AGENDA

CONTRA COSTA COUNTY
JUVENILE JUSTICE COORDINATING COUNCIL
DJJ REALIGNMENT PLANNING SUBCOMMITTEE

May 13, 2021
12:00 p.m. to 1:30 p.m.

Zoom Meeting Details on Page 2

1. Welcome (12:00-12:05)
2. Public Comment (speakers may be limited to two minutes) (12:05-12:10)
3. Consider Approving the Record of Action from April 29, 2021 (12:10-12:15)
4. Review of Group Norms and Values (12:15-12:20)
5. Presentation by Dr. Dani Soto on The Cycle of Juvenile Justice and its Historical Context (12:20-1:05)
6. Mapping Reentry Resources in Contra Costa County (1:05-1:20)
7. Discussion of Plan B Timeline and Process (1:20-1:25)
8. Outstanding Items (1:25-1:30)
9. Adjourn

The Juvenile Justice Coordinating Council (JJCC) will provide reasonable accommodations for persons with disabilities planning to attend JJCC meetings. Contact the staff person listed below at least 48 hours before the meeting. Any disclosable public records related to an item on a regular meeting agenda and distributed by staff to a majority of the members of the JJCC less than 96 hours prior to that meeting are available for public inspection at 50 Douglas Drive, Suite 201, Martinez, CA during normal business hours, 8:00 a.m.-12:00 p.m. and 1:00-5:00 p.m. Materials are also available on line on the Probation Department's website. For additional information, contact: Deborah Caldwell, Executive Secretary, (925) 313-4188 Deborah.Caldwell@prob.cccounty.us

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RECORD OF ACTION

DJJ REALIGNMENT PLANNING SUBCOMMITTEE of the Juvenile Justice Coordinating Council (JJCC)

April 29, 2021

12:00 p.m. to 1:30 p.m.

ZOOM Virtual Meeting

Present:
Steven Blum, Behavioral Health
Esa Ehmen-Krause, Probation
Roslyn Gentry, Children & Family Services
Barbara Hinton, CCC Juvenile Presiding Judge
Joni Spears on Behalf of Jonathan Laba, Public Defender
Lynn Mackey, Board of Education
Stephanie Medley, Community Representative
Ri Scott, Chair of JJC
Andrea Tavenier, District Attorney
Tamisha Walker, Community Representative

Absent:
Jonathan Laba, Public Defender

Meeting called to order by Esa Ehmen-Krause, Chief Probation Officer, at 12:02 pm

Item 3 – Approve the Record of Action from the April 15, 2021, Meeting

Approve as presented

Lynn Mackey (Board of Education), Ri Scott (Chair of JJC)
AYE – 9 Councilmembers
Abstain – Barbara Hinton (CCC Juvenile Presiding Judge)

Meeting adjourned at 1:32 p.m.

IMPACT/JUSTICE
Research & Action Center

SUMMARY BRIEF

Promoting a New Direction for Youth Justice

Strategies to Fund a Community-Based Continuum of Care and Opportunity

ABSTRACT

Research demonstrates that community-based alternatives are generally more effective at reducing harmful behaviors than incarceration. However, establishing a true continuum of care for system-impacted communities—one that is not only reactive, but also proactive—will require significant financial investment due to the historical disinvestment in those regions. First, in directing funds, jurisdictions should clearly define and engage youth constituencies for the purpose of seeking input generally and for participatory budget processes especially. Second, to secure funding, jurisdictions may:

- directly capture savings from reduced youth incarceration;
- convert shuttered youth detention facilities into a community resource—either directly through development or indirectly through leasing the land and reinvesting the rental income;
- maximizing state and federal grants through creative interagency partnerships;
- establishing a new tax, e.g. Oakland's Measure Z;
- pursuing public-private partnerships with social impact bonds or creative use of Opportunity Zones; or,
- cannabis legalization.

Suggested Targets for Reinvestment

- meeting the basic needs of youth (e.g., housing and nutrition)
- youth enrichment (e.g., after-school recreation activities)
- community enrichment (e.g., building a community center that is open, welcoming, and operated by community members)
- education, job training, and employment opportunities
- mentor programs (with mentors who can identify with, and relate to, youth)
- problem-solving solutions outside the traditional juvenile justice system (e.g., peace circles and restorative justice programs

Promising & Innovative Strategies

Capturing and redirecting savings from reduced youth incarceration and facility closure

- Establishing a "lockbox mechanism" that directly captures and holds savings in a statutorily protected fund
- During the budget process, allocate savings to a specific community-based program

Strategies

- Create, strengthen, and expand constituencies that can politically preserve a new funding status quo
- Build relationships with appropriations officials
- Learn the language of appropriations to appropriately frame and provide evidence for new or continued funding proposals

Repurposing youth facilities and leveraging land value

- Establishing a public-private partnership alongside a coalition of university partnerships to teach healthy life skills
- Leasing a property to an outside company for commercial development
- Selling land-use rights, e.g. natural resource extraction or agriculture and grazing rights

Maximizing existing state and federal funding opportunities

- Increase coordination between the child welfare and juvenile justice systems to maximize use of, e.g., the Title IV-E Child Welfare Waiver Demonstration program and Medicaid funding (for young people on probation, parole, or home release)

- Increase coordination between workforce, education, and juvenile justice agencies to maximize use of, e.g., Pell grants and WIOA's youth program funds
- Increase coordination between public safety agencies to maximize use of Victims of Crime Act (VOCA) funding, which is no longer federally restricted for victims with system involvement
- Coordinate between agencies to make use of Community Development Block Grant (CDBG) funds to support school- and community-based programs

Establishing a new tax

- Oakland's Measure Y (2004) and Measure Z (2014) parking and parcel taxes, the revenue from which supports community-based violence prevention and intervention programs
- Pinellas County's (FL) similar tax that supports programming around school readiness, prevention of abuse and neglect, and strengthening community supports

Pay for success models (social impact bonds)

- New York City's Adolescent Behavioral Learning Experience, aimed at reducing youth recidivism by 10%
- Illinois' Dually-Involved Youth Project (no additional details provided)
- Massachusetts' Juvenile Justice PFS Initiative (no additional details provided)

Participatory budgeting

- Boston's Youth Lead the Change program
- Seattle's Youth Voice, Youth Choice
- Phoenix Union High School District (AZ)
- New York City high schools
- Tacoma-Pierce County Health Department (WA)

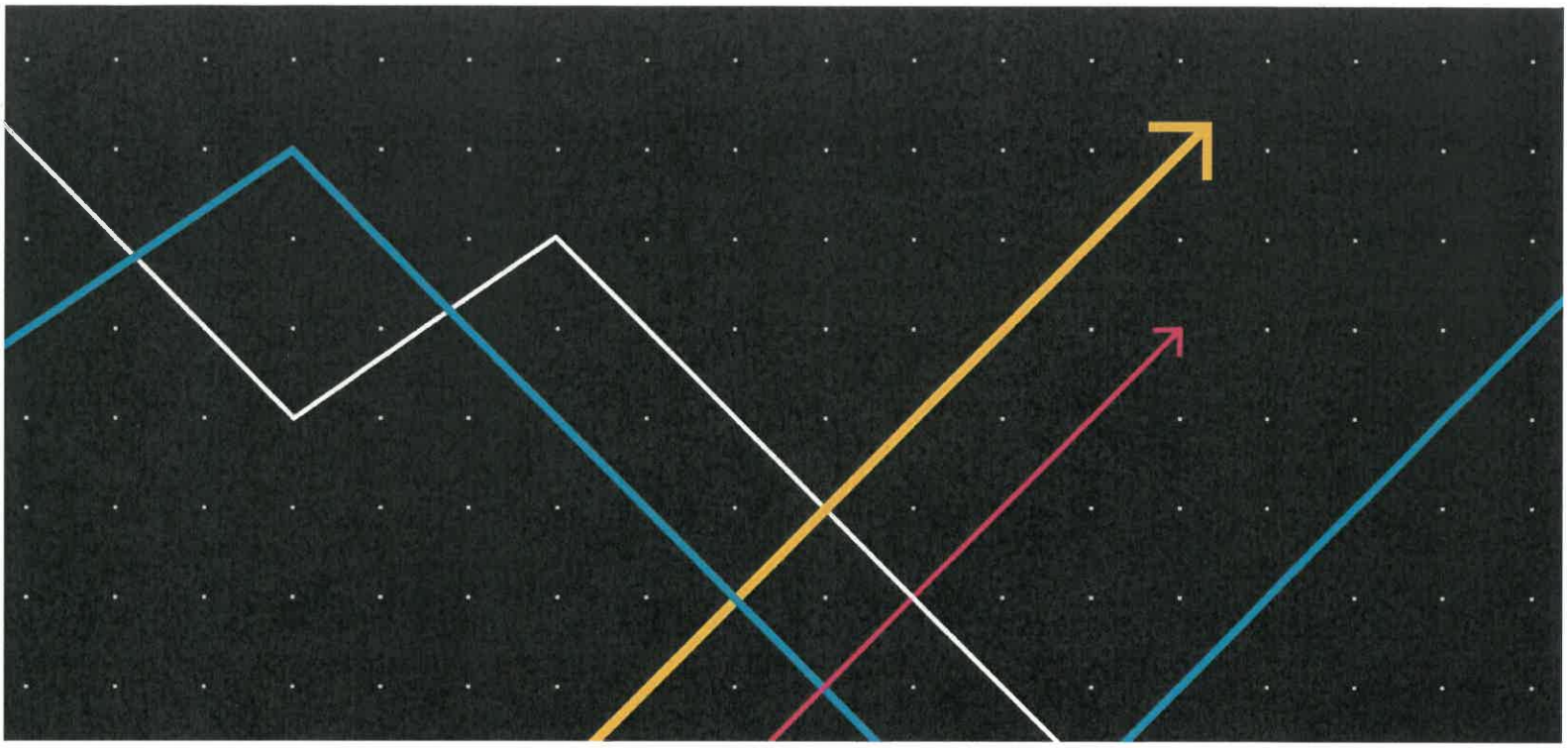
Opportunity Zones

- Goldman Sachs Urban Investment Group in Long Island City
- Healthy Neighborhoods Albuquerque

Cannabis legalization

- Community reinvestment from sales revenues, e.g., California, Massachusetts

JUSTICE POLICY CENTER



RESEARCH REPORT

Promoting a New Direction for Youth Justice

Strategies to Fund a Community-Based Continuum of Care and Opportunity

Samantha Harvell *Chloe Warnberg* *Leah Sakala* *Constance Hull*

March 2019

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ABOUT THE URBAN INSTITUTE

The nonprofit Urban Institute is a leading research organization dedicated to developing evidence-based insights that improve people's lives and strengthen communities. For 50 years, Urban has been the trusted source for rigorous analysis of complex social and economic issues; strategic advice to policymakers, philanthropists, and practitioners; and new, promising ideas that expand opportunities for all. Our work inspires effective decisions that advance fairness and enhance the well-being of people and places.

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We are grateful to the many people who took the time to share their experience, perspective, and vision for better youth justice investments. The authors thank the participants in the August 9, 2018, *Innovative Strategies for Reinvesting in Youth Justice* convening, the youth advocate roundtable participants, and the interviewees who generously shared their time and expertise with us. We want to acknowledge Randy Bowman, Laura Goren, Dakota Hall, Josie Halpern-Finnerty, Shelli Jackson, Todd Landry, Josh Lerner, Galit Lipa, Alezandra Melendez, Sharlen Moore, Ann Rooney, Noran Sanford, Valerie Slater, and Kelly Walsh in particular for their review of prior excerpts and drafts as well as Carmen Daugherty, Liz Ryan, Mishi Faruqee and Hernan Carvente with Youth First for their collaboration on this report. We are also grateful to our colleagues Akiva Liberman and Nancy La Vigne for their support and feedback during this process and to Hanna Love for all her contributions to the conceptualization and planning of the convening. Any errors are the authors' responsibility alone.

Introduction

Over the past two decades, the United States has seen a dramatic decline in youth arrests and a fundamental shift in its approach to youth justice. Recognizing the detrimental effects of incarceration on youth and communities, states and localities are increasingly embracing community-based strategies to prevent, intervene, and respond to harmful and/or illegal behavior. Yet, despite this shift, they continue to funnel the vast majority of funding to incarceration rather than investing in community-driven solutions. Building a true continuum of care and opportunity for youth and families in their home communities to both prevent and address the root causes of illegal behavior requires substantial investment, particularly given that communities disproportionately impacted by youth incarceration often also experience concentrated disadvantage that creates structural barriers to youths' success. There is a pressing need to identify proven, promising, and innovative strategies for investing in community-based solutions and, moreover, to follow the lead of those closest to the challenges on the ground in developing and implementing tailored strategies. This is the next frontier of juvenile justice reform and crucial to the kind of transformational change that true justice demands.

To fill this gap, the Urban Institute launched a project to explore methods that states and localities have used, or could consider, to invest in a continuum of care and opportunity for youth and their families (see box 1 for an overview).[1] This report summarizes strategies that Urban identified through interviews with a wide range of experts, both inside and outside the juvenile justice system; an all-day multidisciplinary convening; two roundtables with youth advocates; and a review of relevant documents (see box 2 for additional information on the project methodology). It focuses on potential strategies for reinvesting justice system resources, leveraging existing state and federal funding streams, and creating new sources of funding to support programming in historically disenfranchised communities in which many youth and families are, or are at risk for becoming, involved with the justice system. The report aims to answer one guiding question: *How can we support better outcomes for youth and families by investing more resources in programming and community development strategies in neighborhoods disproportionately impacted by incarceration?*

BOX 1

What Does a Continuum of Community-Based Care and Opportunity for Youth Look Like?

Throughout this report, we reference a "continuum of community-based care and opportunity" for youth. "Community-based" is used here to reference any *nonresidential* program, support, resource, or service that youth and families can access while living in their homes. It does not include local residential services such as detention or placement-based services or treatment. A well-resourced continuum would include a range of supports and opportunities that build on youth and family strengths and assets to promote healthy development, improve family functioning, meet essential needs, and strengthen neighborhoods. Ideally, youth and families would have access to a rich variety of supports and services outside the juvenile justice system so that it is not the only entry point for access and participation can continue beyond a youth's involvement in the justice system. Services should be culturally appropriate, effective, and responsive to the evolving needs of youth and families. In addition to services and resources to address underlying needs, a well-resourced continuum would advance community development strategies that expand educational, workforce, and enrichment opportunities. Community-based continua of care and opportunity would include the following:

- access to health care, including mental health treatment
- civic engagement and service learning opportunities
- crisis services, including mobile units
- early care and education
- economic development and community infrastructure
- educational and vocational support and programming, apprenticeships, etc.
- family therapy
- holistic victims' services
- life skills programs
- mentoring programs
- parenting programs
- pathways for future economic opportunity and job opportunities that provide a living wage
- positive youth development programming, including school-based programs
- programs that support basic needs including safe and affordable housing, adequate nutrition, and reliable transportation
- prosocial enrichment and recreational opportunities (e.g. sports, art, music, theater, etc.)
- respite and support for families with complex needs
- restorative justice programming
- substance use treatment
- thriving community centers and safe spaces for recreation
- trauma recovery and healing programming and supports
- violence prevention and gang intervention programs

FIGURE 1

Continuum of Care

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The Need to Invest in Community-Based Youth Justice Solutions

Ideally, the goal of juvenile justice is to hold youth accountable in developmentally appropriate ways, reduce the likelihood of future harmful behavior, and help youth get on track to healthy adulthood (NRC 2013). Effective approaches minimize justice system exposure: divert youth from formal system involvement when possible (Petrosino, Turpin-Petrosino, and Guckenburg 2010; Wilson and Hoge

2013), strictly limit out-of-home placement to only the most serious cases (Aizer and Doyle 2015; Hjalmarsson 2008; Nagin, Cullen, and Jonson 2009; Villettaz, Killias, and Zoder 2006; Western and Beckett 1999), and connect youth with resources, services, and support in their own communities (Harvell et al. 2018; NRC 2013). Youth who are demonstrating normal adolescent behaviors are best supported entirely outside the juvenile justice system (NRC 2013). For those who do require targeted intervention for harmful behavior, research has shown that community-based options are generally more effective than incarceration in reducing reoffending (Fabelo et al. 2015; Ryon et al. 2013). Although incarceration disconnects youth from critical family and social supports, interferes with prosocial development, and does a poor job of preventing reoffending (NRC 2013), community-based programs that meet youth needs, build critical skills, and promote positive development can more effectively get youth back on track to successful adulthood (Harvell et al. 2018).

BOX 2

Methodology

The Urban Institute collected information for this report using the following methods:

- interviews with more than 20 advocates; government agency officials; legislators; representatives from community organizations; and other stakeholders with expertise on state budget systems, justice reinvestment, community investment, and juvenile justice conducted between June and October 2018;
- a convening on "Innovative Strategies for Reinvesting in Youth Justice" with approximately 40 advocates, practitioners, and budget experts in Washington, DC, in August 2018;
- two roundtables with approximately 25 youth advocates (including teenagers, young adults, and staff) in Milwaukee, WI, and Richmond, VA, on "Making Smarter Investments in Juvenile Justice" in November and December 2018; and
- a review of relevant program materials, research, and reports of identified programs, examples, and strategies.

Many states and localities have recognized the research on improving outcomes for youth, and youth incarceration rates have plummeted over the past decade. Between 2006 and 2015, the national juvenile commitment rate fell by half.[2] Although this trend parallels a similar decline in arrest rates,[3] it also reflects deliberate choices at the state and local levels to opt for community-based alternatives to incarceration for most youth. For example, in 2007, California overhauled its approach to youth

corrections, shifting responsibility for supervision of most youth from a central state agency to local probation departments through Senate Bill 81. The state subsequently saw a 60 percent reduction in youth detention and a 74 percent reduction in state placements.[4] Kansas also took a legislative approach to change, passing sweeping juvenile justice reforms with Senate Bill 367 in 2016 that prohibited the use of incarceration for many less serious offenses among other changes. Youth incarceration in corrections facilities fell 23 percent in the first year, allowing the state to close two youth prisons and freeing up millions of dollars to reinvest in community-based treatment for youth (Durnan, Olsen, and Harvell 2018). New York City similarly worked to reduce the use of detention over the past 10 years, improving the use of a standardized risk assessment tool to inform detention decisions and implementing innovative solutions—such as evening arraignment options—that expedite the justice process. Between 2009 and 2018, the number of youths detained in the city declined significantly from 430 to fewer than 80.[5]

Despite great progress, declines in youth incarceration have exacerbated racial and ethnic disparities in the current juvenile justice system. The movement away from youth incarceration has not benefited everyone equally, and today, compared with a decade ago, youth of color are pulled into the system and kept there at even more disproportionate levels than their White counterparts. Between 2003 and 2013, the disparity between Black and White youth incarceration commitment rates grew by 15 percent. The most recent data (2015) suggest Black youth were five times more likely than White youth, and Latino youth were 65 percent more likely than White youth, to be detained or committed (Sentencing Project 2016, 2017a, 2017b). This disproportionality cannot be accounted for by differential crime rates alone; rather, it stems from a wide range of factors including systemic inequality and differential access to prevention and diversion support (Vessels 2015). Disproportionate arrests of youth of color are a particularly significant driver of the disproportionately high incarceration rates at later stages of the justice process (Sentencing Project 2016). The causes of racial and ethnic disparity in juvenile justice are wide-ranging and complex, requiring multipronged solutions that simultaneously address structural inequality, bias, and prevention and support services. Community investment can be a key component of strategies to reduce the overrepresentation of youth of color in the juvenile justice system by strengthening local infrastructure and bolstering continua of care.

The dramatic decline in youth incarceration creates opportunities to reallocate resources and spending toward ensuring that youth and their families have the support they need to thrive, particularly in communities of color. However, the states and localities moving away from incarceration are not investing in community-based support systems for youth at the same levels. Policymakers and advocates often point to the potential cost savings of opting for community-based alternatives (which

typically cost pennies on the dollar compared with the annual cost of youth incarceration) over detention and out-of-home placement (McCarthy, Schiraldi, and Shark 2016).[6] States still spend significantly more on youth prisons than on community-based alternatives. Connecticut, for example, spent more on the Connecticut Juvenile Training School than all alternatives combined in 2015 (Love, Pelletier, and Harvell 2017). Similarly, Kansas spent $7 of every $10 of its juvenile services funds on youth incarceration in 2015,[7] and Virginia spent $15 on youth incarceration for every $1 spent on community-based services in 2016.[8] Effectively shifting away from youth incarceration requires a robust and well-resourced continuum of care and opportunity for youth in the community and support for their families and caregivers. Meeting the comprehensive needs of youth and families and advancing broader community development requires dedicated financial resources. Funding youth support systems in underresourced and historically disenfranchised communities is especially important for addressing persistent racial and ethnic disparities.

Structuring Investments to Address Youth and Community Needs

Because youth, their families, and their communities are the primary stakeholders in youth justice investment strategies, it is essential that they are given opportunities to inform such strategies by sharing their expertise, perspectives, and experiences. In communities with high rates of justice system contact (which disproportionately include communities of color and communities with high rates of poverty) members are often excluded both from policy conversations and budget lines associated with justice and safety (National Academies of Sciences, Engineering, and Medicine 2018). This constitutes a missed opportunity, as the people closest to public safety challenges have critical perspectives and insights with which to inform the development of effective solutions.

Clearly defining community constituencies is a prerequisite for ensuring that those stakeholders inform and guide strategy discussions. The communities within which youth live, grow, and learn are various and can be defined by social circles and relationships, school district, neighborhood, identity and demographics, faith, native language, immigrant status, or common experience. Such communities can provide youth valuable support as they transition to adulthood, and engaging youth in the decisionmaking process can ensure that resource strategies leverage the communities most salient to them.

