Available: http://www.ncjj.org/stateprofiles

Local probation departments, under the administrative authority of the juvenile courts, are responsible for initial screenings, predisposition, probation supervision, and aftercare supervision. Generally, counties run detention centers. Judges decide the placement or commitment of juveniles and their release. Relatively few juveniles are committed to state facilities. A juvenile placed outside the home is more likely to go to a private institution.

At the state level, the Department of Public Welfare (DPW) runs the State's secure juvenile facilities and advises the courts on institutional placement decisions through its Office of Children, Youth, and Families (OCYF). DPW approves and licenses local and private institutions and certifies each county's needs-based budget for payment of the 50 percent state reimbursement for county purchased detention services for juveniles. The Pennsylvania Commission on Crime and Delinquency is responsible for statewide criminal and juvenile justice system planning, coordination, and policy analysis and funds juvenile justice initiatives. The Juvenile Court Judges Commission (JCJC) establishes uniform administrative practices and procedures for juvenile courts, sets standards for juvenile probation departments and detention facilities, and funds certain programs for local probation departments.

Intake

Referrals for juvenile court intake come from law enforcement agencies, lower court judges, juvenile probation officers, schools, local children and youth agencies, parents, and victims. Except in more rural counties, the juvenile probation department is responsible for intake. Probation officers do intake screenings, review cases, and determine whether judicial action is warranted in each case. When allegations of serious crime are involved, the county district attorney's office participates in the decision making process and may issue a formal petition charging the juvenile with an offense.

Diversion

Probation departments, police departments, and district attorneys' offices administer diversion programs. Options include community service, restitution, victim/offender mediation, community-based dispute resolution programs (youth aid panels), tutoring, mentoring, and specific offense programs, including ones for shoplifting, vandalism, and substance abuse.

The intake recommendation of the juvenile probation officer or district attorney usually results in one of four options, three of which divert a juvenile from a court adjudication: (1) a warning and dismissal; (2) an informal adjustment that may or may not involve referral to outside agencies for services; or (3) a consent decree in which a juvenile delinquency petition is filed but proceedings are suspended and the case continued while certain services and rehabilitation efforts are provided. The more serious and disputed cases go through the formal judicial process.

Detention

Pennsylvania has 23 juvenile pretrial detention facilities, ranging in size from 8 to 130 beds, with a total capacity of 763 beds. Some facilities house youth from one county while others serve regional areas. All facilities must meet minimum standards of care, security, and services set by JCJC.

Under Pennsylvania law and JCJC detention standards, a juvenile taken into custody must be released unless detention is required to protect the person or property of another, protect the juvenile, or ensure the juvenile's attendance at the court hearing. In each instance, however, the court must give preference to forms of control other than secure detention. The law requires that the detention of a juvenile be as short as possible. While the state is required by law to reimburse the counties for 50 percent of detention expenses, its funding plan is deliberately structured to discourage unnecessary and inappropriate detention usage. The state pays 80 percent of the certified cost for in-home programs and 60 percent for residential placements.

Probation

Local courts administer the probation departments. Juvenile probation officers are responsible for probation and aftercare supervision in addition to the initial screening and predisposition investigation. While statewide standards for juvenile probation practices do not exist, JCJC has promulgated advisory standards. In instances in which JCJC funds county positions for specialized probation officer services, the standards are mandatory.

Commitment

The Bureau of State Children and Youth Programs (BSCYP), a division of OCYF in DPW, administers and manages the 13 state-owned youth development centers (YDC), youth forestry camps (YFC), and secure treatment units. Eight of the facilities are publicly operated and five are privately contracted. YDC/YFC has 532 secure treatment beds for habitual and violent juvenile offenders and 237 nonsecure beds for less serious offenders. BSCYP also has an 18-bed community reintegration program and a 64-bed facility for girls. The commitment facilities offer specialized programs for sex offenders, substance abuse offenders, emotionally disturbed offenders, and dual diagnosis offenders. OCYF's State Court Liaison Unit recommends to the court the programs or facilities best suited to meet a juvenile's needs in commitment. The juvenile court must review a commitment at least every six months.

