

# Why Juvenile Justice Should Matter to Counties



Presented by Nicole Kern

*Who are we?*

*It depends on  
who you ask....*

*Too tough on kids....*



**DISCIPLINE**

You know they deserve it.

*Too soft on kids....*





# *The roles we play....*

Advocate

Mentor

Parental figure

Guidance counselor

Motivational speaker

Disciplinarian

# How do kids end up on probation? Where did we go wrong?

It is very rare for a juvenile to end up in the justice system without having had some type of contact with county systems.

The majority of juveniles who end up on probation were previously the focus of a child welfare case, an education neglect case or a family assessment.

# Why does this happen?

Unmet needs of the family will often result in a juvenile continuing to “reach out for help”.

If those needs go unmet, the juvenile could eventually end up in the criminal justice system and potentially in an out of home placement

# Juvenile Justice or Human Services?

Early intervention by all agencies is the key to limiting the depth of involvement into the justice system for any juvenile.



It is estimated that one high risk youth who does not turn their life around and remains in the criminal justice system will cost taxpayers up to \$1.4 million dollars during their lifetime.

*Journal of Quantitative Criminology, Vol. 14, No. 1, 1998*

# We need to change our thinking

The saying “it’s *just* juvenile” is all too common. We need to realize that we have a chance when they are “just juveniles” to help them turn their lives around.

If we put more focus on helping juveniles to make better choices early, we can avoid costly expenses in the future. The easiest way to avoid an out of home placement is to intervene earlier.

# The Past:

In the 1990's almost every juvenile who was found guilty of committing a crime was placed on supervised probation.

# The Past:

In the first decade of 2000, we began to slowly introduce diversion programs and risk/needs assessments.

# Risk/Need/Responsivity

## Risk Principle:

Programming and intervention should be matched to the risk level of the juvenile

## Need Principle

Identify appropriate needs to be targeted for interventions in attempting to reduce recidivism

## Responsivity Principle:

The intervention utilized should be matched to the juvenile's interests, strengths and learning styles



# **“Juvenile numbers”**

Increased diversion programming and a better understanding of the risk/need principle have lowered the number of juveniles on formal probation.

Probation focuses our resources on the juveniles with a higher risk to reoffend or with a person offense such as a weapons charge or sex offense.

# **Risk/Need/Responsivity Tools and programs**

- ❖ Mental Health Screen: (MAYSI or POSIT)
- ❖ Trauma Screen
- ❖ Risk/Needs assessments
- ❖ Motivational Interviewing
- ❖ Restorative Justice (Community Response to Crime Panels, Sentencing Circles, Victim Impact Panels)
- ❖ Carey Guides (tools to provide insight and increase motivation and investment toward change).
- ❖ Thinking for A Change and Decision Points Cognitive Behavioral Programming

# The Assessments.....

- Mental Health Screen (MAYSI/POSIT)
- Trauma Screen-
- Risk/Needs Assessments (YLS 2.0)

# The Skills.....

- Motivational Interviewing
- Carey Guides

# The Programs....

- Restorative Justice
- Thinking for A Change/Decision Points
- Crossover Youth/Duat Status Youth



# Restorative Justice

- Community Response to Crime Panels
- Victim Impact Panels
- Victim Offender Mediation
- Sentencing Circles

# Thinking for A Change/Decision Points

Cognitive Behavioral Programming which helps to identify how actions and reactions impact the outcome of an event....teaches new techniques for how to better react.

# Crossover Youth/Dual Status Youth



## CROSSOVER YOUTH

Youth who are at risk of or are fluctuating between the child welfare and juvenile justice systems.