Giving youth and their families a seat at the table may also lead to more expansive and creative investment strategies. While many traditional efforts to promote safety and stability for youth have focused on programs and services, some youth emphasize the importance of drawing a more direct connection between meeting basic needs and broader safety and stability (box 3 summarizes findings from two focus groups with youth advocates on resource investment). For example, the Young Women's Freedom Center conducted interviews with more than 100 women in San Francisco who were involved in the justice system. Those women reported that finding stable and affordable housing and living-wage jobs were far higher priorities than receiving therapy or other kinds of programming (Melendrez 2019). Ensuring these basic needs are met is an important precursor to other programs and services, since lacking basic resources such as adequate nutrition or safe and stable housing can preclude participation in other activities, services, and programs. Reinvestment strategies can target basic needs in various ways, such as improving school lunches or revising restrictions on public housing.

BOX 3

Where Should the Money Go?

States and localities looking to achieve a well-resourced continuum of care and opportunity for youth must weigh competing priorities. Youth and community input is critical in determining where financial resources are targeted. Involving youth and families in decisionmaking helps ensure that those most directly impacted by the system play a role in shaping better policy, as well as increasing fairness and the efficient use of resources. Localities have used a wide range of strategies to engage youth, families, and community members in discussions around justice investments and formalize and prioritize their input into surveys, town halls, focus groups, and participatory budgeting.

During two separate roundtables in Milwaukee, Wisconsin, and Richmond, Virginia, youth advocates including teenagers, young adults, and support staff discussed the best targets for financial investment in youth. Participants focused on capacity building to serve justice-involved youth outside the traditional juvenile justice system, as well as increasing access to services for youth not necessarily involved in the justice system. Some suggested targets for reinvestment include the following:

- meeting the basic needs of youth (e.g., housing and nutrition)
- youth enrichment (e.g., after-school recreation activities)
- community enrichment (e.g., building a community center that is open, welcoming, and operated by community members)
- education, job training, and employment opportunities
- mentor programs (with mentors who can identify with, and relate to, youth)

- problem-solving solutions outside the traditional juvenile justice system (e.g., peace circles and restorative justice programs)

Roundtable participants noted the importance of having community members drive and sustain these initiatives.

Funding priorities will vary between communities, and input from local youth and family stakeholders is critical for identifying tailored solutions for place-specific needs. The suggestions discussed here emerged from two groups of youth advocates, but it is important to create platforms and ongoing feedback mechanisms to solicit and encourage youth and family engagement in each community.

The voices calling for a more expansive approach to youth justice investment speak to the dual goals of providing direct services and advancing broader community development. Youth involved in the justice system disproportionately come from communities that have experienced long-standing underinvestment in the form of underresourced schools, lack of affordable housing, lack of reliable transportation, insufficient access to health care, and inadequate community spaces and recreational facilities (IoM and NRC 2001). Investing in programming without addressing these larger structural barriers can reduce the value of the programming or even be counterproductive. For example, youth may not be able to take advantage of mentoring or job-readiness programs if they do not have access to transportation. Further, investments that focus only on programming may actually be a gateway to further criminal justice system involvement if participation is court-mandated and youth are penalized for not complying with requirements due to lack of access. Ensuring that youth and their families have opportunities to weigh in on policy and program proposals and to provide feedback during implementation and evaluation may help policymakers and program administrators mitigate these potential problems.

Finally, developing investment strategies that are tailored to respond to youth needs and experiences in specific community contexts often requires innovation and creativity. The growing body of literature about evidence-informed practices and programming can provide a vital foundation for investment strategies. But communities also need the resources and leeway to develop their own solutions, as well as measurement tools and support to assess and course-correct as needed. Ensuring that community and practitioner stakeholders are able to provide real-time feedback can help mitigate potential challenges early on. While innovation and adaptation require some tolerance for risk, jurisdictions that feel that the juvenile justice system status quo is providing poor returns may be inclined to try new approaches.

Promising and Innovative Strategies for Directing Resources to Community-Based Youth Justice Solutions

To explore the different strategies that states and localities have used to invest in community-based youth justice solutions, as well as identify new and innovative funding sources that hold promise outside the justice world, Urban conducted interviews with a range of stakeholders in the field, held roundtables with youth justice advocates, and convened a diverse group of thinkers in August 2018 to brainstorm ideas. This report is organized around the four overarching funding strategies that Urban identified. It summarizes both the opportunities that these strategies present and specific examples of their implementation in localities across the country. The four approaches are as follows:

- capturing and reinvesting savings from reduced youth incarceration and facility closure
- repurposing former incarceration facilities and leveraging land value
- leveraging existing state and federal funding streams
- thinking outside the box to redirect existing resources or generate new funds to support a continuum of care and opportunity for youth and families

Capturing and Redirecting Savings from Reduced Youth Incarceration and Facility Closure

One of the primary aims for advocates and policymakers seeking to support a continuum of community-based care and opportunities for youth and families is to capture and redirect resources within the juvenile justice system. The decline in youth incarceration noted above and the resulting closure of hundreds of facilities offers significant opportunity to identify and redirect savings to community-based alternatives. This concept of justice reinvestment grew out of work funded by the Open Society Foundations (Tucker and Cadora 2003), which theorized that communities could reduce unnecessary incarceration and invest savings into a broader range of community priorities in an effort to address the root causes of crime (e.g., by investing in schools, improved health care, job training). The idea was that this would improve outcomes, further reduce incarceration, and generate a cycle of funding for community solutions to community challenges. In the criminal justice world, this was a particularly

compelling idea for rethinking public safety strategies in historically disenfranchised communities where governments pay as much as $1 million to incarcerate people within a single city block (see the Million Dollar Blocks project at the Columbia University Center for Spatial Research).

Preserving a sustainable cycle of funding is key to the reinvestment model. Advocates and policymakers can work to ensure that resources for youth justice interventions (e.g., incarceration) are preserved and reallocated toward alternative strategies that serve the communities most impacted by youth incarceration, rather than toward competing local or statewide priorities. Establishing well-designed reinvestment mechanisms that capture savings from reduced incarceration and directing them toward community alternatives helps ensure that funds are repurposed for youth justice priorities and that reform strategies achieve their intended outcomes. Juvenile justice reform efforts in states as diverse as Georgia, South Dakota, and Kansas have aimed to reduce incarceration (or even close specific youth facilities) and then direct some or all of the resulting savings into community-based services for youth (see Durnan, Olsen, and Harvell 2018). Moreover, states and localities have taken different approaches to secure and redirect funding from incarceration to community-based services for youth (see case study 1 for a note on "up-front" investment and an overview of California's Youth Reinvestment Grant Program). Consider the following:

- **Kansas** shifted resources from incarceration to the community as part of a comprehensive 2016 reform effort.[9] With the passage of S.B. 367, the Kansas legislature approved wide-ranging juvenile justice reforms to limit arrests and detention, reduce the length of time that youth spend in facilities, and support community-based interventions. A key piece of the legislation was the creation of a lockbox mechanism, the Juvenile Justice Improvement Fund, to directly capture cost savings related to the reform and channel them into community-based alternatives. The language in the statute is unequivocal about the purpose of this funding, protecting it to advance supports for youth and their families. In the first year following implementation of the reform, Kansas directed $12.3 million into the evidence-based programming fund for youth supervised in the community.[10] Additional savings were diverted to priorities outside juvenile justice, proving that even strongly worded legislation can be circumvented in contentious budget conversations. Nonetheless, S.B. 367 has demonstrated that reinvestment in youth services is possible even in tight budget cycles with multiple competing priorities for public resources.

CASE STUDY 1

Building Broad-Based Support for Up-Front Investment: Lessons from California's Youth Reinvestment Grant Program

Although they are typically referred to as reinvestment, many justice reinvestment schemes include an initial, up-front investment in alternative solutions (Welsh-Loveman and Harvell 2017). This influx of cash allows states or localities to implement a new program or strategy with the goal of improving outcomes, reducing delinquency, and freeing up additional resources to support a cycle of sustainable funding. While this up-front investment can be authorized legislatively, another option for securing resources is to engage in an executive budget strategy. Leaders in California took that path in 2018 to launch the Youth Justice Reinvestment Grant Program. The idea was originally proposed by Assemblymember Reginald Jones-Sawyer as a three-year, $100 million Youth Justice Reinvestment Fund funded via the executive budget to support diversion alternatives for youth. Strategic education and relationship-building with budget committee members and staff in both the Assembly and Senate well in advance of the budget cycle—as well as messaging that emphasized the opportunity for reinvesting fiscal savings—built strong support for the concept. In June 2018, Governor Jerry Brown approved a budget allocation of $37.3 million for the program in the FY 2018 budget. Nearly all that funding will be competitively awarded to local jurisdictions to implement "evidence-based, trauma-informed, culturally relevant, and developmentally appropriate diversion programs in underserved communities with high rates of juvenile arrests and high rates of racial/ethnic disproportionality within those juvenile arrests."[11] The vision is to use those resources to target community-based solutions that work, improve outcomes for youth in California's most disadvantaged communities, and document success in order to advocate for more funding. Consistent with the vision for justice reinvestment noted above, the Youth Justice Reinvestment Fund is designed to improve outcomes that will also result in savings that can then be invested back into the diversion program and ultimately create a self-sustaining funding stream. Because this program has just launched, it will take several years to assess the outcome of this investment, and careful documentation of impacts will be critical. But this example highlights the potential of employing an executive budget strategy to secure up-front investment in community alternatives for youth.

For more on California's Youth Justice Reinvestment Fund and the Youth Reinvestment Grant Program, see Assemblymember Jones-Sawyer's Youth Reinvestment Grant website and the California Board of State and Community Corrections overview of the 2019 grant program funding.

- **Washington, DC,** significantly reduced the number of out-of-home placements of youth, generating millions of dollars in taxpayer savings. A portion of these savings ($3 million) was allocated through the regular budget cycle to fund a credible messenger youth mentoring program that pairs system-involved youth with supportive adults who have had similar

experiences and can offer guidance and help them strengthen connections with their community, educators, and employers (Sakala, Harvell, and Thomson 2018). The DC Department of Youth Rehabilitation Services was able to direct savings from reduced incarceration to a strengths-focused, community-based program designed to promote long-term success for youth and professionalize the role of participating mentors. This approach strengthens assets and promotes success for justice-involved youth and the communities in which they live.

- **Virginia** similarly undertook a series of reforms that reduced the number of youths placed out of home, enabling the state to close one of its two remaining large youth prisons and reinvest the savings from that closure into community-based services for youth. The state revised processes related to intake, diversion, and detention decisionmaking; implemented evidence-based practices in supervision; and revised length-of-stay guidelines to avoid placement where possible and minimize the time youth are placed out of home.[12] In the 2016 session, the General Assembly approved budget language authorizing the Department of Juvenile Justice to reinvest savings from those reforms into community-based services. The department subsequently contracted with two agencies (Evidence-Based Associates and AMI Kids) to build a statewide continuum of community-based alternatives to incarceration for youth.[13]

At the August 2018 convening, policymakers, budget experts, and justice stakeholders with expertise in both state and local budget processes and reinvestment efforts offered several considerations that can promote successful funding cycles, including the following:

- **Strengthen and expand the constituency for continued funding.** The allocation mechanisms that shape funding streams can be self-perpetuating, creating constituencies for the resources that in turn uphold the status quo. Redirecting funding requires shifting those mechanisms, growing existing constituencies, and building new alliances and partnerships to protect the diverted flow.
- **Foster relationships with appropriators ahead of the budget cycle.** Appropriations officials are powerful stakeholders who begin to shape budget decisions long before the budget cycle takes place. Building relationships with budget agency staff, policymakers, and other decisionmakers in advance of a given budget cycle or appropriations discussion can pave the way for engaging specific resource issues down the line.
- **Learn the language of appropriations.** Advocates and policymakers must become familiar with appropriations language and technical mechanisms to influence them effectively. Cultivating

support from budget officials requires clearly articulating fiscal arguments, defining the specific investment, and identifying how success will be measured. In doing so, it is important for success metrics to accurately reflect the proposed initiative. While many programs default to various recidivism measures as key indicators, proponents should consider additional data collection activities—such as collecting data on mental health and well-being, educational engagement, desistance from harmful or destructive activity, and community involvement—to more fully capture the different ways a program or policy change might be having an impact.

For more information on youth justice reinvestment strategies including specific budget mechanisms for redirecting resources, see the Center on Budget and Policy Priorities' toolkit, Youth Justice Reform and Reinvestment: Key Strategies and Fiscal Tools for Success.

For more information on reinvestment strategies employed in Georgia and Kansas, see Urban's State Led Juvenile Justice Systems Improvement: Implementation Progress and Early Outcomes brief.

For more on the DC Credible Messengers Program and other community-driven public safety investments, see Urban's Public Investment in Community-Driven Safety Initiatives: Landscape Study and Key Considerations report.

For more information on reform and reinvestment strategies in Virginia, see the Virginia Department of Juvenile Justice's Transformation Plan 2018 Update.

Repurposing Youth Facilities and Leveraging Land Value

The decline in youth incarceration over the past 15 years has contributed to the closure of hundreds of youth detention and placement facilities. In 2016, the Office of Juvenile Justice and Delinquency Prevention's biannual census identified nearly 1,300 fewer operational facilities than in 2000 (Puzzanchera et al. 2018). States and localities now face the challenge of deciding what comes next for these taxpayer-funded structures. Closed youth facilities present an opportunity to create new resources for youth and their families, either by repurposing the buildings to address unmet youth and community needs or by leveraging land value to generate funding for youth and family services.

Transforming Former Youth Detention and Placement Facilities

Some states and localities across the country have developed creative plans to repurpose closed youth facilities into non-correctional resources that address youth and community needs (Love et al. 2018). Examples include a teen community center in Arizona, a technology park in New York, a mixed-income sustainable living community in Michigan, and a residential development project in California. These projects often require significant planning—including dedicated community outreach and partnership efforts—but they can produce benefits by both relieving taxpayers of the financial burden of facility structure upkeep and creating a new community resource to fulfill a previously unmet need. Repurposing a facility also eliminates the possibility that it will be reopened as a prison for either youth or adults.

GrowingChange, a North Carolina–based nonprofit focused on "flipping" closed prisons into community resources, presents another innovative example of a prison repurposing approach. The youth-led program's replicable model of "reclaim, attain, and sustain" focuses on *reclaiming* closed prison sites and converting them into farms and education centers; helping youth and community members *attain* success by providing them with education, vocational training, and program experience; and ensuring *sustainability* by teaching lifelong skills and promoting healthy lifestyles through the provision of fresh, locally grown produce.[14] Since the organization's founding in 2011, youth leaders have driven decisionmaking, advocated for the program to national, state, and local stakeholders, and generated experience-based solutions. Other key factors to GrowingChange's success include establishing an effective public-private partnership that lifts a burden off the state and adjusting its approach/activities based on quantitative evidence of outcomes. GrowingChange has brought together a broad coalition of university partnerships ranging from North Carolina Land Grant Universities to the Massachusetts Institute of Technology (MIT). Currently, GrowingChange is working with North Carolina A&T State University (supported by Kellogg) to create an open-sourced, replicable model that will be given away to the communities around the nation to help them "flip the prison."

For more information on repurposing youth prisons, including examples of repurposing efforts and considerations for policymakers and others, see the Urban Institute's Transforming Closed Youth Prisons report.

For additional examples of repurposing adult prisons, see the Sentencing Project's Repurposing: New Beginnings for Closed Prisons.

For more information on GrowingChange, see the GrowingChange website www.growingchange.org.

Leveraging Land Value to Create New Funding Streams

An alternative approach to repurposing physical structures is to leverage land value to generate new funding streams to support services and opportunities for youth and families. Landowners of prison or juvenile facility sites—typically states or localities—can lease a property to an outside company for development, thus creating a sustainable and flexible funding stream that can then be reinvested into community-based resources (see case study 2 below). Each location offers unique advantages for leveraging property to create additional resources, and the best strategies take the land's assets into account when planning. Some youth prisons occupy particularly valuable real estate that could be leased or sold to generate significant funding. For example, the Bon Air facility in Virginia sits on more than 400 acres of land in an affluent residential area less than 10 miles outside downtown Richmond. Amid discussions about renovating or closing the facility, Department of Juvenile Justice Director Andrew Block acknowledged that keeping the facility open prevents the state from taking full advantage of the real estate value of the land.[15] Accordingly, in its report on Bon Air in December 2018, the Department of General Services concluded that the "highest and best use for the majority of the property" was to demolish the facility and repurpose the land into a residential development (DGS 2018, 1).

Beyond commercial development, state- and locally owned land might provide options for generating revenue without selling the property. The money generated from these activities could be invested in a trust fund dedicated to providing youth services and building a community-based continuum of care and opportunity. Although we have not identified a clear precedent for this in the juvenile justice space, relevant strategies emerge from successful endeavors in other areas. For example, School Trust Lands are state-owned lands originally gifted by Congress to states when they were newly admitted to the Union to produce revenue for public education. The administration and oversight of these lands varies by state, but in fiscal year 2010 these lands collectively generated more than $2.2 billion in revenue nationally. The most profitable sources were oil and gas royalties ($1.4 billion), the sale of forest products such as timber ($242 million), royalties from other minerals such as coal ($220 million), and the sale of agriculture and grazing rights ($100 million).[16] Most important, this funding was generated without selling any land, meaning there are opportunities for continued revenue generation. By legal mandate, these funds are used for public education. In Oregon, for example, trust lands and any related income belong to the Common School Fund. The State Land Board, which manages the trust, distributes a portion of the annual revenue to public education every year; from 2015 to 2017, distributions were expected to amount to more than $136 million.[17] School Trust Lands (and the significant revenue that they have generated in various states) provide an example of how

states and localities that own land can create sustainable funding streams without relinquishing ownership of the property, and how the generated revenue can be reinvested in a trust that provides ongoing funding to benefit youth and families.

Additionally, depending on the location, landowners might have the option to sell the development rights to their land in exchange for a one-time monetary payment. Although usually customized depending on the locality, Purchase of Development Rights (PDR) programs generally permanently restrict development of the land; however, the owner maintains authority to use, lease, or sell the land for other purposes (such as farming) specified in the agreement (Miller and Krieger 2004). PDR opportunities might be available or particularly lucrative for land in which local, state, or federal government agencies have a vested interest in inhibiting development, such as areas surrounding military bases.[18]

For more information on school trust lands, see A Magnificent Endowment: America's School Trust Lands. Your Guide to Making a Difference.

CASE STUDY 2

Funding Youth Services through Land Leasing and Development in Fort Worth, Texas

The Lena Pope nonprofit organization in Fort Worth, Texas, provides counseling and education services to youth and families, but its community-based service design has not always been its primary business model. Founded in 1930, the organization initially oversaw orphanages and subsequently shifted toward providing residential treatment and group homes. In the mid-20th century, the organization saw the need for more land and facilities, and the board of directors helped to purchase a large property on the condition that Lena Pope would never sell the land. Around the turn of the century, and in response to emerging evidence of the advantages of keeping youth in the family setting, the Lena Pope Home slowly divested from residential treatment and fully invested in community-based care. As of 2018, Lena Pope provides no residential services. The organization offers community-based care focused on early intervention and prevention for youth at risk of being removed from their homes, with services including education and counseling.

As Lena Pope transitioned from residential care, it developed a two-part plan to use the land it owned to continue to support the organization's mission. First, it repurposed several buildings into a campus (including classrooms, a recreational space, and a cafeteria) to support the county's Juvenile Justice Alternative Education Program. The unique public-private partnership (as well as the open, campus-style setting) has been so successful that the program continues to be one of the highest-rated alternative education campuses in the state, receiving a grade of 100 percent in the past two state audits.[19] The second part of the repurposing plan was to demolish several group homes and make the

vacated land available for commercial development. After a competitive bidding process, Lena Pope signed a 60-year land lease with a shopping center developer, who pays an annual base rent along with additional incremental payments based on occupancy. The developer of the shopping center also contributes a proportion of its annual profits to the organization. Through these mechanisms, Lena Pope now collects approximately $1 million a year, which is used to provide comprehensive counseling and education services to children and youth and fill the gap between cost and reimbursement for high-quality programming. At the end of the 60 years, land ownership will revert to Lena Pope, which will have the option to re-lease it to the same or a different entity.

Lena Pope has both repurposed existing buildings and leveraged its land value to support its transition from residential care to community-based services. This effort involved leveraging knowledgeable partners, such as real estate experts; focusing on solutions that will produce sustainable (as opposed to finite) funding, such as leasing the land instead of selling it; and working with community leaders throughout the process. Although ownership of a valuable plot of land was also integral to Lena Pope's success, this innovative model is worthy of consideration in other jurisdictions.

Maximizing Existing State and Federal Funding Opportunities

While many look to the juvenile justice system first, other state- and federally funded programs can be tapped to fund community-based services and supports for youth and their families. The best available information suggests that as many as half of all youth referred to the juvenile justice system are also enrolled in the child welfare system, while many more have likely experienced neglect or trauma (NJJN 2016). States have also reported that anywhere from 29 to 100 percent of justice-involved youth are enrolled in Medicaid (Zemel and Kaye 2009). In short, the population of youth and families accessing services from different systems including juvenile justice, child welfare, housing, and public health overlaps significantly. These systems share responsibility for collaboratively addressing the needs of youth clients and their families, and state and federal funding streams outside the juvenile justice system can and do support services for youth who are, or are at risk of becoming, justice-involved. Further, funding streams that support development efforts in communities experiencing concentrated disadvantage can provide critical resources for a well-resourced continuum of care and opportunity.

States and localities across the country have implemented strategies to combine different sources of funding to support coordinated service delivery for all youth, including those who are justice-involved. Take Wraparound Milwaukee (WRAP). WRAP is a system of care established in 1994 with a six-year, $15 million federal grant from the Center for Mental Health Services (a branch of the

Substance Abuse and Mental Health Services Administration). Originally intended to serve children at immediate risk of out-of-home placement (as identified by the child welfare or juvenile justice systems), WRAP now integrates mental health, juvenile justice, child welfare, and education systems to serve children with serious emotional, behavioral, and mental health needs. WRAP takes a family-focused, individualized approach and has served 11,000 young people over the past two decades. WRAP is continually funded through a combination of state and county agencies, including the state's Medicaid agency, the Milwaukee County Division of Youth and Family Services, and the Division of Milwaukee Child Protective Services.[20] Funds from each agency are pooled and decategorized so that WRAP has flexibility in spending (Kamradt 2000). With six community partner agencies, 100 care coordinators, a network of over 200 providers, and a Children's Mobile Crisis Team that reviews each request for inpatient psychiatric care and diverts youth to community-based residential alternatives where appropriate, WRAP is well-integrated into the community.