Direct Placement

The juvenile court may directly place a juvenile without committing the juvenile to DPW. Over 500 private sector programs for delinquent youth exist including secure placement group homes; day treatment programs; alternative schools; wilderness programs; shelter care and foster care; and specialized mental health, drug and alcohol, and sex offender programs. One-third of all placement dispositions for juveniles in 2003 was to private nonsecure institutions while 10 percent involved sending youth to YDC/YFC. The state provides financial incentives to the counties to expand community-based services for juveniles rather than relying on commitment to state institutions.

Aftercare/Reentry

Juvenile probation departments generally administer aftercare programs. In addition, BSCYP serves 400 juveniles annually in a community reintegration program. Some counties provide intensive probation supervision and others contract with private providers for aftercare services. JCJC has promulgated advisory standards governing aftercare services. The standards are mandatory for a juvenile probation department receiving JCJC funds for aftercare services.

Case Study of a Decentralized System – Washington

Washington delivers juvenile services through a decentralized model. Each county operates its own juvenile court and detention and probation services. The state has responsibility for juvenile correctional institutions, parole, and aftercare and distributes state funds to counties.

Snapshot: Washington

Model:	Decentralized
Administrative Entity:	Department of Social and Health Services, Juvenile Rehabilitation Administration (JRA)
Agency Configuration:	Distinct agency under human service umbrella agency
Budget:	$119.2 million (JRA – FY 03)
No. of Youth Served:	2004 – 25,551 juveniles, 85% resolved before adjudication; of remaining 15%, 80% resolved with deferred disposition and 16.5% convicted
Detention Facilities:	21 facilities – 20 facilities administered by local courts and 1 county administered; capacity for 1482
Disposition:	JRA has approximately 1,600 juveniles under residential commitment and parole care
Probation Services:	In 36 counties, probation through juvenile probation department under juvenile court; in 3 counties, under county executive's authority
Commitment:	By juvenile court
Release/Reentry:	Decided by JRA
Aftercare:	JRA and local (state funding for certain research-based programs)
Diversion Programs:	JRA and local (state funding for certain research-based programs)
Pending Placement:	N/A

Source: Griffin, Patrick and Bozynski, Melanie. 2004. "Washington." *State Juvenile Justice Profiles*. Pittsburgh, PA: National Center for Juvenile Justice. Online. Available: http://www.ncjj.org/stateprofiles/.

There are 33 juvenile courts in the state. Juvenile courts are a division of the Superior Court. Generally, the local juvenile court operates juvenile detention facilities. The juvenile court also administers juvenile probation in 36 of the state's 39 counties. In the remaining counties, the county executive administers probation.

At the state level, the Juvenile Rehabilitation Administration (JRA), a division of the State Department of Social and Health Services, administers institutional commitment for serious or repeat juvenile offenders, prevention programs for at risk youth, parole and community aftercare, and reintegration programs. It also funds certain programs for local probation departments.

Intake

A prosecuting attorney reviews juvenile delinquency referrals made by law enforcement. The prosecutor decides whether to handle the case informally by referring the case to the juvenile court's diversion unit or formally by filing a petition in juvenile court.

Diversion

First time juvenile offenders referred for misdemeanor offenses are eligible for diversion. These juveniles may opt for diversion services or proceed to court. Diversion programs are operated by the local probation departments' diversion units. A diversion unit is made up of professionals and citizen volunteers, known as a Citizen Accountability Board (CAB). A CAB hears a case and creates a diversion agreement, with terms and conditions, for the juvenile to complete. An agreement may include community service, restitution, counseling or education programs, mediation, or victim/offender reconciliation

programs. Some counties have offense-specific alternatives to CAB, including alcohol abuse programs or shoplifting seminars.

Probation

For less serious offenses, a juvenile may receive a local sanction including up to 30 days in a local detention facility. Alternatively, the court may order a juvenile to serve a period of community supervision. The probation officer enforces the court-ordered conditions placed on the juvenile and oversees the treatment and intervention services that are part of the court plan.

Since 1999, county probation departments and JRA's aftercare/parole division have provided a state-funded prevention and rehabilitation program for high risk youth and their families known as Functional Family Therapy (FFT). According to a recent Washington State Institute of Public Policy (WSIPP) evaluation, FFT is responsible for a 38 percent reduction in felony recidivism.

The state funds counties that use certain research based programs that are shown by WSIPP to reduce recidivism with positive cost benefit savings. In addition to FFT, these programs include Aggression Replacement Training and Coordination of Services.