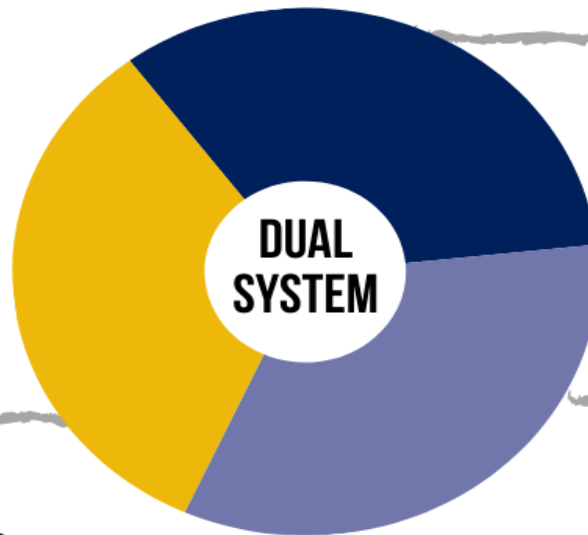
### DUAL SYSTEM

Crossover youth who are referred for an investigation and/or have involvement with both the CW and JJ systems



### DUAL CONTACT

Dual systems youth who are referred for an investigation and/or have involvement with both the CW and the JJ systems but the referral/involvement across systems is non-concurrent



### DUALLY INVOLVED

Dual systems youth who are referred for an investigation and/or have involvement with both the CW and JJ systems concurrently



### DUALLY ADJUDICATED

Dual systems youth who are formally adjudicated in both the CW and JJ systems concurrently.

Herz, D. & Dierkhising, C. (2018). OJJDP Dual-System Youth Design Study. Summary of Findings and Recommendations for Pursuing a National Estimate of Dual System Youth.

# COMMUNITY PROGRAMMING

- ❖ **Dual Status/Crossover Youth Programs:** Utilized to get kids the correct services- Who is best to serve this youth? (Social Services, DD, CMH or Corrections?)
- ❖ **Mental Health-** Children's Mental Health, Outpatient Mental Health, School-based Mental Health
- ❖ **Chemical Dependency-** outpatient treatment programs and education programs. If inpatient treatment is utilized, we assist in transition planning
- ❖ **Cognitive Behavioral Programming-** facilitated in the community by trained agents.
- ❖ **Restorative Justice-** Community Response to Crime Panels, Victim Offender Mediation completed by trained agents or local agencies.

# The Present:

## *Prior to the pandemic:*

Caseloads were stable, we had mostly the “*right*” kids on probation.



# “Juvenile numbers”

The juveniles that remain on our caseloads are some of the most difficult that probation has ever dealt with.

These juveniles have severe Mental Health issues, Chemical Dependency issues, Family System Failure or very little family support.

# Youth in Juvenile Justice Have Major Behavioral Health and other needs:

- Up to 70 percent of youth in the juvenile justice system suffer from mental health disorders.
- Over 60 percent of those with a mental health disorder also have a substance use disorder.
- Among those with mental health disorders, 27 percent have disorders so severe that their ability to function is significantly impaired.<sup>2</sup>