Despite progress, funding streams across systems are often siloed, and localities struggle to collaborate across agencies and organizations to serve youth and families. Proven and promising strategies—including WRAP—often start with funding from a single source and then braid together resources from multiple streams to sustain long-term investment. Because of the overlap in service populations noted above, many federal waiver programs can be leveraged to fund services for justice-involved youth. Below, we discuss opportunities for looking beyond juvenile justice and using child welfare dollars, Medicaid, workforce and education grants, and funding to support victim services and community development to support community-based services for justice-involved youth.

FIGURE 2
Federal Funding Sources

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Child Welfare Funding

Youth involved in both child welfare and juvenile justice systems are often referred to as cross-over, dual-status, or dually involved youth. Dually involved youth often have histories of trauma and/or neglect that are critical for caregivers to be aware of and responsive to, but which can go undetected as a result of poor information sharing between systems (Herz et al. 2012). Dually involved youth are disproportionally youth of color (Chapin Hall Center for Children 2008), are disproportionally female relative to the overall juvenile justice system population, and have disparate, generally worse case outcomes than those who are not involved in the child welfare system (Herz et al. 2012). For example, foster youth are more likely to be detained than non-foster youth charged with crimes of similar

severity (Conger and Ross 2006). Increased coordination between the child welfare and juvenile justice system is one way to potentially improve outcomes for youth (see case study 3). Several federal grant programs allow for flexible spending that can be used to provide targeted support to these populations.

One such program, the Title IV-E Child Welfare Waiver Demonstration program, authorizes states to use federal dollars flexibly to pursue innovation in child welfare service delivery and financing (James Bell Associates 2018). Several states have used child welfare waivers to target services for youth involved (or at risk of becoming involved) in the juvenile justice system. For example, Illinois operates a Family Recovery and Reunification Program that focuses on families whose children have been removed because of a parent's substance-related maltreatment. Since the program's implementation, the state has seen an increase in the number of children exiting foster care and a decrease in the number subsequently involved in the juvenile justice system (Ryan and Huang 2012).[21] Indiana used the Title IV-E waivers to provide targeted services to children adjudicated delinquent and children at risk of abuse, neglect, or delinquency through county-specific tactics that included counseling, increased assistance to families, home-based services, and material assistance (Loman, Filonow, and Siegal 2011). Ohio's Title IV-E child waivers resulted in increased collaboration between public child-serving agencies and juvenile courts and more program and staffing options to serve justice-involved youth.[22] (Under the recently enacted Families First Prevention Services Act discussed below, these waivers are scheduled to end in September 2019, though there is ongoing advocacy and legislation under consideration to extend waivers.)[23]

Another such program, the Families First Prevention Services Act, was signed into law on February 9, 2018. The Act includes new prevention services funding under Title IV-E that can be used to address mental health and substance use treatment needs for children who are at risk of entering foster care but who can remain safely in their homes while receiving services.[24] If fully implemented, this funding could be leveraged to provide treatment (and activities similar to those provided under the Title IV-E program) to justice-involved youth while they remain in the community.

For more examples and guidance on coordinating child welfare and juvenile justice funding, see the Guidebook for Juvenile Justice & Child Welfare System Coordination and Integration and Addressing the Needs of Multi-System Youth: Strengthening the Connection between Child Welfare and Juvenile Justice.

CASE STUDY 3

Restructuring Agencies to Support a Continuum of Care for All Youth in Onondaga County

Stakeholders in Onondaga County, New York (Syracuse) have been working since 2013 to more effectively deploy both child welfare and juvenile justice resources to improve outcomes for youth and families. Historically, the county probation agency oversaw juvenile justice services while child welfare was run by a separate child and family services agency. Under the leadership of the Deputy County Executive for Human Services, and with the goal of becoming more child-centered with strategies to address all needs in one place, Onondaga reorganized the county charter and got permission from the state to create a single Department of Children and Family Services to oversee juvenile justice, mental health, child welfare, school-based initiatives, and the Youth Bureau. This reorganization brought together funding for various services into a single budget and facilitated more coordinated cross-systems work. For example, Onondaga invested $500,000 in 2016 in community-based services in localities with disproportionately high numbers of justice system–involved youth. Competitive grants were awarded to grassroots, community-based providers in the three zip codes that produced 60 percent of juvenile justice placements. Early outcomes have been positive and spurred additional investment in subsequent years. For example, targeted communities saw a decline of 17 percent in detention cases and 16 percent in placements between 2016 and 2018.25 Onondaga is demonstrating that investing child welfare dollars in new, community-based strategies for justice-involved youth can produce better outcomes, support communities, and save taxpayer dollars.

Medicaid is another funding stream that can be tapped creatively to support services for justice-involved youth who are Medicaid-eligible (see box 4 below for an important caution). Medicaid is a means-tested federal program set up to provide health care to people earning below 133 percent of the federal poverty level (FPL). In most states, the Children's Health Insurance Program (CHIP) further expands coverage to children in families with income below 200–300 percent of the poverty level (Wiig and Tuell 2013).[26] Given that the majority of youth involved in the juvenile justice system live in poverty (Birckhead 2012), most are eligible for Medicaid when not detained, particularly dually involved youth who are automatically eligible when in foster care.[27] Medicaid can be used to support a wide range of services, including multisystemic interventions and interventions in nonmedical settings.[28]

Though Medicaid funds cannot be used while a youth is detained,[29] funds can support eligible youth on probation, parole, or home release (MACPAC 2018). Crucially, Medicaid can be suspended (rather than terminated) while youth are detained to allow more seamless access to resources after release (Hanlon, May, and Kaye 2008). Additionally, the juvenile justice system can leverage contact with vulnerable youth to enroll them in Medicaid. For example, in Texas, all youth who come into contact

with the juvenile justice system are screened for Medicaid eligibility, both at time of arrest and during trial. Though 97 percent of these youths are not incarcerated, many receive health care from Medicaid quickly as a result of their justice-system contact.[30]

Medicaid waivers can be leveraged to expand coverage to youth not already enrolled in Medicaid and/or fund a range of services for youth involved or at risk of becoming involved with the juvenile justice system. However, there are limitations in the types of resources that can be provided. For instance, Medicaid cannot be used to pay rent on housing; however, it can be used to help people find and maintain housing.[31] Waiver options include the following:

- **Section 1115 waivers**[32] support creative use of funds by allowing broad changes in eligibility, benefits, cost sharing, and provider payments in Medicaid and CHIP programs.[33] Several states have used Section 1115 waivers to expand Medicaid coverage for justice-involved people. For example, the California Medi-Cal 2020 waiver is used to coordinate care for vulnerable populations, including justice-involved individuals. Utah's Section 1115 waiver expands eligibility to justice-involved adults with substance use or mental health needs (MACPAC 2018).
- **Home and community-based services waivers**[34] allow states to flexibly employ alternatives to institutionalized care for people with long-term health needs. The waiver can be used to target populations at risk of institutionalization, such as people with behavioral conditions or people with intellectual disabilities.[35] The New York Bridges to Health program uses the waiver to provide wraparound services to children in foster care with significant mental health or developmental disabilities. Bridges to Health provides a range of services, including vocational training and placement, crisis response services, and intensive in-home supports. Once children enter the waiver program, they can retain services until the age of 21, even if they leave the foster care system.[36] This waiver program supports dually involved youth and facilitates moving children and young adults from hospitals or institutions to homes.

For more examples and guidance on coordinating Medicaid and juvenile justice funding, see A Multi-Agency Approach to Using Medicaid to Meet the Health Needs of Juvenile Justice-Involved Youth.

BOX 4

The Danger of Medicalizing Behavior to Expand Eligibility for Services

Many justice-involved youths have significant health needs. For instance, up to 75 percent of detained youth have a mental health or substance abuse disorder (Acoca, Stephens, and Van Fleet 2014). However, medical funding sources present the danger of medicalizing or pathologizing normal youth behaviors in order to secure funding for service delivery. Many programs supported by Medicaid and Child Welfare Waivers require a substance abuse, mental health, behavioral disorder, or intellectual disability diagnosis for youth to be considered eligible. It is important to ensure that creative funding strategies do not contribute to unnecessary diagnoses, particularly given the likelihood that this would disproportionately impact youth of color who are already overrepresented at every point in the juvenile justice process.

Workforce and Education Grants

In addition to child welfare and Medicaid, federal workforce and education grants hold potential to fund services for youth who are involved (or at risk of becoming involved) in the juvenile justice system. These grants have the benefit of not requiring a medical diagnosis for eligibility and support a range of strategies to build life skills, further education and employment goals, and promote positive youth developmental outcomes that complement treatment and service provision. Examples include the following:

- **Pell grants.** Pell grants are federal grants intended to help people who demonstrate exceptional financial need pay for college.[37] Though people incarcerated in state or federal prison are ineligible for these grants, justice-involved youth in the community *or those placed in juvenile correctional facilities* are eligible as long as they meet certain other requirements.[38] The amount of each grant varies depending on the level of financial need, the cost of attendance, and status as a full- or part-time student. The maximum grant in the 2018–2019 academic year was $6,095.[39] Unlike student loans, Pell grants do not have to be repaid.
- **Workforce and education grants**. The Workforce Investment Act of 1998 and the superseding Workforce Innovation and Opportunity Act (WIOA) of 2014 were enacted to create a comprehensive workforce investment system that enhances the workforce's productivity.[40] The WIOA's youth program provides formula funds for states to help out-of-school youth (ages 16–24) and in-school youth (ages 14–21) with at least one barrier to employment—such as those with felony records, with disabilities, living in foster care, or experiencing homelessness—

prepare for postsecondary education or employment.[41] The new WIOA requires that 75 percent of funds go toward out-of-school youth (compared with the 30 percent required by the Workforce Investment Act) and that 20 percent of youth funds support work experiences. Some localities have committed to spending 100 percent of their funds on out-of-school youth: for example, Los Angeles's Performance Partnership Pilot integrates service delivery of education, workforce, and social services.[42]

Additionally, WIOA authorized one-stop career centers that youth in foster care and the juvenile justice system can access.[43] Many one-stop career centers employ a reentry point person to assist people who have been justice-involved. WIOA funds can also be used to provide education such as vocational training or special education in correctional settings.[44]

YouthBuild is one of the largest youth programs under WIOA. 44 states fund YouthBuild (a nonprofit organization) to help address disconnected youth experiencing poverty and unemployment. YouthBuild provides essential pathways to employment through skill-building in construction, GED and certificate programs, and community service opportunities.[45]

WIOA also authorized funding through the Reentry Employment Opportunities program to serve justice-involved youth and young adults.[46] The Department of Labor awarded $84.4 million in 2018 to 41 nonprofits and state and local governments for reentry projects serving both young adults and other adults.[47] Projects encompass a multitude of services both before and after release.

For more on workforce investment and education grants, see the Federal Student Air Pell Grant; the American Youth Policy Forum's Fact Sheet on Education and Workforce Related Policies Affecting Systems-Involved Youth; and the Department of Labor's Workforce Innovation and Opportunity Act Fact Sheet: Youth Programs.

Victims of Crime Act Funding

In 1984, Congress established a Crime Victims Fund through the Victims of Crime Act (VOCA) that directs revenue collected through fines and fees associated with federal crimes to support compensation and services for victims of crime.[48] As of fiscal year 2015–16, the fund had a balance of more than $11 billion, a portion of which was allocated for disbursement annually. In 2016, Congress both increased the amount of funding available and released revised guidance that expanded the potential use of funds.[49] Among other changes, VOCA funding can now be used to support services for children who have been exposed to violence or bullying and is no longer restricted at the federal level

for victims who are system-involved or have a prior conviction. Funding priority is given for underserved populations, and people are eligible to receive services while incarcerated.[50] Though it is still early to see the full impact of these new potential investments, states are already directing VOCA funding into a wide range of services.[51] For example, Oklahoma used newly available funds to establish two new family assistance centers, and Washington expanded services to federally recognized Native American tribes.

For more on strategies for leveraging VOCA funding, see the National Juvenile Justice Network's The Crime Victims Fund: A Primer for Youth Justice Advocates and the National Association of VOCA Assistance Administrators' VOCA Crime Victims Fund Briefing Background 2017.

Community Development Block Grant Funding

The Community Development Block Grant (CDBG) program is administered by the Department of Housing and Urban Development and distributes more than $3 billion annually to states and localities to support sustainable housing, expand economic opportunities, and provide services in the most disadvantaged communities.[52] Since 1974, this funding has provided local governments with resources to develop and implement tailored solutions to the challenges their residents face. Localities have used this funding to support a wide range of services for youth and families. For example, Bridgeport, Connecticut, leveraged CDBG funds to secure additional state resources that support afterschool programming, parenting classes, juvenile justice programs, and crisis intervention. Chicago used part of its CDBG allocation to fund restorative practices in schools to curb expulsions and push out in to the juvenile justice system. Lawrenceville, Kansas, allocated CDBG resources to the local Boys and Girls Club to build a new teen center.[53]

For more on strategies for leveraging CDBG funding, see the HUD CDBG resource page and the United States Conference of Mayors' CDBG Works: How Mayors Put CDBG to Work.

Implementing Innovative Strategies to Fund Community Investment

While many states and localities are looking beyond the juvenile justice system to identify new funds to invest in youth development strategies, the scope and scale required to reverse historical

underinvestment in communities disproportionately impacted by incarceration has led residents to think even bigger and develop and implement their own solutions. Here we outline six outside-the-box strategies for redirecting existing resources to community priorities or generating new funds to support a continuum of care and opportunity for youth: leveraging a new tax, Pay for Success (PFS) models, participatory budgeting, Opportunity Zones, anchor institutions, and cannabis legalization.

FIGURE 3
Innovative Funding Strategies

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Leveraging a New Tax to Develop Sustainable Funding

One strategy for generating new revenue to support youth is to create a state or local tax specifically for that purpose. Oakland, California, illustrates the unique advantages of this approach. In 2004, voters

approved Measure Y, a ballot initiative with a 10-year time horizon that created new parcel and parking taxes to generate additional revenue for police and fire services, and to fund a grant program that supports community providers engaged in violence prevention and intervention efforts. Voters chose to extend the program by 10 years by passing Measure Z in 2014, demonstrating their confidence in this approach. The fact that the violence reduction grant program involved a steady funding stream over multiple years meant that the program administrators could pass on that stability to grantees, providing technical assistance and supporting a rigorous evaluation to help document and share the program's successes.[54] In the 2017–2018 fiscal year, Measure Z funds supported an $8 million investment in 26 community-based violence prevention and intervention organizations and agencies (Gonzalez et al. 2017). Oakland Unite, the division of the city's Human Services Department that oversees distribution of these funds, has also built upon this steady funding source by securing $15 million in additional funding from state and federal sources between 2011 and 2018.[55]

Pinellas County, Florida, created a similar local tax structure for funding local children's services, that has been in place for over half a century. In 1945, Pinellas County voters passed a ballot referendum to approve a new county property tax to support children's services and create a local juvenile welfare board to oversee fund disbursement. In the decades since, the board has focused on improving services for children in foster care, providing family therapy and other supportive programs, and increasing access to quality day care programs.[56] Today, the board focuses on providing services to youth living in areas of concentrated poverty with a focus on four core goals: school readiness, school success, prevention of abuse and neglect, and strengthening community support and prevention.[57] In fiscal year 2018, the juvenile welfare board invested nearly $57 million in programs and services.[58]

For more on strategies for leveraging tax revenue, see Local Progress's Strategy Report on Progressive Policies for Raising Municipal Revenue and the Ballot Initiative Strategy Center.

For more on Oakland's Measure Z, see Oakland's overview of the Safety and Services Act of 2014 and Oakland Unite, particularly its research and reports that show the impact the collaborative is having on outcomes for community members.

For more on Pinellas County's juvenile welfare board, see the juvenile welfare board website and the juvenile welfare board fact sheet.

Pay for Success Models

Pay for Success (PFS) models are innovative financing mechanisms that allow governments to link financing with improved outcomes for communities. This could include leveraging private and philanthropic funds to implement evidence-based social programs or providing bonus payments based on observed outcomes. In the PFS model, also known as a social impact bond, an outside investor provides the up-front capital for programmatic costs. If a program achieves the predefined outcomes for its target population (as determined by an independent empirical evaluation), then the government repays the investor(s) with interest. If outcomes are not met, then the government does not pay. This model shifts financial and reputational risk from the government to external investors and promotes rigorous evaluation and meaningful outcomes. PFS has been used to forge collaboration between government, service providers, investors, intermediaries, and evaluators around specific criminal justice projects (Hawkins et al. 2017).

The first PFS project in the US was launched in 2013 by the City of New York, Bloomberg Philanthropies, Goldman Sachs, and MDRC. The program, referred to as the Adolescent Behavioral Learning Experience, aimed to reduce recidivism of justice-involved youth at New York City's Rikers Island jail by 10 percent. When the program did not hit its benchmark of an 8.5 percent reduction in recidivism, the program ended and the city did not have to repay investors. Though the program is the only complete or terminated PFS project in the US, several PFS projects currently in development or in progress specifically target juvenile justice populations and vulnerable populations at risk of system involvement more broadly. Current PFS projects include Illinois's Dually-Involved Youth Project and Massachusetts's Juvenile Justice PFS Initiative.

Federal money is being invested to support the PFS approach. The Social Impact Partnership to Pay for Results Act was signed into law in February 2018. The Act creates a US Treasury fund of up to $100 million to be used to make outcome payments and conduct feasibility studies of PFS projects. This fund will help states and localities further implement social impact projects that specifically generate savings for the federal government.[59]

While PFS shows potential for engaging the private sector to address social problems, it has important limitations. Projects often have a long development timeline, and implementation can be cumbersome with so many stakeholders. Further, PFS projects do not always align with market-rate returns, making it challenging to capture investor interest. Finally, PFS projects are individualized to local contexts, making them difficult for other jurisdictions to replicate (Hawkins et al. 2017).

For more information on PFS, see the Urban Institute's Pay for Success Initiative and the Pay for Success Learning Hub.

For more information on intermediaries who deliver technical assistance in the PFS process, see Social Finance, a nonprofit organization working collaboratively across the public, private, and social sectors to mobilize capital and drive social progress, and Third Sector Capital Partners, a nonprofit advisory firm that works with governments, nonprofits, and private funders to build evidence-based solutions to improve social service provision.

Participatory Budgeting

Participatory budgeting, a process in which communities collectively determine how to spend a certain amount of public resources, is another strategy that some jurisdictions are using to ensure that youth input guides investment decisions. While many youth-oriented participatory budgeting programs are still new, initial evaluations of the model generally indicate that it is a promising way to engage community members in resource allocation decisions.[60]

One of the first youth-led participatory budgeting programs in the US was the City of Boston's Youth Lead the Change program, created by the mayor's office in 2013. Every year, youth residents of Boston neighborhoods decide how to use $1 million of the city's capital budget by submitting proposals for projects that benefit the city's physical infrastructure (and last at least five years), and then vote to determine which proposal gets funded.[61] Winning projects from previous years include a performing and visual arts studio, an app with job-hunting resources, the installment of trash and recycling bins, a digital billboard with information for homeless youth, and a skate park feasibility study.[62] Other cities have since adopted youth-oriented participatory budgeting initiatives of their own. For example, Seattle launched the Youth Voice, Youth Choice program in 2015, when more than 3,000 youth decided how to spend $700,000 from the city's budget by casting their votes to select seven priority projects.[63] In 2017, the program was expanded to include all Seattle residents and renamed Your Voice, Your Choice.[64]

Schools around the country are also engaging in youth-led participatory budgeting. The Phoenix Union High School District in Arizona was the first in the nation to engage in participatory budgeting at the district level, with students from five high schools voting—with over 80 percent voter turnout—on how to allocate $26,000 in funds. Projects that received the most votes included a music program, shady outdoor spaces, water stations, and a study lounge.[65] In 2018, New York City Mayor Bill de Blasio

announced a plan for a participatory budgeting program in all of the city's over 400 high schools, each of which would receive $2,000 for students to allocate.[66] Other communities are using participatory budgeting to target resources at specific schools. For example, the Tacoma-Pierce County Health Department in Washington State secured a $100,000 grant to support participatory budgeting projects at two elementary schools and one high school. All three schools were chosen because they serve communities with lower health outcomes, and their projects are ongoing.[67]

For more information about participatory budgeting, see the Participatory Budgeting Project and Youth Lead the Change: Participatory Budgeting 2016, Boston University.

Opportunity Zones

The Opportunity Zone program, established by the Tax Cuts and Jobs Act in December 2017, provides a tax incentive to individuals, businesses, or organizations who invest in specified economically distressed areas called Opportunity Zones. The designation of these zones is intended to encourage private investment in low-income communities across the country. Individuals or entities can reinvest gains from a prior investment into Opportunity Funds, which can then be used to support a wide range of projects within an Opportunity Zone. In return, investors are eligible for a number of generous tax benefits.[68] Unlike some other similar tax benefits, there is no cap on the benefit that investors can receive. Although the program is still new, some projects are already under way. Motivated by Opportunity Zone tax breaks, Goldman Sachs's Urban Investment Group recently invested $83 million into a mixed-use property in Long Island City that will include more than 900 affordable housing units and is being developed by the Gotham Organization, a New York City development firm.[69]

Taking advantage of Opportunity Funds could catalyze significant investment in community-based resources. The federal government has certified 8,700 Opportunity Zones in all 50 states, and within each zone there are relatively few federal limitations on the size or type of project that qualifies. Communities that fall within Opportunity Zones can leverage the tax benefits to attract private investment dollars into a community-driven initiative or offer currently owned land to Opportunity Zone fund developers.[70] Additionally, communities can enlist anchor institutions such as local universities or hospitals, as part of their development efforts; Opportunity Zone designations nationwide were made with consideration of proximity to these institutions,[71] which have a vested interest in their surrounding communities and can contribute to local improvements in ways that align with their missions and assets.