Detention

There are 21 secure detention facilities in the state with a total of 1482 beds. Juvenile courts operate 20 of the facilities. In King County (Seattle), the Juvenile Detention Division of the county Department of Adult and Juvenile Detention is responsible for juvenile detention. Some juvenile detention programs use alternatives to detention that include day and evening reporting, electronic monitoring, group care, and work crew programs.

A juvenile may be detained after arrest, while awaiting adjudication, as a disposition, or as a sanction for a probation or parole violation. State law requires the counties to develop and use detention intake standards to determine if detention is warranted and to determine the type of detention necessary. There is no statewide risk assessment used for determining whether a youth should be detained. Detention screening criteria and practices differ from county to county.

Consider, for example, the King County experience. By 1998, the King County juvenile detention facility was significantly overcrowded. Instead of building a new facility, the county examined its practices and wrote a Juvenile Justice Operation Master Plan. The plan included developing a risk assessment instrument to identify appropriate juveniles to detain, expanding the use of detention alternatives, limiting a juvenile's stay in detention by using sentencing guidelines, and accelerating the transfer of adjudicated youth to placement. Ninety percent of the juveniles at moderate to high risk of re-offending were referred to research-based interventions shown to be cost effective by WSIPP. As a result, King County demonstrated cost avoidance of $3.9 to $5.4 million by not building a new detention facility and cost savings of $3.5 million. Juvenile offender filings have declined nearly 50 percent from the 1998 statistics. Compared to

1998, there has been a 44 percent reduction in the average daily population of juveniles incarcerated in secure juvenile detention.

Commitment

If a juvenile is adjudicated delinquent for a felony offense, the juvenile court judge uses sentencing guidelines to give the juvenile a determinate sentence. The guidelines take into account the seriousness of the offense committed and the juvenile's history of prior offenses in establishing a range of sentences and sentence conditions.

When a juvenile is committed to JRA, legal custody transfers and JRA makes all placement and release decisions for the juvenile. JRA administers five secure commitment facilities and seven residential staff secure facilities. It contracts for beds in one detention center, four privately-operated facilities, and a basic training camp. In addition to juvenile corrections, JRA administers seven group homes and community residential programs.

Direct Placement

Juvenile court judges cannot order juveniles into placement without committing them to JRA. However, JRA administers and funds certain alternative sentencing options that allow juvenile courts to retain committable youth locally and provide community-based supervision and services. These programs include a suspended disposition, a sex offender disposition alternative, a chemical dependency disposition alternative, and a mental health disposition alternative.

Aftercare/Reentry

JRA's community division administers aftercare (called "parole") services. There are four types of parole: intensive, enhanced, 30-day transition, and sex offender parole. The intensive parole is a mandatory six months of supervision for juveniles with the highest risk of re-offending. Enhanced parole is 20 weeks of supervision for medium to high risk youth, while the transition parole is for juveniles with the lowest risk of re-offending and is aimed at establishing community service linkages for the juvenile. Juveniles who have committed specific sex offenses receive a mandatory 24 to 36 months of parole.

In 2002, JRA changed how it provided aftercare services. Previously, the focus was on the offender. In 2002, JRA shifted the emphasis to the family using a model called Functional Family Parole (FFP). JRA parole case managers work with the offender and family to improve family functioning, focusing on strategies to support and reinforce the positive changes the juvenile made in JRA. All juvenile parolees and their families receive FFP therapy. Parole counselors also utilize services such as mentoring, substance abuse programs, and sex offender treatment.

Case Study of a Combination System – Connecticut

In Connecticut, responsibility for juvenile services is divided between the Judicial and Executive branches of state government. The Court Support Services Division (CSSD), under the Judicial Branch, provides pre- and post-adjudication services, encompassing detention and probation supervision. The Superior Court for Juvenile Matters has exclusive original jurisdiction over juvenile delinquency proceedings. The Department of Children and Families (DCF) administers the state delinquency institutions and aftercare services.