# The Present:

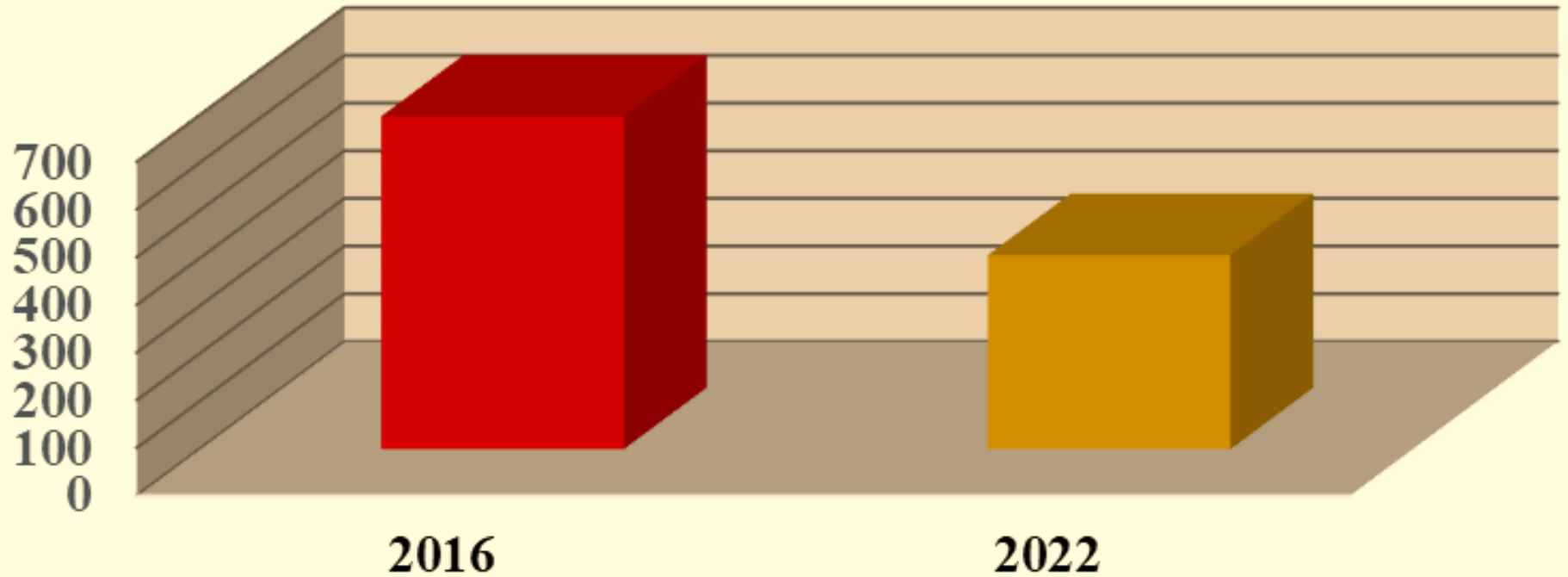
## *Post pandemic:*

Our numbers are still much lower than the 90's but we are seeing an increase in violent crime and felony crimes and now we have a detention and residential bed shortage.

# What happened to the non-secure beds?

- PREA requirements reduced the beds available due to staff to resident ratio requirements
- Facilities closed due to new licensing requirements and other issues.
- Mental Health facilities closed which leaves no place other than non-secure detention and residential facilities for mental health youth who are acting out.

# Non-Secure Residential Beds 2016 and 2022





# A perfect storm

## Increasing juvenile violent offenses statewide:

- In the first 6 months of 2022 we have more Assault, Weapons and Robbery offenses than in all of 2018.
- We are on track to have a dramatic increase in Drugs, Burglary, and Vehicle Thefts.

Non-secure beds are filled by non-probation use and secure beds are full because that is all we have left to use.

**BRACE YOURSELVES!**



**THE SKY IS FALLING!**

# The Future:

With increasing numbers in some violent crimes for juveniles, we need to prepare and invest in making sure we have what we need in place.

Do not cut juvenile justice funding. Now is the time to invest in preventing juveniles from falling deeper into the criminal justice system.

# What do we need for juveniles?

MN DHS to build regional mental health housing/facilities for youth who should not be living in correctional detention facilities. Support for keeping those same DHS kids from being pushed into corrections.

# What can elected officials do?

Support funding for corrections so that caseload sizes allow probation officers enough time to manage cases which includes collaborating with mental health workers, schools, therapists and families.

# What can elected officials do?

Continue to support preventative programming “**front end loading**” which will allow both social services and corrections to hopefully turn things around for a juvenile before they get in too deep.

Support funding for “**wrap around**” services such as Crossover Youth or Dual Status Youth programs which will greatly increase the likelihood of a juvenile being successful.



# Programs versus detention

Programs such as Crossover Youth Model, Children's Mental Health, co-case management and Juvenile Justice Programs cost much less than detention or out of home placements.

The goal is to invest in services that help avoid out of home placements for the future.

# What do we need for juveniles?

*The same thing we need for adults...* better funding by the State of Minnesota. When the State fails to meet their obligations, the following things happen:

- Counties are on the hook to make up the shortfall.
- Caseloads become larger and budgets become smaller creating a dangerous spot for public safety.

# What do we need for all county corrections?

We need the State of Minnesota to pay its fair share for correctional supervision within the counties.

The State has failed, and Minnesota is now ranked last in the nation for the funding of community supervision.

We need an equitable funding stream that is based on the risk of recidivism and does not require county levy dollars to protect public safety.

# **One Funding Formula for All Counties**

Community supervision funding should be allocated using the same formula for every county, regardless of delivery system. Funding should be distributed to each county and tribal nation to decide how it should be used and which delivery system works best for each jurisdiction. The new formula must be equitable, transparent and consider the needs of each county.



# *Questions?*



*A bend in the road is not the end of the road...  
unless you fail to make the turn.*