For more information on Opportunity Zones, see From Transactions to Transformation: How Cities Can Maximize Opportunity Zones; Guiding Principles for Opportunity Zones[72]; and IRS, Opportunity Zones: Frequently Asked Questions.

Anchor Institutions

Anchor institutions are entities that are inextricably tied to their local communities, such as universities or hospitals. These institutions have a vested interest in the development and prosperity of their communities, although that interest can fall short of actionable contributions.

Anchor institutions can take advantage of tax benefits offered by Opportunity Zones by redirecting their own investment gains into locally driven community empowerment projects. Additionally, although anchor institutions often have competitive relationships with each other, community organizations or other private-sector partners can seek to mobilize institutions around a shared goal and leverage unique assets for the betterment of the community. The Albuquerque Community Foundation brought together six anchor institutions—ranging from Albuquerque Public Schools to Presbyterian Healthcare Services—and created Healthy Neighborhoods Albuquerque, a cross-institution partnership aimed at supporting local businesses and investing in disadvantaged Albuquerque neighborhoods by, for example, focusing on hiring local workers and buying local goods. By developing their own agendas in pursuit of these collective goals, these institutions now cooperate in ways that benefit their own financial situations as well as their local community.[73]

Lastly, some anchor institutions—particularly those with special tax statuses—might be subject to legislative requirements that can be leveraged to benefit the community. For example, the Affordable Care Act requires nonprofit hospitals to meet several community benefit requirements in order to maintain their tax-exempt status, such as conducting an assessment of the community's health needs at least once every three years and developing strategies to address those needs.[74] Working with hospitals to meet this requirement could result in the creation of a needs assessment for specific populations—such as at-risk youth—or at least inform gaps in the existing continuum of care for justice-involved and at-risk youth.

For more information on anchor institutions, see Funders' Network for Smart Growth and Livable Communities, Anchored in Place: How Funders are Helping Anchor Institutions Strengthen Local

Economies; Democracy Collaborative, Anchor Institutions web page; and Nixon Peabody LLP, Using Qualified Opportunity Zones to Attract Private Investment for Campus Edge Projects.

Cannabis Legalization

Savings generated from cannabis legalization can be reinvested into community-based services in order to increase funding for a continuum of care for youth. In November 2012, voters in Colorado and Washington approved ballot measures that legalized the use of marijuana for adults in their states. Multiple other states passed their own reforms in the following years, with Vermont becoming the first state to legalize marijuana through a state legislature in 2018. As of 2018, every state that had legalized marijuana had seen a decrease in marijuana arrests, resulting in significant financial savings (Drug Policy Alliance 2018). Additionally, revenue from marijuana taxes has exceeded expectations. Colorado has generated nearly $600 million from marijuana sales since the start of 2014, and Washington generated more than $300 million in marijuana sales tax revenue in just one year (2016–17; Drug Policy Alliance 2018). Many states have chosen to reinvest these savings into other priorities such as education and behavioral health treatment. Some states that have legalized cannabis more recently—including California and Massachusetts—will reinvest revenue generated from marijuana sales into communities that have been most impacted by incarceration and the War on Drugs. In California, where voters approved a ballot measure legalizing marijuana in 2016, a community reinvestment grant program will use revenue from the cannabis tax to fund community-based programs that provide services such as mental health treatment, job placement, and medical care. These grants will start in fiscal year 2019 at $10 million and will increase by an additional $10 million each year, eventually reaching $50 million by fiscal year 2023.[75] In addition, after off-the-top funding is distributed, 60 percent of the remaining revenue from the cannabis tax will be allocated for substance abuse education, prevention, and treatment programs for youth, with programs ranging from intergenerational counseling services to workforce training.[76]

For more information on cannabis legalization, see Drug Policy Alliance, From Prohibition to Progress: A Status Report on Marijuana Legalization (January 2018).

Conclusion

Juvenile justice reform has fundamentally shifted the country's approach to youth justice over the past two decades, moving the field away from incarceration and toward community-based solutions for youth. Yet there remains a critical need to build out a well-resourced continuum of care and opportunity for youth and families in their home communities that offers the supports and opportunities required to prevent and address harmful and illegal behavior. Structural inequalities result in the reality that some communities simply do not have the resources to offer all youth the same access to education, jobs, health care, supports, and opportunities that promote healthy development and safe neighborhoods. Yet youth development, healing, and rehabilitation happens at home, and it is imperative to find a way to build on existing community assets and develop a network of services and opportunities that meet evolving youth and family needs. Resourcing a continuum of care and opportunity in communities that experience concentrated disadvantage requires substantial investment, cross-agency collaboration, and collective ownership of a shared responsibility to ensure that all communities have the resources needed to promote healthy development and positive outcomes for all youth. This is the next frontier of juvenile justice reform, and the strategies outlined here provide a menu for thinking big and finding creative ways to invest in youth and families and the communities in which they live.

Notes

1 Throughout this report, boxes are used to provide contextual information critical to the narrative and highlight specific examples.

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Jeffrey A. Butts

Research & Evaluation Center
John Jay College of Criminal Justice
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Research Brief 2015-02

RESEARCH BRIEF

New York's "Close to Home" Initiative — Lessons Learned

New York's *Close to Home* initiative (**C2H**) is a policy reform that brings young offenders home from far-away correctional institutions to be served by programs closer to their families. New York implemented the first phase of C2H in 2012 for youth from the State's "non-secure" programs. A second phase, scheduled to begin in March 2015, will bring back youth from "limited-secure" programs that house more serious offenders. As C2H expands, policymakers need to consider strategies that were effective in Phase 1 and mistakes to be avoided in Phase 2.

The Research & Evaluation Center at John Jay College of Criminal Justice recently reviewed the outcomes of C2H. Researchers collected statistical information about the effort, interviewed some of the officials who designed and implemented it, and talked with private providers and advocates. The findings of **the study** include:

- Close to Home appears to be an effective strategy. The first phase of C2H stopped the placement of youth in the State's remote, non-secure facilities and relocated those services closer to the City. Even youth still requiring residential placement now have greater opportunities to maintain positive connections to their families and communities.
- Close to Home improved educational supports for justice-involved youth. School officials in New York City report that youth affected by C2H are taking and passing their Regents Exams at higher rates than before, and they are more often returning to their neighborhood schools following placement.
- The effectiveness of C2H cannot be assessed simply by tracking changes in the number of youth placements. New York City placements dropped sharply in recent years, but the decline started long before C2H.
- Several youth justice trends, however, are more positive in New York City than in other areas of the State (e.g., probation intakes and detention utilization). These differences suggest that C2H is at least not increasing the use of placement or undermining public safety.
- Some provider agencies believe the implementation of Phase 1 was rushed. Providers need time to prepare for new clients and new caseloads. The planning process for Phase 2 should allow for reasonable start-up time, and the City and State should support agency costs during start-up.
- City and State agencies should minimize the number of youth who are physically transferred from one setting to another in the midst of a residential stay. New placement facilities under C2H should be allowed to expand as they accept newly adjudicated youth rather than transferring youth already in placement.
- Operating high-quality placements is essential, but it is also important to limit the use of those placements to youth who require that level of intervention. Net-widening is an ever-present risk in the youth justice system.
- Residential staff in the youth justice system do difficult work. Agencies must recruit staff carefully and provide employees with ongoing training and professional development to ensure quality of care and to minimize turnover.
- Youth justice agencies should rely on evidence-based or evidence-informed service models whenever possible, but such models do not exist to address every youth and family factor that leads to crime and delinquency. Youth justice systems should deploy interventions suggested by adolescent development science and preventive principles (e.g., job supports, educational mentoring, participation in the arts, sports and physical activity, and an array of other interventions that develop young people's skills, interests, and opportunities).

As long-term outcome data become available, New Yorkers may learn that the Close to Home initiative brought real and lasting benefits to justice-involved youth and their communities. As of now, nobody is ready to call the initiative a complete success, but C2H retains strong support from State and City officials, practitioners, and advocates. The general consensus is that Close to Home is a promising reform that has already improved the quality of youth justice in New York City and New York State.

ACKNOWLEDGEMENTS

Support for this research brief was provided by the **Robert Sterling Clark Foundation** with additional funds from the Pinkerton Foundation. The authors are grateful for the cooperation and support of the officials and practitioners interviewed for this project, but any points of view or opinions contained in this document are those of the authors alone.

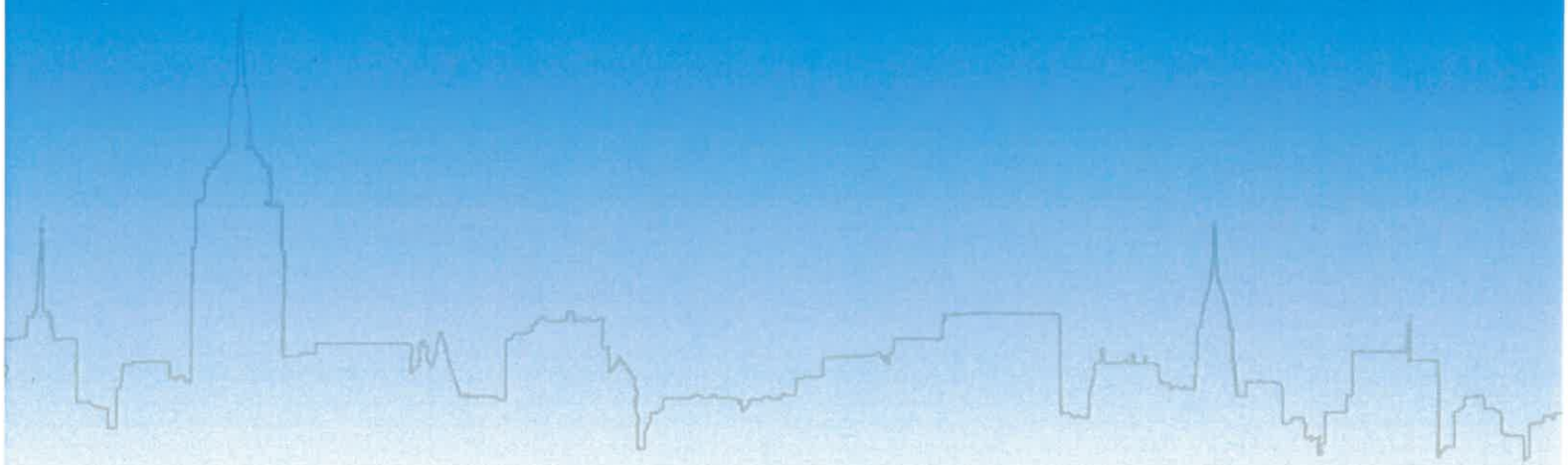
FULL REPORT

Staying Connected: Keeping Justice-Involved Youth "Close to Home" in New York City

MARCH 2015

STAYING CONNECTED

Keeping Justice-Involved Youth "Close to Home" in New York City



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Preface

When justice-involved youth are supervised by local agencies and placed with locally operated programs rather than being sent away to state facilities, they are better able to maintain community ties. They stay connected with their families and they are more likely to remain in local schools. Policy reforms that localize the justice system are often called "realignment." New York's "Close to Home" (or C2H) initiative is a prominent example of youth justice realignment. Launched in 2012, it is the latest chapter in a decade-long commitment by New York State and New York City to improve the justice system for young offenders by investing in programs and interventions that allow youth to stay close to their homes and families.

With primary support from the **Robert Sterling Clark Foundation** and additional funds from the **Pinkerton Foundation**, the Research & Evaluation Center at John Jay College of Criminal Justice reviewed the design and implementation of New York's C2H initiative. Researchers collected data and other information about the reforms, interviewed many of the officials who designed and implemented them, and talked with staff from private provider agencies and advocacy organizations.

The study included at least one detailed interview with each of the following people (***affiliations at the time of each interview***):

Ronald Richter	ACS, Commissioner
John Mattingly	Annie E. Casey Foundation
Gladys Carrion	OCFS, Commissioner
Felipe Franco	OCFS, Deputy Commissioner
Ana Bermudez	DOP, Deputy Commissioner
Vinny Schiraldi	DOP, Commissioner
Mishi Faruquee	ACLU, director of juvenile justice projects
Gabrielle Horowitz-Prisco	Correctional Association, Juvenile Justice Project
Jeremy Kohomban	Children's Village, President and CEO
Nina Aledort	OCFS, Associate Commissioner
Tim Roche	OCFS, Associate Commissioner
Jacquelyn Greene	DCJS, Director of Juvenile Justice Policy and Counsel to the Governor's Deputy Secretary for Public Safety
Gail Nayowith	St. Christopher Ottilie Family of Services, Executive Director
Sara Hemeter	ACS, Associate Commissioner
Michele Sviridoff	Office of the Criminal Justice Coordinator
Renee Petrucelli	NYC Department of Education, Passages Academy
Timothy Lisante	NYC Department of Education, Superintendent of District 79
Laurence Busching	Office of the Criminal Justice Coordinator

The policymakers, advocates and practitioners interviewed for this report provided the authors with valuable insights and information about the C2H initiative and the research team is very grateful for their participation and candor. Any opinions in the report other than those directly attributed to an interviewee are those of the authors alone.

A draft of this report was posted on the internet in May 2014 and discussed at the Spring **Pinkerton Youth Justice Symposium** at John Jay College of Criminal Justice in New York City. After the Symposium, readers of the draft report were invited to comment on the report and to suggest material that should be added. All comments were reviewed and incorporated into the text as appropriate.

Glossary of Acronyms

- *ACD*: Adjournment in Contemplation of Dismissal
- *ACS*: New York City Administration for Children's Services
- *APT*: Adolescent Portable Therapy
- *ATD*: Alternative to Detention
- ATI: Alternative to Incarceration
- *ATP*: Alternative to Placement
- B4B: Brooklyn for Brooklyn
- *C2H*: Close to Home
- *CD*: Conditional Discharge
- *DJJ*: Department of Juvenile Justice (former New York City agency)
- *DOP*: New York City Department of Probation
- *DCJS*: New York State Division of Criminal Justice Services
- *IAP*: Intensive Aftercare Program
- *JD*: Juvenile Delinquent
- *JJI*: Juvenile Justice Initiative
- *JO*: Juvenile Offender
- *LSP*: Limited-secure Placement
- *MST*: Multi-systemic Therapy
- *NSP*: Non-secure Placement
- *NYC*: New York City
- *OCFS*: New York State Office of Children and Family Services
- RAI: Risk Assessment Instrument
- SDM: Structured Decision Making
- SP: Secure Placement
- *YO*: Youth Offender

Summary

State and local governments across the United States are implementing measures to reduce youth incarceration and invest more in programs that allow young people to stay connected to their homes and families. Policymakers have recognized that, by itself, incarceration is not an effective strategy for improving offender outcomes, reducing recidivism, and promoting public safety. Incarceration does not reduce and may actually increase the risk of reoffending— especially for young offenders who are sent far away from home and separated from their families for extended periods of time (**Fabelo et al. 2015**). Increasingly, public officials are reforming youth justice systems by relocating the bulk of their intervention resources at the local level. Many states are investing in community-based alternatives and some are closing down traditionally rural, state-operated youth correctional facilities.

In New York State during the 1990s and early 2000s, advocates and even some policymakers called for the State to redesign its youth justice system (e.g., **Governor Paterson's Task Force 2009**). Lawmakers spent more than a decade implementing a set of policy reforms that promised to expand the use of community-based alternatives for young offenders. Everyone involved in these efforts shared a common goal — to create a system for justice-involved youth that would be less punitive, more rehabilitative, and more thoroughly grounded in research evidence and best practices.

In 2012, New York began a realignment effort known as *Close to Home* (or **C2H**). Two years later, many of the officials and practitioners involved in C2H still described it as "promising" or "encouraging." Few were ready to call it completely successful. Everyone interviewed for this study, however, supported the general goals of C2H and the strategies being pursued by City and State agencies. It was not clear how to judge the long-term success of the initiative, but Close to Home appeared to be a sound investment for New York State and New York City.

Key Findings

1. According to the interviews conducted for this study, the Close to Home initiative was widely perceived to be an effective reform strategy for youth justice in New York. After two years of implementation, the initiative retained strong support from State officials, City officials, youth justice practitioners, and advocates.

2. The success of C2H cannot be assessed simply by tracking changes in placement numbers. The sharp decline in New York's rate of residential placements after C2H may suggest to some that the initiative is an effective strategy, but the downward trend in placements began many years before C2H.

3. Opinions still vary as to the fundamental purposes of C2H. Was it intended to reduce the overall use of residential placements, or was it an effort to localize the residential system and replace state placements with local placements?

4. Some professionals involved in the design of C2H argue that it was never simply about geography (i.e. the location of placements). It was intended to establish a better and more cost-effective balance of resources across the full dispositional continuum, including the wider use of community-based, non-residential alternatives.

5. For many officials, present day costs are not the most critical indicator of C2H's success. They believe that C2H should eventually make the youth justice system more cost-effective by generating better youth outcomes and lowering crime rates.

6. More than two years into the C2H initiative, New York City operates more (and perhaps better) placement facilities, but advocates worry that the full array of community alternatives remains under-utilized.

7. Some advocates interviewed for this study are worried that if new C2H-funded placement facilities are of higher quality and produce better outcomes than the State's now-closed facilities, New York City judges might be inspired to use placement more often than before.

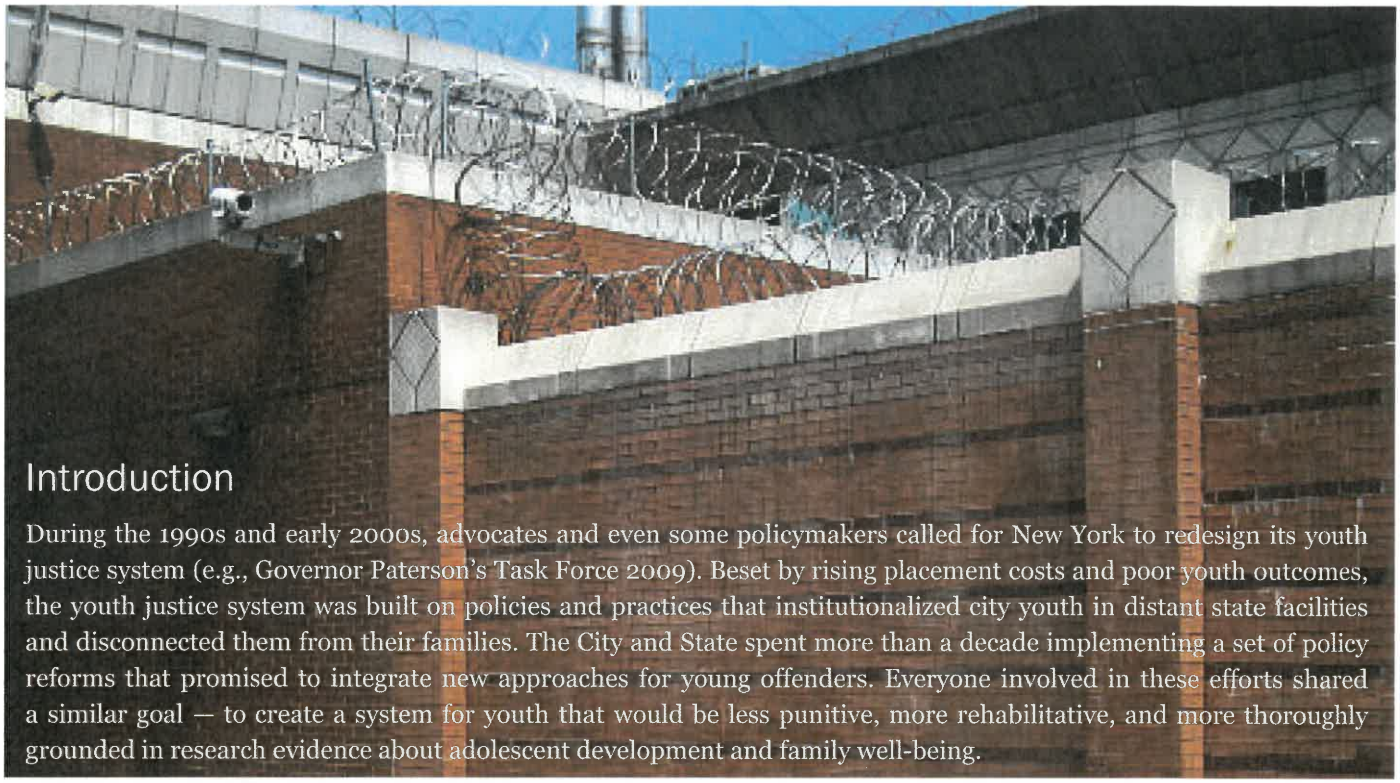
8. Other stakeholders fear that C2H may have even hindered the momentum that was building for keeping justice-involved youth safely in the community. Instead, the youth justice system in New York City may have become more preoccupied with expanding youth placements — albeit the locally-operated placements everyone prefers.

9. Advocates ask a key question: "Was it ever reasonable to assume that the C2H initiative could build a high-quality placement system ***and*** simultaneously work to keep youth out of that system?"

10. Nearly all stakeholders interviewed for this study agree that the planning and implementation of C2H was rushed, but they also agree that rushing was probably necessary. The C2H initiative would have likely "died on the vine" had it not moved so quickly.

11. After nearly three years of experience, including a transition to a new Mayor and City administration, the Close to Home initiative appears to be established policy. All stakeholders are eager to maintain the effort, although criticisms and debates about particular strategies continue.

12. It is too early to tell whether the changes introduced by C2H have truly reformed New York City's justice system or improved public safety, but key youth justice trends in New York City are actually more positive than in other areas of New York State. On balance, Close to Home seems to be a solid investment.



Introduction

During the 1990s and early 2000s, advocates and even some policymakers called for New York to redesign its youth justice system (e.g., Governor Paterson's Task Force 2009). Beset by rising placement costs and poor youth outcomes, the youth justice system was built on policies and practices that institutionalized city youth in distant state facilities and disconnected them from their families. The City and State spent more than a decade implementing a set of policy reforms that promised to integrate new approaches for young offenders. Everyone involved in these efforts shared a similar goal — to create a system for youth that would be less punitive, more rehabilitative, and more thoroughly grounded in research evidence about adolescent development and family well-being.