Snapshot: Connecticut

Model:	Combination
Administrative Entity:	Department of Children and Families (DCF), Judicial Branch, Court Support Services Division (CSSD)
Agency Configuration:	Child welfare/social service system
Budget:	$75,433,876 (DCF); $62,374,450 (CSSD)
No. of Youth Served:	Approx. 686 (524 males, 162 females)
Detention:	CSSD operates three state-run pretrial detention facilities and contracts for three community-based detention programs for girls and alternative detention programs
Disposition:	Superior Court for Juvenile Matters has exclusive original jurisdiction over delinquency matters
Probation Services:	Juvenile probation officers assigned to CSSD supervise juveniles on probation
Commitment	By the juvenile court
Release/Reentry:	Juveniles remain committed and come under the supervision of DCF Parole Services until the term of commitment imposed by the court expires
Aftercare:	In addition to parole supervision, most juveniles also enter into community-based outreach, tracking, and reunification programs or participate in multisystemic therapy programs
Diversion Programs:	The Office of Alternative Sanctions maintains a full range of alternatives to incarceration; additionally, informal supervision is available through Juvenile Review Boards
Pending Placement:	Juveniles may be detained while awaiting placement in a committed facility or other program; generally, placement in residential settings occurs within two months and community-based services are accessed within a few weeks.

Source: Griffin, Patrick and Bozynski, Melanie. 2004. "Connecticut." *State Juvenile Justice Profiles*. Pittsburgh, PA: National Center for Juvenile Justice. Online. Available: http://www.ncjj.org/stateprofiles/.

Intake

Juvenile court jurisdiction ends at age 15. Consequently, 16- and 17-year olds who commit crimes are handled by the adult corrections system. For those children 15 years old or younger, police officers may opt to issue a warning and release the juvenile, refer the juvenile to a community organization, refer the juvenile to formal diversion services such as Juvenile Review Boards or a youth service agency, or make an arrest.

If an arrest is made, a Juvenile Summons is issued notifying the juvenile of the charges and the court appearance date. The Intake, Assessment, and Referral Supervisor at the juvenile court receives a police arrest report and decides whether the case should be scheduled for a court hearing or handled informally (i.e., nonjudicial processing; *see* "Diversion" below).

Diversion

The Intake, Assessment, and Referral Supervisor at the juvenile court may decide to handle a case informally (nonjudicial processing) based on the seriousness of the offense and the juvenile's past court history. The probation officer then has the option of

dismissing the case, placing the juvenile under supervision for a period of up to 180 days, or recommending formal adjudication.

In addition, police may refer a juvenile to a local Juvenile Review Board (JRB) in lieu of making an arrest. These municipality- and city-operated boards are generally comprised of police officers, school officials, social workers, day care providers, and probation officers. There are approximately 30 JRBs currently operating in Connecticut. Although all operate in similar fashions, there is no single model that a JRB must follow. This allows a JRB to be tailored to meet the needs of the particular community.

Cases suitable for diversion may also be referred to Youth Service Bureaus (YSBs) that contract with other community-based nonprofit organizations to provide diversion services for youth. YSBs address child welfare, mental health, juvenile justice, and prevention issues.

Detention

The Detention Services Unit operates three state-run pretrial detention facilities. In addition, CSSD contracts for three community-based detention programs for girls and alternative detention programs.

Detention is primarily for pretrial custody, although juveniles may be detained while awaiting placement in a committed facility or other program. Generally, placement in residential settings occurs within two months, and community-based services are accessed within a few weeks. If the juvenile has been determined to be of particular risk to self or the community or is a flight risk, placement in a secure facility may take several months.

Detention hearings are normally conducted on the business day after the juvenile is admitted to the detention center and are conducted at least every 15 days until the juvenile is released. If the youth is charged with a Serious Juvenile Offense (SJO) and the police officer believes that the welfare of the child or the safety of the community requires that the juvenile be detained prior to the court hearing, the officer may immediately transport the juvenile to a juvenile detention center operated by CSSD.

Admission in a detention center is limited to juveniles who are (1) charged with a serious juvenile offense, (2) subject to an outstanding arrest warrant or court order to take into custody, (3) ordered by the court to be held, or (4) transferred from another detention center to await a court appearance.

Alternatives to detention are available in nonresidential and residential settings for pre-adjudicated youth ages 10 to 16. The nonresidential Alternative to Detention Program is a highly structured, seven-day per week program suited for nonviolent juveniles. The Alternative Detention Center, a residential program, is a private, 24-hour, staff-secure environment for juveniles who are unable to remain at home while awaiting trial. Services include education, group discussions on various topics, substance/alcohol abuse education, and a mental health component.

Probation

Juvenile probation officers assigned to CSSD supervise juveniles on probation. Under Connecticut statute, the juvenile probation unit conducts an intake risk assessment of the juvenile assigned to probation and makes a case classification evaluation. If the juvenile probation unit deems it appropriate, the proposed probation plan may be submitted to a professional evaluation team. Teams may include a juvenile probation officer, a representative of the Office of Alternative Sanctions, a school employee, and any other interested parties. The evaluation team develops a probation treatment plan for each juvenile within 15 days of the date of the referral of the case to the professional evaluation team. The probation treatment plan includes: the type of residential or nonresidential placement, the projected length of placement for the juvenile and the projected cost, and the type of services needed by the juvenile and the projected cost. The juvenile court has the authority to approve or disapprove a probation treatment plan.

The Office of Alternative Sanctions maintains a full range of alternatives to incarceration. After adjudication, and prior to disposition, probation officers assigned by CSSD conduct a Pre-Dispositional Study, which consists of a comprehensive psychosocial history and a risk/needs assessment on the juvenile. The court may suspend commitment to DCF by making participation in an alternative incarceration program[3] a condition of probation.

CSSD contracts for approximately $30 million in residential and day reporting services for juveniles placed on probation and court-ordered, community-based programs.

Commitment

A juvenile court may commit a juvenile to a DCF facility for up to 18 months for non-SJO cases or four years for SJO cases. SJO commitments may also include "exile orders" which place offending juveniles away from their community for up to four years. Final decisions regarding placement and release are ultimately left to DCF.

DCF operates the sole state-run secure committed facility, the 240-bed Connecticut Juvenile Training School (CJTS). CJTS includes an assessment unit, parole revocation unit, special needs unit, general population buildings, and extensive space for education, vocational, and recreational programming. Upon arrival, all juveniles receive a comprehensive assessment. Reintegration planning and activities, including the active involvement of community service providers, occur throughout a juvenile's stay at CJTS. In addition, upon return to the community, the juveniles participate in an Aftercare Program providing ongoing supervision and continuation of services in accordance with each juvenile's risk and needs assessment.

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[3] Alternative incarceration programs can include restitution; community service; alternative incarceration centers; drug, alcohol, and mental health programs; electronic monitoring; vocational probation; structured wilderness programs; and school and job training programs.

Direct Placement

The Juvenile Matters Court generally does not place a juvenile directly in a private residential facility.

Recent Changes

Restructuring

DCF has been restructured to provide a more regionalized system. Regional Administrators within DCF are given authority to administer budgets and to contract with private vendors to provide services.

In 2002, DCF underwent a major shift in its approach to juvenile services by closing its Juvenile Justice Bureau and placing responsibility for juvenile corrections programs and services with DCF's Bureau of Behavioral Health, Medicine, and Education. This decision was based on data analysis that confirmed observations that delinquent juveniles display similar issues or problems as those who receive behavioral health treatment. The organizational shift reflects the need to emphasize the behavioral health treatment needs of delinquent youth.

Closure of the Connecticut Juvenile Training School

Governor M. Jodi Rell recently announced plans to close the troubled CJTS, which was built in 2001 at a cost of $57 million. A 13-page report released by DCF recommends closing CJTC by 2008 and replacing it with three smaller regional facilities for juvenile offenders, two for boys and one for girls. The Governor's budget office estimates the cost of housing a juvenile in one of the smaller centers at $240,686 a year, compared with $365,845 to house a juvenile at CJTC.

Specifically, the plan calls for establishing a regional management structure to plan, monitor, and track the reintegration of children into the community, utilizing programs focusing on education, parental support, and developing employment and life skills.

To fill the gap left by the elimination of the 240-bed facility, DCF plans to establish alternative programs offering the least restrictive setting consistent with public safety. These programs include group homes and therapeutic foster care.

Case Study of a Combination System – Virginia

In Virginia, juvenile services to delinquent youths are organized at both the state and local level. Juvenile and Domestic Relations Courts, sitting as district courts, exercise jurisdiction over juvenile delinquency proceedings. Detention is provided by each judicial district, and committed facilities are operated by the Department of Juvenile Justice (DJJ). Except for three urban and suburban jurisdictions, probation services are administered by DJJ.