In 2012, the youth justice field watched closely as New York began an ambitious realignment effort: Close to Home (or C2H). The initiative was inspired by youth justice realignment efforts in other states (**Butts and Evans 2011**) and policymakers hoped that it would provide effective interventions for youth in their own communities. Close to Home shifted the custody of all but the most severe youthful offenders from New York State to New York City. It increased the number of youth receiving services in their home communities and it sustained the trend toward less frequent use of state-sponsored placements.

C2H was a multi-organizational effort. Agencies from both the State and City collaborated closely. State efforts were led by the Office of Children and Family Services (OCFS) and the Division of Criminal Justice Services (DCJS), while the leading City agencies were the Department of Probation (DOP) and Administration for Childrens' Services (ACS). The driving assumption behind C2H was that keeping youth close to their families and communities would enable parents and guardians to be more involved in their child's supervision and rehabilitation and to establish better relationships with educational and treatment supports. Youth could forge stronger connections with local resources during and after placement and the school credits they earned during placement could count towards their academic progress.

Mayor Michael Bloomberg (2012)
"A Landmark Overhaul"

click to watch

Close to Home was designed to unfold in two phases beginning with the lowest risk youth in the least restrictive settings. During Phase 1, the City created a residential system for the lowest risk youth — those typically held in the "non-secure" facilities operated by the State's OCFS. From September

[Close to Home is designed] to make sure kids have the right programs at the right time, that those who pose a danger are in locked facilities with appropriate services, and those who are not [dangerous] are close to families, schools, and communities that can help them to become law-abiding citizens.

— Elizabeth Glazer, 2012 (to NBC New York)

2012 to May 2013, City youth housed at these State facilities were transferred to new programs in New York City. After September 2012, as low-risk youth were newly adjudicated by family courts in the City, they were to be placed in the new locally-operated programs.

Phase 2 of C2H would add new placement facilities for youth in the next highest risk category—those held in the State's "limited-secure" facilities. City youth already housed at State-sponsored limited-secure facilities would be transferred to the new local system and newly adjudicated limited-secure cases were to be placed directly in the new City-based system.

Phase 2 was originally projected to launch in early 2013. By the end of 2014, however, it was two years behind schedule and City officials announced that it would launch in March 2015. Some officials acknowledged that the original plan for the limited-secure phase of the initiative was probably never feasible. According to some City leaders, the initial plan for how and when to move forward with the limited-secure phase of the C2H initiative was always seen as tentative by those most involved in its design and implementation.

The 2014 change in New York City's mayoral administration introduced many changes in city government. Some central players in the design of C2H changed jobs, including some leaders from the very state agencies that helped to conceptualize C2H. Several key State agency leaders took new positions with the City. Most stakeholders interviewed for this report remained optimistic about the new appointments and the C2H initiative.

Key Questions

Beginning with the earliest conversations about C2H, the initiative was widely perceived as a promising reform, but how well would the new concepts and practices be implemented? How confident could the public be that this new approach to youth justice in New York would lead to better outcomes? Answers to these questions were only starting to emerge three years into the initiative.

Close to Home was obviously a complex initiative that involved the cooperation and coordination of a variety of government and community agencies. The goal of this report is to examine the initial phases of C2H implementation and to highlight varying points of view expressed by key stakeholders.

The real challenge with the future of Close to Home is to create structures – incentives and disincentives – that will keep this going if the political winds shift again. To institutionalize these reforms going forward, we need a clear road map for the reinvestment of resources to fund and sustain the continuum of community based alternatives to incarceration that we built so that the reforms outlive the personalities involved and the conditions that came together to make this happen.

— Ana Bermudez, 2013

The report addresses questions such as:

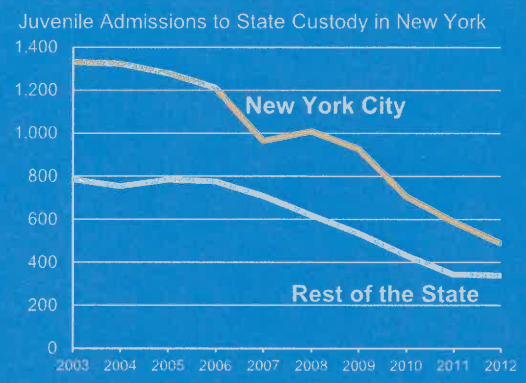
- Who were the key individuals and agencies that made C2H happen?
- What issues affected the negotiation and planning phase?
- What issues affected implementation?
- Did C2H lead to significant reductions in out-of-home placements?
- Would C2H eventually save taxpayer dollars or was it simply replacing one expensive system with another?
- What lessons were learned during Phase 1 of C2H that could help State and City officials ensure the success of Phase 2?

Before the Reforms

Close to Home was part of a decade-long effort to correct budgetary incentives, improve services, and achieve positive outcomes for youth and families involved with New York's justice system. The need for reform was apparent years before C2H. The costs of youth justice, for example, increased considerably through the 1990s and early 2000s. Total costs rose 24 percent in one five-year period, from $202 million in 2003 to $251 million in 2008 (New York City Independent Budget Office 2008), and this was during a time of falling crime rates, declining placements, and growing reliance on less-expensive community alternatives (Figure 1).

System-wide costs remained high at least in part because State policies required OCFS to keep residential facilities open and fully staffed even as the number of youth requiring placement dropped along with the rate of serious youth crime. Placement costs per youth exploded as a result. Youth outcomes, however, were not improving. One OCFS analysis found that 66 percent of youth released from State placement facilities were re-arrested within two years (NYS OCFS 2011).

Policymakers and practitioners were frustrated by the continued problems. By 2010, OCFS facilities were under review by federal investigators and New York City had filed a lawsuit contending that the State was overcharging for placement services. The State and City eventually agreed on a set of reforms,



Source: New York State Office of Children and Family Services. Juvenile Justice Annual Update for 2012 (May 2013)

Between 2003 and 2012, placements declined more among New York City youth than among other youth (-63% vs -56%).

FIGURE 1

including downsizing of under-utilized facilities and some of the policy changes that would eventually become known as Close to Home. The State agreed to transfer most young offenders from New York City to local custody. Suddenly, New York City had gotten what it was asking for — the City's youth would not be going upstate in large numbers following their adjudication as "juvenile delinquents" (JDs) or "juvenile offenders" (JOs). They- would be staying closer to the City. Now what?

City Reforms

The reforms associated with C2H did not happen overnight. New York City's juvenile detention and placement practices were under intense scrutiny long before 2012. In 2003, the New York City Department of Probation (DOP) launched "Project Zero," an effort to reduce the City's over-reliance on detention and out-of-home placement. The DOP increased the use of "adjustments" (or, diverting cases from the formal process) in order to expand the use of community-based services. Successful adjustments increased as a result. At one point, successful adjustments grew 12 percent in just two years (Division of Criminal Justice Services 2013).

In 2006, responding to skyrocketing detention costs and poor recidivism outcomes, City officials initiated a series of reforms designed to reduce over-reliance on detention and expand community alternatives. The efforts were twofold: 1) City agencies pledged to use more data in making case-specific detention decisions; and 2) the City administration promised to build a broader array of community-based alternatives.

The City also commissioned New York's Vera Institute of Justice to assist in the development of a formal **risk assessment instrument** (RAI). The RAI provided added information for structured decision-making to clarify the risks of recidivism posed by individual youth and to ensure that pre-court detention was used only for high-risk youth.

Some advocates interviewed for this study expressed concern about the potential misuses of the RAI and the structured decision-making model. Once justice

agencies become accustomed to viewing youth through the lens of risk scores, **experts warn** that decision-makers may lose sight of the epistemic origins of risk measures. Risk assessment scores are heavily weighted on a youth's prior record of justice involvement (i.e. previous arrests, offenses, and adjudications). Thus, risk scores are at least partly, if not largely, composed of the previous decisions made by police, prosecutors, and judges. Measured risk is essentially a composite of how other justice officials have viewed a young offender in the past. To the extent that their views were tarnished by bias or hostility, this collective animus is inherently bound up in a youth's current risk assessment score.

Still, most officials agreed that the adoption of the RAI signaled a major paradigm shift in the City's youth justice system. No longer would judges, prosecutors, and defense attorneys be expected to rely on "gut instincts" or unfounded assumptions about the risks young people pose to public safety. City officials now had a common metric and standard vocabulary for discussing policy options and the factors thought to be predictive of risk and recidivism.

As the RAI was being developed and piloted, NYC officials also designed a wider continuum of "alternative to detention" (ATD) programs and the City solicited proposals for programs that would be consistent with the new regime of structured decision-making. In addition to improving the rational basis of detention utilization, the structured decision-making approach allowed the City to triage resources for low, medium, and high-risk youth across the full range of community-based services.

Before C2H, the DOP and ACS agreed to expand the availability of existing community-based "alternative to placement" (ATP) programs as well, which included the Vera Institute's Esperanza program and ACS' own Juvenile Justice Initiative (JJI). These programs served delinquent youth who may otherwise be placed out of their homes, including some at risk for secure settings. Esperanza was a comprehensive community program that provided family counseling, intensive supervision and resources to the juvenile justice population and their families. JJI employed an array of evidence based, family focused interventions that included multidimensional treatment foster care, functional family therapy, and multi-systemic therapy (ACS 2012).

In 2008, New York City implemented a Weekend/Holiday Arraignment Initiative. This initiative expanded the processing of juvenile cases from weekdays only to include weekends and holidays as well, thus reducing time in custody for defendants awaiting court processing. In 2010, the City also restructured the management of the detention system. The former Department of Juvenile Justice (DJJ) became part of the city's child welfare agency, ACS. With the merger, ACS began to operate a full array of non-secure and secure detention facilities in the City (Cannon, Aborn and Bennet 2010).

Categories of Young Offenders Under New York Law

During the development of Close to Home, New York's youth justice system designated three types of young offenders:

- *Juvenile Delinquents*: at least age 7 but less than age 16, and referred to family court for an act of delinquency that would constitute a crime if committed by an adult;
- *Juvenile Offenders*: ages 13, 14, or 15 and charged with a relatively serious crime in (adult) criminal court; and
- *Youthful Offenders*: ages 16 to 18 and automatically handled in criminal court.

Together, these new approaches had begun to create a culture shift in New York City's juvenile justice system well before the launch of C2H. Judges and prosecutors became accustomed to a more rehabilitative climate, had a broader array of options at their disposal and began to send more youth to community-based programs. As NYC youth justice practice came increasingly under the control of child welfare policy makers at ACS, and as the youth crime rate continued to fall across New York and the entire country, the population of youth in upstate placement facilities was shrinking rapidly (Figure 2). According to State officials and NYC practitioners, however, the youth who remained in placement represented a higher-risk cohort.

State Reforms

The C2H initiative was preceded by several critical developments at the State level as well. In particular, Gladys Carrión's 2007 appointment as Commissioner of OCFS set in motion a series of reforms. Almost immediately upon assuming the leadership of OCFS, she began to press for down-sizing, or "right-sizing" the youth justice system, which meant drastically reducing the capacity of the upstate youth facilities that swelled during the youth crime scares of the 1980s and 1990s.

Carrión implemented several reforms to facilitate change. For example, OCFS began to address longstanding concerns about lengths of stay in its youth facilities. In 2007, the mean length of stay for youth in State-operated facilities was 11 months, while the mean length of stay for youth placed with private agencies was 13 months (NYS OCFS 2009). The agency sought to reduce lengths of stay by contracting with New York City's Children's Aid Society and others to provide aftercare supports for youth returning from State-run facilities and by establishing an Intensive Aftercare Program (IAP) for youth released from private facilities. With more aftercare options, OCFS was able to shorten the mean length of stay for youth in State-operated facilities to 9 months; private agency stays fell to 11 months on average (NYS OCFS 2009).

The IAP program included electronic monitoring, day placement programs, evening reporting centers, and evidence-informed community therapy programs like Adolescent Portable Therapy (APT) and Multi-systemic Therapy (MST). OCFS collaborated with ACS to create the JJI Intensive Preventive Aftercare Services (IPAS), a Functional Family Therapy-based program that provided aftercare services for youth and their families. Facility populations began to fall dramatically, partly due to these reforms but aided by the steep drop in youth crime that occurred in New York and the **nation** as a whole after the 1990s.

These reforms were not welcomed by everyone. Some officials interviewed for this study acknowledged that New York's private residential providers were becoming concerned at this time about the trend toward less residential utilization. The survival of private agencies obviously depends on a steady flow

The Juvenile Justice Process in New York City

After an alleged "juvenile delinquent" is arrested in New York City, the Department of Probation (DOP) is responsible for determining if the case should be dismissed, adjusted (i.e. diverted) or referred to the prosecutor for formal processing. If referred, the city's Law Department may reconsider adjustment, release the youth, or prosecute.

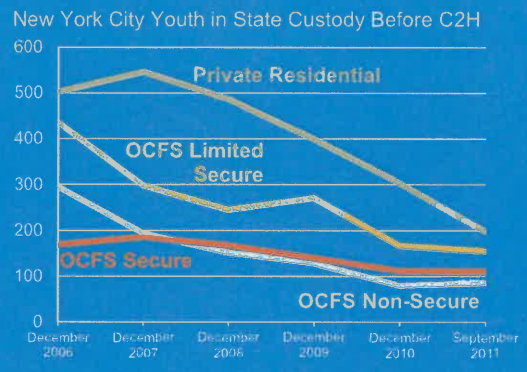
The DOP conducts an intake process with youth referred for prosecution and a probation officer assesses the youth's risk either for "failure to appear" in court, or for re-offending during the course of the court process.

Based on its assessment, the DOP recommends one of three detention actions: 1) release the youth, 2) refer the youth to an alternative to detention (or, ATD) program, or 3) hold the youth in detention (secure or "non-secure").

A delinquency petition is filed and reviewed in a fact-finding hearing, where a judge may again decide to release, adjourn, or postpone the case, or the court may adjudicate the youth as a delinquent.

When a youth is adjudicated, the DOP forwards a disposition recommendation to the court. Options include dismissal, "adjournment in contemplation of dismissal" (ACD), conditional discharge (CD), probation supervision, placement in an alternative (ATP) program, or another placement.

Before the C2H initiative, NYC juvenile delinquents could be placed with a local department of social services or be held under OCFS (state) custody, which included public facilities and private agencies contracted by OCFS. Most of the OCFS and private facilities were located upstate, sometimes hours away from New York City.



Source: Bermudez, Ana and Mark Ferrante (2012). The New York City Juvenile Justice Reform Story: Realignment and the New York City Model of Juvenile Probation. Presentation at the CJJ 2012 Southern Region Conference.

Before the launch of Close to Home, the numbers of youth in all types of State placement facilities had been shrinking rapidly.

FIGURE 2

of clients. According to several observers, the State's larger private agencies began to lobby the courts to send an increasing proportion of placement-bound youth to them. If this is true, the effort appeared to succeed. By 2011, 921 juvenile delinquents were placed in private agency settings statewide while only 268 were placed in public facilities, reversing a long-standing pattern from earlier years (NYS Division of Criminal Justice Services 2012).

The shift toward private placements was an eye-opener for City and State officials, both in terms of program quality and fiscal policy. Youth placed with private agencies were in State (OCFS) custody, but local governments were expected to pay 100 percent of the bill for private placements, compared with a 50-50 split for placements in State-operated facilities. In other words, just as the State was working to shorten its residential lengths of stay and to improve the quality of aftercare services, private placement agencies — where shorter lengths of stay and extended aftercare were essentially bad for business — began to capture a larger share of the declining number of placements. In New York City, the statewide shift from OCFS-operated facilities to private placements billed at 100 percent increased the urgency for reforming the placement system. Some officials involved in C2H described this development as the "final straw" that forced the City to act.

State officials also saw a need for action. Under the leadership of Commissioner Carrión, a broad State-level reform agenda had already begun to take hold. OCFS was working to enhance the role of families and communities in the rehabilitation of the youth throughout the services spectrum. New staff training initiatives were bringing agency practices in line with the best, evidence-informed principles, particularly around positive youth development approaches and services for Lesbian, Gay, Bisexual, Transgender, and Questioning (LGBTQ) youth (ACS 2013a).

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Other precursors to C2H included the **Brooklyn for Brooklyn** initiative (or, B4B), a pilot program designed to work with young offenders closer to their families and to improve the overall quality of services for City youth. The B4B initiative promoted a therapeutic, community-based model focused on positive youth development (Vera Institute of Justice 2013). A number of people interviewed for this study saw B4B as a working laboratory for C2H. State officials continued their support for B4B until 2013, when the State sold the residential facility to the City so it could become part of the C2H initiative. The early success of B4B and the obvious need for such a model may have helped to inspire the development of C2H.

A System in Turmoil

City and State reforms were yielding positive and encouraging results even before the launch of Close to Home — aided by the national decline in youth crime. Rates of serious youth crime today are half what they were in the mid-1990s (Butts and Evans 2014). There were many competing explanations. Youth growing up in the 1980s and 90s may have begun to reject the lifestyle they came to associate with drug use and criminal activity as they observed older siblings and friends getting arrested. The declining size of the youth population may have contributed to the reduction, or perhaps the many changes associated with digital communications and social media led youth to pursue fewer illegal activities. One always-popular explanation is that growth in the use of incarceration after 1980 increased the deterrent effect of the justice system overall. Most careful research, however, suggests that rising incarceration alone explains only a small portion of the crime decline.

Regardless of the causes, however, the falling rate of serious youth crime was associated with a declining demand for placements. The number of New York City youth coming into the justice system dropped sharply in the years leading up to C2H. Between 2006 and 2012, juvenile arrests for major felonies in New York City dipped 27 percent (ACS 2013a) and the average daily population in detention dropped 29 percent (City of New York 2010; 2012). From 2006 to 2011, the number of youth placed in OCFS custody statewide plummeted 47 percent (Division of Criminal Justice Services 2012). New York City placements dropped by two-thirds from 2005 to 2012, beginning seven years before the launch of the C2H initiative (ACS 2013a).

These trends encouraged the dramatic changes at OCFS. Within a year of being appointed OCFS Commissioner, Gladys Carrión shifted resources away from the State's residential facilities and into community alternatives. From October 2007 to September 2013, the State closed 23 youth facilities and reduced capacity in others. Overall, OCFS reduced its residential capacity by more than 1,000 beds.

Yet, **problems continued** to plague the youth justice system. In 2007, the Civil Rights Division of the U.S. Department of Justice launched an investigation into conditions in several of the State's residential facilities for young offenders.

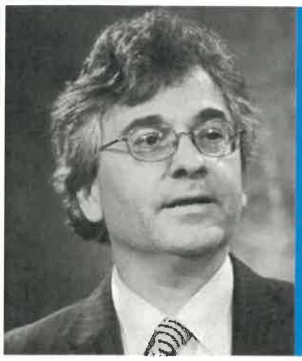
Levels of Placement

During the development of the C2H initiative, state-operated facilities in New York had three security levels: secure placement (SP), limited secure placement (LSP) and non-secure placement (NSP).

Non-secure placement (NSP) facilities generally housed 22 to 50 youth and did not have perimeter fencing.

Limited secure placement (LSP) facilities usually housed between 25 to 183 youth and some were surrounded by a barbed wire.

Secure placement (SP) facilities were the most restrictive residential programs, surrounded by barbed wire with other secure hardware. They housed 30 to 180 youth (see Task Force on Transforming Juvenile Justice 2009).



This is just a bad model. It was established in the 1800s by people who wanted to get Irish kids out of inner cities, and have them breathe fresh air and slop pigs — assuming that would rehabilitate them — and then send them back to the city to be good little boys and girls. The model never made much sense. People were complaining about it almost immediately. We're still complaining about it today. It's like using leeches to cure cancer.

— Vincent Schiraldi, 2013

The findings of the investigation were delivered to the Governor's office in August 2009. The DOJ charged that treatment services for youth in State-run facilities were inadequate and that conditions were often abusive.

According to the DOJ **findings letter** sent to the Governor, the federal investigation found that:

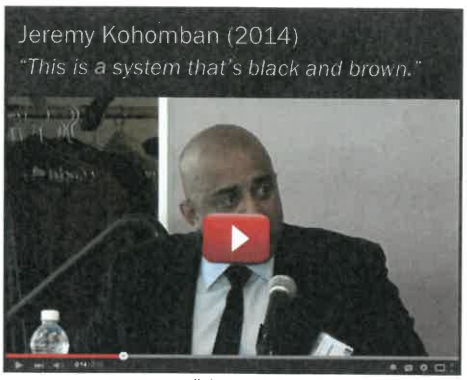
> 1) staff resort quickly to a high degree of force that is disproportionate to the level of the youth's infraction; and 2) the technique employed to restrain a youth results in an excessive number of injuries. We also found that investigations into uses of force and restraints were inadequate and that, in many instances, OCFS failed to hold staff accountable for gross violations of OCFS policy on the use of force and restraints.

According to DOJ,

> [The] staff at the facilities routinely used uncontrolled, unsafe applications of force, departing both from generally accepted standards and OCFS policy. Anything from sneaking an extra cookie to initiating a fist fight may result in a full prone restraint with handcuffs. This one-size-fits-all control approach has not surprisingly led to an alarming number of serious injuries to youth, including concussions, broken or knocked-out teeth, and spiral fractures.

After the release of the DOJ report, Commissioner Carrión met with New York's family court judges and recommended that they refrain from sending any more youths to OCFS unless the youth posed significant risks to public safety. In October 2009, court administrators sent a similar memorandum to judges encouraging them to refer youth to community resources instead of sending them to placement (Storey 2010).

Meanwhile, then-Governor David Paterson launched the Task Force on Transforming Juvenile Justice. The task force released its **report** in December 2009. The report recommended further drastic decreases in the use of residential placements for youth, as well as the creation of a comprehensive menu of alternatives to placement and stronger reentry programs.



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[J]uvenile crime, continued to go down as we were closing facilities, as we were reducing the number of kids coming into care... [W]e showed that kids could be safely in the community, and that we could do a different model and approach, move from a correctional model to more of a rehabilitative [and] developmental approach in dealing with young people.
— Gladys Carrión, 2013

The State also faced civil litigation. In December 2009, the non-profit Legal Aid Society filed a class action suit against OCFS. The suit alleged ongoing civil rights violations and argued that OCFS facilities deprived youth of essential mental health services and that staff used unconstitutional and excessive force to control youth (Storey 2010). The lawsuit was eventually settled with OCFS consenting to significant policy changes. More than a dozen individual plaintiffs received substantial settlements and the **lawyers** who brought the case claimed $1 million in fees.