Snapshot: Virginia

Model:	Combination
Administrative Entity:	Department of Juvenile Justice (DJJ)
Agency Configuration:	Free-standing department within the Executive Branch
Budget:	$199,141,586
No. of Youth Served:	Approx. 9,823 (7,780 males, 2,043 females)
Detention:	Detention homes, ranging in size from 20 to 120 beds, are locally operated but partially funded with state general funds
Disposition:	Ultimate authority to place a juvenile once committed by the court rests with DJJ; DJJ conducts a mandatory 30-day evaluation period prior to disposition to determine the appropriate correctional placement
Probation Services:	DJJ provides statewide standards for probation, which is operated by DJJ probation officers; although probation officers may recommend the length and conditions of probation, a judge has final authority over such matters
Commitment	By the juvenile court; committed facilities are operated by DJJ
Release/Reentry:	A DJJ Juvenile Corrections Administrator determines when, and upon what circumstances, a juvenile is released from DJJ; parole officers supervise parolees (released juveniles)
Aftercare:	Juveniles may receive counseling, supervision, community services, or residential and vocational placement
Diversion Programs:	First-time offenders are eligible for informal supervision, whereby an intake officer develops a plan for the juvenile that may include restitution or community service
Pending Placement:	Detention after adjudication is limited to 30 days; however, a juvenile case may be continued for "good cause," which can include "pending placement"

Source: Griffin, Patrick and Bozynski, Melanie. 2004. "Virginia." *State Juvenile Justice Profiles*. Pittsburgh, PA: National Center for Juvenile Justice. Online. Available: http://www.ncjj.org/stateprofiles/.

Intake

DJJ operates 32 Court Service Units (CSUs) in each judicial district and partially funds three locally operated CSUs. The three partially-funded CSUs, in Falls Church (19th judicial district), Fairfax County. (19th), and Arlington County (17th), operate under the same State Board of Juvenile Justice approved standards as state-operated CSUs but are locally staffed. CSUs provide intake, predisposition investigation, probation supervision, and aftercare services. Upon arrest, an intake officer at a CSU makes the initial decision whether (1) to take informal action (such as crisis-shelter care, detention outreach, or counseling), (2) to take no action, or (3) to file a petition. If a petition is filed, the intake officer decides, based on the juvenile's risk to self and community and whether the juvenile is a flight risk, whether the juvenile must be detained until trial. If the youth is placed in pretrial detention, a detention hearing must occur within 72 hours.

Diversion

If a juvenile is not alleged to have committed a violent felony or has not previously been proceeded against informally or adjudicated, an intake officer may elect to divert the case to informal supervision. The intake officer

must develop a plan for the juvenile, which may include restitution and the performance of community service.

Probation

DJJ establishes statewide standards that govern probation services, which range from secure confinement and community supervision to a variety of programs, including substance abuse treatment, academic support, vocational education, and anger management classes.

DJJ probation officers are required to develop an individualized supervision plan in addition to the conditions for probation set forth by the court. Supervision plans are reviewed by supervisors every 90 days.

Detention

Pretrial detention is locally administered; however, DJJ partially funds both the construction and operation of secure detention facilities. DJJ must conduct a uniform risk assessment for making detention decisions and recommendations to the court at detention hearings. There are 24 locally-operated detention homes. There is also one state detention facility, which is connected to a committed facility. Local detention homes range in size from 20 to 120 beds. The Virginia Code allows for a juvenile to remain detained for 30 days after adjudication. However, the case may be continued beyond 30 days for "good cause." "Good cause" could include pending placement in an appropriate program or facility, waiting for drug analysis, or the juvenile's attorney has a conflict.

Commitment

Youth adjudicated delinquent are committed to DJJ by the court. Within DJJ, the youth are served by the Division of Institutional Services. The division is comprised of one Reception and Diagnostic Center (RDC) for the intake, evaluation, and orientation of juveniles; seven Juvenile Correctional Centers (JCC) for the delivery of rehabilitative services; the Behavioral Services Unit; and the Health Services Unit.

At the RDC, the juvenile undergoes a 30-day psychological, educational, social, and medical evaluation period to determine the appropriate correctional placement for the juvenile. This process occurs after adjudication but before disposition. The court may request a particular placement for security and placement reasons, but DJJ has ultimate placement authority.

From the RDC, the juvenile may go to a privately-operated residential facility or community placement program or a JCC.

Direct Placement

A Juvenile and Domestic Relations Court makes all placement and release decisions for juveniles not committed to state care. The juvenile court may decide that a juvenile should be placed in a local placement facility, such as a group home or a residential treatment facility.

Aftercare/Reentry

A decision to release a juvenile committed to DJJ is made by the DJJ Juvenile Corrections Administrator. CSUs, operated by DJJ, provide supervision after release from commitment (referred to as parole) and community services. Juveniles may receive family and individual counseling, intensive supervision, referral to other community services, residential and vocational placement, or arrangement for services from other community providers. Parole officers require parolees to report at least monthly (depending on the risk level of the parolee).

There is one parole officer for every seven juveniles. Virginia is one of eight states that participated in the development of an intensive aftercare program for high-risk juvenile offenders. This model was developed primarily to reintegrate juveniles with a high recidivism risk and to lower the rate of failure and relapse.

Chapter 3. The Regionalization of Service Delivery in a Centralized System

The history of the development of the juvenile services delivery system in Maryland is itself an example of each of the different models for the delivery of juvenile services discussed above – from locally-based systems, through enhanced State oversight, to the current model of centralized State control.

The current centralized model in Maryland offers numerous potential advantages:

- The establishment of uniform statewide standards for service delivery. For example, DJS has established statewide detention standards for its detention facilities.

- The establishment of uniform statewide standards for employment. For example, all DJS employees receive standard background checks, undertake psychological assessments, and are trained through the Maryland Correctional Training Commission.

- The ability to take advantage of economies of scale. This is an obvious benefit in the area of contracting. It is also important in terms of planning for the delivery of services that might be otherwise impossible to deliver on a localized basis, such as residential sex offender beds.

- The investment of resources in data collection and program evaluation. For locally-based programs, the ability to invest in meaningful research and evaluation to guide continual improvement of programs and policies can be difficult. In fact, many state-level organizations also fail in this regard. Maryland's efforts in this area are nascent but evident.

At the same time, a centralized approach can contain weaknesses:

- A "one size fits all" approach may not reflect local concerns. For example, this has been a recent concern with DJS's risk assessment tool, leaving some local jurisdictions frustrated with an inability to take action against certain types of youthful offenders. It can also be difficult in terms of a single statewide pay scale that does not reflect the cost of living in different regions and is uncompetitive with local jurisdictions.

- It can inhibit the development of locally-based community partnerships. It is thought that the development of local leadership to identify trends, problems, assets, and risk factors is required to effectively target resources for juvenile delinquency prevention.

- An overly-bureaucratic central authority can undermine the ability of individual programs to effectively function. Some evidence of this can be seen in DJS's recent difficulty in

the hiring of personnel. The department's decision to assume control over programming at the Charles H. Hickey, Jr. School in April 2004 resulted in the need to quickly create and hire several hundred contractual employees. This appeared to overwhelm the central personnel office and distracted attention away from staffing problems at other state-operated facilities, in particular the Baltimore City Juvenile Justice Center.

- If the policy direction of the centralized authority is misguided, weak, or simply constantly changing, it can serve to undermine the whole system. For example, the same DJS youth centers that are currently credited for good programming were the same centers that were the focus of allegations of child abuse that precipitated the most recent focus on juvenile services in Maryland.

While Maryland's juvenile services delivery system is considered centralized, DJS has attempted to infuse regional or local characteristics into that system. The current organizational structure has numerous elements of regionalization within it. For example:

- DJS community services are organized around five regions: Area 1, Baltimore City; Area 2, Harford, Carroll, Baltimore and Howard counties; Area 3, Montgomery, Frederick and the three Western Maryland counties; Area 4, the Eastern Shore counties; and Area 5, Anne Arundel, Prince George's, and the three Southern Maryland counties.

- DJS has been building a network of regional detention facilities. In recent years, DJS has opened three new regional detention facilities (Baltimore City, Western Maryland, and Lower Eastern Shore) as well as utilizing the Charles H. Hickey, Jr. School for secure detention.