The pressures continued to mount. In 2010, newly elected Governor Andrew Cuomo **visited** OCFS's Tryon Residential Center, a limited secure facility that OCFS had scheduled for closure. The Governor saw a fully staffed but empty campus, as OCFS was legislatively required to continue staffing the facility during the closure process. The visit was covered heavily by statewide media as a symbol of fiscal waste and negligence in the State system. The following year, the State agreed to a $3.5 million settlement in a five-year-old lawsuit centering on the **negligent death** of a 15-year-old at Tryon.

Meanwhile, the number of City youth placed with OCFS dropped 62 percent between 2002 and 2011, causing daily costs per youth to swell 150 percent (Bermudez and Ferrante 2012). With the public increasingly aware of the staggering price tag associated with the State's faltering system of residential facilities, New York City officials were emboldened to act. The logical next step was for the City to assume full responsibility for its own youth and to keep them out of expensive facilities located hours away from their homes and families.

In January 2011, Laurence Busching, then Executive Commissioner of the Division of Youth and Family Justice at ACS, and Vincent Schiraldi, then Commissioner of DOP testified before the New York City Council on the need for City officials to act. They pointed out that under the existing policy structure, New York City paid $17 million more in 2010 than it did in 2002 for its share of an increasingly unnecessary State custody system. The financial drain would only worsen and render the City unable to invest in creating a new and much-needed system to serve its own youth.

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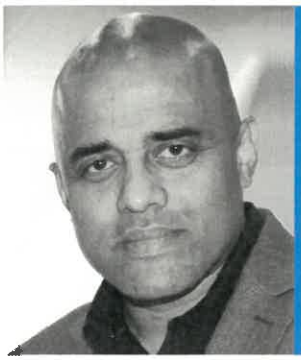

Our system... is black kids and brown kids. ... They're coming from a few neighborhoods that have been historically segregated. Our work is about social "injustice." ... We work in a system that is inherently unjust. ... We [need to] remind ourselves everyday that this is a system that's black and brown. It's not white and it's not Asian.

— Jeremy Kohomban, 2014

Youth advocacy groups were another critical part of the story. Groups like the Correctional Association of New York warned that current practices disconnected youth from their families and returned them to their home communities worse than they were before placement. The advocates placed special emphasis on the harm of educational disruptions during placement. While youth always had the opportunity to earn credits during placement, the credits did not always count toward their academic progress when they came home, causing at-risk and disconnected youth to fall behind or to withdraw entirely from school (Bloomberg 2012).

In short, an array of factors combined to create the perfect conditions for reform. The State faced serious fiscal, administrative, and legal pressures. Upstate secure facilities were seen to be a waste of resources that sometimes caused serious harm to young people. The juvenile defense bar and youth advocacy community were making frequent calls for fundamental reform. Meanwhile, the national youth crime decline was lowering the temperature on all crime policy debates.

The City had been tinkering with procedural and structural reforms for more than a decade. By 2012 it seemed that lawmakers might be able to do the right thing. In this case, the right thing was to dismantle a system that relied on expensive facilities in upstate New York and to create a locally operated system with better access to alternative programs and — in cases where youth did have to be removed from their homes — placements that were closer to their families and neighborhoods in New York City.

Negotiating Reform

Practitioners strongly supported the principles behind Close to Home, but a number of obstacles complicated efforts to build broader support among State and City officials. Youth justice had become less of a priority for elected officials after the violent crime scares of the 1990s subsided. Political issues associated with youth crime seemed less urgent. Young people also made up a relatively small portion of the overall justice system. Whatever political energy remained to deal with ongoing problems of crime and violence tended to focus

on adults, which in New York State included all offenders age 16 and older. In addition, the economic problems that began with the recession of 2008-2009 continued to affect government. Officials in 2012 likely viewed dramatic policy changes more skeptically than they would have before 2008.

A systematic reform effort of the magnitude of C2H required significant political support from multiple parties and constituencies, and it was sometimes difficult to identify the right champions for change. Designing and implementing any change process can be arduous. The planning process for Close to Home was no exception. City and State agencies had to collaborate to design an entirely new residential system for New York City's juvenile delinquents. The effort to resolve conflicts of interest and to sort out the differing perspectives of various groups was expected to take many months. In the end, even those closely involved in the planning for C2H were surprised at just how complicated it became.

Two years after the launch of C2H, the key players still did not agree entirely about the factors that led City and State leaders to pursue the reforms. State officials credited OCFS with changing the mindset of lawmakers about youth justice because the agency shifted from a correctional model to a developmental approach and expanded the focus on positive outcomes. The State closed more than 1,000 beds after 2007 and worked hard to free up the resources that would allow community programs to serve more youth.

OCFS officials believed they contributed to New York's receptiveness to C2H by openly addressing the challenges the new system would likely face as it tried to keep youth closer to their families. The agency also used language supportive of the initiative long before the initiative itself. Some officials pointed out that the phrase, "close to home," was already part of a media campaign sponsored by the State to ease the closure of facilities outside of New York City. Some materials in that campaign asserted that correctional space in Upstate New York was no longer needed because OCFS wanted to keep youth "closer to home." Similar ideas were expressed in the report of Governor Paterson's Task Force in 2009.

City leaders, however, pointed out that some State officials actually opposed C2H in its earliest phases because legislators in Albany didn't want State voters to see youth justice reform as a City initiative. Practitioners in the City often attributed the origins of C2H to practices developed by ACS workers who were trying to improve their services for teenagers caught in the child welfare and juvenile delinquency systems. They pointed to the similarities of C2H to systemic reforms undertaken by ACS in the early 2000s to integrate the child welfare and youth justice systems.

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The City's Department of Probation would point out that its staff had been working to establish more community alternatives long before the emergence of C2H. The DOP had created an array of Alternatives to Placement (ATP)

If Close to Home is just the devolution of care from the state agency to kids being in private agencies, then it was not a success. But if Close to Home becomes an opportunity to really realign resources and invest in communities and families so that fewer kids have to be removed from their homes, then it will be a good thing.
— Felipe Franco, 2014

programs to provide youth with community services and to limit the use of residential programs. Even some State officials acknowledged that C2H was consistent with reforms already being pursued by DOP.

Valid arguments are found on all sides. For many officials, it is not even important to assign the credit for Close to Home. Most officials interviewed for this study agreed that three key forces drove the implementation of Close to Home:

1) declining rates of serious youth crime in the City, the State, and the entire country;

2) ongoing fiscal pressures remaining from the 2008-2009 recession; and

3) a sincere desire among all officials to develop better programs to serve youth effectively and to reduce recidivism.

State and City leaders were equally determined to abandon the old punitive model and to invest in a more rehabilitative and community-centered approach.

Early Moves

In October 2010, City Commissioners Vincent Schiraldi (DOP) and John Mattingly (ACS) assembled an inter-agency group called the Dispositional Reform Steering Committee, subsequently known as the NYC Juvenile Justice Advisory Committee (JJAC). The JJAC included representatives from youth-related agencies as well as members of the advocacy community. The Commissioners asked the group to consider any and all strategies for reforming the NYC youth justice system.

Based on these discussions, Schiraldi and then ACS Deputy Commissioner Laurence Busching presented an ambitious C2H reform proposal to State officials. Governor Paterson's Administration did not support the proposal at first, although State officials agreed on the need for a new approach for NYC youth. Commissioner Carrión (then at OCFS) worried the bill was put together

very quickly and that a comprehensive plan required more time. In addition, some leading advocacy groups, including the Children's Defense Fund, the Correctional Association, and Community Connections for Youth in the Bronx, did not support the bill at first. Some insiders suspected that the advocacy community was hesitant to back a proposal coming from the same City administration then supporting controversial policies such as stop-and-frisk and the closing of public schools in poor neighborhoods.

Resistance to the idea of C2H began to subside with the November 2010 election of Governor Andrew Cuomo and his selection of Elizabeth Glazer to be Deputy Secretary for Public Safety (the top public safety position in New York State government). Glazer had been chair of the State's Juvenile Justice Advisory Group under Governor Paterson. Her presence, combined with the essential support of John Feinblatt, Mayor Bloomberg's Chief Advisor on criminal justice issues, helped to inspire the emerging consensus between City and State officials. Officials interviewed for this study also frequently noted the efforts of Tamara Steckler from Legal Aid in New York City as a key factor in facilitating productive conversations between the City and the State during the early phases of C2H.

Negotiations between the State and the City began in earnest approximately one year after the earliest conversations about C2H. Elizabeth Glazer represented State leadership and then-Deputy Mayor Linda Gibbs took the leading role for the City. Many of the details surrounding the initiative were managed by Jacquelyn Greene, Counsel to the Governor's Deputy Secretary for Public Safety and a senior staff member at New York's Division of Criminal Justice Services (DCJS). Several officials from OCFS, including Executive Deputy Commissioner William Gettman and a few staff members from the Division of Budget also played key roles. The City team included representatives from ACS, DOP, and the Criminal Justice Coordinator's Office (later renamed the Mayor's Office of Criminal Justice). Judge Ronald Richter joined the negotiations after Mayor Bloomberg named him as the Commissioner of ACS in September 2011.

Everyone involved in designing the C2H process knew that the fist in implementing the strategy would be transitioning youth already in custody from State to City responsibility. A significant number of agencies would have to collaborate to make transfers happen, including the courts, Probation, ACS, OCFS and the Department of Education.

Some officials argued, quite logically, that instead of transferring youths from State to City facilities, it would be more convenient to allow youth already in placement to remain until their release, and then to build out the new City-based system more slowly, as judges ordered newly adjudicated youth to City placements. Budget conscious officials, however, pointed out that this would mean running two systems concurrently for months or even years. The

costs involved in a dual system approach would be onerous — especially with State placement costs already rising rapidly. City and State officials eventually agreed that it would be impossible to finance both the old and new systems at the same time.

Once the negotiation team agreed to transfer already-placed youth to the City's custody, the timing of transfers became a key discussion point. State leaders proposed a transition period of at least seven or eight months, as they believed the City would need time to create new structures for handling a large influx of youth. Neither ACS nor its contracted providers had much experience running programs for delinquent youth. City officials, however, pushed for a transition period of just four months because of budget concerns. Ultimately, the four-month timeline was adopted.

Some advocates argued that a longer timeframe would allow the City to create a better, more comprehensive system of services and supports. When advocates raised these concerns, however, City officials resisted. They argued that having an extended dialogue might prevent C2H from happening altogether. Several State officials concurred, telling researchers after the fact that if the initiative had been slowed down to allow for a more deliberate process, it was likely that State leaders would have balked at the scope of the reforms.

Agency officials also debated the levels of residential care that should be included in C2H reforms. State and City officials agreed that the State should continue to manage the most serious offenders — i.e. youth placed in the OCFS-designated level, "secure placement." They were never considered for transfer. Officials debated, however, whether to include both of the next two categories: "non-secure" and "limited-secure" placements. Eventually, the negotiation team decided to include both levels. Youth in non-secure placements would be transferred to City programs first. One year later, according to the original plan, youth in limited-secure residential placements would be moved to City facilities. Nobody at the time predicted that it would actually take more than two years to change placement practices for the limited-secure population.

Some officials involved in the negotiations for C2H remained concerned about how family court judges in New York City would react. When the reforms were launched, what would happen if judges did not trust the new approach? If courts no longer had ready access the State's non-secure placements, would judges begin to send even more youth to limited-secure facilities? Would they try to use City detention beds as a placement resource? Everyone worried about unintended consequences.

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It's Always Partly About the Money

Funding was a constant concern. The C2H initiative posed financial risks for both the City and the State. Officials from State agencies worried that most economic resources for youth placements were being shifted to the

City. What if, at some future time a larger number of youth were sent for placement at the most secure level? Would the State have enough resources to manage the entire population? City officials were equally concerned. What if the shift of resources from the State did not generate enough funding to create a truly effective residential system for City youth? Were they taking on too much?

The State wanted to fund City operations with a C2H block grant that would cover half of all placement costs. State agencies calculated the total costs for an intensive system of care for every City youth projected to require services, including drug and alcohol treatments, mental health care and educational supports. City leaders worried about the State's block grant approach. What if the amount of the block grant remained flat and did not provide additional funds if and when demand for placement resources increased? State officials believed that a block grant approach was better than an open-ended funding stream that could create incentives for placement.

Linda Gibbs and Elizabeth Glazer were instrumental in making the numbers work for both parties. Eventually, both sides agreed to include a caveat in the legislation that provided for adjustment of the block grant formula if future changes in the legitimate demand for placement resources exceeded supply. The compromise involved using probation intake numbers to calculate changes in C2H allocations.

Designing a New System

State and City officials sometimes had different visions for how the new youth justice system should begin working with the Close to Home population in New York City. State officials were concerned about the inexperience of ACS — the agency in charge of new programs and facilities — and the ACS-affiliated providers that would have to serve a new type of client.

Prior to the 2010 **merger** of ACS with the former New York City Department of Juvenile Justice, ACS was a child welfare and family services agency. Providers working under contract to ACS were accustomed to overseeing services and placements for neglected and abused children. When those agencies assumed responsibility for delinquent youth under C2H, they would face a new set of challenges. They would need to emphasize community safety and accountability in addition to youth development and family support.

City officials argued that many of the organizations involved in the C2H expansion were already part of the "alternatives to detention" system and ACS had been managing that system successfully for more than a year. In addition, they pointed out, their existing provider organizations had few incidences of youth absconding from facilities and they were obtaining positive outcomes, according to ACS data. The City believed that the existing community of ACS providers would be able to serve C2H youth safely and effectively.

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City and State officials needed to agree on the particular service models that ACS providers would follow in working with youth. All parties agreed that the system should be rooted in evidence-based models whenever possible, but plans were less firm for the considerable number of young offenders for whom evidence-based models do not often exist (i.e. youth with some delinquent history, but without alcohol and drug addictions, mental health disorders, or social and emotional pathologies). In other words, what were the service models for the run-of-the-mill, justice-involved youth without serious deficits? During an interview with one high-ranking City official, the research team asked about the service plan for these youth. The official answered, "They aren't in the system." Yet, service providers would point out that these exist, and they are the very youth who are often ill-served by justice systems that pathologize disadvantaged and impoverished communities.

Officials reviewed the most well-known youth justice approaches, including the Boys Town model, the Missouri model and the Sanctuary model. They eventually decided to establish flexible standards for providers to select whatever models best fit their needs. Some officials interviewed for this study noted that discussions about service models occasionally lacked cohesion. The majority of officials and providers agreed that juvenile interventions cannot be one-size-fits-all, but unless they had an evidence-based model at the ready, the agency partners did not always know where to turn.

Legislation

The law-making process used to launch Close to Home was somewhat unusual. In most executive initiatives, the Governor's office may draft a general proposal without involving too many outsiders. The legislative process then follows, involving a range of different groups and constituencies. In other words, the final proposal is adapted through legislative negotiations. For Close to Home, the City and State agreed upon many details before the proposal was even presented to the legislature. When the bill did go to the legislature, there appeared to be little need for additional discussion. The details that traditionally delay the process had already been worked out.

Advocates still played an important role during legislative negotiations. Organizations such as the Correctional Association of New York and the Children's Defense Fund analyzed early versions of the legislation and found that it did not include sufficient provisions for community engagement and oversight. Later, the State and City hosted a series of public hearings and these issues were addressed.

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Advocacy organizations worried that C2H was largely focused on placement, and they believed that any form of residential care introduces the risk of abuse. The advocates wanted to dispel the notion that youth would be inherently less likely to be abused in smaller facilities. While small facilities were better on balance, youth in placement would not be safer just because they were closer to home and in smaller facilities run by the City rather than the State. With the strong support of advocates, the Close to Home legislation

eventually gave the State (i.e. OCFS) continuing responsibility for oversight. City youth would be placed with City agencies, but the State would continue to review their safety and well-being.

The advocates did not achieve one of their most important goals. They asked the State to require City agencies to release regular performance measures about youth services. The final legislation required the City and State to provide data about performance outcomes to the State Senate and Assembly, but it did not include a mandate for public transparency.

The lack of meaningful community and family engagement in the development of C2H was always a major concern for advocates. The legislation merely required the City to respond in writing to public comments about the plans for Close to Home. The City was required to explain any public recommendations they chose to disregard, and the reasons behind the decision, but the advocacy organizations believed that families and communities should have been involved in the crafting of C2H. On the other hand, the advocates were able to increase the number of community hearings held throughout New York City, and they played an important role in translating the legal language of Close to Home to something understandable for the larger community.

Governor Cuomo signed Close to Home into law on March 30, 2012. The pre-legislative work performed by the City and State partners proved very helpful when the Governor's office finally released the legislation. It seemed futile for any institution to argue against Close to Home when Governor Cuomo and Mayor Bloomberg had both signed off on it.

The Non-Residential Component

The C2H initiative included two key components: 1) local placement facilities for low and medium-risk youth; and 2) an expanded continuum of community-based alternatives. The placement component received the most attention during public debate and virtually all of the new funds transferred from the State to the City were for out-of-home placements. The availability of non-residential alternatives, however, was critical to the overall effectiveness of C2H. After a youth is adjudicated as a juvenile delinquent, the Department of Probation recommends a disposition to the court. With the launch of Close to Home, DOP needed more dispositional options.

The DOP oversees youth sent to the City's "alternative-to-placement" programs (ATPs). Probation's mission includes the provision of services for these youth, including education, employment, health services, family engagement and civic participation. In the years leading up to C2H, the agency had already increased the number of community-based programs that were available for low and medium-risk young offenders. As part of C2H, it needed to expand the full continuum of services and to create a new set of comprehensive programs.

The Department of Probation also redesigned its decision-making process. Before C2H, DOP based its disposition recommendations on a risk assessment

The rhetoric and the promise [of Close to Home] was about moving kids into community-based services as much as possible because that gets better outcomes. The research shows that it reduces recidivism and it saves taxpayers an incredible amount of money because it's $20,000 a year versus $266,000.

— Gabrielle Horowitz-Prisco, 2013

tool that emphasized treatment needs. As a result, placements were often recommended for youth who had committed low-level offenses but were considered high risk for re-arrest due to treatment needs. To correct that situation, the C2H legislation mandated that DOP create a new pre-dispositional risk protocol (with OCFS approval).

After reviews of several draft instruments, OCFS approved the agency's new Structured Decision Making (SDM) matrix (Figure 3). The matrix combines information about a young person's re-offense risk level (measured by the Youth Level of Service/Case Management Inventory, or YLS-CMI) along with the seriousness of the most recent offense. This information is used to shape DOP's disposition recommendation. Dispositions range from dismissal to out-of-home placement. Probation officers may also recommend options that are more or less restrictive than what the matrix provides (i.e. "over-rides" or "under-rides").

With the introduction of the SDM matrix, treatment needs would no longer drive dispositional decision-making, but they would still be considered during post-disposition service planning. Youth with high treatment needs but low risk profiles would be referred to community services instead of going under formal supervision or being placed. The SDM provided better information about dispositional recommendations and about the level of supervision each youth should receive. It also increased consistency across courtrooms and helped to avoid racial and gender bias (NYC Department of Probation 2012).

Probation officials told researchers that the SDM was also intended to prevent the "net-widening" effect that can occur when a new array of services becomes available for young offenders. In other words, low-risk youth who would have been handled less strictly before the availability of the new alternatives are sometimes moved into more restrictive dispositions simply because new programs exist.

DOP officials were determined to prevent net-widening. Even the new alternatives to placement were not to be available for low-risk youth. Agency leaders hoped that the SDM would restrict access to the new programs and reserve them for youth with serious charges or youth with moderate arrest charges and

FIGURE 3

NYC Structured Decision Making (SDM) Matrix

MOST SERIOUS CURRENT ARREST CHARGE	LIKELIHOOD OF RE-ARREST (PER YLS ASSESSMENT)		
	HIGH OR VERY HIGH	MODERATE	LOW
CLASS I: A, B felonies (violent & non-violent), violent C felonies	BOX 1 Out of Home Placement[1]	BOX 2 Out of Placement or Alternative to Placement	BOX 3 Alternative to Placement or Probation (to be Specified)
CLASS II: Non-violent C felonies, violent D felonies	BOX 4 Out of Placement or Alternative to Placement	BOX 5 Alternative to Placement or ESP (Level 3 Probation)	BOX 6 Level 1 or 2 Probation
CLASS III: Non-violent D, all E felonies, misdemeanor assault & misdemeanor weapon possession	BOX 7 Alternative to Placement or ESP (Level 3 Probation)	BOX 8 Level 1 or 2 Probation	BOX 9 Level 1 Probation or CD ("Conditional Discharge")
CLASS IV: A misdemeanors except assault and weapons and all B misdemeanors[2]	BOX 10 Level 1 or 2 Probation	BOX 11 CD or ACD ("Adjournment in Contemplation of Dismissal")	BOX 12 ACD or short-term 1-time consequence or Dismissal

MANDATORY CONSIDERATIONS:

1. Must consider "Conditional Discharge" (CD) or "Adjournment in Contemplation of Dismissal" (ACD) for youth with no unsealed priors ("unsealed" records lack the legal protection of "sealing" and are discoverable in court proceedings and available to employers, landlords, etc.). Decisions related to CD and ACD are based on the circumstances of each case.
2. If case goes to trial, use the "finding offense" (i.e. an offense established by a court proceeding).

DISCRETIONARY OVERRIDES:

Probation Officers have discretion to recommend either a more or less restrictive option than the grid provides. However, all overrides – up or down –must be submitted with justification for approval to the PO's supervisor or Borough Director.

1. All placement-related processes are handled by the New York City Administration for Children's Services (ACS).
2. Many of these cases should be adjusted at intake.

Note: Shaded boxes represent youth who are eligible for Alternative to Placement (ATP) programs operated by the Department of Probation (DOP) and the Administration for Children's Services (ACS).

Source: New York City Department of Probation. Some features adapted by the Research & Evaluation Center, John Jay College of Criminal Justice.

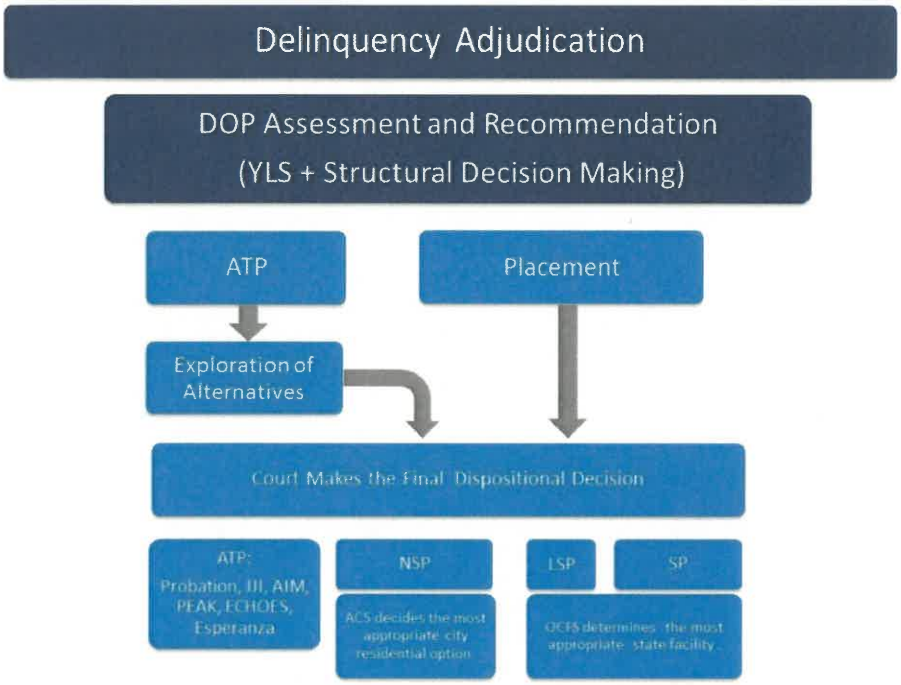
a high likelihood of re-arrest. The Department expected that the new system would lead to an increase in the number of adjournments and conditional discharge recommendations for low risk youth and an increase in ATP recommendations for higher severity offenses. They believed the new system would enable placement recommendations overall to go down, especially for low-level offenders.

The probation department modified the process it used to make disposition recommendations as well (Figure 4). Before January 2013, judges could send a youth to an ATP only after DOP first recommended placement. This recommendation triggered an Exploration of Placement (EOP) process in which DOP sent a youth's information to placement and ATP providers. After this process, the judge would then decide whether to place the youth at a state facility or to send him/her to an ATP. The rationale behind requiring the EOP was to prevent the overuse of the most expensive alternatives to placement. The process was designed to encourage judges to send only youth who really needed such services to the ATPs, but it may have created incentives for placement.

Under C2H and the new SDM matrix, Probation would no longer have to recommend placement in order for a youth to gain access to placement alternatives. The Probation officer could directly recommend an ATP, followed by an Exploration of Alternatives (EOA) process to examine which programs

New York City Disposition Process

FIGURE 4



might best address that youth's particular needs. When DOP recommended placement, the court directly managed the case. If the court decided that a youth should be placed at a non-secure site, ACS would conduct an assessment to decide the most appropriate provider for that individual youth. State officials at OCFS, however, would continue to manage placement decisions for youth referred to limited-secure and secure placements — at least until limited-secure placements were included in the C2H reforms and transferred to City responsibility (NYC Department of Probation 2012).

Under the C2H reforms, the City increased the number and diversity of **community programs** for youth. Judges could assign delinquents to varying levels of supervision and services without relying on residential placement. The decision-making process allocated cases to one of three-levels of supervision, according to the intensity of contact required for each youth and the recommended duration of the program (usually from one to two years). The level of supervision could be adjusted to fit each youth's progress. Levels 1 and 2 were designed to last up to one year, while youth on Level 3 would be under DOP supervision between one and two years. Level 3 was also known as the **Enhanced Supervision Program** (ESP). Probation officers would conduct individual and group work with youth on ESP and involve the family more extensively in the process (ACS 2013a). Caseloads were balanced so that probation officers working with higher-risk/severity youth had smaller caseloads (NYC Department of Probation 2012).

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DOP instituted three new alternatives to placement that differed in intensity and the extent of supervision. The goal was to have a fair distribution of program slots available for youth in all NYC boroughs and to provide youth with whatever approach best met their needs. The highest level of intensity in an alternative program would be provided by **Every Child Has an Opportunity to Excel and Succeed** (ECHOES). It was designed to last 12 months and would be based on life coaching and restorative justice principles. Eligible youth would work with probation officers and staff at community-based organizations five times a week to develop educational and personal skills to achieve literacy, become employed, and to maintain positive relationships (NYC Department of Probation 2012).

The **Advocate, Intervene, Mentor** program (or, AIM) was to provide intensive mentoring and advocacy for youth who were severely disconnected from their families and communities. The **concept** of AIM was to provide an advocate/mentor who would guide the youth and his/her family towards the community services and resources they needed to succeed. Each mentor had a caseload of no more than four youths and families, and they would work with each client from 7 to 30 hours per week, depending on the youth and family's need.

Pathways to Excellence, Achievement and Knowledge (or, PEAK) would be a six-month intervention that combined educational, behavior modification and therapeutic elements into a full-day curriculum. AIM and PEAK were to last six months, followed by Level 3 probation after a transitional phase prior to completion of the programs (NYC Department of Probation 2012). The DOP launched AIM and ECHOES in the summer of 2012, with PEAK opening the following year.

These new programs were designed to build on the previous ATP continuum, which included the Juvenile Justice Initiative (JJI) and Esperanza. JJI would continue, whereas DOP planned to shift Esperanza over for Juvenile Offenders and Youth Offenders (i.e., not "delinquents" under New York State parlance). By the time Close to Home was launched, the City was planning to increase the array of ATP programs by 65 slots with further adjustments as necessary (ACS 2013a).

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Implementation

The C2H initiative represented a major shift in organizational culture for public youth justice agencies and private providers. Implementing the reforms required many decisions and consensus was not always easy to achieve. More than two years into the initiative, officials still differed in their views of Close to Home. Some strongly supported it, but others remained concerned about its effectiveness and long-term sustainability.

State officials were sometimes skeptical about the decision to expand ACS's child welfare mission to include work with young offenders. City officials acknowledged that ACS lacked experience in the juvenile justice arena at first, but they were confident that staff members were developing the necessary expertise. In some ways, ACS was well positioned to assume responsibility for the expanded youth justice placements. Caseworkers experienced in foster care and group home placements might be especially capable of recommending the right mix of placements and services for individual youth, whether they required juvenile justice or child welfare services.

For OCFS, Close to Home was a departure from business as usual. The agency operated a largely institution-based system for decades, and those facilities were important employers in the local economies of several upstate communities. The C2H initiative would likely mean the loss of OCFS jobs. It was no small task for OCFS leadership to manage the associated stress and conflict. OCFS held a series of negotiations with unions to explain the new policies and to seek their buy-in and support. Although agency officials worked hard to retain employees and move them into different positions, layoffs were unavoidable. State officials told researchers that more than 1,200 positions were lost after OCFS began to downsize facilities in 2007. The C2H initiative would likely accelerate the process.

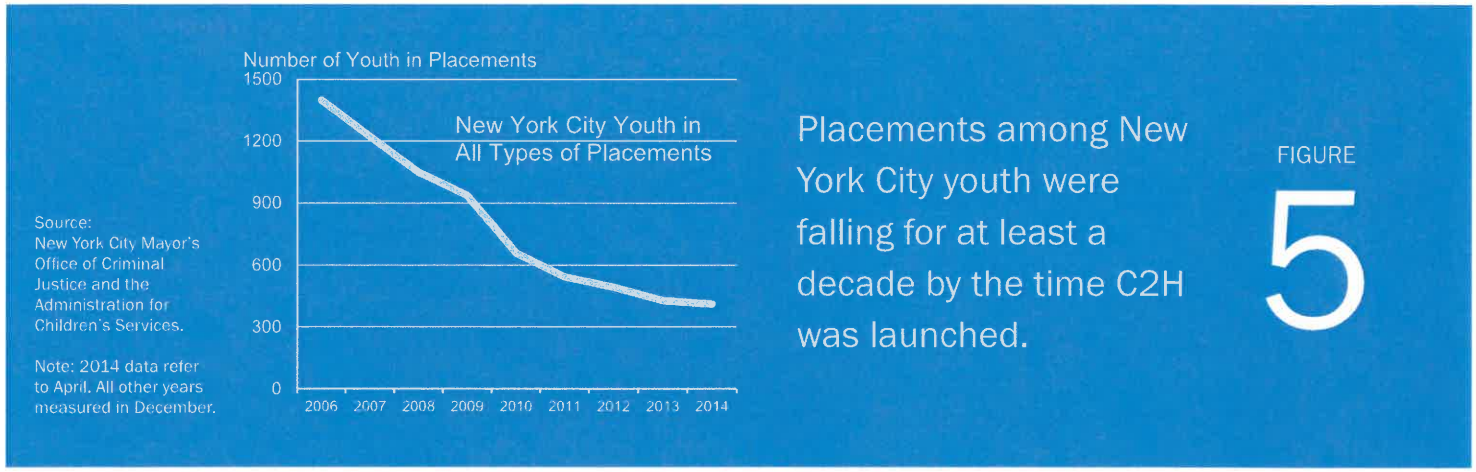
When judged by the stated goals of the C2H initiative, however, it was clear that the reforms were working. During the first year of implementation, youth from New York City who once would have been sent hours away to upstate New York placements were now staying in the City and staying in contact with their families, neighborhoods, and schools. The youth justice system was changing, at least for the young people who otherwise would have been in OCFS's non-secure placements.

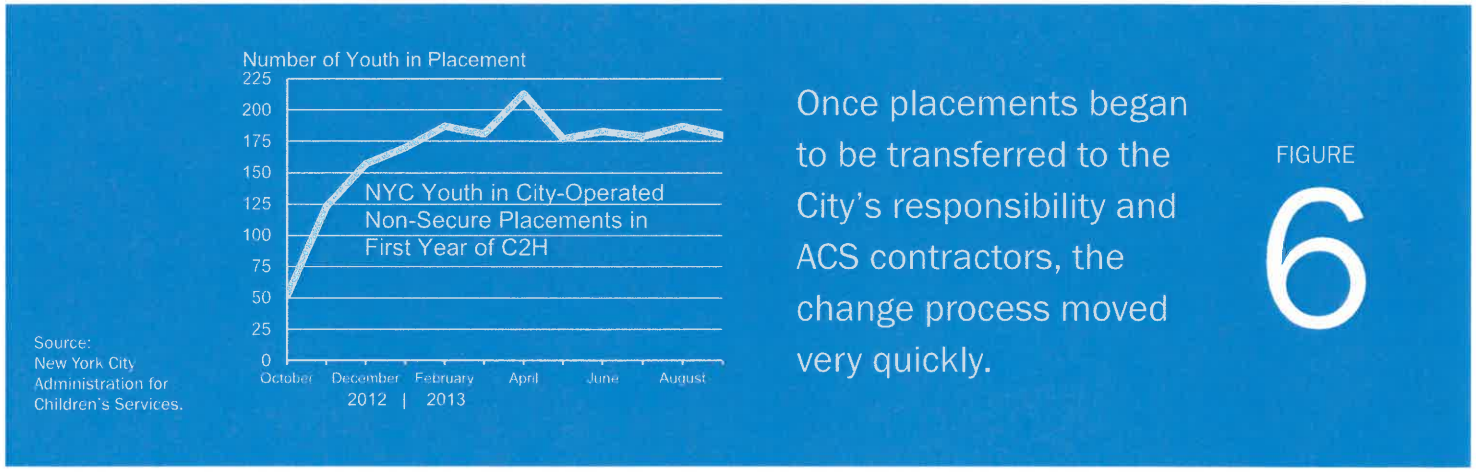
Phase 1

Phase 1 of C2H (the transfer of youth in "non-secure placements") began a few months after the enabling C2H legislation passed in 2012. Some new educational and service-delivery programs were open in four months. Transfers of placements began within six to seven months.

Everyone involved in C2H was aware that the shift in placements occurred during a time of generally declining youth crime and a falling rate of placement overall. Among New York City youth, placements were falling for at least a decade by the time C2H was launched. Between 2006 and early 2014, the total number of New York City youth in some form of placement due to law violations dropped from nearly 1,400 at any given time to slightly more than 400 (Figure 5).

Just before the launch of C2H, New York City had dozens of youth in State-run non-secure facilities. Once those placements began to be transferred to the City's responsibility, the change process moved very quickly. Phase 1 resulted





in 52 new City-based placements within the first month. By the end of 2012, the non-secure facility population had climbed to 157, and the total population reached a peak of 213 four months later in April 2013 (Figure 6).

The relatively fast start of transfers did not mean that the entire process would go smoothly. City officials admitted to researchers that they were often frustrated by how long it took contractors to prepare new facilities and programs. Providers often felt rushed. Some had never operated a youth justice facility before, and they had just four months to hire qualified staff and to open up new program sites. The youth in these placements had complex service needs, often including serious trauma. The City planned to build its array of new services and placements around principles from the "**Missouri Model**," and most of the new providers had insufficient experience with that approach. Naturally, providers were not always able to open as quickly as they had hoped.

Handling the mix of case types in the new system introduced other complexities. Some providers were unprepared to serve females. Bed capacity became an issue immediately as City facilities received more girls than anticipated during the early discussions about C2H. Eventually, ACS had to change the

designation of some programs from male to female in order to compensate for the miscalculation. It took longer than expected to build the gender-specific programming required to serve female offenders with mental health treatment needs and histories of trauma.

Even when the new agencies were ready to accept them, the process for completing transfers of custody to the City posed other challenges. The C2H legislation required that OCFS review each case individually to determine who was eligible for transfer. The agency could not simply transfer an entire class of youth. Separate petitions and court proceedings were required, and the process took longer than expected. In order to expedite it, attorneys for many juveniles agreed to waive their client's right to attend every court appearance. Some judges opposed this shortcut, however, and their cases involved full hearings on each petition.

Confidentiality and information sharing further complicated and slowed the transfer process. To provide youth with an appropriate mix of services, the State required OCFS to inform the City's ACS about the service needs of each youth in some detail. First, however, OCFS had to obtain information releases and consents from parents and families. Obtaining these releases was time consuming and it slowed down the process of matching each youth with appropriate programs and facilities.

Despite the complications and delays, City officials interviewed for this study were encouraged by the performance of the ACS contractors. Once the early obstacles were overcome, it was clear that youth from New York City were gaining access to a broader array of services and supports. The expanded investments in localized services appeared to be paying off for youth and families.

Some glitches were unexpected. Delays in the opening of new placement facilities forced state-level providers to transfer many youth from OCFS residential care directly to City aftercare services rather than first sending them to residential care in the City. This pathway was not anticipated during the initial planning of C2H. Local providers were not always ready to provide proper supervision for youth in aftercare status, and State officials believed that ACS did not have sufficient staff to oversee the sudden increase in aftercare youth. In the first months of C2H, according to OCFS records, it took an average of 21 days to connect a newly released youth to City-sponsored aftercare services. The delays triggered a spike in violations (sanctions for youth who violated the terms and conditions of aftercare) and some youth were returned to custody as a result.

Safety and security turned out to be challenging in the early days of C2H. The programs contracted to serve youthful offenders during the first year of C2H experienced an unexpected number of AWOLs ("away without leave" or youth who leave a program site without permission). By mid-August 2013, there had

been 662 AWOL incidents lasting at least 24 hours. After the first year, AWOL incidents declined steadily, and by the end of 2013 the AWOL level in City facilities was below the State average. The early AWOLs, however, suggested that at least some of the City's new facilities may have been rushed into service before they were fully prepared.

Other delays occurred because new providers had difficulty obtaining the appropriate licensure. All told, the transfer process took five months longer than expected. Despite everyone's best intentions, there were two youth justice systems working at the same time during the initial months of implementation — the old State system managed entirely by OCFS and the newly designed City system authorized by the Close to Home legislation.

The number of youth actually transferred from State placements was only half the original estimate. About 300 youth from New York City were housed in non-secure State facilities when C2H was launched, but due to implementation delays, half of them completed their placements in upstate facilities. Once all non-secure placements had been moved to City programs, State and City officials agreed that the new arrangements were operating successfully. Eventually, Phase 1 changed how New York City responded to low-risk juvenile offenders. All newly adjudicated cases disposed to non-secure placement were placed with the City's new system.

Ongoing Coordination

OCFS approved and continued to oversee the plan that ACS developed for managing the new localized placement system. ACS and OCFS wanted to ensure that all service sectors were well-coordinated before moving into Phase 2 of C2H. One of the most critical components was education. The NYC Department of Education's District 79 Superintendent, Tim Lisante, was engaged early in the planning process. District 79's Passages Academy provided educational services to most NSP youth with 11 sites located throughout the City. These sites also served non-secure detention (NSD) youth, but NSD and NSP youth were educated in separate classrooms. Two providers operated their own schools (ACS 2013b).

Delays in implementation affected educational goals as well as treatment goals. In the initial plan for C2H, officials intended to transfer as many youth as possible in September 2012 in order to avoid interrupting their schooling in the middle of an academic year. However, transfers were just beginning in September and continued through the Fall, which complicated the transition process for many youth.

Establishing effective student discipline strategies for C2H youth in the school setting was another immediate challenge. The two City schools designated for the non-secure placement population served the City's juvenile detention system as well. Schools were not fully prepared for the integration of both populations.

Officials were generally pleased with the educational component once the early bugs were worked out. Unlike the pre-C2H system, youth placed in care under C2H remained in the City's Department of Education system without interruption and credits earned during placement counted toward their educational record when they returned to the community. Previously, the credits that youth earned during State placements were not easily transferred because the State and the City used different educational credit systems. When youth were released and returned to City schools, each school Principal had the legal authority to deny the transfer of credits. Under the new system, all schools serving youth during placement were licensed and accredited by the City.

Other measures were implemented to ensure continuity between facility-based schools and community schools, including an online education and reentry planning tool called "Plan to Succeed NYC." Students, families, and community schools could access the system for planning and simple communication. The City school system also created a new counselor position to assist families and to prepare youth for their return to a community school after placement.

These practices were a dramatic improvement compared with the previous era when justice-involved youth were routinely denied access to their former schools after placement. After the launch of C2H Phase 1, the City Department of Education reported a significant spike in credits earned by placed youth, as well as higher percentages of youth taking and passing the State Regents exams.

Disciplinary Practices

The planning process included a focus on disciplinary protocols, as these varied widely across the City's youth facilities and led to inconsistent practices and confusion for youth who moved between the school setting and the residential setting. Officials from the City's Department of Education reported that behavioral incidents in the residential setting often carried over into the classroom, sometimes leading to violent clashes between students. New protocols had to be created, and educational staff were forced to improvise until the new procedures were put in place. The lack of advance planning was described by some officials as detrimental to the early success of C2H. The Department of Education reported increasing rates of fights and runaways during the 2012-2013 school year. Residential providers and educators had to work quickly to solve a new set of problems.

Youth advocates had been concerned about disciplinary practices given OCFS' track record and ACS' own history of problematic practices in the City's detention facilities. Data from ACS' own monitoring efforts had shown that during the fourth quarter of FY 2012 and the first quarter of FY 2013 combined, over 1,500 physical or mechanical restraints of children occurred with 125 reported injuries to children. In the same period, two ACS-run detention facilities had over 150 instances of room isolation.

For Phase 1 of Close to Home, ACS designed a set of discipline policies that providers were required to follow. To prevent abusive restraint practices, ACS required each NSP provider to adopt a positive behavioral management approach like the Safe Crisis Management System (SCM) – which focuses on de-escalating crisis situations. When youth presented acute physical behavior – i.e. risk of physical injury, danger to the facility, or intent to escape — ASC required providers to follow the SCM to deal with the behavior while avoiding the use of force and physical restraint. The use of room isolation was only permitted in NSP facilities that housed 13 or more youth and only after other de-escalation measures were ineffective. ACS also crafted a specific set of procedures that providers were required to follow after successful escapes (ACS 2012; 2013a).

Reentry and Aftercare

The end of placement and a youth's return to the community are always critical moments for justice systems. During C2H implementation, ACS made reentry planning a high priority. Planning for each youth's transition to the community was to begin while the youth was still placed. ACS specialists and placement staff developed a specific plan for every youth and worked closely with the family in order to address any potential difficulties that were likely to occur during the transition phase.

In the early stages of C2H, ACS relied on its existing providers for aftercare services. Many youth returning from non-secure placements received services from the Juvenile Justice Initiative's (JJI) intensive aftercare program — a four-month program based on Functional Family Therapy. As C2H expanded, ACS planned to evolve its aftercare practices and to replace the JJI model with a new approach tailored for Close to Home. The goal was for local community-based organizations to play a central role in reentry and continuing care and support by providing specialized services for youth, such as mentoring, recreation and tutoring (ACS 2012).

The design of an effective and well-serviced aftercare program for C2H youth was one of the main concerns of State officials during negotiations leading up to the launch of C2H. The State considered the City's initial plans to be weak. State officials pushed for the creation of a more comprehensive approach for aftercare. Although the State later agreed that ACS had improved its aftercare services, the need for well-structured aftercare programs remained an area of concern for OCFS.

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System Oversight

Long before C2H, youth advocates had been critical of the oversight and accountability mechanisms in New York's residential placement system. Many factors, including the distance between the State facilities and New York City, prevented families and lawyers from properly monitoring the system's behavior. With the development of C2H, ACS provided more support

for the independent Juvenile Justice Oversight Board, whose members were not ACS staff. Board members were empowered to visit facilities, to make recommendations for system performance, and to issue annual reports.