The regional delivery of services is certainly one that has been endorsed by the General Assembly. Chapters 431 and 432, Acts of 2004 established timelines and guiding principles for the development of a long-needed facilities master plan for DJS. The plan was to be developed in two phases, and both phases incorporated within them a strong regional emphasis:

- Phase one involved the development of an ideal service delivery system based on regional community-based settings and best practices and set against a backdrop of the anticipated populations to be served by the department. The identification of gaps in current services was to be included in this phase.

- A final facilities master plan was to be developed that would address identified service gaps and reflect certain principles, including regional delivery of services, small facilities (no more than 48 beds), distinct detention and committed facilities, and the removal of youth pending placement from secure detention.

Interestingly, the gap analysis that was presented to the General Assembly at the end of 2004 as the product of phase one made a number of observations about regionalization in Maryland based on the current five regions:

- In terms of residential capacity, although there are certainly gaps in the system, those gaps reflect the centralized nature of the system rather than gaps in service. For example, secure committed facilities are concentrated in Areas 2 (for males) and 4 (for females); youth center programming is found only in Area 3.

- Although the residential system is reasonably well-balanced overall, it would still require the creation of 363 additional slots in a variety of residential settings in order to achieve an even delivery of services across the different regions.

Since the 2005 session, DJS has made numerous public statements that seem to underscore its commitment to the regional delivery of services. Specifically, the department has indicated that it is considering consolidating the existing regional structure into four rather than five areas, and it has also indicated that the revised Area 3 (to include Howard and Carroll counties with the existing five counties) will have some element of budget and program authority as well as the exclusive use of Greenridge Youth Center as a committed facility for youth from that area. At the time of writing, however, little additional detail is available.

This lack of detail raises more questions than are answered by the department's comments. Some of these questions relate to the notion of regionalization generally, while others are pointed to the department's recent comments:

- How should the State be configured to deliver regional services? The development of regions should reflect size, the number of youth at intake, the physical condition of facilities across the State, the proximity of counties within an area, demographics, and access to transportation. There has been some discussion, for example, that DJS intends to combine Baltimore City and Baltimore County into a single region. While this may or may not ultimately occur, there has already been strong vocal opposition to this notion, including from local judges.

- If the State moves towards regional delivery of services, how decentralized should budget, personnel, and other decision making authority be? The recent history of DJS has been a command-and-control model emphasizing decision making and resource allocation at the Headquarters Office in Baltimore. How much will this change under regionalization, and will the regions be provided with adequate resources to effectively deliver regional services? It is interesting to note that one of the gap analysis recommendations was for funding in per diem residential programming to be allocated by region and for the regions to have control over that funding in order to develop nonresidential program alternatives. While the regions did appear to be given some flexibility in developing nonresidential program alternatives in the fiscal 2006 budget, the amount of funding made available to them was significantly less than funding for per diem residential placements.

- The notion of regionalization also involves developing relationships with local jurisdictions. While these relationships obviously exist at one level, the most recent experience of more extensive local control was not encouraging. In this instance, Montgomery County was to be provided with what was supposed to be its share of the dollars spent on DJS residential placements for Montgomery County youth and encouraged to create residential alternatives, pay only for what was spent by DJS on county youth, and reinvest any savings into additional residential alternatives. However, it became clear that the funding provided never reached actual levels of spending on residential placements, and essentially the county was simply returning the funds to DJS. The initiative was ended in fiscal 2004.

- Should all services be available in each region or are there exceptions to this rule? For example, does it make sense to develop beds in every region for specialized populations, such as sex offenders or maximum security committed placements? How much regional capacity should be provided on a gender basis? The gap analysis report itself notes the need for the development of two centralized facilities for populations that have proven to be hard to place: youth with low levels of functioning and youth with severe emotional disturbances.

The department has indicated that some services will be delivered on a statewide basis. However, again, it has yet to begin to articulate what those services should be and how they should be delivered. Part of the answer may come in the facilities master plan due to be submitted January 2006. However, at a public hearing during the 2005 interim, DJS indicated that for the sex offender population, the assessment of need may be several years away.

In summary, it is unclear at this point how or if DJS's reconfiguration of its area structure will translate into the development of regionally-delivered services as envisaged by the legislature in Chapters 431 and 432 and how successful DJS will be in reshaping the current delivery system for juvenile services.

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