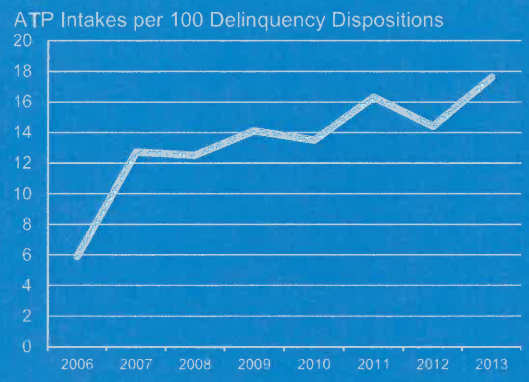
Existing accountability measures were still subject to criticism. Gabrielle Horowitz-Prisco, director of the Juvenile Justice Project at the Correctional Association of New York, questioned the independence and transparency of the Board. In testimony at a City Council hearing in January 2013, she pointed out the lack of clear oversight and cited the need for standard practices like unannounced visits to providers and confidential interviews with youth.

The C2H legislation included a series of external oversight mechanisms designed to ensure high quality execution of the plan. OCFS was designated to oversee the implementation of the initiative, ACS' case management and aftercare, and the licensing and functioning of the providers. OCFS also created a Close to Home Oversight and System Improvement unit (CTHO) to monitor the new City-based residential system (ACS 2012). The oversight unit organized site visits with staff and youth in provider agencies. It also planned to interview youth's family members to gain a more complete understanding of the complexity of the reintegration issues facing youth and their families. The CTHO provided technical assistance and support to providers regarding ACS policies and regulations, AWOL protocols, gender-specific programming, and transition planning. According to one OCFS official, the core mission of the OCFS oversight team was to maintain the momentum of the State's own juvenile justice reform efforts and to remain involved in shaping the quality of the City system under Close to Home.

The C2H legislation granted the State a significant oversight role and allowed OCFS to require corrective action if the City was ever out of compliance with the approved process. If problems persist, OCFS was authorized to use fiscal penalties and, ultimately, to terminate ACS' authority to operate the juvenile justice services specified under Close to Home. As a City agency, ACS was also overseen by the New York City Council and the City's Public Advocates' office. The Close to Home legislation did not require ACS to release performance measures to the public, but with support from the advocacy community the City Council passed legislation in June 2013 that mandated publication of key demographic data and incident reports on youth detained and placed in City-run facilities.

Support for Alternative Programs

Finally, many of the State and City officials involved in Close to Home believed that its success would rest largely on how well the youth justice system was able to expand and use alternatives to placement. The City's Department of Probation, for instance, was deeply involved in developing and funding a wider array of alternative programs for young offenders.



Source: New York City Mayor's Office of Criminal Justice.

[I]t was clear that resources had been shifted successfully to community alternatives and that courts were really beginning to use the programs.

FIGURE 7

Within the first year of implementation, it was clear that resources had been shifted successfully to community alternatives and that judges were beginning to utilize the programs (Figure 7). The probation department reported that as of February 2014 the AIM and ECHOES programs were operating at near capacity.

The ECHOES program took some time to reach capacity, in part because the DOP sited the initial set of 70 program slots in Harlem and the program there struggled to recruit sufficient numbers of clients. Realizing that the ECHOES program may have been too large in the Harlem neighborhood, DOP reassessed the scale and location of ECHOES providers and reissued contracts, including a second site in Jamaica Queens. By early 2014, 90 percent of the ECHOES program slots were occupied. The Department's goal was to maintain an occupancy rate of 80 to 90 percent and City officials expressed confidence that they could meet this goal.

City officials also focused on the community and recreational activities available for placed youth. When ACS recruited provider agencies to serve youth in placement, they preferred agencies that endorsed a youth development approach. For example, Children's Village and SCO Family of Services were NSP providers with a long history of emphasizing positive youth development and community involvement. They worked to ensure that youth had ample opportunities to participate in service projects in the community, including activities like working in a food pantry or helping to support homeless families. Providers were also encouraged to integrate recreational activities and the arts into daily programming for youth.

By 2014, ACS had established partnerships and contracts with a variety of community-based and alternative youth programs (Sherman 2015). These programs included:

- Voices Unbroken — Writing based workshops to help young people build literacy skills.

- Healing Arts of Montefiore Medical Center — Convening artists and young people to design and paint murals and other artwork.
- High Five/Art Connection — Introducing youth in non-secure residential settings to the arts with visits to live theater and museums.
- Carnegie Hall — Connecting youth with professional musicians to compose, produce and perform their own music.
- New York City Mayor's Office to Combat Domestic Violence — Working with young people in ACS programs to learn about the sources and effects of family and partner violence and its effects on relationships and health.
- Girl Scouts Council of Greater New York — Providing workshops on financial literacy, leadership development, career planning and college preparation.
- Yoga for Yoga — Offering weekly yoga sessions for youth in ACS programs.
- Row New York — Introducing youth to rowing and leveraging physical activity as support for academic success.
- exalt youth — Providing structured classes and individualized support related to work and labor market success, including paid internships.
- Gender-Responsive Re-entry Assistance and Support Program — An evidence-informed re-entry program for young women transitioning from placement to the community.

Phase 2

Close to Home was designed to include a second phase affecting limited-secure placements. Youth in LSP facilities were higher-risk offenders, although not as high risk as those in secure facilities. The original C2H plan predicted that LSP youth would be moved to City-operated programs in Spring 2013, which was eventually postponed to Fall 2013 (ACS 2013b). By the end of 2014, implementation had been postponed again and was scheduled for March 2015. During the extra year of planning, OCFS and ACS worked together to ensure that the City's new LSP programs were ready before the launch of Phase 2.

According to ACS officials, a key reason for postponing Phase 2 was the difficulty the agency encountered in recruiting providers with appropriate resources and program space. Both ACS and OCFS agreed that it was better to delay the launch of Phase 2 rather than to rush a deadline that could result in opening programs with inadequate resources for youth. Selecting providers and determining the distribution of program slots were major decisions for ACS. In Phase 1, the agency relied on a decision-making process that matched individual youth with the most appropriate provider based on need. An ACS intake and assessment team gathered information from a variety of sources

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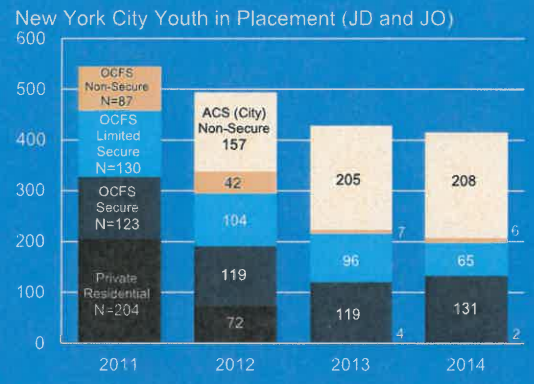

Source: New York City Administration for Children's Services. Note: 2014 data refer to April. All other years measured in December.

[Judging] by placement patterns, the available data show that placement trends changed and they changed as intended.

FIGURE 8

to learn about each youth and family. The team then accounted for any special needs of the youth and his/her educational abilities and included suitable provisions in the service plan.

For ACS officials, it was clear that the process for placing youth in LSP facilities would be at least as complicated. ACS worked with the Vera Institute of Justice to develop a classification tool designed to integrate information about youth behavior during past placements with other predictive information. The tool was still in development in 2014 and not yet fully implemented, but the agency hoped that it would supplement ACS' other assessments in helping to make final placement determinations. Such a tool would be particularly helpful in instances when the family court ordered placement for a youth, but requested further input from ACS (ACS 2012; 2013a).

The government officials and private practitioners interviewed for this study were cautiously optimistic about the launch of Phase 2. Both the State and City embraced the vision of a youth justice system in which placements would be used sparingly and family members would play a key role in the design and follow-up of treatment plans. Phase 2 would be another significant shift in policy and practice and everyone involved was anxious to see it begin.

Outcomes

More than two years after the launch of Close to Home, the obvious question is, "did it work?" The evidence is clear that the initiative was effective in changing the youth justice system in New York City (Figure 8). When the outcomes of the C2H initiative are judged by placement patterns, the available data show that placement trends changed and they changed as intended. In December 2011, the year before the launch, 544 juvenile delinquents from New York City were in some form of out-of-home placement due to law violations. Of these, 204 were in private residential facilities and 340 were in State-run facilities, including 123 in secure placements, 130 in limited-secure placements, and 87 in non-secure placements.

Of course, the number of placements from New York City was falling. The overall volume of delinquency placements declined after the launch of C2H and for the next two years. Overall, placements dropped to 494 in 2012 and 428 in 2013. By April 2014 the total number of New York City juveniles in placement was 415.

The decline in placements cannot be attributed to the C2H initiative because the trend existed before C2H and did not accelerate appreciably under C2H. The change in the configuration of placements, on the other hand, may be attributed to C2H. The number of youth in State-run non-secure facilities plummeted as intended, from 87 placed youth in 2011 to 9 youth in 2014.

As the City assumed responsibility for non-secure placements, those low-risk youth were no longer placed in State facilities. Instead they were placed with City programs administered by the Administration for Children's Services. The ACS non-secure programs were serving 157 youth by December of 2012 and more than 200 youth at a time for the next two years.

Before the launch of C2H, advocates had worried that restricting New York City's access to State-operated non-secure facilities would cause more youth to be reclassified as limited secure and this would lead to an expansion of those placements. This did not happen. The number of New York City youth placed in the State's limited-secure facilities continued to fall after C2H. In 2014, there were just 65 New York City youth in limited-secure placements — half the number in those placements in 2011.

Some other dire predictions about Close to Home also failed to come true. There were concerns among youth advocates, and even some officials within the youth justice system, that the expansion of programs and placements at the City level would lead to an overall expansion of the system. As police and courts learned about the greater resources available at the local level, so goes the argument, the perceived negative consequences of taking action against a youth would be lessened. Since there would be less of a chance that a particular youth would end up hundreds of miles away in a State-operated juvenile facility, the decision to arrest and to charge would be easier to make.

However, this did not happen (Figure 9). According to data from the Division of Criminal Justice Services, juvenile arrests (JD and JO) in New York City actually dropped more after C2H compared with the rest of the State. In the years just before C2H, arrests were declining in the City and State, but the relative decline was smaller in New York City (–4% between 2009 and 2011 in New York City versus –18% in the rest of the State). After the beginning of Close to Home, the situation was reversed. Arrests in New York City fell more (–39%) than in other areas of the State (–24%).

A different pattern was evident in the number of delinquency petitions filed in family courts across New York, but there was still no evidence that C2H increased the volume of court petitions (Figure 10). Before the

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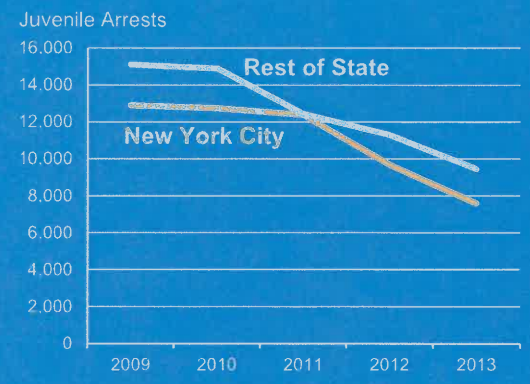
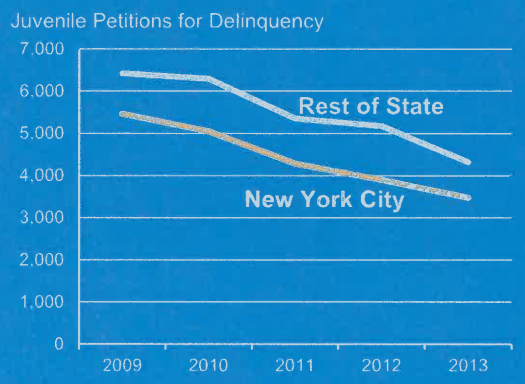


Source: Juvenile Justice Profiles. New York State Division of Criminal Justice Services (www.criminaljustice.ny.gov/crimnet/ojsa/stats.htm).

Juvenile Arrests
Before and After Close to Home

	Percent Change	
	2009-2011	2011-2013
New York City	– 4%	– 39%
Rest of State	– 18%	– 24%

FIGURE 9



Source: Juvenile Justice Profiles. New York State Division of Criminal Justice Services (www.criminaljustice.ny.gov/crimnet/ojsa/stats.htm).

Juvenile Delinquency Petitions Filed
Before and After Close to Home

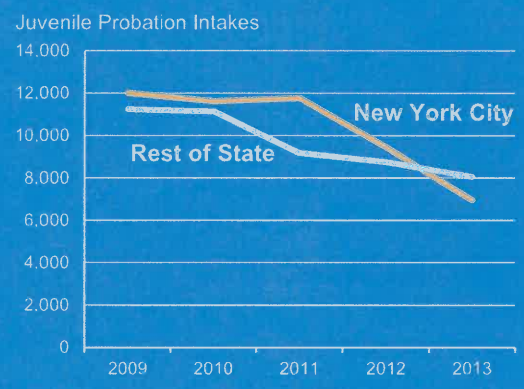
	Percent Change	
	2009-2011	2011-2013
New York City	– 22%	– 19%
Rest of State	– 17%	– 19%

FIGURE 10

implementation of C2H, the number of delinquency petitions in New York City courts declined somewhat more than did petitions outside of the City (–22% versus –17% between 2009 and 2011). After C2H began in 2012, the gap closed. The number of delinquency petitions fell 19 percent in both City courts and courts in other areas of the State.

The reversal pattern seen in arrests was also apparent in the number of intakes to probation departments before and after Close to Home (Figure 11). Juvenile delinquency probation intakes actually declined more in New York City than the rest of the state after the implementation of Close to Home. In the two years just before C2H, intakes dropped two percent in New York City, but fell 18 percent in the rest of the State. After the beginning of Close to Home, the decrease in intakes by New York City probation (–41%) was three times the size of other New York communities (–12%).

Another unintended consequence that did not occur was the potential shift toward using detention beds. Restricting out-of-home placements could have led to greater demand for detention bed space in the City. In principle, detention space is for pre-adjudicatory and pre-dispositional confinement of



Source: Juvenile Justice Profiles. New York State Division of Criminal Justice Services (www.criminaljustice.ny.gov/crimnet/ojsa/stats.htm).

Juvenile Probation Intakes
Before and After Close to Home

	Percent Change	
	2009-2011	2011-2013
New York City	– 2%	– 41%
Rest of State	– 18%	– 12%

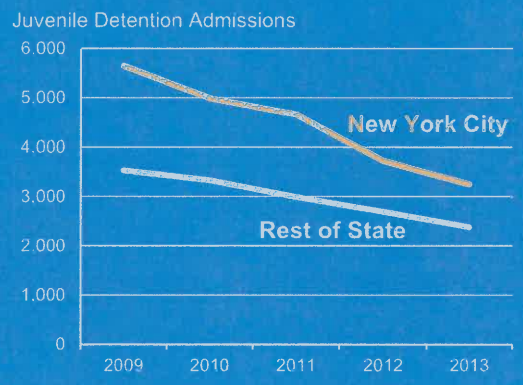
FIGURE 11

high-risk youth. In other words, detention beds and out-of-home placement slots are not supposed to be inter-changeable. When a court system cannot access placements in sufficient numbers, however, judges could have started to draw upon available detention beds as a form of substitute placement.

In fact, however, the launch of C2H was associated with an even larger decline in detention in New York City (Figure 12). Before C2H, the number of juvenile detention admissions in New York City declined at a pace that was slightly greater than the rest of New York State. Between 2009 and 2011, detention admissions in New York City fell 17 percent while admissions in other areas of New York State dipped 15 percent. After C2H, admissions in New York City decreased even more relative to the rest of the state (–30% versus –21%).

The same pattern was seen in average daily detention population (Figure 13). Before C2H, the detention population in New York City fell slightly more than the rest of the state (–21% compared with –20%). After the launch of C2H, the decline in the City's detention populations outpaced that of the rest of the state (–22% versus –15%).

The available data suggest that New York's Close to Home initiative succeeded in nearly eliminating placements of New York City youth in State non-secure facilities within the first year. The initiative also expanded the use of alternative placements and non-residential programs for youth who may have otherwise been placed in State facilities. Critics of the Close to Home reform once warned that making these changes could widen the net of justice intervention and even increase the use of placement and detention space at the local level, but these predictions did not materialize. It will take several more years before additional research will be able to assess whether Close to Home protected the public safety and accomplished other important goals related to treatment and behavior change among young offenders. In the first two years of the initiative, however, the effort was implemented as promised and it succeeded in meeting its stated goals without unanticipated negative consequences.

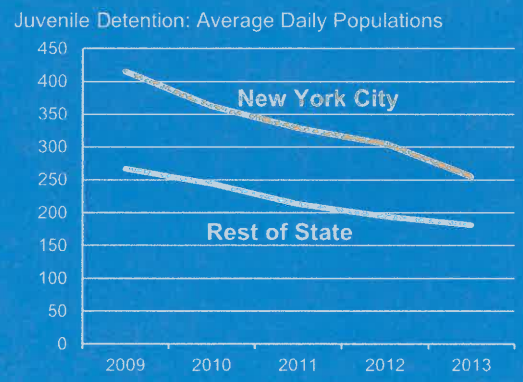


Source: Juvenile Justice Profiles. New York State Division of Criminal Justice Services (www.criminaljustice.ny.gov/crimnet/ojsa/stats.htm).

Juvenile Detention: Annual Admissions Before and After Close to Home

	Percent Change	
	2009-2011	2011-2013
New York City	– 17%	– 30%
Rest of State	– 15%	– 21%

FIGURE 12



Source: Juvenile Justice Profiles. New York State Division of Criminal Justice Services (www.criminaljustice.ny.gov/crimnet/ojsa/stats.htm).

Juvenile Detention: Average Daily Populations Before and After Close to Home

	Percent Change	
	2009-2011	2011-2013
New York City	– 21%	– 22%
Rest of State	– 20%	– 15%

FIGURE 13

Conclusions

All of the officials and practitioners interviewed for this study believed the Close to Home initiative improved the youth justice system in New York. Most interviewees believed that Phase 2 would go even further and perhaps create a truly rehabilitative approach to youth justice. In everyone's opinion, New York was moving in the right direction.

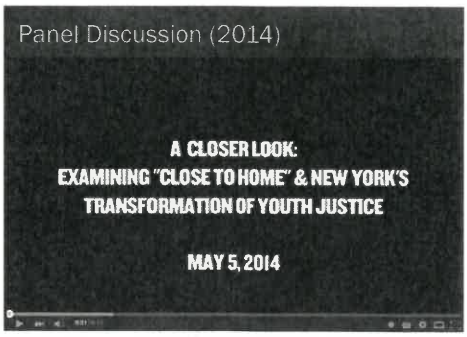
The first phase of Close to Home clearly helped those youth who were once held in the State's remote, non-secure facilities. Beginning in 2012, those youth were being served in community-based programs closer to their own neighborhoods. Even those who were still in residential placements had more opportunities for family visits and they were able to maintain positive connections to their communities.

Close to Home also improved educational supports for justice-involved youth. School officials in New York City reported that the youth affected by C2H were taking and passing their Regents Exams at higher rates than before, and they were more often returning to their neighborhood schools following placement. According to one official: "they don't leave the NYC [school] system when they get placed now, and this continuity is critical to helping them succeed when they get home."

The stronger emphasis on contract oversight under Close to Home was also an improvement over the pre-C2H era. Providers told researchers that both ACS and OCFS played an active oversight role during the first phase of the C2H initiative. ACS and OCFS staff members were visiting facilities more often and were more familiar with program staff and clients.

As the City and State move into Phase 2 of C2H in 2015, a couple of key questions should be asked. Namely, what strategies were effective in advancing the C2H agenda, and what mistakes should be avoided? Several answers emerged during interviews for this report:

- Providers need time to prepare for new clients and new caseloads. The planning process for Close to Home should allow for reasonable start-up time, and the City and State should collaborate to support the costs of contractors during the start-up phase.
- More effort should be made to minimize the number of youth who are transferred from one setting to another in the midst of a residential stay. New placement facilities should grow with new admissions rather than transferring youth from old facilities.
- Building high-quality programs and placements is essential, but it is also important to build in controls over access to those programs and placements. Net-widening is an ever-present risk.
- The C2H initiative benefitted from the effective division of labor between City and State officials — i.e. the City assumed primary responsibility for managing and contracting for programs while the State provided oversight and regulatory review.
- Residential work in the youth justice system is difficult and challenging. Youth justice systems must recruit staff carefully and provide employees with ongoing training and professional development to ensure quality of care and to minimize turnover.
- While youth justice agencies should rely on evidence-based or evidence-informed service models whenever possible, such models do not exist for every youth and family factor that leads to crime and delinquency. Youth justice systems should include other interventions suggested by adolescent development science and preventive principles (e.g., job supports, educational mentoring, participation in the arts, sports and physical activity, and an array of other skill-based interventions).



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As a reform strategy, Close to Home is not yet complete. During interviews for this study, agency officials from both the City and the State agreed with advocates that more investments were needed in community-based, non-residential alternatives. They also agreed that placement decisions would require ongoing scrutiny — even after the launch of Phase 2.

The officials most involved in C2H were clear that recent reforms were not simply about moving placements and programs from one agency to another. Transferring placements from OCFS to ACS would accomplish nothing unless the quality of youth justice improved. As Commissioner Gladys Carrión stated in 2014: "Either one of us [ACS or OCFS] is quite capable of running a really poor system. It's not about who runs it."

Close to Home was also not a privatization initiative. If the principal outcome of C2H was simply that private agencies began to play a larger role in youth justice, the initiative should not be considered a success.

Finally, while the officials interviewed for this study sometimes differed about the importance of budgetary concerns in the long-term, none believed the success of C2H should be judged simply in terms of short-term costs. In their view, the goal of Close to Home was to build a more effective youth justice system that provides high-quality services for youth and families in order to ensure safer communities.

Perhaps in a few years, as more outcome data become available, New Yorkers will learn that the Close to Home initiative brought real and lasting benefits to justice-involved and their communities. As of now, however, while nobody is ready to call the initiative a complete success, the general consensus is that Close to Home is a promising reform that has already improved the quality of youth justice in New York City and New York State.

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